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The Danish Immigration Service

The Kurdistan Region of Iraq (KRI)

Access, Possibility of Protection, Security and Humanitarian Situation

Report from fact finding mission to Erbil, the Kurdistan Region of Iraq (KRI) and Beirut, Lebanon

26 September to 6 October 2015

Copenhagen, April 2016

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Disclaimer

This report was written according to the EASO COI Report Methodology.[1] The report is based on approved notes from meetings with carefully selected sources. Statements from all sources are used in the report, and all statements are referenced.

This report is not, and does not purport to be, a detailed or comprehensive survey of all aspects of the issues addressed in the report. It should be weighed against other available country of origin information on the situation in the Kurdistan Region of Iraq (KRI) and other Kurdish controlled areas with regard to the security situation, the possibility for protection, the humanitarian situation as well as the access to KRI for Iraqi citizens.

The report at hand does not include any policy recommendations or analysis. The information in the report does not necessarily reflect the opinion of the Danish Immigration Service (DIS) or the Danish Refugee Council (DRC).

Furthermore, this report is not conclusive as to the determination or merit of any particular claim to refugee status or asylum. Terminology used should not be regarded as indicative of a particular legal position.

[1] European Union: European Asylum Support Office (EASO), EASO Country of Origin Information report methodology, 10 July 2012. http://www.refworld.org/docid/4ffc33d32.html.

Introduction and methodology

The report at hand is the product of a joint mission conducted by the Danish Refugee Council (DRC) and the Country of Origin Information Division, Danish Immigration Service (DIS) to Erbil, KRI and Beirut, Lebanon from 26 September to 6 October 2015.

The purpose of the mission was to collect updated information on issues relevant for cases regarding Iraqi asylum seekers with regard to access to the Kurdistan Region of Iraq (KRI) and the other Kurdish controlled areas, the security situation as well as the possibility of protection and the humanitarian situation.

The terms of reference for the mission were drawn up by DIS in consultation with DRC, the Danish Refugee Appeals Board as well as an advisory group on COI.[2] The terms of reference are included as Appendix 1 to this report.

In the process of compiling the report, the delegation consulted 22 sources in total, comprising representatives from international organisations, academics, NGOs, a western diplomat, journalists and local authorities. The sources interviewed were selected by the delegation based on the expertise, merit and role of each source relevant to the mission. Eighteen of the sources were consulted during the mission. Two of the sources, Visiting Scholar Renad Mansour and a scolar specialised in Kurdish issues were consulted via Skype as travel plans made it impossible to meet them in Erbil or Beirut. Two other sources were consulted at meetings in Copenhagen in October 2015 as one of them, Senior Researcher Christophe Wilcke from Human Rights Watch, is based in Germany and the other, Journalist Osama Al Habahbeh, works partly in Denmark, partly in Sulaimania, KRI.

In order to qualify the consulted sources, brief descriptions of the sources are, generally, included in the meeting notes. The sources were asked how they wished to be introduced and quoted, and all sources are introduced and quoted according to their own wishes. Fifteen sources are referred to in the report by their name and/or the name of their organisation; in accordance with their own request on this matter. Six sources requested varying degrees of anonymity for the sake of discretion and upholding tolerable working conditions.

The sources consulted were informed about the purpose of the mission and that their statements would be included in a public report. The notes from the meetings with the sources were forwarded to them for approval, giving the sources a possibility to amend, comment or correct their statements. All sources but three have approved their statements. Due to a heavy workload one source, a lawyer who works for an international NGO, did not approve the notes, but the

[2] The group consists of Danish Refugee Council, Amnesty International in Denmark, Danish Institute for Human Rights, Dignity, representatives of two Christian organisations (Danish European Mission and Open Doors), the National Commissioner of Police and the Danish Bar and Law Society (representing asylum lawyers).

source gave consent to include the note in the report as an anonymous source. Furthermore, the delegation was informed that statements given during the meetings with Head of the General Security Directorate, Asayish, Esmat Argushi and the Kurdistan Regional Government (KRG) Minister of the Interior Karim Sinjari are public and do not need approval. Another source approved the note, but due to the sensitive nature of the information in the note, the source preferred that the information was not included in the report, nor published. Thus, out of the 22 consulted sources, the report is based on meeting notes with 21 sources.

The report is available on the website of DIS, www.newtodenmark.dk, as well as that of DRC, www.drc.dk, and thus is available to all stakeholders in the refugee status determination process as well as to the general public.

The report is a summary of the sources' statements and does not include all details and nuances from the meeting notes. In the report, care has been taken to present the views of the sources as accurately and transparently as possible. In this regard, all sources' statements are found in their full extent in Appendix 2 of this report.

Attention should be paid to the uncertain situation in KRI and other Kurdish controlled areas and the fact that the information provided may quickly become outdated. Therefore, the issues addressed in this report should be monitored periodically and be brought up to date accordingly. The editing of this report was finalized in February 2016.

Abbreviations

ACTED	Agence d'aide à la Coopération Technique Et au Développement
AQ	al-Qaeda
CCCM	Camp Coordination and Camp Management
CSO	Central Statistical Office
DCVAW	Department for Combatting Violence against Women
DIS	Danish Immigration Service
DRC	Danish Refugee Council
ERC	Erbil Refugee Council
ESO	Erbil Statistical Office
FGM	female genital mutilation
IDP	internally displaced person
IED	improvised explosive device
IMC	International Medical Corps
IMS	International Media Support
IOM	International Organization for Migration
IRC	International Rescue Committee
IS	Islamic State[3]
KHRW	Kurdish Human Rights Watch
KPD	Kurdistan Democratic Party
KRG	Kurdistan Regional Government

[3] Also commonly referred to by use of the acronyms ISI [Islamic State in Iraq], ISIS [Islamic State in Iraq and Syria], ISIL [Islamic State in Iraq and the Levant] and DAESH [Arabic acronym for: 'al-dawla al-islamiyya fii-il-i'raaq wa-ash-shaam' meaning 'Islamic State in Iraq and Syria/the Levant'].

KRI	Kurdistan Region of Iraq
NGO	non-governmental organisation
OCHA	Office for the Coordination of Humanitarian Affairs
PAO	Public Aid Organization
PMF	Popular Mobilization Forces
PUK	Patriotic Union of Kurdistan
UAE	United Arab Emirates
UN	United Nations
UNAMI	United Nations Assistance Mission for Iraq
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
VBIED	vehicle borne improvised explosive device
WASH	water, sanitation and hygiene facilities
WFP	World Food Programme

1. Outline of the socioeconomic and political situation in the Kurdistan Region of Iraq

1.1 Waves of IDPs

The Office for the Coordination of Humanitarian Affairs (OCHA) describes how Iraqis, during the war against Islamic State, have been displaced in waves, starting by the first wave in January 2014 where people fled due to fighting in Anbar.[4] According to both OCHA and Journalist Osama Al Habahbeh, a new big wave was created in June 2014 when Islamic State took over Mosul. In addition, OCHA, along with a lawyer working for an international NGO, refers to a big wave in August 2014 when violence broke out in northern Iraq, and OCHA indicates that this was followed by smaller sporadic waves throughout the rest of 2014 and 2015. A number of the Iraqi internally displaced persons (IDP) have fled into the Kurdistan Region of Iraq (KRI), and according to the Kurdistan Regional Government (KRG) Minister of the Interior Karim Sinjari, more IDPs are coming. In October 2015, KRG Minister of the Interior Karim Sinjari said that KRI was receiving IDPs from Ramadi, coming by plane, because Baghdad was not accepting them. KRG Minister of the Interior Karim Sinjari added that if there is an attack on the Islamic State occupied city of Mosul, hundreds of thousands of new IDPs are suspected to arrive in KRI. According to International Organization of Migration (IOM), the total number of IDPs in KRI as of 3 December 2015 was 925,950.[5]

Corresponding to the abovementioned number of IDPs in KRI, a western diplomat said that the population of KRI is approximately five million people to which the IDPs have made an increase of twenty percent. KRG Minister of the Interior Karim Sinjari referred to KRI accommodating 1.7 million IDPs and refugees of whom 250,000 are refugees from Syria. Minister of the Interior Karim Sinjari added that, since January 2014, the population in KRI has increased by between 28 and 30 percent.

Three sources pointed to the influx of IDPs, not only adding significantly to the amount of people living in the region, but also changing the demographic composition in the area.[6] In this regard, two of the sources referred to efforts made during the reign of Saddam Hussein to force relocation of Arabs into the Kurdish areas.[7] One of these sources, Visiting Scholar Renad Mansour, said that, seen from the perspective of the KRI host community now that they experience how KRI has become overcrowded with IDPs, the Kurds are scared due to traumas caused by the Arabization efforts made by Saddam Hussein.

[4] OCHA, Iraq: Humanitarian snapshot (as of 31 December 2015), available at: http://reliefweb.int/report/iraq/iraq-humanitarian-snapshot-31-december-2015-0 [Accessed 2 February 2016].
[5] IOM Displacement Tracking Matrix, DTM Round 36, January 2016, available at: http://iomiraq.net/dtm-page [Accessed 2 February 2016].
[6] Journalist Osama Al Habahbeh, Visiting Scholar Renad Mansour, a western diplomat
[7] Visiting Scholar Renad Mansour, a western diplomat

1.2 Scarcity of resources and pressure on the infrastructure

At societal level, various sources referred to the Kurdistan Region of Iraq (KRI) infrastructure as unsustainable compared to the number of IDPs in need of protection.[8] According to IOM, the majority of IDPs in KRI stay in Dohuk and Erbil.[9] In addition, sources referred to the Iraqi central government having cut funding to the Kurdistan Regional Government (KRG) making it particularly difficult to bear the financial burden of accommodating the IDPs and cover its own expenses, for instance salaries to public employees[10] and financing the war against Islamic State.[11] Moreover, various sources pointed to a general economic downturn in KRI, for instance caused by a foreign investment stop and dropping oil prices, resulting in a financial crisis.[12] Erbil Refugee Council (ERC) said that, before the current crisis, there were a lot of investments in KRI, mainly made by Turkish investors. ERC along with INTERSOS referred to investors having now pulled out leaving behind many unfinished buildings, and ERC said that hotels and 300 private companies in KRI have gone bankrupt.[13]

Various sources informed that most IDPs live outside camps.[14] Sources, however, also pointed to a demand for additional camps and more space in existing camps.[15] Additional space in camps or new camps is, for instance, needed for long-term IDPs running out of resources to support themselves outside the camps[16] and for IDPs squatting in unfinished buildings inappropriate as living-quarters.[17] Two sources, however, pointed to the identification of new sites for camps as a challenge, since only one percent of the land in KRI is owned by the government. According to the two sources, the remaining 99 percent is privately owned.[18] ERC added that the Kurdistan Regional Government (KRG) is already renting land for camps.

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[8] Journalist Osama Al Habahbeh, a western diplomat, ERC, INTERSOS, an international NGO

[9] IOM Displacement Tracking Matrix, DTM Round 36, January 2016, available at: http://iomiraq.net/dtm-page [Accessed 2 February 2016]. According to IOM, the number of IDPs in the KRI governorates is respectively: 409,710 IDPs in Dohuk, 352,134 IDPs in Erbil and 164,106 IDPs in Sulaimania.

[10] Journalist Shalaw Mohammed, KRG Minister of the Interior Karim Sinjari, IRC, an international NGO, PAO/KHRW

[11] KRG Minister of the Interior Karim Sinjari

[12] ERC, Professor Bassel al-Hassan, INTERSOS, IRC

[13] ERC referred to the World Bank Report entitled *The Kurdistan Region of Iraq: Assessing the Economic and Social Impact of the Syrian Conflict and ISIS* (April 2015) for more knowledge about the financial crisis: 'The headline finding of the report is that the overall stabilization cost from the inflow of refugees and IDPs is $1.4 billion for the baseline scenario for 2015. This cost is about 5.6 percent of nonoil GDP and thus in the range of costs observed for major disasters worldwide.' (p. 3) Available at: https://openknowledge.worldbank.org/handle/10986/21637 [Accessed 2 February 2016].

[14] Management of Baharka camp, ERC, IRC, PAO/KHRW, an independent researcher, a lawyer working for an international NGO

[15] Management of Baharka camp, ERC, IOM, INTERSOS, a western diplomat, an international NGO, a lawyer working for an international NGO

[16] Management of Baharka camp, ERC, IRC, a western diplomat, an independent researcher

[17] KRG Minister of the Interior Karim Sinjari

[18] Management of Baharka camp, ERC

1.3 Disputed territories in northern Iraq

UNHCR observes different 'graduations' of disputed territories in northern Iraq: 1) Disputed territories under the control of the Kurdistan Regional Government (KRG): administration and security; 2) Disputed territories now under the security and sometimes administrative control of the Kurdistan Regional Government (KRG) following the 2014/2015 conflict; 3) Disputed territories which are either partially under the control of the Kurdistan Regional Government (KRG) or otherwise still under control of the Government of Iraq (GOI).

Different definitions of 'disputed areas' are, however, used by different stakeholders in the area, and according to Human Rights Watch it is unclear exactly which areas the terminology refers to. In line with this, UNHCR said that Kirkuk is perceived to be part of KRI by Kurdish authorities, but the governor of Kirkuk still reports to Baghdad. Correspondingly, Visiting Scholar Renad Mansour said that the Peshmerga has stated that they protect the minorities in Kirkuk which is to say that they control the area. The same source added that the Kurdish authorities have an ambition to govern the disputed areas and the people living in them.[19] A scholar specialized in Kurdish issues, however, explained that, at the moment, while the conflict with Islamic State is ongoing, the battle for the disputed areas has been postponed. According to the scholar specialized in Kurdish issues, the focus is currently put on fighting the common enemy, Islamic State.

1.4 Internal political split in the Kurdistan Region of Iraq

Along with the pressure caused by the protracted IDP crisis, the war against Islamic State and ongoing disputes with the Iraqi central government in Baghdad, the Kurdistan Regional Government (KRG) faces an internal political split. The Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK) constitute the two dominating political parties and governing powers in KRI. The Kurdistan Democratic Party (KDP) is led by current Kurdistan Regional Government President Massoud Barzani, and the Patriotic Union of Kurdistan (PUK) is led by former president of Iraq Jalal Talabani. The two party leaders govern along with their families, the Barzanis and the Talabanis. The Kurdistan Democratic Party (KDP) governs the Provinces of Dohuk and Erbil, and the Patriotic Union of Kurdistan (PUK) governs Sulaimania Province.[20] Correspondingly, various sources said that the Kurdistan Regional Government (KRG) security sector, the intelligence services and the Peshmerga forces are divided between the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK).[21] According to a scholar specialized in Kurdish issues, the Kurdish Ministry of Interior has stated that there is an ambition

[19] Reference is made to section *4.4.1 Disputes about rule of territory affecting the right to private landownership.* Visiting Scholar Renad Mansour underlined his statement by pointing to the fact that, in Kurdish, the expression used about the 'contested areas' is 'occupied or taken areas' whereas the areas are called 'contested territories' in English as well as in Arabic ('al-manateq al-muna'sha 'aleha').

[20] Kawa Hassan, *Kurdistan's Politicized Society Confronts a Sultanistic System*, 18 August 2015, available at: http://carnegie-mec.org/2015/08/17/kurdistan-s-politicized-society-confronts-sultanistic-system/ieta [Accessed 2 February 2016].

[21] Visiting Scholar Renad Mansour, a scholar specialized in Kurdish issues, Journalist Osama Al Habahbeh, an international humanitarian organisation

of unification of forces and implementation of conscription to the joint forces based on professionalism rather than party affiliation. The scholar specialized in Kurdish issues, however, said that despite promises from both the Patriotic Union of Kurdistan (PUK) and the Kurdistan Democratic Party (KDP) to institutionalize the forces, it has not happened yet. Two sources referred to longstanding disagreements over the power of the Kurdistan Regional Government (KRG) presidency between the two mentioned political parties which, among others, has resulted in protests by civilians that has been forcible suppressed by authorities.[22]

[22] Journalist Osama Al Habahbeh, Human Rights Watch

2. Access to the Kurdistan Region of Iraq and other Kurdish controlled areas

From a legal perspective, Iraqi citizens have the right to freedom of movement in the whole country.[23] Various sources, however, mentioned barriers for access to KRI and the Kurdish controlled areas.[24]

2.1 Sponsorship as a requirement for access to the Kurdistan Region of Iraq

2.1.1 The issue of the abolition of the sponsorship requirement

The Head of the General Security Directorate, Asayish, Esmat Argushi, stated that the sponsorship was abolished in 2012 due to the fact that, in many cases, the sponsor did not know the person he sponsored. Four sources confirmed the abolition of the sponsorship requirement.[25] However, the same sources and an independent researcher indicated that the sponsorship, in practice, is still being enforced. Two sources said that the reason why the sponsorship was abolished was due to the fact that selling sponsorships had become a business.[26]

2.1.2 Sponsorship as a requirement for entry into the Kurdistan Region of Iraq

Various sources stated that it is possible to enter KRI without a sponsorship, however, in order to work or to settle in KRI, a sponsorship is required in practice.[27] In this respect, IOM stated that, upon arrival at the checkpoints at the land border to KRI or at the airport, Iraqi citizens will be granted a one week residence permit. A western diplomat stated that nobody needs sponsorship to enter KRI, but Iraqi citizens do need a sponsorship in order to work in KRI.

2.1.3 Sponsorship requirement for IDPs

Two sources explained that, since the end of 2014, the authorities have started imposing the requirement for IDPs to have a sponsor.[28] UNHCR said that access to KRI may be very difficult for IDPs, unless they have some form of sponsorship or a certain ethnic or religious profile and some sort of connection to government officials or people employed with the security forces in the area. In the disputed areas, some forms of a sponsorship are also required.

As opposed to this, a western diplomat said that a sponsorship is not required when Iraqi citizens come as IDPs. IRC differed slightly from this view in saying that a sponsorship is not imposed on

[23] An international humanitarian organisation (reference was made to the Iraqi Constitution, article 44: http://www.refworld.org/docid/454f50804.html [Accessed 2 February 2016]), IOM, IRC, PAO/KHRW.
[24] UNHCR, a lawyer working for an international NGO, Journalist Osama Al Habahbeh, Human Rights Watch, an independent researcher, PAO/KHRW, an international humanitarian organisation
[25] UNHCR, a lawyer working for an international NGO, Journalist Osama Al Habahbeh, Human Rights Watch
[26] UNHCR, Journalist Osama Al Habahbeh
[27] A western diplomat, IOM, PAO/KHRW, an international NGO
[28] Journalist Osama Al Habahbeh, Human Rights Watch

IDPs who are living in camps, whereas for IDPs who are living outside the camps, a sponsorship is imposed.[29]

2.1.4 Sponsorship for business or work purposes

Journalist Osama Al Habahbeh said that, even for business trip purposes, a sponsorship is required, unless the person concerned has an official invitation from the authorities. Two sources said that Iraqi citizens who wish to work in KRI must have a sponsorship.[30]

2.1.5 Sponsorship imposed during emergency situations and religious holidays

Three sources stated that, at times of a big influx of IDPs, the requirement of sponsorship is imposed strictly, and access to KRI is restricted.[31] Two of the sources further stated that the sponsorship requirement is not being lifted in situations of religious holidays.[32]

2.1.6 Exemptions from sponsorship requirement

IOM stated that Kurds, including Kurds from Kirkuk, are exempted from the sponsorship requirement. The international humanitarian organisation said that there are some exemptions to the sponsorship requirement if for instance the IDP concerned needs to enter for medical reasons, or if the IDPs are single women or female headed households with children. UNHCR said that exemptions have been made in cases where local tribal or religious leaders succeeded in negotiating access for certain groups of IDPs to Kurdish controlled areas. UNHCR added that, in Kirkuk, some local leaders, for example, succeeded in negotiating access and temporary residence with the governor.

2.1.7 Procedural matters on sponsorship

2.1.7.1 Entry procedures with regard to sponsorship in general

With regard to procedural matters, two sources said that the sponsor will have to come to the checkpoint to sign papers guaranteeing for the IDP.[33] Differing from this, Head of the General Security Directorate, Asayish, Esmat Argushi said that, instead of the sponsorship requirement, the authorities are now taking fingerprints and photos of non-KRI residents who are entering KRI, in addition to verifying their documents and checking a database with names of people on the so-called the stop list.[34]

2.1.7.2 Entry procedure, including sponsorship requirement determined by governorate, Erbil/Dohuk and Sulaimania

A lawyer working for an international NGO stated that the procedure for entry into Erbil and Dohuk governorates is different from that of entry into Sulaimania Governorate:

[29] Please refer to section 5.*3 Access to housing*.
[30] A western diplomat, an international NGO
[31] An international humanitarian organisation, IOM, Journalist Osama Al Habahbeh
[32] A western diplomat, an international NGO
[33] An international humanitarian organisation, Journalist Osama Al Habahbeh
[34] Further information on the stop list can be found in section *2.2 Conditions at the land border*.

IDPs wishing to enter Erbil or Dohuk Governorates should present themselves to the checkpoint of entry for approval, and Arab IDPs who are not already in possession of valid residence documents from Erbil Governorate will generally be denied entry at the checkpoint. The lawyer working for an international NGO added that Kurds, Yazidies and Christians are generally permitted entry to Erbil or Dohuk Governorates without pre-existing residence documents. However, during periods of heightened security, these groups may also face increased security restrictions.

With regard to IDPs wishing to enter Sulaimania, the lawyer working for an international NGO said that they must approach the checkpoint with the required documents, and permission is given to enter in the form of a tourist visa valid for thirty days.[35] The source added that, after these thirty days, the IDP must register at the Bureau of Displacement and Migration (BoDM) and the local mukhtar[36] as well as find a sponsor, depending on whether or not the sponsorship is being enforced at the given time.

The lawyer working for an international NGO further stated that the procedure in all governorates of KRI is very complex, requiring a number of documents that IDPs might have lost.

2.1.7.3 Sponsorship imposed when applying for a residence permit

As regards Iraqi citizens who want to apply for a residence permit, various sources stated that it requires a sponsorship.[37] Two of these sources said that, when a person arrives in KRI, he can stay for one to two weeks as a tourist.[38] The same sources, respectively, explained the procedure for applying for a residence permit, including presenting a sponsor, as follows:

PAO/KHRW said that if a person wishes to stay longer [than two weeks] in KRI, he must have a sponsor, and after finding a sponsor who must be publicly employed, the IDP must find a place to live and get a support letter from the local mukhtar. PAO/KHRW added that the sponsor should also get a support letter from the government agency where he is employed to confirm that he is still employed. Further, PAO/KHRW said that the IDP and the sponsor should then approach the local Asayish office with the support letter from the mukhtar, the support letter from the sponsor's employer and all relevant ID, including the national ID card and the Public Distribution System card.[39] PAO/KHRW said that if the request is denied, there is nowhere to lodge a complaint about the decision.

[35] The lawyer working for an international NGO was the only source who mentioned a tourist visa valid for thirty days. It should be noted that this source specifically talked about access to Sulaimania Governorate when mentioning the thirty day tourist visa. Other sources mentioned tourist visas valid for shorter periodes of time. Reference is made to notes from meetings with UNHCR, IOM, PAO/KHRW, Appendix 2.

[36] UNHCR explained that a mukhtar represents the lowest level of formal administration within a certain area of Iraq. The mukhtar is typically the person who people contact to solve everyday problems. [...] Mukhtars are appointed by KRI authorities. They are not elected. Very often they are former security officials and they are often retired or close to retirement age. Reference is made to meeting note with UNHCR, Appendix 2

[37] IOM, PAO/KHRW, an international NGO, an international humanitarian organisation

[38] IOM, PAO/KHRW

[39] Please refer to anonymized Public Distribution System card in Appendix 4.

IOM said that if a person wants to stay in KRI for more than one week, the person must register at the local mukhtar's office and the closest Asayish centre in the area where he stays within the first week of the stay. IOM added that if the person stays in a hotel for more than a week, without intention of settling in the neighbourhood, it is only necessary to have approval from the Asayish, and there is no need for approaching the mukhtar. According to IOM, here, the individual or the head of the family must present a Kurdish sponsor in person, a place of residence in KRI, registration details of the car and full name. To the knowledge of IOM, the family is given a paper with all names of the family members as well as the car registration number, and the one week residence permit will be extended for shorter periods of time until the security clearance by the Asayish is issued.

Three sources stated, however, that practice is inconsistent.[40] Two of these sources explained that it is unclear which criteria must be fulfilled to obtain a residence permit.[41] In line with this, Human Rights Watch said that there are different ways to obtain a permit, also depending on the governorate within KRI. IRC said that, for someone who is not connected, the registration for a residence permit in KRI can take a couple of years.

2.1.7.4 Renewal of residence permits

IOM stated that, with regard to processing of applications for residence permits and the duration of renewed residence permits, the procedure is arbitrarily implemented. According to IOM, sometimes, the temporary residence permit is extended for one week or a month or two months or sometimes even three months during the approval process for a permanent residence. To the knowledge of IOM, the decision may depend on the applicant's background and place of origin.

According to PAO/KHRW, there is no fixed practice ensuring that an IDP can have a permanent residence permit after five years; it varies from place to place. Long-term residents, including IDPs who have lived in KRI for many years, are treated more favourably than new IDPs. However, PAO/KHRW said that they still need to renew their residence permit every three or six months or once a year, depending on the governorate they live in, and Kurdish IDPs do not have to renew their residence permits; only Arab IDPs do.

According to the international NGO, a permanent residence permit is a permit of one year, and it is renewable. IOM defined a residence permit as a renewable permit with an initial duration of six months.

[40] IOM, PAO/KHRW, an independent researcher
[41] IOM, PAO/KHRW

2.1.7.5 Requirements for sponsors

Various sources stated that a sponsor must be a Kurdish citizen.[42] PAO/KHRW further said that the sponsor must be male and employed by the government. PAO/KHRW also said that the requirement of the sponsor being a government employee was imposed in 2012, because the sponsorship had become a business for many people. PAO/KHRW added that the majority of people in KRI are employed by the government. Two sources said that if the IDP, whom the sponsor guarantees for, does something wrong, the sponsor will be arrested and held responsible for the actions of the IDP.[43]

IRC said that, often, the sponsor is the landlord or the employer of the IDP.

2.2 Conditions at the land border

Various sources said that IDPs are no longer allowed to enter KRI, and that the border is closed.[44] Journalist Shalaw Mohammed further explained that access for IDPs to Kirkuk and KRI stopped in February 2015. According to an example given by Shalaw Mohammed, the reason seems to be that the number of IDPs in some villages exceeded the number of host community inhabitants.[45]

Two sources pointed to cases of IDPs who were let through the border control.[46] Qandil said that exemptions were made for some humanitarian cases, IDPs already registered with the Ministry of Migration and Displacement (MoMD), IDPs having a local sponsor, students enrolled at an institution in KRI and single women. UNHCR said that flexibility towards members of the Christian community was seen.

Two sources said that many IDPs were waiting at the borders at the checkpoints, for instance on the road from Baghdad to Erbil, and that de facto settlements have been established.[47] Osama Al Habahbeh said that the IDPs are sitting outside the checkpoint waiting to find a sponsor who can guarantee for them. IRC said that the local community, sometimes, provides accommodation for the IDPs.

According to Qandil, the procedures at border crossing checkpoints to KRI are inconsistent. Crossing of humanitarian cases is facilitated by UNHCR in coordination with the Asayish, but by the time of the meeting with Qandil, the daily operation of checkpoints was to a great extent dependent on the officers present at a given checkpoint on a given day and time.

According to Osama Al Habahbeh, after being allowed entry into KRI, all IDPs must go to an interview with the Asayish. This procedure was confirmed and explained by Head of General

[42] IOM, PAO/KHRW, an international humanitarian organisation, Journalist Osama Al Habahbeh
[43] PAO/KHRW, an independent researcher
[44] Journalist Osama Al Habahbeh, Qandil, Journalist Shalaw Mohammed, an independent researcher
[45] Reference is made to Appendix 2: an example given by Journalist Shalaw Mohammed in the meeting note, same example also mentioned in note from meeting with an independent researcher.
[46] UNHCR, Qandil
[47] Journalist Osama Al Habahbeh, IRC

Security Directorate, Asayish, Esmat Argushi who said that, after being registered at the checkpoint and moving to the city, the IDP must register at the Asayish office in the neighbourhood where they want to live. There is an extra procedure to re-register with the Asayish to check that there are no problems. The IDP will then be issued a new card proving legal registration. According to the source, this ID card will permit the IDP to move around freely within KRI.[48] Renewal of the ID card can take place at any Asayish office.

The border crossing points in the initial frontline are controlled by the Peshmerga.[49] Further into the Kurdish controlled areas, at the next checkpoint posted at one of the main roads, the Asayish will register and check the travellers' names and IDs.[50]

Journalist Shalaw Mohammed said that for IDPs who wish to enter Kirkuk and KRI through checkpoints at the frontline, the access has currently stopped.

Three sources, including Head of General Security Directorate, Asayish, Esmat Argushi, said that IDPs will be turned away at the checkpoint in case they are on the stop list of the Asayish.[51]

2.2.1 Documents required to access the Kurdistan Region of Iraq and Kurdish controlled areas

Three sources pointed to a variety of documents needed in order for IDPs to gain access to KRI and other Kurdish controlled areas.[52] According to Journalist Osama Al Habahbeh, besides a sponsorship, IDPs who want to enter KRI must also show their Iraqi nationality certificate (in Arabic: 'shahadet al-jensiyya'). Journalist Shalaw Mohammed indicated that formerly, the authorities required seeing the nationality certificate and the food ration card to identify the origin of the person in question, and he or she was also asked to provide a Kurdish sponsor. Qandil stated that, officially, it is not possible to cross a checkpoint without ID documents. As sources of ID, IDPs can present their civil ID, their residence card or their nationality certificate in order to cross a checkpoint.

2.3 Access through airports

Various sources said that IDPs can enter KRI by air.[53] Two of the sources said that Iraqi citizens can enter KRI through the airport without having a sponsor.[54] In addition, IRC said that most IDPs are currently arriving in KRI by plane, and that most of these flights are coming from Baghdad. IOM said that IDPs from Baghdad usually have money to support themselves and would be welcome in KRI, if they arrive by domestic airline, not by car. The international humanitarian organisation

[48] Further information on freedom of movement can be found in section *2.6.4 Freedom of movement between governorates within the Kurdistan Region of Iraq.*
[49] Head of the General Security Directorate, Asayish, Esmat Argushi, a western diplomat, IOM
[50] Head of the General Security Directorate, Asayish, Esmat Argushi, IOM
[51] Head of General Security Directorate, Asayish, Esmat Agurshi, Journalist Osama Al Habahbeh, IOM
[52] Journalist Osama Al Habahbeh, Journalist Shalaw Mohammed, Qandil
[53] UNHCR, IOM, a lawyer working for an international NGO, Human Rights Watch, an international humanitarian organisation
[54] Human Rights Watch, an international humanitarian organisation

further stated that entry through the airports was without problems, but that the IDPs cannot stay indefinitely, and they would have to register by the authorities at the airport. According to UNHCR, short-term residential documents are issued at the airport to those who come by air from abroad or from other places in Iraq and are extended at the place of residence upon issuance of security clearance by Asayish. In this respect, IDPs are able to settle in KRI temporarily. UNHCR and two sources stated different durations of the short-term residence permit.[55] According to two sources, this short-term residence permit is being issued by the Asayish.[56] The international humanitarian organisation explained that a person might be able to get away with not registering upon arrival in the airport, but that person would then not be able to move around freely inside KRI, and an unregistered person would not be able to rent a place to live.[57]

2.4 Possibility for Iraqi non-Kurds from outside of Iraq to settle in the Kurdistan Region of Iraq

Various sources stated that Iraqi citizens who originate from KRI will not face problems returning to KRI.[58] Some of these sources, however, said that if an Iraqi citizen does not originate from KRI, the person must travel onwards to the area he or she is originally from when arriving through an airport in KRI.[59]

In this respect, Head of the General Security Directorate, Asayish, Esmat Argushi stated that if the person holds a valid passport, the Kurdish authorities will treat the person as an Iraqi citizen, regardless of whether the person is Kurdish or Arabic.[60] Asked if Iraqi citizens from outside KRI can return from abroad on a voluntary basis via airports in KRI, Esmat Argushi replied that forced return does not take place, and no returnees from Baghdad have been seen yet. However, if a person from Baghdad returning to Iraq from abroad tried to enter KRI, he would be returned to Baghdad by the Kurdish authorities. The same goes for a person from Kirkuk. He would be returned to Kirkuk. Similarly, IOM stated that, for a non-Kurdish Iraqi citizen, it is very difficult to enter directly through one of the airports in Sulaimania and Erbil and take residence in KRI.

PAO/KHRW stated that Iraqi citizens who are not citizens of KRI and who return from abroad, need to get a residence permit, or else they have to leave KRI. PAO/KHRW further explained that if IDPs cannot find a sponsor, they have to leave KRI. Journalist Shalaw Mohammed said that a returnee, who has been offered a contract with a company in KRI willing to sponsor him, may be exempted

[55] According to UNHCR, the short-term residence permit is issued for 3 to 7 days. According to IOM, the short-term residence permit is issued for one week. According to PAO/KHRW, the visitor entrance is given for just a few days.
[56] A lawyer working for an international NGO, UNHCR
[57] For further information on procedures for entering KRI through airports, please refer to note from meeting with UNHCR and note from meeting with Qandil in Appendix 2.
[58] The General Security Directorate, Asayish, Esmat Argushi, IOM, PAO/KHRW, Journalist Shalaw Mohammed, IRC
[59] IOM, PAO/KHRW, Journalist Shalaw Mohammed, IRC
[60] The General Security Directorate, Asayish, Esmat Argushi said that questions concerning returnees from abroad are not under the competence of the General Security Directorate, Asayish.

from this rule. In such case, the returnee may be given security clearance and be allowed to live in KRI.

2.5 Access to the Kurdistan Region of Iraq for Kurds from Kirkuk

Three sources said that ethnic Kurds, including Kurds from Kirkuk who can freely enter KRI, are exempted from the requirement of a sponsor.[61] Human Rights Watch said that it is possible for ethnic Kurds with long residency in Kirkuk to gain access to KRI. With regard to the possibility for Kurds from Kirkuk not only to enter KRI but also to settle, Qandil said that ethnic Kurds have no problem settling in KRI. However, Human Rights Watch found it uncertain if ethnic Kurds from Kirkuk could settle in KRI, and added that there are examples of IDPs who are able to get into Kirkuk but not able to go from Kirkuk to KRI. An international humanitarian organisation said that whether or not ethnic Kurds can gain access to KRI would depend on the political affiliation of the individual person, and that it might still be complicated. Head of General Security Directorate, Asayish, Esmat Argushi, however, said that for ethnic Kurds with long-term residency in Kirkuk, the same procedure for entry into KRI applies as for all other Iraqi citizens.

UNHCR explained that Kurds who are registered as living in Kirkuk cannot re-register or buy property in any part of KRI. If a man from Kirkuk marries a woman from another part of the Kurdish controlled areas or KRI, her file is moved to Kirkuk. A couple like this would not be able to move in and out of Kirkuk, and they would not be able to move to or buy property in KRI.

2.6 Freedom of movement inside the Kurdistan Region of Iraq and other Kurdish controlled areas

2.6.1 Prevalence of checkpoints

UNHCR said that checkpoints are present in all parts of the Kurdish controlled areas, and sometimes temporary checkpoints are set up inside cities without prior notice. Correspondingly, an international humanitarian organisation said that there are a lot of checkpoints in KRI and other Kurdish controlled areas but not inside Erbil city. According to the international humanitarian organisation, going from one city to another inside the Kurdish controlled areas, people have to pass checkpoints, at least when they leave one city, and when they enter another. IOM explained that, inside KRI, there are fewer checkpoints to pass than when travelling from the Kurdish controlled areas into KRI, and that the checkpoints within KRI are also easier to pass than the checkpoint bordering KRI. Three sources explained that ad hoc checkpoints may be set up within KRI for security reasons and in order to ransack cars when the authorities receive reports on illegal transport of weapons in the area.[62] Various sources said that checkpoints inside KRI are manned by Kurdish authorities, either military forces or security personnel.[63]

[61] Qandil, IOM, Journalist Osama Al Habahbeh
[62] IOM, an international humanitarian organisation, Journalist Osama Al Habahbeh
[63] An international humanitarian organisation, IOM, Journalist Osama Al Habahbeh

2.6.2 Unofficial checkpoints

An international humanitarian organisation said that, in areas controlled by militias, there will be unofficial checkpoints. In line with this, two other sources said that, outside KRI in the contested areas, there are many unofficial checkpoints manned by tribes and armed opposition groups.[64]

2.6.3 Documents required at the checkpoints

Different sources mentioned many types of ID documents that can be used for identification at the checkpoints. Head of the General Security Directorate, Asayish, Esmat Argushi explained that, at the checkpoints inside KRI, the procedure begins with a check of the IDP's ID documents to confirm that the IDP in question is an Iraqi citizen. Three sources stated that IDPs can present the nationality certificate in order to cross a checkpoint.[65] One of these sources along with another source also stated that IDPs can present their civil ID.[66] Qandil, however, stated that, without all the following ID documents, an Iraqi national is not able to travel domestically or pass through checkpoints: a civil ID card (in Arabic: 'al-betaqa as-shakhsiyya', also referred to as 'betaqet al-hawwiyya' or just 'al-hawiyya'), a nationality certificate (in Arabic: 'shahadet al-jensiyya') and a residence card (in Arabic: 'betaqet al-ʻiqama').

Journalist Shalaw Mohammed said that, before the access to KRI stopped, the authorities also required seeing the food ration card (in Arabic: 'betaqet at-tamween') to identify the origin of the person in question. In addition, IOM said that when passing through a checkpoint, a person may be required to present a passport and sometimes a driving license.

IOM added that, in some cases, it is only the head of household who must present his or her documents, and that some people show their Kurdistan Democratic Party (KDP) or Patriotic Union of Kurdistan (PUK) membership card to facilitate their way through checkpoints. IOM explained that Kurdistan Democratic Party (KDP) cards might work in Erbil and Dohuk, and Patriotic Union of Kurdistan (PUK) cards might work in Sulaimania.

Qandil said that it is sometimes possible for travellers without documents to bribe their way through the checkpoints. Along with UNHCR, Qandil also expressed the view that the required type of ID document depends on ethnicity or religious belief. Qandil explained that the residence card is the most important document for Arabs to cross a checkpoint, whereas Christians, Kurds and Yazidis do not need a residence card to pass through checkpoints. UNHCR further stated that Turkmen and Christian IDPs can use the short-term residency to cross checkpoints.

IOM said that, on an individual level, IDPs are not turned away at the checkpoints if they have lost their IDs. But if a big group of IDPs without documents are coming to a checkpoint at the same time, they might be placed in an IDP camp. According to Qandil, it is common knowledge that

[64] Journalist Osama Al Habahbeh, IOM
[65] IOM, Shalow Mohammed, Journalist Osama Al Habahbeh
[66] Qandil, IOM, an international humanitarian organisation

checkpoints cannot be crossed without documents, so few IDPs would attempt this. The only cases of detention connected to checkpoint crossing known to Qandil was detention of people suspected of cooperation with Islamic State.[67] The Baharka IDP camp management said that IDPs without documents moving around in Erbil might become stuck somewhere between checkpoints or become caught at an unexpected checkpoint.[68] According to the Baharka IDP camp management, generally speaking, Sunni Arab and Turkmen IDPs face more problems related to the freedom of movement if they do not possess valid residential documents which are allowing for movement in Erbil Governorate.

2.6.4 Freedom of movement between governorates within the Kurdistan Region of Iraq

According to Head of General Security Directorate, Asayish, Esmat Agurshi, the ID card will permit an IDP to move around freely within KRI. Various sources, however, stated that IDPs face restriction of movement.[69]

PAO/KHRW said that if an IDP wishes to move from one part of KRI to another, the person would need the approval from the Asayish office in the place he is leaving as well as the approval of the Asayish office in the place he is moving to. Such approval must be brought to the real estate office. There are no specific criteria for getting such an approval; it depends on the individual officer at the Asayish office. Once an IDP is registered, there should not be need for further approval. However, there is restriction of movement for IDPs. If an IDP is registered in for instance Dohuk, the IDP cannot move to Erbil.

An international NGO explained that with few exceptions, IDPs cannot move between governorates. IDPs have to stay where they were first registered as IDPs. They will not be allowed to pass through checkpoints between governorates unless they have good connections. Human Rights Watch said that for IDPs already living in KRI, it does not mean that they can move freely within the region. Their residence is restricted to one governorate, and they require an additional permit to cross into another governorate.

A lawyer working for an international NGO stated that when a bombing happens and Sunnis are found to be behind the bombing, then all of a sudden Sunni Arabs are not able to move freely around KRI anymore.

According to Qandil, the freedom of movement between the governorates fluctuates depending on the security situation at a given time.

[67] Qandil gave examples on deportation from Erbil to Kirkuk. Please refer to note from meeting with Qandil, Appendix 2.
[68] For more information about challenges due to lack of documentation please refer to section *2.8.1 Challenges caused by lost documents*
[69] Qandil, UNHCR, an international NGO, Human Rights Watch, A lawyer working for an international NGO

2.6.5 Freedom of movement for IDPs living in camps

Two sources said that, in many camps in the Kurdish controlled areas, IDPs have to hand in their civil ID card to the Asayish at the gate when they leave the camp.[70] UNHCR further stated that this presents a challenge to the IDPs with regard to freedom of movement.[71] ERC stated that IDPs are free to leave the camps whenever they want and for example go out and find some work in the surrounding area, however, they have to show their registration cards when they come back. UNHCR stated that IDPs suspected of affiliation with Islamic State are being met with restrictions in their freedom of movement from the Kurdish authorities.[72]

According to the Baharka IDP camp management, twenty percent of the IDPs were missing some kind of documentation,[73] and IDPs without documents are not only restricted in their freedom of movement but also at risk of being detained. The Baharka IDP camp management added that, when IDPs leave Baharka camp, they have to leave a form of ID with the Asayish. Management of Baharka camp said that, as a consequence, these IDPs typically cannot register with the Ministry of Migration and Displacement (MoMD). They cannot obtain residential documents and without residential documents, they are not able to work legally as employees in KRI or to rent a house. Qandil informed that no IDPs living in camps have residence permits in KRI. In December 2015[74], UNHCR informed that, in Erbil Governorate, the authorities had just started to issue residencies to IDPs, which means that they will now have freedom of movement.

2.6.6 Access to Kirkuk

Journalist Shalaw Mohammed said that if IDPs wished to go to Kirkuk, they had to pass through Daquq, a town 47 km south of Kirkuk, and at this checkpoint, ID documents were required to enter Kirkuk.[75] To the knowledge of IOM, however, the Kurdish controlled part of Kirkuk Governorate is closed for entry of people who are not registered in Kirkuk, though the organisation had heard that, somehow, people still manage to enter.[76] In line with this, Qandil said that Arabs will need a residence card to settle in Kirkuk. With regard to ethnic Kurds, Qandil said that they do not need a residence permit in Kirkuk, and that some ethnic groups who are not Kurdish per se, but who have lived in Kirkuk for a longer period of time are, in this regard, considered equal to the Kurds. According to Qandil, this goes for Shabak, Kakai (Yarsanis), Yazidi and Christians. According to Human Rights Watch, Sunni Arabs and Turkmen in Kirkuk with money and connections may be able to get into Kirkuk.

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[70] UNHCR, IRC

[71] Reference is made to the section *2.6.3 Documents required at checkpoints*.

[72] UNHCR provided examples on forced relocation. Please refer to note from meeting with UNHCR, Appendix 2 and to section 3.4 *Forced returns and relocation of IDPs into camps*.

[73] Baharka camp management referred to research made by IOM Displacement Tracking and Monitoring Unit (DTM) in Erbil between April and August 2015, when IDPs were interviewed.

[74] Email of 15 December 2015

[75] Please refer to example given by the source in note from meeting with Journalist Shalaw Mohammed, Appendix 2.

[76] Reference is made to example on IDPs trying to enter Kirkuk in note from meeting with IOM, Appendix 2.

Some sources referred to statements on access for IDPs made by the authorities in Kirkuk. Human Rights Watch said that, as regards the access to Kirkuk, the Governor of Kirkuk has stated that Arabs would not gain access. Three sources said that the authorities in Kirkuk had made a statement saying that IDPs from Diayla and Salah al-Din are asked to return to their areas of origin.[77]

2.7 Reissuance of lost civil documents

Qandil said that the demand for recovery of documents among IDPs is big, and that recovery of documents is a lengthy process. In a significant number of cases, Qandil is not able to assist, for example, with regard to documents for IDPs from Anbar.

Two sources stated that, before the conflict, an Iraqi citizen should hand in an application for recovery of a lost document to the office that issued the lost document which means the area where he or she was registered before the flight. However, the two sources said that in the current state of emergency, temporary issuing offices for civil documents have been set up at different places in Iraq.[78] Qandil further said that these offices are under the authority of the Ministry of Interior in Baghdad.

2.7.1 Challenges caused by lost documents

There are several challenges for IDPs who have lost their documents.[79] UNHCR stated that, generally, it is not possible to travel without ID documents. If IDPs manage to travel back to renew documents, they run a risk of not being able to be readmitted to KRI. Qandil said that, to enter Baghdad itself, IDPs without documents would have to fly in, since they would not be able to enter Baghdad by road due to various risks travelling by land, such as (1) discrimination between Shia and Sunni, (2) lack of money for bribery, (3) checkpoints and (4) Shia militias in the area.

According to Human Rights Watch, in Erbil, there have been examples of arrests of people who did not have ID and who were put in detention and interrogated for months without charges and without access to a lawyer.

[77] IOM, Human Rights Watch, an international organisation, *Please also refer to Chapter 3, Security Situation in the Kurdistan Region of Iraq and other Kurdish controlled areas* and to section *3.4 Forced returns and relocation of IDPs into camps.*

[78] UNHCR, Qandil. For detailed information on locations of the offices, opening hours, the possibility to recover and the process of recovery of documents (civil ID card, national certificate, Public Distribution System card, the green card, birth certificates, marriage certificates), Arabic names for the documents, please refer to notes from meeting with Qandil and note from meeting with UNHCR in Appendix 2.

[79] For more information, please refer to section *2.6.3 Documents required at the checkpoints*.

According to UNHCR, generally speaking, there is no effective access to new civil status documents for IDPs. This presents challenges to the IDPs, since a number of documents are essential for registration and access to social services.[80]

2.8 Differential treatment with regard to access to the Kurdistan Region of Iraq

Various sources said that conditions of access are intransparent and subject to change.[81]

Three sources said that IDPs who have connections to the Kurdish authorities will be able to enter KRI.[82] Two of these sources further stated that IDPs with money will be able to pay small bribes in order to stay legally in KRI.[83]

2.8.1 Differential treatment of ethnic and religious groups

Various sources expressed the view that the difficulties that IDPs are meeting are linked to their ethnic profiles.[84] Various sources mentioned Sunni Arabs, Arabs in general, Turkmen and to some extent Shabaks as ethnicities that face denial of entry or varying degrees of difficulties to enter KRI.[85] However, Human Rights Watch said that, for Sunni Arabs and Turkmen, it is still possible to gain access through the airports. A lawyer working for an international NGO said that access to KRI is more difficult for non-Kurdish IDPs. Journalist Osama Al Habahbeh explained that while all Sunnis must have a sponsor to enter KRI, this is not the case for Christians and Yazidis who are fleeing from the south. Also Kurds and Turkmen are exempted from the sponsorship requirement. UNHCR said that Yazidis and Christians do from time to time experience obstacles similar to other ethnic groups but not with regard to entering KRI proper.

UNHCR further stated that, since November 2014, any movement of Arab and Turkmen IDPs into Erbil Governorate has been stopped, except for those who already possess residence documents. An international humanitarian organisation, however, said that even if they hold valid Iraqi residence permits all Sunnis are in general denied entry into KRI. UNHCR said that single men and women of Arab ethnicity can enter Erbil through the airport only. At the time at which they enter Erbil airport, they do not need a Kurdish sponsor. At the airport, single men and women will be issued with entry permit for three to five days which is not renewable, unless they are staying in Erbil for work. Therefore, single men and women will not be issued with a short-term residence document (aka tourist pass) unless they have a job in Erbil.

[80] Reference is made to section *5.2 Possibility for financial support for IDPs.*
[81] UNHCR, Human Rights Watch, Qandil, PAO and KHRW. Reference is made to examples given in the note from the meeting with Human Rights Watch, Appendix 2.
[82] UNHCR, Human Rights Watch, an independent researcher
[83] Human Rights Watch, an independent researcher
[84] UNHCR, an international humanitarian organisation, PAO/KHRW, Human Rights Watch, Journalist Osama Al Habahbeh
[85] UNHCR, an international humanitarian organisation, PAO/KHRW, Human Rights Watch

Human Rights Watch said that, according to checkpoint officials, the current regulations are that prior Asayish approval is now necessary for Arabs in order to enter KRI by road, whereas before, a Kurdish sponsor was sufficient.

PAO/KHRW pointed to the general view of the Kurdish authorities that Sunnis are part of Islamic State until the opposite is proven. According to PAO/KHRW, even Sunni Arabs who have lived in KRI for a long period of time might experience difficulties crossing border checkpoints or checkpoints inside KRI. Similarly, a lawyer working for an international NGO said that the KRI host community, in general, consider Arab IDPs from Anbar Governorate terrorists, until the opposite is proven. UNHCR further said that entry through road checkpoints for Arab, Turkmen and Christian IDP communities is only possible if they have valid, pre-existing residence documents issued by the Erbil Asayish. However, it appears that some flexibility may be exercised at certain road checkpoints towards members of the Christian community. In line with this, two sources said that entry is generally not possible for Sunni Arab IDPs without a sponsor.[86] IOM had also heard that, when the border is normally working, it may be easier for Christians and Yazidis to enter KRI than for Arabs.

Two sources expressed a different view in saying that, in general, there is no discrimination.[87] A western diplomat, however, said that further down south near Kirkuk, Diyala and Salah al-Din, the Sunni Arabs do face problems when they try to enter KRI. IOM noted that if a person is not Kurdish, stricter procedures may be applied when entering KRI. Head of the General Security Directorate, Asayish, Esmat Argushi said that young Arab males are not being denied entry.

[86] An international humanitarian organisation, Journalist Osama Al Habahbeh
[87] A western diplomat, IOM

3. The security situation in the Kurdistan Region of Iraq and other Kurdish controlled areas

3.1 The security situation for IDPs in the Kurdistan Region of Iraq

According to two sources, on a general level, the security situation for IDPs in KRI is good compared to the rest of Iraq.[88] This is backed by various sources who refer to the official Kurdish security apparatus as being strong and to some extent able to foster a secure environment in KRI.[89]

3.1.1 General attitude of host community towards IDPs in the Kurdistan Region of Iraq

Various sources said that the Kurdistan Regional Government (KRG) has been welcoming towards the IDPs.[90] However, an independent researcher said that, generally speaking, the patience of local inhabitants in KRI is running out. Different sources pointed to varying degrees of tensions between the KRI host community and IDPs caused by scarcity of resources.[91] Tensions are both expressed in the interaction between host community members and IDPs and in discrimination against IDPs by Kurdish authorities. For example, IRC said that IDPs of Arab origin do experience mistrust from the Kurds of being affiliated with or, in other ways, supporting Islamic State or al-Qaeda. PAO/KHRW said that it is a general view of the Kurdish authorities that Sunnis are part of Islamic State until the opposite is proven.

A western diplomat explained that self-sufficient IDPs face little discrimination, whereas discrimination against IDPs is more noticeable in areas where IDPs are poorer and more dependent on the Kurdistan Regional Government (KRG) in terms of support to cover basic needs. ERC stressed that there is increasing competition about resources between the IDPs and the members of the host community. In line with this, PAO/KHRW said that the general attitude in KRI is that IDPs should return to where they came from. ERC stated that, because of all the IDPs living in informal settlements, there is a sneaking xenophobia.

Two sources emphasised the lack of integration of IDPs in KRI.[92] The Kurdistan Regional Government (KRG) Minister of the Interior, Karim Sinjari, stressed that he does not see a future in which the current population of IDPs is integrated in KRI. Corresponding to this, a western diplomat explained that IDPs are currently forming pockets instead of integrating. The western diplomat exemplified this by mentioning informal neighbourhood councils in the non-camp IDP communities appearing to handle problems and/or internal disputes among the IDPs instead of involving local authorities.

[88] An international humanitarian organisation, an independent researcher
[89] IOM, Journalist Osama Al Habahbeh, Visiting Scholar Renad Mansour
Please refer to section *3.8 The Kurdish security apparatus*
[90] INTERSOS, ERC, an international NGO, IRC
[91] A western diplomat, Journalist Osama al Habahbeh, a lawyer working for an international NGO, Human Rights Watch
[92] A western diplomat, Visiting Scholar Renad Mansour

3.2 The security situation in Kirkuk

According to a scholar specialized in Kurdish issues, Kirkuk is a special area because it is a kind of no-man's land of which no-one has complete control. The same source said that Kirkuk is very open and very instable. No single actor has taken full control over the entire governorate, which shares borders with different places where Islamic State is very strong.

Journalist Osama Al Habahbeh said that there is some stability in Kirkuk city but not outside where Islamic State is present. In addition, Visiting Scholar Renad Mansour said that the Peshmerga is able to provide security in the centre of Kirkuk, but that the security level in the outskirts of Kirkuk is lower than in the centre; in the sense that there are clashes with paramilitary groups in these areas.

3.3 The security situation in other Kurdish controlled areas

A scholar specialized in Kurdish issues said that, relatively speaking, the areas controlled by the Kurdistan Regional Government (KRG) are a bit more stable than the rest of Iraq. However, the source characterized the stability as fragile. According to the scholar specialized in Kurdish issues, the Kurdistan Regional Government (KRG) and its security forces are good at creating stability in the areas that they integrate under their control. However, resources are scarce due to the protracted conflict and areas recently taken by the Peshmerga are fragile for shifts.

An independent researcher said that areas that have been taken over by Kurdish forces are in general safe, but IDPs fear going back to contested areas held by the Peshmerga forces, because Shia militias are also present in the areas. The independent researcher said that there is no single actor guaranteeing the security of IDPs or other people living in Kurdish controlled areas outside KRI, and that the security situation therefore is dire. IOM assessed the security situation for IDPs in the old disputed areas, northern Ninewa, Kirkuk and Diyala to be the same as inside KRI; as long as militias are not present.

3.3.1 Signs of sectarian violence in the disputed areas

UNHCR said that signs of sectarian violence are seen in the disputed areas. According to UNHCR, this kind of violence is typically linked back to historical persecution of Kurds. UNHCR added that the political dispute with the central government in Baghdad about the boundaries of KRI typically lies beneath the violence.

UNHCR also said that, generally speaking, young single men face higher harassment rates based on their religious or ethnic affiliation than other profiles. A Sunni Arab with no connections would potentially face a higher risk of harassment.

3.3.2 The possibility of voluntary return to disputed areas for IDPs

According to an independent researcher, some small minority groups have been able to return to Peshmerga controlled areas in Ninewa. Although fighting in the area has stopped, and some areas are generally safe now, IDPs are, however, not returning because public services are not available there.

Two sources explained that especially Sunni IDPs, who have lived under Islamic State control for a while, find it difficult to return to the areas that they were displaced from.[93] In line with this, the independent researcher said that IDPs from Diyala have until now only been allowed to go back in order to pick up their belongings. The IDPs from Diyala are forced into borderlands because they have to leave the area of displacement and are, generally speaking, not able to return to their place of origin. According to the independent researcher, this is especially true in disputed areas such as Jalawla and Saadiye.

Two sources referred to a sort of 'ethnic cleansing' of the former predominantly Sunni Arab areas of northern Iraq being carried out by Peshmerga forces and Shia militias.[94] According to UNHCR, Kurdish IDPs are allowed to move back to their areas of origin, but there are discriminatory practices in terms of returning Arab IDPs generally being subject to extensive and unclear clearance procedures. In line with this, the independent researcher said that the 'ethnic cleansing' is not carried out in the way that they are killing Sunnis, although this also happens, but Sunnis are kept in displacement by preventing them from or making it difficult for them to return.

According to the independent researcher, in many areas, Shia militias and the Peshmerga are also trying to replace current officials with officials of their own ethnicity/sect. The central government in Baghdad tries to intervene in this process of segregation, but currently, it does not possess the strength to do so.

Three sources said that when Sunni Arabs return to their place of origin, there is often great tension between them and the community that they are returning to.[95]

3.3.3 Demolition of houses and looting in the disputed areas

Three sources said that quite a big number of houses have been destroyed by the Peshmerga and local inhabitants in the so-called disputed areas.[96] According to UNHCR, the official explanation of the demolitions is that property is being destroyed for security reasons. Along with an international humanitarian organisation, UNHCR stated that demolition is not only related to

[93] Human Rights Watch (see example from Ninewa and Rabia in note from meeting with Human Righst Watch, Appendix 2), an independent researcher.
[94] UNHCR, an independent researcher
[95] An independent researcher, Human Rights Watch
[96] UNHCR, an international humanitarian organisation, Human Rights Watch. Further examples on demolition of houses can be found in note from meeting with Human Rights Watch, Appendix 2. Reference is also made to section *4.4.1 Disputes about rule of territory affecting the right to private landownership*

actions of the Peshmerga and local inhabitants. Iraqi Security Forces and Shia militias are also being accused of destruction of property in the disputed areas.

