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Home Office
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COUNTRY OF ORIGIN INFORMATION REPORT

IRAQ

30 APRIL 2007

Border & Immigration Agency
COUNTRY OF ORIGIN INFORMATION SERVICE

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Preface

i This Country of Origin Information Report (COI Report) has been produced by Research, Development and Statistics (RDS), Home Office, 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 1 March 2007. The latest news section contains information available up to 30 April 2007.

ii The Report is compiled wholly from material produced by a wide range of recognised external information sources and does not contain any Home Office 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 Home Office caseworkers 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 Home Office upon request.

ix COI Reports are published regularly on the top 20 asylum intake countries. COI Bulletins are produced on lower asylum intake countries according to operational need. Home Office officials also have constant access to an information request service for specific enquiries.

x In producing this COI Report, the Home Office 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 the Home Office as below.

Country of Origin Information Service
Home Office
Apollo House
36 Wellesley Road
Croydon CR9 3RR
United Kingdom

Email: cois@homeoffice.gsi.gov.uk
Website: http://www.homeoffice.gov.uk/rds/country_reports.html

ADVISORY PANEL ON COUNTRY INFORMATION

xi The independent Advisory Panel on Country Information was established under the Nationality, Immigration and Asylum Act 2002 to make recommendations to the Home Secretary about the content of the Home Office's country of origin information material. The Advisory Panel welcomes all feedback on the Home Office's COI Reports and other country of origin information material. Information about the Panel's work can be found on its website at www.apci.org.uk.

xii It is not the function of the Advisory Panel to endorse any Home Office material or procedures. In the course of its work, the Advisory Panel directly reviews the content of selected individual Home Office COI Reports, but neither the fact that such a review has been undertaken, nor any comments made, should be taken to imply endorsement of the material. Some of the material examined by the Panel relates to countries designated or proposed for designation for the Non-Suspensive Appeals (NSA) list. In such cases, the Panel's work should not be taken to imply any endorsement of the decision or proposal to designate a particular country for NSA, nor of the NSA process itself.

Advisory Panel on Country Information contact details:
Email: apci@homeoffice.gsi.gov.uk
Website: www.apci.org.uk

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Latest News

EVENTS IN IRAQ FROM 1 MARCH 2007 TO 30 APRIL 2007

27 April — Amnesty International reports on the stoning to death of a young girl who is a member of the Yazidi religious minority for a so-called honour crime.
Amnesty International, Amnesty International appalled by stoning to death of Yezidi girl and subsequent killings, 27 April 2007
http://web.amnesty.org/library/print/ENGMDE140272007
Date accessed 30 April 2007

26 April — Kurdish Democratic Party (KDP) offices are bombed.
RFE/RL, Offices of Kurdish party in northern Iraq bombed, 26 April 2007
http://www.rferl.org/featuresarticle/2007/04/6090C055-9688-427E-9056-484C03B217E1.html
Date accessed 30 April 2007

22 April — Members of Aside religious minority are killed by gunmen in Mosul.
IRIN, Yazidi minority demands protection after killings, 22 April 2007
http://www.irinnews.org/report.aspx?ReportId=71755
Date accessed 22 April 2007

20 April — US troops begin building a wall in Baghdad to separate the Sunni and Shi'a neighbourhoods.
BBC, Baghdad wall around Sunni enclave, 21 April 2007
http://news.bbc.co.uk/1/hi/world/middle_east/6577529.stm
Date accessed 21 April 2007

The Guardian, US builds Baghdad wall to keep Sunnis and Shias apart, 20 April 2007
http://www.guardian.co.uk/Iraq/Story/0,,2062023,00.html?gusrc=rss&feed=12
Date accessed 23 April 2007

18 April — Almost 200 people are killed in Baghdad in the bloodiest day since US and Iraqi forces launched a security crackdown two months ago.
Reuters, Suspected al-Qaeda militants killed nearly 200 people in a wave of car bombings, 18 April 2007
http://www.reliefweb.int/rw/rwb.nsf/db900SID/DHRV-72E4W6?OpenDocument&RSS20=02-P
Date accessed 18 April 2007

BBC, Up to 200 killed in Baghdad bombs, 18 April 2007
http://news.bbc.co.uk/1/hi/world/middle_east/6567329.stm
Date accessed 18 April 2007

12 April — An explosion hits a cafeteria at the Iraqi parliament, killing at least eight people, at least two of them MPs.
BBC, Explosion at Iraq parliament café, 12 April 2007
http://news.bbc.co.uk/1/hi/world/middle_east/6548337.stm
Date accessed 12 April 2007

20 March — Saddam Hussein's former deputy, Taha Yassin Ramada, was hanged for the killings of 148 Shi'a Muslims.
The Guardian, Saddam's vice-president hanged, 20 March 2007
http://www.guardian.co.uk/Iraq/Story/0,,2038235,00.html?gusrc=rss&feed=12
Date accessed 20 March 2007

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REPORTS ON IRAQ PUBLISHED OR ACCESSED SINCE 1 MARCH 2007

US Department of State (USSD)
Country Reports on Terrorism, 30 April 2007
http://www.state.gov/s/ct/rls/crt/2006/82733.htm
Date accessed 30 April 2007

Amnesty International
Unjust and unfair: The death penalty in Iraq, 19 April 2007
http://web.amnesty.org/library/index/engmde140142007
Date accessed 30 April 2007

International Crisis Group (ICG)
Iraq and the Kurds: Resolving the Kirkuk Crisis, 19 April 2007
http://www.crisisgroup.org/library/documents/middle_east___north_africa/iraq_iran_gulf/64_iraq_and_the_kurds_resolving_the_kirkuk_crisis.pdf
Date accessed 30 April 2007

Center for Strategic and International Studies (CSIS)
Iraq's Sectarian and Ethnic Violence and Its Evolving Insurgency, 2 April 2007
http://www.csis.org/media/csis/pubs/070402_iraq_spring.pdf
Date accessed 4 April 2007

UN Assistance Mission for Iraq (UNAMI)
Human Rights Report, 1 January – 31 March 2007
http://www.uniraq.org/FileLib/misc/HR%20Report%20Jan%20Mar%202007%20EN.pdf
Date accessed 25 April 2007

Internal Displacement Monitoring Centre (IDMC)
A displacement crisis; a profile of the internal displacement situation, 30 March 2007
http://www.internal-displacement.org/8025708F004BE3B1/(httpInfoFiles)/129E903BAA2C8245C12572AE002EE88A/$file/Iraq+-March+2007.pdf
Date accessed 2 April 2007

United National High Commission for Refugees (UNHCR)
Resettlement of Iraqi Refugees, 12 March 2007
http://www.unhcr.org/home/RSDLEGAL/45b626f04.pdf
Date accessed 30 April 2007

UN Security Council (UNSC)
Report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004), 7 March 2007
http://www.uniraq.org/FileLib/misc/SG_Report_S_2007_126_EN.doc
Date accessed 2 April 2007

US Department of State (USSD)
Country Report on Human Rights Practices 2006, 6 March 2007
http://www.state.gov/g/drl/rls/hrrpt/2006/78853.htm
Date accessed 6 March 2007

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Background information

GEOGRAPHY

1.01 The Republic of Iraq (Al Jumhuriyah al Iraqiyah) is situated in the Middle East. Borders are shared with Turkey to the north, Iran to the east, Kuwait and the Persian Gulf to the south, Saudi Arabia and Jordan to the south-west and Syria to the north-west. (Europa Regional Surveys: The Middle East and North Africa, 2005) **[1a] (p460)** The Europa World Yearbook 2004, noted that between the Iraqi, Jordanian and Saudi Arabian borders is a neutral zone devised to facilitate the migrations of pastoral nomads. **[1b] (p460)**

1.02 Iraq covers an area of 438,317 sq. km. (Europa World Online, accessed on 3 August 2005) **[1c]** (Iraq) Baghdad is the country's capital city. (United States State Department (USSD) background note, last updated October 2006) **[2c] (p1)** Europa Regional Surveys: The Middle East and North Africa, 2005 added that other principal cities include Mosul, Arbil, Kirkuk, Basra, Sulaimaniya, An-Najaf, Karbala, Hilla and Nasiriya. **[1a] (p524)**

1.03 Iraq's estimated population in 2006 was 26,783,000 with an estimated annual growth rate of 2.7 per cent per year. **[33a] (p6)** A general census was scheduled for late 2007. **[33a] (p6)** The US Library of Congress reported, in August 2006, that "The most densely populated governorate (province) is Baghdad, near the northern end of the alluvial plain, followed by Ninawa in the western section of the uplands region." **[33a] (p6)**

1.04 Politically, the country is divided into 18 Governorates, which are divided into 102 districts. **[1b] (p2193, 2199) [33a] (p18)** The Governorates comprise of:

Al Anbar	As Sulaymaniyah	Diyala
Al Basra	At Ta'min	Karbala'
Al Muthanna	Babil	Maysan
Al Qadisiyah	Baghdad	Ninawa
Al Najaf	Dahuk	Salah ad Din
Arbil	Dhi Qar	Waasit **[78a] (p4)**

1.05 Iraq's two largest ethnic groups are Arabs, which make up approximately 75-80 per cent of the population and Kurds, which make up approximately 15-20 per cent of the population. (US Library of Congress, August 2006) **[33a] (p7)** (Foreign and Commonwealth Office (FCO) country profile, last updated on 29 June 2006) **[66e] (p1)** (CIA world factbook, last updated on 10 January 2006) **[78a] (p4)** Other evident ethnic groups are Turkmens, Chaldeans, Assyrians. (US Library of Congress, August 2006) **[33a] (p7)** The 2005 Constitution recognises Arabic and Kurdish (spoken in the regions with a Kurdish majority) as the two official languages of Iraq. (US Library of Congress, August 2006) **[33a] (p7)** Arabic is the official and most commonly spoken language in Iraq with over three quarters of the population speaking it. Several dialects of the language are spoken within the country which are generally understandable, but significant variations do exist. (USSD background note) **[2c] (p2)** (Encyclopaedia Britannica, accessed 3 January 2007) **[106a]** The Encyclopaedia Britannica (accessed on 3 January 2007) states that "Modern Standard Arabic-the benchmark of literacy-is taught in schools, and most Arabs and many non-Arabs, even those who lack schooling, are able to understand it." **[106a]** Kurdish is spoken in the north.

(USSD background note) **[2c] (p2)** (Encyclopaedia Britannica, accessed 3 January 2007) **[106a]** The Encyclopaedia Britannica (accessed on 3 January 2007) notes that "A number of other languages are spoken by smaller ethnic groups, including Turkish, Turkmen, Azerbaijanian, and Syriac. Persian, once commonly spoken, is now seldom heard." **[106a]** English is the most commonly spoken Western language and is widely used in commerce. (USSD background note) **[2c] (p2)** **[106a]** "Bilingualism is fairly common, particularly among minorities who are conversant in Arabic." (Encyclopaedia Britannica, accessed 3 January 2007) **[106a]**

1.06 The CIA world factbook (last updated on 10 January 2006) stated that approximately 97 per cent of the population were Muslims, of which 60–65 per cent were Shi'a and 32–37 per cent were Sunni. Approximately three per cent adhered to Christian or other religions. **[78a] (p4)**

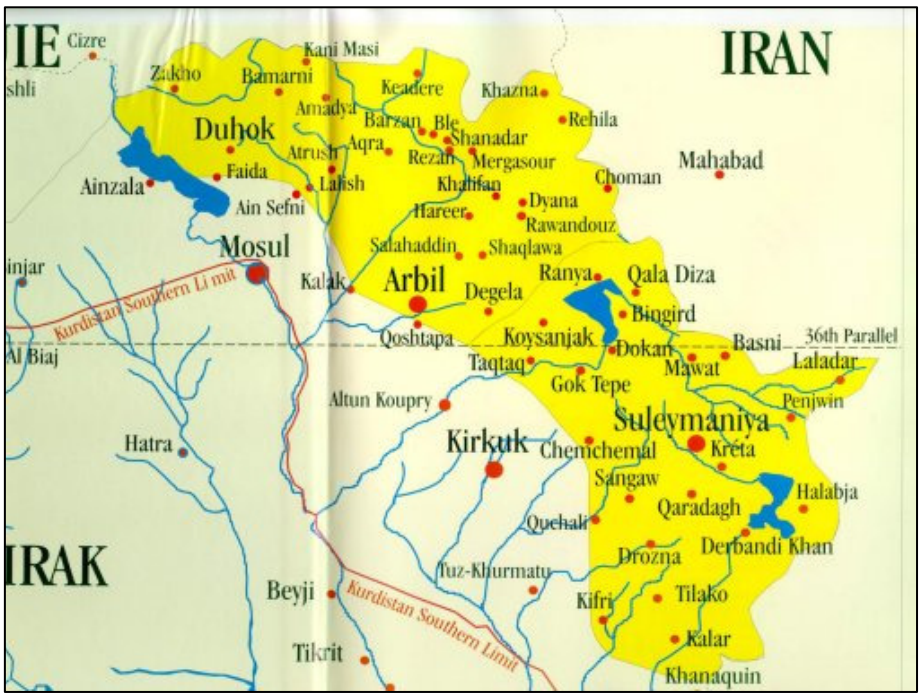
MAPS

Iraq and neighbouring countries

1.07 UN Cartographic Section map, of January 2004. **[61a]**

Kurdish Regional Government (KRG) area

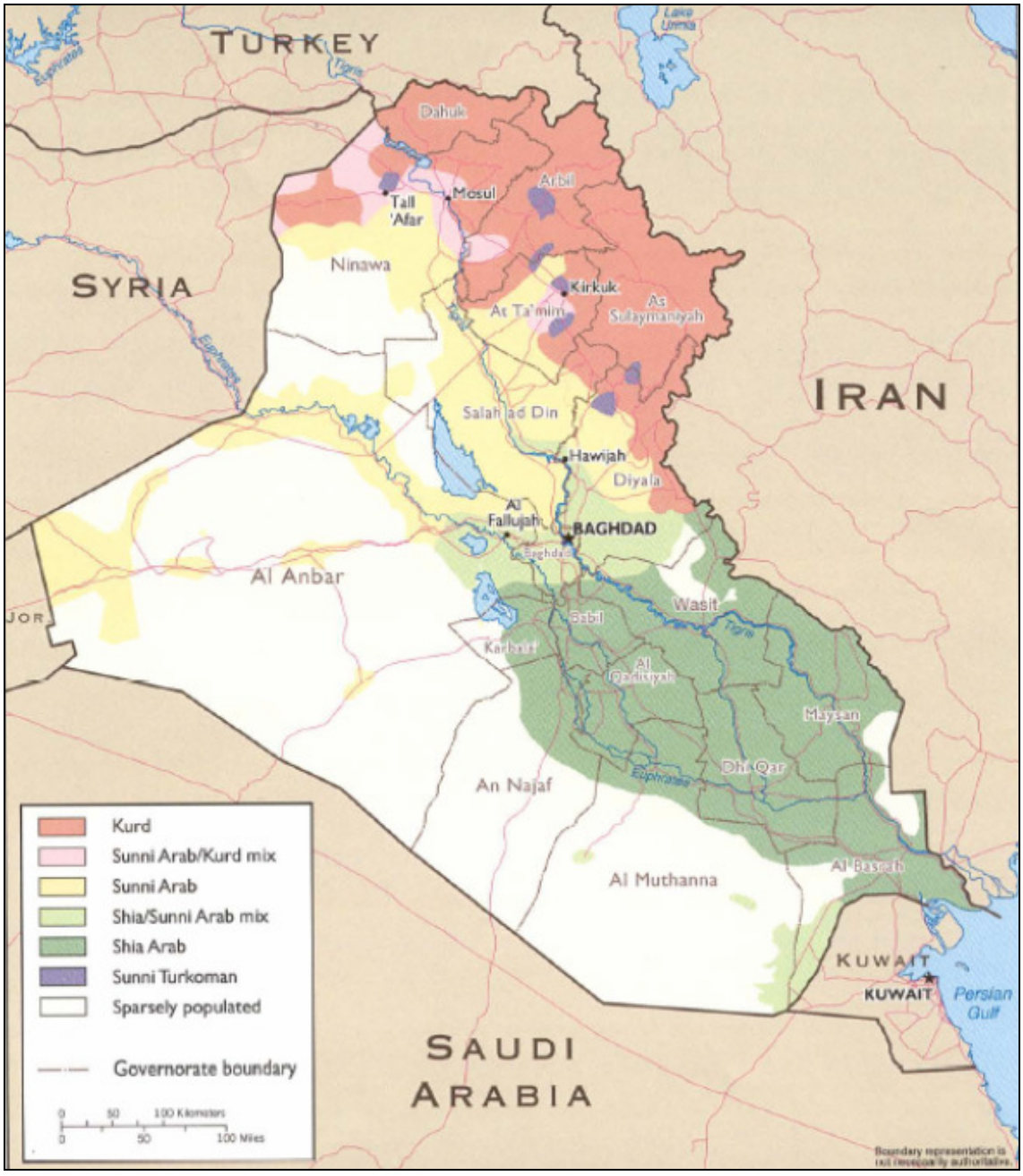
1.08 Map from Dr Rebwar Fatah report, dated 28 June 2006. **[77b] (p7)**



1.09 Global Security Map, last modified 24 February 2006. **[83a]**

Ethnic distribution

10.10 Center for Strategic and International Studies (CSIS) map, dated 22 June 2006. **[63b] (p173)**



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ECONOMY

2.01 Iraq's economy is in a poor state following years of successive wars and economic sanctions. (HRW World Report 2006) **[15i] (p1)** (US Library of Congress, August 2006) **[33a] (p9)** (UNHCR, October 2005) **[40c] (p2)** (Economist Intelligence Unit (EIU) 2006) **[58a] (p32)** (World Bank) **[100a]** Although the sanctions have been lifted, economic reconstruction has been hampered by the instability of the security situation in the country. (HRW World Report 2006) **[15i] (p1)** (EIU 2006) **[58a] (p32)**

2.02 The EIU country profile 2006 states that "The lifting of sanctions following the passing of UN Security Council Resolution (UNSCR) 1483 in May 2003 allowed reconstruction efforts to begin, but serious security problems continue to hamper the rebuilding effort." **[58a] (p32)**

2.03 A report by Robert Looney, published by the Center for Contemporary Conflict in May 2006, states that:

"Clearly the security situation remains the largest obstacle to Iraq's economic growth and it is proving the most difficult problem to resolve. The combination of high unemployment, easily available weaponry, a fast widening gap between the rich and poor and a largely impotent government have combined to produce an environment characterized by poverty, despair and violence. Specifically, the violence undermines the government's ability to tackle the economy's four basic problems: The security of the supply of oil, high levels of unemployment, and deficiencies in infrastructure and political difficulties in pushing through much-needed reforms. In turn, widespread poverty and frustrated expectations create an environment conduce to continued violence and increased conflict." **[101a] (p2)**

2.04 Looney adds that "Only the Kurdish region rated stable overall and across governance, security and the economy." **[101a] (p5)**

2.05 The World Bank Country Brief, dated August 2006, notes that "Iraq has abundant natural resources. **[100a]** According to the FCO "Iraq is widely believed to have the world's second largest reserves of oil after Saudi Arabia." **[66e] (p9)** The World Bank states that Iraq has the world's third largest oil reserves. **[100a]** The country also has considerable gas reserves and ample water resources. **[66e] (p9) [100a]**

2.06 The World Bank report, dated August 2006, states that:

"Per capita income, once over US$3,600, declined below US$1,000 by 2001/2002. GDP fell by a further 41 percent in 2003, when a US-led invasion toppled the government of Saddam Hussein. The economy rebounded in 2004, growing by 46 percent, but annual growth slowed to about 4 percent in 2005-2006, due to high insecurity and weak institutions and governance (see Figure 1). Per capita income is estimated at about US$1,635–less than a half of what Iraqis enjoyed 25 years ago." [100a]

2.07 The same report mentions that "The oil sector dominates Iraq's economy: it accounts for two-thirds of GDP and over 98 percent of exports and own government revenues. Since 2004, oil production fluctuated at about 2.0

million barrels per day, below government targets and below the pre-2003 levels. High world oil prices, however, have boosted oil revenues significantly." **[100a]**

2.08 The EIU country profile 2006 adds that:

"The oil industry, which is the bedrock of the economy, has begun gradually to recover from the toll of war-related damage and post-war looting. However, attempts to boost and sustain exports have been held back by persistent and often organised sabotage, targeted mainly at oil export infrastructure, as well as by a lack of investment in new production." **[58c] (p32-33)**

2.09 As documented in the CIA world factbook (last updated on 10 January 2006) the main agricultural products included wheat, barley, rice, vegetables, dates, cotton, cattle, sheep and poultry. **[78a] (p7)** The World Bank report states that "Agriculture, which has historically been an important employer, suffers from lack of investment and distorted input and output prices. Inflation remains high, driven by security costs, supply bottlenecks, and rising public spending." **[100a]**

2.10 The same report mentions that "Although there is a scarcity of good data, surveys indicate that poverty and human development indicators have worsened significantly in the 1990s and did not improve much in recent years". **[100a]** The UNHCR COI report, October 2005, notes that Iraq's ranking in the UN Human Development Index dropped from 76 in 1991 to 127 in 2001." **[40c] (p2)** The report also mentions that "According to WFP, approximately 25 percent of the Iraqi population is highly dependent on the Public Distribution System (PDS) and approximately 11 percent of the households in Iraq, or roughly 2.6 million people, are poor and food-insecure despite the PDS." **[40c] (p2)**

2.11 The World Bank states that "Unemployment is estimated at about 22-28 percent." **[100a]** An article in *The Washington Post*, dated 20 June 2005, reports that "… many experts here say the actual number is probably closer to 50 percent or more because the survey was not conducted in some of the least stable parts of the country and because many Iraqis work unreliable part-time jobs." **[16j]** An IRIN article, dated 15 October 2006, reports that "Nearly 60 percent of Iraqis are unemployed, according to NGOs, a figure confirmed by the Ministry of Labour and Social Affairs." **[18ay]**

2.12 The World Bank notes that "Women's labor participation in the non-agricultural economy is 14 percent, a very low level even by regional standards." **[100a]** The UNHCR COI report, October 2005, records that "… unemployment and under-employment remains high. According to the Iraq Living Conditions Survey (ILCS), 33.4 percent of youth are unemployed and 37.2 percent of high school and university graduates are jobless. A total of 33 percent of Iraqis are underemployed." **[40c] (p22)**

2.13 *The Washington Post* reports that:

"The Labor Ministry has registered 656,437 unemployed people across Iraq's 18 provinces -- including more than 110,000 in Baghdad alone -- but even ministry officials acknowledge that the actual number is probably several times as large. In an April poll conducted by the International Republican Institute, a

U.S.-funded nonprofit organization, Iraqis ranked unemployment the country's second most pressing problem, behind security." **[16j]**

2.14 The World Bank states that "The government continues to provide large untargeted subsidies for food, fuel, and utilities amounting in total to about 50 percent of GDP." **[100a]**

2.15 An article in the Christian Science Monitor, dated 15 September 2006, notes that:

"… prices for foodstuffs and basic goods have doubled - and in some cases tripled - since 2003. Earlier this month, Iraq's planning minister, Ali Baban, said the rise in the consumer price index (CPI) - the basket of goods and services used to measure inflation - increased by nearly 70 percent in July compared with 12 months earlier. In July 2005, the CPI rose by 30 percent." **[34c]**

2.16 The USSD background note (last updated on October 2006) states that:

"Implementation of a UN Oil-For-Food (OFF) program in December 1996 improved conditions for the average Iraqi citizen. In December 1999, Iraq was authorized to export unlimited quantities of oil through OFF to finance essential civilian needs including, among other things, food, medicine, and infrastructure repair parts. … Per capita food imports increased significantly, while medical supplies and health care services steadily improved." **[2c] (p5)**

2.17 The US Library of Congress noted, in August 2006, that "In the post-Saddam Hussein period, Iraq has received foreign aid from a number of national and international sources…." **[33a] (p13)**

2.18 The FCO report (last updated on 29 June 2006) notes that "A significant step was made on 21 November 2004, when the Paris Club announced agreement of a deal to write off 80 percent of Iraq's debt built up by the former regime (which totalled around $120 billion)." **[66e] (p9)**

2.19 The US Library of Congress reported, in August 2006, that "Government corruption is a serious obstacle to economic progress because it centers on agencies administering the oil industry." **[33a] (p9)** In November 2006, Transparency International (TI) ranked Iraq 160th out of 163 countries in its Corruption Perceptions Index (1 being the least corrupt and 163 the most corrupt country). **[51b]**

2.20 The country's currency is the Iraq Dinar (ID). There are 1,000 fils to 20 dirhams which is equal to 1 Iraqi Dinar. (Europa Regional Survey 2005) **[1a] (p526)** The exchange rate on 1 March 2007 was £1 sterling to 2,630.36ID. **[55a]**

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HISTORY

3.01 The Amnesty International (AI) report, dated 25 July 2005, notes that:

> "In early April 2003, the US-led military intervention in Iraq, which had started just days earlier on 18 March, ended the 25-year rule of Saddam Hussain and the even longer rule of the Ba'ath party. Following the fall of Baghdad on 9 April, Iraq was occupied by the US-led coalition. US forces controlled central and northern Iraq, with the exception of Kurdistan which has kept its autonomous status since 1991. United Kingdom (UK) forces controlled the south." **[28c] (p2)**

POST-SADDAM IRAQ

3.02 As documented in the Europa Regional Survey 2005, "The ousting of Saddam Hussein's government was followed by a period of civil unrest. Looting, revenge killings and destruction of property were regular occurrences." **[1a] (p497)**

3.03 Following the ousting of the Ba'athist regime and in the absence of an elected government, a Coalition Provisional Authority (CPA) was established. **[1a] (p529)** Europa World Online (accessed on 12 August 2005) adds that "UN Security Council Resolution 1483, passed on 22 May 2003, recognized the CPA as the legal occupying power in Iraq, and mandated the CPA to establish a temporary Iraqi governing authority." **[1c] (Recent History)**

3.04 One of the first acts of the CPA was to outlaw the Ba'ath Party and demobilise the Iraqi army and security apparatus including the ministries of defence and information. (*The Washington Post*, 12 May 2003) **[16a]**

3.05 It was announced on 13 December 2003 that Saddam Hussein was captured by US forces in the town of Ad Dur, near his hometown, Tikrit. Saddam surrendered to US forces without a fight. (US Congress Report, January 2004) **[33b] (p29)**

3.06 On 8 March 2004, after considerable last-minute wrangling, a 'Law of Administration for the State of Iraq for the Transitional Period', generally known as the Transitional Administrative Law (TAL), was signed. (Institute of War and Peace Reporting (IWPR), 22 March 2004) **[11j]** The TAL acted as an interim Constitution. (Europa Regional Survey 2005) **[1a] (p499)**

3.07 The FCO human rights report 2005, notes that "In accordance with UN Security Council Resolution (UNSCR) 1546, the CPA and the Iraqi Governing Council were dissolved on 28 June 2004 [two days ahead of the scheduled handover date of 30 June 2004]. They were succeeded by a sovereign Iraqi interim government, which was established after a wide-ranging consultive process led by the UN." **[66j] (p61)**

3.08 Dr Ayad Allawi was appointed interim Prime Minister of the Iraqi interim government. (Europa World Online, accessed on 12 August 2005) **[1c] (Recent History)**

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Elections, January 2005

3.09 Europa World Online (accessed on 12 August 2005) notes that "In advance of the elections, more than 100,000 Iraqi police and soldiers provided tight security in an attempt to forestall insurgent attacks, and the Interim Government closed Iraq's borders and imposed a vehicle curfew; all voters were subject to searches before being allowed to enter polling stations." **[1c] (Recent History)**

3.10 The multi-party national elections were held in Iraq on 30 January 2005. **[6v]** A total of 8,456 million Iraqis voted in the elections. (BBC, 14 February 2005) **[4o]** The BBC further reported on 13 February 2005 that "A total of 280,303 Iraqi exiles in 14 countries registered to vote – roughly one in four of those eligible to do so." **[4p]** The overall turnout across the country was 58 per cent of registered Iraq voters. **[4n] [4o] [17c]**

3.11 There were 111 political parties and coalitions, with a total of 7,500 candidates represented in the election. (*The Guardian*, 27 January 2005) **[6p]** However, Iraq's major Sunni political groups boycotted the election because of the continued violence in the Sunni areas of the country. (IWPR, 14 February 2005) **[11r]** Many other Sunni Arabs were prevented from voting by the insurgency. (The Economist, 17 February 2005) **[19a] (p2)** Turnout was particularly low in many Sunni-dominated areas following calls by clerics to boycott the election and threats of violence by insurgents. (*The Guardian*, 14 February 2005) **[6t]** (CNN, 14 February 2005) **[17c] [6t]**

3.12 The results of the election were announced on Sunday 13 February 2005 having initially been delayed. (CNN, 14 February 2005) **[17c]** Iraqi officials said that the contents of 300 ballot boxes needed recounting because of various discrepancies. (*The Guardian*, 9 February 2005) **[6f]**

3.13 The Shi'a United Iraqi Alliance (UIA), backed by Grand Ayatollah Ali al-Sistani, won the election with 48 per cent of the votes cast and 140 seats in the 275-seat National Assembly. (BBC, 14 February 2005) **[4n]** (CNN, 14 February 2005) **[17c]** The Kurdistan Alliance List, led by Jalal Talabani, obtained 26 per cent of the vote and 75 seats in the National Assembly, while the Al-Qaimah al-Iraqiyah (Iraqi List), led by the former interim Prime Minister Ayad Allawi, gained 14 per cent and 40 seats. **[4r] [6t] [6p] [17c] [11p] [37a]**

3.14 The Kurdistan Alliance List gained the majority of the vote in Arbil with 95 per cent, Dahuk with 95 per cent, Ninawa with 38 per cent, Sulaymainyah with 92 per cent and Tamin with 59 per cent. (Psephos, accessed on 17 February 2005) **[37b]**

3.15 The DFID report, February 2005, explained that "93,000 Iraqi monitors and party agents oversaw the administration of the elections, together with 600 international monitors." **[59c] (p1)** Reports by the IWPR, dated 14 February 2005, and *The Guardian*, dated 15 February 2005, indicated many Sunnis protested that the election was flawed and unfair. **[6t] [11r]** The BBC reported, on 17 February 2005, that "Election commission spokesman Farid Ayar told al-Arabiya television that 47 complaints had been filed and most were resolved." **[4r]** On 14 February 2005, *The Guardian* reported that many world leaders welcomed the results of the election. The report continues "But the

Turkish foreign ministry said in a statement that voter turnout in some regions was low and charged that there were 'unbalanced results' in several regions, including Kirkuk." **[6u]**

3.16 As the UIA failed to get 50 per cent of the vote the Shi'as and the Kurds shared the balance of power. (*The Guardian*, 14 February 2005) **[6q]** (IWPR report, accessed on 17 February 2005) **[11s]**

3.17 Following the formation of the Presidency Council, Jalal Talabani was sworn in as President of Iraq on 7 April 2005. (UNSC report, 7 June 2005) **[38b] (p2)** Ibrahim al-Jaafari was appointed as Iraq's next interim Prime Minister. (*The Guardian*, 7 April 2005) **[6o]**

3.18 Voters in the three Kurdish provinces (Sulaimaniyah, Arbil and Dohuk) also elected a 111-member Iraqi Kurdistan National Assembly. (IWPR) **[11q]** The Human Rights Watch (HRW) statement, released 1 February 2005, notes that "The two main Kurdish political parties, the Kurdistan Democratic Party (KDP) and Patriotic Union of Kurdistan (PUK), formed a joint list for the national and Kurdish assemblies. They did, however, compete in local provincial elections and both parties complained of some threats and manipulation by the other side." **[15c]** The Kurdistan Democratic List gained the majority of votes in the Kurdistan legislative election with 90 per cent of the votes and 104 seats in the Kurdistan National Assembly. **[37c]**

3.19 The leader of the KDP, Massoud Barzani, was sworn in as the new regional president of Iraqi Kurdistan on 12 June 2005. (BBC, 14 June 2005) **[4g]**

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Referendum on the Constitution, October 2005

3.20 The FCO states in a report (accessed on 21 November 2005) that:

"On 25 October [2005], it was announced that the Constitution was passed in the referendum held on 15 October [2005]. 78 percent of Iraqis nation-wide voted in favour in a turnout of 63 percent. There was a majority Yes vote in 15 out of the 18 Governorates; in 12 of these, the Yes vote was over 90 percent. The International Electoral Commission for Iraq said there were few irregularities and these would not materially affect the overall result." **[66l]**

3.21 An IWPR article, dated 15 November 2005, states that "Dozens of policemen and government employees in Sulaimaniyah province have been reprimanded, fired or imprisoned for not voting in the constitutional referendum. … Kurdish officials and a police chief admitted they punished government employees for not voting, saying they had a democratic duty to go to the polls." **[11i]**

Election, December 2005

3.22 The general elections were held in Iraq on 15 December 2005 to elect the first permanent government and parliament (Council of Representatives) since the US-led invasion. (BBC, 20 January 2006) **[4i]** (UNSC, 3 March 2006) **[38e] (p1)**

3.23 Under the new electoral law, the political parties had to submit separate lists of candidates for each governorate rather than a single national list as required during the previous election. The UNSC report, dated 3 March 2006, notes that "The lists were subjected to close scrutiny by the De-Baathification Commission as required by the electoral law. As a result, about 200 candidates were disqualified from the election as they did not meet the requirements of the De-Baathification regulations." **[38e] (p2)**

3.24 Many safeguards were established to guarantee a fair, genuine and transparent election including pre-election and post-election auditors, field monitors and accredited observers. **[38e] (p2)** The UNSC report, dated 3 March 2006, notes that "Overall, election day was calm and no major incidents were reported." **[38e] (p1)**

3.25 Al-Jazeera reported, on 15 December 2005, that voter turnout was high. **[84a]** 12,194,133 (over 75 per cent of the population) valid votes were cast. (UNSC report, 3 March 2006) **[38e] (p1)**

3.26 Sunni Arabs, who boycotted the last election in January 2006, appeared to have voted in large numbers. (BBC, 15 December 2005) **[4af]** The UNSC report, dated 3 March 2006, mentions that "Several Sunni Arab and tribal leaders encouraged local populations to support the electoral process and in some areas provided protection to polling centres." **[38e] (p2)**

3.27 The election resulted in 12 political entities and coalitions, representing a broad political, ethnic and religious spectrum, winning seats in the Council of Representatives. (UNSC, 3 March 2006) **[38e] (p3)** Several articles noted that the Shi'ite-led United Alliance (UIA) won 128 seats in the 275-member parliament, compared to 146 in the January election. The Kurdistan Coalition won 53 seats, compared to 75 last time, and the Sunni-led Iraqi Accordance Front won 44 seats. **[22k] [11h] [85a] [6g]**

3.28 The Kurdistan Coalition gained the majority of the vote in Arbil with 94.7 per cent, Dahuk with 90.3 per cent, Sulaymainyah with 87.2 per cent and Kirkuk (At-Tamin) with 53.4 per cent. (Psephos report, accessed on 2 February 2006) **[37d]**

3.29 The Associated Press (AP) mentioned in a report, dated 20 January 2006, that:

> "Sunnis fared better – and Kurds poorer – because of a change in the election law between the two national elections last year. In the January 2005 balloting, seats were allocated based on the percentage of votes that tickets won nationwide. In the December vote, candidates competed for seats by district. This meant that Sunnis were all but guaranteed seats from predominately Sunni areas." **[65f]**

3.30 The results of the poll were delayed several weeks after a number of political parties and political movements, known as the Maram Movement accused the UIA of electoral fraud and organised street protests. The Movement protested against intimidation, ballot stuffing, over-registration, improper apportionment of seats to governorates and other election-related practices. The protests declined after international monitors were asked to review the work of the

Independent Electoral Commission in Iraq (IECI). (IWPR, 26 January 2006) **[11h]** (UNSC, 3 March 2006) **[38e] (p3)**

3.31 The International Mission for Iraqi Elections (IMIE) report, dated 19 January 2006, states that:

"Some 2000 complaints were submitted, alleging a wide range of electoral violations and irregularities that include ballot box stuffing and theft; tally sheet tampering; intimidation; violence; voter list deficiencies; shortages of ballots; multiple voting; improper conduct of the police and Iraqi National Guard; voting by security forces who had previously voted on the special voting day; campaigning within polling centers; and non-observance of the silent day. Many of the complaints deemed most serious by the IECI were properly investigated and judiciously resolved. Where IECI staff were found to have violated elections law, the Board applied sanctions to its staff, including fines and dismissal." **[86a] (p4)**

3.32 The same report notes that "Violations of the law led the IECI to cancel the vote in 227 out of some 30,000 polling stations. This has left void a great number of fraudulent ballots, but has simultaneously annulled the ballots of many Iraqis who had cast their ballots in a proper manner." **[86a] (p4)**

3.33 The UNSC report, dated 3 March 2006, nevertheless, mentions that:

"In conclusion, the election was conducted transparently and credibly. It was an inclusive exercise that succeeded in incorporating all of Iraq's numerous communities and political parties. The fact that it generally met international standards is not a small achievement, given that the election took place against the backdrop of an ambitious timetable and a very challenging political and security environment." **[38e] (p3)**

3.34 The CSIS report, dated 19 June 2006, states that:

"The period between the actual election on December 15, 2005, and the formation of an Iraqi government on May 20, 2006 left Iraq in political turmoil for nearly half a year. Even then, it was not until June 8th that the newly elected government could agree on a Minister of Defense, Minister of the Interior, and National Security Advisor. …

"Throughout this period, insurgents attacked the sectarian and ethnic fault lines in Iraqi politics and society, successfully provoking steadily rising Shi'ite and Kurdish tension, and growing violence, including disappearances, kidnappings, and action by various death squads." **[63a] (p8)**

See also Annex A on Chronology of major events

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RECENT DEVELOPMENTS

GOVERNMENT OF NATIONAL UNITY

4.01 The first permanent government, since the overthrow of the Saddam regime in 2003, was sworn in on 20 May 2006. (Associated Press, 20 May 2006) **[65d]** (Associated Press, 20 May 2006) **[65c]** (Knight Ridder, 20 May 2006) **[13c]** (RFE/RL, 21 May 2006) **[22p]** (RFE/RL, 20 May 2006) **[22q]** (RFE/RL, 20 May 2006) **[22f]** The Iraqi government of national unity was formed following the general election in December 2005 and subsequent negotiations between religious and ethnic groups in Iraq. (Associated Press, 20 May 2006) **[65d]** (RFE/RL, 20 May 2006) **[22q]**

4.02 Parliament met on 22 April 2006 to elect a president, two vice-presidents, a parliamentary speaker and two deputies. (IRIN, 23 April 2006) **[18a]** *The Duluth News Tribune* reported, on 22 April 2006, that "The top political parties agreed that Jalal Talabani, a Kurd, should remain president. Adil Abdel Mahdi, a Shiite, was nominated to remain one of the country's two vice presidents. The other vice president chosen was Sunni leader Tariq al-Hashimi." **[60b]**

4.03 IRIN news stated, on 23 April 2006, that "Mahmoud al-Mashhadani, a Sunni leader from the Iraqi Accord Front, the mainly Sunni Arab Islamist coalition and the major Sunni bloc in parliament, was named parliamentary speaker." **[18a]** The article adds that "Shi'ite politician Adel Abdul Mehdi and Sunni politician Tariq al-Hashimi were also nominated for the posts of deputy presidents. Shi'ite religious leader Khalid al-Attiyah and Kurdish politician Aref Tayfour, meanwhile, were named deputy speakers." **[18a]**

4.04 Nouri Kamel al-Maliki (also known as Jawad al-Maliki) was named prime minister-designate by President Jalal Talabani. (IRIN, 23 April 2006) **[18a]**

4.05 The Council on Foreign Relations (CFR), stated in a report, on 22 April 2006:

> "The United Iraqi Alliance (UIA), a Shiite political bloc that won the most votes in December, had been divided for months over the post of prime minister. Ibrahim al-Jaafari, the embattled incumbent, originally won the nomination by a narrow vote in February, but after intense pressure from the United States, from Kurdish and Sunni Arab leaders, and from within the UIA, Jaafari decided on April 20 [2006] to abandon his bid for the premiership. **[8e]**

4.06 Al-Maliki, a Shi'a Muslim, is the deputy leader of the Islamic Daawa Party. In 1980, the Saddam regime sentenced al-Maliki to death for his activism in the Islamic Daawa party and he consequently fled the country. (*The Daily Telegraph*, 23 May 2006) **[48b]** (BBC, 22 April 2006) **[4v]** *The Daily Telegraph* reports that "Although he first went into exile in Iran, he soon moved to Syria after clashing with the regime in Teheran over his refusal to support them in the Iran-Iraq war." **[48b]**

4.07 Following his return to Iraq after the overthrow of the Saddam regime in April 2003, al-Maliki served on a de-Baathification committee. (CFR, 22 April 2006) **[8e]** (BBC, 22 April 2006) **[4v]** (Aljazeera, 22 April 2006) **[84c]** The CFR report, dated 22 April 2006, adds that "He was also a hard-line negotiator during the constitution-drafting process, resisting U.S. attempts to get more Sunni Arabs

involved." **[8e]** Al-Maliki was approved and inaugated Prime Minister designate on 20 May 2006. **[65c]**

4.08 Al-Maliki named, and the members of the National Assembly approved, the 37-member cabinet on 20 May 2006. (RFE/RL, 20 May 2006) **[22f]** The new cabinet was composed of representatives from all groups in society including Shi'a, Sunnis and Kurds. (RFE/RL, 20 May 2006) **[22f]** (BBC, 22 May 2006) **[4a]** On 8 June 2006, the Iraqi parliament approved the three key security posts, nearly three weeks after the other posts in the cabinet were filled. During that time, the posts had been temporarily filled. (BBC, 8 June 2006) **[4j]** (*The Times*, 8 June 2006) **[5a]**

4.09 *The Times* states that "The three posts are critical if Iraq is to combat the daily bloodshed: the defence minister will run the army, the interior minister will lead the national police and the national security minister will advise the prime minister on security issues." **[5a]** The report continues:

"The new interior minister, Jawad al-Bolani, is also Shia but, as an independent member of the dominant Shia United Iraqi Alliance, is considered neutral. Previously unknown in political circles, he said he had worked as an engineer in the Iraqi air force until 1999.

"The new defence minister, Iraqi Army General Abdul-Qader Mohammed Jassim al-Mifarji, is a Sunni who is not affiliated with any party. He said that he was forced out of the military and Saddam's Ba'ath party in 1991 after criticising the invasion of Kuwait and given a seven-year prison term.

"The new national security minister, Sherwan al-Waili is also a Shia, but is considered neutral." **[5a]**

4.10 The US Library of Congress (last updated in August 2006) states that "In June 2006, the approval of a full, permanent government under Prime Minister Nouri al Maliki followed months of harsh debate about power distribution among Iraq's major sects. The effectiveness of the new coalition government remained in doubt, however, and reconstruction of the economy and civil society remained slow." **[33a] (p4)**

4.11 An article in Knight Ridder, dated 20 May 2006, reports that "Al-Maliki and his cabinet will serve for four years under Iraq's current constitution." **[13c]**

4.12 The UN Assistance Mission for Iraq (UNAMI) report, dated 1 May–30 June 2006, states that "The parliament of the Region of Kurdistan approved a new unified cabinet on 7 May." **[39a] (p20)**

4.13 The UNSC report, dated 1 September 2006, notes that:

"On 14 June 2006, the Government launched a security plan for Baghdad aimed at addressing the increased level of violence and growing criminality, which are undermining its efforts of reconciliation and dialogue. The second phase of the Baghdad security plan was initiated at the beginning of August 2006 with the redeployment of additional troops of the Multinational Force to the capital.

"On 25 June 2006, the Prime Minister, Nouri al-Maliki, unveiled the National Reconciliation Plan. The 24-point Plan called for a qualified amnesty, the release of detainees, the reform of the legal and judicial systems, the provision of assistance to areas that are prone to violence, the facilitation of dialogue on constitutional and related matters, and the resolution of the problem of militias. The Plan also acknowledged the idea of an Iraqi-led Baghdad peace initiative, emphasized the need for regional support to achieve peace and stability in Iraq, and recognized the efforts of the League of Arab States to convene a conference on Iraqi national accord. The Plan also provided for the establishment of the High Committee for National Reconciliation, which held its first session on 22 July 2006. The composition of the Committee has not yet been finalized owing to a difference in views concerning membership criteria." **[38g] (p2)**

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DEATH OF ABU MUSAB AL-ZARQAWII

4.14 On 7 June 2006, Abu Musab al-Zarqawi, head of Tandhim Qa'idat al-Jihad fi Bilad al-Rafidayn (al-Qa'ida of Jihad Organization in the Land of Two Rivers), was killed during an air raid while attending a meeting. **[5b]** Two US Air Force F16 jets dropped 500lb bombs on a farmhouse near Baqubah, north of Baghdad. **[4d] [6ac] [22e]** It was reported that six others were killed of whom three were men and three were women. (BBC, 9 June 2006) **[4d]**

4.15 *The Times* reported, on 8 June 2006, that "For months a rift had been growing between al-Zarqawi's foreign fighters and Iraqi insurgents. The dissidents apparently believed that the tactics of the Jordanian, who kidnapped, beheaded and bombed at will, were too extreme, and wanted to join the political process." **[5b]**

4.16 *The Guardian* stated on, 9 June 2006, that:

"The hunt for the Jordanian-born insurgency leader began more than three years ago, almost immediately after the collapse of Saddam Hussein's regime, but was marked by a series of near misses. At one point late last year Zarqawi's laptop was found, but he slipped though the net, and there were also reports that he had been captured, and freed again, by US troops who failed to recognise him." **[6ac]**

4.17 The safehouse itself was watched by the joint US-Iraqi military task force for over six weeks before Zarqawi was observed entering the building. (BBC, 8 June 2006) **[4d]** The CFR report, dated 8 June 2006, states that "The attack was the product of a prolonged intelligence effort to track down the terrorist leader, and was reportedly helped along by a tip from Jordan's intelligence service that Zarqawi planned to hold a meeting in nearby Baquba." **[8f]** Following the air raid the Iraqi police were first on the scene, closely followed by coalition forces. (BBC, 8 June 2006) **[4d]**

4.18 *The Times* reported, on 8 June 2006, that "The US military claimed success well beyond the death of al-Zarqawi. It said that it had mounted 17 raids on

other suspected al-Qaeda hideouts in and around Baghdad, producing a 'treasure trove' of information." **[5b]**

4.19 Coalition forces confirmed that Zarqawi's body was identified by fingerprints, facial recognition, and known scars. (RFE/RL, 8 June 2006) **[22e]** (BBC, 8 June 2006) **[4d]**

4.20 *The Independent* reported, on 8 June 2006, that "It was a major victory in the US-led war in Iraq and the broader war on terror." **[85c]** AFP also noted, on 9 June 2006, that "… he [President Bush] warned that violence that has claimed the lives of nearly 2,500 US troops and left many more wounded will 'carry on without him (Zarqawi).'" **[21a]**

4.21 Following the death of al-Zarqawi and subsequent bombings, police imposed a curfew in Baghdad and the Diyala province. (BBC, 9 June 2006) **[4b]** (CNN, 9 June 2006) **[17d]** AFP added, on 9 June 2006, that "Vehicles were banned from the streets of Baghdad and nearby Baquba, close to where Zarqawi was killed, from 11:00 am (0700 GMT) until 5:00 pm (1300 GMT), coinciding with Friday prayers." **[21a]**

4.22 On 12 June 2006, it was announced that Sheikh Abu Hamza al-Muhajir would succeed al-Zarqawi as leader of Al Qaeda in Iraq. (Reuters, 13 June 2006) **[7b]** The organisation also vowed to carry on his holy war against US-led forces. (*The Times*, 13 June 2006) **[5d]** The report stated that "President Bush said that al-Muhajir would have a bounty on his head, like his predecessor. There was a $25 million (£13.5 million) bounty on al-Zarqawi's head." **[5d]**

THE EXECUTION OF SADDAM HUSSEIN AND TWO CO-DEFENDANTS

4.23 Saddam Hussein was sentenced to death by the Iraqi High Tribunal (IHT) on 15 November 2006 over the torture and executions of 148 Shias from the town of Dujail in the 1980s. The appeal court of the IHT unanimously rejected the appeals of Saddam Hussein and two co-defendants, Barzan al-Tikriti and Awad al-Bandar, on 26 November 2006 and despite requests by a number of human rights organisations, Saddam Hussein was executed on 30 December 2006. (BBC, 8 January 2007) **[4al]** (*The Times*, 30 December 2006) **[5g]** (UNAMI, 1 November-31 December 2006) **[39f] (p3and22)** (The Telegraph, 1 January 2007) **[48g]** The other two co-defendants were executed on 15 January 2007. (BBC, 9 February 2007) **[4i]**

4.24 Following his capture, Saddam Hussein was held by the US forces at Camp Cropper in Baghdad. The legal hearing began in July 2004 at the formerly named Iraqi Special Tribunal (IST). Saddam was charged the following July with the killings of the inhabitants of the Dujail. Saddam Hussein and six co-defendants had pleaded not guilty to charges of war crimes and crimes against humanity. (UNAMI, 1 November-31 December 2006) **[39f] (p22)** On hearing his sentence to death on 15 November 2006, Saddam Hussein shouted in court that "God is great! Long live Iraq, Long live the Iraqi people? Down with the traitors!" (*The Times*, 30 December 2006) **[5g]**

4.25 The UNAMI report, dated 1 November-31 December 2006, stated that "A video of the execution of Saddam Hussein was released through the internet on 31 December, showing inappropriate conduct on the part of guards at the

facility used for the hanging. The video sparked an outcry of criticism nationally and internationally." **[39f] (p22)**

4.26 The BBC reported that Barzan Ibrahim al-Tikriti and Awad Ahmrd al-Bandar were executed on 15 January 2007, during which al-Tikriti's head was decapitated. There was outcry among the international community as Iraqi officials admitted that the decapitation had occurred because the rope was too long. **[4an] [5h]**

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CONSTITUTION

5.01 On 9 April 2003 Saddam Hussein's regime collapsed and the US established the Coalition Provisional Authority (CPA) to run the country. **[1b] (p2189) [4i] (p4)** On the 8 March 2003 the CPA signed the Transitional Administrative Law (TAL), which acted as the Supreme Law of Iraq, during the transitional period. **[1c] (The Constitution) [4m] [54a] (p1)**

5.02 On 10 May 2005, a Constitutional Drafting Committee was set up by the Transitional National Assembly (TNA) to draft a constitution by 15 August 2005. **[1c] (The Constitution) [38b] (p2)** Although the deadline was repeatedly extended so the draft could be finished, the TNA did not vote on the draft constitution when it was presented to the TNA on 28 August 2005 because an agreement could not be reached on a number of important issues. (RFE/RL, 29 August 2005) **[22a] (p1)** (UNSC, 7 December 2005) **[38d] (p2)**

5.03 The UNSC report, dated 7 December 2005, noted that a further amended draft was presented to the TNA on 18 September 2005 without a vote, but there was a significant absence of Sunni Arab participation. "Following further negotiations, additional amendments were agreed upon and read out in the Assembly without a vote on 12 October [2005]." **[38d] (p3)**

5.04 Nevertheless, the Constitution was eventually passed on 25 October 2005 after it was approved in a referendum held on 15 October 2005. (FCO, accessed on 21 November 2005) **[66l]**

5.05 Article 144 of the Constitution states "This Constitution shall come into force after the approval of the people thereon in a general referendum, its publication in the Official Gazette and the seating of the government that is formed pursuant to this constitution." **[82a] (p42)** The Constitution was published in the Official Gazette on 28 December 2005 (UNSC, 3 March 2006) **[38e] (p3-4)** and the Government was sworn in on 20 May 2006. (Associated Press, 20 May 2006) **[65d]** (Associated Press, 20 May 2006) **[65c]** (Knight Ridder, 20 May 2006) **[13c]** (RFE/RL, 21 May 2006) **[22p]** (RFE/RL, 20 May 2006) **[22q]** (RFE/RL, 20 May 2006) **[22f]**

5.06 The FCO, in a letter dated 8 March 2006, states that "Although this represents agreement on the text, the constitution mandates the need for 62 laws to regulate basic constitutional principles and the establishment of 21 institutions and organisations. As a result the Council of Representatives (new parliament) will be required to draw up legislation to enact the Constitution." **[66i]**

5.08 The same letter notes that "As well as the legislation required the Council of Representatives will be tasked to carry out a review of the Constitution. …" **[66i]** Article 142(1) of the Constitution stipulates that:

> "The Council of Representatives shall form at the beginning of its work a committee from its members representing the principal components of the Iraqi society with the mission of presenting to the Council of Representatives, within a period not to exceed four months, a report that contains recommendations of the necessary amendments that could be made to the Constitution, and the committee shall be dissolved after a decision is made regarding its proposals." **[82a] (p42)**

5.09 The CSIS report, dated 30 November 2006, states that "The creation of a new constitution has done nothing to establish consensus and much to divide the nation. It leaves more than 50 areas to be clarified, all of which involve potentially divisive debates between sectarian and ethnic groups, and most of which could lead to added tensions over the role of religion in the state." **[63c] (piii)**

5.10 The UNHCR advisory paper, dated 18 December 2006, notes that "Major political issues remain unresolved including the issue of federalism, distribution of oil and de-Ba'athification," **[40f] (p2)**

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POLITICAL SYSTEM

6.01 According to Article 1 of the Constitution "The Republic of Iraq is a single federal, independent and fully sovereign state in which the system of government is republican, representative, parliamentary, and democratic, and this Constitution is a guarantor of the unity of Iraq." **[82a] (p2)**

6.02 The Constitution stipulates that "The law is sovereign. The people are the source of authority and legitimacy, which they shall exercise in a direct, general, secret ballot and through their constitutional institutions." It also states that "Transfer of authority shall be made peacefully through democratic means as stipulated in this Constitution." **[82a] (p3)** The minimum voting age is 18. **[33a] (p19)**

6.03 The Constitution stipulates that the executive branch should consist of a president; a prime minister and a governing body, namely the Council of Ministers. **[33a] (p16)**

6.04 The US Library of Congress stated, in August 2006, that:

> "The prime minister, who is selected by the president from the majority party of the parliament and with the parliament's approval, presides over the Council of Ministers, exercises executive responsibility for the running of the government, and acts as commander in chief of the armed forces. The Council of Ministers, whose members are nominated by the prime minister, is to plan and administer the general policies of the state, propose laws and budgets, negotiate treaties, and oversee the national security agencies." **[33a] (p16)**

6.05 The President is the Head of State. (FCO, 29 June 2006) **[66e] (p1)** However, the Economist report, dated 10 December 2004, explains that "The prime minister enjoys executive authority in the government, while the positions of president and vice-president are largely ceremonial." **[19b]**

6.06 Elections for a permanent parliament (Council of Representatives) were held on 15 December 2005. (UNSC, 3 March 2006) **[38e] (p1)** Several articles reported that the Shi'ite-led United Alliance (UIA) hold 128 seats in the 275-member parliament. The Kurdistan Coalition hold 53 seats and the Sunni-led Iraqi Accordance Front hold 44 seats. The Iraqi National List hold 25 seats, the Sunni-dominated National Iraqi Dialogue Front hold 11, the Islamic Union of Kurdistan hold five seats, and the Liberation and Reconciliation Gathering hold three seats. The Progressives List hold two seats and the Al-Rafedeen List, the Iraqi Turkoman Front, the Mithal al-Aloosi List for the Iraqi Nation and Al Ezediah Movement for Progress and Reform hold one seat each. **[22k] [11h] [38e] (p3) [85a] [6g]**

(See also section 3 on Election 2005)

6.07 The government was sworn in on 20 May 2006. (Associated Press, 20 May 2006) **[65d]** (AP, 20 May 2006) **[65c]** (Knight Ridder, 20 May 2006) **[13c]** (RFE/RL, 21 May 2006) **[22p]** (RFE/RL, 20 May 2006) **[22q]** (RFE/RL, 20 May 2006) **[22f]** Jalal Talabani remained president, while Nouri Kamel al-Maliki was named prime minister-designate. (IRIN, 23 April 2006) **[18a]** (*Duluth News Tribune*, 22 April 2006) **[60b]**

6.08 The FCO country profile (last updated on 29 June 2006) states that:

"For the first time Iraq has a four-year government of national unity directly elected by just over 12 million people. PM al-Maliki announced his cabinet on 20 May and the final three Ministerial positions of Defence, Interior and Security were filled on 8 June. Although a long time coming the result is a government that is inclusive of all the main elements of society. Many challenges lie ahead: restoring security; entrenching national unity and reconciliation; improving governance and promoting economic reform." **[66e] (p6)**

6.09 The US Library of Congress reported, in August 2006, that "Four ministers were women. In an attempt to broaden support for his government, in mid-2006 Maliki established the Supreme Committee for Reconciliation and National Dialogue, which included members from a wide cross-section of social groups." **[33a] (p17)**

6.10 The report adds that:

"The constitution of 2005 gives legislative power to two bodies, the Council of Representatives and the Council of Union. The Council of Union, whose form and role were yet to be determined in 2006, is to act as an appointive upper house representing the 18 governorates (provinces) of Iraq. The Council of Representatives, the working legislative body, consists of 275 members elected for four-year terms. The council is to pass laws; elect the president and generally oversee the executive branch; ratify treaties; and approve nominations of the prime minister, cabinet ministers, and other officials. The presidential election requires a two-thirds vote of the Council of Representatives; approval of the heads of ministries requires a simple majority." **[33a] (p17)**

6.11 The US Library of Congress stated, in August 2006, that:

"From Iraq's independence in 1932 until approval of the 2005 constitution, provincial and local governments were completely subordinate to the central government. The constitution of 2005 allots wide powers to the federal government but explicitly stipulates shared powers in customs, health, education, and environmental and natural resource policy and relegates all nonstipulated authority to the subnational jurisdictions. …

"Governorates are subdivided into districts, which also are administered by elected councils. At the lowest level of subnational governance are municipalities and townships. In 2006 councils were in place in all 18 governorates, 90 districts, and 427 municipalities and townships. The governorate legislative councils each had 41 seats except for Baghdad's, which had 51." **[33a] (p18)**

6.12 The US Library of Congress stated, in August 2006, that "The remaining 45 seats were distributed as 'compensation' to parties whose vote totals exceeded their proportional representation among the first 230 seats." **[33a] (p19)**

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POLITICAL SYSTEM IN THE KURDISH REGIONAL GOVERNMENT (KRG) AREA

6.13 Article 117(1) of the Constitution 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)**

6.14 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)**

6.15 The US Library of Congress notes, in August 2006, that according to the Constitution, the Kurdish parliament "… has jurisdiction on all matters except foreign policy, diplomatic representation, security, defense, and fiscal matters including currency. Those matters are the responsibility of Iraq's national government." **[33a] (p18)**

6.16 An FCO letter, dated 6 December 2006, adds that:

"The seat of the KRG is in Erbil. According to the new power-sharing agreement, the KDP will head/heads the KRG Ministries of Finance, Peshmerga Affairs, Higher Education, Agriculture, Martyrs, Culture, Electricity, Natural Resources, Municipalities, Sports and Youth as well as the Ministry for Extra-Regional Affairs. The PUK oversees the Interior, Justice, Education, Health, Social Affairs, Water Resources, Transportation, Reconstruction, Planning and Human Rights ministries. The KRG Ministries of Finance, Peshmerga Affairs, Justice and Interior should unite within one year. The KIU, the KIG as well as the Turkmen and Chaldo-Assyrian parties are heading the remaining ministries." **[66n]**

6.17 Elections were held on 30 January 2005 to elect the 111-seat Kurdistan National Assembly (KNA), at the same time as elections for the TNA. (Peyamner, 14 February 2005) **[29a]** (UNHCR COI, October 2005) **[40c] (p13)**

6.18 The Kurdistan Islamic Group in Iraq came second with 4.9 per cent of the vote and 6 seats in the Kurdistan National Assembly while the Kurdistan Toilers Party gained 1.2 per cent and one seat. (HRW, 1 February 2005) **[15c]** (Psephos report, 17 February 2005) **[37c]** (See also Annex I on the Iraqi Kurdistan election results and Annex B on Political organisations) The parties agreed that Massoud Barzani (head of the KDP) should retain the position of regional President of the KRG on 21 January 2006, while Nechirvan Barzani should serve as Prime Minister. (FCO, 6 December 2006) **[66n]** (US Library of Congress, August 2006) **[33a] p18)** "Furthermore, a new post of Vice-President was established and filled by the PUK politburo executive chief Kosrat Rasul Ali. The Vice-President will also serve as the Deputy Commander-in-Chief of the Peshmerga Forces of the Kurdistan Region." (FCO, 6 December 2006) **[66n]**

6.19 An FCO letter, dated 6 December 2006, notes that "… the PUK and KDP each have 14 ministers in the unified government and their overall size and importance are generally considered to be roughly the same. KDP influence is to the centre and west of the Kurdish Region, whereas the PUK stronghold is in the south and east." **[66n]**

6.20 The UNHCR Sulaymaniyah Governorate Assessment Report, August 2006: notes that:

"The Permanent Constitution, approved in a referendum in October 2005, provides for the adoption of a Regional Constitution defining the structure of the Regional Government and its areas of jurisdiction. The Regional Government can exercise its authority provided that exercise does not conflict with the Permanent Constitution (Article 119). After months of intense debate between different parliamentary blocks, a draft of the Regional Constitution was finalized at the end of August 2006. Controversial issues concerned the status of Islam in the Regional Constitution, the borders of the Kurdistan Region and its governing system. The Regional Constitution sets Islamic principles as one of the major sources of legislation despite opposition by secular groups and women's organizations. Despite initial reports that Kirkuk would be proclaimed capital of the Kurdistan Region in the constitution, Erbil has been designated regional capital. The draft states that Kirkuk and other disputed areas are part of the Kurdistan Region and that the boundaries of the Kurdistan Region shall be set in accordance with Article 140 of the Permanent Constitution. The draft also gives the Kurdish people the right of self-determination. According to Adnan Mufti, Speaker of the KNA, the draft Regional Constitution will soon be delivered to the KNA for ratification. It must also be submitted to a regional referendum in the three Northern Governorates of Erbil, Sulaymaniyah and Dohuk before it can enter into force." **[40f] (7-8)**

6.21 The CSIS report, dated 30 November 2006, states that "The Kurds are unified but tensions exist over 'independence,' dealing with the PKK, and past tensions between the PUK and KDP." **[63c] (piii)** The UNHCR advisory paper, dated 18 December 2006, notes that "Despite the recent unification of the two KRG administrations, the exercise of joint control still needs to be demonstrated on the crucial portfolios of Justice, Peshmerga Affairs, Interior and Finance. In addition, clarification is still needed regarding which Ministry is responsible for displacement issues." **[40e] (p5)**

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Human Rights

INTRODUCTION

7.01 Several reports observed that serious human rights violations continued to occur in Iraq. (USSD report 2005) **[2b] (p1)** (HRW World Report 2007) **[15o] (p1)** (ICG, 27 February 2006) **[25d] (p1)** (AI, 6 March 2006) **[28b] (p91)** (US Library of Congress, August 2006) **[33a] (p26)** (UNSC, 1 September 2006) **[38g] (p7)** (UNAMI, 1 September-31 October 2006) **[39e] (p1)** (UNAMI, 1 November-31 December 2006) **[39f] (p1)** (UNHCR COI, October 2005) **[40c] (p2-3, 131 and 139)** The UNAMI report claims that "… violence reached alarming levels in many parts of the country" **[39e] (p1)**. The sources stated the following areas of concern:

- torture and ill-treatment by government agents, MNF and armed groups
- extra-judicial executions, targeted and indiscriminate killings by government agents, MNF and armed groups
- targeted attacks against alleged supporters or associates of the Iraqi Government, the MNF and foreign construction companies
- disappearance and kidnapping
- poor conditions in prisons and pre-trial detention facilities
- arbitrary arrest and unlawful detention
- denial of fair public trial
- restrictions on religious freedom (including sectarian violence)
- death penalty
- widespread corruption and lack of transparency
- organised crime
- restrictions on freedom of movement
- discrimination against women, ethnic and religious minorities
- restrictions on freedom of speech, press, assembly and association
- excessive use of force, mistreatment and theft during raids of private homes
- evictions and demolitions of houses
- Internal displacement
- Poor humanitarian situation and inadequate medical facilities. (USSD report 2005) **[2b] (p1)** (HRW World Report 2007) **[15o]** (ICG, 27 February 2006) **[25d] (p1)** (AI, 6 March 2006) **[28b] (p91)** (US Library of Congress, August 2006) **[33a] (p26)** (UNSC, 3 March 2006) **[38e] (p11)** (UNSC, 1 September 2006) **[38g] (p7)** (UNAMI, 1 September-31 October 2006) **[39e] (p1)** (UNAMI, 1 November-31 December 2006) **[39f] (p1)** (UNHCR COI, October 2005) **[40c] (p2-3, 131 and 139)**

7.02 Despite Government efforts to address the growth in human rights violations and establish a rule of law, **[38g] (p7)** **[39e] (p1)** "State institutions have been unable to protect individuals from gross human rights violations or grant redress or compensation to the rapidly growing number of victims." (UNSC, 1 September 2006) **[38g] (p7)**

7.03 The UNAMI report, dated 1 September-31 October 2006, states that:

"The inability of law enforcement agencies and the justice system to protect the population of Iraq is reflected in the increasing ability of the militias and criminal gangs to operate with growing impunity. HRO receives continuing reports that the militias have infiltrated the police and security forces and act in

collusion with them. Furthermore, individual citizens and civil society organizations have frequently expressed their lack of confidence in the police and security forces to carry out their duties effectively." **[39e] (p2)**

7.04 The UNAMI report, dated 1 November-31 December 2006, states that "According to information made available to UNAMI, 6,376 civilians were violently killed in November and December 2006, with no less than 4,731 in Baghdad, most of them as a result of gunshot wounds… During 2006, a total of 34,452 civilians have been violently killed and 36,685 wounded." **[39f] (p2)**

7.05 There has been a significant increase in the number of deliberate attacks by insurgent groups on Iraqi civilians as well as counterinsurgency attacks by the MNF and the ISF. (USSD report 2005) **[2b] (p2)** (HRW World Report 2006) **[15i] (p1)** (ICG, 27 February 2006) **[25d] (p1)** (AI, 6 March 2006) **[28b] (p91)** (UNSC, 2 June 2006) **[38f] (p9)** (UNHCR COI, October 2005) **[40c] (p2-3, 131 and 139)**

7.06 The UNHCR guidance note, October 2005, states that "Although many Iraqis no longer face legal obstacles to the exercise of a range of human rights and have begun to make use of their new freedoms (a fact which is reflected by the steadily growing Iraqi civil society), the precarious security situation is nevertheless a major obstacle to the full enjoyment of these rights." **[40a] (p4)**

7.07 The report continues:

"There are growing indications that state persecution (including arbitrary arrest and unlawful detention, torture and ill-treatment as well as extra-judicial executions) is taking place in Iraq, in particular by Shiite-dominated police commandos working under the authority of the Ministry of Interior who have been accused of deliberately targeting Sunnis considered to be supporting the insurgency. The Iraqi authorities have admitted such incidents, but are currently not able to stop them." **[40a] (p8)**

7.08 The Iraqi Ministry of Human Rights, established in September 2003 by the Iraqi Governing Council (IGC), focused on past human rights atrocities. It also was tasked with safeguarding the human rights and fundamental freedoms of all Iraqi nationals. (UNHCR COI, October 2005) **[40c] (p129)**

7.09 The UNAMI report, dated 1 May–30 June 2006, states that:

"The new Government has outlined concrete steps required for the improvement of the security situation and is addressing human rights challenges in a more transparent manner. The Iraqi Government released thousands of detainees, expressed a commitment to engage in national reconciliation and dialogue, to address reform of the security forces, tackle the issue of militias, investigate human rights violations more forcefully and support the establishment of a National Commission for Human Rights." **[39a] (p1)**

7.10 The UNAMI report, dated 1 May–30 June 2006, states that:

"The negative effect of violence on professional categories, targeted by sectarian and criminal violence or displaced as a result, coupled with inadequate provision of basic services, also affected the level of education

and health care received by the population. Women, children and vulnerable groups, such as minorities, internally displaced and disabled persons continue to be directly affected by the violence and the ongoing impunity for human rights violations." **[39a] (p1)**

7.11 The UNAMI report, dated 1 September-31 October 2006, states that:

"Minorities have continued to be targeted. Attacks against Christians have intensified since September while other groups, such as the Sabean-Mandeans, continue to be targeted by extremists and their continuous presence in the country is endangered. Militias have forcibly evicted some Palestinian refugees from their homes and have attacked them with mortars and other fire arms." **[39e] (p3)**

7.12 The same report notes that "Targeting of professionals, intellectuals, political, tribal and religious leaders, Government officials and members of the security forces continued unabated. The effect of violence is also affecting education, as many schools and universities have failed to open or have had their schedules disrupted and educators, professors and students were forced to leave the country. Increasing activity of extremist groups inside universities negatively affect access to education." **[39e] (p3)**

7.13 The UNSC report, dated 5 December 2006, states that:

"The situation in Iraq has further deteriorated in many parts of the country with a significant rise in sectarian violence, insurgent and terrorist attacks, and criminal activities. The growing militia activities have led to further destabilization. Across many parts of the country, an increasing number of Iraqis have been affected by growing violence and insecurity. High levels of civilian casualties and displacement on a daily basis are breeding an increasing sense of insecurity and deep pessimism among Iraqis." **[38h] (p13)**

7.14 The UNHCR advisory paper, dated 18 December 2006, states that:

"… civilians as well as individuals of certain profiles are being targeted by terrorist groups and militias on a daily basis through intimidation and acts of terror aimed at uprooting and expelling individuals from their areas of residence on ethnic, religious, political or mere criminal grounds (this includes intellectuals, wealthy people, women and girls and minority groups). Furthermore, hostilities between the Multinational Forces (MNF)/Iraqi Security Forces (ISF) on the one hand and the armed insurgency on the other, continue unabated and are causing further population displacements." **[40e] (p1)**

7.15 The report adds that "Overall, the situation could be characterised as one of generalised violence and one in which massive targeted violations of human rights are prevalent." **[40e] (p1)**

"The ability of the Iraqi Government to protect the population is significantly undermined by the weakness of its nascent security structures, political divisions and the high level and intensity of ongoing sectarian violence, crime and insurgency, which occur on a daily basis with large numbers of civilian casualties.

