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**Update on Entry Procedures at Kurdistan Regional Government (KRG) Checkpoints and Residence in Kurdistan Region of Iraq (KRI)**

*Report from Danish Immigration Service's fact-finding mission to Erbil, Suleimaniyah and Dohuk, KRI*

**7 to 24 March 2011**

*Copenhagen, June 2011*

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## Overview of fact finding reports published in 2010 and 2011

Honour Crimes against Men in Kurdistan Region of **Iraq (KRI)** and the Availability of Protection, Report from Danish Immigration Service's fact-finding mission to Erbil, Sulemaniyah and Dahuk, KRI, 6 to 20 January 2010

2010: 1

Entry Procedures and Residence in Kurdistan Region of **Iraq (KRI)** for Iraqi Nationals, Report from Danish Immigration Service's fact-finding mission to Erbil, Sulemaniyah, Dahuk, KRI and Amman, Jordan, 6 to 20 January and 25 February to 15 March 2010

2010: 2

Human rights issues concerning Kurds in **Syria**, Report of a joint fact finding mission by the Danish Immigration Service (DIS) and ACCORD/Austrian Red Cross to Damascus, Syria, Beirut, Lebanon, and Erbil and Dohuk, Kurdistan Region of Iraq (KRI), 21 January to 8 February 2010

2010: 3

Allegations against the National Agency for the Prohibition of Traffic in Persons (NAPTIP) and warnings against return to **Nigeria**, Report from Danish Immigration Service's fact-finding mission to Abuja, Nigeria, 9 to 17 June 2010

2010: 4

Security and Human Rights in **South/Central Iraq**, Report from Danish Immigration Service's fact-finding mission to Amman, Jordan and Baghdad, Iraq, 25 February to 9 March and 6 to 16 April 2010

2010: 5

Human Rights and Security Issues concerning Tamils in **Sri Lanka**, Report from Danish Immigration Service's fact-finding mission to Colombo, Sri Lanka, 19 June to 3 July 2010

2010: 6

Rohingya refugees in Bangladesh and Thailand, Fact finding mission to **Bangladesh and Thailand**, 4 to 17 February 2011

2011: 1

Update on Entry Procedures at Kurdistan Regional Government (KRG) Checkpoints and Residence in Kurdistan Region of **Iraq (KRI)**, Report from Danish Immigration Service's fact-finding mission to Erbil, Suleimaniyah and Dohuk, KRI, 7 to 24 March 2011

2011: 2

Iranian Kurdish Refugees in the Kurdistan Region of **Iraq (KRI)**, Report from Danish Immigration Service's fact-finding mission to Erbil, Suleimaniyah and Dohuk, KRI, 7 to 24 March 2011

2011: 3

## Contents

|                                                                                                                                     |    |
|-------------------------------------------------------------------------------------------------------------------------------------|----|
| Introduction and disclaimer .....                                                                                                   | 5  |
| 1. Update on entry procedures at KRG checkpoints.....                                                                               | 8  |
| 1.1 UNHCR/PAC survey on IDPs' experience with KRG checkpoints .....                                                                 | 11 |
| 1.1.1 Residency card/information card?.....                                                                                         | 12 |
| 1.2 Entry procedures: uniformity and security concerns .....                                                                        | 12 |
| 1.3 Differential procedures for persons of certain ethnic and/or religious groups, including persons from the disputed areas? ..... | 15 |
| 1.3.1 Christians from S/C Iraq or disputed areas .....                                                                              | 16 |
| 1.3.2 Kurds from S/C Iraq or disputed areas.....                                                                                    | 20 |
| 1.3.2.1 Yezidi Kurds .....                                                                                                          | 20 |
| 1.3.3 Arabs from S/C Iraq or disputed areas.....                                                                                    | 22 |
| 1.3.4 Minors .....                                                                                                                  | 25 |
| 2. Update on reference requirement .....                                                                                            | 27 |
| 3. IDPs' access to housing, health care, education and employment .....                                                             | 30 |
| 3.1 Access to housing.....                                                                                                          | 31 |
| 3.1.1 Christians.....                                                                                                               | 32 |
| 3.2 Access to health care .....                                                                                                     | 33 |
| 3.3 Language issues for non-Kurdish speaking persons .....                                                                          | 33 |
| 3.3.1 Access to education .....                                                                                                     | 33 |
| 3.3.1.1 Yezidis.....                                                                                                                | 35 |
| 3.3.2 Access to the labor market .....                                                                                              | 36 |
| 3.3.2.1 Transfer of public jobs .....                                                                                               | 38 |
| 3.3.3 Language issues in daily life .....                                                                                           | 40 |
| 4. Significance of social network.....                                                                                              | 43 |
| 4.1 IDPs without relatives or friends in KRI .....                                                                                  | 43 |
| 5. Examples of persons being deported from KRI to S/C Iraq .....                                                                    | 44 |
| 6. Safety and security for IDPs/returnees from abroad.....                                                                          | 45 |

|                                                                                          |    |
|------------------------------------------------------------------------------------------|----|
| Authorities, individuals and organisations consulted.....                                | 46 |
| Abbreviations .....                                                                      | 47 |
| Annex 1: Map of Iraq .....                                                               | 48 |
| Annex 2: An international organization (B), Summary of meeting with a KRG official. .... | 49 |
| Annex 3: PAO/PAC IDP survey, January-February 2011 .....                                 | 51 |
| Annex 4: KRG Checkpoints .....                                                           | 55 |

### Introduction and disclaimer

The Danish Immigration Service (DIS), Documentation and Research Division has undertaken a fact-finding mission to Erbil, Suleimaniyah and Dohuk in Kurdistan Region of Iraq (KRI).<sup>1</sup> The mission took place from 7 to 24 March 2011. The purpose of the missions was twofold:

- Update information on entry procedures at Kurdistan Regional Government (KRG) checkpoints and residence in KRI.
- Gather information on the situation of Iranian Kurdish refugees in KRI.

As a result of the fact-finding mission in March 2011 the DIS publish two separate reports of which the report at hand is devoted to updated information on entry and residence procedures in KRI. The other report is devoted to information on the situation of Iranian Kurdish refugees in KRI.

In KRI the delegation consulted representatives of international organisations, Non-Governmental Organizations (NGOs), the media and KRG authorities. A list of all sources consulted is included at the end of this report. All sources have been referred to as requested by them. The delegation consulted three sources in Erbil that requested to be cited as an international organization (A), (B) and (C).

All sources consulted were informed that the delegation's mission-report would be a public document. All sources were also informed that they would have their statements forwarded to them for corrections, comments and approval. Altogether 18 sources were consulted and 11 requested to have their statements forwarded for final approval. All sources, except UNHCR Iraq (see below), accepted to have their final statements included into the report at hand.

It should be noted that in a few cases the delegation (i.e. the authors of this report) found it necessary to carefully adjust or clarify phrases in some of the approved notes by adding minor supplementary explanations. These small adjustments have been marked with a closed bracket [...].

The delegation received support from United Nations High Commissioner for Refugees (UNHCR) Iraq during its preparations and its stay in KRI. UNHCR Iraq organized a number of the delegation's meetings in KRI.

The delegation consulted UNHCR Iraq (Erbil and Baghdad) and meeting notes were sent to UNHCR Iraq for comments/corrections and approval.<sup>2</sup> UNHCR Iraq corrected and approved the notes

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<sup>1</sup> The DIS undertook a fact-finding mission to KRI and Jordan in early 2010. This mission also gathered information on entry procedures and residence in KRI and the mission report was published in April 2010. See Danish Immigration Service, *Entry Procedures and Residence in Kurdistan Region of Iraq (KRI) for Iraqi Nationals, Report from Danish Immigration Service's fact-finding mission to Erbil, Suleimaniyah and Dahuk, KRI and Amman, Jordan, 6 to 20 January and 25 February to 15 March, 2010*, Copenhagen, April 2010.

<sup>2</sup> E-mail correspondence from DIS to UNHCR Iraq, April 13, 2011.

forwarded<sup>3</sup> but shortly afterwards<sup>4</sup> UNHCR Iraq withdrew all its statements from the report at hand. Instead, UNHCR Iraq referred the DIS to exclusively refer in the report at hand to UNHCR's Guidelines of 2009<sup>5</sup> as these guidelines contain a summary of all available data. However, already in early 2010 the DIS found that these guidelines were to some extent outdated, and accordingly there are no references to the publicly available UNHCR Guidelines of 2009 in the report at hand. As already noted, in early 2010 the DIS undertook a fact-finding mission to KRI and Jordan in order to gather updated and valid data on entry procedures and residence in KRI.

UNHCR, Regional Office for the Baltic and Nordic Countries, Stockholm (hereafter UNHCR Stockholm), distributed a number of notes on the application of Internal Flight Alternative (IFA) to KRG. Three of these notes dated January 10, January 17 and February 23 2011 make references to (1) a Kurd (male) from Kirkuk, (2) a Chaldean Christian (female) from Mosul and (3) an Assyrian Christian (female) from Baghdad.<sup>6</sup> The UNHCR Stockholm notes were sent to lawyers representing Iraqi asylum seekers at the Danish Refugee Appeal Board. The notes include information on entry procedures at KRG checkpoints and residence in KRI. This information contravenes some of the findings included in the above mentioned DIS fact-finding report as well as findings presented in the report at hand. The UNHCR Stockholm notes are partly based on Internally Displaced Person (IDP) surveys undertaken by UNHCR Iraq and its three Protection and Assistance Centres (PACs) in KRI. Because of the information in the UNHCR Stockholm notes as well as information provided by UNHCR Iraq to the DIS in connection with a seminar on Iraq in Stockholm on December 15 2010 the DIS found it relevant to update information regarding entry procedures at KRG checkpoints in KRI.

Regarding residence in KRI for Iraqi citizens from other parts of Iraq, i.e. S/C Iraq and the disputed areas, reference is made to the DIS' April 2010 report on entry procedures and residence in KRI.<sup>7</sup>

The delegation to Erbil, Suleimaniyah and Dohuk comprised Jens Weise Olesen, Chief Adviser (Head of Delegation) and Majid Behbahani, Regional Adviser (Middle East), both Documentation and Research Division, DIS.

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<sup>3</sup> E-mail correspondence from UNHCR Iraq to DIS, May 8, 2011.

<sup>4</sup> E-mail correspondence from UNHCR Iraq to DIS, May 11, 2011.

<sup>5</sup> UNHCR, *Eligibility Guidelines for Assessing the International Protection Needs of Iraqi Asylum-Seekers*, April 2009.

<sup>6</sup> The three notes from UNHCR Stockholm are entitled: (1) *Re: Your inquiry concerning updated information on the application of internal flight alternative to a Kurd from Kirkuk to KRG*, 10 January 2011, (2) *Re: Your inquiry concerning updated information on the situation of Christians in Iraq and the application of internal flight alternative to KRG*, 17 January 2011 and (3) *Re: Your inquiry concerning updated information on the situation of Christians in Iraq and the application of internal flight alternative to KRG*, 23 February 2011.

<sup>7</sup> Danish Immigration Service, *Entry Procedures and Residence in Kurdistan Region of Iraq (KRI) for Iraqi Nationals, Report from Danish Immigration Service's fact-finding mission to Erbil, Suleimaniyah and Dahuk, KRI and Amman, Jordan, 6 to 20 January and 25 February to 15 March, 2010*, Copenhagen, April 2010.

The report is available on DIS's website: [www.newtodenmark.dk](http://www.newtodenmark.dk)



## 1. Update on entry procedures at KRG checkpoints

At a seminar on Iraq in Stockholm on December 15 2010 UNHCR Iraq distributed a note entitled *Entry to and residence in the Kurdistan Regional Government Region of Iraq*. In this note UNHCR Iraq stated that “Concerning the use of the Kurdistan Region (KR) as an Internal Flight Alternative, reference is made to the *UNHCR Report from the North of Iraq* (2010), Danish Immigration Service’s *Entry Procedures and Residence in Kurdistan Region of Iraq for Iraqi nationals* (2010), the joint report issued by the Danish Immigration Service and Danish Refugee Council, *Security and Human Rights Issues in Kurdistan Region of Iraq and South/Central Iraq* (2009) and UNHCR’s *Eligibility Guidelines for Assessing the International Protection Needs of Iraqi Asylum-Seekers [2009]*.” UNHCR Iraq added that “Since the issuance of these reports, no major changes have been identified by or reported to UNHCR Erbil on access to KR[I], either in law or practice.”<sup>8</sup>

However, at the above mentioned seminar in Stockholm UNHCR Iraq stated that even though no major changes on access to KRI has taken place (since the issuance of the above mentioned reports) there are inconsistencies/discrepancies in the procedures at the KRG checkpoints. In January 2011 UNHCR Stockholm reported that “The discrepancies in these procedures seem dependent on the officer present at check point; thus there are no harmonized procedures and they may vary from one officer to the other.” UNHCR Stockholm also reported that “It has been noted that whilst the KRG authorities claim to have a unified or uniform policy for entry and staying in KRG, it is evident that in practice this is not the case [...] Inconsistencies have been noted in entry procedures that are followed at the checkpoints from one day to the next.”<sup>9</sup>

Mohamed Mirza, Head of Political Department, General Security Office, Asayish, Erbil stated that the entry procedures at KRG checkpoints have remained the same throughout 2010 and these procedures still apply. There have been no changes in entry policy whatsoever. However, lately there have been some unrest and demonstrations in KRI as well as in the disputed areas (Kirkuk and Mosul) and these incidents have caused the KRG to intensify its security procedures at the checkpoints. It was reiterated that the procedures are unchanged but all travellers are briefly questioned at checkpoints. Security precautions are stronger these days but entry procedures remain as usual. The delegation informed Mohamed Mirza that it had noticed these security precautions when it returned to Erbil from its visit to Kawa Refugee Camp 25 kilometres southwest of Erbil. The delegation and its security staff were questioned by checkpoint officers and noticed that all travellers were briefly questioned by the checkpoint officers before being permitted entry.

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<sup>8</sup> UNHCR, *Entry to and residence in the Kurdistan Regional Government Region of Iraq*, UNHCR Iraq, 18 October 2010, p. 1.

<sup>9</sup> UNHCR Stockholm, *Re: Your inquiry concerning updated information on the application of internal flight alternative to a Kurd from Kirkuk to KRG*, 10 January 2011, p. 4 and 5, and UNHCR Stockholm, *Re: Your inquiry concerning updated information on the situation of Christians in Iraq and the application of internal flight alternative to KRG*, 17 January 2011, p. 5.