The international humanitarian organisation explained that demolition of houses in the Kurdish controlled areas stems from a political agenda.[97] The Kurds are preparing for the future where they plan to claim areas outside the current KRI proper. As an example given by the international humanitarian organisation, house demolition was carried out by the Peshmerga in Diyala.

In addition, Human Rights Watch informed about so-called 'Kurdish volunteers' working in areas in apparent coordination with Peshmerga and Asayish forces. According to Human Rights Watch, the 'Kurdish volunteers' loot places where Arabs had lived but left during the conflict with Islamic State.

3.4 Forced returns and relocations of IDPs into camps

3.4.1 The Kurdistan Region of Iraq

According to an international humanitarian organisation, the Kurdish authorities want to keep control with the places that IDPs live in. The international humanitarian organisation said that many IDPs move into camps, not only because there is access to services in the camps, but also because they feel pressured to do so. UNHCR exemplified how some IDPs from several villages have been forced into a closed camp against their will as a sort of collective punishment following security incidents in the villages.[98]

As examples of forced return, Qandil has witnessed four to five cases of deportation from Erbil to Kirkuk on the grounds of residence issues. In the mentioned cases, IDPs had been detained without charges. Upon release they were deported. Qandil added that the typical profile of individuals deported on the grounds of residence issues is 'Arab, Muslim male, aged between twenty and thirty years and from Mosul, Salah al-Din'. In addition, the deportations were also based on terrorism accusations and no formal charges were brought against the individuals. They were deported on suspicions only. Human Rights Watch explained that in the 'disputed areas', and in several cases in KRI, there are examples of Arabs arrested on suspicion of being IS members and deported. The source had not heard stories of Arab IDPs being picked up in the streets and deported, but he had heard stories about raids in the camps outside Sulaimania and of detained Arabs being deported outside KRI. In line with this, an independent researcher stated that following security incidents in Erbil in November 2014 and April 2015, young Arab men residing in Erbil were rounded up, taken outside the city and beaten by Kurdish security forces. Some were

[97] For more information, please see section 4.4.1 *Disputes about rule of territory affecting the right to private landownership.*

[98] UNHCR specifically mentioned the village Gamarwa. Reference is made to note from meeting with UNHCR in Appendix 2.

not allowed back into the governorate, and the families had to relocate to other areas of displacement, usually in Kirkuk or Diyala governorates.

3.4.2 Kirkuk Governorate

An international humanitarian organisation pointed to several protection gaps for IDPs in Kirkuk. According to the source, there is a pressure on IDPs to move into camps, but at the same time, there is also a pressure on them to return to Diyala and Salah al-Din after the liberation of these areas.

Various sources mentioned a statement issued by local authorities in Kirkuk Governorate ordering some IDPs to leave Kirkuk and go back to their areas of origin.[99] According to two of the sources, the implementation of the decision, however, remains unclear.[100] Additionally, the western diplomat said that the authorities have now stepped down from the deportation threats. According to an independent researcher, few measures have been taken to help or force the concerned people back. The independent researcher added that, so far, only one case of organised returns by the authorities has been seen from the Governorate of Kirkuk. According to the independent researcher, in this particular case, families were put on a bus and transported to Diyala. Human Rights Watch, however, said that there are reports of Kurdish authorities bussing IDPs from Kirkuk to a checkpoint on the Kirkuk/Salah al-Din Governorate border to 'deport' them, or withdrawing their identification documents to pressure them to leave.

Three sources stated that the authorities are, in some cases, harassing the IDPs to go back; especially Sunni Arabs from Salah al-Din and Diyala, by threatening them with arrest, detention for up to 48 hours, round ups and forcible deportation for not possessing the required documents.[101] In addition, the western diplomat said that the situation is getting worse in the border areas of Kirkuk, as Kirkuk is the entry way to Baghdad.

3.5 Exposure to arbitrary physical danger in Kurdish controlled areas

3.5.1 Inside the Kurdistan Region of Iraq

Several sources pointed to the existence of old minefields in KRI.[102] Both the western diplomat and the independent researcher, however, said that locals know where the mines are.[103]

According to an international humanitarian organisation, there have only been few security incidents in KRI over the past ten months. Examples of such security incidents are the bomb

[99] An international humanitarian organisation, an independent researcher, Human Rights Watch, a western diplomat. The international humanitarian organization said that the statement was issued on 23 August 2015.
[100] An international humanitarian organisation, Human Rights Watch
[101] A western diplomat, an independent researcher, Human Rights Watch
[102] Journalist Osama Al Habahbeh, a western diplomat, an independent researcher
[103] The independent researcher referred to Mines Advisory Group (MAG) for more information about landmines in Iraq.

attacks at the governor's office in November 2014 and at the US Consulate in April 2015.[104] Asked to what extent the IDPs are exposed to physical dangers, the western diplomat said that there have been no incidents north of Debaga. Correspondingly, two sources said that attempts of bombings with improvised explosive devices (VBIED) have been averted in Sulaimania.[105] Two other sources did, however, refer to an attack with chemical weapons in the south close to the frontline in Makhmour.[106]

3.5.2 Kurdish controlled areas outside the Kurdistan Region of Iraq

According to Journalist Shalaw Mohammed, vehicle borne improvised explosive devices (VBIED) and other types of bombs have been planted inside Kirkuk, for example targeting government officials.

Human Rights Watch pointed to incidents of suicide bombs behind the frontline in Dibis, Kirkuk Governorate. In addition, the western diplomat pointed to shelling of Peshmerga forces in the southern part of Kirkuk Governorate. According to the western diplomat, as of September 2015, no rocket attacks in this area had been seen for six months.

According to the international humanitarian organisation, although Diyala and Salah al-Din have been liberated, the areas are still dangerous. In many cases, the houses of the IDPs have been demolished which creates a new situation with secondary displacement. The security situation remains unstable and unpredictable for various reasons, including, but not limited to, proximity to areas of military operations, the risk of further attacks by Islamic State, improvised explosive devices (IED), heavy military and militia presence, and tensions between communities.

According to the international humanitarian organisation, in the newly liberated areas, meaning the areas retaken by Peshmerga and government forces, the IDPs are less protected, and the pressure from the authorities to move into camps is greater. In line with this, Human Rights Watch referred to reports saying that improvised explosive devices (IED) are abundant in areas recaptured from Islamic State. According to Human Rights Watch, Islamic State reportedly places improvised explosive devices (IED) along Islamic State controlled areas through which the local population is trying to flee. According to a scholar specialized in Kurdish issues, Islamic State leave behind areas that are heavily booby-trapped. They tie explosives and triggers to everyday utilities like Qurans, before they retreat from battle areas.

Human Rights Watch said that the Asayish and the Peshmerga forces are reportedly continuing to round up suspected Islamic State supporters or members in Kirkuk, and there are concerns about their due process rights and a general suspicion of Sunni Arab Iraqis. There are reports from 2014

[104] Reference is made to section *3.6.2 Activities and targets of Islamic State in the Kurdistan Region of Iraq*
[105] Journalist Shalaw Mohammed, a scholar specialized in Kurdish
[106] A western diplomat, Human Rights Watch

that several dozens of Arab men have been assassinated around Kirkuk, allegedly by Kurdish forces or Shia militias.

According to the western diplomat, the frontline between Kurdish occupied territory and territory occupied by Islamic State moved in November 2015, as the Peshmerga began retaking territory in Ninewa, including Mount Sinjar.

3.6 Presence and activities of Islamic State in the Kurdistan Region of Iraq and other Kurdish controlled areas

3.6.1 Capacities of Islamic State within the Kurdistan Region of Iraq

Two sources referred to the number of activities conducted by Islamic State in KRI and other Kurdish controlled areas as being limited,[107] and a scholar specialized in Kurdish issues underlined that Islamic State is not able to invade KRI.

The scholar specialized in Kurdish issues said that Islamic State keeps trying to target KRI, and that the reason why they only succeeded in attacking Erbil is that Erbil Governorate shares borders with Kirkuk Governorate where Islamic State is in control of the southern part. According to the scholar specialized in Kurdish issues, areas like Sulaimania share borders with areas that Islamic State does not have the same operational capabilities within.

An independent researcher said that, at the moment, Islamic State is not on the offensive in KRI, but that Islamic State might have an interest in putting fear into KRI for future purpose.

3.6.2 Activities and targets of Islamic State in the Kurdistan Region of Iraq

Vehicle borne improvised explosive devices (VBIED) were detonated in front of the governor's office in Erbil in November 2014 and in front of the US Consulate in the Christian neighbourhood Ankawa in Erbil in April 2015.[108] Three sources said that Islamic State affiliates or members were behind the bomb that went off in front of the governor's office in Erbil.[109] According to two sources, the Islamic State members behind the car bomb that went off in front of the governor's office in Erbil in November 2014 were of Kurdish descent.[110] A western diplomat said that the first targets of Islamic State inside KRI would be the US Consulate and secondly the Kurdistan Regional Government (KRG) institutions. Correspondingly, IOM referred to government buildings as being potential targets of Islamic State.

Professor Bassel al-Hassan said that in the mind of Islamic State, the Kurds in Iraq form a separatist movement. Professor Bassel al-Hassan continued by explaining that this is contrary to the vision of the Islamic Umma or *Caliphate* and therefore, the Islamists consider it a deed to fight the Kurds

[107] IOM, a western diplomat
[108] Journalist Shalaw Mohammed, IOM, an international humanitarian organisation, Visiting Scholar Renad Mansour, an independent researcher
[109] An independent researcher, Human Rights Watch, PAO/KHRW
[110] PAO/KHRV, an independent researcher

and vice versa. In line with this, Visiting Scholar Renad Mansour stated that Islamic State has an interest in attacking KRI which manifested itself in August 2014 when Islamic State was approaching Erbil until the international airstrikes began and thereby stopped Islamic State's advance.

3.6.3 Probability of Islamic State presence in the Kurdistan Region of Iraq

An international humanitarian organisation informed that, apparently, the Peshmerga has captured young Kurdish men who were Islamic State members. Various sources pointed to areas in and around Halabja as places inside KRI where Islamic State sympathisers might be found.[111] Being among these sources, IOM, however, added that Kurds who actually joined Islamic State might come from everywhere in KRI. In line with this, a scholar specialized in Kurdish issues and an independent researcher said that according to the Ministry of Religious Affairs under the Kurdistan Regional Government (KRG), 500 Kurds have joined Islamic State. The scholar specialized in Kurdish issues added that these Kurds come from all the three Kurdish governorates. An independent researcher, however, characterized Halabja as a former centre for the armed Islamic group named Ansar al-Islam and still a centre for radical Islam. The independent researcher said that Halabja is one of the places that have produced most Islamic State fighters and sympathisers.

According to Journalist Shalaw Mohammed and a western diplomat, the town called Ranya is placed in a mountain area that is known for the presence of radical Islamic groups. Various sources, however, informed that they are not aware of people in the area currently being particularly sympathetic towards Islamic State.[112] Two journalists stated that the opposite is more likely the case.[113] Visiting Scholar Renad Mansour pointed to tribal areas, exemplified by areas in both Halabja and Ranya, with imams being engaged in Salafi views.

According to various sources, Islamic State sleeper cells might be found inside KRI,[114] and two sources referred to people in Erbil and Sulaimania having been detained based on suspicion of being part of sleeper cells.[115] An independent researcher said that there are some Islamist voices in Erbil, particularly outside the urban areas. The independent researcher added that, in Dohuk, the basis for mobilization on Islamist doctrines is modest.

Two journalists said that suspects came into the region as IDPs.[116] Human Rights Watch, however, stated that Islamic State reportedly recruited from Kurdish home grown networks. An

[111] IOM, Journalist Osama Al Habahbeh, Human Rights Watch, Visiting Scholar Renad Mansour
[112] Journalist Shalaw Mohammed, Journalist Osama Al Habahbeh, a western diplomat, a scholar specialized in Kurdish issues
[113] Journalist Shalaw Mohammed, Journalist Osama Al Habahbeh
[114] IOM, an international humanitarian organisation, Journalist Osama Al Habahbeh, a western diplomat, Human Rights Watch, Visiting Scholar Renad Mansour, a scholar specialized in Kurdish issues, an independent researcher
[115] Journalist Shalaw Mohammed, UNHCR
[116] Journalist Shalaw Mohammed, Journalist Osama Al Habahbeh

independent researcher said that the Asayish is monitoring people with regard to sleeper cells, including people in the mosques.

Among the sources speaking of Islamic State sleeper cells, two sources referred to possible presence of Islamic State sleeper cells in Kurdish controlled areas outside KRI.[117] The scholar specialized in Kurdish issues stated that it is not inconceivable that new attacks could happen due to such presence.

Journalist Osama Al Habahbeh said that, by use of sleeper cells, Islamic State has the capacity to launch attacks from inside Kurdish controlled areas, especially inside Kirkuk, as this area is disputed. Journalist Osama Al Habahbeh explained that Islamic State is composed of former officers from the army of Saddam Hussein who, in a future scenario, will not allow Kirkuk to be under Kurdish control.

According to two sources, there are some religious clerics in KRI who are Islamic State sympathisers or even members.[118] In line with this, an independent researcher said that during a period starting in 2014, the Kurdistan Regional Government (KRG) began monitoring and controlling the curriculum of some religious schools where doctrines similar to the doctrines of Islamic State have been taught. The independent researcher explained how the concerned Islamic scholars and their followers have begun meeting behind closed doors.

Asked about the risk of Islamic State sleeper cells in KRI and other Kurdish controlled areas, the Head of the General Security Directorate, Esmat Agurshi, answered that Asayish is following all suspicious groups. In case terrorist sleeper cells are discovered, the Asayish will not spend time to sort this out through the court system, but will take them out right away.

3.7 Presence and activities of Shia militias in the Kurdistan Region of Iraq and other Kurdish controlled areas

3.7.1 Presence of Shia militias

Various sources said that Shia militias are not present in KRI.[119] The vast majority of these sources said that Shia militias are, however, present in the so-called disputed areas and in areas like Kirkuk, where the Peshmerga forces are also present.[120] Journalist Osama Al Habahbeh said that Shia militias are not present in KRI or in the contested areas. IOM said that there are no militias present in the Kurdish controlled areas. This goes for the Kurdish controlled part of Kirkuk as well. An independent researcher, in particular, pointed out areas of Diyala and Salah al-Din as areas

[117] A Scholar specialized in Kurdish issues, Journalist Osama Al Habahbeh
[118] Journalist Shalaw Mohammed, Human Rights Watch
[119] An independent researcher, an international humanitarian organisation, a scholar specialised in Kurdish issues, Human Rights Watch, Journalist Osama Al Habahbeh, Journalist Shalaw Mohammed, Visiting Scholar Renad Mansour
[120] An independent researcher, a scholar specialised in Kurdish issues, Human Rights Watch, an international humanitarian organisation, Visiting Scholar Renad Mansou

where Shia militias are present. Human Rights Watch said that the Shia militias might have some liaison staff in KRI and other Kurdish controlled areas.

3.7.2 Activities and targets of Shia militias

According to Human Rights Watch, Shia militias are first and foremost fighting Islamic State. Various sources, including Human Rights Watch, however, referred to Shia militias being accused of abuses such as targeting of civilians, particularly Sunni Arabs who, for example, have been returning to liberated areas from the places they were displaced to.[121] An international humanitarian organisation pointed to the area of Tikrit where searches and harassment of Sunni IDPs, in particular, are carried out by Shia militias. In line with this, Journalist Shalaw Mohammed said that in areas outside Peshmerga control, there are some areas controlled by the Shia militias where they target key Sunni leaders of the local community.

An independent researcher said that Sunni Arabs are generally perceived as perpetrators who have facilitated the access of Islamic State to some areas. According to the independent researcher, examples of Shia militias roving areas at night are seen. Typically, men are taken by the militias during these patrols. It is difficult to tell where the militias are taking these men, as many of them have not returned yet. Bodies are found in places like Kirkuk and Diyala. Yet, clear links between Shia militia patrols, disappearances and bodies have not been traced.

3.7.3 Shia militias' link to the Iraqi state and other actors

Three sources mentioned the Popular Mobilization Forces (in Arabic: 'al-Hashd al-Shaabi') as a significant control and command initiative between Shia militias in Iraq.[122] Correspondingly, Professor Bassel al-Hassan said that the Popular Mobilization Forces constitute one of the main militias fighting Islamic State in Iraq. Human Rights Watch distinguished between Iranian backed Shia militias like Asaib Ahl al-Haq, Badr Organisation and Kataib Hezbollah and the Popular Mobilization Forces backed by the Iraqi central government.

Osama Al Habahbeh said that the Popular Mobilization Forces are funded by local Shia political parties and the Iranian government. Visiting Scholar Renad Mansour mentioned Asaib Ahl al-Haq, Badr Organisation and Kataib Hezbollah as the three main Shia militias in Iraq and said that they are all close to Iran.

According to an international humanitarian organisation, Shia militias are tolerated, but not necessarily supported, by the central government in Baghdad. However, in terms of the possibility to seek protection from the central government against Shia militias, the international humanitarian organisation referred to an example where militia units had been accused of abuses such as targeting civilians. When complaints about scrutiny performed by Shia militias against

[121] An international humanitarian organisation, Journalist Osama Al Habahbeh, Human Rights Watch, an independent researcher, UNHCR. For more information, please see section *3.3.3 Demolition of houses and looting in disputed areas*.
[122] Journalist Osama Al Habahbeh, Human Rights Watch, an independent researcher

some of the first returnees to Salah al-Din were raised, central government employees among the IDPs were told that their salaries would be cut as a consequence of the complaints.

Human Rights Watch said that the Popular Mobilization Forces according to a cabinet decree of 7 April 2015 are recognized as part of the Iraqi Security Forces under Prime Minister al-Abadi's control. Human Rights Watch, however, underlined that the extent of government oversight and control over the Popular Mobilization Forces reportedly remains unclear, but media report an intermingling of Iraqi Security Forces and the Popular Mobilization Forces.

The international humanitarian organisation further explained that the central government rely on the Shia militias because the Iraqi Security Forces lack strength and have been discredited, especially since the fall of Ramadi in May 2015. Backing this perception of the Iraqi Security Forces, Visiting Scholar Renad Mansour said that the Iraqi Security Forces are not as effective as the paramilitary groups. Visiting Scholar Renad Mansour referred to the fall of Mosul as an example of the Iraqi Security Forces' lack of effectiveness.

According to the international humanitarian organisation, some militia units operate independently and without consultation with the Iraqi Security Forces. Osama Al Habahbeh illustrated the strength of Shia militias by informing that the Popular Mobilization Forces have their own flag, and that they will receive support from the Iraqi Security Forces upon their request.

3.8 The Kurdish security apparatus

3.8.1 Effectiveness and legal status of Peshmerga forces and the Asayish

Three sources emphasised that the Kurdish security apparatus is strong and to some extent able to foster a secure environment in KRI.[123] In line with this, Journalist Osama Al Habahbeh, PAO/KHRW informed that representatives of the security apparatus are present everywhere in KRI. Moreover, two sources said that ordinary citizens in KRI report on each other, for example based on suspicion of terrorist activities.[124] One of these sources along with another source said that thanks to the well-established intelligence service, the Peshmerga forces and the Kurdish police forces are able to pursue their targets within KRI and other Kurdish controlled areas.[125] In line with this, Human Rights Watch said that Kurdish parties in government[126] and their affiliated forces, with the support of the coalition led by the United States, have generally been able to provide security to their own people from the Islamic State incursion, but that there is no effective protection of human rights in KRI.

The western diplomat said that the Peshmerga forces are not found throughout KRI, since they are fighting at the frontlines. The western diplomat added that the Peshmerga is, in general, well

[123] IOM, Journalist Osama Al Habahbeh, Visiting Scholar Renad Mansour
[124] IOM, an International Humanitarian Organisation
[125] An international humanitarian organisation, Journalist Osama Al Habahbeh
[126] Kurdish Democratic Party (KDP) and Patriotic Union of Kurdistan (PUK).

regarded and respected, but that there have been reports of bad actors among Peshmerga forces at the frontlines who have victimized either people in areas that they have retaken or individuals that were trying to cross from Islamic State territories into KRI.[127] UNHCR said that no prosecution of Peshmerga forces or members of the Asayish has been seen with regard to their violations of human rights.

3.8.2 The Kurdish forces' ability and priority to pursue opponents

Visiting Scholar Renad Mansour said that the Peshmerga has been effective in its own respective areas and that, within the Kurdish territory, the Peshmerga forces are able to target wanted groups. This perception was backed by an independent researcher who said that, to a larger extent, the Peshmerga forces and the Kurdish police forces are able to pursue their targets. According to Visiting Scholar Renad Mansour, there is an efficient intelligence service in KRI helped by taxi drivers among whom it is said that several of them are informants for the regime. Visiting Scholar Renad Mansour added that, outside KRI, in other Kurdish controlled areas, it gets more complicated to pursue targets and it is mainly possible in pro Kurdish pockets.

Journalist Shalaw Mohammed said that pursuance of targets within Kurdish controlled areas must be backed by a court order. Journalist Osama Al Habahbeh, however, pointed to Iraq being in a state of emergency, wherefore authorities like the Kurdish security apparatus circumvent certain rules and regulations.

3.8.3 Prisoners taken by the Peshmerga and the Asayish

Journalist Shalaw Mohammed said that the Peshmerga do not have the authority to keep prisoners and therefore usually submit prisoners to the Council of National Security in the Patriotic Union of Kurdistan (PUK) dominated area, Sulaimania, or to the security forces in the Kurdistan Democratic Party (KDP) dominated areas, Dohuk and Erbil. A scholar specialized in Kurdish issues, however, said that the Peshmerga has detained armed opponents as prisoners of war, and along with three other sources he pointed to suspected Islamic State affiliates being detained.[128] According to UNHCR, in none of the known cases there has been solid proof of actual collaboration between the detainee and Islamic State. Visiting Scholar Renad Mansour said that prisoners taken by the Peshmerga during the current armed conflict are young Sunni Arab IDPs coming from Ninewa, Anbar and Diyala. Human Rights Watch said that the profile of those targeted is 'male Sunni Arab in the age of 16 to 35 years', but also persons over 50.

Human Rights Watch said that there a steady stream of people being arrested on the suspicion of being Islamic State supporters. The source, however, added that there is a striking absence of reports of suspected Islamic State fighters in the prisons throughout KRI. To Human Rights Watch, it seemed that the Peshmerga does not take prisoners. According to third hand knowledge of Human Rights Watch, once in a while, there are reports that Islamic State fighters taken by the

[127] For more information, please see section *3.3.3 Demolition of houses and looting in disputed areas*.
[128] Visiting Scholar Renad Mansour, a scholar specialized in Kurdish issues, Human Rights Watch, UNHCR

Peshmerga are killed on the spot. On the other hand, Human Rights Watch said that there have also been reports of an Islamic State fighter who had been shot in the back and afterwards decently treated but detained without trial. According to Human Rights Watch, trials against Islamic State affiliates allegedly take place in Kirkuk and Dohuk, but the authorities have not published information about them, and it is unclear if these people are fighters or accused of being supporters.

Apart from suspected Islamic State affiliates, a few sources talked about other types of prisoners taken by Kurdish authorities. In a general perspective, Journalist Osama Al Habahbeh said that he was aware of people from the political opposition being detained, tortured and killed by the Kurdish forces.[129] In line with this, Human Rights Watch referred to a political dispute over which political party is in government and holds the presidency of KRI which has led to a significant deterioration in the protection of human rights in KRI. Critics of the Kurdistan Democratic Party (KDP), but also of the Patriotic Union of Kurdistan (PUK) which dominates in Sulaimania Governorate, risk disappearance and arbitrary arrest. Along with Journalist Osama al Habahbeh, Human Rigts Watch said that demonstrators in Sulaimania have been shot at by Kurdish security forces. Osama al Habahbeh also said that some were arrested, and that journalists who were filming and covering the demonstrations were beaten by the security forces. In addition, Human Rights Watch referred to demonstrators shot by ruling party guards in Dohuk and Erbil Governorates.

3.8.4 Legal regulation of the Peshmerga and the Asayish

Two sources said that the Peshmerga are under jurisdiction of Kurdistan Regional Government (KRG) laws.[130] In addition, one of these sources along with three other sources referred to the Peshmerga having to adhere to certain Iraqi laws.[131] Journalist Osama Al Habahbeh, however, said that the Peshmerga forces currently do what they want, as the laws regulating them do not apply during a state of emergency.

Human Rights Watch said that the exact law enforcement powers of the Kurdish intelligence branches remain unclear. However, according to PAO/KHRW, it is regulated by law that the Asayish is responsible for counter-terrorism, counter-drug trafficking, national security, counter-weapon trade and counter-human trafficking.

3.8.5 Monitoring of the Peshmerga and the Asayish

According to PAO/KHRW, the Asayish is the only institution in KRI that is not being subjected to external monitoring. Three sources stated that the Asayish is linked directly to the president of the

[129] Osama al Habahbeh mentioned one example from 2010. Please refer to meeting note with Osama al Habehbeh, Appendix 2.
[130] Visiting Scholar Renad Mansour, a scholar specialized in Kurdish issues. For detailed information please see note from meeting with Visiting Scholar Renad Mansour, Appendix 2.
[131] A scholar specialized in Kurdish issues, Human Rights Watch, PAO/KHRW

Kurdistan Regional Government (KRG).[132] PAO/KHRW said that not even the parliament has the power to gain insight into working methods of the Asayish.

According to Journalist Osama Al Habahbeh, the Peshmerga forces are also linked directly to the president of the Kurdistan Regional Government (KRG). Visiting Scholar Renad Mansour, however, stated that the Ministry of Peshmerga Affairs is established to look over the Peshmerga and apart from that, the Peshmerga is subject to Kurdish authorities all the way down from the National Security Council to the polit bureaus.

3.8.6 Command and control of the Peshmerga

Human Rights Watch said that the Peshmerga, formally, operate under the Iraqi armed forces, but in practice they are independent. Various sources explained that, in terms of overall command and control, the Peshmerga forces are divided between Kurdish Democratic Party (KDP) forces and Patriotic Union of Kurdistan (PUK) forces.[133] In line with this, Visiting Scholar Renad Mansour explained that the Peshmerga forces act upon instructions by politicians.

According to a scholar specialized in Kurdish issues, the Kurdish Ministry of Interior has announced ambitions of unification of the Peshmerga forces but despite promises from both Patriotic Union of Kurdistan (PUK) and Kurdistan Democratic Party (KDP) this has not happened yet. Journalist Osama Al Habahbeh said that currently, there are no confrontations between the two Peshmerga forces. Journalist Osama Al Habahbeh was, however, not aware of the Peshmergas cooperating either.

3.8.7 Mobilization and resources of the Peshmerga

According to Visiting Scholar Renad Mansour, the Kurds think that they need more resources in order to be able to protect the population. In line with this, a scholar specialized in Kurdish issues said that the Peshmerga forces lack heavy equipment and are highly dependent on the coalition forces in terms of military victories against Islamic State. Human Rights Watch pointed to loss and wounding of fighters creating a need for recruitment.

According to three sources, no conscription to the Peshmerga forces exists.[134] Being among these sources, Visiting Scholar Renad Mansour said that recruitment to the Peshmerga forces is encouraged through a nationalist trend in the Kurdish population. He further added that the recruits are being promised that they will be paid a salary and pension. According to various sources, at the end of September/beginning and mid-October 2015, the Peshmerga fighters were, however, not receiving any salary.[135] Among these sources, Visiting Scholar Renad Mansour said

[132] Journalist Osama Al Habahbeh, PAO/KHRW
[133] Visiting Scholar Renad Mansour, a scholar specialized in Kurdish issues, KRG Minister of the Interior Karim Sinjari, Journalist Osama Al Habahbeh, an international humanitarian organisation
[134] Visiting Scholar Renad Mansour, Human Rights Watch, an international humanitarian organisation
[135] Visiting Scholar Renad Mansour, PAO/KHRW, KRG Minister of the Interior Karim Sinjari, Human Rights Watch, a scholar specialized in Kurdish issues

that the lack of payment did influence the recruitment but not the moral of the fighters. PAO/KHRW, however, referred to Peshmerga soldiers deserting because they did not receive a salary.

PAO/KHRW said that no standardized criteria for recruitment to the Peshmerga forces exist. According to PAO/KHRW, there is a military academy under the Patriotic Union of Kurdistan (PUK) at Qal'at Julan in Sulaimania and another under the Kurdistan Democratic Party (KDP) in Zakho, Dohuk. PAO/KHRW informed that graduates have to apply to the Peshmerga and must be supported by the political parties.

According to Human Rights Watch, the Kurdistan Regional Government (KRG) president, Massoud Barzani, in January 2015 called for retired Peshmerga to reenlist, indicating that the government had the authority to force them to do so.

3.8.8 Punishment for desertion

According to PAO/KHRW, the punishment for desertion, depending on the circumstances, goes from cancellation of contract and all the way up to death sentence. According to PAO/KHRW, no cases of desertion from the Peshmerga forces have been brought to court, yet.

3.9 Tensions and cooperation between armed groups

Visiting Scholar Renad Mansour said that it affects the security when there are more than one armed group protecting the country. In the present situation, the fight against Islamic State becomes complicated because the armed groups against Islamic State sometimes fight each other. Visiting Scholar Renad Mansour referred to both internal arguments between various Peshmergas and the Peshmerga fighting the Popular Mobilization Forces. According to Visiting Scholar Renad Mansour, both kinds of tensions are an effect of the complicated security situation where there is no single group taking care of the security in the area, and the boundaries between the areas of responsibility of the different actors are disputed.

3.9.1 Tensions between the Kurdish forces and Shia militias

Visiting Scholar Renad Mansour said that it is unlikely to see a proper conflict between the Kurds and the Shia militias, while the Shia militias and the Kurds are working together against the external threat, Islamic State. According to Visiting Scholar Renad Mansour, the Peshmerga might, however, be a target for the Shia militias in Kirkuk, as Kirkuk is de facto under Kurdish control. When asked about names of Shia militias that work against the Kurds, Visiting Scholar Renad Mansour mentioned Asaib Ahl al-Haq in Tuz Khurmatu.

Two sources said that the Peshmerga forces and Shia militias, despite tensions, probably see each other as allies to a certain point.[136] In line with this, the international humanitarian organisation

[136] Journalist Osama Al Habahbeh, an international humanitarian organisation

referred to Shia militias sometimes taking over people being escorted by the Peshmerga when they come to an area held by the militias.

Journalist Osama Al Habahbeh referred to a military cooperation between the Peshmerga and the Shia militas around Mosul and said that they also coordinate their efforts to protect Kirkuk, although the Shia militias want the area to be predominantly Shia. In line with this, Human Rights Watch said that Shia militias and the Peshmerga have fought battles alongside but with a very ad hoc common command structure. Correspondingly, an independent researcher said that coordination and negotiation between the Shia militias and the Kurdistan Regional Government (KRG) do take place to some extent, and that Iran probably has an important role to play as mediator between the two parties.

3.9.2 Tensions between the Iraqi Security Forces and Kurdish forces

An independent researcher said that there are tensions between the Iraqi Security Forces and Kurdish forces, but in most of the problematic areas in Iraq, the Iraqi Security Forces are not present. According to the independent researcher, no direct clashes between the Peshmerga and the Iraqi Security Forces have been seen.

3.9.3 Minority militias

The international humanitarian organisation stated that Sunni Arabs are creating their own militia in order to create a balance. Correspondingly, the independent researcher said that in Ninewa, there are tensions because small minorities have been able to militarize and create their own militias. The tensions prevail between these militias, Peshmerga forces and Arab and Muslim communities. Some of these militias are absorbed by the Peshmerga forces and some are not. Some minority militias are only hostile towards representatives of one of the two main Kurdish political factions.

According to Human Rights Watch, Turkmen have established their own militias. The same source added that Yazidi, Shabak and Christian armed protection groups exist. Some are fighting within KRI Peshmerga forces, but some are also fighting on their own.

According to UNHCR, some Fayli Kurds joined a Shia militia that is often in conflict with the Peshmerga forces. As a consequence of this, Faily Kurds would not be protected by the Peshmerga. Conflict between these militias and the Peshmerga has been reported in Saadiye. In line with this, Professor Bassel al-Hassan said that among the Kurds in KRI are a minority group of Shia Fayli Kurds, and this minority group is subject to the Iranian influence in the region.

3.10 General security in IDP camps in Kurdish controlled areas

Visiting Scholar Renad Mansour said that the security in the IDP camps is better than in the regions where the IDPs came from. According to an independent researcher, there are, however, differences between the situations in different camps. The independent researcher said that there is a tendency that conflicts between IDPs and authorities become more prevalent, the more

security authorities, such as the Asayish, become involved in the camp management. As an example given by the independent researcher, IDPs from the camps are picked up for security reasons and arrested by the Asayish. The independent researcher added that, during the arrest, people are sometimes treated violently, and there seems to be a random factor with effect to the condition people are released in. In most cases, detainees are, according to the independent researcher, released in almost the same condition as they were arrested in, and sometimes, their physical and mental conditions are clearly affected by their detention.

UNHCR informed that, in general, combatants and weapons are present in IDP camps. UNHCR added that civilian conflict might be aggravated by this presence.

Journalist Shalaw Mohammed informed that the two IDP camps in Kirkuk, Yahyawa and Leylan, are well protected. Journalist Shalaw Mohammed, however, referred to cases of IDPs being shot dead outside when leaving the camps. According to Journalist Shalaw Mohammed, these killings were acts of revenge provoked by social disputes among IDPs or former Islamic State members being assassinated by Islamic State.

According to the independent researcher, in some IDP camps, there is a mukhtar who is picked based on his ability to report on other IDPs. The independent researcher explained that the people who the mukhtar reports on are therefore not necessarily perpetrators, and many people who are reported on and put in detention are innocent.

4. Effectiveness of law enforcement in the Kurdistan Region of Iraq and the Kurdish controlled areas

4.1. General possibility to seek protection from Kurdish authorities

Human Rights Watch said that compared to south and central Iraq, the effectiveness in terms of law enforcement in KRI is higher. An international humanitarian organisation characterized law enforcement in KRI as exceptionally effective but said that it varies in other Kurdish controlled areas. The international humanitarian organisation added that law enforcement in Kirkuk is very effective but that, in some Peshmerga controlled areas outside KRI, there are many pockets with lack of law enforcement, especially in a westward direction of KRI towards Anbar.

According to two sources, the Kurdish authorities have the potential to provide very effective security in the areas that they control.[137] Being one of these sources, the international humanitarian organisation, however, stated that if Kurdish authorities do not want to protect an individual, they can also enforce that very effectively. Correspondingly, Journalist Osama Al Habahbeh said that the possibility to receive protection from KRI authorities depends on who the persecutor is. Journalist Osama Al Habahbeh explained that the authorities would not protect an individual in case the person had a conflict with a politician. In line with this, Human Rights Watch characterized the Kurdish court system as being under political influence and used to stifle dissent and target critical voices, including journalists.

According to UNHCR, there is very little regard of law enforcement among the local population in KRI and people do not make use of the police or the courts. UNHCR said that the courts are not seen to respond, even though, in principle, they have a number of excellent laws meeting international standards. In addition, UNHCR explained that access to rule of law is dependent on ethnic and religious affiliation, tribe, connections, family and relatives, and it is very difficult, if not impossible, for an individual to stand up for his rights by himself.

4.1.1 Possibility for IDPs to seek protection from the Kurdish authorities

A western diplomat said that Arab IDPs generally mistrust the Kurdistan Regional Government (KRG) forces and therefore the IDPs do not seek protection from the police. The western diplomat had the impression that the Kurdish police is trying to improve its reputation but that it lacks staff and training of the staff in order to raise its stature in the IDP community. The western diplomat had not heard of systematic mistreatment by the police or courts based on the IDPs' status or their belonging to areas in the north. The western diplomat, however, said that many IDPs from the south cannot get access to the courts due to lack of documents.

According to PAO/KHRW, the Asayish has extended powers when it comes to IDPs because IDPs need approval from the Asayish to change address, to change work, to get electricity in their

[137] An international humanitarian organisation, UNHCR

homes, to go to health care clinics and schools etc., and there are no fixed criteria for the approval. According to Human Rights Watch, as regards the Asayish, both Arabs and Kurds are at risk of arbitrary detention and torture.

According to UNHCR, collective punishment of IDPs upon security incidents is common practice. In line with this, a lawyer working for an international NGO said that Sunni Arabs are sometimes held responsible or being scapegoated as a community when security incidents happen.

4.2. General possibility to seek protection from other actors than the authorities

Journalist Osama Al Habahbeh explained that due to the tribal nature of the society in KRI, some tribes are above the authorities, which means that they may also be able to offer protection. In line with this, IOM said that informal mediation is very common in all kinds of disputes in KRI. Correspondingly, various other sources referred to a possibility to seek protection from other actors than the authorities, such as family, religious leaders, tribes, militias, clan-affiliates with political power and private security companies.[138] The sources, however, indicated that the protection would only be offered to those with the right affiliation.[139] In addition, UNHCR said that such protection would be for a limited period of time and not be effective or legitimate. Correspondingly, Human Rights Watch said that it could not be considered as effective protection for the enjoyment of human rights.

An international humanitarian organisation exemplified the possibility of informal protection by explaining that if for instance an IDP is told to leave an area, religious leaders could try to mediate between the authorities and the concerned IDP. In this regard, the source mentioned that the church in KRI is strong and may mediate. The international humanitarian organisation, however, said that the church will generally not intervene on behalf of Sunni Arabs.

4.3 Protection of women in cases of honour crimes

4.3.1 Possibility to seek protection from Kurdish authorities

Various sources referred to the existence of legislation in KRI to prevent honour crimes or protect victims.[140] Being among these sources, UNHCR added that there are institutions that can be used to enforce this legislation. Various sources, however, said that honour crimes take place in KRI,[141] and two of these sources along with two other sources referred to many locals usually turning to traditional justice, for example through tribal links, to resolve cases related to 'honour'.[142] Two sources said that honour related crimes are more common in rural areas than in urban areas.[143]

[138] Visiting Scholar Renad Mansour, UNHCR, an international humanitarian organisation, Human Rights Watch
[139] Visiting Scholar Renad Mansour, UNHCR, an international humanitarian organisation, Human Rights Watch
[140] UNHCR, Visiting Scholar Renad Mansour, IRC, PAO/KHRW
[141] An international humanitarian organisation, Human Rights Watch, IRC, PAO/KHRW, IOM, Journalist Osama Al Habahbeh
[142] An international humanitarian organisation, IOM, UNHCR, Visiting Scholar Renad Mansour
[143] IOM, Journalist Osama Al Habahbeh

One of these sources, Journalist Osama Al Habahbeh explained that, in rural areas, the tribe will protect the family's honour rather than the individual. Journalist Osama Al Habahbeh also said that the police will not interfere in such matters.

IOM explained that, even though the family of a victim who has approached the authorities may be summoned to court, most honour related cases are solved through a negotiation process run by the tribe or family members and parallel to the official procedure through the court system. According to IOM, the court is then informed of the agreement.

Three sources stated that they did not have information on cases of honour crimes brought to court in KRI.[144] IOM explained that women are often reluctant to involve the authorities, and that officials will often suggest that the issue is solved outside the court system. On the other hand, Journalist Osama Al Habahbeh said that there are cases of honour crimes brought to court. PAO/KHRW said that there is no access to insight in the processing of cases of honour related crimes but explained that courts often register honour killings as 'killed by an unknown' and then close the cases.

Various sources mentioned that victims threatened by honour crimes can be referred to women shelters run under the Kurdistan Regional Government (KRG) in Dohuk, Erbil and Sulamania by the authorities.[145] Journalist Osama Al Habahbeh said that the only way to protect a woman who risks honour killing is to put her in jail or a shelter resembling a jail where she risks being raped or sold through human trafficking by the authorities.[146] Some of the other sources indicated that the shelters are poorly managed.[147] In line with this, a western diplomat said that the shelters in KRI have been overburdened, and UNHCR said that there are very few shelters. IOM said that women might risk being misused inside shelters. However, UNHCR said that, generally speaking, women are not mistreated in the shelters, but their rights are not respected and, when KRI authorities deal with victims of violence, their approach is not survivor centred. According to UNHCR, authorities will, often and without consent of the survivor, bring the perpetrators to the shelter and try to negotiate a solution at the expense of the victim. Journalist Osama Al Habahbeh said that mediation with the family is not a possibility. UNHCR said that, often, the authorities bring the perpetrators to the shelters for mediation with the survivor. This is typically done without consent of the survivor.

4.3.2 Possibility to seek protection from other actors

A western diplomat said that an assistance telephone line for IDPs threatened by honour crimes has been set up by the Kurdistan Regional Government (KRG). The IDPs can call a switch board that refers the victims to relevant NGOs in the area. In addition, an international humanitarian

[144] Visiting Scholar Renad Mansour, a western diplomat, UNHCR
[145] An international humanitarian organisation, IOM, IRC, UNHCR, Human Rights Watch, a western diplomat
[146] In this respect, Journalist Osama Al Habahbeh made reference to the previous chairwoman of Democracy and Human Rights Development Centre (DHRD, website of this organisation is www.dhrd.org).
[147] IOM, Human Rights Watch, UNHCR

organisation said that NGOs run women centres for victims threatened by honour killing in Dohuk, Erbil and Sulaimania in relation to the IDP camps. The western diplomat pointed to an NGO initiative, to meet problems with honour related crimes against Yazidi IDP girls, through which the girls can get counselling and assistance to become established in a place away from their family.

Journalist Osama Al Habahbeh referred to a project in Sulaimania that supports women by trying to get them out of jail and into shelters. According to Journalist Osama Al Habahbeh, the project also trains lawyers in how to defend such women.

4.3.1 Ability of relatives to track down victims

Three sources referred to relatives being able to track down women who had run away in KRI.[148] In line with this, UNHCR stated that, in KRI, it would be difficult for a victim of an honour crime to escape the perpetrators and seek protection from the authorities. Journalist Osama Al Habahbeh said that a woman fleeing honour killing cannot hide anywhere in Iraq. A western diplomat, however, said that there is no formal system for families to track down their own family members within KRI.

4.4 Protection in cases of landownership conflicts

4.4.1 Disputes about rule of territory affecting the right to private landownership

Two sources indicated that there are a growing number of landownership conflicts among returning IDPs, and that loss of documentation for landownership due to the armed conflict in the area makes it difficult to reclaim lawful ownership.[149] One of these sources, the western diplomat, added that IDPs who return to their place of origin are often viewed by the people who stayed in the area as 'those who abandoned the territory' whereas others stayed and suffered. According to the western diplomat, therefore the returnees do not find much sympathy with the authorities. An independent researcher said that, in many areas, abandoned houses have been looted, taken over by others or even destroyed. In addition, the independent researcher said that Sunni IDPs fear that they will not be able to reinforce their property rights because no authorities are present to support them in this matter.

Human Rights Watch said that the possibility to settle disputes about landownership seemed to hinge on resolution of the overall political control over the disputed areas. In line with this, UNHCR said that the Kurdish population is allowed to move back to their areas of origin, but that a discriminatory practices in terms of the Arab population generally being subject to extensive clearance procedures has been imposed. Furthermore, according to Human Rights Watch, journalists report that the Peshmerga or affiliated Kurdish forces are destroying property in areas that was at first taken by Islamic State, ostensibly to prevent Arabs from going back or to gain military advantage against the return of Islamic State. Correspondingly, an international

[148] Visiting Scholar Renad Mansour, IOM, Journalist Osama Al Habahbeh
[149] A western diplomat, an international humanitarian organisation

humanitarian organisation said that there is a land grab going on, a geographical engineering, with the Kurdistan Regional Government (KRG) wanting to extend its borders without Sunni Arabs. Two sources explained that the Peshmerga and the Asayish have taken over some houses saying that it was for 'safety reasons'.[150] One of these sources, UNHCR, added that also Iraqi Security Forces and Shia militias are being accused of destruction of property in the disputed areas. In line with this, the international humanitarian organisation mentioned that, in some locations, as in Diyala Governorate, the Peshmerga has destroyed the houses of Sunni Arabs with justifications of 'security concerns' and illegal construction.[151] Human Rights Watch said that Kurdish armed groups under Peshmerga control carried out large scale property demolition of Arab villages in areas in Kirkuk Governorate.[152]

4.4.2 Possibility to seek protection from Kurdish authorities

Various sources said that conflicts of landownership can be solved by the authorities.[153] Being among these sources, a western diplomat said that he was not aware of other ways to settle disputes over land than to involve the courts. According to PAO/KHRW, there is a special institution responsible for property ownership conflicts, the Property Claims Commission, which has offices in different places, including Erbil and Kirkuk. PAO/KHRW, however, explained that the Property Claims Commission is unable to solve all the cases, and their decisions are often not implemented.[154]

According to an international humanitarian organisation, a lot of registries have been destroyed during the conflict, and waves of IDPs moving in the contested areas make matters difficult. The source explained that, at the end of the day, landownership comes down to having the papers that proves the ownership.

UNHCR was not aware of any cases of land conflicts brought before the courts. According to UNHCR, the legislation is, however, generally not considered valid by the local population, when it comes to solving conflicts of landownership. UNHCR added that, when it comes to landownership, corruption prevails. In line with this, Human Rights Watch had heard of improper judicial proceedings in land disputes, in particular by Christian Iraqis, who complained about procedures by Kurdish judges. IOM, however, said that IDPs and host community members are equal before the law in cases of landownership conflicts. Human Rights Watch stated that IDPs do not have documentation or resources for court cases.

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[150] UNHCR, Human Rights Watch

[151] For more information, please see section 3.3.3 *Demolition of houses and looting in the disputed areas*.

[152] Human Rights Watch said that at the time of the meeting, Peshmerga forces were in the middle of a new military campaign. In August and September 2015, they drove south and west of Kirkuk city in a ground offensive supported by coalition airstrikes further into Kirkuk Governorate areas held by IS in order to recapture those areas. (See meeting note, Appendix 2)

[153] IOM, a western diplomat, PAO/KHRW

[154] Please refer to the note from the meeting with PAO/KHRW in Appendix 2 for further details. For more information, PAO/KHRW also referred to the website of the Property Claims Commission: www.pcc.iq

4.4.3 Possibility to seek protection from other actors

PAO/KHRW said that the cases that are solved outside the court system are often solved through tribal councils. PAO/KHRW informed that, as the property owner must have documents from the court stating the ownership, the parties who settle the conflict outside the Property Claims Commission will have to approach the court to obtain the documents of ownership.

4.5 Protection from Kurdish authorities in cases of conflicts with armed groups

According to Visiting Scholar Renad Mansour, KRI authorities have the capacity to protect an individual who has a conflict with or is being harassed by armed groups in KRI or other Kurdish controlled areas. Visiting Scholar Renad Mansour added that protection in cases of conflicts with armed groups is, however, also a question of the authorities' will. According to Visiting Scholar Renad Mansour, some armed groups have members from higher places in society, and these groups remain without interference by police or other authorities. In line with this, PAO/KHRW explained that almost all armed groups in KRI belong either to the Kurdistan Democratic Party (KDP) or the Patriotic Union of Kurdistan (PUK). PAO/KHRW added that if someone has a problem with an armed group, there is no help from the authorities because the armed groups are in power. According to PAO/KHRW, tribes with weapons often have power, and the Kurdistan Regional Government (KRG) is more interested in their political support than in taking them to court.

UNHCR said that, in the disputed areas, the possibility to seek protection from the authorities in case of conflict with armed groups depends on whether or not a person belongs to the groups that the Peshmerga would protect. According to UNHCR, groups that are protected by the Peshmerga include Kurds and ethnic or religious minorities. In line with this, an international humanitarian organisation said that private individuals' possibility to seek protection from the Kurdish authorities if they have conflicts with armed groups in KRI and other Kurdish controlled areas depends on who they are. According to the international humanitarian organisation, generally, Sunni Arabs would be unlikely to receive support from the authorities, especially if conflicts are with non-Sunni Arabs. The international humanitarian organisation added that if a Sunni Arab has a conflict with Islamic State, there is nothing that the authorities can do.

4.6 Protection in case of harassment based on ethnic and religious affiliation

4.6.1 Possibility to seek protection from Kurdish authorities

PAO/KHRW explained that, as Saddam Hussein repressed the Kurds, the Kurds are now repressing minorities in their own region. Journalist Osama Al Habahbeh also referred to lack of protection of minority groups by authorities and said that it manifests itself in IDPs creating ghettos based on ethnic affiliation inside the camps and in other areas where they live. As an elaboration to this picture, Visiting Scholar Renad Mansour said that, traditionally, it has been more difficult for minorities to trust the Peshmerga, but, nevertheless, the Kurdistan Regional Government (KRG) has been keen on showing that it protects minorities, especially Christians.

According to Visiting Scholar Renad Mansour, measures are taken by Kurdish authorities in order to prevent incidents of disputes based on ethnic affiliation. In line with this, Human Rights Watch stated that, on a political level, the Kurds are trying to make room for minorities; for example, a seat for a Jewish representative has been added in the Ministry of Religious Affairs. Human Rights Watch also said that either the level of harassment is very low or the government is good at controlling it. ERC confirmed the ambition of the Kurdish authorities to prevent discrimination against minorities by stating that the Kurdistan Regional Government (KRG) does not differentiate between IDPs from different ethnic groups. Additionally, ERC outlined that in order to mitigate potential conflicts; ethnicity and religion of IDPs are not registered.

According to UNHCR, the possibility to seek protection from the authorities in KRI and other Kurdish controlled areas in case of harassment based on religious and/or ethnic affiliation, however, depends on the personal connections of the person in question. Correspondingly, Visiting Scholar Renad Mansour said that the Kurdish forces would protect Kurds before other minorities. Osama Al Habahbeh said that he expected that KRI authorities would offer protection to individuals in a private conflict irrespective of the individual's ethnicity.

4.6.2 Possibility to seek protection from other actors

The western diplomat said that there are some communities in the IDP camps who could yield protection in the sense that, in some camps, almost all IDPs come from the same area, in example Shabaks from Sinjar, which inspires trust among IDPs. On the other hand, the western diplomat pointed to the risk of this development contributing to a 'Balkanization', meaning that people are forming pockets instead of integrating. The western diplomat and an international humanitarian organisation respectively referred to two different accounts of conflicts between different ethnic groups living near each other in IDP camps. In addition, an international NGO pointed to a general differential treatment of IDPs in the local communities in KRI. As example, the international NGO mentioned that Chaldean Christians are more welcome in the Christian neighbourhood Ankawa in Erbil and that Christians are more likely to seek asylum in Christian neighbourhoods.

5. Access to basic rights

5.1 Access to employment

Three sources said that the number of job opportunities in KRI is very limited for the host community as well as for IDPs.[155] In this respect, ERC stated that, due to the financial crisis in KRI, even people from the host community are losing their jobs. Three sources indicated that the private sector is affected by the crisis, including the construction business and the oil business.[156] Being among these sources, IRC added that many jobs in the oil sector are occupied by foreign labour.

When asked in which fields IDPs typically find jobs, three sources said that IDPs who manage to get a job will often find it in low-skilled fields, for instance construction or casual work in agriculture or restaurants.[157] IRC further stated that IDPs with an education may be able to find work with NGOs; however, the number of jobs available in this field is low.

It was stated by three sources that the public sector is not adding new jobs,[158] and three sources pointed to the fact that the Kurdistan Regional Government (KRG) has not paid salaries to government employees since June 2015.[159] IOM said that it is not possible to live on a salary of a civil servant under the Kurdistan Regional Government (KRG) administration. Various sources stated that publicly employed IDPs are still supposed to receive their salary from the central government in Baghdad.[160] Two sources, however, said that as of September 2015, there is a delay in the payment.[161]

Different figures were given by three sources on the current unemployment rate in KRI, ranging from 6.5 percent to 35 percent.[162]

Three sources pointed to competition for jobs in KRI between host community members, IDPs and Syrian refugees.[163] Three sources said that IDPs are typically willing and able to work for lower salaries than members of the host community.[164] IOM stated that they, as an organisation, are

[155] ERC, IRC, an international NGO
[156] ERC, IRC, a lawyer working for an international NGO
[157] IRC, a lawyer working for an international NGO, an international NGO
[158] IOM, IRC, Human Rights Watch
[159] Human Rights Watch, ERC, a western diplomat
[160] IOM, INTERSOS, IRC, a western diplomat
[161] ERC, IOM
[162] ERC, IRC, IOM
[163] ERC, a lawyer working for an international NGO, management of Baharka camp
[164] ERC, a lawyer working for an international NGO, Minister of the Interior, KRG, Karim Sinjari, an independent researcher.
According to ERC, typically, an IDP earns a monthly wage of USD 300 to 400, whereas a member of the host community earns USD 500. Minister Karim Sinjari said that, as an example, an IDP might be willing to work for IQD 10,000 (USD 8) a day whereas a Kurdish worker would need a salary of IQD 30,000 a day (USD 25). IRC said that the average salary in KRI for low-skilled jobs is IQD 400,000 to 500,000 (USD 334 to 418) per month. The average salary for an IDP can vary between a daily rate of IQD 10,000 (USD 8) for simple labour and up to IQD 25,000 (USD 21).

facing difficulties to find employment for Kurdish returnees who went back to KRI from Europe, as many companies downsize their workforce.

5.1.1 Discriminating factors

As a barrier to the job market, several sources mentioned the fact that many IDPs do not speak Kurdish.[165] Two sources mentioned IDPs' lack of network in KRI as a barrier.[166] Human Rights Watch stated that Sunni Arabs are not eligible for government jobs in KRI.

Two sources pointed to the requirement of a residence permit as access to the labour market in Dohuk, Erbil and Sulaimania as a discriminating factor.[167] In line with this, the management of Baharka camp said that IDPs need permission from the Kurdish authorities to work in KRI. The lawyer working for an international NGO said that a long-term residence permit is a residence permit of at least one year, and that for IDPs coming from outside the mentioned provinces, it is almost impossible to obtain. An international humanitarian organisation said that it is not possible for new Arab employees to obtain residence permits if they do not already have them.

IRC said that many IDP camps in KRI are placed far away from the cities which makes it even more difficult to get a job; for instance to be hired as day labourer.

The lawyer working for an international NGO said that, in the host community, Arab IDPs from the Anbar province are in general considered terrorists until the opposite is proven. The same source added that, this factor has not only limited their initial access to the Kurdish controlled geographical area, it is now also limiting their access to the labour market in the region. In line with this, two sources explained that NGOs in KRI are discouraged from hiring Sunni Arab staff.[168] The international humanitarian organisation further said the Minister of Interior of the Kurdistan Regional Government (KRG) has rescinded strict requirements and that there are guidelines on who to hire. It is suggested that NGOs hire Kurdish staff. According to the same source, people must speak Kurdish in order to be employed with NGOs.

A western diplomat said that the Kurdistan Regional Government (KRG) has resisted treating IDPs as long-term residents and is denying them access to the labour market, as they are not interested in changing the demographics of the region.

5.2 Possibility for financial support for IDPs

Two sources stated that it is not possible for IDPs to receive financial support from the Kurdistan Regional Government (KRG).[169] A lawyer working for an international NGO, however, said that IDPs from other parts of Iraq than KRI do have the right to a onetime installment grant from the

[165] Management of Baharka camp, an international NGO, a lawyer working for an international NGO, IRC
[166] IRC, in international NGO
[167] A lawyer working for an international NGO, IRC
[168] An international humanitarian organisation, an international NGO
[169] ERC, a lawyer working for an international NGO

central government in Baghdad. Two sources said that, IQD 1,000,000 (USD 833) would be granted for an average family headed by both parents when they register as IDPs.[170] The lawyer working for an international NGO further said that for a single female headed household the installment grant would be IQD 500,000 (USD 417) and for a single individual IQD 200,000 (USD 167). In this respect, UNHCR pointed to the issue of reissuance of IDPs' lost documents[171] which are needed to be registered for access to social services, including the mentioned cash grant. According to UNHCR, exemptions from the document requirements to register and receive the Ministry of Migration and Displacement (MoMD) grant are currently made for Yazidis because so many of them have lost their documents during flight.

A lawyer working for an international NGO said that if IDPs return to the place that they fled from, they might receive financial compensation from the central government in Baghdad. Compensations are sometimes granted to citizens who have lost a family member in battle, have had their property destroyed or have been disabled due to the ongoing armed conflict in Iraq. According to the lawyer working for an international NGO, to apply for and receive compensation is, however, a time consuming process.

Two sources said that IDPs in KRI do not receive financial support from the Kurdistan Regional Government (KRG) or the central government in Baghdad to rent accommodation.[172]

5.3 Access to housing

5.3.1 Possibility to rent or buy housing

Three sources said that IDPs have access to renting houses in KRI.[173] IRC said that long-term residents in KRI have access to renting houses. IOM said that rental accommodation is available to IDPs, if they have sufficient funds and a sponsor. Two sources said that many IDPs choose to live several families together in a rented house.[174]

A lawyer working for an international NGO stated that the process of renting a house or an apartment in KRI is inconsistent. Head of the General Security Directorate, Asayish, Esmat Argushi said that the normal procedure for everyone who wants to rent a house and live in KRI, including IDPs, is to go through a real estate agency. The same source added that the person must, however, have a clearance from Asayish to live in the house.