"… the Iraqi authorities are not yet able to provide residents with basic protection from generalized violence and massive targeted violations of human rights." (UNHCR, 18 December 2006) **[40e] (p2)**

7.16 The UNHCR advisory paper, dated 18 December 2006, notes that;

"Despite positive developments on the political front, such as the approval of a Permanent Constitution in October 2005, the holding of Council of Representatives' elections in December 2005, the formation of a national unity government in May 2006 and the ongoing build-up of the ISF, the Iraqi authorities are not yet able to provide residents with basic protection from generalized violence and massive targeted violations of human rights. " **[40f] (p2)**

7.17 The same UNHCR advisory paper notes 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. Journalists and media organizations have repeatedly claimed that press freedom is restricted and criticism of the ruling parties can lead to physical harassment, arrest and imprisonment on fabricated charges. In 2005 and 2006, street protests due to lack of public services were at times violently suppressed, with large numbers killed, wounded or arrested. Furthermore, those perceived as sympathizers of Islamist groups may be at risk of being arbitrarily arrested and detained. In unofficial detention centres run by the political parties' security and intelligence apparatus, detainees 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." **[40e] (p6-7)**

7.18 The UNAMI report, dated 1 July–31August 2006, states that "While the Region of Kurdistan continues to enjoy relative tranquillity and better conditions of socio-economic development, specific human rights concerns remain regarding women's rights and freedom of expression." **[39c] (p19)**

7.19 The same report notes that "The Kurdish administrations in the three Northern Governorates have independent Ministries of Human Rights in Erbil and Sulaymaniyah." **[40c] (p129)**

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SECURITY SITUATION

8.01 Iraq has seen an significant increase in sectarian violence, insurgent attacks and criminal activities since the ousting of Saddam Hussein in March 2003. (*The Guardian*, 18 January 2006) **[6e]** (UNSC, 5 December 2006) **[38h] (p1)** The UNSC report notes that "The level of violence in Iraq remains elevated, with casualty levels among civilians at their highest since March 2006. **[38h] (p11)**

8.02 A number of sources noted that the worst affected areas were generally those with mixed populations. These included Baghdad, the towns of Latifiyah, Mahmoudiyah and Yusufiyah in the Babil governorate, the towns of Balad, Dujeil and Samarra in the Salah ad-Din governorate, the towns of Baquba and Muqdadiya in Diyala governorate, Al-Anbar governorate, Basra and the northern towns of Kirkuk and Mosul. (ICG, 27 February 2006) **[25d] (p1-2)** (UNSC, 3 March 2006) **[38e] (p12)** (UNHCR COI, October 2005) **[40c] (p2)** (Brookings Institution, October 2006) **[88b] (p17)**

8.03 A report by the Brookings Institution, of October 2006, states that "In these areas, campaigns to undermine mixed neighborhoods proceed in parallel. There tends to be less violence in areas where there is a functioning local authority – mainly the Kurdish North and the southern Shi'a towns (other than Basra)." **[88b] (p2)**

8.04 The situation was more stable in the three Northern Governorates of Dohuk, Erbil and Sulaymaniyah as well as in the lower south, although it remained unpredictable and tense. (ICG, 27 February 2006) **[25d] (p1-2)** (UNHCR COI, October 2005) **[40c] (p2)** (UNSC, 3 March 2006) **[38e] (p12)** The UNAMI report, dated 1 November-31 December 2006, detailed a number of attacks in Iraq. **[39f] (p7-9)**

8.05 However, the CSIS report, dated 19 June 2006, notes that "A combination of insurgent action, and sectarian and ethnic violence came to threaten virtually every governorate." **[63a] (p27)** This was echoed in an article by *The Independent*, dated 20 July 2006, which states that "All of the 18 provinces are dangerous, outside the three Kurdish provinces." **[85b]**

8.06 The same report notes that:

> "An unprecedented number of execution-style killings have taken place in Baghdad and other parts of the country, whereby bodies were routinely found dumped in the streets, in rivers and in mass graves- most bearing signs of torture with their hands and feet bound, and some were beheaded. This is the *modus operandi* used by both Sunni and Shiite armed groups, including insurgents and militias, who occasionally inform the authorities of the locations of the bodies. These killings also serve to intimidate the local population." **[39f] (p9)**

8.07 The Sunni-Shi'a Muslim divide was the main cause for the rise in sectarian violence in Iraq. (USSD International Religious Freedom report 2006) **[2f] (p3 and 6)** (USSD report 2005) **[2b] (p13)** (ICG, 27 February 2006) **[25d] (p1)** The ICG report, dated 27 February 2006, notes that "Its most visible manifestation is a dirty war being fought between a small group of insurgents bent on fomenting sectarian strife by killing Shiites and certain government commando units

carrying out reprisals against the Sunni Arab community in whose midst the insurgency continues to thrive." **[25d] (pi)**

8.08 The UNHCR COI report, October 2005, adds that:

"Parts of the insurgency have vowed to stir sectarian violence into an all-out civil war by deliberately targeting the Shiite community. It appears that Kurdish and Shiite-dominated security forces and militias tasked with defeating the deadly insurgency, often show little respect for humanitarian and human rights law when launching attacks on insurgent hotspots or when raiding houses and arresting suspected insurgents – including civilians, thereby increasing sectarian divisions." **[40c] (p1)**

8.09 The ICG report, dated 27 February 2006, reports that there were numerous incidents where armed groups have bombed groups of worshippers, mourners in funeral processions and shoppers in mostly Shi'a towns. **[25d] (p1-2)** The same report notes that "Mass casualties occur even when no political target is involved but the attackers seek to spread fear, anger and discord (fitna) …." **[25d] (p1-2)**

8.10 The UNSC report, dated 5 December 2006, states that "Intracommunal violence is also on the rise, with clashes reported between some Sunni tribes and among Shia groups in the south of Iraq." **[38h] (p11)** It also notes that "The succession of various initiatives to promote national reconciliation both inside and outside Iraq does not appear to have had a significant impact on the scale and nature of the violence in the country." **[38h] (p2)**

ORDER FOR SAFEGUARDING NATIONAL SECURITY

8.11 In July 2004 the IIG passed the Order for Safeguarding National Security allowing the Prime Minister to declare a state of emergency in any part of Iraq suffering ongoing violence for up to 60 days at a time. The state of emergency is renewable with the approval of the Presidency Council. (HRW, January 2005) **[15g] (p16)** (UNHCR COI, October 2005) **[40c] (p17)** The state of emergency allows the Prime Minister to restrict freedom of movement, impose curfews, declare restrictions or bans on public gatherings and powers to search property and detain suspects. (CNN, 20 January 2005) **[17b]** (UNHCR guidance note, October 2005) **[40a] (p3)**

8.12 The Order for Safeguarding National Security was first used in early November 2004 when former Prime Minister Allawi declared a 60-day state of emergency in all areas of Iraq except those administered by the KRG (Erbil, Dahuk and Sulaymanyah). (Europa World Online, accessed 12 August 2005) **[1c] (Recent History)** (UNSC, 8 December 2004) **[38c] (p1-2)** (UNHCR COI, October 2005) **[40c] (p17)** The UNHCR COI report, October 2005, notes that "The emergency law was extended on 6 January 2005 for 30 days to guard against attacks in the run-up to the nation's 30 January 2005 elections." **[40c] (p18)**

8.13 Since November 2004, the state of emergency has been renewed every month by the Prime Minister, but the new Constitution gives that power to the legislature. (Associated Press, 16 July 2006) **[65b]** (UNSC, 5 December 2006) **[38h] (p2)** (UNAMI, 1 November-31 December 2006) **[39f] (p21)** However,

according to the UNAMI report, of 1 May–30 June 2006, "It was never officially extended." **[39a] (p17-18)**

CIVILIAN DEATHS AND CASUALTIES

8.14 The UNAMI report, dated 1 November-31 December 2006, notes that "The civilian population remains the main victim of the prevailing security situation characterized by terrorist acts, action by armed groups, criminal gangs, religious extremists, militias, as well as operations by security and military forces." **[39f] (p2)**

8.15 The AI report, dated 25 July 2005, notes that:

"Just before, during and after the US-led war on Iraq a few prominent Muslim scholars and religious institutions outside Iraq issued fatwas (religious edicts) or statements giving their interpretation of Islam's position on the war and the reaction of Muslims. … Fatwas and statements by prominent Muslim figures before the war and during the first few months of Iraq's occupation did not clarify what forms the resistance should take and whether civilians, Iraqis or foreign nationals, who may be perceived as cooperating with the occupying forces, should also be targeted. They did not acknowledge limitations, such as those provided in international humanitarian law, on methods that may be used." **[28c] (p6)**

8.16 The UNAMI report, dated 1 November-31 December 2006, states that "… 6,376 civilians were violently killed in November and December 2006, with no less than 4,731 in Baghdad, most of them as a result of gunshot wounds. … During 2006, a total of 34,452 civilians have been violently killed and 6,685 wounded." **[39f] (p2)**

8.17 An article in *The Lancet* reported, on 21 October 2006, the results of a survey on mortality rates in Iraq. The survey reported that an estimated 654,965 'excess deaths' have taken place as a consequence of the war. **[102b]** However, the UNAMI report, dated 1 September-31 October 2006, notes that "The Government of the United States and Iraq as well as others, including the Iraq Body Count, an organization which has conducted other type of surveys, denied the validity of the study's findings. The Iraqi Minister of Health, in a statement made in Vienna, in early November, indicated that up to 150,000 Iraqi civilians might have been violently killed since 2003." **[39e] (p4)**

8.18 The last UNAMI report of 2006 stated that an average of 94 civilians were killed per day in Iraq. **[39f] (p4)** The UNAMI report, dated 1 September-31 October 2006, states that:

"Terrorist attacks and deliberate targeting of civilians continued to take place in several parts of the country. The purpose of the targeted attacks has mainly been to eliminate prominent members of a community, seek reprisal for the death of a family or sect member, often sparking sectarian violence, thus perpetuating the vicious cycle of revenge killings. Many of those attacks were random, and targeted mosques, crowded markets, restaurants, bakeries, bus stations and areas where labourers gather to search for work. Assassinations by drive-by shootings were frequently recorded as well. Some of these attacks appear to be directed towards a specific group, for instance in mixed areas

where the militants use the attacks to intimidate the members of the unwanted group so as to force them to leave." **[39e] (p6)**

8.19 The UNAMI report, dated 1 November-31 December 2006, states that:

"Areas of gathering such as mosques, market places, places where daily labourers search for work or police recruitment centres have become routine targets. No religious and ethnic groups, including women and children, have been spared from the widespread cycle of violence which creates panic and disrupts the daily life of many Iraqi families, prompting parents to stop sending their children to school and severely limiting normal movement around the capital and outside. The violence is equally disruptive of the political process and it prevents progress in the functioning of new Iraqi state institutions." **[39f] (p6)**

8.20 The CSIS report, on 22 June 2006, notes that "Almost 80% of civilian deaths occurred in 12 cities. Baghdad accounted for almost half of the civilian deaths during this period." The other cities included Fallujah, Nasiriya, Kerbala, Najaf, Mosul, Basra, Kirkuk, Hilla, Tikrit, Baquba and Samarra **[63b] (p112 and 115)**

8.21 The same report noted that:

"The situation is notably grave in Baghdad where unidentified bodies killed execution style are found in large number daily. Victims' families are all too often reluctant to claim the bodies from the six Medico-Legal Institutes (MLIs) around the country for fear of reprisals. The deceased's families are required to obtain permission from the police station which brought the body to the MLI but many are too afraid and believe that police officers could be responsible for the disappearances and killings. According to sources, most of all killings and location of unidentified bodies in Baghdad fall within the area of responsibility of six police stations, three in Sunni areas; Bilat Al Shuhada' in Dora; Al Qudis in Rashdiyah and Al Adhamiya in Al Adhamiya city, the three located in Shiite areas are; Al Tahtheb in Sadr city; Al Khansa' in Baghdad Al Jadeedah and Alshu'la in Al Shu'la city." **[39f] (p6)**

8.22 The CSIS report, dated 19 June 2006, states that "No province is yet fully safe from occasional attack, and the frequency and intensity of attacks have been only part of the story." **[63b] (p74)**

8.23 An article by *Le Monde Diplomatique*, dated 12 May 2006, states that:

"Iraq is simultaneously descending into both a civil war and a war of resistance against foreign occupation. The United States has been hoping to exploit the divide between Iraqi patriots and global jihadists, but the Sunni opposition is growing more structured and unified as it adapts to changing conditions, and may transcend those divisions." **[57a] (p1)**

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SECURITY IN CENTRAL AND WESTERN IRAQ

8.24 In December 2006, it was reported that the security situation in central and western Iraq was increasingly volatile, particularly in Baghdad, the governorates of Diyala, Al-Anbar and parts of the governorates of Salah ad Din. (UNSC, 5 December 2006) **[38h] (p11)** (UNAMI, 1 November-31 December 2006) **[39f] (p6)**

8.25 The UNSC report, dated 5 December 2006, states that "Baghdad remains the focus of armed activity and of efforts by the Government of Iraq and the multinational force to reduce the violence. By the end of October, violent incidents in the city had increased 22 per cent over the previous month. That trend was consistent with the spike in violence experienced during the holy month of Ramadan in the previous two years." **[38h] (p11)**

8.26 The report adds that "In areas near Baghdad, the insurgency remains potent, and since September there has been a marked increase in a number of significant attacks against Iraqi security forces, as well as the multinational forces. In particular, the international zone remains a target for armed groups from across the spectrum. The primary means of attack is indirect fire from the surrounding areas." **[38h] (p11)**

8.27 The UNAMI report, dated 1 November-31 December 2006, notes that:

"Baghdad is at the centre of the sectarian violence. Sunni and Shiite armed groups are attempting to establish territorial control of Baghdad's many predominately mixed neighbourhoods by intimidating and killing civilian populations and forcing them into displacements to parts of the city inhabited or controlled by members of their ethnic group. Reports suggest the existence of large movements of populations primarily within the city boundaries, as the neighbourhoods become increasingly divided among Sunni and Shi'a armed groups, and are consequently grouped together based on their sect and ethnicity. This forced displacement has been achieved by means of large scale attacks targeting civilians, kidnappings, extra-judicial killings, dropping of threatening leaflets, destruction of properties, and intimidation. For instance, fighting between Sunni and Shiite armed groups were primarily recorded in December in Baghdad's neighbourhoods of Dora, Hurriyah, Al Adhamiyah, Khadimiyah, Ghazaliyah, Amariya and Qadisiyah." **[39f] (p8)**

8.28 The UNHCR COI report, October 2005, mentions that:

"The 'International Zone' (formerly known as the 'Green Zone') is the heavily guarded area of closed-off streets in central Baghdad where the MNF, Iraqi authorities, the UN and most embassies – including the US embassy – are located, making it a target with high symbolic value. In the past, the zone has been hit by frequent mortar and missiles attacks, while today the focus is successive (suicide) attacks at the zone's perimeter – especially at checkpoints at entrances to the zone – in an attempt to penetrate the high security cordon." **[40c] (p81)**

8.29 The CSIS report, dated 19 June 2006, states that "Outside of the Green Zone tit-for-tat sectarian abductions and killings, suicide bombings and car bomb attacks were carried out by a combination of criminal gangs, insurgents and militia members." **[63b] (p71)**

8.30 An article by Reuters, dated 31 August 2006, states that "The population shift is consolidating a de facto partition along ethnic and sectarian lines. In religiously mixed Baghdad, officials and residents talk gloomily of the emergence of a Shi'ite-Sunni "Green Line", with the Tigris River as a border." **[7e]**

8.31 The UNHCR COI report, October 2005, adds that "Other attacks, mainly in Baghdad, have deliberately targeted civilians, for example attacks on mosques, market places, restaurants and gas stations." **[40c] (p80-81)**

8.32 The same report states that "The vast, largely unpopulated Governorate of Al-Anbar, which covers one third of Iraq's territory stretching west from Baghdad to the Syrian, Jordanian and Saudi borders, is a bastion of the Sunni-dominated insurgency. The area is inhabited mainly by Sunni tribes who are virulently opposed to the presence of foreign troops. Anti-American feelings have been further stirred up by incidents in which Iraqi civilians were killed by US troops …." **[40c] (p83)**

8.33 The UNHCR COI report also notes that:

"For various periods of time, several towns have fallen under the control of Sunni Islamist groups. When in control, these groups have created an atmosphere of fear, demanding full loyalty to their stance against the 'occupation' and their strict interpretations of Islam. 'Traitors', such as persons joining the ISF or working for the MNF, risked execution, often in cruel ways, in an aim to deter the wider public from following their lead. At some times, insurgents have set up checkpoints near the highway leading from Baghdad to Syria and Jordan, staging ambushes on civilian and military cars. A large number of truck drivers bringing supplies from neighbouring countries to Iraq have been kidnapped or killed." **[40c] (p84)**

8.34 The UNAMI report, dated 1 November-31 December 2006, mentions that "Military operations continued in Al Anbar Governorate, in particular Ramadi, Fallujah and Heet. Ramadi and Fallujah have seen relatively constant fighting between MNF-I and insurgents in some districts, completely disrupting the functioning of social services and resulting in a high degree of displacement and casualties." **[39f] (p27)**

8.35 The ICG report, dated 19 December 2006, adds that "One deeply contested area is the wide mixed-population belt stretching from the Syrian border in north western Iraq to the Iranian border east of Baghdad, where various ethnic and religious communities vie for survival, political control and access to the rich oil deposits underneath." **[25e] (p4)**

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SECURITY IN SOUTHERN IRAQ

8.36 It was reported in December 2006 that the security situation in south of Iraq remained tense with incidents rising in the governorates of Qadisiyah, Maysan, Wasit, Karbala and Babil. (UNSC, 5 December 2006) **[38h] (p11)** Basra also witnessed a high number of incidents with clashes between the ISF

and Shi'a militia as well as among rival militia. (UNSC, 5 December 2006) **[38h] (p11)** (UNHCR Basrah Assessment, August 2006) **[40g] (p8)**

8.37 A surge in violence among Iraq's Shi'a population followed the bombing of the Al-Askari shrine in Samarra on 22 February 2006, in which Basra's Sunni population were targeted in reprisal attacks. (UNHCR Basrah Assessment, August 2006) **[40g] (p8)** The UNHCR Basrah Assessment states that "Local police often do little to prevent such sectarian attacks, which include the killing of clerics, burning of mosques, attacks on Sunni political offices and threats against ordinary Sunni citizens to leave." **[40g] (p9)**

8.38 The UNHCR Basrah Assessment, August 2006, states that "A variety of reports suggest that militias have infiltrated the security forces and are more loyal to their religious leaders than the Iraqi government." **[40g] (p8)** Security in southern Iraq was mainly influenced by Muqtada Al-Sadr and the Mehdi Army. (UNHCR COI, October 2005) **[40c] (p89)** (See also section 10 of Security forces)

8.39 The same report adds that:

"In addition, criminal gangs are part of the security problem in Basrah. Kidnappings for ransom or political reasons remain common and assassinations have been carried out on varying targets, including politicians, religious figures, tribal leaders, journalists, government officials, university professors and the staff of contracting organizations working with foreign organizations. Militias are also accused of carrying out hundreds of executions of former Ba'athists." **[40g] (p8-9)**

8.40 The UNHCR advisory paper, August 2006, states that "Militias and insurgent groups continue to execute attacks on Multinational Forces (MNF) and the Iraqi Security Forces (ISF), foreign contractors, private security firms and oil facilities." **[40g] (8-10)** "Armed groups also target those involved in reconstruction efforts, Iraqis working with MNF/ISF and Iraqis working with the Iraqi Government." **[40g] (8-10)**

8.41 The same report added that:

"The city of Basrah has largely come under the control of Shiite clerics and militias: shops selling liquor, DVDs or recorded music have been targeted, as have men and women who mix in public. The increasing tendency towards strict Islamic behaviour and dress codes has taken a particular toll on women in Basrah. Women of all religions risk being targeted, verbally and physically, if they do not comply with strict Islamic dress codes (e.g. not covering their hair or wearing Western-style fashions) or if they behave in a manner considered 'immoral' (e.g. working in professions such as prostitution or dancing). A physician who heads the Basrah Maternity and Paediatric Hospital reported that Mehdi Army followers came to the hospital to tell the male doctors not to treat female patients. Governor of Basrah stated that 'today, our society is changing, becoming more religious', and 'we must reflect [the fact] that Basrah is becoming a purely Islamic city.'" **[40g] (8-10)**

8.42 The UNHCR COI report, October 2005, notes that the 'triangle of death' - south of Baghdad in the Governorate of Babil – saw a number of road ambushes, kidnappings, shootings and assassinations of Shiite Muslims

(including pilgrims and clerics), foreigners and members of the MNF/ISF. **[40c] (p87-88)**

8.43 The report adds that "Travellers trying to avoid passing through the 'triangle of death' by using alternate routes are frequently targeted by criminal and insurgent groups for kidnapping and robbery." **[40c] (p88)**

8.44 *The Guardian* article, dated 18 January 2006, states that "The lawlessness has had an impact on basic freedoms, USAid argues, particularly in the south, where 'social liberties have been curtailed dramatically by roving bands of self-appointed religious moral police'." **[6e]**

8.45 The UNHCR COI report, October 2005, states that:

"Tribal fighting throughout this area continues unabated, in particular between the Garamsha and the Halaf tribes. Both sides are armed with mortars, RPGs and heavy machine guns. The Garamsha originate from the Marshes, but after the former regime drained the Marshes, the Garamsha tribe was forced to relocate to the outskirts of Basrah, a traditionally Halaf area. Both tribes have been involved in criminal activities, mainly kidnappings and car hijacking on the main road from Basrah to Al-Amarah. While the British troops have undertaken several attempts in the past to pacify the area, the conflict has not yet been settled. As a sizable number of members of the Halaf tribe are serving in the Iraqi police and there is a concern that policemen, who are often more loyal to their tribe then (sic) to their duty, may enter tribal feuds and further undermine the reputation and effectiveness of the ISF. When Abbas Alawi, the son of a tribal chief of the Garamsha tribe, died while being held in detention by the MNF/ISF, this further increased the feud between the two tribes and may lead to more tit-for-tat killings. In the past, feuds have also taken place between the Garamsha and the Basun tribe, the Garamsha and the Awlad Amer tribe and the Al-Abtut and Al-Hamadne tribes." **[40c] (p89-90)**

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SECURITY IN KIRKUK AND MOSUL

8.46 It was reported in 2006 that ethnic tensions have also increased in the traditionally mixed areas of Kirkuk and Mosul. (UNAMI, 1 November-31 December 2006) **[39f] (p13)** (UNHCR, 18 December 2006 **[40e] (p1)** (CSIS, 22 June 2006) **[63b] (p279)** In fact, an article by IWPR, dated 1 February 2006, notes that Kirkuk is sometimes referred to as a "little Iraq" or as "Iraq's melting pot" which is waiting to explode. **[11k]**

8.47 Since the fall of the Saddam regime, various ethnic and religious groups and political parties have been in a dispute over control of oil-rich Kirkuk. (IWPR, 1 February 2006) **[11k]** (UNHCR COI, October 2005) **[40c] (p76 and 78)** The UNHCR COI report, October 2005, states that "The debate is highly charged, both economically as well as ethnically, as both the Kurds and the Turkmen feel that they have been historically wronged regarding their claims to Kirkuk. Kirkuk was at the centre of successive Iraqi governments' 'Arabization' policies, aimed at gaining control over the economically, strategically and politically important city." **[40c] (p76)**

8.48 In response to the fall of the Saddam regime the Kurdish peshmerga forces and Kurdish security forces in effect seized control over Kirkuk. (ICG, 19 December 2006) **[25e] (p18)** (UNAMI, 1 November-31 December 2006) **[39f] (p24)** (CSIS, 19 June 2006) **[63a] (p8)** The UNAMI report added that "… most senior official positions are occupied by Kurds or their allies from other ethnicities." **[39f] (p24)**

8.49 Nearly 100,000 Kurds have also returned to Kirkuk in an attempt to reverse the Arabisation policy. (IRIN, 16 November 2006) **[18bc]** (RFLRE, 2 November 2006) **[22u]**

8.50 The CSIS report notes that "In April 2006, Shi'ite militias began to deploy to Kirkuk in substantial numbers. According to US embassy officials in the region, the Mahdi Army had sent two companies with 120 men each. The Badr Organization extended its reach into the city as well and opened several offices across the Kurdish region." **[63a] (p60)**

8.51 The report adds that "The Kurdish Peshmerga responded by moving nearly 100 additional troops to the area. Moreover, a Sadr associate in the region, Abdul Karim Khalifa, told US officials that more men were on the way and that as many as 7,000 to 10,000 local residents loyal to the Mahdi Army would join in a fight if one were to break out." **[63a] (p60)**

8.52 The UNAMI report, dated 1 November-31 December 2006, states that:

"HRO [?] has received several consistent reports from various NGOs and other sources on the deteriorating human rights situation in Kirkuk and is particularly concerned by such developments. Key concerns include the rights of minorities living in Kirkuk and their ability to effectively participate in its political, economic and social development. Additional concerns relate to the use of security forces and the power of detention, including in KRG facilities by the authorities so as to intimidate and prevent minority groups from playing a significant role in the city's affairs. Such violations may well be the prelude of a looming crisis in Kirkuk in the coming months." **[39f] (p23)**

8.53 The report states that "Even though violence is not on the same level as in Baghdad, on-going human rights violations and the surge of violent acts which have significantly increased since 2003 are widely believed to be the doing of perpetrators and instigators from inside and outside Iraq and Kirkuk. Lately and due to the continuing insecurity, ethnic groups have moved closer to their own communities for protection." **[39f] (p24)**

8.54 The UNHCR COI report, October 2005, mentions that "Mosul is Iraq's third largest city and also has an ethnically mixed population with a majority of Arab Sunnis and Kurds and a minority population of Aramaic-speaking Christian Assyrians and Turkmen." **[40c] (p78)** The same report notes that "Mosul has seen a high level of activities of former Ba'athists …." **[40c] (p79)**

8.55 The report adds that:

"The security situation rapidly deteriorated on 10 November 2004 when the city was overrun by armed insurgents targeting Iraqi police stations and security forces. While some policemen fought the insurgents, most deserted

their posts, giving insurgents almost free reign over the city. Though the MNF/ISF (including Kurdish Peshmerga units) restored control in December 2004, the security situation remained highly tense with daily security incidents, including fighting between insurgents and MNF/ISF, attacks on police stations, party offices and election staff, assassinations of political and religious figures as well as government employees and foreign contactors." **[40c] (p79)**

8.56 The UNHCR COI report, October 2005, notes that "The presence of the Kurdish Peshmerga angers many of the majority Sunni Arab community and has raised fears of a wider conflict between Arabs and Kurds, which have only been exacerbated by the Peshmerga's operation in villages around Mosul in which the IPCC is still deciding on property claims to reverse the effect of Arabization." **[40c] (p79)**

8.57 The report adds that "Tal Afar, a city of 200,000, remains another hot-spot in the Governorate of Mosul despite an MNF-led offensive to root out insurgents in September 2004. Other areas in the Kirkuk and Mosul Governorates with considerable insurgent activities are Hawija and Tuz Khurmatu." **[40c] (p80)**

8.58 According to the CSIS report, dated 22 June 2006, "There are reports that the KDP and PUK systematically kidnapped hundreds of Arabs and Turcomans from the city [Kirkuk] and transported them to prisons in established Kurdish territory in an apparent bid to create an overwhelming Kurdish majority. This activity allegedly spread to Mosul as well." **[63b] (p279)** The report adds that:

"According to a leaked State Department cable in mid-June 2005, the abducted were taken to KDP and PUK intelligence-run prisons in Irbil and Sulaymaniyah without the knowledge of the Iraqi Ministry of Defense or the Ministry of the Interior, but sometimes with US knowledge. In fact, the Emergency Services Unit, a special Kirkuk force within the police, was both closely tied to the US military and implicated in many of the abductions, along with the Asayesh Kurdish intelligence service. It should be noted that the head of the Emergency Services Unit is a former PUK fighter." **[63b] (p280)**

8.59 The CSIS report, dated 19 June 2006, states that "Mosul was less violent, but increasingly divided." **[63a] (p8)**

8.60 The UNAMI report, dated 1 November-31 December 2006, states that:

"Violence in Mosul, although less frequent than that engulfing south and central Iraq, has intensified. Mosul officials state that terror attacks by armed groups are significantly contained. Recently, however local authorities reported that 40 civilians and police officers have been killed on average each week in violent incidents. According to information and reports received by HRO, arbitrary arrest and detention of predominantly 'terror suspects' form an inescapable feature of civilian life in Mosul. MNF-I and ISF house raids have allegedly resulted in damaged or stolen property and contributed to an atmosphere of fear and mistrust. Government officials have acknowledged the problem in recent meetings with HRO and have attempted to resolve some of these cases. For instance, the Head of Human Rights Committee of the Governing Council attended to 360 detention cases since 2005 and secured the release of 341 detainees as only 19 were eventually charged and convicted in Court. The Governor's Office has also processed claims for

compensation from the central Government for affected inhabitants but it is usually inadequate to cover property loss." **[39f] (p24)**

8.61 The report states that:

"While professionals, politicians and religious figures fall victim to the violence, attacks are largely oriented against security forces. According to the Mosul Governor, no ethnic group has been spared but despite that, the community and religious leaders of all faiths have refused to be divided and have remained united in advocating peace.

"However, Talafar district, a mixed Turkoman, Kurdish and Sunni Arab area, remains an exception with a higher degree of sectarian violence and socio-economic disruption. Terror attacks targeting security forces have often also killed civilians. Mosul has also seen an exodus of inhabitants of all ethnicities to the safer northern region. According to a Governorate source, 50,000 residents would have left since 2004 and there would be approximately 6000-8000 Kurds living in temporary shelters between Mosul and Erbil. Most Christian IDPs have fled to Dohuk and to villages in the outskirts of Mosul. In both Mosul city and in the Talafar district, medical facilities and health care have badly deteriorated because of lack of medicine, medical equipment and lack of security for medical professionals." **[39f] (p25)**

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SECURITY IN THE KRG AREA

8.62 The security situation in the KRG administered northern Governorates of Dahuk, Erbil and Sulaymaniyah remained largely unaffected by the fall of the Saddam regime and somewhat stable in comparison to the centre and the Governorates of Kirkuk and Mosul. Even so, the situation remained tense since the fall of the Saddam regime. (UNSC, 3 March 2006) **[38e] (p12)** (UNHCR COI, October 2005) **[40c] (p17)** (FCO, 12 April 2005) **[66h]** (Brookings Institution, October 2006) **[88b] (p19)**

8.63 A number of extreme security measures were established in the KRG administered area, including many permanent checkpoints between the centre of Iraq as well as between Dahuk, Erbil and Sulaymaniyah. (UNHCR COI, October 2005) **[40c] (p17, 75 and 76)** (FCO, 12 April 2005) **[66h]** The FCO states in a letter, dated 12 April 2005, that "The green line is quite tightly controlled, and the road between Irbil and Mosul now has Kurdish checkpoints as close to Mosul as 15km. The road from Mosul to Zakho and the Turkish border is also heavily manned by Kurdish security forces, with regular checkpoints." **[66h]** As a result, freedom of movement within and to the northern region was restricted. (UNHCR COI, October 2005) **[40c] (p 75 and 76)**

8.64 A large, well-trained and well-equipped security force, known as the peshmerga, was also present in the KRG administered Governorates to control the security situation. (UNHCR COI, October 2005) **[40c] (p17, and 75)** (FCO, 12 April 2005) **[66h]**

8.65 Although successful attacks, by insurgent groups such as Ansar Al-Sunna do take place, they are quite rare and lower-scale in comparison to other parts of the country. This was mainly due to the vigilance of the Kurdish security forces. (UNHCR COI, October 2005) **[40c] (p17, 75 and 76)** (FCO, 12 April 2005) **[66h]** The CSIS report, dated 22 June 2006, notes that "Insurgent activity in the Kurdish areas was particularly intense in the city of Irbil, which has been the site of several suicide bombings." **[63b] (p279)**

8.66 The UNHCR COI report, October 2005, mentions that "On 27 June 2005, Nechirvan Barzani, Prime Minister of the KRG in Erbil, said that Kurdish security forces had 'arrested a large number of terrorists', adding that the proximity of Erbil to Kirkuk and Mosul had facilitated their entry to the area." **[40c] (p75)**

8.67 There were, reportedly, also a number of PKK fighters present in the northern Governorates which were responsible for friction between the Kurdish authorities and the Turkish Government who accused the PKK fighters as using northern Iraq to launch attacks against the Turkish army. **[40c] (p76)**

8.68 The FCO letter, dated 12 April 2005, states that:

"Criminality in Kurdistan is endemic by western terms. However, much of the activity is considered by the population to be simply a way of earning their crust. Additionally the defined perception that the West has of the areas (e.g. borders with Turkey, Iraq and Syria) is not shared by tribes straddling the designated border areas. The smuggling of sheep, alcohol and other commodities is commonplace. These crimes are largely unchecked and un-checkable by authorities. Returnees going about their legal business would not be at threat from these activities. Although prevalent in Kurd society, blood feud is historical and cultural and would not present a particular immediate threat." **[66h]**

8.69 The International airport in Erbil and Sulaymaniyah airport were opened to commercial traffic. Iraqi Airways and Kurdistan Airlines were also operating flights to a number of regional destinations. (FCO letter, 10 October 2005) **[66m] (p3)** The FCO letter, dated 12 April 2005, notes that "There have been no reports of any attacks on civil aircraft using Irbil airport." **[66h]**

8.70 The UNAMI report, dated 1 May–30 June 2006, states that:

"UNAMI finds encouragement that while current challenges remain significant, in particular with regards to alleged abuses in the area of law enforcement and freedom of expression, progress is also manifested in the advancement of legislation in favour of women's rights, in the protection and promotion of children's rights and in some areas of economic, social and cultural rights. Reports of discrimination against non-Kurds have continued to emerge as well as allegations that security elements associated to the Ministry of Interior and Peshmerga militias have been involved in illegal policing outside of the KRG, notably in Kirkuk and in Ninewa Governorates." **[39a] (p20)**

8.71 In spite of this, thousands of Iraqi Arabs fled to the KRG area, where Shi'a and Sunni's live in harmony. Many were from the professional class such as doctors, professors and engineers, others were poor labours. (Reuters, 31 August 2006) **[7c]** (IRIN, 29 August 2006) **[28aj]** (*The New York Times*, 2

September 2006) **[24b]** Nevertheless, the Reuters article states that "… some Arabs complain of feeling unwelcome in the far north and Arab-Kurd struggles for control of the northern oil city of Kirkuk remain a potential flashpoint for conflict." **[7c]**

8.72 *The New York Times* article notes that "The influx of Arabs has made many Kurds nervous, and regional leaders are debating whether to corral the Arabs into separate housing estates or camps." **[24b]**

8.73 The Brookings Institution, October 2006, states that "Recent press reports describe how the Kurdish provinces have become a destination of choice for Christians, Shi'a and Sunnis fleeing the violence in other parts of the country, including, paradoxically, former regime officials fleeing anti-Ba'th sentiment elsewhere." **[88b] (p19)**

8.74 The report also mentions that "There have, however, also been reports of large numbers of Arabs fleeing the Kurdish North where they had been settled as part of the Ba'th's anti-Kurdish campaigns, as well as reports on the abuse of Christians and other minorities by Kurdish authorities and police." **[88b] (p19)**

8.75 The ICG report, dated 19 December 2006, notes that "Even the line that has effectively divided the Kurdish region from 'Arab Iraq' since late 1991 is heavily contested, as the Kurds push south into the mixed-population belt and the other communities living there resist them, increasingly by force." **[25e] (p4)**

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PERCEIVED COLLABORATORS AND 'SOFT TARGETS'

8.76 Several reports noted that numerous Iraqis have been attacked and killed by armed groups because they were perceived as 'collaborators' or 'traitors. (HRW, 3 October 2005) **[15j] (p53)** (AI, 25 July 2005) **[28c] (p5, 7)** (UNHCR guidance note, October 2005) **[40a] (p19)**

8.77 It was widely reported that those who supported or were associated with the new Iraqi government, the MNF or international organisations were seen as legitimate targets for armed groups and were consequently subjected to threats, attacks and murder. (USSD Terrorism report 2005) **[2g] (p131)** (HRW, 3 October 2005) **[15j] (p90)** (IRIN, 15 January 2006) **[18ac]** (AI report, 25 July 2005) **[28c] (p7)** (UNHCR COI, October 2005) **[40c] (p15)** (UNHCR guidance note, October 2005) **[40a] (p13)** (CSIS, 22 June 2006) **[63b] (p179)** The CSIS reported, on 22 June 2006, that families and friends of these individuals were also vulnerable to threats, kidnappings and murders. **[63b] (p179)** In fact, the HRW report, dated 3 October 2005, gives numerous examples of attacks against perceived collaborators. **[15j] (p54-62)**

8.78 Those targeted also included so-called 'soft targets', such as civil servants and government officials, politicians, tribal and religious leaders, Kurds and Shi'as, members of ethnic or religious minorities, journalists and media workers, doctors, judges and lawyers, professors, teachers and students, police officers, artists, gold/silversmiths, jewellers, shi'a bakers, liquor sellers, music shop owners, ex-military officers, translators, contractors, drivers, cleaners

and barbers as well as those suspected of giving information to foreign governments. (BBC, 16 November 2006) **[4ak] [16j]** (HRW, 3 October 2005) **[15j] (p52-53 and 90)** (IRIN, 15 January 2006) **[18ac]** (AI, 15 July 2005) **[28c] (p7-8)** (UNAMI, 1 November-31 December 2006) **[39f] (p13,15and19)** (UNHCR COI, October 2005) **[40c] (p15)** (UNHCR guidance note, October 2005) **[40a] (p13)** (Associated Press, 21 May 2006) **[65g]**

8.79 The UNAMI report, dated 1 November-31 December 2006, states that "These attacks are typically perpetrated by extremists practising conformist ideology and by militant/terror groups intent on spreading fear and intimidation.." **[39f] (p13)** The HRW report, dated 3 October 2005, adds that "The attacks are intended as punishment for perceived collaboration and as a warning to others who might consider such work." **[15j] (p53)**

8.80 The HRW report adds that "According to those claiming responsibility for attacks on these civilians, the victims were valid targets because they were collaborating with the foreign powers in Iraq. Even though they were not directly engaged in hostilities, they were viewed as aiding and abetting foreign forces by providing services to a government or military." **[15j] (p53)** The AI report, dated 25 July 2005, mentions that "The attacks have sometimes resulted in the killing of people accompanying the 'targets,' including children." **[28c] (p7)**

8.81 Many Iraqis have been compelled to leave their posts and often the country because of threats from insurgency groups regarding their perceived or suspected co-operation with the Iraqi government, the MNF, international organisations or other 'enemies' of Iraq. (UNAMI, 1 May–30 June 2006) **[39a] (p5)** (UNHCR guidance note, October 2005) **[40a] (p19)**

8.82 The AI report, dated 25 July 2005, however, notes that "On 26 September 2004, the IAMS [International Association of Muslim Scholars] denounced the kidnapping and killing of civilians." **[28c] (p7)**

8.83 Nevertheless, armed groups also targeted alleged supporters or associates of the Iraqi Government, such as politicians and Government workers and their families, tribal or religious leaders, members of religious or ethnic minorities, journalists, doctors and lawyers as well as Iraqis working with the MNF and foreign construction companies. (UNSC, 3 March 2006) **[38e] (p13)** (UNHCR COI, October 2005) **[40c] (p15)**

8.84 Foreigners, including journalists, humanitarian workers and diplomatic staff were also increasingly targeted for attacks and kidnappings. (UNSC, 3 March 2006) **[38e] (p13)**

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CRIME

9.01 The UNAMI report, dated 1 November-31 December 2006, stated that "According to various reports, Iraqi insurgency groups today are largely selfsustaining, raising tens of millions of dollars from oil smuggling, kidnapping, counterfeiting, corrupt charities and other crimes. Most of these crimes are inadequately investigated, if at all, leaving many perpetrators at large." **[39f] (p9)**

CRIMINAL GANGS

9.02 Organised crime and criminal gangs play a significant role in the dire security situation. The lawlessness led to criminal gangs being involved in road ambushes, smuggling, drug trafficking, stealing, extortion, counterfeiting of goods and currency, kidnapping for ransom money and even killings. Baghdad particularly suffered a high rate of criminality. (HRW, 3 October 2005) **[15j] (p18)** (*The Washington Post*, 15 May 2006) **[16b]** (UNAMI, 1 May–30 June 2006) **[39a] (p1)** (UNAMI, 1 November-31 December 2006) **[39f] (p6)** (UNHCR COI, October 2005) **[40c] (p16)** (CSIS, 22 June 2006) **[63b] (p182)** (CSIS, 19 June 2006) **[63a] (p71)**

9.03 The UNAMI report, dated 1 November-31 December 2006, stated that "This law and order vacuum has an encouraging effect on criminal groups of various affiliations, many of whom use the internet, mobile phone messaging system, videos and pamphlets to promote their criminal activities or further intimidate targeted groups. Their websites and videos frequently show the faces of perpetrators and their assumed names. These insurgency and terrorist groups are often known to the residents of the areas where they operate. To compensate for the absence of government led authority and control, both the Shiite and Sunni populations have increasingly turned to militias or other armed groups for protection." **[39f] (p6)**

9.04 The CSIS report, dated 22 June 2006, stated that "Far more Iraqis face day-to-day threats from criminals than from terrorists and insurgents, although there is no area totally free from the risk of attack." **[63b] (p182)** An article in *The Washington Post*, dated 15 May 2006, noted that "Iraq is awash in foreign and domestic security companies; insurgent movements; religious militias of tens of thousands of men representing themselves as 'people's armies' or as bodyguard details; armed wings of political parties; army, police and paramilitary groups; and criminal gangs posing as all of them." **[16b]**

9.05 It was often difficult to distinguish insurgency from crime. (CSIS, 22 June 2006) **[63b] (p182)** The CSIS report mentioned that "The vast majority of Iraqi criminals probably have limited or no ties to the insurgents, although some are clearly 'for hire' in terms of what they target or in being willing to take pay for sabotage or acts of violence that help create a climate of violence in given areas." **[63b] (p182)**

9.06 The report added that:

"At least some elements in the Sunni insurgency do, however, work with criminal elements looting and sabotage campaigns. These clearly involve some native and foreign Sunni Islamist extremists – particularly in areas like

kidnappings – but the alliances 'Ba'athists' and 'Sunni nationalists' have with criminal groups seem to be much stronger. They also seem to dominate the cases where tribal groups mix insurgents and criminals.

"Many US and Iraqi intelligence officers believe that some criminal networks are heavily under the influence of various former regime elements or are dominated by them, and that some elements of organized crime do help the insurgency. … Furthermore, at least some Shi'ite criminal groups and vendettas use the insurgency or Sunnis as a cover for their activities." **[63b] (p182)**

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KIDNAPPING/HOSTAGE TAKING

9.07 Kidnappings, which became one of most prevalent crimes in Iraq, remained a serious problem. (USSD 2005) **[2b] (p3)** (UNAMI, 1 May–30 June 2006) **[39a] (p7)** (UNAMI, 1 July–31 August 2006) **[39c] (p9)** The UNAMI report, dated 1 November-31 December 2006, stated that:

"Abductions have increased dramatically in the past months and have become a tool for armed groups to finance their activities, to intimidate and eliminate opponents, and to instil fear by targeting prominent personalities. Abductions have been used by both Sunni insurgents as well as by Shiite militias. Many victims were tortured and killed and some remained unidentified. The Baghdad Medico-Legal Institute is reported transporting some 200 unidentified bodies every week to cemeteries in Najaf and Karbala which relatives do not claim out of fear of reprisals. In addition, there are reports of bodies that end up buried in mass graves and are not recorded at the morgues." **[39f] (p9)**

9.08 The majority of those kidnapped were Iraqis but a large number of foreigners were also targeted. (HRW, 3 October 2005) **[15j] (p18)** (AI, 25 July 2005) **[28c] (p11)** (UNAMI, 1 May–30 June 2006) **[39a] (p8)** (UNHCR COI, October 2005) **[40c] (p144)** The UNAMI report, dated 1 November-31 December 2006, details numerous examples of kidnapping in Iraq. **[39f] (p9-10)**

9.09 The USSD report noted that "All sectors of society suffered from the continued wave of kidnappings." **[2b] (p10)** In particular, insurgents and criminal gangs targeted translators, drivers, private contractors, aid workers, journalists and others who work with foreign governments, as well as individuals from wealthy families and professional people, such as doctors, university professors and businessmen. (HRW, 3 October 2005) **[15j] (p21)** (AI, 25 July 2005) **[28c] (p11 and 12)** Reports suggest that there were a number of cases of child kidnapping, most of whom seem to be released after a ransom is paid. (UNAMI, 1 May–30 June 2006) **[39a] (p8)** (*The Independent*, 20 July 2006) **[85b]**

9.10 The Office of the Special Representative of the Secretary-General for Children and Armed Conflict, 2006 stated that:

"Abductions of children by Iraqi armed groups related to the sectarian violence have increased significantly, in addition to the number of children abducted for ransom. A survey conducted by several local non-governmental organizations

in Baghdad indicates that approximately 20,000 people have been kidnapped throughout the country since the beginning of 2006, 50 per cent of whom are women and children. Recently, increasing concerns have been expressed by international and national non-governmental organizations that Iraqi children, both girls and boys, are being abducted and trafficked for purposes of sexual exploitation. The rise of armed criminal groups has contributed to this phenomenon." **[99b]**

9.11 The UNAMI report also mentioned that "Increasingly, there are reports of group kidnapping, presenting mixed connotations of organized crime with a sectarian element." **[39a] (p8)** The UNAMI report, dated 1 September-31 October 2006, added that "Many witnesses reported that perpetrators wore militia attire and even police or army uniforms. The perpetrators were reported to operate in groups, arrive in what appeared as police vehicles and were not deterred by the presence of police forces in the vicinity. Such killings have sectarian connotations and have affected all communities in the country, albeit to various degrees." **[39e] (p5)**

9.12 However, the AI report, dated 25 July 2005, noted that:

"It is difficult to distinguish between armed political groups and criminal gangs when it comes to hostage-taking as there are many credible reports suggesting that hostages, in particular foreign nationals, taken by criminal gangs are then handed over to armed political groups in exchange for money. In many cases armed political groups seem to have made the release of their victims conditional on payment of money even when they make political demands such as the withdrawal of foreign troops." **[28c] (p11)**

9.13 Even so, victims of kidnappings were often killed despite the payment of ransom. (USSD, 2005) [**2b] (p10)** (The Independent, 20 July 2006) **[85a]** The HRW report, dated 3 October 2005, noted that "Some insurgent groups have broadcast videos of executions, sometimes by beheading, on the Internet or on CDs that are sold in markets, preceded by a 'confession' and statement from the person in custody." **[15j] (p21)** The UNAMI report, dated 1 September-31 October 2006, added that bodies of kidnap victims were often found "handcuffed, blindfolded and bearing signs of torture and execution-style killing." **[39e] (p5)**

9.14 The UNAMI report, dated 1 July–31 August 2006, noted that "Many kidnappings continue to be carried out by criminal gangs sometimes wearing police or Special Forces' uniforms. The victims are either released or they disappear based on their sect affiliation. In some cases, there are reports that hostages are sold to other gangs." **[39c] (p9)**

9.15 The AI report, dated 25 July 2005, mentioned that "Iraqi and US military officials have sometimes announced the arrest of members of armed groups who are accused of hostage-taking and killing." **[28c] (p11)**

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SECURITY FORCES

10.01 The UNAMI report, dated 1 July–31 August 2006, observed that:

> "As the type and scale of human rights violations have continued to vary since 2003, the new Iraqi Government established in May 2006, although strongly committed to the promotion and protection of human rights, is currently facing a generalized breakdown of law and order which presents a serious challenge to the institutions of Iraq." **[39a] (p1)**

10.02 The UNAMI report, dated 1 November-31 December 2006, stated that "Law enforcement agencies do not provide effective protection to the population of Iraq and increasingly militias and criminal gangs act in collusion with, or have infiltrated the security forces." **[39f] (p2)** The UNAMI report noted that "Violence has also been perpetuated by ineffectual state law enforcement agencies. Iraqi law enforcement institutions are marred by corruption and increasing internal and sectarian divisions. Iraqi police are seen as having being infiltrated by or colluding with militias, insurgency and political parties, depending on the area where they operate." **[39f] (p8)**

IRAQI SECURITY FORCES (ISF)

10.03 The ISF include both the Iraqi Army and the Iraqi police. (Center for Naval Analysis, 2 June 2006) **[64a] (p23)** The armed forces and security organisations that operated under the Saddam regime were dissolved on 23 May 2003. (Europa World Online, 9 August 2005) **[1c] (Defence)** (EIU 2005) **[58a] (p23)** The Ministry of Interior and the Ministry of Defence now share responsibility for domestic security. (UNHCR COI, October 2005) **[40c] (p46)**

10.04 The CSIS report, dated 19 June 2006, stated that by May 2006 Iraq had approximately 263,400 "trained and equipped" men in the ISF, including 101,200 in the Iraqi police, 800 in the Navy, 600 in the Air Force, 116,500 in the Army and 44,300 in other forces. **[63a] (p80)** The aim was to train 325,000 by the end of 2006. (US Library of Congress, August 2006) **[33a] (p23)**

10.05 Although there has been an increase in the number of ISF, most lack adequate equipment and training to deal with the security situation, in particular the insurgents. Therefore, the ISF are unable to protect Iraqi's, combat insurgents and provide security. (AI, 25 July 2005) **[28c] (p3)** (US Library of Congress, August 2006) **[33a] (p23)** (UNAMI, 1 July–31 August 2006) **[39a] (p1)** (UNHCR COI, October 2005) **[40c] (p47)** (EIU 2005) **[58b] (p19-20)**

10.06 The UNHCR guidance note, October 2005, noted that:

> "Despite efforts to reform and rebuild the ISF, they are not yet capable of independently fighting the insurgency and rely heavily on the presence of the Multinational Forces (MNF). The MNF have committed to not withdraw from Iraq before the ISF are able to 'stand on their own feet'. While re-establishing security remains a priority for the Iraqi authorities, tangible improvements in security will likely require much more time and further political initiatives." **[40a] (p2)**

10.07 An article in *The Washington Times*, dated 3 May 2006, reported that "The new Iraqi army is 'real, growing and willing to fight,' but lacks basic equipment

and will need up to five more years before it can wage war without U.S. military help, says a new report by a retired four-star general who toured Iraq in April." **[96a]**

10.08 The UNHCR COI report, October 2005, noted that:

"Despite an intimidation campaign driven by insurgents to stop Iraqis from joining the ISF, recruitment has not been a problem and recruits continue to approach recruitment centres in large numbers. While recruits are driven by various motivations, the need for employment appears to be a major factor driving Iraqis to join the ISF, in particular because salaries for the police and army are considerably higher than the average wage." **[40c] (p48)**

10.09 The ISF are predominantly made up of Shi'as and Kurds who largely remain loyal to their political parties and militias, mainly the Shi'a Badr Brigade and the Mehdi Army as well as the Kurdish Peshmerga. (AI, 25 July 2005) **[28c] (p9)** (UNHCR COI, October 2005) **[40c] (p2 and 49)** The UNHCR COI report noted that "Furthermore, the police have accepted recruits with criminal records." **[40c] (p49)** The UNAMI report, dated 1 September-31 October 2006, noted that "Some measures were also reportedly taken to increase the ethnic and sectarian diversity of the Public Order Division (e.g. the recruitment of Christians and Turkomans in the Ninawa Province, resulting in 8,000 potential new recruits)." **[39e] (p20-21)** A number of ISF do not trust the Sunni population and were hostile towards Sunni Arabs. (UNHCR COI, October 2005) **[40c] (p49)**

10.10 Iraqis found it increasingly difficult to distinguish between the real ISF and the impostors. (CSIS, 19 June 2006) **[63a] (p10 and 67)** The CSIS report noted that "Abductions committed by groups of individuals wearing Iraqi Special Forces uniforms were an ongoing problem in early 2006." **[63a] (p68)**

10.11 The CSIS report, dated 19 June 2006, stated that "The constant flood of deserters, and the fact police and military uniforms, IDs, weapons, and some vehicles were available in the markets, made it easy to impersonate Iraqi forces in carrying out sectarian and ethnic attacks and killings." **[63a] (p10)** The report mentioned that "Reportedly, patches with the emblem of the Iraqi police, 'IP,' were available for as little as 35 cents and entire uniforms could be purchased for $13.50." **[63a] (p67)**

10.12 The report stated that:

"These problems were yet another factor that eventually forced the Iraqi government to conduct a major reorganization of all the Iraqi forces in the MOI, rename some units guilty of sectarian or ethnic abuses, and issue some units new uniforms and new badges. But these steps did not gather full momentum until May, and it was not until mid-June that Iraqi forces were deployed in large numbers in areas like Baghdad with new badges and insignia." **[63a] (p67)**

Infiltration

10.13 The ISF were widely believed to be infiltrated by the Shi'a parties' militia. (Brookings Institution, October 2006) **[88b] (p14)** (CSIS, 19 June 2006) **[63a] (p64)** Badr Organization tended to be active in the MOI special security

units and those from the Mahdi Army tended to join the police. (USSD 2005) **[2b] (p2)** (CSIS, 19 June 2006) **[63a] (p64)**

10.14 *The Washington Post* stated, on 15 May 2006, that "To the Sunni Arab minority, units with such names as the Wolf Brigade have become synonymous with roundups, detention, torture and killing. **[16b]** The UNHCR advisory paper, dated 18 December 2006, noted that "Ministry of Interior have been repeatedly accused of employing militia members who commit gross human rights violations against those suspected of belonging to the insurgency." **[40e] (p2)** Iraq's interior minister confirmed that death squads and other unauthorised armed groups have been carrying out sectarian killings in the country. (BBC, 12 April 2006) **[4w]** (*The Washington Post*, 15 May 2006) **[16b]** (AFP, 12 April 2006) **[21d]**

10.15 Although *The Washington Post* reported that Jabr said that there were a few death squads operating within the Interior Ministry police forces, the AFP article reported that death squads were not linked to the government but to private security forces. **[21d]**

10.16 The Brookings Institution report, October 2006, stated that "Iraqi security forces are heavily implicated in the violence against Sunnis. …Even if they are not directly involved in the violence, the police are often powerless." **[88b] (p14)**

10.17 The CSIS report, dated 19 June 2006, stated that

"The end result was that Sunni neighborhoods in western Baghdad formed citizen groups to keep the paramilitary forces out of their areas entirely. Young men took turns standing in the streets after the 11 pm curfew and sent signals by flashlights and cell phones if strangers approached. In some cases, citizens set up barricades and took up arms against Shi'ite-led commando raids into their neighborhoods. In other cases, residents tipped off Sunni insurgents. Sunni residents attributed the recent drop in paramilitary raids to neighborhood patrols obstructing them. Sunnis cited the fact that killers now struck targets at their workplaces, in hospitals, and while they commuted." **[63a] (p69)**

10.18 The UNAMI report, dated 1 September-31 October 2006, noted that "Faced with a credibility issue, the Ministry of Interior (MoI) has recently announced that it has taken action against individuals suspected of collusion with militias and has instituted reforms to discourage corruption." **[39e] (p20-21)**

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IRAQI POLICE

10.19 The Iraqi police force falls under the control of the Ministry of Interior. It consists of the Iraqi Police Service (IPS), the National Police (NP), and supporting/specialised forces, including Border enforcement. (CNA, 2 June 2006) **[64a] (p23)**

10.20 The CSIS report, dated 19 June 2006, stated that "The primary organization for local civilian policing in the MOI was the Iraqi Police Service (IPS)." **[63a] (p113)**

10.21 The UNHCR COI report, October 2005, noted that "The Iraqi Police were the only security institution to remain intact after the overthrow of the former regime. However, widespread looting seriously affected police infrastructure with police stations destroyed and police vehicles, weapons and equipment stolen. **[40c] (p50)**

10.22 The UNHCR COI report, October 2005, mentioned that:

"As the Iraqi Police were never been (sic) dissolved, they still largely consist of personnel that served under the former regime and are thought to [be] corrupt. Given the deteriorating security situation, new police officers were quickly trained and deployed, meaning that new recruits were hired without proper background checks and vetting procedures were not implemented. Many recruits were later found to be unsuitable for the job and several thousand had to be disciplined or dismissed for corruption, human rights violations or criminal offences." **[40c] (p50)**

10.23 The CSIS report, dated 19 June 2006, stated that "In many cases, equipment and facilities remained a problem, desertions and inaction were common, and corruption was the rule rather than the exception." **[63a] (p10)**

10.24 The same report mentioned that:

"Iraqi force development was further complicated by the fact that the facilities protection forces, the various militias, and local self-protection forces came to play a steadily more negative role as the scale of sectarian and ethnic violence increased. The police became more divided, and such divisions were reinforced by the fact that many police were not part of the trained and equipped forces developed by the MNF-I." **[63a] (p10)**

10.25 The US Library of Congress stated, in August 2006, that "In 2006 Iraq had no conscription system, although a draft system could be established by the permanent government. Recruitment centers were located in Arbil, Baghdad, Basra, and Mosul." **[33a] (p24)**

10.26 The CSIS report noted that:

"By early 2006, Ministry of Interior forces earned a black reputation among many in Iraq, particularly among Iraq's Sunni population. So poor was the force's reputation that after the bombing of the Askariya shrine in Samarra on February 22, many Sunnis claimed that the perpetrators of the act were MOI forces seeking a pretext for civil war. Among the forces that had gained the mixed reputation as among the most effective, but also the most feared, were the MOI's special security forces and police commandos." **[63a] (p112)**

10.27 The US Library of Congress report, August 2006, mentioned that "The police have been accused of politically motivated attacks on non-Shia Iraqis. Two Shia militia groups, the Badr Organization (the armed wing of the Supreme Council for the Islamic Revolution (SCIRI) party) and the Army of the Mahdi, have substantially infiltrated police forces in some regions." **[33a] (p25)**

10.28 The UNAMI report, dated 1 May–30 June 2006, noted that:

"The functioning of these state institutions is negatively affected by the violence, corruption, inadequate resources and infrastructure and internal control systems which are weak or non-existent. Often, the response of law enforcement agencies and military operations has contributed to the violence and has also brought significant distress to civilians in many parts of the country. … Disturbingly, security incidents are said to occur also within view of the police, who are reportedly unable or unwilling to intervene and restore order." **[39a] (p1)**

10.29 The UNAMI report, dated 1 September-31October 2006, noted that "Facing criticism about action by the police, the Government has reportedly started a vetting process which has led to the removal of at least 3,000 members of the Ministry of Interior on allegations of human rights abuses and corruption." **[39e] (p2)** The report also mentioned that a Centre for Human Rights and Ethics, attached to the Ministry of Interior, has been established. **[39e] (p2)**

10.30 The same report noted that:

"There are increasing reports of militias and death squads operating from within the police ranks or in collusion with them. There are also numerous credible reports of police officials requiring payment from would-be recruits to join the police, with the intention of payroll fraud. Consequently, absenteeism is widespread and there are reports that in Kirkuk alone, half of the 5,000 police force and 13,000 Army soldiers, are not reporting to duty at any given time, and many fail to return to duty." **[39e] (p20)**

10.31 According to the CSIS report, dated 30 November 2006, "Widespread militia infiltration continues, especially of the police force. Militias also intimidate individual members of the security forces to secure their cooperation or at least forestall action against them. Mixed loyalties not only existed at the level of individual policemen or officers, but also inside the relevant ministries." **[63c] (piv)**

10.32 The US Library of Congress report, August 2006, mentioned that "From the beginning of the occupation in 2003, the new Iraqi police force has been the target of attacks, kidnappings, and murders. The government estimated that 280 police were killed between 2003 and January 2006." **[33a] (p25)**

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Iraqi Police Service (IPS)

10.33 The Iraqi Police Service (IPS) is tasked with basic police services and law enforcement duties. (UNHCR COI, October 2005) **[40c] (p50)** The CNA report, of 2 June 2006, stated that "The Iraqi Police Service (IPS) is responsible for daily patrolling of cities and towns in Iraq. Although some units are proficient, the IPS as a whole has a reputation of being untrained and police station-bound." **[64a] (p23)** The UNHCR COI report, October 2005, however, mentioned that "… they were also being used to fight the insurgency from the early beginning, a task the police were not often adequately trained and equipped for." **[40c] (p50)**

10.34 The CSIS report, dated 19 June 2006, added that "The IPS consisted of patrol, traffic, station, and highway police assigned throughout Iraq's 18 provinces." **[63a] (p113)** Approximately 101,200 IPS personnel had been trained and equipped as of May 2006. (CSIS, 19 June 2006) **[63a] (p113)**

Iraqi Highway Patrol

10.35 The UNHCR COI report, October 2005, stated that:

> "The police force is complimented by the Iraqi Highway Patrol, which is in charge of providing law enforcement and security along the highways and major roadways. This is a challenging task as Iraqi highways are the scene of frequent roadside bombs, highway robbery and carjacking involving military convoys, trucks and normal cars. By July 2005, the Iraqi Highway Patrol had about 1,400 members trained and on duty." **[40c] (p50)**

10.36 The CSIS reported, on 19 June 2006, that "As of March 2006, the MOI had integrated the former Iraqi Highway Patrol into the respective provincial police departments." **[63a] (p113)**

National Police (NP)

10.37 The National Police is a paramilitary organisation that is made up of "commandos" and "special forces". (*The Washington Post*, 15 May 2006) **[16b]** (CSIS, 19 June 2006) **[63a] (p110 and 112)** (CNA report, 2 June 2006) **[64a] (p23)**

10.38 The UNHCR COI report, October 2005, stated that "The Special Police Commando Battalions were set-up by the Ministry of Interior in August 2004 and consist of highly-vetted officers and rank-and-file servicemen that can be quickly deployed in counter operations." **[40c] (p52)** The UNHCR COI report, October 2005, mentioned that "The Special Police Commando Battalions are made up mainly of members of the former regime's Special Forces, the Security Directorate and the Republican Guards. **[40c] (p52)**

10.39 The UNHCR COI report, October 2005, mentioned that "While the commandos have gained 'high praise for their aggressiveness, effectiveness, and discipline' for their operations in hotspots such as Mosul, Ramadi, Baghdad and Samarra, the force remains controversial after the emergence of allegations of excessive use of force, torture and summary executions have emerged." **[40c] (p52)**

10.40 The Freedom Brigade (formerly the Wolf Brigade) was possibly the most dreaded and effective commando unit. (CFR, 9 June 2005) **[8a] (p2)** (CSIS, 19 June 2006) **[63a] (p112)** Composed of about 2,000 fighters, members "… reportedly earn as much as 700,000 Iraqi dinars, or $400, per month, a large sum in Iraqi terms. They dress in garb-olive uniform and red beret-redolent of Saddam Hussein's elite guard; their logo is a menacing-looking wolf." **[8a] (p2)**

10.41 The CNA report stated that "Under former Minister of Interior Bayan Jabr, these Shia-dominated commandos conducted 'death squad' raids against Sunni targets. An attempt is now being made to reform and upgrade the National Police." **[64a] (p23)**

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Border Enforcement

10.42 The UNHCR COI report, October 2005, stated that:

> "The Department for Border Enforcement was established by CPA Order No. 26 and is tasked to 'monitor and control the movement of persons and goods to, from, and across the borders from Iraq'. It is authorized to assume the following functions: border police, customs police, customs inspections, immigration inspections, border port of entry facilities protection, detention and deportation, coastal patrol, airport immigrations and customs processing, passport issuance and inspections and other nationality and civil affairs functions." **[40c] (p51)**