General Kaiwan Tawfeq, General Manager, Kurdistan Checkpoints, Kurdistan Regional Security Protection Agency, Security General Directorate, KRG Ministry of Interior, Erbil explained that KRI has had a regional security policy for many years in order to combat terrorist challenges. As a result major security precautions have been put in place. KRI is part of Iraq and the region has to protect itself against the threats of terror from other parts of Iraq. General Kaiwan Tawfeq stated that KRG is able to protect its borders towards South/Central Iraq (S/C Iraq) and the disputed areas, and KRG will continue to uphold security in KRI. Whenever there is suspicion that someone with hostile intentions tries to enter KRI the control at the checkpoint will be intensified in order not to let such a person enter. However, KRG security personnel are not equipped with all the modern technical equipment as many foreign security forces, and therefore KRG rely primarily on the experience and the professional judgement by the security personnel.

General Kaiwan Tawfeq explained that KRGs security concern is mainly concentrated along the very long borderline towards S/C Iraq and the disputed areas. KRG is especially alert of supporters of the Baathists movement as well as former members of the National Guard of Saddam Hussein, supporters/members of Al Qaeda, Ansar-e-Islam and any other insurgent group. General Kaiwan Tawfeq added that those supporters/members are mostly from the Sunni Arab segment of Iraqi society. In order to face the threat of terrorism and to protect its people against attacks and insecurity KRG has established its own security system and entry procedures for all persons entering KRI.

General Kaiwan Tawfeq added that the authorities need to identify any Iraqi who enters KRI irrespectively of who they are or where they come from in Iraq. When asked if there is differential treatment with regard to ethnic or religious background General Kaiwan Tawfeq stated that this is not so. Turkmen, Arabs as well as all other Iraqis are treated in the same manner at the KRG checkpoints. There is no discrimination against particular groups of Iraqi citizens who wish to enter KRI. When asked whether people from particular ethnic or religious groups may encounter difficulties at checkpoints General Kaiwan Tawfeq explained that there could be queues at checkpoints at certain times. However, this is related to the number of people entering and the actual security situation at a specific time, but no one, irrespectively of her or his religious orientation or ethnic affiliation, is being deliberately discriminated against or harassed. It was added that lack of modern electronic equipment does sometimes result in prolonged waiting times at KRG checkpoints.

Mohamed Mirza explained that unless otherwise requested most Iraqis entering a KRG checkpoint are provided with an entry card valid for seven to ten days. It was added that persons on the 'Black List' [i.e. a list of suspects<sup>10</sup>] will be rejected and most likely arrested. The 'Black List' is continuously updated and the list is accessible at all KRG checkpoints.

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<sup>10</sup> See para. 4.1 in Danish Immigration Service, *Entry Procedures and Residence in Kurdistan Region of Iraq (KRI) for Iraqi Nationals, Report from Danish Immigration Service's fact-finding mission to Erbil, Suleimaniyah and Dahuk, KRI and Amman, Jordan, 6 to 20 January and 25 February to 15 March, 2010*, Copenhagen, April 2010.

Regarding persons who flee insecurity in S/C Iraq or disputed areas, an international organization (A) explained that the President of KRI has stated that anyone at risk of persecution and/or attacks in Iraq is welcome in KRI. This does not only apply to Christians but all Iraqis irrespective of their religious orientation or ethnic affiliation.

An international organization (B) explained that there are many persons, mostly Arabs, who have been arrested at KRG checkpoints and detained at the Asayish Detention Centre in Erbil. Some of these have been detained for up to six months or more, but most detainees are released after a few weeks in detention. Up to hundred or sometimes more detainees are held at the same time. The vast majority are persons who are suspected for illegal activities, but not necessarily registered on the 'Black List'. It was furthermore stated that the length of a detainee's stay in prison depends on whether the person is wealthy or not. When asked if any of the detainees have been deported back to his or her place of origin it was stated that this has occurred in one case.

It was added by an international organization (B) that the number of detentions was much higher and the prison conditions much worse in early 2009 when the representative of the international organization (B) came to KRI for the first time.

When asked whether the Asayish have detained people that were arrested at KRG checkpoints General Kaiwan Tawfeq confirmed this to be the case and said, "Throughout the years hundreds of persons who have tried to enter KRI have been arrested and detained, but this has only taken place because they were on the 'Black List'.

When asked if some of the detainees at the Erbil Detention Centre were IDPs the international organization (B) stated that the detainees are not necessarily IDPs, but it was added that those detained were mostly arrested at the KRG external checkpoints, i.e. those checkpoints that are positioned along the boundary to the disputed areas and Iraq.

At the meeting with the international organization (B) the delegation was handed a note from a meeting between the representative of the organization and "an important member of one of the security agencies dealing with the issue". However, an international organization (A) stated that it is Mr. [General] Kaiwan Tawfeq who has the overall responsibility for the checkpoints.

The above mentioned meeting note is a summary of the entry and residence procedures in KRI as explained by the person<sup>11</sup> [consulted by the international organization (B)], and it is dated December 25, 2010. The summary made by the representative of the international organization (B) is included as **Annex 2**.

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<sup>11</sup> The representative of the international organization (B) requested the delegation not to disclose the name of the person consulted by the international organization (B). However, it should be noted that the person consulted is a Major and not General Kaiwan Tawfeq. The DIS has consulted General Kaiwan Tawfeq on several occasions and he is General Manager of Kurdistan Checkpoints, Kurdistan Regional Security Protection Agency, Security General Directorate, KRG Ministry of Interior. General Kaiwan Tawfeq has stated to the DIS that he is responsible for all KRG checkpoints.

### 1.1 UNHCR/PAC survey on IDPs' experience with KRG checkpoints

Public Aid Organization (PAO)/PAC explained that the NGO undertook a survey in 2010 [on behalf of UNHCR Iraq] of IDPs' experience with entry procedures at the KRG checkpoints in Erbil Governorate. The survey took place in November/December 2010 and comprised 86 IDP [cases, i.e. 506 individuals] who entered KRG via the checkpoint in Erbil in October/ November 2010. PAO/PAC based its survey on the PAC's monthly protection reports for the past 11 months as well as interviewing and questioning 86 cases, (35 Arabs, 10 Turkmen, 29 Kurds, 11 Christians (2 individuals, 9 families), and 1 Sabean Mandaean.

It was added that all three UNHCR PAC partners [in KRI], i.e. PAO in Erbil Governorate, Harikar NGO in Dohuk Governorate and Civil Development Organization (CDO) in Suleimaniyah Governorate undertook IDP surveys during this period.

PAO/PAC stated that its survey showed that the majority of the IDPs interviewed had encountered problems at the checkpoint. Even some families were requested to provide a reference<sup>12</sup> before being permitted entry. Individual IDPs encountered differentiated entry procedures. It was emphasized, however, that individuals of Kurdish origin did not face difficulties at the checkpoint, except on very few occasions. PAO/PAC explained that officers at the checkpoint sometimes had asked IDPs for a reference.

In January-February 2011 PAO/PAC undertook an additional survey comprising 19 families/cases (8 Arab families and 11 Kurdish families), i.e. 92 individuals. The families were from Mosul and Baghdad provinces (see **Annex 3**<sup>13</sup>). PAO/PAC did not find it relevant to include Christians in the survey as Christians did not face any kind of difficulties at KRG checkpoints (see also section **1.3.1**).

Harikar NGO/PAC explained that it recently undertook two IDP surveys in Dohuk Governorate. The first survey took place in mid December 2010 and the second in mid March 2011.

The December 2010 survey comprised 25 IDP families and all of them had stated that they needed a reference to be present at the KRG checkpoint before being allowed entry.

The March 2011 survey comprised 16 IDP families and all IDPs, except for one Arab family, stated that they did not need a reference when they entered KRI at a KRG checkpoint.

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<sup>12</sup> According to an international organization consulted in Erbil it is not relevant to make a distinction between sponsor, guarantor or reference as it is all the same. Hereafter the term "reference" will be applied throughout the report.

<sup>13</sup> The UNHCR/PAO survey was handed to the delegation during its meeting with PAO in Erbil.

### 1.1.1 Residency card/information card?

Referring to the above mentioned November-December 2010 survey by UNHCR/PAC, UNHCR Stockholm reported in January and February 2011 that “no PAC has reported any IDP to have received the residence card.”<sup>14</sup>

However, it is important to note that UNHCR, Erbil, in March 2010 stated, that “after entry those wishing to stay more than 10 days request permission from KRG security; instead of receiving residence permits as in the past, visitors carry ‘information cards’”.<sup>15</sup>

The above statement by UNHCR, Erbil was confirmed by the Head of Political Department, Security Services, Asayish, Erbil, who explained that “Prior to 2007, a residency card was issued to Iraqis from outside KRI. However, after some criticism was voiced against this procedure by Iraqi officials who believed that KRG perceived outsiders to KRI as non-Iraqis, the procedure was changed. Today, only foreigners are issued the residency cards.”<sup>16</sup>

### 1.2 Entry procedures: uniformity and security concerns

Mohamed Mirza explained that the entry procedures are the same throughout all three governorates in KRI. However, when asked if these procedures are laid down in any written regulation or decree Mohamed Mirza stated that this is not the case. The policy at all KRG checkpoints is regulated by General Kaiwan Tawfeq and his office.

General Kaiwan Tawfeq stated that the KRG entry procedures have not been changed since early 2010 when the Danish Immigration Service last consulted him and visited Mosul Checkpoint.<sup>17</sup> When asked if the entry procedures are laid down in a written instruction or law General Kaiwan Tawfeq stated that there is of course an instruction which is being followed at all checkpoints, but this instruction is not for the public. The instruction is managed by General Kaiwan Tawfeq’s office, i.e. the Kurdistan Regional Security Protection Agency who is responsible for all KRG checkpoints in KRI (see **Annex 4**).

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<sup>14</sup> UNHCR Stockholm: (1) *Re: Your inquiry concerning updated information on the application of internal flight alternative to a Kurd from Kirkuk to KRG*, 10 January 2011, p. 5, (2) *Re: Your inquiry concerning updated information on the situation of Christians in Iraq and the application of internal flight alternative to KRG*, 17 January 2011. p. 4, and (3) *Re: Your inquiry concerning updated information on the situation of Christians in Iraq and the application of internal flight alternative to KRG*, 23 February 2011, p. 6.

<sup>15</sup> See Danish Immigration Service, *Entry Procedures and Residence in Kurdistan Region of Iraq (KRI) for Iraqi Nationals, Report from Danish Immigration Service’s fact-finding mission to Erbil, Suleimaniyah and Dahuk, KRI and Amman, Jordan, 6 to 20 January and 25 February to 15 March, 2010*, Copenhagen, April 2010, para. 3.1. „Information cards” and the sponsor/guarantor requirement.

<sup>16</sup> Ibid.

<sup>17</sup> See report by Danish Immigration Service, *Entry Procedures and Residence in Kurdistan Region of Iraq (KRI) for Iraqi Nationals, Report from Danish Immigration Service’s fact-finding mission to Erbil, Suleimaniyah and Dahuk, KRI and Amman, Jordan, 6 to 20 January and 25 February to 15 March, 2010*. Copenhagen, April 2010.

General Kaiwan Tawfeq stated that entry procedures are uniform throughout all three KRI governorates. These procedures aim at not letting possible terrorists enter KRG while at the same time not making it unnecessarily difficult for ordinary people to pass through the checkpoints. However, anyone who wishes to enter KRI for work, tourism or residence can enter without difficulties if they are not on the 'Black List'. Those on the 'Black List' will be rejected and arrested. There are four main KRG checkpoints and they all apply the same entry procedures. There is no difference among Erbil, Dohuk and Suleimaniyah Governorates regarding entry procedures.

However, UNHCR Iraq as well as UNHCR Stockholm have stated that "It has been observed over the past year that approval or denial of entry into the KR[I] is not applied systematically and may depend on a number of factors, including who the officer in charge at the time of entry".<sup>18</sup>

Furthermore, UNHCR Stockholm has stated that "It has been noted that whilst the KRG authorities claim to have a unified or uniform policy for entry and staying in KRG, it is evident that in practice this is not the case. Both checkpoints and the issuance and renewals of the information cards vary between governorates. Inconsistencies have been noted in entry procedures that are followed at the checkpoints from one day to the next."<sup>19</sup>

When asked if a systematic entry procedure is applied at the checkpoints an international organization (A) stated that this is the case. However, if deviations from the normal procedures should occur, it is due to changing security concerns and precautions. Deviations do not depend on the officer in charge at a given checkpoint or an officer's bad mood. There is one uniform procedure/system at all KRG checkpoints, and changes in procedures are related to daily security developments. When asked if there is an instruction or regulation regarding procedures at KRG checkpoints the international organization (A) stated that it was certain that there is an internal instruction as to how procedures should be applied at all checkpoints. The international organization (A) is in daily contact with the Asayish offices at all KRG checkpoints. It was added that the international organization (A) has a very good cooperation with the KRG checkpoints.

The international organization (A) emphasized that the procedures at KRG checkpoints are only related to security precautions. Many persons of Arab origin take up work in KRI and, when they are permitted, their entry is without difficulties.

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<sup>18</sup> UNHCR Iraq, *Entry to and residence in the Kurdistan Regional Government Region of Iraq*, UNHCR Iraq, 18 October 2010, p. 1, and UNHCR Stockholm: (1) *Re: Your inquiry concerning updated information on the application of internal flight alternative to a Kurd from Kirkuk to KRG*, 10 January 2011, p. 4, (2) *Re: Your inquiry concerning updated information on the situation of Christians in Iraq and the application of internal flight alternative to KRG*, 17 January 2011, p. 5, and (3) *Re: Your inquiry concerning updated information on the situation of Christians in Iraq and the application of internal flight alternative to KRG*, 23 February 2011, p. 6.

<sup>19</sup> UNHCR Stockholm: *Re: Your inquiry concerning updated information on the situation of Christians in Iraq and the application of internal flight alternative to KRG*, 17 January 2011, p. 5, and UNHCR Stockholm: *Re: Your inquiry concerning updated information on the situation of Christians in Iraq and the application of internal flight alternative to KRG*, 23 February 2011, p. 7.

An international organization (B) did not agree with the assertions that procedures at KRG checkpoints are only related to security precautions and that a uniform entry procedure is applied at all KRG checkpoints. These procedures are applied arbitrarily and can depend on the mood of the officer in charge. In addition no one can know when a person is being rejected at a checkpoint.

General Kaiwan Tawfeq denied that people are being rejected or arrested at KRG checkpoints because they belong to a specific ethnic or religious group or that people are at risk of being rejected or arrested arbitrarily depending on the mood of the officer in charge at a checkpoint. General Kaiwan Tawfeq reiterated his deep regret that neither UNHCR nor any other UN agency has consulted him or visited the KRG checkpoints regarding these assertions.

Harikar NGO/PAC stated that it could not exclude that there could individuals who have been rejected at KRG checkpoints, but it did not have any specific information on whether this had occurred or not. On the other hand Harikar NGO/PAC's own survey from December 2010 showed that there had been IDPs who have been rejected at checkpoint in the first place and only after having provided a reference could these IDPs enter KRI. Harikar NGO/PAC explained that these difficulties were related to the changing security precautions and procedures.

