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COUNTRY OF ORIGIN INFORMATION REPORT

KURDISTAN REGIONAL GOVERNMENT AREA OF IRAQ

21 MAY 2009

Contents

Preface

Latest News

EVENTS IN KRG FROM 6 MAY 2009 TO 20 MAY 2009

REPORTS ON KRG PUBLISHED OR ACCESSED BETWEEN 6 MAY 2009 AND 20 MAY 2009

Paragraphs

Background Information

1. GEOGRAPHY.....	1.01
Dahuk.....	1.07
Erbil.....	1.08
Sulaymaniah.....	1.09
Maps.....	1.10
2. ECONOMY.....	2.01
3. HISTORY.....	3.01
4. RECENT DEVELOPMENTS.....	4.01
5. CONSTITUTION.....	5.01
6. POLITICAL SYSTEM.....	6.01
Kurdistan Regional Government.....	6.02
Relationship between the KRG and Government of Iraq.....	6.04
Presidency.....	6.07
Kurdistan National Assembly.....	6.09
Elections.....	6.14

Human Rights

7. INTRODUCTION.....	7.01
8. SECURITY SITUATION.....	8.01
9. SECURITY FORCES.....	9.01
Overview.....	9.01
Peshmerga.....	9.07
KRG police.....	9.14
Asayeesh (Asayish).....	9.19
Arbitrary arrest, detention and torture by security forces.....	9.24
Avenues of complaint.....	9.38
10. JUDICIARY.....	10.01
Religious and tribal law.....	10.08
11. ARREST AND DETENTION – LEGAL RIGHTS.....	11.01
12. PRISON CONDITIONS.....	12.01
13. DEATH PENALTY.....	13.01
14. POLITICAL AFFILIATION.....	14.01
Freedom of political expression.....	14.01
Freedom of association and assembly.....	14.04
Opposition groups and political activists.....	14.07
15. FREEDOM OF SPEECH AND MEDIA.....	15.01
Newspapers, radio and television.....	15.03
Internet.....	15.08
Journalists.....	15.09
16. HUMAN RIGHTS INSTITUTIONS, ORGANISATIONS AND ACTIVISTS.....	16.01

17. CORRUPTION	17.01
18. FREEDOM OF RELIGION	18.01
Non-Muslim religious groups.....	18.03
Christians	18.06
Yazidis.....	18.16
Sabeen Mandaean	18.21
Kaka'i	18.24
Shabaks	18.25
19. ETHNIC GROUPS	19.01
Map.....	19.04
Kurds	19.05
Arabs.....	19.07
Turkmens.....	19.08
20. LESBIAN, GAY, BISEXUAL AND TRANSGENDER PERSONS	20.01
Legal rights.....	20.05
21. WOMEN	21.01
Legal rights.....	21.03
Political rights	21.07
Social and economic rights.....	21.09
Violence against women.....	21.12
Domestic violence	21.21
Sexual violence and abuse.....	21.25
'Honour' killings/crimes	21.26
Female Genital Mutilation (FGM)	21.36
Forced marriage	21.40
Women's shelters	21.42
Prostitution.....	21.45
22. CHILDREN	22.01
Overview	22.01
Child abuse.....	22.02
Child labour.....	22.03
Legislative framework.....	22.05
Education.....	22.06
Child care: orphans and street children	22.12
Child soldiers	22.15
23. TRAFFICKING.....	23.01
24. MEDICAL ISSUES.....	24.01
Drugs and medical equipment	24.08
Doctors and healthcare workers.....	24.10
HIV/AIDS – anti-retroviral treatment.....	24.13
Mental health	24.15
25. HUMANITARIAN ISSUES.....	25.01
Landmines/unexploded ordnance (UXO)	25.04
26. FREEDOM OF MOVEMENT.....	26.01
Transport infrastructure	26.01
Access to KRG area.....	26.08
Documentation for travel within Iraq	26.18
Treatment of returned failed asylum seekers.....	26.23
27. INTERNALLY DISPLACED PEOPLE (IDPs)	27.01
28. FOREIGN REFUGEES	28.01
29. CITIZENSHIP AND NATIONALITY	29.01
30. SOCIAL WELFARE.....	30.01

Annexes

- Annex A – Chronology of major events**
- Annex B – Political organisations**
- Annex C – Prominent people**
- Annex D – Current insurgent/militia groups**
- Annex E – List of abbreviations**
- Annex F – References to source material**

Preface

- i This Country of Origin Information Report (COI Report) has been produced by COI Service, United Kingdom Border Agency (UKBA), for use by officials involved in the asylum/human rights determination process. The Report provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The main body of the report includes information available up to 5 May 2009. The 'Latest News' section contains further brief information on events and reports accessed from 6 May to 20 May 2009. The report was issued on 21 May 2009.
- ii The Report is compiled wholly from material produced by a wide range of recognised external information sources and does not contain any UKBA opinion or policy. All information in the Report is attributed, throughout the text, to the original source material, which is made available to those working in the asylum/human rights determination process.
- iii The Report aims to provide a brief summary of the source material identified, focusing on the main issues raised in asylum and human rights applications. It is not intended to be a detailed or comprehensive survey. For a more detailed account, the relevant source documents should be examined directly.
- iv The structure and format of the COI Report reflects the way it is used by UKBA decision makers and appeals presenting officers, who require quick electronic access to information on specific issues and use the contents page to go directly to the subject required. Key issues are usually covered in some depth within a dedicated section, but may also be referred to briefly in several other sections. Some repetition is therefore inherent in the structure of the Report.
- v The information included in this COI Report is limited to that which can be identified from source documents. While every effort is made to cover all relevant aspects of a particular topic, it is not always possible to obtain the information concerned. For this reason, it is important to note that information included in the Report should not be taken to imply anything beyond what is actually stated. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented unless stated.
- vi As noted above, the Report is a collation of material produced by a number of reliable information sources. In compiling the Report, no attempt has been made to resolve discrepancies between information provided in different source documents. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties, etc. COI Reports do not aim to bring consistency of spelling, but to reflect faithfully the spellings used in the original source documents. Similarly, figures given in different source documents sometimes vary and these are simply quoted as per the original text. The term 'sic' has been used in this document only to denote incorrect spellings or typographical errors in quoted text; its use is not intended to imply any comment on the content of the material.

- vii The Report is based substantially upon source documents issued during the previous two years. However, some older source documents may have been included because they contain relevant information not available in more recent documents. All sources contain information considered relevant at the time this Report was issued.
- viii This COI Report and the accompanying source material are public documents. All COI Reports are published on the RDS section of the Home Office website and the great majority of the source material for the Report is readily available in the public domain. Where the source documents identified in the Report are available in electronic form, the relevant web link has been included, together with the date that the link was accessed. Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from the COI Service upon request.
- ix COI Reports are published regularly on the top 20 asylum intake countries. COI Key Documents are produced on lower asylum intake countries according to operational need. UKBA officials also have constant access to an information request service for specific enquiries.
- x In producing this COI Report, COI Service has sought to provide an accurate, balanced summary of the available source material. Any comments regarding this Report or suggestions for additional source material are very welcome and should be submitted to UKBA as below.

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ADVISORY PANEL ON COUNTRY INFORMATION

- xi The independent Advisory Panel on Country Information (APCI) was established in 2003 to make recommendations to the Home Secretary about the content of the UKBA's country of origin information material. The APCI reviewed a number of UKBA's reports and published its findings on its website at www.apci.org.uk. Since October 2008, the work of the APCI has been taken forward by the Chief Inspector of UKBA.

Latest News

EVENTS IN KRG FROM 6 MAY TO 20 MAY 2009

20 May “A meeting started on Wednesday [20 May] between the Secretary General of the Patriotic Union of Kurdistan (PUK), President Jalal Talabani, and the Leader of the Kurdistan Democratic Party (KDP), Massoud Barzani, to approve the names of the candidates of the Kurdish list in the parliamentary elections ... scheduled to be held next July 25,” the source told Aswat al-Iraq news agency. ... The PUK and the KDP have a strategic alliance to form the biggest bloc of the Kurdistan Alliance in the Iraqi parliament, which has 53 seats out of the 275-seat parliament, in addition to forming the biggest bloc in the 111-seat Kurdish parliament.”

Aswat al-Iraq: Talabani, Barzani meet to approve candidates, 20 May 2009

<http://en.aswatiraq.info/?p=113422>

Accessed 20 May 2009

19 May “The Kurdistan Regional Government (KRG) welcomed the recent announcements of a consortium of companies from the United Arab Emirates and Europe plan to export enough gas from the Kurdish region of northern Iraq to supply the first phase of the Nabucco pipeline to Europe. KRG officials see the export breakthrough as a victory over Baghdad's [sic] aggressive attitude towards Kurdish oil contracts. ‘These investments will accelerate the development of local gas resources, ensuring the commercial viability of the Nabucco pipeline project linking Turkey to Central Europe,’ says KRG Minister for Natural Resources, Dr Ashti Hawrami. ... Iraq still blacklists Kurdish oil contracts, but gave the green light for oil exports because of the low revenues (low oil price).”

Kurdish Media: Kurdish gas exports could transform the Kurdish conflict, 19 May 2009

<http://www.kurdmedia.com/article.aspx?id=15722>

Accessed 20 May 2009

19 May Peyamner reported that Iraqi and Kurdish forces say they are working well in joint patrols launched in May in areas Iraq disputed by the Iraqi and Kurdish governments, although also noted that ethno-sectarian tensions were still a problem in some northern areas.

Peyamner News Agency: National - Kurds, Iraqis start joint patrols in disputed area, 19 May 2009

<http://peyamner.com/details.aspx?l=4&id=125260>

Accessed 20 May 2009

18 May Peyamner further stated that sectarian tensions between Sunni Arabs and Kurds had increased in Nineveh, with Kurdish forces blocking Arab officials from carrying out their duties. Provincial elections of January 2009 shifted power to Arabs in the governorate and recent strains are a sign that the Kurds refuse to recognize the regional government's sovereignty over all of Nineveh.

Peyamner News Agency: National – Tensions Stoked Between Kurds and Sunnis Kurds, 18 May 2009

<http://peyamner.com/details.aspx?l=4&id=125022>

Accessed 19 May 2009

- 12 May “The director of Kirkuk’s Asayesh forces and his assistant survived an assassination attempt when an explosive device targeted their motorcade in the center of the city, according to a media official. ... Earlier today [12 May], a suicide bomber detonated a car bomb targeting an emergency police patrol vehicle near the engineering faculty in downtown Kirkuk city, killing 11 and wounding six others.”
Peyamner News Agency: National – Kirkuk Asayesh director escapes attempt on life, 12 May 2009
<http://peyamner.com/details.aspx?l=4&id=124114>
Accessed 19 May 2009
- 11 May Iranian terrorist group PJAK, which seeks autonomy for Kurdish areas in Iran, shelled villages in Iraq’s northern Kurdistan region. On 4 May there were reports of bombings causing damage to buildings in a remote Kurdish village in northern Iraq and on 2 May Iran attacked Kurdish rebel positions in another part of Iraqi Kurdistan. The incidents were condemned by the Iraqi government.
Peyamner News Agency: National – Iran urges Iraqi action on Kurdish rebels, 11 May 2009
<http://peyamner.com/details.aspx?l=4&id=123931>
Accessed 19 May 2009
- 7 May “The two main Kurdish parties announced officially on Thursday that they will run in the forthcoming parliamentary elections on one list, according to an official in charge of elections in Iraqi President Jalal Talabani’s Patriotic Union of Kurdistan. ‘The PUK and the Kurdistan Democratic Party (KDP) have registered their alliance today (May 7) at the Independent Higher Electoral Commission (IHEC) in Arbil to participate in the parliamentary elections under one list called the Kurdistan List,’ Shorash Ismail said in a press conference attended by Aswat al-Iraq news agency. Iraqi Kurdistan Region President Massoud Barazani’s KDP and Talabani’s PUK had allied with several other Kurdish parties on one list during the 2005 legislative elections, where they gained majority in parliament.”
Aswat al-Iraq: Main Kurdish parties announce alliance in elections, 7 May 2009
<http://en.aswataliraq.info/?p=112777>
Accessed 7 May 2009
- 6 May “The Head of the Independent High Electoral Commission in Arbil, Farag al-Haydari, on Wednesday announced that July 25 is the date of holding the parliamentary elections in Kurdistan and to elect the president of the region. ... Parliamentary polls in autonomous region were scheduled to be held on May 19, but were postponed due to the Parliament’s endorsement of the amended law on elections.”
Aswat al-Iraq: IHEC sets July 25 for parliamentary, presidential elections in Kurdistan, 6 May 2009
<http://en.aswataliraq.info/?p=112688>
Accessed 7 May 2009
- 6 May “UNDP-Iraq launched a three-year 4.5-million US dollar project in Erbil, Iraqi Kurdistan, on Wednesday to support the budget planning and execution capacities of the Kurdistan Region Government (KRG). ... A key part of the new project is the implementation of the Action Plan for Regional Public Finance Management, which was adopted at the ceremony. The aim of the Action Plan is to strengthen the efficiency, effectiveness and transparency of the

regional ministries' budget execution and enhance the delivery of public services in the three northern Iraqi governorates. It is being implemented alongside a similar and wider effort across Iraq at the national level. The Kurdistan Region Government receives 97 percent of its budget from the central government in Baghdad, which again derives 86 percent of its income from the petroleum sector. The recent sharp decline in global oil prices has forced steep budget cuts on both the central and KRG authorities.”

United Nations Development Programme (UNDP): UNDP to aid Kurdistan Region Government, 6 May 2009

<http://content.undp.org/go/newsroom/2009/may/undp-to-aid-kurdistan-region-government-with-budget-planning-and-execution.en>

Accessed 7 May 2009

Return to Contents
Go to list of sources

REPORTS ON KRG PUBLISHED OR ACCESSED BETWEEN 6 MAY AND 20 MAY 2009

Norwegian People's Aid (NPA)

Mine action portfolio 2009, 20 May 2009

http://www.npaid.org/filestore/NPA_MineActionPortfolio.pdf

Accessed 20 May 2009

US Department of State Bureau of Near Eastern Affairs

Iraq Status Report, 13 May 2009

<http://www.state.gov/documents/organization/123832.pdf>

Accessed 15 May 2009

Background information

GEOGRAPHY

- 1.01 The Foreign and Commonwealth Office (FCO) report of Information Gathering Visit to Kurdistan Region of Iraq, 27 March 2009, recorded that:

“The BEO [British Embassy Office] Erbil stated that the KR [Kurdistan Region] comprises most of the territory of the three Iraqi Governorates of Erbil, Sulaymaniyah and Dohuk and small areas of Nineveh, Diyala and Kirkuk Governorates. The region was recognised as an autonomous region of Iraq in 2003 after the fall of Saddam Hussein's regime. There is no de jure definition of the KR and the 'green line' dividing the KR from the rest of Iraq is the de facto border. The status of Kirkuk, claimed by the KRG, and Mosul remains undecided. Kurdish political groups, affiliated to the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK), hold a majority of seats in Kirkuk Governorate and Kurdish groups have a high level of influence in Mosul. Regional elections in Kirkuk have been postponed but are expected to be held during 2009.” [66d] (p2)
- 1.02 The Kurdistan Region borders Syria to the west, Iran to the east, and Turkey to the north, lying where fertile plains meet the Zagros mountains. It is traversed by the Sirwan river and the Tigris and its tributaries, the Great Zab and the Little Zab. The KRG area covers an area of 40,643 square kilometres, with a population of 3,757,058. The capital city of the KRG area is Erbil (also known as Hewler). The climate of the Kurdistan Region is semi-arid continental: very hot and dry in summer, and cold and wet in winter. (Kurdistan Regional Government, 27 June 2007 website accessed 19 February) [150b]
- 1.03 The Kurdish language is distinct and is in the family of Iranian languages, such as Persian and Pashto. There are two main dialects, Sorani and Kurmanji. (KRG, 10 September 2008) [150c] A letter from Professor Gareth Stansfield of the Institute of Arab and Islamic Studies, University of Exeter, noted that:

“Kurmanji – or its Iraqi Kurdish version Bahdini – is spoken primarily in Dohuk and northern areas of Erbil governorate. Sorani is primarily spoken in the southern areas of Erbil governorate, including Erbil City, and Suleimaniyah and Kirkuk. There is considerable convergence between the two dialects. However, notable grammatical differences are apparent to the extent that some observers contend that speakers of one dialect would struggle to understand a speaker of the other dialect. This is not true, although differences can be significant.” [151] (p1)
- 1.04 The area is landlocked and its primary airports are Arbil, As Sulaymaniyah, Harir and Bamarni (military airports). (Jane's, 6 May 2008) [14e] (p2)
- 1.05 The Currency in the KRG area is the New Iraqi dinar (IQD). (Jane's, 6 May 2008) [14e] (p2) In February 2009 the exchange rate was approximately 1715.80 IQD to £1. (XE Currency Converter, accessed 24 February 2009) [55]

- 1.06 The Centre for Strategic and International Studies (CSIS) report, 19 February 2009, noted that “The Kurdish Regional Government (KRG) is a de facto autonomous region but there is no clear constitutional or legal definition of this autonomy. Major divisions remain over the status of Mosul, Kirkuk, and the role of Kurdish security forces.” [63m] (p155-156)

Dahuk (Dohuk)

- 1.07 Dahuk is the northernmost governorate of Iraq, bordering Turkey, with a population of 954,087. Dahuk is composed of four districts: Amedi, Dahuk, Sumel, and Zakho. The area capital is also called Dahuk. (IOM, December 2008) [111o] (p2)

Erbil (Arbil, Irbil a.k.a Hewler)

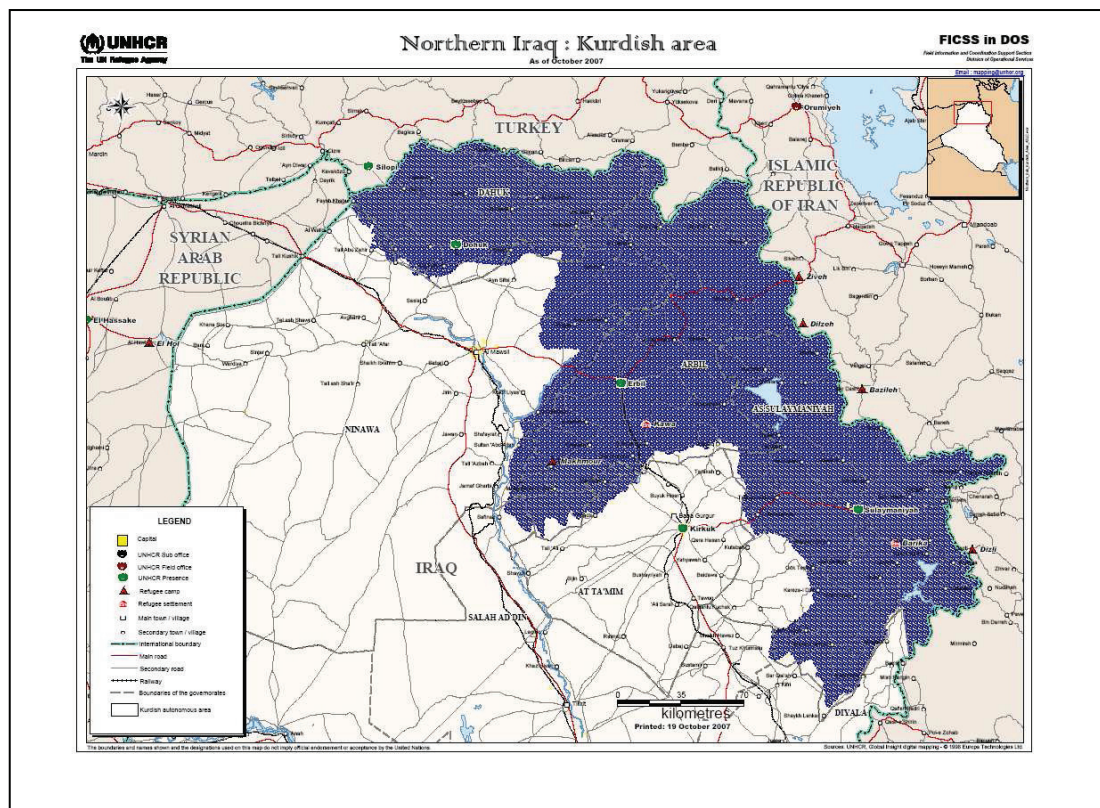
- 1.08 “The capital of Erbil governorate, Erbil City, is also capital of the KRG. The city itself was a major stop in the silk road, and one of the oldest continuously-inhabited cities in the world... The size and stability of the city makes it a popular base for humanitarian organisations.” Dahuk incorporates the districts of Choman, Erbil, Koisanjaq, Makhmur (officially in Kirkuk but administered by KRG), Mergasur, Shaqlawa, and Soran, with a total population of 1,392,093. (IOM, December 2008) [111o] (p2)

Sulaymaniyah (As-Sulaimaniyyah, Slemani)

- 1.09 Sulaymaniyah shares a border with Iran, with which it has strong economic ties. Sulaymaniyah itself is an important economic centre in Iraq and is comprise of the districts Chamchamal, Darbandihkan, Dokan, Halabja, Kalar, Penjwin, Pshdar, Rania, Sharbazher and Sulaymaniya. The population of Sulaymaniyah governorate is 1,715,585. (IOM, December 2008) [111o] (p2)

Maps

1.10 UNHCR map, of Northern Iraq: Kurdish area, modified 19 October 2007.
[40a]



Additional maps are available from the following weblinks:

http://www.ecoi.net/file_upload/1222_1190099972_map-of-northern-iraq.pdf

http://www.ecoi.net/file_upload/90_1237369383_344-a1-dahuk-gov.pdf

http://www.ecoi.net/file_upload/1222_1190272541_erbil-gov.pdf

http://www.ecoi.net/file_upload/1222_1203432480_346-a1-sulaymaniyah-gov.pdf

<http://www.reliefweb.int/rw/rwb.nsf/doc404?OpenForm&emid=ACOS-635P5D&rc=3>

Hard copy maps are available from the following sources:

Anderson, Liam and Gareth Stansfield (2009) *Crisis in Kirkuk: The Ethnopolitics of Conflict and Compromise*. Philadelphia, PA: UPenn Press, p. xi. Map 3, 'Kurdistan Region of 2003 and disputed territories'.

Cagaptay, Soner (ed.) (2008) 'The Future of the Iraqi Kurds,' *Washington Institute for Near East Policy report*. www.washingtoninstitute.org/templateC04.php?CID=296
Accessed 30 April 2009.

Return to Contents
Go to list of sources

ECONOMY

- 2.01 Jane's Sentinel, 6 May 2008, reported "The single largest resource in the region is oil, mainly in the Kirkuk region in a thin strip between Kirkuk and Arbil. Kurdish forces moved into the area as the Saddam Hussein regime collapsed in March-April 2003, and foreign companies have been exploring ever since. Control over this valuable resource is likely to be a contentious issue. The KRG also has substantial water resources. Agriculturally rich, tobacco is the main cash crop. Widespread deforestation has destroyed the previous rich forestry and devastated timber production. Other minerals include chromite, copper, iron, coal and lignite." [14e] (p22)

"During the UN Oil-for-Food programme, the Kurds protested the loss of oil revenues earmarked for the Kurdish region. In the debate over the allocation national oil revenues in the new constitution, they succeeded in amending the law to require 'fair' allocation of oil revenues, as well as management of oil resources by a combination of federal and regional authorities. Kurds also sought the oil ministry as part of their portfolio, but they ultimately settled for the foreign ministry, with the oil ministry headed by a Shia Arab.

"The Iraqi constitution maintains a slight point of ambiguity: it does require that the federal government control all 'existing oil fields,' but it says nothing about exploration for new fields. The Kurds acknowledge that the enormous deposits around Kirkuk fall under Baghdad's control. Indeed, the Kurds frequently point this out, as a way to allay fears that Kurdish annexation of Kirkuk's Tamim province will mean that Kurds will own half the country's oil. However, the granting of concessions to foreign companies has created contention between Arbil and Baghdad, which claims the exclusive right to sign oil deals. The Iraqi oil ministry says the contracts signed with the Kurdish government are invalid and has threatened to boycott any company that has signed such a deal." [14e] (p3)

- 2.02 The US Department of State Bureau of Near Eastern Affairs, 18 March 2009, reported that according to KRG President Masoud Barzani, the KRG was currently exporting 100,000 barrels of oil per day. [154a] (p11)

- 2.03 A report by the Swiss Refugee Council, 10 July 2007, stated that:

"The economic situation in the KRG area has improved markedly. For the general public, salaries have risen and employment opportunities in the private sector have been enhanced. Thanks to investments by the KRG in the local development, and to international companies, attracted by the liberalized policies, the relative stability and the security offered in the KRG-area; the private sector in is KRG-area being boosted especially by construction projects. 'Around three quarters of the work force comes from other areas of the country, such as central and southern Iraq. [Whilst] the average salary for a construction worker in Baghdad is US\$ 12 (IQD 15'000), they can make up to US\$ 20 (IQD 25'400) a day in [Iraqi] Kurdistan...', reported a Kurdish construction supervisor in Erbil. Likewise, an array of public sector posts has been created, to such an extent that one out of three inhabitants is employed by the KRG. For instance the police force in Sulaimaniyah province has increased considerably since April 2003, rising from about 7'000 members to some 20'000 in the end of 2005." [156] (p6)

2.04 The Swiss Refugee Council report further noted that:

“...there is no official data or evaluation accessible on the labour market and the unemployment rates both for the entire Iraq and the KRG-area. ... Estimates have been made on the unemployment rate throughout Iraq by local officials and NGOs, which is somewhere in the range of 20-68 percent. In particularly troubled areas, this rate may be even higher. According to a KRG publication the highest estimated rate is 73 percent. Unemployment data in Iraq is difficult to record as a most people deal with anything they can in order to survive. According to estimates, the general unemployment rate in the KRG area lies between 40 and 50 percent and unemployment among the youth aged between 16 and 20 years is now approximately 90 percent.” [156] (p6)

2.05 The Economist Intelligence Unit (EIU), Country Report on Iraq, of February 2009 noted that “the robust economic growth already witnessed in the more stable KRG-administered provinces is likely to persist.” [58b] (p6)

[Return to Contents](#)
[Go to list of sources](#)

HISTORY

- 3.01 In 1988 Saddam Hussein's government targeted Iraqi Kurds in Northern Iraq in the Anfal campaign, a mass ethnic cleansing program in which thousands of civilians were killed; as many as 100,000 were estimated to have lost their lives. (BBC News, 24 June 2007) [4c] BBC News further reported that:

"Human rights researchers say the 1988 Iraqi military operations known as al-Anfal (the Spoils) was part of a campaign of genocide by the central government in Baghdad against the mainly Kurdish population of northern Iraq. They coincided with the last throes of the Iran-Iraq war and were commanded by Saddam Hussein's cousin Ali Hassan al-Majid in his capacity as head of the Northern Bureau of the ruling Baath party. ...

"Following Mr Majid's appointment in 1987, the government - portraying it as a counterinsurgency against Kurdish guerrillas - declared specific areas 'prohibited zones'. Those Kurdish residents who did not flee to rebel-held territory in the mountains suffered various fates. Some were shipped off to miserable new settlements further south, with few provisions or opportunities to make a living, and forbidden, under threat of death, to return to their homes. Many starved within a year or only survived through clandestine help from nearby townspeople. Other non-combatants were imprisoned, where huge numbers died from appalling neglect. And many men of militant age were simply executed and buried in mass graves.

"In the context of the campaign, Iraq became the first government to use chemical weapons against its own people. It dropped mustard gas and sarin on rebel areas, with heavy loss of civilian life, as early as April 1987 - according to Human Rights Watch. The worst incident - which did not technically come under the Anfal operations - was in Halabja, where 5,000 civilian inhabitants are thought to have died in an aerial bombardment of mustard gas and nerve agents (sarin, tabun and VX). The military campaign proper began on 23 February 1988 - when the Iraqi army began its sweep through the 'prohibited areas' - the first attack on (now Iraqi President) Jalal Talabani's Patriotic Union of Kurdistan headquarters at Sergalou-Bergalou. Halabja was hit on 16-17 March 1988 after it was captured by Kurdish fighters supported by Iran Revolutionary Guards attempting to open up a second front to relieve the siege of Sergalou-Bergalou.

"In all nine Anfals were conducted, ending on 26 August [1988]. On 6 September the government declared a general 'amnesty' for Kurds, although many continued to be held - and die - in the camps and prisons. Human Rights Watch says 2,000 villages were destroyed, as well as dozens of towns and administrative centres, including Qala Dizeh which had had 70,000 residents." [4c]

- 3.02 Jane's Sentinel reported, on 6 May 2008, that "Kurdish-dominated northern Iraq has enjoyed de facto independence from Baghdad since 1992. After the 1991 Gulf War, US, UK and French aircraft patrolled a 'no-fly' zone above the 36th parallel and denied Saddam Hussein use of helicopters to impose his authority on the region. The mountainous provinces of Dohuk, Arbil, and As Sulaymaniyah (as well as parts of Nineveh, Tamim and Diyala) have existed since then under the control of the two main Kurdish parties, the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan

(PUK). [14e] (p1) The Kurdistan Democratic Party (KDP) is led by Mas'ud Barzani, the current President of the KRG; and the Patriotic Union of Kurdistan (PUK) is led by Jalal Talabani, currently President of Iraq. (Amnesty International, 14 April 2009) [28p] (p7)

3.03 Professor Stansfield, in a letter to COI Service of 30 April 2009, stated that:

"The KDP and PUK took control of the Kurdistan Region in October 1991 following the removal of Saddam's forces and Gol offices from north of the 'green line'. An emergency government, dominated by the KDP and PUK, in addition to other parties of the Iraqi Kurdistan Front, was put into place which then set about organizing multi-party elections. These took place in May 1992, electing the Kurdistan National Assembly in addition to attempting to determine the Presidency of Kurdistan. The elections for the KNA proceeded whereas the elections for the Presidency failed. Following the formation of the KNA (which was divided equally, with 50 seats each to the KDP and PUK, and 5 seats reserved for Christians), the KRG was then formed with portfolios divided equally between the KDP and PUK in what proved to be an unwieldy power-sharing arrangement. However, the intensity of the rivalry between the KDP and PUK, combined with the precarious political situation of the Kurdistan Region in the early 1990s (with neighbouring states moving to undermine any progress) promulgated skirmishes between rival KDP and PUK peshmerga units which resulted in open conflict between the two parties in 1994 and the failure of the unified KRG. The KRG then divided into two, with the KDP administering Dohuk and northern Erbil governorate, and the PUK administering Erbil City and Suleimaniyah. This situation was reversed in August 1996 following the invasion of Erbil by Gol forces in cooperation with KDP forces, pushing the PUK out of the Kurdistan Region. The subsequent PUK counterattack, assisted by Iranian forces, in November 1996 saw the PUK retake Suleimaniyah, leaving the KDP in control of Dohuk and most of Erbil governorates (including the city), and the PUK in control of Koya, Suleimaniyah and Darbandikhan. Each party, utilising KNA legislation, each formed its 'own' KRG, with complete cabinets. After a further round of conflict in 1997, the KDP and PUK initiated a peace process that was then supported by the US, culminating in the Washington Agreement of 1999. By 2002, the relationship between the KDP and PUK had become more normalised, even though the KRG remained divided. However, confidence building measures combined with cooperation in public service policy planning allowed for further unifying measures to take place that would see the KRGs finally unify." [151] (p1-2)

3.04 The AI report, 14 April 2009, further stated that:

"In 1992 elections were held for the 105-member Kurdish provisional parliament. The KDP and the PUK each won 50 seats with the remaining five going to small Assyrian (Christian) political parties. The KDP and the PUK agreed to rule the Kurdistan Region jointly, forming an uneasy power-sharing arrangement but this broke down in early 1994 following disagreements on sharing of joint revenues and control of territory. Fighting between the two parties broke out in May 1994 and continued sporadically until the end of 1997, following which reconciliation was achieved in 1998. However, the KDP and PUK each continued to control a distinct geographical area and established 'governments', based in Erbil and

Sulaimaniya, respectively, and maintained their own Peshmerga (militia) and Asayish (security) forces.” [28p] (p7)

3.05 The AI report, 14 April 2009, mentioned that “In December 2005... following the US-led invasion, which overthrew Saddam Hussain, the KDP and PUK participated in the Iraqi general elections under a united list and won 53 of the 275 seats in the Iraqi Council of Representatives (parliament) in Baghdad. Mas’ud Barzani was named President of the Kurdistan Region by the Kurdistan Parliament in June 2005, and a few months later Jalal Talabani was elected President of Iraq. On 21 January 2006, the KDP and the PUK signed the Kurdistan Regional Government Unification Agreement, which paved the way for the merger of the two separate administrations.” [28p] (p7)

3.06 A Kurdish Regional Government factsheet dated September 2008 recorded that “Until the unification agreement of 21 January 2006, the governorate of Suleimaniah was governed by a PUK-led administration, while the governorates of Erbil and Dohuk were governed by a KDP-led administration. In line with the wishes of the people and their own desire for a more efficient and united government, the political parties of the Region signed the historic Unification Agreement.

“Mr Masoud Barzani was elected as the Kurdistan Region’s first president on 31 January 2005 by the Kurdistan National Assembly.

“The current government, led by Prime Minister Nechirvan Barzani, assumed office on 7 May 2006.” [150d] (p1)

3.07 The full text of the Kurdistan Regional Government Unification Agreement is accessible from [here](#). [163]

3.08 The AI report, 14 April 2009, stated that:

“Major areas of contention currently exist between the KRG and Iraq’s central government in Baghdad. One relates to the permanent status of Kirkuk, located in al-Ta’mim governorate just outside the Kurdistan Region, and other areas bordering the Kurdistan Region.⁷ The Kurdish authorities consider Kirkuk, which is one of the centres of Iraq’s oil industry and has considerable oil reserves, and certain towns and villages in the governorates of Diyala, al- Ta’mim and Ninawa (Mosul), to be historically Kurdish, and consequently, they should be made formally part of the Kurdistan Region of Iraq. Most non-Kurdish members of the Iraqi central government dispute this. It was agreed that the matter should be decided by popular referendum, in which the population of Kirkuk and the other disputed territories, were to vote whether or not to join the Kurdistan Region. According to the Iraqi Constitution of October 2005, this referendum was to be held by December 2007, but this has not happened. The referendum has been repeatedly delayed due to the tense security conditions prevailing in Kirkuk and because of disagreement between the different political factions represented in the Iraqi Council of Representatives and central government. The governorates of Ninawa and Diyala have also been severely affected by political violence.” [28p] (p8)

See also [Annex A: Chronology of major events](#)

See also the latest COI report on Iraq, accessible from [here](#), for a more comprehensive historic background.

[Return to Contents](#)
[Go to list of sources](#)

RECENT DEVELOPMENTS

- 4.01 “Provincial elections were held on 31 January 2009 in 14 out of 18 governorates in Iraq, but not in the three governorates of the Kurdistan Region and in Kirkuk (al-Ta'mim); provincial elections in these areas are scheduled for later in 2009. The UN Assistance Mission for Iraq (UNAMI) is assisting the Iraqi central government and the KRG in their efforts to find a mutually-acceptable solution to the dispute over the future status of Kirkuk and other areas.” (Amnesty International, 14 April 2009) [28p] (p8)

See also [Political system, elections.](#)

- 4.02 In 2009, there have been attacks on KRG territory by both Turkey and Iran; Radio Free Europe/Radio Liberty RFERL reported on 13 February 2009 (quoting Reuters) that:

“Turkish armed forces killed 13 Kurdish PKK rebels during an air strike last week in northern Iraq, the state-run news agency Anatolian has reported. The air strike also badly damaged a PKK operations and logistics base, according to Anatolian. Kurdish separatist fighters use northern Iraq's autonomous northern region as a base to launch attacks on targets in southeastern Turkey, and Turkish forces have frequently retaliated with air and artillery strikes. In early 2008, Turkey sent thousands of troops across the border in an attempt to flush out the PKK guerrillas and end their cross-border attacks. [22c]

- 4.03 Kurd Globe reported, on 21 February 2009, on an internal rift within the PUK:

“Five key PUK figures who had offered resignation earlier this week, suspended their decision as a result of an internal reformation promise made by the party's secretary general, president Talabani. ... A meeting in Baghdad on Tuesday gathered Talabani with his PUK deputies Kosrat Rasoul Ali and Barham Salih. The three key leaders agreed on fulfilling a number of conditions in an attempt to avoid internal split. ... One condition calls for 'reconciliation and equality' inside the party. Transparency in PUK budget, evaluating the party members, and rearranging relations with Kurdistan president Massoud Barzani's Kurdistan Democratic Party are other conditions.