10.43 The CSIS report, dated 19 June 2006, stated that "By May 2006, the Department of Border Enforcement (DBE) numbered approximately 21,000 trained and equipped personnel, an increase of 2,300 since February 2006. These forces were organized into five regions, 12 brigades, and 38 battalions." **[63a] (p117)**

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FACILITIES PROTECTION SERVICE

10.44 The Facilities Protection Service was set up in 2003 to guard official buildings. (AFP, 12 April 2006) **[21d]** The US Library of Congress reported, in August 2006, that "The Facilities Protection Service (FPS), staffed mainly by former military and security personnel, was nominally under the Ministry of Interior but by 2005 had become an independent for-hire force, paid by private security companies to protect oil industry and government installations. In response to reports linking the FPS with death squad activities, the Ministry of Interior attempted in 2006 to limit the operations of the FPS…." **[33a] (p24)**

10.45 The CSIS report, dated 19 June 2006, added that "There was little effort to deal with the nearly 150,000 men in the various facilities protection forces, which were far more ineffective, corrupt, and divided than the police." **[63a] (p10)**

10.46 An AFP article reported, on 12 April 2006, that unofficial death squads operated within the security forces, namely the FPS. **[21d]**

10.47 An article in *The Washington Post*, dated 14 May 2006, added that:

> "… Interior Minister Bayan Jabr accused the Facilities Protection Service, known as the FPS, of carrying out some of the killings widely attributed to death squads operating inside his ministry's police forces. A senior U.S. military official … said he believed that members of the FPS, along with private militias, were the chief culprits behind Iraq's death squads." **[16h]**

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IRAQI ARMED FORCES

10.48 The Iraqi Armed Forces falls under the control of the Ministry of Defence. **[63a] (p81)** (CNA, 2 June 2006) **[64a] (p23)** The Iraqi Armed Forces consist of the Iraqi Army (including the Iraqi Special Operations Forces, the Iraqi Intervention Forces and the former National Guard), the Iraqi Navy (former Iraqi Coastal Defence Force), Iraqi Air Force (former Iraqi Army Air Corps)." (UNHCR COI, October 2005) **[40c] (p56)** (CIA world factbook, 10 January 2006) **[78a] (p10)**

10.49 The UNHCR COI report, October 2005, stated that "No person that was a member of the Ba'ath Party's upper ranks was allowed to join the New Iraqi Army, except with permission of the CPA." **[40c] (p55)**

10.50 The CSIS reported, on 19 June 2006, that "By May 2006, the Iraqi Army included approximately 116,500 trained and equipped combat soldiers, including Strategic Infrastructure Battalion personnel and approximately 9,600 support forces. … The number of Iraqi Army units that rated as having 'assumed the lead' had doubled to two Iraqi Army divisions, 14 Iraqi brigades, and 57 Iraqi battalions." **[63a] (p100)** The CNA report added that the Iraqi Army had 10 divisions. **[64a] (p23)**

10.51 The US Library of Congress stated, in August 2006, that "The ground forces will account for the majority of the personnel envisioned in the Iraqi Armed Forces. The New Iraqi Army… including National Guard forces, will be purely defensive and represent all the major factions in Iraq's population. The initial organizational structure includes light infantry brigades (possibly one division), rapid intervention forces, and special forces." **[33a] (p23)** The CSIS report mentioned that "As of May 2006, the Iraqi Navy had 800 trained and equipped sailors and Marines organized into an Operational Headquarters, two afloat squadrons, and six Marine platoons." **[63a] (p103)** "As of May 2006, the Air Force had approximately 600 trained and equipped personnel." **[63a] (p105)**

10.52 The CSIS report, dated 19 June 2006, stated that "The regular armed forces, and most of the security forces under the Ministry of Interior, largely continued to serve the nation and the central government, not sectarian or ethnic factions — although some elements committed prison and other human rights abuses and were found to have participated in attacks on Sunnis." **[63a] (p9)**

10.53 Although Sunni Muslims were joining the army in large numbers, efforts to increase the Sunni percentage slowed. (CSIS, 19 June 2006) **[63a] (p9)** (*The Washington Times*, 3 May 2006) **[96a]** The UNHCR COI report stated that Sunni desertion rates are particularly high. **[40c] (p49)**

10.54 Iraqi forces were increasingly confronted with the fact they no longer could concentrate on attacking insurgents, but often had to try to create local security in the face of sectarian and ethnic divisions where there was no clear enemy and any action tended to make the armed forces seem the enemy to some local factions as well as put a strain on the regular military to avoid taking sides. **[63a] (p9)**

10.55 The report also noted that "The Iraqi army does not require its soldiers to sign contracts, so soldiers treat enlistments as temporary jobs." **[63a] (p107)**

Iraqi National Guard

10.56 The US Library of Congress stated, in August 2006, that:

> "The Iraqi National Guard, formerly called the Iraqi Civil Defense Corps, had about 40,000 active personnel in 2005, when it was absorbed nominally into the regular ground forces. Nevertheless, in 2006 National Guard units still reportedly were conducting independent missions and were linked with antigovernment militia activity." **[33a] (p24)**

Iraqi Special Operations Forces (ISOF)

10.57 The CSIS report, dated 19 June 2006, noted that "As of May 2006, the Iraqi Special Operations Forces (ISOF) were composed of approximately 1,600 trained and equipped personnel organized into the Iraqi Counter-Terrorism Task Force (ICTF), the Iraqi Commandos, a support battalion, and a special reconnaissance unit." **[63a] (p102)**

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SECURITY AGENCIES

10.58 The UNHCR COI report, October 2005, mentioned that a number of state security and intelligence agencies also operated in Iraq, such as the Iraqi National Intelligence Service (INIS); the General Security Directorate; the Major Crimes Directorate and Criminal Intelligence Directorate; and the Directorate of Ministry Security and Welfare and the Internal Affairs Directorate. **[40c] (p57-58)**

ISF AS TARGETS FOR INSURGENTS

10.59 Attacks by armed insurgents on the ISF were common. (*The Times*, 4 January 2005) **[5c]** (HRW, 3 October 2005) **[15j] (p102)** (HRW, January 2005) **[15g] (p3)** (UNSC, 7 June 2005) **[38b] (p3)** (UNAMI, 1 September-31 October 2006) **[39e] (p6)** (UNHCR COI, October 2005) **[40c] (p56)** (CSIS, 19 June 2006) **[63a] (p21)** The frequent attacks largely targeted checkpoints, police stations and recruitment centres. (HRW, January 2005) **[15g] (p3)** (UNAMI, 1 September-31 October 2006) **[39e] (p6)** (UNHCR COI, October 2005) **[40c] (p2, 16 and 56)** (CSIS, 19 June 2006) **[63a] (p21-22)**

10.60 The HRW report, dated 3 October 2005, stated that:

> "Some insurgent groups have summarily executed, often by beheading, captured Iraqi police and army personnel, as well as soldiers from the Multi-National Force. The number of security force members murdered in the custody of insurgent groups is not known, but groups like Ansar al-Sunna and al-Tawhid wal-Jihad have repeatedly claimed responsibility for executing soldiers and police." **[15j] (p104)**

10.61 The UNHCR COI report, October 2005, mentioned that "Furthermore, senior ISF officials have become the target of deliberate assassinations. … Senior members of the ISF have reportedly relocated their families outside Iraq

(mainly to neighbouring countries) as insurgents also target their houses and family members." **[40c] (p56)**

10.62 A report by The Brookings Institution, dated 30 October 2006, noted that "1,300 Iraqi military and police were killed between June 2003 and January 4, 2005 according to Iraqi Minister of Interior Falah Hasan Al-Naqib." **[88a] (p8)**

Torture by the security forces

10.63 It was widely reported that the ISF were responsible for the torture and ill-treatment of Iraqis. (HRW World Report 2007) **[15o] (p1)** (AI annual report 2005) **[28f] (p3)** (AI, 22 February 2006) **[28h]** (AI, 6 March 2006) **[28b] (p4)** (UNHCR COI, October 2005) **[40c] (p49)** In fact, an article in *The Observer* reported, on 3 July 2005, that "International and Iraqi officials claim the use of torture has become more extensive since the country's first democratically-elected government was sworn in." **[87a]**

10.64 The 2005 Constitution stipulates that "All forms of psychological and physical torture and inhumane treatment are prohibited. Any confession made under force, threat, or torture shall not be relied on, and the victim shall have the right to seek compensation for material and moral damages incurred in accordance with the law." **[82a] (p12)**

10.65 Numerous cases of torture and ill-treatment in prisons and detention facilities under the control of the Iraqi authorities, including the Iraqi Correctional Service (ICS) have been reported. (AI, 6 March 2006) **[28b] (p1)** (UNHCR COI, October 2005) **[40c] (p149)** the ISF have mistreated in detention both alleged common criminals and suspected insurgents." (HRW, 3 October 2005) **[15j] (p2and115)** (UNHCR, October 2005) **[40c] (p146)**

10.66 It was widely reported that on 13 November 2005, al-Jadiriyah, a secret detention facility controlled by the MOI was raided by US forces. The troops allegedly found over 170 detainees being held in horrendous conditions and bearing signs of torture, ill-treatment and malnutrition. (BBC, 15 November 2005) **[4z]** (Times Online, 16 November 2005) **[5e]** (*The Guardian*, 16 November 2005 **[6b]** (IRIN, 20 February 2006) **[18ag]** (AI, 22 February 2006) **[28h]** (AI, 6 March 2006) **[28b] (p2)** The UNSC report, 3 March 2006, noted that "The Prime Minister's decision to establish an investigative committee to examine Al-Jadiryia abuses was welcomed by all communities." **[38e] (p11)** However, the UNAMI report, dated 1 November-31 December 2006, stated that the government failed to publish the Al-Jadiriya report . **[39f] (p20)**

10.67 Further documents reported that on 8 December 2005 Iraqi authorities and US forces inspected another detention facility controlled by the MOI in Baghdad. (USSD report 2005) **[2b] (p4)** (BBC, 12 December 2005) **[4ae]** (AI, 6 March 2006) **[28b] (p2)** According to reports, the police station was holding about 625 detainees in severely overcrowded conditions. (USSD, 2005) **[2b] (p4)** (BBC, 12 December 2005) **[4ae]** A number of detainees required medical treatment as a result of ill-treatment or torture. (AI, 6 March 2006) **[28b] (p2)**

10.68 As mentioned in an article by HRW, dated 25 January 2005, "Human Rights Watch conducted interviews in Iraq with 90 detainees, 72 of whom alleged having been tortured or ill-treated, particularly under interrogation." **[15a]** The HRW World Report 2006 stated that "The torture and ill-treatment of detainees

in Iraqi custody remains a serious concern, with the level of reported incidents rising." **[15i] (p2)**

10.69 The HRW report, January 2005, explained that "In several cases, the detainees suffered what may be permanent physical disability." **[15g] (p4)** AI reported, on 6 March 2006, that "…several detainees are reported to have died in 2005 while being held in the custody of the Iraqi authorities; in several cases, the bodies of the victims reportedly bore injuries consistent with their having been tortured." **[28b] (p2)**

10.70 The UNHCR COI report, October 2005, mentioned that:

"Iraq's use of the popular TV show Terrorism in the Grip of Justice in fighting the insurgency has also raised serious concerns as some of the suspects shown making public confessions bear visible signs such as cuts and bruises. The Iraqi Ministry of Human Rights has filed complaints with the Ministry of Interior and asked the Higher Judicial Council to review the show's legality. The programme is shown on the state-run Al-Iraqiyah TV channel and is featured by Abu Walid, the commander of the Wolf Brigade" **[40c] (p148)**

10.71 However, the same report noted that "Officials found guilty of torturing or ill-treating detainees in their custody are punishable by up to fifteen years' imprisonment under the Penal Code. Detainees have the right to submit a complaint regarding a threat or harm caused to them with a view to initiating criminal proceedings against the perpetrators." **[15g] (p20)**

10.72 In spite of this, the HRW World Report 2006 noted that "… neither the Ministry of Interior nor the Ministry of Defense had established an effective mechanism for the monitoring of abuses by law enforcement personnel or the armed forces, nor set up a system for bringing those accused of such offences to justice." **[15i] (p2)**

10.73 However, the UNAMI report, dated 1 September-31 October 2006, noted that:

"At a press conference on 17 October, MoI Spokesperson stated that 3,000 police members were laid off since last May for human rights violation and corruption charges. Of these, 1,228 were dismissed for 'breaking the law', while nearly 2,000 more were dismissed for "dereliction of duty". There is no indication whether these former officers will be further prosecuted for their alleged misconducts." **[39e] (p20-21)**

10.74 An article by IRIN news, dated 20 February 2006, reported that "An NGO [Prisoners' Association for Justice (PAJ)] established this year [2006] to assist former prison detainees who have suffered abuses in prison has received an overwhelming initial response." **[18ag]**

(See also section 15 on Prison conditions)

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Extra-judicial killings by the security forces

10.75 The ISF were responsible for numerous civilian deaths and casualties in Iraq since the fall of the former regime. (BBC, 27 July 2005) **[4ah]** (HRW, 3 March 2006) **[15j] (p116)** (AI, 25 July 2005) **[28c] (p3)** (UNHCR COI, October 2005) **[40c] (p143)** (The Observer, 3 July 2005) **[87a]**

10.76 The UNHCR COI report, October 2005, mentioned that "…there are reports of unlawful killings at the hands of Iraqi law enforcement agencies." **[40c] (p143)** Many of the extra-judicial killings appeared to have a sectarian background and sectarian hatred between Sunnis and Shi'as was consequently intensified by such incidents. (USSD report 2005) **[2b] (p2)** (UNHCR COI, October 2005) **[40c] (p143)** The USSD added that "… some [killings] were reportedly for profit." **[2b] (p2)**

10.77 The UNHCR COI report, October 2005, noted that:

> "…Since the Shiite parties gained power in the 30 January [2005] elections, accusations are being raised by Sunnis against Shiite militias and the Shiite-dominated ISF, in particular the Interior Ministry police commandos, stating that they are summarily executing Sunni Muslims. … The Ministry of Interior denies allegations that the Sunnis were executed by police forces …" **[40c] (p144)**

10.78 The report also mentioned that "It remains unclear whether such cases of torture and executions are being done at the hands of Iraqi Special Police Commandos or insurgents posing as police." **[40c] (p144)** This was also mentioned in the USSD report 2005. **[2b] (p12)**

10.79 The USSD report 2005 noted "The vast majority of human rights abuses reportedly carried out by government agents were attributed to the police." **[2b] (p3)**

AVENUES OF COMPLAINT

10.80 The CSIS report, dated 19 June 2006, stated that:

> "While the US government helped the Iraqi government establish an abuse complaint process system that involved the Inspector General, Internal Affairs, and the Public Affairs Office, the MOI still did not have the ability to police itself and eradicate human rights abuses. Human rights violations were particularly egregious at detention centers where there are no places to shower, pray, or prepare food and where plumbing and electrical systems are substandard." **[63a] (p108)**

10.81 The UNSC stated, on 5 December 2006, that there were reports of police and militias colluding to abduct people to extract bribes from their families. UNSC added that the Ministry of Interior was intensifying the screening of police officers and vetting measures, including the suspension of police officers involved in abductions, the mistreatment of detainees and assassinations. **[38h] (p9)**

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SECURITY FORCES IN THE KRG AREA

10.82 The UNHCR COI report, October 2005, noted that:

"In the three Northern Governorates of Sulaymaniyah, Erbil and Dohuk, the provision of security – including law enforcement and basic police functions – is the responsibility of the local police and the Peshmerga (the militia of the Kurdish parties)…. The Kurdish leaders have repeatedly excluded the possibility of deployment of Iraqi police or army in the Kurdish region." **[40c] (p49)**

10.83 The US Library of Congress report, August 2006, mentioned that "Police operations in the Kurdish Autonomous Region, where the Ministry of Interior officially lacks jurisdiction, are controlled by Kurdish militias.." **[33a] (p25)**

10.84 It is thought that the Peshmerga consists of around 100,000 men and the police 60,000. (FCO, 6 December 2006) **[66n] (p1)**

10.85 The same FCO letter stated that:

"The Peshmerga is generally considered to be more effective than other parts of the Iraqi armed forces. Their allegiance is to the Kurdish leadership although they are currently in a process of integration into the Iraqi Army. The Peshmerga are disciplined and have an organised structure. They provide security principally for the Kurdish Region, which has been subjected to a relatively very low level of terrorist attacks in comparison to the rest of Iraq.

"The police corps in the Kurdish Region is not driven by the same ethnic tensions as in other parts of Iraq and are generally considered to do a reasonable job in providing security and public order. The public is generally not afraid of them although there may be cases where individuals designated as either 'troublemakers' of in opposition to the local political/economic power are treated less than appropriately or violently." **[66n] (p1)**

10.86 The UNHCR COI report noted that:

"In the KDP-administered areas (Governorates of Erbil and Dohuk) the Asayish deals with domestic political and security-related matters. The head of the Asayish is Ismat Argushee and its headquarters is in Erbil. The Parastin is the KDP's intelligence-gathering arm and concerned with both internal and external threats to Kurdish security. The Parastin is lead by Masrour Barzani, son of the KRG President and KDP-leader Massoud Barzani, and is located in Salaheddin. The Asayish is under the supervision of the Parastin while the latter and (sic) is said to stand outside governmental control." **[40c] (p59)**

10.87 The report added that:

"In the Governorate of Sulaymaniyah, the Asayish is [in] charge of domestic security and the Dazgay Zaniary is the PUK's intelligence agency.

"The Kurdish intelligence apparatus played a significant role in arresting wanted persons from the former regime. All of these agencies deal with political or security-related cases and maintain their own detention centres. There are reports of the use of torture and the violation of rights of due

process by the security and intelligence agencies in all areas of Northern Iraq." **[40c] (p59)**

10.88 The FCO letter noted that "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]**

10.89 The 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. … There is no specific organization which investigates complaints against the police. The Ministry of Human Rights will monitor police activities but has limited influence." **[66n]**

Torture by security forces in the KRG area

10.90 The USSD report 2005 stated:

"Kurdish security forces committed abuses against non-Kurdish minorities in the North, including Christians, Shabak, Turcomen, and Arabs. Abuse ranged from threats and intimidation to detention in undisclosed locations without due process. (Verification or assessment of credibility of claimed torture and abuses by KRG officials was extremely difficult." **[2b] (p5)**

10.91 The UNHCR COI report, October 2005, noted that "In the Asayish and Parastin/Dazgay Zaniary detention facilities where detainees are held incommunicado and without judicial review of their detention for prolonged periods of time, the use of torture and ill-treatment cannot be excluded." **[40c] (p149)** (See also section 15 on Prison conditions)

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MULTI-NATIONAL FORCES (MNF)

10.92 The Multi-National Forces (MNF) in Iraq comprise of forces from 26 countries, including the United States of America, the United Kingdom, Australia and Poland. **[117a]**

10.93 The HRW World Report 2006 mentioned that:

"The mandate of the MNF-I, under Security Council resolution 1546, adopted in June 2004, was scheduled for review in December 2005. The United Kingdom remains the key military and political partner to the United States in the MNF-I, retaining approximately 8,300 troops in Iraq, deployed primarily in the south-eastern governorates." **[15i] (p3)**

10.94 An article in *The Washington Post*, dated 28 May 2006, reported that U.S.-led military commanders have main security responsibility for each of Iraq's 18

provinces, in consultation with the Iraqi Defense and Interior ministries and Iraqi leaders." **[16i]**

10.95 The UNAMI report, dated 1 September-31 October 2006, stated that "Military operations by MNF-I, particularly in Al-Anbar, continued to cause severe suffering to the local population who also find themselves in the midst of cross-fire among rival insurgent and criminal groups and the security forces." **[39e] (p3)**

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Torture by the MNF

10.96 It was widely reported that the MNF were responsible for the torture and ill-treatment of Iraqis. (HRW World Report 2007) **[15o] (p1)** (IRIN, 20 February 2006) **[18ag]** (AI annual report 2005) **[28f] (p3)** (AI, 22 February 2006) **[28h]** (AI, 6 March 2006) **[28b] (p4)** (UNHCR COI, October 2005) **[40c] (p49and145)**

10.97 The UNHCR COI report noted that "Questions about detainees' treatment and interrogation techniques have been sparked by revelations of serious abuse by US soldiers at Abu Ghraib and other places." **[40c] (p54-55)** The AI report, dated 25 July 2005, continued that "The torture and ill-treatment of detainees by US forces were highlighted in April 2004 when photographs of Iraqi prisoners being abused were published around the world." **[28c] (p4)**

10.98 It was widely reported that some Iraqi detainees in US custody were routinely and severely beaten, held for prolonged periods in forced stress positions, subjected to sleep deprivation, denied food and water, exposed to extremes of hot and cold, held in solitary confinement, forced to listen to loud music, made to stand for prolonged periods, hooded or blindfolded for several days, subjected to humiliating treatment, handcuffed that caused skin lesions and nerve damage and subjected to chemicals in the skin and eyes. (HRW World Report 2007) **[15o] (p1)** (AI, 25 July 2005) **[28c] (p4)** (AI annual report 2005) **[28f] (p3)** (AI, 6 March 2006) **[28b] (p5)**

10.99 There were also reports that women were beaten, sexually abused and threatened with rape in addition to other ill-treatment. (AI, 6 March 2006) **[28b] (p5)** (UNHCR COI, October 2005) **[40c] (p35-36)**

10.100 The AI report, dated 6 March 2006, noted that "Although the US authorities introduced various measures to safeguard prisoners after the Abu Ghraib prison scandal, there continue to be reports of torture or ill-treatment of detainees by US troops." **[28b] (p10)**

10.101 The same report stated that "While dozens of US soldiers have been court-martialed in connection with the abuse of detainees, senior US administration officials have remained free from independent scrutiny. According to the US government, as of 1 October 2005 there had been 65 courts-martial in connection with the abuse of detainees in Iraq." **[28b] (p5)** UNAMI reported on the investigations of US forces following the alleged deliberate killing of 24 civilians in Haditha, on 19 November 2005. It also reported that on "… 25 June the US military charged a soldier with voluntary manslaughter for shooting an

unarmed Iraqi man on 15 February near Ramadi. On 21 June, the US military charged seven Marines and a Navy medic with premeditated murder and other crimes in the killing of a disabled man in a Hamdaniya, on 26 April. Three UK soldiers were cleared, on 6 June, of killing a 15-year-old Iraqi boy who drowned after allegedly being forced into a canal." (UNAMI, 1 May–30 June 2006) **[39a] (p17)**

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Extra-judicial killings by the MNF

10.102 The MNF were responsible for numerous civilian deaths and casualties in Iraq since the fall of the former regime. (BBC, 27 July 2005) **[4ah]** (HRW, 3 March 2006) **[15j] (p116)** (AI, 25 July 2005) **[28c] (p3)** (UNHCR COI, October 2005) **[40c] (p143)** (The Observer, 3 July 2005) **[87a]**

10.103 The UNSC report, dated 7 June 2005, noted that "The Multinational Force and Iraqi security forces have significantly stepped up their anti-insurgent campaigns in and around Baghdad as well as in Western Iraq. There have been reports of high casualty rates and alleged violations of civil liberties and human rights by all sides." **[38b] (p3)**

10.104 The AI report 2005 stated that "There was intense fighting between the US-led forces and Iraqi armed groups opposed to their presence. Attacks by Iraqi insurgents on Iraqi police stations, US and UK troops and other targets, including civilian targets, steadily mounted. Thousands of Iraqis as well as US soldiers and other nationals died as a result." **[28f] (p1-2)**

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PRIVATE SECURITY COMPANIES

10.105 About 30,000 civilians are employed by private security companies in Iraq. (AFP, 12 April 2006) **[21d]** They provide additional military functions including the protection of government officials, guarding oil pipelines and reconstruction projects and the training of the ISF as well as working alongside the military forces. (UNHCR COI, October 2005) **[40c] (p45)**

10.106 The same report noted that "In short, private security contractors have little or no legal accountability, making them especially feared and unpopular with the Iraqi population. Private security contractors were allegedly involved in the Abu Ghraib prison scandal, where they were involved in interrogating prisoners, although to date no criminal charges have been brought against the contractors." **[40c] (p45)**

10.107 The report also mentioned that "Given their vague status, private security contractors are often found on the front lines. A considerable number of private security contractors have been kidnapped and killed by insurgents, who consider them on par with foreign troops. There have also been reports of private security contractors being killed, arrested and tortured by the MNF." **[40c] (p46)**

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MILITARY SERVICE

11.01 Prior to the ousting of the Saddam regime in March 2003, military service was compulsory for all men at the age of 18 years. (Europa regional survey 2005) **[1a] (p537)** However, the Coalition Provisional Authority (CPA) specified that the minimum age of recruitment was 18 and that recruitment was voluntary. (Coalition to Stop the Use of Child Soldiers, 2004) **[42a]**

11.02 The US Library of Congress added, in August 2006, that "In 2006 Iraq had no conscription system, although a draft system could be established by the permanent government. Recruitment centers were located in Arbil, Baghdad, Basra, and Mosul." **[33a] (p24)**

11.04 There were reports of desertion and absentees from the ISF following an increase in insurgent attacks targeting the ISF. (UNHCR COI report October 2005) **[40c] (p48)** (*The Daily Telegraph*, 25 April 2005) **[48a]** The CSIS report, dated 30 November 2006, added that "While over 300,000 men have been trained and equipped, a large percentage has since left and deserted, substantial numbers have been killed and wounded, and some 10-20% of those who remain are absent at any given time because they leave to take care of their families and transfer their pay in a country where there is no meaningful banking system." **[63c] (p43)**

11.05 Citing the US Department of Defense, the CSIS report stated that:

"It says the forces reached 115,000 men at end July: 84% of planned end strength. Generation of Army battalions is said to be 97% complete, and the support forces are only 65% complete. However, other parts of the report note that absenteeism is an average rate of 15%. It notes that, 'there is currently no judicial punishment system with the Iraqi Army, Therefore, Iraqi Army Commanders have little legal leverage to compel their soldiers to combat, and soldiers and police can quit with impunity.'" **[63c] (p77)**

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ABUSES BY NON-GOVERNMENT ARMED FORCES

12.01 Following the fall of the Saddam regime, a number of armed groups opposed to the continued presence of the MNF in Iraq and the Iraqi government emerged in the country. (AI, 25 July 2005) **[28c] (p4)** (AI, 6 March 2006) **[28b] (p1)** Armed groups were responsible for abuses against Iraqi civilians and foreign nationals, as well as attacks against the MNF and Iraqi troops. (IRIN, 24 January 2006) **[18ae]** (AI, 25 July 2005) **[28c] (p1)** (AI, 6 March 2006) **[28b] (p1)** Abuses included abductions and hostage taking, torture and ill-treatment, suicide bombings and killings. (AI annual report 2005) **[28f] (p4)** (AI, 25 July 2005) **[28c] (p1)**

12.02 An article in *The Washington Post*, dated 20 August 2005, noted that "Their growing authority has enabled them to seize territory, confront their perceived enemies and provide patronage to their followers." **[16f] (p1)**

12.03 The ICG report, dated 19 December 2006, noted that:

"Since early 2006 in particular, the armed opposition has focused its propaganda on crimes committed against Sunni Arabs, thereby encouraging a siege mentality and promoting its own role as protector of the oppressed population. Shiite militias similarly legitimate their actions by highlighting both the state's deficiency and their resulting responsibility to protect civilians. In short, violence spawns the symbolic resources that its perpetrators need." **[25e] (p6)**

12.04 As stated in a US Department of Defense report, dated 30 November 2007:

"Death squads are armed groups that conduct extra-judicial killings; they are formed from terrorists, militias, illegal armed groups, and—in some cases—elements of the ISF. Both Shi'a and Sunni death squads are active in Iraq and are responsible for the significant increase in sectarian violence. Death squads predominantly target civilians, and the increase in civilian casualties is directly correlated to an increase in death squad activities." **[103a] (p18)**

12.05 The UNAMI report, dated 1 September-31 October 2006, stated that:

"Much of this violence is carried out by militias and other armed gangs, some purporting to grant the community protection that cannot be guaranteed by the state law enforcement agencies. Militias and other armed groups are said to be in control of whole areas in the east and west of Baghdad and continue to carry out illegal policing, manning of checkpoints and 'dispensation of justice' through illegal trials and extra-judicial executions. They operate with almost total impunity. Attacks against minorities, Palestinian refugees and women are often allegedly carried out by such groups. Many victims are kidnapped by militias at improvised checkpoints and then extra-judicially executed. These tactics have been employed by both Sunni and Shi'a armed groups or militias to various degrees." **[39e] (p7)**

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SUNNI ARAB INSURGENTS

12.06 According to the CSIS report, dated 22 June 2006, "There is no debate among experts over the fact that Sunni Arabs dominate the insurgency." **[63b] (p186)** Sunni Arab insurgent groups were largely made up of former Ba'athist officials and supporters, former soldiers, Sunni Arabs determined to regain power, Muslims opposed to any foreign occupation, tribal factions, groups linked to Al-Qaeda, dead-enders, rejectionists and foreign fighters. (USSD Terrorism report 2005) **[2g] (p131)** (Jane's Information Group, 1 August 2006) **[14b] (p1)** (ICG, 15 February 2006) **[25c] (p1)** (AI, 25 July 2005) **[28c] (p1)** (AI annual report 2005) **[28f] (p4)** (CSIS, 22 June 2006) **[63b] (p186)** (*Le Monde Diplomatique*, 12 May 2006) **[57a] (p1)**

12.07 Although the insurgent groups do not seem to be a united movement with one ideology, **[28c] (p4)** the majority had the same aim. The CSIS report, dated 22 June 2006, added that insurgents "… seem to be seeking Islamic martyrdom rather than clearly defined political goals." **[63b] (p186)**

12.08 On the other hand, the ICG report, dated 1 March 2006, claim that "Over time, the insurgency appears to have become more united, confident, sensitive to its constituents' demands, and adept at learning from the enemy's successes and failures and its own. The trend remains fragile – the surface homogeneity in all likelihood conceals deep-seated tensions; the confidence may be short-lived; and the sensitivity has its limitations." **[25c] (p26)**

12.09 The insurgent groups clearly opposed the new Iraqi government and the MNF presence in Iraq and were committed to eliminating Shi'ites, Kurds, and those Sunnis who support the new government or cooperate with the MNF. (Jane's Information Group, 1 August 2006) **[14b] (p1)** (CSIS, 22 June 2006) **[63b] (p1)** The CSIS report, dated 22 June 2006, added that insurgents "… increasingly sought to divide Iraq's Sunni Arabs from its Arab Shi'ites, Kurds, and other Iraqi minorities." **[63b] (p15-16)** They attacked MNF, diplomatic representatives, NGOs, and other non-Iraqi targets. However, the main objective of the insurgents was to prevent Iraq from emerging as a unified national state dominated by a Shi'ite majority. (Jane's Information Group, 1 August 2006) **[14b] (p1)** (CSIS, 22 June 2006) **[63b] (p1)**

12.10 It was a common opinion among insurgent groups that Iraq was fighting a dirty war in which sectarian Shi'a were pursuing an essentially Iranian agenda. This reason, encouraged unity among the armed groups. (ICG, 1 March 2006) **[25c] (p25)** (*Le Monde Diplomatique*, 12 May 2006) **[57a] (p2)**

12.11 Although there appears to have been three main groups of insurgents, namely Ansar al-Sunna, Jaysh Mohammed and Tandhim Qa'idat al-Jihad fi Bilad al-Rafidayn (also known as a al-Qa'ida in Iraq), most were local and informal, operating at the tribal and neighborhood level. (UNHCR COI, October 2005) **[40c] (p65)** (CSIS, 22 June 2006) **[63b] (p186 and 234)**

12.12 The CSIS report, dated 22 June 2006, noted that "Some 35 Sunni Arab 'groups' have made some kind of public announcement of their existence, or claimed responsibility for terrorist or insurgent attacks …." **[63b] (p186)**

12.13 However, the same report mentioned that:

"The leading insurgent groups complicate analysis because they may use several different names, organize themselves into compartmented subgroups, and are increasingly organized so that their cadres are in relatively small and specialized cells. Some cells seem to be as small as 2 or 3 men. Others seem to operate as much larger, but normally dispersed groups, capable of coming together for operations of as many as 30-50 men. These subgroups and cells can recruit or call in larger teams, and the loss of even a significant number of such cells may not cripple a given group." **[63b] (p186)**

12.14 The AI report, dated 25 July 2005, argued that many insurgent groups did not have recognised political wings or official spokespersons inside or outside the country. However, religious figures occasionally exercised influence over some of the groups. **[28c] (p5)** However, the CSIS report, dated 22 June 2006, noted that "The larger movements seem to have leadership, planning, financing, and arming cadres kept carefully separate from most operational cells in the field." **[63b] (pxiii)**

12.15 The main Sunni insurgent groups are concentrated in the governorates of al-Anbar, Baghdad, Ninawa and Salah ad Din, although attacks have been reported in other parts of the country such as the KRG controlled area and the south. (AI, 25 July 2005) **[28c] (p1)** (CSIS, 22 June 2006) **[63b] (p73 and 187)**

12.16 The CSIS report, dated 22 June 2006, stated that:

"The core Sunni insurgents have suffered a series of significant and continuing tactical defeats since early 2004, notably in cities like Najaf, Baghdad, Samarra, Fallujah, and Mosul, but also increasingly in the 'triangle of death', Sunni triangle, and Iraqi-Syrian border areas. Iraqi forces have come to play a much more important role, and many insurgent leaders have been killed or captured. The death of Zarqawi in June 2006 followed the death of many key members of Al Qa'ida over the previous months, and was followed by further major successes in Baghdad and in other key areas of insurgent activity." **[63b] (p72)**

Torture by insurgents

12.17 Insurgents were largely inspired by tribal and local loyalties, as well as nationalism and religious duty. (ICG, 1 March 2006) **[25c] (p25)** (CSIS, 22 June 2006) **[63b] (p25, 186)** They were also opposed to the continued presence of the MNF in Iraq and believe military action against them is a legitimate response. (HRW World Report 2007) **[15o] (p2)** (HRW, 3 October 2005) **[15j] (p32)** (AI, 25 July 2005) **[28c] (p5)** (UNHCR COI, October 2005) **[40c] (p2)** (CSIS, 22 June 2006) **[63b] (p186)** According to the HRW report, dated 3 October 2005, the majority of Sunni institutions and religious bodies support this view. **[15j] (p32)** The AI report, dated 25 July 2005, stated that "Some of them also consider targeting 'collaborators', Iraqis and non-Iraqis, as legitimate." **[28c] (p5)**

12.18 The UNAMI report, dated 1 July–31 August 2006, stated that "Armed groups use terrorist methods in order to foment insecurity and sectarian strife which in turn have continued to trigger a vicious cycle of violence and revenge killings, resulting in overall instability in the country." **[39c] (p1)**

12.19 Reports indicate that insurgent groups were responsible for copious attacks and killings against Iraqi civilians and foreign nationals, in addition to the MNF

and ISF. (*The Guardian*, 24 February 2005) **[6l]** (HRW World Report 2007) **[15o] (p2)** (AI, 25 July 2005) **[28c] (p4)** (UNHCR COI, October 2005) **[40c] (p65)** (CSIS, 22 June 2006) **[63b] (p48)** The use of car bombs and suicide bombs outside government facilities, mosques and churches, in markets, bus stations and other public gathering spots, police stations and businesses resulting in substantial civilian casualties and deaths were not uncommon. (USSD report 2005) **[2b] (p3)** (BBC, 1 August 2005) **[4aa]** (HRW World Report 2007) **[15o] (p2)** (AI, 25 July 2005) **[28c] (p4)** (UNHCR COI, October 2005) **[40c] (p65)** (CSIS, 22 June 2006) **[63b] (p48)** Following the December 2005 elections there were also reported cases of "body dumps". (CSIS, 19 June 2006) **[63a] (p65)** (CSIS, 22 June 2006) **[63b] (p48)**

12.20 The CSIS report, dated 19 June 2006, stated that "During the winter of 2005 and 2006, body dumps became a favored tactic for both insurgents and militias." **[63a] (p65)**

12.21 Insurgents also carried out targeted attacks, kidnappings and assassinations against civilian groups or 'soft targets' and their families such as those working in public administration, government officials and politicians, foreign diplomats, police, and security forces, judges, journalists, doctors, professors, humanitarian aid workers, women and homosexuals, as well as those seen to be collaborating with the MNF-I such as translators, cleaners and other civilians working for the MNF-I. (USSD report 2005) **[2b] (p3)** (HRW World Report 2007) **[15o] (p2)** (UNSC, 7 June 2005) **[38b] (p13)** (UNAMI, 1 May–30 June 2006) **[39a] (p8)** (UNHCR COI, October 2005) **[40c] (p65)** (CSIS, 22 June 2006) **[63b] (p17)** In addition to this there was a constant campaign of intimidation, disappearances, and "mystery killings" by insurgents. (CSIS, 22 June 2006) **[63b] (p73)**

12.22 The HRW report, dated 3 October 2005, suggested that "Some [religious bodies] have condemned attacks on civilians, particularly the large-scale attacks on Shi`a shrines and Christian churches, but their condemnations are sometimes limited and suggest that attacks on civilians are warranted in certain circumstances." **[15j] (p32)**

12.23 The same report noted that:

"The tactics employed by insurgents against the MNF/ISF include Improvised Explosive Devices (IEDs), ambushes of convoys and patrols using AK-47 assault rifles and RPGs, mortar and rocket strikes on military bases and buildings associated with the Iraqi Government, attacks on helicopters, sabotage acts against civilian infrastructure such as oil pipelines and (suicide) car bombs. Assaults combining various weapons and tactics – such as the use of IEDs, RPGs, mortars and car bombs all at once – have increasingly appeared. The most visible attacks are those of suicide bombers; most of this group is believed to come from outside Iraq, although they operate with local support. An Al-Qaeda announcement posted on the Internet says that it has formed a unit of potential suicide attackers who are of exclusively Iraqi origin." **[40c] (p65)**

12.24 In addition to the various attacks, the UNHCR COI report, October 2005, stated that "… there are numerous reports and evidence that insurgents employ multiple forms of torture and inhumane treatment against their victims, including beatings, electric shocks and mock executions. During raids of

insurgent hotspots such as Fallujah or Karabilah, the MNF/ISF has discovered several 'torture houses', fully equipped and sometimes even with victims in them." **[40c] (p149)**

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SHI'A MILITIA

12.25 Although there are a number of small militia groups in Iraq, the main two are the Badr Organisation and the Mahdi Army. (CFR, 9 June 2005) **[8a] (p1)** (CSIS, 22 June 2006) **[63b] (254)** The UNHCR COI report, October 2005, stated that "In a recent announcement, President Jalal Talabani and the ITG openly backed the armed militias and emphasized their crucial role in fighting the insurgency." **[40c] (p60)**

12.26 The ICG report, dated 19 December 2006, stated that:

"The security vacuum was filled by militias linked to the Shiite Islamist parties, the Badr Corps of the Supreme Council for the Islamic Revolution in Iraq (SCIRI) and Muqtada Sadr's Mahdi army, as well as an array of smaller groups, among them Mahdi army off-shoots, neighbourhood vigilantes, private security contractors guarding politicians as well as oil, power and other key facilities, and criminal mafias. The militias' empowerment, in particular, has contributed to the very dangerous sectarian dynamic that emerged following the January 2005 elections, while the growing privatisation of violence has resulted in chaos. Iraqis lacking resort to the state now rely on armed groups for protection; short-term survival strategies have replaced long-term reconstruction agendas." **[25e] (p3)**

12.27 While there were reports of factional fighting between Mahdi Army and the Badr Organisation, most of the rivalry unfolded on the political stage. (*The Washington Post*, 21 December 2006) **[16k]** (*The New York Times*, 20 October 2006) **[24e]** (UNHCR, 18 December 2006) **[40f] (p2)** According to an article in *The Washington Post*, on 21 December 2006, "Both wear the black turban signifying their descent from the prophet Muhammad. They have fought each other since the days their fathers vied to lead Iraq's majority Shiites. They hold no official positions, but their parties each control 30 seats in the parliament. And they both lead militias that are widely alleged to run death squads." **[16k]**

12.28 The CSIS report, dated 19 June 2006, noted that:

"The relatively well-organized Shi'ite militias created during the time Saddam was in power, and trained and armed by Iran, were now splintered. Many were involved in Iraqi politics or already in the Iraqi security forces. The remainder were often the 'losers' in their own organizational politics, Shi'ite Islamist hardliners, and new local recruits." **[63a] (p10)**

12.29 The CSIS report, dated 19 June 2006, noted that "Both factions had leaders that called for early US withdrawal, but SCIRI was far more practical about the need for continuing US and outside aid in force development. Sadr continually called for the US to leave Iraq. The divisions between Shi'ite factions thus not

only led to internal clashes, but affected support for any meaningful effort at Iraqi force development." **[63a] (p60)**

12.30 The CSIS report stated that:

"There were numerous incidents of the Mahdi Army installing its own members to head hospitals, dental offices, schools, trucking companies, and other private businesses. Rank employees are often fired for no reason. As a Baghdad University professor said, 'We are all victims of this new thought police. No longer content to intimidate us with violence, these militias want to control our every move, so they appoint the administrators and managers while dissenters lose their jobs.'" **[63a] (p69)**

12.31 It was also widely reported that members of Shi'a militias infiltrated the Iraqi security forces. (US Library of Congress, August 2006) **[33a] (p25)** (CSIS, 19 June 2006) **[63a] (p69)** The ICG report, dated 19 December 2006, stated that "Shiite militias and death squads maintain they only go after *Takfiriyin* (i.e. jihadis who consider certain Muslim sub-sects as unbelievers and wish to excommunicate them) or *Saddamiyin* (i.e. followers of the fallen dictator)." **[25e] (p7)**

12.02 The UNHCR COI report, October 2005, noted that "The larger and more well-established groups play a major role in providing security, in particular in Baghdad's Shiite neighbourhoods and in the South where Shiite organizations immediately filled the security vacuum created after the fall of the former regime." **[40c] (p60)**

12.32 The Brookings Institution report, October 2006, noted that:

"In Iraq … radical groups encourage members of their own sect to *stay* in contested areas, promising to protect them – even if they cannot. Mahdi Army officials said many times that one of their goals is to protect the Shi'a families especially in Baghdad. For example, the Sunni fronts distribute flyer with information on how to pass for a Shi'a if caught by Shi'a militants – for instance by memorizing the names of the Shi'a imams, installing ring-tones based on Shi'a religious songs (*husayniyyat*) on mobile phones, or even changing one's name." **[88b] (p15)**

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Torture by Shi'a militia

12.33 The CSIS report, dated 22 June 2006, stated that "Revelations and accusations of 'revenge killings' perpetrated by the Shi'ite dominated Interior Ministry forces against the Sunni population exacerbated sectarian and ethnic tensions throughout talks to form a new government." **[63b] (p48)**

12.34 The US Department of Defense stated, in a report dated 30 November 2006, that:

`"The group that is currently having the greatest negative affect on the security situation in Iraq is Jaysh al-Mahdi (JAM), which has replaced al-Qaeda in Iraq as the most dangerous accelerant of potentially self-sustaining sectarian

violence in Iraq. JAM exerts significant influence in Baghdad and the southern provinces of Iraq and on the Government of Iraq. JAM receives logistical support from abroad, and most, but not all, elements of the organization take direction from Muqtada al-Sadr. JAM and Badr Organization (see below) members periodically attack one another and are political rivals." **[103a] (p19)**

12.35 *The Washington Post* stated in an article, dated 20 August 2005, that "Shiite … militias, often operating as part of Iraqi government security forces, have carried out a wave of abductions, assassinations and other acts of intimidation, consolidating their control over territory across … southern Iraq and deepening the country's divide along ethnic and sectarian lines, according to political leaders, families of the victims, human rights activists and Iraqi officials." **[16f] (p1)**

12.36 The CSIS report, dated 22 June 2006, noted that "Shi'ite militias and death squads reply to the insurgency in kind, often killing, wounding, or kidnapping innocent Sunnis. Neighborhoods forces both protect and threaten. Ethnic cleansing is forcing many Iraqis to relocate into areas where they are in the sectarian or ethnic majority or flee the country." **[63b] (p1)**

12.37 The CSIS report, dated 19 June 2006, stated that:

"The most serious problems occurred in areas where Shi'ite militias came into contact with Sunnis, which threatened to push the country towards civil war in precisely the way that Sunni Islamist extremists sought in attacking Shi'ites and Kurds in the first place. At the same time, Shi'ite factions contended for power with the central government and each other. The most overt examples were Sadr City in Baghdad, and Basra – Iraq's second largest city. In these cases, Iraqi forces at best had formal authority while de facto power was in the hands of the militias – many of which committed crimes and violent acts against members of their own sect." **[63a] (p58)**

12.38 The report mentioned that "Much of the killings were being carried out through rival factions within the local police force." **[63a] (p59)**

12.39 The report also noted that:

"By the summer of 2006, Shi'ite militias operating in the southern province of Basra had become enough of a problem to prompt a visit from Prime Minister Nuri Kamal al-Maliki. During his visit to the city of Basra on May 31, 2006, Maliki berated local leaders regarding the breakdown of the security situation. Rival Shi'ite parties and their associated militias became embroiled in a power grab struggle as Coalition and Iraqi officials largely focused on battling the insurgency in other parts of the country. The result was a sharp increase in killings – 174 in the two months leading up to Maliki's visit – as the factions fought for control of the provincial government and the region's oil wealth." **[63a] (p59)**

12.40 The CSIS report, dated 22 June 2006, stated that:

"… Sunnis accuse the militias – particularly the Badr Organization, the Mahdi Army, and police and elements of the special security forces dominated by these militias – of killings, intimidation and a host of other crimes. In contrast, this has led to steadily rising tension, and divisions between Sunni and Shi'ite,

over the roles the Shi'ite militias and government forces with large numbers of former militia are playing in any revenge killings." **[63b] (p256)**

12.41 An article by Knight Ridder Newspapers, dated 8 June 2005, stated that the Badr Organisation was accused of conducting a terror campaign against Iraq's Sunni Muslim population. **[13b] (p1)** The same article reported that the Badr Organisation was involved in a series of attacks against Sunni clerics, including cases where victims were tortured with electric drills. **[13b] (p1)**

12.42 The CNN article, dated 8 June 2005, added that "The Badr Organization has been accused by some prominent Sunni figures as being complicit in a recent spate of killings of Sunni clerics and have charged the Shia-dominated government with giving the organization too much power." **[17a]**

12.43 The CSIS report, dated 19 June 2006, mentioned that:

"The Badr Organization, formerly the Badr Brigade, similarly denied charges that it was using the Ministry of the Interior, controlled by SCIRI member Bayan Jabr, to carry out attacks against Sunnis. Hadi al-Amery, the leader of the Badr Organization, claimed that the abductions and executions were the work of insurgents who had either infiltrated the ISF or were using the uniforms to mask their true identity and generate sectarian tensions. He claimed that 5% of his 20,000 Badr Brigade members had been incorporated into the security forces and that the rest were involved in politics." **[63a] (p58)**

12.44 The report also mentioned that:

"There were common characteristics to many 'mystery killings.' The victims increasingly were relatively ordinary Shi'ites or Sunnis and were not directly working for the government of Coalition forces. Often times victims were taken from their homes or businesses in daylight by masked gunmen or men wearing police or security force uniforms and driving standard issue trucks. These attributes, and the fact that the bodies were almost always found in the same condition – blindfolded, handcuffed, and shot in the head showing signs of torture – lent credibility to the claim that many of the killings were perpetrated by Shi'ite militias themselves, or elements of security forces dominated by these militias." **[63a] (p65)**

12.45 The CSIS report, dated 19 June 2006, noted that "The Moqtada al-Sadr's Mahdi Militia was poorly organized and disciplined, and often operated at the local level as religious 'enforcers.'" **[63a] (p10)** The report continued "This Mahdi Army and its affiliates were more 'grass roots based' than other Shi'ite militia, and did more to reach out to poor and displaced Shi'ites by providing security and basic services." **[63a] (p60)** *The New York Times* noted, on 28 September 2006 and on 13 November 2006, that there a number of reports that suggested Muqtada al-Sadr lost control of part of the Mahdi Army which according to reports has splintered off into freelance death squads. **[24c] [24d]**

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KURDISH MILITIA

12.46 The Kurdish Peshmerga, described by UNHCR as the strongest militia, were the militia of the Kurdish Democratic Party (KDP) headed by Masoud Barzani and the Patriotic Union of Kurdistan, headed by Jalal Talibani. (UNHCR COI, October 2005) **[40c] (p60)** (CSIS report, dated 22 June 2006) **[63b] (p278)** (See also Annex E on Current insurgent/militia groups)

12.47 The CSIS report, dated 22 June 2006, noted that "Their current strength is difficult to estimate, and some elements are either operating in Iraqi forces or have been trained by US advisors." **[63b] (p278)** The report added that "The PUK and KDP claim that there are 100,000 Peshmerga troops, and they have insisted on keeping the Peshmerga intact as guarantors of Kurdish security and political self-determination." **[63b] (p278)**

12.48 The Christian Science Monitor mentioned, on 2 March 2005, that "The two parties have agreed to unify the Kurdish region under a single government, but each maintains its own band of armed pesh merga with separate command structures." **[34b] (p1)** (See also section 6 on the Political system in the KRG area)

12.49 The Peshmerga were the principal security forces for the Kurdish Regional Government (KRG). (CSIS report, dated 22 June 2006) **[63b] (p278)** An article in *The New York Times*, dated 23 February 2005, noted that "A source of ethnic pride, they fought tenaciously against Saddam Hussein and are now relied upon by American commanders to battle the Arab-led insurgency in the north. Perhaps most important in the current power vacuum, they provide Kurdish leaders with armed backing in their demands for broad autonomy." **[24a]**

12.50 *The New York Times* article also stated that "The pesh merga are everywhere in Iraqi Kurdistan – along the highways, atop government buildings, riding in convoys. They wear a hodgepodge of uniforms, from traditional baggy outfits to desert camouflage hand-me-downs from the United States Army. There is one thing that appears to be consistent, though: they think of themselves as Kurds first and Iraqis second." **[24a]**

12.51 The EUI report 2005 stated that "The larger Kurdish forces, the peshmerga, have occasionally been deployed out of their locality, but are generally confined to the Kurdish self-rule government area." **[58b] (p20)**

12.52 The CSIS report, dated 19 June 2006, mentioned that:

> "The Kurdish militias did not present as many problems for Iraqi security and Iraqi force development as the Shi'ite militias, but the deployment of Shi'ite militias into the Kirkuk area made it clear that this was no guarantee for the future. Kurdish separatism and claims to areas like Kirkuk and Iraq's northern oil fields remained potentially explosive issues. Thousands of Kurdish Peshmerga soldiers were incorporated into the Iraqi army during the formation of Iraqi forces. The Kurdish adage, 'the Kurds have no friends,' seemed to hold true here as well. While Kurdish army units could operate effectively in their relatively ethnically homogenous north, they were often perceived as outsiders in Arab areas." **[63a] (p60)**

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Torture by Kurdish militia

12.53 The CSIS report, dated 19 June 2006, stated that "The problems with the militias were least damaging inside the areas controlled by the Kurdish government, which had long been under Kurdish control, but the Peshmerga remained a threat to both Iraqi force development and the Iraqi government in areas like Kirkuk and wherever there was tension between Kurd, Arab, Turcoman, and other minorities." **[63a] (p58)**

12.54 The CSIS report, dated 22 June 2006, added that "The Kurds are exploiting their control of the three provinces that made up the Kurdish enclave under Saddam Hussein in ways that give them advantages over other ethnic groups in the region, and present the threat of soft ethnic cleansing in the area of Kirkuk." **[63b] (pxiv)**

12.55 *The Washington Post* article, dated 20 August 2005, reported that:

"Across northern Iraq, Kurdish parties have employed a previously undisclosed network of at least five detention facilities to incarcerate hundreds of Sunni Arabs, Turkmens and other minorities abducted and secretly transferred from Mosul, Iraq's third-largest city, and from territories stretching to the Iranian border, according to political leaders and detainees' families. Nominally under the authority of the U.S.-backed Iraqi army, the militias have beaten up and threatened government officials and political leaders deemed to be working against Kurdish interests; one bloodied official was paraded through a town in a pickup truck…." **[16f] (p1)** (See also section 15 on Prisons and detentions facilities in the KRG area)

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FOREIGN INSURGENTS

12.56 It was widely reported that there were a number of foreign fighters in Iraq fighting against the MNF and Iraqi forces. (AI, 25 July 2005) **[28c] (p4)** (US Library of Congress, August 2006) **[33a] (p23)**

12.57 According to the CSIS report, dated 22 June 2006 :

"It is unlikely, however, that foreign volunteers make up even 10% of the insurgent force, and may make up less than 5%. While the number of foreign volunteers has increased through the spring of 2005, US experts feel they have since declined, largely as a result of US and Iraqi government military operations in Western Iraq and improvements in security in the Syrian-Iraqi border area. While some estimates of the total number of such volunteers have gone as high as 3,000, others go from the high hundreds to over 1,000." **[63b] (p243)**

12.58 The report also mentioned that "Foreign Sunni Islamist extremist volunteers do seem to have carried out most of the suicide car and pedestrian bombings since 2003. These are among some of the bloodiest and most-publicized insurgent attacks." **[63b] (p244)**

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OTHER INSURGENT/MILITIA GROUPS

12.59 The AI report, June 2004, documented that a number of political and religious opposition groups with armed wings have moved back to Iraq. Amnesty stated that in different parts of Iraq, they have put pressure on women and girls to wear the hijab or the strict Islamic dress, and that other people have been targeted by these groups, including members of religious minorities such as Christians and Sabean/Mandeans, alcohol sellers, well-known secularists, Ba'athists, former civil servants and former members of the old security services. **[28a] (p8)**

12.60 The same report stated that:

"Basra, for example, has seen the emergence of numerous armed groups, some related to Shi'a Islamist political groups such as the Badr Organization, but many are new such as Tha'r Allah (God's Revenge), Harakat 15 Sha'ban, al-Talee'a (The Vanguard) and Jama'at al-Fudhala (Group of Virtue). These groups have occupied former government buildings which had been looted during the war and use them now as their headquarters. They are feared by many people in Basra because they have been responsible for gross human rights abuses, including killing a large number of former Ba'ath party members or supporters, former security men and alcohol sellers." **[28a] (p8)**

12.61 The AI report added that:

"The occupation of Iraq also led to the emergence of armed groups who vowed to end the occupation using all available violent means including suicide attacks. These groups, said to be a mixture of former Ba'ath supporters, former members of the various security services, Sunni radical Islamist groups and foreign fighters, have targeted Coalition Forces, members of the IGC, Iraqis cooperating with or working for the CPA and Coalition Forces, as well as international aid workers and journalists." **[28a] (p18)**

12.62 The report added that "These groups have also resorted to hostage-taking and killing of hostages to put pressure on countries that have troops in Iraq to withdraw them." **[28a] (p9)**

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JUDICIARY

13.01 Article 19 (1) of the Constitution stipulates that "The judiciary is independent and no power is above the judiciary except the law." **[82a] (p7)** Several sources, nevertheless, reported that the judiciary and judges were subject to political influence. (USSD, 2005) **[2b] (p7)** (Freedom House, 2005) **[70b] (p309)** (Freedom House, 2006) **[70b] (p5)** Reports noted that problems within the justice system were intensified by the lack of trained staff and corruption. (UNHCR guidance, October 2005) **[40a] (p7)**

13.02 The UNHCR COI report, October 2005, noted that "… there is still a long way to go to build a functioning legal system, to ensure enforcement of law in compliance with international human rights standards, to educate Iraqis, and in particular the ISF, judges and prosecutors, to respect each individual's rights and freedoms and to promote reconciliation after years of suppression by the former regime." **[40c] (p131)**

13.03 The UNAMI report, dated 1 July–31 August 2006, noted that:

> "The current absence of law and order combined with a range of exceptional measures from the 'state of emergency,' extended by the Council of Representatives for an additional 30 days on 25 July, as well as continuous security sweeps, continue to swell the number of detainees and overwhelm the judicial system." **[39c] (p15)**

13.04 Moreover, the UNSC report, dated 5 December 2006, stated that "Perpetrators of criminal activities remain unpunished due to the shortage and intimidation of judges, prosecutors and court officials." **[38h] (p9)** The UMANI report, dated 1 November-31 December 2006, added that "The work of the judiciary is further hampered by the repeated disregard of judicial orders by the police and by the constant threats and the actual killings of judges which calls into question the independence of the judiciary and the genuine commitment by the authorities to develop a State based on the rule of law." **[39f] (p18)**

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ORGANISATION

13.05 A new judicial system was formed during the interim period (Europa Regional Survey) **[1a] (p532)** The USSD report 2005, noted that "The courts are geographically organized into 17 appellate districts." **[2b] (p7)**

13.06 The Iraqi court system is divided into Criminal Courts (made up of Investigative Courts, the Misdemeanour Court, the Felony Court and the Juvenile Court), Civil Courts (made up of the Magistrate's Courts, Courts of First Instance, Personal Status Courts and the Personal Matters Court), Courts of Appeal and the Central Criminal Court of Iraq (CCCI). (UNHCR COI, October 2005) **[40c] (p122)** Cases in juvenile courts are heard by a three-member panel comprising, a judge, a lawyer and a social worker. (FCO human rights report 2005) **[66j] (p64)**

13.07 The US Library of Congress reported, in August 2006, that "The hierarchy begins with courts of first instance, then district appeals courts (existing in 17 districts), courts of cassation, and the Federal Court of Cassation, which normally is the final appeal stage. Extraordinary cases go to the highest level, the Supreme Federal Court." **[33a] (p19)**

13.08 The UNHCR COI report, October 2005, noted that "In addition, there exist separate Labour Courts (both in the KRG-administered areas and in the rest of Iraq). Soldiers are tried by Military Courts unless the Ministry of Defence permits that a case be adjudicated by the regular courts." **[40c] (p123)** In military cases, civilian judges are hear the case. (US Library of Congress, August 2006) **[33a] (p18)**

13.09 The UNHCR COI report mentioned that:

"In criminal cases, Iraq employs the 'inquisitorial system' in which a judicial investigator (in cooperation with the police) questions witnesses, gathers evidence and surveys the crime scene. Based on the judicial investigator's report, an investigative judge decides whether to open a formal investigation, issues arrest warrants and orders the continued custody of suspects. The judge must refer the case to the competent court if sufficient evidence has been gathered. The judge tries the case on behalf of the government; there is no jury." **[40c] (p123)**

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JUDICIARY IN THE KRG AREA

13.10 The Iraqi Kurdistan National Assembly (IKNA) website explained that "Judicial authority in the region is organized according to a special law of judicial authority and according to that law, it is independent and is subjected to no other authority except that of law. No one has the power to interfere with the judiciary sovereignty and the decision of the courts can be applied to all natural or juristic personalities related to the government." **[32a]**

13.11 The UNHCR COI, dated October 2005, stated that:

"In Northern Iraq, the judicial system underwent a number of changes after the area obtained a status of de facto autonomy in 1991. Given the split of the three Northern Governorates into two separate administrations in the mid 1990s (Erbil and Dohuk on one hand and Sulaymaniyah on the other hand), two distinct judicial systems with different laws have emerged. Separate Cassation Courts have been established in both the PUK-controlled area (located in Sulaymaniyah) as well as in the KDP-controlled area (located in Erbil). Although before 1991 there was one Court of Appeal for the Northern areas located in Erbil, the division of the two administrations made it necessary to establish a separate Court of Appeal in Sulaymaniyah." **[40c] (p123)**

13.12 The report also mentioned that:

"In the Governorates of Erbil and Dohuk, civil matters such as marriage and divorce, heritage, alimony and child custody are dealt with by the Civil Courts. These courts usually apply the Personal Status Law (Law No. 188 of 1959, as amended in the area), though they may refer to Sharia law (Shafiite School of jurisprudence), if a legal question is not addressed by the law. For other religious groups, their own laws will be applied, if available. In the Governorate of Sulaymaniyah, the Civil Courts apply the Sharia law (Shafiite or Hanafi School) in personal status matters, while the Personal Status Law is applied only to non-Muslims (in addition to their own laws)." **[40c] (p123)**

13.13 As stated in a letter from the FCO, dated 6 December 2006, there were 27 courts and 92 judges in the provinces of Erbil and Dohuk. Figures for Sulaymaniyah were unavailable. **[66n]**

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RELIGIOUS AND TRIBAL LAW

13.14 The new Constitution made Shari'a the primary source of national law. (IRIN, 13 April 2006) **[18al]** Article 2 of the Constitution stipulates that Islam "… is a foundation source of legislation." and that "No law may be enacted that contradicts the established provisions of Islam." **[82a]**

13.15 Europa World Online (accessed on 9 August 2005) stated that "A Shari`a Court is established wherever there is a First Instance Court; the Muslim judge of the First Instance Court may be a Qadhi to the Shari`a Court if a special Qadhi has not been appointed thereto. The Shari`a Court considers matters of personal status and religious matters in accordance with the provisions of the law supplement to the Civil and Commercial Proceedings Law." **[1c] (Judicial System)** Tribal leaders in Iraq most commonly use Shari'a law to settle disputes. (USSD report 2005) **[2b] (p7)** (IRIN, 22 October 2004) **[18m]** It continued:

13.16 An IWPR article reported, on 20 October 2006, that there are a number of extra-judicial Shari's courts (or religious courts) in many predominantly Shi'a towns such as Ammara, Basra, Ramadi and several Shi'a neighbourhoods in Baghdad. **[11w]**

"Such courts were first established by Mohammed Sadiq al-Sadr, father of Muqtada al-Sadr, in 1999 in secret to adjudicate on Islamic issues.

"Due to the absence of the state in large areas of the country, these illegitimate courts have gained more and more popular support.

The trials, presided over by young inexperienced clerics, are held in Husseiniyas (Shia mosques), offices of the Sadr movement or, particularly in Shu'la and Sadr City, in ordinary halls." **[11w]**

13.17 The UNHCR background paper, dated 1 October 2005, noted that "Increasingly, Iraqis are resorting to extra-judicial conflict resolution and protection mechanisms such as tribal law. Members of religious minorities

often do not have access to such traditional mechanisms, as they do not necessarily belong to a tribal grouping." **[40d] (p2)**

13.18 The UNHCR COI report, October 2005, stated that "Because Iraq is a largely tribal society with at least three-quarters of the Iraqi people belonging to one of the country's 150 tribes, people often rely on community leaders to resolve disputes instead of going to court." **[40c] (p123)**

13.19 The Law on Criminal Proceedings allows 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." (UNHCR COI, October 2005) **[40c] (p123)**

13.20 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." **[40c] (p123-124)**

13.21 The report further stated that "With the new Iraqi authorities failing to establish the rule of law, the tribes have gained increased power and relevance in the daily lives of ordinary Iraqis. Many people prefer to rely on tribal leaders to resolve disputes rather than going to court. In Northern Iraq, the ruling parties actively support the tribes in return for political loyalty." **[40c] (p124)**

13.22 The UNHCR COI report, October 2005, mentioned that:

"Issues usually dealt with by tribal courts are marriage/divorce cases, property, pasture or water disputes and so-called blood disputes that involve the killing of a tribal member by another tribe. Though tribal court decisions are not legally binding, most involved adhere to them since exclusion from the tribe could be the consequence of not obeying such a decision.

"The tribal justice system is based on values such as honour and shame, forgiveness and compensation. In many instances, tribes may not accept the decision of a regular court and instead seek the decision of a tribal court. In the case of blood disputes, the punishment of the perpetrator by a court may actually not solve the case as, according to tribal rules, only the payment of compensation or revenge killing can restore justice. Another reason why people may prefer to resort to tribal justice is the failure of regular courts to resolve disputes in a timely and effective manner.

