

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	889
Land:	Irak
Kilde:	Immigration and Refugee Board Canada
Titel:	Iraq: Availability of fraudulent identification documents, including passports, national identity cards, certificates of nationality and birth certificates; state efforts to combat fraud (2014-January 2016)
Udgivet:	18. februar 2016
Optaget på baggrundsmaterialet:	13. juni 2016



Immigration and
Refugee Board of Canada

Commission de l'immigration
et du statut de réfugié du Canada

Iraq: Availability of fraudulent identification documents, including passports, national identity cards, certificates of nationality and birth certificates; state efforts to combat fraud (2014-January 2016)

Publisher [Canada: Immigration and Refugee Board of Canada](#)

Publication
Date 18 February 2016

Citation /
Document IRQ105418.E
Symbol

Related
Document [Iraq : information sur la disponibilité de pièces d'identité frauduleuses, y compris les passeports, les cartes d'identité nationales, les certificats de nationalité et les certificats de naissance; les efforts de l'État pour combattre la fraude \(2014-janvier 2016\)](#)

Cite as Canada: Immigration and Refugee Board of Canada, *Iraq: Availability of fraudulent identification documents, including passports, national identity cards, certificates of nationality and birth certificates; state efforts to combat fraud (2014-January 2016)*, 18 February 2016, IRQ105418.E, available at: <http://www.refworld.org/docid/56d7fa3c4.html> [accessed 3 May 2016]

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1. Prevalence of Fraudulent Identification Documents

In a telephone interview with the Research Directorate, the Director and Chief of Mission for the International Organization for Migration (IOM) in Baghdad said that "there is a huge prevalence" of fraudulent documents in Iraq (IOM 25 Jan. 2016). Similarly, according to a report entitled *Iraq: Travel Documents and Other Identity Documents*, published in 2014 by Landinfo, the government of Norway's country of origin information centre, a "high percentage of Iraqi documents are found to be false or counterfeit" (Norway 23 Jan. 2014, Sec. 5.2). In correspondence with the Research Directorate, a representative at the Office of the Director of the Middle East and North Africa (MENA) Bureau of UNHCR in Amman, Jordan, wrote that "fraudulent documents are quite easily obtained but have limited utility inside Iraq since they are quickly recognized as such. More often, fraudulent documents are used outside Iraq to suggest areas of origin (e.g., ... conflict areas)" (UN 15 Feb. 2016).

Regarding those who engage in the production and distribution of fraudulent documents, the IOM Director in Baghdad said that

it is not necessar[il]y big criminal gangs, but more petty criminal gangs or people working in administration [who] want to make extra money by selling documents. It is very easy to establish contact with somebody in [the] administration [who] will facilitate to have a passport or any other identity document. (IOM 25 Jan. 2016)

In contrast, the Landinfo report states that while the Iraqi government "is notorious for their widespread corruption,"

that is not to say that there is a lot of room to bribe public officials at the passport offices. Since all passports are produced at the main office in Baghdad, it can be difficult to bribe the employees, since there is no personal contact between the applicant and those who inspect and issue the passports. Admittedly there is personal contact when delivering the application, but even in this process there may be several people involved. (Norway 23 Jan. 2014, Sec. 5.3)

Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraint of this Response.

The UNHCR representative wrote that "'Mredy Souk' in the vicinity of Sadr City in Baghdad is notorious for being the center from where one can obtain fraudulent documents and stamps" (UN 15 Feb. 2016). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraint of this Response.

2. Legislation and Enforcement

The Bertelsmann Stiftung's Transformation Index (BTI), which "analyzes and evaluates the quality of democracy ... in 129 developing and transition countries" (BTI n.d.), states in its 2014 Iraq Country Report that "[t]he complexity of the Iraqi penal code renders it often confusing. Corruption, for example, is regarded a criminal offence, while bribery, embezzlement, breach of trust and fraud are defined as 'dishonorable offences'" (BTI 2014, 15).

The UNHCR representative said that the convicted perpetrators of offences related to the fabrication or use of fraudulent documents are punished according to the Iraqi Penal Code [(Law No. 111 of 1969)], and that the sentence varies depending on the severity of the offence (UN 15 Feb. 2016). Chapter 5, Section 3 of the Penal Code, which governs the falsification of written documents, states the following:

Paragraph 289 - In circumstances other than those in which the law stipulates a special sentence, any person who falsifies an official document is punishable by a term of imprisonment not exceeding 15 years.

Paragraph 290 - Any person who compels a public official or agent while that official is making a report in the line of duty either by assuming the name of another or an identity that is not his own or by reporting fictitious information or by any other means to record or register fictitious information in respect of a matter which by its nature should be recorded is punishable by a term of imprisonment not exceeding 15 years.