“In the past two years, the PUK which is one of the two leading Kurdish political parties, had to deal with resignations, splits and rivalry. Since the resignation of the deputy secretary general and veteran leader Nawshirwan Mustafa two years ago, the current crisis is the third of its kind. On October 7 last year [2008], four PUK leaders from London announced their separation from the party with the politburo deciding to dismiss them officially.” [132a]

- 4.04 On 11 March 2009 Peyanmer News Agency (PNA), quoting AFP, reported that:

“Iranian shelling of Kurdistan border villages in Iraq Kurdistan Region and left one child dead, a local official told AFP on Wednesday [11 March 2009]. ‘Iranian artillery bombarded border villages on Tuesday evening killing a

child and wounding his parents,' said Azad Wassu, mayor of Zarawa, 100 miles (160 kilometres) northeast of the Kurdistan Region city of Sulaimaniyah. 'The bombardment lasted nearly two hours... and targeted the villages of Rezka, Mara and Duwu,' he said. Iranian attacks on the border usually target the Party of Free Life of Kurdistan (PJAK), an Iranian rebel group, which operates out of bases in the area and is close to the Kurdistan Workers' Party (PKK)." [164a]

4.05 On 15 March 2009 the news agency Aswat-Al Iraq (Voices of Iraq) reported that four fighters of the Kurdistan Workers Party in northern Iraq had been killed in Turkish air strikes on 11, 12 and 13 March on the border areas of al-Zab and Zakros in Duhuk province. [165a]

4.06 On 25 March 2009 Aswat-Al Iraq reported:

"Turkey has launched fresh air and artillery strikes against the Kurdistan Workers Party (PKK) in Zakho in northern Iraq without leaving casualties, a military source said on Wednesday. 'The Turkish artillery and aircrafts shelled the border village of Roweî in Batieva district on Wednesday afternoon (Mar. 25) for 30 minutes without causing casualties,' the source told Aswat al-Iraq news agency... Iraqi border areas in the Kurdistan region, adjacent to Turkey and Iran, are coming under occasional Turkish air attacks and Iranian artillery shelling allegedly to strike the strongholds of the PKK and the PJAK (Partiya Jiyana Azada Kurdistanê in Kurdish or Kurdistan Free Life Party), both are against Turkey and Iran respectively." [165b]

4.07 The issue of KRG autonomy frequently arises in relations with the Iraqi administration. On 16 March 2009, Peyanmer quoting *Hurriyet*, reported that "Iraqi President Jalal Talabani ruled out the future possibility of an independent Kurdish state in a bid to appease regional countries' concerns regarding the issue. Talabani told a Turkish newspaper in an interview published on Monday that it would not be realistic to believe that an independent Kurdish state could survive as it is likely that neighboring countries Turkey, Iran and Syria would close their borders... Talabani also said 95 percent of Iraqi Kurds voted in favor of the new Iraqi constitution, which says the country is 'a democratic, federal, representative republic', in a show of support to the unity of Iraq." [164b]

4.08 A Reuters report dated 23 March 2009 noted that "Thorny issues remain unresolved, not least a row over oil and territory between ethnic Kurds and Arabs in Iraq's north. Those disputes triggered dangerous standoffs between Kurdish and government forces last year. Ratcheting up rhetoric, Kurdish leaders have labelled Maliki [Iraqi Prime Minister] a dictator on par with Saddam. Kurds have enjoyed virtual autonomy in Iraq's north since 1991, and are alarmed at efforts by Maliki to claw power back to the central government... Kurds consider the northern oil-rich city of Kirkuk their ancestral homeland and want to include it in the semi-autonomous region of Kurdistan. The dispute is one of several differences with the government that have delayed an oil law needed to fully exploit Iraq's vast oil reserves and rebuild after years of war. A review of the constitution to define the power balance between central government and regions has moved at a slow pace." [7a]

4.09 BBC News reported, on 30 April 2009, that:

“Turkish warplanes bombed Kurdish rebel positions in northern Iraq on Wednesday and Thursday, Turkish officials say. The raids came hours after the deaths of 10 Turkish soldiers in two separate attacks that were blamed on the rebels, the deadliest in months. ... Air force planes bombed targets in the Iraqi border regions of Zap and Avasin-Basyan in the overnight raids. ... Turkish warplanes have often targeted rebel hideouts in the autonomous Iraqi Kurdistan region, where Ankara says some 2,000 PKK guerrillas regularly stage hit-and-run attacks on Turkish territory.” [4b]

[Return to Contents](#)
[Go to list of sources](#)

CONSTITUTION

- 5.01 Article 117(1) of the Iraqi Constitution of October 2005 stipulates that “This Constitution, upon coming into force, shall recognize the region of Kurdistan, along with its existing authorities, as a federal region.” [82a] (p34)
- 5.02 A Kurdistan Regional Government factsheet dated September 2008 noted that “As stipulated in Iraq’s federal constitution [of October 2005], Kurdistan’s institutions exercise legislative and executive authority in many areas, including allocating the Regional budget, policing and security, education and health policies, natural resources management and infrastructure development.” [150d] (p1)
- 5.03 Article 141 of the Constitution states that:
- “Legislation enacted in the region of Kurdistan since 1992 shall remain in force, and decisions issued by the government of the region of Kurdistan, including court decisions and contracts, shall be considered valid unless they are amended or annulled pursuant to the laws of the region of Kurdistan by the competent entity in the region, provided that they do not contradict with the Constitution.” [82a] (p41)
- 5.04 Jane’s Sentinel, 6 May 2008, stated that “During the writing of the new Iraqi constitution, the Kurds (led in negotiation by Massoud Barzani of the KDP) demanded that the document preserve their autonomy and give them a strong claim to Kirkuk and surrounding oil fields. Their unified bargaining position succeeded in large part - it delineated their borders as the same territory they had occupied on 19 March 2003, right before the invasion, and it permitted any three Iraqi provinces to form an autonomous region with similar rights (Kurdistan consists of Dohuk, Arbil, and As Sulaymaniyah provinces). However, the question of Kirkuk and oil rights received incomplete answers. Kirkuk’s fate would be decided through future voting in province-wide elections. Oil rights, which are specified as per Sunni and Shia Arab demand to be ‘national property’, are nevertheless guaranteed by the new constitution to be awarded both at a national and local level. However, the Kurds did win the concession that wealth from oil should be allocated in a ‘just’ manner, a protection that would prevent oil money from going directly to Baghdad as before (and leaving Kurdistan unimproved by the profits).” [14e] (p4)
- 5.05 Jane’s Sentinel further noted that:
- “The most important Kurdish provision in the constitution, the only one that the Kurdish negotiators flatly refused to budge on, was Article 140, the controversial provision to decide the administrative fate of regions that had been ethnically cleansed, usually of Kurds, by Saddam. As 2007 began, Kurds began bringing up Article 140 frequently and demanding that a referendum be held in Kirkuk within months, as specified in the article, to determine whether Kirkuk and its ethnically-mixed province would join Kurdistan. When the deadline passed in December 2007, the Iraqi Kurds became angry and demanded that the referendum take place as quickly as possible.” [14e] (p17)
- 5.06 The ICG report, ‘Oil for Soil: Towards a Grand Bargain on Iraq and the Kurds’, 28 October 2008, stated that, following the passing of the December

2007 deadline without a referendum and mediation by the UN Assistance Mission for Iraq (UNAMI), headed by the Secretary-General's special representative for Iraq:

"...five top Iraq leaders agreed to delay Article 140 and accepted UNAMI's offer to facilitate its implementation during the following six months. No progress was made in the subsequent period, so the 30 June 2008 deadline not only passed without any result, but also without a new extension or even a public statement of any sort...(p2) In late September, UNAMI brokered a compromise. Legislators passed the law, setting elections for fourteen governorates no later than 31 January 2009 and (in Article 23) stipulating a separate process for Kirkuk without prejudging the eventual power-sharing arrangement." [251] (p4)

See also [Political system; elections](#).

- 5.07 Middle East Policy reported in its Spring 2009 Journal that 'A final dimension of Arab-Kurd tension relates to the status of the constitution and the demands made by the Kurds' opponents in the Iraqi government to redraft articles that stipulate the competences and responsibilities of regional governments and the federal government in favor of the latter.

"Maliki's suggestions that the constitution may not be fit for purpose were received with alarm in Erbil. Calling for a rewritten constitution that reins in the Kurdistan Region is not only a strategy that would increase the executive authority of the prime minister's office over regions, whether in the north or south. It would also play to Iraqi and Arab-nationalist sentiment that views Kurdistan's continued existence and aspirations to incorporate more territory and manage its own hydrocarbons industry as an existential threat to an Iraq dominated by a strong state narrative founded on Arabism." [133a]

[Return to Contents](#)
[Go to list of sources](#)

POLITICAL SYSTEM

6.01 A KRG fact sheet, 10 September 2008, stated that:

“The Kurdistan Region is a federated region in Iraq. Its main institutions are the Kurdistan Regional Government, the Kurdistan Region Presidency, and the Kurdistan National Assembly (parliament). As stipulated in Iraq’s federal constitution, Kurdistan’s institutions exercise legislative and executive authority in many areas, including allocating the Regional budget, policing and security, education and health policies, natural resources management and infrastructure development.

“The capital and seat of the Kurdistan Regional Government is Erbil, a city known locally as Hawler... The Kurdistan Regional Government exercises executive power according to the Kurdistan Region’s laws as enacted by the democratically elected Kurdistan National Assembly. The current government, led by Prime Minister Nechirvan Barzani, assumed office on 7 May 2006. Iraq’s Constitution recognises the Kurdistan Regional Government, the Kurdistan National Assembly and the Peshmerga guard as the legitimate regional forces.” [150d] (p1)

KURDISTAN REGIONAL GOVERNMENT

6.02 The FCO report, 27 March 2009, noted that “The BEO [British Embassy Office] Erbil stated that the KRG is a power-sharing coalition comprising the two largest political parties in the KR, the KDP and the PUK, which hold an equal number of seats in the Kurdistan National Assembly (KNA), the Kurdistan parliament, with smaller parties also represented. The KDP has greater influence in the Dohuk and Erbil Governorates and the PUK in Sulaymaniyah Governorate.

“... under the power-sharing agreement between the KDP and PUK all KRG Ministries should have merged but separate Interior, Finance and Peshmerga (Kurdish security forces) Ministries still operate in Erbil and Sulaymaniyah, controlled respectively by the KDP and the PUK. The BEO Erbil stated that the KRG receives 17% of Iraq’s oil revenue. The money is apportioned to the two Finance Ministries, in Erbil (run by the KDP) and Sulaymaniyah (run by the PUK).” [66d] (p7)

6.03 The Kurdistan Regional Government is recognised as the official government of the territories that were administered by that government on 19 March 2003 in the governorates of Dohuk, Arbil, Sulaimaniya, Kirkuk, Diyala and Neneveh. (ICG, ‘Oil for Soil: Towards a Grand Bargain on Iraq and the Kurds’, 28 October 2008) [251] (p6)

Relationship between the KRG and Government of Iraq.

6.04 The UNHCR report, April 2009, stated that:

“Relations between the KRG and the central government worsened over the past year over the extent of the Kurdistan Region’s autonomy and the distribution of power and resources between the two. The most contentious issue is the yet unresolved status of the so-called ‘disputed areas’. Dispute over an Arab and Turkmen proposal for a power-sharing agreement in Kirkuk as part of the provincial elections law ignited ethnic violence on 28

July 2008 and blocked the legislative process for more than two months. Finally, the governorate was excluded from the elections in January 2009. The central government also made clear its position that the Kurdish Peshmerga should not operate outside the autonomous region without central approval. In August 2008, the Iraqi Army deployed units to areas under de facto Kurdish control in Khanaqeen (Diyala) and an armed confrontation between the ISF and the Peshmerga was narrowly avoided. While the presence of the Kurdish Peshmerga has had a stabilizing security effect in many of the disputed boundary areas in Ninewa, Kirkuk, Diyala and Salah Al-Din Governorates after the fall of the former regime, the national government's tolerance for their presence outside the KRG's official borders has been rapidly reducing while the ISF is increasingly becoming more capable and assertive. PM Al-Maliki's efforts to establish tribal 'Support Councils', which he considers an extension of the US-supported Sol [Sons of Iraq] needed as a backup for the ISF, emerged as a new flashpoint. The formation of such groups has been met with outright opposition by the Kurdish parties and the KRG, which consider them a challenge to their power in the areas they seek to incorporate into the Kurdistan Region." [40b] (p73)

6.05 The UNHCR report, April 2009, recorded that:

"The unresolved status of the disputed internal boundaries remains an issue of major contention and is the principal reason for increasing tensions between the KRG and the central government as well as within Kurdish-Shi'ite alliance. A process foreseen in Article 140 of the Iraqi Constitution to reverse the previous 'Arabization' policy and decide in a popular referendum the status of the so-called 'disputed areas' has remained stalled as two deadlines were missed." [40b] (p78)

6.06 The UNHCR report, April 2009, further mentioned that "The KRG's ambitions to expand its areas of control in the so-called 'disputed areas' in the Governorates of Kirkuk, Ninewa, Salah Al-Din and Diyala on the basis of Article 140 of the Constitution are met with opposition by the Arab and Turkmen communities in the concerned areas, but also the central Government has made it clear that it will not tolerate the Kurdish security forces' presence outside the Kurdistan Region." [40b] (p132)

PRESIDENCY

6.07 The website of the Kurdish Region Presidency (KRP) (accessed 16 March 2009) recorded:

"The Presidency of the Kurdistan Region is a political, administrative, and legal institution that was promulgated by the Kurdistan National Assembly, the national parliament, in 2005 under Law 1, Article 1. The President of the Kurdistan Region has the highest executive authority in the Kurdistan Region. He or she is elected by secret ballot in a popular vote every four years and can stand for election for a second term. On 31 January 2005, the Kurdistan National Assembly elected Mr Masoud Barzani as Kurdistan Region's first president. Subsequent presidential elections will be by secret popular ballot by the people of the Kurdistan Region." [161a]

6.08 The KRP website further recorded "The Law set out the relationship between the Presidency of the Kurdistan Region and the Presidency of the

Council of Ministers. The President of the Council of Ministers is also known as the Prime Minister of the Kurdistan Regional Government (KRG)...The Law also stipulates the relationship between the Presidency of Kurdistan Region and the Presidency of Kurdistan National Assembly. Any laws passed by the Kurdistan National Assembly must be ratified by the President before they are enacted. The President has the power to return any law passed by the Assembly for further debate. This must be done within ten days of the passage of the law. The decision of the Assembly after the referral is final.” [161a]

Kurdistan National Assembly

- 6.09 The Kurdistan National Assembly (KNA) is the Kurdistan Region’s democratically elected parliament. Elections for the KNA are supposed to be held at least every four calendar years. The KRG fact sheet, 10 September 2008, stated that:

“There are 111 seats in the KNA. Currently women hold 29 seats, making up 27% of the Assembly. The legal requirement is that at least 25% of the parliamentarians must be women. The KNA is lead by the Speaker, Mr Adnan Mufti, who is assisted in his duties by the Deputy Speaker, Dr Kamal Kirkuki. In the current parliament elected in January 2005, the members represent 14 different political parties, including Turkmen, Assyrian and Chaldean parties, and one member is independent. Three members of the KNA are Yezidis belonging to different political parties.” [150d] (p2)

- 6.10 The Freedom House report ‘Freedom in the World 2008: Iraq’, June 2008 stated: “In the 111-seat Kurdistan National Assembly, the PUK and KDP each have 38 seats while the KIU has 9. The remainder are distributed among the smaller Alliance parties, which are fully or partially funded by the two main parties.” [70g] (p2)

- 6.11 Article 121 of the Iraqi constitution states the Kurdistan National Assembly (KNA) have the right to amend the application of Iraq-wide legislation that falls outside of the federal authorities’ exclusive powers. (KRG, Fact Sheet, 10 September 2008) [150d] (p3)

- 6.12 The KRG fact sheet mentioned that “The KNA has passed several laws that have contributed to the Region’s social and economic progress. These include:

- “- passing a modern and open investment law
- passing a progressive hydrocarbons (oil and gas) law for the Kurdistan Region.
- significantly increasing the prison sentence for those committing so-called honour killings, which were previously given minimum sentences.
- a constitution for the Kurdistan Region; the KNA has established a committee to look into this and produce a draft
- limits to or a ban on the practice of polygamy.” [150d] (p3-4)

- 6.13 The FCO report, 27 March 2009, recorded that “The BEO [British Embassy Office] Erbil stated that smaller parties, such as the Kurdish Islamic Union, hold seats in the KNA. All parties are free to organise without hindrance and have access to media coverage.” [66d] (p7)

Elections

- 6.14 “Elections for a 275-seat Transitional National Assembly (TNA), along with simultaneous elections for provincial governments and the KRG, were held in January 2005.” (Freedom House, ‘Freedom in the World 2008: Iraq’, June 2008) [70g] (p2) These elections were supposed to be held at least every four calendar years. (KRG, 10 September 2008) [150d] (p3)
- 6.15 The *International Herald Tribune* reported, on 15 July 2008, that there were protests in July 2008 at the proposed provincial election law by Kurds in an attempt to postpone the provincial council vote in Kirkuk until a constitutionally mandated referendum is held on whether Kirkuk should remain under Baghdad's administration or join the semiautonomous Kurdish regional government. Under the Iraqi Constitution, the Kirkuk referendum was scheduled to take place by the end of last year. [126c] The IOM report, 1 February 2009, stated that elections were taking place in 14 out of 18 governorates, excluding the KRG governorates and Kirkuk. [111t] (p10) Elections were expected to be held later in 2009 in the KRG area, which falls under the Kurdistan region's own constitution and implementing legislation. (ICG, 27 January 2009) [25n] (p11)

See also [Constitution](#)

- 6.16 The FCO report, 27 March 2009, noted that
- “The BEO [British Embassy Office] Erbil stated that regional elections in the KR, for the KNA, were scheduled to be held on 19 May 2009 but it was widely believed that the election date would be postponed. On 25 March 2009 the KNA passed the necessary legislation to allow the Electoral High Commission to make the arrangements for the elections to take place but at the time of compiling this report the date of the election had not been announced. The 1992 election law stipulates a sixty day period between the passage of enabling legislation for an election and the election being held...
- “Mala Bakhtiar, PUK stated that the next regional elections in the KR are scheduled to be held on 19 May 2009 but they may have to be postponed for up to 45 days to allow technical arrangements to be finalised. The exact date of the election will be determined by the Iraqi Electoral High Commission in Baghdad.” [66d] (p7-8)
- 6.16 Kurdish Media reported that Kurds living outside Iraqi Kurdistan would not be able to vote in upcoming parliamentary elections in Kurdistan scheduled in a couple of months. [152a]

Return to Contents
Go to list of sources

Human Rights

INTRODUCTION

7.01 The remainder of this COI report covers matters in relation to which human rights concerns may arise. This brief introductory section provides some general comment found in published material about the human rights situation in KRG, but does not seek to provide a comprehensive summary or overview of human rights issues described in the following sections of the report.

7.02 The Foreign and Commonwealth Office (FCO) report, 27 March 2009, recorded that “Dr Yousif Aziz (Dr Shwan), Kurdistan Regional Government (KRG) Human Rights Minister outlined five key challenges that his Ministry was focussing on: violence against women, children's rights, how to combat terrorism without eroding civil liberties, corruption and the promotion of human rights principles in all walks of daily life and administration.

“Dr Shwan stated that the KRG enjoys good relations with local and international NGOs working in the human rights field. The Fifth Cabinet of the KRG established a Human Rights Advisory Board, which includes representatives of NGOs, UNAMI and UNICEF. The Board meets every three months at the Ministry of Human Rights.

“Dr Shwan stated that the Human Rights Advisory Board publishes a quarterly report on human rights in the KR. Human rights are promoted actively by the Human Rights Ministry, which has twelve directorates covering the whole KR that run media campaigns, human rights training programmes and visit towns and villages.” [66d] (p2)

7.03 On 11 February 2009 the KRG website reported an interview with Dr Yousif Mohammad Aziz, Minister for Human Rights for KRG. The Minister explained that “Our main responsibilities are the promotion and protection of human rights in the Kurdistan Region, and the observation and follow-up of human rights cases.” and that “The ministry has the authority and manpower to tackle human rights problems, and can work directly with the Council of Ministers and the Prime Minister to resolve them.” [150h]

7.04 The Foreign and Commonwealth Office (FCO) report, 27 March 2009 noted that “... the International Committee of the Red Cross (ICRC), Erbil stated that there is real willingness by the KRG to bring about reforms in the human rights field although concerns in some human rights areas remain. A process of constitutional reform that is underway in the KR will be the key to whether significant progress is made in advancing human rights. The KRG is willing to receive ICRC reports on human rights concerns and the ICRC is able to contribute to Ministerial meetings.” [66d] (p1-2)

7.05 The UNHCR's April 2009 report stated that:

“Despite the KRG authorities' commitment to respect human rights in their areas, serious violations of human rights continue to take place with specific groups being targeted, including journalists, persons accused of being affiliated with Islamist armed groups, and women. Journalists and media

organizations have repeatedly claimed that press freedom is restricted and that criticism of the ruling parties can lead to physical harassment, arrest and imprisonment on fabricated charges. Furthermore, in unofficial detention centres run by the political parties' security and intelligence apparatus, detainees, in particular persons accused of being affiliated with Islamist armed groups, are held incommunicado and without judicial review of their detention for prolonged periods of time. The use of torture and other forms of ill-treatment have also been reported. The situation of women is another area of concern as so-called 'honour killings' and other harmful traditional practices occur at alarmingly high levels." [40b] (p134)

[Return to Contents](#)
[Go to list of sources](#)

SECURITY SITUATION

- 8.01 The Amnesty International (AI) report 'Carnage and Despair – Iraq five years on', published in March 2008 noted that:

"The largely autonomous Kurdistan region in the north, which is under the control of the KRG, has been more stable than the rest of Iraq and there have been fewer acts of violence. The region is the most prosperous in Iraq and the KRG has signed a number of investment contracts with foreign companies, including for oil exploration. Despite the relative stability and prosperity, the Kurdistan region remains vulnerable to pressure and even military intervention from neighbouring countries." [28o] (p20)

- 8.02 The AI report of 14 April 2009 further commented that "The Kurdistan Region of Iraq, unlike the rest of the country, has generally been stable since the 2003 US-led invasion. It has witnessed growing prosperity and an expansion of civil society, including the establishment of numerous non-governmental organizations (NGOs) active in the promotion and protection of human rights." [28p] (p5)

See also [Human Rights institutions, organisations and activists](#)

- 8.03 The UN Security Council report of 14 January 2008 stated that:

"... [there was a] more stable security situation prevailing in Arbil... However, the areas bordering Turkey have been subject to increased political and military tensions since Turkey launched air strikes on Iraqi territory in December in retaliation for PKK cross-border attacks. In addition, the areas bordering the Islamic Republic of Iran have continued to be subjected to artillery shelling from the Iranian side." [38l] (p13)

- 8.04 The Iraqi Red Crescent (IRC) report, 'The Internally Displaced People in Iraq', published 28 May 2008, further stated that:

"Recently, Kurdistan – the safe haven for many Iraqis became involved in armed conflict. Both the Iranian and Turkish military bombarded the border villages with artillery shells for weeks. Thousands of villagers migrated inland for fear of their lives thus compounding the displacement problem in Iraq. The latest incident took place on 25 April 2008 in Erbil, where there was bombardment of the border villages in Sida area. Disaster response activities of the Iraqi Red Crescent in the area included distributing relief aid and temporarily sheltering the displaced families in safe areas. Also, in Suleimaniah, the Iranian military bombarded the border villages which caused displacement of families to Bashdar. The Iraqi Red Crescent provided the IDP with food and relief aid." [134a] (p2)

See also [Recent developments](#)

- 8.05 The Finnish Fact-Finding Mission (FFM) to Iraq's three northern governorates between 23 October and 3 November 2007 noted "The mission found the security situation to be quite stable in the main cities and roads of the three northern governorates. Members of various armed forces such as the border guards, police, Asayish [internal security forces], gendarmerie, army etc. were seen guarding all government institutions, important streets, public monuments, events etc.... The local population was

said to provide information for authorities concerning security issues.” [131] (p4)

- 8.06 The United States Department of State (USSD) Country Report on Human Rights Practices 2007, Iraq, released 11 March 2008 noted that good security was reported at the four universities in the KRG area. [21] (p11) The Finnish FFM report commented that:

“According to staff at the University of Dohuk, the Dohuk governorate has become a safe haven for people in the rest of Iraq. The directors of AGEF [a German NGO, Association Of Experts In The Fields Of Migration And Development Cooperation] assessed the security situation in the three northern governorates to be good. The representative of UNHCR in Sulaymaniyah assessed the situation of Erbil, Sulaymaniyah and Dohuk to be calm.” [131] (p5)

- 8.07 The USSD Country Report on Human Rights Practices 2008, Iraq, released 25 February 2009, stated that

“In Erbil, Sulaymaniyah, and Dohuk, the three provinces comprising the majority of the area under the jurisdiction of the Kurdish Regional Government (KRG), there were significantly fewer reports of sectarian violence than elsewhere in the country.

“During the year, terrorist attacks in the KRG were infrequent. On March 10 [2008], a car bomb killed two and injured dozens in the Sulaymaniyah city center. On March 20, 10 AQI-linked terrorists were arrested for involvement in the attack, including an alleged leader, Riyadh Jasim Nouri. Four terrorists, including Riyadh Jasim Nouri, were convicted and sentenced to death. There were no further developments at year's end.” [20] (p4)

- 8.08 The US Department of Defense (USDoD) report ‘Measuring Stability and Security in Iraq’, December 2008, noted that “The KRG area remains the most stable and least violent in Iraq. This is mainly a result of the homogenous Kurdish population and the presence of the Kurdish Police and the regional security forces, or Peshmerga.” [103d] (p26)

See also [Security forces](#)

- 8.09 The International Organisation for Migration (IOM) December 2008 report noted that:

“Security in all three governorates has been relatively stable over the last six months. However, the fear that conflicts in neighbouring Ninewa and Diyala could spread has had security forces on alert. In August, the stationing of Peshmerga forces in northern Diyala and a potential stand-off with Iraqi Army forces in that area raised tensions. Periodic cross-border shelling from Iran and Turkey causes alarm, although no new displacement has been reported, as families in those areas had previously fled, due to prior shelling incidents.” [111o] (p6)

- 8.10 The United Nations Security Council (UNSC) report, 20 February 2009, recorded that:

“In the northern provinces of the Kurdish regional government, the security environment remained stable. Turkey has reportedly withdrawn a significant number of ground forces from the border areas of Dahuk and Erbil, but sporadic aerial bombardment continues. Most often these attacks do not hit populated areas. A similar scenario exists along the external border of Sulaymaniyah, where artillery fire from the Islamic Republic of Iran is periodically aimed at Kurdish Workers Party operations. Again, this activity rarely causes casualties, but it has displaced some rural communities. Tensions between the Iraqi Security Forces and Kurdish Peshmerga forces in northern Diyala and Ninawa have subsided, but may not be fully resolved until the broader underlying political issues affecting these areas are addressed.” [38s] (p13)

- 8.11 The IOM December 2008 report also commented that “Nonetheless, the KRG’s relative stability compared to the rest of the country has made it an attractive destination for families displaced from the south and center, regardless of ethnicity or religion.” [111o] (p2)

See also [IDPs](#)

- 8.12 The IOM February 2009 report stated that security remained stable in Dahuk, Erbil and Sulaymaniyah. [111t] (p8, 10, 18)
- 8.13 The report by the Centre for Strategic and International Studies (CSIS), published 19 February 2008, reported the following on security in the KRG area:

“Dahuk: (Average daily attacks: 12/1/07-2/22/08 = 0.0; 2/23/08-5/31/08= 0.0) As one of the three provinces under the authority of the KRG, Dahuk remains one of the more stable areas in the country, with no reported attacks on ISF, Coalition personnel, or Iraqi civilians from February 23, 2008, to May 31, 2008. Even before 2003, the KRG was relatively autonomous, but Dahuk achieved official Regional Iraqi Control in May 2007. There has been no significant militia or external terrorist infiltration of the province. This quarter, however, Turkey continued to strike camps and bases of the Kurdistan Workers’ Party (PKK). ...

“Erbil: (Average daily attacks: 12/1/07-2/22/08 = 0.02; 2/23/08-5/31/08= 0.01) As part of the semi-autonomous KRG, Erbil has not experienced the violence that affected other regions in Iraq. From February 23, 2008, to May 31, 2008, only one attack was reported against ISF, Coalition forces, or civilians. In May 2007, all KRG provinces achieved Regional Iraqi Control, and violence remains low. Erbil has not experienced an increase in attacks or terrorism resulting from recent ISF and Coalition operations that have pushed al-Qa’ida in Iraq northward.

“Sulaymaniyah: (Average daily attacks: 12/1/07-2/22/08 = 0.02; 2/23/08-5/31/08= 0.02) Generally, this province experiences minimal violence and low incidence of attack. DoD reported that there were only two attacks from the end of February 2008 to the end of May 2008. However, Iran continues to launch air strikes against Kurdistan Workers’ Party strongholds located along the border. Like the other KRG provinces, Sulaymaniyah achieved Regional Iraqi Control in May 2007.” [63m] (p50)

See also [Recent developments](#)

- 8.14 The FCO report, 27 March 2009, stated that “The BEO [British Embassy Office] Erbil stated that the overall security situation across the KR [Kurdistan Region] remains good, with only occasional isolated insurgent incidents recorded. The Interior Ministry in Erbil had been attacked with a truck bomb in 2007 and the Asayeesh (security force) post outside the Palace Hotel in Sulaymaniyah had been attacked in 2008.

“The BEO Erbil stated that the KR is policed and secured effectively by a combination of the Peshmerga (the Kurdish military force that is technically part of the Iraqi armed forces), local police and the Asayeesh security force. The KRG maintains an effective border (the ‘green line’) between the KR and the rest of Iraq and controls entry into the KR to keep insurgent and terrorist elements out of the KR. The disputed cities of Kirkuk and Mosul, close to the green line and under central Iraqi control from Baghdad, are unstable and Iraqi forces still rely on assistance from Multinational Forces in Iraq to control them.

“The BEO [British Embassy Office] Erbil stated that the final status of the cities of Mosul and Kirkuk, which have large ethnic Kurdish populations, has yet to be determined but violence rarely spills over from them to the KR, despite their proximity.” [66d] (p2)

- 8.15 The AI report of 14 April 2009 stated that “The Kurdistan Region of Iraq, unlike the rest of the country, has generally been stable since the 2003 US-led invasion. It has witnessed growing prosperity and an expansion of civil society, including the establishment of numerous non-governmental organizations (NGOs) active in the promotion and protection of human rights.” [28b] (p5)
- 8.16 The UNHCR report, April 2009, stated that “In the three Northern Governorates, there is relatively greater religious and ethnic tolerance, and non-Muslims and members of non-Kurdish ethnic groups are generally respected. Nonetheless, there are reports of arbitrary detention and ill-treatment of suspected political opponents by the authorities.” [40b] (p25)

[Return to Contents](#)
[Go to list of sources](#)

SECURITY FORCES

Overview

- 9.01 As noted in the previous section, the KRG is policed and secured by a combination of the 'Peshmerga' (the Kurdish military force that is technically part of the Iraqi armed forces), local police and the Asayeesh security force. (FCO Report, 27 March 2009) [66d] (p2)
- 9.02 The USSD report for 2008 noted that: "The KRG maintained its own regional security forces as set forth in the constitution. Pending further progress on implementing the Unification Plan for the KRG the two main parties of the Kurdish region maintained outside the control of the KRG MOI Peshmerga units as regional guards, internal security units (Asayish), and intelligence units...
- The KRG functioned with two party-based Ministries of Interior. The PUK Party controlled the Ministry with oversight of the province of Sulaymaniyah, and the KDP controlled the Ministry with oversight of the provinces of Erbil and Dohuk." [2o] (p9)
- 9.03 Jane's Sentinel also noted that the KDP and PUK parties maintained their own military wings, loyal to their respective parties but with co-operation through the defence ministry in Arbil. [14e] (p16)
- 9.04 The KRG reported, on 7 April 2009, that "The Kurdistan Parliament yesterday witnessed the inauguration of the Kurdistan Regional Government's new Deputy Prime Minister, and the swearing-in of the Minister for Peshmerga Affairs and the Minister of Interior, taking another step towards the unification of all KRG ministries.
- "Parliament approved the nominations of Mr Imad Ahmad Sayfour as the Deputy Prime Minister, Mr Jafar Mustafa Ali as Minister for Peshmerga Affairs, and Mr Abdul Karim Sinjari as Minister of Interior." [150i]
- 9.05 The UNCHR report, April 2009, recorded that "The Kurdish *Asayish's* practice to arrest and transfer Arabs and Turkmen from Mosul and Kirkuk to prisons inside the Kurdistan Region, which had first been reported by the Washington Post in June 2005, has largely been stopped since summer 2008. However, some Arabs and Turkmen arrested previously continue to be held by the Asayish inside the Kurdistan Region pending investigation." [40b] (p167)
- 9.06 Professor Stansfield, in a letter of 30 April 2009 to COI Service, stated that "the KDP intelligence services... are known as Parastin which translates as 'protection'. The formal name of Parastin is Reckhrastini Taybet which translates as 'special organization'... However, the name 'Parastin' remains in common usage.
- "Both the KDP and PUK operated 'secret' security organizations from their founding, which were set up to gather information on opponents, and to operate in a clandestine capacity. The PUK's counterpart to the KDP's Parastin is the Zanyari. Both Parastin and Zanyari are seen as being the guardians of the parties. Over the years, both organizations have reportedly

interacted with the intelligence services of other states (including those of Western powers), improving their effectiveness. Yet they remain very secretive indeed, with both organizations remaining firmly under the control of their respective parties, and not the KRG.” [151] (p2)

Peshmerga

- 9.07 The peshmerga are party-based militia forces. Jane’s Sentinel, 2 May 2008, provided the following background:

“Virtually every military-age Iraqi Kurdish male is considered a peshmerga (‘one who faces death’). With much justification, Kurdish leaders regard these guerillas as their sole guarantors of peace and order, and they consider anything less than total control over them as an invitation to disaster. US plans to disband the peshmerga or place them under Iraqi national command have been totally rejected. Instead, the Iraqi government nominally annexed the peshmerga but allowed their chain of command to remain untouched and entirely Kurdish. Although they are technically part of the Iraqi Army, their loyalty to the KRG leadership (and more specifically to either KDP or PUK leaders) is complete. Almost no non-Kurdish Iraqi soldiers are in the Kurdistan Region. So great is the Kurdish insistence on retaining control that Kurdish parties have foregone significant cash inducements and have declined any significant presence by US and foreign forces, even in a training and equipping role. Kurdish forces numbering the low thousands have been working with US units in Baghdad as part of the 2007 ‘surge’ plan.” [14e]

- 9.08 Jane’s Sentinel, 7 October 2008, further explained:

“In the Kurdish community, [peshmerga] ... militias are deeply embedded safeguards against central government aggression as well as features of the internal power balance between the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK). Though such militias may claim to be folding their troops into central government security forces, the primary affiliation of security forces personnel typically remains to their sectarian blocs and the few functional Iraqi National Guard units are little more than thinly veiled sectarian militias. Smaller communities also maintain unofficial militias. For instance, Iraq’s Turkoman have developed militia forces with training and support from Turkey. Over 100,000 peshmerga will have been incorporated formally into the Iraqi security forces by the end of 2008; the remaining 46,000 will be incorporated into a KRG regional force that the federal government will fully subsidise. In the latter third of 2008, tensions between the Arab and Kurdish blocs were mirrored by stand-offs in disputed areas like Khanaqin and the Khurmala Dome oilfield between the Iraqi Army and Peshmerga forces.” [14d] (p4)

- 9.09 The Center for Strategic and International Studies (CSIS) report, 19 February 2009 noted that “The disposition, equipment levels, and training of the forces under the KRG remain unclear. However, unofficial reports from US military sources indicate that, in the PUK area at least, the Peshmerga have been organized into a brigade-centric infantry force with some armor and artillery and support units. It is believed that the Peshmerga number roughly 100,000 men.