IRC further said that only the long-term residents of KRI have access to buying houses, whereas there is no restriction to buy apartments in KRI, and in Sulaimania IDPs can also buy land. A lawyer working for an international NGO on the contrary argued that IDPs in Dohuk, Erbil and Sulaimania

[170] A lawyer working for an international NGO, UNHCR
[171] Reference is made to section 2.7 *Reissuance of lost civil documents.*
[172] ERC, a lawyer working for an international NGO
[173] IRC, an international NGO, IOM
[174] IOM, IRC

cannot buy accommodation. The same source added that, firstly, an IDP would need a sponsor to enter the officially Kurdish controlled provinces, secondly, the IDP in concern would need a residence permit to rent accommodation, and thirdly, the IDP would need a security clearance from Baghdad to buy accommodation. According to IOM, rich people can buy houses and make other investments inside KRI.A lawyer working for an international NGO explained that any person, who knows the right people, has the right financial and social capacity, would by pulling strings and bribing his way through the official clearance system be able to buy property or land. IOM, however, stated that this only concerns very few people, and IDPs are typically not financially well-off.

5.3.2 Alternative housing

Various sources said that some IDPs in KRI live in informal settlements, including unfinished buildings.[175] Two sources mentioned IDP groups living in mosques, churches, schools, old factories and tents.[176] One of these sources, the lawyer working for an international NGO, added that, also in Kirkuk, many IDPs are residing in abandoned and unfinished buildings. Two sources said that IDPs who do not have the financial resources to rent a place often live in informal settlement.[177] The same sources said that sometimes IDPs even have to pay rent for living in an unfinished building.[178] A lawyer working for an international NGO explained that, according to data sets released by Global Camp Coordination and Camp Management in February 2015, there are 880 informal settlements housing five families or more in KRI. According to the data sets, fifty percent of the IDPs that were found to live in this way had no formal written lease agreement.

5.3.3 Evictions

A lawyer working for an international NGO said that with the big wave of IDPs coming in August 2014, many of the IDPs living in informal settlements in Erbil were subjects to evictions, but at the end of September 2015 and generally speaking, evictions of IDPs were not common in KRI. An international NGO explained that increasing tension between IDPs and the KRI host community is manifested in a rising number of evictions of IDPs across KRI and increased rent for IDPs. The lawyer working for an international NGO said that NGOs facilitate the relocation when people are evicted. IRC said that, in case IDPs are evicted, they can go to the IDP camps.

The lawyer working for an international NGO said that the authorities in Kirkuk arbitrarily evict and force IDPs to return back to Diyala and Salah al-Din where they came from by confiscating IDs of the IDPs, taking them to the borders of the governorate and leaving them there without any

[175] ERC, a western diplomat, an international NGO, IOM, IRC, a lawyer working for an international NGO.
For information on figures on IDPs living in different types of housing/settlement, please refer to: IOM Displacement Tracking Matrix, DTM Round 36, January 2016, available at: http://iomiraq.net/dtm-page [Accessed 2 February 2016], page 9.
[176] ERC, a lawyer working for an international NGO
[177] IOM, an international NGO
[178] IOM, an international NGO

possibility of entering Kirkuk again, and that the governor of Kirkuk has asked the governors of Diyala and Salah al-Din to accept the forced returnees.[179]

5.3.4 Risk of being forced into an IDP camp

Three sources explained that more and more IDPs will have to move to the camps as their savings are spent and they are not able to go home anytime soon.[180] Various sources said that there are waiting lists to the camps.[181] A lawyer working for an international NGO said that only the most vulnerable people are currently given access to IDP camps, meaning only the ones who would else be homeless. A western diplomat said that IDPs only settle in camps as a last resort after having exhausted all other possibilities because the camps are often located in isolated areas which makes it impossible for the IDPs to find work and make a living. IRC said that many of the IDPs are farmers from rural areas who have lost everything, including their source of income. Therefore, they typically end up in camps. ERC stated that there is no encampment policy in KRI. IOM, however, said that the Kurdistan Regional Government (KRG) has the ambition that IDPs should live in camps and gave an example of IDPs in Dohuk who were evicted from other types of settlements, for example unfinished buildings, by the Kurdistan Regional (KRG) and afterwards forced to move into camps.

UNHCR mentioned an example from the fall 2015 when 146 families were removed from Tal Afar and placed in an IDP camp in Gamarwa because the authorities found an explosive device in one of the villages in the Tal Afar area. UNHCR described Gamarwa as 'a closed IDP camp' that works as a sort of detention.[182]

5.4 IDPs living in camps

5.4.1 Share of IDPs living in camps

The sources gave different figures on the share of IDPs who are living in camps.[183] According to IOM, approximately twenty percent of all IDPs in KRI live in IDP camps. For the three governorates, the figures are: Dohuk 36 percent, Erbil 5 percent and Sulaimania 13 percent.[184] PAO/KHRW said that most of the IDPs live in urban areas and not in camps. The management of Baharka camp said that significant numbers of IDP families, about ten percent, are living in critical shelters like unfinished and abandoned buildings, schools and religious buildings among others.

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[179] For further information on the subject, please refer to chapter 3. *The security situation in the Kurdistan Region of Iraq and other Kurdish controlled areas.*

[180] A western diplomat, management of Baharka camp, an international NGO, an idependent researcher

[181] An international NGO, a western diplomat, a lawyer working for an international NGO, ERC, management of Baharka and Harsham camp

[182] Reference is made to meeting note from meeting with UNHCR, Appendix 2.

[183] IRC, Minister of the Interior, Karim Sinjari, ERC, management of Baharka camp, an independent researcher

[184] IOM Displacement Tracking Matrix, DTM Round 36, January 2016, available at: http://iomiraq.net/dtm-page [Accessed 3 February 2016], p. 9. In Dohuk 147,084 IDPs out of a total of 409,710 IDPs are living in camps. In Erbil 17,904 IDPs out of total of 352,134 IDPs are living in camps. In Sulaimania 21,462 IDPs out of a total of 164,106 IDPs are living in camps.

5.4.2 Access to camps

According to IRC, the access to IDP camps is given in order of geographical entry point, for example those who entered KRI in Dohuk will be placed in a camp in Dohuk. IRC further stated that the Christian IDPs addressed the Christian church in KRI to obtain protection, whereas the other Iraqi IDPs are taken care of by the Kurdistan Regional Government (KRG).

5.4.3 Camp conditions[185]

ERC explained that, at the beginning of the IDP crisis in 2014, the IDP camps in Erbil were low-standard tent camps and there used to be significant differences between general conditions in the camps but, by October 2015, the standard in all camps in Erbil is, generally speaking, high. Moreover, ERC said that, in Erbil, the UN standards for water and sanitation are kept; for each family 150 liters of water are distributed per day, they have separated sewage systems designed by urban planners and the drains are beneath the ground. ERC added that, in the IDP camps in Erbil, there are caravans to live in for vulnerable individuals and families, and there are fire roads.

With regard to Christian IDPs, the management of Baharka camp further said that there are specific camps/settlements for Christian IDPs in Erbil which are managed by the church.

According to IRC, the standard of IDP camps, however, still varies; some camps have tents connected to water coolers, heaters, satellite dishes, etc., while other camps only meet basic needs of the IDPs. In line with this, an international NGO said that each governorate in KRI has a different system for running IDP camps and whether a camp enforces the UNHCR standards, depends on who runs the camp; for example there is a huge disparity between sewage systems and housing standards in different camps. IOM said that, even though the Kurdistan Regional Government (KRG) is strict with regard to keeping equal standards in all camps, some conditions may vary from camp to camp.

The international NGO, generally speaking, characterized the conditions in the IDP camps as poor.

5.4.4 Location of camps

ERC said that there are established camps in the three KRI governorates, Dohuk, Sulaimania and Erbil, and there are no official IDP camps in the Kurdish controlled areas outside KRI. According to ERC, there might, however, be unofficial camps. ERC can only provide information about the situation and the camps in Erbil. IRC differed from the view of ERC in saying that there are IDP camps outside KRI, in Kirkuk, Ninewa Plains and Salah al-Din managed by the Kurdistan Regional Government (KRG). IOM said that in the Kurdish controlled areas outside KRI, there are more unofficial and less organised IDP camps than inside KRI.[186]

[185] For information on conditions in two specific camps, both located in Erbil, please refer to note from meeting with management of Baharka/Harsham camp, Appendix 2.
[186] Please refer to map of IDP camps in Appendix 3.

5.4.5 Management of IDP camps

IRC stated that issues on internal displacement in Iraq are dealt with by the Kurdistan Regional Government (KRG) and by the Ministry of Displacement and Migration (MoMD) of the Iraqi central government, and that the IDP camps are managed by the local government of the governorate, supported by the United Nations (UN) and NGOs. Correspondingly, IOM said that the Kurdistan Regional Government (KRG) is both responsible for daily running of the IDP camps in KRI and responsible for provision of various services in the camps.

5.5 Access to food, water and electricity

5.5.1 Food and food distribution systems

Several sources stated that there is no food shortage in KRI.[187] With regard to the possibility of living on a nutritionally balanced diet, two sources indicated that this had become more and more difficult for IDPs.[188] INTERSOS stated that it was possible for IDPs to live on a nutritionally balanced diet.

Various sources referred to the Public Distribution System that gives all Iraqi citizens access to food packages distributed on a monthly basis. The food packages, for instance, contain flour, sugar, rice, cooking oil, beans, lentils, tea and milk.[189] Two sources said that the quality of food is typically not very good.[190] According to two sources, the distribution system is administered by the central government Ministry of Trade.[191]

Several sources pointed to challenging bureaucratic procedures regarding the Public Distribution System, for instance in transferring the Public Distribution System card (in Arabic: 'betaqet at-tamween')[192] to KRI or replacing a lost card; in which cases the IDP must return to the area of origin to file an application.[193] Qandil said that at the moment, there is no method for replacing a lost Public Distribution System card, but it is possible to get services, in terms of food rations, transferred temporarily to another part of Iraq than where the IDP originally came from. According to Qandil, this can only be done for families who have lost their Public Distribution System card, in which case the Ministry of Migration and Displacement (MoMD) has a branch office in Erbil that is able to help IDPs transfer the services. However, while the system to transfer rations is technically in place, so far it has been ineffective and benefited few IDPs because the procedures are overly complicated and inefficient.[194] Two sources said that for an IDP for instance from Mosul, it will be extremely difficult to replace the ration card.[195]

[187] An international NGO, ERC, IRC, IOM, INTERSOS
[188] An international NGO, IRC
[189] IRC, ERC, IOM, an international NGO
[190] An international NGO, IOM
[191] ERC, IRC
[192] Please refer to anonymized Public Distribution System card in Appendix 4.
[193] IOM, IRC, an international NGO
[194] Reference is made to the meeting note from meeting with Qandil, Appendix 2.
[195] IRC, an international NGO

ERC stated that the World Food Programme (WFP) is taking care of IDPs through a voucher system and that IDPs cannot rely on the centralized Public Distribution System.

5.5.2 Water

Various sources indicated that water shortages may occur in KRI.[196] However, IOM said that no discrimination or prioritization exists with regard to water distribution. IOM said that if there is water, everyone has the same access to this resource, and, if there is a water shortage, no one has water.

Two sources stated that the lack of clean water has led to cholera outbreaks.[197] An international NGO further said that there have been outbreaks of scabies due to water shortage, but that the outbreaks have been well contained in KRI.

5.5.3 Electricity

ERC stated that, due to the high number of IDPs and refugees in KRI, there is not enough power in the electricity grid to cover the needs of the area. ERC exemplified this by referring to Erbil where there are around twenty power cuts a day. According to ERC, six ampere a day is provided for every IDP family in the camps in Erbil.

5.6 Access to health care

Several sources stated that health care services in KRI are a public good.[198] UNHCR said that IDPs can access services at public hospitals. An international NGO said that all inhabitants in KRI and other Kurdish controlled areas, including IDPs, have the same access to health care services. ERC said that the UAE Red Crescent Society is able to do some surgical operations in the IDP camps in Erbil, and in some cases, when the referral system comes to an end, ERC issues a blanket request to the NGO system to raise money for treatment in a private hospital.

ERC said that there are public health centres, and the users only have to pay a registration fee of IQD 3,000 (USD 2.50) in order to access the centres.

Various sources pointed to a number of challenges in the health care system in KRI, including that the system is overwhelmed by the large amount of IDPs who has entered KRI.[199] In line with this, two sources said that there are waiting lists for treatment.[200] IOM further commented that 7,000 Peshmerga have been wounded in battle which adds pressure on the health care system in KRI.

[196] IRC, ERC, IOM, an international NGO
[197] IRC, an international NGO, an independent researcher
[198] IRC, ERC, an international NGO, IOM
[199] IRC, a western diplomat, Minister of the Interior, KRG, Karim Sinjari, an independent researcher
[200] IOM, a western diplomat

As a barrier to health care, UNHCR referred to lack of ID cards limiting access to health care. IRC pointed to another challenge for IDPs' access to hospitals in that many of them are placed in urban centres, and some people who are living in rural areas cannot afford to travel to the cities, especially if they have to go there for treatment on a regular basis. The independent researcher said that transportation costs for getting to the hospitals are also an issue, and that for IDPs with chronicle diseases or other illnesses that make people in need of frequent treatment, the transportation issue can be lethal.

Furthermore, two sources mentioned the fact that the health care system in KRI depends on funding from the central government in Baghdad that has not transferred the full share to KRI.[201] One of these sources, IOM, added that according to Kurdistan Regional Government (KRG) officials, although seventeen percent of the budget is supposed to be financed by the central government in Baghdad, the money is not being paid. The independent research er said that the resources available are not sufficient to cover the needs. So currently, people typically have to pay private health clinics and hospitals if they are in need of treatment for severe medical conditions. Two sources said that pharmaceuticals are supposed to be supplied and shipped to KRI by the central administration in Baghdad.[202] No pharmaceuticals are, however, currently provided from Baghdad.[203] An independent researcher said that resources for buying medicine are generally scarce in the area, and some kinds of medicine are not available. IRC stated that the system is mistrusted by the population, and that the health care system suffers from brain drain with most of the qualified doctors having left KRI.

5.7 Access to education

Three sources said that education in KRI is a public good.[204] A western diplomat, however, stated that due to the pressure on the schools in KRI, coming from a large number of IDPs, a huge population of children is not going to school. According to the western diplomat, many of the IDP children have not been to school for more than a year. In line with this, KRG Minister of the Interior Karim Sinjari said that eighty percent of the IDP children are not going to school.

Various sources stated that, due to the pressure on the schools in KRI, they are working in two or three shifts.[205] IRC commented that, the school capacity in the urban areas is under pressure whereas there are fewer problems with the capacity of schools in the rural areas.

Several sources pointed to a language barrier for the education of the IDPs; since the curriculum of the schools in KRI is in Kurdish language, whereas curriculum in central government run schools is in Arabic; and many IDPs only speak Arabic and no Kurdish.[206] In relation to this, various sources

[201] IRC, IOM
[202] IRC, IOM
[203] IRC, IOM
[204] ERC, IRC, an international NGO
[205] A western diplomat, ERC, IOM, an independent researcher
[206] IOM, an international NGO, a western diplomat, Minister of the Interior, KRG, Karim Sinjari

stated that education for IDPs in KRI is the responsibility of the central government in Baghdad, whereas schools for children from the host community in KRI are run by the Kurdistan Regional Government (KRG) Ministry of Education.[207]

5.8 Vulnerable groups

Various sources pointed to single IDP women and female headed households as being particularly vulnerable.[208] According to IOM, the most vulnerable IDPs are those without financial resources, IDPs living in various kinds of informal settlement like unfinished buildings, the sick and disabled, female headed households and those without family or network, especially single women.

5.8.1 Single women inside camps

Two sources referred to single women living in IDP camps being vulnerable to harassment.[209] Two sources mentioned incidents of women and girls being harassed by young men in the camps on their way to toilets, water points and when it is dark.[210] The management of Harsham camp said that older women have their non-food and food items or their vouchers stolen from them.

Two sources stated that it is most likely that single women and girls find a family to live with.[211] The western diplomat, however, also said that some young girls are living together in small informal groups inside the IDP camps. The management of Harsham camp in Erbil stated that single women, with and without children, are living in the camp. IRC said that as regards divorced women with children, it would be easier for them to live by themselves in the sense that it would socially be more acceptable.

ERC stated that inside the IDP camps, the conditions for single women are very controlled, but outside the camps, the conditions for single women are uncertain. According to ERC, in IDP camps in Erbil, various implementing partners are dealing with vulnerable individuals, including single women, and the management in the IDP camps always keeps five to ten caravans available for vulnerable cases, for example single headed households. ERC said that if there are vulnerable cases inside the camps, they are dealt with.

5.8.2 Single women outside camps

According to three sources, the scenario of an unmarried single woman living alone in KRI is hypothetical; there is always some kind of extended family that can take care of a girl or a woman until she is married.[212] IRC said that, even though, single women are rarely able to live by themselves, they will, in some cases, be able to work outside the house. As regards single women

[207] IOM, ERC, INTERSOS, IRC
[208] IRC, an international NGO, ERC, UNHCR, a western diplomat, management of Baharka and Harsham camp
[209] Management of Harsham camp, IRC
[210] IRC, management of Baharka camp
[211] IRC, a western diplomat
[212] An international NGO, IOM, ERC

travelling by themselves, IRC said that it would be more acceptable if they travelled for work purposes than for leisure.

5.8.3 Children

ERC informed that they are dealing with vulnerable individuals based on the rule of law. As an example given, ERC is fighting child marriages because it is forbidden by law and cases of child marriage are therefore reported to the police. UNHCR also referred to the legal age of marriage in KRI being eighteen years but said that child marriages are prevalent KRI; girls as young as nine years of age are married.[213] UNHCR added that while there also are cases of child marriage in the KRI host community, IDP families may become financially more vulnerable and therefore engage in negative coping mechanisms such as child marriage.

Two sources informed that female genital mutilation (FGM) is widespread in KRI.[214] Human Rights Watch, however, said that female genital mutilation (FGM) was outlawed in 2011 and that the number has gone down in some areas from eighty to fifty percent. According to Human Rights Watch, female genital mutilation (FGM) is particularly found in the part of KRI bordering Iran but is practiced across KRI.

5.8.4 Gender based violence

Three sources said that problems of domestic violence and self-immolation exist in KRI.[215] Human Rights Watch said that cases of so-called honour crimes continue in KRI, despite legal changes. In terms of domestic violence, one report cited 92 cases of burning of women resulting in 54 deaths in the first quarter of 2015, with one third of overall cases self-immolation. The reasons behind the actions included domestic violence. According to statistics forwarded by UNHCR, during the period of January to November 2014, the Directorate for Combating Violence against Women (DCVAW) has registered 33 cases where women have been killed, 37 cases of suicide, 186 cases where women have been burned, 85 cases of self-immolation and 127 cases of sexual violence. The western diplomat said that an increase in cases of honour crimes against Yazidi girls has been reported which has led to an increase of suicides among Yazidi girls by self-immolation.[216]

5.8.5 IDPs from Anbar

ERC said that many IDPs have come from Anbar and are considered particularly vulnerable. The IDPs from Anbar are mostly farmers and from rural areas, hence, in the majority of cases, they come from very traditional livelihoods, where illiteracy is high. Often they require more assistance

[213] For further details on child marriages, please refer to meeting note from meeting with UNHCR, Appendix 2.
[214] Journalist Osama Al Habahbeh and Human Rights Watch. For further information on FGM in Iraq, Journalist Osama Al Habahbeh made reference to the website nirij.org.
[215] Human Rights Watch, a western diplomat, UNHCR
[216] As regards initiatives to meet challenges with honour related disputes and crimes, please refer to section *4.3 Protection of women in cases of honour crimes*.

at all levels than most other IDPs. There are cases of child marriages and polygamy among the Anbar IDPs, and NGOs generally find it more difficult to deal with them.

Consulted sources

An independent researcher

An international humanitarian organisation

An international NGO

A lawyer working for an international NGO

A scholar specialized in Kurdish issues

A western diplomat

Erbil Refugee Council (ERC)

Head of the General Security Directorate, Asayish, Esmat Argushi

Human Rights Watch

International Organization for Migration (IOM)

International Rescue Committee (IRC)

INTERSOS

Journalist Osama al Habahbeh

Journalist Shalaw Mohammed

Management of Baharka/Harsham camp

Ministry of the Interior, Karim Sinjari

Professor Bassel al-Hassan

Public Aid Organization (PAO) and Kurdish Human Rights Watch (KHRW)

Qandil

United Nations High Commissioner for Refugees (UNCHR)

Visiting Scholar Renad Mansour

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APPENDIX 1: Terms of Reference

Security Conditions and the Humanitarian Situation in Iraqi Kurdistan and the Kurdish Controlled areas in Iraq

1. The security situation in Iraqi Kurdistan and the Kurdish Controlled areas in Iraq
    a. Presence and activities of Islamic State in Iraqi Kurdistan and Kurdish controlled areas
        i. Profile of the targeted
        ii. Islamic State's ability and priority to pursue targets
        iii. links to tribes or other groups
    b. Presence and activities of Shiite militias in Iraqi Kurdistan and Kurdish controlled areas
        i. Profile of the targeted
        ii. Shiite militias' ability and priority to pursue targets
        iii. Militias' link to the Iraqi state
        iv. Areas controlled by Shiite militias
        v. Tensions between Kurdish forces, ISF and Shiite militias
    c. Peshmerga forces (Kurdish forces) in Iraq Kurdistan and Kurdish Controlled areas in Iraq.
        i. Profile of the opponents or people under custody
        ii. Peshmerga forces ability and priority to pursue opponents
        iii. Peshmerga forces jurisdiction
    d. Exposure to arbitrary physical danger such as, for example mine fields, improvised explosive devices (IED´s), fractional fighting, shifting war fronts, banditry etc. in Iraqi Kurdistan and Kurdish controlled areas
2. Access to Iraqi Kurdistan and Kurdish controlled areas
    a. Requirements for Iraqi citizens to enter Iraqi Kurdistan and Kurdish controlled areas (sponsorship, resources)
        i. Differential procedures for persons of certain ethnic and/or religious groups, incl. Sunnies, Shiites, Kurds, Christians
        ii. Special conditions for single women
    b. Possibility for Iraqi citizens to pass by main roads and through domestic airports in Iraq

i. Differential procedures for persons of certain ethnic and/or religious groups, in particular Sunnites, Kurds and Christians

ii. Special conditions for single women

c. Prevalence of checkpoints in Iraqi Kurdistan and Kurdish controlled areas

d. Required documents at checkpoints, in particular the required documents for Sunnites, Kurds and Christians

3. Possibility to seek protection from the authorities, for example police and judiciary of Kurdish Regional Government (KRG), or none state agents

    a. for example the impact of ethnicity, religion, political affiliation, gender and place of origin on the access to protection from the authorities or private actors (private conflict, land conflict, conflict with armed groups etc.)

4. Support mechanisms incl. social networks, relatives and ethnic groups in Iraqi Kurdistan and Kurdish controlled areas, including importance of not having had a previous residence in these areas, risk of being placed in an IDP camp

5. Access to basic rights, including housing, employment, health care, food security and education in Iraqi Kurdistan and Kurdish controlled areas compared to the general situation in the country

    a. for example the impact of ethnicity, religion, political affiliation, gender and place of origin on the access to basic rights mentioned above

APPENDIX 2: Meeting notes

An independent researcher

Erbil, 2 October 2015

The current research area of the independent researcher is focused on internally displaced people in Iraq. Previously, the researcher was commissioned to write a report for the UN.

General security situation for IDPs in Dohuk, Erbil, Sulaimania

Relatively speaking and compared to the rest of Iraq, the security situation for internally displaced people (IDP) in the three governorates, Dohuk, Erbil and Sulaimania that comprise the Kurdistan Region of Iraq (KRI) is good whether they live in urban areas or camps. There have been some security incidents though. In the camps, there have been conflicts between groups that are clashing with each other, and there have been issues with males from both camps and urban areas having difficulties with the authorities.

Two security incidents do, however, stand out in terms of 'young male IDPs having difficulties with the authorities': (1) the bombing in front of the US consulate in Erbil in April 2015 and (2) the bombing outside the governor of Erbil's office in November 2014. After these episodes, young Arab men residing in Erbil were rounded up, taken outside the city and beaten by Kurdish security forces. Some were not allowed back into the governorate, and the families had to relocate to other areas of displacement, usually in Kirkuk or Diyala governorates.

In addition, there are differences between the situations in different camps. There is a tendency that conflicts between IDPs and authorities become more prevalent, the more security authorities, such as the Asayish, become involved in the camp management. As an example, IDPs from the camps are picked up for security reasons and arrested by the Asayish. During the arrest, people are sometimes treated violently, and there seems to be a random factor with effect to the condition people are released in. In most cases, detainees are released in almost the same condition as they were arrested in, and sometimes, their physical and mental conditions are clearly affected by their detention.

Security situation for IDPs in Kurdish controlled areas outside the Kurdistan Region of Iraq

The security situation in the Kurdish controlled areas outside KRI is dire. There is no single actor guaranteeing the security of IDPs or other people living in these areas. Usually, militias and the Peshmerga forces in the areas coordinate, but even between these actors, clashes have been seen; the latest one in November in Tuz Khurmato between Kurdish Peshmerga and Turkmen Shia militias.

The governor of Kirkuk has recently stated that 14,000 IDP families, who have been displaced from Diyala to Kirkuk since the sectarian strife in 2006, must return to their place of origin. The IDPs have been given a month to return. Yet, few measures have been taken to help or force these people back. So far only one case of organised returns by the authorities has been seen from the Governorate of Kirkuk, where families were put on a bus and transported to Diyala. However, there are indirect methods of forced returns. In the southern part of the city of Kirkuk, the governorate security forces round up people on a daily basis and detain them up to 48 hours. Usually, they are released but their identification cards are not given back until they leave the governorate.

No one can really tell what the situation for these people will be in the future, but if IDPs cannot pay the rent or are not allowed to extend their rental agreement, they will be out in the streets.

The situation in Diyala is still tense, and IDPs have until now only been allowed to go back in order to pick up their belongings. IDPs from Diyala are forced into borderlands because they have to leave the area of displacement and are generally speaking not able to return to their place of origin. This is especially true in disputed areas such as Jalawla and Saadiye.

In addition to the IDPs, people who were moved by Saddam Hussein during the Arabization process in the 1970's and 1980's are now also being told to return to their place of origin. The process affected mainly Kurdish areas in what today are disputed territories. It occurred in Diyala, Kirkuk and Ninewa. In line with article 140 of the Iraqi constitution, economic compensation should be given to people who have been forced from their houses during the Arabization process, so they can return to where they came from, and families who took their homes are supposed to receive compensation in order to return to their respective areas. This process is supposed to go through a committee, but the committee has been inefficient, and the number of families who are entitled to compensation is not clear, nor how many who have actually gone through the process. The committee is often bypassed, and since jurisdiction is not implemented, this process, called normalization by the Kurds, is often implemented ad hoc and by non-legitimate authorities, usually security forces.

In Ninewa, there are tensions because small minorities have been able to militarize and create their own militias. The tensions prevail between these militias, Peshmerga forces and Arab and Muslim communities. Some of these militias are absorbed by the Peshmerga forces and some are not. Some minority militias are only hostile towards representatives of one of the two main Kurdish political factions. For example, the Yazidis around Mount Sinjar think that the Kurdistan Democratic Party (KDP) Peshmerga abandoned them when IS came in August 2014. In result, some Yazidis, the Sinjar Resistance Units, also known as the YBS militia (in Kurdish: 'Yekîneyên Berxwedana Şengalê'), joined the Syrian People's Protection Units, also known as YPG (in Kurdish: 'Yekîneyên Parastina Gel') and the Kurdistan Workers Party, also known as PKK (in Kurdish: 'Partiya Karkerên Kurdistanê' that are in control of some areas. People's Protection Units (in Kurdish:

'Yekîneyên Parastina Gel', YPG) and the Kurdistan Workers Party (in Kurdish: 'Partiya Karkerên Kurdistanê', PKK) are in control of certain areas and villages in Sinjar but in competition with the Kurdistan Democratic Party (KDP). The Kurdistan Regional Government (KRG) does not want a further division of the Peshmerga force which is already divided between the Patriotic Union of Kurdistan (PUK) and the Kurdistan Democratic Party (KDP) as this complicates the situation.

Generally, people are not allowed to go back to their place of origin, but some small minority groups have been able to return to Peshmerga controlled areas in Ninewa. Although fighting in the area has stopped, and some areas are generally safe now, IDPs are not returning because public services are not available there, or because they are not allowed to. This applies especially to Arab villages.

In some areas, the Kurdistan Workers' Party (in Kurdish: 'Partiya Karkerên Kurdistanê', PKK) is providing services. For example schools have been set up for IDPs on Mount Sinjar.

Living conditions for IDPs in the Kurdish controlled part of Kirkuk

For IDPs in the urban areas of Kirkuk under Kurdish control, the living conditions are not good. In general, the inhabitants in the host communities of these areas have been neglected by the authorities for a long time. For IDPs, the situation is worse than for the host communities, as the burden on local infrastructure has increased.

People who can no longer pay rent are forced out of their houses and into camps or to neighbouring governorates. This mainly takes place in the city of Kirkuk.

IDPs in the Kirkuk area are also at risk of becoming victims of human trafficking. Some are forced by the economic situation to sell their organs through a black market connected to Iran. Some are forced into prostitution**.** Asked about the source for this information, the researcher said the source cannot be disclosed. There is no exact estimate of the extent of these problems, but according to general background knowledge, the problems flourish around Kirkuk city. They are more prevalent in poor neighbourhoods than in better parts of the city and affect the IDP population to a greater extent than the host community.

In addition to the abovementioned issues, abductions of IDPs and others are quite frequently seen in and around Kirkuk where occasionally dead bodies are found. There is not a one-to-one connection between the abductions and the dead bodies found. There could be a connection; however, findings of dead bodies could also be connected to tensions between different kinds of sub-communities. It was not known who the perpetrators of the IDP abductions are. Many abductions are politically motivated, but there is also an ethno-sectarian factor that is playing in.

Exposure to physical danger for IDPs

Old minefields are found in the mountain areas of KRI. The researcher could not point out where the minefields are found exactly, but had seen that warning signs in and around the areas, and

that locals know where the mines are buried. The source referred to Mines Advisory Group (MAG) for more information about landmines in Iraq.

Another kind of physical danger mentioned by the source is 'evictions'. IDPs are often evicted from their house or apartment when they run out of money. The IDPs do run out of money for rent due to the protracted conflict situation, with lack of jobs and delays in public service salaries and the elongation of their displacement period.

In addition, there are many cases where landlords of IDPs deny them renewal of their lease contracts without giving them proper explanations or excuses. This phenomenon is more widespread in Kirkuk than in other parts of the Kurdish controlled areas. Therefore, it was suggested that there might be an unofficial policy on evictions of IDPs.

Islamic State activities inside Kurdish controlled areas

The Kurdish Ministry of Religious Affairs have identified 500 Kurds who have joined Islamic State (IS). These individuals are all known to the authorities by name. However, it is assumed that there are more IS sympathizers in the Kurdish controlled areas.

The Kurdistan Regional Government (KRG) claims that at least half of the identified IS supporters have been killed or are elsewhere than in KRI. The researcher has not come across evidence to support this statement. Therefore, it is difficult to tell how big the risk of IS attacks in KRI is. Retrospectively speaking, it was outlined that the IS members behind the car bomb that went off in front of the governor's office in Erbil in November 2014 were of Kurdish descent. It is a general taboo that some Kurds might actually present a threat to their own society. As an example of this, checkpoints around the Kurdish controlled areas focus on Arabs and not Kurds.

Risk of Islamic State sleeper cells in Kurdish controlled areas

During a period starting in 2014, the Kurdistan Regional Government (KRG) began monitoring and controlling the curriculum of some religious schools where doctrines similar to the doctrines of IS have been taught. This was done by moving the authority of these schools from the Ministry of Religious Affairs to the Ministry of Education. This process started a marginalization of people with radical Islamic believes that was not seen in KRI before. The concerned Islamic scholars and their followers have begun meeting behind closed doors. The number of these scholars and their followers was not known to the independent researcher. However, the source confirmed that some of them have joined IS and that there is a growing concern of the phenomenon in the entire KRI, although more prevalent in governorates such as Halabja which is also the previous Ansar Al-Islam stronghold. Ordinary people are aware, and they are looking at their neighbours with suspicion.

The Asayish are monitoring people with regard to sleeper cells, including people in the mosques.

Those who officially joined IS were not necessarily marginalised people, although it is known that young males without future prospects for work tend to be more lenient toward this kind of extremism.

Islamic States' ability to pursue targets within Kurdish controlled areas
Through individuals, IS is able to pursue targets in Kurdish controlled areas, but at the moment, IS is not at the offences in KRI. IS might have an interest in putting fear into KRI for future purpose though.

Areas particularly sympathetic to Islamic State
Halabja is a former centre for the armed Islamic group named Ansar al-Islam, and it is still a centre for radical Islam. Within the Kurdish governorates, Halabja is one of the places that has produced most IS fighters and sympathizers, although it is not the entire population as such that is sympathetic towards IS. The researcher explained that, of course, no one is able to support IS publicly or officially within KRI. If they did, they would usually be detained. It does not mean though, that sympathizers are not able to spread their message through informal channels.

There are some extremist Islamist voices in Erbil, particularly outside the urban areas. In Dohuk, the basis for mobilization based on Islamist doctrines is modest.

Shia militias' activities in Kurdish controlled areas
Shia militias are not carrying out any activities in KRI, but they are carrying out activities in the disputed areas. In this regard, areas of Diyala and Salah al-Din were pointed out in particular.

Areas that have been taken over by Kurdish forces are in general safe, but IDPs fear going back to contested areas held by the Peshmerga forces because of Shia militias also present in the areas. Especially Sunni IDPs who have lived under IS control for a while find it difficult going back to the areas that they were displaced from. The Sunnis not only fear reprisals from the Shia militias and Peshmerga, they also fear tensions with their neighbours.

In many areas, abandoned houses have been looted, taken over by others or even destroyed. The same goes for cars and other personal belongings. Sometimes, it is the neighbours who are behind this. The Sunni IDPs fear that they will be physically prevented from entering the freed areas by Shia militias, but they also fear that they will not be able to reinforce their property rights because no authorities are present to support them in this matter.

In Tikrit, IDPs are currently returning, and public services are slowly returning. However, examples of young male returnees being abducted or executed are seen. This is usually happening to males who are suspected for IS affiliation, and it is usually some specific militias behind this.

Some IDP families make their own screenings of an area freed from IS before returning. Males usually go back to check the area. This is the case across Diyala, Ninewa and Salah al-Din. Sometimes, only the mother and her children return. The father remains in displacement based on

fear of returning to a now Shia controlled area. In such cases, they send back a female head of family, typically the mother or the oldest daughter. This female then makes an assessment of the area and decides if the family should return

Through meetings with IDPs in displacement in KRI and Baghdad, it was stated that some of the IDPs have been politically active before their flight, and a significant number of these IDPs were active in the Sahwa movement, the Sunni 'Awakening'. They originate from Anbar and Salah al-Din and are from specific tribes who joined the United States surge against al-Qaeda (AQ) in 2006-07. Sunni Arabs are targets of the Shia militias, as they are generally perceived as perpetrators who have facilitated the access of IS to some areas. They are, however, not only seen as opponents to the Shia militias, they are also exposed to ill treatment by different actors including the Peshmerga and the Asayish.

Examples of Shia militias roving areas at night are seen. Typically, the men are taken by the militias during these patrols. It is difficult to tell where the militias are taking these men, as many of them have not returned yet. Some are held in detention and then released after screening. It is also difficult to tell who are in control of prisons in some of the areas. Bodies are found in places like Kirkuk and Diyala. Yet, clear links between Shia militia patrols, disappearances and bodies have not been traced. Some people who join the militias are in for score settling. This is simply to say that there is not one authority. Sometimes, each militia have their own security apparatus that takes the freedom to 'screen' people.

In the city of Yathrib in the Salah al-Din Governorate, the population is a mix of both Sunnis and Shias. The Sunni population managed to live fairly safely under IS for some time in this area, but then the coalition bombardments started, and the armed forces came in. As a result, many Sunnis were displaced. Some of the Sunnis from Yathrib are from mixed tribes comprised of both Sunni and Shia Muslims. Among these, some have an ambition of returning to Yathrib to join the Popular Mobilization Forces (in Arabic: 'al-Hashd al-Shaabi'), but because of the Shia presence in the area, it is now difficult for them to fulfil this ambition, as they may be suspected of IS sympathies. But the main issue lies in tribal issues between the different sects. Shia families ask for blood money for their martyred sons before they would allow their Sunni neighbours back.

A twist to the controversies between Shias and Sunnis is that the Shia population in the freed areas are asking for compensation for their material losses during fighting. This compensation is supposed to come from the central government, but some Shia families, especially one tribe, is requiring blood money to be paid by the Sunni families themselves and not the government. The Shias are saying that they will not allow IDPs back before they are compensated. This might take a long time.

The Peshmerga and Shia militias are keeping Sunnis in displacement

A sort of 'ethnic cleansing' of the former predominantly Sunni Arab areas of northern Iraq is being carried out by Peshmerga forces and Shia militias. It is not carried out in the way that they are

killing Sunnis, although this also happens, but they are keeping Sunnis in displacement by preventing them or making it difficult for them to return. In many areas, they are trying to replace current officials with officials of their own ethnicity/sect. This has been seen especially in Ninewa and Diyala where Arab families are prevented from returning.

The central government in Baghdad tries to intervene in this process of segregation, but currently, the government does not possess the strength to do so. In the relationship between the central government and the Shia militias, the militias have the overhand and with their support from Iran, they are to be considered a very strong actor in Iraq. It was not known to what extent the militias are able to pursue their targets, but to a certain extent, they act autonomously and in many situations, they are unpredictable. Shia militias act and inform Baghdad about their actions afterwards. They do not ask for permission before they act.

Coordination and negotiation between the Shia militias and the Kurdistan Regional Government (KRG) do, however, take place to some extent, and in a place like Jalawla, which was previously under mixed control of Shia militias and Peshmerga, is now completely under Patriotic Union of Kurdistan (PUK) Peshmerga control. Iran probably has an important role to play as mediator between the two groups. The Peshmerga force that holds Jalawla is the Patriotic Union of Kurdistan (PUK) Peshmerga, and as the Shia militias, this branch of the Peshmerga is close to Iran and to some extent also backed by Iranian interests.

If there is security and public services available in a given area, people earlier displaced from the area are generally willing to go back, but if Shia militias, or whoever is in control of the area, allow the area to fall apart or tear the area apart ethnically, the IDPs do not consider it a possibility to go back.

Armed mobilization of Sunnis and Shias

Militias and other armed groups in Iraq are often linked to local leaders, and the leadership of local leaders is often legitimized by their tribal or religious background and position. Generally speaking, Shia militias are less built on tribal structures than armed Sunni movements. For example, factions of the Popular Mobilization Forces (in Arabic: 'al-Hashd al-Shaabi'), which is an umbrella organisation of Shia militias, do not necessarily belong to the same tribe. This picture is not clear in all parts of the country though. In Anbar, it is relatively clear-cut, but in places like the old disputed areas and Kirkuk, it is not clear.

Relationship between the Kurdish forces and the Iraqi Security Forces

There are tensions between the Iraqi Security Forces and Kurdish forces, but in most of the problematic areas in Iraq, the Iraqi Security Forces are not present. Until now, no direct clashes between the Peshmerga and the Iraqi Security Forces have been seen.

Profile of opponents under custody of the Peshmerga and the Kurdish police forces
The researcher did not have access to precise information on the profile of opponents under custody of the Peshmerga and the Kurdish Police forces. It was assumed, though, that many of the opponents under custody of the Peshmerga or other Kurdish authorities are suspected or actual members of IS. It was also assumed that different types of profiles could be found within such a group of prisoners. No single stereotype of an IS member exists.

Many of the first members of IS in Iraq were not Iraqis and they did not speak Arabic, but when areas were eventually taken over by IS, detainees in the prisons of these areas were released and joined IS. The former detainees that are now IS members are anything from different types of criminals to previous Baath members imprisoned for their affiliation with the former regime. However, most IS members are too young to be former Baath members. So they have joined for other reasons.

In Yathrib in Salah al-Din, people who were actually *against* Al-Qaeda (AQ) and thus IS too, were detained for 'security reasons'. What this tells is that not all people detained are necessarily IS supporters. In fact, it is clear that there is a discrimination against Sunni Arabs whether in Shia or Kurdish controlled prisons.

The researcher considered it likely that people with all of the abovementioned profiles will be present under custody of the Kurdish security apparatus.

Ability of the Peshmerga forces and the Kurdish police forces to pursue targets
To a larger extent, the Peshmerga forces and the Kurdish police forces are able to pursue their targets, but when it comes to IDPs suspected of being threats to the security of KRI, they do not always target the right people.

In some IDP camps, there is a mukhtar who is picked based on his ability to report on other IDPs. The people the mukhtar reports on are therefore not necessarily perpetrators. Many of the people from the IDP camps that are put in detention are innocent. Basically, the mukhtar system is abused in some camps to function as a reporting or infiltration mechanism.

The researcher did not know if the same system exists outside the IDP camps, but assumed that it does in the sense of infiltration or reporting. The mukhtar system exists everywhere in Iraq and is simply an institution that is neighbourhood specific. For example, if you move to a new place you need to register at the mukhtar.

Requirements for Iraqi citizens to enter KRI
Money, contacts and a sponsor or guarantor (in Arabic: 'kafil') would currently be needed for an IDP to enter KRI; however, it is becoming more difficult. If an IDP is well off and has the right contacts, it will be easier to gain access by road or by air. For all other IDPs, the land borders to KRI are now closed, although porous.

In late 2014, it was still possible for IDPs to enter and take residence in KRI, and a larger number of IDPs came. According to the independent researcher, the number of IDPs arriving from Faluja to Shaklawa was so high that local inhabitants, with an ironic distance, started calling the place 'Shakluja'. Many of the IDPs who came with the first wave, left before IS took over their area. Many of these IDPs thought that they would be able to return shortly thereafter and that the displacement crisis would only last a few months.

The IDPs are running out of money and therefore many want to go to the camps to live. Many of them are not allowed to work or are unable to find work. With time, the situation for IDPs in KRI might turn out the same as the situation in Kirkuk with IDPs being evicted when their lease contracts run out.

There are not many alternative places to go for IDPs. As an example, Baghdad has been closed for new IDPs. Earlier, it was still possible for IDPs with a sponsor to bribe their way through checkpoints and other barriers to enter Baghdad, but now the city is almost completely closed to Sunni IDPs from the north. They do not even bother to try to enter because of fear of Shia militias.

Requirement of sponsorship for Iraqi citizens in the Kurdistan Region of Iraq

The idea of the sponsorship was that an IDP should really know someone personally in KRI to enter the area, but the system turned out to be a way of earning money for local inhabitants rather than being a system guaranteeing security. In practice, IDPs found someone at the border and paid them to be their sponsor. The prices of sponsors were built on supply and demand. For example, a sponsor in Erbil was more expensive than one in Shaklawa because Erbil is more attractive to live in than Shaklawa.

When security forces found out about bought sponsorships, the concerned IDPs risked being expelled and their sponsors were punished. Guarantors are still used in a lot of situations in KRI, but for IDPs, the sponsorship system did not prove useful, as sponsorship is never an actual guarantee for being allowed to permanently or for the foreseeable future reside in KRI. The practice of requiring sponsorship is still in use but being implemented arbitrarily by the authorities.

General attitude of Kurds towards people of different ethnicities

Generally speaking, the patience of local inhabitants in the KRI is running out. The IDP and refugee crisis in the country is protracted. In general, the Kurds have been very welcoming. But there are areas where there have been tensions towards Arab IDPs. Halabja and Chamchamal are some of the places where ethnic alarming tensions have been seen. Ninewa/Duhok is another. Shaklawa is an interesting place in this regard. No big tensions have been seen there although the IDP population has now exceeded the host community.

Now that the international support for KRI and the surrounding areas is dropping, people have to help each other to a higher degree. Local Arabs do help each other and the IDPs, especially female headed house hold, but resources are scarce for a lot of people in the area, not only for the IDPs.

At checkpoints of the internal borders of KRI, the treatment of Arabs is increasingly vicious. As an example, it has been witnessed several times while travelling through the region, how checkpoint officers will enter a bus trying to cross a checkpoint asking: 'are there any Arabs in the bus?' Then Arabs will typically be taken out of the bus for ID check and questioning. Sometimes they come back to the bus. Sometimes they do not. It must be noted that these people are actually IDPs who have residence permits in KRI.

In terms of gender based violence and harassment, the general perception among security forces and other public employees is that for Arabs 'anything goes'.

For other minorities in KRI, there are currently not many real big issues. Yazidis in displacement do, however, still suffer from maltreatment from Muslims, IDPs or others, who think badly of their religion as they, for example, considered Yazidis devil worshippers. In a way, part of the KRI self-perception is to be the protector of minorities. This understanding extends to minorities actually being presented as 'Kurds'. The independent researcher pointed to an example of IDPs in Arbat IDP camp in Sulaimania being presented by the local camp management as 'Arabs and Kurds'. What the camp management was really talking about using the term 'Kurds' was a reference to Yazidis, Turkmen and Shabak. Part of this mind set might be a self-perception as having gone through Arabization leading to the conclusion that other groups could now go through a sort of Kurdification.

Christians have a stronger position in KRI than other minority groups. This position is based on historical reasons, but Christians also receive more economic support from foreign countries which makes their communities stronger in terms of self-sustainment.

Access to employment

The host community members, for many reasons, have better chances of getting jobs in KRI. One of the obvious reasons for discrimination on the job market is that IDPs are typically willing to work for less. This frustrates the local community in the area, especially because there is already a lack of jobs.

It is easier for Syrians to get a work permit than for Iraqi IDPs. It is, however, currently not really easy for anyone to get a job in KRI, but the general perception is that Syrians are harder working than Iraqi IDPs. Therefore, the Syrians are more employable. This knowledge was obtained from interviews with various employers in KRI that confirmed this perception.

In terms of job market, there are local differences. In an area like Shaklawa, it is not a problem for an IDP to open a shop. In Erbil it is impossible as Erbil has stricter policies and is much more expensive.

There are groups of well-educated IDPs among the IDPs in KRI. For example, well-educated Iraqis that have earlier been displaced to Syria and have now returned, typically work for NGOs. But this group constitutes, relatively speaking, a small percentage of the IDPs. Many IDPs throughout KRI work illegally in shops or teahouses. Not many of these jobs are jobs with contracts. A few IDPs from minority communities manage to get license for taxi driving.

IDPs renting or buying property in the Kurdistan Region of Iraq

It is really difficult for IDPS to buy property in KRI. It is a bureaucratic process, especially for Arab IDPs. To rent property is, however, not that complicated for IDPs with money. Some landlords prefer locals, but there are landlords who are willing to rent property to IDPs.

About thirty percent of the IDPs in KRI live in camps. Seventy percent of the IDPs live outside the camps. Asked about the source for the numbers, the researcher said that these numbers can be obtained from Erbil Governorate or UNHCR.

Currently, many IDPs are trying take up residence in the camps, because they are running out of money for rent.

Access to health care and nutrition for IDPs

According to the researcher, the quality of the public health care system in KRI is poor. Although IDPs should have the same access to the public health care system as the host community, the resources available are not sufficient to cover the needs. So currently, people typically have to pay private health clinics and hospitals if they are in need of treatment for severe medical conditions. In addition, the resources for buying medicine are generally scarce in the area, and some kinds of medicine are not available. Transportation costs for getting to the hospitals are also an issue. For IDPs with chronicle diseases or other illnesses that make people in need of frequent treatment, the transportation issue can be lethal. For example, IDPs with diabetes risk losing limbs for lack of treatment of minor scratches.

In addition, there are frequently issues with cholera outbreaks in the IDP camps. In the southern part of KRI, an IDP camp recently had to shut down because the conditions in the camp, in terms of hygiene, were not suitable to prevent such outbreaks.

The researcher had not heard of any problem with regard to starvation among IDPs, but cases of malnutrition exist.

Access to education for IDPs

In terms of education, the schools in the KRI were already overcrowded before the current crisis. However, primary education is provided for almost everyone, but the families are complaining

that their children do not learn anything in the schools. Due to lack of resources in terms of physical facilities and teachers, there are typically up to sixty children in one class, and schools are running up to three daily shifts to cover education for all local school children.

IDPs are not able to enter Kurdish public universities. IDPs from other areas of Iraq are considered to be under the federal system for secondary education. There are private universities, but typically they are not affordable for the IDPs.

An international humanitarian organisation, Kurdistan Region of Iraq

28 September 2015

Possibility to seek protection from the authorities

While law enforcement is exceptionally effective in the Kurdistan Region of Iraq (KRI), it varies in other Kurdish controlled areas. Law enforcement is very effective in Kirkuk and in some of the government controlled areas. However, in some Peshmerga controlled areas outside KRI, there are many pockets with lack of law enforcement, especially in a westward direction of KRI towards Anbar where the Shia militias under the Popular Mobilization Forces are in control. The international humanitarian organisation had heard of forced returns from these areas and allegations of discrimination against Sunni Arabs seeking protection. However, if the Kurdistan Regional Government (KRG) wants to protect an individual, they can do so very well, but if they do not want to, they can also enforce that very effectively. The Kurdistan Regional Government (KRG) is not weak. It has the authority and means to assist or deny assistance to individuals or groups seeking protection. It has a strong and very effective internal security function that can protect who it chooses to protect and can ensure that people, who it does not want to protect, are not supported or allowed into Kurdish controlled areas.

Formally, discrimination by the Kurdistan Regional Government (KRG) authorities against ethnic minorities does not exist. In reality, a lot of discrimination does, however, take place, especially against Sunni Arabs who will not be let through checkpoints. Exceptions can be made for checkpoint entry, if Sunni Arabs have a sponsor in KRI, and for individuals with exceptional medical circumstances who may also be allowed entry on a case by case basis.

The family, religious leaders or tribes may sometimes be able to offer protection to individuals in need. If, for instance, an IDP is told to leave an area, the religious leaders may get involved for humanitarian reasons and try to mediate between the authorities and the concerned IDP. As an example, the international humanitarian organisation mentioned that the church in KRI is strong and may mediate. However, the church will generally not intervene on behalf of Sunni Arabs.

Honour crimes

The international humanitarian organisation is aware of a few cases of honour crimes in KRI and explained that domestic violence is very common in Iraq. Not much is done about it by the courts, and victims usually resolve to traditional justice through the elders, religious leaders and the tribe leaders. Issues of blood money will be dealt with by the elders in the tribes. The judiciary functions in KRI, but the further one gets from KRI, the less efficient the system, even though the penal code is the same in all Iraq.

There are women centres for IDP women and host community women who face domestic violence and threats of honour killings in Dohuk, Erbil and Sulaimania funded by donors such as United Nations Population Fund (UNFPA) and run by non- governmental organisations (NGO) in relation to the IDP camps. At least in Dohuk, there is a safe space for women to which they can be referred by the police if they are threatened by domestic violence and/or threats of honour killings.

Conflicts of landownership

Conflicts about landownership are becoming more and more prevalent for IDPs and returnees. A lot of registries have been destroyed during the conflict, and waves of IDPs moving in the contested areas make matters difficult. At the end of the day, landownership comes down to having the papers that proves the ownership. The international humanitarian organisation mentioned that, in Tikrit, at least sixty percent of the houses have been destroyed during the occupation by IS and during the conflict to reclaim the area, and in some other locations, as in Diyala Governorate, the Peshmerga have destroyed the houses of Sunni Arabs with justifications of 'security concerns' and illegal construction. According to the international humanitarian organisation, there is a land grab going on, a geographical engineering, with the Kurdistan Regional Government (KRG) wanting to extend its borders without Sunni Arabs. As an example, the international humanitarian organisation mentioned that some Sunni Arabs cannot go back to northern Ninewa. There has been a trend of pushing them out from the area and now they are not able to return. While making sure that return is not possible, parts of the Kurdistan Regional Government (KRG) at the same time talks about return as the only durable solution for the IDPs.

Conflicts with armed groups

When asked if private individuals can seek protection from the authorities if they have conflicts with armed groups in KRI and other Kurdish controlled areas, the international humanitarian organisation explained that it depends on who they are. Generally, Sunni Arabs would be unlikely to receive support from the authorities, especially if conflicts are with non-Sunni Arabs. There are differences between some Kurdish armed and political factions and they are divided by factionalism, such as between the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK). In line with this, there are Peshmerga groups who refuse to cooperate, but at the moment, there is a common enemy, Islamic State (IS). However, if a Sunni Arab has a conflict with IS, there is nothing that the authorities can do. If a Sunni Arab IDP is fleeing an IS area, he/she will have difficulties entering KRI. He/she may not be able to move into a Peshmerga controlled area.

There are, however, examples of Sunni Arab men being detained based on terrorism charges by the Peshmerga. For example, in July 2015, 85 IDPs were arrested in Kirkuk under Article 4 of the Iraqi Anti-Terrorism Law or on account of being unable to present legal documents. After primary investigation, all detainees were released following two days of detention, based on guarantee and sponsorship procedures.

Harassment based on religion or ethnicity

The international humanitarian organisation has heard of tensions between Sunni Arabs and Yazidis who are living near each other in IDP camps in Sulaimania. The conflicts between these groups are deep rooted and are not easily solved, and the authorities are probably not going to intervene. The main source of tension is that the Sunni Arabs are often perceived as collaborators of IS, and it is IS that displaced the Yazidis from Sinjar, in the process committing many atrocities.

Access to the Kurdistan Region of Iraq and other Kurdish controlled areas

All Iraqi citizens have the right of freedom of movement, travel, and residence throughout the entire territory of Iraq, in accordance with Article 44 of the Iraqi Constitution. However, for security reasons the borders are not completely open to everyone.

Iraqi citizens can enter KRI through the airport without problems and without having a sponsor, but they cannot stay indefinitely, and they would have to register by the authorities at the airport. A person might be able to get away with not registering upon arrival in the airport, but that person would then not be able to move around freely inside KRI. In addition, the person would possibly not be able to rent a place to live. Moreover, everybody knows everybody in KRI, and they report on each other.

Residence permits are not granted upon entry to KRI, and sometimes applicants for this kind of permit are requested to provide a sponsor.

The international humanitarian organisation stated that it was common knowledge that during the Ramadi crisis in May 2015 where IS drove Iraqi Security Forces out of Ramadi, the central government in Baghdad was sending large number of IDPs to KRI by free flights arranged by the Ministry of Transportation and Iraqi Airways. According to the source, no cases about Iraqi returnees from abroad entering KRI by plane have been reported.

The source did not have any information about what would happen if an Iraqi citizen tried to enter KRI through one of the airports without a passport, and the source did not know what the procedure for entrance with a temporary passport would be. The source predicted that, at best, a person trying to enter from abroad without a valid international travel document would not be allowed in.

Entry into KRI through the checkpoints is generally not possible for Sunni Arab IDPs without a sponsor who must be a resident of KRI and must approach the checkpoint. Iraqi Kurds do not face

same restrictions. The sponsor of an IDP must show up at the office of the authority in order to register. The international humanitarian organisation was not sure about the detailed procedure for KRI, but informed that, in the rest of Iraq, the process is that the sponsor has to personally come to the entry crossing and vouch for the families. The name of the sponsor is entered into an electronic database. The copy of the guarantee provided by security forces at the checkpoint includes name of IDP head of family, number of accompanying family members and signature by security force official.The sponsor has to guarantee for the person he is sponsoring and confirm to the officers at the checkpoint that he knows the person. However, there may be possibilities of entry along the route without a sponsor and against payment of high bribes. In times of a big influx of IDPs, the requirement of sponsorship is imposed strictly, and access to KRI restricted. There are some exceptions to the sponsorship requirement if for instance the IDP needs to enter for medical reasons and in cases of single woman or a female headed household with children.

The international humanitarian organisation knows of at least 249 Sunni Arab IDP families from villages surrounding Daquq district who, in September 2015, were stuck at Daquq checkpoint leading to Kirkuk for more than a week in a forest area, as they were suspected of IS affiliation. Twelve people from this group were reportedly arrested, and no one was allowed to enter Kirkuk, as they did not have sponsors. There were also reports that the IDPs from Daquq were not allowed to go back to their villages, after Peshmerga forces had retaken their villages from IS. The group settled in a non-formal settlement and was assisted by humanitarian agencies.

The Kurdish authorities are able to identify the ethnicity of the IDPs by their language, way of dressing, jewellery and their ID documents. According to the international humanitarian organisation, especially Sunni Arabs are discriminated against when trying to enter KRI and other Kurdish controlled areas. It is generally difficult for Sunni Arabs to enter KRI, and they will be asked to pay bribes. Sometimes the IDPs form settlements close to the KRI border. The Kurds and the Kurdistan Regional Government (KRG) have been really receptive of other ethnic groups, especially Yazidis. According to the international humanitarian organisation, the discrimination of Sunni Arabs is explained as security precautions. However, the argument is used extremely broadly, and security concerns do not justify the demolition of houses. According to the international humanitarian organisation, all Sunni Arabs are in general denied entry into KRI, even if they hold valid Iraqi residence permits. Women and children might, however, be let in easier than men, but this results in family separations.