"Whereas tribal justice is a system commonly-used in dealing with inter-tribal feuds, it has also provided justification for killings of US soldiers and suspected collaborators. … Tribal justice is also seen as sanctioning 'honour killings', forced marriages and other forms of tribal customs, seriously violating the rights of women and girls. While most cases are resolved through the payment of money, other forms of compensation such as arranged marriages are used, although to a lesser extent. This practice is known as 'exchange-for-blood marriage', in which one or two women of a tribe are given to the male relatives of another tribe as compensation for the killing of one of that tribe's members." **[40c] (p124)**

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JUDGES AND LAWYERS

13.23 Article 88 of the 2005 Constitution states "Judges are independent, and there is no authority over them except that of the law. No power shall have the right to interfere in the judiciary and the affairs of justice." **[82a] (p26)**

13.24 As noted in the Europa Regional Survey 2005, "Following the ousting of the Baaath regime, the judicial system was subject to a process of review and De-Baathification." **[1a] (p532)**

13.25 A Judicial Review Committee (which had equal numbers of Iraqi and CPA members) has carried out the vetting of judges and prosecutors for past corruption, links to the Ba'ath party or Saddam regime and involvement in atrocities. (UNHCR guidance note, October 2005) **[40a] (p6)** (FCO, accessed on 8 August 2005) **[66k]**

13.26 The FCO stated that "Approximately 180 judges were removed and replaced with new appointments or re-appointments of persons improperly removed by the former regime. Judicial salaries have also been increased to reduce the temptation to accept bribes." **[66k]**

13.27 The Council of Judges was also reintroduced to "… investigate allegations of professional misconduct and incompetence" of members of the judiciary and public prosecutors. (UNHCR COI, October 2005) **[40c] (p125)** (UNHCR guidance note, October 2005) **[40a] (p6)** "It further appoints, promotes and transfers judges and prosecutors." (UNHCR COI, October 2005) **[40c] (p125)**

13.28 The UNAMI report, dated 1 July–31 August 2006, stated that "UNAMI welcomes the announcement that 200 judges will be appointed shortly. They have been selected among 500 reputable lawyers who have practiced law in Iraq for over ten years. Furthermore, 379 judges will graduate from the Judicial Institute next July 2007." **[39c] (p15)**

13.29 The UNAMI report, dated 1 May–30 June 2006, stated that:

> "The current difficulties faced by the judiciary, particularly in cases involving organized crime, corruption, terrorism and militia-sponsored armed activities are due to the high level of intimidation and threats, limited protection mechanisms for both witnesses and judiciary, as well as [the] limited number of investigative judges. Bar Associations in several part[s] of the country held strikes to protest against the attacks on lawyers and to call for increased protection measures." **[39a] (p5)**

13.30 The UNAMI report, dated 1 September-31 October 2006, noted that Judges and lawyers as well as their families and relatives were seen as targets by insurgents. **[39e] (p9)** Furthermore, the UNAMI report, dated 1 July–31 August 2006, noted that court houses were also targeted. A bomb exploded outside Kirkuk Appeals Court on 23 July 2006 and another bomb exploded outside Mosul House of Justice on 23 August 2006. **[39c] (p7)**

13.31 In addition, the report noted that:

"Lawyers are reportedly reluctant to carry on their work freely or to be involved in cases which may affect their safety. Lawyers appear reluctant to work on cases involving family matters ('honour crimes;' inheritance; children's custody cases following divorce) for fear of being targeted by intolerant and extremist elements in society. As a result, women are reported to be particularly affected." **[39c] (p7)**

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IRAQI HIGH TRIBUNAL (IHT)

13.32 The HRW World Report 2006 stated that "The Statute of the Iraqi Special Tribunal, established in December 2003 to try members of the former Iraqi government for genocide, crimes against humanity and war crimes, was amended and adopted by Iraq's Transitional National Assembly in October 2005, one week before the first trial was scheduled to begin on October 19." **[15i] (p2)**

13.33 Saddam Hussein and seven other former Iraqi officials were on trial for the mass killings of Kurds in the so-called 'Anfal Campaign' of 1987-88 and mass killings of Shi'a in the town of al-Dujail in 1982. (BBC, 8 January 2007) **[4al]** (HRW, 10 February 2006) **[15h] (p1)** Saddam Hussein was sentenced to death in November 2006 and following a subsequent appeal, he was executed on 30 December 2006. Two of his co-defendants, Barzan al-Tikriti and Awad al-Bandar, were executed on 15 January 2007. (BBC, 9 February 2007) **[4i]** (BBC, 8 January 2007) **[4al]** (*The Times*, 30 December 2006) **[5g]** (UNAMI, 1 November-31 December 2006) **[39f] (p3and22)** (The Telegraph, 1 January 2007) **[48g]**

13.34 The HRW report, dated 30 December 2006, noted that "The Iraqi High Tribunal sentenced Saddam Hussein and two others to death in November for the killing of 148 men and boys from the town of Dujail in 1982. The tribunal's statute prohibits, contrary to international law, the possibility of commuting a death sentence. It also requires that the execution take place within 30 days of the final appeal." **[15l]**

13.35 The BBC timeline added that "Barzan Ibrahim - Saddam Hussein's half-brother - and Awad Hamed al-Bandar, former head of the Revolutionary Court, are executed by hanging." **[4i]**

13.36 Although the Tribunal declared that it would respect the International law on human rights, several human rights groups, as well as Saddam Hussein's legal team, have questioned whether it fully complies with a number of the standards, including the right to a fair trial and the right to sufficient access to legal counsel. (Council on Foreign Relations (CFR), 30 August 2005) **[8d] (p2)** (HRW World Report 2006) **[15i] (p3)** (UNHCR COI, October 2005) **[40c] (p127)**

13.37 The Tribunal has also been accused of being subject to political influence and therefore lacking independence and impartiality. (HRW World Report 2006) **[15i] (p3)** The Chief Judge Rizgar Mohammed Amin resigned from the position in January 2006 citing political pressure as the reason. (RFE/RL, 24 January

2006) **[22o]** (*The Daily Telegraph*, 16 January 2006) **[48d]** (Al-Jazeera, 18 January 2006) **[84b]** His successor, Judge Abdullah al-Amiri, was removed from his position by the Prime Minister and Council of Ministers because he had 'lost his neutrality' after he stated in court that Saddam Hussein was 'not a dictator'. (BBC, 19 September 2006) **[4am]** (HRW, 19 September 2006) **[15m]** In response, Saddam Hussein's defence lawyers questioned the impartiality of the trial and boycotted several hearings in protest. (Associated Press, 12 October 2006) **[65h]** Judge Abdullah al-Amiri was replace by Chief Judge Muhammad al-Khalifa, a Shi'a Arab, on 20 September 2006. (BBC, 19 September 2006) **[4am]**

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CENTRAL CRIMINAL COURT OF IRAQ (CCCI)

13.38 The US Library of Congress stated, in August 2006, that "In 2006 the two-chamber Central Criminal Court of Iraq, established in 2003 by the Coalition Provisional Authority, retained authority to investigate and try crimes of national significance such as smuggling and insurgency." **[33a] (p18)** The FCO human rights report 2005 added that the Central Criminal Court dealt with the most serious crimes. **[66j] (p64)** The same report noted that "Any court may refer cases to it. Alternatively, it can take the initiative and take over proceedings from any other court." **[66j] (p64)**

13.39 The UNHCR COI report, October 2005, noted that:

> "The CCCI is meant to help crack down on criminals undermining Iraq's security and stability. CPA Administrator Bremer told a news conference that 'one of the main reasons for my establishing this court is so that we can try people, in particular senior Ba'athists ... who may have committed crimes against the Coalition, who are trying to destabilize the situation here, and so we can do it rather quickly'. The CCCI's jurisdiction involves nationwide investigative and trial jurisdiction over felonies such as terrorism, organized crime, governmental corruption, acts intended to destabilize democratic institutions or processes and violence based on race, nationality, ethnicity or religion. The CCCI also hears cases where a determination is made that a criminal defendant may not be able to obtain a fair trial in a local court." **[40c] (p126)**

13.40 The same report noted that "The CCCI comprises an Investigative Court and a Felony Court. Appeals are made to the Court of Cassation. Any criminal court in Iraq may refer a case to the CCCI. Alternatively, the CCCI can also decide at its own discretion to take jurisdiction of a case." **[40c] (p126)**

13.41 According to Jurist (a University of Pittsburgh School of Law legal news and research service), on 17 December 2006, "The CCCI has held 1,767 trials of insurgents since being re-organizing in 2004, leading to the conviction of 1,521 individuals with sentences ranging up to death." **[104a]**

13.42 The *New York Times* reported, in an article dated 16 December 2006, that although the CCCI has acquitted nearly half of the defendants they have little or no ability to present evidence and witnesses. The high volume of cases and

ongoing dangers to its personnel also impact on the functioning of the court. **[24f]**

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ARREST AND DETENTION – LEGAL RIGHTS

14.01 The Iraqi Constitution stipulates that all Iraqis are equal before the law. Every person has the right to life, security and liberty except in accordance with law. **[82a] (p5)** The HRW report, January 2005, added that all persons have the right to challenge the legality of arrest or detention without delay. **[15g] (p22)** The USSD report 2005, however, stated that in practice, the authorities often did not observe these provisions. **[2b] (p6)**

14.02 The UNHCR COI report, October 2005, stated that "Under the 1971 Law on Criminal Proceedings, as amended by the CPA, an individual suspected of a crime may be arrested only on a judicial warrant except when the police observe a crime taking place or have reasonable grounds to suspect such acts." **[40c] (p150)** In spite of this, several reports noted that individuals were often arrested without warrants. (USSD report 2005) **[2b] (p7)** (HRW, January 2005) **[15g] (p35)** (UNHCR COI, October 2005) **[40c] (p151 and 152)**

14.03 The USSD report 2005 noted that "… police frequently arrested and held in detention without the necessary judicial approval individuals who had not been accused of any crime." **[2b] (p7)**

14.04 Several sources reported that arrests were often violent. (HRW, January 2005) **[15g] (p4)** (AI annual report 2005) **[28f] (p2 and 26-27)** (UNHCR COI, October 2005) **[40c] (p152)** The HRW report, January 2005, stated that "Many persons reported being beaten at the time of their arrest and being very tightly bound in handcuffs or tightly blindfolded." **[15g] (p4)**

14.05 The UNHCR COI report, October 2005, nevertheless, noted that "Perpetrators of such violations generally go unpunished. Though there are a number of mechanisms to bring such persons to justice, be they through administrative or legal proceedings, in practice detainees subjected to unlawful arrest and detention or torture and ill-treatment have little chance for redress." **[40c] (p153)**

14.06 Despite having no authority to arrest, it has been reported that the Iraqi National Intelligence Service (INIS) arrested and detained persons within Major Crimes Directorate's detention facility in Al-Amiriyah, Baghdad." (UNHCR COI, October 2005) **[40c] (p152)**

14.07 The HRW report, January 2005, mentioned that:

> "Following the transfer of sovereignty on June 28, 2004 under Security Council resolution no. 1546, the so-called Multinational Force-Iraq (essentially U.S. forces and its allies) have maintained responsibility for the apprehension and detention of captured insurgents and other security detainees, including 'high value detainees' such as Saddam Hussein and former government officials and foreign terror suspects. The Iraqi Interim Government has assumed responsibility for the detention and prosecution of common criminal suspects and insurgents apprehended by Iraqi security forces." **[15g] (p1)**

14.08 The vast majority of people arrested and detained in Iraq were those with suspected involvement with insurgents, those suspected of 'anti-coalition activities' and common criminals arrested during mass arrests. Most of the detainees were arrested during public demonstrations, armed clashes,

security sweeps and house raids. (USSD report 2005) **[2b] (p7)** (HRW, January 2005) **[15g] (p26-27)** (AI annual report 2005) **[28f] (p2)** (UNAMI, 1 September-31 October 2006) **[39e] (p18)** (UNHCR COI, October 2005) **[40c] (p152)** The UNAMI report, dated 1 September-31 October 2006, reported that "The absence of judicial guarantees is a pattern and individuals are often arrested without warrant, not informed of the charges against them, and not brought promptly before an investigative judge." **[39e] (p18)**

14.09 The Iraqi Constitution stipulates that "Unlawful detention shall be prohibited." **[82a] (p7-8)** However, the HRW report, January 2005, noted that "One of the most common complaints made by detainees was of police officials threatening them with indefinite detention if they failed to pay them sums of money." **[15g] (p5)**

14.10 The 1971 Law on Criminal Proceedings (as amended by the CPA) requires that detainees must be brought before an investigating judge within 24 hours. (HRW, January 2005) **[15g] (p4)** (AI, June 2004) **[28a] (p2-3)** (AI annual report 2005) **[28f] (p2 and 26-27)** (UNHCR COI, October 2005) **[40c] (p150)** The investigative judge can increase the period of detention by a maximum of 15 days following each review. The total period of detention, however, must not exceed six months. Authorisation for further periods of detention must then be obtained from the relevant criminal court. (HRW, January 2005) **[15g] (p20)** (AI annual report 2005) **[28f] (p2 and 26-27)** (UNHCR COI, October 2005) **[40c] (p150)**

14.11 "Security internees" can be held for longer periods of time. (AI annual report 2005) **[28f] (p2)** (AI, 6 March 2006) **[28b] (p9)** (UNHCR COI, October 2005) **[40c] (p151)** Nevertheless, despite these guarantees detainees were often held for prolonged periods of time without charge before seeing an investigative judge. (HRW, January 2005) **[15g] (p4)** (UNHCR COI, October 2005) **[40c] (p151)**

14.12 The UNAMI report, dated 1 May–30 June 2006, stated that "The conditions and the legality of detention in Iraq continue to warrant attention." **[39a] (p14-15)** The HRW report, January 2005, noted that "Conditions of pre-trial detention are poor." **[15g] (p4)** The UNHCR COI report, October 2005, noted that "Though investigative judges have the authority to undertake inspection visits in detention facilities, this is rarely the case given the current security situation and the large caseload." **[40c] (p152)**

14.13 The report added that "Overcrowding and the lack of judicial oversight remain problematic. The current number of detainees continues to far outstrip the capacity of the Iraqi criminal courts to adjudicate the cases." **[39a] (p15)**

14.14 The USSD report 2005 mentioned that "Criminal detainees generally were informed of the charges against them, although sometimes with delay." **[2b] (p7)** The UNHCR COI report, October 2005, nevertheless stated that "…a significant number of detainees are not informed of the charges brought against them and are denied the right to have their case reviewed by a competent judge in a timely manner." **[40c] (p156)**

14.15 The UNHCR COI report, October 2005, stated that "Though the law provides that after a detainee's appearance in court he/she should be transferred to a detention facility under the authority of the ICS to await trial, those being held by one of the Ministry of Interior's agencies are in practice often returned to that same authority." **[40c] (p152)**

14.16 Article 19 of the Constitution provides for the right to a fair legal trial and the right to defence and a lawyer appointed by the court. It also states that "The accused is innocent until proven guilty… ." **[82a] (p7-8)**

14.17 Detainees were often denied access to lawyers and family members in pre-trial detention. (HRW, January 2005) **[15g] (p5)** (UNHCR COI, October 2005) **[40c] (p151 and 152)** HRW were told by detainees and visiting relatives that, as exception, access to lawyers and family members was granted to those willing to pay bribes or those with high-profile connections. However, "The organization was unable to find any instances where either legal counsel or relatives of detainees were able to gain access – even through illicit means – to other detention facilities under Ministry of Interior jurisdiction, notably those located within the ministry's compound." (HRW, January 2005) **[15g] (p5-6)**

14.18 According to the USSD report 2005 "Police often failed to notify family members of the arrest or location of detention." **[2b] (p7)** A newly established Prisoners' Association for Justice (PAJ) provide legal assistance to detainees and help to families to relocate relatives who have been arrested. **[18ag]**

14.19 The UNHCR COI report, October 2005 stated that:

"CPA Memorandum No. 3 amended the 1971 Iraqi Law on Criminal Proceedings, introducing new procedural rights such as the right to be silent, the right to legal counsel, the right against self-incrimination, the right to be informed of these rights and the exclusion of evidence obtained by torture. There are no provisions in the Memorandum that address the consequences of violation of those rights however, except in the case of coerced confessions." **[40c] (p151)**

14.20 The UNHCR COI report, October 2005, stated that:

"Human Rights Organisations raise a number of questions as to the fairness of trials conducted by the IST, including the fact that the Statute lacks important pre-trial guarantees such as the right to be informed of the charges, the right to remain silent or the right to be questioned in the presence of a lawyer. Furthermore, there are no guarantees against the use of confessions extracted under torture and the requirement that guilt be proven beyond a reasonable doubt." **[40c] (p156)**

14.21 The same report noted that "The TV show Terrorism in the Grip of Justice has been criticized of undermining detainees' rights to be considered innocent until guilt has been proven in a fair trial." **[40c] (p156)**

14.22 Despite being held for long periods of time most detainees are released without ever being charged or having their detention reviewed by a judge. (UNHCR COI, October 2005) **[40c] (p152)**

14.23 The AI report, dated 6 March 2006, noted that:

"Between August 2004 and November 2005 an administrative review board (the Combined Review and Release Board), composed of representatives of the MNF and the Iraqi government, examined the files of almost 22,000 internees and recommended about 12,000 for release and another 10,000 for

continued detention. The vast majority of 'security internees' – that is those individuals held in connection with the on-going armed conflict who are considered by the MNF to be a threat to security – have never been tried." **[28b] (p6)**

14.24 The UNAMI report, dated 1 June–31 August 2006, added that "At least 2,776 detainees were released during the reporting period; on 9 August, 186 individuals who had been detained by the MNF-I in Abu Ghraib for varying periods of time for 'imperative reasons of security' were either transferred to MOJ custody or released." **[39c] (p14)**

14.35 The UNAMI report, dated 1 May–30 June 2006, added that:

"Prime Minister Al-Maliki presented his 24-point plan, on 25 June 2006, aimed to grant amnesty for 'detainees who were not involved in terrorist crimes and acts, war crimes and crimes against humanity, and the formation of the necessary committees for the release of the innocent and those who are not proven guilty as quickly as possible.' The plan sets out some principles and gives no specific deadline for its implementation. Details of the amnesty plans have yet to be formulated. UNAMI HRO has started discussions with key Iraqi Ministries so as to provide assistance in this process." **[39a] (p15)**

14.26 The UNAMI report, dated 1 June–31 August 2006, noted that "Thousands of detainees continue to be held outside the existing legal framework partly due to the fact that the Iraqi courts do not have the capacity to adjudicate such a high number of cases." **[39c] (p14)**

14.27 Cases that face criminal charges are referred to the CCCI for prosecution. (UNHCR COI, October 2005) **[40c] (p155)** The MNF, stated that by the end of November 2005, the CCCI had tried 1,301 alleged insurgents. **[28b] (p6)** The UNSC report, dated 7 June 2005, reported that "Despite the release of some detainees, their number continues to grow." **[38b] (p13)**

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ARREST AND DETENTION IN THE KRG AREA

14.28 The UNAMI report, dated 1 May–30 June 2006, stated that "According to figures provided by the Ministry of Human Rights of the Kurdish Regional Government a total of 2,147 individuals were detained in the Region of Kurdistan." **[39a] (p14-15)**

14.29 The UNHCR COI report, October 2005, noted that:

"In the KRG-administered areas, cases of arbitrary arrest and detention without trial have been reported. In particular persons held by the security/intelligence agencies are at risk of detention without judicial review in accordance with the Law on Criminal Proceedings and are often held for prolonged periods of time." **[40c] (p154)**

14.30 An article by *The Washington Post*, dated 15 June 2005, reported that Kurdish forces, with backing from the US military, have allegedly secretly transferred

Arab and Turkmen detainees from the Kirkuk province to prisons in Erbil and Sulaymaniyah. "… 'extra-judicial detentions' were part of a 'concerted and widespread initiative' by Kurdish political parties 'to exercise authority in Kirkuk in an increasingly provocative manner.'" **[16g] (p1)** The article added that "The transfers occurred 'without authority of local courts or the knowledge of Ministries of Interior or Defense in Baghdad,'…" **[16g] (p2)**

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ARREST AND DETENTION BY THE MNF

14.31 The CPA Memorandum Number three provides for criminal detainees to be handed over to the Iraqi authorities as soon as "reasonably practicable". Nevertheless, the MNF can hold criminal detainees for security or capacity reasons at the request of the Iraqi authorities. (UNHCR COI, October 2005) **[40c] (p151)**

14.32 The memorandum states that criminal suspects held by the MNF have the right to remain silent, to consult a lawyer, to be "promptly informed" of the charges being brought against them and to be brought before a judicial authority no later than 90 days after first being detained. (AI annual report 2005) **[28f] (p2)** (UNHCR COI, October 2005) **[40c] (p151)**

14.33 The memorandum also stipulates that for "Security internees", held in accordance with UNSC Resolution 1546, "… internment will be reviewed no later than seven days after induction into the MNF internment facility after which the detention is to be periodically reviewed no later than six months from the date of induction into the internment facility." (UNHCR COI, October 2005) **[40c] (p151)** "Security internees" can be held for up to 18 months, (12 months for juveniles), which can be extended further in special cases. (AI annual report 2005) **[28f]** (AI, 6 March 2006) (p2) **[28b] (p9)** (UNHCR COI, October 2005) **[40c] (p151)**

14.34 The AI report, dated 6 March 2006, added that the Memorandum:

"… provides that anyone who is interned for more than 72 hours is entitled to have the decision to intern them reviewed within seven days and thereafter at intervals of no more than six months. The Memorandum also states that the 'operation, condition and standards of any internment facility established by the MNF shall be in accordance with Section IV of the Fourth Geneva Convention'." **[28b] (p7)**

14.35 Reports suggest that the MNF use extreme force against perceived suspects during house raids and arrests. MNF often destroyed or confiscated property, including large sums of money and jewellery. (AI, 25 July 2005) **[28c] (p4)** (UNHCR COI, October 2005) **[40c] (p154)**

14.36 The US military enters all the details of the detainee on a central database, including their name, date and place of arrest, place of detention and charges. (UNHCR COI, October 2005) **[40c] (p151 and 155)** However, the UNHCR COI report, October 2005, noted that "Their arrest is not registered in the central

database. Accordingly, families are often not aware of their whereabouts and human rights organisations cannot monitor their treatment." **[40c] (p154)**

14.37 The AI report, dated 6 March 2006, noted that "Since the invasion of Iraq in March 2003 tens of thousands of people have been detained by foreign forces, mainly the US forces, without being charged or tried and without the right to challenge their detention before a judicial body." **[28b] (p6)**

14.38 The report also mentioned that "… among the nearly 13,900 detainees held by the MNF there were some 3,800 who had by then been held for more than one year and more than 200 who had been held for more than two years." **[28b] (p10)** A number of "high value" internees were released without charge or trial in December 2005. (AI, 6 March 2006) **[28b] (p14)**

14.39 According to the Detainee visitation rules and guidelines issued by the US military in July 2005, security internees are not entitled to receive visits during the first 60 days of internment, including visits from legal counsel or family members. After the first 60 days of internment, internees are entitled to four visits per month by close family members or legal counsel. (AI, 6 March 2006) **[28b] (p11-12)** (UNHCR COI, October 2005) **[40c] (p151)**

14.40 The AI report, dated 6 March 2006, stated that "However, relatives have frequently reported that they were not able to conduct visits, because the detention facility was located far away and travelling long distances in Iraq is unsafe." **[28b] (p12)** The report added that "It appears that visits of security detainees by legal counsel are extremely rare. The main reason for this seems to be the belief that it is futile to seek legal counsel when the detainee will not be brought before a court of law. Former internees and lawyers alike have told Amnesty International they did not believe that a lawyer could have significantly furthered the case of a security internee." **[28b] (p12)** The report further added that "According to a former detainee at Camp Cropper, visits by relatives are generally only allowed once every three months. **[28b] (p14)**

14.41 The UNHCR COI report, October 2005, mentioned that:

"Referring to the large numbers of detainees held by the MNF in Iraq, UN Secretary General Kofi Annan said that 'one of the major human rights challenges remains the detention of thousands of persons without due process'. He mentioned that 'prolonged detention without access to lawyers and courts is prohibited under international law including during states of emergency'. The US rejected the accusations saying that all prisoners had access to due legal process and their rights under the Geneva Conventions." **[40c] (p154)**

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PRISON CONDITIONS

15.01 The UNHCR COI report, October 2005, noted that:

> "Iraq's prison system is twofold. One (sic) the one hand, detainees are held by the Iraqi authorities (including the Kurdish authorities); on the other hand the MNF is authorized by UN Security Council Resolution 1546 to carry out activities 'necessary to counter ongoing security threats posed by forces seeking to influence Iraq's political future through violence', including the 'internment' of members of these forces 'where it is necessary for imperative reasons of security'. Persons arrested by the MNF should therefore, as a rule, be transferred to the Iraqi prison system. On an exceptional basis, provided there are 'imperative reasons for security', a person could also remain detained by the MNF." **[40c] (p52)**

15.02 The USSD report 2005 stated that "There were reportedly approximately 450 official detention centers; some were operated by the MOI, and some by the MOD. Additionally, there were reports of many unofficial detention centers throughout the country." **[2b] (p4)** The UNHCR COI report, October 2005, noted that "CPA Memorandum No. 2 sets out basic standards for the operation of all detention and prison facilities, including conditions of detention, medical services, discipline and punishment, complaints by prisoners and inspection of facilities. However, these standards only apply to the prison system that falls under the authority of the Iraqi Ministry of Justice." **[40c] (p151)**

15.03 However, the regulations only apply to prisons under the control of the Ministry of Justice. They do not apply to prisons under the control of the Ministry of Interior or the MNF. (UNHCR COI, October 2005) **[40c] (p53 and 151)**

15.04 According to an IRIN news article, dated 20 February 2006, "Beside common allegations of mistreatment and abuse, conditions inside many Iraqi prisons are reportedly sub-standard." **[18ag]** Overcrowding, poor hygiene, lack of medical care, inadequate buildings, juveniles held with adult detainees, and torture were some of the problems reported. (HRW, January 2005) **[15g] (p42)** (UNHCR COI, October 2005) **[40c] (p153)**

15.05 The AI report, dated 6 March 2006, noted that "… CPA Memorandum No 3 in principle grants the ICRC access to MNF-held detainees at locations throughout the country. In practice, however, the ICRC has been able to visit only a limited number of larger detention facilities, mostly due to security considerations." **[28b] (p12)** The report added that "… in many locations of detention under MNF control, no independent body is currently able to monitor the treatment of detainees held by the MNF." **[28b] (p12)**

15.06 The UNAMI report, dated 1 November-31 December 2006, noted that:

> "The International Committee of the Red Cross (ICRC) announced, on 30 November 2006, that it was close to an agreement with the Iraqi authorities which would allow its delegates to visit Iraqi run detention centres, including those where allegations of torture and mistreatment have been systematically reported. ICRC already regularly visits 14,000 prisoners including 12,000 held by US and UK troops and 2,000 by Kurdish authorities in the North of the country." **[39f] (p19)**

15.07 The UNAMI report, dated 1 November-31 December 2006, reported that according to the Ministry of Human Rights, the total number of detainees was 29,715 at the end of December 2006. **[39f] (p18)** Approximately, 13,571 were in MNF I detention facilities. (UNSC, 5 December 2006) **[38h] (p9)** (UNAMI, 1 September-31 October 2006) **[39e] (p2)** The UNAMI report added that a large proportion of the detainees were Sunni. It stated that "Massive release plans from MNF-I have been put on hold pending further discussion and legislative action on a draft Amnesty Law. The latter, along with other reconciliation initiatives has been put on hold waiting for a consensus to emerge among the various political groups." **[39f] (p18)**

15.08 It was widely reported that those Iraqis in detention, especially those suspected of involvement with armed opposition groups and in "terrorist activities", have been subjected to torture and inhuman treatment by both the Iraqi Security Forces (ISF) and the Multi-National Forces (MNF), particularly the US forces. Reported abuses have included severe routine beatings to various parts of the body with cables; cigarette burns; electric shocks to the genitals; electric drills on the arms and legs; sleep deprivation; prolonged suspension from the wrists with the hands tied behind the back; deprivation of food and water for prolonged periods; severely overcrowded cells; weights attached to their testicles; string tied tightly round their penis and then being forced to drink large amounts of water; electric drill holes in their heads; strangulation; breaking of limbs; prolonged periods in forced stress positions; exposed to extremes of hot and cold; solitary confinement; forced to listen to loud music; made to stand for prolonged periods; hooded or blindfolded for several days; subjected to humiliating treatment; skin lesions and nerve damage caused by handcuffing; acid-induced injuries and burns caused by chemical substances; and unsafe and unhealthy conditions. (HRW 2005) **[15g] (p7)** (HRW, July 2006) **[15f]** (AI, 6 March 2006) **[28b]** (UNAMI, 1 May–30 June 2006) **[39a] (p15)** (UNAMI, 1 July–31 August 2006) **[39c] (p15-16)** (UNHCR COI, October 2005) **[40c]** The UNAMI report, dated 1 July–31August 2006, stated that "Individuals who escaped death in such incidents reported that [they] saw others being tortured to get information about their sect." **[39c] (p15-16)**

15.09 The UNAMI report, dated 1 November-31 December 2006, added that "Many detainees, especially in the south, are kept in facilities that are reportedly not fit for human use." **[39f] (p18)** The UNSC report, dated 5 December 2006, added that "… living conditions in prisons do not meet minimum international standards, and, although there have been some reports of improvement regarding the treatment of prisoners, the UNAMI Human Rights Office continues to receive reports of torture and other inhuman and degrading treatment of detainees, especially among juveniles." **[38h] (p9)**

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IRAQI-RUN PRISONS AND DETENTION FACILITIES

15.10 The UNHCR COI report, October 2005, stated that "The Iraqi Correctional Service (ICS), which falls under the authority of the Ministry of Justice, is in charge of providing prison security and ensuring the welfare and security of

prisoners and detainees." **[40c] (p53)** The USSD report 2005 noted that "In the government's official civilian penal system, the ICS prisons, conditions significantly improved during the year. Most ICS facilities met most international penal standards, although none met all. However, other detention systems existed about which little was known." **[2b] (p5)**

15.11 The UNHCR report noted that:

"In addition to the official prisons, the Ministry of Interior (in particular the Major Crimes Directorate, the Criminal Intelligence Directorate, the Directorate of Ministry Security and Welfare and the Internal Affairs Directorate) runs a number of unofficial detention facilities outside the control of the Ministry of Justice." **[40c] (p53)**

15.12 There have been a number of reports of inhumane treatment and torture in Iraqi-run detention facilities, particularly those administered by the Ministry of Interior (MOI) or security forces. (AI, 6 March 2006) **[28b] (p2)** (UNAMI, 1 May-30 June 2006) **[39a] (p6 and 15-16)** (UNAMI, 1 November-31 December 2006) **[39f] (p19)** (UNHCR, October 2005) **[40c] (p53)** The HRW report, January 2005, added that "Detainees reported receiving little or no food or water for several days at a stretch, and being held in severely overcrowded cells with no room for lying down to sleep, without air conditioning, and in unhygienic conditions." **[15g] (p4)**

15.13 The UNAMI report, dated 1 May–30 June 2006, stated that:

"During the last months, new evidence has continued to emerge pointing to torture and other cruel, inhumane or degrading treatment in detention centres administered by the Ministry of Interior (MOI) or affiliated forces throughout Iraq. It should be noted that senior members of the new Iraqi Government have publicly indicated their determination to mark a difference with the previous Government and thus take action on human rights violations. Under the National Reconciliation plan, the Government is promising to allow national and international organizations to visit prisons and inspect the conditions of the prisoners." **[39a] (p15)**

15.14 The report noted that "On 1 June [2006], the Joint Detention Centres' Inspection Committee, led by Deputy Prime Minister Dr. Salam Al-Zuba'i, carried out an inspection in a place identified as 'Site 4,' holding detainees previously held by the Public Order and Wolf Brigades." **[39a] (p15-16)** The committee found that detainees were being held in "overcrowded, unsafe and unhealthy conditions". The committee also found that the "detainees suffered systematic physical and psychological abuse by MOI officials". **[39a] (p15-16)**

15.15 The report also stated that "Photographic evidence collected and in possession of UNAMI HRO documented lesions resulting from torture as well as equipment used for this purpose. What appeared to be forged official letters for the illegal transfer of detainees between different sites were also produced. Following the inspection, 41 of the injured detainees were taken to another detention centre run by the National Police ('Site 3') where they were questioned and filmed. More seriously injured detainees were admitted to hospital to receive adequate medical treatment. Thirty seven (37) juveniles were also transferred from 'Site 4' to 'Site 3'. The Joint Detention Centres' Inspection Committee has recommended the detention of the officers directly

involved in committing violations. On 17 June, MOI reported that 10 investigators of various ranks would be charged for abuse/torture of prisoners and were dismissed." **[39a] (p15-16)**

15.16 The report continued that "According to reports received by UNAMI HRO, grievous conditions of detention, allegations of torture and mistreatment were also revealed in Diyala Police Directory where 1,480 individuals are allegedly detained without judicial order. Women and juveniles were also said to be held in the same detention facility." **[39a] (p16)**

15.17 The Americans formally handed over control of Abu Ghraib prison to the Iraqi authorities on 1 September 2006. Since then, there have been new claims of torture by the Iraqi guards. (*The Sunday Telegraph*, 10 September 2006) **[48f]** The article stated that "Conditions in the rest of the jail were grim, with an overwhelming stench of excrement, prisoners crammed into cells for all but 20 minutes a day, food rations cut to just rice and water and no air conditioning." **[48f]**

15.18 The USSD report 2005 mentioned that "Throughout the year ICS officials implemented procedures for the screening of all persons taken into ICS custody from the police, courts, or any other entity as soon as reasonably possible for injuries or signs of abuse. Medical staff examined and documented the results in the person's medical record." **[2b] (p5)**

15.19 The HRW report, January 2005 explained that the law provides for the right of child detainees to be held separately from adults and that "… in areas where separate detention facilities are not available, measures must be taken to prevent children from mixing with adult detainees." **[15g] (p62)** However, "Human Rights Watch continues to receive reports of children being held together with adults in detention facilities under the jurisdiction of the Ministry of Interior. The children include both criminal suspects and others suspected of having taken part in clashes against government forces …." **[15g] (p62)** (See also section 26 juvenile prisoners)

15.20 The UNAMI report, dated 1 November-31 December 2006, stated that the MNF-Iraqi joint inspections of places of detention under the control of the Ministry of Interior, Defence and Special Forces throughout the country was revived in December 2006. **[39f] (p19)**

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PRISONS AND DETENTION FACILITIES IN THE KRG AREA

15.21 The UNHCR COI report, October 2005, noted that:

"In Northern Iraq with its two distinct judicial systems, there are separate prison and detention facilities in the KDP-administered area and the PUK-administered area.

"The regular prisons in the Governorates of Erbil and Dohuk are under the oversight of the Ministry of Justice and administered by the Ministry of Interior. The main regular prison is called Mohata, located in Erbil, and has separate

sections for men and women. In the Governorate of Sulaymaniyah, the prison and detention centres are under the authority of the Ministry of Interior and are run by the police forces. The major prison complex is called Ma'askar Salam and is located west of Sulaymaniyah. In both areas, there are distinct institutions for juvenile offenders." **[40c] (p53-54)**

15.22 The report also mentioned that:

"In addition, the Kurdish security (Asayish) and intelligence (KDP: Parastin, PUK: Dazgay Zaniary) agencies run special detention facilities which are not under the control of the authorities but rather of political parties (the KDP and PUK respectively). These detention facilities (mainly known are the Akre Prison, run by the Asayish and the Salaheddin Prison run by the Parastin in the Governorate of Erbil as well as the Dazgay Zaniary Prison in Qalachwalan, with others in secret locations) hold political and security cases (e.g. suspected members of Islamic groups, PKK members and critics of the ruling parties). It is reported that the rules of due process are systematically violated in these unofficial detention facilities. Human rights organizations and the ICRC have access to the Akre, the Mohata and the Ma'askar Salam prisons, while detention facilities run by the Parastin and the Dazgay Zaniary are apparently off limits to international observers." **[40c] (p53-54)**

15.23 The Asayish continued to illegally hold hundreds of detainees, including Kurds, Arabs and other nationals. (HRW world report, 2007) **[15o] (p3)** Kurdish forces, in the knowledge of the US military, reportedly illegally transferred Arab and Turkmen detainees to prisons in the KRG area. (The Washington Post, 15 June 2005) **[16g] (p1)** The USSD report 2005 also noted that the prisoners were allegedly moved because of a lack of jail space in the Kirkuk Province. **[2b] (p3)**

15.24 The UNAMI report, dated 1 November-31 December 2006, stated that:

"Despite concrete acknowledgement by the KRG of the arrest of individuals by PUK or KDP intelligence and security forces and their detention at unofficial detention facilities, there appears to be little impetus by the authorities to effectively address this pervasive and serious human rights concern. There has been little official denial of the existence and sometimes locations of secret and illegal detention cells in Suleimaniya and Erbil which are often no more than rooms in private houses and government buildings." **[39f] (p19)**

15.25 The same report noted that "There are at present 3 regional prisons in Kurdistan with a total of 1052 detainees in the Suleymania prison, 793 in Erbil and 572 in Dahuk." **[39f] (p20)**

15.26 The report also mentioned that:

"Officials usually justify prolonged detention without trial on suspicion of terrorism and other security concerns but detainees are usually not informed of allegations against them and given no opportunity to challenge the legality of their detention. …There have been attempts, however, on the part of high level KRG officials to intervene or request that a 'disappeared' detainee be produced before a court of law." **[39f] (p20)**

15.27 The UNAMI report "Human rights violations are reportedly committed by security forces at detention centers. In many cases the arrest and detention of

people is carried out by Kurdish militias. Detainees are often transferred directly to the Kurdistan Region without notifying the governorate or the police. Officials in Kirkuk are aware of such practices, yet no significant effort has been made to stop then." **[39f] (p24)**

15.28 The HRW world report 2007 noted that:

"The majority of detainees stated during prison visits conducted by Human Rights Watch that security officials had neither referred them to an investigative judge nor charged them with cognizable offenses, often for up to three years. Many also stated that detaining officials denied them access to legal counsel and family visits, and subjected them to torture or ill-treatment under interrogation." **[15o] (p3)**

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MNF-RUN PRISONS AND DETENTION FACILITIES

15.29 The UNHCR COI report, October 2005, stated that "On the basis of UN Security Council Resolution 1546, the MNF are authorized to intern persons on compelling security grounds." **[40c] (p54)** The MNF were holding more than 14,000 security detainees distributed over the four main US controlled prisons. (RFE/RL, 16 February 2006) **[22l]** (AI, 6 March 2006) **[28b] (p6-7)**

15.30 The UNHCR COI report, October 2005, reported that many of the detainees held by the US military were held for "… prolonged periods of time and without judicial review of their detention …." **[40c] (p54)** The report added that most of the 'security detainees' held by the US military were Sunnis. **[40c] (p54-55)** The AI report, dated 6 March 2006, stated that "Most 'security internees' are held at four detention facilities under US control… ." **[28b] (p6)**

15.31 The AI report, dated 6 March 2006, stated that:

"In February 2004, the International Committee of the Red Cross (ICRC) submitted a report to the Coalition Forces which described serious violations of international humanitarian law committed by these forces in Iraq. These included brutality against protected persons during their arrest and initial detention, sometimes causing death or serious injury, as well as various methods of torture and ill-treatment inflicted on detainees. The public release of images in April 2004 showing detainees being tortured and ill-treated by US soldiers at Abu Ghraib prison, caused worldwide shock, horror and outrage. The subsequent US military investigation in Iraq headed by Major General Antonio Taguba found that Coalition Forces were responsible for 'systemic' and 'illegal abuse of detainees' held at Abu Ghraib prison between August 2003 and February 2004, and concluded that soldiers had 'committed egregious acts and grave breaches of international law at Abu Ghraib…'." **[28b] (p4)**

15.32 The HRW report of July 2006 stated that:

"At Camp Nama, for instance, detainees were regularly stripped naked, subjected to sleep deprivation and extreme cold, placed in painful stress

positions, and beaten. At FOB Tiger, they were held without food or water for over 24 hours at a time, in temperatures sometimes exceeding 135 degrees Fahrenheit, and then taken into interrogations where they were beaten and subjected to threats. At Mosul, detainees were regularly subject to extreme sleep deprivation, exposure to extreme cold, forced exercises, and were threatened with military guard dogs." **[15f] (p2)**

15.33 The report added that "In all three locations, the abuses appear to have been part of a regularized process of detainee abuse — 'standard operating procedure,' in the words of some of the soldiers." **[15f] (p2)**

15.34 The report also mentioned that:

"The accounts in this report provide compelling new evidence that detainee abuse was an established and apparently authorized part of the detention and interrogation processes in Iraq for much of 2003-2005. The accounts also suggest that U.S. military personnel who felt the practices were wrong and illegal have faced significant obstacles at every turn when they attempted to report or expose the abuses." **[15f] (p2)**

15.35 The HRW report continued "U.S. military personnel have faced systemic obstacles to reporting or exposing abuses, that the U.S. military in numerous cases has not taken adequate measures to stop reported abuses. The report also shows that the U.S. military has often failed to properly investigate and prosecute perpetrators, including officers who allowed abuses to occur on their watch." **[15f] (p52)**

15.36 The HRW stated in a press release, dated 23 July 2006, that "Torture and other abuses against detainees in U.S. custody in Iraq were authorized and routine, even after the 2004 Abu Ghraib scandal…." **[15e]**

15.37 The HRW report of July 2006 stated that "…soldiers describe how detainees were routinely subjected to severe beatings, painful stress positions, severe sleep deprivation, and exposure to extreme cold and hot temperatures." **[15f]**

15.38 The HRW also noted that:

"Some of the most serious allegations of detainee abuse in Iraq since 2003 have concerned a special military and CIA task force – known at various times as Task Force 20, Task Force 121, Task Force 6-26, and Task Force 145 – charged with capturing or killing high-level combatants. Its targets have included Saddam Hussein and Abu Musab Al-Zarqawi, but also hundreds of anonymous, and often innocent, detainees. Through most of 2003 and 2004, the task force maintained a detention and interrogation facility within Camp Nama, at the Baghdad International Airport (often called 'BIAP'). The camp was off-limits to the International Committee of the Red Cross, as well as ordinary military personnel. The task force moved to another location near Balad in the summer of 2004, and also reportedly maintains outposts in or near Fallujah, Ramadi and Kirkuk." **[15f] (p6)**

15.39 The US detentions centres are 'Camp Bucca' in the southern city of Umm Qasr (7,365 detainees), 'Camp Redemption' at Abu Ghraib Prison (4,710 detainees) and 'Camp Cropper' near Baghdad's International Airport,

(138 'high-value' detainees) and Fort Suse (1,176 detainees). (AI, 6 March 2006) **[28b] (p6-7)** (UNHCR COI, October 2005) **[40c] (p54-55)**

15.40 The AI report, dated 6 March 2006, stated that "In addition, US forces hold detainees temporarily in various brigade and division internment facilities throughout the country. A small number of 'security internees' are held in the custody of UK forces at the detention facility of Shu'aiba Camp, near Basra. According to the UK's Foreign and Commonwealth Office, at the end of October 2005, the UK forces held 33 security internees, none of whom were women or children, in their detention facility at al-Shu'aiba." **[28b] (p6)**

15.41 The UNHCR COI report mentioned that "…the high number of detainees has overcrowded facilities and delayed the reviewing process, seriously undermining detainees' rights of due process. … Crowded conditions and more difficult inmates also increase the risk of prison violence. Camp Bucca and Abu Ghraib have experienced several prison riots." **[40c] (p54-55)**

15.42 Despite this, the FCO human rights report 2005 noted that "Detainees are made as comfortable as possible. They are free to practice their religion, have three hot meals a day, access to recreation areas and medical facilities are available. Detention facilities are open to ICRC and Iraqi Ministry of Human Rights inspection." **[66j] (p63)**

15.43 *The Washington Post* stated, on 21 January 2005 that:

"Soldiers who guard detainees now work under strict guidelines. … The military has also overhauled all of its detention facilities since the scandal, which highlighted the poor living conditions of both the detainees and the soldiers. Prisoners at Abu Ghraib now live in heated tents with electricity and have access to showers and to cold water in the summer. They also have extensive medical and dental care." **[16e]**

15.44 The FCO human rights report 2005 stated that "There are no dedicated UK or US detention facilities for women or juveniles. Women and juveniles at US detention facilities are segregated from adult males unless they are members of the same family." **[66j] (p63)** "The UK does not hold any women or individuals under the age of 18." **[66j] (p63)**

15.45 The AI report, dated 6 March 2006, mentioned that:

"At the end of September 2005 there were about 200 juveniles held by the MNF who were scheduled to be transferred shortly to the jurisdiction of the Iraqi Ministry of Labour and Social Affairs. The newspaper al-Sharq al-Awsat reported in December 2005 that the Iraqi Judicial Council had appointed a judge to deal specifically with cases of detained juveniles held by the MNF." **[28b] (p14)**

15.46 The same report noted that "The US has held an unknown number of persons detained in Iraq without any contact with the outside world in violation of international standards. These so called 'ghost detainees' were largely hidden to prevent the ICRC from visiting them." **[28b] (p13)** The UNHCR COI report, October 2005, noted that "US Defense Secretary Donald Rumsfeld admitted in 2004 that he had ordered the secret detention of a senior Ansar Al-Islam member without listing him in the database." **[40c] (p155)**

15.47 The AI report continued:

> "The practice of holding detainees in secret, with no contact with the outside world, places the person outside the protection of the law, denying them important safeguards and leaving them vulnerable to torture and ill-treatment. They have no access to lawyers, families or doctors. They are often kept in prolonged arbitrary detention without charge or trial. They are unable to challenge their arrest or detention, whose lawfulness is not assessed by any judge or similar authority. Their treatment and conditions are not monitored by any independent body, national or international. The secrecy of their detention allows the concealment of any further human rights violations they suffer, including torture or ill-treatment, and allows governments to evade accountability." **[28b] (p13)**

15.48 The same report noted that "There are indications that persons detained in Iraq have secretly been transferred outside Iraq for interrogation by the CIA." **[28b] (p13)** "… as part of their cooperation with Iraqi government forces, the MNF continued to hand over some of those whom its forces detained into the custody of Iraqi forces, despite the obvious risks to which this must expose such prisoners." **[28b] (p3)**

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DEATH PENALTY

16.01 Capital punishment was suspended on 10 June 2003 by Coalition Provisional Order Number 7. **[31a]** The Iraqi government announced the reintroduction of the death penalty on 8 August 2004. Government officials argued that it would act as a deterrent which in turn would help enforce the rule of law in Iraq and ease the violence. (*The Guardian*, 9 August 2004) **[6r]** (AI annual report 2005) **[28f] (p5)** (Hands off Cain, 2006) **[97a] (p1)**

16.02 The HRW report, January 2005, noted that the death penalty was reintroduced for a number of offences, which included "… certain crimes affecting internal state security, public safety, premeditated murder, and drug trafficking. It also introduced the death penalty for abduction." **[15g] (p17)** Government officials stated that implementation would be "very limited and only in exceptional cases." (HRW, January 2005) **[15g] (p17)**

16.03 In October 2005, the Iraqi TNA approved a new law which extended the use of the death penalty to include "those who commit... terror acts" and for "those who provoke, plan, finance and all those who enable terrorists to commit these crimes". (AP, 4 October 2005) **[65e]** (Hands off Cain, 2006) **[97a] (p1)**

16.04 The Hands off Cain report 2006 stated that "According to Iraqi law a death sentence must be approved by the government, the President and the two Vice-Presidents." **[97a] (p1)** However, the UNHCR COI report, October 2005, stated that President Talabani was opposed to the death penalty and allegedly did not authorise any death sentences. **[40c] (p142)**

16.05 Three members of Ansar Al-Sunna were hanged on 1 September 2005, after being sentenced to death on 22 May [2005] by a criminal court in Al-Kut for kidnapping, rape and murdering policemen, the first death sentences since the reintroduction of the death penalty. (AI, 1 January 2006) **[28g]** (AI, 6 March 2006) **[28b]** (UNHCR COI, October 2005) **[40c] (p142)** (Hands off Cain, 2006) **[97a] (p1)**

16.06 Following that, the Iraqi authorities sentenced 13 people to death for taking part in the insurgency. The 13, who were hanged on 9 March 2006, were the first to be executed for terrorist activities. (BBC, 9 March 2006) **[4x]**

16.07 According to the UNSC report, dated 5 December 2006, more than 150 people have been sentenced to death, 51 of whom have already been executed. **[38h] (p9)**The executed include women. (AI, 25 September 2006) **[28i]** (UNSC, 5 December 2006) **[38h] (p9)** (*The Telegraph*, 8 September 2006) **[48e]**

DEATH PENALTY IN THE KRG AREA

16.08 On 11 September 2006 the Kurdistan parliament in Iraq unanimously voted for the resumption of the death penalty in the KRG area. The parliament abolished article 11 in law 22 of 2003 that put an end to the use of the death penalty. The KRG ministry of human rights issued a statement expressing opposition and dismay at resuming the application of capital sentences in the Kurdistan Region. (Hands off Cain, 2006) **[97a] (p1)**

16.09 The KRG announced on 21 September 2006 that 11 members of the armed group Ansar al-Islam had been executed by hanging in Erbil after being

convicted of killings and kidnappings in the Kurdish region during 2003 and 2004. (AI, 25 September 2006) **[28i]**

16.10 AI reported, on 25 September 2006, that "To Amnesty International's knowledge these were the first executions to be carried out in the Kurdish region since 1992." **[28i]**

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POLITICAL AFFILIATION

FREEDOM OF POLITICAL EXPRESSION

17.01 The HRW report, dated 3 October 2005, stated that:

> "Since mid-2003, insurgent groups have repeatedly attacked Iraqi government officials and politicians. Various armed groups have killed dozens, if not hundreds, of local and national government officials and political party officials, as well as judges, by means of assassination squads, roadside bombs and suicide attacks. A total figure is not known due to the magnitude of the attacks and the absence of a comprehensive reporting scheme. Political figures have also been the target of criminally motivated attacks.
>
> "Insurgent groups like the Islamic Army in Iraq, Ansar al-Sunna and al-Tawhid wal-Jihad have repeatedly claimed responsibility for attacks on government officials." **[15j] (p62)**

17.02 The UNHCR guidelines, October 2006, stated that:

> "A range of politicians, members of the Iraqi government or administration (extending down to the local level, such as members of Governorate Councils), known members of political parties involved in the political process and/or members of their families (e.g. Sunnis who are no longer boycotting the process), as well as civilians supporting the democratic process have been targeted by non-state agents in an aim to undermine the ongoing political process and democratization of the country." **[40a] (p14)**

Freedom of political expression in the KRG area

17.03 The USSD report 2005 mentioned that "Membership in the dominant political parties conferred special privileges and advantages in education and employment. There were numerous allegations that the KDP and PUK prevented the employment of nonparty citizens and that courts were biased against nonparty claimants." **[2b] (p16)**

FREEDOM OF ASSOCIATION AND ASSEMBLY

17.04 The Constitution provides for "Freedom of assembly and peaceful demonstration, and this shall be regulated by law." **[82a] (p12)** It also stipulates that "The freedom to form and join associations and political parties shall be guaranteed, and this shall be regulated by law." It adds that "It is not permissible to force any person to join any party, society, or political entity, or force him to continue his membership in it." **[82a] (p12)**

17.05 The Freedom House report 2006 noted that:

> "Domestic and international nongovernmental organisations were able to operate without restrictions, though security constraints limited their activities in many regions. Peaceful demonstrations occurred frequently during the year [2005] without interference from coalition forces or the Iraqi government, except when they were in violation of curfews. Gatherings or rallies that violated anti-Baath strictures were considered illegal." **[70b] (p5)**

17.06 The UNHCR COI report, October 2005, stated that:

> "Although the Ba'ath Party was banned by CPA Order No. 1, political organizations representing a wide range of viewpoints can be formed without interference by the authorities and candidates were able to freely present themselves or be nominated by their political parties for the 30 January 2005 elections. The Iraqi Government did not restrict political opponents nor did it interfere with their right to organize, seek votes or publicize their views." **[40c] (p157)**

17.07 The same report noted that "Under the Order of Safeguarding National Security, the Prime Minister has the power to restrict the freedom of assembly, a power which is subject to judicial review." **[40c] (p157)**

17.08 Demonstrations and public protests took place on a regular basis on issues such as political, economic and social problems. Police generally did not intervene or restrict such demonstrations except when a curfew was violated. However, there were reports that police used force on occasions. (USSD report 2005) **[2b] (p11)** (UNHCR COI, October 2005) **[40c] (p157)**

17.09 The UNHCR COI report added that "… for example when police opened fire on a crowd of demonstrators in the Southern city of Samawa on 27 June 2005, killing one protester and wounding six more. This incident began with some 2,000 unemployed Iraqis demonstrating to demand jobs who then began throwing stones at the police." **[40c] (p157)**

Freedom of association and assembly in the KRG area

17.10 The UNAMI report, dated 1 September-31 October 2006, noted that "The draft law on Demonstrations and General Meetings is currently before the Kurdistan National Assembly which essentially requires political parties and other organizations to obtain a written approval from the Minister of Interior before proceeding to hold a rally or demonstration." **[39e] (p11)**

17.11 The UNHCR assessment, dated August 2006, noted that "Growing dissatisfaction over alleged corruption, restrictions on freedom of press and the lack of public services lead to regular demonstrations and public unrest across the KRG-administered area. … Many demonstrations have turned violent and scores of protestors were arrested." **[40f] (p10-11)**

17.12 The UNAMI report, dated 1 July–31 August 2006, noted that:

> "Demonstrations took place across towns in the Governorate of Sulaymaniya to protest against corruption of local officials and to call for an improvement in the provision of basic services. Most of the protests were peaceful, although some turned violent when groups of demonstrators attacked public buildings with stones. Some individuals had been apparently detained by the authorities before the demonstrations started in an effort to prevent them; approximately 200 persons were briefly detained following the demonstrations." **[39c] (p19-20)**

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OPPOSITION GROUPS AND POLITICAL ACTIVISTS

17.13 The UNHCR guidance note stated that "A range of politicians, members of the Iraqi government or administration (extending down to the local level, such as members of Governorate Councils), known members of political parties involved in the political process and/or members of their families (e.g. Sunnis who are no longer boycotting the process), as well as civilians supporting the democratic process have been targeted by non-state agents in an aim to undermine the ongoing political process and democratization of the country." **[40a] (p14)**

17.14 The HRW report, dated 3 October 2005, noted that "Insurgent groups also have targeted individuals active in Shi'a parties and organizations." **[15j] (p39)**

17.15 The report also detailed 17 cases of attacks against leading Iraqi political figures between March 2003 and July 2005. **[15j] (p65-66)** In addition, the report mentioned that "Insurgent groups have also targeted the family members of politicians." **[15j] (p69)**

17.16 The HRW report, January 2005, noted that "Human Rights Watch is also aware of other … ill-treatment of members of several political parties in Baghdad." **[15g] (p35)**

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FORMER MEMBERS AND ASSOCIATES OF THE BA'ATH PARTY/FORMER REGIME

17.17 Article 135 (5) of the Constitution stipulates that "Mere membership in the dissolved Ba'ath party shall not be considered a sufficient basis for referral to court, and a member shall enjoy equality before the law and protection unless covered by the provisions of De-Ba'athification and the directives issued according to it." **[82a] (p39)**

17.18 The UNHCR guidance note, October 2005, noted that:

> "Under the former government's rule, the state, the armed forces and the security apparatus were dominated by the Ba'ath party, which as the President's party enjoyed special status within the regime. No special qualifications were required in order to become a member of the Ba'ath Party, and the regime consistently and systematically expanded the membership of the Ba'ath Party as a means to widen its control of the population. Members who were perceived by the government as having been particularly loyal received preferential treatment in all aspects of life." **[40a] (p14)**

17.19 According to an article in *The Washington Post*, dated 3 February 2005, the Ba'ath party had an estimated one million to 2.5 million members. **[16d]** The same article noted that membership of the Ba'ath party was an 'unavoidable fact of life' during the Saddam regime. "It was required for most civil service jobs, and almost everyone who wanted to go to college had to join." **[16d]**

17.20 The UNHCR guidance note, October 2005, mentioned that:

"Many senior ranking cadres within the Ba'ath Party built a career through dual membership in the Ba'ath Party and the Special Republican Guards, as chiefs of loyal tribes, as members of the intelligence and security forces, and so forth. These individuals were generally assigned various tasks as senior officials of the Ba'ath Party at the levels of governorates, districts, sub-districts, cities and communes. Many were also implicated in policing activities with the army and security forces, the search for army deserters, and recruitment for paramilitary armed groups such as Jaish Al-Quds (The Jerusalem Army), the Fedayeen Saddam (Saddam's 'Men of Sacrifice') and the Ashbal Saddam (Saddam's Lion Cubs). Middle and senior level officers in these services were appointed only after a thorough screening by the senior leadership. Saddam Hussein's son Qusay was directly responsible for these services. Many senior officials of the above-mentioned entities were in the armed forces during the period when campaigns against segments of the Iraqi population were planned and executed. These include the 'Anfal' campaign which took place in Northern Iraq during the 1980s, the suppression of the 1991 and 1999 uprisings in Southern Iraq and the persecution of political opponents. While many may describe themselves as having simply worked in logistics or communications, association with groups such as the Fedayeen Saddam, the People's Army (Al-Jaish al Sh'abi), the Ba'ath militia or the Jaish Al-Quds clearly implies knowing of and condoning their activities." **[40a] (p14-15)**

17.21 The AI report, dated 25 July 2005, noted that "In early April 2003, the US-led military intervention in Iraq, which had started just days earlier on 18 March, ended the 25-year rule of Saddam Hussain and the even longer rule of the Ba'ath party." **[28c] (p2)**

17.22 The CFR report, dated 7 April 2005, added that "In the early months of the U.S.-led occupation, authorities banned the Baath Party and removed all senior Baathists from the government and security forces. But U.S. officials began to shift their strategy in April 2004 and, in a bid to strengthen the officer corps, allowed some senior ex-Baathists to return to the security forces." **[8b] (p1)**

17.23 The UNHCR guidance note, October 2005, stated that:

"Members and associates of the Ba'ath party and former regime have been the subject of attacks since the early days of the change of power in Iraq. … Low-ranking officials of the Ba'ath party have also been killed or otherwise attacked because of the activities they were involved in – for example a low-ranking member of a security organization who was known to have been a brutal torturer." **[40a] (p15)**

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De-Ba'athification

17.24 The UNHCR guidance note, October 2005, stated that:

"CPA Order No. 1, De-Ba'athification of Iraqi Society, was signed and went into effect on 5 May 2003. Under this Order, the Ba'ath Party was dissolved

and senior party members (those in the upper tier, including members of the Regional Command, Branches, Sections and Groups) were officially removed from their positions and banned from any future employment in the public sector. In addition, they were evaluated for criminal conduct or threat to the security of the Coalition. Furthermore, all individuals in the top three layers of management in every government Ministry, related corporations, and other government institutions including universities and hospitals, were subject to interviews in order to assess their affiliation with the Ba'ath Party. Those determined to have been Ba'ath members were subject to investigation for criminal conduct and were removed from employment if found to be full party members. The Supreme National DeBa'athification Commission was tasked to hear appeals from Ba'athists who were in the lowest ranks of the party's senior leadership." **[40a] (p15-16)**

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Reprisals against Ba'ath party members

17.25 An AI report, dated 18 March 2004, stated that former members of the Ba'ath party and security force members were targeted in revenge attacks. **[28d]** According to an article by Iraq Updates, dated 9 November 2006, "Assassinating former members of Saddam Hussein's Baath Party is going on unabated particularly in southern Iraq…. The number of Baathists killed since the start of 2006 has reached 1,556 people and none of the cases has been investigated…." **[105a]**

17.26 *The Duluth News Tribune* article, dated 26 February 2005, also noted that:

"Especially besieged are Shiite Baathists who live in predominantly Shiite or mixed Sunni-Shiite neighborhoods, where targets are more accessible than in homogenous Sunni strongholds. Militiamen have demanded that former Baathists fly white flags to atone for their party membership and let their neighbors know they have renounced their pasts. Those who refuse often end up dead." **[60a]**

17.27 A Knight Ridder article, dated 25 February 2005, stated that "The U.S. military is preoccupied with hunting down suicide bombers and foreign terrorists, and Iraq's new Shiite leaders have little interest in prosecuting those who kill their former oppressors or their enemies in the insurgency." **[13a]**

17.28 The report also noted that "While Shiite politicians turn a blind eye, assassins are working their way through a hit list of Saddam's former security and intelligence personnel, according to Iraqi authorities, Sunni politicians and interviews with the families of those who've been targeted." **[13a]**

Threats to families of Ba'ath party members

17.29 The UNHCR COI report, October 2005, noted that "US-led forces have confirmed that they illegally detained Iraqi women in order to obtain information about male relatives who are senior Ba'ath Party officials or suspected insurgents. In addition, they are accused of holding women as

'bargaining chips' in the attempt to convince male relatives to surrender or admit involvement in armed activities." **[40c] (p35)**

17.30 The Iraq Updates article also noted that "…Baathists? in many places in Iraq were attacked. Baathists and their families were evicted from their homes and many were kidnapped or killed." **[105a]**

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FREEDOM OF SPEECH AND MEDIA

18.01 Article 38 (a) of the Constitution provides for the "Freedom of expression using all means." Article 38 (b) provides for the "Freedom of press, printing, advertisement, media and publication." **[82a] (p12)** In spite of these provisions, Iraq was the "world's most dangerous country" for the media in 2005. (RSF 2006) **[20d] (p140)**

18.02 Although, Iraqis have enjoyed greater freedom of expression since the fall of the Saddam regime in 2003, increasing numbers of journalists and media workers were targeted because of their work. (UNAMI, 1 September-31 October 2006) **[39e] (p3)** (UNHCR COI, October 2005) **[40c] (p158)**

18.03 The Freedom House 2005 report on Freedom of the Press noted that "In late March [2004], the CPA established the Iraq Communications and Media Commission (later called the National Communications and Media Commission, or NCMC), an independent nonprofit administrative institution with authority to license and regulate media, broadcasting, and telecommunications services." **[70a] (p106)**

18.04 The same report mentioned that "In August [2004], interim prime minister Iyad Allawi announced the creation of a new Higher Media Commission (HMC) with responsibility for regulating print and broadcast media and imposing sanctions against violators. **[70a] (p106)**

18.05 CPA Order 14 prohibits media organisations from publishing or broadcasting material that incites violence and civil disorder, expressing support for the banned Ba'ath Party and support for alterations to Iraq's borders by violent means. It allows for the closure of media organisations that violate these regulations. For example, Al-Jazeera news channel was banned from working in Iraq after being accused of inciting violence and hatred. (USSD 2005) **[2b] (p10)** (UNHCR COI, October 2005) **[40c] (p158)**

18.06 The USSD report 2005 noted that "Licensing procedures are transparent and an independent entity was established to license broadcast media, although the process has lapsed in the face of other priorities. The press does not require a license to operate." **[2b] (p10)**

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NEWSPAPERS, RADIO AND TELEVISION

18.07 Numerous daily and weekly publications including political broadsheets, independent newspapers and magazines were available in Iraq. (USSD report 2005) **[2b] (p10)** (CPJ 2005) **[26c] (p1)** (UNHCR COI, October 2005) **[40c] (p158)** (Freedom House, Freedom of the Press, 2006) **[70c] (p83)** In fact, UNHCR stated that there were an estimated 170 independent newspapers and magazines in May 2005. (UNHCR COI, October 2005) **[40c] (p158)** Most were affiliated with particular religious or political groups. (Freedom House, Freedom of the Press, 2005) **[70a] (p107)**

18.08 The newspapers with the largest circulation are *Al-Sabah* (which has a circulation of more than 50,000 and was founded after the invasion with US funding. It often reflects the position of the government), *Az-Zaman* (owned by leading Iraqi businessman Saad Al-Bazzaz and also published in London), *Al-Mutamar* (the official organ of the Iraqi National Congress), *Al-Mada* (a well respected independent daily) and Hawlati, a Kurdish weekly. (US Library of Congress, August 2006) **[33a] (p21)** (UNHCR COI, October 2005) **[40c] (p158)** (Freedom House, Freedom of the Press, 2006) **[70c] (p83)** Most of the major international newspapers are also available in Iraq. (US Library of Congress, August 2006) **[33a] (p21)**

18.09 The Freedom House report on Freedom of the Press 2005 noted that "While the independent press has grown tremendously, economic conditions have hindered the ability of independent publications to sustain themselves." **[70a] (p107)**

18.10 Dozens of television and radio stations also operated in Iraq at various levels and in a number of languages. (USSD report 2005) **[2b] (p10)** (CPJ 2005) **[26c] (p1)** (UNHCR COI, October 2005) **[40c] (p158)** (Freedom House, Freedom of the Press, 2005) **[70a] (p107)** Foreign satellite television, which was banned under the Saddam regime, became increasingly available and Iraqis had free access to Middle Eastern, European and US channels. (UNHCR COI, October 2005) **[40c] (p158)** (Freedom House, Freedom of the Press, 2005) **[70a] (p107)**

18.11 The USSD report 2005 noted that "The most widely watched television stations were independent Al-Sharqiya and public broadcaster Al-Iraqiya, along with Arabic-language satellite channels operating outside the country, such as Al-Arabiya and Al-Jazeera. Several other new outlets were gaining popularity, such as entertainment channel Al-Sumeria." **[2b] (p10)**

18.12 Nevertheless, on 7 August 2004, the interim government banned the Qatar-based Al-Jazeera television station from transmitting in the country for one month. The interim government accused the station of inciting violence and hatred. (USSD report 2005) **[2b] (p11)** (RSF annual report, 3 May 2005) **[20c] (p3)** (UNHCR COI, October 2005) **[40c] (p158)** (Dutch country report, December 2004) **[71c] (p33)** The UNHCR COI report, October 2005, added that "Iraqi officials alleged that Al-Jazeera's reporting on kidnappings had encouraged Iraqi militants, and a government statement on the ban accused Al-Jazeera of being a mouthpiece for terrorist groups and contributing to instability in Iraq." **[40c] (p158)**

18.13 The ban was extended in September [2004] for an unspecified period of time and the office of Al-Jazeera in Baghdad was closed. (RSF annual report 2005) **[20c] (p3)** The ban remained in place at the time of writing. (USSD report 2005) **[2b] (p11)** (CPJ 2005) **[26b] (p5)** In spite of this, the station continued to function in the country by using free-lance journalists, footage from other media sources and a network of contacts. (USSD report 2005) **[2b] (p11)** (CPJ 2005) **[26b] (p5)** (Freedom House, Freedom of the Press, 2005) **[70a] (p107)**

18.14 The RSF annual report, dated 3 May 2005, stated that "Defence minister Hazem Shaalan called Al-Jazeera 'clearly a terrorist TV station' in an article the same month in the daily Asharq al-Awsat, accusing its Baghdad office of operating illegally since it was closed three months earlier." **[20c] (p3)** The RSF

annual report 2007 confirmed that Al-Jazeera's Baghdad office remained closed. **[20g] (p140)**

18.15 In addition, the government shut down Al-Arabiya satellite TV station for one month, at the beginning of September 2006, following claims that they were "inciting sectarian violence" and reporting "false news". **[20g] (p140) [39e] (p10)** RSF also reported that on 5 November 2006 the Iraqi government shut two Sunni Muslim television stations were shutdown for showing a film of Saddam Hussein supporters protesting his death sentence. **[20g] (p140) [2h]**

18.16 The UNAMI report, dated 1 November-31 December 2006, stated that:

"Several media outlets have used derogatory or hate language in broadcast and in some cases, incited violence. The Prime Minister has threatened to use the 2004 'anti-terrorism' law to close down stations that incite hate and violence such as Al Zawra station. Based on anti terrorism law, the Minister of Interior recently issued an order to close Al Zawra TV satellite channel in Baghdad and Salahaddin TV satellite channel in Salahaddin Governorate on the grounds of the use of hate speech." **[39f] (p11)**

18.17 The USSD report 2005 also noted:

"The media represented a very wide range of viewpoints. Columnists openly criticized the government in print media, and government officials responded to viewer call-ins on television programs. Election programs featured live debates among candidates. Public media (one each for TV, radio, and newspaper) launched by the CPA were incorporated into a new publicly funded broadcaster, the Iraqi Media Network. Much of the media was owned by political party groups or coalitions of political, ethnic and religious groups. Despite the enabling legal framework, the lack of independent commercial financing resulted in many media outlets being the voices of and financially dependent upon political parties and other groups. For private media, sales and advertising revenues typically did not produce a reliable income stream, and lack of a constant power supply was often a problem. " **[2b] (p10)**

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OTHER FORMS OF MEDIA

18.18 The UNHCR COI report, October 2005, mentioned that "There are no restrictions on content or access to books, periodicals, mass media, satellite dishes, computers, modems, faxes and Internet services." **[40c] (p158)**

18.19 Access to the internet, which was only seen by the elite under the previous regime, grew and internet cafés opened in many places across Iraq. (UNHCR COI, October 2005) **[40c] (p158)** (Freedom House, Freedom of the Press, 2005) **[70a] (p107)**

JOURNALISTS AND OTHER MEDIA WORKERS

18.20 Several reports noted that Iraq was the most risky place in the world to work as a journalist in 2005. (RSF 2006) **[20d] (p140)** (RSF, 20 March 2006) **[20e]**

(RSF, March 2006) **[20f]** (CPJ 2005) **[26b] (p1)** (CPJ, 3 January 2006) **[26d] (p1)** The Iraq conflict was also the deadliest since the CPJ was established over 20 years ago. (CPJ 2005) **[26b] (p1)** (CPJ, 3 January 2006) **[26d] (p1)** In spite of this, *The Guardian* stated, on 19 January 2005, that "The number of Iraqis claiming to be journalists has risen from 1,000 to 5,000 since the fall of Saddam Hussein after the US-led invasion." **[6k] (p1)**