“Like much of Kurdish society and government, the Peshmerga is divided into KDP and PUK sections. Each party operates roughly half of the overall Peshmerga force, and there appears to be little coordination between the two, despite the official goal of eventually forming a unified force. According to a US military source familiar with the PUK Peshmerga, the force is divided into ‘Organized’ and ‘semi-Organized’ units. The Organized units are better armed, trained, and disciplined than their semi-Organized counterparts.

“The PUK Organized forces number 6,658 personnel and are divided into 26 units. These units include a mechanized brigade (including 1 tank battalion and 2 mechanized battalions), 3 anti-tank battalions, 3 tank-destroyer battalions, 1 machine gun battalion, 6 field artillery battalions, 1 engineer battalion, 1 scout battalion, and a number of smaller units. The Scout battalion is deployed to Baghdad as the core of the Presidential Security Brigade.

“The PUK semi-Organized forces are divided into 16 infantry brigades of 300 – 2,000 personnel each, with a total aggregate strength of 25,000-26,000 men. Both Organized and Semi-Organized Peshmerga operate on a 2-week on, two-week off schedule.

“Additionally, there are 8,000 soldiers assigned to the PUK Ministry of Peshmerga Affairs. These ministry forces included 2 infantry battalions, 1 field artillery battalion, 3 military intelligence battalions, as well as training academies.

“A number of other political parties maintain armed militias within the KRG. These militias are fielded by a number of smaller Kurdish parties, including the Communist Party, Islamist party, Socialist party, and Toilers Party. Total strength of these militias is extremely difficult to quantify, with each militia ranging from 500 – 2,000 men. According to a US military source, estimates of the total strength of these forces range between 5,000 and 10,000 men.

“Two new IA [Iraqi Army] divisions (the 15th and 16th) are now being formed out of regular Peshmerga troops. The 15th division is being formed out of PUK soldiers, while the 16th is from KDP troops. Units transferred from the KRG to the regular ISF fall under the central Iraqi government’s budget, thus giving the KRG a significant monetary incentive to transfer its forces. However, according to the DoD ‘the level of GoI and KRG leadership support for this initiative remains unclear.’

“While the Peshmerga are legally exempted from the GoI’s ban on militias, they are only allowed to operate within the KRG. However, unofficial US military sources report that Peshmerga forces operate outside of this area frequently. Regular Peshmerga units appear to be permanently stationed in and around both Mosul and Kirkuk.” [63m] (p93-94)

- 9.10 Jane’s Sentinel 2 May 2008 noted “The PUK peshmerga force has an estimated strength of 15,000. It is believed to be organised as 11 infantry units, one engineering unit, one rocket artillery unit, one anti-air unit, and the Cobra Battalion special forces outfit. The commander-in-chief of PUK forces is Jalal Talabani. General Mustafa Said Kadir is the deputy commander-in-chief. There are four departments: Staff Section, Administration Section, Intelligence and Political Section.” [14e] (p16)

- 9.11 The CSIS report, 19 February 2009, further stated that “Kurdish forces also procure their own weapons, an issue that has caused serious tension with the central Gol [Government of Iraq].” [63m] (p93)
- 9.12 There were reports in August 2008 of a stand off between members of the Peshmerga and Iraqi security forces in the disputed area of Khanaqin, Diyala province. (IOM, November 2008) [111I] (p2)
- 9.13 The USDoD report, December 2008, also reported on the incident in Khanaqin and further stated that:
- “The Peshmerga are well equipped and trained, and they remain dedicated to the security of the KRG region. Nevertheless, occasional attacks do occur in the region. Furthermore, the presence of Peshmerga forces in parts of some non-KRG provinces (e.g., Khanaqin in Diyala) has increased tensions between the Gol and the KRG and between Arabs and Kurds, hampering political cooperation.” [103d] (p26)

KRG Police

- 9.14 The Center for Strategic and International Studies (CSIS) report, 19 February 2009, stated there are no Iraqi Police in the KRG. [63m] (p93-94)
- 9.15 The FCO report, 27 March 2009, commented that “General Rzgar Ali Aziz, Chief of Police in Sulaymaniyah Governorate stated that policing in the KR was the responsibility of the KRG Interior Ministries. There are still separate Interior Ministries in Sulaymaniyah, controlled by the PUK, and Erbil, controlled by the KDP. The KRG plans to merge the Ministries. Police in the KR form part of the wider military and police structures of Iraq.
- “General Rzgar Ali Aziz stated that there have been great changes in policing in the KR since 1991, when the KR broke away from Saddam's Iraq. Policing was now conducted openly in an accountable democracy with freedom of expression and a free media. People are aware of their civic rights and expect the police to use their powers responsibly and fairly. The main focus of police work nowadays is to protect human rights. Police departments cover specific areas of work including local policing, protection of KRG establishments and utilities such as dams, power stations and oilfields, protecting the environment, police training and firefighting.” [66d] (p2)
- 9.16 The FCO report further stated that “[the] ICRC [International Committee of the Red Cross], Erbil stated that the KR was policed strongly, driven by the need to combat terrorist activities, which had resulted in a high level of security and safety compared to other parts of Iraq. The KRG security apparatus was sophisticated and law enforcement agencies were generally well trained and equipped. The public enjoyed the high level of day-to-day security and overall the KRG had balanced well the need for good security with the desire for freedoms and rights.” [66d] (p2)
- The same report, commented that “Alexander Elliott, Forensic/Investigations Advisor [to the Iraqi Police, based at the BEO (British Embassy Office) Erbil] stated that police receive human rights training in the KR. Human rights training is now embedded in police training and specific classes on human rights are given in the police academies. Although there was growing awareness of human rights issues in policing in the KR human rights

principles can be difficult to enforce in specific locations and establishments if the officers in charge do not attach sufficient importance to human rights.

“... the ICRC [stated it] will participate in May 2009 in training on human rights issues of junior officers at the Erbil police academy. Human rights are now embedded in the police training curriculum, which represents good progress although it will take time to change the general culture.” [66d] (p4)

- 9.17 The FCO report, 27 March 2009, also stated that “Alexander Elliott, Forensic/Investigations Advisor stated that police officers usually had to make regular contributions to the main political parties, the KDP and PUK, to ensure job security and career advancement. Such payments were not high, around US\$2 to 5 per month, but failure to pay could result in warnings from superiors and would likely result in a block on promotions. Officers unwilling to make contributions could also risk being posted to remote locations. Some police felt that some colleagues might further their careers through personal and political connections. Police budgets were not published and were not transparent and there were concerns about financial corruption and mismanagement.

“Nawshiran Mustafa stated that although the police were well administered in the KR they were not independent of the main political parties, the KDP and the PUK. To join the police at any level required, in common with other areas of government work, a letter of support for the candidate from one of the two main political parties. Nawshiran Mustafa's new political grouping will campaign for the political link between the parties and the police to be broken.” [66d] (p4)

See also [Freedom of political expression](#)

- 9.18 The FCO report, 27 March 2009, mentioned that “General Rzgar Ali Aziz stated that women had been able to join the KR police since 1995 and many had since progressed to middle ranks of seniority. There are twenty ranks in the police and women are now well represented across all departments and areas of work in the police up to the fifteenth rank. Women are increasingly present at graduate entry level.” [66d] (p4)

See also [Women](#)

Asayeesh (Asayish)

- 9.19 The Amnesty International (AI) report, 14 April 2009, stated that:

“The *Asayish* is the official security agency in the Kurdistan Region. It was established by the Kurdish authorities in 1992 and became operational in early 1993. During 1993, it was placed under the Kurdish Ministry of the Interior. After fighting erupted in the mid-1990s, however, the KDP and PUK ensured that they had their own separate *Asayish* forces under the control of their own interior ministries. The KDP and PUK removed the *Asayish* from the control of these ministries in 2004 and 2005, respectively.

“On 20 November 2004 a new law, Law 46 of 2004, was approved by the Kurdistan Parliament. The law sets out the purpose and role of the *Asayish* forces in the whole Kurdistan Region. ... The agency does not fall under any ministry, but reports directly to the presidency of the KRG. The agency

enjoys financial and administrative independence and has its own budget (Article 2, 3). It is headed by a senior official with the rank of minister, who is appointed by the President of the KRG and reports to him directly (Article 4). The law does not include any provision about disciplinary procedures if a member of the *Asayish* commits a crime.” [28p] (p9)

9.20 The arms of the Asayish which answer directly of the KDP and the PUK are respectively the *Parastin*, headed by Masrour Barzani, son of the KRG’s President, and the *Dezgay Zanyari*, headed by Pavel Talabani, son of Iraq’s President. (AI, 14 April 2009) [28p] (p10)

9.21 The CSIS report, 19 February 2009, mentioned that “The Asayish are a rough equivalent to the FBI and/or CIA in the US. They report directly to the PUK party leadership, bypassing the local government in the provinces they operate in. [63m] (p94)

9.22 The FCO report, 27 March 2009, stated that “Abdullah Ali Muhammad, Asayeesh Security Director, Erbil stated that the Asayeesh has four main areas of work: counter-terrorism, counter-narcotics, counter-espionage and financial crimes. The Asayeesh reports directly to the KR President. Organisationally there is an Asayeesh structure in each of the KR’s Governorates and there are Asayeesh centres in all districts and sub-districts.

“... UNAMI stated that the Asayeesh (Kurdish for ‘security’) is the main security and intelligence agency of the KRG. The Asayeesh, rather than the regular police, deals with any cases with a political dimension. Unlike the police the Asayeesh does not fall under the Interior Ministry.

“Alexander Elliott, Forensic/Investigations Advisor stated that the Asayeesh would usually deal with any police matter that had a state security or political element. The Asayeesh guard KRG secure facilities.

“... UNHCR Erbil stated that the Asayeesh would usually deal with serious criminal cases and cases that had a potentially political angle to them. The Asayeesh does not come under the jurisdiction of the Interior Ministry but is linked to the two main political parties.” [66d] (p5-6)

9.23 Prof Stansfield, in a letter of 18 May 2009, stated that:

“Commonly and mistakenly assumed to be the intelligence service of the KDP and PUK, the *asayeesh* is in fact the secret security organization of the KRG, and is more analogous to the *mukhabarat* organizations in Arab states. ... it would be almost unheard of for a non-PUK and non-KDP member to be employed in the *asayeesh*, which makes the division between it and the *Parastin/Zanyari* often more academic than practical. However, structurally they are separate and tasked with different roles, with the *asayeesh* more concerned with internal security issues (though this now takes on an anti-terrorist role) and the parties’ security organizations focusing more on regime and party security. The dividing line is, however, tenuous.”

Arbitrary arrest, detention and torture by security forces

- 9.24 The UN refers to the legal basis for KRG security forces' detaining of suspects, in its UNAMI report covering 1 July-31 December 2008:

"The KRG 2006 Anti-Terrorism Law, which forms the legal basis for many arrests, has been extended into mid-2010. Meanwhile, claims by detainees of insufficient legal assistance and of inordinate delays in investigations and trial proceedings were frequent. Of particular concern to UNAMI is the practice of keeping some persons in *de facto* unlimited administrative detention. UNAMI/HRO has come across persons detained for five years or more. Many stated to have lost hope of ever being released and the authorities make little effort to justify, explain or even mask this grave violation of human rights." [39b] (p26)

See also [Arrest and detention – Legal rights](#)

- 9.25 The US State Department (USSD) report for 2008 noted that "There were a number of reports that KRG detainees were held incommunicado. KRG internal security units reportedly detained suspects without an arrest warrant and transported detainees to undisclosed detention facilities. There were reports that detainees' family members were not allowed to know their location or visit them. Reportedly police across the country continued to use coerced confessions and abuse as methods of investigation." [2o] (p10)

- 9.26 UNHCR's August 2007 paper 'Eligibility Guidelines for Assessing the International Protection Needs of Iraqi Asylum-Seekers' recorded:

"The Kurdish parties and their armed forces are considered responsible for arbitrary arrests, incommunicado detention and torture of political opponents (e.g. (perceived) Islamists and members of ethnic/religious minorities) in their areas of jurisdiction in the three Northern Governorates and in areas under their *de facto* control further south, in particular the Governorates of Kirkuk and Ninewa. There are also concerns over the treatment of journalists perceived as critical of the authorities." [40j] (p45)

See also [Arrest and Detention – legal rights](#)

- 9.27 UNHCR's Eligibility Guidelines of August 2007 stated that "The Kurdish parties and their armed forces (Peshmerga) have been blamed for acts of violence committed in areas under their control against (perceived) political opponents, (perceived) Islamists, and members of ethnic/religious minorities." [40j] (p10) The UNHCR report also noted that "Members of ethnic minorities run the risk of arbitrary arrest and incommunicado detention by Kurdish militias." [40j] (p90)

- 9.28 The same report also stated that:

"The Kurdish parties and their armed forces are considered responsible for arbitrary arrests, incommunicado detention and torture of political opponents (e.g. (perceived) Islamists and members of ethnic/religious minorities) in their areas of jurisdiction in the three Northern Governorates and in areas under their *de facto* control further south, in particular the Governorates of Kirkuk and Ninewa. There are also concerns over the treatment of journalists perceived as critical of the authorities." [40j] (p45)

- 9.29 The UNHCR report of April 2009 stated that:

“Actual or suspected members or supporters of Islamist armed groups such as Ansar Al-Islam may be at risk of ill-treatment and human rights violations at the hands of the Kurdish security forces. Individuals suspected of ‘terrorist’ links are often held incommunicado for prolonged periods of time, in some cases for several years, without charge or trial by the Kurdish parties’ security and intelligence services. Many are arrested under violent circumstances and on the basis of vague accusations.” [40b] (p168)

See also [Prison conditions](#)

- 9.30 The USSD report for 2008 noted that “Unlike in the previous year [2007], there were reports of KRG security forces using excessive lethal force. On August 17 [2008], residents of Sreshma village in Erbil demonstrated in favor of improved access to water. As they reached the Khalifan village mayor's office, the police opened fire, killing a 15-year-old bystander and injuring four others. The governor of Erbil suspended the head of the Khalifan police, and several police were imprisoned. Since both police and villagers were shooting, no individual was found responsible for the killing, and the police were released...

“Abusive interrogation practices reportedly occurred in some detention facilities run by the KRG internal security (Asayish) forces and the KRG intelligence services. Allegations of abuse included application of electric shocks, suspension in stress positions, and severe beatings. In some cases, police reportedly threatened and sexually abused detainees, including juveniles, and also committed acts of torture, including beatings and use of drills.” [2o] (p4,6)

- 9.31 The CSIS report, 19 February 2009, stated that:

“The Asayish, the PUK special paramilitary police force, has... been accused of operating, and even arresting suspects, outside of the KRG areas. The Asayish are a rough equivalent to the FBI and/or CIA in the US. They report directly to the PUK party leadership, bypassing the local government in the provinces they operate in. The Asayish operate both overt and covert jails, and maintain a network of informants throughout the PUK area. A Human Rights Watch report published in July, 2007 accused the Asayish of committing a number of violations of Iraqi and international law, including the torture of detainees.” [63m] (p94)

See also [Freedom of political expression; Prison conditions](#)

- 9.32 The FCO report, 27 March 2009, noted that the “... ICRC stated that there was no particular pattern to incidents of abuse or mistreatment of detainees and such cases that occurred were usually localised. Mistreatment included the use of beatings to extract confessions and psychological abuse such as isolation.” [66d] (p4)
- 9.33 The FCO report further mentioned that “... UNAMI stated that the law enforcement authorities employ torture in KRG but this falls short of extra-judicial killing. Young men were most at risk of being detained arbitrarily by the police.” [66d] (p5)
- 9.34 The AI report, 14 April 2009, commented that:

“Allegations of serious human rights violations, including torture and other ill-treatment, have been made against both *Asayish* entities, and Amnesty International delegates received further such allegations when they visited the Kurdistan Region of Iraq in mid-2008. However, the KRG authorities have failed to establish prompt, impartial and independent investigations into such allegations, as international human rights standards require, and the agency appears to operate in a climate of impunity.

“Many people complained to Amnesty International that the *Asayish* is permitted to act outside the law, unconstrained by any judicial or other oversight, and operates as a law unto itself...

“... the Parastin or Dezgay Zanyari, have [both] committed serious human rights abuses in the secret detention facilities that they run. They are also reported to have threatened journalists, writers and academics who have spoken out against alleged corruption within the KDP and PUK.” [28p] (p9-10)

- 9.35 The AI report further stated that although the KRG had released over 3,000 detainees in response to AI's August 2008 memorandum on human rights concerns, hundreds of prisoners were still being held without charge or trial. “The head of the *Asayish* Gishti in Erbil informed Amnesty International at the end of May 2008 that there were then 670 political detainees being held without charge or trial. ...

“Many of those detained in recent years were arrested because of their suspected membership of or support for armed Islamist groups, in particular Ansar al-Islam (Supporters of Islam), a banned organization, as well as legal political parties including the Kurdistan Islamic Movement and *al-Jama'a al-Islamiya* (the Islamic Group). ...

“Detainees were rarely told the reason for their arrest, and such information was also withheld from their families. In some cases, detainees' families were unaware of their arrest and unable to find out information about them for weeks or even months, despite making inquiries about them with the KRG authorities.

“Following arrest, detainees were taken to prisons and detention facilities controlled by the *Asayish*, including, in some cases, secret detention facilities. ... Conditions in some of the places of detention were reported to be very harsh; conditions in 'Aqra Prison, east of Erbil, were reported to have been so severe that the prison was closed in mid-2007 after it was visited by the KRG Minister of Human Rights.

“Detainees may be interrogated weeks or months after their arrest. ...they were invariably denied access to lawyers and had no means to challenge the legality of their detention, in clear violation of international human rights law and standards and in breach of Iraqi and Kurdish law. Indeed, some lawyers told Amnesty International that they would be afraid to defend terrorism suspects for fear of harassment or other reprisals from the KRG's security forces.” [28p] (p11-12)

- 9.36 The AI report, 14 April 2009, also stated that “A number of people arrested by the *Asayish* have disappeared since they were taken into custody.” [28p] (p17)

9.37 The AI report, 14 April 2009, noted that:

“Amnesty International has received numerous reports of torture and other ill-treatment of political suspects in prisons and detention centres under the control of the *Asayish* and other security agencies throughout the Kurdistan Region of Iraq. Methods reported to Amnesty International include: the application of electric shocks to different parts of the body; beatings with fists and with a cable and/or metal or wooden baton; suspension by the wrists or ankles; beating on the soles of the feet (*falaqa*); sleep deprivation; and kicking. In a few cases, detainees are alleged to have died as a result.

“Torture and other ill-treatment are widely used to obtain information and confessions from detainees and also as a form of punishment. Torture often takes place immediately after arrest, when detainees are under interrogation. Victims of torture include members and suspected members of banned Islamist groups and members of recognized Islamist political parties.” [28p] (p25)

Avenues of complaint

9.38 The FCO report, 27 March 2009, commented that “General Rzgar Ali Aziz stated that the KR does not have independent police boards or an independent police complaints authority. Police follow up and investigate any complaints themselves. There are ‘complaints boxes’ in Sulaymaniyah police headquarters and at the Interior Ministry in which members of the public may lodge complaints. All complaints are investigated and serious allegations of misconduct are referred to the courts.

“Alexander Elliott, Forensic/Investigations Advisor stated that there is no independent police complaints authority or ombudsman in the KR. There is an internal investigations department but there is a general lack of public confidence in the system and a feeling that the police do not take complaints about mistreatment of suspects seriously enough.

“General Rzgar Ali Aziz stated that several organisations and the media monitor the work of the police and raise any concerns they have directly with the police. NGOs and international organisations such as the ICRC regularly meet the police and scrutinise their activities. As the delegation arrived to meet General Rzgar Ali Aziz a meeting with the ICRC was concluding. The ICRC had discussed specific cases of people in detention with the General.” [66d] (p4)

[Return to Contents](#)
[Go to list of sources](#)

JUDICIARY

- 10.01 The USSD report for 2008 stated that: "The constitution provides for an independent judiciary in all regions. In November 2007, the KRG passed the Judicial Power Law of 2007, which attempted to create a more independent judiciary. The Kurdish Judicial Council (KJC), which had been part of the KRG executive branch's MOJ, became legally independent and took responsibility for the creation of its own budget, human resource management, and reporting. The KRG MOJ no longer has direct operational control over the judiciary, the KRG Ministry of Finance relinquished control of the KJC's budget, and the chief justice was appointed by other judges and not by the executive branch. The executive's influence has been important in politically sensitive cases such as freedom of speech and the press." [2o] (p8)
- 10.02 The FCO report, 27 March 2009, stated that "The BEO [British Embassy Office] Erbil met the KRG Justice Minister, Faruq Jamil Sadiq, in March 2009. The Minister stated that the judiciary had now been fully separated from the executive and had established its own independent administration, appointments and professional development system.
- "... [the] ICRC stated that until now the judiciary had not been properly independent of the executive. It is hoped that a constitutional review being undertaken currently by the KRG will establish full independence of the judiciary. Other problems with the current system of justice in the KR include a lack of professional expertise amongst practitioners and a complex and inefficient bureaucracy. The KRG has acknowledged that the system is not perfect and does appear serious in its commitment to bring about improvements.
- "Khanim Latif of the NGO Asuda, which campaigns to end violence against women, stated that there is no legal aid system in the KR. US Provincial Reconstruction Teams have focussed on making the rule of law a priority in the KR and a major focus in their work has been to help poorer people access legal assistance.
- "... Asuda stated that female lawyers and judges operate within the legal system in the KR but in many cases people feel that a male lawyer is needed to ensure that a legal case is taken seriously." [66b] (p5-6)
- 10.03 In an interview posted on the KRG website on 11 February 2009, Dr Yousif Mohammad Aziz, Minister for Human Rights for KRG stated:
- "One of the biggest problems we face is the judicial system. The courts, judges and general prosecutors need to be reformed and some violations of human rights are even caused by the judicial system. At the celebration the 60th anniversary of the Universal Declaration of Human Rights, Prime Minister Barzani said that in 2009 more steps should be taken to improve the rule of law." [150h]
- 10.04 In 2007, the Finnish FFM report (23 October-3 November 2007), commented that "There is a unified justice ministry in the KRG region. The staff of the justice ministry, however, is loyal to the main political parties, and there is a power struggle going on within the ministry. Because of this many

trials are politicised. There is an amount of pressure towards lawyers, according to NPA [Norwegian People's Aid]." [131] (p9)

- 10.05 A letter from the FCO, dated 6 December 2006, noted that there were 27 courts and 92 judges in the provinces of Erbil and Dohuk. Figures for Sulaymaniyah were unavailable. [66n]
- 10.06 The KRG reported, on 12 December 2007, that:
- “the General Directorate for Identification of Criminal Evidence, supervises all evidence in Kurdistan Region and assists several Iraqi cities like Kirkuk, Mosul, Diyala, and sometimes Baghdad with its handling of evidence. The directorate boasts very skillful staff who received training in and outside Iraq, and several modern labs and equipment provided by the American Civilian Police Assistance Training Team (CPATT) and the Zaytun Division of the South Korean Army, which is based in Erbil city...
- “[the] directorate is a technical establishment that investigates various types of criminal evidence, helping all security units and courts in the Kurdistan Region and other units that need to identify criminals...
- “[the] directorate specialises in fingerprints, weapons, homicides, drugs, and forgery of passports, documents, handwriting, contracts, and university and school certificates.” [150g]
- 10.07 Amnesty International, in their report of 14 April 2009, commented on the lack of independence of the judiciary in the KRG administered area and judicial subordination to the requirements of the *Asayish*. The report mentioned that “a judge who wrote a newspaper article in which he criticized Asayish interference in the judicial process was subsequently threatened by a senior Asayish official that he should desist from such comments or face adverse repercussions.” [28p] (p25)

RELIGIOUS AND TRIBAL LAW

- 10.08 In 2005, a UNHCR report noted that the Law on Criminal Proceedings allowed for the use of tribal justice or other forms of extrajudicial procedures (for example, religious courts) in the areas of “Offences giving rise exclusively to a private right of action”; “Conciliation prior to verdict leading to the suspension of legal action”; and “Subsequent pardon on request of the victim.” The same report noted that “These provisions also continue to be applicable in the three Northern Governorates of Erbil, Dohuk and Sulaymaniyah. In addition, cases where conciliation or pardon is not permitted (e.g. murder) are at times referred to tribal justice in breach of the Law on Criminal Proceedings.” (UNHCR COI, October 2005) [40c] (p123-124)

[Return to Contents](#)
[Go to list of sources](#)

ARREST AND DETENTION – LEGAL RIGHTS

- 11.01 The UNAMI human rights report, covering the period 1 July-31 December 2008, stated that:

“UNAMI/HRO continues to document serious violations of the rights of suspects and those deprived of their liberties by the KRG authorities. These include claims of beatings during interrogation, torture by electric shocks, forced confessions, secret detention facilities, and a lack of medical attention. Abuse is often committed by masked men or while detainees are blindfolded. In general, detainees fear the interrogators and investigative personnel more than prison guards. UNAMI hopes that human rights compliance by guards in Asayish facilities will be supported by a newly-introduced system whereby detainees can file complaints with a monitor. The KRG Ministry of Human Rights, which issues quarterly reports on prisons, claimed that those responsible for torture were being punished but UNAMI finds that many of the sanctions imposed (salary reductions, transfer and dismissal) are not serious enough given the severity of abuse of human rights. While some detainees were reluctant to disclose information for fear of retaliation, others complained freely about overcrowding, lack of hygiene, poor access to medical services, bad food, lack of recreational activities, insufficient family visits or other deficiencies.” [39b] (p27)

See also [Arbitrary arrest, detention and torture by security forces](#)

- 11.02 The USSD report for 2008 noted: “KRG security forces and intelligence services were involved in the detention of suspects in KRG-controlled areas. The variety of borders and areas of authority remained a cause of confusion, and therefore concern, with regard to the jurisdiction of security and courts.” [2o] (p9)

- 11.03 The FCO report, 27 March 2009, stated “General Rzzgar Ali Aziz stated that suspects could be held for 24 hours before a court order was required to detain them longer. Police are required to notify the courts that they are holding somebody within 24 hours of detaining them. Courts will determine how long a person can be held for investigation by the police before they are placed on trial. There is a special department in the police responsible for cases held up to six months.

“... [the] Forensic/Investigations Advisor to the Iraqi Police, based at the BEO [British Embassy Office], stated that the arrest rate was high in the KR as people could be held on suspicion of a crime. Police can hold a person for up to 24 hours before a court order to detain them longer was required from a court. Suspects can be held for lengthy periods without charges being brought against them or without being brought to trial.” [66d] (p2-3)

- 11.04 The FCO report, 27 March 2009, recorded that:

“[the] ICRC stated that anti-terrorist legislation enacted in 2003 gave the authorities greater opportunities to detain people on suspicion for lengthy periods without charge or trial and without access to legal representation. There have been allegations that false confessions have been made in anti-terrorist cases. Investigation of cases of people held for protracted periods in detention was a major part of ICRC's work in the KR. The KRG was serious in its commitment to improve detention conditions. Legal provisions and

safeguards were in place governing rules of detention but these were not always applied properly.

“... [the] ICRC stated that allegations have been made that there are people held in the KR in secret detention. [The ICRC] ... was not able to discuss any individual cases but stated that the ICRC believed that, although difficult to assess the situation accurately, there was substance in some of these allegations, involving anti-terrorist cases.

“... [the] ICRC stated that the ICRC had visited around 3,000 people held in detention in the KR during 2008. The ICRC has had an agreement with the KRG since 2002 allowing it to visit and have open access to any police station or prison without advanced notice at any time. The ICRC has not experienced any difficulties in making such visits in any locations across the KR. After making a visit the ICRC debriefs the prison governor or police station officer-in-charge. Follow-up visits are made to establishments to check whether any recommended improvements have been made. The ICRC is hoping to reach a similar agreement on prison and police station visits with the central Iraqi Government.

“... UNAMI stated that there were concerns about the impunity of law enforcement forces, mistreatment of people held in custody and unlawful use of detention in the KR. UNAMI is aware of cases of people who have been held in detention for over a year, in some cases as much as six or seven years. UNAMI has heard allegations that there are people held in detention secretly but the KRG denies this.” [66d] (p3-4)

11.05 The FCO report, 27 March 2009, stated that:

“Dr Yousif Aziz (Dr Shwan), Kurdistan Regional Government (KRG) Human Rights Minister stated that there had been delays in releasing around 600 people who had been detained on suspicion of terrorism before anti-terrorist legislation had been introduced in the KR. Charges had not been brought against some of the people detained but there had been long delays in releasing them even with court papers ordering their release. Only a few cases remain to be resolved but the police are reluctant to release them as they believe them to still be a danger. Dr Shwan has insisted that they be released unless charges can be brought against them.” [66d] (p6)

11.06 In an interview posted on the KRG website on 11 February 2009, Dr Aziz, when asked what the KRG was doing to tackle the issue of many terrorism suspects who had been detained without charge or trial from 2003, said:

“Many people - more than 700 - were detained without charge, as at the time [2003] there was no terrorism law under which they could be charged, and there were two administrations in Kurdistan. Since the unification of the two administrations into a unified cabinet in May 2006 and the passage of the anti-terrorism law in July 2006, we have worked hard to solve this problem and from the outset I have personally visited the prisons where they were held and we listened to the opinions of international NGOs. We worked with the Ministry of Justice, Interior Ministry and security forces to solve most of the cases so that from more than 700, now there are just nine held without charge. We are working hard on those nine cases and talking to experts so that none of them are held without charge.” [150h]

- 11.07 The UNAMI human rights report, 1 January-30 June 2008, noted the number of detainees in the KRG area to be 3,006, as of June 2008. [39q] (p23) The paper documented that amongst the cases of detainees “held at Asayish detention facilities in Erbil, 38 had been held for up to four years without referral to an investigative judge, charge or transfer to court....

“Asayish Gishti officials maintained that these detentions were legal and reviewed by the court every six months. However, one judge informed UNAMI in March that he had no oversight over detainees who are not introduced before him, and that the responsibility for ensuring legality of detention lies with judicial investigators. The KRG authorities also failed to respond to UNAMI’s earlier requests to process cases of detainees who remain in detention for over seven years without charges or trials. The Human Rights Committee of the Kurdistan National Assembly (KNA), which is mandated to review detention facilities, registered 140 cases of persons detained longer than 2 years without charges at Asayish detention facilities.” [39q] (p25)

See also [Prison conditions](#)

- 11.08 UNAMI also commented on progress made in 2008 on reviewing detainee cases and releases:

“Between January and March [2008], Asayish Gishti Erbil released 553 detainees and continued to detain 350 as of March 31. Asayish Gishti Sulaimaniya told UNAMI that as of late March, it held 561 detainees and was preparing to transfer 50 Arab detainees to authorities outside the KRG region. In addition, judicial officers in Sulaimaniya released 162 detainees between January and March, while, Asayish Gishti Sulaimaniya released 43 detainees during the same period. On 21 April, Asayish Gishti Sulaimaniya told UNAMI that it had conditionally released 122 Arab detainees to Kirkuk as they were no longer considered “a threat to security”, while continuing to hold some 75 Kirkuk detainees at the Kani Goma facility. On 5 June [2008], Asayish Gishti Erbil released 59 detainees who had been held in connection with ties to Islamist groups. Between 1 April and 17 July, 781 detainees were released from Asayish Gishti Erbil custody with 473 remaining in detention. As of 16 June, Asayish Gishti Sulaimaniya held 391 pre-trial detainees, including Arabs from Mosul and Kirkuk.

“Despite these encouraging developments, UNAMI continues to document serious violations of the rights of suspects and those deprived of their liberties by the KRG authorities. In particular, suspects arrested on suspicion of involvement in terror-related incidents in the region, have been routinely singled out for violent treatment amounting to torture during investigations. Despite denials by intelligence officials that detainees are interrogated at ‘secret detention’ cells during initial stages of investigations, UNAMI continues to document related claims... including two detainees who alleged being raped during investigations. Both detainees allegedly suffered internal injuries and did not receive adequate medical attention. UNAMI also continues to receive reports of abusive treatment of detainees generally, particularly those held in Asayish custody, in order to extract information or confessions. Allegations include beatings with cables and fists, forcing detainees to remain in stressful positions for prolonged periods, subjected to public humiliation, and withhold of family visits.” [39q] (p25-26)

- 11.09 The USSD report for 2007 commented that: "... on January 28 [2007] and again on February 27 [2007], families of detainees arrested by Asayish forces demonstrated before the Kurdistan National Assembly in Erbil, demanding information on the whereabouts of detained relatives and the reasons for their arrest and urging that human rights abuses and the ill-treatment of detainees in these facilities be addressed...

"On April 10 [2007], the Kurdistan National Assembly passed the General Amnesty Law No. 4 for the Kurdistan region and on July 1 published it in the official Kurdistan Gazette. Pursuant to this law, the KRG formed committees in each governorate (Erbil, Dohuk, and Sulaymaniyah) that were headed by judges to review detainee cases and recommend releases. The law provided a one-time amnesty applicable to cases predating the passage of the law and was not applicable to detainees accused of terror-related offences." [21] (p7-8)

- 11.10 Also in 2007, the Finnish fact finding mission report noted that "According to UNAMI, there are many pretrial detainees in the three northern governorates. The Asayish, that traditionally has dealt with economic crime currently has a wide mandate to keeping detainees. The laws in themselves do not encourage or discourage detention. However, the judiciary is usually for the detention of suspects.

"There are several categories of detainees. For instance people who have been able to migrate to the KRG region without a sponsor have been detained. Pretrial detaining periods are long. There are some detainees who are from Mosul or Kirkuk. KRG courts claim that they have no jurisdiction to try them. These people are therefore in a legal limbo. They have been detained, but have not been charged of any crime, and there is no apparent solution to their cases. Some long-time detainees have been taken in custody before the passing of current antiterror laws. According to UNAMI, there are people who have been detained for up to seven years. The majority of pretrial detainees have spent 2-4 years in detention. According to the Kurdish government, there are about 700 detainees awaiting trial. The numbers, according to UNAMI, however, might be much higher.