The international humanitarian organisation explained that demolition of houses in the Kurdish controlled areas stems from a political agenda. The Kurds are preparing for the future where they plan to claim areas outside the current KRI proper. For example, house demolition was carried out by the Peshmerga in Diyala. While Kirkuk, Diyala and Ninewa governorates technically belong to Iraq's central government, maps produced in KRI often show the Kurdish region's borders straying southwards to encompass much of the territory.

When asked if ethnic Kurds or other ethnic groups with long residence in Kirkuk can gain access to KRI, the international humanitarian organisation responded that it would depend on the political affiliation of the individual person, and that it might still be complicated.

Prevalence of checkpoints

There are a lot of checkpoints in KRI and other Kurdish controlled areas but not inside Erbil city, although ad hoc checkpoints may be set up temporarily.

There are no unofficial checkpoints in areas under Kurdish control, but in areas controlled by militias there will be unofficial checkpoints.

Sunni Arabs are in general questioned more at the checkpoints than members of other ethnic groups. For example, Sunni Arab staff from the international humanitarian organisation travelling frequently from Kirkuk to Erbil get more questions than other people who are passing the same checkpoints as they are. In addition, one and a half month before the meeting with the source [mid-August 2015], some Sunni Arab NGO staff members from Kirkuk left the city in a work-related errand and were not able to return to Kirkuk. This issue was, however, solved by the Kurdistan Regional Government (KRG).

Going from one city to another inside the Kurdish controlled areas, people have to pass checkpoints, at least when they leave one city and when they enter the other. Sometimes ad hoc checkpoints are set up inside or outside the towns and cities. Ad hoc checkpoints are for example set up to ransack cars when the authorities get reports on illegal transport of weapons in the area.

To pass a checkpoint, a person has to show his/her Iraqi national ID card and answer the questions asked at the checkpoint. In line with the above, Sunni Arabs often get more questions than members of other ethnic groups when they wish to pass a checkpoint. Typically they are asked about the reason for their wish to pass the checkpoint and enter a certain area. The fact that a Sunni Arab has a residence permit to KRI does not guarantee that he or she will be let through.

Security situation in the Kurdistan Region of Iraq and other Kurdish controlled areas

According to the international humanitarian organisation, the general security situation for IDPs in KRI is not bad compared to the rest of the country. The Kurdish authorities want to keep control with the places that IDPs live in. Many IDPs move into camps, not only because there is access to services in the camps, but also because they feel pressured to do so. In the newly liberated areas, meaning the areas retaken by Peshmerga and government forces, the IDPs are less protected, and the pressure from the authorities to move into camps is greater.

The international humanitarian organisation explained that in the Kurdish controlled part of Kirkuk, there are several protection gaps for IDPs. There is a pressure on IDPs to move into camps, but, at the same time, there is also a pressure on them to return to Diyala and Salah al-Din after the liberation of these areas. On 23 August 2015, the Kirkuk Provincial Council announced that all

IDPs from Diyala should leave Kirkuk Governorate within one month. When some humanitarian organisations went to the governor to assure him that the IDPs in Kirkuk would be assisted by them, the governor said that the decision to send the IDPs back would not be enforced. This, however, still remains to be seen. In practice, the authorities in Kirkuk have confiscated the ID of some IDPs, taken them to a checkpoint in the outskirts of the city, handed back the ID to them and forced them to leave the city. Those IDPs have ended up in displacement near their place of origin. Measures of coercion in Kirkuk include threats of eviction, forced evictions and expulsion by escorting IDPs to the governorate border.

Although Diyala and Salah al-Din have been liberated, the areas are still dangerous. In many cases, the houses of the IDPs have been demolished which creates a new situation with secondary displacement. The security situation remains unstable and unpredictable for various reasons, including but not limited to proximity to areas of military operations, the risk of further attacks by IS, IED contamination, heavy military and militia presence, and tensions between communities. In August 2015, there were reports that fifty male Sunni Arab returnees had disappeared in Diyala. Local militias were suspected of being behind the disappearances. Not only returning IDPs are affected by the security situation, also locals are experiencing how villages inhabited with Sunni Arabs are being demolished by the Peshmerga. When Sunni Arabs return to their place of origin, there is often great tension and the returnees are scared of what might happen. The first groups who returned to Salah al-Din were government employees who were told that they would stop receiving their pay unless they returned to areas of origin.

Presence and activities of Islamic State

Although there have only been few security incidents in KRI over the past ten months, IS supposedly do have sleeper cells in KRI. Examples of such security incidents are the bomb attacks at the governor's office in November 2014 and at the US Consulate in April 2015. According to the source, IS do have outreach capacity and are able to carry out attacks if they want to. Apparently, the Peshmerga have captured young Kurdish men who were IS members. According to the international humanitarian organisation, as IS are losing territory, they want to show that they still have the capacity to attack and therefore do pose a threat to security in the region.

The international humanitarian organisation has not heard that the inhabitants of Ranya should be more sympathetic to IS than people living in other areas.

Presence and activities of Shia militias

According to the international humanitarian organisation, the Shia militias are present outside KRI along the borders to Kirkuk and Diyala where they conduct human rights violations against Sunni Arabs, for example against IDPs who are send back from Kirkuk. Particularly in the area of Tikrit, searches and harassment of Sunni IDPs are carried out by Shia militias.

The most organised Shia militias are joined in the command and control initiative called the 'Popular Mobilization Front' that is supported by Iran. When asked about the relationship between

the Shia militias, the Iraqi Security Forces and the Peshmerga, the international humanitarian organisation guessed that the Shia militias are tolerated but may not necessarily be supported by the central government in Baghdad, and that the Peshmerga and the Shia militias share intelligence and see each other as allies to a certain point. As an example of this alliance given by the international humanitarian organisation, Shia militias sometimes take over people escorted by the Peshmerga when they come to an area held by the militias. Sunni Arabs are creating their own militia in order to create a balance.

The central government in Baghdad rely on the Shia militias because Iraqi Security Forces lack strength and have been discredited, especially since fall of Ramadi, the capital of Anbar, in May 2015. Some of the militia units operate independently and without consultation with the Iraqi Security Forces and have been accused of abuses such as targeting of civilians. When complaints about scrutiny performed by Shia militias against some of the first returnees to Salah al-Din were raised, government employees among the IDPs were told that their salaries would be cut as a consequence of the complaints.

The Shia militias are often viewed as an occupying force that many local inhabitants are very uncomfortable with. They are perceived as a threat to the local Sunni populations, especially. And according to the international humanitarian organisation, both Shia militias and Peshmerga forces are responsible for destroying houses in former IS controlled areas.

Peshmerga forces and the Kurdish police force

Asked about the profile of war prisoners who are kept in custody be the Peshmerga, the source replied that they did not have information about this.

The international humanitarian organisation explained that the Peshmerga forces and the Kurdish police forces are able to pursue their targets within KRI and the Kurdish controlled areas due to a well established intelligence service. They may, however, not be bound by a single command structure under the government. The Peshmerga factions place their loyalty with political parties.

According to the international humanitarian organisation, a draft system does not seem to exist. The international humanitarian organisation has many young employees and none of them seem to have been called up to serve. Posters encouraging people to join the Peshmerga hang everywhere inside KRI, and recruitment campaigns are run at the local TV channels.

Discrimination of Sunni Arabs in the Kurdistan Region of Iraq

The international humanitarian organisation explained that NGOs in KRI are discouraged from hiring Sunni Arab staff. There are guidelines on who to hire, and it is suggested that NGOs hire Kurdish staff. In order to be employed with NGOs people must speak Kurdish. The Minister of the Interior of the Kurdistan Regional Government (KRG) has rescinded the strict requirements. However, it is not possible for new Arab employees to obtain residence permits if they do not already have them.

An international NGO

Erbil, 28 September 2015

The international NGO has more than five years' experience from working with displaced people in the Kurdistan Region of Iraq.

General attitude among Kurdish people towards IDPs

According to the international non-governmental organisation (NGO), usually, internally displaced people (IDP) are more welcome in host communities than refugees who are often considered alien. This is not always the situation in the Kurdistan Region of Iraq (KRI), where Syrian Kurds seem to be easier to integrate than Iraqi Arab IDPs.

The international NGO explained that the Kurdish population was initially very welcoming towards the many IDPs arriving in KRI since the summer of 2014. However, the attitude is changing and tension among the local population and the IDPs is growing, as is the lack of resources. Especially in Dohuk, where there is a large IDP population, tensions are rising; even in Sulaimania, which was previously a much more open city, evictions have increased.

Water, sanitation and hygiene (WASH) problems existed already before the arrival of new IDPs in 2014 but have increased since. According to the international NGO, there is a bubbling anger and frustration, which has not yet resulted in fighting though. The increasing tension is manifested in a rising number of evictions of IDPs across the region, increased rent for IDPs and even in collection of rent from IDPs who are squatting in unfinished buildings.

Another result of the rising tension is the differential treatment of IDPs in the local communities. As example, the international NGO mentioned that Chaldean Christians are more welcome in the Christian neighbourhood Ankawa in Erbil. In addition, displaced Christian populations are more likely to seek asylum in Christian quarters.

Role of the mukhtar in relation to IDPs

The situation in the IDP camps is becoming increasingly difficult for minorities who are sometimes dependent on the mukhtar registering them in order to receive assistance. This is particularly the case in the camps that are not run according to standards of the United Nations High Commissioner of Refugees (UNHCR). The mukhtar is in charge of making a list to the authorities of the IDPs living in the camps, and if an IDP is from a minority group which is not widely represented in the camp, there is a risk that the mukhtar will leave out the IDP since the mukhtar will prefer to take care of his own community and cares less about small minority groups. In such cases, the concerned IDPs will not receive any assistance.

The international NGO mentioned the Arbat IDP camp in Sulaimania Governorate as an example of a very large government run camp that is fluctuating in size, and where the international NGO distributes food based on lists made by the mukhtars.

Access to employment

When IDPs arrive in KRI, they usually get a temporary residence permit for a period in which they assess their ability to get permanent residency. In order to work in KRI, an IDP must have a permanent residence permit. When applying for a permanent residence permit in KRI, the IDP must have a sponsor from KRI to support the application. People coming with their families to KRI are more likely to get this residency. While it is not mandatory to have family living in KRI in order to get a permanent residence permit, it does make it easier. Furthermore, it is easier to get permanent residency when you are not a single person and have family with you or family that you are joining. According to the international NGO, a permanent residence permit is a permit of one year, and it is renewable.

Three months before the meeting with the delegation, the international NGO's Erbil office was presented with a letter from the authorities stating that the organisation can only hire IDPs if they possess a permanent residence card. The letter was written in Kurdish, and the international NGO was not allowed to keep a copy of the letter. After oral translation by a local employee, it had to be handed back to the carrier.

In Dohuk, the international NGO has been asked to only hire locals. The reason for these steps by the authorities is that, according to them, there are many new graduates in KRI who are not able to find employment. According to the international NGO, things keep changing, and one never knows what kind of directives might come next.

Many sectors are affected by the conflict and the financial crisis in Iraq. Due to the current security situation in Iraq, the number of staff members working for an oil company has in average/general decreased from between 200 and 300 staff members to 30 staff members over the past few years, and many construction projects that were started, are left unfinished. Real estate prices are therefore dropping, and it is not possible to obtain loans for investments. Furthermore, the budget from Baghdad is not arriving and fifty percent of those employed by the government are, due to their displacement, not working. Hence, the unemployment rate is high.

Many IDPs are not as skilled as for example the Syrian refugees. Therefore, IDPs typically have greater difficulties finding employment. Often IDPs are low-skilled and limited to finding casual work in agriculture, restaurants and the like. Although some IDPs do have jobs, they rarely have a permanent source of income, unless they are government employees and therefore still on the central government's payroll. However, since early 2014, a budget crisis between Erbil and Baghdad has contributed to ongoing and regular delays, sometimes of months, in payment of government salaries.

In general, it is difficult for anyone with low skills to find work in KRI. Kurds have problems finding employment, and Arabs often find it more difficult to find employment due to cultural and linguistic barriers. For Arab speaking people, the language is a barrier to finding employment, but even if they spoke Kurdish it would not help them. The Kurds already have enough difficulties

finding jobs themselves. They are not interested in more competition. In addition, people in KRI are more likely to be hired, thanks to their network, family and connections. Livelihood success in KRI often relies on extensive community networks, which can make it difficult for Arab families without these connections to find employment. If a person is brand new to the area, he is less likely to find a job there, unless he is highly skilled.

Access to housing

IDPs can rent accommodation in KRI, but in general if they are not of Kurdish origin, they cannot buy property in the centre of Erbil city, the older parts of Erbil city or Ankawa. However, according to the international NGO, middle class Arab people can purchase property in KRI in newly built housing complexes. When reselling the house, they can also do so to other Arabs. The richest Arabs often have more influence and might even, according to the international NGO, be able to buy houses in other places than newly built complexes. Even before the new wave of IDPs, many Kurds were afraid to sell to Arabs due to the history of Arabization of northern Iraq.

In the Christian neighbourhood Ankawa of Erbil, property can only be sold from Christians to other Christians.

Many urban IDPs are now seeking towards the IDP camps which results in waiting lists to the camps. This is rarely seen a year into a conflict. According to the international NGO, some of the reason for this movement is that the IDPs had expected to be able to return to their homes sooner, and now they find themselves running out of money and being evicted from their accommodation. However, the international NGO stressed that there needs to be larger-scale research and assessments conducted to verify and support this statement. Waiting lists for IDP camps that are being built at the moment are already full with IDPs currently living in urban areas.

There is no financial support from the Kurdistan Regional Government (KRG) to rent or buy accommodation in KRI. The Kurdistan Regional Government (KRG) has its own financial problems and is already behind three months in paying salaries to government employees.

Those IDPs who do not live in formal government or NGO managed camps or have financial resources to rent a place, will often live in unfinished buildings, schools and tents. For example, IDPs who are not able to pass through checkpoints and enter KRI end up living in the ditch, if they are not successful in finding alternate lodgings. This is the situation at the Khanaqin and Kalar checkpoints where informal camps have emerged and are being supported by local religious charities or organisations. Other IDPs have been living in schools, but many have now been relocated to allow for classes to resume. The church runs some of the informal settlements in Ankawa.

With few exceptions, IDPs cannot move between governorates. IDPs have to stay where they were first registered as IDPs. They will not be allowed to pass through checkpoints between governorates unless they have good connections. In theory, there are legal avenues to pursue

equal treatment of equal individuals at checkpoints, but in reality, there is not a formalized procedure at the checkpoints. Some days, it may be possible to pass through a checkpoint and other days not. It depends on who is in charge at the checkpoint on a given day.

Access to health care

Health care services are a public good throughout Iraq, and all inhabitants in KRI and other Kurdish controlled areas, including IDPs, have the same access to health care services. In line with this, public hospitals are free of charge for all, but some doctors now see an idea in referring patients to private clinics and private hospitals for the sake of their own financial gain.

Access to food and water

There is not much manufacturing of food products in Iraq, and most food is imported from Turkey and Iran. Only raw food products come from local manufacturers. This might become an issue if a conflict between Turkey and Iraq or Turkey and KRI occurs.

Generally, there is no food shortage in KRI. As at least half the population is publicly employed, and salaries in the public sector are delayed or not paid, many have to buy on credit. This results in high debts. People therefore often rely on the food distribution and coupons. Since August 2015, a general reduction in food assistance has been seen.

IDPs living in camps will receive in kind food parcels. The value of the parcel has been reduced in size. The reduction has been ongoing over the course of the year. Food aid per person was originally about IQD 32,000 (USD 27), reduced to IQD 19,000 (USD 16) and then down again for most families to IQD 11,000 (USD 9). This only buys enough food for ten days, on average, dependent on location of camp, size of family, time of year, prices of goods et cetera.

While dry food is easy to get in the camps as the shop owners can stock it, fresh food is becoming increasingly difficult to buy. Therefore, fresh food is not easy to gain access to for the camp residents in remote areas, since travel to shops outside the camp is expensive. The vouchers are only valid for food items which means that they cannot be used for diapers and other hygiene necessities.

Asked if it is possible for IDPs to live on a nutritionally balanced diet with the amount in the voucher received, the international NGO replied that it has become less and less possible.

People not living in camps receive vouchers which they can use through the local shops to pick up their food parcel. The voucher system is linked to the 1991 Food for Oil Program. However, if a person is not from Erbil, he cannot pick up his food parcel in Erbil. The right to a food parcel is linked to the area of origin where the person is registered with a local shop owner. The international NGO has never heard of anyone who has been successful in re-registering with a new shop owner in the area of displacement.

The food parcels are perceived to be of poor quality, and many people do not collect the parcel they are entitled to. The content of a food parcel may vary from month to month, but usually it contains oil, rice, sugar and flour.

Water shortage is one of the challenges in KRI, and if people cannot afford the expensive water filters, many have to rely on water trucking which increases the risk of health problems. Among IDPs in Iraq, mainly among IDPs living outside camps and only among very few IDPs inside KRI, there have been problems with cholera outbreaks and scabies, but the outbreaks have been well contained in KRI. A vast majority of IDPs and refugees in KRI complain about water shortage, as does the host community in Dohuk. It is the perception that there is not enough water.

Access to education

Public schools and colleges are free for all students. In addition, private schools are present.

While Arabic is the second language in some schools, the language barrier is often a problem for the Arab speaking students.

In 2015, a lot of new high school graduates scored so low that they do not have access to higher education.

IDP camps

The IDP camps in KRI are run by the Kurdistan Regional Government (KRG), and NGOs who have previously been running some of the IDP camps are currently handing over the responsibility for these camps to the Kurdistan Regional Government (KRG).

Each governorate in KRI has a different system for running IDP camps. In addition, every camp functions in its own unique way. Whether a camp enforces the UNHCR standards, depends on who runs the camp. Generally speaking, the conditions in the IDP camps are poor, but the conditions in some camps are worse than in others. For example, there is a huge disparity between sewage systems and housing standards in different camps.

Access to employment and income generating activities in the camps is very limited, and as camps are often situated in remote places, camp residents are rarely able to find employment outside the camps.

Education standards vary hugely from camp to camp, but primary education for children is offered in most camps. Some education in camps is formal education and some is informal education run by organisations like Terre de Hommes and the United Nations Children's Fund (UNICEF).

Because of security concerns, there have been reports of camp management in some IDP camps confiscating the ID papers from IDPs which affects the daily lives of the IDPs. IDs are used for movement, monthly food distribution and other services, and the lack of ID decreases the ability to actually access services.

Most IDP camps are at full capacity. Especially in Diyala and Sulaimania, the capacity of the camps compared to the number of IDPs in need of shelter is low. The capacity in camps there is stretched thin, and this increases risks to the IDPs like campfires during summer.

As mentioned above, some camps are more attractive than others. The more attractive camps typically keep waiting lists with IDPs wishing to live there. In this respect, the international NGO mentioned Erbil as a place with waiting lists for IDPs who wish to live in IDP camps.

In some places, for instance Diyala, there has been increased pressure for IDPs to live in camps. In June 2015, some IDPs settled in informal settlements in Diyala and were asked to go to the formal camps. It may be a condition for IDPs to gain access to Diyala that they settle in a camp.

Single women and other vulnerable groups among IDPs
Single women, female headed households and minorities without network are in general more vulnerable than other IDPs.

There are many female headed households among IDPs. It is difficult for these women to find accommodation outside the camps. There is a risk of children being subjected to early marriage and child labour if they are part of a female headed household.

Due to culture and traditions in KRI, it is a hypothetical scenario that an unmarried single woman would be living alone. Young single women are typically absorbed by the extended family structure.

A lawyer working for an international NGO in the Kurdistan Region of Iraq
27 September 2015

Tensions due to limited amount of job opportunities
According to the source, the general effect of the rise in IDPs on the labour market is increased competition for a limited number of jobs. As an example, the construction, oil and gas sectors in Iraq have diminished during the recent years. As a consequence, people who were earlier employed within these sectors are now looking for jobs in the humanitarian sector. Businesses in the Kurdish governorates of Dohuk, Erbil and Sulaimania that prior to the current crises were considered blooming are not at all blooming now. The trade with Iran and Turkey has decreased, and IDPs who have fled to the Kurdish governorates are typically willing to work for lower salaries than the workforce from the host community. This leads to social tensions and resentment of IDPs' presence in the area and thereby the shortage of job opportunities can indirectly lead to forced returns like the ones seen in Kirkuk. The source had not witnessed any tensions because of the lack of job opportunities. The source only possessed anecdotal knowledge on this matter.

Access to employment

According to the source, a residence permit is needed to access the labour market in Dohuk, Erbil and Sulaimania. Even within the non-governmental organisation (NGO) sector employers are not allowed to hire employees who do not have a long-term residence permit in the Kurdish governorates. A long-term residence permit is a residence permit of at least one year. For IDPs coming from outside the mentioned governorates, it is almost impossible to obtain such a residence permit, unless they have lived in one of the officially Kurdish controlled governorates before the conflict.

Apart from the long-term residence requirement which job seekers have to comply with, there are other discriminating conditions. One indicator of this is that employed IDPs, to a great extent, seem to be concentrated in semi-skilled labour, for example in construction businesses. Another indicator is that women almost exclusively seem to be involved in domestic labour and that some of these women therefore feel compelled to allow their children to enter the labour force. Child work is quite common in the Kurdish controlled areas and the rest of Iraq.

Another barrier to the labour market for IDPs in Dohuk, Erbil and Sulaimania is the language. In general and even though it is typically not their mother tongue, members of the host community speak Arabic. But many Kurdish inhabitants do not want to speak Arabic. Furthermore, the source mentioned that religious discrimination of IDPs coming from Anbar took place. It was added that it was not impossible for IDPs to get a job since employers were willing to hire IDPs as cheap or free labour force.

In the host community, Arab IDPs from Anbar Governorate are in general considered terrorists until the opposite is proven. This factor has not only limited their initial access to the Kurdish controlled geographical area, it is now also limiting their access to the labour market in the region.

The perception of IDPs being terrorists is reflected among the local staff in the NGOs working in the area. Even though work in the NGOs should theoretically be available and relevant for some of the IDPs, they often do not have access to these jobs.

With regard to level of wages, the source did not have any specific information about remuneration of IDPs employed in the Kurdish controlled areas. As far as the source was informed, employers may accept low wage workers and let them conduct their work for a period of time but might not always pay them. The source added that there are no legal ways or courts available for IDPs that would secure a remedy to this situation.

Access to housing

Generally speaking, IDPs in Dohuk, Erbil and Sulaimania cannot buy accommodation. Even though they have the right to do so as per the constitution, it is in reality very difficult for them. Firstly, an IDP would need a sponsor to enter the officially Kurdish controlled governorates. Secondly, the IDP in concern would need a residence permit to rent accommodation. Thirdly, he/she would need

a security clearance from Baghdad to buy accommodation. The security screening would be done by the central government authorities and it would take months to obtain the clearance. By the time the security clearance would be issued from Baghdad, the property would most likely be sold to another buyer. The source elaborated that due to the above mentioned restraints it is hard for non-Kurdish people to buy property in Kurdish urban areas where people have property deeds. In sub districts where some land is left open, it might be easier for non-Kurdish Iraqi citizens to buy land.

With reference to the above, there are exemptions to the general rules and conditions. Any person, who knows the right people, has the right financial and social capacity, would by pulling strings and bribing his way through the official clearance system be able to buy property or land.

The process of renting a house or an apartment in the Kurdistan Region of Iraq (KRI) is inconsistent. It is clear that in all cases an IDP would need a sponsor to enter KRI. The inconsistency lies in the subsequent process. Any Iraqi IDP from places outside KRI would need a support letter from the local mukhtar and an approval by the local Asayish granting the IDP in concern a residence permit to KRI. However, in some cases a residence permit is needed to formalise a lease agreement. But in other cases a legal address inside KRI is a demand to obtain a residence permit. Sometimes a preliminary lease agreement is sufficient to obtain the residence permit.

Informal settlements, forced evictions and returns

Due to the above mentioned challenges and lack of resources among IDPs, many IDPs live in unfinished buildings. As a matter of fact, the vast majority of IDPs live in collective centres, schools, old public buildings, malls etc. According to the source, the Global Camp Coordination and Camp Management (CCCM) Cluster, UNHCR has done a recent study about IDPs living in informal settlements in KRI. According to data sets released by Global Camp Coordination and Camp Management in February 2015, there are 880 informal settlements housing five families or more in KRI. Fifty percent of the IDPs that were found to live in this way had no formal written lease agreement. The source added that in collective centres it is not possible for an individual to have a lease agreement, but some may have an oral agreement with the authorities.

In addition to unfinished and/or abandoned buildings, many of the IDP that came with the wave in August 2014 or had come up until this time took residence in mosques, churches, public schools, old factories and other kinds of informal settlements. These informal types of settlement are typically inhabited by IDPs with limited means. Some IDPs with limited financial abilities go directly to IDP camps when they enter KRI. Some stay in informal settlements for a while before they go to the camps. Others stay in the abovementioned informal kinds of settlement and never go to the camps.

The source said that there is only a limited number of camps in KRI, and that there are waiting lists for many of the camps. Only the most vulnerable people are currently given access to IDP camps,

meaning only the ones who would else be homeless. Access to the camps is given by NGOs facilitating the relocation to camps for vulnerable IDPs, for example IDPs who have been evicted from where they lived. Access to camps might also be given through United Nations (UN) agencies or the Kurdish government agencies that administer the camps.

In addition to the informal settlements that the IDPs live in, many IDPs rent hotel rooms when they arrive. They tend to use the hotel rooms as a primary solution in the sense that they only live there the first two to three months after their displacement. After that they tend to shift to more stable settlements.

With the big wave in August 2014, many of the IDPs living in informal settlements in Erbil were subjects to evictions. This phenomenon has now spread all the way from the Kurdish governorates to the Baghdad area where IDPs have come more recently. By the time of the meeting with the source and generally speaking, evictions of IDPs were not common in KRI. NGOs facilitate the relocation when people are evicted.

In Kirkuk, many IDPs are residing in abandoned and unfinished buildings. The authorities in Kirkuk arbitrarily evict and force IDPs to return back to Diyala and Salah al-Din where they came from by confiscating IDs of the IDPs, taking them to the borders of the governorate and leaving them there without any possibility of entering Kirkuk again. The governor of Kirkuk has asked the governors of Diyala and Salah al-Din to accept the forced returnees. The governor of Kirkuk has issued a directive stating that any NGOs who criticize the forced return activities or who try to prevent them will be prohibited from working in the area.

In the source's opinion, the humanitarian society has neglected Kirkuk in terms of contributing to projects that benefit both the host community and the IDPs. Compared to other parts of the Kurdish controlled areas and the rest of Iraq, there is only a very small number of NGOs present and working in Kirkuk. Based on these facts, the governor has concluded that the NGOs have surpassed their chances of working in the area. The governorate has not been good at facilitating the NGOs' work in the area. The source considered the possibility to change the governor's position on this matter difficult. Through advocacy, the NGO society is hoping to be able to address this in 2016.

Financial support from the authorities

It is not possible for IDPs coming from outside KRI to receive financial support from the Kurdistan Regional Government (KRG). IDPs from other parts of Iraq than KRI do, however, have the right to a onetime instalment granted by the central government in Baghdad. In line with this rule, IQD 1,000,000 (USD 833) would be granted for an average family headed by both parents when they register as IDPs. For a single female headed house hold the instalment grant would be IQD 500,000 (USD 417) and for a single individual IQD 200,000 (USD 167).

The source added that there are reports on delay in the instalment grant process. The delay is supposedly connected to application and distribution. In addition, allegations of corruption connected to distribution are made. IDPs are supposed to register with the authorities when they arrive in KRI. However, the number of IDPs who have actually registered with the authorities is only 60 percent. There are capacity restraints to the government with regard to registration, and some people to not register because the incitement for and consequences of registration are not clear to them.

If IDPs return to the place where they fled from, they might receive financial compensation from the central government in Baghdad. Compensations are sometimes granted to citizens who have lost a family member in battle, have had their property destroyed or have been disabled due to the ongoing armed conflict in Iraq. To apply for and receive compensation is, however, a time consuming process. It could take up to two years before an applicant receives the compensation. At the time of the meeting with the source, compensation was being granted and paid to returnees in the Governorate of Salah al-Din. However, under the existing legal mechanisms, such compensations had not been granted in other governorates.

Harassment based on religion and ethnicity

The source stated that generally speaking, there is a suspicion of other Iraqi ethnic groups among the Kurdish people. The suspicion is particularly directed against Sunni Arabs from Anbar. There are, generally speaking, fewer prejudices against Turkmens and Christians than against other ethnic minorities. The main concern of the Kurdistan Regional Government (KRG) when it comes to other ethnic groups is that they might support the other side of the frontline, for example Islamic State (IS). For the Kurdistan Regional Government (KRG) this is a sensitive issue, and it is as a consequence not publicly addressed by authorities. Anecdotal information suggests that social discrimination by members of the community as well as discrimination by security forces takes place. For example, some minority groups face restriction in access to renting a house, freedom of movement and replacement of lost ID papers or cards.

According to the source, there is a general change in atmosphere since the summer of 2014. There is not the same tolerance towards non-Kurdish people in the Kurdish community as there has been before. This change in atmosphere becomes more salient when specific incidents occur. An example given by the source is when a bombing happens and Sunnis are found to be behind the bombing. Then all of a sudden Sunni Arabs are not able to move freely around KRI anymore. Sunni Arabs are sometimes held responsible or being scapegoated as a community when security incidents happen. Then they have to change travel paths or lay low for a while.

Replacement of lost ID

There are no facilities to replace a lost civil ID for IDPs coming from another part of the country. At checkpoints an IDP could potentially be arrested and sent back for trying to pass without a civil ID. However, some IDPs from Ninewa do have the possibility to go to Sheikhan to have their civil IDs

replaced. But in order to have their IDs replaced in Sheikhan, they have to exit KRI and anecdotes that the source has heard suggest that they might not be allowed back when they wish to enter KRI once again.

Sponsorship and access to the Kurdistan Region of Iraq

After the meeting, the source provided the delegation with data[217] about IDPs for the three Kurdish governorates. The data includes information about sponsorship and access to the Kurdish governorates for different groups of IDPs. The data concerns procedural requirements with respect to registration as an IDP as well as for issuance of civil documentation.

Erbil and Dohuk

A sponsorship is no longer required to enter KRI. IDPs wishing to enter KRI should present themselves to the checkpoint of entry for approval. Arab IDPs who are not already in possession of valid residence documents from Erbil Governorate will generally be denied entry at the checkpoint. Kurds, Yazidis and Christians are generally permitted entry without pre-existing residence documents. However, during periods of heightened security, these groups may also face increased security restrictions.

IDPs entering via Erbil airport must present themselves to Qani Qirjala checkpoint within two weeks of their entry in order to be issued with a short-term entry permit (tourist pass) which is valid for two weeks. This must then be further renewed at the local Asayish office in the area of residence of the IDP. All IDPs are able to enter through the airport without pre-existing residence documents

Sulaimania

IDPs wishing to enter Sulaimania must approach the checkpoint with the required documents and obtain permission to enter. Permission is given to enter as a tourist visa for 30 days, after which the IDP must register with and get approval from the Asayish and register at Bureau of Displacement and Migration (BoDM)[218] and the local mukhtar as well as finding a sponsor, depending on whether that's being enforced or not at the time.

With regard to general challenges faced by IDPs, it appears that entrance into Sulaimania is stopped and restarted without much notice or announcement, exposing an already vulnerable group to much more uncertainty. The process is very complex requiring a number of documents that IDPs might have lost in the course of displacement. Access to KRI is more difficult for non-Kurdish IDPs.

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[217] The data was last updated on 26 October 2015.

[218] Under KRI's Ministry of Interior: Bureau of Displacement and Migration (BoDM).

Skype meeting with a scholar specialized in Kurdish issues

7 October 2015

Security situation in the Kurdistan Region of Iraq and other Kurdish controlled areas

In terms of the security situation in Kurdish controlled areas in Iraq, there are three main areas to consider: (1) the Kurdistan Region of Iraq (KRI) (Dohuk, Erbil, Sulaimania governorates), (2) the old disputed areas and (3) other areas controlled by the Kurdistan Regional Government (KRG) after June 2014.

Relatively speaking, the areas controlled by the Kurdistan Regional Government (KRG) are a bit more stable than the rest of Iraq; however, the stability is fragile. The Peshmerga are very determined and courageous fighters, and the Kurdistan Regional Government (KRG) and its security forces are good at creating stability in the areas that they integrate under their control. However, resources are scarce due to the protracted conflict and areas recently taken by the Peshmerga are fragile for shifts. So to keep holding the areas, the Peshmerga need both financial, military and air support. In Erbil, there have been different terrorist attacks. There have been attempts to conduct similar attacks in Sulaimania, but these were averted by the security forces. Islamic State (IS) keeps trying to target KRI, and the reason why they only succeeded in attacking Erbil is that Erbil Governorate shares borders with the Kirkuk Governorate where IS is in control of the southern part. An area like Sulaimania shares borders with areas that IS does not have the same operational capabilities within.

Kirkuk is a special area because it is kind of a no-man’s land of which no-one has complete control. It is very open and very instable. No single actor has taken full control over the entire governorate, which shares borders with different places where IS is very strong.

It is highly probable that there are IS sleeper cells inside various Kurdistan Regional Government (KRG) controlled areas, including KRI, and it is not inconceivable that new attacks could happen due to such presence. An attack, like the ones seen in Erbil, only takes one person who is willing to commit a suicide attack.

According to the scholar specialized in Kurdish issues, the capacity of IS has been underestimated in terms of 'information war' and 'intelligence apparatus'. Their ideological propaganda is an effective recruitment tool, and they are good at convincing and engaging new supporters continuously.

The situation in the old disputed areas is more dangerous and fluid than in other areas. Some days, IS holds part of the areas. Other days, militias or the Peshmerga forces hold the areas. For instance, at the end of September 2015, the Peshmerga took back ten to twelve villages from IS in the southern part of Kirkuk.

Exposure to physical danger and protection for IDPs

The situation for IDPs is very dangerous in terms of exposure to physical danger. IS is a very dangerous enemy. They leave behind areas that are heavily booby-trapped, and IDPs are in great danger of exposure to this. As an example, IS ties explosives and triggers to everyday utilities like Qurans, before they retreat from battle areas. Therefore, it takes time to clean up after IS. For example, this has been seen in Tikrit.

In Tikrit, some IDPs, who stayed in KRI, went back after IS had been driven out. The scholar specialized in Kurdish issues did not have an accurate figure of how many IDPs went back to Tikrit, but he confirmed that even though some IDPs went back, many IDPs remain at their refuge because they are afraid to return. They fear that their area of origin has not been cleaned properly in terms of booby-trapping, unexploded ordnances (UXOs) and sleeper cells. Moreover, they fear that they will not be dealt with in a proper way by local authorities and neighbours, if they go back, and that Shia militias will consider them as traitors. Finally, they do not feel confident that the authorities are ready and able to supply services for them upon their return.

IS links to tribes or other groups within Kurdish controlled areas

IS infiltrates Kurdish areas and is strong in terms of recruitment, even among the Kurds. According to estimates announced by the spokesman of the Ministry of Religious Affairs under the Kurdistan Regional Government (KRG), 500 Kurds from the three Kurdish governorates have joined IS. Some of these Kurds went to IS held areas like Mosul with their families and joined IS.[219] The Kurdish IS fighters, like the Arab IS fighters, are very ideological and barbaric. For example, they take Peshmerga forces or prominent Kurdish leaders as prisoners of war. Last time the Peshmerga took back areas that had fallen under IS control, IS in response beheaded ten to twelve of their Peshmerga prisoners of war; IS made other Kurdish prisoners carry out the beheadings.

The Sunni Arab tribes in Iraq are deeply fragmented. Local media suggest that some of the tribes support IS and believe in their ideology. Other tribes do not. A suggestion to why some Sunni Arab tribes support IS could be that they do not find any solid alternative alliances available to them.

Kurdish authorities point to a Sunni Arab tribe in Jalawla called al-Kuraweyen as being very much pro-IS.

On a micro-level and in terms of the armed conflict, the reason for Sunni alliances with IS is clear cut. The Shias are represented by the Shia militias. The Kurds are represented by the Peshmerga forces. And the Sunni Arabs are represented only by their own tribes and by IS.

On a macro-level, Sunni politicians are not connected to the people who elected them. They have been cut off politically after IS took over big parts of Iraq. At the same time, regular Sunni citizens

[219] The source referred to this documentary about Kurdish IS fighters from BBC Arabic: https://www.youtube.com/watch?v=SayA9j-y5ok.

also see politicians as corrupt. All-in-all this leads to a representation crisis within the Sunni Arab community of Iraq. Unfortunately, IS is filling this gap.

IS is the only powerful representative of Sunnis in Iraq after the fall of the Baath party. In terms of this, the former prime minister, Nuri al-Malaki, only made things worse by bringing allegations of corruption against respected Sunni leaders.

Asked if he had heard about a place called Ranya where inhabitants should be particularly pro-IS, the scholar specialized in Kurdish issues said that he was not aware of IS links to this area in particular.

Shia militias' ability to conduct activities in Kurdish controlled areas

The Popular Mobilization Forces (in Arabic: 'al-Hashd al-Shaabi') is the most powerful among the Shia militia groups on the ground in Iraq. The Popular Mobilization Forces and other Shia militias are not present in KRI, but they are present in the so-called disputed areas and in areas like Kirkuk, where the Peshmerga forces are also present.

There have been minor clashes between the Peshmerga and Shia militias in areas where they have come very close to each other, but large scale fighting between them has not been seen.

There is a kind of delayed war between the Kurds and the Shias in terms of the question about control over the old disputed areas. In a long-term perspective, the Shia militias and the central government have a common ambition to prevent the Kurdistan Regional Government (KRG) from taking over the disputed areas, but there is no central control over the Shia militias. The Iraqi government itself is very weak and dependent on the Shia militias to keep its power, which became clear when IS occupied areas were taken back; actions in which the Shia militias were instrumental. At the moment, the battle for the disputed areas has been postponed. Both Shia militias and the Peshmerga are currently focusing on fighting their common enemy, IS.

Like with other things in Iraq, it is difficult to say what will happen to this fragile peace settlement between the Shia militias and the Peshmerga in the future, but according to the scholar specialized in Kurdish issues, unless there will be a real authority control with the militias, they will clash with the Peshmerga.

Prisoners of war taken by the Peshmerga

The scholar specialized in Kurdish issues confirmed that the Peshmerga has detained armed opponents as war prisoners, but he did not have very accurate information about these prisoners. He had his knowledge about this subject from reading local media and listening to anecdotes from local people. From what the scholar specialized in Kurdish issues understood, war prisoners held by the Peshmerga are mainly IS fighters. He added that there have been attempts of prison-swops between IS and the Peshmerga.

In addition to the prisoners of war, people in KRI who are suspected of being part of IS sleeper cells or are extremists in other ways, are also detained by Kurdish authorities.

The scholar specialized in Kurdish issues did not have information about the extent of the Peshmerga forces' ability to target an individual in conflict with the Kurdish authorities.

Legal regulation and control of the Peshmerga

The scholar specialized in Kurdish issues stressed that he is not a legal expert and therefore not able to elaborate very much on this subject. He explained, however, that the Peshmerga forces are under the jurisdictions of the Kurdistan Regional Government (KRG) laws. In addition, they have to adhere to the general Iraqi laws and regulations and international law concerning war.

As it stands right now, the Peshmerga forces are a product of a divide between Patriotic Union of Kurdistan (PUK) and Kurdistan Democratic Party (KDP) forces. For each of the two parties, an elite force exists for fighters between 18 and 28 years of age. The Kurdish Ministry of Interior has stated that there is an ambition of unification of forces and implementation of conscription to the joint forces based on professionalism rather than party affiliation. The ministry has announced the initiation of a process towards this goal. The aim is to create a more professional Peshmerga force. However, the process is very difficult, and despite promises from both Patriotic Union of Kurdistan (PUK) and Kurdistan Democratic Party (KDP) to institutionalize the forces, it has not happened yet.

The ambition of the Kurdish authorities is to have a sizable and unified force. Yet, at the moment they already have economic challenges. Salaries to fighters are not being paid. They lack heavy equipment, and they are highly dependent on the coalition forces in terms of military victories against IS.

A western diplomat

29 September 2015

The western diplomat initiated the meeting by presenting an introduction on the situation for internally displaced people (IDP) in the Kurdistan Region of Iraq (KRI).

IDPs are fully dependent on the government, both the Kurdistan Regional Government (KRG) and central government in Baghdad, to provide assistance; the United Nations (UN) cannot fill in this responsibility, and only a very few IDPs are actually able to find a job or another kind of income source to support themselves independently from the public system. In addition, the source explained that unlike in the Syrian refugee camps, little informal economy exists in the IDP camps, not even in the big camps. This might be connected to a 'patron-state' mentality among the IDPs. Not only the IDPs but all Iraqis tend to expect that the government will support them financially.

IDPs only settle in camps as a last resort after having exhausted all other possibilities because the camps are often located in isolated areas which makes it impossible for the IDPs to find work and make a living. Most IDPs live in the cities of KRI and are thus putting pressure on the host community which creates conflicts.

Currently, the sense of insecurity for IDPs in KRI is not bound to the threat of Islamic State (IS) or other kinds of insurgence, but to clashes that are beginning to occur in the IDP camps. As an example, the western diplomat mentioned Mamilian IDP camp in the Kurdish controlled part of Ninewa Governorate where clashes culminated when a mosque was set on fire. In this camp, half of the population originates from Ninewa, and the other half of the population originates from primarily Sunni Arab areas.

The source further explained how the number of cases are increasing with regard to gender based violence, domestic violence and besides that, there are pockets of human trafficking and sex trafficking reported in some camps. Primarily young women between the ages of 15 to 25 years are at risk of being trafficked. This is not only happening to IDPs in the camps, and typically the victims are IDPs who have previously been victimized or traumatized severely.

Literally, the sense of insecurity is among other things generated by the fact that some camps in Dohuk do not have good control over who comes and goes. In a written correspondence after the meeting, the western diplomat said that this situation has since been remedied, though access control is still loose.[220] This means that nobody really knows who lives in the camps.

The western diplomat, however, pointed to an opposite trend and said that among 400,000 IDPs in Dohuk, between 90 and 100 percent originate from Ninewa Governorate. These IDP populations in Dohuk often form cohesive and homogenous communities of people from the same region or villages, and the traumatized individuals are protected by people with whom they feel familiar instead of exploited.

The Kurdistan Regional Government (KRG) has cut back public services in order to find funding for IDPs, and it is widely known among people living in the host community that the economic downturn of KRI has been exacerbated by the protracted IDP crisis. In the host communities, there is a rising resentment towards IDPs. The Kurdistan Regional Government (KRG) has resisted treating IDPs as long-term residents and is denying them access to the labour market, as they are not interested in changing the demographics of the region. Currently, there is a significant change in the demographics of KRI. In addition, the Kurdistan Regional Government (KRG) fears that it does not have the resources to carry the burden of integrating the IDPs into the host community. During the reign of Saddam Hussein, an effort was made to change the demographics and Arabize KRI, but that was resisted and ultimately failed.

[220] Email of 30 November 2015.

To further frustrate tensions between IDPs and host communities, while government employed IDPs continue to receive their salary from the Iraqi central government, local employees of the Kurdistan Regional Government (KRG) have not been paid for months. The source expects that the host communities' resentment and animosity towards the IDPs will increase.

The western diplomat pointed to the fact that IDPs who are living in KRI are 'foreigners' with regard to language, whereas in the southern governorates of Iraq, IDPs easily blend in with the host population.

Asked about the percentage of IDPs who are living in camps in KRI, the western diplomat answered that 15 to 17 percent are living in camps. IDPs that are living outside camps are living in a variety of informal settings, including unfinished buildings, sometimes with no external walls and no water, sanitation and hygiene (WASH) facilities. Many IDPs still prefer to live this way because the unfinished buildings are placed in urban areas, as opposed to many of the camps that are more isolated in rural districts.

Seen in a global perspective, the IDP camps in Dohuk are better equipped than camps in Darfur for instance; however, camps in general are unsustainable as human housing. The source explained that more and more IDPs will have to move to the camps as their savings are spent and they are not able to go home anytime soon. However, there are already waiting lists to enter the camps.

With regard to the consequences for the host community, the western diplomat pointed to the fact that the schools in KRI work in shifts due to the pressure coming from a large number of IDPs. Furthermore, many of the Arab IDP children from the south only speak Arabic and cannot integrate into existing schools/curriculum where the host population speak Kurdish; Kurdish IDPs from Ninewa have an easier time in this regard since they speak Kurdish. There is a need for more school buildings, new teachers and funding for teaching materials. The solutions that have been found until now are below standards, and there is a huge population of children that are not going to school. Many of the IDP children have not been to school for more than a year.

Furthermore, the health sector in KRI is not big enough to absorb all the IDPs. The population of KRI is approximately five million people to which the IDPs have made an increase of twenty percent. This means that waiting lists in the health care system are becoming longer. The lives of members of the host communities are affected by the great number of IDPs, as existing services are seriously degraded.

Moreover, the power infrastructure was not made for another million people coming to KRI which has implied a higher number of power cuts.

Possibility to seek protection from the authorities

Asked about the effectiveness of law enforcement and armed security forces with regards to protecting individuals in Kurdish controlled areas, the western diplomat explained that there are

two problems. First of all, the local security and police forces are not up to standards, as many of the most qualified officers have joined the Peshmerga at the frontlines. Secondly, Arab IDPs generally mistrust the Kurdistan Regional Government (KRG) forces and therefore, the IDPs do not seek protection from the police. The source added that the Kurdish police lack staff and training of the staff in order to raise the stature of the police in the IDP community in order for them to approach the police. In this regard, the source has the impression that the police force is actually trying to improve its reputation.

The source had not heard of systematic mistreatment by the police or courts based on the IDPs' status or their belonging to areas in the north. However, many IDPs from the south cannot get access to the courts due to lack of documents.

With regard to the situation in Kirkuk, the source explained that the courts and the police force are encouraging the IDPs in Kirkuk to go back to their place of origin. In some cases, the authorities are harassing the IDPs to go back, especially Sunni Arabs from Salah al-Din and Diyala, by threatening them with arrest and forcible deportation for not possessing the required documents. The authorities, however, have now stepped down from the deportation threats. Previous cases in which IDPs were forcibly deported have been reported. The situation is getting worse in the border areas of Kirkuk, as Kirkuk is the entry way to KRI. The source added that the governor of Kirkuk responds to the central government of Iraq in Baghdad.

Asked if there are other actors of protection apart from the Kurdish authorities, the source said that there are some communities in the camps who could yield protection in the sense that in some camps almost all IDPs come from the same area, for example Shabaks from Sinjar, which inspires trust among IDPs. On the other hand, this development may also spark tension and is contributing to the 'Balkanization' of KRI, meaning that people are forming pockets instead of integrating. For example, informal neighbourhood councils in the non-camp communities now appear to handle problems and/or internal disputes among the IDPs.

Honour crimes

Asked to what extent individuals can seek protection from the authorities in cases of honour crimes, the source said that the Kurdistan Regional Government (KRG) is able and willing to become involved in cases of honour crime. Since July 2015, the source had not seen any cases of honour crimes brought before the courts.

An increase in cases of honour crimes against Yazidi girls has been reported which has led to an increase of suicides among Yazidi girls by self-immolation. In cases where the girls came back to their home communities after having abandoned their forced marriages to IS fighters, the girls found no safe place. They were first victimized. Then they came home to their families and found no support. The lack of support seems to have had the purpose to let them know that if they had honour, they would kill themselves. The suicides were often generated by a relative in their extended families who encouraged the girl to 'do the honourable' thing, implying 'commit suicide'.

As an initiative to meet these problems, non-governmental organisations (NGO) have set up places where the girls/women can get counselling and assistance to become established in a place away from their family. Furthermore, the Kurdistan Regional Government (KRG) has set up an assistance telephone line for IDPs who can call a switch board that refer the victims to relevant NGOs in the area. The source added that young girls would be particularly vulnerable and find themselves in trouble if they lived alone in the IDP camps. In some cases, young girls are living together in small informal groups inside the camps. In general, it is however most likely that single women and girls find a family to live with.

Asked if families can track down their own family members within KRI, the source answered that there is no formal system to do this. IDPs are being registered, but they are not tracked down afterwards. There is no unique identifier connected to an IDP. In addition, there has been general resistance from IDPs towards creating a database of IDPs in KRI.

The source was not aware of any cases of honour crimes brought to court. The IDPs would approach the NGOs for help rather than the authorities.

The shelters for women that exist in KRI have been overburdened. There is, however, a hesitation against going to the government shelters which is a reminiscence from the Saddam Hussein era. IDPs do not want to be registered and will more likely go to medical centres where they would feel safe with the doctors.

Conflicts of landownership

Asked if conflicts of landownership are brought before the courts, the western diplomat explained that it is a growing problem among IDPs who return to their area of origin. They might have been away for years, and their documentation of landownership has in some cases been destroyed due to the armed conflict. The question is how they can reclaim their lawful ownership. IDPs who return to their place of origin are often viewed by the people who stayed in the area as 'those who abandoned the territory' whereas others stayed and suffered. So the returnees do not find much sympathy with the authorities. The source was not aware of other ways to settle disputes over land than to involve the courts.

Conflicts with armed groups

Asked about the possibilities to seek protection from the authorities in cases of conflicts with armed groups in KRI and other Kurdish controlled areas, the source said that cases in which IS would threaten people in a Kurdish controlled area are theoretical. There are, however, some bad elements among the Peshmerga that are not acting on the same level as the unified force, and some people have been victimized by these bad elements. Asked if conflicts with the Peshmerga forces are an actual risk for individuals living in KRI, the western diplomat said that in general this was not the case. As a body, the Peshmerga are well regarded and respected and generally not found throughout KRI, since they are fighting on the frontlines. But there have been reports of

bad actors among Peshmerga forces at the frontlines that have victimized either people in areas that they have retaken, or individuals that were trying to cross from IS territories into KRI.

Conflicts based on religious or ethnic harassment

Asked about the possibilities to seek protection from the authorities in cases of harassment based on religious or ethnic affiliation, the western diplomat said that the courts in KRI have a reputation of being impartial. The courts in Kirkuk Governorate are more biased against Sunni Arabs. No cases of harassment against religious and ethnic minorities in Erbil and Dohuk have been brought to court.

Access to the Kurdistan Region of Iraq and other Kurdish controlled areas

Asked about the requirements for Iraqi citizens to enter KRI, the source said that it is easier to enter KRI than other parts of Iraq, in the sense that the Iraqi central government authorities require a visa from foreign visitors before arrival, whereas the KRI immigration police issue a visa in the airport to foreign visitors.

With regard to the requirement of a sponsorship, the source explained that Iraqi citizens who wish to work in KRI must have a sponsorship, but not when they come as IDPs. IDPs can enter KRI, but they are not allowed to work. The Kurdistan Regional Government (KRG) does not want the IDPs to become permanent residents. IDPs who enter KRI, go to the camps directly, register there and live there are exempted from the sponsorship requirement. According to the source, work permits are only issued for eight weeks at a time which means that one can only hire IDPs for eight weeks at a time and then need to renew. As a result, generally only NGOs who are actively trying to employ IDPs have been willing to go through the administrative hurdles to hire them and continually renew their work permits.

People who have had residence in one governorate for five years can become a permanent resident. However, the Kurdish authorities do not want more people to become permanent residents. Therefore, they put pressure on these people to move when they are close to having lived in the governorate for five years.

Nobody needs sponsorship to enter the KRI, but you do need sponsorship in order to work in the KRI.

Asked if all Iraqi citizens wishing to enter KRI irrespective of religion and ethnicity are treated equally, the source said that, in general, there is no discrimination. However, further down south near Kirkuk, Diyala and Salah al-Din, the Sunni Arabs do face problems when they try to enter KRI; authorities claim security concerns when pressed to explain the discrimination. According to the source, there are Arabs in Erbil who have money and are self-sufficient and face little discrimination, whereas in Sulaimania and Salah al-Din where they are poorer and depend more on the government, discrimination is more noticeable. In Shaqlawa, in Erbil Governorate, there are so many Arab IDPs from Falluja that the place has been given the nickname 'Shaqluja' by the

locals. The population in KRI has always been more mixed than many parts of Iraq, in the sense that for instance there were Sunni Arabs living in Erbil and in Shaqlawa.

Asked how the authorities identify which ethnic or religious groups a person belongs to, the source said that the language and ID card are important factors.

Possibility for Iraqi citizens to enter the Kurdistan Region of Iraq by main road

The source explained that there are only two significant land crossing points, the border crossing point between Kirkuk City and Erbil and the border crossing point between Sulaimania and Salah al-Din in the Khanaqin Governorate. The border crossing points in the initial frontline are controlled by the Peshermga. In Kirkuk, the Ministry of Interior and the police forces are also present at the border crossing point. Checkpoints further into Kurdish controlled areas are under control of the Ministry of Interior, the local police and the Kurdistan Regional Government (KRG) forces. The airport is controlled by Erbil local Police and Kurdistan Regional Government (KRG) systems.

Asked about the prevalence of checkpoints, the source informed that there are fewer checkpoints in the rural areas than in the urban areas. The checkpoints in KRI are run by the Kurdistan Regional Government (KRG) forces, and there are multiple checkpoints at the entrance and exit of cities. There are no requirements of documents to pass through the checkpoints as long as you move within checkpoints. Asked if this refers to movement inside KRI or both inside, outside and across borders to KRI, the western diplomat said that this applies to movements between governorates within KRI. When further asked if documents are required to pass through the checkpoints, the source answered that no specific documents are required for inside KRI movements through checkpoints, however, authorities at the checkpoints may ask for documents supporting your reason for travelling, this would be particularly prevalent for Arabs travelling inside KRI.

Security situation in the Kurdistan Region of Iraq and in other Kurdish controlled areas

Asked to what extend the IDPs are exposed to physical dangers, the source informed the delegation that there have been no incidents north of Debaga in KRI. However, there has been an attack with chemical weapons in the south close to the frontline in Makhmour, and there are IDPs in that area. For example, Debaga camp is only 10km north. In the Southern part of the Governorate of Kirkuk, the Peshmerga have been shelled. There have been no rocket attacks for the last six months. In Tel Afar and close to the Iranian border, there are some old known minefields, but locals know where the minefields are, and for the same reason, no one would enter these areas.

With regard to what type of activities IS is able to undertake in KRI and other Kurdish controlled areas, the source said that it is very limited. IS would need a rocket in order to do damage. The vehicle borne improvised explosive device (VBIED) attack outside the US embassy in April 2015 is the only attack by IS in the area within a period of six months. The source suspected the existence of IS sleeper cells in KRI. The first targets of IS inside KRI would be the US Consulate and secondly

the Kurdistan Regional Government (KRG) institutions. The frontline between Kurdish occupied territory and territory occupied by IS has not moved much since 2014. In a written correspondence after the meeting, the western diplomat stated that the frontline has moved, as the Peshmerga have begun retaking territory in Ninewa, including Mount Sinjar.[221]

Asked if there are areas in KRI and other Kurdish controlled areas where a significant part of the inhabitants are sympathetic to the visions and goals of IS, the source answered that there are Islamists in Ranya, but that they are not necessarily linked to IS.

The source added that the problem with regard to security in many areas around KRI and other Kurdish controlled areas would more likely be that these are independent rather than that they are linked to IS. For example some dangerous elements related to Iran and other actors in the areas might flourish in areas that are not controlled by state actors.

With regard to what type of activities the Shia militias are able to undertake in KRI and other Kurdish controlled areas, the source said that he did not have any knowledge about this subject.

Erbil Governorate, Erbil Refugee Council (ERC), Vian Rasheed Younis, Director, Expert Civil Engineer and Peter Joshi, Senior Humanitarian Advisor *(Secondee)*

Erbil, 1 October 2015

Erbil Refugee Council (ERC) is part of the local administration under the Kurdistan Regional Government (KRG). Similar refugee councils exist in the Sulaimania and Dohuk governorates. These three refugee councils manage and implement the refugee- and internally displaced people (IDP) policy of the Kurdistan Regional Government (KRG). The delegation met with Director, Expert Civil Engineer, Vian Rasheed Younis and Senior Humanitarian Advisor Peter Joshi.

Due to time constraints and other obligations of the ERC representatives, two meetings were held. At the first meeting, both representatives from ERC were present. At the second meeting, only Peter Joshi was present. Both meetings were held on 1 October 2015.

Kurdistan Regional Government does not differentiate between ethnic groups

ERC underlined that ERC and the Kurdistan Regional Government (KRG) do not differentiate between internally displaced people (IDP) from different ethnic groups. They are all treated equally in terms of support. It has been like this since the first wave of IDPs came in 2014. Generally speaking, the populations in IDP camps are composed of individuals from various ethnic groups. However, in Dohuk there is one camp only for Yazidis. In Ankawa in Erbil, the church has

[221] E-mail of 30 November 2015.

taken responsibility for a camp where only Christians live. Like other camps, the camp in Ankawa is constructed by funding from the Ministry of Migration and Displacement of Iraq (MoMD).