18.21 According to RSF figures, a total of 107 journalists and media assistants have been killed in Iraq since the fall of the Saddam regime in March 2003. Of those killed, 22 journalists and ten media workers were killed in 2006. (RSF, September 2006) **[20b]** Iraqis accounted for 95 per cent of media workers killed. (RSF 2006) **[20d] (p140)** The CPJ suggested that the majority of deaths were caused by targeted killings. (CPJ, 3 January 2006) **[26d] (p1-2)** Murder accounted for 54 percent of journalist's deaths in Iraq, with crossfire and combat-related deaths accounting for the rest. **[26e]**

18.22 Insurgents have increasingly targeted Iraqis and killed journalists who have been critical of the terrorism taking place or who are supportive of the Iraqi authorities or coalition forces. (HRW, 3 October 2005) **[15j] (p83)** (IRIN, 25 January 2006) **[18af]** (CPJ 2005) **[26b] (p1)** (UNHCR COI, October 2005) **[40c] (p60 and 158-159)** (Freedom House, Freedom of the Press, 2006) **[70c] (p83)**

18.23 Journalists and media workers, such as drivers, cameramen and translators for media organisations, have also faced threats, abductions, executions and bomb attacks from insurgent groups in Iraq. (IWPR, 2 March 2006) **[11f]** (HRW, 3 October 2005) **[15j] (p83)** (IRIN, 25 January 2006) **[18af]** (UNAMI, 1 July–31 August 2006) **[39c] (p8)** (UNHCR COI, October 2005) **[40c] (p158-159)** The CPJ report, dated 5 January 2006, stated that "Fatal abductions emerged as a particularly disturbing trend as at least eight journalists were kidnapped and slain in 2005, compared with one fatal abduction the previous year." **[26d] (p1-2)** The HRW report, dated 3 October 2005, and the UNAMI report, dated 1 November-31 December 2006, detail several examples of attacks against journalists and media workers. **[15j] (p83-90)** **[39f] (p14-15)** Others have been intimidated into leaving Iraq. (IRIN, 25 January 2006) **[18af]** (UNAMI, 1 July-31 August 2006) **[39c] (p8)**

18.24 In addition, the UNHCR COI report, October 2005, noted that "News organizations that are associated with political parties and the offices and employees of the state-funded Al-Hurrah TV and Al-Iraqiyah TV have become frequent targets of attacks by insurgents for their alleged collaboration with the Iraqi Government or the US." **[40f] (p159)**

18.25 Furthermore, the situation became increasingly dangerous for foreign journalists and media workers in Iraq. Insurgents often used them to pressure their governments into leaving Iraq. (HRW, 3 October 2005) **[15j] (p83)** (CPJ 2005) **[26b] (p2)** (UNHCR COI, October 2005) **[40c] (p158-159)** The HRW report, dated 3 October 2005, detailed several examples of attacks against foreign journalists and media workers. **[15j] (p83-90)**

18.26 The CPJ report 2005 stated that "Due to the risk of abduction and attack by insurgent groups, foreign reporters, based mostly in Baghdad, sharply curtailed their movements beyond fortified residential compounds or hotels. Many traveled only with considerable calculation and the assistance of armed guards, staying at a location for short periods only." **[26b] (p2)**

18.27 The US army were also responsible for arbitrarily and illegally arresting journalists. **[20d] (p140)** The CPJ report noted that "Working around U.S. and Iraqi troops carried other risks. Troops routinely detained Iraqi journalists who operated near U.S. and Iraqi forces." **[26b] (p3)** The Iraqi Association of Journalists (IAJ) recorded eight instances where journalists had been detained by US forces on suspicion of posing a 'security threat' since March 2005. (UNHCR COI, October 2005) **[40c] (p159)** Media workers were reportedly detained by US forces for prolonged periods, without charge. (CPJ, 4 October 2005) **[26a] (p1-2)** (CPJ 2005) **[26b] (p3)** A number of journalists and media workers reported that they were tortured and their equipment destroyed on arrest. (UNHCR COI, October 2005) **[40c] (p159)** In addition, a number of journalists and media workers, were reportedly killed by US forces. (UNHCR COI, October 2005) **[40c] (p159)** (CPJ, 5 January 2006) **[26d] (p2)**

18.28 IWPR added, on 2 March 2006, that:

"Iraq journalists often carry guns when they report and hide their faces from cameras in press conferences so they cannot be publicly identified. Some Iraqi journalists say the deteriorating security situation is making even street reporting difficult, a practice most foreign counterparts in Iraq gave up on due to security concerns. Because of the worsening security situation in Baghdad and many other provinces, the number of foreign correspondents has decreased. The abduction and murder of several reporters has forced foreign agencies to depend on local reporters with less experience. Many cases of abuse against journalists by Iraqi forces have been reported." **[11f]**

18.29 IRIN news stated, on 25 January 2006, that many journalists have complained that they are unable to "write freely" about political issues due to threats from insurgents and unknown sources. However, "Iraqi Prime Minister Ibrahim al-Jafari, in an interview with the local press last week, encouraged journalists to write freely in order to convey Iraqi suffering to the world and make politicians aware of the country's problems." **[18af]**

18.30 However, the UNAMI report, dated 1 July–31 August 2006, stated that:

"Journalists and publications have also faced legal prosecution by the authorities for carrying out their work. In August, prosecution started against three other journalists at Karrada Felony Court for charges based on article 226 of the Iraqi Penal Code, including slandering the police forces and judicial figures in three articles published in 2004 in Sada Wasit Newspaper, where the three worked." **[39c] (p8)**

18.31 The UNAMI report, dated 1 November-31 December 2006 noted that "In other parts of Iraq, journalists and other media professionals faced restrictions including a ban on attending parliament sessions, physical threats and threats of legal action." **[39f] (p10)** The UNAMI report, dated 1 September-31 October 2006, added that "… many journalists are being criminally prosecuted for alleged defamation of state officials. Local legislation, in effect since 1969, treats defamation as a criminal offence punishable, *inter alia*, by time in prison for up to ten years." **[39e] (p10)**

Journalists in the KRG area

18.32 The FCO stated in a letter, dated 6 December 2006, that "In general the media is heavily influenced by the political parties. However there are independent journalists and newspapers and the Institute for War and Peace Reporting has an office in Sulimaniyah from where they run a journalism skills programme. There have been instances when journalists have been arrested for 'saying the wrong thing' but recent demonstrations and a more constructive approach by the KRG has led to improved relations and a draft bill." **[66n]**

18.33 The UNHCR Assessment report, dated August 2006, noted that:

"While large numbers of media and civil society organizations have been established since the area's *de facto* autonomy in 1991, they continue to be widely controlled by the PUK and their independence and neutrality need to be further developed. Journalists and media organizations have repeatedly claimed that press freedom is restricted and criticism of the ruling party can lead to physical harassment, arrest and imprisonment on the basis of unspecified defamation charges. Officially, there is no censorship in the Governorate, but the authorities seem to be broadening their definition of libel and slander to deter probing reporting. Most media outlets in the Governorate are controlled by the PUK. There are concerns that a new censorship law will further restrict press freedom. The draft legislation, put forward by the Kurdistan Journalists Syndicate and published in July 2006, prohibits the publication of confidential military information and writings, cartoons, advertisements and news deemed to offend religious groups and local customs." **[40f] (p22)**

18.34 The UMANI report, dated 1 November-31 December 2006, stated that "Freedom of the press remains a widely debated issue particularly in the North with independent media attempting to extend the limits of journalistic license to engender support for the right of expression." **[39f] (p10)**

18.35 The same report noted that:

"Independently owned media such as Hawlati daily and weekly Awene in Kurdistan have recently highlighted government corruption and questioned the conduct of officials. Their criticism included a recent Patriotic Union of Kurdistan (PUK) reform plans, recent elections, human rights, demonstrations, migration, and shortcomings in the education system. Hawlati has questioned the freedom of the media in Kurdistan and reiterated that journalists should be able to question officials because they 'were elected for a limited period of time in order to serve the people.'" **[39f] (p10)**

18.36 The UNHCR COI report, October 2005, noted that "In the three Northern Governorates, criticism of the KDP and the PUK is generally not tolerated and may lead to arrest and detention. Perceived sympathizers of Islamist groups are at risk of being arbitrarily arrested and detained." **[40c] (p60)**

18.37 The UNAMI report, dated 1 July–31 August 2006, noted that "UNAMI HRO is also concerned about freedom of expression in the Region of Kurdistan following the detention of at least seven journalists by police forces when covering demonstrations against the KRG in Sulaymaniya Governorate on 13 August. The journalists were later released on bail." **[39c] (p8)**

HUMAN RIGHTS INSTITUTIONS, ORGANISATIONS AND ACTIVISTS

19.01 As mentioned in the USSD report 2005:

> "NGO activity and advocacy continued to grow but remained weak overall. National NGOs were newly formed and generally lacked resources, while staff of international NGOs were constrained by both the difficult security situation and their organizations' critical judgments of post-Saddam governing, which often led to mutual distrust. In this atmosphere, the regulatory environment for domestic and international NGOs, in general, deteriorated as the government imposed additional controls over the NGO community and a more onerous registration process. Human rights NGOs continued to face obstacles in gaining access to prisons and detention facilities, and the additional controls imposed on these organizations limited their effectiveness." **[2b] (p17)**

19.02 Several reports noted that humanitarian organisations were often targeted by insurgents who saw them as cooperating with the government and MNF. Humanitarian workers faced specific threats, violence, car bombs, kidnapping and murder. (HRW, 3 October 2005) **[15j] (p73)** (AI, 25 July 2005) **[28c] (p10)** (UNHCR, October 2005) **[40a] (p16)** The AI report, dated 25 July 2005, mentioned that "The attacks have been aimed at the headquarters of these organizations, mostly in Baghdad, but there have been similar attacks in other cities and towns. International and national aid workers have also been victims of kidnapping and fatal attacks, particularly when travelling in vehicles that carry the organization's logo." **[28c] (p10)** The HRW report gave examples of numerous attacks on humanitarian agencies. **[15j] (p73-83)**

19.03 The UNHCR guidelines, dated October 2005, stated that "Neither the local authorities nor the MNF are capable of granting proper security to their respective local nationals and employees." **[40a] (p16)**

19.04 As a result, many organisations have left Iraq and some are now operating in neighbouring countries such as Jordan. (HRW, 3 October 2005) **[15j] (p73** (IRIN, 16 August 2006) **[18ar]** (AI, 25 July 2005) **[28c] (p10)** An IRIN news article, dated 16 August 2006, that "The government has registered about 100 local groups that administer direct aid in Iraq." **[18ar]**

19.05 The UNAMI report, dated 1 July–31 August 2006, stated that:

> "Local aid groups, which at times are the sole source of assistance for the growing number of displaced persons, have reported receiving threats for helping displaced families of different religious affiliation. Violence hampers the delivery of aid in places such as Al-Anbar and Baghdad. In Kirkuk, at the end of August [2006], a printed threat circulated among aid agencies accusing seven foreign-based aid organizations of working for the benefit of a foreign country and against the interests of Iraq." **[39c] (p10)**

HUMAN RIGHTS INSTITUTIONS, ORGANISATIONS AND ACTIVISTS IN THE KRG AREA

19.06 The USSD report 2005 also noted:

"The KRG and Kurdish political parties generally supported humanitarian NGO activities and programs in the North. However, an anticorruption NGO program faced difficulties in the KRG area because officials maintained that corruption was not a problem. Additionally, the KRG reportedly pressured NGOs into hiring only Kurds and dismissing non-Kurds on security grounds." **[2b] (p18)**

19.07 The FCO stated in a letter, dated 6 December 2006, that:

"There are a large number of CSO/NGOs in the region. Traditionally these have been closely linked to the main political parties but increasingly they are looking to western donors for their funding and survival. The new government has, by the admission of some NGOs, taken a more positive approach to inclusive politics and has included a number of NGOs in committee discussions on issues such as Human Rights." **[66n]**

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CORRUPTION

20.01 Corruption was a major problem in Iraq. (USSD report 2005) **[2b] (p6 and 16)** (UNHCR COI, October 2005) **[40c] (p20)** (Freedom House, 2006) **[70b] (p4)** There were reports of corruption within the government, security services, and courts. (USSD report 2005) **[2b] (p6 and 16)** (IRIN, 18 September 2006) **[18ba]** (UNHCR COI, October 2005) **[40c] (p20-21)** (CSIS, 19 June 2006) **[63a]** The CSIS report, dated 19 June 2006, noted that:

"Corruption added a 'fourth threat' to the insurgency, militias, and internal problems in Iraqi forces. It is impossible to determine whether corruption in the Iraqi government was more serious in mid-2006 than it had been in the past, but senior Iraqi officials made it clear that both the MOI and MOD presented major problems because of corruption at virtually every level. This was not simply a matter of money. Its impact included phantom hires and absentees, weapons and equipment sales to outside parties, penetration by insurgent and factional elements seeking intelligence, and a host of other problems in functioning at an honest and effective level. The same problems were common in all ministries, and wasted billions of dollars in scarce Iraqi funds, but had a major impact on Iraqi force development." **[63a]**

20.02 The Commission on Public Integrity (CPI) was set up to tackle corruption in the country. (USSD, 2005) **[2b] (p16)** (IRIN, 6 September 2006) **[18ba]** IRIN news reported, on 6 September 2006, that "So far, some 3,500 corruption cases have been investigated by the CPI, of which 780 cases have been lodged in court but fewer than 50 have been tried…." **[18ba]** The USSD report suggested that employees of the CPI, witnesses and family members faced widespread intimidation as well as targeted attacks and killings. **[2b] (p16)**

20.03 An IRIN news article reported, on 6 September 2006, that every government department was implicated in some form of corruption. **[18ba]** A news report by *The New York Times*, on 9 February 2007, stated that five Iraqi deputy or cabinet level officials have been arrested and charged with corruption since 2003. **[24i]**

20.04 The CSIS report, dated 19 June 2006, stated that:

"The Ministry of Defense had suffered badly under the previous interim government from corruption at the ministerial level, and the loss of hundreds of millions of dollars through the purchase of worthless equipment. These problems had presumably been greatly reduced under the Jafari government, but neither Iraqi nor US officials claimed they were eliminated.

"In the case of the MOI, corruption inevitably affected virtually every aspect of the police, from the appointment process to the sale of justice and services in the field, at almost every level. This corruption in the MOI interacted with corruption in the Ministry of Justice, and affected the courts in the areas where they actually operated.

"The result was often a mix of pressures from insurgents, militias, and criminals that made effective policing and the administration of justice almost impossible. Where the law was not for sale, it was paralyzed by threats and intimidation — as well as sectarian, ethnic, and tribal ties." **[63a] (p76)**

20.05 As a result of widespread corruption, some countries were unwilling to send financial aid to Iraq. (UNHCR COI, October 2005) **[40c] (p21)**

20.06 The Transparency International report, dated 16 March 2005, warned that, with regard to the UN sponsored oil-for-food programme in Iraq, there was a likelihood that Iraq would become "the biggest scandal in history" if urgent steps were not taken. **[51a] (p1)**

20.07 The UNHCR COI report, October 2005, added that "An audit found that the CPA was unable to properly account for US $8.8 billion of revenues from the Oil for Food Programme, oil sales and seized assets which it had transferred to the IIG." **[40c] (p20)** The same report stated that "The International Advisory and Monitoring Board which monitors Iraq's oil revenues said that Iraqi leaders mishandled about US $100 million in oil money meant for development in the six months after the transfer of sovereignty. By CPA Order No. 55, authority was given to the IGC to establish the Commission on Public Integrity which was tasked with rooting out corruption in the country." **[40c] (p21)**

CORRUPTION IN THE KRG AREA

20.08 The UNHCR COI report, October 2005, stated that "Accusations of corruption and mismanagement have also been raised against the Kurdish authorities, which are dominated by the KDP and PUK." **[40c] (p21-22)**

20.09 It was reported in 2006 that street demonstrations have taken place in protest of alleged corruption by Kurdish parties. (RFE/RL, 9 August 2006) **[22v]**

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FREEDOM OF RELIGION

21.01 Article 2 of the Constitution stipulates that Islam is the official state religion and the that no law maybe enacted contradict Islam. **[82a] (p2)** Article 2(2) states that the Constitution "… guarantees the full religious rights to freedom of religious belief and practice of all individuals such as Christians, Yazidis, and Mandean Sabeans." **[82a] (p2)**

21.02 Approximately 97 per cent of the population is Muslim, of which about 60 to 65 per cent are Shi'a Muslims, while about 32 to 37 per cent are Sunni Muslims. The other three per cent of the population consisted of Christians, such as Chaldeans (Roman Catholic), Assyrians (Church of the East), Syriac (Eastern Orthodox), Armenian Orthodox, several denominations of Protestant Christians, Yazidis, and a small number of Sabean Mandaeans and Jews. (CIA world factbook, 10 January 2006) **[78a] (p4)**

21.03 Although passports did not indicate an individual's religion, the national identity card did. (USSD International Religious Freedom 2006) **[2f] (p4)**

21.04 Article 41 of the Constitution stipulates that "Iraqis are free in their commitment to their personal status according to their religions, sects, beliefs, or choices, and this shall be regulated by law." Article 42 states that "Each individual shall have the freedom of thought, conscience, and belief." **[82a] (p12)** President Talabani reiterated that the government would "respect the Islamic identity of the Iraqi nation, but with full respect also for the identity and beliefs of others". (FCO, 2005) **[66j] (p66)**

21.05 The USSD International Religious Freedom report 2006 stated that "Since 2003, the Government has not engaged in the persecution of any religious group, calling instead for tolerance and acceptance of all religious minorities." **[2f] (p1)**

21.06 Although the government generally respected these rights in practice, the insurgents often did not. (USSD International Religious Freedom report 2006) **[2f] (p1)** (AI, 25 July 2005) **[28c] (p8)** (UNHCR COI, October 2005) **[40c] (p160)** Insurgents and criminal gangs were reported to have harassed, intimidated, kidnapped and at times killed members of specific religious groups, particularly Shi'as, Kurds and Christians. Insurgents and criminal gangs also targeted the places of worship of religious groups. (USSD International Religious Freedom report 2006) **[2f] (p5-6)** (ICG, 27 February 2006) **[25d] (p1)** (AI, 25 July 2005) **[28c] (p8)** (UNSC, 5 December 2006) **[38h] (p7)** (UNHCR COI, October 2005) **[40c] (p15)**

21.07 As a result, several reports noted that sectarian violence, mainly between Sunni and Shi'a, was on the rise in Iraq, with almost daily news of attacks and intimidation. (IRIN, 30 January 2006) **[18ai]** (ICG, 27 February 2006) **[25d] (p32)** (UNSC, 3 March 2006) **[38e] (p13)** The USSD report 2005 noted that "Deficiencies in security force capabilities and in the rule of law made it difficult for the justice system to investigate or address violations of these rights." **[2b] (p11)**

21.08 Religious leaders have condemned the acts of the insurgency against religious groups in Iraq and have repeatedly called for tolerance of all faiths. (USSD International Religious Freedom report 2006) **[2f] (p7)** (USSD report

2005) **[2b] (p11)** The same report mentioned that "Religious leaders reported that they generally had good relations and worked together to promote interfaith understanding. The Sabeans sought the assistance of the Grand Ayatollah Sistani, SCIRI's Hakim, Prime Minister Jafari, and Muqtada al-Sadr in supporting minority rights." **[2f] (p7)**

21.09 The USSD International Religious Freedom report 2006 noted that "Despite the tenuous security environment and the Government's preoccupation with fighting the insurgency and rebuilding the country's infrastructure, significant improvements were made with respect for religious freedom during the reporting period." **[2f] (p6)**

21.10 Nevertheless, the CSIS report, dated 19 June 2006, mentioned that "Although accurate numbers are impossible to obtain, the increasing scale of targeted sectarian killings and similar violence reached the point by 2006 where it changed the nature of the Iraq war and threatened to plunge Iraq into deeper civil conflict." **[63a] (p69)**

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SHI'A-SUNNI VIOLENCE

21.11 The rise in sectarian violence in Iraq was mainly focused on the Sunni and Shi'a Muslim divide. Insurgents were responsible for fuelling the hostility between these two religious groups in an effort to incite further sectarian violence. (USSD International Religious Freedom report 2006) **[2f] (p3 and 6)** (USSD report 2005) **[2b] (p13)** (ICG, 27 February 2006) **[25d] (p1)** (UNAMI, 1 September-31 October 2006) **[39e] (p7)** The UNAMI report, dated 1 September-31 October 2006, stated that "There have also been frequent cases of mass kidnappings in which the victims appear extra-judicially executed, bearing signs of torture before death. In other cases, the fate or the whereabouts of the kidnapped remained unknown." **[39e] (p7)**

21.12 Insurgents reportedly attacked mosques and Sunni and Shi'a towns and neighbourhoods. They were also responsible for killing Sunni and Shi'a clerics, religious leaders and civilians of both sects. (USSD International Religious Freedom report 2006) **[2f] (p4 and 6)** (USSD report 2005) **[2b] (p13)** (ICG, 27 February 2006) **[25d] (p1)** (UNAMI, 1 September-31 October 2006) **[39e] (p7)**

21.13 On 22 February 2006 the al-Askari shrine in Samarra was bombed. (UNSC, 3 March 2006) **[38e] (p4)** The bombing, which followed two exceptionally violent days in Iraq, was immediately condemned by Iraqi political and religious leaders. (UNSC, 3 March 2006) **[38e] (p4)**

21.14 The bombing provoked an increase in sectarian violence and reprisal attacks in Baghdad and Basra, among other towns. (UNSC, 3 March 2006) **[38e] (p4)** The UNSC report, dated 3 March 2006, stated that "Sunni mosques were reportedly attacked and a number occupied." **[38e] (p4)** There were also reports of mass demonstrations and violent clashes in Baghdad, Al-Najaf, Kut, Al-Kufah, and Samarra. (RFE/RL, 22 February 2006) **[22m]** (UNSC, 3 March 2006) **[38e] (p4)**

21.15 Reprisal attacks against Sunnis were reported across the country. (RFE/RL, 22 February 2006) **[22m]** (CSIS, 22 June 2006) **[63b] (p52)** It was not clear how many civilians were killed as a direct result of the eruption of sectarian violence but estimates ranged from 220 to 1,300. (Brookings Institution, 7 March 2006) **[88a] (p10)** The CSIS report, dated 22 June 2006, suggested that this action pushed the country towards large-scale civil war. **[63b] (p52)**

21.16 A number of reports stated that there was a significant increase in sectarian tensions between Sunni and Shi'a communities after the bombing of the holy Shi'ite shrine. (UNHCR,18 December 2006) **[40e] (p1)** (Brookings Institution, October 2006) **[88b] (p7-8)** The UNHCR guidelines, of October 2005, noted that "As part of increasing tensions between Sunnis and Shiites, individuals may be targeted on the basis of their membership in either of these two sects." **[40a] (p13)** The Brookings Institution report stated that "In terms of the Shi'a-Sunni divide, Sunnis see themselves as a threatened minority, while the Shi'a see themselves as the oppressed majority." **[88b] (p7-8)**

21.17 Tat-for-tat killings became common practice in Iraq which added to the general state of lawlessness and insecurity. (UNSC, 5 December 2006) **[38h] (p8)** (Brookings Institution, October 2006) **[88b] (p7-8)** The ICG report, dated 27 February 2006, noted that "… attacks on Shiite crowds by suicide bombers allegedly acting on orders of certain insurgent commanders are countered by sweeps through predominantly Sunni towns and neighbourhoods by men dressed in police uniforms accused of belonging to commando units of the ministry of interior (controlled, since April 2005, by SCIRI and its Badr Organisation)." **[25d] (p1)**

21.18 The sectarian violence between the Shi'a and Sunni communities led to a massive displacement of populations, with Shi'a and Sunni families leaving mixed neighbourhoods for areas where their sect was the majority. (UNHCR, 18 December 2006) **[40e] (p1)** (CSIS, 19 June 2006) **[63a] (p23)** There were reports suggesting that Shi'a or Sunni Iraqis that offered shelter to other Iraqis belonging to another sect were often killed. However, hundreds of Iraqis who were opposed to the sectarian violence continued to offer refuge to their neighbours despite the risk. (IRIN, 3 August 2006) **[18at]**

21.19 The UNAMI report, dated 1 September-31 October 2006, stated that "… while mixed neighbourhoods, such as Dora, have been increasingly polarized along the Sunni-Shi'a lines. Many of the death squads and rival militias have direct links with or are supported by influential political parties belonging to the Government and are not hiding their affiliation." **[39e] (p7)**

21.20 IRIN news stated, on 6 April 2006, that "Many of the doctrinal differences between Sunnis and Shi'ites are minor enough to be dismissed, except by puritans of both sects." **[18av]**

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Shi'a Muslims

21.21 A BBC report, dated 17 February 2005, observed that "The Shia heartland is in the south-east of the country. It includes Basra and the sacred cities of Najaf and Karbala – home to shrines revered by millions of Shia across the East. The Shia also make up a sizeable minority of the population in the capital Baghdad, where most live in poverty in sprawling slum areas on the outskirts." **[4s]**

21.22 The AI report, dated 25 July 2005, stated that:

"Radical Sunni Islamist groups see the Shi'a as 'infidels' who should be killed. In early December 2004 al-Qa'ida of Jihad Organization in the Land of Two Rivers issued a statement referring to the Shi'a population as the 'insurmountable obstacle, the lurking snake, the crafty and malicious scorpion, the spying enemy, and the penetrating venom… They are the enemy. Beware of them. Fight them. By God, they lie… the only solution is for us to strike the religious, military, and other cadres among the Shi'a with blow after blow until they bend to the Sunnis…'" **[28c] (p8)**

21.23 The statement also referred to the Shi'a as 'enemies'. (AI, 25 July 2005) **[28c] (p8)** The USSD country reports on terrorism, dated 27 April 2005, stated that "In February [2004], Zarqawi called for a 'sectarian war' in Iraq. He and his organization sought to create a rift between Shi'a and Sunnis through several large terror attacks against Iraqi Shi'a." **[2d] (p1-2)**

21.24 The HRW report, dated 3 October 2005, mentioned that "In terms of casualties, the religious or ethnic group most targeted by insurgents in Iraq is Shi'a Muslims…. Since 2003, some insurgent groups have repeatedly targeted Shi'a religious sites packed with civilians, senior clerics and political leaders, as well as neighborhoods where Shi'a Muslims live." **[15j] (p36)** An article by the BBC, dated 18 February 2005, reported that violence against the Shi'a Muslims increased following January's election." **[4t]** The AI report provided a number of examples of targeted attacks against Shi'a Muslims. **[28c] (p8-9)**

21.25 The HRW report, dated 3 October 2005, noted that:

"… the attacks are primarily motivated by a belief that Shi'a political and religious groups welcomed and cooperated with the U.S. invasion to overthrow the Iraqi government, long dominated by Sunni Arabs. In addition, the Shi'a are dominating the current Iraqi government and security forces, provoking concerns that Sunnis will be marginalized in the new Iraq. To the extreme Islamist groups like al-Qaeda in Iraq, which has claimed responsibility for some of the most deadly attacks, Shi'a Muslims are apostates and heretics who have betrayed Islam." **[15j] (p36)**

21.26 The UNHCR COI report, October 2005, stated that "It is reported that sectarian violence is causing the displacement of hundreds of Shiite Muslims from the 'Triangle of Death' south of Baghdad which includes Sunni-Shiite mixed towns such as Latifiyah, Mahmoudiyah and Yusufiyah and other traditionally mixed areas such as the Dora neighbourhood in Baghdad Governorate, Salman Pak and Al-Madaen in the Governorate of Babil." **[40c] (p16)**

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Sunni Muslims

21.27 The BBC report, dated 17 February 2005, stated that "Sunni Arabs have dominated the politics of Iraq since 1921." **[4s]** The same report noted that "More recently Saddam Hussein's Baath Party was dominated by Sunni Muslims and he centralised power in his Sunni clan." **[4s]**

21.28 The USSD International Religious Freedom report 2006, stated that:

"Sunni Muslims claimed general discrimination, alleging revenge by the Shi'a majority for the Sunnis' presumed favored status under the former regime, but also because of the public's perception that the insurgency was composed primarily of Sunni extremists and former regime elements with whom the majority of the Sunni population supposedly sympathized. While some within the Sunni community supported and even assisted the insurgency, many denounced the terrorism as vocally as their non-Sunni counterparts." **[2f] (p7)**

21.29 Reports stated that a number of Sunni clerics were the target of assassinations. (USSD International Religious Freedom report 2006) **[2f] (p4)** (RFE/RL, 24 May 2005) **[22g]** Sunni leaders accused the deaths of several Sunni clerics on the Badr Organisation. (USSD International Religious Freedom report 2006) **[2f] (p5)** (RFE/RL, 24 May 2005) **[22g]** However, the RFE/RL article stated that there is no evidence that the Badr Brigades were involved. **[22g]**

21.30 The USSD International Religious Freedom report 2006 stated that "The Sunni Arab community often cited police raids of its mosques and religious sites as an example of targeting by the Shi'a-dominated government." **[2f] (p5)** The BBC added, in an article dated 24 February 2006, that following the bombing of the al-Askariya shrine in Samarra on 22 February 2006 "Dozens of Sunni mosques have been targeted and several burnt …." **[4ax]** The USSD International Religious Freedom report 2006, stated that more than sixty mosques across the country were damaged. **[2f] (p4)**

21.31 The report noted that "In the aftermath of the Samarra bombing, it became increasingly difficult to determine how much of the violence was based on religious affiliations rather than criminal elements." **[2f] (p4)**

21.32 The UNHCR COI report, October 2005, noted that "It appears that Sunnis considered too friendly towards Shiites and persons refusing to cooperate with insurgents may also be targeted." **[40c] (p16)**

21.33 The CSIS report, dated 22 June 2006, stated that:

"Leaflets were frequently distributed by gunmen or even by children. In some instances, those who had fled did so after hearing their names on a list of 'enemies' read out at a Sunni mosque. It was also reported that 'religious vigilantes' would paint black crosses, referred to as 'the mark of death,' on the doors of those it sought to drive out. Young children were sometimes abducted for several hours and then returned to their families with a warning that if they did not leave, next time their children would be killed." **[63b] (p58)**

Wahhabi branch of the Islam

21.34 The USSD International Religious Freedom report 2006 mentioned that "Revolutionary Command Council (RCC) Resolution 201 of 2001, prohibits the Wahhabi branch of Islam and mandates the death penalty for adherents if the charge is proved." **[2f] (p3)**

Baha'i faith

21.35 The USSD International Religious Freedom report 2006 stated that "Law No. 105 of 1970, prohibits the Baha'i faith." **[2f] (p3)** The UNAMI report, dated 1 July–31 August 2006, noted that "Members of the Baha'i faith continue to be subject to discrimination in the issuance of identity and travel documentation." **[39c] (p13)**

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NON-MUSLIM RELIGIOUS GROUPS

21.36 Many reports suggested that Iraqi's were often targeted by militia or insurgents because of their religious identity or secular leanings. (USSD International Religious Freedom 2006) **[2f] (p5)** (UNHCR, October 2005) **[40a] (p9)** The UNHCR guidelines highlight the precarious situation facing Iraqi religious minorities, who have become "…regular victims of discrimination, harassment, and at times persecution, with incidents ranging from intimidation and threats to the destruction of property, kidnapping and murder." **[40a] (p9)**

21.37 In response to the bombing of the Al Askari Shrine in February 2006, members of all religious communities were negatively affected by the unleashed violence and tit-for-tat attacks. (UNAMI, 1 January–28 February 2006) **[39b] (p2)**

21.38 Members of non-Muslim religious groups were targeted for not adhering to strict Islamic law. (USSD International Religious Freedom 2006) **[2f] (p7)** (UNHCR COI, October 2005) **[40c] (p160)** For instance, there were reports of stores that provided unIslamic goods, such as alcohol, were bombed, looted and defaced. Women and girls were threatened, attacked and sometimes killed for not wearing the hijab or for dressing in 'western-style' clothing. (USSD 2005) **[2b] (13)** (USSD International Religious Freedom 2006) **[2f] (p5)** The UNHCR guidelines, October 2005, added that "There have also been reports of men being subjected to attacks and killings by Islamist groups or militias for their alleged non-Islamic behaviour (e.g. mingling with women in public, selling music or videos or providing 'Western' haircuts)." **[40a] (p21)**

21.39 The same paper mentioned that "Particularly in Central and Southern Iraq, there is an increasing trend of embracing stricter Islamic values. Religious minorities, in particular those not recognized and protected as 'people of the book' (Ahl Al Kitab) by Islam, face increased pressure and social marginalization." **[40d] (p2)** Religious minorities were, therefore, increasingly forced to adhere to strict Islamic practices. (USSD 2005) **[2b] (p12)**

21.40 The USSD International Religious Freedom report 2006 noted that "Non-Muslims, particularly Christians, complained of being isolated by the Muslim

majority because of their religious differences. Despite their statistically proportional representation in the National Assembly, many non-Muslims said they were disenfranchised and their interests not adequately represented." **[2f] (p7)**

21.41 The USSD International Religious Freedom report 2006 stated that:

"The combination of discriminatory hiring practices, attacks against non-Muslim businesses, and the overall lack of rule of law have also had a detrimental economic impact on the non-Muslim community and contributed to the significant numbers of non-Muslims who left the country. The Armenian Diocese estimated that the number of destitute Armenian Christians, for example, had grown by 50 percent since 2003, a condition exacerbated by the inadequate security environment, which hampers Armenian Christians' ability to find employment. Terrorist threats have compelled tens of thousands of Christians, including Armenian Orthodox and Chaldean Christians, to leave the country in the wake of church bombings in 2004 and early 2006." **[2f] (p7-8)**

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NON-MUSLIMS IN THE KRG AREA

21.42 The USSD International Religious Freedom report 2006 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 also alleged that the Kurdistan Democratic Party (KDP)-dominated judiciary routinely discriminated against non-Muslims and failed to enforce judgments in their favor. Despite the allegations of KRG discrimination against religious minorities, many non-Muslims fled 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 teaching were greater." **[2f] (p5)**

21.43 The FCO stated in a letter, dated 6 December 2006, that Iraqis in the KRG predominantly adhered to Islam, mostly Sunni but some Shi'a. **[66n]**

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Christians

21.44 Iraq's Christian population includes, among others, members of the Assyrian, Chaldean, Armenian and Catholic sects. (UNHCR, October 2005) **[40a] (p9)** The majority of Christians were Catholics (Chaldeans). (USSD International Religious Freedom 2006) **[2f] (p1)** The USSD report added that:

"The Chaldean and Assyrian Christians are descendants of the earliest Christian communities, and they share a similar cultural and linguistic background. Both communities speak the same ancient language (Syriac); however, they are considered by many to be distinct ethnic groups. Chaldeans

recognize the primacy of the Roman Catholic Pope, while the Assyrians, who are not Catholic, do not. While some Chaldeans and Assyrians considered themselves Arab, the majority, as well as the Government, considered both groups as ethnically distinct from Arabs and Kurds." **[2f] (p2)**

21.45 It was widely reported that Christians were seriously affected by the poor security situation in Iraq and there were increasing reports of Christians being targeted by insurgent groups and criminal gangs. (RFE/RL, 3 July 2005) **[22h]** (FCO, 20 January 2005) **[66g]** (UNHCR background paper, 1 October 2005) **[40d] (p2-3)** (UNHCR COI, October 2005) **[40c] (p160-161)** (UNHCR guidance note, October 2005) **[40a] (p9-10)** (FCO, 20 January 2005) **[66g]** Since the fall of the Saddam regime in 2003, there has been a "steady stream" of church bombings, assassinations, beheadings, kidnappings and threatening letters. (RFE/RL, 19 October 2006) **[22t]** (*The New York Times*, 17 October 2006) **[24g]** The HRW report, dated 3 October 2005, gave examples of attacks against Christians and churches. **[15j] (p46-52)**

21.46 Insurgent propaganda often described the MNF as "Christian Crusaders". Consequently, many Iraqi's, including insurgents, viewed Christians as "collaborators" of the MNF and "infidels", and therefore "traitors" to Iraq. (HRW, 3 October 2005) **[15j] (p46)** (RFE/RL, 3 July 2005) **[22h]** (UNHCR background paper, 1 October 2005) **[40d] (p3-4)** (UNHCR COI, October 2005) **[40c] (p160-161)** (FCO, 20 January 2005) **[66g]** (Brookings Institution) **[88b] (p24)**

21.47 The UNHCR guidance note, October 2005, reported that "Most Iraqi Christians claim fear of persecution from insurgent groups (e.g. Ansar Al-Sunna) and Islamic militias such as the Badr Organization or the Mehdi Army, which have substantial control of the streets in various major cities and towns." **[40a] (p9)**

21.48 The UNHCR background paper, dated 1 October 2005, suggested that attacks against Christians had been mainly politically, religiously, ethnically or criminally motivated. **[40d] (p3 and 4)** Assaults and threats against Christians were generally concentrated in Baghdad and in and around the Ninewa governorate of Mosul, as well as south and the 'Sunni triangle'. (Europa World Online, accessed on 16 August 2005) **[1c] (Christianity)** (UNHCR COI , October 2005) **[40c] (p160-161)** (UNHCR guidance note, October 2005) **[40a] (p9)** (UNHCR background paper, 1 October 2005) **[40d] (p2-4)** (Brookings Institution) **[88b] (p24)**

21.49 The violence and intimidation against the Christian population and institutions increased in 2006 following protest campaigns against the cartoons of the Prophet Mohammed initially published in a Danish newspaper and subsequently printed in a number of other European newspapers. (Christian Today, 9 February 2006) **[109a]** Following a controversial speech by Pope Benedict XVI, which included what were perceived as offensive remarks about Islam. "Following the Pope's speech, 13 extremists groups issued threats to kill all Christians unless the Pope apologized." (IRIN, 19 October 2006) **[18bb]** (UNAMI, 1 September-31 October 2006) **[39e] (p12-13)**

21.50 A number of Islamic groups, such as Muhamad's Army, Mujahideen Shura Council, jaish al-Mujahedeen, Asaeb al-Iraq and Ansar al-Sunna threatened to kill Christians unless the Pope apologised. (*The Times*, 18 September 2006) **[5f] [18bb]**

21.51 The UNHCR background paper, reported on 1 October 2005 that "The increasing trend to embrace strict Islamic values is the cause for strong resentment towards Christians, mainly in the South as well as in the so-called Sunni triangle in the Centre of the country." **[40d] (p4)** Businesses owned by Christians such as alcohol stores, shops selling western music and hair salons were targeted in bomb attacks by hardline Islamists. (UNHCR background paper, 1 October 2005) **[40d] (p3)** (UNHCR COI, October 2005) **[40c] (p160-161)** (FCO, 20 January 2005) **[66g]** The UNHCR COI report, October 2005, noted that "In the view of the insurgents, these kinds of occupations and activities are blasphemous." **[40c] (p160-161)**

21.52 Christian women also faced increasing pressure to adhere to strict Islamic dress codes and to cover their hair with a veil. (IRIN, 19 October 2006) **[18bb]** (RFE/RL, 22 July 2005) **[22h]** (UNHCR background paper, 1 October 2005) **[40d] (p3)** (Brooking Institution) **[88b] (p24)** The UNAMI report, dated 1 September -31 October 2006, stated that "In Mosul, female Christian and Muslim students alike have received leaflets warning them to wear 'proper Muslim attire' at the local universities. Shops selling inappropriate clothing reported receiving threats." **[39e] (p12)**

21.53 Christians were often assumed to be wealthy by Iraqi standards. As a result they were frequently kidnapped for ransom money. (UNHCR COI, October 2005) **[40c] (p160-161)** The RFE/RL article reported that "Christian women and children were routinely kidnapped and held for exorbitant ransoms." **[22h]** Fear from kidnapping and rape restricts the freedom of movement for Iraqi Christian women. (UNAMI, 1 July-31 August 2006) **[39c] (p10)** According to *Asia News*, on 11 October 2006, there were reports that kidnapped Christians were driven to commit suicide after their release due to shock and the shame they experienced. **[107d]**

21.54 Christians, therefore, often had to keep a low profile in order not to attract further attention. (UNHCR background paper, 1 October 2005) **[40d] (p3)**

21.55 It became evident that clerics of all levels are at risk of kidnapping, killing and assaults. (UNAMI, 1 July–31 August 2006) **[39c] (p2and8)** (Associated Press, 12 October 2006) **[65i]** (Al-Jazeera, 13 October 2006) **[84d]** (Asia News, 6 December 2006) **[107a]** (Asia News, 5 December 2006) **[107b]** (Asia News, 29 November 2006) **[107c]** An article in the Lebanese based newspaper, *The Daily Star*, dated 10 July 2006, stated that high ranking Christian clergy claim that "… priests in Iraq can no longer wear their clerical robes in public for fear of being attacked by Islamists." **[108a]**

21.56 The UNHCR COI report, October 2005, stated that "The Iraqi authorities as well as religious leaders have repeatedly called for tolerance and religious freedom and have condemned attacks against religious minorities." **[40c] (p160-161)**

21.57 The UNHCR background paper, dated 1 October 2005, noted that "However, in view of the possible recognition of Islam as a major source of law in the new Permanent Constitution, Christians fear a further degradation of their legal and actual position in the Iraqi society." **[40d] (p4)** The same report mentioned that "They [Christians] increasingly experience discrimination with regard to access to the labour market or basic social services." **[40d] (p2-3)**

21.58 Reports noted that tens of thousands of Christians left their homes and fled to other countries, mainly Jordan and Syria. (USSD International Religious Freedom report 2006) **[2f] (p5)** (HRW, 3 October 2005) **[15j] (p46)** (UNAMI report, dated 1 July–31 August 2006) **[39c] (p13)** (UNAMI, 1 September-31 October 2006) **[39e] (p13)** (UNHCR COI, October 2005) **[40c] (p161)** (FCO, 25 January 2005) **[66f]** The UNAMI report, dated 1 September-31 October 2006, noted that: "The United Nations High Commissioner for Refugees (UNHCR) estimates that 44% of Iraqis seeking asylum in Syria are Christians. According to UNHCR estimates, in the first four months of 2006, Christians were the largest group of new asylum seekers in Jordan." **[39e] (p13)**

21.59 Others fled to the relative safety of the Kurdish-controlled north to the Christian villages of Al-Kush, Taluskuf, Bighdida, Birtilla and Ain Kawa. (USSD International Religious Freedom report 2006) **[2f] (p5)** (HRW, 3 October 2005) **[15j] (p46)** (*The New York Times*, 17 October 2006,) **[24g]** (UNAMI report, dated 1 July–31 August 2006) **[39c] (p13)** (UNAMI, 1 September-31 October 2006) **[39e] (p13)** (UNHCR COI, October 2005) **[40c] (p161)** (FCO, 25 January 2005) **[66f]** (Brookings Institution, October 2006) **[88b] (p24)**

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Christians in the KRG area

21.60 The UNHCR background paper, dated 1 October 2005, added that "The relationship between Kurds and Christians is characterised by more mutual tolerance and therefore Christians in three Northern Governorates generally face less pressure." **[40d] (p4)** An article in *The Washington Times*, dated 23 May 2006, stated that according to a Christian evangelist convert, "No Christians in the Kurdish territory are persecuted". **[96b]**

21.61 The UNHCR COI report, October 2005, noted that:

> "Christians can worship freely without interference by the Kurdish authorities. Since the fall of the former regime, which restricted the establishment of new denominations, a number of Christian evangelical churches have been established and are viewed with suspicion by both Muslim and Christian religious leaders. Of particular concern is their practice of proselytizing among Muslims, something the Iraqi Christians have always refrained from doing, and that may further strain relations between the religious communities." **[40c] (p161)**

21.62 *The Washington Times* article, dated 23 May 2006, noted that "Kurds are converting to Christianity 'by the hundreds' in northern Iraq." **[96b]** The IWPR article, dated 28 June 2005, stated that "The small but growing number of Kurds who convert to Christianity say they face discrimination and intolerance from the Muslim majority." **[11c] (p1)** The same article noted that:

> "Kurdish Christians – still a tiny minority – say they find it difficult to practice their religion because of public intolerance. Muslims in the region counter that it is wrong for Christians to proselytise among other faith groups.

"The converts are joining new, western-style Christian groups which started growing after the fall of Saddam Hussein, rather than the long-established Christian communities such as the Assyrians and Chaldeans, who do not seek new members from Muslim backgrounds." **[11c] (p1)**

21.63 The UNHCR background paper, dated 1 October 2005, noted that:

"Political motives also come into play in the numerous assaults against Christian individuals and facilities committed by members or supporters of the KDP and the PUK in Northern Iraq, in particular in the areas south of the former green line (as the Kurdish parties aim to expand their influence into parts of Nineveh Governorate). In this regard, the Iraqi Ministry of Displacement and Migration reported on the serious difficulties Christians displaced by the former regime face in reclaiming their properties in Northern Iraq." **[40d] (p3)**

21.64 The UNHCR COI report, October 2005, added that "Some Chaldo-Assyrians claim that they are being discriminated against by the Kurdish authorities which do not share reconstruction funds and oil revenues with predominantly Chaldo-Assyrian areas and have confiscated farms and villages." **[40c] (p161)**

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Sabean Mandaeans

21.65 The UNHCR background paper, dated 1 October 2005, noted that "The Mandaeans (also Nazareans or Sabeans) do not constitute a Christian denomination, but another independent monotheistic religious community." **[40d] (p4)** According to the German NGO Society for Threatened People, Mandaeans, a small religious group who follow John the Baptist, were persecuted and suppressed in the past, particularly by Islamic and Christian communities. (UNHCR background paper, 1 October 2005) **[40d] (p5)**

21.66 Since the fall of the Saddam regime, the situation of Mandaeans has deteriorated with many targeted for religious reasons. (UNAMI, 1 September-31 October 2006) **[39] (p14)** (UNHCR, 1 October 2005) **[40d] (p11)** (Society for Threatened People (STP), March 2006) **[110] (p2)** Mandaeans complained about discrimination and intimidation by the public and religious officials, which is not as a result of official government policy. (UNAMI, 1 September-31 October 2006) **[39] (p14)** (UNAMI, 1 November-31 December 2006) **[39f] (p13)** The Brookings Institution, nevertheless, stated that the problem was an organised effort by insurgents to target "all other" communities. **[88b] (p24)**

21.67 Mandaeans were targets for discrimination, public humiliation, physical attacks, kidnappings, rape and killings. (UNHCR, October 2005) **[40a] (p11)** (STP, March 2006) **[110] (p2)** It was widely reported that several fatwas were issued, the majority by Sunni teacher Al-Saied Al-Tabtabee Al-Hakeem, giving insurgents religious justification for acts carried out against Mandaeans. (UNAMI, 1 November-31 December 2006) **[39f] (p13)** (UNHCR, October 2005) **[40a] (p11)** UNHCR, 1 October 2005] (**40d] (p11)**

21.68 Mandaeans, who are traditionally goldsmiths, are often perceived to be wealthy and therefore were highly susceptible to kidnapping, particularly women and children. Kidnappers tended to demand very high ransoms and if they were not paid quickly often resulted in the kidnap victim being killed. (UNHCR, October 2005) **[40a] (p11)** A report by The Mandaean Society of America, dated March 2005, noted that "Most of the cases of kidnapping and rape go undocumented because of the distrust in the ability of the local police for protection, the fear of revenge, and the social stigma involved." **[36a] (p11)**

21.69 A number of organisations reported that Mandaeans were increasingly forced to convert to Islam or they would be killed. (UNAMI, 1 Sepotember-31 October 2006) **[39e] (p13)** (STP, March 2006) **[110] (p2)** Mandaeans also assumed Islamic names out of fear of persecution. (STP, March 2006) **[110] (p2)**

21.70 The UNHCR guidance note, October 2005, noted that "Unlike most Iraqis, the Mandaeans do not belong to tribal groupings. In the past, Mandaeans were able to negotiate protection agreements with tribes by paying considerable sums of money. However, due to the present situation of general insecurity in Iraq, Mandaeans can no longer count on this type of arrangement and are therefore extremely vulnerable." **[40a] (p11)**

21.71 As a result, many Mandaeans have fled to Jordan or Syria or otherwise confined themselves to their homes. UNAMI stated, in the 1 September-31 October 2006 report, that "The Sabean-Mandean community decreased from 13,500 persons in 2001 to roughly 4,000 persons in 2006 in Iraq." **[39e] (p13)**

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Yazidis

21.72 The USSD International Religious Freedom report 2006 stated that "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)**

21.73 Yazidi were defined by the former regime as Arabs, however, some Yazidi considered themselves to be Kurds, while others considered themselves to be religiously and ethnically distinct from Muslim Kurds. (USSD International Religious Freedom 2006) **[2f] (p2)** (UNHCR, 1 October 2005) **[40d] (p6)** However, only about 10 percent live in the KRG administered areas in the three Northern Governorates of Erbil, Dohuk and Sulaymaniyah. (AFP, 23 May 2006) **[21e]** (UNHCR, 1 October 2005) **[40d] (p6)** Most Yazidis speak Kurmanji, the most widely spoken dialect of Kurdish. (AFP, 23 May 2006) **[21e]**

21.74 The UNHCR background paper of October 2005 noted that "Only a person born to Yazidi parents is a member of the Yazidi community and there is no way to convert to the Yazidi religion." **[40d] (p6-7) [21e]**

21.75 The same report noted that:

"So far, the situation of the Yazidis has not improved substantially…. After the dissolution of the previous Ministry for Religious Affairs and the creation of three separate departments for the affairs of the Shiite, Sunni and Christian communities, the Yazidis are no longer represented. As illustrated earlier, the embracing of stricter Islamic values, the generally dire security situation, the presence of radical Islamic groups and militias as well as the ongoing political power-wrangling of the various sectarian groups about Iraq's future, leaves Yazidis exposed to violent assaults and threats and curtails their traditional ways of living as observed for Christians, Jewish and Mandaean minorities. **[40d] (p7)**

21.76 AFP stated in an article, dated 13 October 2006, that "The half-million-strong community is caught between the intolerance of Sunni extremists, who want to drive them out of their lands, and the ambition of the Kurdish regional government, which wants to co-opt their votes." **[21e]**

21.77 Reuters reported, on 18 August 2005, that according to Yazidis leaders, there have been a number of attacks of them since the fall of the former regime. **[7a]** The UNHCR background paper of October 2005 noted that "International human rights organizations recorded the killing of more than 25 Yazidis and more than 50 violent crimes targeting Yazidis in the last four months of 2004." **[40d] (p7)**

21.78 Sunni insurgents have attempted to forcibly removed Yazidis from towns such as Sinjar, Mosul, and Tal-Afar. (AFP, 13 October 2006) **[21f]** Yazidis were also affected by campaigns requesting the compliance with Islamic dress codes and values (UNHCR, October 2005) **[40d] (p7)** Many Sunni Kurds, that were interviewed by AFP, said they would not share a meal with a Yazidi because they considered the community 'unclean'." (AFP, 13 October 2006) **[21e]**

Kaka'i

21.79 The USSD International Religious Freedom report 2006 noted that "The Kaka'i, sometimes referred to as Ahl-e-Haqq, resided primarily in Kirkuk, Mosul, and Kankeen in Diyala Province. Most are ethnic Kurds." **[2f] (p2)**

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Jews

21.80 The USSD report 2005 explained that:

"… the TNA passed a citizenship law on November 15 [2005] that, among other things, precludes Iraqi Jews from regaining citizenship. The Presidency Council (the president and the two deputy presidents) sent a notice to the TNA that it was vetoing this legislation, but the TNA challenged the legal effectiveness of the notice. As a result of this dispute, the law was not in effect at year's end." **[2b] (p13)**

21.81 The USSD International Religious Freedom report 2006 noted that "Anti-Semitic feeling remained a strong undercurrent during the reporting year. According to the head of the Christian and Other Religions Endowment, the

country's 2,700-year-old Jewish population had dwindled to less than fifteen persons in the Baghdad area." **[2f] (p8)**

21.82 However, the UNHCR background note, dated 1 October 2005, mentioned that:

"With the fall of the former government, the living conditions of the few Jews left in Iraq worsened drastically. Even more than Iraqi Christians, they are suspected of cooperating or at least sympathizing with the MNF and fear deliberate assaults by both Islamic extremists and supporters of the former regime. The general uncertainty regarding the political developments in Iraq and the increased embracing of strict Islamic values prompted the majority of the remaining Iraqi Jews to flee the country. Today, the Jews remaining in Iraq have completely withdrawn from public life in order not to attract any attention." **[40d] (p5)**

21.83 The same report noted that:

"Today, there is practically no Jewish life in Iraq. According to recent estimates, only some 20 Jews still live in Baghdad while no Jews can be found outside the capital. The remaining Jews are all above the age of 70 with the exception of two families. Apart from the risk of persecution by Islamist groups and supporters of the former regime, there is no Rabbi present in Iraq, thereby further impeding their freedom to practice their religion." **[40d] (p5-6)**

Jehovah's Witnesses

21.84 The UNHCR background noted, dated 1 October 2005, reported that:

"Regarding the specific situation of Jehovah's Witnesses, UNHCR currently has no findings of its own. It is assumed, however, that Jehovah's Witnesses face similar restrictions as Christians or Jews due to the deteriorated security situation, the embracing of stricter Islamic values and customs particularly in Southern and Central Iraq and the grave deficiencies in the judicial and legal system. In addition, Islam considers missionary activities, which is an inherent part of the Jehovah's Witnesses' activities, as a punishable offence." **[40d] (p6)**

Shabaks

21.85 The UNAMI report, dated 1 May–30 June 2006, noted that:

"Representatives of the Shabaks have submitted to UNAMI HRO a list of 41 members of this community who have been killed during June 2006 in Mosul. In areas where they constitute a minority, Sunni and Shi'a continued to be intimidated by armed and extremist groups into leaving mixed areas and continue to move to areas where they constitute a majority. Following recent threats against Shia's in general and Shabaks in particular to leave Mosul or be killed, of which UNAMI HRO has a received a copy, Shabaks are considering relocation." **[39a] (p12)**

21.86 The UNAMI report, dated 1 July–31 August 2006, added that:

"The Shabak community in Mosul and Ninewa plain continue to report being subject to violence and intimidation. Over one hundred of them have been

reportedly killed since the beginning of June 2006, and over a thousand families have moved to villages outside Mosul. Members of the Shabak community living in villages of the Ninewa plain reported harassment by Kurdish militias who would be asking residents questions regarding their affiliation and ethnicity." **[39c] (p13)**

21.87 Shabaks have also been pressured into converting to Islam. (UNAMI, 1 November-31 December 2006) **[39f] (p13)**

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ETHNIC GROUPS

22.01 The UNAMI report, dated 1 May–30 June 2006, stated that "Minorities in Iraq constitute not less than 10 percent of the Iraqi population and continue to express concerns regarding their official recognition, threats to their identity and their desire for increased political rights and participation in the life of Iraq." **[39a] (p12)**

22.02 Sectarian and ethnic violence increased in Iraq with the targeting of religious and ethnic communities, particularly between Shi'a and Sunni communities. Tensions between Arab and Kurd also rose predominantly in Kirkuk and other mixed areas such as Mosul and Diyala. (UNHCR COI, October 2005) **[40c] (p15)** (UNHCR, 18 December 2006) **[40e] (p1)** (CSIS, 19 June 2006) **[63a] (p23)**

22.03 The ICG, dated 19 December 2006, stated that "Despite significant population displacement, much of Iraq's population still lives in areas that at least until recently were profoundly inter-mixed, due to labour migration, forced resettlement under past regimes and widespread inter-marriage across ethnic, confessional and tribal lines. These remain contact zones between various ethnic and confessional groups." **[25e] (p4)**

22.04 The USSD report 2005 also mentioned that:

"Kurdish authorities abused and discriminated against minorities in the North, including Turcomen, Arabs, Christians, and Shabak. 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. Ethnic and religious minorities in Kirkuk frequently charged that Kurdish security forces targeted Arabs and Turcomen. Kurds also complained that Turcoman election officials tried to prevent Kurdish participation and that Arabs prevented Kurds from returning to their homes in Kirkuk." **[2b] (p20)**

ARABS

22.05 According to the CIA world factbook (last updated on 10 January 2006) Arabs make up 75 to 80 per cent of the population of Iraq and are situated across most of the country. **[78a] (p4)**

22.06 However, due the Arab sectarian conflict, many Arabs are fleeing 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]**

22.07 An article in *The New York Times*, dated 2 September 2006, stated that:

"Arabs moving to Kurdistan are required to register with security agencies, which track how many arrive and where they live. The chief security officer for Sulaimaniya, the largest city in eastern Kurdistan, said about 1,000 Arab families had moved into this area, and that thousands more families had settled in other parts of the Kurdish north. Most are Sunni Arabs…." **[24b]**

22.08 The CSIS report, dated 22 June 2006, added that "Reports in August 2005 indicated that government police and military forces in the Kurdish north were using their power to intimidate Arabs through abductions and assassinations." **[63b] (p279)** In spite of this, a BBC article, dated 12 August 2005, and an IWPR report, dated 24 February 2005, both noted that there was an increasing number of Iraqi Arabs joining the workforce in Iraqi Kurdistan. **[4k] [11g]**

22.09 The UNHCR guidance note, October 2005, reported that:

"Arabs in the Governorates of Kirkuk and Mosul have reportedly been under serious restrictions and been pressured to leave the region, as the Kurdish administration's ideals for a 'Kurdistan for Kurds' does not include the Arabs. Some Arabs who were relocated to Kirkuk and Mosul from other parts of Iraq by the former regime have now been forcefully displaced within the area; some have returned to their previous places of origin due to communal pressure. This is especially true in the region of Kirkuk where the return of formerly displaced Kurds is encouraged and even supported by the Kurdish officials. Following a number of security incidents in the three Northern Governorates, the Kurdistan Regional Government closely watches the Arabs living in the areas under its control. Arabs are viewed as possible agents of Iraqi insurgency groups or as former Ba'athists." **[40a] (p17-18)**

22.10 The CSIS report, dated 22 June 2006, stated that:

"Arab Shi'ites … have been increasingly polarized by the Sunni suicide attacks on Shi'ite targets, kidnappings, over killings and disappearances … and which have intensified since the January 2005 elections. "**[63b] (p254)**

22.11 The AI report, dated 25 July 2005, stated that "Members of armed groups opposed to the presence of the MNF in Iraq and the Iraqi government appear to be predominantly from the Sunni Muslim Arab community." **[28c] (p2)** The AI report, dated 25 July 2005, mentioned that "However, by contrast, many among the Iraqi Sunni Arab community have spoken against violence and abuses by armed groups and have themselves been targeted for killing or kidnapping." **[28c] (p2)**

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Marsh Arabs

22.12 The majority of Marsh Arabs are situated in southern Iraq. Marsh Arabs were regarded as a very distinct groups and often as second class citizens. They were discriminated against as regards access to education and other basic services. Marsh Arabs were subjected to forced migration as a result of the organised Marsh Drainage campaign undertaken by the former regime. (UNHCR, August 2004) **[40b] (p7and17)**

22.13 International aid organisations estimated that more than 130,000 Marsh Arabs were displaced inside the country and another 75,000 entered neighbouring Iran as refugees. (IRIN, 22 August 2005) **[18b] (p1)** According to a BBC report, on 27 June 2006, a number of Marsh Arabs have returned. However, basic services were lacking in what was one of the poorest areas of the country. **[4aj]**

22.14 The UNHCR assessment on Basrah, September 2006, stated that "In December 2005, IOM IDP Monitoring accounted for 16,869 IDP and IDP returnee families in Basrah Governorate (some 101,200 persons). The majority of the IDP families (mostly Marsh Arabs) were displaced pre-2003, either as result of the Iran-Iraq conflict or the drainage of the Marshes. …Al-Qurnah and Al-Medaina hold the Marsh Arab concentrations." **[40g] (p50)**

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KURDS

22.15 The BBC stated, on 12 August 2005, that "The Kurds have ruled themselves in northern Iraq since the aftermath of the Gulf war of 1991, when a 'safe haven' was created to protect them from Saddam Hussein. Rival Kurdish groups fought one another in 1996, but the current stability in Kurdistan now stands in stark contrast to other parts of the country." **[4k]**

22.16 The US Library of Congress, in August 2006, noted that "The Kurds are predominantly Sunni but ethnically different from the Arab Sunnis and of a less militant religious orientation. **[33a] (p7)** The FCO letter, dated 6 December 2006, noted that "All ethnic groups present in the Kurdish Region consider themselves Kurds, except for the Arabs. However within the overarching Kurdish identity there are ethnic 'nationalities', which have specific cultural and religious identities. The full set of ethnic groups, therefore, is as follows: Kurds; Assyrians/Chaldo-Assyrians (Christians); Turkomen; Yezidis (close to Zoroastrians); Arabs and Armenians." **[66n]**

22.17 Kurds were often regarded by insurgents as collaborators to the MNF and supporters of the invasion of Iraq. (HRW, October 2005) **[15j] (p41)** (UNHCR, October 2005) **[40a] (p12and14)** The HRW report detailed several examples of attacks against Kurds in Iraq. **[15j] (p41-46)** The HRW report, dated 3 October 2005, noted that "Various armed groups make no secret of their desire to attack Kurds, whom they consider collaborators with the United States and the 'allies of Jews and Christians.'… Most attacks on Kurds in the past two years have been attributed to Ansar al-Sunna rather than Ansar al-Islam." **[15j] (p41)**

22.18 The HRW report, dated 3 October 2005, noted that "Since April 2003, various insurgent groups have attacked Kurdish civilians and civilian sites in the north, and sometimes in Baghdad. Some insurgent groups have used improvised explosive devices (roadside bombs), car bombs and gunmen to kill Kurdish politicians and journalists." **[15j] (p40)** It should be noted that there are also home-grown indigenous Kurdish Islamist movements in the Kurdish-ruled areas. **[40e] (p6)**

22.19 The CSIS report, dated 22 June 2006, stated that "There are serious tensions between the Kurds, the Turcomans, and Assyrian Christians, as well as between Kurds and Arabs. At a local level, there are many small tribal elements as well as numerous 'bodyguards,' and long histories of tensions and feuds." **[63b] (p278)**

22.20 The report added that:

"Despite past, and potential future tensions and divisions between the PUK and KDP, leaders from both parties signed an agreement in January 2006, which allotted eleven ministerial posts to each group. Minority parties were skeptical of KDP-PUK promises to give remaining posts to political factions who did not win a majority and worried that this further isolated them from any future role in the political process." **[63b] (p281-282)**

22.21 The Brookings Institution report, October 2006, noted that:

"*Baghdad and Basra Kurds*, who have lived in that city for generations, have been targeted by both groups for being either Sunni or Shi'a (the majority of Kurds are Sunni, but there are also sizeable Kurdish Shi'a communities, such as the Fa'ili Kurds). Numerous Kurds have also been forced to flee Mosul, though here the focus seems to be on their Kurdish identity, as Mosul Kurds are for the most part Sunni and they are being driven out by Sunni extremist groups." **[88b] (p25)**

22.22 The UNAMI report, dated 1 May–30 June 2006, stated that "Faeeli Kurds have also been displaced from Diyala and eastern areas of Baghdad." **[39a] (p12)**

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TURKMENS

22.23 The UNHCR guidance note, October 2005, stated that:

"The problems faced by Turkmen are mainly linked to the political situation in Kirkuk and the three Northern Governorates. Many Turkmen complain of being subjected to investigation and/or arrest by the Kurdish authorities in the three Northern Governorates for reasons related to the establishment of the organization known as 'The Turkmen community', which has sought to ensure the basic rights of this group." **[40a] (p12)**

22.24 The UNHCR guidance note, October 2005, mentioned that "Turkmen also report being threatened by Peshmerga fighters from the Kurdish Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK), and claim that there is currently an attempt to implement policies that will systematically alter the demographic composition of areas where Turkmen have traditionally lived." **[40a] (p12)**

22.25 The CSIS report, dated 22 June 2006, stated that "There are reports that the KDP and PUK systematically kidnapped hundreds of Arabs and Turcomans from the city and transported them to prisons in established Kurdish territory in an apparent bid to create an overwhelming Kurdish majority. This activity allegedly spread to Mosul as well." **[63b] (p279)**

22.26 A number of sources reported on the Turkmen's opposition to the implementation of Article 140 of the Constitution, which outlines the removal and reversal of the "Arabization" policy. Turkmen, stating that it would be "detrimental to Turkmens". (*The Guardian*, 27 October 2006) **[6ad]** (IRIN, 16 November 2006) **[18bc]** (RFE/RL, 2 November 2006) **[22u]**

22.27 In the December 2005 elections, the Iraqi Turkmen Front (ITF) gained 87,993 votes, winning it one seat in the Council of Ministers, which was taken by its leader Sadettin Ergec. (IECI, 10 February 2006) **[112a]** The majority of those votes were cast in Kirkuk, where ITF won more than 10 percent of the votes. Most of the other votes were cast in the Salah al-Din Governorate. Number of Turkmen running on the UIA list of Kurdistan Alliance won seats.(Zaman, 22 January 2006) **[113a]** In the aftermath of the elections, Turkmen and Arab parties in Kirkuk accused majority Kurds of fixing the result of the elections by allegedly flooding Kirkuk on election day with Kurds from other parts of the country. (AFP, 6 February 2006) **[21g]**

ASSYRIANS AND CHALDEANS

22.28 Chaldeans, Assyrians and Armenians consider themselves as both religious and ethnic minorities. The UNHCR guidance note, October 2005, stated that "Given the fact that they are Christians, Assyrians and Chaldeans are largely considered to be supporters of the US due to their religion and their general political tendency to ally themselves with the West." **[40a] (p12)**

22.29 Assyrians in the Nenevah Plains have been pressured into converting to Islam. (UNAMI, 1 November-31 December 2006) **[39f] (p13)** "Of the 1.5 million Assyrians living in Iraq before 2003, half have left the country and the remaining 750,000 are said to be moving into "safe areas" in Zakho and North Ninevah." (UNAMI, 1 November-31 December 2006) **[39f] (p13)**

(See also section 21 on Christians)

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ROMA

22.30 The Brookings Institution, October 2006, noted that:

> "The *Roma* are another group targeted in the sectarian violence. They came under attack soon after the fall of the regime in both Sunni and Shi'a areas – in fact, violence against Roma settlements were among the first recorded post-invasion sectarian incidents, but only few Coalition officials paid attention because they are such a small community in Iraq. Many Iraqis consider that the Ba'thi regime favored the Roma, but people interviewed then said that plain prejudice is in fact a driving factor in the violence against them, notably the belief that the Roma community lives off prostitution and alcohol trading. Many Roma currently live in the former military camps of al-Rasheed in eastern Baghdad and Abu Ghraib, on the western outskirts of the town." **[88b] (p25)**

22.31 IOM reported, in their January-February 2006 newsletter, that "A small minority of post-2003 IDPs in Baghdad are Roma…The Roma have their own language and Islam as their religion (some being Sunni and others Shia). … Following the fall of the former regime, the local communities forced the Roma to move from their locations in Baghdad for differing social norms… Reports of Roma displaced in the outskirts of Najaf, Diwaniyah and Wassit have also been circulated." **[111a]**