...

Paragraph 292 - Any person who manages by assuming a false name or identity to obtain any official permit, identity card, poll card, driving or transport license or permit to move within the

country is punishable by detention plus a fine not exceeding 300 dinars [approximately C\$0.37] or by one of those penalties.

The same penalty applies to any person who forges or falsifies such document.

Paragraph 293 - Any public official or agent who issues a document referred to in the preceding Paragraph while being aware that the person to whom it is issued has assumed a false name or identity is punishable by detention.

...

Paragraph 297 - (1) Any doctor or midwife who issues a certificate in respect of a pregnancy, childbirth, illness, disability, death or anything concerned with his or her profession knowing it to be false in any way is punishable by a period of detention not exceeding 2 years or by a fine not exceeding 200 dinars. If the certificate is due for submission to a legal authority or in order to justify an exemption from any public service the penalty will be detention or a fine not exceeding 300 dinars.

...

Paragraph 298 - Any person who makes use of a falsified document knowing it to be so is, according to the circumstances punishable by the penalty prescribed for the offence of falsification. (Iraq 1969)

The IOM Director in Baghdad said that he could not find "any information on the number of arrests or the number of crimes related to the production, distribution, and use of fraudulent documents" (IOM 25 Jan. 2016). The UNHCR representative similarly stated that there are no statistics available (UN 15 Feb. 2016). Further information on the enforcement of the above provisions, including arrests, prosecutions or convictions involving fraudulent documents could not be found among the sources consulted by the Research Directorate within the time constraints for this Response.

3. Security Features and Characteristics of Identification Documents

3.1 Security Features

With regards to the security features of passports, ID cards and other official documents such as birth, death, or marriage certificates, the UNHCR representative explained that

[e]ach document has different features which makes it unique. For instance:

Iraqi passports have a digital watermark (hologram) on the bottom of the holder picture page.

National civil IDs have a rectangular numbered silver hologram.

Citizenship certificates: This is a folded document with a round hologram (containing an Iraqi map) placed on the lower part of the photo and two stamps (one on the photo and one on the opposite page), along with the signature of the National Director for that location. (UN 15 Feb. 2016)

The IOM Director in Baghdad also stated that identification documents have "some security features," but that "they do not seem to be very effective," adding that passport features "can be fairly easy to reproduce" (IOM 25 Jan. 2016). He said that "[s]omeone with criminal intentions does not find any difficulties to fraud" ID cards and nationality certificates (ibid.). Corroborating

information could not be found among the sources consulted by the Research Directorate within the time constraint of this Response.

3.2 Additional Characteristics of Identification Documents

According to the information collected at the Iraqi embassy in Norway by Landinfo, the

[t]ranscription of Arabic names to Latin letters can be problematic, since there is no standardised form of transcription. This can lead to misunderstandings and suspicion of forgery even if the passport is genuine. Another problem which is also not a forgery is that family names which were not allowed to be used during the Ba'th regime are not always listed in the passports even if they are included on the ID card. (Norway 23 Jan. 2014, Sec. 5.1.1)

Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraint of this Response.

4. Fraudulent Documents by Category

4.1 Fraudulent Passports

The IOM Director in Baghdad stated that "[t]he issuance of regular passports costs 25,000 Iraqi dinars (about 20 \$US). But if people do not want to wait for regular ones or for other reasons buy one on the black market, it costs around 100 \$US to 300 \$US, depending [on] the quality of the false documents" (IOM 25 Jan. 2016). Norway's Landinfo report states that according to Norway's police authorities,

Iraqi passports are relatively easy to manipulate. ... One method of forgery has been to take out the personal page in a genuine passport and replace one of the layers of the page with a new one.

...

Another possible method of forgery is to use false ID cards and nationality certificates as breeder documents when applying for a new passport. These documents are not subject to a thorough technical examination at passport issuance. This allows for certain genuine passports to contain false ID information. (Norway 23 Jan. 2014, Sec. 5.1)

The same report states that "[t]he occurrence of false ID information in genuine passports indicates a lack of checks against population registries" (ibid., Sec. 5.3). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraint of this Response.

The Wall Street Journal (WSJ) reports that according to European security authorities, the Islamic State (IS) [also known as the Islamic State of Iraq and Syria, or Islamic State of Iraq and al-Sham (ISIS), and Islamic State of Iraq and the Levant (ISIL)] obtained materials to produce Iraqi passports "that are indistinguishable from the real thing," and that it was "likely" that this took place when IS overran Mosul in Iraq (WSJ 10 Jan. 2016).