"... Most of the detainees are not satisfied with the trial process, often they have no information on the appeals' process, and many have had no access to a lawyer. Although lawyers generally promote human rights, there is a PUK/ KDP split in the local bar association complicating matters. UNAMI works with lawyers to improve the trial process." [131] (p9)

See also [Security forces, arbitrary arrest and detention](#)

- 11.11 The FCO report, 27 March 2009, stated that "... ICRC stated that there was no evidence of sexual abuse of women held in detention in police stations or prisons in the KR." [66d] (p12)

See also [Women](#)

- 11.12 The Amnesty International (AI) report, 14 April 2009, commented that:

"Amnesty International received information from a number of sentenced prisoners indicating that their trials had not met international fair trial standards. Some had been tried in secret locations, rather than in properly

established courts of law. Some trials had been completed within an hour. A number of prisoners complained that they had been convicted on the basis of false “confessions” which they had been forced to make under torture or other illtreatment during pre-trial detention. Detainees commonly were denied access to lawyers in the early stages of their detention, when they were usually held incommunicado, and were interrogated by the Asayish. Even when they were permitted lawyers, when their cases went to court, they were often denied regular, adequate consultation with their lawyers. Some prisoners also complained that they had not been taken before an investigative judge or, if they were, that the judges had simply accepted without question what Asayish interrogators had told them.” [28p] (p25)

[Return to Contents](#)
[Go to list of sources](#)

PRISON CONDITIONS

12.01 The USSD report for 2008 noted that: "During the year local and international human rights organizations continued to report torture and abuse ... in KRG security forces detention facilities." [2o] (p5) References to arbitrary detention and abuse in KRG prisons and detention facilities were made throughout UNHCR's August 2007 Eligibility Guidelines paper. [40j] (p13, 24, 45, 87, 89-90, 106, 107, 108, 135) The USSD report for 2008 stated that 107 cases of torture were recorded in KRG facilities. [2o] (p8)

12.02 The USSD report for 2008 noted that:

"...the KRG Ministry of Labor and Social Welfare (MOLSW) operated prisons in the KRG, and the KRG MOI operated pretrial detention facilities. The KRG internal security (Asayish) forces and the KRG intelligence services operated separate detention facilities as well... Kurdish authorities operated eight detention facilities that combined pretrial and post conviction housing and an additional eight internal security pretrial detention facilities." [2o] (p7)

See also [Arrest and detention – legal rights](#)

12.03 The Finnish FFM report, for the period 23 October-3 November 2007, noted that:

"According to UNAMI, prison conditions do not meet international standards, but a lot of work has been done to improve the conditions. ICRC carries out prison visits in the three northern governorates and has good contact with the Asayish. ICRC's reports from the prison visits are not public. According to some informants, also secret prisons exist in the three northern governorates. These prisons are maintained by Asayish and the intelligence agencies of the KDP and PUK parties, the Parastin and Dazgay Zaniary. According to Human Rights Watch reporting, there may be some 2000 people in such prisons. Torture exists in the KRG region, according to UNAMI, UNHCR and NPA. Torture was widespread in 2003-2006, as shown for instance by Human Rights Watch in its reporting, and occurs for instance in secret prisons. UNAMI has visited the notorious Akre prison and mentioned that there are plans to close the prison. The prison should have been closed already a year ago." [131] (p9) Akre prison has since been closed. (UNAMI, 1 January-30 June 2008) [39q] [p27]

12.04 The UNAMI report for 1 July-31 December 2008 stated that:

"In more positive developments, UNAMI noticed that several detention facilities were being renovated. For example, when UNAMI/HRO returned to Shaqlawa (which had been previously visited on 12 August 2007 and 14 February 2008) it was noted that renovation work had considerably improved the state of the cells, central courtyard and sanitation facilities. The numbers of inmates had also dropped from over 60 in February to 21 in October. UNAMI also notes that all mid- and high-level Government officials addressed expressed a general commitment to human rights without acknowledging the existence of human rights violations in the KRG. UNAMI also notes with appreciation that a committee on detention conditions headed by the KRG Prime Minister lobbies for greater respect for human rights." [39b] [p27]

12.05 The FCO report, 27 March 2009, stated that "... UNAMI is able to visit prisons in the KRG and the authorities are co-operative in allowing access.

"... ICRC also stated that ICRC enjoyed good access to prisons and had never experienced any difficulties in making visits unannounced. Women are always held separately from men in prisons.

"... ICRC stated that the central Iraqi Government runs one prison in the KR, Fort Suse near Sulaymaniyah, with capacity for up to 3,000 prisoners. The prison had previously been used by Multinational Forces in Iraq. The KRG had built a new prison in Sulaymaniyah Governorate but it has not opened yet.

"... ICRC stated that prisoners had full access to medical treatment in prisons. The main problem with the provision of medical treatment was a lack of any overall health strategy or standard operating procedures.

"General Rzgar Ali Aziz, Chief of Police in Sulaymaniyah stated that women are always accommodated separately from men in prisons and police stations." [66d] (p19)

[Return to Contents](#)
[Go to list of sources](#)

DEATH PENALTY

- 13.01 The UNHCR report, April 2009, stated that “In the Kurdistan Region, the KNA reintroduced the death sentence on 2 September 2006. Since then, 17 persons were executed.” [40b] (p2-3)
- 13.02 Hands off Cain reported that on 29 May 2008, “the autonomous northern Iraqi region of Kurdistan's justice minister, Faruq Jamil, told campaign group Amnesty International he wants to abolish the death penalty, according to an unnamed ministry source...The Kurdistan region's human rights minister, Shirwan Aziz is currently working on a bill to limit the application of the death penalty together with a commission from the regional parliament and several international organisations.” [97a] (p2-3)
- 13.03 The UNAMI report, 1 January-30 June 2008, stated that “Between January and March 2008, courts in Kurdistan sentenced four persons to the death penalty for murder. KRG authorities executed three persons convicted of murder and terror related offences. According to the KRG Ministry of Human Rights, 34 prisoners are on death row in Erbil Central Prison as of June 2008.
- “The KRG has, however, made some progress to restrict the number of offences for which the death penalty may be imposed. On 1 July 2008, the KRG Ministry of Human Rights organized a conference in Erbil to review the KRG policy and practices on capital punishment and legislative offences attracting mandatory death penalty, including provisions of the KRG Anti-terror Law. Participants in the conference recommended that eight Anti-Terror Law offences attracting the death penalty be amended.” [39q] (p27-28)
- 13.04 On 12 December 2008 Amnesty International USA reported that “With four death sentences passed on 6 November 2008, there are at least 84 people, including women, on death row. Death sentences are ratified by president Mas’ud Barzani before they are carried out.” [28a]
- 13.05 Amnesty International further reported, on 24 March 2009, that:
- “In Iraq’s Kurdistan Region, at least nine people were sentenced to death and at least three executions were carried out by the Kurdish Regional Government (KRG) authorities. In mid- 2008, at least 84 people were on death row in the Kurdish Region, including 33 in Erbil and 47 in Sulaimaniya. In June, the Kurdish parliament extended the application of the 2006 Anti-terrorism law, which increased the number of capital offences, for a further two years. Two men were executed in April after being convicted in connection with a car bomb explosion in May 2005 in Erbil.” [28e] (p17)
- 13.06 The FCO report, 27 March 2009, noted that “Alexander Elliott, Forensic/Investigations Advisor stated that the death penalty was given for the most serious crimes in the KR, although at a very much lower level than in the rest of Iraq. There were a small number of executions by hanging in the KR every few months, made by order of judges. Cases of execution were not publicised.” [66d] (p7)
- 13.07 The Amnesty International (AI) report, 14 April 2009, stated that:

“Amnesty International was told by the KRG that as of June 2008 there were 33 people on death row in Erbil and about 47 in Sulaimaniya. With the four death sentences passed on 6 November 2008, this means that there are at least 84 people on death row, including some women. No execution has been carried out recently in Sulaimaniya or other areas where the PUK is predominant, apparently because of the PUK leadership’s opposition to the death penalty. All death sentences have to be ratified by the President of the KRG before executions are carried out.” [28p] (p29)

[Return to Contents](#)
[Go to list of sources](#)

POLITICAL AFFILIATION

FREEDOM OF POLITICAL EXPRESSION

14.01 The FCO report, 27 March 2009, noted that:

“Mala Bakhtiar, PUK Politburo Member and Supervisor of PUK's Foreign Affairs Office in Sulaymaniyah stated that the KR has been an excellent example of democracy building in the Middle East but the process was still evolving. The internal conflict between the PUK and KDP in the 1990s had held back progress. Even after nearly twenty years of independent politics in the KR today all political parties active in the KR were still learning how democracy works and how to co-operate constructively with parties that hold differing views. The younger generation in the KR has no problems politically. The KR enjoys full freedom of expression and is not a police state.” [66d] (p8)

14.02 The USSD report for 2008 stated that “In the KRG-controlled provinces, there was pressure on citizens to join the PUK party in the province of Sulaymaniyah, and the KDP party in the provinces of Erbil and Dohuk...“Membership in some political parties conferred special privileges and advantages in employment and education. There were some reports that the KDP and PUK prevented the employment of nonparty citizens, and that KRG courts favored party members.” [2o] (p15,23)

14.03 A report by Amnesty International, published in March 2008, noted that “Political opponents of the Kurdish authorities are subject to arrest, and sometimes torture, by the Asayish, the KRG security forces.” [28p] (p20)

FREEDOM OF ASSOCIATION AND ASSEMBLY

14.04 The USSD report for 2008 also stated that “Within the KRG provinces, some major labor unions and associations were directly affiliated to the PUK in Sulaymaniyah and the KDP in Erbil and Dohuk.” [2o] (p18)

14.05 The same report also noted that “Unlike in 2007, there were reports that KRG security forces killed or detained protesters when demonstrations protested government acts.” – See Arbitrary arrest, detention and torture by security forces. [2o] (p18)

14.06 The IOM December 2008 report commented that “On the 29th, 30th and 31st of July [2008], IDPs in all three governorates organized peaceful protests against the provincial law implemented by the Iraqi Parliament to delay elections in Kirkuk. More than 100,000 people gathered across the three governorates to protest this motion.” [111o] (p6)

OPPOSITION GROUPS AND POLITICAL ACTIVISTS

14.07 Under the heading ‘Actual or Perceived Opponents of the Ruling Parties in the Region of Kurdistan as well as in Areas Under the de facto Control of the KRG’, UNHCR’s August 2007 paper noted:

“Arabs in the areas of Mosul and Kirkuk under de facto control of the KRG and the Region of Kurdistan have become victims of threats, harassment

and arbitrary detention, often in facilities of the Kurdish security and intelligence services in the region, because of their perceived association with the insurgency and/or the former regime. Arab IDPs in the three Northern Governorates reportedly suffer discrimination and are given little assistance by the Kurdish authorities due to security fears.” [40j] (p106-107)

- 14.08 The Finnish FFM report, for the period 23 October-3 November 2007 also noted that “According to UNAMI, opposition parties are not acknowledged, and underground political movements exist in the three northern governorates. Arrests of members of the opposition have been continuing in the KRG region. According to NPA [Norwegian People’s Association], main political parties dominate the political scene, and more actors are needed to actually make the views of the opposition heard.” [131] (p13)

[Return to Contents](#)
[Go to list of sources](#)

FREEDOM OF SPEECH AND MEDIA

15.01 The FCO report, 27 March 2009, noted that:

“Farhad Awni, General Secretary of the Kurdish Journalists' Syndicate (KJS), founded in 1998, stated that there had been freedom of the media in the KR since 1991, when the KR established its autonomy from Saddam Hussein's Iraq. Prior to 1991 Kurdish newspapers had to operate underground. KR laws prohibit censorship of the media, protect sources of information and seizure of newspapers' assets. On many levels the KR has been ahead of most countries in the Middle East in its level of media freedom but there are still some difficulties faced by journalists that threaten their independence.

“... UNAMI stated that the media in the KR exercises self-censorship. Some subjects are taboo, particularly allegations of corruption in the KRG and powerful political families. The Kurdistan Journalists Syndicate is able to publicise incidents of harassment of journalists and is effective in protecting their rights.

“[the] ICRC stated that the media in the KR was generally affiliated to the two main political parties...

“Farhad Awni, KJS stated that there are cases of interference in the freedom of the media from KRG Ministries, politicians, the police and the courts. Journalists and newspapers risk heavy fines for alleged defamation and alleged criticism of religions. Journalists have also experienced detention and there have been cases of mistreatment by the police of detained journalists. In such cases the KJS has been able to intervene and secure their release from custody. The KJS publishes a report every six months listing cases of violations of media freedom and any incidents of violence against journalists.” [66d] (p18)

15.02 The USSD report for 2008 stated that “...almost all media outlets were controlled or funded by the major political parties and followed party lines in their publications and broadcasts. [2o] (p16)

NEWSPAPERS, RADIO AND TELEVISION

15.03 The Amnesty International report, 14 April 2009, stated that “In the past few years many media outlets, including satellite television stations, radio stations and newspapers and other publications, have emerged in the Kurdistan Region of Iraq. The majority are financially supported by the KRG. Some belong to the main political parties, the KDP and PUK, but even small political parties such as *al-Jama'a al-Islamiya* have their own TV stations and newspapers. Despite the increase in freedom of expression, however, the majority of the media outlets follow the official line and avoid criticizing the KRG, the *Asayish*, the intelligence agencies and the two main political parties.” [28p] (p42)

15.04 The BBC reported, on 4 December 2007, that:

Most media outlets are controlled by political parties, but the launch of Hawlati newspaper in 2001 marked the emergence of an independent

media. Most political parties own TV and radio stations and newspapers. TV audiences grew when stations began to dub or subtitle cartoons, films and documentaries into Kurdish. But the Kurdish media - with the exception of independent outlets such as Hawlati and Awene - are dogged by a reliance on funding from their backers, rather than revenue from sales and advertising.

"There is a vibrant press scene, with a burgeoning array of independent and semi-independent newspapers and magazines. The PUK publishes two dailies: Kurdistan Nuwe, and Arabic-language al-Ittihad. It funds the Aso daily. The KDP publishes the Khabat and Arabic-language al-Ta'akhi dailies. Former PUK deputy leader Nawshirwan Mustafa's Wisha Company owns the Rozhnama daily. Other prominent journals include the independent, twice weekly Hawlati, the Awene weekly, the PUK-funded Chawder and the Kurdistan Islamic Union-owned weekly Yekgirtu. Despite a lack of reliable circulation data, Hawlati is thought to have the largest readership, printing some 20,000 copies. Newspapers cost between 20-30 UK pence (60 US cents)...

"There are three 24-hour satellite TV stations operating from Iraqi Kurdistan. Kurdistan Satellite TV in Salah-al-Din, north of Arbil, and Zagros TV in Arbil are owned by the KDP, while the PUK operates KurdSat, based in Suleymaniya." [4du]

- 15.05 The Finnish FFM report, for the period 23 October-3 November 2007, noted that:

"There are some 600 licensed media outlets in the KRG region, according to UNAMI. The media is thus quite large, although part of the media is party controlled, for instance through PUKmedia.... According to UNHCR, some degree of freedom of expression exists in the three northern governorates. The journals Awene and Hawlati have been able to criticise the administration." It noted that "... all TV channels and newspapers belong to a political party." [131] (p12-13) On 5 May 2008, the CPJ reported that "the twice-weekly Hawlati is considered the most widely read newspaper in Iraqi Kurdistan with an estimated circulation of about 20,000." [26m]

- 15.06 The FCO report, 27 March 2009, stated that "... NPA [Norwegian People's Aid] stated that there are two fully independent newspapers and a radio station in Sulaymaniyah. NPA assisted their establishment as part of its programme to help develop civil society in the KR." [66d] (p18)

- 15.07 The AI report, 14 April 2009, commented that "Recently, the nascent independent press, especially newspapers such as *Hawlati* and *Awene*, have shown themselves more willing to criticize KRG policies and raise other issues. Among such issues are human rights violations by the *Asayish*, alleged corruption, nepotism and lack of transparency in KRG ministries and within the two main political parties, and the extent of their influence on all aspects of life in the Kurdistan Region. ...

"For their part, the KRG authorities and the *Asayish* complain that the independent press has failed to adopt good editorial standards and shows insufficient respect for social and cultural traditions. In September 2008 a new press law was passed that removes imprisonment as a punishment for

press-related offences. Despite this welcome step, journalists continue to be targeted and even arrested.” [28p] (p42)

See also [Journalists](#)

INTERNET

- 15.08 On 4 December 2007, the BBC reported that “The internet has given a new dimension to the Kurdish media landscape. By covering breaking news, sites have filled a gap left by broadcasters. Moreover, the internet has given a platform to the Kurdish diaspora who do not always have access to print media.” [4du]

JOURNALISTS

- 15.09 The FCO report, 27 March 2009, noted that:

“Farhad Awni, KJS [Kurdish Journalists' Syndicate] stated that journalists sometimes exercise self-censorship to avoid heavy fines although many journalists put themselves at risk of fines and even violence to report freely. A newspaper editor in Sulaymaniyah had recently been fined 10 million Iraqi Dinar (approximately £6,000) for translating an article critical of the KRG in US Newsweek magazine from English to Kurdish. The KJS had taken up the case and was seeking to reduce the fine to 10,000 Dinar.

“Nawshiran Mustafa, an independent politician and head of the Wusha media group, also stated that the KRG had recently issued heavy fines for defamation to two newspapers for translating the Newsweek magazine on the KR from English to Kurdish. There were no particular difficulties for foreign journalists working in the KR.

“Farhad Awni, KJS stated that foreign journalists are free to enter and operate in the KR and generally enjoy greater freedom of reporting than local journalists. Visas are not required to enter the KR for visit of up to ten days. Arabic language television channels have journalists based in the KR.

“Farhad Awni, KJS stated that journalists can also face difficulties from non-State actors. Some journalists have received anonymous threats from people claiming to be linked to Islamic militant groups.” [66d] (p18-19)16.07

- 15.10 The United Nations Assistance Mission for Iraq [UNAMI], in their report covering 1 January-31 June 2008 recorded that:

“UNAMI continued to receive reports of intimidation and/or arrests of media professionals in the Kurdistan region, in particular those who had reported on issues of public interest. Officials have also filed several criminal defamation complaints against journalists. During the same period of time, KRG human rights authorities have declared to work at improving the situation of journalists...

“... journalists and editors continue to face lawsuits and defamation charges. On 3 June, Dukan newspaper was closed down pursuant to a court order citing “administrative breaches”. However, a source at the newspaper

believed that the newspaper had been targeted for its reports on corruption in the KRG...

"Many newspapers continue to practice self-censorship, and independent journalists are dissuaded by their editors from reporting misconduct by influential politicians, particularly if the politicians were linked to powerful tribes. It is also alleged that in Sulaimaniya, newspaper vendors have been discouraged from distributing independent publications..."

"Government officials insisted that actions taken against journalists in such instances are legal and appropriate. They complained of lack of professionalism and poor standards of reporting, which resulted in inaccuracies and unsubstantiated allegations against public figures. Journalists blamed authorities for denying their access to information, whereas, government officials invited journalists to verify reports and noted the lack of respect by media in highlighting issues of public interest."
[39q] (p19- 21)

- 15.11 The USSD report for 2008 stated that "On September 22 [2008], the KRG approved a KRG press law abolishing jail terms for defamation..."

"However, libel remains a criminal offense in the KRG area, and judges issued arrest orders for journalists on this basis. Journalists were sometimes imprisoned while police investigated the veracity of the information they published.

There also was a marked increase in intimidation of independent journalists by extrajudicial means in the KRG region. Local security forces harassed and jailed editors of major independent publications for publishing articles that were critical of the KRG or Kurdish party officials, especially for alleged corruption. [2o] (p16)

The full text of the Press Law in KRG is available from this [weblink](#).

- 15.12 The UNAMI report for 1 July-31 December 2008 also reported on the press law and stated that:

"On 22 September [2008], the Kurdistan National Assembly passed a new journalism law. It was ratified on 11 October by Kurdistan Region President Massoud Barzani and entered into force on 20 October 2008. Under the new law, which has partially decriminalised journalism offences, journalists can be fined, but no longer imprisoned. Newspapers cannot be confiscated or suspended. The vague demand that freedom of the press and the work of journalists must not violate 'public order and morality' has also been removed. Journalists are still prohibited from compromising the 'security of the nation,' a wording which is similar to the previously used 'security of the region,' but which should prevent the prosecutions of media workers for any activities deemed to be anti-Kurdish. Compulsory membership in the Kurdistan Union of Journalists was also abolished. However, journalists have expressed to UNAMI concern that the fines stipulated by such a law could be potentially crippling: one to five million Iraqi dinars (US \$820 to 4,200) for any journalist who violates the journalism law, as well as fines of five to ten million Iraqi dinars (US\$ 4,200 to 8,400) for newspapers that publish news that compromise security, spread fear, hatred, animosity,

undermine religious beliefs, interfere with individual privacy or contain libel and slander.” [39b] (p19)

- 15.13 In an interview posted on the KRG website on 11 February 2009, Dr Yousif Mohammad Aziz, Minister for Human Rights for KRG stated that the media law “has completely removed imprisonment as a punishment for libel or slander. The law also refers specifically to journalism standards set out in a paper presented to the UN by the International Federation of Journalists.” [150h]
- 15.14 On 23 September 2008, Radio Free Europe/Radio Liberty (RFE/RL) reported that:

“Iraq's largely autonomous Kurdistan region has passed a modified media law aimed at protecting journalists' rights, abolishing jail terms for offences such as defamation, legislators said. An earlier version of the law passed by parliament last December [2007] carried tough sanctions for journalists including imprisonment, fines of up to 10 million Iraqi dinars (\$8,400) and the closure of publications. After a widespread public outcry, the president of the Kurdistan regional government, Mas'ud Barzani, rejected the law and sent it back to parliament. The new law excluded jail sentences for journalists carrying out their duties and reduced fines that could be levied.” [22aa]
- 15.15 The UNSC report of 6 November 2008, stated that:

“The situation with regard to journalists and its implications for media independence and freedom was highlighted when a list of journalists who have been threatened because of their critical views of Kurdistan Regional Government policy was recently publicized.” [38r] (p11) The subsequent UNSC report, 20 February 2009, stated that “In the Kurdistan region, journalists were still subject to violent attacks, threats and lawsuits despite the entry into force of a liberal journalism law.” [38s] (p11)
- 15.16 The Reporters sans Frontières (RSF) 2008 report noted that “Physical attacks on journalists increased even in Kurdistan, which is fairly safe for the media.” [20j] (p155)
- 15.17 A report by Amnesty International (AI), published March 2008, commented that “Journalists [in the KRG] are muzzled and often risk arrest and torture in their daily work.” [28o] (p20) The AI report of 14 April 2009 further mentioned there was:

“... an increase in arrests and other action against journalists, who have been detained, beaten and harassed by the *Asayish* and other security agencies. Several newspapers have been sued by the KRG and powerful individuals within the two main political parties. In January 2008, for example, Iraqi President Talabani sued *Hawlati* newspaper for defamation and republishing false information after it published a translated article written by Michael Rubin, a US scholar who had lectured at the universities of Salahuddin and Sulaimaniya. The charges were filed under Article 433 of the Iraqi Penal Code, which criminalizes defamation. This article has been used to target independent journalists and suppress freedom of expression.” [28p] (p42) The AI report of 14 April 2009 also listed journalists arrested by KRG authorities. [28p] (p42-45)

- 15.18 On 24 November 2008, Dr Adel Hussein was sentenced to six months in prison in Erbil for writing an article about homosexuality in the independent weekly *Hawlati*. He was found guilty of offending public decency under article 403. On 8 December, he was released and pardoned by KRG president Masoud Barzani. (RSF, 8 December 2008) [200]

See also [Lesbian, gay, bisexual and transgender persons](#)

- 15.19 The UNHCR April 2009 paper stated that “Journalists and writers may also be at risk of being targeted by Islamist groups. For example, on 1 August 2008, journalist Amanaj Khalil of the weekly Rudaw survived a shooting attack near Sulaymaniyah. Reportedly, he had received death threats in relation to one of his articles in which he wrote about the links between a Kurdish Islamic organization and the terrorist group Ansar Al-Islam.

“CPJ reported about 60 Kurdish journalists having been killed, threatened, attacked or taken to court in the first six months of 2008. The media watchdog said that ‘the current trend appears to be toward a growing suppression of the press.’ Al reported that in around mid-July 2008, a list of 16 journalists and writers resident in the Kurdistan Region was circulated, threatening those named with death, including Soran Mama Hama, who was killed on 21 July 2008 in Kirkuk. Other journalists and writers mentioned on the list, all of whom are known to have been critical of the PUK and the KDP, received death threats shortly afterwards. A particularly sensitive issue is the implication of leading political figures in corruption and nepotism. Reportedly, Hawlati has been sued 35 times over stories relating to corruption. According to a senior US official in Baghdad, ‘(T)here have been a number of instances in the past six months in which reporters have been harassed, detained, pressurised not to write about corruption’ Journalists attempting to cover the Turkish ground incursion in February 2008 were reportedly assaulted by Kurdish security forces.” [40b] (p189)

[Return to Contents](#)
[Go to list of sources](#)

HUMAN RIGHTS INSTITUTIONS, ORGANISATIONS AND ACTIVISTS

16.01 The Internal Displacement Monitoring Centre (IDMC) report, published 29 December 2008, stated that "Since 2004 international staff of most INGOs have relocated to KRG and neighbouring countries, and run the operations directly through national staff or in partnership with national NGOs." [50b] (p20)

16.02 The USSD report for 2008 commented that "The Kurdish areas, which have been largely autonomous since 1991, were able to develop a stronger NGO community, although many Kurdish NGOs were closely linked to the PUK and KDP political parties. The KRG and Kurdish political parties generally supported humanitarian NGO activities and programs." [2o] (p26)

16.03 In an interview posted on the KRG website on 11 February 2009, Dr Yousif Mohammad Aziz, Minister for Human Rights for KRG stated that "Civil society and local human rights non-governmental organisations (NGOs) in the Kurdistan Region are not as strong as those in the West and are still evolving." The Minister went on to say that:

"Besides the international NGOs, there are a large number of local human rights NGOs in the Kurdistan Region but not all of them are active. We know that effective and active NGOs will help to develop our democracy, so we have made the active local NGOs members of our ministry's advisory board, along with UNAMI and UNICEF. When we first established it two years ago, the advisory board met monthly and now meets every three months to discuss all human rights issues and concerns. The NGOs have also provided some useful ideas on how to tackle issues related to human rights. Earlier this month on the 60th Anniversary of the Declaration of Human Rights, we awarded five local NGOs to recognise their achievements and encourage them in their work." [150h]

See also [Landmines/unexploded ordnance \(UXO\)](#) for NGOs providing landmine clearance and assistance to victims.

16.04 The FCO report, 27 March 2009, stated that "George Mansour, KRG Minister for Civil Society Affairs stated that the KRG worked closely with NGOs to develop and strengthen the civil society sector in the KR. The Ministry's main aim was to help organise, not interfere with, NGOs and civil society organisations (CSOs) and the Ministry enjoys good working relations with NGOs and civil society organisations.

"Minister Mansour stated that the law governing the licensing of NGOs and CSOs was passed by the KNA in 2001. Applications for licences for NGOs and CSOs are handled by the Interior Ministry. The Ministry of Civil Society Affairs can recommend and support licences for NGOs and CSOs to the Interior Ministry. To date all requests for licences have been granted.

"Minister Mansour stated that many NGOs and CSOs are affiliated to political parties and consequently align their ideologies with those of the parties. The Ministry of Civil Society Affairs is working to promote greater independence of NGOs and CSOs and strengthen the position of NGOs and CSOs that are independent of politics.

“Minister Mansour stated that the most active NGOs and CSOs in the KR are those that receive funding and support from overseas. The Ministry of Civil Society Affairs is trying to reorganise the way that NGOs and CSOs are funded by the KRG. The current arrangements are not sufficiently transparent.

“... Asuda [NGO] stated that the KRG remains generally suspicious of organisations like Asuda that are independent of the KDP and PUK.

“... ICRC stated that KR security agencies keep a close watch on the activities of local and international NGOs and community organisations although there is no direct interference in their work. Telephones are routinely tapped and NGO staff have been aware of being followed discretely by people assumed to be from the KRG security agencies.

“... Norwegian People's Aid (NPA) in Sulaymaniyah stated that NPA enjoys good access across the KR although it had taken three years to obtain a licence to operate from the KRG. Some of NPA's local partner NGOs find it difficult to operate in some particular areas. NGOs need permits or licences from two different KRG Ministries and from the central Iraqi Government to operate and also require confirmation of good character from the Asayeesh.

“[The] NPA stated that for local NGOs to operate effectively they often need the support of the main political parties, strong community support and the backing of an international NGO. There is little support from the KRG for civil society.” [66d] (p19)

[Return to Contents](#)
[Go to list of sources](#)

CORRUPTION

17.01 The FCO report, 27 March 2009, noted that:

“Nawshiran Mustafa [a former deputy leader of the PUK and PUK Politburo member and now an independent politician] stated that the KR public was dissatisfied with the present political structures dominated by the governing PUK and KDP-led coalition. The main concerns are corruption and a lack of transparency in KRG budgets. The KRG receives 17% of Iraq's oil revenue, which to date amounts to US\$25 billion, but the public do not feel that there is much evidence of this money being invested in infrastructure and public services. Budgets are not published and there is a feeling that much of the money allocated from Baghdad is expropriated by corrupt KRG politicians. Declared support for the two main parties is needed to secure employment in the KR public sector. The private sector is dominated by businesses affiliated to the two main parties. KRG overseas offices are run by family members and friends of the leaders of the KDP and the PUK.” [66d] (p8)

17.02 The USSD report of 2008 stated that “There were reports that various government ministries employed a substantial, but undetermined number of nonexistent “ghost” employees with multiple records and duplicate salaries. During the year in the KRG there were roughly one million employees on the government payroll out of a total population of approximately three million.

“On August 25 [2008], the KRG established a corruption committee, comprised of seven KRG ministries, to review the level of corruption and make recommendations on how to prevent corruption. KRG Minister of Planning Othman Shwani headed the committee. The KRG contracted an international accounting firm to study KRG institutions and make recommendations on anticorruption measures.

“Local business organizations in the KRG complained that the KRG did not publicly tender contracts in sufficient time to allow local business owners to compete, and that political and personal favoritism determined the results.” [2o] (p26)

17.03 On 11 November 2008 the *Financial Times* reported that:

“The extent of corruption has undermined confidence in the Kurdish parties ruling the north. Ordinary Kurds privately complain that, to succeed, they must belong to one of the ‘two circles’— that revolving around the Talabani family and their Patriotic Union of Kurdistan, or that associated with the Barzanis and the Kurdistan Democratic party [sic]. The two families largely control business and politics in the region, offering preferential treatment for their relatives and allies.” [162a]

17.04 An FCO letter of 6 December 2006 noted “As in much of the Middle East corruption is a feature of life in the Kurdish Region. Tribal and family dynasties underpin much of this, as well as the problem caused by poor access to a range of services. The Kurdish Regional Government (KRG) has declared its determination to address this and is engaged in anti-corruption work in cooperation with the UK Defence Academy.” [66n]

17.05 The FCO letter added that “The Human Rights minister has established a number of HR [human rights] claim drop boxes in public places in the

Kurdish Region. However it would be fair to say that those in power can, and do sometimes, act with impunity. ..." [66n]

- 17.06 The UNHCR August 2007 paper stated "The KDP and PUK have repeatedly been accused of nepotism, corruption and lack of internal democracy." [40j] It was reported in 2006 that street demonstrations have taken place in protest of alleged corruption by Kurdish parties. (USSD 2006) [2h] (p10) (RFE/RL, 9 Aug 2006) [22v]

[Return to Contents](#)
[Go to list of sources](#)

FREEDOM OF RELIGION

- 18.01 The main religions in the KRG area are Sunni Islam, Christian (Assyrian and Chaldean), Ahl al-Haqq (see [Kaka'i](#)), and Yazidi. (Jane's, 6 May 2008) [14e] (p2) Ebarzan reported, in an undated article, that Ahl al Haqq were "a small sect to be found in south and south-eastern Kurdistan..." [130]
- 18.02 The Finnish FFM report for the period 23 October-3 November 2007 recorded that:
- "According to Qandil [Swedish NGO], KRG upholds religious freedom. According to UNHCR, it is generally free to exercise religion in the three northern governorates. According to UNAMI and UNHCR, religious conversion is not a crime in the constitution or the civil law. UNHCR mentioned that conversions are not welcome by local people, but was not aware of court cases in Sulaymaniyah. Isolation by the family and community are possible, as well as individual propagation." [131] (p13)

NON-MUSLIM RELIGIOUS GROUPS

- 18.03 The USSD International Religious Freedom report 2008 noted that:
- "There were allegations that the Kurdistan Regional Government (KRG) engaged in discriminatory behavior against religious minorities. Christians living north of Mosul claimed that the KRG confiscated their property without compensation and began building settlements on their land. Assyrian Christians alleged that the Kurdistan Democratic Party (KDP)-dominated judiciary continued to discriminate routinely against non-Muslims and failed to enforce judgments in their favor. Despite such allegations, many non-Muslims fled to the north from the more volatile areas in the middle and southern parts of the country, where pressures to conform publicly to narrow interpretations of Islamic tenets were greater. In May 2008 IOM estimated there were 58,600 internally displaced persons in the Ninewa Plain." [2n] (p4)
- See also [Christians](#)
- 18.04 The USSD report of 2008 recorded that: "Members of religious minorities continued to flee to the KRG to escape targeted violence, particularly against Christians..."
- "During the year, there were allegations that the KRG continued to engage in discriminatory behavior against religious minorities. Members of these groups living in areas north of Mosul, such as Yazidis and Christians, asserted that the KRG encroached on their property and illegally built Kurdish settlements on the confiscated land." [2o] (p19)
- 18.05 The UNHCR's April 2009 paper reported that:
- "In the three Northern Governorates of Dahuk, Erbil and Sulaymaniyah, the rights of religious minorities are generally respected and they can worship freely without interference by the Kurdish authorities. A significant number of members of religious minorities, in particular Christians, have sought refuge in the region. The general population does not tolerate a Muslim's

conversion to Christianity and, accordingly, law enforcement organs may be unwilling to interfere and provide protection to a convert at risk.” [40b] (p179)

Christians

- 18.06 The Immigration and Refugee Board of Canada (IRB) reported, on 15 January 2009, that:

“The Kurdistan region has been a destination for internally-displaced Christians. According to Prime Minister Nechirvan Barzani of the Kurdistan Regional Government (KRG), 20,000 Christian families have settled in the Dohuk and Erbil governorates since 2003. This number could not be corroborated among the sources consulted by the Research Directorate. KRG Prime Minister Barzani has stated that Christians are welcome in the Kurdistan region and that the government is assisting Christians with employment, rebuilding 100 villages and helping families by providing monthly stipends.

“However, some Iraqi Christians in the Kurdistan region have complained of a lack of employment and opportunities... the cost of living is high and the monthly stipend (approximately 80 US dollars) lasts only about four days; there are also shortages of kerosene, water, electricity and accommodations.

“According to the Chaldean Culture Society, only Christians with sponsors are able to settle in the Kurdistan region. The US International Freedom of Religion Report 2008 and the IWPR report that the KRG has confiscated the property of Christians and that there are allegations of discrimination against non-Muslims.” [139b] (p4-5)

- 18.07 The FCO report, 27 March 2009, noted that:

“George Mansour, KRG Minister for Civil Society Affairs, stated that the position of Christians in the KR was good. Christians enjoy full freedom of worship in the KR. Christians are represented in the KRG and the Kurdish National Assembly (KNA), the KRG's parliament. There are currently two Ministers in the KRG who are Christians; Minister Mansour and the Tourism Minister. The KRG's previous Finance Minister was a Christian. Christians are well represented in the KNA, with four seats reserved for Christians. This quota will be increased to five. There is also a seat reserved for a representative of the Armenian Orthodox community.