When asked if a standardized entry procedure applies to the KRG checkpoints in Dohuk Governorate Harikar NGO/PAC stated that this is not the case. Depending on the day to day security situation in the area these procedures may be tightened or relaxed. In general persons coming from S/C Iraq will be questioned about their reasons for coming and they undergo a stricter security check. Last week a staff member of Harikar NGO/PAC had relatives visiting Dohuk. These relative were from Najaf in Southern Iraq, and when they approached the KRG checkpoint in Dohuk Governorate they were requested to present someone who could identify them although they were able to provide their Iraqi ID card. Harikar NGO/PAC added that there have been cases where a person wishing to enter has had to call a reference in Dohuk Governorate in order to be permitted entry. However, these are individual cases and they are normally solved by a telephone call. Harikar NGO/PAC stated that most Arabs face these procedures. It was emphasized that these precautions are only related to security concerns and not to a person's ethnic affiliation or religious orientation.

PAO/PAC emphasized that the entry procedures at KRG checkpoints are entirely for security purposes.

Mohamed Mirza reiterated that entry procedures are security precautions and nothing else. It was added that terrorism is only 20 minutes away from the city of Erbil and this is the reason why tight security precautions at KRG checkpoints are deemed necessary.

Regarding security procedures at the KRG checkpoints Shokr Yaseen Yaseen, Director of Bureau, Bureau of Migration & Displacement (BMD), KRG Ministry of Interior, Erbil, stated that if security forces do not make checks and controls at checkpoints security would be at stake in KRI. The policy at KRG checkpoints aims at ensuring security for everyone in KRI. Shokr Yaseen Yaseen recommended the delegation to consult General Kaiwan Tawfeq of the Kurdistan Regional Security Protection Agency regarding details on security procedures and policies at KRG checkpoints.

When asked if actions would be taken against checkpoint officers who have misbehaved PAO/PAC stated that such officers would be transferred to another job. Discriminatory and/or racist behaviour by checkpoint officers are very rare, and in 99 % of all cases entry procedures are strictly applied according to security precautions and nothing else. However, under no circumstances can PAO/PAC accept that security concerns take precedence to human rights concerns. Human rights violations take place when all security precautions are based on suspicion and not on evidence. According to PAO/PAC it is a human rights violation when a person is being denied entry entirely based on an officers suspicion. PAO/PAC added that if a person approaching a KRG checkpoint comes under suspicion and he has no relative or contact to call in KRI he would be in a vulnerable position.

General Kaiwan Tawfeq explained that if someone feels insulted or harassed at a checkpoint she or he is free to lodge a complaint at the court, the Asayish or at the Governor's office. If it turns out that an officer has not followed the instructions he will be interrogated and corrected. Serious offences would be prosecuted according to law. The KRG Legal Department deals with complaints concerning procedures at KRG checkpoints. Each officer on duty at any KRG checkpoint bears a small sign on his uniform showing his name and a number. General Kaiwan Tawfeq explained that many travellers do not recognize or remember a name as well as they would remember a number. By this number it is easy for a traveller and the authorities to identify the officer who may have committed an offence.

### **1.3 Differential procedures for persons of certain ethnic and/or religious groups, including persons from the disputed areas?**

When asked if Turkmen, Kurds from the disputed areas and Arabs face difficulties or even rejection at KRG checkpoints Mohamed Mirza denied that this was the case. All Iraqis are treated the same way at all checkpoints and no one is discriminated against on the basis of their ethnic affiliation or religious orientation. When asked if single men of Arab origin under the age of 18 are encountering more difficult procedures or even rejection at KRG checkpoints Mohammed Mirza strongly denied this to be the case.

UNHCR Stockholm has stated in three notes from January-February 2011<sup>20</sup> that, "Arabs, Turkmen and Kurds from the disputed areas [...] will most likely face difficulties/rejection at the check point". When asked if it is the policy of KRG to make it difficult to enter or to reject Arabs, Turkmen and Kurds from the disputed areas at KRG checkpoints General Kaiwan Tawfeq completely rejected this statement, and strongly requested UNHCR to meet with him and/or his officers as well as to visit KRG checkpoints in order for UNHCR to be assured of the non-discriminatory procedures at the checkpoints.

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<sup>20</sup> UNHCR Stockholm: (1) *Re: Your inquiry concerning updated information on the application of internal flight alternative to a Kurd from Kirkuk to KRG*, 10 January 2011, p. 5, (2) *Re: Your inquiry concerning updated information on the situation of Christians in Iraq and the application of internal flight alternative to KRG*, 17 January 2011. p. 4, and (3) *Re: Your inquiry concerning updated information on the situation of Christians in Iraq and the application of internal flight alternative to KRG*, 23 February 2011, p. 6.



When asked if UNHCR has ever visited – or requested to visit – General Kaiwan Tawfeq’s office or any KRG checkpoint General Kaiwan Tawfeq stated that this has never occurred. It was added that those who enter KRI from other parts of Iraq are undergoing a procedure in which they are questioned and checked in order to find out whether they are wanted by the Iraqi intelligence and/or security forces or otherwise considered as criminals. If a person is on the ‘Black List’ he or she will be arrested, and if he or she is not on the list entry will be permitted. It was emphasized that these precautions and procedures are only for security reasons and nothing else. General Kaiwan Tawfeq reiterated that no one has ever complained of discriminatory treatment at any KRG checkpoint since he took office in 2004.

When asked if people are being harassed and/or rejected at checkpoints only for their ethnicity and/or religion Harikar NGO/PAC stated that this is not so. Everyone is being treated politely and according to established standards irrespectively of whether a person is an Arab, Turkman, Christian, Yezidi, Kurd or affiliated to any other ethnicity or religion, however the focus is on persons of Arab origin.

General Kaiwan Tawfeq stated that Turkmen, of whom many do not believe in the federal system of Iraq, are staying in KRI and they enter KRI without difficulties or being harassed at entry point.

Kamel Haji Ali, Minister for Endowment and Religious Affairs, KRG Ministry of Awqaf [Endowment] & Religious Affairs, Erbil explained that for ages all religions have existed side by side in Northern Iraq. All religious groups have always had the opportunity to freely express their religious beliefs. Even as of today there are no tensions among religious or ethnic groups in KRI.

Minister Kamel Haji Ali stated that any Iraqi IDP is welcome to KRI irrespective of religious orientation and/or ethnic affiliation. There is no spirit of revenge among the people of KRI, only passion and emotion.

Shokr Yaseen Yaseen explained that there are approximately 35.000 IDP families in KRI. The main tasks of the BMD are to service these IDPs in close collaboration with the BMD in Baghdad. The Government of Iraq (GoI) has established a regional office of its BMD in Erbil.

Muhamad Abdulla Hamo, Director, Directorate of Displacement and Migration (DDM), Dohuk, explained that IDPs in Iraq are eligible to receive 150.000 Iraqi Dinars (approximately 150 US \$) monthly per family from the GoI. However, the GoI has not proved ready to provide the IDPs with this support and there is an ongoing dialogue with the GoI regarding this issue. It is not solved yet, but Muhamad Abdulla Hamo stated that he hoped the GoI soon will accept to begin these payments. According to Muhamad Abdulla Hamo 150.000 Iraqi Dinars is not a big amount of money, but it may still meet some of the most basic needs of an IDP family.

### **1.3.1 Christians from S/C Iraq or disputed areas**

In its survey from January-February 2011 PAO/PAC did not include Christians as “Christians do not face any kind of difficulty in entrance and in making information card as well” (see **Annex 3**).

According to Khalid Jamal Alber, Director General, General Directorate of Christian Affairs, Ministry of Awqaf [Endowment] & Religious Affairs, Erbil, there are approximately 2.200 Christian

families who originally lived in Ainkawa, a predominantly Christian suburb of Erbil. Due to the influx of IDPs an additionally 2.700 Christian IDP families have come to Ainkawa. Khalid Jamal Alber explained that most of the Christian IDPs that have arrived in KRI have come to Ainkawa and they have been invited to come to KRI by the KRG as an effect of the attacks on Christians in Baghdad and other places in Iraq.

Khalid Jamal Alber explained that there are approximately 150 Christian families in Erbil who are living in other areas of the city than Ainkawa.

Christians feel safe in KRI according to Khalid Jamal Alber, otherwise they would not have stayed here, and there is no discrimination by the authorities against Christians or any other religious IDP group in KRI. Neither are there any tensions among the various IDP groups and the population of KRI.

Khalid Jamal Alber handed the delegation statistics on the increasing number of Christians in the three governorates of KRI:

- Erbil Governorate originally had 2.833 Christian families. The number of immigrant (IDP) Christian families is 2.783.
- Suleimaniyah Governorate originally had 350 Christian families. The number of immigrant (IDP) Christian families is 150.
- Dohuk Governorate originally had 5.537 Christian families. The number of immigrant (IDP) Christian families is 7.250.

Fahmy Maty Salaha, Mayor of Ainkawa, explained that during the last decade two events – the fall of Saddam’s regime in 2003 and the attack on the Our Lady of Salvation/Sayidat al-Nejat church in Baghdad on October 31 2010 – have caused massive movements of Iraqi Christians from S/C Iraq and the disputed areas to KRI. The fall of Saddam’s regime resulted in 3.000 Christian families fleeing to KRI, especially to Ainkawa. Some of these IDPs found jobs and settled permanently in KRI while others have moved on to other countries, including European countries and North America.

Fahmy Maty Salaha stated that the explosion at the Sayidat al-Nejat Catholic Church in October 2010 resulted in the flight of an additional 700 Christian families from Baghdad to KRI. Similar to the situation after the fall of Saddam, some of these IDPs have settled down in KRI while others have moved on and sought refuge in other countries. Fahmy Maty Salaha explained that Ainkawa is thus “a station or a hub” for many Christian IDPs coming to KRI. However, the majority of Christian IDPs stay in KRI where some find jobs and some make investments and establish themselves as businesspeople.

Fahmy Maty Salaha explained that Christian IDPs fleeing oppression and attacks have been received and treated very well in KRI. In his speech in the wake of the Sayidat al-Nejat Church incident in October 2010 President Barzani stated that KRG’s gates are open to Christians from all over Iraq and that they can live in peace and security in KRI as long as they may wish. The Mayor

added that Christians are being treated by the KRG as any other citizen in KRI and called the speech by President Barzani a “national and humanitarian initiative”.

According to Fahmy Maty Salaha, Christian IDPs are provided with some assistance from the KRG authorities, the local community, church organisations, UNHCR and ICRC upon their arrival in KRI because most of them have had to leave their belongings in their places of origin when they fled to KRI. However, Fahmy Maty Salaha stated that it is not correct that Christian IDPs were allocated plots of land for free when they came to KRI.

Fahmy Maty Salaha explained that the number of Christian churches in KRI has increased in recent years and there are presently more than fifty Christian churches of various denominations throughout KRI. In Ainkawa, three new churches have been built in the last couple of years so that there are now five churches in the area.

Fahmy Maty Salaha confirmed the statistical data on Christians in KRI given to the delegation by the DG for Christian Affairs. The Mayor explained that these statistics include Christians at large. The Christians in KRI comprise Assyrians, Armenians, Orthodox, Chaldeans, Catholics, Syrian Catholics, Syrian Orthodox, Protestants and Saebean Mandeans. The Chaldean community is by far the largest community. The Saebean Mandaean community in Ainkawa comprise approximately 100 families. Fahmy Maty Salaha emphasized that none of these religious groups are facing any sort of discrimination or harassment by the local Arabs, Kurds, or by any other local or by the authorities in Erbil.

Fahmy Maty Salaha pointed out that there are still some discriminatory elements in Iraq’s legislation regarding religious conversion. These laws must be changed in respect of the principle of religious freedom in Iraq. As an example, Fahmy Maty Salaha explained that the children of a Christian man who converts to Islam automatically become Muslims, according to Iraqi law. The Mayor has requested Christian members of the Parliament in Baghdad to put pressure on the Govt to change the Iraqi Constitution in order to address this problem. However, no amendment or change has taken place so far. Fahmy Maty Salaha considered it of utmost importance that this particular issue is being addressed as soon as possible. When asked if there are many Christians who convert to Islam, Fahmy Maty Salaha explained, that at the moment there are three or four cases regarding conversion and the consequences for the children of converts. It was emphasized by the Mayor that all human beings, including children, should have the right to freely choose their religion.

When informed that the NGO Minority Rights Group in December 2010 had stated that it considered it problematic and sensitive to resettle Christians from Iraq in European countries, and that this could be supporting ethnic cleansing, Fahmy Maty Salaha stated that he agreed completely.

Fahmy Maty Salaha reiterated that the KRG authorities and the church leaders in Iraq do not wish to see Iraqi Christians to emigrate abroad because they believe that this would lead to ethnic cleansing and a loss of cultural and religious diversity in the country, and Iraq would lose some of its original inhabitants.

Fahmy Maty Salaha stated that there is a positive relationship and cooperation between the Municipality of Ainkawa and the KRG authorities. This is particularly the case with the Ministry of Endowment and Religious Affairs and its various Director Generals and Directorates but the Mayor emphasized that his Municipality has a well functioning cooperation with all relevant KRG authorities.

Fahmy Maty Salaha stated that in the whole of the Middle East, including S/C Iraq, KRI is the only region/country where the number of Christians has increased. Extremist Islamists have created an emergency situation in many places and this is the reason why many Christians are fleeing violence and harassment. Fahmy Maty Salaha appealed to Islamic leaders throughout the world to call for an international conference in order to express support for the Christians, and the Mullahs ought to use the Friday prayers to stop the attacks on Christians and convey the message that Christians are equal human beings.

Fahmy Maty Salaha explained that there are more than 100 Sabeen Mandaean families residing in Ainkawa, and they are all well integrated in the local community and the society at large as well as in the labour market.

Shokr Yaseen Yaseen stated that the GoI has a huge budget and did not understand why the GoI is not prepared to sign a Memorandum of Understanding with KRG regarding IDPs. The KRG has sent an official letter to the GoI as KRG is prepared to assist the IDPs in KRI. This situation did become even more urgent after the attacks on Christians in October 31 2010. Despite the fact that KRG opened its borders for Christians from S/C Iraq, most Christians decided to contact the French and German Consulates as well as other foreign representations in Iraq in order to go abroad and apply for asylum. Shokr Yaseen Yaseen added that so far the European Union, United Nations, International Organization for Migration, NGOs and civil society organizations have not provided any assistance to the IDPs in KRI. Only UNHCR provided some emergency relief.

Jamal Alber explained that he had been Director General for General Directorate of Christian Affairs since 2008. The Directorate was established in 2004. Initially the Directorate had budgetary problems but things have improved and sufficient financial resources have been allocated. Thus, the Directorate is now capable of undertaking its tasks satisfactorily.