The IOM Director in Baghdad similarly said that

ISIS is a huge player on the black market; they can now create passports and [they have] also stole thousands of original Syrian and Iraqi passports. But it is impossible to say how far they have hit the market, what is the prevalence of passports or other fake documents they produce compared to those introduced by other criminals on the black market. We have no statistics on ISIS and the false documents they produce. (IOM 25 Jan. 2016)

4.2 Fraudulent ID Cards

Norway's Landinfo report indicates that "false ID cards can be purchased on the open market at a very low price. Many people do this to save time, since it can take several months to get the card issued properly" (Norway 23 Jan. 2014, Sec. 9). The Director of the General Directorate for Nationality, which is under the Ministry of the Interior (MoI) of Iraq, cited in the same report, estimated that approximately one percent of ID cards are fake, while the diplomatic sources and representatives from the Norwegian Embassy in Amman interviewed by Landinfo said that "up to half of the ID cards in use may be false" (ibid., Sec. 1, 3.5, 9). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraint of this Response.

Concerning the verification of the identity information for the purpose of issuing ID cards, the Landinfo report indicates that according to information obtained from Iraq's General Directorate for Nationality in 2012,

[t]he population registration offices have the task of issuing ID cards to Iraqi citizens locally. The offices conduct checks against the family registry before the ID card is issued. The system is not electronic, but the local population registration offices send information to the central population registry in Baghdad. (ibid., Sec. 7.5)

Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraint of this Response.

4.3 Fraudulent Nationality Certificates

According to Landinfo, there are "many fraudulent nationality certificates in circulation" (Norway 23 Jan. 2014, 3). In a report to the MoI, Iraq's Commission of Integrity (COI), an independent governmental body responsible for fighting corruption (Iraq n.d.), states that during visits it made to several nationality certificate offices, it "noticed that some offices handed over the issued certificates without checking the recipient identification. [It also] noticed that the personal photo is not properly placed on [the nationality] certificate and that may lead to falsify these documents through changing the personal photo easily" (Iraq 22 Nov. 2015).

4.4 Fraudulent Birth Certificates

Norway's Landinfo report indicates that according to information collected from an embassy in Amman, birth certificates are the ID document found to be the "most frequently" forged at this embassy (Norway 23 Jan. 2014, Sec. 11.5). The Landinfo report adds that "[o]ne possible reason [why forged birth certificates are commonplace] may be that many people do not have birth certificates, but have needed to acquire one to get an ID card and nationality certificate. The information in a forged birth certificate is not necessarily false" (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraint of this Response.

5. State Response

5.1 Capacity to Detect Fraudulent Documents

An IOM report indicates that in May 2015, as part of the EU-funded Hijra Amina [safe migration in Arabic] program, IOM Iraq provided a three-day training on the identification of fraudulent passports to officials from various directorates of the MoI, including officials from the Directorate of Residency Affairs, Border Guards Command and officials working at international airports (IOM May 2015, 1). The IOM Director in Baghdad added that his organization offers similar

training to officials at the Ministry of Immigration (ibid. 25 Jan. 2016). The UNHCR representative stated that MoI officers "are able to identify questionable documents, since they have hands-on experience to detect such fraudulent documents. MoI broadcasts the security features to security checkpoints to enhance recognition of suspected cases" (UN 15 Feb. 2016).

The IOM Director in Baghdad said that the police have a specialized unit trained for fraudulent document detection (IOM 25 Jan. 2016). He explained that this unit collaborates with immigration officers to track individuals who produce and sell fraudulent documents on the black market (ibid.). Further information on this unit could not be found among the sources consulted by the Research Directorate within the time constraint of this Response.

5.2 Efforts to Improve Security Features of Identification Documents

The UNHCR representative said that

[a]s of mid-2015, Iraq began to issue a Unified National ID [that] has been rolled out in some districts/sub-districts of governorates, such as Basra, Thi-Qar, and Baghdad [and that] will eventually replace all other official documents, with the exception of passports, and will be entered into a MoI Iraq-wide networked database that will contain the individual holder's biometrics. (UN 15 Feb. 2016)

Further information on this Unified National ID could not be found among the sources consulted by the Research Directorate within the time constraint of this Response.

Rudaw, a Kurdish media network (Rudaw n.d.), reports on its website that in October 2015, the MoI announced plans "to improve the Iraqi passport in order to make it more difficult to alter or duplicate" (ibid. 7 Oct. 2015). However, the IOM Director in Baghdad stated that, as of 25 January 2016, "Iraq has yet to introduce biometric passports" (IOM 25 Jan. 2016).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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