TRIBES/CLANS

22.32 An article in Azzaman, dated 26 October 2006, stated that "Mixed tribes are present in several areas in Iraq, particularly in the small towns between Baghdad and Tikrit in the north." **[114a]** According to news reports, Iraqi tribes were increasingly involved in the sectarian violence that was present throughout Iraq. (*The New York Times*, 18 September 2006) **[24h]** (Azzaman, 26 October 2006) **[114a]** An Azzaman article, dated 26 October 2006, noted that Kurdish and Arab tribes in the northern city of Mosul and restive oil-rich city of Kirkuk fight each other and Sunni and Shiite tribes across the country are also involved in the fight. **[114a]**

22.33 The New York Times reported, on 18 September 2006, that nearly all of the tribes from the Anbar province have joined together to fight against Al-Qaeda and other foreign insurgent groups. **[24h]**

22.34 *The Guardian* reported, on 26 January 2005, that "Having a tribal name that associated you with a Sunni-dominated area or tribe was for centuries a guarantee of access to the government and a good job, but these same names now land you in American custody if you happen to be in the wrong place at the wrong time." **[6a]**

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LESBIAN, GAY, BISEXUAL AND TRANSGENDER PERSONS

LEGAL RIGHTS

23.01 Prior to the US-led invasion of Iraq, homosexual behaviour between consenting adults was a crime following a 2001 amendment to the 1990 Penal Code. In 2001, the Revolutionary Command Council also issued a decree making homosexuality an offence. (IRIN, 5 February 2006) **[18ah]** Anecdotally, "…the Saddam era seems like a 'golden' time because homosexuality was discreetly tolerated." (IWPR, 20 October 2006) **[11w]**

23.02 An October 2006 article published by IWPR notes "The legal situation for gays in Iraq today remains vague. According to research by Södertörn University in Stockholm, it is unclear to date whether a new law on the family, approved by the Interim Governing Council in December 2003, prohibits homosexual activities." **[11w]**

23.03 Other sources provided contradictory statements on the legal status of homosexuality in Iraq; an FCO letter of December 2006 states that homosexuality is illegal under Iraqi law, including in the Kurdistan Region, **[66n]** whilst a UNAMI report of 1 November-31 December 2006, states that "Even though homosexuality is not condoned in Iraqi society, homosexuals are protected under Iraqi law. Attacks on homosexuals and intolerance of homosexual practices have long existed yet they have escalated in the past year." **[39f] (p26)**

23.04 IRIN news reported, on 5 February 2006, that "The new Iraqi constitution provides protection against discrimination on a variety of grounds, including sex, religion, belief, opinion and social and economic status, but fails to explicitly mention homosexuality. However, Article 17 of the new Iraqi constitution states that 'each person has the right to personal privacy as long as it does not violate the rights of others or general morality'." **[18ah]**

23.05 The IWPR report of October 2006 also records that "Under Islamic law, homosexual practise is a crime that carries the death sentence. Article two of the Iraqi constitution approved by referendum in December 2005 refers to Islam as being 'the official religion of the state and a basic source of legislation'. But the extent to which state laws upholds Sharia is still under dispute." **[11w]**

GOVERNMENT ATTITUDE

23.06 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. **[66n]** IWPR, reported in October 2006 that "In Iraq, where religious radicals consider homosexuality a sin punishable by death…" homosexuals are "… wary of the extremist Islamic groups that prowl the streets of the capital …" but they do not "… trust the police who are supposedly there to protect…" them. **[11w]** Whilst acknowledging that "…the Shia-controlled interior ministry has been infiltrated by Shia militias…" the report records that "… gay men complain about frequent mistreatment by police, accusing them of blackmail, torture, sexual abuse and theft." **[11w]**

(See also section 10 on Iraqi police)

SOCIETAL ILL-TREATMENT OR DISCRIMINATION

23.07 It was widely reported in March 2006 that Shi'ite Muslim leader, Grand Ayatollah Ali al-Sistani, issued a fatwa against gay and lesbian people on his website which provoked the increase of targeted attacks against homosexuals in Iraq. (365Gay.com, 15 March 2006) **[72b]** (Advcoate.com, 25 March 2006) **[75a]** (Pinknews.co.uk, 22 March 2006) **[76a]** Armed groups in Iraq increasingly threatened, kidnapped, assaulted and killed homosexuals. (*The Observer*, 6 August 2006) **[87b]** (365Gay.com, 11 April 2006) **[72a]** (365Gay.com, 15 March 2006) **[72b]** (PlanetOut, 27 March 2006) **[74a]** (Advcoate.com, 25 March 2006) **[75a]** (Pinknews.co.uk, 22 March 2006) **[76a]**

23.08 Advocate.com's March 2006 article reports that "The Badr Corps is committed to the 'sexual cleansing' of Iraq…" and notes "The Badr Corps was killing gay people even before the Ayatollah's fatwa, but Sistani's murderous homophobic incitement has given a green light to all Shia Muslims to hunt and kill lesbians and gay men." **[75a]**

23.09 Between October 2005 and 30 June 2006 at least 12 homosexuals were reportedly killed in targeted attacks. (UNAMI, 1 May–30 June 2006) **[39a] (p4-5)** (365Gay.com, 11 April 2006) **[72a]** At least another 70 have been threatened with kidnapping. (365Gay.com, 11 April 2006) **[72a]** An article by Pinknews.co.uk, dated 22 March 2006, stated that transsexuals were being burned and beaten to death in Iraq. **[76a]** Several sources reported that militia also threatened the families of men believed to be homosexual stating they will begin killing family members unless men are handed over or killed by the family. (UNAMI, 1 May–30 June 2006) **[39a] (p4-5)** (*The Independent*, 20 July 2006) **[85b]**

23.10 IWPR's October 2006 report stated that:

> "Inhabitants of the Baghdadi neighbourhoods of Al-Amiriya and Al-Jamia'a speak of how extremist groups have killed gays in the street and also targeted their relatives. Outrage! reports of cases where members of a family have been killed for refusing to hand over a gay male relative to the militia. From his house in the western neighbourhood of Al-Jamia'a, Mukhtar Salah, 40, a former member of Saddam's security forces, said he witnessed gunmen kill a young man, who he later heard is alleged to have had an affair with an American soldier." **[11w]**

23.11 IWPR's October 2006 report records that "In so-called religious courts [Shari'a courts], supervised by clerics, with no official authority, gays are tried, sentenced to death and then executed by militiamen. "Gays and rapists face anything from 40 lashes to the death penalty." **[11w]** UNAMI "HRO was also alerted to the existence of religious courts, supervised by clerics, where homosexuals allegedly would be 'tried,' 'sentenced' to death and then executed." **[39f] (p26)** "Paradoxically, those who kill gays believe they are acting within the law as the Sharia, which they adhere to, deems homosexuality a crime punishable by death." (IWPR, 20 October 2006) **[11w]**

(See also section 13 on Religious and tribal law)

23.12 The UNAMI report of 1 November-31 December 2006, stated that:

> "The current environment of impunity and lawlessness invites a heightened level of insecurity for homosexuals in Iraq. Armed Islamic groups and militias have been known to be particularly hostile towards homosexuals, frequently and openly engaging in violent campaigns against them. There have been a number of assassinations of homosexuals in Iraq. At least five homosexual males were reported to have been kidnapped from Shaab area in the first week of December by one of the main militias. Their personal documents and information contained in computers were also confiscated. The mutilated body of Amjad, one of the kidnapped, appeared in the same area after a few days." **[39f] (p26)**

'Honour' killings

23.13 *The Observer* reported, on 6 August 2006, that children as young as 11 who had been sold to criminal gangs and forced into same-sex prostitution have been targeted by militia. **[87b]** The UNHCR guidance note of October 2005 reports that "… many young men, especially homosexual men, have been roped into the sex trade as a means of earning a living, often against their will. … Thus, a family who discovers their son is homosexual (especially if he is working in the sex trade, whether by choice or because he was forced into it) will often prefer to kill him in order to preserve the family's honour." **[40a] (p21)**

23.14 An IRIN news article, dated 5 February 2006, stated that "So-called 'honour killing,' … often occurs in Iraq when a man is believed to be gay …." **[18ah]** "Fifteen cases of honour killings have been reported in the last two years for crimes against homosexuals in the capital alone …." **[18ah]** Homosexuality is also considered culturally unacceptable within Kurdish society and therefore goes on behind closed doors. (FCO letter, 6 December 2006) **[66n]**

23.15 *The Observer's* August 2006 article concurred. **[87b]** "Homosexuality is seen as so immoral that it qualifies as an 'honour killing' to murder someone who is gay – and the perpetrator can escape punishment. Section 111 of Iraq's penal code lays out protections for murder when people are acting against Islam." **[87b]** Nevertheless, "Isolated and secret groups have, however, formed locally to provide support to homosexual men, despite popular discrimination." (IRIN, 5 February 2006) **[18ah]**

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DISABILITY

24.01 Article 32 of the Constitution stipulates that "The State shall care for the handicapped and those with special needs, and shall ensure their rehabilitation in order to reintegrate them into society, and this shall be regulated by law." **[82a] (p10-11)**

24.02 The USSD report 2005 added that "The law prohibits discrimination against persons with physical disabilities. The government enforced the law in the government but not in the private sector." **[2b] (p20)** The same report noted that "…there were 33 institutes throughout the country for persons with physical disabilities, including homes for the blind and deaf, as well as vocational/rehabilitation homes." **[2b] (p20)**

24.03 Nevertheless, the UNHCR COI report, October 2005, noted that:

"In addition to the general dire state of the health system, rehabilitation and reintegration of persons with disabilities, including mine victims, is hampered by the following factors: shortage of raw materials for prosthetic and orthotic manufacturing workshops, a lack of rehabilitation equipment and aids such as wheelchairs and crutches, a lack of transport to existing facilities, a lack of psychosocial support programmes, insufficient knowledge, training and skill among rehabilitation specialists and a lack of vocational training programmes and income generation opportunities." **[40c] (p74)**

24.04 The USSD report 2005 noted that "MOLSA [Ministry of Labour and Social Affairs] operated several institutions for the education of children and young adults with disabilities." **[2b] (p20)** The same report stated that "The government provided benefits for many thousands of veterans with disabilities, many of whom supplemented their benefits with some employment." **[2b] (p20)**

24.06 The 2006 Landmine Monitor report states that:

"Iraq's national mine action strategy to 2009 is said to include survivor assistance. … However, various actors repeat that Iraq does not have survivor assistance activities in its national mine action program due to the political and security context, even though the assistance program in the Kurdish part of Iraq is functioning well 'considering the circumstances.' … There are national victim assistance officers in Erbil (IKMAC), Sulaymaniyah (GDMA) and Basra (RMAC), and one at the central level at the NMAA; however, only in the north were assistance activities actually being implemented." **[98a] (p25)**

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WOMEN

25.01 The USSD report 2005 summarises thus "The general lack of security in the country and increasingly conservative societal tendencies had a serious, negative impact on women." **[2b] (p18)** The UNHCR COI report, October 2005, noted that "Continuing violence and high criminality, slow reconstruction, low living standards and the increasing tendency to apply strict Islamic behavioural and dress codes have taken a toll on women in Iraq." **[40c] (p34)** The UNAMI report, dated 1 July–31 August 2006, added that "Women remain particularly vulnerable and exposed to great risks." **[39c] (p10)**

25.02 The UNAMI report, dated 1 May 2006–30 June 2006 noted that "Women's groups continue to be mobilized against further curtailment of their rights and have denounced the increasing restriction in their freedoms and safety. … Displacement is increasing women['s] vulnerability by augmenting health risks while diminishing access to health care and to other services." **[39a] (p10)** The UNAMI report of 1 September-31 October 2006 records:

"The situation of women has continued to deteriorate. Increasing numbers of women were recorded to be either victims of religious extremists or 'honour killings.' Some non-Muslim women are forced to wear a headscarf and to be accompanied by spouses or male relatives. … **[39e] (p3)**

"Violence, poverty, unemployment, growing tensions and displacement are reported to continue to aggravate the situation of women in the country. There are increasing numbers of widows without a reliable source of income and few work opportunities." **[39e] (p11)**

25.03 The UNAMI report of May-June 2006 further mentions that "The situation of women is significantly different in the Region of Kurdistan. The Women Affairs Committee in the Kurdistan Regional Assembly has worked significantly to ensure that women enjoy their rights in the Region." **[39a] (p10)** However, later reports by the same organisation note that "Incidents of honour killings, kidnappings associated with rape and sex slavery, and killing of women and children for sectarian reasons were reported in Kurdistan, Kirkuk and Mosul." (UNAMI, 1 September-31 October 2006) **[39e] (p11)** and "The plight of women in the northern governorates continues to be widely covered by the media and is a matter of great concern to human rights NGOs." (UNAMI, 1 November-31 December 2006) **[39f] (p11)**

LEGAL RIGHTS

25.04 The AI report, February 2005, stated that "Women face discriminatory laws and practices that deny them equal justice or protection from violence in the family and community." **[28e] (p1)** It records that "In December 2003 the IGC attempted to amend the Personal Status Law to place certain family matters under the control of religious authorities. However, after protests and lobbying by women's organizations, the IGC reconsidered and later withdrew the resolution containing the proposal (Resolution 137)." **[28e] (p14)**

25.05 Discriminatory provisions relating to marriage, divorce and inheritance were present the Iraqi Personal Status Law (Law No. 188 of 1959) and the Iraqi Penal Code (Law No. 111 of 1969). For example, the Personal Status Law

allows men to practise polygamy under certain circumstances. (AI, February 2005) **[28e] (p14)** (UNHCR COI, October 2005) **[40c] (p33)** The AI report mentioned that "They must have judicial authorization and the judge should take into consideration whether or not the applicant has the financial means to support more than one wife." **[28e] (p14)**

25.06 The UNHCR COI report, October 2005, also noted that the Personal Status Law "… awards female heirs only half of the entitlement of their male counterparts and favours men in divorce." **[40c] (p33)** The AI report of February 2005 mentioned that:

"Provisions on inheritance in the Personal Status Law also discriminate against women, who are generally only awarded half of the entitlement of their male counterparts (Articles 86-94). The law provides that both husband and wife can seek to end the marriage under certain conditions to be assessed by a family court (Articles 40-45). However, it also allows another form of divorce petition (Talaq) that may only be filed by the husband and does not require him to give any reason (Article 34-39)." **[28e] (p14)**

POLITICAL RIGHTS

25.07 As stated in a DFID report, dated July 2005, "Historically Iraq has had one of the best gender equality records in the Middle East, with women playing an active and visible role in political and economic life. … Yet years of conflict, isolation from the international community, economic mismanagement and brutal government have had a very negative impact on Iraqi women. Women now suffer multiple forms of deprivation – social, economic and political." **[59a] (p1)**

25.08 The AI report, February 2005, noted that "The widespread fear of violence affecting all Iraqis has restricted the participation of women in civil society since the 2003 war, particularly in education, employment and political decision-making." **[28e] (p5)** Whilst the UNAMI report, dated 1 May–30 June 2006, stated that:

"Women['s] organizations have complained that the number of female Ministers in the Federal Government has dropped from six to four, that the number of female legislators is 16 less in the Council of Representatives compared to the Transitional National Assembly and that there are no women in the Presidency Council or the Prime Minister's office. Some groups are asking for a quota of female members in the Government and decry the lack of sufficient female representatives in the negotiations for national reconciliation." **[39a] (p10)**

25.09 The FCO human rights report 2005 stated that "Newly-formed Iraqi women's groups continue to take an active role in advocating fair representation in government bodies and calling attention to the rights of women in all spheres of Iraq 's democratic development." **[66j] (p65)** It also noted that:

"Over the last year Iraqi women have organised conferences in Baghdad and in the regions to discuss women's political participation and human rights issues. … Numerous women's centres have been established throughout the country. These centres offer opportunities for women to acquire skills that will open up employment or other economic opportunities and take part in

programmes that will give them a better understanding of their rights and how to participate in the decisions that affect their lives." **[66j] (p65)**

SOCIAL AND ECONOMIC RIGHTS

25.10 The UNHCR guidance note, October 2005, noted that "Since the fall of the previous regime, the security situation of women has declined." **[40a] (p20)** The HRW report, dated 3 October 2005, concurs "In general, the violence and lack of security, as well as religious and cultural conservatism, are having a major impact on Iraqi women, who once enjoyed a prominent role in their country's public life. The danger of kidnappings and assaults keeps many professional women at home, and limits their participation in the country's evolving political institutions." **[15j] (p94)**

25.11 The UNHCR guidance note, October 2005, noted that:

"In the Centre, women are particularly affected by the situation of lawlessness in Iraq, especially as concerns their freedom of movement due to the threat of kidnapping, limiting their access to education, employment, health, and so forth. … Due to post-war insecurity, many are unable to leave their homes without a male family member to accompany them, and even then often to their own or their families' reluctance. Those who can afford it have abandoned public transportation and have begun hiring drivers to take them home." **[40a] (p20)**

25.12 The UNAMI report, dated 1 May–30 June 2006, stated that "Others have complained at the recently revamped regulation requiring that women need to be accompanied by their husbands or another male member of their family if they wish to apply for a passport or travel abroad." **[39a] (p10)** The USSD report 2005 added that "Despite legislation to the contrary, some authorities continued to require that women between the ages of 12 and 40 obtain the approval of a close male relative before being issued a passport. Government officials denied that there was a policy to this effect." **[2b] (p14)**

25.13 The UNAMI reports of 1 May–30 June 2006 and 1 November-31 December 2006 continued to report on the situation of women, the former recording that "Many women have complained to the Human Rights Office that their freedoms are being restricted due to extremist Sunni and Shi'a elements operating at neighbourhood level, who proffered threats and intimidations both verbally and through flyers." **[39a] (p9)** Whilst the latter report states:

"In the central and southern regions, women remain particularly vulnerable and their enjoyment of basic rights is being rapidly eroded. As previously reported, the security situation and the militancy of intolerant groups are increasingly limiting women's ability to move freely outside their homes while progressively restricting their access to health services and education as well as their ability to participate in public life." **[39f] (p12)**

25.14 On the subject of Islamic dress, particularly the wearing of headscarves, a number of organisations recorded that women – including non-Muslims – were increasingly pressured to wear a headscarf. (USSD International Religious Freedom report 2006) **[2b] (p18)** (IWPR, 5 July 2005) **[11m]** (AI, February 2005) **[28e] (p5)** (UNAMI, 1 May-30 June 2006) **[39a] (p9)**, Female university students are reported to have been targeted; school girls faced similar pressure

[2b] (p18) [28e] (p5) [39a] (p9) and "… in some public offices, including Ministries, women have been warned that they must wear the headscarf at all times." **[39a] (p10)**

25.15 The USSD Religious Freedom report 2006 stated that:

"Additionally, these extremists allegedly called for a separation of male and female students in some universities. According to local law enforcement sources, two or three women were murdered each week in Basrah, where banners were frequently seen that threatened women who did not wear the hijab. It was widely believed that many of the women were killed because they were not wearing the hijab, including some women who were targeted, taken from their homes, and killed." **[2b] (p18)**

25.16 The USSD International Religious Freedom report 2006 stated that "Some women claimed they were denied employment and educational opportunities because they were non-Muslim, did not dress in accordance with conservative Islamic norms, or did not sufficiently adhere to strict interpretations of religious rules governing public behavior." **[2f] (p5)** An IWPR article added, on 5 July 2005, that "Many women in Mosul, north of Baghdad, say insurgent groups are trying to impose Taleban-style restrictions on them and make the city a more conservative place." **[11m]**

25.17 As noted in an article by the German NGO, Wadi, "Several laws were passed in favour of women encouraging them to participate in the nation's development and establishing equal rights in the field of education, health, and employment, but they were never enforced or were cancelled, like the majority of the laws passed by other bodies than the CCR. Rape, abuse and torture were practised on a daily base by the Iraqi Security." **[68a]**

25.18 The AI report of February 2005 also noted that "Apart from these discriminatory provisions, the Personal Status Law is still generally seen as having been an achievement for women's rights in a region in which women often do not have equal legal status to men." **[28e] (p14)**

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VIOLENCE AGAINST WOMEN

25.19 The Constitution states that "All forms of violence and abuse in the family, school, and society shall be prohibited." **[82a] (p10)** However, the lack of security, proper law enforcement and the escalation of the conflict – involving the death and injury of tens of thousands of civilians – has resulted in a climate of fear and violence, (AI, February 2005) **[28e] (p1,13)** (UNHCR, October 2005) **[40c] (p35)** within which "Women have become common targets of a number of types of violent attacks including kidnapping, rape, forced prostitution, trafficking and murder." (UNHCR, October 2005) **[40a] (p20)** In fact, IRIN stated, on 13 April 2006, that women were treated better during the Saddam era than recently. **[18al]**

25.20 The UNAMI report, dated 1 May–30 June 2006, also noted that "Violence against women, including sexual violence, and trafficking are identified as

growing problems by women's groups." **[39a] (p10)** The UNHCR COI report, October 2005, noted that women were prevented from moving freely due to their "… fear of harassment, abduction and rape …" and mentioned that "According to police officials, dozens of women have been attacked with acid by religious conservatives in Baghdad and many others have been killed outright." **[40c] (p34, 35)** A HRW report, dated 3 October 2005, also detailed several examples of attacks against women. **[15j] (p95-98)**

25.21 The AI report, February 2005, stated that "Violence and threats have directly affected women and have been specifically aimed at women. Armed opposition groups have targeted and killed several women political leaders and women's right activists." **[28e] (p5)** The HRW report, dated 3 October 2005, added that:

"Some insurgent groups have targeted women who are politicians, civil servants, journalists, women's rights activists or who work as cleaners or translators for foreign governments or militaries. They have also attacked women for what they considered 'immoral' or 'un-Islamic' behavior, like dancing, socializing with men or not wearing a hijab, the Islamic headscarf. And some groups have abducted and at times killed foreign women to pressure governments or humanitarian organizations into leaving Iraq." **[15j] (p93-94)**

25.22 The UNAMI report, dated 1 November-31 December 2006, confirmed that the situation for women remained fraught at the end of 2006, stating that "Women are reportedly living with heightened levels of threats to their lives and physical integrity, and forced to conform to strict, arbitrarily imposed morality codes. HRO has received cases of young women abducted by armed militia and found days later sexually abused, tortured and murdered. HRO has also charted an increase in kidnapping and killing of women." **[39f] (p12)**

25.23 The UNHCR, reporting on the April 2005 Iraqi Living Conditions Survey (ILCS) conducted by the Iraqi Ministry of Planning and Development Cooperation (MoPDC) and the United Nations Development Program (UNDP), notes that:

"The ILCS revealed that 40 percent of surveyed women identified criminals as a direct threat to their safety, while 12 percent say that the MNF represents the main threat. There are significant differences in safety for women among the different Governorates. More than 85 percent of the women in the Governorates of Sulaymaniyah, Erbil, Dohuk and Muthanna report no direct threats, but 91 percent of women in Missan, 73 percent of women in Thi-Qar, 65 percent of women in Baghdad and over 40 percent of women in Wasit and Kerbala identify criminals as a threat." **[40c] (p35)**

25.24 An IRIN news article, dated 8 February 2006, reported that the Women's Rights Association (WRA) of Iraq has registered 240 cases where women were humiliated by the army or police during raids on their homes since July 2005. **[18r]** The report adds that "Women whose male family members are wanted for involvement in insurgency are often reportedly arrested in their place." **[18r]**

25.25 The UNHCR COI report, October 2005, stated that "There have been reports of abuse, including sexual abuse, of Iraqi women detained by the MNF in Abu Ghraib and other detention facilities. … With rumours of (sexual) abuse

running high, female detainees may be subject to violence at the hands of their families or even 'honour killings' after their release, as they are considered to have brought shame on the family." **[40c] (p35)** This was also noted in the AI report, February 2005. **[28e] (p5)**

Domestic violence

25.26 The UNHCR COI report, October 2005, noted that "Domestic violence (including 'honour killings') continues to take place in Iraq, and some observers believe it has increased since the fall of the former regime, given the corresponding rise in conservative attitudes." **[40c] (p36)** The IWPR reported, on 19 July 2005, that "Analysts say cases of domestic violence have been on the rise, but accurate statistics are difficult to gain because much of it goes unreported. Deteriorating living conditions, which have put additional stress on families, are considered to be a major factor." **[11e]**

25.27 As documented in the AI report, February 2005:

"For decades, violence in the family in Iraq has been under-reported. Most acts of violence in the home are carried out on women and girls by husbands, brothers, fathers or sons. The men are sometimes acting on the orders of family councils, gatherings of family or clan elders who decide the punishment for women deemed to have infringed traditional codes of honour. Tradition all too often serves as a pretext for acts of brutality against women for daring to choose how to lead their lives. An underlying cause of the violence, and closely bound up with it, is the discrimination that denies women equality with men in every area of life, including within the family." **[28e] (p8)**

25.28 The AI report, February 2005, further observes that "Most victims of violence in the family have no access to medical treatment." **[28e] (p12)** Whilst the USSD report 2005 states that "Victims of domestic violence received no substantive assistance from the government. Domestic violence against women occurred, but little was known about its extent. Such abuse was customarily addressed within the tightly knit family structure. There was no public discussion of the subject, and no statistics were published." **[2b] (p19)**

25.29 The AI report, February 2005, stated that "This high level of acceptance of violence within marriage is supported by Iraqi legislation. According to the Penal Code of 1969, which is still in force, a husband who 'disciplines' his wife is exempt from criminal liability for doing so (Article 41(1))." **[28e] (p11-12)** UNHCR's COI report of October 2005 concurs "… a husband who beats his wife can, under certain conditions, be exempted from criminal liability for doing so. This provision was reportedly annulled in areas controlled by the KDP in 2001." **[40c] (p33)**

25.30 The AI report also noted that:

"In recent years, organizations in Iraq have started working to provide support to women who have experienced violence in the home. Women's rights activists have helped women to escape violent men and to hold their attackers to account. They confront the prejudices that hold women's protests and complaints about ill-treatment to be shameful to the family. They are often themselves faced with threats and assaults from the families of the women they support." **[28e] (p8)**

25.31 The same report noted that "As well as 2 refuges in Baghdad and Arbil, there are also two in Hilla and Kirkuk." **[30c] (p24)** The UNHCR COI report, October 2005, records that:

"A safe house for victims of domestic abuse was established within Baghdad's International Zone, but was reportedly closed down in early 2005 on the order of former Interim President Ghazi Al-Yawer for 'security reasons'. UNHCR has been informed that the shelter will be re-opened late in 2005 and will be operated by the Department of Social Welfare (Ministry of Labour and Social Affairs, MoLSA). Iraqi law provides that NGOs need to obtain MoLSA's authorization to open a social institution such as a women's shelter or an orphanage.

"During the summer of 2004, the Iraqi NGO 'Organization of Women's Freedom in Iraq' (OWFI) opened two shelters – one in Baghdad and one in Kirkuk – both of which are in secret locations and have the capacity to host up to 20 women at a time. The Chairwomen of OWFI reported that they face 'extreme difficulties' of reaching out to women, who are often unable to even leave their homes. While the organization was able to find solutions for a number of women to return to their families, other women are at such serious risk of being killed by their families that they cannot leave the shelter.

"Despite these efforts by Iraqi authorities and NGOs, many women do not have access to shelters or legal, social and psychological counselling." **[40c] (p38-39)**

25.32 The UNHCR COI report, October 2005, noted that:

"Women's shelters were established in Sulaymaniyah in January 1999 (Nawa Centre) and Erbil in April 2002 (Khanzad Centre). A third centre, opened by the German NGO Wadi in Mosul at the end of January 2004, was forced to stop working due to the continuous violence and threats by Islamists. The centres provide food and accommodation, psychological treatment, social assistance, legal aid as well as a mediation programme. Asuda, the first protection centre for women endangered by 'honour killings', was opened in a hidden place in Sulaymaniyah in 2000. Since women seeking protection often have to stay for long periods of time, Asuda offers a 'home' which includes education, leisure and daily activities. Mediation between the women and their families aims at enabling the women's return, but this may not always be possible and there have been cases of fathers assuring their daughters that they have forgiven them, only to murder them once they are back in the family home. Sometimes, Asuda sends women to far away villages and places in other regions of Northern Iraq, where they are not known and can find protection. However, in some cases there are no alternatives other than remaining in the protection centre or finding solutions outside Iraq." **[40c] (p38-39)**

Sexual violence and abuse

25.33 IRIN reported, on 14 June 2006, that there has been a massive increase in reported cases of sexual abuse. **[18ak]** The UNAMI report, dated 1 May–30 June 2006, "Women who are victims of sexual violence are reluctant to

contact the police because they fear of being killed by relatives in order to restore the 'family honour.'" **[39a] (p10)**

25.34 The UNHCR COI report, October 2005, mentioned that: "A survey undertaken by the 'Organisation of Women's Freedom in Iraq' recorded that 400 women that were raped in Baghdad between April and August 2003. Human Rights Watch has documented reports from Iraqi police officers that 'the number of (rape) cases reported [now is] substantially higher than before the war'." **[40c] (p35)**

25.35 The IWPR reported, on 3 August 2005, that "Although there are no accurate statistics available, women's groups say rape is increasing in Iraq – because of the lawlessness that is plaguing the country and the male-dominated nature of society." **[11t]** The HRW report, January 2004, stated that "Iraqi police give a low priority to allegations of sexual violence and abduction. The victims of sexual violence confront indifference and sexism from Iraqi law enforcement personnel, and the U.S. military police are not filling the gap." **[15d] (p4)** The Dutch country report, December 2004, noted that "The maximum prison sentence for rape and/or sexual violence is life. The maximum sentence for indecent assault is fifteen years' imprisonment." **[71c] (p59)**

Honour killing/crime

25.36 The UNHCR COI report, October 2005, noted that:

> "'Honour killing' is 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)**

25.37 This practice is protected in Iraqi law, with Article 111 of the Penal Code exempting male perpetrators from prosecution, "He who discovers his wife, one of his female relatives committing adultery or a male relative engaged in sodomy and kills, wounds or injures one of them, is exempt from any penalty…" (IRIN, 5 February 2006) **[18ah]** While "Article 409 stipulates that men convicted of 'honour killings' may be jailed only for a period of up to three years." (UNAMI, 1 July–31 August 2006) **[39c] (p11)**

25.38 Although 'honour' is now considered an 'aggravating' rather than 'extenuating' circumstance, following work to change the law by the Women Affairs Committee, such crimes are still infrequently reported **[39a] (p10) [39c] (p11)** and "… much work remains to be done to ensure that the police force consider 'honour crimes' as serious crimes and investigate them accordingly." (UNAMI, 1 May-30 June 2006) **[39a] (p10)** The FCO stated in a letter, dated 6 December 2006, that "… in some areas, where for example honour Killings/FGM take place, the police may turn a blind eye to what are considered locally acceptable cultural practices, espoused by traditional community leaders." **[66n]**

25.39 The AI report of February 2005 explains that "… during the months of lawlessness following the 2003 US-led invasion, the perpetrators of 'honour

killings' – like other criminals – were unlikely to be tried. The lack of a functioning judicial system during the months after the 2003 war contributed to an increase in the part played by tribal bodies in resolving conflicts, including in relation to 'honour crimes'." **[28e] (p11)**

25.40 The same report stated that "Mutilation is another form of 'honour crime' used in northern Iraq as a punishment for people accused of a relationship considered to be illegitimate." **[28e] (p9)** Although the Kurdish authorities suspended the provisions in the Penal Code that allowed 'honourable motivation' to be taken into account as a mitigating factor in 2000 (PUK-controlled areas) and 2002 (KDP-controlled areas) respectively, 'honour killings' are still prevalent throughout the North. (AI, February 2005) **[28e] (p9)** (UNHCR, October 2005) **[40c] (p33)**

25.41 The February 2005 AI report adds "Until legal reforms specifically to address 'honour killings' were introduced by the Kurdish authorities in northern Iraq between 2000 and 2002, the perpetrators of such killings were either never tried or received generally lenient sentences." **[28e] (p9)** Whilst UNHCR's October 2005 report also stresses that "… there is still a need to change people's way of thinking and to make 'honour killings' socially and morally unacceptable." **[40c] (p37)** The UNAMI report, dated 1 July–31 August 2006, stated that:

"The Kurdistan Regional Government has been a leading voice in denouncing Iraq 'honour killings' and its amendment of the penal code to consider such killings as ordinary crime is commendable. Furthermore, the Kurdish Regional Government has made significant progress in acknowledging the occurrence of 'honour killings' and in raising public awareness regarding this matter. However, it has come to the attention of the UNAMI HRO that over the last six months there has been a significant increase in the rate of female mortality due to accidents or crimes in the Region of Kurdistan." **[39c] (p11)**

25.42 As stated in the British/Danish fact-finding mission report, October 2004, "A diplomatic source in Amman informed the delegation that with regards to honour crimes the victim can go to the police however whether they got support from the police would rely on whom within the police you talk to and whether you have a contact via your family." **[30c] (p26)**

25.43 UNHCR's October 2005 report remarks that "No exact figures on the extent of the practice are available and many cases undoubtedly go unreported. 'Honour killings' occur mainly in conservative Muslim families (both Shiite and Sunni, of both Arab and Kurdish backgrounds), in all areas of Iraq." **[40c] (p37)** The AI report, February 2005, stated that "Most victims of 'honour crimes' are women and girls who are considered to have shamed the women's families by immoral behaviour. Often the grounds for such an accusation are flimsy and no more than rumour. 'Honour crimes' are most often perpetrated by male members of the women's families in the belief that such crimes restore their and the family's honour." **[28e] (p8-9)**

25.44 The UNAMI report noted that:

"UNAMI has learned with concern that figures for the period 1 January to 1 July 2006 from the Medico-Legal Institute in the Governorates of Erbil and Sulaymaniya indicate that the number of females killed is 112 and 163

respectively. 'Burning' was given as the cause of death in over half of the cases in Erbil and approximately two thirds in Sulaymaniya. Press reports in the Region of Kurdistan have indicated that similar episodes are also found in the Governorate of Dahuk. Many women's rights activists, civil society organizations and members of the Kurdish National Assembly have reported to UNAMI that on many occasions such type of 'fire accidents' conceal, in reality, an 'honour crime' committed within the family." **[39c] (p11)**

25.45 The UNAMI reports of 1 September-31 October 2006 and 1 November-31 December 2006 both note that cases of 'honour' crime are usually investigated as 'accidents or suicide attempts, **[39e] (p12) [39f] (p11)** with the former stating that "A worrying trend of female 'suicides' and 'attempted suicides' as a result of family conflicts were reported in the Kurdistan Region. These incidents are often in reality crimes committed or incited by the women's own family members on the grounds of 'honour'." **[39e] (p12)**

25.46 UNHCR's October 2005 report also notes that "Some women try and commit suicide, particularly through self-immolation, in order to 'cleanse' the honour of the family or to escape killing or other forms of violence. The practices of hymen reconstruction on girls that have lost their virginity and backstreet abortions both pose a serious health risk but appear for some girls to be the only way to escape killing." **[40c] (p38)**

25.47 The UNHCR COI report, October 2005, noted that:

"Asuda, the first protection centre for women endangered by 'honour killings', was opened in a hidden place in Sulaymaniyah in 2000. Since women seeking protection often have to stay for long periods of time, Asuda offers a 'home' which includes education, leisure and daily activities. Mediation between the women and their families aims at enabling the women's return, but this may not always be possible and there have been cases of fathers assuring their daughters that they have forgiven them, only to murder them once they are back in the family home. Sometimes, Asuda sends women to far away villages and places in other regions of Northern Iraq, where they are not known and can find protection. However, in some cases there are no alternatives other than remaining in the protection centre or finding solutions outside Iraq." **[40c] (p38-39)**

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Female Genital Mutilation (FGM)

25.48 Several reports noted that the German NGO, Wadi, conducted a survey of 40 villages in the Germian region of northern Iraq. The survey found that about 60 per cent of women in that area had undergone female genital mutilation. **[18h] [28e] (p11) [22c]** The AI report, February 2005, stated that "In some rural areas in northern Iraq, FGM appears to be widespread. … Areas where FGM seems to be common are within the region where the Sorani Kurdish dialect is spoken, including around Halabja, Germian and Kirkuk." **[28e] (p11)** However, the AI report, February 2005, stated that "In a 2003 survey on women's health in southern Iraq, FGM was not identified as a common practice." **[28e] (p11)**

25.49 The AI report, February 2005, noted that:

> "There are indications that the practice has been decreasing. A Norwegian journalist and a Kurdish writer from northern Iraq interviewed numerous people about FGM – including, doctors, women's rights activists and Muslim clerics – in the course of research in late 2003. Two chief physicians at the Sulaimaniya University Hospital and at the Soresh Maternity Hospital reported that in recent years the number of girls brought into hospital with haemorrhages caused by FGM has decreased. The doctors saw this development as an indication that the practice of FGM had declined. Although FGM is usually carried out on girls, the doctor at the Soresh Maternity Hospital reported that, in the course of her 25-year career as a gynaecologist, she recalled about 10 cases in which she or a colleague had carried out FGM on a married adult woman at the request of the husband." **[28e] (p11)**

25.50 As noted in the RFE/RL report, dated 21 January 2005, some local women's organisations, as well as NGOs such as Wadi, have campaigned against the practice of FGM in northern Iraq for more than a decade. **[18h] [22c]** Whilst an article by Women's News, dated 1 August 2004, reported that "There are now some penalties for practicing FGM in Iraqi Kurdistan. Certified midwives caught operating on girls lose their certification. But activists admit threats of legal action rarely have any effect on traditional practitioners in the villages, who work in the secrecy of their homes." **[69a] (p2)**

Forced marriage and mut'a (temporary marriage)

25.51 The AI report, February 2005, stated that "Under Iraq's Personal Status Law, forced marriage is prohibited and punishable by up to three years' imprisonment (Article 9). The legal age for marriage is 18 (Article 7)." **[28e] (p13)** The UNHCR COI report, October 2005, added that "… however a 1979-amendment to the Personal Status Law lowered the minimum age for marriage to 15 years with the consent of the parents, an adult brother or an adult married sister." **[40c] (p162)**

25.52 The AI report, February 2005, nevertheless stated that "… in practice forced marriages, including of underage girls, continue to take place. Girls under the age of 15 are particularly vulnerable to forced marriage, which are arranged by the family in the vast majority of cases." **[28e] (p13)**

25.53 The UNHCR COI report, October 2005, stated that "Marriages of girls below the age of 15 are done according to religious customs and are not legally recognized." **[40c] (p162)** The AI report, February 2005, noted that "Many women and young girls in Iraq are denied the right to choose their marriage partner freely, and those who oppose forced marriage are at risk of violence or even of being killed." **[28e] (p12)** The same report noted that "Early pregnancy, frequently a result of child marriage, is associated with adverse health effects for both mother and child." **[28e] (p13)** The report also mentioned that:

> "In northern Iraq, the practice of 'Jin be Jin' [meaning a woman for a woman] contributes to the high incidence of forced marriage. It involves the exchange of girls – the girl from one family marrying the son of another (or from the same extended) family, while his sister is given in marriage in return – to avoid having to pay 'bride prices' for the daughters. Similar marriage arrangements take place in other regions of Iraq." **[28e] (p12)**

25.54 The UNHCR COI report, October 2005, records that "Religious minorities such as Christians and Mandaeans have reported forced marriage of their women with Muslim men." **[40c] (p162)**

25.55 The report added that:

"Another custom is giving a girl in marriage to another family as a compensation for a killing. According to the ILCS, 15 percent of the surveyed women aged 15-19 have been married, and the Youth Survey undertaken by the Ministry of Planning with the support of UNICEF between February and August 2004 revealed that 60 percent of surveyed married women were married before the age of 18. Furthermore, nearly 19 percent were married at ages below 15, mainly in rural areas." **[40c] (p162)**

25.56 On Muta'a or 'enjoyment marriage', the UNAMI report of 1 September-31 October 2006 report, and UNHCR's October 2005 report that, whilst considered adultery during Sadaam Hussein's rule, this was on the rise amongst the Shiite community. **[39e] (p12) [40c] (p34)** "The manner in which muta'a is practised in Iraq, which is meant to provide an income and protection for widowed or divorced women, strongly favours men as only they can decide to end a muta'a marriage (unless it was agreed at the outset that the women (sic) can end it as well). Furthermore, women cannot inherit from their muta'a husbands." (UNHCR, October 2005) **[40c] (p34)**

25.57 The UNAMI report, dated 1 September-31 October 2006, stated that:

"It is basically a marriage with time limitation that can range from a few hours to a year. The woman can claim no rights after the marriage is dissolved even if she has children. Largely driven by the economic situation, this marriage has become very familiar among university female students. In Missan, two females were reportedly killed in September after their families discovered their engagement in Muta'a marriage." **[39e] (p12)**

25.58 War Child produced a report on the experiences of children in the south of Iraq. The report quotes a girl called Suham as follows: "*…Because my sisters and me had a tolerable beauty we had a chance to practice Motaa (temporary marriage). My father was selling my sisters to rich and old men until I arrived at the suitable age. I was 13 when my father sold me. He sold me twice…*" **[115a]**

MIXED MARRIAGES

25.59 An IRIN news article stated, on 6 April 2006, that "…according to estimates, two million out of Iraq's 6.5 million marriages are unions between Arab Sunnis and Shi'ites." **[18av]** The article adds that "Mixed marriages between Arab Sunnis and Shi'ites – and also between the predominantly Sunni Kurds and Arabs of both sects – have been common, even in the days of former president Saddam Hussein, when Shi'ites were heavily discriminated against." **[18av]** It also notes that "According to sociologists, one of the major problems facing mixed families is displacement." **[18av]**

25.60 IRIN news reported, on 8 November 2006, that Peace for Iraqis Association (PIA) stated that "Hundreds of such mixed couples have been forced to

divorce due to pressure from insurgents, militias or families who fear that they could be singled out…." **[18bd]** The article adds that "The Iraqi court responsible for carrying out divorces said that over the past four months there had been a significant increase in the number of divorces occurring. Most of them were between mixed couples but the court could not confirm whether they were forced or not." **[18bd]**

PROSTITUTION

25.61 The British/Danish fact-finding mission report, October 2004, stated that trafficking, drugs and prostitution was common in Iraq and was more noticeable in Baghdad. **[30c] (p23)** The report explained that "Girls between the ages of 8 – 15 years old are prostituting themselves, women with babies and children are observed begging in Baghdad. The system is very well organised by Mafia groups; prostitutes live in hotels, and minibuses take them to the streets. They give money to their organisers in exchange for food and shelter." **[30c] (p23)**

25.62 IWPR noted, on 27 July 2005, that "The easing of travel restrictions that allows Arabs to travel more freely to Kurdish areas – which are considered to be safer than other parts of the country – has brought more prostitutes and customers to the north." **[11o]** The UNHCR report, last updated in January 2007, noted that "There are reports of women and young girls forced to resort to prostitution/survival sex and children forced into labor or other forms of exploitation in order to survive." **[40h] (p4)**

SINGLE WOMEN

25.63 As mentioned in the British/Danish fact-finding mission report, October 2004, "Sources in the Ministry of Displacement and Migration (MoDM) in Baghdad informed the delegation that single women returning to Iraq from abroad were in a less favourable position compared with women travelling with their family." **[30c] (p27)** The UNHCR guidelines, October 2005, notes:

"[Single] Women in this group are typically targets of kidnapping, rape or other forms of sexual harassment and abuse, including forced prostitution and human trafficking. Women who do not benefit from any type of family network or tribal links to protect them are even more at risk and are likely to be prime targets for traffickers. Those who have no means of livelihood are further likely to fall prey to trafficking and prostitution in order to survive." **[40a] (p21)**

25.64 The British/Danish fact-finding mission report, October 2004, mentioned that:

"A humanitarian organisation working in the region advised the delegation that there are plenty of women's associations that can provide basic needs for those women who are the single head of household. The source advised that it is difficult for women to live alone and that the government are currently working to improve that. The source stated that women who had married non-Iraqis would be unlikely to stay within Iraq.

"An UN development agency in Amman stated that in the rural areas it is not possible for women to be single, and they would be supported by families or in the case of their husband's death, they would marry the husband's brother.

Women can refuse to marry the brother, however this makes the situation much harder for the woman." **[30c] (p27)**

25.65 The UNAMI report, dated 1 November-31 December 2006, noted that:

"In a country marred by violence, Iraqi widows struggle to fend for themselves and their families. Projects created to provide jobs for women were abandoned after the exodus of international NGOs from October 2005. Some support has been provided by the United Nations, the Iraqi Red Crescent, the Islamic Party, the Muslim Scholars Association and nongovernmental organisations. The Ministry of Labour and Social Affairs has started paying the equivalent of about 100 dollars per month to widows but this payment cannot support whole families. There is an urgent need for the international community to ensure projects aimed at job creation, especially for women, who now face a long struggle surviving and bringing up families on their own. The general breakdown in law and order and Islamic extremism have further entrenched the culture of violence within Iraqi society. It is inevitable that vulnerable groups such as women and children are bearing the devastating consequences of the prevailing situation in the country." **[39f] (p13)**

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CHILDREN

BASIC INFORMATION

26.01 The UNHCR COI report, October 2005, notes that "Almost half of the Iraqi population is under the age of 18. Children are particularly affected by the dire security situation and lack of basic services and infrastructure. Years of war and economic sanctions have led to deterioration of the education and health systems and have left them vulnerable to disease and malnutrition." **[40b] (p40)** IRIN news noted, on 11 December 2006, that "Children in Iraq are some of the most deprived in the Middle East, according to a report released by the United Nations children's agency (Unicef) on Monday. Using under-five mortality rates as a critical indicator of the wellbeing of children, the report ranked the country 33rd worst in a global survey of 190 countries." **[18be]**

26.02 On the subject of exposure to violence, the UNAMI report of 1 May–30 June 2006 states that:

> "Children remained victims in Iraq in many ways. Although not necessarily targeted, they are killed or maimed in sectarian-motivated attacks and in terrorist and insurgency acts. They are civilian casualties in MNF-I and Iraqi security forces-led raids against insurgents or militias, and suffer the most from other political, social and economic consequences of Iraqi's violent daily reality. The extent of violence in areas other than the Region of Kurdistan is such that likely every child, to some degree, has been exposed to it." **[39a] (p10)**

26.03 The UNAMI report also mentioned that "Violence, corruption, inefficiency of state organs to exert control over security, establish the rule of law and protect individual and collective rights all lead to inability of both the state and the family to meet the needs of children." **[39a] (p11)** And that "Minors are often witnesses of extreme violence, killings and scene of carnage and dead and mutilated bodies." **[39a] (p11)** Whilst an IWPR article, dated 19 July 2005, mentioned that there was "… an increase in child abuse across the country with minors being beaten by their fathers and even suffocated to death by their mothers." **[11e]**

EDUCATION

26.04 Article 34 of the Constitution provides for the right to free education to all Iraqis. In order to prevent illiteracy the Constitution states that primary education is mandatory. **[82a] (p10-11)** The US Library of Congress reported, in August 2006, that:

> "Education is mandatory only through the sixth grade, after which a national examination determines the possibility of continuing into the upper grades. Although a vocational track is available to those who do not pass the exam, few students elect that option because of its poor quality. Boys and girls generally attend separate schools beginning with seventh grade. In 2006 obstacles to further reform were poor security conditions in many areas, a centralized system that lacked accountability for teachers and administrators, and the isolation in which the system had functioned for the previous 30 years. No private schools exist." **[33a] (p8)**

26.05 The USSD report 2005 stated that "The net enrollment of primary school-aged children was 79 percent — 83 percent for boys and 74 percent for girls. The percentage of children enrolled in primary schools was much lower in rural areas, particularly for girls, whose enrollment was approximately 60 percent. Overall enrollment in school of those ages 6 to 24 is 55 percent." **[2b] (p19)**

26.06 The UNAMI report, dated 1 May–30 June 2006, mentioned that "The [joint UN and Iraqi government food security and vulnerability] survey also records the growing drop-out rate among pupils less than 15 years of age – 25 percent of students under the age of 15 lived mostly in rural areas and were identified as extremely poor. The main reason given for the dropout rate is the inability of the families to afford to pay for the schooling and schools being located too far away from home." **[39a] (p11)**

26.07 An IRIN article, dated 20 May 2005, stated that "It is estimated that half of children do not go on to secondary school. In rural areas the numbers are even higher. Up to half of girls never attend school, according to the Ministry of Education (MoE)." **[18d]** According to a report presented to the UN in February 2005, less than a quarter of Iraqi women were literate and that the gender gap is one of the largest in the world. **[99a] (p4)** The UNAMI report, dated 1 May–30 June 2006, also notes that "Children suffering disabilities have also been unable to access adequate care and education." **[39a] (p10)**

26.08 IRIN stated in an article, dated 13 December 2006, that "The United Nations Educational, Scientific and Cultural Organisation (UNESCO) estimates literacy rates to be less than 60 percent, or 6 million illiterate Iraqi adults. People in rural areas and women are worst off. Only 37 percent of rural women can read, and only 30 percent of Iraqi girls of high school age are enrolled in school, compared with 42 percent of boys." **[18aw]**

26.09 The US Library of Congress reported, in August 2006, that:

> "Following the regime change of 2003, the Coalition Provisional Authority, with substantial international assistance, undertook a complete reform of Iraq's education system. Among immediate goals were the removal of previously pervasive Ba'athist ideology from curricula and substantial increases in teacher salaries and training programs, which had been neglected in the 1990s. The new Ministry of Education appointed a national curriculum commission to revise curricula in all subject areas. Because of underfunding by the regime of Saddam Hussein, in 2003 an estimated 80 percent of Iraq's 15,000 school buildings needed rehabilitation and lacked basic sanitary facilities, and most schools lacked libraries and laboratories." **[33a] (p7)**

26.10 An IRIN news article, dated 15 February 2005, reports "As well as security, education in Iraq is one of the sectors most Iraqis want to see more improvements in." **[18n]** The same article notes that "Children's education in the country has been heavily dependant on support from the United Nations Children's Fund (UNICEF), among other aid organisations, since the last war. Last year UNICEF managed to deliver US $80 million of aid to children in Iraq – often in extremely dangerous and difficult circumstances." **[18n]**

26.11 Reports in 2004 and 2005 indicated that the quality of education in Iraq had deteriorated since 2003. (IRIN, 15 February 2005) **[18n]** (IRIN, 22 June 2005) **[18u]** (IRIN, 10 August 2005) **[18x] (p1)** (UNICEF, 15 October 2004) **[27a]**

UNHCR COI, October 2005) **[40c] (p106)** School buildings were in a poor state with inadequate repair work, as well as a lack of books, computers, desks, chairs and even classrooms. (IRIN, 15 February 2005) **[18n]** UNICEF, 15 October 2004) **[27a]**

26.12 The USSD report 2005 states that "There was substantial progress in rebuilding the country's education system. The Ministry of Education produced a strategy to reorganize and restaff the ministry, rehabilitate school infrastructure, retrain teachers, and institute a national dialogue and framework for curriculum reform." **[2b] (p19)** However, the UNHCR COI report, October 2005, records:

"… one-third of all primary schools in Iraq lack a water supply, almost one-fourth have no electricity and almost half are without sanitation facilities. It further reveals that out of 11,368 school buildings, only 1,271 sustained no damage, whereas 529 were completely destroyed and more than 9,500 need minor or major rehabilitation. In the Northern Governorates of Dohuk, Erbil and Sulaymaniyah, there are no schools that do not need rehabilitation and Sulaymaniyah has the highest rate of completely destroyed school buildings (171 out of 1,381 school buildings)." **[40c] (p106)**

26.13 The same report adds "Iraq has 2,753 secondary schools, of which 36 are completely destroyed and 2,408 need minor or major rehabilitation. Again, the three Northern Governorates as well as the Governorate of Najaf do not have one school building that does not require rehabilitation. Half of the school buildings have no functioning latrines, one fifth has no electricity and sufficient water is available in only half of them." **[40c] (p106)**

26.14 The UNHCR COI report, October 2005, notes that:

"Iraq has 20 universities, 47 technical colleges and 10 private institutes offering courses in information technology, administration and economy, and used to enjoy a high reputation in the Arab world. However, after years of wars and economic sanctions, Iraq's universities and institutes are suffering from neglected infrastructure and a lack of experienced professionals, equipment and laboratories." **[40c] (p107)**

26.15 Over 80 percent of Iraq's higher education facilities have been looted, burnt or damaged since the conflict began in April 2003. However, at the time of writing, only 40 percent of the infrastructure had been repaired. (IRIN, 15 January 2006) **[18ac]** (UNHCR COI, October 2005) **[40c] (p108)** In spite of this, other problems remain such as a lack of "… qualified teaching staff; poorly equipped libraries and laboratories; and a fast-growing student population." (IRIN, 15 January 2006) **[18ac]**

26.16 IRIN news further noted, on 10 August 2005, that "A deteriorating security situation in Iraq has caused parents to fear for students going to school, and also increased teachers' concern for their own safety … ." **[18x] (p1)** IRIN also noted, on 5 March 2006, that "… 64 children were killed and 57 injured in a total of 417 attacks on educational institutions since November 2005. Additionally, more than 47 youngsters were kidnapped on their way to or from school for the same period." **[18z]**

26.17 The two UNAMI reports covering the final months of 2006 reported on the rise in attacks and threats on schools during 2006, which caused a number to close. (UNAMI, 1 September-31 October 2006) **[39e] (p16, 17)** (UNAMI, 1 November-31 December 2006) **[39f] (p16)** In Diyala, for example, over 90 percent of schools remained closed as of 31 October 2006 **[39e] (p16-17)** and "Many schools in Baghdad continue to be closed [as of 31 December 2006], in particular in Doura, Adhamia, Altalbia, Al-Binuk and Al-Shaab. Universities in Baghdad, Dyala and Al-Anbar are also often closed." **[39f] (p16)**

26.18 A number of teachers and professors have fled Iraq following the conflict. (IRIN, 22 June 2005) **[18u]** (IRIN, 24 August 2006) **[18oq]** (UNAMI, 1 September-31 October 2006) **[39e] (p17)** Teachers and professors have been targeted by insurgents and have faced daily threats, violent attacks, kidnapping and a number have also been killed. (HRW, 3 October 2005) **[15j] (p91)** **[18u]** (IRIN, 5 March 2006) **[18z]** **[39e] (p17)** An IRIN news article, dated 5 March 2006, stated that "… 311 teachers and government employees had been killed and another 158 wounded in attacks." **[18z]**

26.19 The UNAMI report covering 1 September-31 October 2006 concurred, reporting that "…over 300 teachers and employees in the Ministry of Education (MoE) were killed and additional 1,158 wounded in 2006 alone, …" **[39e] (p16)** and "…The Ministry of Higher Education (MoHE) has registered 154 assassinated professors from 2003 to August 2006. In the last 3 months, 15 more academics and university staff were assassinated." **[39e] (p17)**

26.20 The UNHCR COI report, October 2005, notes "In an effort to improve the education system and encourage academics to return to Iraq, the Ministry of Higher Education has announced that salaries of university lecturers will be increased by July 2005." **[40c] (p107-108)** And, in order "To circumvent some of the obstacles faced by professors and students [in Iraq], MoHE introduced more flexible measures for the attendance at the examinations held in September this year [2006], allowing both academics and students to meet at convenient hours and in convenient locations." (UNAMI, 1 September-31 October 2006) **[39e] (p17)**

(See also 8 on Perceived collaborators and 'soft targets')

CHILD CARE: ORPHANS AND STREET CHILDREN

26.21 An RFE/RL article, dated 21 June 2004, observed that many children lost their parents during the war and the frequent violence that continued. "Thousands of homeless children are living on the streets of the Iraqi capital Baghdad." Many others were thrown out of the state-run orphanages that ceased to function after the collapse of the Saddam regime and have turned to crime, begging and drugs. **[22d]** IRIN news articles of 8 August 2005 and 18 April 2006 add that the adolescents were also often under threat from street gangs, **[18k] (p1)** IRIN stated, on 18 April 2006, that "Some are believed to have been used by terrorists to carry out attacks; others have reportedly been forced by criminal gangs to work as thieves, according to ministry officials." **[18bf]**

26.22 IRIN continues:

"'Orphaned children have become a very serious issue,' said [the Ministry of Labour and Social Affairs Orphans Houses] department director Abeer Mahdi

al-Chalabi. 'We have 23 orphanages with limited capacity, capable of housing only about 1,600 orphans.' …

"She went on to point out that the increase in the number of orphans countrywide was an inevitable result of the bombings, assassinations and sectarian violence currently plaguing the country." **[18bf]**

26.23 On the situation in the KRG area, the FCO stated in a letter, dated 6 December 2006, that "The KRG has the Social Care Directorate which is overseen by the Ministry of Labour and Social Affairs. The Social Care Directorate is responsible for the protection of children, orphans and the homeless. The Directorate is reasonably effective and staffed by professionally trained social workers." **[66n]** The letter also remarks that "Children's NGO operate in the Kurdish Region. Kurdistan Save the Children works to protect the rights of children. It offers health, education and sponsorship services. Orphanages are provided by the Social Care Directorate." **[66n]**

26.24 The War Child report, dated 13 October 2006, states that "Many children have been forced to live on the streets and so have turned to working in demeaning, exploitative and illegal jobs including working as labourers, collecting rubbish, working for criminals, or selling alcohol, drugs or pornography." **[115a]**

26.25 An IRIN news article, dated 8 August 2005, also reports on "… an increase in the number of commercial sex workers (CSWs) …" in Iraq since the end of the 2003 conflict, particularly teenagers. **[18k] (p1)** "This increase is attributed to economic pressure faced by families countrywide and the presence of new prostitution rings that have sprung up since the invasion. With society in turmoil and a raft of other serious issues to address, child protection has not been uppermost in the priorities of the transitional government." **[18k] (p1)**

26.26 The article also mentioned that "Based on information supplied by the Ministry of Labour, two small local NGOs are trying to help the child sex workers. On[e] of them, Iraqi Peace and Better Future (IPBF), has collected the names of more than 50 teenage boys who say they cannot leave the trade because of threats. Few cases have been resolved, however." **[18k] (p3)**

26.27 IRIN news also explained, in December 2005, that sexual abuse was common towards street children, with girls suffering 70 per cent of the abuses. **[18v]** "Women for Peace, a local NGO devoted to women's issues, believes that the incidence of sexual abuse has increased in the last year, due mainly to the overall lack of security. … Beatings are also frequent." **[18v]** Further, "Few programmes are currently available to help [street] children. …" **[18v]**

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HEALTH ISSUES

26.28 The UNICEF report, At a glance: Iraq, observes that "Even before the most recent conflict began, many children were highly vulnerable to disease and malnutrition. One in four children under five years of age is chronically malnourished. One in eight children die before their fifth birthday." **[27c]** Whilst

the UNHCR COI report 2005 notes that "Children are particularly affected by the dire security situation and lack of basic services and infrastructure. Years of war and economic sanctions have led to deterioration of the education and health systems and have left them vulnerable to disease and malnutrition." **[40c] (p40)**

26.29 The UNAMI report, dated 1 May–30 June 2006, states that "According to the joint UN and Iraqi government food security and vulnerability analysis, children are the primary victims of food insecurity, with every one in ten child suffering from malnutrition." **[39a] (p11)** The USSD report 2005 notes:

"The government was committed to children's rights and welfare, although noncitizen children were denied government benefits. The category 'noncitizen children' includes the children of Iraqi mothers and noncitizen fathers. They had to pay for services such as otherwise free public schools, costing approximately $1 thousand (1.5 million dinars) per year; health services; and, except for several hundred Palestinian families, were not eligible for the national food rationing program. According to the law, a person born outside the country to an Iraqi mother and unknown father or one without citizenship can petition for citizenship within one year prior to reaching legal age, while residing in the country." **[2b] (p19)**

JUVENILE PRISONERS

26.30 The UNHCR COI report, October 2005, stated that "Children are frequently arrested and detained by the MNF." **[40c] (p41)** Whilst UNAMI's report dated 1 September-31 October 2006, stresses that "The situation of juveniles in detention is particularly worrisome. According to Iraqi law, juveniles should have come under the jurisdiction of the Ministry of Labour and Social Affairs (MoLSA) since March 2005. However, due to a lack of facilities at MOLSA, juveniles held outside Baghdad still remain in the custody of the Ministry of Justice." **[39e] (p18)**

26.31 A HRW report of January 2005 recorded that, under the Convention on the Rights of the Child (CRC), Article 52(2) of Iraq's Juveniles Welfare Law and orders promulgated by the CPA on the management of detention facilities, children should be detained separately from adults. **[15g] (p63)** Nevertheless, there were a number of reports that children were held in the same cells as adult detainees. (HRW, January 2005) **[15g] (p62)** (IRIN, 30 July 2006) **[18am]** (UNHCR COI, October 2005) **[40c] (p41-42)**

"Human Rights Watch found that such cases sometimes arose when police apprehended children as part of a large sweep in a given area, where they arrested scores and sometimes several hundred people as part of the government's efforts to crack down on violent crime. Police invariably conduct such sweeps without warrants, and children are sometimes caught up." (HRW, January 2005) **[15g] (p63)**

26.32 The UNAMI report of 1 May–30 June 2006 states that:

"UNICEF has held a number of trainings for staff of the Ministry of Labor and Social Affairs on the need to improve the situation of the juveniles in prison. Juveniles are however often subjugated to the same lack of proper conduct by Iraqi police as are the adults. They are often held in police detention for a

prolonged period of time without access to a social worker, lawyer, and sometimes even the family. Over 20 students, all age of 18, have been held in a police detention for eight months in Basra. Thanks to the Iraqi Ministries of Justice and Labor and Social Affairs, as well as the Coalition prison advisers, the practice to separate the adults from youth in prisons has made progress, although many facilities where minors are detained are still overcrowded and require further adaptations." **[39a] (p11)**

26.33 A UNAMI report of 1 September-31 October 2006 records that "According to figures provided by MoLSA, as at 12 October 2006, there were 406 juveniles, including 22 female, being detained in 3 facilities in Baghdad. Due to the fact that there is only one investigative judge in Baghdad dealing with juvenile cases, judicial oversight is almost absent." **[39e] (p18)** It continues:

"A recent joint MNF-I and Iraqi experts' inspection of Al-Kharkh juvenile prison, carried out at MoLSA's request, revealed that there were 284 inmates, aged from 7 to 22 years, in deplorable hygiene and medical conditions with signs of physical and sexual abuse allegedly committed by the prison guards and/or by their fellow inmates. Some were being detained without convictions or even charges. Inhumane conditions of detention were noticed during the inspection: overcrowding (4 cells holding approximately 70 juveniles each); lack of food, potable water and ventilation and inadequate medical care (3 cases of tuberculosis). Moreover, the convicted were not separated from pre-trial detainees. Of all inmates, 41 inmates were handed over to the MoLSA by the Ministry of Interior bearing signs of mistreatment/torture and sexual abuse." **[39e] (p19)**

26.34 The UNHCR COI report, October 2005 mentioned that:

"Human rights groups have repeatedly expressed concern about the welfare of juvenile detainees, particularly following the release of photos in late April 2004 showing US military personnel abusing prisoners in Abu Ghraib. UNICEF and Amnesty International have been repeatedly denied full access to children in detention. UNICEF raised concern about this, stating that 'UNICEF is profoundly disturbed by news reports alleging that children may have been among those abused in detention centres and prisons in Iraq. Although the news reports have not been independently substantiated, they are alarming nonetheless'. According to Brig. Gen. Janis Karpinski, who was formerly in charge of Abu Ghraib Prison, children as young as 11 years old were being held. The Pentagon admitted that some juveniles were among the detainees, but claimed that no child was subject to abuse. However, substantive evidence has been collected indicating that children have been subjected to abuse, including releasing an un-muzzled dog into their cells and allowing it to 'go nuts on the kids, barking and scaring them'." **[40c] (p41)**

26.35 The HRW report continues "The [detained] children include both criminal suspects and others suspected of having taken part in clashes against government forces, including those suspected of links with the Mahdi Army. **[15g] (p62)** The UNHCR report of October 2005 remarks that "Furthermore, juveniles held with adults are subjected to the same treatments the adults are, including torture. Human Rights Watch recorded a case of a juvenile who was beaten with cables and underwent falaqa (beating on the sole of the foot) while being held in the custody of the Criminal Intelligence." **[40c] (p41-42)**

(See also section 15 on Prison conditions)

CHILD LABOUR

26.36 Article 29 (3) of the Constitution stipulates that "Economic exploitation of children in all of its forms shall be prohibited, and the State shall take the necessary measures for their protection." **[82a] (p10)** In spite of this, IRIN news reported, on 15 June 2006, that "Child labour remains an overriding concern in Iraq … In April 2005, a survey conducted by the Ministry of Labour and Social Affairs found that children between the ages of two and five years (some 7 percent of the total) were engaged in child labour, usually in the form of street-begging." **[18f]** The UNHCR COI report, October 2005, records that:

"…17.1 percent of the 15-18 age group are working and that even 5.9 percent of children aged 10-14 years are working. 23.1 percent of surveyed children started to work at an age below 11, and 40.5 percent engaged in labour when they were 11-15 years. Most indicated that poor economic conditions were the main reason behind going to work. Almost nine percent of the surveyed child workers sustained injuries during 2003 and indicated that they work in a hazardous environment. While child labour is not a new phenomenon in Iraq, UNICEF says that child labour seems to have increased since the last war." **[40c] (p110)**

26.37 The USSD report 2005 states the following regarding child labour:

"The law prohibits the worst forms of child labor. CPA Order 89 limits working hours for workers under 18 years of age and prohibits their employment in dangerous occupations. The minimum age for employment is 15 years. Due to the effects of the ongoing insurgency, the Child Labor Unit of MOLSA's Labor Directorate had neither enough inspectors nor resources to enforce the law, maintain programs to prevent child labor, or remove children from such labor. Despite the various laws and regulations, children were routinely used as an additional source of labor or income among the 1 million families subsisting on a per capita daily income of less than $1 (1,500 dinars). This work often took the form of seasonal manual labor in rural areas. In cities it often meant begging or peddling a variety of products, as well as working in sometimes hazardous automobile shops or on construction sites." **[2b] (p21)**

26.38 The IRIN news article of 15 June 2006, further states that:

"The ministry is currently working with UNICEF to ensure that children living and working on the streets are eventually re-united and reintegrated with their families and communities. 'UNICEF is engaged in a project for out-of-school children, so they're in school acquiring knowledge and skills rather than working' … further support was being provided to street and working children via a number of children-friendly drop-in-centres, supported by UNICEF, designed to help children in need of special protection." **[18f]**

26.39 However, the USSD report 2005 records that "… news reports indicated that families also used minors in insurgent activities. For example, the UN Global Policy Forum on March 15 [2005] in its report indicated that more than 20 Baghdad children received daily lessons to become insurgents and participated in diversion tactics to distract troops." **[2b] (p21)**

"Projects to combat child labor were few, and those that existed affected few children. The government took action only as funded by the UN Children's Fund (UNICEF) or NGOs. For example, the Italian branch of the international NGO Terre des Hommes and UNICEF operated a rehabilitation and counselling center for a small number of working street children in Baghdad. Kurdish authorities supported several small-scale projects to eliminate child labor in the KRG area. UNICEF established centers for working children in Irbil." **[2b] (p21)**