Khalid Jamal Alber explained that the previous name of the KRG Ministry of Endowment and Religious Affairs was the Iraqi Ministry of Endowment and Islamic Affairs. The change took place in 2004. By this change from 'Islamic' to 'Religious' affairs the KRG has wished to signal its acknowledgement of non-Muslim religious groups in KRI and to demonstrate that KRI is open to all religious groups.

When asked if there had ever been examples of tension between Kurds and Christian IDPs in KRI Khalid Jamal Alber made reference to a statement by Dr. Ahmed Ibrahim Warti, member of the KRI parliament (MP) for the Islamic Movement of Kurdistan, who February 15 2011 announced in the Suleimaniyah newspaper Awena that Christian IDPs do not belong in KRI. The MP forwarded a proposal on January 17 2011 to the parliament as he sought support to stop the influx of Christian IDPs as this could jeopardize the unity of Kurdistan and disturb the religious balance in KRI. However, according to Khalid Jamal Alber the announcement got no support from the parliament.

Regarding Christians Harikar NGO/PAC explained that the President of KRI recently had stated that Christians in all of Iraq are welcome to the KRI. The President has set up a commission to look into how Christians in particular could be assisted as they have been victims of attacks in S/C Iraq as well as in the disputed areas. One can say that “a red carpet has been laid out to welcome the Christians in KRI.” Christians can enter KRI without suspicion or tight security procedures.

Fahmy Maty Salaha emphasized that even though all issues related to being an IDP in KRI have not yet been solved this should not give cause to the IDPs’ to go abroad. The Mayor reiterated that neither he, nor the KRG authorities or Church leaders in KRI want Christian IDPs to leave KRI for Europe or North America.

According to Bahroz Qashany, Governor of Suleimaniyah Governorate, most Christian IDPs in Suleimaniyah Governorate are supported by their church community.

Muhamad Abdulla Hamo explained that the registration of IDPs in KRI was halted by the KRG in 2009, but the registration continues in Dohuk Governorate and it is still going on. In 2010 there were 18,000 IDP families in Dohuk Governorate. As of March 2011 the number has increased to 19,130 families. Muhamad Abdulla Hamo emphasized that these statistical data are reliable. These figures show that approximately half of all IDPs in KRI are residing in Dohuk Governorate. 70% of all IDPs in Dohuk Governorate are from Mosul and its surroundings, and many of these are Christians who originally came from Dohuk Governorate.

### **1.3.2 Kurds from S/C Iraq or disputed areas**

When asked if Kurds from the disputed areas face particular difficulties in entering and residing in KRI Minister Kamel Haji Ali stated that the KRG encourage Kurds from the disputed areas to stay in those areas if they are not at risk of violence. The Minister added that the KRG authorities are negotiating with the governors in the disputed areas to persuade them to alleviate the pressure from Arabs on the Kurdish population to leave the region, but if no results are achieved through negotiations KRG would consider posting armed forces to the region if the situation becomes too tense.

According to an international organization (C) based in Kirkuk, which is addressing the humanitarian needs of IDPs and is cooperating with local NGOs in the area, there are many Kurds from the disputed areas, including Kirkuk, who travel frequently to KRI. The international organization (C) had never heard of any Kurd from those areas being denied entry to KRI at any KRG checkpoint.

#### *1.3.2.1 Yezidi Kurds*

Khairi Bozani, Director General of the Yezidian Affairs, Ministry of Awqaf [Endowment] & Religious Affairs, Erbil, stated that Yezidis are treated in the same way as any other Iraqi IDP or traveller when they approach a KRG checkpoint and they do not need to present a reference. Khairi Bozani explained that there is no ideological connection between the Yezidi religion and the ideology of the Islamic groups and Khairi Bozani considered it as improbable that a Yezidi would support Islamic terrorists. Yezidis are Kurds and considered as such, and there is no suspicion about a Yezidi’s intention of coming to KRI compared to some people of Sunni Arab origin.

When asked if Yezidi IDPs face particular problems in KRI Khalid Jamal Alber said no, and added that Yezidis are not being discriminated against. Khalid Jamal Alber explained that the KRG established a General Directorate of Yezidi Affairs and the Director General of this Directorate is a Yezidi. The Yezidi Directorate as well as the Ministry of Endowment and Religious Affairs were established in 2004.

When asked whether Yezidi IDPs face any major problem because of their ethnicity or religion, Salah Badrudin, Founder, Kurdish-Arabic Friendship Society, and Director, Kawa Kurdish Culture Foundation, Erbil, explained that Yezidis are Kurds and are considered as such by the local community and the authorities. The people of KRI respect Yezidis and their religion, and there are no records of persecution or discriminatory attitude against Yezidis, neither from the local communities nor from the authorities. There are Yezidi Ministers and Director Generals in the KRG, and many Yezidis are working in hotels, restaurants as well as in the public sector. Salah Badrudin added that there are a number of Yezidis employed at the hotel where the delegation stayed in Erbil.

According to Khairi Bozani there is no 100% reliable statistics on the number of Yezidis in Iraq, but based on the number of issued UN food coupons 500.000 Yezidis are estimated to live in Iraq. The vast majority originate from Mosul [i.e. the Ninewa Governorate] or are linked to the disputed areas. Since 2003 approximately 90% of the Yezidis have moved or fled to KRI from the disputed areas. The majority of Yezidis in KRI live in Dohuk Governorate.

Khairi Bozani explained that KRG has recognized Yezidi religion as one of the original religions of Kurdistan because it has existed in Kurdistan even before Islam. One of the Yezidi religious festivals or feasts has now become an official holiday in KRI. Khairi Bozani added that Yezidi religion is freely discussed in the Kurdish media and it is now a part of the school curriculum in KRI. Yezidi religion is being served well, according to Khairi Bozani and he added that Yezidi cultural centres have been established in KRI.

Khairi Bozani stated that Yezidis living in Mosul have requested KRG to take over the administration of services in Mosul from the Ninewa Governorate which according to Yezidis treats them in a discriminatory way. Khairi Bozani expressed concerns about Yezidis' future in the disputed areas if the current situation persists. The security situation and the administration in Mosul and other locations in the disputed areas is fragile and Yezidis are now living on both sides, i.e. KRG and GoI controlled areas in the disputed areas. This is the reason why KRG is unable to provide services to all Yezidis in the disputed areas and the administration in Mosul is not assisting the Yezidi population at all. This affects many aspects of daily life – economically, socially and politically – for Yezidis living in this area. If this situation continues one can expect that things will deteriorate. Khairi Bozani stated that “thanks to the Peshmerga forces security is somehow better”, but sporadic terrorist attacks continues. However, Khairi Bozani would not consider Mosul as one of the so-called “hot spots” like the “Triangle Area” in Iraq.

According to Khairi Bozani many observers, including the media and the NGO Human Rights Watch, do not make a distinction between Yezidis as an ethnic group and Yezidi as a religion and they therefore often have a simplistic understanding of Yezidis' situation in KRI. Khairi Bozani

explained that Yezidis ethnically are Kurds and they are as such well integrated into the society in KRI. However Yezidis are to some extent under pressure because of their religion which is considered as pagan, and there have been cases where Muslim and Christian missionaries have attempted to convert Yezidis to their religion. Khairi Bozani added that although this is not a widespread phenomenon one must be wary about the activities of the missionaries which he considers as a potential threat against Yezidi religion and culture. On the other hand Yezidi religion is not a missionary religion such as Islam and Christianity, but there are examples of Yezidis having converted to Islam. Khairi Bozani would deeply regret if Yezidi culture and religion would be facing eradication, but at the same time it was emphasized that this is not the case for the time being. However, should this happen the “religious rainbow of KRI would be less colourful”, Khairi Bozani added.

Khairi Bozani informed the delegation that Directorate of the Yezidian Affairs is a new department of the Ministry of Endowment and Religious Affairs. Before the establishment of the Directorate of the Yezidian Affairs, it was the Lalesh Cultural and Awareness Center which since 1993 had made an effort to raise public awareness about Yezidi culture and religion. Khairi Bozani added that Directorate of the Yezidian Affairs, which has nine branches throughout Iraq, publishes eleven publications about Yezidis and facilitate a couple of Yezidian radio and TV channels. In addition the Centre for Anthropology and Social Studies at Dohuk University has employed a number of Yezidi PhD and MA researchers whose academic work is concentrated on Yezidi culture and religion. It was added that Yezidis have their own website on [www.ezidinasi.net](http://www.ezidinasi.net)

According to Khairi Bozani 2011 is the first year where the Directorate of the Yezidian Affairs has been allocated a budget. The Directorate supports a number of Yezidian schools in cooperation with the KRG Ministry of Education and it participates in a nationwide Social Country Programme in close collaboration with various social institutions in order to preserve Yezidi culture in Iraq. It was emphasized that Yezidis live scattered in Iraq and not in closed communities. Many Yezidis in Dohuk Governorate live in the countryside rather than in the larger cities.

### **1.3.3 Arabs from S/C Iraq or disputed areas**

According to an international organization (B) people who enter KRI at one of the KRG controlled checkpoints are prone to be arrested, especially Sunni Arabs, who are particularly at risk.

The delegation informed General Kaiwan Tawfeq that an international organization (B) in Erbil had stated to the delegation that Arabs from the Sunni belt of Iraq are particularly at risk of being arrested should they approach a KRG checkpoint. This statement was completely rejected by General Kaiwan Tawfeq and reference was made to the fact that many Sunni Arabs have entered KRI throughout the years and that they now reside safely in KRI. Sunni Arabs do not face specific problems at any KRG checkpoint and they reside in Erbil as well as Dohuk and Suleimaniyah governorates without being troubled or harassed. It was added that although some Sunni Arabs were former Baathists this does not indicate that they are being discriminated against, harassed or rejected at KRG checkpoints. General Kaiwan Tawfeq suspected that some international agencies and organizations have an agenda and he asked why they do not consult him and his office regarding allegations of discriminatory behaviour or harassment by check point officers.

General Kaiwan Tawfeq reiterated that former, ordinary members of the Baath Party are not being rejected, discriminated against or harassed at KRG checkpoints or when they stay in KRI. It was added that these people have no problems whatsoever in entering KRI. It was added that most Iraqis were members of the former Baath Party when Saddam Hussein was in power and they are not a security concern today.

PAO/PAC explained that in general single Arab males face more difficulties in entering KRG than other Iraqis. KRG checkpoint officers may request Arabs to present a reference at checkpoint or they may even deny them entry. Sometimes it is the mood of the officer at the checkpoint which is the main reason behind the strict check of Arabs at the checkpoints. In addition, the majority of persons who commit crimes like murder, theft, kidnapping and/or terrorist actions are single men of Arab origin.

When asked how many cases PAO/PAC had registered concerning Arabs facing difficulties at checkpoints PAO/PAC explained that in October/ November 2010 two cases of denial of entry have been registered by the NGO. Both cases involved persons of Arab origin.

In the first case a young man of Arab origin drove to the checkpoint in a car together with a Kurdish family. However, the officer at the checkpoint noticed the Arab person and he was beaten by the officer as he tried to enter illegally. The officer then told the person that he would not be allowed entry and that he should not try to enter again.

The second case was a single Arab man from Baghdad who despite presenting a reference was denied entry. The person contacted PAO/PAC for assistance and PAO/PAC informed the officer at the checkpoint that he had a reference. Nonetheless the officer at the checkpoint denied him entry.

PAO/PAC explained that it is seldom that the subjective or arbitrary behaviour of checkpoint officers affect persons of Kurdish, Turkman, Christian origin or any other non-Arab person. It is almost exclusively persons of Arab origin or persons looking like an Arab who are being requested to present their Iraqi ID card and questioned when they approach a checkpoint.

An international organization (A) informed that many people of Arab origin travel through the KRG checkpoints on a daily basis and they are not rejected for ethnicity. However, the KRG has applied certain security measures at its external checkpoints, i.e. those checkpoints that are located towards the disputed areas and Iraq. It was emphasized that these checkpoints are not equipped with well-developed security measures.

An international organization (A) stated that all procedures at KRG checkpoints are related to security precautions and not to any considerations regarding a person's ethnicity or religious orientation. Arabs are not to be regarded as a group that are being discriminated against in this respect. They enter KRI in large numbers each day and they are all permitted to enter unless they are on the 'Black List'.

The international organization (A) stated that it would be disastrous for KRI if all Arabs trying to enter KRG were rejected at the checkpoints. Arabs are an important labour force in KRI and the society is dependent on this labour force. There is huge Arab labour force present in KRI.



According to an international organization (B) security concerns in KRG are often directed against persons of Arab origin and Arabs are thus being treated differently than all other Iraqis when they approach a KRG checkpoint in order to enter KRI.

When told that an anonymous source [i.e. an international organization (B)] consulted by the delegation had stated that Sunni Arabs from the Sunni Belt in Iraq would be particularly at risk of harassment, rejection or even arrest should they approach a KRG checkpoint PAO/PAC rejected this statement. Sunni Arabs will not be at risk of harassment, rejection or even arrest at KRG checkpoints only because they are Sunni Arabs. PAO/PAC explained that checkpoint officers question people according to their place of origin in Iraq and not according to their ethnic affiliation or religious orientation. People coming from one of the so-called 'hot spots' in Iraq are always questioned about their whereabouts and this is merely for security reasons. PAO/PAC reiterated that Sunnis are not particularly targeted and pointed out that the vast majority of Kurds in Iraq are Sunnis.

Regarding entry procedures at KRG checkpoints Salah Badrudin explained that ordinary Arabs face no difficulties when entering a checkpoint. Salah Badrudin did not understand why UNHCR and an international organization (B) would state that Arabs face difficulties and even rejection at KRG checkpoints only because there were Arabs and not because of the general security precautions. When someone is being rejected at a checkpoint or is being interrogated heavily it is only a security precaution and not related to a person's ethnic affiliation or religious orientation. Salah Badrudin added that he would be aware of it, if persons are generally being denied entry to KRI only because they are Arabs.

As regards the relationship between Arab IDPs and the residents of KRI, Salah Badrudin stated that there is no feeling of revenge among the Kurdish people in KRI against Arabs because of the suppression of Kurds by Arabs in the past, and there is normally a very good relationship between the two groups although one can always find some individuals amongst the Kurds with extremist anti-Arab views.

To the question of whether Kurds have a different relationship with Arabs from the disputed areas compared to Arabs from S/C Iraq, Salah Badrudin replied that there is no such difference. However, Arabs in the disputed areas who still insist on keeping the land that was taken from Kurds and handed over to them by the previous Saddam regime may experience some pressure from the local Kurds. These Arabs are mostly Sunni Arabs. Salah Badrudin added that the vast majority of Arabs in KRI are Shia Arabs. Salah Badrudin emphasized however that there is a good relationship between Kurds and Arabs, irrespectively of them being Sunni or Shia Arabs.

Admitting that he mostly has contact with Arab intellectuals and the well educated part of the Arab community in KRI, Salah Badrudin stated that he had never heard of any tension between Kurds and Arabs. If there were reports on such tension he or his organizations would have been aware of it, Salah Badrudin stated.