“Minister Mansour stated that there are no difficulties for Christians in the KR in day-to-day life. There is no discrimination in employment against Christians. The main obstacle to securing employment in the KR can be political affiliation rather than religion or ethnicity. The two main parties, the KDP and the PUK, are not religious based organisations.” [66d] (p10)

Regarding employment prospects, a Brookings Institute report, published 30 December 2008, noted “there are reports that Christians cannot get jobs unless they join the Kurdish Democratic Party of KRG President Massoud Barzani.” [88e] (p13)

- 18.08 The FCO report, 27 March 2009, noted that:

“Minister Mansour and Rawand Polis Georgis, Director for Relations and Organisations' Affairs in the Ministry of Civil Society Affairs, stated that most large cities and towns in the KR had Christian areas. In Erbil for example the Ainkawa area is predominantly Christian. Non-Christians would not face any difficulties living in mainly Christian districts and Christians are able to live without difficulty in mainly Muslim districts. There are Christian newspapers in the KR and a Christian television station in Erbil.

“Minister Mansour and Rawand Polis Georgis stated that people in mixed religious relationships could face very real difficulties in the KR. All marriages in the KR are religious and it is not possible to have a legal mixed marriage. People very rarely form relationships outside their religion and those that do are likely to face ostracism from their families and communities.

“[The] UNHCR stated that the position of Christians in the KR was generally good. In addition to KR-resident Christians the KR hosted Christian IDPs from other parts of Iraq and looked after them well. Many of the Christian IDPs were from Kirkuk and Mosul, disputed areas close to the KR, but there were also Christian IDPs from other parts of Iraq.

“... the German Consulate, Erbil stated that Christians faced no difficulties in Erbil. The mainly Christian district of Ainkawa in Erbil has several churches, which operate without any difficulties. There are also stores and restaurants openly selling alcohol in Ainkawa that trade without any difficulties from either the authorities or non-Christian members of the community.” [66d] (p10)

- 18.09 The USSD report for 2008 stated that “In October [2008], violence against Christians in Mosul prompted over 2,000 families to flee to safe-havens in remote parts of Ninewa Province and the KRG. By year's [2008] end more than half the families had returned to their home.” [2o] (p18-19)
- 18.10 The IOM December 2008 report commented that at the end of the reporting period (June-December 2008) Erbil was host to around 150 Christian families who had recently been displaced from Mosul into Ainkawa district, Erbil. [111o] (p7)
- 18.11 UNHCR's August 2007 paper stated that:

“In the three Northern Governorates of Sulaymaniyah, Erbil and Dahuk, the rights of Christians are generally respected and a significant number of them have sought refuge in the region, in particular in the Governorate of Dahuk (from where many originate) and the Christian town of Ainkawa, near the city of Erbil. Some reports suggest that Christian villages are being discriminated against by the Kurdish authorities, which do not share reconstruction funds and oil revenues and have confiscated farms and villages.” [40j] (p65)
- 18.12 UNHCR's August 2007 paper also noted that Christian converts in the KRG would not be afforded protection by the authorities as “...the general population does not tolerate a Muslim's conversion to Christianity and, accordingly, law enforcement organs are unwilling to interfere and provide protection to a convert at risk.” [40j] (p66)
- 18.13 Also in 2007, the Finnish fact-finding mission report noted that:

“Due to the stable situation the three northern governorates have become a safe haven for internally displaced persons, for instance Christians, who told the factfinding mission that the situation of Christians resembles something like a normal life in the KRG region. Christians have been welcomed by the local population in the three northern governorates. They have had a good relationship and are respected by their moderate Muslim neighbours, but consider radical Islamists a threat.” [131] (p5)

- 18.14 The Finnish report also commented that “The Christians were worried about the PKK conflict, which also touches areas near the border where Christian people are settled, and where shelling has occurred.” [131] (p8)
- 18.15 The ACCORD/UNHCR COI report, published November 2007, stated that “Christians in the three Northern Governorates live in a relatively secure situation. They may face some discrimination, but we would not say that the Kurdish authorities are persecuting Christians in the three Northern Governorates as such.” [40m] (p25)

Yazidis

- 18.16 The USSD International Religious Freedom report 2006 stated “The Yazidi are a religious group with ancient origins that encompass several different religious traditions comprising elements of Zoroastrianism, Manicheism, Islam, Christianity, Judaism, and Gnostic beliefs and traditions. Yazidi do not intermarry with outsiders or accept converts.” [2f] (p2) The USSD report for 2008 recorded that “Yezidi leaders reported that most of the country’s 500,000 to 600,000 Yezidis resided in the north, near Dohuk and Mosul.” [2n] (p2)
- 18.17 UNHCR’s August 2007 Eligibility Guidelines paper noted: “Only about ten percent of the Yazidis live in the Kurdish-administered areas, mainly in the Governorate of Dahuk, whereas the majority lives in so-called ‘disputed areas’ in the Governorate of Ninewa, in particular in the areas of *Jebel Sinjar* and *Shekhan*, which have been subjected to the former regimes’ *Arabization* campaigns.” [40j] (p76)
- 18.18 The Finnish FFM of November 2007, stated that: “Unemployment is a big problem for Yazidis particularly outside the KRG-administered region.” [131] (p17)
- 18.19 The USSD report for 2008 stated that “Members of the Yazidi community reported that they continued to be... discriminated against by the KRG throughout the year. UNAMI reported that at least five Yazidis were killed in the first half of the year. A prominent Yazidi leader reported that Yazidis are restricted from entering the KRG...” [2o] (p21)

See also [Freedom of movement](#).

- 18.20 The Centre for International Governance Innovation (CIGI) report, January 2009, commented on Yezidis, and stated that “They [Yezidis] almost all live together in Iraqi-Kurdistan and the so-called disputed territories that border it; even though they are minorities at the regional or national level, they are majorities inside their own villages...” [158a] (p8)

- 18.20 The FCO report, 27 March 2009, stated that “The BEO [British Embassy Office] Erbil stated that the Yazidi did not have its own political party to represent it in the KNA but Yazidi are included in both the KDP and the PUK.

“[The] UNHCR Erbil stated that the Yazidi do not face any specific political difficulties but can experience traditional societal prejudice.” [66d] (p11)

Sabean Mandaean

- 18.21 The Minority Rights Group (MRG) report, published 6 March 2008, stated “The Mandaean-Sabeans are an ancient people whose faith dates back to pre-Christian times.... The Mandaean faith is centred around John the Baptist.” [121c] (p152)

- 18.22 The UNHCR August 2007 report stated:

“While many Iraqis have fled to the Region of Kurdistan to seek safety, UNHCR is not aware of Sabaeen-Mandaeans having relocated to this region. The Region of Kurdistan has not traditionally been inhabited by Sabaeen-Mandaeans, and hence members of this community seeking to relocate to the region may not have a sponsor needed to legally enter and reside there and lack community links in order to gain access to employment, housing and other services.” (UNHCR, August 2007) [40j] (p71)

The MRG 2008 report further commented that for most Mandaeans, relocation to the KRG was not an option, as few had family or community ties in the area. [121c] (p152)

- 18.23 The Centre for International Governance Innovation (CIGI) report of January 2009 however mentioned that Mandaeans fleeing sectarian violence in central and southern Iraq had taken refuge in Erbil. [158a] (p9)

Kaka’i

- 18.24 UNHCR’s August 2007 paper stated: “The Kaka’i are a distinct religious group that mainly reside in the areas of Kirkuk (mainly Tareeq Baghdad, Garranata, Wahid Athar, Hay Al-Wasitty, Eskin and Shorja as well as in the District of Daqooq), Mosul (Kalaki Yasin Agha area) and Khanaqin (mainly Mirkhas and Kandizard areas) in the Governorate of Diyala, but also in villages in the Kurdistan Region close to the Iranian border. Kaka’i can also be found in major cities such as Baghdad, Sulaymaniyah and Erbil.” [40j] (p82)

Shabaks

- 18.25 The MRG report on Assimilation, Exodus, Eradication: Iraq’s minority communities since 2003, published February 2007, stated:

“Originally Aryan, the Shabak people of Iraq have lived mainly in the Nineveh plains, on a strip of land between the Tigris and Khazir, since 1502. There is also a small population of Shabak people in Mosul. They are culturally distinct from Kurds and Arabs, have their own traditions, and speak a language that is a mix of Farsi, Arabic, Turkish and Kurdish. About 70 per cent are Shia Muslim, the rest are Sunni. They have been recognised as a

distinct ethnic group in Iraq since 1952. However, as explained above, their status and lands are disputed by the Kurdish leadership.” [121a] (p26)

- 18.26 The UNAMI report, covering the period 1 July-31 December 2008, stated that:

“Members of the Shabak minority continued to be targeted in Ninawa. On 12 July, the prominent leader Mullah Khadim Abbas was assassinated near Bartella. To date, and in spite of repeated calls by UNAMI, no one has been held accountable for this killing. Another Shabak leader, Haj Asa’ad Issa Abbas, was kidnapped and killed in Mosul on 17 December. Shabak groups reported that over 750 Shabaks have been assassinated by armed groups since 2004. UNAMI received several reports alleging verbal abuse and harassment of the Shabak by Peshmerga forces for their presumed lack of loyalty to Kurdistan and for insulting Kurdish leadership. On 13 December 2008, it was reported to UNAMI that a group of Asayish disguised as local police raided the house of Hussein Majeed, a Shabak, in Bartella Ninawa and took him to al-Kalak sub-district in Kurdistan Region where he was tortured. He managed to escape and the following morning he was threatened to be killed if he reported the incident. Intimidation allegations increased as the provincial elections approached: UNAMI received reports of threats by armed groups to kill anyone who voted for the Shabak, and against the KDP, candidate Hussein Abbas.” [39b] (p14)

- 18.27 In a letter of 30 April 2009 to COI Service, Professor Stansfield, recorded that:

“There is a significant community of Shabaks in KRG, who are perhaps as numerous as the Yezidis and probably more than the Kaka’i. Shabaks are a heterodox religious community who are often presumed to be of Kurdish origin. However, relations between the KRG and Shabaks have suffered in recent years as the Shabaks have found themselves caught, as minorities, in the ongoing dispute between Baghdad and the KRG over the status of the ‘disputed territories. Living mainly in the swathe of disputed land between Mosul and Erbil, the Shabak have found themselves both courted and coerced in order to support one side or the other.” [151] (p3)

[Return to Contents](#)
[Go to list of sources](#)

ETHNIC GROUPS

- 19.01 The majority of the population is Kurdish, although Assyrian Christians, a smaller number of Chaldean Christians, Yazidis, Turkmens, Armenians and Arabs also reside in the KRG area. [14e] (p22) Jane's Sentinel further stated that:

"The demography of the region was drastically changed due to the Anfal campaign initiated between March 1987 and April 1989, which involved the complete demolition of 85 per cent of villages in Iraqi Kurdistan and the widespread destruction of the land as part of a 'scorched earth' policy carried out by Baghdad. In the past 10 years, the KRG, with support from UN and non-government organisations, has reconstructed more than 65 per cent of what was destroyed by the government of Iraq. There were originally 4,655 villages, 4,066 of which were destroyed with 2,620 having been rebuilt since 1991.

"From 1991 the Baghdad government implemented a policy of Arabisation in the Kurd-inhabited areas it controlled, discriminating against and forcibly relocating Kurds living in Kirkuk, Khanaqin, Sinjar, Makhmour, Tuz Khormatu. The aim was to decrease the proportion of non-Arab citizens in the oil-rich Kirkuk region, in order to secure Arab demographic control of the area, effectively ruling out the possibility that the Kurds could claim Kirkuk as part of any future autonomy deal. Non-Arab citizens were forced to change their ethnicity on their identity documents and assume Arabic names or be expelled to the Kurdish controlled region. Arabs were also given incentives to marry Kurdish women, allowing the children to be classified as Arab.

"Furthermore, the demography of the KRG was seriously complicated by the re-drawing of borders... another effort by Saddam Hussein to ensure that Arabs controlled Kirkuk's oil. Kirkuk province (then renamed Tamim) acquired an Arab section from neighbouring Salah al-Din, and parts of its Kurdish-dominated land was cut off and added instead to As Sulaymaniyah, Diyala and Arbil. Tamim province therefore had a slight Arab majority, one that persisted till the recent flood of Kurdish returnees into Kirkuk city. The gerrymandering, which has not been undone, despite KRG requests, still has the effect of making the Kurds' most economically important region an ethnically contentious one." [14e] (p22-23)

- 19.02 The USSD report 2008 recorded: "There were numerous reports of Kurdish authorities discriminating against minorities in the North, including Turkmen, Arabs, and Christians. According to these reports, authorities denied services to some villages, arrested minorities without due process and took them to undisclosed locations for detention, and pressured minority schools to teach in the Kurdish language." [2o] (p32)

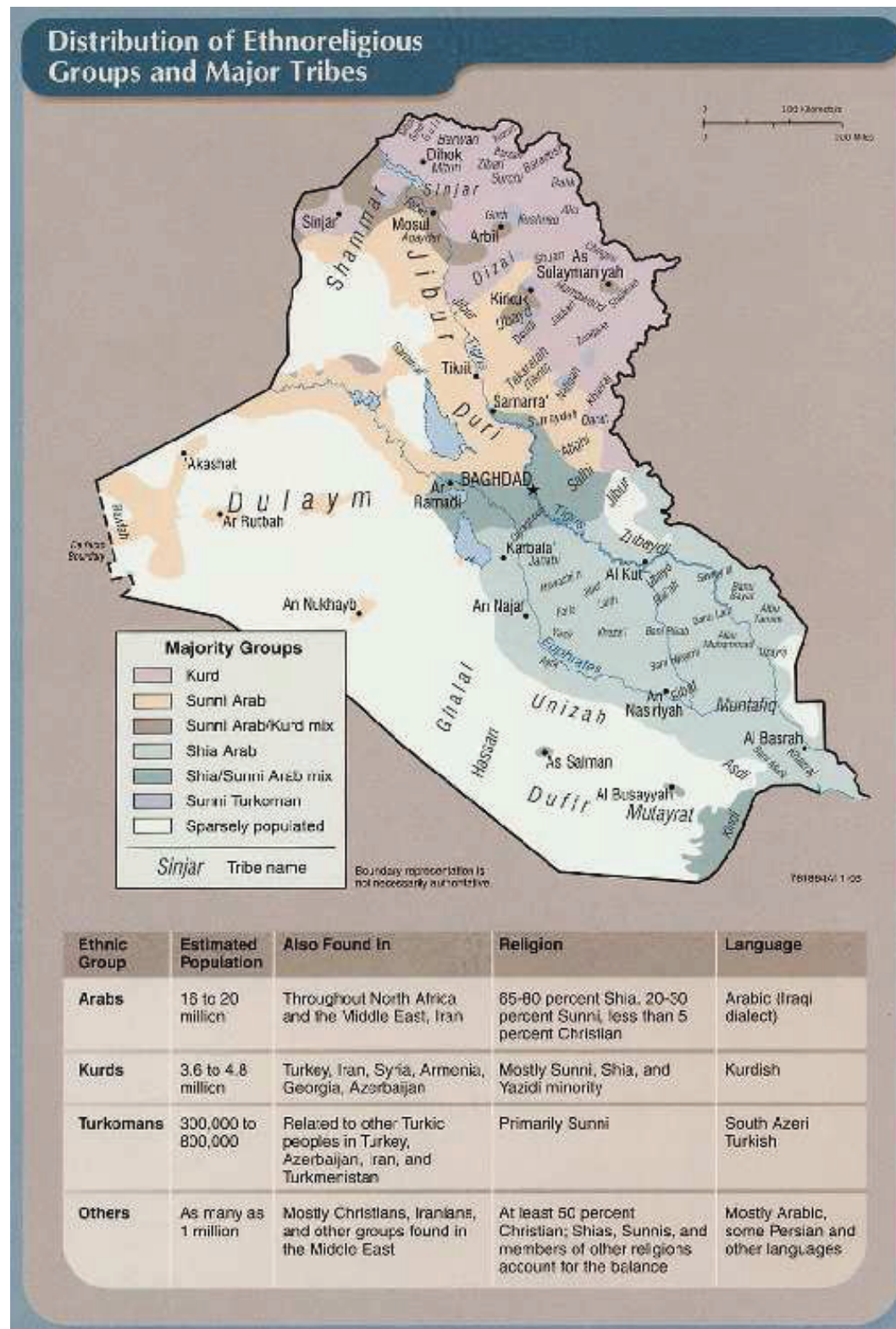
- 19.03 In an interview posted on the KRG website on 11 February 2009, Dr Yousif Mohammad Aziz, Minister for Human Rights for KRG stated that:

"Every minority has seats in the Kurdistan National Assembly, our regional parliament, and have ministerial posts in the cabinet. Minorities have their own schools where they teach in their own language and have full freedom of religion. I believe that minorities enjoy full rights in Kurdistan because we

ourselves are a minority in Iraq and are very aware and sympathetic of their needs and rights.” [150h]

MAP

19.04 The distribution of ethno/religious groups and major tribes is shown in the map below: [78a]



KURDS

19.05 The Brooking Institute paper, published 30 December 2008, stated that:

“While clearly a persecuted minority under the Saddam Hussein regime, the position of the Kurds has changed over the past five years. They participated actively in drafting the constitution which allowed them to include certain key issues into this document, such as Article 140 which provides for a referendum in Kirkuk. They have benefited from proportional representation and have 53 representatives in Parliament (out of a total of 230 seats allocated to the provinces) and the President of Iraq, Jalal Talabani, is a Kurd. They have consolidated their control of the Kurdistan Regional Government (KRG), in part through encouraging the return of Kurds from other part of the country, but also through the development of a strong military force, the Pesh Merga, and by consolidating Kurdish control of government services. The three provinces making up the KRG – Erbil, Sulaymaniyah and Dohuk – have emerged as an area of relative calm and stability in Iraq...

“Very few Kurds have sought refuge in neighboring countries since 2003; those who have felt unsafe in other parts of Iraq have tended to move to the KRG region. UNHCR-Syria’s figures, for example, suggest that there are very few Kurdish Iraqi refugees in Syria.” [88e] (p10-11)

19.06 The UNHCR report of August 2007 stated that:

“Kurds have also been perceived as supporters of the ‘foreign occupation,’ given their staunch support of the US-led invasion in 2003 and presence in the country, full involvement in the political process, political efforts to achieve federalism in Iraq (viewed by many Sunni Arabs as a precursor to the break-up of Iraq), and reported relations with Israel. This has resulted in a number of attacks on Kurdish political and military representatives, offices of the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK), and Kurdish civilians.” [40j] (p12)

ARABS

19.07 Due the Arab sectarian conflict, many Arabs fled to the KRG administered area. (*The New York Times*, 2 September 2006) [24b] The FCO reported in a letter, dated 6 December 2006, that:

“Despite the fact that many Arabs have sought respite from the violence further south by moving to the Kurdish Region (creating some problems in so doing) and have been generally welcomed by the Kurds, Kurdish security forces take a harder line approach to the Arab community because they fear the spread of extremism and terrorism to their region. Entry to main Kurdish cities is controlled by means of checkpoints/berms, and closer scrutiny is paid to Arabs, especially single Arab men.” [66n]

TURKMENS

19.08 The MRG report, February 2007, stated that:

“Iraqi Turkomans numbered around 800 000 in 2001, and live in towns and villages in northern Iraq stretching from Tel Afar, to Mosul, Erbil, Altun, Kirkuk, Tuz Hurmatu, Kifri and Khaniqin. They are descendants of the Turkish-speaking Oghuz tribes and began settling in Iraq 1500 years ago. They are Iraq’s third largest ethnic community (after Arabs and Kurds). Iraq’s Turkoman community is intrinsically involved in what the NGO International Crisis Group (ICG) has described as ‘a dangerous and dangerously neglected’ battle – the battle for Kirkuk. While Kurdish people hold that they are the indigenous inhabitants of the city and point to Ottoman sources confirming their majority presence there, Turkomans believe the city has always been theirs. They attribute the large Kurdish presence in Kirkuk to mass migrations after 1927, and again with Arabs in the 1950s and 1960s. These migrations motivated the political organisation of Turkomans in the region. Tensions between the groups resulted in the massacre of Turkoman leaders and hundreds of civilians on 14 July 1959. In the 1980s, Turkomans suffered during the Anfal campaign alongside the Kurds. The Iraqi Turkman Front, which is supported by Turkey, opposes Kirkuk and other areas of northern Iraq falling to Kurdish control.” [121a] (p26)

19.09 UNAMI’s April to June 2007 report stated that “During the reporting period, UNAMI continued to receive renewed claims of persecution and discrimination of Assyrians and Turkoman in Kirkuk and Mosul by armed groups. In response to these claims, the KRG Minister of Culture re-established the General Directorate for Assyrian and Turkoman Affairs, encompassing members of these two communities residing outside the KRG region.” [39h] (p13)

19.10 A letter of 30 April 2009 from Professor Stansfield to COI Service reported that:

“Erbil City is home to a sizeable population of Turkmens. These Turkmens have been present in Erbil for centuries. However, unlike the Turkmen population of Kirkuk, Erbil’s Turkmen become more assimilated with the majority Kurdish population through the twentieth century. This assimilation is reflected in the emergence of pro-Kurdish Turkmen parties in Erbil (including the Turkmen National Association and the Turkmen Renaissance Movement) that formed following splits in the Iraqi Turkmen Front (a party that opposes forcefully policies of the KRG).” [151] (p3)

[Return to Contents](#)
[Go to list of sources](#)

LESBIAN, GAY, BISEXUAL AND TRANSGENDER PERSONS

20.01 The FCO report, 27 March 2009, stated that:

“Hewa Jaff, Director of Foreign Affairs, Sulaymaniyah Governorate stated that gay men in the KR would usually be able to live freely and not face any difficulties if they kept a low profile. Gays are generally tolerated in the KR in local communities and would not usually experience any difficulties with law enforcement agencies.” [66d] (p17)

20.02 In a December 2006 letter, FCO stated that they were not aware of cases of mistreatment by state authorities or violence against homosexuals in the KRG. They however noted that homosexuality is considered culturally unacceptable within Kurdish society and therefore goes on behind closed doors. (FCO letter, 6 Dec 2006) [66n]

20.03 The UNAMI report of 1 November-31 December 2006, stated that “Attacks on homosexuals and intolerance of homosexual practices have long existed yet they have escalated in the past year.” [39f] (p26)

20.04 UNHCR’s August 2007 paper noted that “...homosexuality and alternate gender identity remain strictly taboo and subject to intense individual, familial and social sanctions.” [40j] (p125)

See also [Freedom of speech and media](#) for details of arrest of doctor for publishing article on homosexuality.

LEGAL RIGHTS

20.05 The UNAMI report of 1 November-31 December 2006, stated that “Even though homosexuality is not condoned in Iraqi society, homosexuals are protected under Iraqi law.” [39f] (p26) And UNHCR’s August 2007 paper notes “... Iraqi law does not institutionally discriminate against LGBT citizens...”[40j] (p125)

20.06 However, the FCO report, 27 March 2009, stated that “The British Embassy Office, Erbil was informed during a visit to a prison in Erbil in March 2009 that some inmates had been imprisoned for homosexuality.” [66d] (p17)

20.07 Also, the Finnish FFM to the KRG area of Iraq, for the period 23 October-3 November 2007, stated that: “According to UNHCR, gays and lesbians are rejected by the community in the three northern governorates. People may be charged for homosexuality and some are detained for some period of time. UNAMI referred to its human rights report in the end of 2006, having a passage on the situation of gays and lesbians.” [131] (p12)

[Return to Contents](#)
[Go to list of sources](#)

WOMEN

21.01 The FCO report, 27 March 2009, mentioned that:

“... the NGO Asuda [which campaigns to end violence against women] in Sulaymaniyah... stated that while the position of women in the KR had improved since the 1990s, particularly as the influence of Islamist movements had diminished since 2003, the situation for women in the KR was still generally not good. Political representation of women was poor, with no women at senior levels in either of the two largest political parties, the KDP and the PUK. While there is a quota to ensure that 25% of seats in the KNA are held by women Khanim Latif stated that many are not genuinely independent and have been placed in their positions by the KDP and PUK. Culturally there is a legacy from the Saddam era when women were not encouraged to come forward and seek help for problems.” [66d] (p11)

21.02 The FCO report also noted “... Asuda stated that the position of women in the KR differed according to location and Sulaymaniyah, for example, had always held more liberal attitudes towards women than other cities and towns. Arab women might encounter difficulties in the KR based on their ethnicity.” [66d] (p12)

LEGAL RIGHTS

21.03 The UNAMI report, covering 1 January-30 June 2008, stated that “...there is a tentative support from some religious figures regarding possible amendments to the 1959 Personal Status Law, aiming to restrict the practice of polygamy and to seek a more equitable role for women in marriage and society. However, the passage of more progressive laws through Parliament remains fraught with difficulties.” [39q] (p17) The UNAMI report for 1 July-31 December 2008 stated that:

“... the KRG Minister of Human Rights established on 29 October 2008 committees on violence against women in the three governorates of the Kurdistan region. These committees have held their initial meetings, with the participation of ministerial officials, police officers, forensic specialists and prosecutors. The committees admitted that the investigation of crimes against women was still being hampered by a lack of skills, training equipment and awareness. Two committees recommended that specialized courts should be created for gender-based violence cases or that at least specially trained judges should handle such cases. Such specialized courts or victims/witness units within specialized courts should provide protective measures and security arrangements, counselling and other appropriate assistance during the investigation and the trial phases and during any subsequent period of time when safety of the victims or witnesses so requires.” [39b] (p14)

21.04 The FCO report, 27 March 2009, noted that “... Asuda stated that in Iraqi law men and women are officially equal but in the case of divorce a woman seeking the divorce will often have to give up her rights to property and in some cases rights to custody of or access to her children to win the divorce.” [66d] (p6)

21.05 The FCO report further mentioned that “Nawshiran Mustafa, an independent politician in Sulaymaniyah stated that while women have equality under the

law in the KR the position of women varies according to location. In remote rural areas women can be disadvantaged in traditional legal systems and can be discouraged from seeking legal redress for grievances. There have been isolated cases in remote rural areas of women being given as compensation to settle disputes.” [66d] (p12)

21.06 The Amnesty International (AI) report, 14 April 2009, stated that:

“Over the past decade lobbying and campaigning by women human rights defenders in the Kurdistan Region of Iraq have achieved some important improvements concerning protection for women from violence and women’s legal status. Since the late 1990s shelters for women at risk have been established by women’s organizations and, more recently, also by the authorities. Further, women’s organizations are involved in many activities contributing to strengthening women’s role in society – including education, vocational training, income-generating projects, legal assistance, awareness and advocacy work.” [28p] (p31)

POLITICAL RIGHTS

21.07 Women held 29 seats in the Kurdish National Assembly, constituting 27%. Legally, 25% of the parliamentarians must be women. (Kurdistan Regional Government, 10 September 2008) [150d] (p2)

21.08 The FCO report, 27 March 2009, stated that “Khanim Latif, Asuda stated that both the KDP and PUK have Women’s Unions but... considered that they were controlled from the centre.

“Soran Qadir Saeed, Programme Manager of Norwegian People’s Aid (NPA) in Sulaymaniyah also held the view that the KDP and PUK Women’s Unions were not independent of their respective party’s political centre.

“George Mansour, KRG Minister for Civil Society Affairs, stated that women were well represented in the KR’s political life and the position of women in society was improving. The KNA had recently agreed to increase the quota of seats in the KNA reserved for women from 25 to 30%. Minister Mansour sits on the KRG High Commission for Women’s Issues.” [66d] (p11)

SOCIAL AND ECONOMIC RIGHTS

21.09 The FCO report, 27 March 2009, noted that “[The] ICRC stated that women generally held an inferior position to men in the KR unless they were from wealthy families. Widows can find it difficult to cope and are not always helped by their families. ICRC is working with women’s organisations on an initiative to support female-headed households set up businesses with micro credits. [66b] (p6) The FCO report also mentioned:

“Alexander Elliott [Forensic/Investigations Advisor] stated that there were more women at senior levels in the KR police than in any other part of Iraq. The contribution of women police officers was taken more seriously in the KR than elsewhere in Iraq.

“General Rzgar Ali Aziz, Chief of Police in Sulaymaniyah Governorate stated that women are well represented across all departments and areas of work

in the police and women are increasingly present at graduate entry level.”
[66b] (p12)

21.10 The Swiss Refugee Council report, 10 July 2007, stated that:

“80-90 percent of the qualified women embedded in the labour market are employed in the public sector at a relatively low wage compared to their male counterparts. Women's access to public sector posts is only guaranteed if her family maintains good relations with influential political figures or possess membership in the province's predominant political party, either the Patriotic Union of Kurdistan (PUK) for Sulaimaniyah or the Kurdistan Democratic Party (KDP) in Erbil and Dohuk. For qualified women, it is possible to find a job, however they frequently face obstacles such as traditional prejudices, familial, societal or transport problems. Also making it difficult for women is the fact that there are no part time jobs available in the KRG-area. Around 10-20 percent of women find an employment opportunity in the private sector. While specialized female employees (technical specialists) are generally well-paid, women working as sellers are underpaid and exploited. The situation is even worse for the unskilled women working in the manual sector. Finally, the 10 percent of women engaged in the public sector – working as doctors, project collaborators or cleaners etc. – have found employment through special connections. That means 70-80 percent of all women are unemployed or working in the informal sector.” [156] (p8)

21.11 The Swiss Refugee Council report, 10 July 2007, noted that:

“Women in the Kurdistan region, to whom access to university used to be denied, are nowadays supported in pursuing higher education. There are no statistics available on how many women have missed out on school, but the estimated rates are high according to a representative of the *Kurdistan Women's Union* (KWU). A combination of social restrictions, population displacement, and lack of provision in past years meant that many women in the poorest part of Northern Iraq, such as the area of Chamchamal, 60 kilometres south of Sulaimaniyah, one of the regions badly hit by Saddam Hussein's *Al Anfal* campaign, were deprived of an education as children.

“To catch up for what these women have missed, the *Kurdistan Women's Union* launched the *Accelerated Learning School in Chamchamal* in the academic year of 2007. Most of the students are survivors of the Anfal campaign. The school accepts women regardless of age, and puts them on an accelerated learning programme where, for example, the standard primary school course of six years will be halved to three. The adult students have two hours of schooling a day, in which they are taught Kurdish, Arabic and English, science, mathematics and social studies. Kurdistan's education ministry is promoting the institute by providing textbooks, desks and other material, and will accept the school's leaving certificate, meaning graduates will be able to go on to higher education.” [156] (p21-22)

VIOLENCE AGAINST WOMEN

21.12 The FCO report, 27 March 2009, noted that “UNAMI, stated that women's rights are a major issue of concern in the KR. Women still flee gender-based persecution in the KR. Harmful traditional practices such as forced suicides, suspicious accidents leading to the death of women and honour killings occur in the KR. It is usually assumed that such incidents take place mainly

in isolated rural locations but there have been incidents reported of abuse of women in urban areas.” [66d] (p11) The FCO report further stated:

“... UNAMI stated that violence against women is no longer a taboo subject in the KR and the phenomenon is recognised by the KRG. The KRG is committed publicly to addressing gender-based violence against women and the Interior Ministry has a dedicated directorate devoted to following up reports of violence against women. However, prosecution of perpetrators of violence against women remains low. Junior police officers at local level may shield perpetrators from justice...

“Dr Shwan [Dr Yousif Aziz, KRG Minister for Human Rights] stated that the public had growing confidence in the ability of the special department on violence against women to deal with cases effectively. The department was dealing with around 100 cases each month.

“General Rzgar Ali Aziz, Chief of Police in Sulaymaniyah Governorate stated that women enjoy full equality with men under the law in the KR. There is a dedicated police department that deals with cases or allegations of violence against women. There is a high level KRG committee, which the General attends, of senior Ministers headed by the KR Prime Minister, Nurchivan Barzani, which oversees women's issues. There is also a women's issues committee headed by the Minister of Human Rights that the General also attends.

“Khanim Latif, Asuda stated that while the Interior Ministry had established a directorate to follow up reports of violence against women it was staffed mainly by men. The directorate has offices in the three main Governorates comprising the KR. Khanim Latif did not consider that the police do not always take women's issues and complaints as seriously as they are committed to in public.” [66d] (p12)

21.13 The AI report, 14 April 2009, however noted that:

“Despite the creation of the directorates and the specialist gender training being made available to police, it would appear that some police officers still are unwilling or unable to respond effectively when confronted with cases of violence against women. In their meetings with Amnesty International, KRG officials acknowledged that, as yet, many police officers are not sufficiently trained on gender issues in order to deal adequately with women victims of violence.” [28p] (p35)

21.14 The FCO report, 27 March 2009, noted that:

“Information obtained from the Interior and Human Rights Ministries by the British Embassy Office (BEO) in Erbil in March 2009 identified 75 cases of women being murdered, killed in suspicious accidents or committing suicide in 2008 in Erbil and Dohuk Governorates. In 2007 the number of similar cases identified in these Governorates was 126. In Sulaymaniyah Governorate and the Garmian district of Diyala Governorate (part of the KR) there were 66 reported deaths of women through similar causes in 2008.

“The BEO Erbil was informed that in 2008 there were 221 cases of women burned intentionally and in suspicious accidents in Erbil and Dohuk

Governorates and 251 cases in 2007. There were 118 such cases in Sulaymaniyah Governorate in 2008.

“The BEO Erbil was informed that police had registered 1,775 special dossiers on women's cases in Erbil and Dohuk Governorates in 2008, of which 921 dossiers had been resolved and closed. 496 people were imprisoned for violence against women and 78 were either sentenced to death or life imprisonment. This marked a substantial increase over 2007 when 218 dossiers on women's cases had been registered in the two Governorates. This increase was believed to be attributable largely to publication of telephone numbers of police departments dealing with cases on violence against women and police felt that this reflected the growing trust that women have in the police to deal with their cases sympathetically and prosecute perpetrators.

“The BEO Erbil was informed that in Sulaymaniyah Governorate 1,274 women's dossiers were registered in 2008, of which 162 cases had been resolved resulting in 44 perpetrators being punished, including 12 death sentences and 20 life sentences. “ [66d] (p15)

- 21.15 In an interview posted on the KRG website on 11 February 2009, Dr Yousif Mohammad Aziz, Minister for Human Rights for KRG stated that “One of our biggest challenges is preventing violence against women.” In reply to the question “What are you doing to prevent and punish violence against women?” the Minister stated:

“We are making great efforts to prevent it and have established at least six mechanisms to deal with it. Every three months the Prime Minister and Council of Ministers meets to devise preventative and judicial policies and monitor progress.

“Second, I supervise a committee that includes representatives of the ministries for women, justice, civil society, interior, religion, education and social affairs... For example, the Religious Affairs Ministry is responsible for ensuring that clerics and religious figures in their sermons explain that honour crimes and violence against women are anti-Muslim practices.

“Third, the Interior Ministry has established a special directorate in Dohuk, Erbil and Suleimaniah, and hopes to open more in other towns in the Kurdistan Region. These special directorates offer threatened women protection and advice, and work with the ministries of justice, health and human rights to prevent and investigate violence against women.

“Fourth, Dohuk, Erbil and Suleimaniah now each have a Violations Board made up of a general prosecutor, forensic scientist and representatives of the human rights and interior ministries. They ensure that the judicial process is followed properly and rapidly in cases of honour killings and domestic violence.

“Fifth, we provide centres and shelters for threatened women who are protected until the threat has been removed, and are helped to find work and return to their communities.

“Lastly, we have amended several laws relating to women. Honour killings are now punished as harshly as other killings and are not viewed as

'honourable' under the law. We have also removed old Iraqi laws that allowed men to 'punish' and beat their wives, and changed the law in a way makes it difficult for men to have more than one wife – limiting the practice to only exceptional circumstances.” [150h]

- 21.16 The Human Rights Minister further stated that “The government statistics show a large increase in the number of women coming forward for protection because of the new specially dedicated directorates and the success of our campaign to raise awareness of the issue.” [150h]
- 21.17 The UNAMI report, 1 January-30 June 2008, said that there were “reports of violent killings, domestic violence and burning of women”. The report it noted a decision made on 12 May 2008 by the KRG Prime Minister to reorganise the existing Directorates to Combat Violence against Women into a single body to facilitate the centralisation of data analysis.