CHILD SOLDIERS

26.40 The UNHCR COI report, October 2005, noted that:

"There are reports of forced recruitment of children by insurgent groups or militias. Though there are no estimates as to the size of the problem of child recruitment in Iraq, there is evidence that orphans and children of insurgents may be involved in the fight against the MNF/ISF. The roles they play include acting as informers or messengers, distracting soldiers before an attack is launched against them or carrying weapons and being involved in active combat/attacks." **[40c] (p40)**

26.41 An IRIN article of 2 November 2006, reports that "Some children have been recruited by insurgents to fight in Iraq … At least three insurgent groups [which declined to be named] have admitted to using children as helpers - two groups in Baghdad and one in Anbar." **[18ax]** The War Child report, dated 13 October 2006, notes that "Not only are children turning to criminal gangs and militias in order to make a living, this also enables them to protect themselves and express their frustrations against the American led occupation. Much of the drive towards militancy comes from a lack of direction and boundaries, wanting to achieve some form of voice or agency for themselves, and as a result of their feelings of disaffection as a result of neglect and exploitation." **[115a]**

26.42 An IRIN news article, dated 15 March 2005, states that "US Coalition force officials told IRIN that they have been informed of these kinds of operations [as described above] and that some children have been captured for interrogation. However, being under age the children are released fairly quickly, often due to pressure from NGOs concerned about the rights of children." **[18l]**

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TRAFFICKING

27.01 The USSD Trafficking in Persons report of June 2006 states that:

"Iraq may be a source country for women and girls trafficked to Syria, Yemen, United Arab Emirates, Jordan, Turkey and Iran for the purposes of sexual exploitation. Some Iraqi girls are also believed to be trafficked internally from rural areas to cities such as Kirkuk, Erbil and Mosul for sexual exploitation. Iraq may also be a destination country for men trafficked from South and Southeast Asia for involuntary servitude." **[2a] (p269)**

27.02 IRIN news recorded, on 29 June 2006, that reports suggest many Iraqi children were being sold to countries in Europe, particularly the UK and the Netherlands. However, there was no information about who was buying them or for what purpose. **[18an]** The article adds that "Officials confirm that there are organised international gangs carrying out the trafficking in collaboration with Iraqis who are arranging the abductions from their own country." **[18an]** The article also remarks that "In some instances, families voluntarily sell their children because they need the money." **[18an]** The UNAMI report of 1 November-31 December 2006, states:

"HRO has received information of children abducted and sold to armed militias and forced to become supporters. Children are also trafficked outside Iraq to work as sex slaves, labourers, or unlawfully adopted by families abroad. Dozens of children are currently seeking shelter and protection in safe houses managed by the Ministry of Social Affairs and civil society organizations across the country." **[39f] (p13)**

27.03 Traffickers seemingly took advantage of Iraq's poor border controls and as a consequence the trafficking of women and workers increased in 2006. (US Library of Congress) **[33a] (p25)** The USSD report June 2006 adds that:

"The ongoing insurgency and terrorism severely handicapped the government's abilities to combat trafficking. The Iraqi Interim and Transitional Governments did not take action to prosecute or prevent trafficking or to protect victims. Anti-trafficking training originally comprised a section of the Basic Police Course, but it was later replaced with antiinsurgency instruction and has not yet been restored or otherwise incorporated into the training curriculum for new security officers. Iraqi police officers, however, received training in basic investigation skills and took some measures to investigate crimes against women." **[2a] (p270)**

27.04 The same report notes that "Iraq was neither able to report any prosecutions or convictions of trafficking offences, nor provide evidence of investigations into this crime." **[2a] (p270)**

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MEDICAL ISSUES

28.01 Article 31(1) of the Constitution stipulates that "Every citizen has the right to health care. The State shall maintain public health and provide the means of prevention and treatment by building different types of hospitals and health institutions." Article 31(2) states that "Individuals and entities have the right to build hospitals, clinics, or private health care centers under the supervision of the State, and this shall be regulated by law." **[82a] (p10)**

28.02 Under-investment and poor management in health, coupled with years of conflict and sanctions, has contributed to the deterioration of the health care system. (World Health Organisation (WHO), June 2005) **[23b] (p12)** (US Library of Congress, August 2006) **[33a] (p8)** (UNHCR COI, October 2005) **[40c] (p100-101)** (Medicine for Peace (MFP), 7 February 2006) **[45a] (p5-7)**

28.03 Although, the US Library of Congress reported, in August 2006, that an estimated 12 percent of hospitals were destroyed during the conflict, **[33a] (p8)** UNHCR stated, in October 2005, that all hospitals and about 90 percent of health centres required repair or total reconstruction. **[40c] (p102)** Some 240 hospitals and 1,200 primary health centres were functioning under substantial international funds. (US Library of Congress, August 2006) **[33a] (p8)** (FCO, 10 October 2005) **[66m] (p2)** In spite of this, it was widely reported that the hospitals were unsanitary and unhygienic and lacked an infection control programme. (US Library of Congress, August 2006) **[33a] (p8)** (MFP, 7 February 2005) **[45a] (p13)** (*The Lancet*, 9 September 2006) **[102a]**

28.04 There was a constant shortage of medical supplies including sterile needles, iv tubing, cannulas, sterile gloves, masks, antiseptics and soap as well as drugs ranging from pain killers and antibiotics to specialist treatment. (Dahr Jamail, June 2005) **[12a] (p3)** (IRIN, 15 February 2005) **[18n] (p2)** (US Library of Congress, August 2006) **[33a] (p8)** (MFP, 7 February 2005) **[45a] (p4, 10and13)** (UNAMI, 1 May-30 June 2006) **[39a] (p7)** (UNHCR COI, October 2005) **[40c] (p100-101and104)** News24, 20 February 2005) **[52a]** (*The Lancet*, 9 September 2006) **[102a]**

28.05 While hospitals supported pharmacies in providing medicine either free of charge or at minimal costs where they could the support was limited. (IRIN, 25 January 2005) **[18n] (p2)** (UNHCR COI, October 2005) **[40c] (p100-101and103)** (MFP, 7 February 2006) **[45a] (p5-7)** The UNHCR COI report, October 2005, stated that "Consequently, patients are requested to buy medicines from pharmacies outside the hospital where costs are generally high. In a country where the economy is still reeling from war and years of sanctions, the prices of medicine are too high for many Iraqis, in particular when it comes to chronic diseases or special treatment." **[40c] (p103)**

28.06 The same report added that "Stolen and smuggled medicine usually finds its way to the black market where it is sold cheaper than in private pharmacies, but may have negative affects on people's health as it is often sold without prescription, may be expired or may have been wrongly stored." **[40c] (p104)**

28.07 Health care providers also had to deal with limited water and electricity supplies in Iraqi hospitals making it difficult to carry out their work. (Dahr Jamail, June 2005) **[12a] (p3)** (UNAMI, 1 May-30 June 2006) **[39a] (p7**

28.08 The WHO report, June 2005, noted that:

> "The Private Health sector is strong powerful and has the capacity to supplement the weakness of the public sector especially in curative services. A high number of private clinics are distributed nationwide. In addition there are private hospitals run by specialists mostly located in Baghdad and to a lesser extent in the centers of provinces. Those clinics, in addition to its curative duties, handle a system of distribution of drugs to patients with a long list of chronic diseases through subsidized prices." **[23b] (p15)**

28.09 Furthermore, the Iraqi medical services had to deal with a shortage of staff. (Dahr Jamail, June 2005) **[12a] (p3)** (IRIN, 15 February 2005) **[18n] (p2)** (US Library of Congress, August 2006) **[33a] (p8)** (MFP, 7 February 2005) **[45a] (p4, 10and13)** (UNAMI, 1 May-30 June 2006) **[39a] (p7)** (UNHCR COI, October 2005) **[40c] (p100-101and104)** News24, 20 February 2005) **[52a]** (*The Lancet*, 9 September 2006) **[102a]**

28.10 Doctors in Iraq have faced targeted harassment, violent attacks, abductions, pressure to emigrate and even assignations. (IWPR, 12 July 2005) **[11n]** (HRW World Report 2006) **[15i] (p2)** (HRW, 3 October 2005) **[15j] (p91)** (AI, 25 July 2005) **[28c] (p12)** (UNAMI, 1 May–30 June 2006) **[39a] (p7)** (UNHCR COI, October 2005) **[40c] (p15)** Approximately, 120 doctors, 164 nurses and 80 pharmacists have been killed since the fall of the Saddam regime in 2003. (RFE/RL, 16 November 2006) **[18bg]** The UNAMI report, dated 1 May–30 June 2006, mentioned that "According to some estimates, approximately 250 Iraqi doctors have been kidnapped in the past two years." **[39a] (p6)**

28.11 As a result a large number of medical personnel fled to neighbouring countries or to the KRG administered area. (Dahr Jamail, June 2005) **[12a] (p3)** (HRW, 3 October 2005) **[15j] (p18and91)** 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)**

28.12 The HRW report, dated 3 October 2005, noted that "To stem the outflow, the ministry broadcast a public service announcement on television in spring 2005, with a message that said: 'Dear Citizens, please do not kill doctors-you may need them one day.' In May 2005, the Interior Ministry gave doctors the right to carry a weapon for self-defense." **[15j] (p91)**

28.13 Moreover, medical professionals face insecurity inside the hospitals with armed groups pressuring staff into prioritising treatment, for example. (UNAMI, 1 May-30 June 2006) **[39a] (p7)** *The Independent* stated in a report, dated 20 July 2006, that "Doctors in Baghdad hospitals complain that even the operating theatres are not safe because soldiers or militiamen will order them to stop an operation half way through." **[85b]**

28.14 The UNCHR COI report, October 2005, stated that "Accordingly, maternal and infant mortality and malnutrition continue to be major problems (nearly a quarter of Iraq's children suffer from chronic malnutrition. Certain previously well-controlled illnesses such as diarrhoea, acute respiratory infections and typhoid have recurred, and malaria, cholera and leishmaniasis are endemic in several parts of the country." **[40c] (p100)**

28.14 *The Lancet* stated, on 9 September 2006, that "As of June 28, 2006, more than 88% of the US$750 million appropriated for health activities by the USA has been obligated, and 65% has been spent, according to the Special Inspector General for Iraq Reconstruction (SIGIR). Of the original 150 clinics planned by the USA, only two are fully operational. The estimated completion date for the remaining projects is now June, 2007." **[102a]**

28.15 The article continued:

"Better success has come from public-health projects including vaccination campaigns, provision of vitamin A and iron folate to 2 million mothers and young children, and training of 2000 community child-care units. SIGIR says almost all Iraqi children have been inoculated against measles, mumps, polio, and rubella. Between 2004 and 2005, laboratory-confirmed cases of measles in Iraq dropped by 90%. There have been no recorded cases of polio since 2003. USAID is also devoting $10 million to primary-care provider capacity development and $4·5 million for training of ministry of health staff in primary-care management." **[102a]**

28.16 The general security situation and road closures made it difficult for people to travel to use the medical services. (*The Lancet*, 9 September 2006) **[102a]** According to the Iraq Living Conditions Survey (ILCS) 2004, access to health care differs greatly between urban and rural areas. Whereas "… 95 percent of the Iraqi population has less than 60 minutes travel time to the nearest hospital, and 89 percent lives less than 30 minutes from the closest health care centre. … In rural areas, 14 percent must travel more than one hour to get to the nearest hospital, and 36 percent must travel more than half an hour to get to the nearest health centre or physician." **[81a] (p90)**

28.17 The UNAMI report, dated 1 May-30 June 2006, added that "Corruption in hospitals has also been noted as one of the obstacles for access to health by the population." **[39a] (p7)**

MEDICAL ISSUES IN THE KRG AREA

28.18 The FCO stated in a letter, dated 6 December 2006, that:

"Healthcare [in the KRG] is poor by Western standards. The healthcare infrastructure (hospitals, equipment, drug supply) is woefully inadequate, only limited selections of (often out of date) medicine are available in chemists, and those who can afford it go overseas for treatment. Most doctors moonlight heavily to boost their meagre salaries and many ordinary Kurds cannot afford consultation fees. The Korean military operate a very successful clinic in Erbil, which treats some 40,000 patients a year." **[66n]**

28.19 The letter added that "There are 3 major hospitals in Erbil, 4 in Sulimaniyah and 3 in Dohuk Province. There are numerous health care centres and privately run clinics across the Kurdish Region." **[66n]**

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HIV/AIDS – ANTI-RETROVIRAL TREATMENT

28.20 Reports suggest that Iraq has 72 people registered as living with HIV/AIDS. (IRIN, 20 July 2005) **[18aa] (p1)** (UNHCR COI, October 2005) **[40c] (p103)** Though further reports indicate that there has been an increase in the number of registered cases over the last few months. (IRIN, 19 January 2006) **[18ad]** The US Library of Congress stated, in August 2006, that "Between October 2005 and January 2006, some 26 new cases were identified, bringing the official total to 261 since 1986." **[33a] (p8)** IRIN news stated, on 19 January 2005, that "… the real figure could be higher as many people may not come forward to seek help due to their fear of discrimination. The disease remains a taboo subject in Iraq." **[18aa] (p1)**

28.21 The US Library of Congress stated, in August 2006, that "In 2006 some 73 percent of cases of human immunodeficiency virus (HIV)/acquired immune deficiency syndrome (AIDS) in Iraq originated with blood transfusions and 16 percent from sexual transmission." **[33a] (p8)** IRIN reported, on 12 December 2006, that "… sources in the Central Health Ministry believe that an influx of foreign troops and foreign fighters since the US-led occupation of Iraq began in 2003 might have increased figures." **[18az]**

28.22 HIV/AIDS patients received free medication at the AIDS Research Centre in Baghdad, where most cases have been diagnosed, yet officials from the centre have reported a shortage of treatment because the Ministry of Health has failed to replenish their stocks for months. (IRIN, 7 April 2005) **[18y] (p1)** (IRIN, 19 January 2006) **[18ad]** (US Library of Congress, August 2006) **[33a] (p8)** (UNHCR COI, October 2005) **[40c] (p103)**

28.23 Patients under treatment also receive anti-retroviral treatment, supplied by the Ministry of Health through support from the WHO, as well as information and US $50 monthly for extra expenses. (IRIN, 20 July 2005) **[18aa] (p1)** (IRIN, 19 January 2006) **[18ad]** In spite of this medical staff claim that this is not enough to cover the cost of the medicines. (IRIN, 7 April 2005) **[18y] (p1)** (UNHCR COI, October 2005) **[40c] (p103)** The IRIN news article, dated 20 July 2005, mentioned that "The MoH also gives an extra $200 per person for general expenses approximately three times a year." (IRIN, 7 April 2005) **[18y] (p1)** (UNHCR COI, October 2005) **[40c] (p103)**

28.24 The 2004 update of the joint report by UNAIDS, UNICEF and WHO noted that:

> "The system of reporting and screening of HIV was tightly monitored by the health authorities. HIV screening was performed at border checkpoints for both Iraqis and non-Iraqis entering the country. Gypsies, who are involved in [the] entertainment business, are also considered to be at potential risk and were tested. Other groups who were tested included STD patients, prostitutes (arrested by the authorities), night club workers, blood recipients, prisoners, patients with TB, patients with hepatitis B or C, sex contacts of AIDS patients, blood donors, pregnant women, health workers and couples before marriage." **[27b] (p2)**

28.25 By law, every person entering Iraq must be tested for HIV. (IRIN, 19 January 2006) **[18ad]** (US Library of Congress, August 2006) **[33a] (p8)** The IRIN news article stated that "If this is not possible, entrants have a week to receive free testing at any of the ARC's 17 laboratories located throughout the country.

Anyone who does not comply can be subject to deportation. … more than 15 foreigners who tested positive for the HIV virus have been deported so far." **[18ad]**

28.26 The same article noted that "The Iraqi Organisation for Sexual Health and Sexually Transmitted Diseases (IOSH & STD), local NGO, has already launched programmes aimed at educating young people through the media. The organisation has also presented lectures explaining the importance of prevention from an Islamic perspective." **[18ad]** It also stated that "The government is taking the trend seriously. This is reflected by the fact that many Iraqi Sharia courts require medical reports proving that both parties are HIV negative before marriage certificates can be presented." **[18ad]**

28.27 Despite these steps, the Iraqi Aid Association for Chronic Patients (IAACP), a local NGO, said that they had seen an increase in discrimination toward people who are HIV-positive. At least four people have been killed in Iraq during 2006 because they were HIV-positive. (IRIN, 9 August 2006) **[18as]**

28.28 The IRIN article also mentioned that "In the conservative, religious environment of Iraq, the human immunodeficiency virus (HIV) and the disease it causes, AIDS, are associated with homosexuality, sex outside of marriage, and drug use – all considered religious offences. … There is little awareness of the fact that the virus can be contracted via contaminated blood transfusions." **[18as]**

28.29 The FCO stated in a letter, dated 6 December 2006, that HIV/AIDS treatment is not available in the KRG. There are few recorded cases of HIV/AIDS within the Kurdish Region. **[66n]** IRIN reported, on 12 December 2006, that "Health officials in Iraq's northern Kurdistan region … have been instructed by health authorities in Baghdad to deport foreigners who have been found HIV-positive." **[18az]**

28.30 The article added that "… there were nine known cases of people living with HIV/AIDS in the northern cities of Dohuk and Arbil. All tested positive between 2005 and 2006 and were now aware of their condition…." **[18az]**

28.31 The article also stated 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, he said, 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." **[18az]**

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MENTAL HEALTH

28.32 As stated by an Iraqi medical student in a report by Medact dated 26 July 2005 "The mental health service is the worst service in the healthcare system in Iraq." **[10a] (p5)** An article in *The Daily Telegraph*, on 24 January 2006, reported that the number of people suffering with mental health illnesses in Baghdad has risen since the war started. **[48c]** The same article mentioned on

24 January 2006, that "There are no official figures for the total number being treated for mental health problems in Iraq today but a study by one expert concluded that as many as 90 per cent of Iraqis were suffering from a mental health condition." **[48c]**

28.33 The MFP report, dated 7 February 2005, stated that "The absence of acute psychiatric services, and consulting services in all hospitals surveyed, and the general lack of knowledge of psychiatric aspects of medical illness is a serious problem in a society that has endured years of political oppression, and suffers from high levels of poverty and violence." **[45a] (p4)**

28.34 There is a lack of qualified professionals within the mental health care system. (UNHCR COI, October 2005) **[40c] (p104)** A report by the Substance Abuse and Mental Health Services Administration (SAMHSA), dated January/February 2005, stated that "An initial tally of mental health staff in Iraq – a country with a population of roughly 25 million – produced just 154 psychiatrists, 20 clinical psychologists (of whom only 3 had appropriate training), 25 social workers (none of whom were trained in mental health), and 45 nurses (also not properly trained in mental health)." **[9a] (p2)**

28.35 The UNHCR COI report, October 2005, stated that "The Ministry of Health reported that there are about nine psychiatric clinics (both specialized psychiatric hospitals as well as psychiatric units in general hospitals) and two psychiatric units in the two Teaching Hospitals in Baghdad." **[40c] (p104-105)** The MFP report, dated 7 February 2005, mentioned that "Clinical psychiatry is centered at two institutions: the old city asylum, Al Rashad, and a small hospital for acute patients, Ibn Rushd. Both buildings are old, worn structures that were extensively looted in April 2003. Ibn Rushd underwent considerable reconstruction." **[45a] (p11)** Psychiatric services can also be found in other governorates of Iraq. (UNHCR COI, October 2005) **[40c] (p104-105)**

28.36 There is a lack of drugs to treat the most severe cases of mental health illnesses, therefore services in the psychiatric clinics are often "…basic and involve only physical treatment (pharmacotherapy and ECT)." (UNHCR COI, October 2005) **[40c] (p104-105)** (The Daily Telegraph, 24 January 2006) **[48c]** There were reports that no food or medicine was given to patients at Baghdad's only remaining psychiatric hospital, Ibn al-Rushud. (BBC, 12 August 2005) **[4e]**

28.37 The UNHCR COI report, October 2005, noted that "Psychological and psycho-social support and counselling are rarely available …." **[40c] (p105)** The SAMHSA report, dated May/June 2005, noted that "The intense stigma attached to mental disorders and the lack of rehabilitation and government support make families reluctant to take back patients even once they've stabilized. Some of the psychiatrists at the hospital are ashamed to admit where they work." **[9b] (p1)**

28.38 The BBC article, dated 12 August 2005, added that "A national commission for mental health services has been appointed, and is working with Britain's Royal College of Psychiatrists. Training programmes are being organised, and small numbers of future mental health practitioners are being trained in Jordan and the UK." **[4e]**

28.39 A number of mental health care units are being constructed or improved as provided for in by the Iraqi Ministry of Health's Mental Health Programme. **[23c] (p3)** The UNHCR COI report, October 2005, also noted that "There are efforts by the Ministry of Health to expand such services, e.g. by training school teachers to identify children that show psycho-social disturbances. In Dohuk, a psychosocial centre for traumatized children is run by an NGO. In addition, there are private psychiatric services for both physical and psychological therapies." **[40c] (p104-105)**

28.40 The same report noted that "For women suffering from domestic violence, women's shelters in Erbil, Sulaymaniyah, Kirkuk and Baghdad offer psychological counselling, however, their capacities are limited and access to these centres may in practice be restricted for a number of social and familiar reasons." **[40c] (p104-105)** However, Dr Majid al-Yassiri, chairman of the London-based Centre for Psychosocial Services in Iraq, stated that female patients were subjected to rape. (BBC, 12 August 2005) **[4e]**

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HUMANITARIAN ISSUES

29.01 Iraq was facing a humanitarian crisis. (UNAMI, 1 November-31 December 2006) **[39f] (p18)** The IMF report, dated August 2005, mentioned that "There has been a marked deterioration in Iraq's human development indicators over the last twenty years." **[80a] (p5)** An IRIN news article, dated 11 April 2006, stated that Baghdad was ranked worst city in the world in terms of quality of life in a survey conducted by London-based Mercer Human Resource Consulting. **[18ao]**

29.02 An IRIN news article reported, on 17 October 2006, that "Nearly 5.6 millions Iraqis are living below the poverty line… . At least 40 percent of this number is living in absolute and desperate deteriorated conditions…." **[18bh]**

29.03 The IRIN Country Profile, last updated in February 2007, stated that "Surveys of Iraqi households by UN Development Programme (UNDP) [2005] suggest the Iraqi population at large experiences dismal living conditions because of decades of wars and sanctions and the current conflict. Nearly four years after the fall of the Baathist regime, most Iraqis have limited access to food, health services, education and employment. Many also lack water and electricity." **[18bi]**

29.04 The profile added that "Nearly half the Iraqi population is dependent on food rations, according to World Food Programme (WFP). Food shortages have been particularly acute where military operations are under way." **[18bi]** An IRIN news article, dated 15 October 2006, noted that "… 30 percent inflation over the past year makes it increasingly difficult for families to afford food. At least 70 percent of the population depends on food rations - nearly double the percentage of dependency during former president Saddam Hussein's time, according to government officials and NGOs." **[18ay]**

29.05 The UNHCR COI report, October 2005, stated that "Iraq's infrastructure has suffered severe damage after years of wars, sanctions and general neglect, including a lack of investment in maintenance." **[40c] (p23)** The IMF report, dated August 2005, noted that "The coverage of public services has improved, but reliability remains a serious problem." **[80a] (p7)**

29.06 Electricity was not available to the whole population. In the north it was reasonably constant but in central Iraq it was unpredictable whereas in the south it was very inadequate. Water and sanitation facilities were also unreliable. (IRIN, 15 October 2006) **[18ay]** (UNHCR COI, August 2004) **[40b] (p10-12)** (UNHCR COI, October 2005) *The Lancet* stated in an article, on 9 September 2006, that "Although several projects are ongoing, recent figures issued by the US Inspector General show that only 32% of Iraqis have access to clean water and 19% to sewer services. Before the US invasion, in 2003, 50% of Iraqis had access to clean water and 24% to sewer services." **[102a]**

29.07 The UN-Iraq Humanitarian Update, April 2006, nevertheless, stated that:

> "UNICEF maintained the daily trucking of water to certain residential areas and hospitals in Baghdad using private contractors, permitting approximately 180,000 residents and 4,000 hospital patients and staff to have continued access to potable water. In addition essential chemicals were delivered to

warehouses of the Ministry of Municipalities and Public Works (MoMPW) in Baghdad and Basrah to assist the authorities with water purification." **[39d] (p2)**

29.08 Many important buildings and facilities, such as schools, hospitals and places of worship, as well as infrastructure, such as airports, roads and bridges, needed major reconstruction. (UNHCR COI, August 2004) **[40b] (p10-12)** (UNHCR COI, October 2005) **[40c] (p23)**

29.09 Although reconstruction, development and humanitarian assistance had been given to the Iraqi government, hundreds of projects were delayed because of corruption. Hundreds of health, education and infrastructure projects have been delayed because of the insecurity and corruption and the smuggling of oil, according to officials in the Ministry of Reconstruction. (IRIN, 15 October 2006) **[18ay]** (IRIN, 25 December 2006) **[18bj]** (UNSC, 3 March 2006) **[38e] (p8)**

29.10 An IRIN news article, dated 15 October 2006, reported that "The lack of essential needs has provoked revolt from the population, and without controls it generates more violence and lack of support to the parliament which is running the country…." **[18ay]**

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

29.11 An IRIN article, dated 6 June 2005, noted that "Decades of war and internal conflicts have left Iraq with large quantities of UXO and mines, and in some parts of the country, depleted uranium (DU) contamination." **[18c] (p1)**

29.12 The most affected areas were Iraqi borders, in particular the Iran-Iraq border, the three northern governorates and the four southern governorates. (UNHCR COI, October 2005) **[40c] (p73)** The UNHCR COI report, October 2005, noted that "Approximately one out of every five Iraqis lives within one kilometre of areas highly contaminated by the explosive remnants of war." **[40c] (p73)**

29.13 Landmines and UXO's pose a particular risk to children and IDPs and hampered reconstruction and development in some areas. (IRIN, 6 June 2005) **[18c] (p1)** (UNSC, 7 June 2005) **[38b] (p11)** (UNHCR COI, October 2005) **[40c] (p73)**

29.14 The UNHCR COI report, October 2005, noted that "Mine clearance and explosive ordnance disposal is carried out by numerous actors, including local authorities, MNF, commercial companies and several NGOs." **[40c] (p73)** However, ongoing insecurity in Iraq has seriously hindered the clearance of landmines and UXO. (IRIN, 6 June 2005) **[18c] (p1)** (UNHCR COI, October 2005) **[40c] (p73)**

29.15 The International Campaign to Ban Landmines (ICBL) report, dated 13 September 2006, noted that "In early 2006, the Office of the Prime Minister provided the Iraq Campaign to Ban Landmines with an unofficial draft law regarding accession to the treaty. In a 1 March 2006 meeting, senior Ministry of Foreign Affairs officials assured Iraqi campaigners that Iraq would join the treaty and that preparations were underway." **[98a]**

FREEDOM OF MOVEMENT

30.01 Article 44 (1) of the Constitution stipulates that "Each Iraqi has freedom of movement, travel, and residence inside and outside Iraq." **[82a] (p13)**

30.02 Although most of the legal restrictions on freedom of movement disappeared after the fall of the Saddam regime, the poor security situation severely limited the freedom of movement. Fighting, friendly fire, ambushes, highway robbery, roadside bombs, mines/UXO, as well as road closures were common on many routes in Iraq. (UNHCR COI, October 2005) **[40c] (p139)**

30.03 In July 2004 the IIG passed the Order for Safeguarding National Security allowing the Prime Minister to declare a state of emergency in any part of Iraq suffering ongoing violence for up to 60 days at a time. (UNHCR COI, October 2005) **[40c] (p17)** Under the emergency laws and subject to judicial review, the Prime Minister has the power to restrict freedom of movement by imposing curfews or cordoning off certain areas. In several cities and towns curfews were place, restricting people's freedom of movement, mainly during the night. (UNHCR COI, October 2005) **[40c] (p139)**

30.04 The Order for Safeguarding National Security was first used in early November 2004 in all areas of Iraq except those administered by the KRG (Erbil, Dahuk and Sulaymanyah) and has been renewed every month since. (Europa World Online, accessed 12 August 2005) **[1c] (Recent History)** (UNSC, 8 December 2004) **[38c] (p1-2)** (UNHCR COI, October 2005) **[40c] (p17)**

30.05 An "extraordinary" curfew was imposed on 23 February 2006 for 20 hours a day in the governorates of Diyala, Salaheddin, Babil and Baghdad following an attack on a Shi'ite mosque in Samara. (BBC, 24 February 2006) **[4ad]** (IRIN, 27 February 2006) **[18t]** (RFE/RL, 24 February 2006) **[22n]** The IRIN report continued, "… cars cannot move freely on the streets without special approval from the Ministry of Interior. Exceptions have been made for ambulances, police, government cars and journalists who have special identity cards issued by the ministry." **[18t]**

30.06 The airport road, leading out of Baghdad was highly insecure and travel on the road was extremely dangerous, with numerous attacks on civilians. The UNHCR COI report stated that "The airport road is known as the most dangerous of all, and car bombs and small arms attacks are common." **[40c] (p82)**

30.07 The roads leading west out of Baghdad to Jordan and Syria (which pass through Ramadi and Fallujah) were also extremely dangerous. (UNHCR COI, October 2005) **[40c] (p139)** The ongoing armed conflict between MNF/ISF and insurgents, mainly near Fallujah and Ramadi and near the Syrian border, meant it was very risky for Iraqis to travel along these routes. (UNHCR COI, October 2005) **[40c] (p90-91)** Highway 10, the route between Amman in Jordan and Baghdad, was regularly attacked by criminal gangs, insurgents and possible mistaken identity by the MNF. (UNSC, 7 June 2005) **[38b] (p15-16)** (FCO, 25 May 2005) **[66d]** Highway robbery/car-jacking by armed thieves were also very common, particularly on Highway 10. (UNHCR COI, October 2005) **[40c] (p90-91)**

30.08 Travellers were often questioned about their religious affiliations on the highways to the western borders. (UNAMI, 1 July-31 August 2006) **[39c] (p9)** The Brookings Institution stated in a report, dated October 2006, that "Shi'a cannot travel to Anbar, nor can they travel through Anbar – which means that the land routes to Jordan and Syria are totally forbidden to them. Many have been killed. The killings started with taxi and lorry-drivers, then Shi'a officials and personalities, and now all Shi'a are targeted." **[88b] (p20)** The report added that "Today, there are reported to be informal transfer points in the western sections of Baghdad where people can change vehicles, and merchandise are exchanged, or loaded from one lorry to another – so that persons and goods traveling west can do so with a Sunni vehicle and driver, and those traveling out of Anbar can proceed in a Shi'a vehicle." **[88b] (p20)**

30.09 The roads to Samarra, Tikrit and Mosul as well as roads heading south to Kuwait were also severely affected by the ongoing insecurity. (UNHCR COI, October 2005) **[40c] (p90-91)** The UNHCR COI report, October 2005, added that "… no major route into Iraq is to be considered safe." **[40c] (p90)**

30.10 A number of Iraqis were killed by MNF suspecting them to be car bombers. There were a number of incidents whereby civilians that got too close or over-take a military convoy or approached a military checkpoint too fast were killed. (CPJ, 2005) **[26b] (p3)** (UNHCR COI, October 2005) **[40c] (p82and90-91)**

30.11 Numerous military checkpoints on the roads further restricted freedom of movement in Iraq, especially around Baghdad and the border between the KRG administered area and the government controlled area. (UNHCR COI, October 2005) **[40c] (p139)**

30.12 The USSD report 2005 added further detail regarding curfews:

> "Beginning in May [2005] and continuing until at least mid-July [2005], the KRG arbitrarily controlled internal borders between the KRG and the rest of the country. On numerous occasions, the KRG, denied entry on the basis of ethnic background, gender, and age. Security forces sometimes detained individuals for up to 14 hours and prohibited them from making outside contact, or turned them away at the checkpoint because Arabs were not allowed into the Kurdistan Region. KRG authorities asserted they were acting judiciously in controlling travel by individuals or groups entering Kurdistan from less secure parts of the country. In July the MOI ordered KRG authorities to cease such activity. No cases were reported after the order was issued." **[2b] (p13-14)**

30.13 In addition, there were a number of illegal checkpoints set up by armed groups. (UNHCR COI, October 2005) **[40c] (p90-91)**

30.14 Travel by air was also highly insecure. Insurgents have targeted civil aviation with small arms and missiles on a number of occasions. (UNHCR COI, October 2005) **[40c] (p82)** The UNSC report, dated 7 March 2005, added that "Aircraft, together with their cargo and passengers, continue to be exposed to a high level of threat both on the ground and when in Iraqi airspace." **[38a] (p15)**

30.15 Women's freedom of movement was limited due to the specific harassment and threats against them, increasing the pressure on women to have a male family member to accompany them. (UNHCR CO, October 2005)

30.16 The UNHCR COI report, October 2005, mentioned that:

"Even though there are no legal restrictions as regards choosing one's place of residence in the country, there are a number of practical restrictions mostly based on political and security considerations.

"As many refugees experienced harassment, physical attacks, arbitrary detention and increasing difficulties resulting from their uncertain legal status in Iraq, their freedom of movement is limited and has forced them to stay at home in order to avoid risks." **[40c] (p139)**

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DOCUMENTATION FOR TRAVEL WITHIN IRAQ

30.17 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]**

30.18 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)**

30.19 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)**

30.20 The UNHCR COI report, October 2005:

"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)**

30.21 The FCO stated in a letter, dated 6 November 2006, that in order to relocate, an individual must have been be in possession of a personal identification number which is issued by the General Directorate of Citizenship in accordance with Iraqi civil law number 65 (1972); the Iraqi Nationality Certificate; a letter of confirmation from the place of work in the intended relocation town and/or the approval of the Mukhtar of the intended relocation town; a declaration from the security services that the person is not involved in criminal activities. Relocation applications could be made from all areas of Iraq. **[66o]**

30.22 The UNHCR assessment, August 2006, noted that:

"The nationality certificate and civil ID card are the most urgently needed forms of documentation for returning refugees as they restore the right to access all entitlements of Iraqi citizenship. Returnees still carrying old Iraqi documentation are able to renew documents easily. For those without these documents, further investigation into records must be carried out to prove entitlement. A non-Iraqi (e.g. Iranian) spouse of a returnee can apply for all the documents listed below except the civil ID card and the nationality certificate, which he/she may qualify for after legally remaining in Iraq for five years according to current Iraqi Nationality Law." **[40e] (p20)**

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INTERNALLY DISPLACED PEOPLE (IDPS)

31.01 Almost 500,000 Iraqis have been internally displaced since 2003 taking the total of displaced to about 1.7 million. The numbers of displaced Iraqis continued to grow primarily as a result of continued violence but also because of direct intimidation, rumour mongering, indirect threats received by individuals, or following attacks on family members or the community in the neighbourhood of origin as well as a general breakdown in law and order. (UNSC, 5 December 2006) **[38h] (p7)** (UNAMI, 1 May-30 June 2006) **[39a] (p13)** (UNAMI, 1 September-31 October 2006) **[39e] (p3-4and15)** (UNAMI, 1 November-31 December 2006) **[39f] (p17)** UNHCR, 8 January 2007) **[40i]** (Brookings Institution, October 2006) **[88b] (p5and27-28)**

31.02 Reports suggested that families were enticed from their homes by criminals and militia, which were then allocated for a fee to newly displaced persons. (UNAMI, dated 1 May–30 June 2006) **[39a] (p13)** Iraqi IDPs also reported that they received threatening letters, notes, flyers or pamphlets. Iraqi's would also occasionally find their names and associated threats on banknotes that were circulating in the local market. Threats were also made by phone calls and text messages on mobile phones. (The Brookings Institution, October 2006) **[88b] (p28)**

31.03 The attack on the Al-Askari Shrine in Samarra in February 2006 unleashed a wave of sectarian violence which significantly contributed to the increase in IDPs. (UNAMI, 1 July–31 August 2006) **[39c] (p2and13)** (UNAMI, 1 September-31 October 2006) **[39e] (3-4)** Up to 2 million other Iraqis have fled to nearby countries. UNHCR estimated that 40,000 to 50,000 fled their homes every month. (UNSC, 5 December 2006) **[38h] (p7)** (UNHCR, 18 December 2006) **[40e] (p1-2)** (UNHCR, 8 January 2007) **[40i]**

31.04 Although all governorates have been affected, the highest number of newly displaced were situated in Baghdad, Anbar, Karbala, Salah Al-Din, Diyala, Najaf, Dhi Qar, Muthanna, Maysan, Wassit and Basra. (UNAMI, 1 May-30 June 2006) **[39a] (p13)** (UNAMI, 1 July-31 August 2006) **[39c] (p13)** (UNAMI, 1 September-31 October 2006) **[39e] (p16)** **[39f] (p17)** (CSIS, 19 June 2006) **[63a] (p23)** The UNAMI report, dated 1 November-31 December 2006, added that "Baghdad in particular seems to be particularly burdened by internal city displacement, i.e., displacement of people from one neighbourhood to another within the city limits, and IDPs from outside the city, i.e., from Diyala, Anbar, Salahaddin, Wassit, Babel, Kirkuk and Ninevah Governorates." **[39f] (p17)**

31.05 Sunnis from Shi'a areas were possibly affected the most since the Samarra bombing. They frequently faced harassment and violence to leave Shi'a areas such as Shu'ala, Sha'b, Sadr City and other areas with Shi'a majorities (primarily in Eastern Baghdad). (Brookings Institution, October 2006) **[88b] (p2and18)**

31.06 However, Shi'a from majority Sunni areas were also under pressure to leave predominantly Sunni areas, such as Ghazaliya, Khan Dhari, Abu Ghraib, Taji, Madaen (Salman Pak), Dura and other Sunni majority areas (western and southern Baghdad in general). Minority groups from both Sunni and Shi'a areas, including Kurds, Christians, Turkmen, Sabean-Mandeans, Roma and third-country nationals, in particular Palestinians, were also under pressure to leave. **[88b] (p2)**

31.07 It was often the case that Shi'a would relocate to Shi'a areas while Sunnis would relocate to Sunni areas. Kurds go to the northern provinces and Christians go to parts of Ninewah province. (Brookings Institution, October 2006) **[88b] (p2)**

31.08 The Brookings Institution report, October 2006, added that generally the more mixed an area, the more sectarian violence and consequently the more displacement there was. Baghdad, Mosul, the towns of Salah ad-Din province (Balad, Dujeil, Samarra), some towns of Diyala province (Baquba, Muqdadiya), the towns of northern Babil (Latifiya, Yusifiya, Mahmudiya) and Basra were cities where there was both high violence and high levels of sectarian-induced displacement. **[88b] (p17)**

31.09 The Internal Displacement Monitoring Centre (IDMC) report, dated 23 May 2006, stated that "Displacement in and around Kirkuk has had particular political sensitivity as the area contains some of Iraq's biggest oilfields and which ethnic group is in the majority there is a key factor in the political bargaining over the relationship between the primarily Kurdish north and the Arab majority of the rest of Iraq." **[50a] (p2)**

31.10 The increase in the number of IDPs in Iraq continued to strain resources. (UNAMI, 1 July–31 August 2006) **[39c] (p2)** The UNAMI report, dated 1 May–30 June 2006 noted that "Displaced persons find themselves in a condition of vulnerability, lacking many basic rights and competing for limited services, which increase inter-communal animosity in their points of arrival. In turn, this can generate further displacement." **[39a] (p13)**

31.11 The UNHCR COI report, October 2005, noted that:

> "The return and reintegration of Iraqis from abroad is severely hampered by a number of factors, including the destruction of villages and livelihoods, the loss of nationality and documentation, contamination of return areas by mines and unexploded ordnance (UXO) as well as property disputes. The capacity of the Iraqi authorities to provide protection to its people, to devise and implement durable solutions for displaced populations and to address obstacles to return and reintegration has not yet sufficiently developed." **[40c] (p3)**

31.12 The report also noted that:

> "As a significant number of refugees and IDPs have returned since the fall of the former regime, Iraq now also has to deal with their sustainable reintegration, be it in their places of origin or in the locations they decide to settle. … While the Iraqi population in general suffers from a lack of security and public services, displaced persons or those returning from displacement are often even more affected by these factors due to their particular vulnerability and lack of social networks." **[40c] (p24)**

IDPS IN THE KRG

31.13 A number of sources described the KRG administered area of Iraq as a 'safe haven' for Iraqis of various ethnic and religious backgrounds. (IWPR, 13 October 2006) **[11x]** (The Economist, 19 August 2006) **[19d]** Although resources, such as housing, were scarce a large number of Iraqis fled to the

KRG area from central and southern Iraq. (The Economist, 19 August 2006) **[19d]** (UNAMI, 1 November-31 December 2006) **[39f] (p17-18)**

31.14 An article by Hawlati, dated 8 November 2006, reported that "The KRG provide limited financial and material assistance to some groups of new IDPs, assisted in securing new jobs and established schools teaching in Arabic, though hardly sufficient in absorbing increasing numbers of IDPs." **[116a]**

31.15 It was also reported that many IDPs were offered employment by Kurdish officials, with labourers in the construction industry, doctors and dentists in the health sector, academics in the Kurdish universities or civil servants in the KRG ministries. (IWPR, 13 October 2006) **[11x]** (The Economist, 19 August 2006) **[19d]** (Hawlati, 8 November 2006) **[116a],**

31.16 However, the UNAMI report, dated 1 November-31 December 2006, stated that:

"Although the KRG authorities have received IDPs of all ethnicities in all three Governorates, recent entry regulations have restricted the movement of IDPs to reside and seek employment in the region. The lack of a unified approach in all three Governorates has led to inconsistent policies and practices regarding IDPs. The assistance provided by KRG authorities favours Kurdish IDPs, while Arab IDPs have been given the least support because of security fears.

"HRO has offered its support to the authorities in KRG in the formulation of regulations regarding IDPs consistent with human rights standards. However, government officials in Erbil have recently provided conflicting statements to the media and to HRO on the conditions for entry by IDPs, particularly in regard to the issuance of residence permits. There are approximately 119,270 IDP families in the Kurdistan Region, from before 2003 and as a result of the most recent violence in the south and centre of the country. A small number of these some 1,963 families, are of Arab background, and, according to information received by HRO, are liable to receive discriminatory and unfair treatment." **[39f] (p17-18)**

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ARABISATION AND DE-ARABISATION

31.17 The Brookings Institution report, October 2006, stated that:

"In the 1990s, the regime of Saddam Hussein initiated an aggressive anti-Kurdish Arabization campaign that relocated, often forcibly, tens of thousands of Arabs, both Sunni and Shi'a, to Kurdish areas in northern and northeastern Iraq (the figures remain unclear and could be far higher). After the fall of the regime, many of these settlers were reported to have fled back to the Center and South, or were forced out by Kurdish authorities or the Peshmerga. While Kurdish groups exerted pressure and intimidation, and there were some acts of violence, there was nothing like the current Sunni-Shi'a violence." **[88b] (p23)**

31.18 The report added that "Many of the Arab displaced returned back to their original towns and tribes, but some still occupy deserted governmental

buildings or military compounds. Many have built houses on land that is not theirs – the government seems powerless to remove them." **[88b] (p24)**

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LAND AND PROPERTY RIGHTS

31.19 UNHCR, in a document dated August 2004, observed that "The Iraq Property Claims Commission (IPCC) is the organization set up to reinstate peoples' property rights that were taken away by widespread property confiscations by the former Iraqi Government…." **[40b] (p13)**

31.20 The UNHCR COI report, October 2005 added that:

"The IPCC process is open to all persons or their heirs who have been wrongfully deprived of real property (e.g. house, apartment or land) or an interest in real property (e.g. right to use land) because of actions taken by or attributed to former Iraqi Governments between 17 July 1968 and 9 April 2003. Claims can also be made by people who lost real property or an interest in real property between 18 March 2003 and 30 June 2005 as a result of their ethnicity, religion or sect, or for purposes of ethnic cleansing, or by individuals who had been previously dispossessed of their property as a result of the former regime's policy of property confiscation. The deadline to file claims was initially 30 June 2005, but it was subsequently extended to 30 June 2007." **[40c] (p128)**

31.21 The Commission for Resolution of Real Property Disputes (CRRPD), however, replaced the IPCC in March 2006. (IDMC, 23 May 2006) **[50a] (p10)**

31.22 By April 2006, 132,607 claims had been received by the CRRPD. Adjudication of claims started in October 2004 and by April 2006 21,730 claims had been decided. (CRRPD, April 2006) **[79a]**

IDP CAMPS

31.23 Although the majority of IDPs sought shelter with their relatives, extended family, friends or host families, a large number moved into abandoned buildings and camps. (UNAMI, 1 September-31 October 2006) **[39e] (p16)** (UNAMI, 1 November-31 December 2006) **[39f] (p17)**

31.24 Approximately three percent of recently displaced IDPs moved into displacement camps run by the Ministry of Displacement and Migration (MoDM) and the Iraqi Red Crescent Society (IRCS). (UNAMI, 1 September-31 October 2006) **[39e] (p16)** While some camps were transitory, inhabited by IDPs intending to move to other locations, other camps acquired a more permanent character. (UNAMI, 1 September-31 October 2006) **[39e] (p16)** (UNAMI, 1 November-31 December 2006) **[39f] (p17)**

31.25 According to the Brookings Institution, October 2006, "There are very few IDPs who [elect] to stay in camps due to lack of infrastructure (no electricity, water), increased insecurity, and because it is contradictory to Iraqi culture

(which focuses on family and its support for family members, and [where] living in such close quarters with strangers is not accepted).'" **[88b] (p30)**

31.26 The report added that:

In Kut, displaced people occupy the deserted military camps and some parks. The same situation prevails in east Baghdad. In Diwaniya, displaced families have settled in an abandoned amusement park eight kilometers from the city. In Kerbala, displaced people from Tal Afar live in a former hotel, the Kerbala Tourism Hotel, that was used and abandoned by Polish Coalition troops, as well as in a school in Ain al-Tamur, some 80 kilometers from Kerbala city. In Najaf, numerous displaced live in the old cemeteries that ring the town; some also occupy governmental buildings. In Falluja, displaced people live in a number of schools and also in a soccer field. In most of the provinces, the government and the Red Crescent are building camps for the displaced." **[88b] (p31)**

31.27 The IDMC stated, on 23 May 2006, that "The government, UN and NGOs continue to face great difficulties in assisting IDPs, and at times are unable to access them, or only in an ad hoc manner because of security fears and military-imposed restrictions." **[50a] (p1)**

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FOREIGN REFUGEES AND OTHER NATIONALS

32.01 Article 21 (2) of the Constitution stipulates that "A law shall regulate the right of political asylum in Iraq. No political refugee shall be surrendered to a foreign entity or returned forcibly to the country from which he fled." Article 21 (3) states that "Political asylum shall not be granted to a person accused of committing international or terrorist crimes or to any person who inflicted damage on Iraq." **[82a] (p8)**

"The law does not provide for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has not established a system for providing protection to refugees. In practice the government provided some protection against refoulement, the return of persons to a country where they feared persecution. The government did not grant refugee status or asylum. However, the government recognized a refugee population of an estimated 65 thousand persons." (USSD HR Report 2005) **[2b] (p14)**

32.02 The USSD report 2005 states "The Government cooperated with UNHCR and other humanitarian organizations in assisting refugees and asylum seekers." **[2b] (p14)**

32.03 The USCRI report 2006 covered the issues of residency, freedom of movement, employment and access to services for refugees in Iraq, stating that "Refugees in al-Tash camp received refugee cards from the al-Anbar Provincial Government, and refugees in Kurdish regions received residency permits from the KRG. UNHCR issued all refugees refugee/asylum seeker certificates, which authorities honored. Other refugee groups still held documents from the Hussein regime, many of which had expired, and there was no way to renew them." **[44b] (p2)**

32.04 Further, "Syrian, Palestinian, and Iranian Arab refugees reportedly had to renew residency permits every three to six months but authorities required proof of employment. Many refugees, however, had no employment due to discrimination and insecurity." **[44b] (p2)** The report also stated that "Refugees were able to work legally under permission from the President's office, but continuing insecurity made this difficult." **[44b] (p2)**

"For refugees who had trouble obtaining residence permits, it was difficult to gain access to education and medical services on par with nationals. UNHCR assisted refugees with medical services, education, water and sanitation services, and income-generating projects. Refugees in Kurdish regions had full access to primary and secondary education, and some enrolled in universities there. UNHCR also subsidized the rent of Syrian and Palestinian refugees." (USCRI, 2006) **[44b] (p2-3)**

32.05 The report also notes that "There was no legal restriction on refugees' freedom of movement or choice of residence. The general insecurity, as well as harassment, physical attacks, and arbitrary detention restricted the ability of refugees to move freely. The Prime Minister ordered curfews or restricted access to many cities based on the security situation and Fallujah was only accessible to residents with specific identification documents." **[44b] (p2)** Also "In general, refugees did not have access to international travel documents…" **[44b] (p2)**

32.06 The USSD report for 2005 records "During the year [2005] refugees were targeted in attacks carried out by insurgents, security forces, and members of the general public. Protection for Palestinian and Syrian refugees continued to deteriorate. There were credible reports that police and individuals pretending to be police targeted Palestinians for arbitrary arrest, detention, and house raids." **[2b] (p14)**

32.07 There were also reports that groups not affiliated with the government threatened Palestinians, Syrian Baathists, and Ahwazi Iranians whom they felt the previous regime had favoured. (USSD, 2005) **[2b] (p14)** (USCRI, 2006) **[44b] (p1)** The USCRI report 2006 notes that:

"U.S.-led coalition forces or Iraqi security forces detained at least 85 refugees during the year. According to UNHCR, police, security forces, Iraqi security forces, coalition forces, and members of the public repeatedly threatened, detained, and abused refugees, particularly Syrians and Palestinians they suspected of terrorism. … The KRG detained three asylum seekers for illegal entry, but UNHCR had access to the detention facilities and intervened to win their release." **[44b] (p2)**

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PALESTINIANS

32.08 There were reportedly an estimated 34,000 Palestinian refugees living in Iraq. (IRIN, 5 March 2006) **[18q]** (UNAMI, 1 May–30 June 2006) **[39a] (p14)** (UNHCR COI, October 2005) **[40c] (p25)** Most of which lived in Baghdad. **[15k] (p8)** The UNHCR report remarks that "These refugees reside mainly in urban settings in Baghdad and often have a good level of education; however, the difficult economic situation and loss of the privileges they previously enjoyed has seriously affected their ability to provide for themselves." **[40c] (p25)**

32.09 The UNAMI report, dated 1 May–30 June 2006, states that "The situation of Palestinians in Iraq continues to be of serious concern." **[39a] (p14)** The UNHCR COI report, October 2005, noted that Palestinian refugees have not enjoyed the same protection that they were provided with prior to the fall of the Saddam regime. "Because segments of the Iraqi population feel that Palestinians received favourable treatment from the former regime, they have faced serious repercussions such as evictions, threats and harassment." **[40c] (p25)** The USCRI report 2006 concurred, noting that "Employers dismissed many Palestinian refugees following the end of the Hussein regime and many were reluctant to hire refugees, especially Palestinians, as they resented the favor the former regime had shown them." **[44b] (p2)**

32.10 The HRW report, September 2006, notes "The post-Saddam Iraqi governments have done little to protect the Iraqi Palestinians – a community whose members were given the same rights as citizens, minus the actual citizenship and the right to own property – and some elements within government have actively contributed to this community's insecurity." **[15k] (p2)** The USCRI report of 2006 states that "The Minister of Displacement and Migration reportedly said that Palestinians were not welcome in Iraq and

should leave." **[44b]** The USCRI 2006 report added that some Palestinians still held Iraqi or Palestians travel documents. **[44b] (p2)**

"Where previously Palestinian refugees in Iraq had little trouble obtaining and maintaining their residency status, the Ministry of Interior ordered Palestinian refugees to obtain short-term residency permits, treating them as non-resident foreigners instead of as recognized refugees. The residency requirements are onerous, requiring Palestinian refugees to bring all members of their families to Ministry of Interior offices to renew the permits, which can take days or even weeks, and the new permits are only valid for one to two months." (HRW, September 2006) **[15k] (p3)**

32.11 It is widely reported that Palestinians were subjected to various human rights violations, including arbitrary arrest, detention, harassment and house raids, because they were perceived as supporters of the previous regime or the insurgency. (USSD 2005) **[2b] (p20)** (UNAMI, 1 May–30 June 2006) **[39a] (p14)** (HRW, September 2006) **[15k] (p1 and 12-32)** (UNHCR COI, October 2005) **[40c] (p25)** The USCRI report 2006 mentions that "Iraqi troops reportedly detained 27 Palestinian refugees and tortured or extorted money from them before releasing them. One died in custody with signs of torture." **[44b] (p2)**

32.12 Nevertheless, the UNAMI report, April 2006, notes:

"UNHCR continued pursuing solutions for Palestinian refugees in Iraq including holding discussions with the Ministry of Interior (MoI) in Baghdad regarding strengthening the protection afforded to these people. One of the most surprising, and hopefully effective, outcomes of this was a request from the MoI to Grand Ayatollah Al-Sistani to issue a fatwa, a religious decree calling for the protection of the Palestinian refugees. A fatwa was subsequently issued on 28th April strongly condemning attacks on Palestinians and calling for their protection." **[39d] (p3)**

32.13 In a September 2006 report HRW states that "Militant groups, mostly Shi`a, have targeted this predominantly Sunni minority community, attacking their communal buildings, committing several dozen murders, and threatening harm unless they immediately leave Iraq. Amidst the widespread politically motivated and criminal violence in Iraq, Palestinians have been targeted more than other minorities…." **[15k] (p1)** IRIN news also reported, on 5 June 2006, "Along with physical intimidation, leaflets have been scattered in Palestinian neighbourhoods of Baghdad, warning Palestinians to leave the country in ten days or face death. **[18au]**

32.14 An IRIN news article, dated 5 March 2006, reports that "The Palestinian Muslims Association (PMA) in Baghdad says it has received more than 270 reports of attacks on Palestinians since September, including crimes such as rape and murder." **[18q]** The USCRI report 2006 states that "After the February 2006 bombing of a Shi'a shrine in Samarra, unidentified assailants killed 12 Palestinian refugees in Baghdad and kidnapped several others. More than 100 families received death threats." **[44b] (p1)** Whilst following another bombing incident in Baghdad in May 2005 – for which blame was attributed to Palestinian refugees by the media – there was a further increase in hostility toward Palestinian refugees. (USSD, 2005) **[2b] (p14)** (USCRI, 2006) **[44b] (p1)**

32.15 The UNAMI reports on the period 1 September-31 December 2006, recorded the continued threat of death, injury or disappearance at the hands of militias, who often wore police or special forces uniform; **[39e] (p14) [39f] (p25)** "As a result, many families living in Al-Hurriya and a majority of the 2,200 Palestinian families residing in Al Baladiyat have reportedly left their homes, which they had rented or bought after having been forcibly evicted from other neighbourhoods in Baghdad." (UNAMI, 1 September-31 October 2006) **[39e] (p14)** "Many residents have reported receiving threatening letters demanding they evacuate their houses and many of the abandoned houses were later occupied allegedly by members of militias or their affiliates." (UNAMI, 1 November-31 December 2006) **[39f] (p25)**

32.16 In spite of this treatment, "For many Palestinians, leaving Iraq is not an option, as the only documents they have are either Iraqi Travel Documents or Palestinian passports. Neither document is accepted by neighbouring countries." (UNAMI, 1 September-31 October 2006) **[39e] (p14)** The UNAMI reports of April-June 2006 highlighted the almost complete refusal of neighbouring countries Jordan and Syria to accept Palestinian refugees from Iraq: **[39a] (p14) [39d] (p3)**

"Despite the challenges in coordinating the logistics and timing of the delivery of food and relief items, UNHCR continued to deliver assistance to Palestinian refugees located at the Iraqi-Jordanian border. An additional 146 refugees arrived bringing the total at the end of April to 237 persons. On 28th April, the Syrian authorities officially confirmed that Syria is prepared to receive this group." **[39d] (p3)**

32.17 The HRW report of September 2006, also states that "Following a request from the Palestinian Authority's foreign minister, Syria allowed these Palestinians into Syria, but again closed its borders to Palestinian refugees immediately afterwards." **[15k] (p3)** "The approximately 175 Palestinian refugees who are stranded in no-man's land, on the border to Syria, recently reported that, on 18 June, Iraqi Security Forces arrived in several vehicles in front of the camp and told a man standing there that the Palestinians were terrorists and threatened to take him back to Iraq with them." **[39a] (p14)**

32.18 The UNAMI report covering the last two months of 2006 reported on the continuing plight of Palestinians waiting on the borders of Iraq, Jordan and Syria:

"UNHCR reported that 350 Palestinians from Iraq (who recently left Baghdad) remain near the Al Tanf border crossing between Iraq and Syria in a makeshift refugee camp located in the no man's land between both borders. They have been denied entry by the Syrian government and they refused to return to Iraq. As a result, they have been living in increasingly desperate circumstances for the past six months. There are 131 Palestinians still within Iraq near Al Tanf border. Similarly, at the border with Jordan, 7 Palestinians remain between the Jordanian and the Iraqi border." **[39f] (p26)**

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IRANIANS

32.19 Reports state that there were originally 12,000 Iranian Kurds in Al-Tash Camp, located near Ramadi in the Governorate of Al-Anbar, having mostly fled Iran during the Iran-Iraq war of the 1980s. But clashes between multi-national forces and insurgents in the area following the US-led invasion in 2003 caused most to leave. The Iranian Kurds in Al-Tash, and Turkish Kurds in Makhmour Camp in Ninewah, also became increasingly vulnerable, and were subjected to harassment, threats and abuse by groups not affiliated with the government. (USSD, 2005) **[2b] (p14)** (IRIN, 11 April 2006) **[18ap]** (UNHCR, October 2005) **[40c] (p25-26)** IRIN reports that, "According to the UNHCR, only 267 refugees currently remain in al-Tash." **[18ap]**

32.20 The UNHCR report of October 2005 also records that "At this stage, the information available suggests that there are 7,000 Iranian Kurdish refugees in Iraq." **[40c] (p25)** And "It is estimated that there are some 2,500 Iranian refugees of Arab ethnicity (Ahwazis) in Iraq. … They are predominantly of rural background, and live in local settlements in Southern Iraq near the Dujailah area 45 kilometres west of Al-Kut." **[40c] (p26)**

32.21 The USCRI report 2006 noted that:

> "In November [2005], UNHCR signed an agreement with the Kurdistan Regional Government (KRG) in Iraq to allow the construction of semi-permanent housing in Kawa, south of the Kurdish city of Erbil, for 2,000 Iranian Kurdish refugees from the al-Tash camp. In March 2006, UNHCR urged the Iranian Kurdish refugees on the Iraqi side of the Iraq-Jordan border to join the others in Kawa." **[44b] (p1)**

32.22 The UNAMI report of April 2006 recorded the efforts of the KRG authorities and UNHCR to convince refugees to relocate to the settlement in Erbil. **[39d] (p3)** Whilst an IRIN news article reported, on 11 April 2006, that "Hundreds of Kurdish refugees, who lived in the al-Tash camp in central Iraq for more than 20 years, were transferred to Kawa, near the northern city of Arbil, in November 2005. They are currently receiving assistance from the UNHCR and the Kurdish regional government (KRG)." **[18ap]** The UNHCR COI report of October 2005 noted that there were some 878 Iranian Kurdish asylum seekers registered with UNHCR in Erbil, at that time. **[40c] (p27)**

32.23 On the subject of the Iranian Ahwazis, mainly located in southern Iraq, UNHCR records:

> "Prior to the 2003 conflict, the former Iraqi regime provided them with assistance such as land, houses and farms because of their political opposition to Iran. However, this preferential treatment led to local Iraqis perceiving Ahwazis as collaborators with the former regime and now has resulted in much harassment. Because of this treatment some 80 Ahwazi families relocated to a UNHCR transit centre in the outskirts of Basrah. They were later evacuated by the Iraqi authorities and ever since have been scattered throughout the Southern Governorates." **[40c] (p26)**

> "Many attempted to return to Iran, but came back to Iraq due to alleged harassment by the Iranian authorities and difficulties reintegrating following years in exile. UNHCR is aware that the Ahwazis now face problems obtaining

new residency permits, which has been an obstacle to obtaining public services such as education. UNHCR is in the process of conducting an in-depth survey to register them and acquire necessary data. Many Ahwazi refugees face severe problems as regards adequate housing and access to public services such as education and health. The 104 Ahwazi refugees in the Baghdad area face similar problems to those faced by Syrian and Palestinian refugees." (UNHCR, October 2005) **[40c] (p26)**

32.24 The UNAMI reports of April–June 2006, note that the Iranian Ahwazi refugee community were concerned at their vulnerability in the face of serious verbal and physical attacks, **[39a] (p12) [39d] (p3)** reporting to UNAMI HRO that "Five members of the Ahwazi community were reportedly assassinated since the fall of the past regime allegedly because they support separation of the Ahwazi from Iran." **[39a] (p12) [39d] (p3)** "In an effort to enhance their protection, the 143 refugee families previously registered in 2005 will be issued with official UNHCR Refugee ID Cards in June." **[39d] (p3)**

32.25 Returning to the problems faced by Iranian Kurds in Iraq, UNHCR and USCRI reported on their attempts to leave Iraq; whilst some chose to return to Iran, the Government of Jordan refused to grant to entry to over 100 members of this group **[40c] (p25-26) [44b] (p1)** who "… were attempting to join a further 660 Iranian Kurdish refugees who had been living in a no-man's-land camp on the other [Jordanian] side of the border." (USCRI, 2006) **[44b] (p1)**

32.26 The UNAMI report, dated April 2006, states that "UNHCR delivered 12 tents to a group of Iranian Kurdish refugees at the Iraqi-Jordanian border to replace tents damaged in violent sand storms. The refugees recently sent a fax to UNHCR outlining their concerns and demanding that UNHCR facilitate a solution for them; primarily a resettlement to a third country." **[39d] (p3)** USCRI's 2006 report notes that "Many other Iranian Kurdish refugees left Iraq for Europe, traveling irregularly through Turkey." **[44b] (p1)**

"Those refugees who have remained in the Al-Tash Camp have become increasingly vulnerable to deteriorating living conditions and are faced with a chronic lack of electricity, water supplies, medical care and educational activities. In addition, the local population is increasingly growing hostile towards the refugees and insurgent groups may be seeking to recruit dissatisfied and desperate camp inhabitants. UNHCR is aware of the arrest of 18 Iranian Kurds from Al-Tash by the MNF since November 2004. The chronic insecurity in this part of Iraq has also meant that UNHCR, its partners and the government authorities have been limited in their ability to respond to the refugees' needs." (UNHCR, October 2005) **[40c] (p25-26)**

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AFGHANS

32.27 The USCRI report 2005 states that "In October [2004], the Iraqi National Guard arrested 73 Afghans, many of whom were women and children, for illegal entry." **[44a] (p1)**

SYRIANS

32.28 The UNHCR COI report, October 2005, notes that:

> "… after the fall of the former regime, Syrian refugees faced repercussions at the hands of segments of the Iraqi population that perceived them as having received special privileges from the former regime. Similar to the Palestinian refugees, they suffer from frequent harassment and arbitrary arrests by the MNF/ISF as they are suspected of being involved in terrorist activities. They are also facing problems obtaining new residency permits. Currently, 489 Syrian refugees are registered with UNHCR." **[40c] (p25)**

32.29 The same report mentioned that "Some 666 Syrian Kurdish asylum-seekers are hosted in Moquble Camp in Dohuk District and another 11 in the Governorate of Erbil." **[40c] (p27)**

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TURKISH

32.30 The UNHCR COI report, October 2005, noted that the majority of Turkish refugees were supporters or sympathisers of the Kurdistan Workers' Party (PKK). **[40c] (p26)** The same report remarks that:

> "More than 9,600 are hosted in the Makhmour Camp; another 4,500 live in rural or semi-urban settlements in the Governorates of Dohuk and Erbil. While the refugees' basic needs are being met in the Makhmour camp, there are some concerns about the maintenance of the civilian character of asylum of the camp. Targeted assistance programmes aim at addressing poor family planning (which is responsible for high birth rates), child labour, illiteracy (mainly among women) and poor community participation. In addition, reports have been received by UNHCR about the poor health status of the 4,000 refugees in Dohuk Governorate. An agreement between UNHCR, the Government of Turkey and the Iraqi authorities that would allow for the voluntary return of these refugees to Turkey has not yet been finalized." **[40c] (p26-27)**

32.31 The same report mentioned that there were 218 Turkish asylum seekers registered with UNHCR in Dohuk. **[40c] (p27)**

SUDANESE

32.32 The Brookings Institution report, October 2006, highlights Sudanese nationals as another group of foreign nationals becoming increasingly at risk in Iraq:

> "There were large numbers of Sudanese in Iraq, guest-workers, but also students and petty traders who ended up stranded by the war. Many have no way of getting home, and some come from areas that are hard to return to, such as the Nuba Mountains, Southern Blue Nile and especially Darfur. Traditionally, Sudanese have been welcome in Iraq and well-liked, and previous research indicated that they did not seem to be targeted.60 But reports of alleged attacks against Sudanese raise concerns that the violence may be catching up with them, especially in the Mahdi Army-dominated areas

of Baghdad (Sudanese Muslims are Sunni). For instance, one international aid agency reported in early 2006 that 28 Sudanese families 'displaced due to religious and ethnic tension' were living in 'a temporary camp in Anbar.'"
[88b] (p26)

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CITIZENSHIP AND NATIONALITY

33.01 Article 18 (2) of the 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)**

33.02 There are an estimated 350,000 stateless persons in Iraq. (UNHCR COI, October 2005) **[40c] (p24)** The report added that "In Iraq, there are three groups of stateless or de facto stateless persons whose status and specific needs require attention: the Faili Kurds, the Bidouns and children of mixed marriages." **[40c] (p30)** It also stated that "… they are facing multiple problems linked to their status as previously stateless persons (e.g. proof of documentation of being an Iraqi national, access to PDS, right to vote). For those who were deprived of Iraqi nationality for other reasons and for whom the TAL stipulates the possibility of reacquiring Iraqi nationality, no reacquisition procedures have yet been put in place." **[40c] (p30)**

33.03 The report further 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)**

33.04 An article by IRIN news, dated 12 December 2005, reported that "Ever since the enactment of new regulations after the fall of Saddam Hussein, the children of Iraqi women married to foreign nationals are no longer entitled to the same rights and services offered by the government to those of full Iraqi parentage." **[18w]**

33.05 The UNHCR COI report, October 2005, mentioned that:

"Persons that would de jure recover their nationality because of the retroactive cancelling of Decision No. 666 have, at this stage only received Interim Civil Status Identity Cards from the Civil Status Offices after having provided proof of their former Iraqi nationality (e.g. through the presentation of old Iraqi IDs, birth registration certificates or after the authorities' checking of the nationality registries in coordination with the Nationality Directorate within the Ministry of Interior). Furthermore, because the central authorities have not been providing sufficient blank certificates to the different governorates, the issuance of these documents is delayed. Iraqis whose Iraqi nationality was withdrawn for political, religious, racial or sectarian reasons and who have, according to

Article 11(d) TAL the right to reclaim their nationality, are currently not able to do so due to the lack of any procedures in this regard." **[40c] (p138)**

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ENTRY/EXIT PROCEDURES

34.01 The USSD report 2005 added "Exit permits were required for citizens leaving the country, but the requirement was not enforced. Despite legislation to the contrary, some authorities continued to require that women between the ages of 12 and 40 obtain the approval of a close male relative before being issued a passport. Government officials denied that there was a policy to this effect." **[2b] (p14)**

34.02 An IRIN article, dated 1 March 2007, reports that "Jordan and Syria have been the only of Iraq's neighbours to open their doors to the hundreds of thousands of Iraqis on the move. … Other countries which share borders with Iraq - such as Saudi Arabia, Kuwait, Turkey and Iran – have allowed very few Iraqis in." **[18bk]** In order for an Iraqi to enter Jordan, they must hold a new 'G' generation passport and prove that they have sufficient funds to support themselves. (IRIN, 1 March 2007) **[18bk]**

34.03 Although the border between Iraq and Syria is open to Iraqis, (Refugee International, 5 December 2006) **[119a]** several sources mentioned that Jordan has closed its border to Iraqi men between a certain age. While some sources say that the age is between 17 to 35 (Inter Press Service, 29 January 2007) **[118a]** (HRW, 16 January 2007) **[15n]** others says 20 to 40. (IRIN, 1 March 2007) **[18bk]**

34.04 The IRIN article mentions that "There are no official figures on the number of Iraqis who have been denied entry to Jordan, but a Jordanian interior ministry official who spoke on condition of anonymity said more than half of those who attempted to enter had been denied." **[18bk]**

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EMPLOYMENT RIGHTS

35.01 The Iraqi constitution provides for the right to form and join unions freely. **[82a]** However, the International Confederation of Free Trade Unions (ICFTU) stated, on 24 February 2005 that Iraq is an increasingly dangerous place for trade unionists. **[47a]** The report added that "... the torture and murder of labour leaders in Iraq has become a troubling trend …. " **[47a]**

35.02 The Brookings Institution report, October 2006, noted that "Estimates of Iraq's unemployment rate varies, but we estimate it to be between 25-40%. The CPA has referred to a 25% unemployment rate, the Iraqi Ministry of Planning mentioned a 30% unemployment rate, whereas the Iraqi Ministry of Social Affairs claims it to be 48%." **[88a] (p32)**

35.03 The UNHCR COI report, October 2005, stated:

"Unemployment varies by region. It is highest in the Baghdad region and lower in the Northern and Central regions, while the South is close to the national average. The Governorate of Muthanna has the highest unemployment rate and the Governorate of Erbil has the lowest. … Other sources, including the Iraqi authorities, put the actual unemployment rate higher. There are concerns that unemployed young men in particular are being recruited by insurgents who are known to pay for attacks against the MNF/ISF and kidnappings." **[40c] (p109)**

35.04 The report added that:

"The lagging economy, the dismissal of the former Iraqi security forces and the removal of senior members of the former Ba'ath Party from all branches of government are all major factors contributing to Iraq's high unemployment rate. Today, only 11 percent of those who were in the army under the previous regime are employed. The prevailing insecurity is hampering women's access to employment as their freedom of movement is severely restricted." **[40c] (p109)**

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Annex A: Chronology of major events

1958 **14 July**: The monarchy is overthrown. The new Government consists of military and civilian members under Brigadier Abd Al-Karim Qassem.