Regarding KRGs attitude towards Arab IDPs, Salah Badrudin stated that Iraq is a federal entity and KRG has an open door policy in relation to people from outside regardless of their religious or ethnic background. There is a statesman's mentality among the KRG authorities where

investment, economic development, growth and good relationship with the outside world play a central role. For KRG authorities, Salah Badrudin added, the era of conflict and revolution is over, and the focus now is on reconstruction and development.

Previous tensions between Kurds and Arabs do not persist any longer, according to Kamal Rauf, Editor in Chief, Hawlati newspaper, Suleimaniyah. Neither do there exist any sentiment of revenge among the Kurdish population in KRI. Arabs and Kurds are living together throughout KRI and there are no tensions whatsoever between these people. Kamal Rauf added that, according to Kurdish culture, it is regarded as a disgrace if a Kurd treats an Arab in a discriminatory way just because he or she is an Arab.

When asked about the attitude of the KRG authorities towards IDPs of Arabic origin Kamal Rauf explained that it could be that some poorly educated police officers would be less friendly towards Arabs than other IDPs. However, Kamal Rauf emphasized that this is not a common phenomenon and Kamal Rauf had never heard of any serious incident linked to the authorities' attitude towards IDPs of Arab origin.

Previously the Baath Party created hatred and tension between Arabs and Kurds, but this is no longer an issue. Today the Kurdish population and the KRG do not have any objection against the presence of Arabs in the KRI. There is no hostility against Arabs among the Kurds.

Regarding differential treatment of persons entering KRG checkpoints Harikar NGO/PAC stated that especially a single male of Arab origin would be questioned at checkpoint and required to present a reference at the checkpoint if he is considered a potential security risk. On the other hand Arab families are also requested to present a reference, or contact a reference by phone. It was reiterated that under normal circumstances there is no need for a reference at the checkpoint. Harikar NGO/PAC summarized that whenever there is a requirement for a reference it is clearly related to security concerns.

Harikar NGO/PAC was amazed when informed that an international organization (B) had stated that Arabs from the Sunni belt in Iraq are especially at risk of being "targeted" should they approach a KRG checkpoint. Almost [all] Arabs in KRI are Sunni Arabs and they face no discrimination or stigmatization in KRI.

### 1.3.4 Minors

When asked if single minors are being treated differently than adults at KRG checkpoints PAO/PAC stated that this is not so. However, single minors are often questioned carefully as single minors are relatively vulnerable to exploitation by terrorists for the purpose of terrorist attacks. It was added that a person is a minor when she or he is below the age of 19<sup>21</sup>, according to Iraqi law.

Mohamed Mirza emphasized that there are no particular instructions or regulations regarding minors and there are no orders stating that minors should be rejected at KRG checkpoints only

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<sup>21</sup> Not completed the 18th year, i.e. one day under 19 years of age is regarded underage.

because they are minors (i.e. under the age of 18). However, the security personnel at the checkpoints are generally more cautious about Arab males under 18 travelling alone than when they travel together with their families. A single male above the age of 20 who approaches a checkpoint will not cause any concern.

Mohamed Mirza explained that there is no law or regulation specifying particular entry procedures for Arab men below the age of 18. On the other hand when a minor enters a KRG checkpoint on his own and he or she does not have any relatives or contacts in KRI the minor will be questioned about the purpose of the visit, but he or she will not be rejected. Arabs are not treated differently than any other Iraq citizen irrespective of age. It was emphasized that all entry procedures at KRG checkpoints are related to security concerns and nothing else.

## 2. Update on reference requirement

Regarding the previous demand for a reference to be present at KRG checkpoints Mohamed Mirza stated that this requirement was abolished in December 2009. There is no requirement for a reference any longer and this applies to all governorates. The entry policy is uniform throughout KRG, i.e. at all checkpoints.

Mohamed Mirza added that neither Christians nor Arabs or Kurds or any other Iraqi citizen needs to present a reference at any KRG checkpoint in order to enter KRI.

General Kaiwan Tawfeq was informed by the delegation that UNHCR Stockholm reported in January-February 2011 that according to PACs surveys “the sponsor [reference] system remains to be in place and IDPs are required to have this guarantee to enter. These are conditions for entry regardless of the new name referred to by the authorities”<sup>22</sup>. General Kaiwan Tawfeq entirely rejected this assertion and stated that “not a single IDP has been required to have a reference when entering KRI since this requirement was lifted in December 2009. The procedures and requirements for entry remain the same and nothing has changed”.

PAO/PAC stated that the requirement for a reference at checkpoint is not applied under normal circumstances. It is only when there is a particular security concern that the reference requirement is applied. The reference requirement was lifted in December 2009 and it is only reintroduced when there is a major security concern.

When asked if there is a requirement for a reference to be present at KRG checkpoints Muhamad Abdulla Hamo explained that the security control at KRG checkpoints depends on the daily security situation. It was stated that individuals may be more cross checked than families, but individuals can enter without difficulties if there are no suspicion and/or security concerns regarding the person in question. There is no requirement for a reference to be present at KRG checkpoints under normal security conditions, not even for individuals. However, whenever there is a specific security concern related to an individual approaching a checkpoint, or if there is suspicion that a person may pose a security threat, the Asayish may require that a resident of Dohuk Governorate guarantees for the individual before she or he is permitted entry. Muhamad Abdulla Hamo added that he did not have an in depth knowledge of the security and entry procedures at the checkpoints and referred the delegation to consult the Asayish regarding these procedures.

Governor Bahroz Qashany explained that the vast majority of Iraqis entering KRI have references in the area, but it is not a requirement to have a reference in order to enter.

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<sup>22</sup> UNHCR Stockholm: (1) *Re: Your inquiry concerning updated information on the application of internal flight alternative to a Kurd from Kirkuk to KRG*, 10 January 2011, p. 4, (2) *Re: Your inquiry concerning updated information on the situation of Christians in Iraq and the application of internal flight alternative to KRG*, 17 January 2011. p. 5, and (3) *Re: Your inquiry concerning updated information on the situation of Christians in Iraq and the application of internal flight alternative to KRG*, 23 February 2011, p. 6.

Kamal Rauf stated that there is no requirement for a reference at the KRG checkpoints.

According to PAO/PAC's IDP survey basically all individuals of Arab origin were requested to present a reference at the checkpoint and during a short period of three weeks in November 2010 all persons of Arab origin were denied entry. A KRG checkpoint officer had explained to PAO/PAC that they had been ordered by the Directorate for Checkpoints not to let any person of Arab origin enter Erbil Governorate during this period. PAO/PAC explained that individual persons of Arab origin are facing most difficulties at the checkpoints, and some have even been denied entry.

Harikar NGO/PAC explained that the March 2011 survey showed that all IDPs interviewed did not need a reference when they entered KRI at a KRG checkpoint, except from four Arab families who were requested to provide a reference.

PAO/PAC explained that many officers at KRG checkpoints are not well educated and some may have a negative attitude while others may be in a mood of mistrust. On the other hand, there are also officers with a pragmatic attitude who may request PAO/PAC to come to the checkpoint and act as a reference for a certain person. PAO/PAC staffs have acted as references on several occasions, "i.e. [when] inviting people [from] outside Kurdistan region [in order for PAO] to benefit from the skills of people. [...] like using them in seminars and other civil works [in KRI]." One of PAO/PAC's drivers frequently acts as a reference as he is well-known to the officers at the checkpoint in Erbil. Most often the mere presence of this driver at checkpoint is sufficient for the officers to permit entry without any delay.

When asked if PAO/PAC always assist any person who requests assistance at a checkpoint PAO/PAC explained the NGO is not ready to act as reference for persons unknown to its staff. On the other hand PAO/PAC will act as reference for persons identified by the NGO if needed.

Harikar NGO/PAC stated that usually, i.e. when there are no particular security concerns in the area, there is no requirement for a reference to be present at a KRG checkpoint or to have a reference before being permitted entry. The reference requirement is in place when the person wishes to reside in KRI and thus has to approach the local Asayish office in the area where the person in question wishes to reside. On the other hand, Harikar NGO/PAC added that entry procedures can be differential depending on the mood of the officer in charge of the checkpoint. However, Harikar stated that entry procedures normally comply with the information given to the delegation by [Mohamed Mirza] the head of the Asayish Political Department and General Kaiwan Tawfeq, who is responsible for all KRG checkpoints.

An international organization (B) stated that there is no requirement for a person to present his or her reference at the checkpoint before being allowed entry. Instead the [person] needs to produce [a reference] the next day of the arrival at the nearest Asayish office. Failing to do that, they will be tracked and asked to leave. They could also be blacklisted.

Governor Bahroz Qashany stated that there is no need for a reference to be present at a KRG checkpoint for an Iraqi to enter KRI. However, if a person wishes to reside in KRI she or he will have to register at the Asayish in the area where he or she intends to live. The Governor did not have any details regarding entry or residence procedures and referred the delegation to consult the Asayish on these issues.

Nawzad Hadi Mawlood, Governor of Erbil Governorate, explained that the vast majority of IDPs coming to KRI already know someone in the region, and in contrast to many other Iraqis coming to the region it is only IDPs who wish to settle more permanently. There is no requirement for a reference at the checkpoint for IDPs or any other traveller. However when an IDP wishes to settle more permanently in Erbil Governorate she or he will have to find a reference and then approach the local Asayish Office in Erbil in order to be properly registered. The Governor explained that it is no problem for IDPs who wish to stay in KRI to find a reference. IDPs would almost always know someone in the area where they wish to settle.

Harikar NGO/PAC would, however, not agree that one could conclude that the requirement for a reference at KRG checkpoints had been lifted completely. One staff member of Harikar NGO/PAC stated that his reluctance to conclude this is based on his personal experience with procedures at checkpoints and referred to the above mentioned case regarding his relatives visiting from Najaf (see also page 14).

On the other hand Harikar NGO/PAC emphasized that the security procedures and precautions at the KRG checkpoints have proven their significance as security in KRI is very good and Dohuk Governorate is the safest governorate of all.

Harikar NGO/PAC explained that with regard to Christians from any location in S/C Iraq and the disputed areas there is no requirement for a reference neither at checkpoint nor at the Asayish registration office in Dohuk.

According to Harikar NGO/PAC a reference is legally responsible for any criminal act that might be committed by the person she or he acts as a reference for. However, Harikar NGO/PAC had never heard of any reference that have been arrested or prosecuted for such offences. On the other hand should this occur it will be dealt with according to law and not arbitrarily and the case will be related to the crime committed.

It was stated by an international organization (B) that a few references have been held responsible, arrested or detained for criminal acts committed by the person he or she is reference for. The delegation explained to the international organization (B) that the DIS' Documentation and Research Division requested a number of sources regarding this during its fact finding mission to KRI in 2010 and all sources stated that there were no accounts of this being the case. When asked about further details regarding persons having been held responsible the international organization (B) explained that it could not provide the delegation with further details except that five or six persons have been detained on these grounds in 2009 and 2010. It was added that some of these cases were related to suspicion of terrorist or insurgent activities.

### **3. IDPs' access to housing, health care, education and employment**

Harikar NGO/PAC explained that IDPs have the same rights as all other residents of KRI and they have access to the same public services, such as health care and education as well as the labour market.

Regarding IDPs' access to housing, health care, education and labour market Kamal Rauf confirmed that all IDPs have access to such services.

Governor Bahroz Qashany stated that all Iraqis, including IDPs have the full right to access education and health care services and they have free access to the labour market. Health care and education are provided free of charge to all Iraqis.

Muhamad Abdulla Hamo explained that the DDM is engaged in addressing the needs of IDPs, refugees and returnees. The majority of the 19,130 IDPs in Dohuk Governorate originate in Mosul and Baghdad and they have come to Dohuk because of insecurity and attacks on civilians in these locations. Dohuk Governorate has a long borderline towards Ninehwa where insurgents and terrorists are attacking and intimidating civilians. Terrorists are also prepared to enter Dohuk Governorate and this is the reason for the KRG security precautions along the borderline. The vast majority of the IDPs are entering Dohuk Governorate through the KRG checkpoints. At times other IDPs are entering by simply passing through the area in the countryside and not through the official checkpoints. It is easy to enter as the area is vast.

When asked if people of other ethnic origin than Kurds in Suleimaniyah Governorate are facing any sort of discrimination Governor Bahroz Qashany replied that he had no personal experience of this being the case. According to Iraqi law all Iraqis are equal. The Governor added that the people of Suleimaniyah Governorate are especially tolerant of persons of different religious orientation or ethnic affiliation. It was added that the police in Suleimaniyah had never received any complaint from individual IDPs or groups of IDPs regarding discrimination or harassment. In case a complaint is grave the Governor will receive a report on this by the police, but this has never occurred.

When asked if Christians are treated differently than other Iraqi citizens Mohamed Mirza stated that an agreement has been reached that Christians (in contrast to other IDPs) can be employed within the civil service. In addition they are also allotted a plot of land and they are given some degree of priority as they are victims of persecution by insurgents and terrorist in the disputed areas as well as in other areas of S/C Iraq. This policy applies to and is implemented equally in all three governorates of KRI. The KRG has always had as its policy to support Christians as they are under stress and pressure in many areas of Iraq. However, Mohamed Mirza reiterated that even when KRG gives its support to Christians this does not imply that all other Iraqi IDPs are being discriminated against.

Fahmy Maty Salaha stated that a KRG Ministerial Committee has been established by order of President Barzani to address Christian IDPs' specific problems. These issues regards access to land and property, lodging, transfer of governmental jobs from Gol to KRG, and the possibility for IDP students to carry on their training in KRI. The situation of the Christian IDPs is being monitored closely and KRG is assisting the IDPs, but not all issues have so far been solved by the committee.

The Mayor emphasized however that the assistance and remaining issues are nothing compared to the traumatic experiences and losses of property the IDPs have experienced in the past at their places of origin.

### 3.1 Access to housing

PAO/PAC stated that there have been no changes in the procedures for renting houses or apartments since DIS' previous visit to KRI in early 2010.

Regarding access to buy immovable property (houses, land) Kamal Rauf stated that IDPs have similar rights as any other citizen in KRI.

It was added that the PDS card<sup>23</sup> has nothing to do with the right to buy property in KRI. There are many Arabs from S/C Iraq who have bought and/or own property, i.e. houses, land or private companies in KRI.

An international organization (B) stated that Iraqi Arabs – in contrast to all other Iraqi citizens in KRI – are not entitled to purchase immobile property like in any other part of the country. They require permission from security agencies as well as Directorate of Property which is generally granted to highly qualified professionals, parliamentarians, ministers and people who bring in investment of a certain amount (amount not known to the organization).

Regarding IDPs' access to housing and property in KRI, PAO/PAC explained that whenever an IDP wishes to buy a house or a plot of land she or he will have to undergo a long and tiresome procedure. First of all one will have to obtain a security clearance at the local Asayish office. After the clearance has taken place one has to submit an application at the Governor's Office. If the application is approved then the Governor will give his permission in person. In order to avoid this rather complicated procedure many IDPs buy house or property through friends or relatives and have their property registered in the name of a friend or a relative.