According to ERC, three issues are important to take into account when talking about ethnic differentiation and IDPs: (1) Government policy, (2) framing by the media and (3) the current financial crisis.

In terms of government policy, ERC outlined that ethnicity and religion of IDPs are not registered by the Kurdistan Regional Government (KRG) in order to mitigate potential conflicts. In addition, it is illegal for non-governmental organisations (NGO) to make such kind of registrations of IDPs. For the Kurdistan Regional Government (KRG), the bottom line is that the IDPs were threatened and therefore become subject to protection under the Geneva Convention.

Regarding framing by the media, ERC pointed to an approach often used by media and international actors where ethnicity and/or religion are pivots of stories about IDPs. According to ERC, the church is also good at spinning off on this subject. One examples of this is the Pope's mass during Easter, speaking from the Vatican to the public about 'genocide against Christians in Iraq' after which CNN cross cut to the Mass in Erbil. Another example is when the current UK Minister of Development came to Erbil two months ago, followed by British Media, he personally went to the Christian camp, and made a public prayer in front of the delegation. ERC does not keep tap of all the news coming out from KRI from international sources, but ERC does answer questions to a wealth of media, always asking specific questions about Christians. ERC denounces such questions as irrelevant.

The financial crisis is a condition that not only the IDPs but also the host community live under.[222] The Kurdistan Regional Government (KRG) encourages IDPs to find work, but due to the financial crisis it is not possible. When there is a financial crisis it is not possible to avoid xenophobia in terms of which employees employers chose to hire.

Access to housing

Rental prices in KRI have increased a lot because of the mass influx of IDPs who are residing outside the camps. Asked about the current average monthly rent for a single family habitation compared to that of before summer of 2014, ERC replied that the average rent is based on data obtained from the Kurdistan Regional Statistics Office (KRSO) and the Erbil Statistical Office (ESO), part of the Central Statistical Office (CSO) in Iraq. Rent will always depend on type of accommodation, and therefore it is impossible to answer this question. In general terms, data show that the rent has increased thirty to forty percent compared to the summer of 2014. The

[222] ERC referred to the World Bank Report entitled *The Kurdistan Region of Iraq: Assessing the Economic and Social Impact of the Syrian Conflict and ISIS* (April 2015) for more knowledge about the financial crisis: 'The headline finding of the report is that the overall stabilization cost from the inflow of refugees and IDPs is $1.4 billion for the baseline scenario for 2015. This cost is about 5.6 percent of nonoil GDP and thus in the range of costs observed for major disasters worldwide.' (p. 3) Available at: https://openknowledge.worldbank.org/handle/10986/21637.

overall economy has gone down; hence there is less cash in the system, also affecting the rent. What is important to keep in mind is that the rent is affected by demand/supply that the cash flow people, the IDPs, have available at hand per household. The World Bank is preparing a large regional study, which will also look at this issue, but the data are still to be obtained.

Even though encouraged to do so by NGOs, the Kurdistan Regional Government (KRG) does not want to regulate the rental prices because they do not want to break up the bit of free economy that is left. As any other government, the Kurdistan Regional Government (KRG) is having policies in place intended to regulate and encourage free market forces. In the current situation, further reforms are needed to stimulate investment in KRI, however, given the current unstable political situation, focus is more on security, the fight against IS and the humanitarian crisis. The Kurdistan Regional Government (KRG) is as a regional government deeply engaged in finding solutions for increasing markets, and restarting investment in the region. So far, that has not happened due to the overshadowing effect of the IS war and the humanitarian crisis.

In KRI, 98 percent of IDPs live outside camps.[223] They often live in informal settlements. As an example given by ERC, some Yazidis live in an old chemical plant. Other IDPs also live in disused old fabrics, unfinished building projects or the like.

Typically, IDPs move into the informal settlement, and then NGOs come and help by providing basic utilities for them, for example plastic sheets. ERC tries to make the NGOs secure at least a liveable level for the IDPs.

Shortage of water and electricity

The high number of IDPs and refugees who have arrived since the summer of 2014 puts pressure on the resources in the Kurdistan Region of Iraq (KRI). In Erbil alone, there has been a thirty percent increase in the population in less than one year. There are 99,700 IDP families in Erbil. Only 3,100, equal to two to three percent, of these families live in camps.

The numbers constantly change. Since the meeting with the delegation, ERC has opened a new camp housing up to 1,000 families, 5,000 individuals, just as all camps are taking in new families when availability arise.

[223] When ERC looks at figures (Displacement Tracking Matrix (DTM) – International Organization for Migration (IOM)) and other figures obtained by the United Nations Country Team (UNCT) (Office for the Coordination of Humanitarian Affairs (OCHA), United Nations High Commissioner for Refugees (UNHCR)), and compare these figures with governmental figures, recorded by the Asayish, large discrepancies are observed, most likely due to the hidden group of IDPs, people that for some reason or another are not known to either the UNCT or the government. Because all IDPs must register with Asayish, regardless of status, the increased figure comes close to 98 percent, compared to the in-camp IDP population. ERC has taken the lead on establishing a so-called 'Profiling' of all out of camp populations, covering both refugees and IDPs for Erbil. This work is on-going and should be finalized by the end of 2015, with the report being published 1st quarter of 2016. The study is done together with Joint IDP profiling section (JIPS) in Geneva and UNHCR, KRSO, ESO, IOM and the World Bank (given their upcoming regional study).

As an example of pressure on the resources in KRI, there is not enough power in the electricity grid to cover the needs of the area. In Erbil, there are around twenty power cuts a day. Six ampere a day is provided for every IDP family in the camps. In addition, there are a lot of informal instalments on the grid.

Another example of scarce resources in KRI is the water shortage. Forty percent of the population in Erbil depend on a deep well system for water supply. During summer 2015, the water shortage was substantial, but there were no funds to dig new wells or dig the existing wells deeper. Water management is not possible if there is no water. The water shortage is not an issue of old systems but rather of lack of resources. Recently, funding to dig 29 new wells has been received by the Kurdistan Regional Government (KRG) from the United Arab Emirates (UAE) Red Crescent Society.

Access to employment

Due to the financial crisis in KRI, even people from the host community are losing their jobs. Many small businesses have shut down; the construction sector is affected as is the entire private sector. In the construction business, it is typically skilled labourers who are losing jobs.

In addition to the above, government employees are three months behind in receiving salaries. In September, the salary for the month of June 2015 was paid. Since government employees make up for a great number of the inhabitants in Iraq,[224] the lack of payment of these employees has a huge negative effect on the economy.

In 2014, only public workplaces were affected by the financial crisis. In 2015, the private sector is affected as well. In KRI, 300 private companies have gone bankrupt.

Before the current crisis there were a lot of investments in KRI. The investors, who were mainly Turkish, have pulled out of KRI leaving behind many unfinished buildings, for example hotels.

For job vacancies in the private sector, there is competition between host community members, IDPs and Syrian refugees. Therefore, there is a pressure on the wages. The competition is unfair in the sense that IDPs are typically willing and able to work for less than members of the host community. Typically, an IDP earns a monthly wage of USD 300 to 400, whereas a member of the host community earns USD 500.

In an IDP family, two or three family members are typically working, whereas in a family from the host community, it is typically only the male head of household who is employed. In this way, salaries drop to a level at which it takes two or three people's income to cover the expenses of one household. It is easier for IDPs to get jobs because they accept lower salaries. This creates frustration among people in the host community because they are losing their jobs. The host

[224] ERC stated that approximately 46 percent of the working population is working in government institutions, including education, health, construction, administration sectors). Approximately sixty percent of the budget is spent on the public sector.

community workers are being replaced by the cheaper IDP work force. In addition, the host community workers are losing jobs because companies are closing down in the area. When asked about the current unemployment level in KRI and how the level is, compared to the rest of Iraq, ERC referred to the World Bank. The World Bank report from 2015 lists the 2013 figure at 6.5 percent.

Financial support for IDPs

It is not possible for IDPs to receive financial support from the Kurdistan Regional Government (KRG). A budget for this is simply not available. In a financial perspective, IDPs are the responsibility of the central government in Baghdad because the IDPs used to live in their areas. This means that there has been a cut down in supply for these areas. The resources saved should be transferred to KRI where the IDPs are now staying.

A smart card system has been set up for publicly employed IDPs to be able to receive salaries while in displacement. But they have not received salaries for two months.

Income generating activities for IDPs living in camps

International Organization for Migration (IOM) and United Nations Development Programme (UNDP) cooperate about a project on establishing shops in the IDP camps in Erbil. A UNDP study that covered refugee camps made by the Middle East Research Centre found that there seems to be a gap between the livelihood and economy created in camps and the host community. The project aims to make a better link between camps and the host community in terms of livelihood, and the project wants to avoid creating an unofficial economy in the camps.

ERC wishes for creation of an economy on par with the economy in the host community. As an example of creating livelihood in the camps, ERC mentioned that bakeries could be established in camps such as Baharka and Harsham and that camp inhabitants could work there on rotation.

It is, however, difficult to get IDPs, who are living in camps, involved in income generating projects. Most IDPs do not expect their displacement to be permanent, and therefore do not engage in such activities, but nobody knows how long the IDP crisis is going to last.

Access to health care

Health care is a public good in KRI. There are public health centres, and the users only have to pay a registration fee of IQD 3,000 (USD 2.50) in order to access the centres.

Some IDPs in need of secondary medical treatment are prioritized. The assessment of such medical cases is made by ERC. As an example of such a case, ERC pointed to a little girl who was sent to South Africa for heart surgery.

A Red Cross and Red Crescent clinic has been established in the Harsham IDP camp and is run by International Medical Corps (IMC) and the United Arab Emirates (UAE) Red Crescent. The clinic offers a variety of health care services. The clinic has its own laboratories, and it is on par with the

laboratories of the local hospitals. Small surgical operations can also be done at the clinic. In fact, the clinic is so good that it has been opened up to the host community as well.

The United Arab Emirates (UAE) Red Crescent Society is able to do some surgical operations in the IDP camps, and in some case when the referral system comes to an end, ERC issues a blanket request to the NGO system to raise money for treatment in a private hospital. In addition, there is an agreement with the central government in Baghdad about cancer treatment etc. When asked how the agreement with the central government in Baghdad works, and which kinds of treatments are covered by it, ERC referred to the Ministry of Health in Baghdad for more information.

The fact that 7,000 Peshmerga have been wounded in battle adds pressure to the health care system in KRI. The Peshmerga are given first priority and this has taken away substantial resources from the system. ERC estimated that the number of wounded Peshmerga will rise. Security is prioritized and provided first to the population. Then other services are provided.

Access to food

The World Food Programme (WFP) is taking care of IDPs through a voucher system. IDPs cannot rely on the centralized Public Distribution System that is supposed to cover all of Iraq through the Ministry of Trade in Baghdad. Through the Public Distribution System, ration coupons are handed out on a monthly basis giving access to basic needs such as rice, oil, sugar, lentils, tea, beans and milk. However, this is not available to IDPs. When asked which food items are provided to the IDPs, both camp and non-camp IDPs, and by which program they are provided, ERC replied that stables and products change, according to available funds. Donors, both western and Arab, provide funding depending on what donation is available at that given time. In general, the World Food Programme (WFP) and some international NGOs provide food rations, depending on this availability of funds and stables. For up to date information, ERC referred to WFP.

The vouchers were originally given on a monthly basis, but currently no one knows what they get, and what they do not get, through the Public Distribution System. So people depend on themselves to get their basic needs covered. During the Food for Oil programme period, basic food items were distributed, but now they are not. There is, however, no famine or malnutrition in KRI. ERC further explained that if the Public Distribution System was working according to plan, in theory, IDPs who can identify themselves via ID cards would be covered by it. However, many cannot due to loss of ID cards during flight. Due to the financial crisis, in both Baghdad and KRI, and the vast number of IDPs and refugees in Iraq, the system is weak and not functioning according to intention. In practice, if there was no humanitarian system to back up the ublic Distribution System in this crisis, the situation would potentially spin in to a real famine.

In addition to the above, cash grants to the IDPs from NGOs are improving their food security. During the previous six weeks, the United Nations High Commissioner of Refugees (UNHCR) has established a cash working group. Before this, there was no coordination between the NGOs handing out cash grants. ERC further explained that the system is still very weak and needs

additional resources in terms of staffing, coordination and cash policies, as many cash grants seems to be unverified by international NGOs.

Access to education

Education in KRI is a public good, and the curriculum, books and registration of IDP school children is free. However, IDPs in KRI are under the responsibility of the central government in Baghdad.

The curriculum for Arabic IDP children is completely different from the curriculum of Kurdish children in KRI. The Kurdish curriculum is equal to the curriculum in the American school system in terms of academic content.

The schools in KRI are currently run in shifts. In the morning, the Kurdish curriculum is taught and in the afternoon, the Arabic curriculum is taught. The same teachers teach Kurdish and Arabic children.

The level of education is falling because of lack of financial means.

Payment of salaries to teachers is currently delayed, and for the school year of autumn 2015/spring 2016, the new curriculum/books could not be printed because of lack of funding.

The central government Ministry of Education made an announcement on 30 September 2015 stating that they lack 9,000 teachers to cover the need in Iraq. Many of the IDPs worked as teachers before they fled. These teachers could in theory be utilized for education in the IDP camps. But the Ministry of Education in Baghdad is delayed in paying salaries to these teachers which makes it difficult to convince them to teach in the camps. The lack of teachers is, however, the main reason why education is not available in Baharka and other IDP camps. Education is available in some IDP camps.

Until 2014, the water and sanitation systems of schools were renovated on a yearly basis. There is, however, currently no funding for maintenance of schools and the interior of schools.

Facilities in IDP camps in the Kurdistan Region of Iraq and other Kurdish controlled areas

In 2014, Saudi Arabia financed a 'five star camp', but the general conditions in other IDP camps were bad because they functioned as transit centres for refugees. Now they have been turned into IDP camps, and the conditions have improved over the past year. Baharka used to be a refugee transit centre, not a camp, where people upon arrival got registered, and dispersed from there to the camps. As such, Baharka was a tented centre, with no boreholes, but trucked water, and short-term shelters et cetera. The establishment of Baharka as a permanent IDP camp meant the installation of health clinics, schools, shops, transformers, roads and sewerage systems, to mention a few. This change started in October 2014, and is still ongoing.[225]

[225] ERC explained that the camp standard for the four refugee camps in Erbil, Kawargosk, Dahrashakran, Questapa and Bazeerma is considerably higher than the standard referred to as the 'sphere standards', hence, the notion of ‘five

In the beginning of the IDP crisis in 2014, the IDP camps were tent camps. The schools in the camps were tent-schools, and there were no proper water and sanitation facilities.

Since the summer of 2014, the Kurdistan Regional Government (KRG) has received donations to improve the IDP camps. For example, the United Arab Emirates (UAE) has provided support, and there has been pressure from Western institutionalized donors for other Arab countries to donate. The camps are improving, and donations are given for caravan centres and caravan habitations.

According to ERC, the Harsham camp in Erbil is better compared to most IDP camps in KRI, because it is a small camp with only 270 families living there. This makes it easier to run, and therefore the general standard of utilities and services in this camp is higher.

Across KRI, there used to be significant differences between general conditions in the IDP camps. The standards used to be terrible when camps were first established in 2014, but by October 2015 the standard in all camps is, generally speaking, high. The UN standards for water and sanitation are kept; for each family 150 litres of water are distributed per day. The camps in Erbil are actually way beyond standards. They have separated sewage systems designed by urban planners. In all camps, the drains are beneath the ground. There are caravans to live in for vulnerable individuals and families, and there are fire roads.

There are established camps in the three KRI governorates, Dohuk, Sulaimania and Erbil. In the Kurdish controlled areas outside KRI, there are no official IDP camps. There might, however, be unofficial camps. ERC can only provide information about the situation and the camps in Erbil.

Registration of IDPs by the Asayish

Each IDP family has a registration card given to them by the Asayish after screening of every family member. The Asayish keeps files of the IDP families. The registration card is not related to other registration systems in KRI.

General IDP policy of the Kurdistan Regional Government

The management of the IDP camps are on ERC payroll, and ERC is responsible for them. Whenever there is an issue between the way camps are run and the policy of the Kurdistan Regional Government (KRG), ERC deals with it. The governors of Erbil, Dohuk and Sulaimania are in charge of the local refugee councils. In this way, there is a short distance between the local refugee councils and political decisions.

The camp management in Baharka camp in Erbil is chaired by the Barzani Charity Foundation. The NGO Agence d'aide à la Coopération Technique Et au Développement (ACTED) is running Harsham camp, and it is financed by UNHCR. Each camp has a governmental camp administrator, and they

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star camps'. ERC does not know where this terminology comes from, but it should be seen also in relation to the camp populations, where many are well educated, and had high living standards in Syria.

are run on a daily basis by camp managers who have the implementing responsibility. The camp coordination and camp management setup for both camps is well-functioning.

There are no camps in KRI where from IDPs cannot move out.

The policy of the Kurdistan Regional Government (KRG) is that IDPs should live in peace and harmony with the host community. The host community has been very welcoming to the IDPs, but because of all the IDPs living in informal settlements, there is a sneaking xenophobia. There is increasing competition about resources between the IDPs and the members of the host community. There are now entire areas in Erbil that used to be purely Kurdish that are now entirely Arab. Villages in KRI that used to have 500 inhabitants now have 5,000 because of the IDPs and refugees who have arrived. In these areas a growing number of hostilities take place. There are some Kurds who do not speak Arabic, and now these people live almost completely surrounded by Arab neighbours.

There are not enough IDP camps compared to the number of IDPs in need of shelter in KRI. There are waiting lists for all the camps. More IDPs come to the camps when they have exhausted their resources. In September 2015, ERC announced that IDPs interested in living in Baharka camp should come and sign up. Within two days almost 200 people came. In October 2015, a new IDP camp is to open in Debaga placed 10 km from the frontline. Even before this camp is open, it is already full. IDPs are not forced into camps.

It is an issue when it comes to establishing new IDP camps that 99 percent of the land in KRI is privately owned. There is a lack of land on which to establish new camps, and the government is already renting land for camps on ten year leases.

No encampment policy of the Kurdistan Regional Government

IDPs can leave the camps, but they have to show their registration cards when they come back. ERC added that the established standard operating procedure with all relevant humanitarian partners, including UNHCR protection, is that if IDPs leave the camp, they are obliged to register their leaving and returning to camp security. This is to avoid unwanted elements in the camps, creating insecurity. The standard operating procedure is further fully aligned with camp community leaders and their own wishes, in order to keep and maintain safety. Visitors to camps are likewise requested to register, again in full cooperation with camp community leaders.

There is no encampment policy in KRI. The IDPs are free to leave the camps whenever they want and for example go out and find some work in the surrounding area.

Conditions for single IDP women and other vulnerable IDPs

Inside the IDP camps, the conditions for single women are very controlled. Outside the camps, the conditions for single women are uncertain. In the IDP camps, various implementing partners are dealing with vulnerable individuals including single women. If there are vulnerable cases inside the

camps, they are dealt with. The management in the IDP camps always keep five to ten caravans available for vulnerable cases, for example single headed households. In an IDP camp out of Sulaimania, the NGO al-Mesalla particularly works with special vulnerable IDP cases.

ERC is dealing with vulnerable individuals based on the rule of law. As an example given, ERC is fighting child marriage because it is forbidden by the law. One of the cases dealt with by ERC was a twelve year old girl married away to a man in Baghdad. In this case, ERC reported it to the police who took action.

In the Baharka camp, a steering committee picked 304 IDPs eligible of living in prefabricated caravans instead of tents based on a set of vulnerability criteria. When the settings were ready for the families to move in, the families did not want to move because the project was delayed and they had built relations to their neighbours in the tent area. It took a lot of persuasion for them to move. Baharka was at that time counting 700 families. By 1 October 2015, it is counting 749 families.

ERC does not have any information about whether it would be possible for single unmarried women to live alone, but the ERC representatives do not think it would be possible. In KRI and in Iraq in general, there is always some kind of extended family that can take care of a girl or a woman until she is married.

Many IDPs have come from Anbar and are considered particularly vulnerable. The IDPs from Anbar are mostly farmers and from rural areas, hence, in the majority of cases, they come from very traditional livelihoods, where illiteracy is high, et cetera. Often they require more assistance at all levels than most other IDPs. There are cases of child marriages and polygamy among the Anbar IDPs and NGOs generally find it more difficult to deal with them.

Head of the General Security Directorate, Asayish, Esmat Argushi

Erbil, 30 September 2015

Access to the Kurdistan Region of Iraq, procedure at road checkpoints

Asked about the requirements for Iraqi citizens to enter the Kurdistan Region of Iraq (KRI) by road, Esmat Argushi explained that at the checkpoints, the procedure begins with a check of the person's ID documents to confirm that the IDP in question is an Iraqi citizen. After being registered at the checkpoint and moving to the city, IDPs must register at the Asayish office in the neighbourhood where they want to live. There is an extra procedure to re-register with the Asayish to check that there are no problems. The IDP will then be issued a new card proving legal registration. This ID card will permit the IDP to move around freely within KRI. Renewal of the ID card can take place at any Asayish office.

Asked if ethnic Kurds with long-term residency in Kirkuk can get access to KRI, Esmat Argushi answered that it is the same procedure for this group as for all other Iraqi citizens.

Asked if it occurs that Iraqi nationals holding valid Iraqi documents are denied entry, Esmat Argushi answered that there is a stop list of wanted persons who are not being let in. Further asked if young Arab males are being denied entry, he answered that this has not taken place.

Esmat Argushi informed the delegation that questions concerning returnees from abroad are not under the competence of the General Security Directorate, Asayish. Esmat Argushi said, however, that a returnee who is originally from KRI will face no problem. If the person holds a valid passport, the Kurdish authorities will treat the person as an Iraqi citizen regardless of whether the person is Kurdish or Arabic. Asked if Iraqi citizens from outside KRI can return from abroad on a voluntary basis via airports in KRI, Esmat Argushi replied that forced return does not take place, and no returnees from Baghdad have been seen yet. However, if a person from Baghdad returning to Iraq from abroad tried to enter KRI, he would be returned to Baghdad by the Kurdish authorities. The same goes for a person from Kirkuk, he would be returned to Kirkuk. Esmat Argushi mentioned that there are Iraqi citizens who have travelled through a smuggling route into KRI via Turkey to have documents fabricated. These people have been returned to their place of origin.

Asked which authorities control the border crossing points between KRI and other parts of Iraq, the source answered that the Peshmerga is posted at the front line, and that the Asayish is posted at the main roads.

Sponsorship

The requirement for sponsorship was abolished in 2012. This requirement was originally meant to ensure the security in KRI; however, the authorities experienced that in many cases the sponsor did not know the person who he sponsored. Instead, the authorities are now taking fingerprints and photos of non-KRI residents who are entering KRI, in addition to verifying their documents and checking a database with names of people on the stop list.

Asked if IDPs who wanted to rent a house or to work in KRI needed a sponsorship, Esmat Argushi answered that the normal procedure for everyone who wants to live in KRI, is to go through a real estate agency. The person must have a clearance from Asayish to live in the house.

Risk of Islamic State sleeper cells

Asked about the risk of Islamic State (IS) sleeper cells in KRI and other Kurdish controlled areas, the source answered that Asayish is following all suspicious groups. In case terrorist sleeper cells are discovered, the Asayish will not spend time to sort this out through the court system, they will take them out right away.

Human Rights Watch, Christoph Wilcke, Senior Researcher

Copenhagen, 22 October 2015

Christoph Wilcke is a Senior Researcher in the Middle East and North Africa Division of HRW. He joined the organisation in 2005, and has more than 15 years of experience in the Middle East. Prior to joining Human Rights Watch, Wilcke worked with the International Crisis Group, the International Peace Academy (now Institute), and Save the Children UK. A native German, Wilcke obtained a Master of Philosophy degree in Modern Middle East Studies at St. Antony's College, Oxford University, in 2001. He speaks German, Arabic, Italian, and has a working knowledge of French.[226]

Security situation in the Kurdistan Region of Iraq and other Kurdish controlled areas

Asked about the security situation in the Kurdish controlled areas outside Dohuk, Erbil and Sulaimania, Christoph Wilcke answered that it is unclear what exact areas the so called 'disputed areas' are covering, although some parts, like Kirkuk city are clearly within them. Article 140 of the Iraqi Constitution lays out processes for some areas, but since 2014, Kurdish parties have expanded their security and administrative presence also into other parts, for example Khanaqin, Zummar. The source gave an example on a result of this uncertainty. The town of Gwer in Erbil Governorate is considered to be 'disputed territory'. In august 2014, Islamic State (IS) occupied Gwer, but it was re-taken by the Peshmerga about one week later. A person of Arab origin from Gwer, known to the source, fled to Erbil where he was detained for eight months. In his ID card, it was stated that he was registered in the Kurdistan Region of Iraq's (KRI) Erbil Governorate. The Asayish deported him to the checkpoint outside Erbil Governorate on the road to and a short distance from Kirkuk and allegedly told him never to come back. A week later, his family was also deported to Kirkuk by the Asayish. Through back roads he managed to get back to Gwer but was once again arrested by the Asayish. However, the people of his temporary village, a Kurdish village in Erbil Governorate close to Gwer, defended and vouched for the man in question, and he was subsequently allowed to remain in the village. Human Rights Watch (HRW) witnessed and spoke to several persons who said that they as Arabs were not allowed back to their villages in Makhmour district and Zummar district, which are under de facto control of the Kurdish forces, whereas Kurds were generally able to get to their villages in the same area. Procedures for allowing Arabs back into some, but not into other areas, remain intransparent and unclear.

With regard to the security for IDPs in Kirkuk, Christoph Wilcke informed the delegation that the Governor of Kirkuk in a statement has ordered Arab IDPs from Diyala and Salah al-Din to go back to their areas of origin saying that their stay in Kirkuk has ended. This decision was announced by the Peshmerga six weeks before the meeting between Christoph Wilcke and the delegation, but its

[226] https://www.hrw.org/about/people/christoph-wilcke.

implementation remains unclear, with reports of Kurdish authorities bussing IDPs to a checkpoint on the Kirkuk/Salah al-Din Governorate border to 'deport' them, or withdrawing their identification documents to pressure them to leave. Christoph Wilcke added that the situation for Sunni Arabs and Turkmen in Kirkuk is not good, but if they have money and connections, they may be able to get into Kirkuk, though access to employment is difficult. Ethnic strife and discrimination do, however, take place. The Asayish and the Peshmerga forces are reportedly continuing to round up suspected IS supporters or members in Kirkuk, and there are concerns about their due process rights and a general suspicion of Arab Sunni Iraqis. There are reports from 2014 that several dozens of Arab men have been assassinated around Kirkuk, allegedly by Kurdish forces or Shia militias. According to the source, there is a striking absence of reports of suspected IS fighters in the prisons throughout KRI. It seems that the Peshmerga do not take prisoners. Instead, they may be executed on the spot, according to some allegations.

At the time of the meeting, Peshmerga forces were in the middle of a new military campaign. In August and September 2015, they drove south and west of Kirkuk city in a ground offensive supported by coalition airstrikes further into Kirkuk Governorate areas held by IS in order to recapture those areas. There are reports and verification by the source in one location that Kurdish armed groups under Peshmerga control carried out large scale property demolition of Arab villages in those areas.

A political dispute over which political party is in government and holds the presidency of KRI has led to a significant deterioration in the protection of human rights. Critics of the Kurdistan Democratic Party (KDP), but also of the Patriotic Union of Kurdistan (PUK) which dominates in Sulaimania Governorate, risk disappearance and arbitrary arrest. Demonstrators have been shot at by ruling party guards in apparent violation of the UN principles on the use of firearms. This situation has affected in particular Sulaimania Governorate but also persons in Dohuk and Erbil governorates.

While Kurdish forces have further advanced into IS held territory in Kirkuk and Ninewa governorates, IS has been able to launch attacks, including an alleged chemical weapons attack, against Kurdish forces in Erbil Governorate (Makhmur) and suicide bombs behind the front line in Dibis, Kirkuk Governorate.

The source said that he was unable to comment on minefields, Improvised Explosive Devices (IED), other bombs and banditry within the Kurdish region. He mentioned, though, that reports about Improvised Explosive Devices (IED) in areas recaptured from IS are abundant, and IS has reportedly placed Improvised Explosive Devices (IED) along areas through which the local population is trying to flee. These areas are under IS' control.

Presence and activities of Islamic State

Christoph Wilcke saw a risk of IS sleeper cells in KRI, but this threat existed before and throughout the influx of IDPs. IS reportedly recruited from Kurdish home grown networks and as long as a

name was not on a terrorist wanted list, Arab Iraqis continued to have the opportunity to travel to KRI under certain conditions. According to the source, there were reports of IS sleeper cells in KRI. The source added that media had reported that some Kurds moved to Mosul to join IS.

As regards regions in KRI where a number of inhabitants are radicalized, the source mentioned Halabja that is historically known to be conservative. Moreover, in June 2015, the Asayish revealed that some imams in mosques in KRI turned out to be IS sympathisers or even members. One of them was an acquaintance of an official in the Ministry of Religious Affairs under the Kurdish Regional Government (KRG).

Asked about IS' general ability to pursue elements in KRI, the source said that before 2014, it was easy to pursue targets with suicide bombs, even if the Kurdish authorities had good intelligence, but after bombings outside offices of the Kurdistan Regional Government (KRG) administration in late 2014, the Kurdistan Regional Government (KRG) unravelled local IS networks, and the Peshmerga allegedly arrested some IS members. According to the source, 'The Erbil-bombers' who committed the bombing in April 2015 right outside the US Consulate in Erbil were Kurds, reportedly IS affiliated.

In the Governorate of Ninewa that borders on Syria, the Kurds fled when IS arrived but returned to those areas from which the Peshmerga drove IS out. Most Arabs, on the other hand, fled when the Peshmerga arrived, and many of their houses were then demolished. According to the source, Kurdish Asayish carried out raids arresting more than two hundred local Arabs in villages between the Sinjar Mountain and Mosul dam in the first half of 2015. In the border town of Rabia, some Arab residents came back for the wheat harvesting, but they were all under heavy scrutiny. A farmer in a town close by had told the source that all the Arabs had fled with IS. The source was not sure they would be able to return and sustain a normal live. Apparently, fields of the Arab farmers had been taken over by other people who were now harvesting their crops. In Makhmur district of Erbil, a 'disputed territory', many Arab residents had been arrested and some released after months in Asayish detention.

Presence and activities of Shia militias

According to Christoph Wilcke, the Shia militias are not present or operating in an open and armed fashion within Dohuk, Erbil and Sulaimania, however, they are present in Shia Turkmen majority areas of Kirkuk, Salah Al-Din and Diyala governorates, such as Taza in Kirkuk Governorate.

In Kirkuk and Diyala, journalists have reported on the Peshmerga or associated Kurdish forces themselves demolishing and looting houses, ostensibly to prevent Arab IDPs from coming back to their area of origin. The Shia militias and the Peshmerga have fought battles alongside but with a very ad hoc common command structure. The Shia militias and the Peshmerga used to fight together; currently, they control respective territory separately. In mid-November 2015, the two sides clashed in Tuz Khurmatu, south of Kirkuk city, in Salah Al-Din Governorate.

There are several dozen Shia militias in Iraq. They can be divided into two groups: (1) militias like Asaib Ahl al-Haq, Badr Organisation and Kataib Hezbollah that are Iranian backed, some of which are associated with former Prime Minister Nouri al-Maliki, (2) the volunteer militias backed by the Iraqi central government under the Popular Mobilization Committee which nominally controls the Popular Mobilization Forces that a cabinet decree of 7 April 2015 recognized as part of the Iraqi armed forces. Ayatollah Sistani in mid-June 2014 issued a decree urging all Iraqis to defend their country against IS.

The Popular Mobilization Forces are armed by the Iraqi government and considered part of the Iraqi forces under Prime Minister al-Abadi's control. However, the extent of government oversight and control over the Popular Mobilization Committees reportedly remains unclear. Sometimes, the militia fighters are not paid their salary. The media reported an intermingling of Iraqi army and Popular Mobilization Forces, for example, that the 5th Division of the Iraqi Army is controlled by a Shia militia.

In KRI and most other Kurdish controlled areas, the Shia militias may have some liaison staff, but they are not openly operational in an armed presence.

The only publicly reported example of a court case against Shia militias for crimes such as abduction, summary execution, arbitrary detention, or the like, known to the source is a case against four militia members. Two of the men were convicted of having committed a mass shooting at a Sunni mosque in al-Muqdadiyah District in Diyala in October 2014.

Asked if the Shia militias are able to pursue their targets within KRI and other Kurdish controlled areas, Christoph Wilcke said that the Shia militias are first and foremost fighting IS. It is a presumption of both Shia militias in the Popular Mobilization Forces and the Peshmerga that local Arabs, who stayed under IS occupation, are IS supporters; in several documented instances their houses are destroyed. There have also been incidents of Shia militias abducting Sunni Arabs, including women and children, and scores of extra-judicial killings. One source said to HRW that the past twelve months saw over 400 persons killed at the hands of the Shia militias around Tuz Khurmatu alone. This is a question of Sunni Arabs' guilt by presumed association with IS on the basis of shared religious sect in the eyes of the Shia. There have been assassinations of Sunnis conducted by Shia militias in the southern part of the country, in the Baghdad belt and in Baghdad itself, as well as in Diyala, Salah al-Din and Kirkuk, but not in the Kurdish areas.

Asked if the Shia militias are linked to tribes or other groups within KRI and other Kurdish controlled areas, Christoph Wilcke said that there is certainly tribal involvement when it comes to recruitment and support, and that Shia militias are closely linked to the religious establishment, whose clerics accompany fighters onto the battlefield, which lends a sectarian character to the conflict, as indeed slogans by the Shia militias, captured on video and scrawled onto buildings, speak a sectarian language of revenge. The religious establishment might probably be more important than the tribal, predominantly for the areas south of Baghdad.

Asked if the Shia militias are in control of any part of KRI and the Kurdish controlled areas or Kirkuk city, Christoph Wilcke said that no Shia militia is in control of land within these areas. As already mentioned, Shia militias are, however, present in areas in Kirkuk Governorate, such as Taza, and they have a heavy presence in Diyala and Salah al-Din. In Tikrit, in the Governorate of Salah al-Din, perhaps 200,000 Sunni Arabs have come back after they fled the conflict. It has been reported that Shia militias robbed and plundered those who went back. Tikrit used to have a predominantly Sunni population, but small numbers of Christians, Yezidis and Shia, who reportedly are no longer resident there, lived in the area as well. Now hospitals are being named after Shia martyrs, and the Shia militias rule the place and extort the residents. After the Shia militias and the Iraqi Security Forces, assisted by the US-led coalition, re-took Tikrit during spring 2015, no prosecution of the militias has taken place. According to the source, militia leaders reported that they had disciplined a few 'bad apples' internally, but otherwise the authorities are in complete denial about the actions of the Shia militias.

Peshmerga forces and the Kurdish police force

Asked about the profile of combatants captured by the Peshmerga and the Kurdish police forces and put in detention during the conflict with IS, Christoph Wilcke said that he is bewildered by reports, from people who have been inside the prisons, of the lack of captured combatants. Once in a while, there are reports that IS fighters taken by the Peshmerga, Iraqi Defence Forces or Shia militias are killed on the spot. This knowledge is, however, third hand knowledge to Christoph Wilcke. As opposed to this, there has also been reports of one 17-year old IS fighter who had been shot in the back and was afterwards decently treated but detained without trial. In addition, there are allegations that trials of IS affiliates take place in Kirkuk and Dohuk, but the authorities have not published information about them, and it is unclear if these people are fighters or only, real or perceived, supporters. Kurdish authorities also use the problematic counter-terrorism law of Iraq of 2005, under which, for example, a journalist was charged in Dohuk in early 2015 for comments made on a TV program.

Asked if the Peshmerga forces and the Kurdish police forces were able to pursue targets within KRI and other Kurdish controlled areas, Christoph Wilcke said that there is a steady stream of people being arrested on the suspicion of being IS supporters. The profile of those targeted is male Sunni Arabs in the age of 16 to 35 years, but also cases of persons over 50. In Erbil, there have been examples of arrests of people who did not have ID and who were put in detention and interrogated for months without charges and without a lawyer for the suspect. An example mentioned by the source was a male university student arrested because his name came up in a computer somewhere in the security apparatus. Almost a year later, the authorities found out that he had been mistaken by another man who had the same name as him. He was, however, held for almost an entire school year without a proper trial, and the investigation was not done carefully. For example, the detainee was not even asked about his mother’s name which would have clarified that he was the wrong person.

In Kirkuk and Diyala, journalists have reported on the Peshmerga or associated Kurdish forces themselves demolishing and looting houses, ostensibly to prevent Arab IDPs from coming back to their area of origin.

Asked what jurisdiction the Peshmerga forces and police forces are subject to, Christoph Wilcke explained that the Peshmerga formally operate under the Iraqi armed forces, but in practice they are independent. The United Nations report that the Peshmerga are under Iraqi military law. The exact law enforcement powers of the intelligence branches of the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK), unified in 2011 under the National Security Council of the Kurdish Regional Government (KRG), remain unclear.

There is no conscription for the Peshmerga forces. Kurdish men sign up for the job as Peshmerga on a voluntary basis. During travel in KRI, the source has observed that Peshmerga fighters in the area are often middle aged men. If there was a draft, the source would presume that a significant number of them would be younger. The Kurdistan Regional Government (KRG) president, Massoud Barzani, in January 2015, called for retired Peshmerga to reenlist, indicating that the government had the authority to force them to do so.

Christoph Wilcke did not know how the recruitment for the Peshmerga takes place. The Peshmerga has reportedly lost 1,300 fighters and many more are wounded in the fighting with IS. There is a need to recruit younger men to the Peshmerga forces, but it is difficult when the salaries are not being paid. The source added that at the battle of Gwer, Makhmour in 2014, it was fighters from PKK (in Kurdish: 'Partiya Karkerên Kurdistanê') (in English: 'Kurdistan Workers' Party', originally from Turkey) who came and defended Erbil alongside Iraqi Kurdish Peshmerga. Afterwards, KRI President Massoud Barzani reportedly visited them and thanked them.

Possibility to seek protection from the authorities

Compared to south central Iraq, the effectiveness in terms of law enforcement in KRI is higher. The Asayish is carrying out law enforcement based on political instructions.

Christoph Wilcke gave an example on the lack of protection by the authorities of Barzan(ke) village close to Mosul Lake that most inhabitants fled from during August and September 2014. The inhabitants were Arabs and some Arab-speaking Kurds. A small group of these Arab-speaking Kurds were allowed to stay in Peshmerga-controlled territory close by inhabiting small shacks. The Peshmerga forces destroyed Barzanke after the conflict, razing the village completely, which was visible when the source drove by the destroyed village. The inhabitants did not receive any assistance, they were only harassed, and there is no prospect of any help or due process to rebuild the village. The response from local authorities was that 'it did not happen' or that it was 'only a matter of isolated cases'.

Asked if Arab IDPs in the Kurdish areas are treated differently, Christoph Wilcke replied that with regards to the Asayish, both Arabs and Kurds are at risk of arbitrary detention and torture.

Asked if other actors than the authorities provide security, Christoph Wilcke replied that clan based political power sometimes can offer protection, but only to those within its political fold, and that this is not the same as effective protection for the enjoyment of human rights. The Barzani family can provide protection but can also be a threat. At the Dohuk/Erbil border, one of the president's clan members, Esa Bargain, disappeared after criticizing the president. According to a relative, members of the Kurdistan Democratic Party (KDP) intelligence service, Parastin, arrested Esa Bargain, and searched his house. Furthermore, the Kurdish Regional Government (KRG) broke the moratorium on the death penalty, when the convicted perpetrator and his two wives convicted as accomplices in the abduction, abuse and murder of two young children was sentenced to death. Apparently the tribal pressure to have the convicts executed was high. Another example mentioned by the source was from 26 November 2015 when Ahmed Abd al-Rahman Aziz, a student involved in protests in early October in Sulaimania Governorate, was arrested by Kurdistan Democratic Party (KDP) security forces at the Kirkuk/Erbil checkpoint, coming from Sulaimania, on his way to Erbil. Since his arrest, he has been in Asayish detention without charge.[227]

Honour crimes

Christoph Wilcke said that cases of so-called honour crimes continue in KRI, despite legal changes. Shelters are reportedly poorly managed, hard to access and harder to leave without mediation with the family which is a source of the threat. In terms of domestic violence, one report cited 92 cases of burning of women resulting in 54 deaths in the first quarter of 2015, with one third of overall cases self-immolation. The reasons behind the actions included domestic violence.

The source added that female genital mutilation (FGM) in KRI, outlawed in 2011, was over eighty percent in some areas but has gone down to fifty percent in some areas following a lobbying campaign by a small German-Kurdish non-governmental organisation (NGO) where they went from house to house and offered alternative income to midwifes. The issue of female genital mutilation (FGM) is particularly serious in the part of KRI bordering Iran but is practiced across KRI, with significantly lower prevalence throughout the country.

Conflicts of landownership

Asked if cases of landownership conflicts in KRI were brought to court, Christoph Wilcke said that he had reports from colleagues about improper judicial proceedings in land disputes, in particular by Christian Iraqis, who complained about procedures by Kurdish judges. After 2003, a series of investigation processes were carried out in the 'disputed areas', particularly in the Kirkuk area, based on a constitutional mandate, and a committee, established to reverse Saddam Hussein's Arabization policies, issued decisions to reverse the Arabization, though their implementation remains an open question. The settlements based on these investigations were supposed to be implemented by 2007. In many cases, Kurdish people's rights to the land were reaffirmed, but the

[227] Email of 2 December 2015.

Iraqi central government failed to implement the decisions. The source was not aware if current landownership conflicts are being settled in local courts. IDPs do not have documentation or resources for court cases. A separate process was started in 2012 for displacement after 2012, but few facts about this process are available.

In the disputed areas, Kurdish inhabitants were expelled by Saddam Hussein during the sixties and seventies and beyond. Currently, journalists report that the Peshmerga or affiliated Kurdish forces are destroying property in areas that was at first taken by IS, ostensibly to prevent Arabs from going back or to gain a military advantage against the return of IS.[228] The Peshmerga and the Asayish have taken over some houses saying that it was for safety reasons. Christoph Wilcke mentioned an example where IS had destroyed houses belonging to Kurds working for the Iraqi security forces. In apparent retaliation, Peshmerga, Asayish or affiliated forces operating in areas under the Kurdistan Regional Government (KRG) control destroyed scores of local houses, some of which were pointed out by Kurds who did not want Arabs living there.

In areas taken by IS, they have painted 'property of IS' on many houses. If someone in the IS controlled area has a landownership conflict, there is no legal course safeguarding due process. The Baghdad government instructed the land registry office not to record property transfers after IS took control of territory in areas under IS control. Similarly, HRW witnessed houses with 'reserved for Kurds' painted on them, presumably by Kurdish security forces. Sometimes, these Kurdish writings appeared on top of crossed-out IS writings. A conflict will be settled by weapons. Starting around mid-2015, IS reportedly started conditioning anyone from Mosul leaving IS controlled territory to sign over the deed of their property to IS as collateral to guarantee the person's return, and IS targeted property by Christians, Yazidis and Sabaean-Mandeans in that area. The Iraqi government declared these transactions void and instructed the Registry Offices not to record them.

Asked about the possibilities to settle disputes about rule of territory and landownership, Christoph Wilcke said that it seemed to hinge on resolution of the overall political control over the 'disputed areas'.

The Iraqi constitution opens for the possibilities for regions in the country to achieve greater autonomy like KRI. However, no other region has got this status. In Kirkuk, the Turkmen are in favour of the governorate becoming semi-autonomous.

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[228] Human Rights Watch has published several reports on Northern Iraq:
March 18, 2015, *After Liberation Came Destruction, Iraqi Militias and the Aftermath of Amerli*
https://www.hrw.org/report/2015/03/18/after-liberation-came-destruction/iraqi-militias-and-aftermath-amerli
February 25, 2015, *Iraqi Kurdistan: Arabs Displaced, Cordoned Off, Detained Harsh Restrictions in Northern Iraq While Kurds Move Freely*, https://www.hrw.org/news/2015/02/25/iraqi-kurdistan-arabs-displaced-cordoned-detained
February 15, 2015, *Iraq: Militias Escalate Abuses, Possibly War Crimes, Killings, Kidnappings, Forced Evictions*
https://www.hrw.org/news/2015/02/15/iraq-militias-escalate-abuses-possibly-war-crimes.

Peshmerga forces have fought IS and recaptured IS-held territory in areas that appear on historical maps of a greater Kurdish region, but IS do not appear to have ventured beyond those lines.

Conflicts with armed groups

Some large minority groups like the Turkmen have established their own militias after the attacks on Turkmen villages in 2010 and 2011 by predecessors of IS. Similarly, Yezidi, Shabak and Christian armed protection groups exist, some within Peshmerga ranks and some outside. In Tuz Khurmatu, the Turkmen are able to provide some security, but not effective protection, by their own people in the streets. Kurdish groups, nevertheless, in November 2015, burned Turkmen shops in Tuz Khurmatu. In KRI, the two major Kurdish parties in government and their affiliated forces have also generally been able to provide security to their own people from IS incursions with the support of the coalition led by the United States, but there is not effective protection of human rights.

The source added that he had heard, from numerous interlocutors in Iraq, about so-called 'Kurdish volunteers' who work in areas and with apparent coordination of Peshmerga and Asayish forces but are not part of them. These 'Kurdish volunteers' are reported to loot places, where Arabs live but have left or been displaced in the conflict with IS, and then sell the stolen items. The source was unaware of any court cases against such 'Kurdish volunteers' or their employers.

The court system is under political influence and is being used to stifle dissent and target critical voices, including journalists. As an example, the source mentioned a case where a journalist on TV had said that a Peshmerga commander should be held responsible for letting his men sleep at the frontlines when IS attacked and killed scores. Subsequently, the journalist was detained on account of terrorism and criminal defamation. Criminal defamation is often used by Kurdish officials for charges against their critics. In September 2015, a court fined Kurdish journalist Sherwan Shewani for criminal defamation in exposing alleged corruption. Also in September 2015, an Erbil court in a separate case fined Honya magazine to pay a substantial fine for criminally defaming a high-ranking government official, who had filed a complaint.

Harassment based on religion or ethnicity

Asked about the possibility to seek security in case of religious or ethnic based harassment, Christoph Wilcke said that there are reports on Peshmerga fighters looting Christian homes in Ninewa. Also Shabaks are complaining about problems with the Kurdish authorities. Most problems seem to exist in the 'disputed areas'.

On a political level, in KRI, the Kurds are, however, trying to make room for minorities; for example, a seat for a Jewish representative was added in the Ministry of Religious Affairs.

As regards adherents of the Yazidi religion, many define themselves as Kurds while others regard themselves as a separate ethnicity. In the Syrian Kurdish forces, there are Yazidi contingences, and there are contingents within KRI Peshmerga forces, but also some outside fighting on their own. The source mentioned that one Yazidi leader had been arrested for criticizing the Kurdistan

Regional Government (KRG), but later released and allowed to leave to Germany. The reason for his arrest is considered to be politically motivated rather than based on his ethnic background.

Asked if Sunni Arab IDPs in KRI are being harassed by Kurds, Christoph Wilcke said that there have been isolated events of ethnic hatred after the mass influx of IDPs in 2014. Either the level of harassment is very low or the government is good at controlling it. However, in the 'disputed areas', and in several cases in KRI, there are examples of Arabs arrested on suspicion of being IS members and deported. The source had not heard stories of Arab IDPs being picked up in the streets and deported, but he had heard stories about raids in the camps outside Sulaimania and of detained Arabs being deported outside KRI.

As an example of ethnic tensions in Kurdish controlled areas, the source said that Turkmen have been complaining about the situation, especially after the Turkman president of the university in Kirkuk was sacked, which Turkmen allege was due to his ethnic background, just after he had been appointed to the post.

KRI prides itself of its ethnic plurality, and the Kurds have shown the IDPs a lot of hospitality. This might, however, not last.

Access to the Kurdistan Region of Iraq and other Kurdish controlled areas

There is a difference in people's access to KRI and other Kurdish controlled areas in the sense that those who have money and connections to the Kurdish authorities will be able to pay small bribes in order to stay legally in KRI; whereas those without money and connections will find it difficult to gain access to KRI. Sunni Arabs and Turkmen are singled out for differential treatment. Conditions of access are intransparent and subject to change. The source did, however, not know if it is impossible for IDPs without money and connections to get into KRI. As an example of a person who was able to enter, the source mentioned a case in which a Sunni football player from Tikrit gained access to KRI by calling a connection from his old football team now employed by the Kurdish authorities. It was added that for IDPs who are well connected to people in the Asayish, it is easier to get the necessary documents to stay in KRI. In November 2015, HRW used its ability to reach a senior Asayish officer to gain access for a Shia Arab lawyer driving from Baghdad to Erbil for a meeting with HRW but stopped at the Erbil Governorate checkpoint. The current regulations, according to checkpoint officials, were that prior Asayish approval is now necessary to reach KRI by road for Arabs, whereas before, a Kurdish sponsor was sufficient. Moreover, certain areas in Erbil and Dohuk are known to be welcoming rich Sunnis from for instance Mosul, Anbar, Tikrit and Baghdad. The source had one example of an Arab IDP being required to pay a small bribe to have a tourist residence issued by the Asayish in Erbil. The amount of this bride corresponded to USD 4.

Hundreds of thousands of Yazidis from Sinjar were able to flee to Dohuk when IS came. Their economic sustenance is, however, highly dependent on humanitarian aid. In 2014, camp conditions for Yazidis and Arabs were often deplorable. Heavy rains in October and November 2015 also created dire situations for camp dwellers.

A humanitarian agency working with Yazidis, who fled without documents, said that Iraqi law provides that any governorate in the country can issue documents for Iraqi citizens. In principle, people have to go to their place of origin for new documents, but alternative offices in Sheikhan, Khabat and Zummar offer services to people from those areas. Other IDPs from Salah al-Din, Anbar or elsewhere cannot access those services, with impacts on their access to services.

With regard to documents like the Public Distribution System card and IDs for Yazidis, for some reason Sulaimania Civil Affairs Department seems to be cooperating and issuing documents faster than the Sheikhan office which is now responsible for Ninewa Governorate, home to most Yazidis who fled. The source had this knowledge from a Yazidi woman that he interviewed but also from a Yazidi/German individual running an aid program in the area. The information about the difficulty to obtain new issues of nationality certificates pertained to several hundred Yazidi women in this program.

The IDPs who fled early during the conflict found an open door to KRI. Later on, it became more difficult in the sense that only people with money and contacts could gain access. At some point in 2014 and into 2015, it became a requirement for the IDPs to have a sponsor. There are different ways to obtain a permit, also depending on the governorate within KRI. Some IDPs, for example, obtain a tourist visa, others obtain a residence permit. As regards the access to Kirkuk, the Governor of Kirkuk has stated that Arabs would not gain access. The source added that he was not aware of non-Arabs seeking refuge in Kirkuk city. He guessed, however, that Turkmen from the Tuz Khurmatu area might currently be seeking it. The airport of Erbil is open, and there is no requirement of a sponsor for those who travel through the airport.

It is possible to gain access to Rabia and Makhmour for persons wanting to conduct business there, such as trade or medical visits. In such cases, the Asayish will issue a special permission for one day.

Apart from the sponsor being Kurdish, Christoph Wilcke did not know if there are other formal sponsorship requirements. The source, however, said that the formalities can take different forms. For instance, if the person is important, it may be sufficient to call the sponsor to verify the sponsorship, whereas in other cases the sponsor may have to come to the checkpoint to sign papers. Christoph Wilcke pointed to an example where a man, who used to have a big position in the Saddam Hussein army, called some officers from the Peshmerga forces and got in right away. For some people, it might only take a quick phone call to gain access. Other people might have to go through more complicated administrative procedures. The source pointed to the issue that Palestinians' stay permit in Iraq does not extend to KRI. For the Palestinians living in Iraq, it is a huge challenge to gain access to KRI and to legally remain in the KRI as they are considered as 'foreigners' who should have arrived with a passport and entry visa.

For the Sunni Arabs and Turkmen, it is increasingly difficult to gain access to KRI by road, but it is still possible to gain access through the airports.

It is possible for ethnic Kurds with long residency in Kirkuk to gain access to KRI. The source did not know if ethnic Kurds from Kirkuk could settle in KRI.

If IDPs are refused access to KRI, some of them stay close to the checkpoints for some time to find a way in. The source mentioned as an example that around 150 IDPs, including women and children, were caught in the line of fire trying to get into KRI but having to spend nights at the frontline outside the Maktab Khalid checkpoint without gaining access. For those who fled IS, there is no way back. They will likely be killed if they go back.

As regards the condition of the roads to KRI, they are passable, but it is unclear if IDPs will be let through the checkpoints that are either controlled by the Peshmerga or by Shia militias.

Generally speaking, it is possible to travel by car from an IS controlled area to the borders of KRI. Overall, the physical conditions of the area are acceptable. There might be some bridges that have been bombed, but military bridges might be put up in some places.

People from Mosul are being smuggled out of the city instead of travelling in their own cars. Sometimes, the people fleeing IS pay IS fighters to close their eyes when they cross checkpoints. Those fleeing and those facilitating flight are at risk of execution. The Kirkuk area, Tuz Khurmatu and Tikrit are all passable, but it is unclear if the Peshmerga and the Asayish will let people from these areas through their checkpoints. The Kurdish Regional Government (KRG) is worried about the traffic from these areas. At the checkpoints, the car queue has been divided between Kurdish plates and plates issued by the Iraqi central government, and by the car's passengers, whether Arab or Kurd. As an example, Christoph Wilcke further stated that a person with a long beard will likely receive additional scrutiny as observed in several instances.

Compared to the south central checkpoints that to a higher extent are operated according to the mood of the officers than to clear instructions, the procedure is more strict and regular at the Kurdish controlled checkpoints. The Ninewa checkpoint into Dohuk is still almost adjacent to a hot war zone. So the procedures at this checkpoint are definitely different than in other places.

In Kirkuk, there are examples of IDPs who are able to get into Kirkuk but not able to go from Kirkuk to KRI.

Freedom of movement within the Kurdistan Region of Iraq

For IDPs already living in KRI, it does not mean that they can move freely within the region. Their residence is restricted to one governorate, and they require an additional permit to cross into another governorate.

Access to employment

In Iraq, over sixty percent of the workforce is employed by the government, according to the Iraq Research Foundation for Analysis and Development in 2014. Sunni Arabs are not eligible for government jobs in KRI. The central government of Iraq has paid its employees on and off. The

Kurdistan Regional Government (KRG) is in arrears for about three months in payment of government employees. This includes the Peshmerga forces fighting at the frontline. At the same time, the Kurdistan Regional Government (KRG) has repeatedly imposed a freeze for new government jobs over the past years.

Like the Kurdistan Regional Government (KRG), the central government in Baghdad has not paid many employees for months. This also goes for teachers who have been assigned by the government to work in other areas than their home areas. Previously, the government paid internally displaced teachers, although they were not teaching while in displacement.

There is a high number of retirees among the IDPs in KRI. Through a Smart Card system, IDPs from areas outside KRI should be able to withdraw their retirement grants through KRI offices, but, as of October 2015, they are receiving their grants only sporadically and in arrears.

IOM, Daihei Mochizuki, Program Manager; Zahraa Saber, Operation Officer Erbil Hub and Wria Rashid, Head of Ankawa Office

Erbil, 28 September 2015

International Organization for Migration (IOM) Iraq has been operating in Iraq since 2003, providing migration related assistance ranging from humanitarian assistance targeting refugees from Syria and Internally Displaced Persons (IDP) to provision of technical assistance for the government counterparts. In the Kurdistan Region of Iraq (KRI), IOM implements humanitarian assistance to vulnerable Syrian refugees and Iraqi IDPs such as non-food items, shelter, livelihood, psychosocial support, health care and transportation. IOM also implements technical cooperation project to increase capacity of the Kurdistan Regional Government (KRG) in migration management, resettlement and community policing.

Access to the Kurdistan Region of Iraq and other Kurdish controlled areas

According to IOM, all Iraqi citizens holding Iraqi IDs are allowed to enter KRI but must have a Kurdish sponsor if they are not Kurdish themselves, and if they want to obtain a residence permit and live in KRI. As other Kurds, Kurds from Kirkuk are exempted from the requirement of a sponsor. Upon arrival at checkpoints at the land border to KRI or at the airport, Iraqi citizens will be granted a one week residence permit.

