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Iraq: Country of Origin Information on Access and Residency Requirements in Iraq

Ability of Persons Originating from Formerly ISIS-Held or Conflict-Affected Areas to Legally Access and Remain in Proposed Areas of Relocation

25 April 2019

This document provides decision-makers with specific country of origin information in relation to access and residency restrictions applicable to Iraqis originally from formerly ISIS-held or conflict-affected areas, who seek to return from abroad to areas other than their area of origin. This document is not intended to provide comprehensive guidance on the assessment of the availability of an internal flight or relocation alternative (IFA/IRA), which includes an assessment of the relevance as well as the reasonableness of the proposed IFA/IRA. Instead, this document is limited to factual information on access and residency restrictions as applicable at the time of writing.

Unless specified otherwise, information contained in this document has been collected and verified by UNHCR. The information reflects the situation as of 25 April 2019.

This information updates information on access and residency restrictions in Iraq contained in UNHCR's *Iraq: Relevant COI for Assessments on the Availability of an Internal Flight or Relocation Alternative (IFA/IRA): Ability of Persons Originating from (Previously or Currently) ISIS-Held or Conflict Areas to Legally Access and Remain in Proposed Areas of Relocation*.¹ Given the volatility of the situation in Iraq as well as changes to regulations and practices concerning access to and residency in relatively safer areas, decision-makers need to verify the accuracy of the information at the time of making a decision. UNHCR intends to update this document as needed.

In the face of large-scale displacement of people due to ISIS' expansion and subsequent anti-ISIS military operations between 2014 and 2017, many local authorities introduced stringent entry and residency restrictions, including, among others, sponsorship requirements and, in some areas, near-complete entry bans for persons fleeing from conflict areas, particularly Sunni Arabs. At the time of writing, security screenings remain in place for persons from formerly ISIS-held or conflict-affected areas. Access bans have been lifted while sponsorship requirements remain in place for entry to and residency in several governorates for persons from formerly ISIS-held or conflict-affected areas.

Access Requirements

At the time of writing, persons from formerly ISIS-held or conflict-affected areas, particularly Sunni Arabs (including persons who returned to Iraq from a third country) require a sponsor for access to the following governorates:

¹ UNHCR, *Iraq: Relevant COI for Assessments on the Availability of an Internal Flight or Relocation Alternative (IFA/IRA): Ability of Persons Originating from (Previously or Currently) ISIS-Held or Conflict Areas to Legally Access and Remain in Proposed Areas of Relocation*, 12 April 2017, www.refworld.org/docid/58ee2f5d4.html.

- **Basrah, Dhi-Qar, Missan, Muthanna and Qadissiyah Governorates:** The sponsor must receive the individual at the governorate entry checkpoint in order to facilitate the entry. In case an individual entered the governorate without being checked, s/he needs to approach the concerned security branch for clearance, accompanied by the sponsor. Inability to secure a sponsor will likely result in the individual being denied access to the governorate, although security actors have a level of discretion to exceptionally grant access, depending on the profile of the person and their reasons for relocation.
- **Dohuk Governorate:** Arabs from formerly ISIS-held or conflict-affected areas and Turkmen from Tal Afar (Ninewa Governorate) require a sponsor in order to enter, unless they obtain a temporary travel authorization from the checkpoint near Hatara village. This authorization is issued for short-term visits for medical or similar reasons.

No sponsor is required for entry to Baghdad, Babel, Diyala, Erbil, Kerbala, Kirkuk, Najef, Sulaymaniyah and Wassit Governorates. Sponsorship requirements in order to enter Erbil and Sulaymaniyah Governorates via air or at internal land borders have been lifted in early 2019.

Residency Requirements

Depending on the area, persons from formerly ISIS-held or conflict-affected areas, particularly Sunni Arabs, require a sponsor and/or confirmation/recommendation letter from the *mukhtar* and/or the local council in order to take up legal residency. In addition, security clearance from relevant security agencies is needed in all areas.