An IDP who wishes to rent a house or an apartment will have to approach the local Mukhtar<sup>24</sup> in the area where she or he intends to reside. The Mukhtar will then register the owner of the house/apartment. The lodger will also need a security clearance from the local Asayish office, and in some cases the lodger will need to provide a reference.

PAO/PAC explained that Kurds from the disputed areas will most likely have to undergo the above mentioned procedure before being able to rent a house or an apartment.

According to Harikar NGO/PAC it is legally possible for a single male below 18 to rent a place to live in provided that he is able to pay the rent.

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<sup>23</sup> PDS - Public Distribution System, i.e. Iraq's state food rationing system.

<sup>24</sup> A Mukhtar is a neighbourhood representative who is responsible for keeping records of the residents in his local district(s).



Regarding the situation of single minors Governor Nawzad Hadi Mawlood wondered whether there are such single persons and asked “why would someone who is a minor leave her or his family?”. On the other hand the Governor stated that there are no legal obstructions that would hinder a minor in renting an apartment or a house.

Governor Bahroz Qashany stated that there are no limitations for buying property in Suleimaniyah Governorate. According to Iraqi law any Iraqi may buy and register her or his property.

Governor Nawzad Hadi Mawlood disagreed with UNHCRs statements that Kurds and Christians from the disputed territories are eligible to purchase property only if they hold a national ID card registered in Erbil prior to 2003.<sup>25</sup>

### 3.1.1 Christians

Shokr Yaseen Yaseen explained that BMD has been allocated 9 million US \$ by the KRG in order to construct a number of houses to Christian IDPs. This is to be seen as a sign that the KRG seriously tries to assist those Christian IDPs who fled to KRI. On the other hand the GoI does not have a clear cut plan on how to assist the IDPs in KRI properly and there is no genuine plan by the GoI on how to accommodate the IDPs in KRI. Shokr Yaseen Yaseen emphasized that construction of new houses to the Christian IDPs would solve some problems indirectly; among other things it would lead to a reduction in the number of Christian IDPs going abroad to seek asylum.

Khalid Jamal Alber explained that many Christians in particular face difficulties in accessing housing and the labour market as they traditionally have had a strong preference for living and working in areas where a Christian majority already live. The result is that accommodation expenses become very high and job opportunities become limited. On the other hand this has also meant that many Christians now live in many other locations in Erbil than Ainkawa. Today many Christians are living in areas of Erbil where the majority comprise Arabs or Kurds. This is a positive development and a clear indication that Christian IDPs are well integrated, according to Khalid Jamal Alber. When asked if the arrival and integration of Christians in areas where they do not traditionally comprise a majority has caused tensions between the Christians and the local population Khalid Jamal Alber emphasized that this is not the case.

Khalid Jamal Alber explained that in contrast to Erbil where the majority of Christians live in Ainkawa, Christians in Suleimaniyah as well as Dohuk are living all over the two cities. There are strong ties between the Christian populations in Suleimaniyah and Dohuk and the Kurdish and Arab population in the two cities.

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<sup>25</sup> UNHCR, *Entry to and residence in the Kurdistan Regional Government Region of Iraq*, UNHCR Iraq, 18 October 2010, and UNHCR Stockholm: (1) *Re: Your inquiry concerning updated information on the application of internal flight alternative to a Kurd from Kirkuk to KRG*, 10 January 2011, p. 6, (2) *Re: Your inquiry concerning updated information on the situation of Christians in Iraq and the application of internal flight alternative to KRG*, 17 January 2011, p. 7, and (3) *Re: Your inquiry concerning updated information on the situation of Christians in Iraq and the application of internal flight alternative to KRG*, 23 February 2011, p. 8.

Kamal Rauf explained that IDPs have similar rights as any other citizen in KRI regarding access to buy immovable property. The only exception to this is the district of Ainkawa which is a traditional, historic Christian enclave in Erbil. In Ainkawa it is only Christians who are eligible to buy property.

Fahmy Maty Salaha confirmed that it is only Christians who can buy property – land and houses – in Ainkawa. However, the Mayor pointed out that an increasing population in Ainkawa has resulted in rising property prices and house rents in the suburb. Therefore, many IDPs rent or buy houses or apartments in other locations in Erbil as the prices are lower there. When asked if this development has caused tensions between Christians and local communities in Erbil the Mayor stated that this is not the case at all. The Mayor had never heard of any Christian IDP being discriminated against by the KRG authorities or the local community because of his or her religious orientation, and in general people in KRI have deep respect for Christians. Fahmy Maty Salaha added that Christian IDPs residing in Ainkawa are encouraged by the Ainkawa authorities not to isolate themselves and they are called on to mingle with the society outside Ainkawa.

### **3.2 Access to health care**

According to PAO/CPA all IDPs have access to the public services as everyone else in KRI. Public as well as private hospitals and clinics are accessible to IDPs. Treatment at public hospitals and clinics is free of charge.

Regarding health care and access to hospitals Muhamad Abdulla Hamo stated that all Iraqis, including the IDPs, have free access to these services in KRI.

Governor Bahroz Qashany explained that there is a well known hospital in Suleimaniyah specializing in cancer treatment, and Iraqis from all over the country have free access to this public hospital. One only has to pay a symbolic small amount of money in order to be admitted to the hospital.

### **3.3 Language issues for non-Kurdish speaking persons**

#### **3.3.1 Access to education**

Regarding access to education an international organization (B) stated that there are only four Arabic schools in the city of Erbil and they are all overcrowded. There is a general shortage of Arabic schools in KRI and many Arabic speaking pupils have difficulties when they attend schools. Language is a big issue.

Minister Kamel Haji Ali stated that the KRG is actively engaged in integrating IDPs in KRI. There are schools teaching in Arabic as well as special schools for Turkmen, Yazidis and others. However, lack of capacity, particularly in the Arabic schools can make it difficult to accommodate all pupils and students in the schools they may prefer.

PAO/PAC explained that there are many Arabic schools in KRI and even Kurdish schools have compulsory courses in Arabic. All pupils are taught in Arabic language from the Fourth Grade in Primary School and this continues up to Preparatory level. PAO/PAC added that wherever you go

shopping you may use Arabic as everyone will know or at least understand Arabic even if they cannot speak [the language].

PAO/PAC explained that there are eleven Arabic and two Assyrian schools in Erbil city. However, most of these Arabic schools are overcrowded as many Iraqis from S/C Iraq have come to KRI in order to escape violence and persecution in their home areas. There are also Arabic schools in the disputed areas under KRG control. It was emphasized that these schools are located in the safe areas of the disputed areas like the school in Makhmour area. PAO/PAC pointed out that there is no Arabic school on the countryside outside Erbil.

Regarding access to education in KRI PAO/PAC stated that IDPs have free access to all public schools in KRI. However in practice only 1.000 out of approximately 3.000 IDP students in Erbil Governorate have access to education. The reason for this is that the majority of IDPs are residing in the relatively poor and remote areas of the governorate where there is a lack of educational facilities.

PAO/PAC explained that a number of IDP students face difficulties being enrolled at Preparatory schools and Colleges as they are required to submit a student certificate from their place of origin which they did not take with them when they fled their homes in S/C Iraq. These documents are often hard to obtain afterwards as they have to be produced at the students' place of origin in S/C Iraq. In addition, different colleges in different parts of Iraq may have different curricula and this can make it complicated for a college student to move from for example Baghdad to Erbil. However, these difficulties only apply to IDP students at Preparatory, College and University level as pupils at Primary and Secondary level do not have to produce any documents in order for them to be enrolled.

Regarding the education system in KRI Salah Badrudin explained that there is a Directorate for Assyrian and Arabic Education and Languages, and there are public as well as private Arabic schools in KRI, and university courses are taught in Kurdish, Arabic and English.

According to Salah Badrudin there are Arabic secondary schools in KRI in which the teaching language is Arabic, and where Kurdish is just a subject among others on the curriculum.

Salah Badrudin stated that Arabic is widely spoken and understood at high level training institutions such as universities and high schools. However, non-Kurdish speaking students at primary and secondary level are taught in Kurdish unless they are enrolled at an Arabic school.

Muhamad Abdulla Hamo explained that IDPs put some pressure on the capacity of the educational system in Dohuk governorate. There is a lack of capacity to absorb the many IDP children in Dohuk's primary and secondary schools. There is a lack of teachers and schools, but this situation has not generated any tensions between the local population and the IDPs. All children have access to schools, but there are children living in the countryside who have a long way to school and transportation is a problem. However, it was stated that all children have the option of attending school. Muhamad Abdulla Hamo emphasized that it is not a particular problem for Arabic speaking children to attend school as there are seven Arabic speaking schools in the city of Dohuk as well as others throughout the governorate. The teachers in these schools all speak

Arabic and teach in Arabic language. Finally, Muhamad Abdulla Hamo stated that education at all levels, including university studies, is provided free of charge in KRI.

Regarding Christian IDPs' access to education Fahmy Maty Salaha explained that the KRG has built some Arabic schools in Ainkawa and there are also Assyrian schools in the district. However as the number of IDPs in Ainkawa has increased more than expected in recent years there is a need for more schools. Presently a new school is being built in Ainkawa. The Mayor added that there are no private schools in Ainkawa but the churches are planning to build some schools. However, there are many private schools in Erbil city.

Kamal Rauf emphasized that there are many primary and secondary schools in KRI teaching in Arabic.

Concerning Arabic schools in KRI Kamal Rauf explained that there are not many Arabic schools in the rural areas. In Suleimaniyah there are only two schools teaching in Arabic. These schools enrol pupils from Suleimaniyah and its surroundings, and they are facing lack of capacity. As a result the schools have to teach the pupils in multiple shifts on a daily basis. One of the schools, the Jawaheri Primary School, has up to five shifts in a day.

Kamal Rauf emphasized however the importance of Arabic speaking pupils being taught in Kurdish as this would improve integration in KRI of these children and youngsters.

According to Khairi Bozani universities in KRI have been under a high pressure in recent years because they do not have an excess capacity to cope with the unpredictable and fluctuating number of IDPs and study applications from IDP students.

### *3.3.1.1 Yezidis*

Khairi Bozani explained that, for lack of security Yezidis in the disputed areas cannot visit Mosul and students from these areas suffer because they cannot attend their studies in Mosul. It was emphasized that Yezidis in the disputed areas suffer because of lack of security and because they are Yezidis.

Khairi Bozani stated that there are more than 1.000 Yezidi students who have come to KRI temporarily as they were unable to attend their studies in Mosul. Many of these have now settled on a more permanent basis in KRI. There are a lot of Yezidi students at all universities in KRI.

Khairi Bozani explained that when a Yezidi student comes from the disputed areas to KRI to receive an education below college level he or she is granted a residence permit which is valid for two years. College students obtain a residence permit which is valid for four to six years depending on the length of the study. Students from the disputed areas tend to find a job and stay permanently in KRI when they graduate.

According to Khairi Bozani Yezidis in KRI are educationally at the same level as other ethnic groups. According to Khairi Bozani approximately 110 Yezidi students have graduated from the colleges in KRI in recent years and presently there are a large number of students receiving a college education. Yezidis' applications for admission to colleges and universities are assessed by a central

administrative body under the KRG Ministry of Education. It was added that Yezidis from the disputed areas are enrolled at colleges and universities in KRI in the same way as any other student already living in KRI.

### 3.3.2 Access to the labor market

Governor Bahroz Qashany explained that most Iraqis entering KRI are not expected to reside in KRI for ever. They come to KRI for jobs, and the Governor added that there are many jobs available in Suleimaniyah Governorate. However, IDPs may stay as long as they wish and they do not need to obtain a residence card in Suleimaniyah. Residence cards have never been issued in the governorate. IDPs are all Iraqis and they can stay in KRI permanently if they would like to.

According to an international organization (B) language is an important issue in KRI. The view that this is not so was rejected as any person who does not speak Kurdish will not be able to take up a 'white collar job' within the government. It was added that this is a major problem for Christian IDPs coming to KRI as they only speak Arabic.

Qualified IDPs who only speak Arabic will not have access to qualified jobs in KRI; they will only be able to take up ordinary labour. Besides, there are enough specialists of Kurdish origin in the labour market in KRI, and qualified IDPs cannot expect to find qualified employment. When asked why persons, including IDPs who take up residence in KRI are not ready to learn Kurdish the international organization (B) stated that persons fleeing insecurity and violence are not able to make plans and take decisions about where to go. Most persons coming to stay in KRI as IDPs cannot be expected to live a normal life, especially if they do not speak Kurdish. It was added that the issue of language is the same in all three governorates.

When asked if an Arabic speaking IDP would find it difficult to find a job because of language barriers Muhamad Abdulla Hamo stated that this is not so. On the contrary because IDPs often take up jobs at a lower salary than ordinary people in KRI and they do not face more difficulties finding a job compared to local residents. Especially Arabs are often preferred as labourers as they are ready to work harder than many Kurds would do. In addition many Arabs, Turkmen and Christians are coming to KRI, including Dohuk Governorate, in order to establish smaller or larger companies. Generally they manage well and quickly establish a good life in KRI. They contribute to the development of the business community and the economy in KRI. Some of them are wealthy.

Regarding those IDPs who are not so well integrated or educated Muhamad Abdulla Hamo stated that some of them may find it rather difficult to find a stable job immediately after their arrival to KRI. However, most of them find casual jobs shortly after they have come to KRI as they accept lower wages. Those with skills – teachers, medical doctors, engineers etc. – comprise only 5% of the IDPs and they have no difficulties in finding a job based on their skills.

Those IDPs with no particular skills may put some pressure on the local community where they reside. When asked if this situation creates tension between the local communities and the IDPs Muhamad Abdulla Hamo stated that this is not the case.

Muhamad Abdulla Hamo explained that those IDPs who are not able to find jobs face difficulties as there is no economic support for unemployed people. However, some NGOs and charity

organizations provide some assistance to those in need, for instance food, but there is no financial support like in European countries. Unemployment is high in KRI and this situation affects the local population as well as IDPs. DDM try to assist IDPs with regard to food rations, i.e. the transfer of PDS cards. However, it is difficult for Iraqis coming to KRI to have their PDS card transferred from their place of origin. Therefore it is common for IDPs from outside KRI to go back to the place where their PDC card is valid, that is in many cases to their place of origin in order to collect their food rations.