“Official statistics provided by the Erbil-based Directorate to Combat Violence against Women showed that 145 cases of women victims of violence were registered in January and February [2008], including using women as compensation in disputes and domestic violence. A higher incidence of such cases in rural areas in Erbil and Dohuk continued to be recorded. During the first quarter of 2008, the Sulaimaniya-based Directorate to Combat Violence against Women recorded three suspected honour killings; 20 suspicious burning cases; 27 domestic violence and 31 cases of verbal threats against women. Police have initiated investigations into the majority of these cases. The media and KRG official departments released conflicting reports and assessments of the situation of women in the region. However, some officials and civil society organizations believe that there has been a steady increase in the first half of 2008, and that the KRG authorities’ claims of a decline in violence cannot be substantiated. UNAMI recorded eight shooting cases in the first two weeks of May and in the majority of these cases, family members claimed ‘accidental’ shooting. Between January and May, officials recorded 23 apparent murders of women in Erbil and Dohuk and 74 burning cases, including 32 fatalities. The Sulaimaniya Directorate recorded 16 apparent murders; 76 cases of burning and 266 cases of domestic violence between January and May, in Garbiyan district and Sulaimaniya. Official data transmitted to UNAMI in April, showed that 136 women had died from unnatural causes in the first quarter of 2008 in the three Northern Governorates, as compared with 118 deaths in the first quarter of 2007.” [39q] (p16)

- 21.18 The IOM December 2008 report commented that “Violence against women, sexual assault, and forced prostitution continue to be noted by monitors in the KRG, especially in Dahuk and Erbil governorates. Economic problems have been cited as a contributing factor to divorce.” [111o] (p7)

- 21.19 The USSD report for 2008 stated that:

“On May 13 [2008], two days after a shooting at a women's shelter, the KRG Violence Against Women Commission, which is under the direct supervision of the prime minister and deputy prime minister, created monitoring boards to ensure that the region's existing laws to protect women are upheld and enforced by the courts. The commission also recommended that ‘komalayati’ bodies, or traditional panels led by village elders to reconcile disputes, no longer play a role in deciding legal cases. The monitoring

boards are reportedly underfunded, and members lack appropriate training. Komalayati boards still play a role. In October and November, five murder cases were resolved by these boards.” [20] (p28)

21.20 The AI report, 14 April 2009, mentioned that:

“In recent years, the Kurdistan Parliament has addressed violence against women. It has established specialized bodies tasked with monitoring and preventing violence against women – including at the police and at inter-ministerial level. Law 14 of 2002 amended the Iraqi Penal Code in order to prevent inappropriately lenient sentences against perpetrators of crimes against women who claimed they had acted with ‘honourable motives.’ In October 2008 the Kurdistan Parliament passed Law 15 of 2008 amending the Personal Status Law enhancing women’s rights. These amendments included restrictions on polygamy, but many Kurdish women’s rights activists keep calling for a total ban as they see the retention of discriminatory laws on polygamy as a capitulation to religious interests.

“Other positive steps taken include the Draft Law on Violence in the Family, which was drafted by the Kurdistan Parliament’s Women’s Committee and aims to improve protection of women and children. Among other issues, the draft law proposes to facilitate judicial procedures against perpetrators and envisages improved protection measures for victims or persons at risk. ...

“The scale of violence against women remains difficult to ascertain despite increased monitoring and reporting of violent acts against women by NGOs, media, intergovernmental organizations and the Kurdish authorities. Particular attention is often given to the most violent incidents - including cases where women have been killed by members of their family or where their death was caused by burning injuries. ...

“Violence against women by family members spans the spectrum from depriving women of economic necessities through verbal and psychological violence, to beatings, sexual violence and killings. Many acts of violence apparently have some social sanction, including ‘crimes of honour’, forced marriage, including early marriage, ‘Jin be Jin’ (a practice involving the barter of women to avoid paying dowries and other marriage expenses) and female genital mutilation. Husbands, brothers, fathers and sons are responsible for most of these abuses - sometimes acting on the orders of family councils, gatherings of family or clan elders.” [28p] (p31-32) The AI report of 14 April 2009 also listed women who were victims of violence. [28p] (p32-32, 36-37)

Domestic violence

21.21 The UNAMI report for the period 1 January-30 June 2008, commented that “In the Kurdistan Region, UNAMI continued to receive reports of violent killings, domestic violence and burning of women.” [39q] (p15) The previous UNAMI report, covering 1 July – 31 December 2007, stated that:

“According to the Minister of State for Interior Affairs, women are reluctant to report spousal or domestic abuse for fear of retributive violence, divorce or even murder. He added that further efforts were needed to enhance public awareness and to deal with social and religious components of gender-

based violence, and that the KRG authorities had conducted activities and supported civil society organizations in this regard.” [39I] (p16)

- 21.22 The Iraqi Family Health Survey (IFHS), published 9 January 2008, the first national survey in Iraq to investigate domestic violence, stated that “Collection of data on domestic violence is challenging due to a culture of silence that surrounds the topic ... Overall, 21.2% of women experience physical violence. There are few differences in the percentage by age, education or residence, although there are marked differences between Kurdistan and the South/Centre. 22.7% of women report at least one form of physical abuse in the South/Centre in contrast with less than half of this percentage, 10.9%, in Kurdistan.” [23d] (p24-25)

- 21.23 The USSD report for 2008 recorded that:

“Private shelters for women exist; however, space was limited. Information regarding their locations was closely held...On May 11 [2008], armed gunmen attacked the women's shelter Asuda, a Sulaimaniyah-based women's NGO that provided shelter for victims of violence and abuse, seriously wounding one of the shelter's residents. Asuda had worked since 2000 to highlight the plight of female victims of violence, domestic abuse, and tribal honor killings.” [2o] (p29)

- 21.24 The AI report ‘Challenging repression - Human rights defenders in the Middle East and North Africa’, published on 11 March 2009, reported the same incident:

“Women human rights defenders working at women’s shelters in the Kurdistan Region of Iraq report frequent threats by relatives of women who have sought protection. There has been at least one armed attack on a shelter: on 11 May 2008, gunmen believed to be relatives of a woman staying at the ASUDA shelter in Suleimaniya, fired several shots from a neighbouring building into the shelter, seriously injuring the woman. Lawyers representing women in personal status matters have also been targeted. A woman lawyer in the Kurdistan Region told Amnesty International that she had received threats on her mobile phone from relatives of a woman who had been abused by her husband and whom she had assisted to file for divorce.” [28d] (p61)

See also [Violence against women](#)

Sexual violence and abuse

- 21.25 The FCO report, 27 March 2009, stated that “... UNAMI stated that rape of women is not as widely reported to the authorities as domestic violence not involving rape.

“... Asuda stated that there is a low level of reporting of rape because of the shame associated with the offence and rape cases that are reported will often not lead to a successful prosecution.” [66d] (p12)

‘Honour’ killings/crimes

- 21.26 The UNHCR COI report, October 2005, defined ‘honour killings’ as: “a term used to describe a murder committed by a family member to protect the

family's honour. Many women and girls are at risk of death if they are accused of behaviour believed to have brought shame on the family, such as a loss of 'virginity' (even by rape), infidelity, a demand for divorce or a refusal of marriage. Many women are killed based on suspicions of a family member and are not given the chance to defend themselves." [40c] (p36)

21.27 "Gender-based violence, murders, suicides, so-called 'accidents' and other suspected 'honour crimes' ... continued to be documented in the region of Kurdistan." (UNSC, 28 Jul 2008) [38q] (p7-8)

21.28 The Finnish FFM report of November 2007, noted that:

"The situation of women in many rural areas in the KRG region is bad, according to UNAMI. The situation of honour related violence is very alarming.... The majority of the victims are between 14-55 years of age.... According to UNAMI and NPA, an important factor in the increase of honour related violence is the increasing use of mobile phones, as SMS-messages and the saved phone numbers of men reveal 'illicit relationships'... The main problem behind honour related violence, according to studies made by the government, is the traditional mindset of ordinary men and male law enforcement authorities. Thus many perpetrators of honour related violence escape without punishment, and the few convictions are usually mild, amounting to a few months of prison time." [131] (p10)

"...awareness of the situation has increased. According to NPA, women today seek help against domestic violence more readily than before. However, available shelters are full, and women cannot often return from the shelters to their families. Some women have been killed after they have returned to their families." [131] (p11)

21.29 The UNAMI human rights report of 1 January-30 June 2008, noted that "A great number of murders, alleged suicides and other suspected 'honour crimes' were reported from the Region of Kurdistan... Statistics vary on the prevalence and scale of these cases and details are often unattainable...

"Police have initiated investigations into the majority of these cases. The media and KRG official departments released conflicting reports and assessments of the situation of women in the region. However, some officials and civil society organizations believe that there has been a steady increase in the first half of 2008, and that the KRG authorities' claims of a decline in violence cannot be substantiated." [39q] (p15-16)

21.30 The UNAMI report, covering 1 January-30 June 2008, further stated that:

"...courts continue to practice leniency in honour-related crimes, despite recent assurances from KRG officials of greater commitment to investigate and prosecute. According to official statistics for Dohuk Governorate, there were 10 convictions for honour-related crimes between 2000 and 2007 and 50% served a maximum sentence of 15 years' imprisonment although all were charged with first-degree murder¹⁹. The rest served sentences between 2 to 10 years for killing female relatives and wives. According to the KRG, half of the claims filed in Erbil governorate during the first six months of 2008 have been successfully solved." [39q] (p16) The UNAMI report for 1 July-31 December 2008 commented that:

“UNAMI/HRO has been alerted by local advocates for women’s rights in the KRG of the frequency of the so-called “honour killings” and cases of female self-immolation in the Kurdish region, despite efforts from the KRG to raise public awareness regarding violence against women. In cases reported to UNAMI, women have been attacked, wounded and left to die and the death characterised as ‘accidental’ by family members. For example, in the village of Pangeen (Qushtapa sub-district), 16-year-old Kanyaw Maghdid and her sister 22-year-old Lafaw were shot by their father on 23 September. Lafaw told police that her father shot his daughters to ‘protect their honour’ when he found out about the relationship one was having with a boy. Kanyaw died on the spot while Lafaw was admitted to a hospital but later died. At the writing of this report, an investigation has been open but no arrest made yet. It has also been reported to UNAMI that the suspected killer of D’waa Aswad Khalil, a 17-year-old Yezidi girl publicly stoned to death in April 2007 in the village of Bahzan in the Ninawa governorate was seeking traditional reconciliation with the victim’s family to avoid criminal charges. UNAMI is concerned by the indifference shown towards these crimes and appeals to the KRG to ensure that the rule of law prevails. While welcoming the efforts made by the KRG to acknowledge the scope of the problem including by establishing the committee on violence against women, UNAMI believes that in parallel to sensitisation campaigns, timely and credible investigation and prosecution of violence against women will send a clear message that the perpetrators of these crimes will be held criminally accountable.” [39b] (p14)

- 21.31 The USSD report for 2008 stated that “Honor killings were also widespread in the Kurdish region. The KRG minister of human rights reported on December 16 that the KRG does not consider an honor killing legally different from murder, thus making punishment for an honor killing equal to punishment for murder. [2o] (p28)
- 21.32 Figures differ for the number of honour killings in the KRG area in 2008; the UNAMI human rights report of 1 January-30 June 2008 recorded that 56 women have been murdered and 150 have been burned in the Kurdistan region between January and August 2008, according to official statistics. As of April 2008, 136 women had died from unnatural causes in the first quarter of 2008 in the three Northern Governorates. [39q] (p15) The USSD report for 2008 stated that that between January and August 2008, 77 women were killed in honor killings and 211 women were burn victims, according to the KRG Ministry of Human Rights (MOHR). ...
- “According to the Erbil hospital, 154 women were killed in Erbil between January and November. On April 2, three persons accused of an honor killing in Sulaymaniyah were arrested by the Asayish, according to press reports, but were later released. The suspects reportedly fled the country. The KRG reported that there were 528 honor killings in 2007; civil society observers and UNAMI in its human rights report considered the number to err on the low side. During the year, there were anecdotal reports from an NGO that between 200 and 250 women self-immolate in the region each year.” [2o] (p28)
- 21.33 The IOM December 2008 report commented that “[IOM] Monitors also noted reports of honour killings among IDP and host community populations in Erbil. However, these incidents are difficult to accurately report, due to the sensitive nature of the issue.” [111o] (p7)

- 21.34 In an interview posted on the KRG website on 11 February 2009, Dr Yousif Mohammad Aziz, Minister for Human Rights for KRG stated that "...the number of honour killings is decreasing. Of course the presence of such crimes is still appalling and our aim is to eliminate honour killings altogether, but we are seeing a definite improvement thanks to the multiple strategies we are employing." [150h]
- 21.35 The FCO report, 27 March 2009, noted that:
- "... Asuda stated that honour killings do occur and have been rising in number. They tend to be recognised as such by the authorities on a case-by-case basis but there is a low incidence of honour killings being reported to law enforcement authorities because of a sense of family shame. The tradition of early, usually arranged, marriage in the KR can push people into unhappy marriages and some may enter adulterous relationships, which, if discovered, can lead to violent retribution.
- "... Asuda stated that there was a high incidence of honour killings in the Garmian district of Diyala Governorate, which is part of the KR. The district is an isolated rural area. Khanim Latif stated that Law 101 of the Iraqi Penal Code (which allows the death penalty as a punishment for prostitution) is used as justification for the beating of females by family males. The Holy Quran is also interpreted by some as permitting men to beat women in certain circumstances.
- "... Asuda stated that efforts to change the law in relation to prosecution of honour killings were being resisted by the KDP and PUK. Under current laws if a man is found guilty of killing a woman for family honour the punishment given is often only three months imprisonment. In 1999 the KNA passed an Act to make honour killings punishable in line with other murders but this has been prevented from being implemented by the central Iraqi Government, which considers it contrary to the Iraqi Penal Code.
- "KRG Human Rights Minister Dr Yousif Aziz (Dr Shwan) stated that honour killings were now regarded as 'normal' killings and are investigated in the same way as other murders, under section 406 of Iraqi law. The death penalty can now be imposed for honour killings and husbands guilty of murdering their wives no longer have any legal impunity from prosecution. Reports of honour killings had risen in 2008, although the actual number of such killings had fallen, reflecting greater public confidence in the authorities to deal with such cases seriously and in line with other murder cases.
- "Alexander Elliott [Forensic/Investigations Advisor] stated that honour killings are not conducted as openly as they had been in the past because of growing acceptance of the unacceptability of the practice. Perpetrators would try to cover up such killings and many cases of apparent female suicides could be honour killings.
- "... [the] ICRC stated that the KRG acknowledges that honour killings are a problem that needs to be addressed. Official acknowledgement of the phenomenon in itself represents a significant change in public attitude to the practice.
- "... NPA stated that although the Interior Ministry had established a special department to investigate reports of violence against women and that this

was beginning to make some impact there was little evidence to date that cases of honour killings are investigated thoroughly and lead to a successful prosecution.

“The BEO [British Embassy Office] Erbil met the KRG Justice Minister, Faruq Jamil Sadiq, in March 2009. The Minister confirmed that honour killings are classed as murder and the police and courts are fully aware that this is the case. Statistics (see below under Further Information) confirmed that the number of cases of honour killings investigated and which resulted in a conviction had increased. Some of those found guilty of murder had been sentenced to death or life imprisonment.” [66d] (p13-14)

See also [Violence against women](#)

Female Genital Mutilation (FGM)

- 21.36 The USSD report for 2008 stated that “Female genital mutilation (FGM) is not illegal and was reported in the rural areas of the Kurdish region. The government offered no substantive assistance for victims of FGM.” [2o] (p30) The UNAMI report, covering 1 July-31 December 2008, recorded that:

“The practice of female genital mutilation (FGM) remains underreported in the KRG. The KRG Ministry of Women Affairs, the women’s committee in the Kurdish National Assembly, and international and national human rights organizations have been collecting information and advocating for a decision on the amendment of the criminal code to make FGM a crime. To date, no clear decision has been made by the government and the Kurdish National Assembly. Women’s rights groups in the KRG are campaigning to change the perception that FGM is harmless and required under Islam. Despite these efforts, the latest statistics collected by the German organization WADI during the last three months of 2008 showed that 98% of women living in 54 villages in Rania and Qalat Dazei districts in the area of Bishdar in the Sulaimania governorate have undergone FGM.” [39b] (p14)

- 21.37 On 10 March 2009, RFE/RL reported that:

“Thomas Von Der Osten-Sacken, the director of Wadi, a German nongovernmental organization that has worked in Iraqi Kurdistan for more than a decade, says the organization’s research among Iraqi Kurds and also Iranian Kurds based in northern Iraq has shown that the practice of FGM is prevalent in the region. ‘I think it’s not wrong to say that within the Iraqi and Iranian Kurdistan the rate of the mutilated girls and women is in average about 60 percent,’ Sacken says... It is not clear why the practice is widespread among Iranian and Iraqi Kurds... But Von Der Osten-Sacken says that, according to the Shafii Islamic school to which most Iranian and Iraqi Kurds belong, female circumcision is obligatory for women... While both Zabihi [a member of a women’s rights group based in Iran’s Kurdistan called the Committee Against Sexual Violence] and Von Der Osten-Sacken agree that FGM is deeply anchored in Kurdistan’s traditions, they believe that attitudes are slowly changing. The Wadi director says the fight against female circumcision is gaining some support among young people, Kurdish intellectuals, and some politicians in Iraqi Kurdistan.” [22b]

- 22.38 The FCO report, 27 March 2009, commented that “... UNICEF Erbil stated that FGM is a problem in some parts of the KR, mainly isolated rural

locations. The KRG is committed to working to address the problem. A German NGO had conducted some research into FGM in the KR and had highlighted the issue. The FGM encountered had been minor rather than full circumcision.” [66d] (p14)

22.39 The UNHCR August 2007 report stated that:

“As part of its campaign against FGM, WADI organized a conference in Erbil on 26 September 2006 that was supported by local authorities, who had previously denied that FGM was practiced in the region. A first step in prosecuting the practice is that midwives found to engage in FGM lose their licence. However, midwives are not the only ones involved in FGM. WADI reports that FGM is practiced by Muslims, Christians and Kaka’i. According to Amnesty International (AI), there are indications that the practice is decreasing.” [40j] (p123)

Forced marriage

21.40 The Finnish FFM report, 23 October-3 November 2007, noted forced marriage was still common in the three northern governorates of Iraq. [131] (p11)

21.41 The AI report, 14 April 2009, stated that:

“Kurdish women human rights defenders confirmed that many incidents of violence against women which they had encountered involved women who had experienced early or forced marriages, or whose husbands had entered polygamous marriages. However, the KRG appears to have no mechanisms for monitoring early and forced marriages, including those conducted through court arrangements, and therefore for ensuring that those responsible for marriages which contravene the law are prosecuted.

“In the vast majority of cases, the girl’s family arranges the early marriage. Generally, the lower her family’s income and her level of education, the more likely she is to be forced into an early marriage.” [28p] (p33)

Women’s shelters

21.42 The AI report, 14 April 2009, stated that “In February 2009 there were six shelters operating in Northern Iraq: one each in Dohuk, Erbil and Kirkuk, and three in Sulaimaniya. Their capacity, however, is insufficient to meet the true level of need.” [28p] (p35)

21.43 The FCO report, 27 March 2009, stated that:

“Khanim Latif, Asuda stated that Asuda established the first independent women’s shelter in Iraq in 2002. Asuda now runs five shelters, three of them in partnership with the KRG for homeless women or those with psychological problems. The other two are shelters for victims of violence. Asuda has received funding from the UK-based NGO Christian Aid since 2004. Asuda works largely in the KR but campaigns on protection issues across Iraq.

“... Asuda stated that women’s shelters have received threats. In May 2008 family members attacked a woman in one of Asuda’s shelters in

Sulaymaniyah. The victim was hospitalised for several months and is now relocated in a safe place. Police investigated the case but the alleged perpetrators were released without charge. As a result of this incident Asuda had to relocate its women's shelter to another location.

“General Rzgar Ali Aziz, Chief of Police in Sulaymaniyah Governorate stated that Asuda and other women's rights organisations monitor the situation of women in the KR. The KRG works with Asuda in providing shelters to protect women who have been the victims of violence.” [66d] (p14)

- 21.44 The FCO report further mentioned that “The BEO [British Embassy Office] Erbil was informed that in 2008 140 women from Erbil Governorate had been accommodated in a centre to protect them from threats from their families. Most women were able to resolve their problems with their families, with 15 women remaining in the centre. A similar centre in Dohuk accommodated 73 women during 2008, with ten remaining with problems unresolved.” [66d] (p15)

PROSTITUTION

- 21.45 The International Organisation for Migration (IOM) December 2008 report noted that “Across the KRG, many female IDPs have been forced into prostitution, either by family members, or in the case of some female-headed households, through sheer desperation. Monitors in Dahuk report that some women are being sexually assaulted by employers in order to not lose their jobs.” [111o] (p7)
- 21.46 The Finnish FFM report of November 2007, noted that “According to NPA [Norwegian People's Association] there is a large increase in prostitution in the three northern governorates due to internal displacement from outside the governorates. The KRG apparently has no statistics on prostitution.” [131] (p11)

[Return to Contents](#)
[Go to list of sources](#)

CHILDREN

OVERVIEW

22.01 The Foreign and Commonwealth Office report, 27 March 2009, noted that:

“Paula Nooraddin, Chief of Field Office, UNICEF Erbil stated that a large international presence (UN, Coalition and diplomatic missions) has helped highlight children's issues in the KR. Family ties are very strong in the KR and most children are raised in a close supportive family environment. It is rare to find problems such as alcohol and drug abuse by children, increasingly common in Western societies, in the KR. Iraq is a signatory to UN Convention on the Rights of the Child. [66d] (p15-16)

CHILD ABUSE

22.02 The FCO report, 27 March 2009, noted that “... UNICEF stated that [they] had not seen reports of wide scale child abuse in the KR and while UNICEF does not believe there to be a major problem in this area UNICEF is developing mechanisms to evaluate and monitor the situation better. There is considerable stigma around child abuse in the KR and families would usually seek to keep the issue undisclosed.” [66d] (p16)

CHILD LABOUR

22.03 The International Organisation for Migration (IOM) December 2008 report stated that “Child labour among IDPs is also a continuing concern, as there are reports in all three governorates of children being forced out of school to sell cigarettes, tissues and other items on the street in order to contribute to the family income.” [111o] (p7) The IOM report further stated that “There is concern that poor economic prospects and pressure on youths in Dahuk to support their families may lead to an increase in theft or perhaps even make youths more susceptible to manipulation by terrorist groups.” [111o] (p6)

See also [Internally displaced people \(IDPs\)](#)

22.04 The FCO report, 27 March 2009, recorded “... UNICEF noted some incidence of child labour but believed that the phenomenon has been declining with economic growth and greater prosperity in the KR in the last few years.

“Dr Yousif Aziz (Dr Shwan), KRG Minister for Human Rights stated that there was a problem in some parts of the KR with the use of child labour but he did not believe the problem to be on a large scale. The Ministry of Human Rights works closely with the Ministry of Social Affairs and NGOs to resolve the problem of child labour. The Ministry of Social Affairs is able to provide funding to enable children who are found working to return to school.” [66d] (p16)

LEGISLATIVE FRAMEWORK

22.05 The FCO report, 27 March 2009, stated that:

“... UNICEF stated that courts in the KR have judges specialising in juvenile cases. In other parts of Iraq children can be tried for offences at 13 years of

age but in the KR this is higher, at 14 or 15. The KR also has juvenile reform centres. UNICEF does not regard the KR's systems for dealing with juvenile crime as perfect but is working with the KRG to make improvements. UNICEF has conducted seminars on juvenile justice with legal practitioners. Iraq is a signatory to the International Convention on the Rights of the Child.

"... UNICEF stated that the UN and NGOs were working with the KRG to improve police handling of cases involving juveniles. UNICEF believes that the situation is showing improvement as police are trained in dealing with juvenile cases. When the police question children it is usual for their parents to be present.

"... UNICEF stated that it enjoys good access to children detained or in prison and provision is made for education of children in detention." [66d] (p16)

EDUCATION

22.06 A Swiss Refugee Council report, 10 July 2007, noted that:

"According to the UNDP Iraq Living Conditions Survey, Iraq's educational system was considered one of the best in the Middle East until the 1980s. However the Kurdistan region's education system was in a very bad condition after past decades of Ba'athist oppression... Many children, particularly girls, are kept out of school to work at home or to generate family income. In the classrooms there was a severe lack of equipment and teaching materials...

"The lowest education levels of the adult generation are found in the North, where 31 percent of the population over 15 years have never attended school, 55 percent of the adult residents never completed elementary school, and only six percent have started or completed higher education. Regional differences in the younger generation however, have diminished in recent years. The net enrolment for primary school in the North is now higher than the national average. This to a large extent is a result of an influx of foreign aid. The international donors started educational programs in the KRG-area, whereas the rest of the country did not receive international aid until after the 2003 invasion." [156] (p19)

22.07 The Swiss Refugee Council report, 10 July 2007, noted "The educational system in KRG-area consists of:

- 2 years (not compulsory) pre-school education for the 4-5 years age group;
- 6 years compulsory primary education for 6-11 years old;
- 6 years of secondary education of 2 cycles of 3 years each and
- 2-6 years study of higher education covering the age group 18-23 years.

"In addition to academic preparatory, there are also industrial, commercial, arts and agricultural schools, known as Vocational Secondary Education, which consist of the same 3 years duration. There are also three types of Teacher Training Education Institutions in the area, namely, Teacher Training Schools of 3 years study after the completion of the first stage of secondary education, Teacher Training Institutes which offer a two year

course, culminating in the Diploma in Education for secondary school graduates, and Specialised Teacher Training Institutes such as the Institute of Fine Arts and the Institute of Special Education. Secondary school teachers are graduates of Colleges of Education at the three Universities. The higher education stage covers Technical Institutes of 2 calendar years, leading to Technical Diplomas or Bachelor (B.Tech.)

“In July 2007, at the time of the Swiss Refugee Council report, there were five universities in the KRG-area. Salahaddin University in Erbil was for many years the only university in the northern part of Iraq. In 1992, one year after the Kurdish uprising, when the northern provinces of Dohuk, Erbil and Sulaimaniyah acquired semi-autonomous status, the KRG re-established the University of Sulaimaniyah, originally founded in 1968, closed down by the central government in 1981 and transferred to Erbil where it was easier to access and control from Baghdad. In the same year, the KRG opened the University of Dohuk and in 2003 the University of Koya, which is geographically situated in the centre of the Kurdistan region, and is almost equidistance from the cities of Erbil and Sulaimaniyah. Most recently, in 2006, a second higher education Institute the University of Kurdistan was established in Erbil, which offers free education in English. The five Universities of Salahaddin, Sulaimaniyah and Dohuk also award specialised Diplomas, different types of Bachelors, Masters and Ph.D.s in the various fields. For further information on different programs, degrees and courses offered in the universities, please consult the web pages listed in the following diagram.” (Swiss Refugee Council report, 10 July 2007) [156] (p20-21)

Institute	Internet Domain	Established in
Salahaddin University	www.usalah.org	1968
University of Sulaimani	www.univsul.com	1968
University of Dohuk	www.dohukuni.net	1992
University of Kurdistan	www.ukh.ac	2006
University of Koya	koyauniversity.org	2003

- 22.08 On 10 September 2008, the KRG factsheet noted that “The Kurdistan Region has seven universities, including the English language University of Kurdistan-Hawler in Erbil which opened in September 2006, and the American University of Iraq in Suleimaniah, which started its first programme in autumn 2007. [150c] On 11 February 2009, Iraq Updates further reported that the university campus in Zakho was being expanded at a total cost of 4 billion Iraqi dinars. [157a]
- 22.09 A report by the KRG Ministry of Education, 27-28 February 2007, noted there were 146 kindergartens, 3668 primary (grade 1-6) schools, 568 secondary schools, 452 Intermediate (grade 6-9) schools and 130 Preparatory (grade 10-12) schools. [159a]
- 22.10 The FCO report, 27 March 2009, commented:
- “... UNICEF stated that education is free in the KR. The main problem in schools is overcrowding, with many schools having to run a shift system to cater for demand. Enrolment has increased considerably in recent years with the stability in the KR. The presence of IDPs in the KR has placed

further strains on the KR's education system. IDP children are able to enrol in KR schools. Nearly all schools in the KR teach in the Kurdish language. There are few Arabic medium schools and those that operate are overcrowded. The Ministry of Education is organising more Arabic classes in schools, primarily to meet the needs of Arabic-speaking IDPs.

"... UNICEF stated that the private sector is becoming more involved in the education sector in the KR but private education facilities mainly cater to the needs of children from wealthier families. The KRG Ministry of Education is planning to build more schools.

"... UNICEF stated that its main objectives in the KR were to improve the quality of learning, increase enrolment and work to reduce the dropout rate in schools. Although the KRG is supportive of girls' education there is pressure on girls, particularly in rural areas, to marry young and consequently girls will not complete their education. The legal age for marriage is 18. Most girls in rural areas will marry between the ages of 18 and 21. The average age of marriage is increasing in cities and towns.

"... Asuda stated that education of girls has improved in recent years. More girls go on to university level education now than in previous times. Education is mandatory to the ninth level (around age 15) but in some rural areas girls might not complete their education because their families take them out of school early and keep them at home until they marry." [66d] (p16-17)

- 22.11 A report by the Centre for International Governance Innovation (CIGI), published January 2009, stated that:

"The flight to Iraqi-Kurdistan of those minorities that cannot escape the country has created enormous pressure on the governance institutions within the Kurdish region. In particular, the government there struggles to provide protection and basic services to the large numbers of displaced that are fleeing towards its borders. One example is in basic education where minority groups have had difficulty finding spaces; we have been told by Kurdish officials that they have over ten thousand Kurdish students without spaces in schools. The lack of capacity makes it extremely challenging to provide basic services to the local population, let alone to tens of thousands of displaced people." [158a] (p7)

See also [Women](#)

CHILD CARE: ORPHANS AND STREET CHILDREN

- 22.12 The Finnish FFM report, for the period 23 October-3 November 2007, stated that:

"According to academics at the University of Dohuk, some street children exist in Kurdistan. According to Qandil, street children working for instance as vendors exist particularly in Sulaymaniyah. Qandil had witnessed some secondary malnourishment of children ... According to NPA [Norwegian People's Association], child labour exists, and many children work in the streets as smugglers and beggars for instance in Sulaymaniyah. The beggar problem has surfaced in 2007, due to the arrival of internally displaced persons to the three northern governorates." [131] (p19)

- 22.13 The FCO report, 27 March 2009, stated that "...UNICEF stated that children from very poor families might be encountered as street children. IDP children, whose families have moved to the KR from elsewhere in Iraq, may also be seen on the streets. This problem has begun to decline as families are returning to their homes as the security situation improves across Iraq. UNICEF is working with the KRG Ministry of Social Affairs to address the issue of street children." [66d] (p16)
- 22.14 The FCO report also mentioned that "... UNICEF stated that the KRG runs three orphanages, in Erbil, Sulaymaniyah and Dohuk. A new orphanage had recently opened in Erbil, part-funded by the United States and run by the Ministry of Labour and Social Affairs. The facility is large with good facilities. [It also provided accommodation for elderly men, but in a separate facility to the children's home.]
- "... UNICEF stated that while UNICEF does not generally support the use of institutional care for children it has worked in the KR with existing orphanages to help support children to access schools and accelerated learning programmes." [66d] (p17)

CHILD SOLDIERS

- 22.15 The FCO report, 27 March 2009, commented that "... UNICEF stated that in contrast to other conflict zones, in particular parts of Africa, there had been very few cases of child soldiers being used in fighting, either during the Kurdish resistance to the Saddam regime and in the Kurdish internal conflicts during the 1990s." [66d] (p16)

[Return to Contents](#)
[Go to list of sources](#)

TRAFFICKING

23.01 The FCO report, 27 March 2009, stated:

“Soran Qadir Saeed, NPA [Norwegian People's Aid] stated that there were cases of women being trafficked to, from or through the KR. Trafficking was a recent phenomenon in the KR. The women were exploited either for labour or sexual purposes. Some women from the KR had been trafficked to Syria and Turkey and there were cases of women from Syria and the Philippines being trafficked to the KR and working in private houses operating as brothels. The people traffickers involved are also trafficking drugs.” [66d] (p13)

See also [Women](#)

MEDICAL ISSUES

24.01 The FCO report, 27 March 2009, stated that:

“Dr Khalid Ali Abdullah, Director General of the Department of Health in Erbil Governorate stated that there are 16 hospitals in the Erbil Governorate serving a population of around 1.5 million. Eight are in Erbil city and eight are in rural locations. There are a further 200 health centres and clinics. There are around 15,000 staff and they dealt with two million patient visits in 2008, including over 14,000 emergency surgery cases. There are an additional eight private hospitals but access to these is dependant on ability to pay fees.

“Steve Bushe, an Emergency Medical Consultant from Frontier Medical, conducting a medical infrastructure and support survey for the British Embassy Office, Erbil, stated that the KR has a large number of medical facilities, in both the public and private sectors in major cities and towns. Smaller towns have community clinics, which can cover minor illnesses and offer a range of basic medical services including infant vaccinations. Such clinics will often be manned by physicians' assistants rather than qualified doctors. The level of service can be inconsistent between different locations. A new emergency hospital is being built in Dohuk, financed by the World Health Organisation (WHO). A new emergency hospital is also under construction in Erbil.

“[The] ICRC stated that medical facilities in the KR were often of a low standard. Although there are sufficient funds to invest in the public health sector the KRG lacks a clear strategy to develop the sector effectively. The ICRC works with the KRG to train health workers and enjoys a good and open dialogue with KRG Ministries. The ICRC has assisted 22 hospitals across Iraq and has built new facilities such as a cardiac clinic in Kirkuk. A key focus for the ICRC is basic hygiene in health facilities and the KRG is investing resources to improve standards...

“Dr Khalid Ali Abdullah, Director General of the Department of Health in Erbil Governorate stated that medical treatment is almost free in the KR. A patient is currently required to pay a fee of 1,000 Iraqi Dinar (around US\$1) for a consultation and emergency treatment is free.

“... Frontier Medical stated that while universal medical care is available in the KR it is not free of charge. Some services are not expensive and treatment will generally be given irrespective of a patient's ability to pay, with payment arrangements being sorted out after treatment. KR residents who can afford to travel overseas for treatment will do so, with Amman, Jordan being a popular choice because of proximity and high standard of service.

“Dr Khalid Ali Abdullah stated that the KR currently does not have a 999-style emergency medical service. Patients are usually taken to hospitals in private vehicles. There are plans to introduce a paramedic style ambulance service in the KR with ambulances stationed on main roads. There are a number of facilities, funded by the WHO and South Korean air programmes, in Erbil and wider KR.

“... Frontier Medical stated that there is no emergency ambulance service in the KR along the lines of the UK's 999 call-out service. 90% of ambulance use is in response to people who arrive in or are brought in by relatives to ambulance stations, which are usually located alongside health clinics, for transfer to hospitals. All communications are conducted using mobile telephones (a legacy of past conflicts that destroyed the telecommunications infrastructure) and unless people knew the number of the local ambulance station they could not call for assistance.

“... Frontier Medical stated that South Koreans under an aid programme had financed the building of many of the KR's ambulance stations. South Korea had provided equipment and the WHO built the stations and adjoining health clinics. There is a general problem with training and maintenance and Steve Bushe had seen examples of stations with good equipment but insufficient staff numbers or staff unable to operate it as they had not been trained.