At the time of writing, UNHCR is aware of the following residency requirements in respect to persons from formerly ISIS-held or conflict-affected areas, particularly Sunni Arabs (including for persons who returned to Iraq from a third country):

- **Baghdad Governorate:** Persons from formerly ISIS-held or conflict-affected areas require two sponsors from the neighbourhood in which they intend to reside as well as a support letter from the local *mukhtar*.
- **Dohuk Governorate:** Arabs from formerly ISIS-held or conflict-affected areas and Turkmen from Tal Afar must regularize their stay by obtaining the approval from the local *Asayish*, based on which they obtain a residency permit. When approaching the *Asayish*, the individual must be accompanied by the sponsor who facilitated his/her entry into Dohuk Governorate.
- **Diyala Governorate:** With the exception of Khanaqin District, persons from formerly ISIS-held or conflict-affected areas require a sponsor from the neighbourhood in which they intend to reside as well as a support letter from the local *mukhtar*. In Khanaqin District, letters from three entities are required (*mukhtar*'s office, National Security, and Intelligence).
- **Kirkuk city:** Following the re-establishment of central government control on 16 October 2017, sponsorship requirements have been lifted. Persons from formerly ISIS-held or conflict-affected areas however require a support letter from the local *mukhtar* in the neighbourhood in which they intend to reside.

- **Southern Governorates:** Persons from formerly ISIS-held or conflict-affected areas require a local sponsor as well as a support letter from the local *mukhtar* in order to legally reside in Babel, Basra, Dhi-Qar, Kerbala, Missan, Muthanna, Najef, Qadissiyah and Wassit Governorates.
- **In Erbil and Sulaymaniyah Governorates:** Persons originating from outside the KR-I must approach the local *Asayish* in the neighbourhood in which they seek to reside in order to obtain a residency card. They do not require a sponsor. Single Arab and Turkmen men, however, require regular employment and must submit a support letter from their employer in order to obtain a one-year, renewable residency card. Those without regular employment receive only a one-month renewable residency. Holders of a one-month residency card face difficulties to finding regular employment due to the short duration of their permits.

Access and residency requirements are not always clearly defined and/or implementation can vary or be subject to changes depending mostly on the security situation. Sponsorship requirements are generally not grounded in law nor are they officially announced.

In some areas, persons from formerly ISIS-held or conflict-affected areas may be pressured by local authorities or other actors to return to an area previously held by ISIS.²

² OCHA, *Iraq: Humanitarian Needs Overview 2019 (November 2018)*, 16 December 2018, <https://bit.ly/2CIZSWd>, p. 31. Reported means of pressure employed include, *inter alia*, camp closures, notifications with deadlines to leave, harassment, forcible evictions from camps, informal settlements and urban areas, confiscation of identification documents, and arrests for lack of legal documentation or under the Anti-Terrorism Law, and in some cases, forced returns to areas of origin; NRC/DRC/IRC, *The Long Road Home: Achieving Durable Solutions to Displacement in Iraq: Lessons from Returns in Anbar*, 27 February 2018, <https://bit.ly/2D3uFZc>, pp. 5, 19-20. See also, NRC, *Iraqis Forced to Return to Destruction Left in Wake of War on ISIS*, 28 February 2018, <https://bit.ly/2t1Ehj1>; Reuters, *Iraq Returning Displaced Civilians from Camps to Unsafe Areas*, 7 January 2018, <https://reut.rs/2D7pX9Z>; The National, *Displaced Iraqis Forcibly Returned Home, Where ISIL Booby-Traps Abound*, 7 January 2018, <https://bit.ly/2DLV8en>. For specific examples, see also UNHCR's monthly *Protection Updates*, available at: <https://bit.ly/2zeBGms> and UNHCR's previously issued Centre & South Bi-Weekly *Protection Updates*, available at: <http://bit.ly/2jwuxJ4>. According to reports, government employees are reported to have been instructed to return to their areas of origin to resume their employment. See UNHCR, *Iraq Protection Update – December 2018*, 31 December 2018, <https://bit.ly/2C9D9vi>, p. 2; UNHCR, *UNHCR Iraq Protection Update – October 2018*, 31 October 2018, <https://bit.ly/2Esl91v>, p. 2; Rudaw, *Iraqi Teachers Condemn Baghdad Decision to Shut Down IDP Schools*, 23 July 2018, <https://bit.ly/2Rdh9oR>.