Regarding access to the labour market Muhamad Abdulla Hamo explained that DDM has identified three categories of IDPs in Dohuk Governorate:

- The first category comprises those who are either well educated or business people. They manage well in KRI and they contribute to the community and development of society. They sometimes help those IDPs who do not have a job. They do not need any assistance from anyone.
- The second group comprise those whose families originated in Dohuk Governorate. They may have left their place of origin many years ago and they may have lived for a long time in Mosul, Baghdad or any other place in S/C Iraq. These IDPs still have relatives or even property in Dohuk or in other governorates of KRI. These IDPs settle fairly easy in KRI.
- The third category of IDPs comprises those who have no affiliation with Dohuk Governorate and who have no relatives or family in the area. They may find it difficult to access the labour market and immediately find a permanent job. Most of them will, however be able to find casual jobs, and in time they may succeed in finding a permanent job. Initially they will need support from NGOs and charity organizations or support from wealthy people, and they are dependent of their food rations. It is not an uncommon phenomenon in KRI that wealthy people support those who are in need.

Regarding access to employment Kamal Rauf stated that many Arabs come to KRI to work or study, and many companies in KRI – including Kurdish owned companies – often prefer to employ Arabs as they are known to be hard working, reliable and qualified employees.

Khairi Bozani stated that Yezidis have access to employment in the public sector and there are an increasing number of Yezidis occupying public positions in KRI. It was added that many Yezidis are finding employment in KRI and they are generally appreciated by employers as they are qualified and hard working people.

Harikar NGO/PAC stated that there are many Yezidis living in Dohuk Governorate and that they are not discriminated against by the authorities or the local community. Many Yezidis are employed in the public sector as civil servants, and some hold prominent positions. There are also many Yezidis employed at hotels and restaurants.

Governor Nawzad Hadi Mawlood explained that in spite of lack of employment opportunities and increasing prices for housing there is no tensions whatsoever between the population in KRI and the IDPs.

Regarding the situation of Arab IDPs in KRI Governor Nawzad Hadi Mawlood stated that many Arabs are well educated and well qualified to take up jobs in KRI. There are many Arabs in KRI who hold high ranking positions in private companies and public institutions.

The Governor emphasized that Sunni Arabs are hard working people and the Governor confirmed the statement of the Governor of Suleimaniyah.

Governor Nawzad Hadi Mawlood explained that there are many IDPs from different parts of Iraq, including Sunni Arabs, Christians and Kurds from the disputed areas, who wish to come and settle in KRI, and this increases the pressure on the KRG to provide the facilities necessary for their integration and settlement.

According to PAO/PAC there is a lack of skilled labour in KRI and it is easy for IDPs with skills to get employment in the private sector. Ethnicity or religious orientation has no influence whatsoever on the employment possibilities for those IDPs and companies sometimes even look for Arabic speaking labour. IDPs all have free access to the labour market and they are in demand.

Regarding access to the labour market for unskilled workers PAO/PAC explained that most foreign companies in KRI bring along their own workers who often are from the Far East. This makes it difficult for unskilled IDPs to be employed by foreign companies in spite of the massive investments and construction works which take place in KRI.

Access to casual labour is very unstable, according to PAO/PAC, and whether or not an unskilled IDP will be hired depends on the day to day situation in the labour market. Normally unskilled IDPs will seek casual employment by waiting at the local marketplace for employers to show up. PAO/PAC added that the majority of those seeking employment in KRI are not IDPs, but persons living in the disputed areas who on a daily basis go to KRI looking for casual jobs. Thousands of people are doing this each day. Whether or not a person will be hired does not depend on her or his ethnic affiliation or religious orientation.

Muhamad Abdulla Hamo stated that people of all Iraqi religions and ethnicities are present in Dohuk Governorate. Historically, the communities and people of Dohuk Governorate have been very tolerant and open-minded and they are still to this day. There are no tensions whatsoever between the local population and the newcomers. The main problem is unemployment, but even this fact has not generated tension between local people and IDPs in Dohuk or stigmatisation of IDPs. A person's ethnic affiliation or religious orientation is not an issue in Dohuk Governorate.

### *3.3.2.1 Transfer of public jobs*

An international organisation (B) stated that it is not possible for an IDP or any other person entering and residing in KRI to transfer her or his previous job as [an Iraqi] civil servant to KRI.

Shokr Yaseen Yaseen made reference to the issue of transferring public jobs from S/C Iraq to KRI. He stated that there could be legal barriers and budgetary problems which presently make it

difficult to transfer these jobs; however, this is not a problem that can be solved by KRG but only by the GoI and in cooperation.

Governor Nawzad Hadi Mawlood confirmed that an IDP who has left Baghdad in order to settle in KRI will not be able to transfer her or his public employment in S/C Iraq to KRI. However, the KRG is presently seeking to make it possible for the remaining Christian IDPs to have their public jobs transferred to KRI. The Governor confirmed that 299 Christian IDPs have already succeeded in transferring their public jobs to KRI. It was added that it is a difficult task for an IDP to find a job in the public sector in KRI because there are already many graduates among the local people who want to be employed in the government.

According to PAO/PAC employment in the public sector has become difficult for the IDPs. Up to 2007 IDPs from all parts of Iraq could transfer their public employment to KRI and thus continue to be employed in the public sector. However, since then the GoI has tried to hinder transfers of public employment for professionals to KRI in order to stop a massive brain drain from the S/C Iraq to KRI. However, many such professionals who were previously employed by the GoI have now set up their own private companies, schools, universities, hospitals or clinics in KRI. They are generally doing well and they are not likely to return to insecurity and violence in their previous home areas in S/C Iraq.

Khalid Jamal Alber stated that all Christian IDPs have access to the labour market, but the GoI is not paying the salary to those Christian IDPs who held jobs in the public sector before they went to KRI. Although Christians feel safe in KRI they have, as all other IDPs, difficulties in having their public jobs transferred from S/C Iraq to KRI.

Khalid Jamal Alber added that the main problem for the Christian IDPs is the fact that they face difficulties in transferring their PDS cards, their public jobs and their pensions to KRI. However, these problems are in the process of being solved and General Directorate of Christian Affairs assist many Christians who come to the Directorate in order to make these transfers. In addition KRG have accepted that Christian IDPs take up public jobs temporarily. Khalid Jamal Alber added that the KRG is now issuing ID cards and passports to those Christian IDPs in KRI who do not hold these documents.

Khalid Jamal Alber explained that in November 2010, following the attacks on Christians in Baghdad, the KRG made it possible for 697 Christian IDPs who were civil servants to transfer their jobs to KRI. An additional 1.200 Christian IDPs still await transfer of their public employment and GoI is positive to transfer the jobs.

In addition to the support from the KRG, Christian IDPs are also supported by their respective churches. Most Christian IDPs are linked to their local church that also supports them by putting pressure on the authorities. For instance, the Chaldean Church and Khalid Jamal Alber's Directorate jointly put an effort into solving the problem of transferring public jobs. Khalid Jamal Alber added that all Christian churches in KRI have a very good cooperation with the authorities.

Khalid Jamal Alber explained that he is a Christian himself and that the majority of the employees in General Directorate of Christian Affairs are IDPs. There are 35 employees in the Directorate and



27 of them are IDPs. They are not only Christians as many are of other religious and/or ethnic background. Khalid Jamal Alber added that the Directorate has a branch office in Suleimaniyah. This branch office has employed Muslims (Kurds, Arabs), Christians and Yezidis.

### 3.3.3 Language issues in daily life

Regarding IDPs and all other Iraqis who only speak and understand Arabic Muhammad Abdulla Hamo stated that more than 60% of the population in KRI speak and understand Arabic. The staff of DDM speaks and understands Arabic. There is no Arabic speaking Iraqi that would face difficulties by not being understood in KRI. Arabic is widely understood in KRI, not least in Dohuk Governorate, and in all civil service departments, governmental offices and courts Arabic is spoken and understood. It was added that the laws of Iraq are written in Arabic. Muhammad Abdulla Hamo found it very peculiar that an IDP or any other Iraqi would claim that she or he would have difficulties in KRI when they only speak and understand Arabic. Any Arabic speaking person can approach any authority and shopkeeper in KRI and be understood without difficulty. Arabic is a widely used commercial language in Iraq, including KRI.

When asked whether the Arab speaking Christian IDPs in KRI face difficulties regarding language, Fahmy Maty Salaha stated that the language issue is not a big problem. Some IDPs may face some difficulties, but in general language is not an issue because the majority of Kurds can speak and understand Arabic and all Christians in Ainkawa speak and understand Arabic.

Kamal Rauf explained that literally there was a wall between Northern and S/C Iraq since the imposition of a no fly zone for Northern Iraq in 1991. This is the reason why the younger generation of Kurds in KRI do not speak and/or understand Arabic well. Kamal Rauf, who had been living in Canada as a refugee compared the linguistic situation between KRI in Iraq to that of the French speaking Quebec in Canada.

Kamal Rauf stated that the majority of Kurds in KRI above the age of 20 understand Arabic. Approximately 70% of the population in KRI understand and speak Arabic. Any Arabic speaking Iraqi will manage his or her daily life without problems in KRI even if he or she do not speak or understand Kurdish. Kamal Rauf had no knowledge of any IDP not being able to communicate with the authorities only because the person in question does not speak Kurdish. Language is not an issue in KRI.

Salah Badrudin confirmed his statements given to DIS in July 2010,<sup>26</sup> and estimated that the number of Arabic speaking people in KRI had increased since then, especially in Suleimaniyah and Erbil.

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<sup>26</sup> E-mail correspondence with Salah Badrudin, July 7 2010: "Now there are more than 200 thousand Arabs who do not talk Kurdish who are living in the Kurdistan Region of Iraq, including Arab doctors and engineers, university professors, businessmen and workers, and they manage their daily life normally, that is the Arabic language is used here widely and on a large scale. For example, in the Kurdistan Region of Iraq there are primary, middle and secondary schools teaching in Arabic, and there are colleges and universities teaching in Arabic and an overwhelming majority of the people of Kurdistan speaks Arabic. The constitution of the Federal Iraq considers both Arabic and Kurdish

When asked whether Arabic speaking IDPs with no academic background and no knowledge of Kurdish, i.e. ordinary people, can manage their daily life in KRI, Salah Badrudin, stated that KRI is a part of Iraq, and most people in KRI speak and understand Arabic to some extent. Salah Badrudin added that Arabic is the commerce language in Kurdistan and as such a common language at the marketplaces and in shopping centres. Furthermore, Salah Badrudin stated that a non-Kurdish speaking person will manage at all public offices and institutions in KRI as Arabic is widely spoken in such places.

Salah Badrudin stated that Arabic and Kurdish are official languages in Iraq, according to the Iraqi constitution. However, Salah Badrudin emphasized the importance of learning Kurdish if non-Kurdish speaking IDPs are to be fully integrated into the society in KRI.

Salah Badrudin did not comprehend why Arabic speaking IDPs are complaining to NGOs and UN organizations that they are unable to manage at the market places, shopping centres, government offices etc., and that they face difficulties in their daily life in KRI due to their lack of knowledge of Kurdish language. Iraqi Arabic speaking asylum seekers abroad who claim that they face difficulties in KRI due to language barriers are not telling the truth, according to Salah Badrudin.

Salah Badrudin explained that he does not consider it to be a major problem for IDPs if they do not speak or understand Kurdish. Language is not a major barrier for those people. It was added that there are tens of thousands of people from Sri Lanka, the Philippines and many other Asian countries who work in KRI and they do not speak Kurdish. Many of these people are employed in hotels, restaurants and supermarkets.

Regarding the language issue Shokr Yaseen Yaseen stated that the majority of the people of KRI speak and understand Arabic, and all elderly and academics speak and understand Arabic fluently. Any Arabic speaking person would be able to manage daily life without trouble in KRI. In general Arabic speaking people have no problem being understood at the market, in the shopping centres and in all public offices as well as in most other places. Shokr Yaseen Yaseen found it very hard to believe that an Arabic speaking person would seriously claim to have difficulties in daily life in KRI because of Arab-Kurdish language barriers. At the meeting with the delegation Shokr Yaseen Yaseen asked his four colleagues attending this meeting if they spoke and understood Arabic, and all four confirmed.

Minister Kamel Haji Ali explained that most Kurds in KRI speak and understand Arabic. The Minister added that there are no language barriers related to IDPs who only speak and understand Arabic. In addition there are a number of Arabic teaching schools in KRI.

Minister Kamel Haji Ali reiterated that all persons irrespective of religious orientation or ethnic affiliation are welcome to KRI, including persons who only speak and understand Arabic. The Minister added that in the long run non-Kurdish speaking IDPs will have to learn Kurdish if they want to stay permanently in KRI.

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languages as official languages, so there is no problem for an Arabic person who is living in the Kurdistan Region of Iraq and he can communicate and manage his life easily and without complications."

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When asked whether Arabic speaking IDPs with no or little knowledge of the Kurdish language face difficulties in their daily life in KRI, PAO/PAC stated that this is not a problem as the generation of people from before 1991, when the no-fly-zone was imposed, all speak and understand Arabic. In general it is only the young generation who cannot speak and understand Arabic very well. Before 1991 Kurds in Northern Iraq lived among Arabs, and even today there are many Kurds who have Arab relatives because of marriages between Kurds and Arabs. Besides, the vast majority of the population in KRI are Muslim and they all have some knowledge of Arabic. It was added that the Koran is written in Arabic.

Harikar NGO/PAC confirmed that language is not an issue for IDPs coming to KRI. Most public servants, officers at KRG checkpoints, employees at courts and public offices, traders and business people as well as most ordinary Kurds can speak and understand Arabic. It is only the generation of Kurds born after 1991 that may have difficulty in understanding and speaking Arabic. Even if a local resident in KRI does not speak Arabic fluently he or she can manage to communicate with Arabic speaking IDPs, Harikar NGO/PAC added.

Governor Nawzad Hadi Mawlood stated that the majority of the population in Erbil Governorate understand and speak Arabic.

## **4. Significance of social network**

### **4.1 IDPs without relatives or friends in KRI**

Harikar NGO/PAC stated that if a person has a job she or he should be able to get by in society “even if you are on your own and without relatives or family.” It was added that single women are often in a better position to get a job than single men. This is due to the perception that women are more reliable and that they do not pose a security threat to the same extent as single men might do. Harikar NGO/PAC also stated that it is possible for single women to live by themselves without being harassed or stigmatized for being alone. It was added that many civil servants are single women and there is a preference within this sector to employ women.

When asked whether there are single Christian women among IDPs in Ainkawa Fahmy Maty Salaha replied that such cases exist. Reference was made to a case concerning a Christian woman who did not have any relatives or friends or social network in Ainkawa when she came there as an IDP. According to Fahmy Maty Salaha, single female IDPs do not receive any financial support from anywhere and there is no charity fund to support these women. Such persons will need to find a job in order for them to manage, and the Mayor stated that there are jobs available to single female IDPs and they can thus support themselves. It was added that churches and wealthy Christians sometimes assist single female IDPs women in need of help to find jobs or accommodation. There is no discrimination against single female IDPs in the labour market and no employer would refuse to employ a single female IDP merely because she is a single. Fahmy Maty Salaha pointed out that a single female IDP is able to support herself should she find a job. However, depending on the job and her income she may have to accept to live a simple life.