If a person wants to stay in KRI for more than one week, the person must register at the local mukhtar's office and the closest Asayish centre in the area where he stays within the first week of the stay. If the person stays in a hotel for more than a week, without intention of settling in the neighbourhood, it is only necessary to have approval from the Asayish and there is no need for approaching the mukhtar. Here, the individual or the head of the family must present a Kurdish

sponsor in person, a place of residence in KRI, registration details of the car and full name. The family is given a paper with all names of the family members as well as the car registration number. The one week residence permit will be extended for shorter periods of time until the security clearance by the Asayish is issued. The processing of applications for approval by the Asayish is not transparent, and it is arbitrarily implemented also with regard to the duration of renewal. The length of the extension of the one week residence permit is decided by the Asayish case-by-case. The decision may depend on the person's background and place of origin. The length of the extension may also vary from one place to another. Sometimes the temporary residence permit is extended for one week or a month or two months or sometimes even three months during the approval process for a permanent residence.

Upon security clearance of IDPs by the Asayish, residence permits for longer periods of time are issued. Usually, a residence permit of an IDP is initially issued for six months. From issuance of the first renewal and thereafter, it is usually extended by one year at a time.

The procedure for obtaining a residence permit is complicated in the way that a person first has to rent a place and then afterwards have the rental agreement approved by the local mukhtar. The person must then go to the Asayish office with his Iraqi ID card and the Kurdish sponsor to apply for approval of residence in the area.

Various local control mechanisms make sure that all IDPs go to interviews with the Asayish. Even the hotels where some IDPs are staying upon their arrival ask to see a written confirmation that the IDPs have been to the interview.

According to IOM, both the Asayish and the Peshmerga are present at the main checkpoints in KRI. When entering KRI by land, people will first go through a security search done by the Peshmerga. At the next checkpoint, the Asayish will register and check their names and IDs. Granting entry to KRI through the airports is the responsibility of the Ministry of Interior under the Kurdistan Regional Government (KRG) through Asayish who will register all arriving persons.

Inside KRI, there are fewer checkpoints to pass than when travelling from the Kurdish controlled areas into KRI. The checkpoints within KRI are also easier to pass through than the checkpoint bordering KRI. For security reasons, ad hoc checkpoints may be established randomly within KRI, especially at night time. The checkpoints are administered by the Ministry of Interior under the Kurdistan Regional Government (KRG).

IOM explained that the checkpoint to enter the Kurdish controlled part of Kirkuk Governorate is closed, but that the organisation has heard that somehow people still manage to enter. To the knowledge of IOM, only people who are registered in Kirkuk are allowed to pass through the checkpoint to the Kurdish controlled part of Kirkuk.

Asked about the existence of unofficial checkpoints, IOM replied that, in general, at the border there are no unofficial checkpoints, but outside KRI there are unofficial checkpoints.

When passing through a checkpoint, a person may be required to present the Iraqi ID card, passport, Iraqi nationality certificate and sometimes a driving license. In some cases, it is only the head of household who must present his or her documents. Some people show their Kurdistan Democratic Party (KDP) or Patriotic Union of Kurdistan (PUK) membership cards to facilitate their way through checkpoints. Kurdistan Democratic Party (KDP) cards might work in Erbil and Dohuk, and Patriotic Union of Kurdistan (PUK) cards might work in Sulaimania.

On an individual level, IDPs are not turned away at the checkpoints if they have lost their IDs. But if a big group of IDPs without documents are coming to a checkpoint at the same time, they might be placed in an IDP camp. IDPs wishing to enter KRI are only turned away if they are on the wanted list.

Asked how the authorities identify which ethnic group a person belongs to, IOM replied that the ethnic background of Iraqi citizens is stated in the ID card. In addition, there are very few Arabic speaking Kurds.

To the knowledge of IOM, Iraqi citizens are not discriminated against due to their ethnic profile when trying to enter KRI. IOM added that the Kurdistan Regional Government (KRG) tries to minimize discrimination. Although it occurs that the borders to KRI are only closed for some IDPs, this affects all IDPs. IOM noted, however, that if a person is not Kurdish, stricter procedures may be applied when entering KRI. IOM had also heard that at times it may be easier for Christians and Yazidis to enter KRI than for other ethnic groups. Iraqi nationals are not being denied entry to KRI on an individual level. However, the border is occasionally closed due to security issues. When the border is normally operating, the access is easier for the abovementioned groups than for the Arabs. Iraqi citizens, who wish to enter Iraq through an airport in KRI, must be in possession of a valid passport or an Iraqi laissez-passer. If the person does not originate from KRI, the person must travel onwards to the area he or she is originally from. It is very difficult for the person to enter directly through one of the airports in Sulaimania and Erbil and take residence in KRI.

Returnees originally from another area in Iraq than KRI are considered foreigners when they arrive directly at the airports. A returnee from abroad would not be considered an IDP. Therefore, this person would have to stay in a hotel like other foreigners. If the person wished to remain in KRI, a sponsor would be required. In terms of access, it would, however, be easier for a returnee from abroad to travel to his place of origin directly from abroad and then travel to KRI from there. Asked whether or not it is possible for an Iraqi citizen, not originally from KRI, to enter KRI directly from abroad by air and settle in KRI, IOM stated that it does not matter where the person come from, the procedure remains the same, for example the person has to have a sponsor to obtain residency, otherwise temporary residency applies.

Asked whether it occurs that Iraqi nationals holding a valid ID document are being denied entry to KRI, IOM said that this was not the case.

Asked if the sponsorship requirement was lifted in situations of emergency and religious holidays, IOM said that this was not the case.

Support mechanisms and access to basic rights

IOM explained that in general the attitude towards IDPs in KRI is positive. However, there are areas in KRI where the IDPs have now outnumbered the local host community. Coupled with the region being under pressure from the great number of IDPs and the financial crisis, tension between locals and IDPs does occur, especially among the youth. The Kurdistan Regional Government (KRG) tries to minimize tension by publicly stating that Kurdish people are very good at hospitality and that assisting the IDPs is in line with their values and cultural norms. Such statements are repeated many times in the media by the officials.

Particularly in Dohuk, there is a lack of capacity to absorb further IDPs since more than half of the 800,000 IDPs that have come to KRI are staying in this governorate.

Access to employment

No official unemployment rate has been announced since June 2014 when it was around six percent. Some estimate the current unemployment rate to be around 11-13 percent and others even up to 25 percent. The sectors mostly affected by the financial crisis are construction, car trade and tourism, the latter being down 25 percent causing hotels to close. Also the oil sector in the disputed areas is affected, but some oil companies are still working. In general, access to employment is difficult not only for IDPs from the recent wave and returnees from abroad, but also for the local population in KRI, especially new graduates. Language is an additional barrier for many IDPs, as is lack of network, and IDPs are not employed in the public sector unless they are highly skilled. Some of the IDPs that came in 2007 and 2008 have, however, managed to establish small businesses or companies or even find employment in other ways.

Asked what type of employment is available to the IDPs in general, the source said that there are no jobs in the public sector. The source added that IOM is facing difficulties to find employment for Kurdish returnees who went back to KRI from Europe, as many companies downsize their workforce.

It is not possible to live on a salary of a civil servant under the Kurdistan Regional Government (KRG) administration. Therefore many publicly employed people in KRI might consider themselves unemployed. Publicly employed IDPs are still supposed to receive their salary from the central government in Baghdad. But as of September 2015, there is a delay in the payment.

Access to housing

Rental of accommodation is available to IDPs if they have sufficient funds and a sponsor. Without money, IDPs are forced to live in camps or squatting in unfinished buildings. Sometimes IDPs even have to pay rent for living in an unfinished building. Many IDPs choose to live several families together in a rented house. IDPs in KRI do not receive financial support from the Kurdistan Regional Government (KRG) or the central government in Baghdad to rent accommodation.

The procedure for buying accommodation is different than for renting. Rich people can buy houses and make other investments inside KRI. However, this only concerns very few people, and IDPs are typically not financially well-off.

Access to health care

The Kurdistan Regional Government (KRG) provides public health care centres and hospitals in KRI with free access for all Iraqi citizens. Although 17 percent of the budget is supposed to be financed by the central government in Baghdad, the money is not being paid according to Kurdistan Regional Government (KRG) officials. In addition, pharmaceuticals are supposed to be supplied and shipped to KRI by the central administration in Baghdad. No pharmaceuticals are, however, currently provided from Baghdad.

Primary public health care is free, while co-payment may be relevant in public secondary health care. As an example, IOM mentioned that the co-payment of a caesarean section may amount to USD 100 in a public hospital, while it would cost as much as USD 1,000 in a private hospital. The waiting lists for secondary health care are very long.

Access to food and water

In general, food is available to everyone in KRI through the Public Distribution System. However, if an IDP is not able to transfer the Public Distribution System card[229] to KRI he will have to buy the food. The food available through the Public Distribution System card is typically dry items such as sugar, rice, cooking oil, beans and flour. The quality of the items accessed by use of the Public Distribution System card is typically not very good. Therefore, many members of the host community do not use their Public Distribution System cards.

Water shortages may occur in KRI. No discrimination or prioritization exists with regard to water distribution. If there is water, everyone has the same access to this resource. If there is a water shortage, no one has water.

Access to education

All inhabitants in Iraq have access to education which is publicly financed. No one is denied access to education.

[229] Please refer to anonymized Public Distribution System card provided by IOM in Appendix 4.

Education for IDPs in KRI is the responsibility of the central government in Baghdad whereas schools for children from the host community in KRI are run by the Kurdistan Regional Government (KRG) Ministry of Education. Education of IDPs is conducted by use of an Arabic curriculum whereas education of host community children is conducted by use of a Kurdish curriculum.

Due to the lack of capacity, schools have recently started to stay open after hours for IDPs, allowing for up to three shifts per day with around 60 students per class. A general lack of teachers exists in KRI. Last year, 5,000 new teachers were employed to fill in this gap.

The government decides where publicly employed teachers work during the first years of their career. In terms of this, newly graduated teachers are typically sent to rural areas to cover a lack of teachers in these areas.

IDP camps

The Kurdistan Regional Government (KRG) is both responsible for daily running of the IDP camps in KRI and responsible for provision of various services in the camps.

Whereas secondary health care takes place at hospitals outside the IDP camps, every IDP camp should in theory have basic services in terms of primary health care centres. Education for children should also be provided in all IDP camps. However, in general, education is better in the local host communities than in the IDP camps.

Even though the Kurdistan Regional Government (KRG) is quite strict with regard to keeping equal standards in all camps, some conditions may vary from camp to camp. An example of variation between camp conditions is that access to employment may be easier in one camp than in another.

The capacity of the IDP camps in KRI is insufficient compared to the number of IDPs in need of shelter, and there are significant differences between types of housing in different camps. In some camps, the IDPs live in prefabricated caravans. In other camps they live in tents. Many IDPs are currently living outside camps because the capacity of the camps is not sufficient to house everyone.

In the Kurdish controlled areas outside KRI, there are more unofficial and less organised IDP camps than inside KRI. The Kurdistan Regional Government (KRG) has the ambition that IDPs should live in the camps. It is, however, difficult to force IDPs into camps. In Dohuk, the Kurdistan Regional Government (KRG) evicted IDPs from other types of settlement, for example unfinished buildings. Afterwards, they forced the evicted IDPs to move into camps. The source added that some camps are far away from the cities.

Single women and other vulnerable groups

The most vulnerable IDPs are those without financial resources, IDPs living in various kinds of informal settlement like unfinished buildings, the sick and disabled, and those without family or network, especially single women. Female headed households are also considered among the particularly vulnerable IDPs.

Due to culture and customs in the area, single women cannot live alone, and there is always some kind of extended family that can take care of a single woman. There might be widow families in the IDP camps, but there are no single women getting by completely on their own.

In terms of employment, only women who are educated will work, typically in the public sector and with non-governmental organisations (NGO). It is very difficult for women to find work in the private sector. Uneducated and/or unemployed women are taken care of by family.

Honour crimes

While the divorce rate is generally high in KRI urban areas, it is more difficult to get a divorce in rural areas.

Honour related crimes are also more common in the rural areas than in urban areas. The most likely solution in the rural areas will be for the families to settle the dispute.

Although the authorities do have the will to protect women who fear honour killing, the women are often reluctant to involve the authorities. IOM explained that the Ministry of Legal and Social Affairs under the Kurdistan Regional Government (KRG) runs shelters in Dohuk, Erbil and Sulaimania for local women and IDPs who are victims of domestic violence and/or fear honour killings. However, the reputation of the shelters is often dubious, indicating that the women risk being misused by staff members or other shelter residents in the shelters. Hence, only women who are very desperate and have no other means will use the shelters. Even government employees do not want to work in the shelters because they fear for their personal reputation. IOM added that this information was rumour based and not confirmed by documentation.

In order to gain access to a shelter, a woman must file a complaint with the police, and a judge must then decide if she should be referred to a shelter. There is one shelter in each governorate in KRI, and a woman can stay in a shelter until her problem is solved.

The family of a woman in a shelter may be summoned to appear in court. However, most often the problem is solved through a negotiation process run through the tribe or family members and parallel to the official procedure through the court system. The court is then informed of the agreement.

IOM has not heard of any court cases concerning honour crimes and explained that officials will often suggest that the issue is solved outside of the court system. The source added that informal

mediation is very common in all kinds of disputes in KRI, not only in cases of honour related conflicts. The heads of family have the possibility to use the tribes as mediators.

It was the opinion of IOM that the family of a woman who had run away, would easily be able to track her down within KRI.

Some cases of honour related disputes are easier to solve than others. If a teenage girl and a teenage boy have a relationship outside marriage, it could sometimes easily be solved by reaching an agreement about marriage between the two parties. However, if for instance a married woman has a relationship with another man than her husband and her family finds out, her family might kill her lover before any mediation can take place. Then a blood fight between the two families might start, and a blood fight can go on for years.

Conflicts of landownership

In both KRI and other parts of Iraq, conflicts of landownership can be solved by the authorities. The turning point in such a case is who legitimately owns the rights for the property in question.

For example, if IS takes over an area and are then driven out from the area again, people who lived and owned property in the area before the IS capture are still considered the legitimate owners of the same property upon the withdrawal of Islamic State (IS).

IDPs and host community members are equal before the law in cases of landownership conflicts.

Security situation in the Kurdistan Region of Iraq and other Kurdish controlled areas

As long as no militias are present, the general security situation for IDPs in the old disputed areas, northern Ninewa, Kirkuk and northern Diyala, is the same as inside KRI. There are no militias present in Kurdish controlled areas. This goes for the Kurdish controlled part of Kirkuk as well

When it comes to exposure to physical danger inside KRI, IOM pointed to government buildings as being potential targets of IS. IS has, however, a limited capacity to carry out activities in KRI and other Kurdish controlled areas as the security system under the Kurdistan Regional Government (KRG) is very strong. There have only been occasional bomb attacks such as the ones in front of the governor's office and another one in front of the US Consulate. The Kurdistan Regional Government (KRG) security agency regularly urges the public to be vigilant and report any doubtful or weird acts by any stranger and has very good security mechanisms in place in public gatherings. In addition to this, locals are very united and loyal against the acts of terrorists. In terms of this, there might be IS sleeper cells inside Kirkuk, but inside a city like Erbil the risk of IS sleeper cells is very low.

There are Kurds among the IS members, and families, who have a member fighting with IS, are kept under observation. In addition, rumours say that some IS fighters tried to enter KRI together with the IDPs, but security measures prevented their entrance.

There are incidents of families being denied entrance to KRI because the head of their family is suspected of being an IS member. The families are typically put in camps, and the head of family is detained. As a concrete example given by IOM, a larger group of IDPs in Daquq were waiting seven to ten days to enter Kurdish controlled land because military incidents were happening in the south. This happened in the beginning of September 2015. As a consequence of the fighting, the IDPs were prevented from entering KRI until investigations into issues related to the fighting were finished.

Asked if the source had information on inhabitants in the city of Ranya or other places in KRI being particularly sympathetic towards IS, IOM replied that they had no knowledge about IS sympathisers in Ranya. The source stated, however, that there might also be IS sympathisers in Halabja. The source added that Kurds who actually joined IS can come from anywhere in KRI.

International Rescue Committee, Aleksandar Milutinovic, Country Director

Erbil, 27 September 2015

The International Rescue Committee (IRC) is working to meet the immediate needs of Iraqi families who fled to the Kurdistan Region of Iraq (KRI) and Central Iraq. They work to safeguard the human rights and well-being of those affected by years of war and sectarian strife. Among other assistance, IRC provides free legal assistance and information and counselling on rights and entitlements. IRC also provides economic relief in terms of cash and non food items, sexual and gender based violence (SGBV) support, livelihood, education and child protection.

General living conditions in the Kurdistan Region of Iraq and other Kurdish controlled areas

The general living conditions for long-term residents in the Kurdistan Region of Iraq (KRI) and other Kurdish controlled areas are affected by the financial problems in the area. There are very few jobs available and there is no big difference in the conditions for the inhabitants of KRI and the internally displaced people (IDPs) in terms of jobs, although the situation for IDPs is worse in the sense that they do not have the same social network as the long-term residents. As an example given by the source, part of the IRC staff are returnees from abroad who were originally coming from KRI. Upon their return, they worked as taxi drivers because the local community in KRI is looking at the people who spend their time in Europe or elsewhere as the ones who lost contact with the reality on the ground, and their skills are not matching the needs in the region.

Access to employment

According to available reports from relevant institutions like the United Nations and the World Bank, the current unemployment rate in KRI for people in the age of 18 to 30 years is around 35 percent. For people above the age of 30 years, the unemployment rate is more than 20 percent. Generally, the job opportunities in all sectors are few, but the construction business and the oil

business are specifically suffering due to the conflict. IRC added that many jobs in the oil sector are occupied by foreign labour. Earlier, many low paid jobs were occupied by foreign labour, as the local work force was looking at the better jobs that are culturally acceptable. Now these jobs are taken and not available to the Kurds or the IDPs. Due to the budgetary problems, the public sector is not adding new jobs, as it was the case in the past few years.

The average salary in KRI for low-skilled jobs is IQD 400,000 to 500,000 (USD 334 to 418) per month, but the many IDPs flooding the labour market is affecting the salaries, as IDPs will work for less. Depending on the work, the average salary for an IDP can vary between a daily rate of IQD 10,000 (USD 8) for simple labour and up to IQD 25,000 (USD 21).

IRC pointed to the registration for a residence permit in KRI as significant barrier to the labour market for IDPs. The duration of time to get this registration is increasing if the IDPs do not have connections in KRI. For someone who is not connected, the registration can take a couple of years.

Furthermore, as another barrier to the labour market, the source mentioned the fact that IDPs do not speak Kurdish.

IDPs who manage to get a job will often find it in low-skilled fields for instance construction. IDPs with an education may be able to find work with non-governmental organisations (NGO); however, the number of jobs available in this field is low. IRC did not have any specific data about how many IDP women actually find work in KRI, but the source said that some IDP women manage to find jobs, for instance in shops.

IRC emphasized that the situation for many families in KRI is difficult, and the source added that 11,000 individuals left the country during the past two months. On a daily basis, 300 people decide to leave KRI. Many of them go to Turkey and Greece as a starting point aiming for further migration towards Europe.

Access to housing

Long-term residents of KRI and IDPs have access to renting houses, but only the long-term residents of KRI have access to buying houses. The price of a house of 100 m^2 in Erbil centre starts at approximately USD 100,000 and goes up to millions. In the outskirts of Erbil, the price is approximately USD 50,000 to 75,000. There is no restriction to buy apartments in KRI, and in Sulaimania IDPs can also buy land.

Many IDPs live in rented houses. Typically four to five IDP families are sharing a house. Some families are squatting in unfinished buildings. If the owners decide to resume construction, these families would be asked to vacate the premises. In case IDPs are evicted in this way, they can go to the IDP camps. The majority of the IDPs in KRI are living in urban settings, most of them are renting houses, and only a small proportion of the IDPs live in camps. Well over ten percent of the IDP population in KRI live in camps. Many IDP camps in KRI are placed far away from the cities

which makes it even more difficult to get a job for instance to be hired as day labourer. In many camps, IDPs must hand in their ID cards to the camp management for security reasons when leaving the camp. This makes it even more difficult to find employment, as it is not possible to get a job without presenting the ID.

Asked if it is possible for IDPs without private means to receive financial support from the government to rent or buy accommodation, the source replied that if the IDP does not have means to support himself, the only option is to go to an IDP camp where the IDP can have a tent.

Access to health care

Health care in KRI is free of charge; however, there are challenges for the system. Firstly, the system is overwhelmed by the large amount of IDPs who has entered KRI. Secondly, it depends on funding from the central government in Baghdad who has not transferred the full share to KRI. Thirdly, the system is mistrusted by the population, and finally the health care system suffers from brain drain. Most of the qualified doctors left KRI. According to research, private health establishments are interested in money only and are not giving enough time for proper diagnostics and the appointments are expensive. People from KRI trust Iranian doctors more than local doctors, and the ones who have money travel to Jordan, Lebanon or Turkey for treatment.

Primary and secondary health care is free, however, hospitals are placed in urban centres and some people who are living in rural areas cannot afford to travel to the cities, especially if they have to go there for treatment on a regular basis. Furthermore, there are not enough pharmaceuticals for everyone in need of primary health care.

Access to food and water

There is no shortage in food in KRI and no cases of malnutrition are seen, however, there is a gap in the availability of food to the long-term residents and to the IDPs.

All Iraqi citizens have a ration card, called a Public Distribution System card, which gives them access to packages of food, including oil, flour and sugar at specified distribution points, once a month. The system is administered by the central government Ministry of Trade. In case an IDP loses his ration card, the IDP must return to the area of origin to replace it. If the IDP for instance is from Mosul, it will be extremely difficult to replace the ration card.

It is more difficult for IDPs than for the long-term residents to live on a nutritionally balanced diet.

Every year when temperatures are rising, there is a significant drop in the quantity of water available in KRI. KRI does not save water, and in the rural areas, inhabitants are depending on the river system and therefore also on purification of the water. The lack of clean water has led to cholera outbreaks. Sometimes, people in the rural areas build barriers to keep the water to themselves.

Access to education

Schools in KRI are free of charge and available for all. However, the curriculum in KRI is in Kurdish, and there are only few Arabic schools. Recently qualified school teachers in KRI are being sent to rural areas where they work for five years before they can apply for jobs in the urban areas. According to IRC, the school capacity in the urban areas is under pressure whereas there are fewer problems with the capacity in schools in the rural areas.

The Kurdistan Regional Government (KRG) is the main provider of education in KRI. There are also a few private schools in which an Arabic curriculum is used. In addition, there are schools for IDPs that are directly supported by the Ministry of Education under the central government of Iraq. Those schools are for IDP students, and most of the teachers are also IDPs themselves. The private schools are expensive. As for the minorities, IRC explained that the Christians speak Assyrian, and there are only few Assyrian classes in KRI, as it is a small minority. Kurdish is widely spoken among minorities.

IDP camps

IRC stated that issues on internal displacement in Iraq are dealt with by the Kurdistan Regional Government (KRG) and by the Ministry of Displacement and Migration (MoMD) of the Iraqi central government.

The IDP camps are managed by the local government of the governorate, supported by the United Nations (UN) and NGOs. The access to IDP camps is given in order of geographical entry point, for example those who entered KRI in Dohuk will be placed in a camp in Dohuk.

IRC stated that the Christian IDPs addressed the Christian Church in KRI to obtain protection, whereas the other Iraqi IDPs are taken care of by the Kurdistan Regional Government (KRG).

With regard to IDP camps placed outside KRI (Dohuk, Erbil, Sulaimania), IRC informed the delegation that in Kirkuk, Ninewa Plains and Salah al-Din, there are IDP camps managed by the Kurdistan Regional Government (KRG). The standard of these camps, as well as the standard of camps inside KRI, varies. There are 'five star' camps and 'zero star' camps. Some camps have tents connected to water coolers, heaters, satellite dishes, et cetera, while other camps only meet basic needs of the IDPs. According to the source, the standard of the camps depends on the donors. Not all camps follow the UN sphere standards. Camp standards are mainly varying because there is a lack of funding for IDPs. UN faces budget restraints, and there are simply not enough financial resources to mainstream the camps. Camps built by foreign governments might have a different size than UN standard camps. Some are bigger, and some smaller. It is difficult to streamline camps according to standard support when the size camps and tents are not in accordance with the UN standards. In addition to these issues, the facilities are affected by the harsh weather in the area.

By the beginning of the IDP influx in 2014 and up until the beginning of 2015, there were not enough camps for all the IDPs. In September 2015, there are, but a future challenge will be when the IDPs living in settlements outside the camps start running out of money. The question is whether they will move to camps or if they will go back to their area of origin.

When asked if IDPs were placed in camps against their will, IRC said that the IDPs who are living in camps do not have financial means to move out of the camps. Moreover, IDPs cannot choose a camp to live in and, for example, choose one of the 'five star' camps. They are registered for an IDP camp at the place where they enter. As opposed to the Iraqi IDPs, Syrian refugees expect to stay in KRI longer, and they are building a life in KRI. Christian IDPs are smaller in number, and it is easier to improve the conditions they are living in. In addition, a lot of donations for the camps come from Christian communities.

Situation for vulnerable groups

Single women are rarely able to live by themselves. In some cases, they will, however, be able to work outside the house. As regards single women traveling by themselves, it would be more acceptable if they travelled for work purposes than for leisure. Single women living in IDP camps would not be a good option because they would be harassed. IRC has knowledge about incidents of women and girls being harassed by young men in the camps on their way to toilets, water points and when it is dark. As regards divorced women with children, it would be easier for them to live by themselves in the sense that it would socially be more acceptable.

Honour killing in KRI is not uncommon. IRC mentioned that stoning of Yazidi girl by her family and a few other people was reported in 2007. IRC assessed that honour killing in KRI was on decline, but cases were still reported in all three governorates.

As regards possibilities for single women to seek protection from the authorities, the source said that IRC only has knowledge about this possibility in Erbil and added that there are a few safe houses in Erbil. Laws are changing to provide protection for women and the Kurdistan Regional Government (KRG) is supportive. It will, however, take time for the tradition to change.

Support mechanisms, including social networks

The general attitude among Kurdish people towards IDPs of different ethnicities is positive in the sense that the Kurds were displaced many times themselves for which reason there is tolerance towards other people who are displaced. Still, after a large influx of IDPs and refugees there have not been any cases of violence. IDPs of Arab origin do, however, experience mistrust from the Kurds of being affiliated with or in other ways supporting Islamic State (IS) or al-Qaeda (AQ).

With regard to financial support, IDPs who used to be government employees are still paid their monthly salary from the Iraqi government. Many of the IDPs are farmers from rural areas who have lost everything, including their source of income. Therefore, they typically end up in camps.

Generally speaking, IDPs in camps are vulnerable, and in order to survive, some of them try to raise funds to flee to Europe.

Access to Iraqi Kurdistan and Kurdish controlled areas

All Iraqis are legally permitted to enter KRI. The requirement for Iraqi citizens to enter and reside in KRI is to have a local sponsor.

IRC has no knowledge if a person residing outside KRI would be accepted returning from abroad. If the person is from KRI, there would not be any specific requirements. However, an Iraqi citizen who originates from for instance Baghdad would be sent to Baghdad upon arrival from abroad. IDPs from Baghdad usually have money to support themselves and would be welcome in KRI if they arrive by domestic airline, not by car. There has been an increase in arrivals of IDPs from Baghdad using air transportation. Those IDPs arriving with airline tend to be better off and are able to secure temporary residence in KRI. According to IRC, an IDP from Baghdad arriving from abroad through the international airport in Erbil or Sulaimania would be allowed to land in KRI, but IRC was not sure that such an IDP would be able to obtain residency in KRI.

Internally displaced Iraqis, for instance from Anbar, would not get immediate access to KRI. They must go through a lengthy screening process to get access, and single women will be asked about where their husbands are. IDPs could wait at the border for weeks and months for the permission to enter KRI. They will meanwhile be living in tents, out in the open or, as in many cases, in public buildings. In addition, the local community, sometimes, provides accommodation for the IDPs.

Access to KRI by road is very difficult, and most IDPs are currently arriving in KRI by plane. Most of these flights are coming from Baghdad.

With regard to sponsorship imposed on Iraqi citizens who wish to enter KRI, the sponsorship is not imposed on IDPs who are living in camps. For IDPs who are living outside the camps, a sponsorship is imposed. Often the sponsor will be the landlord where the IDP is living or the employer where the IDP is working.

Asked about the profiles of IDPs who would be denied access to KRI, the source said that single men are considered to be a security risk. Most of the time, these single men are young people who the authorities are concerned could be part of IS sleeper cells.

INTERSOS, Trista Guertin, Head of Mission

Erbil, 27 September 2015

The source has been posted in Erbil since April 2015.

INTERSOS is an Italian non-profit humanitarian aid organisation which works to provide immediate response, protection and durable solutions to populations affected by humanitarian crisis, both in conflict and natural disaster scenarios, paying special attention to the most vulnerable groups (children, women, aged).

Since the surge in violence between armed groups and government forces with fighting spreading into Central and Northern Iraq in June 2014, INTERSOS extended its operations in KRI to respond to the massive influx of Iraqi IDPs, estimated to be over 1,000,000 individuals. The intervention in support of the Iraqi IDPs currently covers Baharka Camp, Erbil Urban Area and Shaqlawa District, where three Drop-in Centres have been established with the aim of funnelling in a single location the widest possible range of services as provided by different organisations to create positive synergies and be able to provide timely, comprehensive and effective response to the specific needs of the IDP population, as well as of the refugee and host communities.

INTERSOS explained that the Kurdistan Regional Government (KRG) has welcomed and accommodated the internally displaced people (IDP) who have arrived in the Kurdistan Region of Iraq (KRI), and overall there seems to be equity in services and access. The region is, however, beginning to feel a strain on the economy, infrastructure and services.

INTERSOS has not come across any accounts of animosity towards IDPs by members of the host community in KRI.

Access to employment

It is difficult to get reliable figures on the unemployment rate in KRI, but over the past few years, the general situation in KRI has deteriorated in terms of access to employment. Due to dropping oil prices, the region has been hit hard economically, and investment and construction projects have been halted, and unemployment is particularly high among new graduates. IDPs who have worked as civil servants may still be receiving their salary from the central government.

Access to housing

Accommodation can be expensive in KRI, particularly in urban areas, and prices for renting a house have risen over the past years. Accommodation is more affordable outside the cities. In the cities, prices of a monthly rent can range from USD 1,500 to USD 2,000. IDPs with sufficient financial resources are able to rent accommodation, but over time the expenses are gradually eating away the savings of the IDPs.

Access to health care
Besides the public health care centers and hospitals, various non-governmental organisations (NGO) like International Medical Corps (IMC) provide health care in KRI. INTERSOS through their drop-in centres make referrals for IDPs to access these services.

Access to food and water
INTERSOS explained that there are no food shortages among IDPs in KRI, and that it is possible to live on a nutritionally balanced diet in KRI. World Food Programme (WFP) does provide monthly rations to IDPs, and INTERSOS is currently only involved in distributing vouchers to refugees in KRI.

Access to education
Education for IDPs in KRI falls under the responsibility of the Ministry of Education under the central government in Baghdad. Therefore, the question of curriculum and language in the schools for IDPs is not a big issue. The greatest challenge is the lack of space to conduct classes in and a shortage of teachers. While all children in theory have access to education, the reality is that the funding is insufficient and that there is not enough available space and teachers. Already prior to the arrival of IDPs within the last one and a half years, the educational system was stretched to its limits.

IDP camps
INTERSOS operates 'One-Stop Shops' for IDPs in Erbil Governorate. The 'One-Stop-Shops' are drop-in centres that provide services such as individual counselling, identification of vulnerable individuals, psychosocial support, livelihood and life skills training, Kurdish classes and employment clubs.

According to INTERSOS, some IDP camps are managed by United Nations High Commissioner for Refugees (UNHCR) on behalf of the Kurdistan Regional Government (KRG), and others are managed by churches. There are fairly well organized services in the IDP camps, but the capacities of camps compared to number of IDPs in need of shelter do, however, vary.

Asked about KRI's capacity to absorb further IDPs, INTERSOS replied that it would be difficult to absorb more IDPs. The source said that already ten years ago, the schools in KRI were overcrowded, and the house prices were already high. If there will be a new wave of IDPs, the capacity of the camps will be challenged.

Single women and other vulnerable groups among IDPs
According to INTERSOS, female headed households and handicapped individuals are among the most vulnerable IDPs. Without family to protect her, a single woman would be vulnerable. It does happen that single women live alone, but it is rare. There are some single women in living in IDP

camps. This tends to make the women a bit more vulnerable, since tradition dictates that single women are taken care of by family.

It is highly unusual for women to work in KRI, except for in jobs as teachers or with NGOs, or perhaps the government. Women and girls gather with women and girls in their homes, and they do not go out much.

Journalist Osama Al Habahbeh, Program Manager at International Media Support

Copenhagen, 23 October 2015

Osama Al Habahbeh works as programme manager at International Media Support (IMS) in Iraq. International Media Support is a non-profit organisation working to strengthen the capacity of media to reduce conflict, strengthen democracy and facilitate dialogue. IMS has been actively supporting the Iraqi media since 2005. An important dimension of the IMS Iraq programme is conflict resolution, uniting political adversaries in the media sector.[230]

Security situation in the Kurdistan Region of Iraq and other Kurdish controlled areas

The security situation in the Kurdistan Region of Iraq (KRI) and other Kurdish controlled areas has deteriorated since June 2014, when Islamic State (IS) invaded Iraq and took control over 1/3 of the country, including Mosul. The invasion caused a huge number of internally displaced people (IDP) trying to get into Baghdad but being refused entry at the gates, if they could not provide a sponsor. According to Osama Al Habahbeh, the reason for not letting the IDPs enter Baghdad was that they were Sunnis, and that the authorities in Baghdad want to maintain the current demographic division of Baghdad with the Shias being the majority. The IDPs who were turned away at the entry points to Baghdad had no other choice than to go back to their place of origin and join IS or try to gain access to KRI. Although many Arabs were refused entry into KRI, the region did receive 1.8 million IDPs, which has caused lots of tension between Kurds and Arabs, especially in Erbil and Sulaimania. As United Nations High Commissioner for Refugees (UNHCR) lacks funds to assist all the IDPs, the IDPs have to find means to support themselves. The lack of job opportunities for IDPs in KRI has led to an increase in petty crime, such as theft, committed by IDPs who are often not able to find work to sustain their livelihood.

During October 2015, there has been political tension in Sulaimania with demonstrations against Massoud Barzani, who wants to have a third term as president, and his government who is accused of being corrupt and not paying salaries to its employees. A few demonstrators have been shot by the security forces, and some have been arrested. Journalists who were filming and

[230] http://www.mediasupport.org/areas/mena/iraq/.

covering the demonstrations were beaten by the security forces. Earlier, the demonstrations would be against IS, but now people are protesting against the political situation as such. As an example of the political tension in KRI, Osama Al Habahbeh mentioned that in October 2015 the speaker of the Kurdish parliament, Yousif Mohammed was denied entry into Erbil when on his way from Sulaimania, where he lives, to the parliament in Erbil. The reason for denying him entry was believed to be political, as he belongs to the opposition party Gorran.[231]

With regard to the general security situation in Kirkuk, there is some stability in the city, but not outside where IS is present. According to Osama Al Habahbeh, the Kurdish authorities are misusing the war with IS to impose restrictions in Kirkuk and KRI, and they have publicly stated that 'either you are with us or you are with IS'. There have also been restrictions on media coverage, and Massoud Barzani has issued a decree by the end of 2014 or the beginning of 2015, stating that the media must use the term 'martyr' (in Arabic: 'shaheed') when a Kurd is killed in battle and the term 'terrorist' (in Arabic: 'irhabi') if the person is not Kurdish. According to Osama Al Habahbeh, the Kurdish authorities are interfering in the freedom of the media trying to impose hate speech.

The majority of IDPs in KRI are living in Dohuk. The IDPs in Dohuk are mostly Yazidis. The IDPs' complaints about lack of shelter, support, utilities and protection have led to tensions between them and the Kurdish authorities.

IDPs fleeing Anbar are refused entry into Baghdad, so they either join IS or go to KRI where they have trouble finding shelter, food and jobs. In KRI, they are met with racism. In Sulaimania, there have been demonstrations against Arabs, demanding them expelled from Kurdish territory. 'Right wingers', defined by the source as people with a right winged mind-set, have been painting graffiti in Sulaimania stating that Arabs must leave, meaning that they should go to Turkey or Europe.

According to Osama Al Habahbeh, even some Peshmerga fighters are now fleeing to Europe to seek asylum.

When asked to what extent IDPs are exposed to physical danger such as mine fields, car bombs and factional fighting, Osama Al Habahbeh answered that there are no such threats in KRI. He mentioned that harassment, on the other hand, is an issue, and that IDPs cannot leave the camps without permission. In addition, their children are prevented from accessing schools. Osama Al Habahbeh also mentioned that the infrastructure in KRI is not adequate for supporting the number of IDPs in need of protection.

Presence and activities of Islamic State

IS is strong in Mosul, Tikrit and the western part of Iraq. Osama Al Habahbeh quoted media and reports from security officials that many IDPs who arrived in KRI were sleeper cells. Some even

[231] Osama Al Habahbeh referred to an article on nrttv from where he had information about the incident: http://www.nrttv.com/EN/Details.aspx?Jimare=3805.

carried maps of targets and written plans of how to carry out the attacks, according to security officials. Although the sleeper cells cannot enter KRI now, they still have a presence in KRI and are able to carry out attacks whenever they want to. Osama Al Habahbeh explained that the Kurdish military and security forces are quite professional, however, IS has the capability to launch attacks from inside, especially in Kirkuk, as the area is disputed. IS is composed of former officers from the army of Saddam Hussein who, in a future scenario, will not allow Kirkuk to be under Kurdish control.

When asked if IS is linked to tribes or other groups within KRI or other Kurdish controlled areas, Osama Al Habahbeh explained that there are some Kurdish tribes who are sympathising with and have joined IS for religious reasons. The extremists are concentrated in the south east around the city of Halabja. Osama Al Habahbeh did not believe that the citizens of Ranya would be sympathetic towards IS, as they are, in general, supporting the Patriotic Union of Kurdistan (PUK) and are considered to be very clean, pure and conservative.

Presence and activities of Shia militias

The Shia militias are not present in KRI or in the contested areas. Despite tensions amongst them, the Peshmerga and the Shia militias do cooperate militarily around Mosul. They are also coordinating efforts to protect Kirkuk, although the Shia militias want the area to be predominantly Shia. In addition, both parties are aware of the other party's agenda.

When asked if the Shia militias target certain groups or profiles in KRI and other Kurdish controlled areas, Osama Al Habahbeh answered that they particularly target Sunni Arabs, not the Kurds who are too powerful. He had not heard of confirmed actions such as attacks on mosques, but he had heard of harassment for instance during Ashura where Shia worshippers march through Sunni areas in Baghdad and pretend that they have been attacked by Sunnis during their march. Shia militias then retaliate the attack.

According to Osama Al Habahbeh, the Popular Mobilization Forces (in Arabic: 'al-Hashd al-Shaabi'), who consist of Shia militias, are the ones in power. They are supported by the Iraqi Security Forces with weapons. The Popular Mobilization Forces have their own flag and do not use the Iraqi flag. Whatever they say is done, and if they ask for support from the Iraqi defence, they will receive it. The Popular Mobilization Forces are funded by local Shia political parties and the Iranian government.

Peshmerga forces and the Kurdish police force

Osama Al Habahbeh did not have information on the profile of detained IS members. The source was aware of people from the political opposition being detained, tortured and killed by the Kurdish forces. He mentioned that this happened to a journalist named Sardasht Osman, who had

been writing about President Massoud Barzani being corrupt. Sardasht Osman was arrested on 4 May 2010, and his dead body was found on the highway of Mosul on 6 May 2010.[232]

The Peshmerga forces can easily pursue their targets within KRI and other Kurdish controlled areas, as they have agents all over the place.

When asked about the jurisdiction of the Peshmerga forces, Osama Al Habahbeh replied that there are many laws, but that the Peshmerga forces do what they want as these laws do not apply during a state of emergency. Officially, the Peshmerga forces are directly under President Massoud Barzani who is in command of the security service, Asayish, and the Kurdish armed forces. In reality, the Peshmerga is, however, divided, and there are two Peshmerga forces in KRI, one in Erbil and one in Sulaimania. The Peshmerga forces in Erbil refer to the Kurdistan Democratic Party (KDP), and the Peshmerga forces in Sulaimania refer to the Patriotic Union of Kurdistan (PUK). In line with this, KRI almost works like two different republics. Erbil and Dohuk is controlled and de facto administered by the Kurdistan Democratic Party (KDP), and Sulaimania is controlled and de facto administered by the Patriotic Union of Kurdistan (PUK). In 1995, the two Peshmerga forces fought against each other, but this is no longer the case. Currently, there is no confrontation between the two forces, but Osama Al Habahbeh is not aware of them cooperating either, although that might be a possibility in Kirkuk.

Asked if the citizens of KRI are subject to military service, Osama al Habahbeh said that he had no information about this.

Access to the Kurdistan Region of Iraq and other Kurdish controlled areas

In general, any Iraqi citizen who wishes to enter KRI must have a sponsor. Even for business purposes a sponsorship is required, unless the person has an official invitation from the authorities.

IDPs are no longer allowed to enter KRI, and de facto settlements have been established just outside Erbil at the checkpoint on the road from Baghdad to Erbil. Hundreds of IDPs are sitting outside the checkpoint waiting to find a sponsor who can guarantee for them. The sponsor, who must be Kurdish, will have to come to the checkpoint to sign papers guaranteeing for the IDP. According to Osama Al Habahbeh, it is possible to buy a sponsorship. He did not know how much it would cost but mentioned that an IDP would have to pay once at the beginning of the sponsorship and every time the permit is renewed, which can be every half year or every year. Earlier, the requirement of sponsorship was lifted, but since the end of 2014, the authorities have started imposing the requirement again. Besides a sponsorship, IDPs who want to enter KRI must also show their Iraqi nationality certificate (in Arabic: 'shahadet al-jensiyya').

[232] Osama Al Habahbeh referred to an article about the incident on https://www.frontlinedefenders.org/node/2511.

While all Sunnis must have a sponsor to enter KRI, this is not the case for Christians and Yazidis who are fleeing from the south. Also Kurds and Turkmen are exempted from the sponsorship requirement.

Osama Al Habahbeh had heard that there is a major wave of Christians migrating from Dohuk and Erbil towards Europe. For further information, the source referred to the website nirij.org run by independent journalists.[233]

After being allowed entry into KRI, all IDPs must go to an interview with the Asayish. According to Osama Al Habahbeh, people hate these interviews which are very tough interrogations on personal issues such as the person's beliefs. Osama Al Habahbeh had not heard that special positive treatment is given to weaker groups such as single Arab women with children.

There are different ways to identify the ethnic and religious background of the IDPs wishing to enter KRI. A Shia woman may be identified because she wears a black scarf (in Arabic: 'hijab'). The family name of an individual will also reveal which tribe he is from, thereby disclosing the ethnic background. Finally, it is stated in the ID papers and passport whether a person is for instance Muslim, Christian or of another religious background. It is not stated in these documents whether a Muslim is Shia or Sunni.

When asked if ethnic Kurds with long residence in Kirkuk have access to KRI, Osama Al Habahbeh replied that Kurds can move around all of KRI, and an Iraqi Kurd, regardless of his place of origin, can enter KRI whenever he wants.

Asked if the sponsorship requirement is lifted in situations of emergencies or religious holiday, Osama Al Habahbeh replied that this is not the case.

Possibility for IDPs to enter the Kurdistan Region of Iraq by main roads

The police force in KRI is under the political parties which means that the police force in Erbil belongs to the Kurdistan Democratic Party (KDP), and the police force in Sulaimania belongs to the Patriotic Union of Kurdistan (PUK). When driving from Sulaimania to Erbil, the first checkpoint will be manned by the Patriotic Union of Kurdistan (PUK) police force that has a green flag, and around fifty to one hundred meters down the road another checkpoint is under the control of the Kurdistan Democratic Party (KDP) police force that has a yellow flag. The checkpoints within KRI are controlled by Kurdish authorities, but on the way to Baghdad, outside KRI in the contested areas, there are many unofficial checkpoints manned by tribes and other actors. There are also many ad hoc checkpoints manned by the police whenever tensions rise or intelligence reports indicate IS being a threat. Osama Al Habahbeh explained that he has been stopped many times at such checkpoints.

[233] Network of Iraqi Reporters for Investigative Journalism: http://www.nirij.org/?lang=en.

When asked if it occurs that people who hold appropriate and valid documents are being denied entry at the border checkpoints, Osama Al Habahbeh replied that people may be turned away if they are on a wanted list of the intelligence service. According to Osama Al Habahbeh, the Kurdish intelligence service is very advanced as they have been trained by Israel's Intelligence and Special Operations Service, Mossad. Although they would deny this, the Israelis and the Kurds previously had a common enemy, and the Israelis supported the Kurds in exchange of information during the Saddam Hussein era. IDPs will not be told that they are turned away from a checkpoint because they are Sunni. An intelligence based excuse will be used instead.

Possibility to seek protection from the authorities

Asked if individuals can get protection from the KRI authorities, such as the police and the judiciary, Osama Al Habahbeh responded that it would depend on who the persecutor is. If it is a private conflict, he expects that the authorities would offer protection irrespective of the individual's ethnicity, but the authorities would not protect an individual in case the person had a conflict with a politician.

KRI is still a tribal society, and some tribes are above the authorities which means that they may also be able to offer protection. This is not the case as far as religious leaders are concerned, since their power is limited.

Honour crimes

People at risk of becoming victims of honour related crimes cannot get protection from their tribe, and the police will not interfere in such matters. The only way to protect a woman who risks honour killing is to put her in jail. Putting the woman in jail may protect her from being killed by her family, but in jail she risks being raped or sold through human trafficking by the authorities.[234] A woman fleeing honour killing cannot hide anywhere in Iraq. She would have to leave the country in order to be safe. Mediation with the family is not a possibility. Asked if there were any cases of honour crimes brought before the court, the source replied that there are court cases.

Osama Al Habahbeh had heard of international non-governmental organisations (NGO) trying to establish shelters in KRI, where the government run shelters are actual prisons. In Sulaimania, there is a project that supports the women by trying to get them out of jail and into shelters. The project also trains lawyers in how to defend such women. Compared to the cities where honour killings are easy to hide, the prevalence of honour killings is higher in the rural areas, where no one will speak publicly or write about such incidents, and where the tribe will protect the family's honour rather than the individual.

[234] In this respect, Osama Al Habehbeh made reference to the previous chairwoman of Democracy and Human Rights Development Centre (DHRD, website of this organisation is www.dhrd.org). Sardahst Abdullah is now working with UN Women in Sulaimania.

Honour killings and female genital mutilation (FGM) are widespread in KRI.[235]

Osama Al Habahbeh mentioned that it has been mentioned in Kurdish media that prostitution is becoming more frequent in Sulaimania, and that IDPs are accused of destroying the moral of society. The punishment for prostitution is stoning to death. However, in practice this is not implemented.

Harassment based on religion or ethnicity
When asked if ethnic and religious groups, who are being harassed in KRI and other Kurdish controlled areas, are able to seek protection from the authorities, Osama Al Habahbeh explained that to his knowledge, they would not be able to get protection. Harassment is an issue in many IDP camps, especially in the Arbat camp, where Yazidis and Sunni Arabs harass each other. The lack of protection of minority groups by authorities manifests itself in IDPs creating ghettos based on ethnic affiliation inside the camps and in other areas where they live.

Independent Journalist Shalaw Mohammed

Erbil, 1 October 2015

Shalaw Mohammed is an independent journalist based in Kirkuk. At the beginning of the meeting, Shalaw Mohammed made clear that he is an independent individual and not affiliated with any political party. All points of view expressed by him during the meeting with the delegation are therefore utterances based solely on his individual perceptions. He has been writing for the Iraqi website NIQASH for four years.

Security situation in the Kurdistan Region of Iraq and other Kurdish controlled areas
Shalaw Mohammed explained that the causes of the high number of internally displaces people (IDP) in the Kurdistan Region of Iraq (KRI) have a longer history than the immediate conflict created by Islamic State (IS). In 2005, when the sectarian conflict between Sunnis and Shia was rising, many Iraqis fled to KRI. Already at that time, the Kurdistan Regional Government (KRG) did not have the facilities to accommodate a high number of IDPs. Currently, the Iraqi central government has cut funding to the Kurdistan Regional Government (KRG) for IDPs, and the Kurdistan Regional Government (KRG) is therefore even less able to provide the necessary assistance. In addition, many of the non-governmental organisations (NGO) working in the area use their resources on research and investigations instead of bringing supplies to meet the actual needs of the IDPs. The security situation for IDPs does not live up to expected standards.

Shalaw Mohammed further explained that in the beginning of the conflict with IS, 78,000 families from Diyala, Tikrit and Anbar came to KRI. The middle and upper class families among the IDPs

[235] For further information on FGM in Iraq, Osama Al Habahbeh made reference to the website nirij.org run by independent journalists Network of Iraqi Reporters for Investigative Journalism: http://www.nirij.org/?p=418.

were able to rent apartments which made the prices to go up from between USD 300 and USD 400 to between USD 600 and 700. This rise in prices also affects the price level for rent collected from host community tenants.

The Iraqi central government does not provide funding for IDP camps. In the view of the source, the funding should be taken from the areas controlled by IS and be spend on IDPs from these areas now living in camps. The Governorate of Kirkuk does not have enough funding to take care of the IDPs. From a health care perspective, the source mentioned an example of the consequences of the lack of funding in that the ambulance service in the Leylan IDP camp inside Kirkuk sometimes wait to go and pick up a patient until they are called for another patient to be picked up in the same area, in order to save resources.

Further to the situation in Kirkuk, Shalaw Mohammed explained that Kirkuk does not have major factories that provide employment opportunities. There are oilfields in Kirkuk, but the income from these go to the central government of Iraq and not to the local people in Kirkuk where there is a high unemployment rate. IDPs are looking for income generating activity, but with a limited number of jobs available, many resort to stealing to cover their needs. In addition, some IDPs are trading food and medication from the Kurdish controlled areas to IS controlled areas where there is no production, and supplies are reduced. Some of the items are stolen, but most of them are traded. Shalaw Mohammed mentioned as an example that a container with cooking gas has a value of IQD 7,000 (USD 6) outside the IS controlled area, but it is worth IQD 55,000 (USD 45) inside the area.

As regards IDPs being exposed to physical danger by the conflict, Shalaw Mohammed said that the IDP camps in Kirkuk, Yahyawa and Leylan, are well protected. However, during the past nine months up until 22 September 2015, there have been 72 cases of IDPs who have left those camps and have been shot dead with pistols with mufflers. The head of the Arab faction in the Provincial Council, Mohammed Khalil, who was shot and killed together with his wife on 1 December 2015,[236] provided the abovementioned number of 72 IDPs to Shalaw Mohammed. By doing his own research through the police department, Shalaw Mohammed found out that the killings were committed for two reasons: (1) revenge as effect of social disputes among IDPs themselves and (2) former IS members being assassinated by IS.

Concerning the use of vehicle borne improvised explosive devices (VBIED) in Kirkuk, the source informed the delegation that examples of such attacks against government officials from the judiciary branches have been reported, and that BMWs without registration numbers were often used for this kind of attacks. The source further stated that, usually, explosions happen in Kirkuk to a larger extent when the tension between the political parties rises over nationalism topics or the future of Kirkuk. In addition to the vehicle borne explosive devices (VBIED), bombs have also been planted inside Kirkuk. Similar attempts of bombings have been prevented in Sulaimania.

[236] Email of 2 December 2015.

Presence and activities of Islamic State

In Erbil, there have been IS attacks by use of vehicle borne improvised explosive devices (VBIED) against the building of the National Security at the end of September 2013, the Headquarters of the Governor of Erbil in November 2014, and the US Consulate in Ankawa in April 2015.

Asked about the existence of IS sleeper cells inside KRI, Shalaw Mohammed informed the delegation that some cells were captured and investigated in Erbil and Sulaimania. The suspects came into the region as IDPs providing IS with intelligence and assisting them in activities.

Asked if IS is linked to tribes or other groups in KRI and other Kurdish controlled areas, Shalaw Mohammed explained that there are some religious clerics who are hardliners, such as Mala Shwan from Erbil, and who directly or indirectly support the idea of a caliphate, but on the other hand no group could officially support IS in the Kurdish controlled areas.

Shalaw Mohammed was asked if there are any areas within KRI and other Kurdish controlled areas in which a significant part of the inhabitants are sympathetic to the vision and the goals of IS, and if Ranya would then be one of those areas. He explained that with regard to the district of Ranya in the Governorate of Sulaimania, it is located in the mountains that were a safe haven to the members of radical Islamic groups who fought against the socialist parties during the period between 1994 and 1997. This could give the impression that people living in Ranya might be IS supporters, but the opposite is actually the truth. The fact that 765 Peshmerga fighters from Ranya have died or been wounded during the period of 10 June 2014 to 10 June 2015, proves that at least generally speaking, the inhabitants of Ranya are not supporters of IS. Shalaw Mohammed added that he was himself displaced in Ranya from 1991 to 2004.

Presence and activities of Shia militias

Shia militias are not controlling any area under Kurdish control. The Shia militias are not active in KRI and other Kurdish controlled areas. Shalaw Mohammed added that whoever is fighting IS is partner with the ruling party of the Governorate of Sulaimania, Patriotic Union of Kurdistan (PUK), who are more open-minded than the ruling party of the governorates of Erbil and Dohuk, Kurdistan Democratic Party (KDP). Patriotic Union of Kurdistan (PUK) is partner with the Shia militias in Jalawla, Bashir, Diyala and Tuz Khurmatu. The Patriotic Union of Kurdistan (PUK) in Sulaimania is closer to the Iranian border which gives them a better understanding of the Shia Arabs. The Kurdistan Democratic Party (KDP) cooperates to a larger extent with Sunnis, for instance in Turkey.

In areas outside Peshmerga control, there are some areas controlled by the Shia militias. These militias are involved in two kinds of activities. In some areas, they have become partners with the Peshmerga against IS, and in other areas, where the Peshmerga is not present, they want to eliminate all signs of Sunni existence. They blow up mosques, occupy villages and in other ways try to eliminate all Sunni existence where they come. They target key Sunni individuals like key

leaders of the local community. Shalaw Mohammed mentioned an example from Tuz Khurmatu where four bodyguards of President Fuad Masoum were kidnapped by militias. At the time of the meeting, there had been no sign of them. One of the bodyguards was Sunni Arab, and the other three were Kurds. The source added that in cases where the Peshmerga forces are partnering with Shia militias, such things do not happen. In a case from Tuz Khurmatu where Peshmerga and Shia militias were jointly fighting IS, the Shia militias came back later and started killing the citizens of the town, burning the houses that had been headquarters of IS and executed the leaders. These actions started in November 2014. Shalaw Mohammed was on the spot taking photographs.

Prisoners taken by Peshmerga forces

Asked about the profile of prisoners taken by the Peshmerga during the armed conflict, Shalaw Mohammed said that the Peshmerga do not have the authority to keep prisoners and therefore usually submit prisoners to the Council of National Security in Sulaimania or to the security forces in the Kurdistan Democratic Party (KDP) dominated areas. Pursuance of targets within Kurdish controlled areas is possible but must be backed by a court order.

Access to the Kurdistan Region of Iraq and other Kurdish controlled areas

Shalaw Mohammed said that Iraqi citizens coming from abroad must have a passport to enter KRI. Based on the airport procedures, a returnee from abroad will be permitted to enter but must go to his place of origin to settle. A returnee, who has been offered a contract with a company in KRI willing to sponsor him, may be exempted from this rule. In such case, the returnee may be given security clearance and be allowed to live in KRI.

For IDPs who wish to enter Kirkuk and KRI through checkpoints at the frontline, the access has currently stopped. Formerly, the authorities required seeing the nationality certificate and the food ration card to identify the origin of the person in question, and he or she was also asked to provide a Kurdish sponsor. Finally, the IDP was asked to register at the local mukhtar.

If IDPs wished to go to Kirkuk, they had to pass through Daquq, a town 47 km south of Kirkuk. At this checkpoint, ID documents were asked to enter Kirkuk. At the border to Sulaimania Governorate, there is a checkpoint at the town of Tasluja at which IDPs were also asked to present their ID documents in order to enter KRI, but if the IDP wanted to settle for a long period, he or she had to find a sponsor, and it had to be a sponsor from Sulaimania.

The access to KRI by land was stopped in February 2015 because the number of IDPs in some villages exceeded the number of host community inhabitants. This was the case in the town of Shaqlawa 50 km north of Erbil. The original number of inhabitants was 20,000 people and during the conflict the number of IDPs in Shaqlawa reached 23,000 people. In Kirkuk Governorate, only elderly people are given access.

Camp management in Baharka and Harsham IDP Camps

Erbil, 29 September 2015

Camp management (UNHCR), Baharka Camp

The camp was originally established in August 2013 as a transit camp for Syrian refugees. This means that the camp is a relatively new camp. The standard of the camp has, however, been continuously improving. For example, families were moved from temporary emergency shelter in the large hangar areas and tents on land that was not prepared and therefore drainage and flooding was a problem. The temporary site had communal latrines which caused issues for women, children, elderly and disabled to access latrines, especially at night. Families were moved to the Baharka extension which includes family latrines, showers, kitchens, water taps and electricity.