“... Frontier Medical stated that dental and optical services are available to a high standard and provided by both the public and private sectors. Public sector facilities charge fees for dental and optical services. Dental services are available to a high standard but the level of service would depend on an individual's ability to pay the fees. Optical services such as laser treatment are available in the KR. The KR does not have a universal eyecare programme. Some KR hospitals have eye clinics.

“... Frontier Medical stated that in clinics that he had visited the children received a full series of routine vaccinations. Japan had provided funding for the child vaccination programme in the KR.” [66d] (p20-22)

- 24.02 The FCO report, 27 March 2009, also noted: “NPA [Norwegian People's Aid] stated that hygiene standards in KR hospitals and health facilities were poor. Water supply and sewerage systems were maintained badly.

“... Frontier Medical stated that in addition to a significant outbreak of cholera in 2007/08, small localised outbreaks occur in the KR, usually caused by poor hygiene and sanitation. Hepatitis A and B are prevalent and poor hygiene standards in medical facilities can place patients at some risk of contracting hepatitis but numbers of deaths are low. Infant mortality levels are high in the KR, with dehydration from diarrhoea being the main cause of death.[66d] (p23)

- 24.03 A report by Medact, published 23 January 2008, stated that although some improvements were made to the health services in the Kurdish area of Iraq, the population still had no access to “free, safe, high quality health services.” [10b] (p1)

- 24.04 The Swiss Refugee Council report, 10 July 2007, stated that:

“In the KRG-area, standards of medical treatment on primary, secondary and tertiary level cannot be compared with European quality standards. While the basic health service does function in the urban areas, it has deficiencies, and is old-fashioned in many domains. In rural areas, it is of particular concern. Many of the 48 hospitals and 672 primary health care centres in the KRG-area lack basic medicines and medical supplies. Quality and effectiveness of healthcare are varying, particularly between public and private sectors and between urban and rural regions, due mostly to the lack

of medical staff and adequate equipment. Demand for qualitative secondary or tertiary healthcare service is exceeding the supply. Prices of private specialist treatment are exorbitant. Often the fixed price limit for private consultations is not respected and the enforcement of this rule is not guaranteed. The lack of specialized medical staff is one of the greatest challenges facing the Ministry of Health of the KRG-area. In terms of medical-technical equipment the situation here improved in the last months, but the accumulated needs in this regard are so big, that it will take years until regional coverage can be assured to residents of the KRG-area." [156] (p9)

24.05 The same report also stated that:

"There are also privately owned hospitals and health centres, where examination, treatment and surgical interventions are delivered at high costs... Private afternoon clinics are often beyond the means of poor patients. However, the quality of private health services is far superior to that in public health facilities, since private doctors have better medical and technical equipment at their disposal, which is essential for thorough examination. There are a lot of private centres that provide specialised healthcare services, such as T.B. Centres, infertility centres, centres for laboratory tests, dental poly clinics and so on." [156] (p14)

24.06 The Finnish FFM report, for the period 23 October-3 November 2007, noted that:

"According to Qandil [Swedish NGO], there is a huge gap in health care practices in Iraq compared to modern health care in the West, and many outdated practices are used. The situation in the three northern governorates has been better than elsewhere in Iraq. ... Hospitals are overcrowded, and there is no working referral system from a local practitioner to a specialist. Some recent technology has been acquired, but a maintenance system is lacking. Qandil mentioned a case where the tomography scan was not working, because only the foreign company that had provided the scan was allowed to perform repairs on the equipment. Some hospitals have been renovated, some have not, and there is no policy for health care development. Health care facilities also suffer from electricity shortages.

"... there is a need for an upgrade in all levels of medical systems,... The ongoing cholera epidemic is a landmark of the underdevelopment of health care in Iraq/ the three northern governorates. ...

"... vaccinations have fairly good coverage in the three northern governorates, covering about 70 % of the population. There are no proper statistics available on health care in the three northern governorates. There are for instance no statistics on infant mortality rates, and births are often not registered." [131] (p14)

See also [Children](#)

24.07 On 5 December 2007, the KRG announced the opening of the Erbil Cardiac Centre; "the largest and best equipped heart surgery hospital in Iraq ... It has a staff of 300 medical professionals, and both pediatric and geriatric care units." [150a]

See also [Women](#); [Ethnic Groups](#).

Drugs and medical equipment

24.08 The Swiss Refugee Council report, 10 July 2007, commented that:

“Iraq has a highly centralised medical distribution system. Drugs coming into Iraq have to be checked, but the only laboratory where imported medicines can be checked is in Baghdad. The same rule applies to medical equipment. This is very problematic in regard of the prevailing insecurity and widespread violence in Baghdad and its surroundings, where insurgents are bombing roads and bridges and killing truck drivers as part of their efforts to disrupt the government...

“Furthermore, in the KRG-area there are general problems with supplies, transport and distribution. The public health system has an inadequate number of ambulances and lack of spare parts for the medical equipment they have. According to a representative of the aid organization *Qandil*, equipment and various medical examinations are more easily available in the private healthcare system than in the public health care system. Also there is a greater supply of medicines in the private health service, but they are expensive and the quality varies. According to UNHCR, in the KRG-area only a small amount of drugs are produced independently by the KRG. There are some private initiatives starting production of medicines, and the public authorities are viewing these advancements positively. Drugs are coming in from Baghdad, however bad-quality medicines are also being illegally imported from Iran or other neighbouring countries. In public healthcare facilities where drugs are prescribed for next to nothing, they invariably end up being sold on the black market at a much higher price. According to reports from WADI [German NGO] and Dr. Salam Kasem, drugs, syringes and dressing material are available in small shops, run by attendants. Often the owners of those medical shops have better reputation and enjoy greater credibility among the public than doctors in Public Health Centres or hospitals.” [156] (p15-16)

24.09 The FCO report, 27 March 2009, recorded that:

“... Frontier Medical stated that pharmaceuticals are supplied centrally by the Iraqi Government from Baghdad to KR medical facilities. The central supply is supplemented at local level in the KR from local budgets. Stephen Bushe has noted that some hospital and clinic administrators in the KR have expressed a belief that KR medical facilities are disadvantaged in relation to the rest of Iraq in terms of pharmaceutical supply. It is claimed that supplies can arrive late and pharmaceuticals supplied to the KR are often sourced in India or Egypt rather than Jordan or Europe and are believed to be of inferior quality and more likely to be counterfeit. All hospitals have pharmacies and all cities and towns have private pharmacies stocking a wide range of medicines.

“... Frontier Medical stated that general and emergency hospitals in the KR are equipped, run and deliver services to a reasonable standard and, while not to Western standards, are adequate for people's needs. Hospital administration varies in quality and can often appear chaotic. Hospitals that Steve Bushe had visited in the KR had gynaecological and surgical

departments, accident and emergency and x-ray facilities and offered outpatients services. Demand for all services was high and medical facilities can be overcrowded.” [66d] (p21)

Doctors and health care workers

24.10 The FCO report, 27 March 2009, mentioned that “... Frontier Medical stated that doctors in the KR were trained and performed to a high standard. Most Iraqi (including KR) doctors have been trained to Western standards, either overseas or in Iraq, which follows a UK-based curriculum.” [66d] (p21)

24.11 The FCO report, 27 March 2009, also reported “Dr Khalid Ali Abdullah, Department of Health, Erbil stated that there is currently a shortage of quality nursing staff in the KR. A majority of nursing staff are still male and the Department of Health is aiming to increase the number of female staff. Most patients have family members attending them in hospital.

“... Frontier Medical stated that he was not aware of any discrimination in the KR in the provision of medical services to women. Hospitals always have clearly separated wards for women and men. Numbers of female medical staff are low and outside the main cities and towns the majority of staff tends to be men. Steve Bushe stated that he had on occasions heard negative comments from Kurdish medical staff about non-Kurds, e.g. southern Arabs and Turkmen, but had no evidence to suggest that this manifested itself in any form of discrimination against non-Kurds in the delivery of treatment in the KR.” [66d] (p23)

24.12 In 2007, the Swiss Refugee Council report, 10 July 2007, noted that “One of the major problems of the health care system in the KRG-area is the lack of specialist doctors. The main reason for this shortage has to do with the years of the double sanctions from 1991 to 2003 and the civil war (1994 – 1998), where the medical system in the Kurdish controlled areas was cut off from the rest of Iraq.” [156] (p11) However, the UNAMI report, dated 1 May–30 June 2006, stated that “According to the Ministry of Health in the Kurdish Regional Government, from January 2006 at least 53 Arab medical doctors from other parts of Iraq have been employed in the Region of Kurdistan.” [39a] (p7) The Swiss Refugee Council report also noted that:

“KRG hospitals are benefiting from an influx of specialists fleeing the insecurity in Southern and Central Iraq. Hundreds of general and specialist doctors are seeking safety in the northern Kurdish cities in order to escape the violence and chaos tearing cities such as Baghdad, Basra, Baquba and Hilla apart. Young trainees are also leaving. At the Sulaimaniyah Teaching Hospital, the majority of the interns and doctors are Arabs.” [156] (p11)

HIV/AIDS – ANTI-RETROVIRAL TREATMENT

24.13 The FCO report, 27 March 2009, noted:

“... Frontier Medical stated that HIV/AIDS is acknowledged as a condition by the KRG and there is no general taboo regarding the condition, although reported numbers of cases are extremely low. Steve Bushe had not identified any dedicated facilities in KR for treating HIV/AIDS patients. There is no reliable local source of anti-retroviral drugs for HIV and all stocks would

need to be imported and would need to be privately financed. A main concern for HIV/AIDS patients in the KR would be the generally poor level of hygiene in medical facilities, which would heighten the risk of infection for people with weakened immune systems. Business visitors to the KR are required to produce a certificate confirming that they are HIV free to obtain a visa for more than six months.” [66d] (p22)

24.14 The Swiss Refugee Council report, 10 July 2007, stated that:

“...in the KRG-area there is a lack of anti-retroviral drugs and the necessary equipment for testing HIV. The Ministry of Health in the KRG-area has been instructed by the health authorities in Baghdad to deport foreigners who have been found HIV-positive. Dr. Wadah Hamed, director of the *AIDS Research Centre* (ARC) in Baghdad, stressed the fact that ‘the problems of identifying and treating HIV/AIDS in the Kurdish region were compounded by the lack of coordination between health authorities in that region and Baghdad clinics dealing with people living with HIV/AIDS. As a result the number of infected people has increased and this, together with low public awareness of the need for HIV testing, has increased the risk of an epidemic in the coming years.’ Effectively the officials from Kurdistan's Ministry of Health are playing down that risk by arguing that there are very few cases with HIV/AIDS in the provinces of Dohuk, Erbil and Sulaimaniyah and that all persons tested positive between 2005 and 2006 were all foreigners and have been deported to their countries of origin.” [156] (p16)

MENTAL HEALTH

24.15 The Swiss Refugee Council report, 10 July 2007, recorded that in the KRG area, “Awareness of mental illness is very low. Very few people know there are doctors specialized in mental health... many patients and their families find it embarrassing to admit that there is a psychiatric problem, so many cases go unreported.”

“Mental health facilities as they are known in western countries are nonexistent in the KRG administered provinces where there are also very few trained psychiatrists... Kurdish authorities aim to rectify the lack of psychiatric specialists by sending graduated doctors for training abroad.

“In Erbil city according to the KRG, there are on the primary healthcare level one psychotherapy centre, and on the tertiary care level one department of Psychiatry in the Erbil Teaching Hospital and one reception ward for trauma cases in the Emergency Hospital. The psychotherapy centre in the city of Erbil is run by the KDP and not by the local department of health. In 2005 a psychiatric hospital with a specialist training program in collaboration with Erbil University's medical school was built in Banslaw, approximately three kilometres north of Erbil centre. There is also a psychiatric clinic in Sulayimaniyah.” [156] (p17)

24.16 The WHO reported, on 28 January 2009, that:

“Psychosocial and mental health services for people in Iraq with focus on northern governorates are being strengthened through a new project endorsed by the World Health Organization (WHO) and Iraqi authorities and funded by The Netherlands. This two-year project... aims to improve and

strengthen the quality of social and mental health care services by rebuilding psychiatric infrastructure to care for Iraqis, particularly women suffering from mental disorders and substance abuse.”

“... While mental health services have long been present in Baghdad, northern areas of the country have been without psychiatric inpatient facilities. There is also a recognized need for such services in northern Iraq, particularly among people traumatized by the Al-Anfal operations of the mid-to late-1980s. An assessment found that some 182 000 people had been affected, predominantly women, who faced rape, psychological abuse, and physical and mental torture.” [23h]

- 24.17 The WHO ‘Iraq Mental Health Survey 2006/7 Report’, released in March 2009 recorded that “Recent data shows that in the Kurdistan region there are 17 general psychiatrists, 2 psychiatric practitioners, 4 child and adolescent psychiatrists, 91 psychiatric nurses, 4 psychologist, 15 social workers and 2 psychotherapists.” [23a] (p21)

[Return to Contents](#)
[Go to list of sources](#)

HUMANITARIAN ISSUES

- 25.01 The IOM December 2008 report stated that “Water supply across the three KRG governorates tends to be quite extensive, however the continuing drought means that water supplies in some locations are under threat. The quality of sewage networks varies heavily, with rural districts often having extremely poor public infrastructure. Waste water is present in most streets of Bartalah sub-district, Erbil.”

“Mantkawa and Andazian quarter in Erbil City have only had access to water and electricity on an alternating cycle. This is because there is not enough electricity to pump groundwater as well as serve the community’s electrical needs at the same time.

“Local authorities have announced that the water level at Darbandikhan weir in Sulaymaniyah governorate, is at a dangerously low level. If the water level falls much further, it will limit the supply to surrounding communities.

“98% report regular access to water, which is higher than the national average (80%). The majority have access to municipal water networks.” [111o] (p9)

- 25.02 The IOM December 2008 report commented that “Access to public electricity in Dahuk is generally for six hours per day. Residents are compensating through the use of private generators, or by buying electrical access off entrepreneurs with their own generators, however this practice is vulnerable to the rise and fall of fuel prices in the region.

“The electricity supply in Erbil has improved dramatically in the last six months. Residents in most regions have access to electricity from 12am to 5am every day. Electricity supply is also provided from 12pm to 3pm and 3pm to 6pm on alternating days. Local authorities in Erbil are attempting to coordinate this with private generators so that IDPs have continued access to electricity.

“Most residents in Sulaymaniyah are now reporting 9-10 hours of public electricity per day. This is expected to increase to around 12 hours of electricity per day once a new power station comes online.” [111o] (p9-10)

- 25.03 The UNHCR August 2007 report stated that the influx of IDPs to the KRG had “squeezed already strained public services (in particular the provision of water, fuel and electricity)...The prevailing housing crisis has been further exacerbated and rents are increasing... The local community appears divided over the influx and some express fear of the spread of insecurity, renewed Arabization, further degeneration of public services, skyrocketing prices, and the spread of such social phenomena as begging, prostitution and HIV/AIDS.” [40j] (p163-4)

LANDMINES, UNEXPLODED ORDNANCE (UXO AND DEPLETED URANIUM (DU))

- 25.04 The Finnish FFM report, for the period 23 October-3 November 2007, noted that “there are no proper maps of the minefields, and the mines move due to floods etc. Some of the mines have been planted in order to prevent cross-border movement of smugglers.” [131] (p14)

- 25.05 The International Campaign to Ban Landmines (ICBL) report for 2008 stated that:

“The northern Kurdish governorates of Dahuk, Erbil, and Sulaymaniyah comprise one of the world’s most heavily mine-contaminated areas, particularly along borders with Iran and Turkey and along the Green Line – the former frontline between Kurdish forces and Saddam Hussein’s army. All three governorates also suffer from unexploded ordnance (UXO) contamination. For Dahuk and Erbil, as of April 2008 IKMAA, formerly the Iraqi Kurdistan Mine Action Center (IKMAC), was not able to establish exactly how many of the mined areas have been cleared by other organizations and how many remain. A clean-up of its database, started in 2007, was still underway.” [98c] (p4)

“there were two mine action centers in the Kurdistan region (IKMAA and General Directorate for Mine Action, GDMA)... In 2004, the KRG assumed responsibility for mine action in the three northern governorates of Dahuk, Erbil, and Sulaymaniyah. KRG mine action is managed through IKMAA, which is responsible for Dahuk and Erbil and operates with its own demining teams, and through the GDMA, which is responsible for Sulaymaniyah, and part of Kirkuk and Diyala governorates, and contracts clearance work to commercial companies.

“The KRG passed a law merging IKMAA and the GDMA in April 2007 but the merger had not taken place as of June 2008, although there is coordination and cooperation. IKMAA and the GDMA operate under the authority of the KRG from which they receive their budgets. IKMAA’s expenditure for 2007 was around ID4 billion (US\$3.3 million). [98c] (p5)

- 26.06 The ICBL report for 2008 also recorded that “On 1 September 2008, Norwegian People’s Aid (NPA) destroyed 392 antipersonnel mines belonging to the Democratic Party of Iranian Kurdistan (PDKI), in Koya, northern Iraq. The PDKI turned over 395 mines; NPA kept three for training purposes. The mines destroyed included Chinese, Italian, Russian, and US designs. NPA staff indicated to the NGO Geneva Call that the mines were new and had not been lifted from existing minefields...” [98c] (p4-5)

- 25.07 The ICBL report for 2008 also mentioned landmine casualties, and noted that 54 casualties were recorded in the KRG area. No casualties among security forces or clearance personnel were recorded in 2007; figures were unavailable for 2008. [98c] (p11) Concerning mine related injuries and loss of limbs:

“The Prosthetic Limbs and Rehabilitation Center in Dahuk (PLCD), the Diana Prosthetic Limbs Center (DPLC) in Erbil, and the Kurdish Organization for Rehabilitation of the Disabled (KORD) in Sulaymaniyah provided physical rehabilitation and socio-economic reintegration services under... [a joint UNDP/WHO] project. As of June 2008, 6,933 physiotherapy sessions, 2,844 mobility devices, and 1,102 prosthetic and orthotic devices were provided and 49 people started vocational training. PLCD provided prosthetic devices to 120 survivors in 2007.

“KORD runs two physical rehabilitation centers and three outreach posts in northern Iraq. In 2007, it produced 329 prostheses and 545 orthoses, carried out 1,861 repairs and provided 1,861 physiotherapy sessions for 984

beneficiaries (246 survivors); it supported 54 income-generating projects for 56 direct and 300 indirect beneficiaries. It also translated the UN Convention for the Rights of Persons with Disabilities into Kurdish and distributed 3,000 copies. Despite WHO/UNDP support in late 2007, KORD continued to face financial challenges in 2007.” [98c] (p17)

[Return to Contents](#)
[Go to list of sources](#)

FREEDOM OF MOVEMENT

TRANSPORT INFRASTRUCTURE

26.01 Jane's Sentinel, 6 March 2008, stated that:

"With no functioning internal rail or air system, the primary means of transport is either by bus or taxi. Roads in the region vary, with better roads in the richer KDP areas. However, there is a functioning road network everywhere, with only remote mountainous areas sometimes impassable. The main roads go from Zakho, on the border with Turkey, to Dohuk and (via Mosul) Erbil in the south. Commercial flights now operate to Egypt, Austria, Sweden, Turkey, Germany, Jordan, Lebanon, and Dubai from Erbil and As Sulaymaniyah airports." [14e] (p23)

26.02 The EIU country profile for 2008 stated that "The KRG has been seeking to encourage foreign airlines to fly into Erbil, and, in a major coup, in December 2006, Austrian Airlines began flying weekly services to the northern Iraqi city. In addition, direct flights from Istanbul in Turkey to Erbil and Suleimaniyah in the KRG run three times a week, as do flights from Jordan. In an indicator of the KRG's ambition, a new terminal, large enough to process 2.75m passengers a year, is being built alongside the existing airport at Erbil." [58a] (p18) The KRG fact sheet on the area, 10 September 2008, also commented that "The Kurdistan Region has two international airports, with direct flights to and from Europe and the Middle East. In December 2006 Austrian Airlines became the first IATA scheduled carrier to fly regularly to Erbil." [150c]

26.03 The KRG reported that, as of April 2008, it would operate three flights a week between Vienna and Erbil. It further stated that "Royal Jordanian, Iraqi Airways, and many charter flights operate flights to Erbil, capital of the Kurdistan Region, and Suleimaniyah, the region's second city. These flights connect Erbil to Amman, Athens, Dubai, Istanbul, and Frankfurt. The addition of Austrian Airlines is another indication of the Kurdistan Region's rapid development and close ties to the international community." [150f]

26.04 The FCO stated, in a letter of 27 August 2008, that "Road travel around Iraq remains dangerous, and there continues to be fatal roadside bombings throughout Iraq – the exception being the autonomous Kurdish Region where the threat posed by roadside bombs is low." [66q] The UNHCR report of August 2007 further noted that "The roads from Kirkuk to Erbil and Sulaymaniyah are guarded by the Kurdish *Peshmargas* and are considered safe." [40j] (p155)

26.05 The Finnish Fact-Finding Mission (FFM) report, for the period 23 October to 3 November 2007, commented on road travel within the KRG region, noting that "Some 6-7 checkpoints were passed on the roads between Erbil and Sulaymaniyah as well the road between Erbil and Dohuk/ Zakho. The checkpoints were manned normally by local gendarmerie forces, also Asayish and other forces. Joint forces make spot checks on checkpoints in order to further enhance security. Guard stations were seen on many hilltops around the cities and along the main roads." [131] (p4)

26.06 The Finnish FFM report also stated that:

“Following advice from international organisations and local people such as taxi drivers, the mission avoided the main road from Erbil to Dohuk (passing near Mosul in the Nineveh governorate), and the main road from Erbil to Sulaymaniyah (passing through the suburbs of Kirkuk), and travelled instead through more secure, slower roads farther north. The main roads were in fairly good condition in general, and several long stretches of the roads had only recently been newly asphalted. Quite a few road projects, for instance the building of new traffic lanes was witnessed by the fact-finding team. The roads were mostly not lit during night time, making driving hazardous.” [131] (p5)

- 26.07 The INSI report, 3 July 2008, stated that “There remains a risk of military action by Turkish and Iranian forces on the border with Iraqi Kurdistan, but this is unlikely to specifically implicate road travel, although there is a risk of delays and traffic queues around border crossing points such as around ad-Durna in ad-Dahuk province (which leads on to Cizre in Turkey).” [142a] (p3)

ACCESS TO KRG AREA

- 26.08 On 7 February 2008, BBC News reported that: “Security at the checkpoint to the Kurdish territory is strict. Soldiers from the Peshmerga, the Kurdish fighting force, stop cars and people who try to enter from the neighbouring districts. Few are allowed in.” [4cm]
- 26.09 Concerning entry to the KRG, the IDP working group report, published 28 March 2008, commented that “Single men not originating from the Governorate of Dahuk need a sponsor to enter the governorate and register. Arabs and Kurds from disputed areas have reportedly faced difficulties in registering in the Governorate. Persons from *Arabized* areas claimed by the Patriotic Union of Kurdistan (PUK), i.e. Kirkuk and Khanaqin (in the Governorate of Diyala) are generally denied entry to the Governorate of Sulaymaniyah for political and demographic reasons, unless they wish to come for a visit only.” [135] (p19)
- 26.10 The Norwegian Country of Origin Information Service LandInfo also stated, in a request of 30 May 2008, that persons from Arabised areas will generally be refused entry to the KRG, except for short visits. [160c] A LandInfo request of 21 May 2008 further stated that:

“The general rule for a person, who does not originate from the province, is that he or she must fulfil three requirements to obtain legal residence status: He or she must have a ‘sponsor’ (a person or institution who will vouch for, and aid someone in relation to everyday living), a valid reason to apply for residence, and be approved through a security check. These regulations are described in detail in UNHCR’s *Eligibility Guidelines* dated August 2007 (page 166), and in UNHCR’s *Governorate Assessment Report, Erbil Governorate*, dated September 2007 (page 31).” [160d]

For UNHCR’s Eligibility guidelines of August 2007 see [40j]. For UNHCR’s *Governorate Assessment Report, Erbil Governorate*, September 2007, see report of August 2008 [40r]

26.11 UNHCR, in their August 2007 report, noted that “The Kurdish parties have introduced strict security measures at their checkpoints and persons not originating from the Region of Kurdistan, depending on their profile, may be denied entry into the Region of Kurdistan. Despite the unification of the administrations in the Region of Kurdistan, the three Governorates of Sulaymaniyah, Erbil and Dahuk continue to apply their independent entry and residency measures.” [40j] (p164) The paper went on to annotate the various entry and residency measures of each of the three Governorates, plus general rules that apply across the whole of the KRG. [40j] (p164-167)

26.12 The UNHCR, in its rapid needs assessments (RNAs) of the three northern governorates, September 2008, noted the difference in entry requirements for IDPs. In its Sulaymaniyah report, it noted that:

“Admission into the Governorate is generally not restricted and does not require a sponsor.... However, persons from arabized areas claimed by the PUK, i.e. Kirkuk and Khanaqeen in the Governorate of Diyala, are generally denied entry to the Governorate for political and demographic reasons, unless they wish to come for a visit only. In that case, they are allowed entry but are not able to bring their belongings or a large amount of luggage with them ... Persons arriving in Sulaymaniyah by airplane do not face any entry restrictions (however, this requires that the person has the necessary financial means).” [40p] (p11-12) The report also noted that:

“Persons not originating from one the three Northern Governorates of Dahuk, Erbil and Sulaymaniyah generally must have a sponsor, who accompanies them to the Directorate of Security (Asayish), in order to legally remain in the Governorate ... Persons originating from Kirkuk or Khanaqeen, including Kurds, Arabs, Turkmen and members of other ethnic or religious groups, are not able to stay for demographic and political reasons.” [40p] (p12)

26.13 The UNHCR RNA report for Dahuk noted that:

“Persons originating from the three Northern Governorates can enter the Governorate of Dahuk without any restrictions. Also, families not originating from one of the three Northern Governorates are allowed to enter without restrictions, while single men not originating from one of the three Northern Governorates need to have a sponsor for security reasons. The sponsor has to present him/herself at the entry checkpoint and provide his or her Civil ID Card, phone number and address. The IDP has to fill out a card at the entry checkpoint and will then be allowed to enter the Governorate. Single males without a sponsor are generally denied entry into the Governorate.” [40q] (p13-14) The report further commented that “All IDPs not originating from the three Northern Governorates have to approach the Residency Section in the Security Department to obtain a permit to stay.” [40q] (p14) The UNHCR’s April 2009 paper stated that:

“In order to access the three Northern Governorates from other parts of Iraq, all Iraqis, including Kurds, must go through checkpoints at the unofficial borders (the so-called ‘green line’) between the central part of the country and the KRG-administered area. Other areas along the unofficial border have been heavily mined in the past decade and are regularly patrolled by Kurdish *Peshmerga*. Such conditions make it nearly impossible for persons to cross into the three Northern Governorates through the countryside without

endangering themselves. Therefore, entry through the few major roads and their checkpoints is, practically, the only option available.” [40b] (p52)

- 26.14 The UNHCR RNA report for Erbil stated that “Persons not originating from one of the three Northern Governorates require a sponsor in order to be admitted to the Governorate of Erbil. This may prove difficult for persons with no family or other links. The sponsor must present him/herself at the entry checkpoint and provide personal details. IDPs must fill out a card at the entry checkpoint to enter the Governorate. IDPs without a sponsor are denied entry.” [40r] (p15)

- 26.15 The IOM December 2008 report noted that:

“The borders of the KRG are closely patrolled, and IDP entry into Dahuk, Erbil and Sulaymaniyah is closely controlled. IDPs who do not originate from the KRG must first obtain sponsorship from residents within the KRG before they are permitted to enter. They are forbidden from bringing furniture with them. Once inside the KRG, IDPs must go through a complex bureaucratic process in order to gain a temporary residency permit, involving visits to the Residency Office, the Security Office, and the Department of Displacement and Migration. IDPs must provide their original residency card, original family PDS card, and a letter from the local mayor in order to confirm their new address in displacement. Temporary residency must be renewed every three months for families, although this period is even shorter (one month) for individuals who are displaced. Failure to register or renew residency renders their presence in the KRG illegal.” [111o] (p2)

See also [Internally displaced people \(IDPs\)](#).

- 26.16 The USSD report for 2008 also stated that “Since May 2007, the KRG did not allow persons, including citizens from outside the region, to enter unless a Kurdish resident met them in person and ‘guaranteed’ their stay. Similarly, those from outside the region seeking to live within the jurisdiction of the KRG must have a local resident guarantor, and register on arrival with the KRG Residency Office.” [2o] (p20)

- 26.17 The FCO report, 27 March 2009, noted that “Dana Ahmed Majed, Governor of Sulaymaniyah stated that residency requirements in the KR were in accordance with Iraqi law. The KR hosted 64,000 IDPs from other parts of Iraq, which demonstrated that there is freedom of movement to and residence in the KR.

“Khanim Latif, Asuda stated that people wishing to move to the KR from other parts of Iraq had to register with the Asayeesh to secure legal residence.

“The BEO [British Embassy Office] Erbil understood that for people from other parts of Iraq to obtain legal residence in the KR if they had no prior connection to the KR it had been necessary for many years to have a sponsor in the KR but the Iraqi Government has pressed for this requirement to be dropped recently. It is usual for non-KR residents entering the KR to undergo many security checks to qualify for residence.

“Abdullah Ali Muhammad, Asayeesh Security Director, Erbil stated that people being returned to the KR from countries such as the UK require only

the prior permission of the KR Interior Ministry to return to and reside in the KR.

“Abdullah Ali Muhammad stated that Iraqi citizens from other parts of Iraq are free to reside in the KR under normal Iraqi law. One form of identification is required to confirm a person's identity. If police staffing checkpoints on the boundary of the KR are satisfied with a person's identity they are granted permission to enter the KR for ten days, after which they need to register at one of eighteen centres across the KR, where they can apply to stay longer. At present there are over 13,000 families from outside the KR residing in Erbil. The aim of the checks is to keep terrorists out of the KR. “[66d] (p23)

See also [Internally displaced people \(IDPs\)](#).

DOCUMENTATION FOR TRAVEL WITHIN IRAQ

- 26.18 The main identification documents needed for any kind of interaction with the authorities to access entitlements were the Iraqi Nationality Certificate and the Iraqi Civil Status ID. Both were issued by the Directorate of Travel and Nationality/Ministry of Interior and were widely common. In the KRG area, these documents are issued by Directorate of Nationality and Civil Status/Ministry of Interior (Governorate of Sulaymaniyah) and the Directorate of Nationality and Civil Identification (Governorates of Erbil and Dohuk). (UNHCR COI, October 2005) [40c] (p132) These documents are obtained by visiting the offices as there is no reliable postal service. (FCO, 6 November 2006) [66o]
- 26.19 Other documents available to Iraqis included the Residence Address Card, which certifies the holder's address. Iraqis could also obtain a one-time document certifying a person's residence from the local mayor (mukhtar) instead of the Residence Address Card. In the KRG area, only one-time documents certifying a person's residence are available. (UNHCR COI, October 2005) [40c] (p132)
- 26.20 The food ration card, which allows its holder to obtain the monthly food ration, is issued by the Ministry of Trade and is also widely accepted as an identification document. In the KRG area, the food ration card is issued by the Directorate of Food/Ministry of Trade (Governorate of Sulaymaniyah) and the General Company for the Trade of Food Items/Ministry of Finance and Economy (Governorates of Erbil and Dohuk). (UNHCR COI, October 2005) [40c] (p132)
- 27.21 The UNHCR COI report, October 2005, recorded:
- “Birth certificates are usually obtained in public hospitals or health centres. A Death certificates are issued by public hospitals indicating the time, date and reasons of the death. Deaths occurring outside a hospital need to be approved by the Civil Status Court. Birth or death certificates were required to add or remove a person from the food ration card In the KRG area, birth/death certificates need to be sent to the Directorate of Food (Governorate of Sulaymaniyah) and the General Company for the Trade of Food (Governorates of Erbil and Dohuk) for (de)registration of a person.” [40c] (p132)
- 26.22 The FCO report, 27 March 2009, stated that:

“Abdullah Ali Muhammad stated that the issuing of national identity cards is under the authority of the central Iraqi Government not the KRG. After the fall of the Saddam Hussein regime in 2003 the KRG had started to issue its own identity cards but had returned the responsibility to the central Iraqi Government after it had been restored in 2004. KR residents arriving in the KR from elsewhere in Iraq can send a scanned copy of their identity card in advance to the KRG Interior Ministry to facilitate their passage through airport immigration or road checkpoints.

“Azad A Mahmoud, Regional Co-ordinator, International Organization for Migration stated that identity documents were needed to enter the KR from other parts of Iraq. On arrival at the KR border it was necessary to show proof of residence in the KR.

“The BEO [British Embassy Office] Erbil clears names of anyone being returned from the UK to the KR in advance with the KRG Interior Ministry before finalising the return arrangements. No additional documentation is required to confirm the returnees' resident status in the KR.” [66d] (p24)

TREATMENT OF RETURNED FAILED ASYLUM SEEKERS

- 26.23 The FCO report, 27 March 2009, noted that “Mala Bakhtiar, PUK Politburo Member and Supervisor of PUK's Foreign Affairs Office in Sulaymaniyah stated that while he understood why countries sought to remove those with no legal basis to remain the UK's policy of enforced repatriation was unpopular. The PUK has publicised the negative aspects of migrating illegally overseas to discourage people from staying overseas without legal permission.

“Mala Bakhtiar, PUK stated that returnees, whether voluntary or involuntary, faced no difficulty with the KR authorities and were welcome to return to their normal life. However, many returnees had committed all their resources to leaving the KR and when returned forcibly from overseas they returned to nothing. It was hard for returnees to find work. Mala Bakhtiar suggested that countries wishing to return people should work collaboratively with the KRG to find a solution to the problem, particularly to address the causes of migration. Countries returning people should fund projects to assist returnees with their reintegration in the KR, particularly help with employment, accommodation and educational needs. Children born or raised overseas might not speak Kurdish proficiently and would need tuition to help them integrate.

“Dana Ahmed Majed, Governor of Sulaymaniyah stated that returnees from overseas faced difficulties securing employment and accommodation. Funding for enforced returnees from the countries sending them home to the KR was insufficient. Returnees were always welcome home but there is public concern about enforced returns. Emigrants had given up everything to leave and face hardship on return. There had been a few cases of people from the KR being returned to Baghdad but they had faced difficulties in Baghdad. It was better to bring returnees directly to the KR. Sweden also enforced returns to Iraq. Other EU countries considering starting enforced returns had visited the KR recently.

“Governor Dana Ahmed Majed stated that some returnees found it hard to find work as employers were reluctant to accept them as they usually had no record of their work experience while they were overseas.

“Hewa Jaff, Director of Foreign Affairs, Sulaymaniyah Governorate, also stated that enforced returns from the UK were unpopular in the KR. He stated that countries returning people forcibly to the KR should offer to support returnees and suggested assisting returnees with professional backgrounds to secure employment.

“Nawshiran Mustafa, independent politician, former PUK Deputy Leader and Politburo member, Sulaymaniyah, did not consider that there was any stigma faced by returnees to the KR who had been removed forcibly from the countries in which they could no longer remain legally. The main challenge they face is in re-establishing themselves in the KR, particularly in gaining employment. It is difficult for returnees to secure work in the public sector, where political affiliation to the KDP or PUK is a prerequisite for recruitment and advancement.

“... UNAMI referred to two cases of returnees from the United Kingdom who were facing difficulties in the KR. One case was of a man who was a former Communist party activist and had fled Iraq after his uncle, a religious fundamentalist, had threatened him. The man still feared leaving his home in case his uncle found him. In a second case a man from KRG had been returned to Baghdad, where he had been detained under the provisions of Law Number 10 of 1999, which criminalises anybody who left Iraq illegally. When the man was transferred to the KR the KRG authorities did not proceed with a prosecution as it was determined that the law does not apply to returns to the KR.