## 5. Examples of persons being deported from KRI to S/C Iraq

An international organization (C) had never heard of any Kurd from the disputed areas being denied entry to KRI at any KRG checkpoint. The international organization (C) also stated that it had never heard of any Kurd having been deported from KRI back to her or his home area in the disputed areas.

Regarding the risk of IDPs being deported from KRI to S/C Iraq or the disputed areas PAO/PAC explained that according to its survey one family of Arab origin from Mosul had been ordered to leave KRI. However, PAO/PAC had no information on the reasons for this decision by the authorities and it had no information on the situation of this family.

When asked if KRG has ever deported a person from KRI to other parts of Iraq Harikar NGO/PAC explained that it had no records of this having occurred, and added that a person who is not a resident of KRI could be required to leave the area if she or he had broken the law. However, residents of KRI and IDPs all have similar rights in KRI and IDPs will not be required to leave KRI against their own will.

Kamal Rauf stated that there are only a few examples of IDP families and individuals in KRI that have been monitored by the KRG security services. This monitoring is closely linked to security concerns in KRI and should the authorities find that an individual or a family poses a threat to security the authorities may demand such persons to leave KRI. However, there are NGOs and others that are ready to assist such persons if they are considered to be at risk of persecution, maltreatment or attacks if they return to their place of origin in Iraq. Kamal Rauf emphasized that he had no knowledge of any IDP individual or IDP family having been rejected at any KRG checkpoint in recent years and added that he had never heard of any IDP, be it an individual or a family, having been forced to leave KRI.

## **6. Safety and security for IDPs/returnees from abroad**

Regarding return of rejected asylum seekers Muhamad Abdulla Hamo requested that returning authorities in European countries support these returnees with a reintegration programme. This does not take place today and there are European countries that return rejected asylum seekers without any assistance and without a return agreement with the KRG.

Salah Badrudin stated that any Iraqi, irrespectively of religious orientation or ethnic affiliation can enter KRI through the airports without any difficulties.

According to PAO/PAC the security procedures at the arrival hall at Erbil International Airport are less strict than at KRG checkpoints. Flight passengers coming from Baghdad enter KRI much easier than those travellers entering through the borderline checkpoints as flight passengers are not considered by the authorities to be a security risk to the same extent as overland travellers could be. Flight passengers may be seen as wealthier than overland travellers and thus less susceptible to be exploited by terrorists.

## **Authorities, individuals and organisations consulted**

An international organization (A); Erbil.

An international organization (B), Erbil.

An international organization (C), Erbil.

Bahroz Qashany, Governor of Suleimaniyah Governorate, Suleimaniyah.

Fahmy Maty Salaha, Mayor of Ainkawa, Erbil.

General Kaiwan Tawfeq, General Manager, Kurdistan Checkpoints, Kurdistan Regional Security Protection Agency, Security General Directorate, KRG Ministry of Interior, Erbil.

Harikar NGO/Protection and Assistance Center (PAC), Dohuk.

Kamal Rauf, Editor in Chief, Hawlati newspaper, Suleimaniyah.

Kamel Haji Ali, Minister for Endowment and Religious Affairs, Ministry of Awqaf [Endowment] & Religious Affairs, Erbil.

Khairi Bozani, Director General of the Yezidian Affairs, Ministry of Awqaf [Endowment] & Religious Affairs, Erbil.

Khalid Jamal Alber, Director General, General Directorate of Christian Affairs, Ministry of Awqaf [Endowment] & Religious Affairs, Erbil.

Mohamed Mirza, Head of Political Department, General Security Office, Asayish, Erbil.

Muhamad Abdulla Hamo, Director, Directorate of Displacement and Migration (DDM), Dohuk.

Nawzad Hadi Mawlood, Governor of Erbil Governorate, Erbil.

Public Aid Organization (PAO)/Protection and Assistance Center (PAC), Erbil.

Salah Badrudin, Founder, Kurdish-Arabic Friendship Society, and Director, Kawa Kurdish Culture Foundation, Erbil.

Shokr Yaseen Yaseen, Director of Bureau, Bureau of Migration & Displacement (BMD), KRG Ministry of Interior, Erbil.

United Nations High Commissioner for Refugees (UNHCR), UNHCR Iraq (Baghdad/Erbil).

## Abbreviations

BMD – Bureau of Migration & Displacement

CDO – Civil Development Organization

DDM – Directorate for Displacement and Migration

DIS – Danish Immigration Service

Gol – Government of Iraq

IDP – Internally Displaced Person

IFA – Internal Flight Alternative

IOM – International Organization for Migration

KR – Kurdistan Region (i.e. KRI)

KRG – Kurdistan Regional Government

KRI – Kurdistan Region of Iraq

MoDM – Ministry of Displacement and Migration

MP – Member of Parliament

NGO – Non-Governmental Organization

PAC – Protection and Assistance Center

PDS – Public Distribution System

S/C Iraq – South/Central Iraq

UN – United Nations

UNHCR – United Nations High Commissioner for Refugees

UNHCR Stockholm – UNHCR Regional Office for the Baltic and Nordic Countries, Stockholm

US – United States



## Annex 1: Map of Iraq



Map No. 3835 Rev. 4 UNITED NATIONS  
January 2004

Department of Peacekeeping Operations  
Cartographic Section

## Annex 2: An international organization (B), Summary of meeting with a KRG official.



Fw: Process of entering KRG- for residents from other parts of Iraq

[REDACTED]

From: [REDACTED]  
To: [REDACTED]  
Cc: [REDACTED]  
Date: 25/12/2010 12:13 PM  
Subject: Process of entering KRG- for residents from other parts of Iraq

Dear All

I finally managed to meet with the person in Asayish who is in charge of checkpoint and managing the people coming from other parts of Iraq, Major [REDACTED]. It was going in circles as I already knew him. Anyway, the summary of discussion:

1. The procedure is based on instructions issued by Ministry of interior. Some instructions according to him are verbal. Any instruction issued by any relevant ministry is considered lawful and enforceable as far as it does not contradict existing legislation's and constitution.
2. Anyone coming by road has to pass through the checkpoint and present his/her proof of Iraqi citizenship. Based on the length of stay he is issued a paper. If the person is a tourist (less than a month) he/she can enter with that paper and stay. However the Asayish sends the details to Asayish in the neighborhood to track if the person does not leave in the time mentioned.
3. There is a list of persons who have been black listed. These could be people who came to KRG on visitor card and did not leave, committed a crime or are suspected to be part of an armed group. The list is at the check point and they are not allowed to enter.
4. People who are coming to stay for longer, have to present themselves to Asayish with a guarantor from KRG. It is a must to have a guarantor. Only exception is for Christians after the attack on Church in Baghdad, the Bishop of Ainkawa and Shaqlawa can be their guarantor.
5. The guarantor signs a paper saying that he/ she is responsible for this person and will produce this person if needed. If the person breaks the law and disappears the guarantor is responsible. Then the IDP has to fill a detailed form with photograph and thumb impression for each member of family (adult) and submit it to Asayish.
6. Asayish issues a card called "information card". This card has replaced the residency permit when some Iraqi politicians objected that KRG is treating other Iraqis as foreigners.
7. With this card the person can rent a house, put children in school and live. When he/she applies for a job, they have to be cleared by Asayish.
8. Only Iraqi ministers, parliamentarians, "qualified professionals" are allowed to buy property. The term "qualified professionals" was debated and it seemed ambiguous. According to major [REDACTED] "no ordinary person can buy property otherwise they will never leave". Second category of people who are allowed to buy property are investors according to investment law. This applies to foreigners as well. It is based on the investment which is made by the person. In his answers Major [REDACTED] said "How can we allow them to buy property, they will never leave. KRG is considerate to security situation in other parts of Iraq and is offering temporary safe place. They all need to go back".
9. The "information card" is for one year and has to be renewed every year. If a person with information card is leaving for a few months, he/she needs to give the card back.

10. No single person male or female is authorized to get information card. Some concessions are made for people with specific situation. According to Major [REDACTED] it is more likely for a single person to take part in terrorist activities than a person with family.
  11. Children can live on the information card provided to their parents.
  12. Asayish keeps data of these people and it is renewed every month.
- I am waiting for instruction number of MOI for the procedure which Major [REDACTED] promised to give. We also examined the case files and saw samples of various cards which are issued, The people entering by air get their passports stamped and are tracked based on that.
- Hope this is useful.
- regards
- [REDACTED]
- [REDACTED]



## Annex 3: PAO/PAC IDP survey, January-February 2011



**PLEASE COMPLETE AND RETURN THE FORM TO UNHCR NO LATER THAN 8 DECEMBER.**

**PLEASE ENSURE RESPONSES ARE WELL DETAILED AND THE INFORMATION IS AS SPECIFIC AS POSSIBLE.**

Sources of information:

- PAC monthly protection reports for past 4 months.
- Interviewing and questioning 19 families, (8 Arabs, 11 Kurds) 92 individuals. The families mainly from Mosul and Baghdad provinces
- Christians do not face any kind of difficulty in entrance and in making information card as well; therefore we didn't question them this time.
- PAC asked IDP families who came to Erbil in Nov, Dec 2010 and Jan, Feb 2011

### **ENTRY AND CHECKPOINTS**

1.) Can PACs identify any IDPs who have found it difficult to enter the KRG since January 2010 (Nov, Dec. 2010, and Jan. Feb 2011)? If so, what are the difficulties and who is experiencing them? Why do the IDPs think they have experienced them? If PAC has not identified anyone who faced direct problems on entry, please focus on whether IDPs know of family or close friends who have faced problems entering the KRG, following up and contacting these directly if they are identified.

% 100 of the interviewee IDP families faced difficulty in entrance to KRG/Erbil province, all of them entered based of having sponsor. There was no difference between Kurds and Arabs **families** during the last period of time (Nov 2010 till March 2011).

Note: PAC couldn't identify any families who have been rejected, because of not providing sponsor. But PAC believe that there are families who have been rejected before entering to Erbil, as PAC only interviewed the families who were able to secure sponsor and living in Erbil. Also %100 of the interviewees does not provide any information regarding any rejected families.

The checkpoints don't allow Arab Individuals entering to KRG despite of having sponsor; two examples for that:

1. During December 2010 an IDP man has called PAC and asked for help to facilitate his entrance in the main checkpoint between Erbil and Mosul, but unfortunately PAC couldn't help him, as it was the security instruction according to the speech of officer in charge at checkpoint at that time, although there was no written paper as instruction to the audience /public.
2. One of the interviewees family who are living in Erbil now; said the checkpoint officer didn't allow his son to enter while he was coming by his



own car and accompanied with two of his close relatives who were single. Therefore despite of having information card they didn't let him to enter. While Kurdish individuals can enter either though proving sponsor or without, this is also will depend on the mood of the officer responsible at the checkpoint.

Furthermore; the *General Directorate of Checkpoints* didn't cooperate with us in providing information regarding the instruction of checkpoints while PAC lawyer approached them; therefore the available information is taken from the answers of IDP families who have been experienced and questioned by security officers in the checkpoints.

There is rather satisfaction by numbers of the interviewees' families regarding the procedure at the checkpoints as they see it is a security instruction which let them remain safe in the Kurdistan region.

**Note:** families can enter to Erbil through tourism card (10 days and its renewable) without providing sponsor, but for those who come to stay and bring the house furniture have to provide sponsor and permission papers from both the Erbil governorate and the governorate coming from.

2.) Based on your conversations with POCs in the field and the stories that IDPs have shared with you, is there an impression that different procedures and practices exist at the entry checkpoints to the KRG? If so, what are these procedures, how do they differ, and how are they applied to our POCs?

%100 of the interviewees said; that there is no difference in the procedures at the checkpoints. And this is because PAC only questioned families who have come to Erbil and transferred their house furniture to Erbil therefore all of them asked to secure sponsor.

While in reality there are differences in procedures according to the ethnicity and the place of origin as well as according to the families and individuals (singles) as explained above in the answers of the first question.

3.) According to testimonies collected, have individuals and families been requested to provide a reference or a sponsorship at the checkpoint prior to entering the KRG? If so, based on your research and interviews, has PAC been able to identify IDPs who have not been able to provide references? What happens to those who are unable to provide references?

Yes, as we mentioned above all IDP families had to provide sponsor at checkpoint so as to enter, and all of them could provide sponsor, PAC sees it is a reasonable and expectable outcome because PAC only questioned people who already could secure sponsor.



As mentioned above only two single Arab men have rejected by checkpoints, due to the security instruction which is not announced to public.

### **RESIDENCE PERMITS**

#### **Information Card**

- 1.) Based on your investigations and conversations with IDPs in the different communities, has PAC been able to identify persons who have found it difficult or impossible to secure residence permits? If so, who typically experiences problems securing residences, and why? What happens if a residence permit cannot be secured?

Numbers of the interviewee IDP families faced difficulty in finding a sponsorship because they did not know people while coming to Erbil. But later on, people from the host community became their sponsors. Therefore all of them could secure information card. Again it's reasonable outcome as PAC only questioned people who already settled which means had information card. .

Note: Information card is only providing to families, single men are not provided with information card. And this is due to the security instructions.

- 2.) Have sponsors and/or references been required from IDPs throughout 2010 in order to secure residence permits? If so, based on your research and interviews, has PAC been able to identify IDPs who have not been able to provide references? What happens to those who are unable to provide references?

Yes sponsor have been required during this period of time (Nov 2010 till Feb 2011), and was one of the main conditions to provide information card to IDP families.

PAC has not identified any families who couldn't secure sponsor either directly or through the interviewees.

Note:

- If a family or an individual not able to find a sponsorship then they will change their accommodation from quarter to another, sometime this help them to find sponsor and then get information card.
- Sponsor should have ID card of Erbil. The condition of the employment of sponsor is no more required.





### PROPERTY: RENTING AND PURCHASING

1.) Following your research and investigation, please elaborate on the issues PAC identified among IDP communities in relation to renting and purchasing property. What are the particular restrictions and limitations identified by IDPs in renting or purchasing (**For example:** Can all purchase property? Can all rent property? Are there special requirements that have to be met in order to purchase or rent?)? Is there any group in particular facing these problems?

Renting: If the IDP family could get security permission from the security department in the neighborhood which is usually issued after finding sponsorship and providing basic information and filling out the security forms, then they could rent a house, unless they wouldn't.

%75 of the interviewees could rent the house; all of them are blaming the high prices of renting.

Purchasing: All IDPs could purchase a house or a piece of land but this is useless because they are not able to register on their names easily as there are long and boring procedures which make difficulty in front of them. This forced many of them to register the property on their friends' names in the local community.

%25 of the interviewee IDP families purchased property and they had gone through the security procedures that conditioned for IDPs for purchasing property.

Note: All the IDP families who were purchased property were close relative and together they bought on piece of land in Khabat district then registered on their names after passing the required procedures then they build their house on it.

## Annex 4: KRG Checkpoints