Recently the ground in Baharka camp started settling, which places families residing in certain areas of the camp at risk. The identification of a new site for the IDPs is ongoing. However, it is challenging, as only one percent of the land in KRI is owned by the government.

Housing in Baharka Camp

Every IDP family unit in the camp gets one tent with latrine, shower and kitchen. A family unit counts up to six members. Families with more than six members receive two tents.

Most of the IDPs in the camp have been displaced from Ninewa Governorate. There are, however, also families from places like Anbar, Tikrit and Baghdad. New arrivals come into the camp on a daily basis. But the resources are scarce. So the new arrivals present a challenge to the camp management. The source said that IDPs who are currently arriving on a daily basis have been living in Erbil but have run out of their savings and can no longer afford to pay rent. The source does not have specific data on age, gender and point of displacement, but is aware that these are mainly large families with children.

Some families have been selected to live in prefabricated caravans. The selection criteria for these families are set up by the Barzani Charity Foundation, Erbil Refugee Council (ERC) and the United Nations High Commissioner for Refugees (UNHCR). The criteria follow common vulnerability standards which include 'medical conditions', 'disability' and 'female headed households'. The International Medical Corps (IMC), UNHCR and their partners were involved in the selection process.

Unlike the tents, the prefabricated caravans have locks on the entrances. To pick families for the prefabricated caravans, the entire camp was screened. About 100 of the families that were selected decided not to move to the caravans. The tent compounds can provide more room for the inhabitants and therefore many families found them more attractive than the caravans. In addition, families with more than six members are given more than one tent and are therefore able to establish a small camp of tents with a space in the middle.

Electricity for the caravans and tents is provided by the Kurdistan Regional Government (KRG).

Health clinics in Baharka camp

There are two main health clinics in the camp. A primary health care clinic is run by International Medical Corps (IMC) and a secondary health care clinic is run by the United Arab Emirates (UAE) Red Crescent Society. In addition to the health clinics, there is a clinic focusing on reproductive health and a so-called 'baby hut'.[237] These two clinics are smaller clinics than the first mentioned health clinics.

Education in Baharka Camp

There is one primary school in Baharka camp. The school was built by United Nations Children's Fund (UNICEF) and handed over to the Central Government Ministry of Education (MoE). Corresponding to this, the secondary school is supposed to be run in the camp, but it has not opened yet.

Drop-in centre in Baharka Camp

At the Drop-in Centre in Baharka camp, different protection activities are held. The Drop-in Centre model is also used in urban areas of Erbil and Shaqlawa. The idea behind the centre is to create a user friendly environment where IDPs only have to go to one place for a variety of services. In addition, it is easier and more discrete for women to go to a drop-in centre instead of a sexual and gender based violence (SGBV) centre (please refer to 'Conditions for Females in Baharka Camp').

Diapers, milk and 'dignity kits' are distributed through the camp management, and a number of community focused activities are also run from the centre.

As examples of activities run in the Drop-in Centre in Baharka camp, the camp management mentioned the 'One Stop Shop' run by INTERSOS together with a number of partners who provide different kinds of activities. The partners are Agence d'Aide à la Coopération Techniques Et au Dévelopment (ACTED), Save the Children, Qandil, International Medical Corps (IMC), Norwegian Refugee Council (NRC) and UNHCR. Other agencies that may provide services in the Drop-in Centre include Al-Messala and Federazione Organismi Cristiani di Servizio Internazionale Volontario (FOCSIV).

Need for ID documents among IDPs

If IDPs are caught without documents, they risk being detained. When they leave Baharka camp, they have to leave a form of ID to the Asayish. As a consequence, they might get stuck somewhere between checkpoints or get caught at an unexpected checkpoint. Generally speaking, Sunni Arab and Turkmen IDPs face more problems related to the freedom of movement, if they do not possess valid residential documents which are allowing for movement in Erbil Governorate.

[237] The 'baby hut' is run by Erbil Directorate of Health (DoH) and funded by UNICEF. The focus is on child nutrition.

The Baharka camp management explained that the understanding of Kurdish authorities is that IDPs living in camps do not need residential documents. However, this will soon change as it has now been agreed with the Asayish to register IDPs in the camps in order to issue residential documents. Among the IDPs interviewed by the International Organization for Migration's (IOM) Displacement Tracking and Monitoring Unit (DTM) in Erbil between April and August 2015, twenty percent were missing some kind of documentation. As a consequence, these IDPs typically cannot register with the Ministry of Migration and Displacement (MoMD). Moreover, their children cannot register for school. They cannot obtain residential documents and without residential documents, they are not able to work legally as employees in KRI or to rent a house. IDPs without documents are restricted in their freedom of movement and they are at risk of being detained. The Iraqi system is a system that relies on documentation in many ways.

Qandil runs a 'Legal Documentation' project in the Drop-in Centre in Baharka camp. Qandil tries to facilitate recovery of missing documents for IDPs. For many IDPs, document recovery is a challenge. Qandil works through local lawyers in their efforts to facilitate the recovery. In addition to document recovery, Qandil also assists IDPs in registering for new documents and civil status changes. Birth and marriage certificates or new ID documents as consequence of a civil status change are typically easier to get than recovery of a missing document, in particular civil ID card that requires IDPs to either travel to the offices of the Nationality Directorate in Sheikhan, Zummar in the Ninewa Governorate or back to their places of origin to replace it. The Qandil lawyers face a number of different obstacles to recover missing documents. As of 15 November, the Ninewa directorate of nationality and civil status documents has opened a branch in Erbil, which is accessible to all IDPs, except for those from Tel Afar, whose documents can only be replaced or issued in Basra.

To apply for document recovery, IDPs need to apply in person at the relevant administrative office. There is an office in Sheikhan for IDPs from Ninewa, including Mosul. However, it is difficult to travel through the Kurdish areas without ID documents. For Kurdish and Yezidi IDPs it is easier than for Arab or Turkmen IDPs.

Ethnic composition in Baharka Camp

There are no records of the ethnic distribution in Baharka camp, but an estimate says that Arab Sunnis are a large percentage, around fifty percent, and the rest are Kurdish, Shabak, Kakai and Turkmen, however, the exact breakdown is unknown. In addition, there are a few Palestinian refugee families. The camp population is mixed, but a number of Yazidis who were previously living in the camp have left, and there are no Christians in the camp.

There are specific camps/settlements for Christian IDPs in Erbil, which are managed by the Church. Some Christian IDPs live in the rented accommodation or unfinished buildings in Ankawa neighbourhood of Erbil. They are both protected and taken care of in other ways by the local church.

The Yazidi IDPs are mainly living in Dohuk.

Conditions for females in Baharka Camp

There are concerns related to domestic violence, child marriages and sexual harassment in Baharka camp. The conditions have improved in terms of better and more private latrine facilities for each family. In addition, Al-Messala is the gender based violence (GBV) assistance provider in Baharka that also has a Department for Combatting Violence against Women (DCVAW) officer working with them, and female IDPs can go to the above mentioned Drop-in Centre and ask for assistance in a discrete way. Save the Children also runs both 'child-friendly spaces' and a 'women centre' run by Al-Messala in Baharka camp.

Job market for IDPs in Erbil

IDPs need permission from the Kurdish authorities to work in KRI. Only a small number of IDPs have jobs outside the camps. KRI is overpopulated in terms of general resources and jobs, and even before the big waves of refugees and IDPs that have come in, there was a lack of job opportunities in the region.

Some IDPs who were publicly employed before their displacement do, however, still receive salaries from the central government in Baghdad.

Number of IDPs living in camps

There are currently more than 280,000 IDPs in Erbil and about five percent of them are living in camps. Significant numbers of IDP families, about ten percent, are living in critical shelters like unfinished and abandoned buildings, schools and religious buildings among others. This amount corresponds to the general situation in KRI where only a small number of IDPs live in camps. Most IDPs live in other types of settlement than the IDP camps. Most of them are dispersed through the urban areas. Only Dohuk stands out in terms of accommodation of IDPs, as the number of IDPs living in camps in Dohuk is a bit higher than in other parts of KRI. This is due to the higher number of camps available in this governorate.

The Kurdistan Regional Government (KRG) has an ambition to allocate more government owned land for IDP camps. There is not enough space in the existing camps to cover the need for accommodation of IDPs. A number of IDPs are therefore currently on a waiting list for Baharka camp. It was added that Harsham and Baharka camp are full, so alternative shelter options are limited in Erbil Governorate.

Financial situation of IDPs in the Kurdistan Region of Iraq

Due to the protraction of the IDP crisis in Iraq, a lot of IDPs are running out of financial means. They cannot afford living outside the camps any longer. The competition for jobs in KRI is huge. Even in the informal market, it is almost impossible for IDPs to find employment, and speaking Kurdish is essential for getting a job both in the formal and the informal sector.

All services provided in the IDP camps are free of charge, and many IDPs living in camps have received financial support, consisting of a grant, from the Ministry of Migration and Displacement (MoMD). The Kurdistan Regional Government (KRG) is complaining that it needs more funds to cover the expenses for utilities to IDPs in camps.

Food and water supplies for IDPs in Baharka Camp

IDPs in Baharka camp receive food parcels, while in Harsham camp and in out-of-camp areas IDPs receive food vouchers. In the past, the large families in Baharka received food parcels based on the number of shelters or tents they occupied. Currently each family, regardless of its size, receives one parcel per family. In addition, as of November 2015, IDPs can receive food only if they possess Public Distribution System card, which further increases food insecurity among vulnerable IDPs. It has to be noted, in this regard, that missing Public Distribution System cards cannot be replaced unless the IDP personally travels to his/her place of origin or Baghdad. IDPs residing in Harsham camp and in out-of-camp locations receive food vouchers, which have been decreased in their amount. A food parcel contains dry food like sugar, lentils, tomato paste, rice, flour and beans.

It is not possible to live on a nutritionally balanced diet on the items from the food parcels, and many IDPs sell their parcels. But generally speaking, IDPs in Baharka camp do not suffer from malnutrition.

There are two deep wells and four water drillings controlled by UNICEF in Baharka camp. The IDPs have access to freshly pumped water four hours a day. Generally, IDPs in Baharka have about 100 liters of water per day which is almost double the standard; this is because the boreholes produce enough potable water; however, this does not mean they have more water than the host community. Potentially during the summer season when everyone in Erbil is suffering from water shortage, Baharka may be better off because they have boreholes. However, Baharka depends on electricity to pump water from the boreholes. Currently, discussions are ongoing on how to connect water pumps to generators.

Camp management (ACTED), Harsham Camp

At the meeting with the camp management in Harsham camp, representatives from a range of organisations providing services in the camp were present. Among these organisations were the Barzani Charity Foundation, Terre de Hommes (child protection agent in the camp), Norwegian Refugee Council, International Medical Corps (health care services), Qandil and the United Arab Emirates secondary health clinic (same as Baharka).

Harsham camp has been open since September 2014. The camp suffered from damages under a storm in 2014. Some of the service providers' offices, that were located in tents, were damaged

under the storm. They are rehabilitated and functioning now. Harsham Camp is housing 260 families with a total of 1,437 individuals from Ninewa, Anbar and Salah al-Din. The Camp management added that the population is fairly young which makes them vulnerable.

IDPs living in Harsham camp do not leave their IDs when they go outside the camp. IDPs prefer living in Harsham camp, because the camp is placed in an urban space contrary to the majority of other camps in KRI that are located in rural areas. The camp is full, and IDPs are on a waiting list to move into the camp.

Education in Harsham Camp

On the day of the meeting with the delegation, the camp management in Harsham camp stated that they were hoping to be able to open a school very soon. When the school is opened, the central government in Baghdad will be responsible for running the school. After the meeting, the delegation was notified by UNHCR that the primary school in Harsham has opened.[238]

One of the big government challenges is to pay teachers. In general, this poses a large risk to the formal education system, not only in IDP camps or in KRI but in the entire country. Teachers have not received salaries for eight months. A lot of the IDPs themselves were teachers before their flight. So technically speaking, they could be mobilized to teach voluntarily in the IDP camps. But especially during the current financial crisis, it is difficult to recruit people to work for free.

On the day of the meeting with the delegation, the camp management had plans to commence registration for the school in Harsham camp. The original plan for the school was to run a primary school. However, there are more than 100 secondary school children in the camp. After the meeting with the delegation, UNHCR has informed that a secondary school 'shift' is now run at the primary school in the afternoon.[239]

At the time of the visit to the camp, it was technically speaking still summer break. Until the summer break started, Terre de Hommes and the Barzani Charity Foundation were running informal education in Harsham camp. This was not a sustainable solution.

The Iraqi school year begins on 1 October except in KRI where it begins on 15 September. For the school in Harsham camp, the first day of school has been postponed to 15 October.

Not counting the informal education mentioned above, the IDP children living in Harsham camp have lost a formal school year in 2014/2015.

[238] Email of 20 November 2015 from UNHCR.
[239] Email of 20 November 2015 from UNHCR.

Job opportunities for IDPs in Harsham Camp

Only very few IDPs living in Harsham camp are employed. Out of a total camp population of 1,437 individuals, around 35-40 people are employed with manual work. They are hired on a contract through an agency.

The reason why such a relatively small number of IDPs from the camp are employed could be that there is a barrier in terms of residency requirements. But in addition, there is generally speaking a lack of jobs on the market. IDPs from other parts of Iraq are not the most desired type of workers.

When the camp management needs work to be done in the camp, they try to hire workers among the inhabitants in the camp. Some of the staff members of the organisations working in the camp are IDPs. A standard for payment is agreed to with the authorities. The IDPs working in the camp do not earn a high salary, but it is better than nothing.

Health care services in Harsham Camp

Primary health care is provided by the International Medical Corps (IMC) in Harsham camp. There is a referral agreement between the governmental sector and International Medical Corps (IMC) for secondary treatment. The same goes for the United Arab Emirates secondary health clinic that works in Harsham as well as in Baharka.

All health care services are provided to IDPs free of charge and funded by the government. There is, however, pressure on the health care system because of the big number of IDPs who have arrived in KRI. The International Medical Corps (IMC) tries to take part of the load to ease this pressure by establishing mobile medical units in the IDP camps, and the International Medical Corps (IMC) are only referring the worst cases to secondary care.

IDPs with needs of continuous care, like people with chronicle diseases, have a challenge because the health care system is overrun. This is, however, also an issue for the host community, and people from the host community living in remote areas might, in this regard, even have bigger challenges than the IDPs.

Harsham camp is able to provide mental health care services through special physicians coming to the camp. The International Medical Corps (IMC) mental health program includes psychiatrist and counselors. These services are offered both to the IDPs in the camp and to the local host community.

Housing in Harsham Camp

When Harsham camp was first established, IDPs were living in UNHCR tents, but now caravans have been installed. The caravans in Harsham camp do not live up to the water, sanitation and hygiene (WASH) standards.[240] UNHCR further explained that the caravans do not have WASH

[240] For more information about the WASH standards, please refer to: http://www.spherehandbook.org/en/wash-standard-1-wash-programme-design-and-implementation/.

facilities inside; WASH facilities are communal. UNICEF and Norwegian Refugee Council (NRC) are in process of installing more latrines in order to reach the standard.

Food and water supplies for IDPs in Harsham Camp

Vouchers are distributed to the IDPs in Harsham camp. By using these vouchers, the IDPs can go to local markets and buy food. However, some food items are not available in the local markets. This means that they cannot always buy what they wish to buy. The value of the voucher has recently decreased dramatically due to the lack of funding from IQD 19,000 (USD 16) to IQD 12,000 (USD 10). Up to five members in a family will each receive a voucher of IQD 12,000. A family with more than five members will receive five vouchers, unless the number of family members exceeds nine, in which case the family will receive eight vouchers. The vouchers are distributed once a month, unless there are funding shortages, in which case the vouchers are distributed once every two months.

According to the International Medical Corps (IMC), there are only a few cases of malnutrition among IDP children living in Harsham camp. However, the organisation expected the number of malnourished children in the camp to increase.

Conditions for females in Harsham Camp

Among the IDPs living in Harsham camp there are single women with and without children. Some of the single women in the camp are old widows and some are divorced. Divorced women are typically taken care of by their motherly family, and old women are often taken care of by their children or other younger family members.

Psychosocial support and training is provided for single women and female headed households by a women's centre run by Norwegian Refugee Council (NRC) in Harsham camp. Women in camps are more vulnerable to sexual harassment due to close living quarters and shared latrines.

The single women in Harsham camp typically experience harassment in the evenings or at night when they are going to the toilets. Older women have their non-food and food items or their vouchers stolen from them.

The protective measures in the camp are minimal, and there are some families who are afraid of sending teenage daughters to the toilets at night time. In Harsham camp, toilets are shared and lighting is an issue at the latrines. A solution to ease the problems with harassment would be light at the latrines and/or gender segregation at the toilets, in addition to law enforcement in the camp. Lighting and gender segregation will only address part of the problem.

Ministry of the Interior, Kurdistan Region of Iraq, Karim Sinjari, Minister of the Interior

Erbil, 1 October 2015

The delegation has talked to sources who have pointed to the aspect that more than 800,000 IDPs in the Kurdistan Region of Iraq put pressure on the resources with regard to jobs, schools and hospitals. Do you see any release of this pressure?

Minister Karim Sinjari: 'There are currently 1.7 million internally displaced people [IDP] and refugees living in the Kurdistan Region of Iraq [KRI]. The large majority are IDPs, and 250,000 are refugees from Syria. Since January 2014, the KRI society has increased by between 28 and 30 percent, and at the same time, almost the entire budget coming from Baghdad has been cut. The limited budget that is available to KRI is being shared with the IDPs.

Furthermore, the pressure on the schools is a big issue. There are 36 schools in 16 IDP camps within KRI, but many IDPs are living outside of the camps. The schools in KRI are running three shifts a day. Eighty percent of the IDP children are not going to school. In addition to the existing schools, 2,000 more are needed in order to meet the demand. The curriculum in the schools in KRI is in Kurdish, whereas the IDPs are mainly Arabic speaking. This also causes a deficit of school capacity.

The pressure on the hospitals is also a big issue.'

What is the capacity of the Kurdistan Region of Iraq to absorb further IDPs?

Minister Karim Sinjari: 'The capacity is very limited, and the upcoming winter will be very difficult for the IDPs, since their shelters are inadequate to protect them from the weather during this season. Many of them are living in tent camps with limited facilities.

More IDPs are coming; right now KRI is receiving IDPs from Ramadi coming by plane because Baghdad is not accepting them. If there is an attack on Mosul, hundreds of thousands of new IDPs are suspected to arrive in KRI.

Economically, all government employees, including the Peshmerga fighters have not been paid their salaries for three months.

Taken into consideration that KRI has received IDPs as well as refugees, the Kurdistan Regional Government [KRG] is not receiving sufficient assistance from the central government of Iraq. Several of the neighbouring countries have received refugees, but no IDPs, and at the same time, they are independent states which allows them to take their own decisions. Furthermore, KRI is spending many resources on fighting Islamic State (IS).'

How many IDPs are living in camps and how many are living outside camps?

Minister Karim Sinjari: 'Thirty percent of the IDPs in KRI are living in camps.'

What is the current unemployment rate in the Kurdistan Region of Iraq? Are some sectors more affected than others?

Minister Karim Sinjari: 'Generally speaking, the job situation in KRI is difficult. I am not aware of the current unemployment rate, but I can inform that the government has had to stop 5,000 projects. Kurdish inhabitants have difficulties finding jobs, because of lack of jobs, but also because IDPs are typically willing to work for lower salaries than Kurdish workers need in order to provide for their families. As an example, an IDP might be willing to work for IQD 10,000 (USD 8) a day whereas a Kurdish worker would need a salary of IQD 30,000 a day (USD 25). '

Do you see a future in which the IDPs living in the Kurdistan Region of Iraq will be integrated?

Minister Karim Sinjari: 'No, I do not see a future in which the current population of IDPs is integrated in KRI, especially with the challenges that we have now.'

Professor Bassel Alhassan, Faculty of Political Science, Lebanese University

Beirut, 6 October 2015

The professor introduced the meeting by stressing that he was only able to discuss the situation in the Kurdistan Region of Iraq (KRI) from a political point of view. In addition, he stated that his main point of expertise is the Kurdish area in Syria, not in Iraq.

General political situation in Dohuk, Erbil and Sulaimania

From a political point of view, the situation in KRI is very different from the situation for Kurdish people in Syria. There is a general transnational mobilization trend among Kurds in Syria and Iran, and they have many things in common across the borders. In KRI, the political trends are locally bound. On one side, there is Masoud Barzani and his supporters, Kurdistan Democratic Party (KDP). On the other side, there is Jalal Talabani and his supporters, Patriotic Union of Kurdistan (PUK).

The current situation in KRI is highly affected by constant changes and political strives between the two major political parties. Moreover, the IDP crisis brought about by fighting in other parts of Iraq presents a huge challenge to the Kurdish Regional Government (KRG). The resources to accommodate internally displaced people (IDPs) are few. There is consensus to keep KRI out of conflict which is why the Kurdish Regional Government (KRG) from 2012 to the beginning of 2013 has only opened its borders to few foreign refugees from Syria. The politics of the Barzani government is 'not to open borders to others than Kurds'. At the moment, the borders of KRI are hermetically closed to all IDPs.

Regional and international actors from both the political and the financial sectors support the politics of Barzani, some of them more silently than others. There seems to be a consensus among international politicians and investors who want KRI to be kept stable. Apart from the Iraqi central government, both Iran and Israel should be mentioned as prominent stakeholders with interest in the situation in KRI.

To explain the current political climate in KRI, it is necessary to have a look at the role of people who were involved before the invasion of Iraq. As an example of such people, Ahmad al-Jalabi could be mentioned as an ally to the Americans. In addition, his right hand Aras Kamin in Iran played a big role in relation to security interests between Iran and the US and between Iran and Israel. Moreover, an alliance between the Iranians and the Turks existed to keep stability in the region. When the Syrian conflict started evolving, Turkey and Iran conducted security operations in KRI.

The investor network along with the crisis plays a role in creating a unique Kurdish policy in KRI. In this regard, it is also important to focus on the fact that KRI is a unique region in terms of investment markets. All investments were launched six years before the conflict. The investments kept KRI out of conflicts due to an agreement between Kurdish, Iraqi, Iranian and Israeli leadership. About a year ago, KRI launched its own currency. This was part of an ambition to separate itself from the central government. Yet, both currencies are still used in KRI. The KRI currency is not subject to the Iraqi Central Bank, and it is used in Erbil, Sulaimania and Dohuk.

Armed fighting in Syria and Iraq

Since 2013, Islamic groups, facilitated by a Kurdish group, have taken over checkpoints and part of the land in certain areas of Iraq. Bassel Alhassan mentioned the Gurgmach crossing between Syria and Iraq as one of the places where this has taken place. The situation is intertwined with the situation in Syria where a lot of different militant Islamic groups have taken part in the conflict and fighting. Later on, some of these Islamic groups became known as IS.

In a theoretical perspective, there are two main points of view to consider in relation to this situation. Firstly, in an IS state of mind, Kurds in both Syria and Iraq form a separatist movement. This is contrary to the vision of the Islamic Umma *or Caliphate*. Therefore, the Islamists consider it a deed to fight the Kurds and vice versa. Secondly, the Turkish position as a regional power affects the position of both IS and the Kurds. This is not an ideological strife as such. It is a geopolitical question: 'who has the power to rule over land and people in the area?'

These political lines are mirrored in armed conflicts in both Syria and Iraq. As an example given by the professor, Islamic groups took over a passage in Syria close to the Jabour citadel. This military victory was backed by cooperation with Turkish authorities. In Iraq, there has been a split between the Kurds and the central government. This means that the Kurds are not backed by the same governmental power as the Islamic groups backed by the Turkish government. There have been examples of the Peshmerga going to Syria to intervene in the situation there on their own

initiative. The Iraqi government made it clear to Turkey that the Kurds in Iraq are not like the Kurds in other countries. Other Kurds think that KRI interferes with their dream of creating a Kurdish state. Currently, the Kurdish Regional Government (KRG) decided to cooperate with the Iraqi central government more than with Kurds in other countries.

Sectarian composition of the Kurdistan Region of Iraq

Taken into consideration that the majority of the population in Iraq are Shia, Iran saw a chance to tie relations with Iraqi leaders and use the Shia in Iraq in a political and militant sense. In this way, Iran is building part of its regional authority on the armed Iraqi Shia public mobilization called the Popular Mobilization Forces (in Arabic: al-Hashd al-Shaabi). Among the Kurds in KRI are a minority group of Shia Fayli Kurds, and this minority group is subject to the Iranian influence in the region.

In the same way, Iran is relying on the Popular Mobilization Forces and Shia Fayli Kurds to gather intelligence about the situation in KRI and other parts of Iraq. Today, the Popular Mobilization Forces constitute one of the main militias fighting IS in Iraq.

The Kurdish people in KRI today do no longer consider themselves separatists in the same way as Kurdish people in other countries do. Among different reasons, they are building this perception of the world on the fact that KRI previously had a flourishing economy with a lot of foreign investments. Now, the foreign investments in KRI have stopped and the economy has developed in a negative direction.At the same time, the Kurds are aware that the security situation and stability in Erbil and the rest of KRI will not stay the same forever. KRI needs alliances to tackle the current challenges to security and stability in its area. In this way, KRI is different than the Kurdish communities in both Syria and Turkey.

Public Aid Organization (PAO): Shwan S. Mustafa, Member of Board of Trustees; Hogr Shekha, Chairman of the Board of Trustees and Hoshyar Malo, Director of Kurdish Human Rights Watch (KHRW)

Erbil, 29 September 2015

Public Aid Organisation (PAO) is an independent non-governmental and non-beneficial organisation that works for the public interest according to the organisation's humanitarian values, to improve life and implement human rights and build a civilized society through development programs and projects according to the United Nations principles especially in the 3rd Millennium.[241]

[241] http://www.pao-iraq.org/ar/index.php/about-us.

The mission of Kurdish Human Rights Watch, Inc. (KHRW) is to enable Internally Displaced Persons (IDPs), refugees, asylee newcomers and homeless individuals to achieve self-sufficiency and economic independence through direct assistance and capacity-building.[242]

The two PAO representatives and the KHRW representative, who the delegation met with, are all lawyers working voluntarily as human rights activists.

Conditions for internally displaced people in the Kurdistan Region of Iraq

PAO and KHRW referred to their own findings, United Nations High Commissioner of Refugees (UNHCR) reports and International Organization of Migration (IOM) data when stating that there are currently more than one million internally displaced people (IDP) living in the Kurdistan Region of Iraq (KRI). Most of the IDPs live in urban areas and not in camps. Due to the current crisis and lack of funds from Baghdad, the Kurdistan Regional Government (KRG) is unable to cover the costs of everyone in need. The pressure from the influx of IDPs to KRI has let to shortages in supplies to cover basic needs such as shelter, food, education and health care. The situation is now critical, because the Kurdistan Regional Government (KRG) is out of money. The Kurdistan Regional Government (KRG) cannot even pay salaries to its own employees and issued, in September 2015, a public statement about the gravity of the situation.

PAO has been involved in helping IDPs since 2006 and is aware of many human rights violations that are justified by lack of capacity. According to the sources, discrimination has been documented by Human Rights Watch and Amnesty International. The sources have, however, also witnessed discrimination against Arabs, especially at the checkpoints where the security agents have a wide range of control. Representatives of the security apparatus of the Kurdistan Regional Government (KRG) are omnipresent in KRI. In almost every single corner of the cities and towns, security officers are present. The security service, the Asayish, has extended powers when it comes to IDPs. IDPs need the approval of the Asayish to change address, to change work, to get electricity in their homes, to go to health care clinics and schools et cetera, and there are no fixed criteria for the approval. The sources emphasised that these requirements asked by the Asayish from the IDPs are not asked from the Kurdish population in KRI. Furthermore, the sources pointed to the fact that most security staff does not speak Arabic which is the main language of the IDPs.

Everything in KRI is under the control of the security agencies, and during war anything can be justified, even abuse of power. The Kurdistan Regional Government (KRG) is using the war to restrict the rights of IDPs saying that it is for security reasons. As an example, the sources mentioned that a Sunni Arab trying to pass a checkpoint to enter KRI will encounter problems, because it is a general view of the Kurdish authorities that Sunnis are part of Islamic State (IS) until the opposite is proven. Even Sunni Arabs who have lived in KRI for a long period of time might experience difficulties crossing border checkpoints or checkpoints inside KRI.

[242] http://www.khrw.org/about-us/.

The perception or fear of Sunni Arabs being involved with IS could, according to the sources, stem from the fact that three terror attacks inside Erbil during 2014 and 2015 have been linked to IS.

According to the sources, the Asayish is the only institution in KRI that is not being subjected to external monitoring or supervision. The Asayish is only linked to the president of the Kurdistan Regional Government (KRG). It is regulated by law that the Asayish is responsible for counter-terrorism, counter-drug trafficking, national security, counter-weapon trade and counter-human trafficking, but not who oversees the Asayish. In line with this, the agency cannot be investigated. Not even the parliament has the power to gain insight into the working methods of the Asayish. This, of course, goes for Kurdish civilians, journalists and activists as well.

There may be a law regulating the activities of the Asayish, but during war time they can do what they want in order to maintain security. There are no checks and balances to ensure equality between individuals in terms of treatment by the Asayish, and at the end of the day, almost all aspects of the life of IDPs are in the hands of the security apparatus employees. For example, the approval procedure of residence permits for IDPs is not standardized. Case processing depends on the individual caseworker at the Asayish. Long-term residents in KRI do, however, often get a better treatment by the Asayish, because they are not as vulnerable as the IDPs, and in addition to a local network that can back them up if necessary, they have more resources to defend their own rights. There are good and bad examples of Asayish caseworkers. Some caseworkers have high morals, and some caseworkers are misusing their powers.

Access to Iraqi Kurdistan and other Kurdish controlled areas

According to law, all Iraqis have access to all parts of Iraq, but in fact the Asayish can throw out anyone. Recently they did not allow the Speaker of the Kurdistan parliament to enter Erbil. The sources explained that there is no specific profile of those who are denied access to KRI. The only justification given is that they have not gotten approval. Asked if the requirements for entry are the same for Iraqi citizens coming to KRI by road as well as by air, the sources said that when arriving by air, people are given visitor entrance valid for a period of just a few days, and then they need to apply for residency. If the IDPs cannot manage to find a sponsor then they have to leave KRI. The sources further explained that Iraqi citizens who are not citizens of KRI but registered outside KRI and who return from abroad need to get residency or have to leave KRI.

Procedure for getting a residence permit

When arriving in KRI, visitors are allowed to stay for one to two weeks as tourists. A person who wishes to stay longer must have a sponsor who is male and a Kurdish citizen. It is now also a requirement that the sponsor is employed by the government. This was not the case earlier. The change was made in 2012, because the issue of sponsorship had in fact become a business for many people. The argument for the change was security reasons. If the IDP who the sponsor guarantees for, does something wrong, the sponsor will be arrested and held responsible for the

actions of the IDP. The sources added that the majority of people in KRI are employed by the government.

After finding a sponsor, the IDP must find a place to live and get a support letter from the local mukhtar. The sponsor should also get a support letter from the government agency where he is employed to confirm that he is still employed. The IDP and the sponsor should then approach the local Asayish office with the support letter from the mukhtar, the support letter from the sponsor's employer and all relevant ID, including the national ID card and the Public Distribution System card. Whether the IDP will then be able to get a residence permit depends on the mood of the Asayish officer in charge. The practice is inconsistent, and it is unclear what criteria must be fulfilled to have the application for a residence permit approved. If the request is denied, there is nowhere to lodge a complaint about the decision. In this way, the processing of applications is discriminatory, but in the eyes of the PAO and KHRW representatives, even the sponsorship rule is discriminatory in itself, since the rule demands a sponsor from some Iraqi citizens to live in a specific area of Iraq and not from other citizens.

If an IDP wishes to move from one part of KRI to another, the person would need the approval from the Asayish office in the place he is leaving as well as the approval of the Asayish office in the place he is moving to. Such approval must be brought to the real estate office. There are no specific criteria for getting such an approval; it depends on the individual officer at the Asayish office. The sources mentioned that it might be difficult for a single woman with daughters to register residence as many places will not receive them, and because women living alone might be perceived as prostitutes. It depends on the mentality of the Asayish officer who must register them. The sources are aware of many cases where single women are approached by security agents in the middle of the night to harass them in a gender based way.

Once an IDP is registered, there should not be need for further approval. However, there is restriction of movement for IDPs. If an IDP is registered in for instance Dohuk, the IDP cannot move to Erbil. The sources emphasised that by constitution, everyone has total freedom of movement in Iraq, but the Asayish 'acts differently', meaning that the Asayish is the only agency that is not monitored in terms of whether their acts are legal; even the parliament cannot monitor them. It is an agency linked to the Kurdistan Democratic Party (KDP) in Erbil and Dohuk and to the Patriotic Union of Kurdistan (PUK) in Sulaimania.

Information card

Since 2008, an 'information card' (in Arabic: 'betaqet al-ma'lumat') has been issued for the head of household in all households of KRI and is used for registering cars and land. A security file number corresponding to a file in the archives of the security apparatus is written on the information card. The file covers all members of the concerned household. The information card is white for Kurds and pink for IDPs. In Sulaimania, the information card differs from that in other governorates, because the Asayish in Sulaimania is under the Patriotic Union of Kurdistan (PUK), whereas the

Asayish is under the Kurdistan Democratic Party (KDP) in Erbil and Dohuk. According to the sources, the difference in the cards concern shape and information in the cards, however, the purpose of the cards is the same, to restrict the movement of IDPs.

Renewal of residence permits

Long-term residents, including IDPs who have lived in KRI for many years, are treated more favourably than new IDPs. However, they still need to renew their residence permit every three or six months or once a year, depending on the governorate they live in. The general attitude in KRI is that IDPs should go back. Kurdish IDPs do not have to renew their residence permits; only Arab IDPs do.

There is no fixed practice ensuring that an IDP can have a permanent residence permit after five years. It varies from place to place. In Erbil, the issuing of permanent residency is practiced arbitrarily.

Asayish and Kurdish civil society

Every day, there are threats against organisations such as PAO or other people who criticise the system. Just recently, two journalists were arrested and one of them killed in custody. Although PAO mostly have good relations with the authorities, they often experience that the authorities make restrictions against them. This is especially the case, when PAO runs anti-corruption campaigns, during which times the security forces fabricate cases against them.

The sources added that the competency of registering non-governmental organisations (NGO) was taken out of the Ministry of Interior and transferred to the Asayish. Currently, NGOs need approval from the Asayish to provide help to IDPs.

Honour crimes

According to Kurdish law, honour killing is a crime. The Iraqi penal code justifies that a man kill a female relative for honour reasons. In KRI, this part of the law was taken out in 2007. According to the Directorate of Domestic Violence, there has been a rise in honour killings in recent years. However, the increase may be due to lack of registration of such cases earlier. Often cases are registered as 'killed by an unknown' and then closed by the court. According to the sources, the courts are not professional enough to deal with cases of honour crimes. IDPs are often more vulnerable and do not have the same access as others to the Directorate of Domestic Violence. As with other issues in the Kurdistan Regional Government (KRG) case processing system, there is no access to insight in the processing of cases of honour related crimes. Even the Kurdish Independent Institute for Human Rights that is appointed by government, has not succeeded in gaining access.

Conflicts of landownership

There is a special institution responsible for property ownership conflicts, the Property Claims Commission established according to the Iraqi constitution of 2005. The Property Claims

Commission has offices in different places, including Erbil and Kirkuk. In Kirkuk alone, there are more than 40,000 cases with returnees and IDPs claiming their right to property. The Property Claims Commission is unable to solve all the cases and their decisions are often not implemented. The last statement from the Property Claims Commission is based on data from 2014. It concludes that the Property Claims Commission has solved 31 percent of the cases, but the compensation was not paid, and another 31 percent have been settled among the complainants themselves. As the property owner must have documents from the court stating the ownership, the parties who settle the conflict themselves will withdraw the case from Property Claims Commission and then approach the court to obtain the documents of ownership. The problem of conflicts over landownership exists in many places, including Erbil, Mosul and Baghdad. To the knowledge of the sources, there are 140,000 cases of landownership conflicts in all of Iraq and 40,000 cases in Kirkuk alone. 61,000 among the total number of cases in Iraq have been solved which equals around forty percent. Twenty to twenty-five percent of these cases have reached the final stage in the processing. The cases that are solved outside the court system are often solved through tribal councils.[243]

Asked if it was possible to solve cases of landownership conflicts between tribes, the sources answered that it is possible.

Conflicts with armed groups

The sources explained that in KRI almost all armed groups belong to one of the two political parties, the Kurdistan Democratic Party (KDP) or Patriotic Union of Kurdistan (PUK), and they are not supervised by the Kurdistan Regional Government (KRG). In the southern part of Iraq, the militias are ruling, but in the north political parties are ruling. Even the Peshmerga forces are under the political parties. If someone has a problem with an armed group, there is no help from the authorities because the armed groups are in power.

According to the sources, tribes with weapons often have power, and the Kurdistan Regional Government (KRG) is more interested in their political support than in taking them to court. There are cases with accusation of genocide committed during the Anfal campaign against former Baathist members, but if the tribal leaders are powerful and wish to protect the former Baathist members, the Kurdistan Regional Government (KRG) is often more interested in making the tribal leaders happy than in pursuing the case, and the cases will then be closed.

Harassment based on religion or ethnicity

The sources explained that there is harassment against religious and ethnic groups in KRI and the Kurdish controlled areas, especially against atheists, Yazidis and Christians by radical Islamist groups. There have been attacks against Christians in Zakho City near the Turkish border in Dohuk where radical Islamists attacked Christians and burned down their shops, because they were

[243] For more information the sources referred to the website of Property Claims Commission: http://www.pcc.iq/ (in Arabic).

selling alcohol. Although the government is trying to keep the balance, it is difficult when ninety percent of the population is Muslim. All staff in the courts in Iraq are Muslims, even in the Christian areas. Only the courts dealing with personal status law are differentiating by religion, and for example, Christian courts processing cases related to personal status law do exist. According to the sources, in this part of the world the authorities, in general, do not know how to deal with minorities and try to force an identity onto the minorities. The sources explained, as background knowledge, that discrimination is part of the culture in the sense that Saddam Hussein repressed the Kurds and now the Kurds are repressing minorities in their own region.

The law discriminates with regard to conversion, as Muslims are not allowed to convert, whereas it is possible to convert from other religions to Islam. There are cases of people being killed for converting. When asked about concrete examples of killings of converts, the sources mentioned the case of Priest Abdullah, who was attempted killed three times by unknown people. Then the Asayish arrested him. The last thing the sources heard about him, was that he had left for Europe to seek asylum. After the meeting with the delegation, the sources informed that this is a big issue right now in Iraq, especially during the last couple of weeks, as the Iraqi Parliament has passed a new law, part of the National Card law, that enforces Islamic religion on children of mixed marriages.[244] Under past regimes, the Kakais have registered at the authorities as Muslims in order to protect themselves. Now they are not allowed to change back to their original religion. An example of how this kind of discrimination manifests itself, given by the sources, was a Kakai man wishing to marry a Muslim woman. The ID of the man stated that he was Muslim, but at the court he was denied marriage with the Muslim woman because it was known to the authorities that the man was Kakai. It was, however, not possible for the man to change his registration into being registered as Kakai. An individual's religious background is registered in the ID card either as 'Muslim' or as 'Christian'.

PAO has run a signature campaign which registered 96,000 signatures for a secular constitution without religious discrimination and where people are equal in the law and in front of the law.

Recruitment of Peshmerga forces

The Peshmerga forces are under the jurisdiction of the political parties. The soldiers are picked by the two main political parties in KRI who write lists with their names. There are no standardized criteria for recruitment to the Peshmerga forces. There are two military academies in KRI, one under the Patriotic Union of Kurdistan (PUK) in Qal'at Julan, Sulaimania and one under the Kurdistan Democratic Party (KDP) in Zakho, Dohuk. The graduates from these academies are recruited by the Ministry of the Peshmerga. Graduates have to apply to the Peshmerga and must be supported by the political parties.

There is not a unified salary system for the Peshmerga forces. The salary of a Peshmerga depends on his personal connections inside the system. Since 2011, there have been problems between the

[244] Email of 25 November 2015.

Kurdistan Regional Government (KRG) and the central government in Baghdad, because the Kurdistan Regional Government (KRG) must send lists to the central government with the names of the Peshmerga soldiers who are part of the Iraqi armed forces and therefore on the payroll of the central government.

The Kurdistan Regional Government (KRG) claims that the Peshmerga forces, in total, consist of 300,000 soldiers divided into two brigades. Peshmerga brigade number 70 is under the Kurdistan Democratic Party (KDP) and brigade number 80 is under the Patriotic Union of Kurdistan (PUK). The brigades, number 70 and 80, constitute 180,000 Peshmerga soldiers under the political parties.

The central government does not believe that the numbers are as high as claimed by the Kurdistan Regional Government (KRG) and suspects that there are fake names on the lists. Therefore, salaries from the central government have been stopped and are only paid from time to time. The Kurdistan Regional Government (KRG) tries to cover for the lack of salaries, but many Peshmerga soldiers have not received a salary for three to four months, even though they are fighting IS. The sources added that the head of the Defence Committee in the Kurdish Parliament has stated that the Kurdish authorities do not have a clear number of the Peshmerga.

Desertion from the Peshmerga forces
If a soldier deserts from the Peshmerga forces, his contract will be cancelled and he will be kicked out of the forces. Apart from that, the punishment for desertion, depending on the circumstances of the desertion, goes all the way up to death sentence. If a Peshmerga deserts from the front line, he will be put before a military court and may in accordance with Iraqi military law be sentenced to death. Some Peshmerga soldiers are deserting the forces because they do not receive a salary. However, until now, no cases of desertion from the Peshmerga forces have been brought to court.

Qandil, Natasha Sax, Protection Assistance and Reintegration Centre Manager and three local lawyers

Erbil, 30 September 2015

During the meeting, information was primarily provided by the local lawyers working for Qandil. Through Qandil, they provide legal aid for internally displaced people (IDP).

As background knowledge, the lawyers explained that generally speaking, there are five types of main ID documents in Iraq: (1) civil ID card (in Arabic: 'al-betaqa as-shakhsiyya', also referred to as 'betaqet al-hawwiyya' or just 'al-hawiyya'), (2) nationality certificate (in Arabic: 'shahadet al-jensiyya'), (3) public distribution system card (in Arabic: 'betaqet at-tamween') which gives access to cash assistance for IDPs from the Ministry of Migration and Displacement (MoMD), (4) residence card (in Arabic: 'betaqet al-‘iqama') and (5) information card also known as 'green

card'[245] (in Arabic: 'betaqa al-malwmaat'). Without a civil ID card, nationality certificate and a residence card, an Iraqi national is not able to travel domestically or pass through checkpoints. Moreover, IDPs cannot register for Ministry of Migration and Displacement (MoMD) grants without these documents.

Qandil added that their working methods demand a set of two working teams. One of the teams provides legal counselling and legal aid for IDPs before and during the actual document recovery process. The other team is called 'the Checkpoint Team'. This team works in pairs of two lawyers and one protection assistant. Together they try to facilitate the physical access of IDPs to the offices where applications for recovery of some documents must be handed in. As the name of the team implies, their efforts are focused on checkpoint crossing which is a challenge for people who have lost their ID documents. The protection assistant is related to the humanitarian aspect of Qandil's work, for example the protection assistant is involved in identifying specific needs of an individual and makes referrals to specialized services including UNHCR's cash assistance program. The aim of this is to ensure that extremely vulnerable individuals at checkpoints are provided assistance where necessary.

Office locations and opening hours

According to rules and regulations dated back to before the current conflict in Iraq, an Iraqi citizen should hand in an application for recovery of a given document to the office that issued the ID document which was lost. In the current state of emergency, temporary issuing offices for civil IDs have been set up at different places in Iraq. These offices are under the authority of the Ministry of Interior in Baghdad.

At the time of the meeting with the Qandil, there were five locations outside the Kurdistan Region of Iraq (KRI) where IDPs could apply for recovery of lost civil IDs: (1) the Sheikhan Office located opposite to Sheikhan court, (2) the Alqosh Office, (3) the Zelkan Office on the road between Sheikhan and Zelkan, (4) the Zumar Office in the Sumel District and (5) the Qalaq Offices in Qalaq, Dohuk, which has three offices in one place. Since Sheikhan is a central point between the three governorates of Dohuk, Erbil and Sulaimania, this office had been chosen as the main office among the mentioned offices. In addition to the mentioned offices, all IDPs could apply for document recovery in Baghdad. IDPs from Anbar, including Faluja, Salah al-Din and Samara could not apply for document recovery at the above mentioned offices. Instead, they either respectively had to go to Amriyet al-Faluja, Tikrit and Samara or to Baghdad. The Zelkan office only served people from Bashiqa for civil ID issues.

After the meeting with Qandil, the source informed the delegation that a new office had opened in Erbil as a branch of the Sheikhan office. This office provides nationality certificates and civil ID updates, renewals and recovery for IDPs from Ninewa, with the exception of IDPs from Tel Afar.

[245] In email of 14 December 2015, Qandil explained that "Information Card" is a more correct term, but that people colloquially refer to it as a "green car" in reference to its colour.

IDPs from Hamdania, Tel Afar, Bartilla and Namrood can only receive their nationality certificates in the new Erbil office; for civil ID cards they must go to the Qalaq office in Dohuk. The Erbil branch has two separate addresses for civil IDs and nationality certificates. The office for civil IDs is in Ankawa near Muntaza Street. The address for nationality certificates is near the American School in Bakhtyari. In addition, new offices in Alqosh and Tilkef has opened to update civil IDs for IDPs from these two locations, and a new office issuing civil IDs for IDPs from Sinjar, Zumar and Qathaniya has opened in Sumel.[246]

At the time of the meeting with Qandil, the opening hours of the offices mentioned during the meeting were divided into blocks of opening hours, each block being dedicated to receiving IDPs from specific geographical areas. In this way, the office opening hours on Sundays were dedicated to IDPs from al-Hadr and Tal Abda. On Mondays, they were dedicated to IDPs from Shimal, Ba'aj and Qerwan. On Tuesdays, IDPs from al-Hamdaniya, Baitullah, Namrood and Hamam 'Ali could file applications. On Wednesdays, the offices were open to IDPs from Sheikhan Shura, both sides of Mosul, al-'Eidiya and al-Ghiyara. Finally, IDPs from al-Qataniya and Sinjar had access to the offices on Thursdays. After the meeting with Qandil, the source informed the delegation that the Sheikhan office had been expanded to include ten departments, located in one building, each providing documents to IDPs from a specific area: (1) Mosul Ayman, (2) Mosul Aysar, (3) Tal Abta, (4) Hamam Alil, (5) Muhalabyia, (6) Sheikhan, (7) Ba'as, (8) Gayara, (9) Shura and (10) Hadhar. All these offices work every day, except Ba'as which works only Tuesday.[247]

IDPs from Tel Afar have to go to Najaf to apply for recovery of civil ID. Except for IDPs from Ninewa, IDPs wishing to recover lost nationality certificates (in Arabic: 'shahadaat al-jensiyya') cannot apply at the above mentioned offices. IDPs from Ninewa can apply for recovery of their nationality certificates in Sheikhan as well as in Baghdad and Erbil, whereas IDPs from Salah al-Din and Anbar have to go to Baghdad.

Process for recovering documents

To apply for recovery of a civil ID card or a nationality certificate, an IDP should come in person to one of the above mentioned offices. In addition, the IDP should present the following to the case worker in the office: (1) a recommendation letter from the local mukhtar, (2) the nationality certificate, if applying for recovery of a civil ID card, and the civil ID card if applying for recovery of a nationality certificate, (3) a copy of the residence card, (4) a court decision concluding that the person in concern has lost an ID. In case, an IDP has lost all the required documents, usually, the following three documents are all needed in order to recover a civil ID card or a nationality certificate: (1) a recommendation letter from the mukhtar, (2) a recommendation letter from the police and (3) a court decision proving the identity of the person.

[246] Email of 1 December 2015.
[247] Email of 1 December 2015.

At the moment, there is no method for replacing a lost Public Distribution System card (in Arabic: 'betaqet at-tamween'). It is, however, possible to get services, in terms of food rations, transferred temporarily to another part of Iraq than where the IDP originally came from. This can only be done for families who have lost their Public Distribution System card. The Ministry of Migration and Displacement (MoMD) has a branch office in Erbil that is able to help IDPs in KRI transfer the services. The branch office will issue a support letter in case a card is lost. The services provided for IDPs after such a transfer is food distribution and/or instalment grant payment. However, while the system to transfer rations is technically in place, so far it has been ineffective and benefited few IDPs because the procedures are overly complicated and inefficient. If IDPs still want try to transfer their ration, regardless of the inefficiency of the authorities, the procedure would be as follows: IDPs have to fill in a form at the local mukhtar's office. The local mukhtar will then write down the name of the local food distributor, add the IDPs' names to a collective list of IDPs who have lost their Public Distribution System cards and then send the list to the local mayor who will forward the list to the Ministry of Trade in Baghdad. By the time of the meeting with the delegation, this procedure had existed for two to three months. The Ministry of Migration and Displacement (MoMD) branch office in Erbil is located on the 'Hundred Meter Road' next to the first Notary Office Erbil.

The 'the information card' also known as 'green card' cannot be replaced. The card contains the individuals name, address and governorate. The card is issued by and linked to a file in the Iraqi Ministry of Interior which includes information about where a person lives, their occupation, family size, ethnicity, religion and names of immediate family members (wife, husband. and children). The card includes the occupation for each family member. All Iraqi citizens, including Kurds, have this card. This card is particularly important when registering with the Ministry of Migration and Displacement (MoMD).[248]

Birth certificates can be issued directly through hospitals within fifteen days. If a birth certificate is not issued within this period, parents must visit the office of births and deaths within two months. After two months, if birth documentation is still not obtained, then the parents have to apply through the court. The application through the court could be filed up until the child is two years old. If the child is older than two years, the parents will need to prove the age of the child through a medical examination at the hospital.

Marriage certificates can be reissued fairly easily through the court for IDPs from any location. However, Qandil have had the issue that the new marriage certificate will have the date from

[248] In email of 14 December 2015, Qandil explained that the difference between the information card/green card issued by the Iraqi government and the information card/residence card issued by the Kurdistan Regional Government (KRG) is that all Iraqi citizens (including citizens living in KRI) are entitled to the information card/green card issued by the Iraqi Government, whereas the information card/residence card issued by the Kurdistan Regional Government (KRG) is only necessary for those from outside KRI who are now residing in KRI. The Kurdish information card/residence card has varying durations of three weeks, three months and one year, whereas information card/green card issued by the Iraqi government does not expire.

which the new certificate was issued, not the original date of marriage. This has proven an issue in cases where lawyers need to prove parentage.

Generally speaking, it is difficult for non-governmental organisations (NGO) to facilitate recovery of ID documents for IDPs. The Ministry of Interior in Baghdad has issued a statement saying that NGOs are not allowed to facilitate the process. However, through its cooperation with local lawyers, Qandil is succeeding in helping six IDPs get lost documents recovered on a weekly basis. After the meeting, Qandil informed the delegation that NGOs had been completely barred from working in the Sheikhan Directorate. However, a new branch, which can provide all the same services as the old Sheikhan branch, opened in Erbil on 15 November 2015. Yet, it has to be seen if this office can achieve results.[249]

Qandil did not have information about the total number of IDPs missing some or all of their ID documents. However, Qandil informed the delegation that the demand for recovery of documents among IDPs is big, and that recovery of documents is a lengthy process. In a significant number of cases, Qandil is not able to assist, for example Qandil cannot provide documents for IDPs from Anbar. The processes of re-issuing civil IDs and nationality certificates are only for IDPs from the select locations mentioned above. Therefore, most cases Qandil has to turn away because the organisation cannot assist. Even if Qandil does not get formal rejections, often cases will be stuck in the pipeline and never resolved. It is the minority of cases that Qandil is able to assist.

Checkpoint crossing without ID documents and risk of deportation

Officially, it is not possible to cross a checkpoint without ID documents. However, it is sometimes possible for travellers without documents to bribe their way through the checkpoints. As sources of ID, IDPs can present their civil ID, their residence card or their nationality certificate in order to cross a checkpoint. However, if the IDP is Arab, then the residence card is the most important document. Christians, Kurds and Yazidis do not need a residence card to pass through the checkpoints.

The document requirement presents a challenge to indigent IDPs going to Sheikhan from KRI to recover their lost documents. A domestic traveller would not be able to move from KRI to Sheikhan without having to cross checkpoints. Sometimes, the office of the United Nations High Commissioner for Refugees (UNHCR) is able to facilitate checkpoint crossing for IDPs without ID documents by negotiating special permits with the Asayish for specific IDPs. This is, however, a new system which is in trial and error, and can only be done for a small number of individuals per location, approximately ten to twenty in two months.

The risk of reprisal for trying to cross a checkpoint without ID documents was not known to Qandil. A person without documents *may* be temporarily detained and questioned to prove their identity. However, Qandil informed the delegation that up until the meeting, no cases of detention

[249] Email of 1 December 2015.

on this basis had been seen. It is common knowledge that checkpoints cannot be crossed without documents, so few IDPs would attempt this. The only cases of detention connected to checkpoint crossing known to Qandil was detention of people suspected of cooperation with Islamic State (IS).

Qandil has witnessed four to five cases of deportation from Erbil to Kirkuk on the grounds of residence issues. In the mentioned cases, IDPs had been detained without charges. Upon release they were deported. According to Qandil, the only situation where such deportees could hope for a successful appeal decision would be in the case where the complainant is a single woman with young children. The typical profile of individuals deported on the grounds of residence issues is 'Arab, Muslim male, aged between twenty and thirty years and from Mosul, Salah al-Din'. In addition, the deportations were also based on terrorism accusations and no formal charges were brought against the individuals. They were deported on suspicions only.

Qandil added that, at some checkpoints, there are restrictions of movement for IDPs in between the three governorates. For example, at the Taqtaq checkpoint, there have been cases where IDPs with a residence permit issued in Sulaimania were not allowed to enter the Governorate of Erbil. The freedom of movement between the governorates fluctuates depending on the security situation and political climate at the time. The source added that, in Erbil, the Kurdistan Democratic Party (KDP) has the majority, whereas in Sulaimania, Goran and the Patriotic Union of Kurdistan (PUK) are the leading parties and in power. Tensions between political parties can reflect in increased restrictions at checkpoints between the governorates.

Sunni fear of domestic travel in Iraq

According to Qandil, the main risks for IDPs traveling to Baghdad to recover documents are (1) discrimination between Shia and Sunni, (2) lack of money for bribery, (3) checkpoints and (4) Shia militias in the area, for example Asa'ib Ahl al-Haq.

To enter Baghdad itself, IDPs without documents would have to fly in. They would not be able to enter Baghdad by road. The main risk for IDPs to go to Baghdad is discrimination from Shias. Sunnis who do not have money cannot pass checkpoints.

Many Sunnis fear travelling to Baghdad because of an episode in 2005 where a lot of Sunnis were killed by Shias in Baghdad and because of more recent killings as part of generalized inter-sect violence.

Access to the Kurdistan Region of Iraq for IDPs

For IDPs who possess Iraqi residence cards (in Arabic: 'betaqaat 'iqama'), there are two ways to enter KRI, (1) by road and (2) by plane. If an IDP enters KRI through an airport, as a rule, the IDP receives a residence permit (in Arabic: 'tasrih 'iqama') valid for seven days upon arrival. Within those seven days, the IDP has to go to the nearest Asayish office and apply for renewal of the residence permit. However, the time period in which the individual or the family has to visit the Asayish can vary based on discretion of the officers and the most recent security instructions.

Initially, the residence permit will be renewed for one month. Later, it will be renewed for two months. Hereafter, the IDP in question should apply for renewal every two months. Every Iraqi citizen has to go through this process and Qandil is not aware of any exceptions to this. Qandil added that no IDPs living in camps have residence permits in KRI.

For a period of time during the summer of 2015, IDPs were transferred by plane from Ramadi and Faluja to KRI financed by the central government in Baghdad. Approximately three full planes arrived a day during a period of of time. Qandil did not have the exact time frame and referred to United Nations High Commissioner for Refugees (UNHCR) for more information.

In general, IDPs cannot cross checkpoints by car, and by the time of the meeting with the delegation, all land borders between KRI and the rest of Iraq were closed. Exemptions were, however, made for some humanitarian cases, IDPs already registered with the Ministry of Migration and Displacement (MoMD), IDPs having a local sponsor, students enrolled at an institution in KRI and single women. According to Qandil, the procedures at border crossing checkpoint to KRI are inconsistent. Crossing of humanitarian cases is facilitated by UNHCR in coordination with the Asayish, but by the time of the meeting with the source, the daily operation of checkpoints was to a great extent dependent on the officers present at a given checkpoint on a given day and time. This applied to Qandil's coordination at checkpoints which they informed the delegation after the meeting that they could no longer do because it required their lawyers to give personal pledges of responsibility for the person they were entering.[250] Therefore, all issues at checkpoints are now referred to UNHCR who deals with the issue at a higher level where policy is more fixed and less discretionary.