“Dr Khalid Ali Abdullah, Director General of the Department of Health, Erbil Governorate stated that returnees from overseas would face no difficulty accessing health services in the KR.” [66d] (p24-25)

See also [Medical Issues](#).

[Return to Contents](#)
[Go to list of sources](#)

INTERNALLY DISPLACED PEOPLE (IDPs)

- 27.01 Jane's Sentinel, 6 May 2008, stated that "The UN secretary general estimated that there are more than 500,000 Internally Displaced Persons (IDPs) remaining in the three northern provinces (Arbil, Dohuk and As Sulaymaniyah), most of whom fled government-controlled areas in early 1991 during the uprising that followed the Gulf War. [14e] (p2) The USSD report for 2008 noted that of the 873,000 IDPs hosted by the KRG, 635,000 were Kurds displaced from southern and central Iraq during Saddam's regime. [2o] (p21)
- 27.02 In January 2009, the President of the Kurdistan region, Masoud Barzani, noted that more than 25,000 displaced families had found refuge in the KRG area. (KRG, President Barzani stresses need for stronger relations between Arabs and Kurds in Mosul, 22 January 2009) [150e]
- 27.03 UNHCR's August 2007 paper remarked:
- "On the one hand, the KRG authorities have admitted a considerable number of IDPs, provided limited financial/material assistance to some groups of new IDPs, assisted in securing new jobs and housing for some and established schools teaching in Arabic, though hardly sufficient to absorb increasing numbers of IDPs. Also, Kurdish officials seized the chance to strengthen their workforce, be it labourers in the booming construction sector, much needed doctors and dentists in the health sector, academics in Kurdish universities or civil servants in the KRG ministries. On the other hand, however, a significant number of IDPs face difficulties or may be prevented from finding protection in the three Northern Governorates, be it that they would not be admitted, may not be able to legalize their stay, fear continued persecution or face undue hardship to make their living, as unemployment is high and assistance is provided to few. Furthermore, the influx has squeezed already strained public services" [40j] (p162)
- 27.04 The IOM December 2008 report further stated that:
- "IDPs can create a strain on already-burdened public services and compete with host communities for employment; particularly in rural communities. The area around Khabat for instance, in Erbil district, Erbil, hosts more than 2,000 IDP families and the health and educational services of the area struggle to serve an inflated population. The rental prices in Ainkawa village, Makhmur district have risen steeply since 2006, and this is often attributed to the 1,800 IDP families who live there. It would be rash however to assume that IDPs are not welcome across the KRG...
- "Despite the language barrier, IDP skilled professionals such as doctors, lawyers and engineers are being absorbed into the KRG economy. The high presence of international companies and organisations, especially in Erbil, provides a boost to employment, and those without specific professions are still able to find employment as cooks, waiters or in the construction industry." [111o] (p5, 12)

See also [Humanitarian issues](#)

- 27.05 The IOM December 2008 also mentioned that of the IDPs interviewed in the KRG, over 99% reported they felt safe in their current location, relative to their place of origin. [111o] (p7)

See also [Security situation](#)

- 27.06 UNHCR's August 2007 paper reported "The three Northern Governorates of Sulaymaniyah, Erbil and Dahuk are not easily accessible, as travel by road in Iraq is highly dangerous." [40j] (p163) Further:

"In order to access the three Northern Governorates from other parts of Iraq, all Iraqis, including Kurds, must go through checkpoints at the unofficial borders (the so-called 'green line') between Central Iraq and the KRG-administered area. Other areas along the unofficial border have been heavily mined in the past decade and are regularly patrolled by Kurdish *Peshmerga*. Such conditions make it nearly impossible for persons to cross into the three Northern Governorates through the countryside without endangering themselves. Therefore, entry through the few major roads and their checkpoints is, practically, the only option available.

"There are regular flights by Iraqi Airways between Baghdad and Sulaymaniyah and Baghdad and Erbil. A one-way ticket costs US \$95 (to Erbil) and US \$60 (to Sulaymaniyah), an amount that cannot be borne by many for economic reasons. In addition, the Baghdad airport road is not considered safe." [40j] (p164)

See also [Freedom of movement](#)

- 27.07 The Iraqi Red Crescent Organization, in their report published on 30 July 2008, commented that "Recently, Kurdistan- the safe haven for many Iraqis became involved in armed conflict. Both the Iranian and Turkish military bombarded the border villages with artillery shells for weeks. Thousands of villagers migrated inland for fear of their lives thus compounding the displacement problem in Iraq." [134c] (p2)

See also [Security situation](#)

- 27.08 The IOM December 2008 report noted that "KRG authorities, wary of the burden that the influx of IDPs places on infrastructure and resources, have tightened restrictions on entry into the governorate. The demographic shift that displacement causes is also a sensitive issue in this region." [111o] (p2)

Compared to the rest of the country, the three northern governorates host a large number of Christian IDPs of different ethnicities and religious denominations. While an average of almost 60% of IDPs are Shia Arabs, only 5% of IDPs in the KRG are Shia Arab. [111o] (p3)

See also [Freedom of movement](#)

- 27.09 The IOM December 2008 report further stated that:

"Displacement to Dahuk comes almost exclusively from Baghdad (52%), and also neighbouring Ninewa governorate (47%)." "Displacement to Erbil stems similarly from Baghdad (47%) and Ninewa (45%), however small groups are also relocating from neighbouring Kirkuk (2.5%) and also Diyala

(2%).”“In Sulaymaniyah, displacement is mostly from Diyala (46%) and Baghdad (46%). A small, but notable percentage come from Anbar and Ninewa provinces.” [111o] (p3-4)

- 27.10 The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) reported, on 28 February 2009, that “The KRG has discontinued the requirement that a KRG resident must guarantee IDPs for them to be registered with the police for purposes of obtaining resident permits. The dropping of this requirement took effect 1 January 2009. The KRG has been concerned about security in the region and the relaxation of the requirement is as the improvements in the general security situation in the country.” [165a] (p2)

- 27.11 The FCO report, 27 March 2009, stated that “...UNHCR Erbil stated that many IDPs moved to the KR from other parts of Iraq. The KR has accommodated around 35,000 IDPs. The IDP population is made up of people from all communities in Iraq, including Arabs, Christians and Kurds from Mosul and Kirkuk. Nearly half of the IDPs have been located in Dohuk Governorate, given its proximity to Mosul, which had witnessed a high level of ethnic and religious based conflict...

“[The] UNHCR stated that few IDPs in the KR are located in camps. There are only two small IDP camps in the KR, accommodating around 150 families. IDPs mainly live in private rented accommodation. IDPs are given resident status in the KR and are allowed to work, although are unlikely to gain employment in the public sector. Some IDPs with professional backgrounds can find employment in their professions. Many though come from low or unskilled backgrounds and can find it difficult to find work. IDPs are eligible for a displacement allowance from the KRG and about two thirds of the IDPs in the KR had received this.

“[The] UNHCR stated that IDP children have good access to schools in the KR, although schools in the KR are overcrowded owing to high levels of enrolment and many schools have to operate a shift system. IDPs have access to medical facilities in the KR but these are under resourced. Ration cards can be transferred from IDPs' home Governorates to the KR but this is often a lengthy process; only 12% of IDPs have been able to transfer their ration cards and the World Food Programme has had to provide supplementary assistance to IDPs in the KR.

“[The] UNHCR stated that there had been little movement of IDPs from the KR returning to their former homes within Iraq to date. Returnees receive a return allowance of one million Iraqi Dinars (£595 at March 2009 exchange rate) from the Iraqi Government. For IDPs wanting to return home road travel between the KR and other parts of Iraq is now generally safe other than to Mosul.

“Nawshiran Mustafa, an independent politician in Sulaymaniyah stated that there are still some IDPs from within the KR itself, who relocated during the internal conflict between the KDP and the PUK in the 1990s.”

See also [Freedom of movement](#)

Return to Contents
Go to list of sources

FOREIGN REFUGEES

- 28.01 The U.S. Committee for Refugees and Immigrants (USCRI) World Refugee Survey 2008, Iraq, 19 June 2008, covered the issues of residency, freedom of movement, employment and access to services for refugees in Iraq, stating that: "The northern governorates had no status determination procedure, so UNHCR registered asylum seekers" and adding that "Of the three Kurdish governorates, Dahuk and Erbil required refugees to hold renewable residency permits, but complying with the 1971 Refugee Act, Sulaymaniyah did not." [44d] (p1-2)

[Return to Contents](#)
[Go to list of sources](#)

CITIZENSHIP AND NATIONALITY

29.01 Article 18 (2) of the Iraqi constitution stipulates that “Anyone who is born to an Iraqi father or to an Iraqi mother shall be considered an Iraqi.” Article 18 (3) states that “A: An Iraqi citizen by birth may not have his citizenship withdrawn for any reason. Any person who had his citizenship withdrawn shall have the right to demand its reinstatement. This shall be regulated by a law.” And “B: Iraqi citizenship shall be withdrawn from naturalized citizens in cases regulated by law.” The Constitution also provides for the right to multiple citizenship. [82a] (p6)

29.02 UNHCR’s October 2005 COI report noted that:

“Stateless persons originating from the three Northern Governorates have to provide documents showing their first degree relatives’ Iraqi nationality in order to recover their nationality. As it is well known that Faili Kurds have often been stripped of all documentation and may therefore not be able to present the requested documents, local authorities have established mechanisms to review such cases. In the PUK-area, a committee comprised of representatives of the Governor’s Office, the Ministry of Interior and prominent Faili Kurds has been established, while in the KDP-administered areas an interview at the Ministry of Interior will be conducted. Based on these interviews, a stateless person will be reinstated with his/her nationality if Iraqi origin can be confirmed.” [40c] (p138)

[Return to Contents](#)
[Go to list of sources](#)

SOCIAL WELFARE

30.01 The Swiss Refugee Council report, 10 July 2007, stated that:

“In the past, Iraq officially had a social insurance system covering old age, disability, and survivors, sickness and maternity as well as work injury and unemployment. At the beginning of 2006, the central government created a *Social Safety Net* as way of caring for the growing number of poor or low-income families, widows, disabled, unemployed or married students. Hundreds of thousands of families have signed up for benefits, overwhelming branch offices of the labor and social affairs ministry, which have had difficulty handling the bureaucracy. But only a fraction of those in need have received help so far because the civil service cannot cope. In 2006, the central government also launched a *Social Protection Programme* to assist the internally displaced people (IDP). But due to the security situation, neither financial aid nor aid items can be delivered.

“In the KRG-area, there is no functioning social security system in place. The constitution of the KRG-area mentions in article 20 the aim: "The regional government shall provide social security benefits in cases of illness, disability, unemployment, or old age." There are some social security services from which certain people (e.g. anfal-victims, martyrs, party members) can benefit from. But KRG's Prime Minister Barzani himself mentions that a social security program for the least privileged still needs to be established. As long as there are no social security systems in place, people who need to pay for either their medical treatment or whatever are depending on their family. Particularly, vulnerable people such as women, children or the aged people are therefore completely relying on their families and their goodwill to cover the cost.” [156] (p17)

[Return to Contents](#)
[Go to list of sources](#)

ANNEX A – CHRONOLOGY OF MAJOR EVENTS

Unless stated otherwise, the information below is based on the [BBC Timeline: Iraqi Kurds](#) (accessed on 11 March 2009) [4a]

- 1946** Kurdish Democratic Party (KDP) formed. [14e] (Historical Background)
- 1961- 63** Revolt led by Mullah Mustafa Barzani. [14e] (Historical Background)
- 1975** Mullah Mustafa Barzani's rebellion collapsed. [14e] (Historical Background)

The PUK was founded in June by Jalal Talabani and others, formerly members of the KDP. [4b]
- 1978** Clashes between KDP and PUK forces.
- 1979** After the death of Mulla Mustafa Barzani, the KDP was then taken over by Massoud and Idris Barzani. (The two brothers led the KDP until Idris's death in 1987, leaving the KDP under the sole presidency of Massoud.) [151] (p3)
- 1980** Outbreak of war between Iran and Iraq. KDP forces work closely with Iran, but the PUK remains hostile to cooperation with Tehran.
- 1987** Jalal Talabani and Massoud Barzani join forces with a number of smaller Kurdish factions to create the Kurdistan Front.
- 1988** Iraqi forces launched the "Anfal Campaign" against the Kurds. Tens of thousands of Kurdish civilians and fighters are killed, and hundreds of thousands forced into exile.
5,000 Kurdish civilians died in a poison gas attack on the town of Halabjah near the Iranian border, for which the Iraqi regime was held responsible (March).
- 1991** Uprising against Saddam Hussein in the wake of the Gulf War.
Kurdish peshmerga forces took control of Irbil and Sulaymaniyah (July).
Fighting between Kurdish and Iraqi government forces (October).
- 1992** Iraqi Kurdistan held elections. KDP candidates obtained 50.8% of the vote, while the PUK took 49.2%.
- 1994** Clashes broke out between KDP and PUK.
- 1996** UN agreed "Oil-for-Food" programme with Baghdad; 13% of the proceeds from Iraqi oil exports were earmarked for the three northern governorates largely under Kurdish control (May)
With the help of Iraqi government troops, KDP forces seized Irbil and took the PUK stronghold of Sulaymaniyah. A new KDP-led government was announced at the parliament building in Irbil (September). In October PUK forces retook Sulaymaniyah.
- 1997** PUK announced a new government based in Sulaymaniyah. Both the PUK and KDP claimed jurisdiction over the whole of the Kurdish-controlled north (January)

- 1998** KDP and PUK signed Washington Peace Accord (September).
- 2002** Turkey effectively closed its border with Iraqi Kurdistan. Barzani and Talabani held secret talks with US officials in Washington (March). [14e] (p11)
- 2003** KDP and PUK create a "joint higher leadership" in the Kurdish-held north, under the chairmanship of the two party leaders, Massoud Barzani and Jalal Talabani (March).
US-led invasion of Iraq. KDP and PUK moved south to take control of Kirkuk and Mosul. (March-April).
- 2004** Demonstrations took place in favour of a Kurdish Kirkuk (January).
Transitional Administrative Law passed ensuring the autonomy of Kurdistan pending a constitutional convention in 2005 (February).
Sovereignty of Iraq was transferred to interim Iraqi government amid widespread Kurdish concerns (June). [14e] (Historical Background)
- 2005** Alliance of Kurdish parties comes second in Iraq's national election, sending 77 deputies to an interim parliament (January).
PUK leader Jalal Talabani is elected as interim Iraqi president by MPs (April).
First session of Kurdish parliament held in Arbil; Massoud Barzani is sworn in as regional president of the Kurdistan Regional Government (June).
- 2006** KDP and PUK formed a unity cabinet, signalling the culmination of Iraqi Kurdish political consolidation (May). [14e] (Historical Background)
- 2007** Turkey heavily bombed PKK positions in northern Iraq but stopped short of a full invasion (October/November). [14e] (p11-12)
Hundreds of Turkish troops crossed into Kurdish territory in northern Iraq in the largest cross-border operation in several years in pursuit of Kurdish secessionist rebels following a series of deadly attacks by the PKK inside Turkey. [162b]
Deadline passed for a referendum on the status of Kirkuk, leading to an increase of Kurdish displeasure with the integration process with Iraq (December). [14e] (p11-12)
- 2008** Turkish forces mount a ground offensive against PKK Kurdish rebel bases in northern Iraq (February).
Iraqi parliament passes provincial elections law. City of Kirkuk, claimed by Kurdistan Region, is excluded from provisions of law until its status is settled (September)

[Return to Contents](#)
[Go to list of sources](#)

ANNEX B – POLITICAL ORGANISATIONS

Assyrian Democratic Movement: Leader Yonadam Kanna, “currently a member of the Iraqi National Assembly. The Movement encompasses Chaldean, Assyrian and Syriac ethnic identities (which the party says are different names for the same nation) and represents several different Christian denominations, including Chaldean Catholics, Syriac Catholics, Orthodox, Eastern Assyrians and Protestants. The Movement objected to what it deemed a divisive strategy put forward by the KDP and PUK in a proposal for a constitution in November 2002, which referred to Assyrians and Chaldeans separately. It requested that the word 'and' be removed from between 'Assyrian and Chaldean', as an expression of unity of their people. The request was rejected. Since then, it has co-operated with the US and Kurdish governments; its leader occupied a seat on the Iraqi Governing Council during the early days of the occupation, and the party holds seats reserved for Assyrians in the current Kurdish parliament. The Assyrians have enclaves in Arbil (Ankawa) and Kirkuk (Serrapha) and large communities (in some areas, majorities) in the Nineveh Plain. Assyrian party line in Iraq has generally favoured the creation of an autonomous region in the Nineveh Plain within a federal Iraq, but Assyrians have left open the possibility of absorption into a Kurdistan region if there is no secure alternative.” (Jane’s, Kurdistan Regional Government, 6 May 2008) [14e] (p7)

The **Iraqi Communist Party (ICP)**, the **Kurdistan Communist Party (KCP)** and the **Iraqi Workers' Communist Party (IWCP)**: “all were active in Iraqi Kurdistan and opposed to the US-led war in Iraq. The IWCP was formed in 1993 from four small communist groups. The IWCP accused PUK forces of attacking the organisation's office in As Sulaymaniyah in 2000. The PUK also reportedly prevented the IWCP from holding its second conference in December 2002. In September 2002, Rebwar Ahmad, secretary of the party's central committee, called for the prosecution of Islamist leader Mullah Krekar for what the IWCP called ‘terrorist attacks’ on party members, PUK government officials and female students. The Kurdistan Toilers' Party also faced armed clashes in November 2001 with Mullah Krekar's group (at the time known as Jund al-Islam) in which three peshmerga were killed. Krekar, now in Norway, may soon face deportation due to his having allegedly violated his asylum status by returning to fight in Iraq.” (Jane’s, Kurdistan Regional Government, 6 May 2008) [14e] (p7)

Islamic Movement in Kurdistan (IMK): “founded in 1987 by a group of Kurdish Islamic scholars, led by the late Sheikh Uthman Abd-Aziz. The movement has an armed militia of several hundred men and it is based in Halabja, As Sulaymaniyah governorate, the town where Iraqi forces unleashed chemical weapons during the 'Anfal Campaign' of 1988. It has good relations with Iran and has representation in the PUK-led Kurdish administration. The current leader, Sheikh Ali Abd-Aziz, is the brother of the IMK's founder.” (Jane’s, Kurdistan Regional Government, 6 May 2008) [14e] (p8)

Iraqi Turkmen Front (ITF): “led since February 2001 by San'an Ahmad Agha and Faruk Abdullah Abdurrahman. Established in 1995, when the Provincial Turkmen Party, the Iraqi Turkmen National Party, the Movement of Independent Turkmen, the Iraqi Turkmen Rights Party, and the Turkmen Islamic Movement of Iraq came together to form a coalition to form an eventual Turkmen substate. It enjoys the political backing of Turkey, and its contribution to political life in Kurdistan has been viewed by the KDP as Turkish interference in Kurdish affairs. The Front's headquarters are in KDP-administered Arbil, though it opened an office in Turkey in 1996 and one in London in 1999. The front clashed with the KDP in August 1998 and has criticised the party for ‘arbitrary practices’ and ‘imprisonment, battery and torture’

which, it said in August 2002, had become a daily occurrence. More recently, Front officials have run candidates in election for local and national office. It has said that their representatives were excluded from the new city council in Kirkuk, in favour of Turkmen leaders close to the Kurdish forces. The ITF is the most prominent Turkmen group in Iraq.” (Jane’s, Kurdistan Regional Government, 6 May 2008) [14e] (p7-8)

Kurdistan Conservative Party: “led by Umar Surchi, this is a junior partner in the PUK-led coalition government in As Sulaymaniyah. The party represents tribal leaders, and is dominated by the Surchi family. During 1996 KDP forces clashed with fighters from the Surchi family's home villages, killing Umar Surchi's brother. The PUK supported the Conservative Party in the short-lived conflict, prompting the Conservative Party to ally itself openly with the PUK.” (Jane’s, Kurdistan Regional Government, 6 May 2008) [14e] (p8)

Kurdistan Democratic Party (KDP) <http://www.kdp.se/>

The Kurdish Democratic Party (KDP) was founded by Mustafa Barzani in 1946 and constitutes Iraq's largest Kurdish advocacy group. “The group seeks greater autonomy for Kurds within Iraq and the eventual creation of Kurdistan as an independent nation-state. As a people, Kurds are indigenous to a geo-cultural region commonly referred to as Kurdistan that is composed of territory from Iran, Iraq, Syria, and Turkey. Estimated at about 30 million people, the Kurds comprise one of the largest stateless ethnic groups in the world. Currently within Iraq, Kurds have established a de facto autonomous region, complete with an elected parliament, police force, schools, tax collectors, and an army.

“Throughout its history, the KDP has targeted many organizations. Its main targets have been the Iraqi government under Saddam Hussein and Kurdish political rivals, the Patriotic Union of Kurdistan (PUK) and the Kurdistan Workers' Party (PKK). KDP rebels conducted full-scale armed attacks and helped to incite rebellions against Hussein's regime, most notably during the Iran-Iraq War, Operation Desert Storm, and Operation Iraqi Freedom. In order to assist in toppling Saddam Hussein, Iran provided quite a substantial portion of the KDP's funding. After Hussein's defeat in 1991, Iraqi Kurds and the KDP established a semi-autonomous Kurdish region in Iraq under the protection of Operation Provide Comfort's northern no-fly zone.

“The KDP's rivalry with the PUK has been attributed to disputed sovereignty over some territories in northern Iraq and the deflection of Jalal Talabani to form the PUK in 1974. Both groups conducted frequent armed attacks against each others' forces, attempting to gain strategic territory. However, in 1998, the two groups signed a peace agreement and now share control of the Kurdistan Regional Government. After accusing the PKK of provoking Turkish air strikes, attacking food supply trucks, and preventing Iraqi Kurdish refugees from returning, the KDP (allegedly funded by Turkey) conducted attacks against the PKK. By expelling the PKK from Iraqi territory, the KDP ensured the PKK would not be able to launch attacks against Turkey from Iraqi territory, a major concern of Turkey's.” (The National Consortium for the Study of Terrorism and Responses to Terror (START), website accessed 17 February 2009) [155a]

Kurdistan Islamic Group: “established by a breakaway group from the Islamic Unity Movement in Kurdistan in 2001, the group, led by Mala Ali Bapir, is based in Khormal and nearby areas by the border with Iran. It is believed to have close ties with extremist Islamic armed groups, such as Al-Tawhid, which was involved in attacks against KDP forces in the Soran region, northeastern Iraq, as well as PUK political leaders. Its leader was arrested by US forces and detained in Baghdad for nearly two years after the invasion.” (Jane’s, Kurdistan Regional Government, 6 May 2008) [14e] (p8)

Kurdistan Islamic Union (KIU): “also known as Yekgirtu, it is the largest Islamic organisation in Iraqi Kurdistan. It was formally established in 1994 as an Islamist party and the local branch of the Jamaa Islamiyya or Muslim Brotherhood, which emerged in northern Iraq for the first time in the 1950s. The leaders of Yekgirtu fought the 1992 legislative elections in the Iraqi Kurdistan region as a group within the Islamic Movement in Kurdistan, attaining third place behind the KDP and PUK. The party is currently led by Secretary General Sheikh Salah-al-Din Muhammad Baha-al-Din. The KIU has no armed forces of its own. Instead, with funds mainly from Saudi Islamic organisations, it is active in charity work in the region, building mosques, clinics and schools in rural areas, where it has a strong following. It has working relations with both major parties but has clashed with Kurdish leftists.” (Jane’s, Kurdistan Regional Government, 6 May 2008) [14e] (p8)

Kurdistan National Democratic Union (YNDK): “worked closely with the PKK in the late 1990s. The two organisations issued joint statements in 1997 calling on Turkmens and Assyrians to join the PKK’s attack on Turkish ‘occupation forces’. Under the leadership of Ghafur Makhmuri, the party remains hostile towards Turkish policy in the region, but has moved away from the PKK to co-operate with the KDP.” (Jane’s, Kurdistan Regional Government, 6 May 2008) [14e] (p8)

Kurdistan People's Movement: “led by Abd al-Khaliq Zanganah. Also supportive of the KDP regional government.” (Jane’s, Kurdistan Regional Government, 6 May 2008) [14e] (p8)

Kurdistan Toilers' Party (KTP) led by Qadir Aziz, and the **Kurdistan Socialist Democratic Party (KSDP)**, “led by Muhammad Haj Mahmud: Marxist fellow-travellers of the PUK over recent years and were members of the PUK-led regional government based in As Sulaymaniyah. Under a larger socialist subgroup, it contributed candidates to the Kurdish front in the last elections.” (Jane’s, Kurdistan Regional Government, 6 May 2008) [14e] (p7)

Patriotic Union of Kurdistan (PUK) <http://www.puk.org/>

“The Patriotic Union of Kurdistan (PUK) is a splinter group of the Kurdistan Democratic Party. Under the leadership of Jalal Talabani (also known as Mam Jalal, ‘Uncle Jalal’), the PUK was formed in June 1975. It remains unclear why Talabani left. The PUK is a coalition of five separate factions, the leading factions being the Komala (‘group’) and Shorish Geran (‘revolution spreaders’). Like the majority of Kurdish groups, the PUK seeks the establishment of an independent Kurdish state. Kurds are indigenous to a geo-cultural region commonly referred to as Kurdistan that is composed of territory from Iran, Iraq, Syria, and Turkey. Estimated at about 30 million people, the Kurds comprise one of the largest stateless ethnic groups in the world.

“Throughout its history, the PUK has engaged in several different forms of terrorist activities. The group often targets their Kurdish rivals in the Kurdistan Democratic Party (KDP) and is also often the victim of KDP attacks. In 1998, however, the two groups signed a peace agreement and now share control of the Kurdistan Regional Government.

“During the 1980s, the PUK was also involved in numerous kidnappings of foreign nationals. The kidnappings were part of a campaign by the PUK to curb foreign support for Saddam Hussein’s government and his oppressive policies towards the Kurds. In these situations, hostages were later released unharmed. In addition, members of the PUK launched frequent, often devastating attacks against Iraqi forces during the Iran-Iraq War as a result of the group’s alliance with Iran. However, Talabani and the PUK also entered into talks with the Iraqi government regarding an agreement during the war to help repel Iranian troops in return for autonomy. These

talks eventually fell through and the PUK continued its attacks on Iraqi soldiers. Throughout the 1980s and 1990s, Syria was one of the principal supporters of the PUK, even hosting leader Jalal Talabani after he was exiled from Iraq for his cooperation with Iran.

"During the Gulf War of 2003, forces from the PUK assisted the US-led coalition in its overthrow of Saddam Hussein and, together with the KDP, were the principal US allies fighting in the north. Recently PUK militiamen, allied with US coalition forces, have also been involved in the expulsion of Kurdish Islamist groups (such as Ansar al-Islam) from their territory in Sulaymaniyah. Kurdish Islamists oppose the PUK's secular policies and seek to establish an independent, Islamic state for Kurds." (START, website accessed 17 February 2009) [155b]

Turkoman National Association: "established at the beginning of November 2002. It is an umbrella organisation encompassing the Turkoman Cultural Association, Turkoman Brotherhood Party, Turkoman National Liberation Party, Iraqi Turkoman Union Party and Kurdistan Turkoman Democratic Party. The parties have pledged to maintain their own political agendas, but to present a united front as regards broader issues of national destiny and interests. The Association seeks to maintain amiable relations with the Kurdish parties, as demonstrated in a statement read by Jawdat Najjar, head of the Turkoman Cultural Association and a regional minister in the KDP-led regional government, who said that the association would foster "fraternal coexistence" and a spirit of 'mutual respect' in Iraqi Kurdistan, which were a result of the KDP's work." (Jane's, Kurdistan Regional Government, 6 May 2008) [14e] (p8)

[Return to Contents](#)
[Go to list of sources](#)

Annex C – Prominent people

MEMBERS OF THE UNIFIED KURDISH REGIONAL GOVERNMENT

Massoud Barzani - President

“Born in Mahabad, Iran, on 16 August 1946, Massoud Barzani is the fourth son of Mullah Mustafa Barzani. His father is seen as a founding figure of the Kurdish nationalist movement in Iraqi Kurdistan. The Barzanis come from the Barzan region of Iraqi Kurdistan, near Turkey. Successive Iraqi governments have bulldozed the village of Barzan numerous times in retaliation for the Barzani clan's work for Kurdish independence.

“After the death of Mustafa Barzani in March 1979, the KDP elected Massoud its new president in the 9th Party Congress. He has been re-elected as president in three other general congresses.

“Barzani has little formal education, but he is a voracious reader and speaks English, Kurdish, Persian, and Arabic. Despite his good command of the English language - one regular foreign visitor estimated that he understood 90 per cent of any conversation - all conversations are conducted with an interpreter.

“As a political leader, Massoud Barzani tends to rely on and trust only a small inner circle, mainly family. The KDP has become a mass party in Iraqi Kurdistan with popular support, but the senior and sensitive posts stay within the family and the party is recognised as deriving its authority from Kurdistan's unusually robust clan and tribal structure. Barzani's nephew, Nachirvan Barzani, was prime minister; his son, Masroor, runs the KDP's intelligence service (*Paristan*), and Hoshiyar Zebari, Barzani's uncle, headed the KDP's foreign relations before becoming foreign minister of the Republic of Iraq.

“Politically, Barzani's position is secure. The 1992 elections, which the KDP won with a small majority, demonstrated a strong popular support base that has eroded very little. Equally, within the KDP political party, Barzani remains a popular leader. His popularity centres on his integrity and commitment to the Kurdish cause of self-determination. Politically, Barzani seeks autonomy for the Kurdish population in Iraqi Kurdistan within a democratic Iraq. In early 2007, however, Barzani began suggesting that Iraqi Kurds might begin pursuing non-political alternatives, if previous agreements guaranteeing Kurdish power within a federal democratic Iraq are not honoured. So far, no such strategy has been pursued.” (Jane's, Kurdistan Regional Government, 6 May 2008, 6 May 2008) [14e] (p6)

Additional information on Massoud Barzani is available from the [website of the Kurdistan Region Presidency](#) [161b]

Kosrat Rasul Vice-President [14e] (p5)

Nechirvan Idris Barzani (KDP) Prime Minister [14e] (p5)

Imad Ahmad Deputy Prime Minister [150i]

Abdul-Aziz Tayeb Ahmed (KDP) Minister of Agriculture [14e] (p5)

Haydar Sheikh Ali Minister of Communication [14e] (p5)

Falak-Addin Kakayee (KDP) Minister of Culture [14e] (p5)

Dilshad Abdul Rahman Mohammad Minister of Education [14e] (p5)

Hushyar Abdul Rahman Siwaily Minister of Electricity [14e] (p5)

Dara Mohammad Amin (IMK) Minister of the Environment [14e] (p5)

Dr Mohammad Ihsan (KDP) Minister of Extra-Regional Affairs [14e] (p5)

Sarkis Aghajan Mamendu (KDP) Minister of Finance and the Economy [14e] (p5)

Dr Abdul Rahman Osman Yones Minister of Health [14e] (p5)

Idris Hadi Salih (PUK) Minister of Higher Education and Scientific Research [14e] (p5)

Yousif Mohammad Aziz (PUK) Minister of Human Rights [14e] (p5)

Widad Khurshid Osman (Turkmen) Minister of Industry [14e] (p5)

Abdul Karim Sinjari (PUK) Minister of the Interior [14e] (p5)

Farouq Jamil Sadiq Minister of Justice [14e] (p5)

Adnan Mohammad Qadir Minister of Labour and Social Affairs [14e] (p5)

Chinar Saad Abdullah Minister of Martyrs and Victims of Anfal [14e] (p5)

Nazanin Mohammad Waso (KDP) (f) Minister of Municipalities [14e] (p5)

Dr Ashti A Hawramy Minister of Natural Resources [14e] (p5)

Jafar Mustafa Ali Minister of Peshmerga Affairs [14e] (p5)

Osman Ismail Hassan Minister of Planning [14e] (p6)

Imad Ahmad Sayfour (PUK) Minister of Reconstruction and Housing [14e] (p6)

Mohammed Ahmad Saeed Shakaly (PUK) Minister of Religious Affairs [14e] (p6)

Taha Abdul Rahman Ali Minister for Sport and Youth [14e] (p6)

Namrood Baito Minister for Tourism [14e] (p6)

Mohammad Raoof Mohammad Minister of Trade [14e] (p6)

Burhan Saeed Sofi (PUK) Minister of Transport [14e] (p6)

Tahsin Qadir Ali Minister of Water Resources [14e] (p6)

Bayiz Saeed Mohammad (PUK) Minister of State for Finance and the Economy [14e] (p6)

Abdul Karim Sultan Sinjari (KDP) Minister of State for the Interior [14e] (p6)

Azad Izaddin Mala Afandi Minister of State for Justice [14e] (p6)

Jafar Mustafa Ali Minister of State for Peshmerga Affairs [14e] (p6)

Abubakir Ali (KIU) Minister of the Region [14e] (p6)

Dr Jinan Qasim Minister of the Region [14e] (p6)

George Yousif Mansoor Minister of the Region [14e] (p6)

Dr Dakhil Saeed Qasim Minister of the Region [14e] (p6)

Mohammad Haji Mahmood (KSDP) Minister of the Region [14e] (p6)

Mahmoud Eido (PUK) Minister of the Region [14e] (p6)

Madhat Mandalawy Minister of the Region [14e] (p6)

Saad Khalid Mohammad Amin (KTP) Minister of the Region [14e] (p6)

Abdul Latif Bandar Oghloo (Turkmen) Minister of the Region [14e] (p6)

Additional information on the cabinet ministers of the Kurdistan Regional Government inaugurated on 7 May 2006 is available from the [website of the Kurdistan Regional Government](#)

Return to Contents
Go to list of sources

Annex D – Current insurgent/militia groups

Islamist Groups

“Islamist insurgent activity in the wake of the US-led invasion in Kurdish-controlled Iraq has been relatively quiet compared to the rest of the country.” (Jane’s, Kurdistan Regional Government, 6 May 2008, 6 May 2008) [14e] (p16)

Party of Free Life of Kurdistan (PJAK). “An Iranian rebel group, which operates out of bases in the area and is close to the Kurdistan Workers' Party (PKK).” (Peyanmer News Agency - PNA) [164a]

Workers' Party of Kurdistan (Partiya Karkaren Kurdistan: PKK). Renamed the Kurdistan Freedom and Democracy Congress (Kongra Azadî û Demokrasiya Kurdistan: KADEK) in 2002 and again renamed the Kurdistan People's Congress (Kongra Gelê Kurdistan: KONGRA-GEL) in 2003. All three names are on the EU's list of terrorist groups and the US Department of State's list of designated terrorist groups. In February 2005, the group was restructured and resumed calling itself the PKK. KONGRA-GEL is now used to describe the organisation's decision-making assembly, while its armed wing is called the People's Defence Force (Hezen Parastina Gel: HPG). (Jane’s, Kurdistan Regional Government, 6 May 2008, 6 May 2008) [14e] (p16)

[Return to Contents](#)
[Go to list of sources](#)

Annex E: List of abbreviations

AI	Amnesty International
BEO	British Embassy Office
FCO	Foreign and Commonwealth Office (UK)
FFM	Fact-Finding Mission
FGM	Female Genital Mutilation
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
HRW	Human Rights Watch
ICG	International Crisis Group
ICRC	International Committee of the Red Cross
IDP	Internally displaced person
IOM	International Organization for Migration
ISF	Iraqi Security Forces
KDP	Kurdistan Democratic Party
KNA	Kurdistan National Assembly (the KRG parliament)
KR	Kurdistan Region of Iraq
KRG	Kurdistan Regional Government
NGO	Non Governmental Organisation
NPA	Norwegian People's Aid
PUK	Patriotic Union of Kurdistan
UNAMI	United Nations Assistance Mission for Iraq
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund

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