Qandil and other NGOs are not allowed to work in the airport. Instead, they support UNHCR in facilitating border crossing by land. On average, they manage to get around twelve IDPs through the land borders per week. Almost all of these IDPs are Yazidis and Christians. The authorities do not allow Qandil to be stationed at the checkpoints.

Residence in Kirkuk

The procedures for access to and residence in Kirkuk are different from the above mentioned procedures. Qandil briefly elaborated that, currently, ethnic Kurds do not need a residence permit in Kirkuk and have no problem entering and settling in KRI. Only Arabs need a residence permit there. However, some ethnic groups who are not Kurdish per se, but who have lived in Kirkuk for a longer period of time, are in this regard considered equal to the Kurds. This goes for Shabak, Kakai (Yarsanis), Yazidi and Christians. Arabs will need a residence card to settle in Kirkuk.

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[250] Email of 1 December 2015.

UNHCR, Jacqueline Parlevliet, Senior Protection Advisor for the Kurdistan Region of Iraq and Leyla Nugmanova, Senior Protection Officer for Erbil,

Erbil, 29 September 2015

As background knowledge, the United Nations High Commissioner for Refugees (UNHCR) representatives explained that according to their use of terminology the definition of 'disputed areas' is related to the interpretation of article 140 of the Iraqi Constitution.[251] UNHCR observes different 'graduations' of disputed territories: 1) Disputed territories under the control of the Kurdistan Regional Government (KRG): administration and security (reference category 1); 2) Disputed territories now under the security and sometimes administrative control of the Kurdistan Regional Government (KRG) following the 2014/2015 conflict (category 2); 3) Disputed territories which are either partially under the control of the Kurdistan Regional Government (KRG) or otherwise still under control of Government of Iraq (GOI).

Different definitions are used by different stakeholders in the area. As an example given by the interlocutors, Kirkuk is perceived to be part of KRI by Kurdish authorities. But the governor of Kirkuk still reports to Baghdad.

Khanaqin in Diyala is another example that the central government in Baghdad considers being solely under its jurisdiction when it comes to formation of security forces. The Peshmerga is, however, of the perception that such actions by the central government violate the constitution and political agreements between the two parties.

Access to the Kurdistan Region of Iraq and other Kurdish controlled areas

Access to KRI may be very difficult for internally displaced people (IDP) unless they have some form of sponsorship or ethnic or religious profile. According to UNHCR, the official sponsorship has been in abandoned most places in KRI because it became a business for people who sold sponsorships to IDPs without relatives or contacts in the area. In the disputed territories some forms of sponsorship may also be required. Things are constantly changing as to how people can move around. At the moment, it is very difficult to enter KRI for an IDP; unless he/she has some sort of connection to government officials, people employed with the security forces in the area or tribal leaders. In some cases, local tribal or religious leaders have succeeded in negotiating access

[251] *Constitution of the Republic of Iraq* [Iraq], 15 October 2005, available at: http://www.refworld.org/docid/454f50804.html [accessed 25 January 2016]:
Article 140:
First: The executive authority shall undertake the necessary steps to complete the implementation of the requirements of all subparagraphs of Article 58 of the Transitional Administrative Law.
Second: The responsibility placed upon the executive branch of the Iraqi Transitional Government stipulated in Article 58 of the Transitional Administrative Law shall extend and continue to the executive authority elected in accordance with this Constitution, provided that it accomplishes completely (normalization and census and concludes with a referendum in Kirkuk and other disputed territories to determine the will of their citizens), by a date not to exceed the 31st of December 2007.

for certain groups of IDPs to Kurdish controlled areas. In Kirkuk and in KRI, some local leaders in example succeeded in negotiating access and temporary residence with the governors.

Access to KRI does not follow a consistent pattern. However, it is clear that difficulties in gaining access to KRI are linked to the IDP's ethnic profile. UNHCR informed that since November 2014 any movement of Turkmen and Arab IDPs into Erbil Governorate has been stopped, except for those who already possess residence documents. Unless specific arrangements have been made, Arabs, Turkmen and to a certain extent Shabaks have, generally speaking, been facing more difficulties entering KRI or Kurdish controlled areas outside KRI than other ethnic groups. These groups will also face difficulties in going through checkpoints unless they have a connection to the governor.

The access does however fluctuate over time. The obstacles that IDPs face, when trying to enter KRI or other Kurdish controlled areas, are mainly linked to Shabak, Arabs (Sunni/Shia) and Turkmen. Yazidis and Christians do from time to time also experience obstacles similar to other ethnic groups but not with regard to entering KRI proper.

A number of Sunni Arab IDPs have been relocated from areas under attack of Islamic State (IS) in the Gwer sub district to a settlement in Makhmour called Debaga. In this area, the proportion of IDPs related to the proportion of the local population is one cause of concern, but predominantly the ethnic composition and the presumed affiliation with IS is the greatest risk to social cohesion and peaceful coexistence. Freedom of movement is very limited, and IDPs living in Debaga cannot leave Debaga. The explanation by the authorities for this restriction on movement is that some IDPs are suspected of having links to IS. For a period of time, a bigger group of IDPs lived in Debaga without any type of formal settlement and with no possibilities to enter KRI. Some had special agreements with authorities to cross into Erbil for medical treatment, but everyone else was prevented from entering.

The Kurdish authorities wanted a camp in Debaga, but funding was an issue until United Arab Emirates (UAE) agreed to build a new camp. UNHCR further explained that the proposed camp location was initially assessed as not suitable and not in accordance with the issued position on location of camps by the Humanitarian Country Team. The IDPs will soon be re-located from the informal settlement to the new camp. Movement in the area around the camp will not be limited for the IDPs. However, they will not be permitted to enter Erbil or other parts of KRI, even though the Debaga camp falls under the de facto administration of Erbil. Some IDPs have managed to travel to Kirkuk Governorate, mainly seeking for jobs. However, some went to stay with relatives. But most of them remain in Debaga. The UNHCR representatives did not have a clear idea of when these IDPs will be able to return. However, the representatives were certain that some of the areas that the concerned IDPs fled from have been freed by the Peshmerga.

At the moment, IDPs cannot enter Erbil by road anymore; but there may be some ad hoc exceptions for individuals and their families in the application of the instruction. They can only enter by air. Short-term residential documents are issued at the airport to those who come by air

from abroad or from other places in Iraq and are extended at the place of residence upon issuance of security clearance by Asayish; in this respect IDPs are able to settle in KRI temporarily. After arrival, the IDPs have to register with the local security agency within five days. Upon registration, they receive a one month residence permit. This permit is renewable on a monthly or bimonthly basis. The system is inconsistent.

For a short period of time, during summer 2015, the central government in Baghdad financed free flights for Arabs from Anbar via Baghdad to KRI.

Entry procedures for different ethnic groups

Following the meeting with UNHCR, the organisation provided updated information on the practices for entry procedures for the different ethnic groups.[252] The information below reflects the current practices at the time of the meeting and is subject to change.

Yazidi, Shabak, Kakai are not required to obtain residence documents or entry permits when entering and remaining in KRI. However, they are required to obtain a housing letter from their local Asayish if they want to rent a house in an urban area.

Arab, Turkmen and Christian IDPs who want to enter Erbil are only allowed to enter through Erbil airport. Upon arrival they will be issued an entry permit valid for three to seven days by Asayish officers who are based at the airport.[253] Entry through road checkpoints for members of these IDP communities is only possible if they have valid, pre-existing residence documents issued by the Erbil Asayish. However, it appears that some flexibility may be exercised at certain road checkpoints towards members of the Christian community.

For Arab and Turkmen IDPs, the entry permit they receive at the airport must be replaced with a tourist pass at Degala checkpoint between Koya and Erbil (previously the tourist pass could be obtained at Kani Qarzhala checkpoint between Erbil, Dohuk and Mosul).[254] The short-term residence document or 'tourist pass' that they receive at Degala checkpoint will then be renewed on monthly basis by the local Asayish where the family is living. If IDPs want to live in urban areas and rent a house they will have to obtain a housing permit from the Asayish in addition to the short-term residence/tourist pass.[255] This is for IDPs from all governorates except for Anbar, Salah al-Din and Mosul. IDPs from those three governorates will be issued a short-term residency (aka tourist pass) for one week directly at the airport, where there is an Asayish unit, and so IDPs from

[252] Email of 15 December 2015.

[253] The entry permit is a piece of paper (or stamp on the airplane ticket) given to IDPs who enter Erbil through the airport. It shows that they entered Erbil through the airport and allows them to stay in Erbil for three to five days.

[254] The Short-Term Residency (aka Tourist Pass) is issued from Degala checkpoint (Erbil – Koya). After approaching the local Asyish, IDPs will be asked to visit Degala checkpoint before their entry pass expires, where it will be replaced by the tourist pass for one or two weeks duration. After the one or two weeks, IDPs will have to renew it from their *local* Asayish which will give them one or two months period to be renewed.

[255] In order to rent a house, an IDP must approach the local Asayish (per area). Based on this permit, IDPs will be allowed to rent a house and make a rent contract. However, it depends on the local athuroity for who it will be permitted and for who it will not be.

Anbar, Salah al-Din and Mosul will not have to go to Degala checkpoint to be issued a short-term residency (aka tourist pass), but they will follow the same procedures in obtaining a housing permit and renewing the short-term residency (aka tourist pass) from the local Asayish. The application of this new instruction began in June 2015.

Christian IDPs have been required to obtain residence documents in Erbil as of October 2015. Christian IDPs entering through the airport will be issued with an entry permit. Christian IDPs then need to approach the Asayish in the area where they would like to live in order to exchange their entry permit for a short-term residency document or tourist pass. They are required to provide a sponsor (for singles) or a support letter form the church or the Mukhtar (for families) to prove that they are IDPs living in Erbil.

Previously, the Directorate of Residency in Erbil issued one year residence documents to IDPs. Up until the crisis of Anbar, the document was issued for old IDPs who arrived two years ago. The documents were renewably on a yearly basis. However, this document is no longer issued for new arrived IDPs. New IDP arrivals are only issued short-term residency (aka tourist pass).

The different documents and the rights related to them

The short-term residency (aka tourist pass) is needed for Arab and Turkmen IDPs (and recently extended to Christian IDPs) to cross checkpoints, rent houses, stay in hotels, getting jobs, obtaining passports and registration with the Ministry of Migration and Displacement (MOMD). IDPs living in camps are able to provide a supporting letter from the camp manager in order to register with the Ministry of Migration and Displacement (MoMD). With regard to getting jobs, it depends on the employer as some employers, in example large companies, require a yearly residence document and they do not accept tourist passes provided by IDPs.

The housing permit is needed for Arab and Turkmen IDPs (and, more recently, extended to Christian IDPs) when renting houses only. IDPs who live in the hotels are not required to obtain a housing permit. IDPs, who are not required to obtain residence documents in Erbil (Shabak, Kakayie, Yazidi), need to provide housing permits to register with the Ministry of Migration and Displacement (MoMD). Christian IDPs can provide a support letter from the church -instead of the housing letter - to obtain passports. Shabak, Kakai and Yazidi IDPs do not need housing permits to apply for passports.

The one year residency is the same as short-term residency (aka tourist pass), but it is issued on a yearly basis. It was previously issued by the directorate of residency. It is more accepted by employers than a short-term residence document but is extremely difficult for IDPs to obtain.

Barriers to obtaining residency

Most Arabs and Turkmen IDPs in the camps do not have any form of residence documents. The Asayish have agreed to process the application of camp residents in Baharka and Harsham camps

with UNHCR monitoring the process. Just recently, the authorities in Erbil Governorate have started to issue residencies to IDPs, which means that they will now have freedom of movement.

Single men and women of Arab ethnicity can enter Erbil through the airport only. At the time at which they enter Erbil airport, they do not need a Kurdish sponsor. At the airport, single men and women will be issued with entry permit for three to five days which is not renewable, unless they are staying in Erbil for work. Therefore, single men and women will not be issued with a short-term residence document (aka tourist pass) unless they have a job in Erbil. In that case, they need to provide a supporting letter from their employer with a Kurdish sponsor to be issued with a short-term residence document (aka tourist pass). Or if they have family already in Erbil, then after the three to five given days they can approach the local Asayish office to add their names to their family's temporary residency (aka tourist pass). Single mothers and fathers with children will be treated the same as families.

Generally, IDPs in Koya face difficulties accessing Erbil through Degala checkpoint (between Erbil and Koya). IDPs, who need to leave Koya temporarily and travel towards the south, in example to Kirkuk or Baghdad, for any reason such as obtaining, renewing or replacing civil documents, visiting relatives, hospital visits, et cetera, will have to inform the local Asayish in Koya of the period they will spend out of Koya. The maximum period allowed by the Asayish is one month. The local Asayish will confiscate the short-term residence document (aka tourist pass) issued to the IDP in Koya and replace it with a document indicating that they have permission to leave and specifiying which deadline has been given to the IDP for their return.

IDPs leave Koya to the south through the Taq Taq – Kirkuk checkpoint. At this checkpoint IDPs must show the leave permission obtained from the local Asayish to be allowed to leave Koya. If IDPs left Koya and missed the deadline given to them to return they will be investigated by the Asayish at the Kirkuk – Taq Taq checkpoint upon their return. Based on the investigations, the IDPs will be allowed to enter again or permission to return may be denied. UNHCR has not identified any cases where permission to re-enter has been denied. After re-entering Koya, IDPs must visit the local Asayish again, give them the leave permission that they were given and take back their short-term residence document (aka tourist pass).

If IDPs residing in Koya receive members of their family from southern areas of Iraq for a visit, in example their relatives who will stay for a short period and then return, their relatives entering through the Kirkuk – Taq Taq checkpoint will have to leave their civil IDs at the checkpoint in exchange of a temporary residence document (aka tourist pass). Their IDP relatives who live in Koya will need to inform the local Asayish one or two days before that their relatives will be coming to visit them.

Access to civil status documents and registration for IDPs

Iraqi nationals are registered *by* and bound *to* the local civil status office in the geographical area where they were registered before the flight. It is not possible for citizens to register status

changes, birth of children or recover lost documents in other parts of the country. Therefore, there is currently a risk that a child born during flight or born just before the flight end up being stateless, but this would only be the case if the parent's ID does not state they are married. After the meeting, UNHCR informed the delegation that the Ninewa Directorate of Nationality and Civil Status opened its office in Erbil on 15 November 2015. The office is able to process applications from IDPs originating from Ninewa for issuance, renewal and/or replacement of civil ID cards and nationality certificates, with the exception of the IDPs from Tal Afar, who will not be able to have their civil ID cards issued, renewed and/or replaced in this office (they will have to travel to Najaf). They can, however, apply for nationality certificates. IDPs from other areas in Iraq, including Anbar, have to travel to their places of origin or Baghdad to have their civil status documents issued, renewed and/or replaced.[256] Similarly, most IDPs are not able to recover civil status documents that they have lost during flight. To apply for recovery of their documents they would have to go back to the place they fled from.

Generally, it is not possible to travel without ID documents. If IDPs manage to travel back to renew documents, they run a risk of not being able to be readmitted to the KRI. Due to the current displacement crisis in Iraq, offices have been opened in Sheikhan, Kabat (Kalak) and Zummar in Ninewa where IDPs from Ninewa can apply for document recovery. IDPs from other places in Iraq such as Anbar, Salah al-Din and Baghdad cannot apply for document recovery in these offices. IDPs from Tel Afar need to report to Basra to replace documents.

Generally speaking, there is no effective access to new civil status documents for IDPs. IDPs can only replace, renew, or be issued with new civil status documents (first time issuance), however, it depends on the authority of the office concerned. This presents challenges to the IDPs, since a number of documents are essential for registration and access to social services. As an example given by UNHCR, the public distribution system card is used to register for the Ministry of Migration and Displacement grant which is 1,000,000 IQD (833 USD) for each two-headed IDP household.

Exemptions from the document requirements to register and receive the Ministry of Migration and Displacement (MoMD) grant are currently made for Yazidis because so many of them have lost their documents during flight. The source stressed that this exemption is only made by ministerial instruction and only valid for Ministry of Migration and Displacement (MoMD) registration and access to cash grants. Until 1 January 2015, exemptions could in general be made for every IDP who was able to present three witnesses stating that he/she was from a conflict area. Only areas taken by Islamic State (IS) were considered 'conflict areas'. Now the central government in Baghdad has signed a contract with an international smart card company that operates transfer of grants from the Ministry of Migration and Displacement to IDPs. Due to this

[256] Email of 20 November 2015.

contract, grant receivers have to adhere to documentation standards set by the smart card company. According to these standards, the most important identification document is the civil ID card.

Previously, ministerial instructions on eligibility criteria for the registration as an IDP existed. According to UNHCR, the last instruction dates January 2015. Currently, eligibility criteria are confused with assistance criteria in the sense that possession of a national ID document has de facto become part of the eligibility criteria for registration as an IDP. In this way, previous procedures to facilitate the registration of undocumented IDPs with MOMD are not any longer applicable. The inability to register as an IDP thus impacts negatively on the ability to receive the Government's issued cash grant.

Residence documents or visitor visas or entry passes have been in operation in KRI for long for non-Kurds. The practice has now also been introduced in the 'disputed areas' where KRI authorities have expanded security or administrative controls. This affects the status of the original or resident population, especially the Arab IDP population.

The Kurdish authorities have the ambition that the Asayish should keep track of all IDP families living in KRI. In Sulaimania, the Asayish keeps files of both camp and non-camp IDPs and refugees. In Erbil, they only keep files of non-camp IDPs. In Dohuk, the registration system has not been implemented yet. The idea of the registration system is that the registration should work like a proof of residence for the IDPs. When the system becomes fully implemented, the IDPs will not only be registered by the Kurdish Ministry of Interior but also with the local security agency. UNHCR emphasized that practices in the three governorates and in the 'disputed territories' remain different, and are led by local, provincial decision makers based on their understanding of the security situation.

Effectiveness of law enforcement by Kurdish authorities

The Kurdish authorities have the potential to provide very effective security in the areas that they control. Their system is organized, professional and present. But among the local population, there is very little regard of law enforcement. Even though there is access to courts, law enforcement, police et cetera, people do not make use of the police and the courts, as effective protection is limited to those with the right ethnicity, religion and connections. In this way the full potential of the Peshmerga and the Asayish to protect local inhabitants is not utilized. No prosecution of Peshmerga forces and members of the Asayish has been seen with regard to their violations of human rights.

For both IDPs and other nationals living in the Kurdish controlled areas, access to forms of effective protection is limited to connections and affiliations to groups and local leaders. This context might change if pressure was put at a higher level, but at the moment it remains.

The UNHCR representatives explained that other actors than the authorities, such as militias, may be able to provide protection to individuals for a limited time. However, the protection would not

be effective or legitimate, and protection would only be offered to those with the right connections.

Arbitrary arrest and detention of IDPs

Sometimes IDPs are arbitrarily arrested and detained based on security related suspicions. Although the law stipulates that detainees are entitled to legal representation during the investigation period, IDPs are generally denied this access. Standards are present, but they are not applied according to law. Access to rule of law, not only in the Kurdish part of Iraq but in the entire country, is dependent on ethnic and religious affiliation, tribe, connections, family and relatives. It is very difficult, if not impossible, for an individual to stand up for his rights by himself.

Suspicion of IS collaborators among IDPs

In parallel with the above, legal protection is not provided for the families of suspected IS collaborators. UNHCR mentioned a concrete case where the wives of two men suspected of cooperating with IS were restricted in terms of freedom of movement and their belongings were confiscated. This happened more than a year ago, and the authorities have not allowed the women to return to Rabia where they came from. For some time, return to Rabia has not been allowed for many people, and the excuse for this is most commonly suspicion of cooperation with IS.

People who have lived under the control of IS are presumed, by the Kurdish authorities, to have collaborated with IS and thus will be subject to strict security controls and restrictions of freedom of movement. Most recently on 15 November 2015[257], UNHCR, in example, witnessed the forced relocation of several villages to Gamarwa IDP camp after a security incident in the villages. Collective punishment is common practice. Gamarwa is a closed camp, and IDPs living in the camp have no freedom of movement. IDPs have reported confiscation of ID and mobile phones by security forces. In most cases the authorities do not reveal any proof to base their suspicion on, the response to queries remains generally 'security concerns'. At the moment, a high number of people are reported in detention based on the suspicion of collaboration with IS. For these detainees, no legal guaranties have been assured. Their family members have not been properly informed about their detention and they do not get access to their detained family member. A typical profile of one of the mentioned detainees is a person suspected of kinship, close family links: first degree, with active IS members. In none of the known cases there has been solid proof of actual collaboration between the detainee and IS.

In addition to the above, mass detentions have also taken place based on suspicion of collaboration with IS. As an example given by the UNHCR representatives, one week before the meeting with the delegation, 146 families were removed from Tal Afar and placed in an IDP camp in Gamarwa because the authorities found an explosive device in one of the villages in the Tal Afar area. Gamarwa was described by the UNHCR representatives as 'a closed IDP camp'. Placement in

[257] Email of 20 November 2015.

the camp works out as a sort of detention. ID cards are confiscated from the IDPs which makes it impossible for them to move outside the camp because of the many checkpoints. Mobile phones have also been confiscated. Moreover, the camp is surrounded by a fence. The practice of placing people in a closed camp, such as in Gamarwa, may be considered by UNHCR as a way of 'collective punishment'. In this case, the Kurdish authorities showed no regard for the application of law or the opportunity of individuals to enjoy basic human rights. UNHCR pointed to the fact that latest forced relocation started on 15 November 2015, when several villages were relocated due to the abovementioned security incident in the area.[258]

The Gamarwa camp originally hosted IDPs from Mosul and surrounding villages. The inhabitants constitute a mix of Turkmen, Arabs and few Kurds. The Kurdish authorities have relocated people into the camp three times. At first they moved IDPs into the camp on a voluntary basis. But the second and third time they moved people into the camp, they did it against their will. The operations were conducted by Peshmerga forces and coordinated through the Asayish. UNHCR has expressed its concern to the Kurdish authorities, stating that the operations appeared to be a form of ethnic cleansing of certain areas controlled by Peshmerga forces outside KRI. By the time of the meeting with the delegation, UNHCR was still awaiting an answer to the complaint from the authorities. It is not clear to UNHCR what a durable solution for the situation of IDPs in Gamarwa camp could be.

In line with the above, quite a big number of houses have been destroyed by the Peshmerga and local inhabitants in the so-called 'disputed areas'. The official explanation of the demolitions is that property is being destroyed for security reasons. The issue is, however, not only related to actions of the Peshmerga forces and local inhabitants. Also Iraqi Security Forces and Shia militias are being accused of destruction of property in the disputed areas. The Kurdish population is allowed to move back to their areas of origin, but UNHCR has observed discriminatory practices in terms of the Arab population generally being subject to extensive clearance procedures. The nature of these procedures is often not clear, and the Arabs may not receive permission to return to places of residence or origin.

In general, there are many inconsistencies in treatment of people in the disputed areas.

Honour crimes

In KRI, it would be difficult for a victim of an honour crime to escape the perpetrators and seek protection from the authorities. There are very few shelters, and a victim might be physically safe inside a shelter but not outside the walls of the shelter. The lack of a survivor centred approach and respect for confidentiality poses a continuous risk for victims being tracked down by perpetrators. It requires a police report or a court decision to access a shelter.

[258] Email of 20 November 2015.

Only shelters set up by the Kurdistan Regional Government (KRG) under the Directorate for Combating Violence against Women (DCVAW) exist in KRI. Setting up a women's shelter is only possible within the formal system. Informal arrangements are not possible. As a supplement to shelters, UNHCR has tried, unsuccessfully, to set up women centres with residential or accommodation options.

UNHCR did not have any information about honour killings or any other kinds of attacks inside shelters, but the UNHCR representatives stressed that this did not confirm that these things do not happen. Reference was made to the generally poor management of the shelters.

When a government body enforce law in respect of women rights or when implementing authorities deal with victims of violence, their approach is not survivor centred. They will try to negotiate a solution at the expense of the survivor. Generally speaking, women are not mistreated in the shelters, but their rights are not respected. Often, the authorities bring the perpetrators to the shelters for mediation with the survivor. This is typically done without consent of the survivor. An example given by the UNHCR representatives was a situation in which a Syrian girl sought protection at a shelter. She was then negotiated back to her family and right after that sent back to Syria, an area outside Kurdish jurisdiction, by the family. Legislation to protect victims of honour crimes exists in KRI, and there are institutions in KRI that can be used to enforce this legislation. But the surrounding society is a very tribal society. Tribal links are more important than formal law. In KRI, as well as in other parts of the country, many problems never reach the courts. The courts are not seen to respond, even though, in principle, they have a number of excellent laws meeting international standards. The UNHCR representatives have not seen any honour crime cases brought before the courts. They have, however, witnessed two prosecutions and convictions of rapists about seven months ago. The two cases concerned a refugee family who has now moved to another area of the country to protect the family, because their honour had been affected. In line with this, the UNHCR representatives added that 'honour' goes beyond the nuclear family.

Following the meeting with the delegation, UNHCR forwarded statistics from the Directorate for Combating Violence against Women (DCVAW) on social conditions for women in KRI during the period of January to November 2014.[259] During the mentioned period, the Directorate for Combating Violence against Women (DCVAW) has registered 33 cases where women have been killed, 37 cases of suicide, 186 cases where women have been burned, 85 cases of self-immolation and 127 cases of sexual violence.

Child marriages

Child marriages are prevalent in both KRI and the rest of Iraq. Young girls as young as 9 years of age are married. In large, these girls are IDP children. While the KRI host community and refugee community also have child marriage cases; as a result of displacement, IDP families may become financially more vulnerable and therefore engage in negative coping mechanisms such as child

[259] Email of 16 December 2015.

marriage. According to Kurdish law, the legal age of marriage is 18[260], but in order to survive, parents marry away their girls at a younger age. The marriage contracts are signed in the presence of imams who approve of marriage at a younger age than the official legal age in KRI. However, these marriages can also just be done through an agreement with the fathers. As an example given by the UNHCR representatives, clergies who support the Jafari school of thought[261] allow marriage for girls as young as nine years of age. Results of this early marriage practice are now seen in some of the IDP camps in KRI. In one camp, there is an 11-year old pregnant girl. In Dohuk, where child marriage is common, 13- and 14-year old girls get divorced.

Conflicts of landownership

The UNHCR representatives were not aware of any cases of conflicts of landownership brought before the courts. The legislation is, however, generally not considered valid, by the local population, when it comes to solving conflicts of landownership.

In addition, corruption prevails when it comes to landownership. As an example given by the UNHCR representatives, a Kurdish man sold land to a senior representative from the Kurdish authorities. The seller never received his money. When complaining about this, he was put in detention for six months without trial. The person has now been released. The UNHCR representatives informed the delegation that no trails or documents on such a case could be found in any archives of the Kurdish authorities.

Another example of how corruption works in connection to landownership is that, officially, IDPs cannot own property in KRI, unless they have lived there for more than five years. But there are unofficial ways to work around this restriction. Sometimes people with sufficient financial means can bribe their way through personal networks to buy property. Sometimes the outcome of such conduct is a kind of dubious ownership agreement.

A third example of the existence of corruption related to landownership is a mixture of harassment and corruption by the local mukhtars.[262] The UNHCR representatives informed about a

[260] UNHCR provided the following legal information: According to the Amended Personal Status law in KRI no. 15 of 2008 Art. 5, a person who completed 16 years of age can marry in the court with the judge's consent under two conditions: eligibility and physical ability and approval of the legal guardian.
According to Iraqi Personal Status Code, the judge can authorize the marriage of a 15-year-old person if the judge determines the marriage is an urgent necessity.

[261] The draft law, called the Jaafari Personal Status Law, is based on the principles of the Jaafari school of Shia religious jurisprudence, founded by Imam Jaafar al-Sadiq, the sixth Shia imam. Jaafari law proposes many significant steps back in terms of rights for women and girls; regarding child marriage the age for girls would drop to 9 years and boys 15 years. This draft law was not passed in Iraq.

[262] UNHCR explained that a mukhtar represents the lowest level of formal administration within a certain area of Iraq. The mukhtar is typically the person who people contact to solve everyday problems. The mukhtar stands up for the right of inhabitants in his area. But at the same time he has the power to decide what is good for people in his area and who can live there. In this way, he has a privileged position. He works at a low level in the formal administration, but he is very powerful locally. This affects all Iraqis, not only IDPs. Mukhtars are appointed by KRI authorities. They are not elected. Very often they are former security officials and they are often retired or close to retirement age.

situation where a local mukhtar had put pressure on a family by asking for the telephone number of their daughter in exchange of a permission to live in a given house. The chance to find a solution in a case like this would typically be based on ethnicity and connections of the family.

Kurds who are registered as living in Kirkuk cannot re-register or buy property in any part of KRI. If a man from Kirkuk marries a woman from another part of the Kurdish controlled areas or KRI, her file is moved to Kirkuk. A couple like this would not be able to move in and out of Kirkuk, and they would not be able to move to or buy property in KRI.

Conflicts with armed groups

There have been some incidents of conflicts between armed groups in Zakho and in Mamilian IDP camp. Part of the local population has been displaced but is protected by the Peshmerga. In general, there is presence of combatants and weapons in IDP camps. Civilian conflict can be aggravated by the presence of military or militia personnel and weapons in the camp. As an example, UNHCR mentioned a recent incident between various population groups in Mamilian camp leading to a shoot out between different IDP groups and security. In another example, UNHCR said that in Zakho, a young IDP girl was severely injured in a shoot out between two IDPs from different ethnic background.

In the so-called 'disputed areas', the possibility to seek protection from the authorities in case of conflict with armed groups depends on whether or not a person belongs to the groups that the Peshmerga would protect. Groups that are protected by the Peshmerga include Kurds and ethnic or religious minorities. Arabs are protected by the Peshmerga within KRI. But in the 'disputed areas', their possibility to seek protection would, among others, depend on affiliation and ethnicity.

In this regard, the UNHCR representatives pointed to the fact that some Faily Kurds have joined a Shia militia. This militia is often in conflict with the Peshmerga, and as a consequence of this, Faily Kurds may not be protected by the Peshmerga. UNHCR further explained that conflict between the Shia militia and KRI has been reported in al-Saadiyah.

Harassment based on religion or ethnicity

The possibility to seek protection from the authorities in KRI and other Kurdish controlled areas in case of harassment based on religious and/or ethnic affiliation depends on the personal connections of the person in question.

Signs of sectarian violence are seen in the 'disputed areas' e.g in Diyalla Governorate a traditionally mixed governorate inhabited by Sunnis, Shia's and Arabs and Kurds. This kind of violence is typically linked back to historical persecution of the Kurds and the possible impact of the various Arabization campaigns during the previous regime. The political dispute, and the

subsequent interpretation of article 140 of the Iraqi Constitution[263] with the central government in Baghdad about the boundaries of KRI, typically lies beneath the violence.

Generally speaking, young single men face higher harassment rates based on their religious or ethnic affiliation than other profiles. A Sunni Arab with no connections would potentially face a higher risk of harassment. Single women could be perceived as prostitutes if they are seen to be single, but they are more seldom harassed based on their ethnic or religious affiliation.

The Kurdish authorities often raise concerns about young male IDPs potentially having links to IS fighters. Particularly Arabs are suspected of having ties to IS. From the above mentioned Debaga camp in Makhmour, over eighty IDPs have been detained after their relocation from the Gwer district. The detention was allegedly based on close family links with active members of IS. The standards of treatment of these detainees are criticized by UNHCR. For instance, the investigation is limitless in terms of timeline.

Harassment of women

There are four to five categories of men who are more frequently harassing women. Taxi drivers often harass women, and since many of these men work as teachers during the day, there are reports alleging that sexual and other forms of gender-based violence (SGBV) was committed by teachers. Other groups harassing women are employers, fellow IDPs and members of the public administration and the security apparatus. As mentioned above, corruption is often linked to this kind of harassment and it is typically connected to renting a house, getting permits etc. The harassment in these situations is often perceived by the perpetrator as an exchange of 'good deeds' for favours.

IDP camps with restricted access and exit

Different measures are taken by local authorities to keep IDPs inside IDP camps.

In many camps in the Kurdish controlled areas, IDPs have to hand in their civil ID card to the Asayish at the gate when they leave the camp. This presents a challenge to the IDPs with regard to freedom of movement as checkpoint crossing is not possible without a civil ID card. Checkpoints are present in all parts of the Kurdish controlled areas and sometimes temporary checkpoints are set up inside cities without prior notice. Even in a relatively big city like Erbil, it is really difficult to move around inside the city without documents.

UNHCR added that IDPs who want to move out of IDP camps in Erbil will need permission from the Asayish.

[263] *Constitution of the Republic of Iraq* [Iraq], 15 October 2005, available at: http://www.refworld.org/docid/454f50804.html [accessed 25 January 2016].

When IDPs have to hand in their ID cards when leaving camps, it also limits their access to health care and social services outside camps. UNHCR said that IDPs can access services at public hospitals.

UNHCR further explained that, in Baharka camp in Erbil, IDPs need to give Asayish some form of ID before leaving the camp. At the time of the meeting with the delegation, IDPs were not issued with residential documents if living in camp. UNHCR has later informed that in Erbil Governorate, the authorities have just started to issue residencies to IDPs, which means that they will now have freedom of movement.[264]

UNHCR informed the delegation at the time of the meeting, that Gamarwa camp as well as Arbat and Ashti camps all are IDP camps where access and exit is clearly restricted. UNHCR has subsequently informed that the problem in Arbat and Ashti IDP camps, where the authorities confiscated ID cards, is progressively resolved.[265] UNHCR further informed that the situation in Gamarwa has deteriorated significantly as the camp has become the destination for forced relocation of villages close to the front line. IDPs face inhumane treatment, confiscation of property, in example ID cards and mobile phones, and arbitrary arrest and detention. UNHCR has also learned that two vulnerable families, accused of having contacts with IS, were expelled to Mosul even though the head of households had been released through a court decision.

Security in the Kurdistan Region of Iraq

The delegation asked the UNHCR representatives about security issues in KRI and other Kurdish controlled areas in relation to the terms of reference, however, UNHCR referred to United Nations Assistance Mission for Iraq (UNAMI) on these issues.

Skype Meeting with Renad Mansour, Fellow at Cambridge Security Initiative and Visiting Scholar at the Carnegie Middle East Centre

5 October 2015

Renad Mansour is a non-resident scholar at the Carnegie Middle East Centre, where his research focuses on Iraq, Iran and Kurdish affairs. In 2010, he worked as advisor to the Kurdistan Regional Government (KRG).

Security situation in the Kurdistan Region of Iraq and other Kurdish controlled areas

As regards the general security situation in the Kurdistan Region of Iraq (KRI), Renad Mansour underlined that the last time he visited camps for internally displaced people (IDP) was in June 2015, but as a general description of the area, he said that the area is safe, and that the

[264] Email of 15 December 2015.
[265] Email of 15 December 2015.

Peshmerga is able to provide security for the population. There have been incidents of bombings committed by extremists. The Peshmerga and the Asayish are to some extent able to foster a secure environment which is not always ideal but is seen as a temporary measure. Many of the IDPs have some hope of returning instead of dealing with these conditions for long.

Concerning the security in the IDP camps, Renad Mansour said that the security is better than in the regions where the IDPs came from. He added that with regard to the general conditions, the IDPs in KRI experience problems with integration into the Kurdish society and xenophobia. Seen from the perspective of the host community, now that they experience how KRI has become overcrowded with IDPs, they are scared due to traumas caused by Saddam Hussein's forced relocation of Arabs to the Kurdish areas. The situation is, however, neither ideal to the host community, nor to the IDPs, and the IDPs see the situation as temporary.

As regards the general security situation in Kirkuk, Renad Mansour said that he was not up to date; however, he explained that the Peshmerga is able to provide security in the centre of Kirkuk. In the outskirts of Kirkuk, the security level is lower than in the centre, in the sense that there are clashes with paramilitary groups. Renad Mansour added that people are still able to go to Kirkuk, mainly from KRI from where many Kurds are going back and forth.

In the contested areas in Kirkuk, the leading party, Patriotic Union of Kurdistan (PUK) and its leader Jalal Talibani is facing difficulties, and the Patriotic Union of Kurdistan (PUK) has accepted that Iran has sent Shia militias to fight Islamic State (IS). The Patriotic Union of Kurdistan (PUK) Peshmerga has stated that they protect the minorities in Kirkuk which is to say that they control the area. Renad Mansour pointed to the fact that in Kurdish the expression used about the 'contested areas' is 'occupied or taken areas' whereas the areas are called 'contested territories' in English as well as in Arabic ('al-manateq al-muna'sha 'aleha'). Since June 2014, Kurdish forces have occupied Kirkuk.

There are tensions between Shia militias and Kurdish forces. In contested areas, Peshmerga forces claim that they are protecting minorities. Moreover, the Kurdish authorities have an ambition to govern these areas and the people living in them. The Iraqi Security Forces are too weak to assert themselves as executive forces on behalf of the central government in the mentioned areas. Therefore, paramilitary groups like the Popular Mobilization Forces (in Arabic: 'al-Hash al-Shaabi') take over. At the time of the meeting with the delegation, Renad Mansour was not familiar with the actual situation, but he mentioned that in the centre of Kirkuk, Kurdish authorities were able to bring some security. Moreover, the source characterised the situation as 'not too insecure'. According to Renad Mansour, the Peshmerga is able to defend specific areas. In addition, he explained that the Peshmerga sometimes cooperate with paramilitary groups with whom they also clash, from time to time.

Asked to what extent IDPs are exposed to physical danger such as mine fields, car bombs, factional fighting etc. within KRI and other Kurdish controlled areas, Renad Mansour said that he had heard about factional fighting and not so much else. He said that factional fighting is the biggest concern.

Presence and activities of Islamic State

Asked about the type of activities that IS is able to undertake, Renad Mansour said that IS has an interest in attacking KRI which was seen in August 2014 when IS was approaching Erbil until the international airstrikes began and thereby stopped IS' advance. There was a gap in the decision making chain of IS. The decision to threaten Erbil was made by those on the ground, and it was seen as not very strategic by others in the organisation. This was, however, an invitation for the US to intervene.

Renad Mansour pointed to the tendency that the official channels have pushed the view that IS consists of Arabs, and that the Kurds are nationalist, thereby giving the impression that Kurds would never join IS. Renad Mansour has spoken to security people about why IS and their sympathizers cannot survive in KRI and was given two explanations: (1) Arabs stick out and (2) Kurds are nationalists which is why they do not believe in the ideas of IS. The source referred to an example of a mother who turned her son in to the police because of his sympathies towards extremists. Nevertheless, many people from Mosul, including Kurds are engaged in IS.

Concerning the prevalence of sleeper cells, the Kurdish news channel *Rudaw* has broadcasted interviews with IS members caught by the Kurdish authorities. The source pointed to these broadcasted interviews as the government's attempt to deter others from joining IS.

Some Kurds, who are sympathetic towards the visions of IS, are provoked by the big billboards with beer commercials which are all over the Christian neighborhood Ankawa. They may be interested in seeing some form of terrorist activity. At the same time, the Ministry of Interior, the Asayish and the Peshmerga are to some extent effective in preventing or quickly addressing such actions.

Asked if IS is able to pursue their target within KRI and other Kurdish controlled areas, Renad Mansour said that IS is not able to invade KRI. The most effective modus operandi for IS in KRI is going back to the al-Qaeda (AQ) model by using suicide bombing or asymmetrical warfare to send messages to international opponents. An example of this was seen when IS bombed the US consulate in Erbil in April 2015.

Asked if there are any areas in KRI and other Kurdish controlled areas where a significant part of the inhabitants are sympathetic to the visions and goals of IS, Renad Mansour said that there are tribal areas, for example Halabja and Ranya, with imams who are engaged in Salafi views. This group of imams is not represented in Erbil and Sulaimania.

Presence and activities of Shia militias

Asked what type of activities the Shia militias are able to undertake in KRI and other Kurdish controlled areas, Renad Mansour explained that Shia militias are gathered under an 'umbrella' called the 'Popular Mobilization Forces' (PMF) (in Arabic: 'al-Hashd al-Shaabi') which is a huge group with many factions. Their priority is to combat IS which they do by going into areas that they are concerned that IS will attack and take over, especially along the border to Diyala and Kirkuk. The Peshmerga would typically govern the areas close to the Iranian border whereas Iran would like the partly Iranian funded Shia militias there.

There is a general sense among Iraqis that Kurds are benefitting from IS's presence. In order to avoid that the Kurds occupy more territory than they already do, the Shia militias are currently making sure that the Kurds do not take all areas.[266] Some Shias point to historic events, for example that during the insurgencies in Iraq in 1991 related to the Iraqi invasion of Kuwait, the Shia supported northern Iraq rather than the southern governorates. As another example on why the Shia militias are apprehensive towards the Kurds, Renad Mansour mentioned that the Kurds are selling oil to Israel and are trading with Turkey. The Shia militias are lashing out against the Turks, for example, by capturing Turkish workers in Baghdad a few months ago for having facilitated Kurdish independence. Asked about names of Shia militias who work against the Kurds, the source mentioned Asaib Ahl al-Haq in Tuz Khurmatu.

Asked if Shia militias target any groups within KRI and other Kurdish controlled areas, Renad Mansour said that it is unlikely to see a proper conflict between the Kurds and the Shia militias, while the Shia militias and the Kurds are working together against the external threat, IS. The Peshmerga might, however, be a target for the Shia militias in Kirkuk, as Kirkuk is de facto under Kurdish control.

The Shia militias are being accused of targeting pro IS groups and Sunni Arabs in tribal areas.

The three main militias are Kataib Hezbollah, Asaib Ahl al-Haq and Badr Organization. They are all close to Iran.

Asked if the Shia militias are in control of any part of KRI and other Kurdish controlled areas, Renad Mansour said that the Shia militias are not in control of any part of Kurdistan Regional Government (KRG) territory, comprised of the three governorates of Erbil, Sulaimania, and Dohuk, but they do control some areas on the outskirts of Kirkuk, mainly rural areas. The Kurds are worried about attempts from the central government to reclaim the areas that have been occupied by the Kurds during the current conflict. In the Sunni Arab areas, people are worried about the Iranian expansion into Iraq.

[266] After the Skype meeting with the delegation, Renad Mansour provided in a written correspondence, email of 27 November 2015, an example on recent skirmishes in Tuz Khurmatu: http://rudaw.net/english/middleeast/iraq/20112015.

Asked about the relationship between the Kurdish forces, the Iraqi Security Forces and Shia militias, Renad Mansour said that it affects the security when there is more than one armed group protecting the country. In the present situation, it complicates the fight against IS because the armed groups against IS sometimes fight each other which means, firstly, that the Peshmerga fights the Popular Mobilization Forces (PMF) (in Arabic: 'al-Hashd al-Shaabi') and secondly, there are arguments between various Peshmergas. In addition, Renad Mansour said that internal sect disputes are almost as big as the external disputes. Both kind of tensions are an effect of the complicated security situation where there is no single group taking care of the security in the area, and the boundaries between the areas of responsibility of the different actors are disputed.

The central Iraqi Ministry of Defence is struggling to recruit new soldiers, among other things due to the fact that the Ministry of Defence does not pay as high salaries as the militias do. In addition, the Iraqi Security Forces are not as effective as the paramilitary groups. To support this statement, Renad Mansour pointed to the fall of Mosul as an example of Iraqi Security Forces' lack of effectiveness. Many Shias want to fight for the paramilitary militias, and they wonder why the international community considers the Peshmerga legitimate and ask them to invade another country (Kobani in Syria) when the Shias as other paramilitary groups are not perceived as legitimate. Sometimes, the Shias even accuse the Peshmerga of being 'trained by Mossad' or 'the Israelis' which in their eyes is very problematic. The Ministry of Defence under the central government in Baghdad is less linked to Iran than the Popular Mobilization Forces (PMF) (in Arabic: 'al-Hashd al-Shaabi'). The Ministry of Defence, however, tries to play the Iraqi-national card by emphasizing Iraq (in Arabic: 'al-watan' which means 'homeland') rather than sects.

Peshmerga forces

Asked about the profiles of the prisoners taken by the Peshmerga during the conflict, Renad Mansour said that they are young, male Sunni Arab IDPs coming from Ninewa, Anbar and Diyala.

Asked if the Peshmerga forces are able to pursue their targets within KRI and other Kurdish controlled areas, Renad Mansour said that the Peshmerga has been effective in its own respective areas, but that it is a general advice for the Kurdish Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK), who control each their Peshmerga force, to unify their command in order to improve their ability to run joint operations. Within Kurdish territory, the two Peshmerga forces are able to target wanted groups. There is an efficient intelligence service in KRI helped by the taxi drivers among whom it is said that several of them are informants for the regime. Outside KRI, in other Kurdish controlled areas, it gets more complicated to pursue targets and it is mainly possible in pro Kurdish pockets.

Asked what jurisdiction the Peshmerga and the Kurdish police are subject to, Renad Mansour said that the Ministry of Peshmerga Affairs is established to look over the Peshmerga. Apart from that, the Peshmerga is subject to Kurdish authorities all the way down from the National Security Council to the polit bureaus. The National Security Council is run by Massoud Barzani's son,

Masrour Barzani, and the ability of the son is questioned by the opposition at the moment. The Kurdistan Regional Government (KRG) is weak vis-á-vis the political leaders. As an example, Renad Mansour mentioned a speaker of parliament who had no real experience as Peshmerga but became one of the many decision makers and leaders behind operations against IS. In addition, he is subject to allegations of corruption.

The Kurdish police are more institutionalized than the Peshmerga and are structured under the Ministry of Interior.

Asked what legislation the Peshmerga is subject to, Renad Mansour referred to the Ministry of Peshmerga Law.[267]

Asked if the citizens of KRI are subject to military service, Renad Mansour said there is no conscription. The recruitment to the Peshmerga forces is encouraged through a nationalist trend in the Kurdish population. The recruits are being promised that they will be paid a salary and pension. Currently, the Peshmerga fighters have not received their salary for three months which does influence the recruitment but not the moral of the fighters. The fighters say: 'We are fighting for our country, even if we are not being paid.' A similar episode of delayed payment for Peshmerga fighters was seen in 2013.

The source did not have information on the punishment for desertion from the Peshmerga forces.

Possibility to seek protection from the authorities

Concerning the effectiveness of law enforcement and armed security forces with regard to protection of individuals, Renad Mansour explained that in general it is difficult. The Kurdish forces would protect Kurds before other minorities. The Kurds think that they need more resources in order to be able to protect the population.

Asked if other actors than the authorities provide protection, Renad Mansour said that in certain cases tribes and private security companies are providing protection.

Honour crimes

With regard to protection in cases of honour crimes, Renad Mansour said that KRI is a very conservative society and that women who try to re-integrate into their society are facing difficulties. In some regions, the loss of honour is a massive problem. The source gave an example of some Yazidi women, who lost their honour when being abducted by IS, and who are now having difficulties returning to their families.

[267] Ministry of Peshmerga Law, passed in 1992 that recognised peshmerga as regional guards (revised in 2007). See http://www.perleman.org/files/articles/111207104740.pdf.

Some families are able to track down their own family members in cases of honour conflicts. Renad Mansour added that among the tribes, there is an interest in restoring their image. The use of mediation in these conflicts relies on informal groups or tribes.

The Kurdistan Regional Government (KRG) has shown increasing efforts to deal with cases of honour conflicts in the sense that they have attempted to change the legislation for the benefit of the victims. However, it is a slow process to change such structures of society. Renad Mansour did not have information on cases of honour crimes that have been brought to court.

Conflicts with armed groups

Renad Mansour said that the authorities do have the capacity to protect an individual who has a conflict with or is being harassed by armed groupd in KRI or other Kurdish controlled areas. The question is, however, whether the authorities also have the will to do so. This depends on which armed groups are targeting the individual. Some armed groups have members from higher places in society, and these groups remain without interference by police or other authorities.

Conflicts based on religion or ethnicity

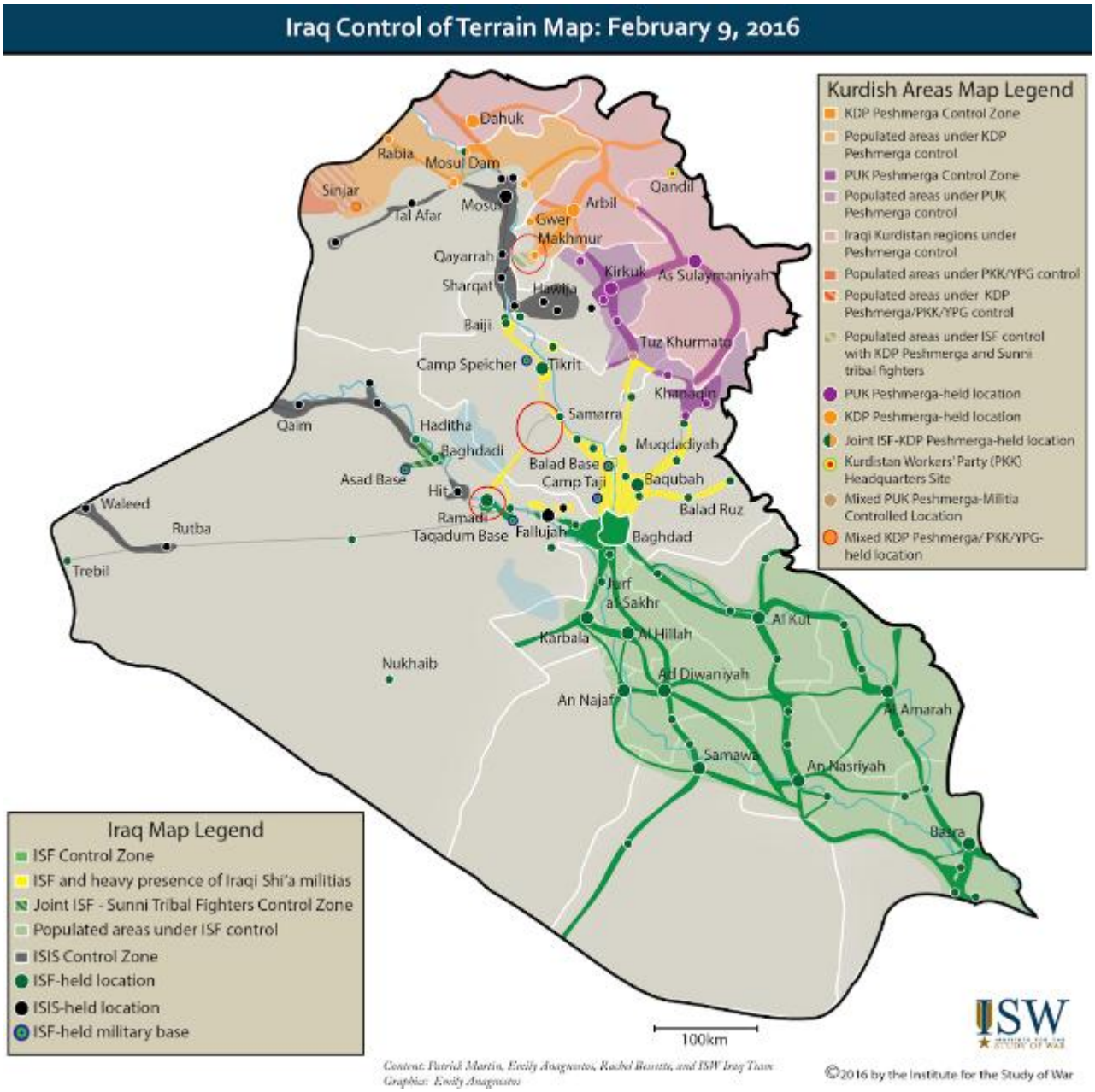
Renad Mansour said that traditionally it has been more difficult for minorities to trust the Peshmerga. Nevertheless, the Kurdistan Regional Government (KRG) has been keen on showing that it protects minorities, especially Christians are not harassed. In order to prevent incidents of disputes based on ethnic affiliation, there are even certain places, for example clubs, in KRI where Kurds are not allowed to enter. It would be bad publicity if the Peshmerga harassed minorities, and the Kurdistan Regional Government (KRG) is very conscious about its reputation in the international society.

APPENDIX 3: Maps

Iraq Control of Terrain Map: February 9, 2016

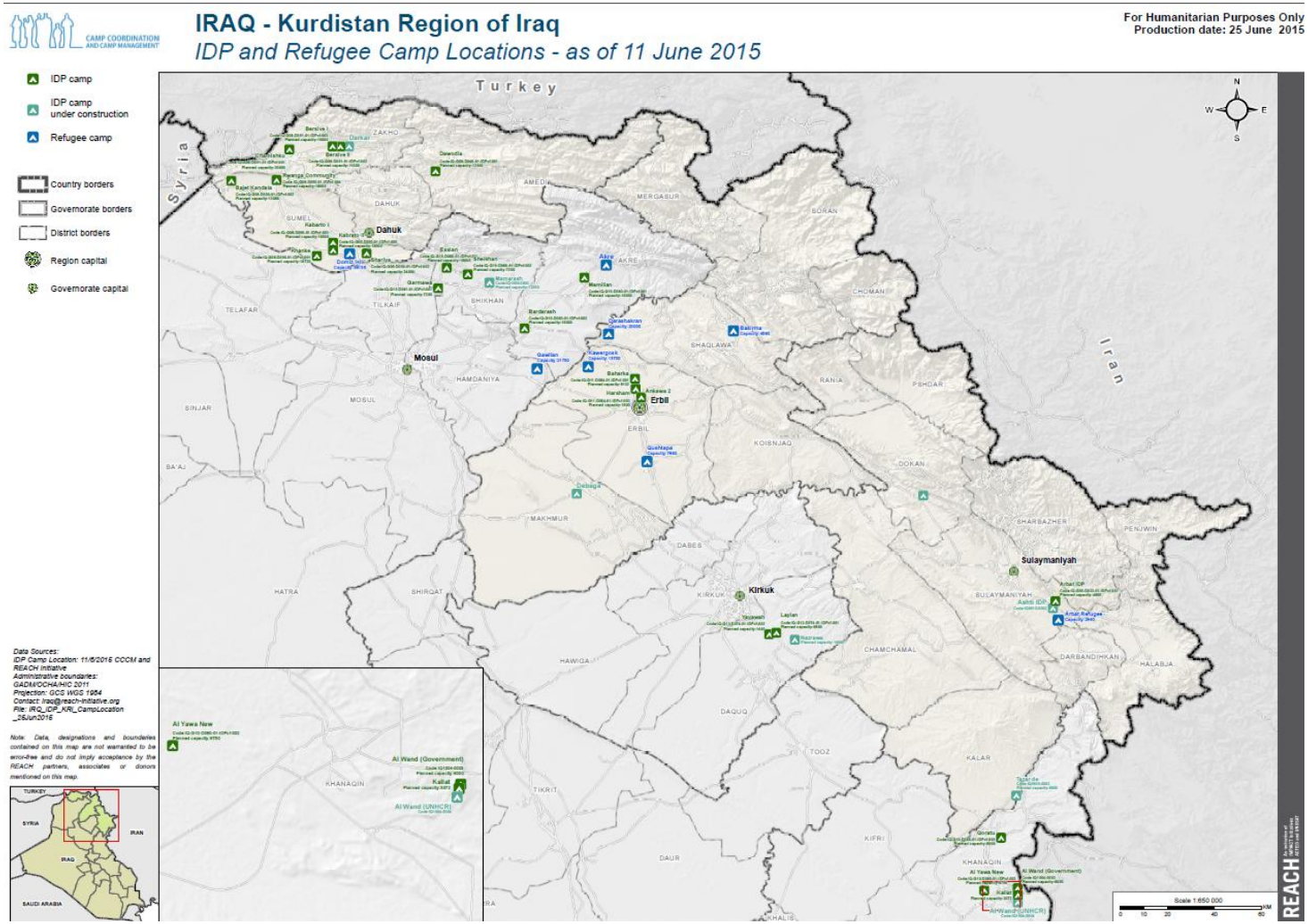
Source: Institute for the Study of War

http://www.understandingwar.org/sites/default/files/Iraq%20Blobby%20map%2009%20FEBRUARY%202016.pdf



IRAQ - Kurdistan Region of Iraq, IDP and Refugee Camp Locations - as of 11 June 2015,
Source: Camp Coordination and Camp Management (CCCM)

http://reliefweb.int/sites/reliefweb.int/files/resources/reach_irq_map_idp_kri_camps_location_25jun2015.pdf



APPENDIX 4: Scanned anonymised copy of Public Distribution System (PDS) card.

Provided by IOM. See translation of PDS card on the following page.

Unofficial translation of the PDS card by the Danish Immigration Service

Republic of Iraq [National emblem] Food Supply Card

The Ministry of Trade **2009**

Erbil

Number: [anonymized]

Name of the head of family: [anonymized]

Neighbourhood: …… Street: …… House: [anonymized]

Number of family members (figure): [anonymized]

Noting:[268] ……..

Number of infants:……

Number and name of food agent: [anonymized]

Number and name of flour agent: [anonymized]

Number and name of supply centre: [anonymized]

C. Names of family members

[anonymized]

[Pentagonal stamp]

[Round stamp and date]

Sealing

Supply centre

[268] More than one possible translation of this expression exists. In this translation, a conventional term has been chosen. In a specific context, this term might not be the most accurate choice.