1963 **February**: Qassem is ousted in a coup organised by nationalist and Ba'athist officers, who then seizes power under Abd Al-Salam Aref.

1968 **17 July**: A group of Ba'athist officers led by Ahmad Hasan Al-Bakr organise another coup.

30 July: Ahmad Hasan Al-Bakr made President, and Saddam Hussein is appointed Deputy President.

1979 **16 July**: Ahmad Hasan Al-Bakr resigns as President in favour of Saddam Hussein. At this time, real power moves away from the Ba'ath Party and almost exclusively to Saddam Hussein.

1980 **September**: Saddam Hussein orders Iraqi forces into western Iran, which starts the Iran/Iraq war (also at the time, called the 'Gulf War'). Around this time, Saddam also expels many Iraqis of possible Iranian extraction, mainly Shi'a, from Iraq. They are taken to the Iranian border and left. Many remain there, although some travel to other countries and claim asylum.

1987 **June**: The UN pass Resolution No.598, which calls for a cease-fire of the Iran/Iraq war.

1988 **16 March**: Saddam launches the Anfal Campaign. This involves chemical bombing against the Kurds residing in the north of Iraq. Many thousands of Kurds are killed or disappear during this campaign. Halabja is the most publicised town; as many as 5,000 people were poisoned there by chemical gases. This campaign is initially set up to resettle Kurds to where they are more easily controlled.

20 August: A ceasefire comes into effect to be monitored by the UN Iran-Iraq Military Observer Group (UNIIMOG).

1990 **2 August:** Iraq invades Kuwait and is condemned by UN Security Council (UNSC) Resolution 660 which calls for full withdrawal. **[4i]**

6 August: UNSC Resolution 661 imposes economic sanctions on Iraq. **[4i]**

29 November: UNSC Resolution 678 authorises the states co-operating with Kuwait to use 'all necessary means' to uphold UNSC Resolution 660. **[4i]**

3 March: Iraq accepts the terms of a cease-fire. **[4a] [4i]**

October: The Iraqi Government withdraws its armed forces from the north, together with police units and pro-Ba'ath employees from the governorates of Erbil, Sulyamaniya and the Dahuk areas which it had occupied.

1994 **29 May:** Saddam Hussein becomes Prime Minister. **[4i]**

October: An attempted coup is uncovered resulting in the execution of senior army officers.

1995 **15 October:** Saddam Hussein wins a referendum allowing him to remain President for another seven years. **[4i]**

1996 **23 October:** A cease-fire between the KDP and PUK ends the fighting for the rest of 1996.

1998 **27 July:** The International Atomic Energy Agency (IAEA) reports that there is evidence that Iraq was concealing nuclear weapons.

16-20 December: 'Operation Desert Fox' - The US and UK launch air strikes on Iraq to destroy Iraq's nuclear, chemical and biological weapons programmes. **[1a] (p488 - 489) [1b] (p2185)**

1999 **January and February:** Iraq's repeated violation of the northern and southern no-fly zones and threats against UK and US aircraft causes the latter to respond in self-defence. **[1a] (p489)**

December: The UNSC adopts Resolution 1284 (1999) which creates a new weapons inspection body for Iraq, the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) to replace UNSCOM. The new body is established to operate a reinforced system on ongoing monitoring and verification to eliminate Iraq's nuclear, chemical and biological weapons arsenal. **[1a] (p490)** Iraq rejects the resolution.

2001 **February:** Britain and US carry out bombing raids in an attempt to disable Iraq's air defence network. **[4i]**

May: Saddam Hussein's son Qusay elected to the leadership of the ruling Ba'ath party. **[4i]**

2002 **October:** The British government publishes its dossier on Iraq's weapons of mass destruction.

16 October: Saddam Hussein wins 100 per cent vote in a referendum ensuring him another seven years as President.

27 November: UN weapons inspectors resume inspections within Iraq after a four-year absence. They are backed by a UN resolution which threatens serious consequences if Iraq is in "material breach" of its terms. **[4i] [1b] (p2188)**

2003 **March:** Chief weapons inspector Hans Blix reports that Iraq has accelerated its co-operation with the UN but says inspectors need more time to verify Iraq's compliance. **[4i]**

20 March: American missiles hit targets in Baghdad, marking the start of a US-led campaign to topple Saddam Hussein. In the following days US and British ground troops enter Iraq from the south. **[4i]**

9 April: US forces advance into central Baghdad. Saddam Hussein's grip on the city is broken. In the following days Kurdish fighters and US forces take

control of the northern cities of Kirkuk and Mosul. There is widespread looting in the capital and other cities. **[4i] [1b] (p2189)**

April: US lists 55 most-wanted members of former regime in the form of a deck of cards. Former deputy prime minister Tariq Aziz is taken into custody. **[4i]**

1 May: President Bush officially declares an end to 'major combat operations'. **[1b] (p2189)**

May: UNSC approves resolution backing US-led administration in Iraq and lifting of economic sanctions. US administrator abolishes Ba'ath Party and institutions of former regime. **[4i]**

July: Interim Governing Council (IGC) meets for first time. Commander of US forces says his troops face low-intensity guerrilla-style war. Saddam's sons Uday and Qusay are killed in gun battle in Mosul. **[4i]**

October: UNSC approves amended US resolution on Iraq giving new legitimacy to US-led administration but stressing early transfer of power to Iraqis. **[4i]**

15 November: IGC unveils accelerated timetable for transferring country to Iraqi control. **[1b] (p2189)**

13 December: Saddam Hussein is captured. **[1b] (p2190)**

2004 **1 February:** More than 100 people are killed in Erbil in a double suicide attack on the offices of PUK and KDP. **[21c] [4i] [6s] (p14)**

March: IGC agrees an interim constitution after marathon negotiations and sharp differences over role of Islam and Kurdish autonomy demands. **[1b] (p2190)**

April: US forces surround and blockade Fallujah. 100 Iraqis are reportedly killed in five days of fighting. Two members of the interim cabinet resign in protest. **[1b] (p2190)**

29 April: Photos released of US human rights abuses in Abu Ghraib. Many of the pictures were taken in Autumn 2003 but not released until April. **[18m] (p1) [6s] (p7)**

28 May: The 25 members of Iraq's IGC choose Ayad Allawi, a former Ba'athist turned CIA supporter, to serve as the country's interim prime minister after the June 30 handover. **[6s] (p5)**

28 June: Iraq's US-led administration transfers sovereignty to the IGC in a surprise move two days ahead of the scheduled handover. Paul Bremmer, the US governor, signs over control of the country and responsibility for dealing with its escalating security troubles to the interim Prime Minister, Ayad Allawi, in Baghdad. **[6s] (p3)**

1 July: Saddam Hussein is shown in court. **[6s] (p3)**

1 August: A series of co-ordinated explosions on churches across Baghdad and Mosul. Twelve people are killed and 40 others wounded. **[3a] (p46177)**

August: Ferocious fighting erupts in Najaf breaking a cease-fire agreement. **[6s] (p1)** Clashes also break out in Baghdad's Sadr City slum, and in the southern towns of Kut and Amara, while demonstrators in Nassiriya torch prime minister Ayad Allawi's political party office. **[67a] (p1)**

27 August: The 22-day stand-off in Najaf ends with a deal brokered by Ayatollah Sistani, Iraq's most influential Shi'a leader. Iraqi Shi'a militants are instructed to lay down their arms and leave the Imam Ali shrine – Shi'a Islam's holiest. **[4c]**

8 November: The US and Iraqi forces began their offensive against the Sunni rebel city of Fallujah. **[20a]**

30 January: The multi-party national elections are held in Iraq. **[6v]** The Shi'a United Iraqi Alliance (UIA) wins with 48 per cent of the votes cast and 140 seats in the 275-seat National Assembly. **[4n] [17c]** The Kurdistan Alliance List, led by Jalal Talabani, obtains 26 per cent of the vote and 75 seats in the National Assembly, while the Al-Qaimah al-Iraqiyah (Iraqi List), led by the interim Prime Minister Ayad Allawi, gains third place with 14 per cent and 40 seats. **[4r] [6t]**

2005 **April:** Parliament selects Kurdish leader Jalal Talabani as president; Ibrahim Jaafari, a Shi'a, is named as prime minister. The formation of a new government comes amid escalating violence. **[4i]** A new Council of Ministers is approved by the TNA on 28 April 2005. **[1c] (The Government) [6j] (p6) [38b] (p2)**

May: The Iraqi government announces a huge counter-insurgency operation in Baghdad, with 40,000 troops being deployed on the streets over the next week to stop the attacks that have killed more than 650 people in the past month. **[6j] (p3)**

June: Massoud Barzani is sworn in as regional president of Iraqi Kurdistan. **[4i]**

August: Draft constitution is endorsed by Shi'a and Kurdish negotiators, but not by Sunni representatives. **[4i]**

14 September: Al-Zarqawi, leader of Tandhim Qa'idat al-Jihad fi Bilad al-Rafidayn (al-Qa'ida of Jihad Organization in the Land of Two Rivers), declares all-out war on the majority Shi'ite community. **[18i] (p3)**

15 October: Voters approve a new constitution in a national referendum. **[4i] [18i] (p4)**

19 October: Saddam Hussein goes on trial on charges of crimes against humanity; his supporters in the Sunni community demonstrate in the streets, demanding that US-led forces be put in the dock instead. **[4i] [18i] (p4)**

15 December: Iraqis vote for the first, full-term government and parliament since the US-led invasion; they had a choice of 228 registered coalitions and political entities, including the full participation of the Sunni parties. **[4i] [18i] (p4)**

The Independent Electoral Commission of Iraq (IECI) announces a 70 percent turnout for the elections, but says 200 reported cases of fraud could delay final results. Violations in 18 polling stations countrywide are reported by IECI officials who launch an investigation. **[18i] (p5)**

20 December: Sunni Arab parties claim the results of the parliamentary contests are inaccurate after initial results show nearly 59 per cent of the vote going to the Shi'ite United Iraqi Alliance. Sunnis represent about 20 per cent of the Iraqi population, while Shi'ites are generally recognised as comprising about 60 per cent. **[18i] (p5)**

2006 **20 January:** Preliminary results show that the Shia-led United Iraqi Alliance emerge as the winner of December's parliamentary elections, but fail to gain an absolute majority. **[4i]**

22 February: A bomb attack on the al-Askari holy Shia shrine in Samarra, unleashes a wave of sectarian violence. **[4i]**

15 March: Saddam Hussein testifies for the first time in his lengthy trial. He is charged with ordering the killing of 148 villagers in Dujail in 1982. **[94a]**

4 April: Iraqi court charges Saddam Hussein and six other defendants with genocide in attempting to eradicate Iraq's Kurdish population in 1988. More than 50,000 people were killed in the military campaign that destroyed about 2,000 villages. **[94a]**

22 April: Nouri Kamel al-Maliki (also known as Jawad al-Maliki) is approved as prime minister ending four months of political deadlock. **[18a]**

15 May: Saddam Hussein is charged with crimes against humanity. Ruling is part of his trial that focuses on the execution about nearly 150 Shiites in Dujail in 1982. **[94a]**

8 June: Parliament elects the final three key security posts to complete the government of national unity. **[38g] (p2)**

14 June 2006: Government launches a security plan for Baghdad. **[38g] (p2)**

25 June: Al-Maliki unveils the National Reconciliation Plan. **[38g] (p2)**

7 September: The US military formally transfer command of the Iraqi armed forces to the Iraqi government. **[22s]**

2006 **November:** Saddam Hussein is found guilty of crimes against humanity and sentenced to death. **[4i]**

Iraq and Syria restore diplomatic relations after nearly a quarter century. **[4i]**

2006 **30 December:** Saddam Hussein is executed by hanging. **[4i]**

2007 **January:** Barzan Ibrahim - Saddam Hussein's half-brother - and Awad Hamed al-Bandar, former head of the Revolutionary Court, are executed by hanging. **[4i]**

Annex B: Political organisations

Assyrian Socialist Party
Refounded 2002. The Assyrian Socialist Party calls for the establishment of an Assyrian nation. **[1c] (Political Organisations)**

Bet-Nahrain Democratic Party (BNDP) www.bndp.net
Founded 1976 **[1c] (Political Organisations)** The BNDP sought the establishment of an autonomous state for Assyrians in Bet-Nahrain (Iraq). Its Secretary-General was Youash Jon Youash. **[1c] (Political Organisations)**

Constitutional Monarchy Movement (CMM)/Royal Constitutionality of al-Sharif Ali bin al-Hussain www.iraqcmm.org
Founded 1993. **[1c] (Political Organisations)** The CMM supported the claim to the Iraqi throne of Sharif Ali bin al-Hussain, cousin to the late King Faisal II, as constitutional monarch with an elected government. **[1c] (Political Organisations)**

Democratic Assyrian Movement (Zowaa) www.zowaa.org
Founded 1979. **[1c] (Political Organisations)** The Democratic Assyrian Movement recognised the Assyrian rights within framework of democratic national government. Its Secretary-General was Younadam Yousuf Kana. **[1c] (Political Organisations)**

Free Officers and Civilians Movement
Formed 1996. **[1c] (Political Organisations)** It was formerly known as the Free Officers' Movement. Its founder and Leader was Brigadier-General Nagib as-Salihi. **[1c] (Political Organisations)**

Hizb ad-Da'wa al-Islamiya (Voice of Islam Party) www.daawaparty.com
Founded 1958; banned 1980; re-established in Baghdad 2003. **[1c] (Political Organisations)** It was based in Iran and London during the Saddam Hussein's regime. **[1c] (Political Organisations) [4q] (p3-4) [11p]** One of its leaders, Dr Ibrahim al-Ja'fari, was appointed as Iraq's interim Prime Minister on 7 April 2005. **[1c] (Political Organisations) [6o]** Other leaders included, 'Abd al-Karim al-'Anzi, Muhammad Bakr an-Nasri, Dr Haydar Abbas (London), Abu Bilal al-Adib (Tehran). **[1c] (Political Organisations)**

Independent Democratic Movement (IDM) (Democratic Centrist Tendency)
Founded 2003. **[1c] (Political Organisations)** It sought a secular and democratic government of Iraq. Its founder Adnan Pachachi returned from exile in the United Arab Emirates in 2003. **[1c] (Political Organisations)**

Independent National Elites and Cadres
The Independent National Elites and Cadres were apparently linked to Shi'ite cleric Muqtada as-Sadr. Its leader was Fatah esh-Sheik. **[1c] (Political Organisations)**

Iraqi Communist Party www.iraqcp.org
Founded 1934. **[1c] (Political Organisations)** It became legally recognised in July 1973 on formation of National Progressive Front. It left National Progressive Front in March 1979 and contested elections of January 2005 on People's Union list. Its first Secretary was Hamid Majid Moussa. **[1c] (Political Organisations)**

Iraqi Islamic Party (IIP) (al-Hizb al-Islami al-'Iraqi)
Founded 1960. **[1c] (Political Organisations)** The Sunni party, had affiliations with the wider Muslim Brotherhood in the Middle East. **[4q] (p6-7)** The IIP boycotted elections of

January 2005. **[1c] (Political Organisations)** Although the Iraqi Islamic Party branded the elections illegitimate and refused to participate in the transitional administration, the party had been in negotiations with the veteran Sunni politician Adnan Pachachi, who wanted Sunni groups to take part in shaping the new constitution. **[4q] (p6-7)** Its Secretary-General was Tareq al-Hashimi. **[1c] (Political Organisations)**

Iraqi List (Al-Qaimah al-Iraqiyah)
Formed prior to the January 2005 elections. **[1c] (Political Organisations)** The IWPR report (accessed on 27 January 2005) observed that "The Iraqi List, or Al-Qaimah al-Iraqiyah, is a bloc led by [former] Prime Minister Ayad Allawi, and put together by his National Accord Party." **[11p]** The Iraqi List consists of a number of political organisations, including the INA. **[1c] (Political Organisations)** The Iraqi List included a mixture of Sunnis and Shi'as, although most of its leading figures were Shi'as. **[6p]**

Iraqi National Accord (INA) www.wifaq.com
Founded 1990. **[1c] (Political Organisations)** The former interim Prime Minister, General Dr Ayad Allawi, was the founder and Secretary-General. **[1c] (Political Organisations)** Most of the members of the INA are Sunni Muslims. **[33b] (p11-12)**

Iraqi National Alliance (INA) (at-Tahaluf al-Watani al-Iraqi)
Founded 1992. **[1c] (Political Organisations)** The Iraqi National Alliance was formerly based in Syria. **[1c] (Political Organisations)** It was opposed to sanctions and US-led invasion of Iraq and supported a constitutional multi-party government. Its leader was Abd al-Jabbar al-Qubaysi. **[1c] (Political Organisations)**

Iraqi National Congress (INC) www.inc.org.uk
Founded 1992 in London. **[1c] (Political Organisations)** The INC was a multi-party coalition. In November 1999 some 300 delegates elected a 65-member central council and a new, seven-member collegiate leadership. Its leaders included, the former interim Prime Minister, Dr Ayad Allawi (INA), Riyad al-Yawar (Ind.), Sharif Ali bin al-Hussain (Constitutional Monarchy Movement), Ahmad Chalabi (Ind.), Sheikh Muhammad Ali (Ind.), Dr Latif Rashid (PUK), Hoshyar az-Zibari (KDP). **[1c] (Political Organisations)**

Iraqis (Al-Iraqiyun)
The IWPR report observed that "Al-Iraqiyun (The Iraqis) is a bloc formed by [former] President [Sheikh] Ghazi al-Yawar and drawing support from tribes and some of the smaller political parties. Like many other blocs, Al-Iraqiyun has made a conscious attempt to draw support from across ethnic and religious divides." **[11p]** It was a moderate bloc that included both Sunnis and Shi'ites. **[1c] (Political Organisations)**

Iraqi Turkmen Front http://www.turkmenfront.org/
Founded 1995. **[1c] (Political Organisations)** The Iraqi Turkmen Front is a coalition of 26 coalition of Turkmen groups. It seeks autonomy for Turkmen areas in Iraq and recognition of Turkmen as one of main ethnic groups in Iraq, and supports establishment of multi-party democratic system in Iraq; contests status of Kirkuk with Kurds. Its leader was Sadettin Ergeç and the Secretary-General was Yunus Bayraktar. **[1c] (Political Organisations)**

Islamic Action Organization (Munazzamat al-Amal al-Islami)
Founded 1961. **[1c] (Political Organisations)** The Islamic Action Organisation was a member of SCIRI and aligned with Hizb ad-Da'wa al-Islamiya. Its leaders were Sheikh Muhammad Taqi al-Mudarrisi, Hassan Shirazi, Muhammad Hussain Shirazi. **[1c] (Political Organisations)**

Islamic Group of Kurdistan (Komaleh Islami)
Founded in 2001 as splinter group of the Islamic Movement of Iraqi Kurdistan (IMIK), described by Europa as moderate Islamist aligned with the PUK. **[1a] (p531)** Its founder and leader was Mullah Ali Bapir. **[1c] (Political Organisations)**

Islamic Movement in Iraq
The Islamic Movement in Iraq was a Shi'ite party and also a member of SCIRI. Its leader was Sheikh Muhammad Mahdi al-Kalisi. **[1c] (Political Organisations)**

Islamic Movement of Iraqi Kurdistan (IMIK)
Founded 1987. **[1c] (Political Organisations)** Its founder and leader was Sheikh Uthman Abd al-Aziz. **[1c] (Political Organisations)**

Jamaat as-Sadr ath-Thani (Sadr II Movement)
Founded 2003. **[1c] (Political Organisations)** It was a Shi'ite group that opposed the presence of US-led coalition in Iraq. Its leader was Hojatoleslam Muqtada as-Sadr. **[1c] (Political Organisations)** Muqtada al-Sadr's had an armed group called the Mahdi Army (Jaysh al-Mahdi). **[15g] (p11)**

Jund al-Imam (Soldiers of the [Twelfth] Imam)
Founded 1969. **[1c] (Political Organisations)** Jund al-Imam was a Shi'ite group and a member of SCIRI. Its leader was Sa'd Jawad Qandil. **[1c] (Political Organisations)**

Kurdistan Alliance List
Founded 2004. **[1c] (Political Organisations)** The Kurdistan Alliance List was a coalition of 11 parties, including the PUK, the KDP, the Kurdistan Communist Party, Kurdistan Islamic Union and Kurdistan Toilers Party. **[1c] (Political Organisations)**

Kurdistan Communist Party www.kurdistancp.org
Founded 1993. **[1c] (Political Organisations)** The Kurdish Communist Party was a branch of the Iraqi Communist Party. Its leader was Kamal Shakir. **[1c] (Political Organisations)**

Kurdistan Democratic List
The Kurdistan Democratic List was a coalition list of seven parties formed to contest the elections to the Iraqi Kurdistan National Assembly in January 2005. It included the KDP, the BNDP and the Assyrian Patriotic Party. **[1c] (Political Organisations)**

Kurdistan Democratic Party (KDP) www.kdp.pp.se
Founded 1946. **[1c] (Political Organisations)** Europa World Online (accessed on 31 August 2005) noted that the KDP "seeks to protect Kurdish rights and promote Kurdish culture and interests through regional political and legislative autonomy, as part of a federative republic." **[1c] (Political Organisations)** Ali Abdullah was the vice President of the KDP. **[1c] (Political Organisations)**

Kurdistan Islamic Union www.kurdiu.org
Founded 1991. **[1c] (Political Organisations)** The Kurdistan Islamic Union seeks establishment of an Islamic state in Iraq which recognises the rights of Kurds. It was also a branch of the Muslim Brotherhood. Its Secretary-General was Salaheddin Bahaeddin. **[1c] (Political Organisations)**

Kurdistan Socialist Democratic Party (KSDP)

Founded 1994. The KSDP was a splinter group of the KDP, aligned with the PU. It joined Kurdistan Alliance List for December 2005 legislative elections. Its leader was Muhammad Haji Mahmud. **[1c] (Political Organisations)**

Kurdistan Toilers Party (Hizbi Zahmatkeshani Kurdistan) www.ktp.nu
Founded 1985 **[1c] (Political Organisations)** The Kurdistan Toilers Party advocated a federal Iraq and was closely associated with the Kurdistan Socialist Democratic Party (KSDP). **[1c] (Political Organisations)** Its leader was Qadir Aziz. **[1c] (Political Organisations)**

National Democratic Party (al-Hizb al-Watani ad-Dimuqrati)
Founded 1946. **[1c] (Political Organisations)** Its leaders were Nasir Kamal al-Chaderchi, Hudayb al-Hajj Mahmoud. **[1c] (Political Organisations)**

National Foundation Congress
Founded 2004. **[1c] (Political Organisations)** The National Foundation Congress was a multi-party coalition that included Nasserites, pre-Saddam Hussein era Ba'athists, Kurds, Christians, Sunnis and Shi'ites. It sought secular government of national unity and peacefully opposed the presence of the US-led coalition in Iraq. It is led by 25-member secretariat. **[1c] (Political Organisations)**

National Rafidain List (Al-Rafidayn)
Founded 2004. **[1c] (Political Organisations)** The National Rafidain List was an Assyrian-Christian list headed by the Assyrian Democratic Movement. Its leader was Younadam Kana. **[1c] (Political Organisations)**

Patriotic Union of Kurdistan (PUK) www.puk.org
Founded 1975. **[1c] (Political Organisations)** Europa World Online (accessed on 31 August 2005) explained that the PUK "seeks to protect and promote Kurdish rights and interests through self-determination." **[1c] (Political Organisations)** The BBC also noted, on 6 April 2005 that:

> "The party has traditionally drawn its support from among the urban population and radical elements in Kurdish society. The PUK stronghold is Sulaymaniya and the south-eastern part of Iraqi Kurdistan – with the rival Kurdistan Democratic Party, KDP, to the north and west. It commanded a militia force of more than 20,000 peshmerga fighters – making it a key military asset for its US allies."

Socialist Nasserite Party
Founded 2003. **[1c] (Political Organisations)** Europa World Online (accessed on 31 August 2005) mentioned that it was a merger of Iraqi Socialist Party, Vanguard Socialist Nasserite Party, Unity Socialist Party and one other party. Its leader was Mubdir al-Wayyis. **[1c] (Political Organisations)**

Supreme Council for the Islamic Revolution in Iraq (SCIRI) www.sciri.org
Founded 1982. **[1c] (Political Organisations)** SCIRI is a party that largely believes in clerical rule and seeks government based on the principle of wilayat-e-faqih (guardianship of the jurisprudent). It was based in Iran for much of the Saddam Hussein era. Its leader, Abdul Aziz al-Hakim, heads the United Iraqi Alliance. **[1c] (political Organisations) [4q] (p3)** The military arm of SCIRI, the Badr Organisation, formerly known as the Badr Brigade, is mainly active in Shi'a-dominated southern Iraq. **[11d]**

Turkmen People's Party (Turkmen Halk Partisi)

Its leader was Irfan Kirkukli. **[1c] (Political Organisations)**

United Iraqi Alliance (UIA)
The UIA was a list of 22 mainly Shi`ite parties, that included Hizb ad-Da`wa al-Islamiya, SCIRI, the Islamic Action Organization and the INC. **[1c] (Political Organisations)** The UIA was apparently backed by Iraq's most senior Shi`ite cleric, Ayatollah Ali as-Sistani. Abd al-Aziz Hakim was the leader of the UIA. **[1c] (Political Organisations)** The BBC report, dated 31 January 2005, observed that "The list is dominated by Shia Muslims, but also includes Christians, Turkomans, Sunnis and Kurds." **[4q] (p3)**

United Iraqi Scholars' Group
Founded 2004. **[1c] (Political Organisations)** It was a pan-Iraqi coalition of 35 parties who were opposed to the presence of US-led coalition in Iraq. Its leader was Sheikh Jawad al-Khalisi. **[1c] (Political Organisations)**

Worker Communist Party of Iraq (WCPI)
Founded in 1993 by Mansoor Hekmat and held its first congress in July 2004.) **[56a] (p316) [77a]** Political Parties of the World 2005 noted that "The WCPI is based in Kurdistan, and although the party considers Kurdish autonomy as regression into non-progressive nationalism it demands a referendum on the issue of Kurdish autonomy so that 'the people of Kurdistan control their own destiny'. … In 2003 it launched ferocious verbal assaults on and arranged large demonstrations against the US 'annihilation war' against Iraq." **[56a] (p316)**

The WCPI was an illegal communist party in both the PUK and KDP controlled areas. It was opposed the Saddam regime as well as the PUK and KDP administrations. **[77a]**

Dr Rebwar Fatah Associates claim in a report, dated 28 November 2005, that members of the WCPI were at risk from persecution in the PUK and KDP controlled areas and as most member of the WCPI were Kurds there was a strong possibility that they were not generally safe in the rest of Iraq. **[77a]**

The WCPI were very critical of 'honour killings' as well as the Quran. They also publicly condemned Islamic beliefs replacing them with autistic and western ideas, including freedom of gender equality. This angered many Islamists. **[77a]**

The WCPI publish a news letter called Iraq Weekly. **[77a]** Its leader was Rebwar Ahmad. **[56a] (p316) [77a]**

ILLEGAL POLITICAL ORGANISATIONS

Ba'ath Arab Socialist Party (Hizb a-Baath al-Arabi al-Ishtiraki)
The UNHCR guidance note, October 2005, stated that "The Iraqi Ba'ath Party was founded in 1951 and had 500 members three years later. The party came to power on 8 February 1963 in a coup backed by the Army, overthrowing Brigadier Abdel Karim Qasim – who himself had overthrown the British-installed Iraqi monarchy in 1958." **[40a] (p38)** The party was banned in 2003 following the US invasion of Iraq. **[56a] (p312)** Political Parties of the World 2005 stated that "Thereafter Ba'ath party members were excluded from participation in political life and national administration by the occupying powers, a position that proved increasingly untenable in the face of the rise of Islamist and other groups previously kept under control by the Ba'ath regime." **[56a] (p312)**

The UNHCR guidance note, October 2005, noted that:

> "At the lowest level, (Ba'ath Party) study circles (halaqa) and cells (kheliya) held weekly meetings with a dozen or so activists from the same neighbourhood or sector. They talked about current events, or the party version of them, in line with the inclinations of the regime. Basic instructions were issued; any irregularities observed during the week were discussed with the cell leaders and written up in obligatory reports. The party's divisions (firqa), which included all the cells within a district office or factory, occupied the next highest level, and then the sections (shu'ba) and branches (fara') which made up urban areas or Governorates (Iraq has 18 Governorates, three of which have Kurdish majorities and are currently autonomous).
>
> "Unlike the cells, the sections and branches enjoyed considerable privileges. They were legally authorized to incarcerate suspects using extra-judicial procedures; they took over many of the traditional functions of police, especially outside Baghdad; and they ran specialized bureaus for cultural, agricultural and other matters. In each Governorate, the organizational command (qiyadat al tanzim) was the supreme authority, alongside the traditional civil service. The Ba'ath Party duplicated, infiltrated, subverted and competed with the state apparatus.
>
> "On top of this structure sat the regional command (quiyadat al qutr) which in theory was made up of directors democratically elected at party conventions; in reality such voting only served to confirm Saddam's nominees. The regional command's bureaus served as quasi-ministries responsible for military and cultural affairs. They also oversaw a parallel diplomatic corps, together with vast social groups, including farmers, workers and young people. Party membership was a prerequisite for military personnel, and the army was divided into cells that reported to the Ba'ath Party military bureau and monitored any dissent within the ranks. The Party's security services guaranteed loyalty and orthodoxy within the party." **[40a]**

The FCO on 20 September 2004 categorised the ranks of the Ba'ath party as below, from junior to senior:

> "Sadiq (friend)
> Mu'ayyid (supporter)
> Nasir (partisan)
> Nasir Mutaqaddam (Senior Partisan)
> Rafiq (Comrade)
> Udw Firqa (Division Leader)
> Udw Shu'ba (Section Leader)
> Udw Fara' (Branch Leader)" **[66b]**

The UNHCR guidance note, October 2005, stated that:

> "The basic organizational unit of the Ba'ath was the party cell or circle (halaqah). Composed of between three and seven members, cells functioned at the neighbourhood or village level, where members met to discuss and to carry out party directives. A minimum of two and a maximum of seven cells formed a party division (firqah). Divisions operated in urban quarters, larger villages, offices, factories, schools and other organizations. Division units were spread throughout the bureaucracy and the military, where they functioned as the eyes and ears of the party. Two to five divisions formed a section (shabah), which operated at the level of a large city quarter, a town or a rural

district. Above the section was the branch (fira), which was composed of at least two sections and which operated at the provincial level. There were twenty-one Ba'ath Party branches in Iraq, one in each of the 18 Governorates and three in Baghdad. The union of all the branches formed the party's congress, which elected the Regional Command.

"The Regional Command was both the core of the party leadership and the top decision-making body. It had nine members who were elected for five-year terms at regional congresses of the party. Its Secretary General (also called the regional secretary) was the party's leader, and its Deputy Secretary General was second in rank and power within the party hierarchy. The members of the command were theoretically responsible to the Regional Congress that, as a rule, was to convene annually to debate and approve the party's policies and programmes. In actuality, the members to be 'elected' by the Regional Congress were chosen by Saddam Hussein and the other senior party leaders, a formality seen as essential to the legitimation of party leadership.

"Above the Regional Command was the National Command of the Ba'ath Party, the highest policy-making and coordinating council for the Ba'ath movement throughout the Arab world. The National Command consisted of representatives from all regional commands and was responsible to the National Congress, which convened periodically. It was vested with broad powers to guide, coordinate, and supervise the general direction of the movement, especially with respect to relationships between the regional Ba'ath parties and the outside world. These powers were to be exercised through a National Secretariat that would direct policy-formulating bureaus.

"The Ba'ath Party retained much of the secret compartmentalized structure and the clandestine methods by which it, like many revolutionary parties, ensured its survival. Direction of the Party came from the Regional Command, which represented sixteen provincial units. The members of the Regional command were elected from a network of sections and cells not unlike the local communist party committees in many countries. They functioned everywhere – in the workplace, in neighbourhoods, and in all ranks of the military forces – to reinforce the party's doctrines of traditional Arab unity, nationalism, socialism and spiritual revival. Membership in the party, which numbered approximately half a million in 2002, was required of all regular officers and diplomats.

"Since its emergence from the underground and following a decade of experience in power, the Ba'ath leadership had been able to train a second elite group to operate at all levels of the bureaucracy and the military forces. These were the commissars, and they were often from peasant or lower-class village backgrounds; few of them had been abroad for university degrees and much of their training had been from the military academy." **[40a] (p38-40)**

The party remained banned. **[56a] (p312)**

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Annex C: Prominent people

MEMBERS OF IRAQ'S GOVERNMENT

Jalal Talabani (Kurd) – Kurdistan Alliance/KDP President **[4a] [66a]**
The BBC stated, on 6 April 2005, that "Jalal Talabani, widely referred to by Kurds as Mam (uncle) Jalal, is one of the longest-serving figures in contemporary Iraqi Kurdish politics." **[4r]** The CSIS report, dated 19 June 2006, stated that "Talabani had started as a lawyer, but founded the PUK after breaking with Barzani's KDP. He had created his own guerrilla force to resist Saddam, and his forces clashed with Barzani in 1990, but Talabani had played a nationalist and unifying role after becoming President in the earlier election, and the PUK and KDP agreed on an integrated government in the Kurdish zone in May 2006." **[63a] (p14)**

The Guardian report (accessed on 31 August 2005) stated that "A leader of Iraq's minority Kurds, he was elected Iraq's new president on April 6 2005. He is the first Kurd to be Iraq's president. Mr Talabani had opposed governments in Baghdad for much of the last 40 years. He leads the Patriotic Union of Kurdistan (PUK), which controls the eastern part of the Kurds' self-rule area. The PUK controls around 25,000 fighters. Mr Talabani wants a federal Iraq with Kurds running their own region." **[6x]** The BBC article, dated 6 April 2005, added that "A Baghdad University law graduate, he is considered to be a shrewd politician with an ability to switch alliances and influence friends and foes alike." **[4r]**

Dr Adel Abdul Mahdi (Shi'a) – UIA/SCIRI Vice-President **[4a] [6i] [66a]**
The BBC noted, on 6 April 2005, that "Adel Abdul Mahdi is a francophone Islamist and free-marketeer who belongs to the Shia-led list that won a majority of seats in the Iraqi parliament. … He fled Iraq in the 1960s after being condemned to death for his political activities, and has spent time in France, Lebanon and Iran." **[4u]** The CSIS report, dated 19 June 2006, stated that "Mahdi was senior leader in SCIRI and would have become prime minister if Sadr had not opposed him. He was widely seen as a competent leader and had been effective as the former finance minister. Mahdi was a French-trained economist who had originally been a Marxist before becoming active in SCIRI and a economic pragmatist." **[63a] (p14)**

Dr Tariq al-Hashemi (Sunni) – Tawafuq/IIP Vice-President **[63a] (p15) [66a]**
The CSIS report, dated 19 June 2006, stated that "Hashemi was new to government, but had been a successful businessman. He was the head of Iraqi Islamist Party, which had emerged as the largest Sunni Arab party in the December 15, 2005 election. He was seen as a Sunni leader who could help bring former supporters of Saddam Hussein back into the political process and split the Sunni insurgency." **[63a] (p15)**

Nouri Kamel al-Maliki (aka Jawad al-Maliki) (Shi'a) – UIA/Da'awa Prime Minister **[63a] (p16) [66a]**
The CSIS report, dated 19 June 2006, stated that "A graduate in Arabic letters and leading figure in Al Dawa. Maliki was a Shi'ite Islamist, and had been an exile for many years and had been sentenced to death by Saddam's courts. He had been a strong advocate of hardline 'debaathification,' but had been a key negotiator in dealing with the Kurds, where he had shown flexibility over issues like Kirkuk, and in offering compromises to the Sunnis and promises to abolish the militias and negotiate with the less extreme Sunni insurgents. He was not an experienced leader or administrator, but had acquired a reputation for frankness, honesty, and a willingness to carry out meaningful negotiations." **[63a] (p16)**

Dr Baarham Salih (Kurd) – PUK Deputy Prime Minister **[4a] [63a] (p16) [66a]**
The CSIS report, dated 19 June 2006, stated that "A former prime minister of the autonomous Kurdish area, closely tied to President Jalal Talabani and the PUK, Salih was given special responsibility for the economy and its reconstruction." **[63a] (p16)**

Dr Salaam al Zawba'i (Sunni) – Tawafuq/GCIP Deputy Prime Minister **[4a] [63a] (p16) [66a]**
The CSIS report, dated 19 June 2006, stated that "A new figure from the main Sunni party, the Accordance Front, the main Sunni Arab grouping. His background was more tribal than religious. He was given special responsibility for oversight of the security forces." **[63a] (p16)**

Bayan Jabr (aka Baqir Jabr al-Zubaydi) (Shi'a) – UIA/SCIRI Finance Minister **[63a] (p16) [66a]**
The CSIS report, dated 19 June 2006, stated that "Jabr was a senior leader of the Supreme Council for the Islamic Revolution in Iraq (SCIRI), the strongest component of the Shi'ite alliance. He had previously been Minister of the Interior, but had come to be seen as tolerating police death squads and giving men from the Badr Organization, SCIRI's armed wing, positions in the police. As Minister of the Interior, he had overspent his budget." **[63a] (p16-17)**

Dr Hussain al Shahristani (Shi'a) – UIA Oil Minister **[63a] (p17) [66a]**
The CSIS report, dated 19 June 2006, stated that "Shahristani had a technical background, as a physicist he had been jailed and tortured when he would not work on Saddam Hussein's nuclear weapons program. He had no petroleum background, and no practical background in managing large-scale industrial systems. His political experience was as ex-deputy parliamentary speaker." **[63a] (p17)**

Lt General Abdul Qadir Obeidi (Sunni) – Technocrat Defence Minister **[4a] [66a]**
The BBC noted, on 22 May 2006, that "Lt Gen Obeidi served in the Iraqi army under Saddam Hussein, but was demoted for opposing the 1990 invasion of Kuwait. He says that he was forced to retire in 1992 and detained two years later. He faced a military court which ordered the confiscation of his house and other assets. He insists that he has no links to any Iraqi political faction." **[4a]**

Dr Hoshyar Zebari (Kurd) – KDP Foreign Affairs Minister **[4a] [66a]**
The BBC noted, on 22 May 2006, that "Mr Zebari was the foreign spokesman for the Kurdistan Democratic Party for more than 10 years. He frequently represented the KDP in meetings with US State Department officials throughout the 1990s. He was born in 1953 in the Kurdish town of Aqrah, but grew up in the mainly Arab city of Mosul. He is a graduate of the University of Essex in the UK. **[4a]**

Hashim al-Shibli (Sunni) – Iraqiya Justice Minister **[4a] [66a]**
Previously appointed human rights minister, he rejected the post after being approved by parliament on 8 May, saying he had not been consulted. **[4a]**

Mrs Fatin Abd al-Rahman Mahmoud (Sunni) – Tawafuq Minister of State for Women's Affairs **[4a] [66a]**

Sherwan al-Wa'ali (Shi'a) – UIA/Da'awa Tanzim Minister of State for National Security Affairs **[4a] [66a]**

Dr Sa'd Tahir Abd Khalaf al-Hashimi (Sunni) – UIA Minister of State for Governorate Affairs **[4a] [66a]**

Dr Rafi'a al-Essawi (Sunni) – Tawafuq/IIP Minister of State for Foreign Affairs **[4a] [66a]**

Dr Liwa Sumaysim (Shi'a) – UIA/Sadrist Minister of State for Tourism and Archaeology Affairs **[4a] [66a]**

Adil al-Asadi (Shi'a) – UIA Minister of State for Civil Society Affairs **[4a] [66a]**

Dr Safa al-Safi (Shi'a) – UIA/Sadrist Minister of State for Council of Representatives Affairs **[4a] [66a]**

Hassan Radi Kazim al-Sari (Shi'a) – UIA/Iraqi Hizbollah Minister of State without Portfolio **[4a]**

Dr Akram al-Hakim (Shi'a) – UIA/SCIRI National Dialogue Minister **[4a] [66a]**

Jawad Bulani (Shi'a) – UIA nominee Minister of Interior **[4a] [66a]**

Mrs Wijdan Mikha'il (Kurd/Christian) – Iraqiya Human Rights Minister **[4a] [66a]**

Karim Wahid (Shi'a) – Independent Electricity Minister **[4a] [66a]**

Fawzi al-Hariri (Kurd/Christian) – KDP Industry Minister **[4a] [66a]**

Mohammed Tawif Allawi (Shi'a) – Iraqiya Communications Minister **[4a] [66a]**

Latif Rashid (Kurd) – KA/PUK Water Resources Minister **[4a] [66a]**

Mrs Narmin Othman (Kurd) – KA/PUK Environment Minister **[4a] [66a]**

Mrs Bayan Diza'i (Kurd) – KA/PUK Construction and Housing Minister **[4a] [66a]**

Dr Khudair al-Khuza'i (Shi'a) – Da'awa Tanthim Education Minister **[4a] [66a]**

Dr Ali al-Shammari (Shi'a) – UIA/Sadrist Health Minister **[4a] [66a]**

Dr Abd al-Falah al-Sudani (Shi'a) – Da'awa Tanthim Trade Minister **[4a] [66a]**

Dr Yua'arab Nathim al-Ubaidi (Shi'a) – UIA/Sadrist Agriculture Minister **[4a] [66a]**

Mahmud Muhammad Jawad al Radi (Shi'a) – UIA/Badr Labour and Social Affairs Minister **[4a] [66a]**

Dr Karim Mahdi Salih (Shi'a) – UIA/Sadrists Transport Minister **[4a] [66a]**

As'ad Kamal Muhammad Abdallah al-Hashimi (Kurd) – Tawafuq/GCIP Culture Minister **[4a] [66a]**

Dr Rahid Fahmi (Sunni) – Iraqiya/Com Party Science and Technology Minister **[4a] [66a]**

Dr Abd al-Samad Rahman Sultan (Fayli Kurd/Shi'a) – UIA Displacement of Migration Minister **[4a] [66a]**

Jaim Muhammad Ja'far (Shi'a) – UIA/ITF Youths and Sports Minister **[4a] [66a]**

Dr Abd Dhiyab al-Ajili (Sunni) – Tawafuq Higher Education and Scientific Research Minister **[4a] [66a]**

Riyad Ghurayyib (Shi'a) – UIA/Badr Municipalities Minister **[4a] [66a]**

Ali Baban (Sunni) – Tawafuq Planning and Development Minister **[4a] [66a]**

Mahmound al-Mashhadni (Sunni) – Tawafuq Speaker **[63a] (p15) [66a]**
The CSIS report, dated 19 June 2006, stated that "A Sunni Islamic that Saddam's regime had sentenced to death for secretly joining illegal Sunni Islamist groups, and who was seen as a Sunni sectarian. Selected in part to broaden the inclusion of Sunnis and lay the ground work for compromise with moderate insurgents." **[63a] (p15)**

Khalid Attiya (Shi'a) – UIA Deputy Speaker **[66a]**

Aref Taifour (Kurd) – KDP Deputy Speaker **[66a]**

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OTHER PROMINENT PEOPLE

Abdul Aziz al-Hakim
The Guardian report (accessed on 31 August 2005) stated that "Had been considered by some as a contender for prime minister, Mr Hakim leads the powerful Shia party the Supreme Council for Islamic Revolution in Iraq (Sciri). Mr Hakim spent 20 years as an exile in Iran and has support from Ayatollah Sistani. Mr Hakim's brother, the revered Ayatollah Muhammad Baqr al-Hakim, was killed in a car bombing in August 2003 outside the shrine of Imam Ali in Najaf." **[6aa]** The CSIS report, dated 19 June 2006, noted that "The leader of SCIRI and a key leader in the Shi'ite Alliance. Hakim had replaced his brother, the Ayatollah Mohammed Baqer al-Hakim, as leader when the latter was killed in a bombing in August 2003. Hakim had been a spokesman for national unity and negotiations with the Shi'ites, but was also closely associated with the Badr Organization. Some felt he had ties to Iran and militia attacks on Sunnis." **[63a] (p17)**

Abdul Majid al-Khoei
The BBC noted, on 27 August 2004, that al-Khoei was a moderate Shia leader who was killed two days after the fall of Baghdad. An arrest warrant has been issued for Moqtada Sadr for the alleged involvement in the murder. **[4f] (p1-2)**

Abu Musab Al-Zarqawi
The FCO on 22 October 2004, stated that, "Abu Musab Al-Zarqawi, a Jordanian-born terrorist with links to Al-Qua'eda, claims to have been behind several of the most devastating suicide bomb attacks as well as the beheading of Western hostages." **[66c] (p4)** Al-Zarqawi was head of Tandhim Qa'idat al-Jihad fi Bilad al-Rafidayn (al-Qa'ida of Jihad Organization in the Land of Two Rivers), was killed during a US-led air raid while attending a meeting on 7 June 2006. **[5b]**

Ahmed Chalabi
The Guardian report (accessed on 31 August 2005) stated that "The former banker once touted in the US as a successor to Saddam Hussein and founded the Iraqi National Congress (INC) opposition party while in exile for 30 years. The INC is now part of the United Iraqi Alliance. The British educated 57-year-old was convicted of fraud in absentia in Jordan in 1992 and sentenced to 22 years in jail. He denied the charges." **[6w]**

Dr Ayad Allawi
The Guardian report (accessed on 31 August 2005) mentioned that "A former member of Saddam's ruling Ba'ath party, he became Iraq's interim prime minister in June 2004. Mr Allawi leads the Iraqi List alliance, a secular party which won 40 seats in the January 2005 poll. He failed to keep the prime minister's job and his party is not in Mr Jaafari's cabinet but it has said it will work with the government. In 1976 Mr Allawi formed the opposition Iraq National Accord (INA), which had US backing." **[6ab]** The BBC stated, on 28 May 2004, that "Religious leaders think he is too secular, the US-led coalition now sees him as a critic, for the anti-Saddam opposition he is an ex-Baathist, while ordinary Iraqis say he is a CIA man." **[4ai]** The article also mentioned that "He was badly wounded in an assassination attempt while living in the UK in 1978, believed to have been ordered by Saddam Hussein." **[4ai]**

Grand Ayatollah Ali Sistani
The Guardian report (accessed on 31 August 2005) noted that "Arguably the most powerful man in Iraq. The 73-year-old is the most powerful religious leader in the country as the most senior cleric of Iraq's Shia majority. Since the fall of Saddam he has played a low-profile role, but pressed for the January 2005 elections and had backed Ibrahim al-Jaafari to become prime minister. He is one of only five grand ayatollahs in the world." **[6z]** The BBC stated, on 27 August 2004, that Sistani is a moderate cleric **[4h] (p1-2)** The Financial Times stated, on 13 August 2004, that "He has imposed prior truces in Najaf and Kerbala, scuppered US plans for regional caucuses in the constitutional process, forced the June 30 [2004] date for the handover of sovereignty and dictated the abandonment of federalism in the latest United Nations resolution." **[67b] (p1-2)** The CSIS report, dated 19 June 2006, noted that "Sistani remained the most senior and revered Shi'ite cleric. He retained vast political influence, and had played a major role in making the Shi'ite alliance compromise to choose Maliki, resist pressures for sectarian conflict, and seek compromises to keep Iraq unified, although he sometimes seemed to support federation." **[63a] (p17)**

Dr. Ibrahim Jaafari
The Guardian article (accessed on 31 August 2005) mentioned that the former London GP was Iraq's first democratic prime minister since before the Saddam era. "He is a conservative Shia with strong religious beliefs and leads the Islamic Dawa party, which is a major player in the dominant United Iraqi Alliance. …Some analysts see him as a conciliatory figure." **[6y]** The BBC article stated, on 7 April 2005 that the former Vice-President went into exile in Iran first and then the UK. **[4ac]**

Masoud Barzani
The Guardian report (accessed on 31 August 2005) stated that "Leader of the Kurdistan Democratic party (KDP), which rules the western part of the Kurdish self-rule area from the regional capital, Irbil. Represents the more traditional, tribal elements in Kurdish society, and controls a fighting force of up to 35,000." **[6h]**

Moqtada Al-Sadr

The BBC report, dated 27 August 2004, noted that "Radical Shia cleric Moqtada Sadr has been a turbulent presence in Iraq since the fall of Saddam Hussein. At times he has called for a national rebellion against foreign troops and sent out his militiamen to confront the 'invaders' and Iraqi police." **[4f] (p1-2)** *The Guardian* report (accessed on 31 August 2005) mentioned that "A Shia cleric from Najaf whose militia army twice revolted against the US-led coalition. He took a deliberately ambiguous line before the January 2005 elections saying he would not vote but gave his blessing to supporters who joined various electoral lists so he would have a voice in the political bargaining." **[6m]** The BBC report, dated 27 August 2004, added that "Moqtada Sadr mixes Iraqi nationalism and Shia radicalism, making him a figurehead for many of Iraq's poor Shia Muslims. His detractors see him as an inexperienced and impatient radical who aims to dominate Iraq's most revered Shia institutions by force." **[4f] (p1-2)**

The CSIS report, dated 19 June 2006, stated that "Sadr remained the most activist Shi'ite religious leader, although he was still a relatively low ranking cleric. A charismatic preacher, he continued to call for Coalition withdrawal, and advocate a strongly religious Iraqi state. His 'Mahdi Army' had made a major recovery from its defeat in two failed revolts in 2004, and his supporter had been given some 30 votes in the new assembly to keep him in the Shi'ite alliance. Several Sadr supporters had been made ministers." **[63a] (p17)**

The ICG reported, on 11 July 2006, that:

> "In the immediate aftermath of Saddam Hussein's ouster, Muqtada al-Sadr was known chiefly for his disruptive behaviour. He stirred up his mob-like following against the traditional Shiite leadership, former regime elements, politicians returning from exile, and occupation forces, leading to the deadly 2004 showdown with U.S. troops. Two years later, the young imam has grown into a radically different role. He enjoys quasi-veto power over key political appointments, and his movement won 32 of 275 parliamentary seats in the December 2005 elections. In a political environment largely shaped by communal loyalties and clientelist relationships, the Sadrist phenomenon stands out. Reflecting an authentic social movement, it expresses in political terms the frustrations, aspirations and demands of a sizeable portion of the population that has no other genuine representative." **[25b] (p1)**

Saddam Hussein

Former President of Iraq and commander-in-chief of military. Captured by coalition forces 13 December 2003. War crimes claims against the Iraqi leader include genocide of the Kurds, 'ethnic cleansing' in which tens of thousands of Kurds, Turkmen, Assyrians around the oil-rich city of Kirkuk were expelled as part of an 'Arabisation' programme, mass civilian executions after the Kurdish and Shi'a uprisings in 1991, and religious persecution. **[4l]** Saddam Hussein was sentenced to death by the Iraqi High Tribunal (IHT) on 15 November 2006 over the torture and executions of 148 Shias from the town of Dujail in the 1980s. He was subsequently executed on 30 December 2006. **[5g] [39f] (p3and22) [48g]**

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Annex D: List of abbreviations

AI	Amnesty International
CCCI	Central Criminal Court of Iraq
CEDAW	Committee on the Elimination of All Forms of Discrimination Against Women
CPA	Coalition Provisional Authority
CPJ	Committee to Protect Journalists
EU	European Union
EBRD	European Bank for Reconstruction and Development
FCO	Foreign and Commonwealth Office (UK)
FGM	Female Genital Mutilation
FH	Freedom House
GDP	Gross Domestic Product
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
HRW	Human Rights Watch
IAG	Illegal Armed Group
ICG	International Crisis Group
ICRC	International Committee for Red Cross
IDP	Internally Displaced Person
IECI	Independent Electoral Commission of Iraq
IED	Improvised Explosive Devices
IFRC	International Federation of Red Cross and Red Crescent Societies
IIG	Iraqi Interim Government
IMF	International Monetary Fund
INIS	Iraqi National Intelligence Service
IOM	International Organisation for Migration
ISF	Iraqi Security Forces
IST	Iraqi Special Tribunal
KDP	Kurdistan Democratic Party
KRG	Kurdish Regional Government
MNFI	Multi-National Force in Iraq (also MNF; MNF-I)
MOI	Ministry of the Interior
MSF	Médecins sans Frontières
NA	Northern Alliance
NATO	North Atlantic Treaty Organisation
NGO	Non Governmental Organisation
OCHA	Office for the Coordination of Humanitarian Affairs
ODIHR	Office for Democratic Institutions and Human Rights
ODPR	Office for Displaced Persons and Refugees
OECD	Organisation of Economic Cooperation and Development
OFF	(UN) Oil for Food program
OHCHR	Office of the High Commissioner for Human Rights
OSCE	Organisation for Security and Cooperation in Europe
PUK	Patriotic Union of Kurdistan
RSF	Reporters sans Frontières
SICT	Supreme Iraqi Criminal Tribunal
STD	Sexually Transmitted Disease
STC	Save The Children
TAL	Transitional Administrative Law
TB	Tuberculosis
TI	Transparency International
TNA	Transitional National Administration

UIA	United Iraqi Alliance
UN	United Nations
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCHR	United Nations High Commissioner for Human Rights
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
UNSCR	United Nations Security Council Resolution
USAID	United States Agency for International Development
USSD	United States State Department
WFP	World Food Programme
WHO	World Health Organization

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Annex E: Current insurgent/militia groups

Ahel Al-Sunnah Al-Munasera (Supporters of the Sunni People in Iraq)

The UNHCR COI report, October 2005, mentioned that:

> "This group only recently announced its establishment, stating that it is fighting 'to defend our people in middle and south Iraq' against what it calls Shiite aggression and 'systematic genocide' of the Sunnis in Iraq. It has claimed responsibility for the abduction and killing of Ali Shakir Eidan, the President of the Iraqi Karate Union, an attack on members of the Badr Brigade on the Baghdad-Basrah highway and a suicide operation targeting a Shiite shrine in southern Baghdad." **[40c] (p73)**

Ansar al-Islam (Protectors of Islam)

The AI report, dated 25 July 2005, noted that Ansar al-Islam is an Islamist group reportedly linked to al-Qa'ida. **[28c] (p5)** An article by RFE/RL, dated 2 April 2005, stated that:

> "Ansar Al-Islam is a relatively new organization in Iraq, but has roots in the Islamist movement in Kurdistan. It is an outgrowth of a group called Jund Al-Islam (Soldiers of Islam) that was formed in 2001 by splintered factions from the Islamic Movement of Kurdistan. Jund Al-Islam, later renamed Ansar Al-Islam (Supporters of Islam) initially based its activities in the villages of Biyara and Tawela, along the Iranian border northeast of Halabjah." **[22i] (p1)**

The UNHCR COI report, October 2005, noted that "…at present is held responsible for continuing (suicide) attacks in Northern Iraq, mainly directed against senior PUK/KDP political and military officials." **[40c] (p66)**

The RFE/RL article noted that Ansar fighters subsequently gave "credible" details about Al-Qaeda training camps in Afghanistan. "Documents obtained by 'The New York Times' in Al-Qaeda guesthouse in Afghanistan also pointed to an Al-Qaeda link.

> "The PUK claims that dozens of Al-Qaeda fighters joined Ansar Al-Islam in Iraq after the 11 September 2001 terrorist attacks, with as many as 57 'Arab Afghan' fighters entering Kurdistan via Iran that month. Dozens of other Al-Qaeda fighters came later. The PUK has dozens of Ansar fighters in custody in Al-Sulaymaniyah, many of whom admitted the group's link to Al-Qaeda. Reports indicate, however, that the confessions may have been extracted through the PUK's torture of detainees." **[22i] (p1)**

The UNHCR COI report, October 2005, noted that "In addition, Ansar Al-Islam seems to have affiliated itself with other extremist groups and expanded its field of operation. It claims to have been involved in major attacks in other parts of Iraq, however it is not clear how large a role they play and even whether Ansar Al-Islam still exists as an organization." **[40c] (p67)**

Ansar al-Sunna (Protectors of the Sunna Faith)

Ansar al-Sunna (Protectors of the Sunna Faith) was an offshoot of Ansar al-Islam. (See above) (ICG, 15 February 2006) **[25c] (p2)** (AI, 25 July 2005) **[28c] (p5)** (UNHCR COI, October 2005) **[40c] (p67)**

The AI report, dated 25 July 2005, stated that "It was established in Iraqi Kurdistan in September 2001 after the unification of a number of small Islamist groups, including Jund al-Islam (Soldiers of Islam) which had taken root in the mountains along the Iranian border." **[28c] (p5)**

The UNHCR COI report, October 2005, noted that:

> "… the group Jaish Ansar Al-Sunna, is made up of foreign and indigenous militants and has been very active against the MNF. It has claimed responsibility for major attacks against both the MNF/ISF and Iraqi civilians, …This group has also asserted responsibility for the kidnapping and murder of a number of foreigners, including those from countries with no connection to the Iraq war. …Furthermore, Jaish Ansar Al-Sunna kidnapped and killed numbers of Iraqis considered to be collaborators with the occupying forces and warned Iraqis against taking part in the elections." **[40c] (p67)**

The HRW report, dated 3 October 2005, noted that "Various armed groups, notably Ansar al-Sunna, al-Qaeda in Iraq and the Islamic Army in Iraq, have repeatedly claimed credit in videos and written statements for assassinations, executions and bomb attacks that unlawfully killed civilians." **[15j] (p30)**

The AI report, dated 25 July 2005, stated that:

> "On 29 March 2003 US forces, together with PUK forces, attacked the town of Khurmal, near the Iranian border, where members of Ansar al-Islam were based, killing or scattering hundreds of fighters. Many of the fighters reportedly escaped to Iran, but later came back to northern Iraq and are based in Mosul. On 20 September 2003 Ansar al-Sunna officially declared its existence in an internet statement. The group is said to include Kurds, foreign al-Qa'ida supporters and Iraqi Sunni Arabs. Between 27 February 2004 and 17 March 2004 alone, Ansar al-Sunna claimed responsibility for 15 attacks in or around Mosul, most involving assassinations of Iraqi 'collaborators'." **[28c] (p5)**

The USSD country reports on terrorism, dated 27 April 2005, noted that "In February 2004, Ansar al-Sunna claimed responsibility for bomb attacks on the offices of two Kurdish political parties in Irbil, which killed 109 Iraqi civilians." **[2d] (p2)**

The ICG report stated, on 15 February 2006, that:

> "Jaysh Ansar al-Sunna claims to have some sixteen brigades, and it too releases daily communiqués, ran a website until it was shut down in November 2005, and publishes a monthly compilation of its military wing's communiqués, Hasad al-Mujahidin (the Mujahidin's Harvest), as well as al-Ansar, its political branch's magazine. It is a profoundly salafi group, despite a simultaneous emphasis on patriotic themes, and is said to be at least as radical as Tandhim al-Qa'ida." **[25c] (p2)**

The UNHCR COI report 2005 noted that "On 12 July 2005, Jaish Ansar Al-Sunna announced that Al-Miqdad Brigades Group had joined it in order to 'stand in one line against Allah's enemies'. Ansar Al-Islam was officially designated a Foreign Terrorist

Organization by the US Department of State on 22 March 2004. It is also listed for international sanctions by the UN 1267 Sanctions Committee as an entity belonging to or associated with Al-Qaeda." **[40c] (p67)**

Jane's Information Group stated, on 1 August 2006, that "Like other Sunni nationalist-religious groups, this faction is known for its principally Iraqi membership, its strong focus on the sectarian concerns of the Sunni Arabs and its blend of nationalist and radical Islamic themes and objectives. The group has demonstrated advanced terrorist capabilities, both in day-to-day insurgent attacks and devastating suicide bombings." **[14b]**

'Asa'ib Ahl al-'Iraq (the Clans of the People of Iraq) **[25c] (p3)**

Badr Organisation

The UNHCR COI report, October 2005, mentioned that "The Badr Organization (previously Badr Brigades or Badr Corps) was set up by former SCIRI leader Mohammed Bakr Al-Hakim during his exile in Iran and is made up of mainly Shiite militiamen." **[40c] (p60)**

The Christian Science Monitor report, dated 18 July 2005, noted that "SCIRI controls the roughly 7,000-strong Badr militia force, which frequently has been accused by Sunni leaders of torturing and killing innocent Sunni civilians, including clerics." **[34a]**

The UNHCR COI report, October 2005, noted that:

> "Sunni politicians have raised accusations against the Badr Organization – which has restructured itself as a political organization and is represented in the TNA and ITG – of being responsible for the killing of Sunni clerics and the raiding of Sunni mosques. SCIRI and the Badr Organization refute these accusations and US officials say that there is little evidence to indicate that members of the Badr Organization have been implicated in such crimes." **[40c] (p60)**

The same report noted that:

> "Since the fall of the former regime, the Badr Brigade has been accused of killing numbers of former Ba'ath party officials and members of the former security and intelligence services, making use of hit lists and benefiting from impunity. It has been reported that since the Shiites won the 30 January 2005 elections, increased attacks against former Ba'athists have taken place. At particular risk seem to be Shiites that live in predominantly Shiite or mixed Sunni-Shiite neighbourhoods. According to Misha'an Al-Jibouri, a Sunni member of the TNA, many former Shiite Ba'ath Party members were forced to seek refuge in Sunni-dominated areas in Central Iraq. Hadi Al-Amri, the leader of the Badr Brigade, denied allegations that his organization was behind attacks against former Ba'athists." **[40c] (p61)**

The report also noted that "…the Badr Organization's new political presence has not stopped Badr militiamen from operating openly and playing a role in providing security to Sadr City and Southern cities with provincial councils dominated by SCIRI representatives." **[40c] (p61)**

The UNHCR report continued:

> "After a number of sectarian killings, tensions between Sunni leaders and the Badr Organization ran high, blaming each other for sponsoring terrorism. After the killing of Sunni Sheikh Hassan Al-Nuaimi, a prominent member of the AMS, in May 2005, AMS leader Harith Al-Dhari publicly stated that 'the parties that are behind the campaign of killings of preachers and worshippers are ... the Badr Brigade'. The leader of the Badr Brigade, Hadi Al-Amri, denied the charges and blamed Harith Al-Dhari for supporting Abu Musab Al-Zarqawi, whose main victims are Iraq's Shiites." **[40c] (p62)**

The CSIS report, dated 19 June 2006, stated that "A Shi'ite militia formed in Iran in the early 1980s with the aim of toppling Saddam Hussein from exile. Thought to number up to 20,000 trained individuals, it fought on the side of Iran during the Iran-Iraq war. It was once led by Abdul Aziz al-Hakim, who came to head the Supreme Council for the Islamic Revolution in Iraq (SCIR), one of the main parties in Iraq's ruling Shi'ite coalition. Badr changed its name to the Badr Organization after Saddam's overthrow to shift its image away from its military roots." **[63a] (p58)**

According to the CSIS report, dated 22 June 2006, "… Sunnis feel particularly threatened by the Badr Organization many of whom have been incorporated into the special security forces." **[63b] (p254)**

Defenders of Khadamiya

The CFR report, dated 9 June 2005, noted that "This group is comprised of roughly 120 loyalists to Hussein al-Sadr, a distant relative of Muqtada al-Sadr and a Shiite cleric who ran on former Prime Minister Ayad Allawi's ticket in the January 30 elections. The brigade was formed to guard a shrine in northern Baghdad popular among Shiites, and is one of a number of similar local forces that have emerged." **[8a] (p2)**

Faylaq 'Umar

The ICG report, dated 19 December 2006 noted that "… a group that was established in late 2005 or early 2006 to retaliate against attacks on Sunnis, professes to focus its operations exclusively on SCIRI's militia, the Badr corps, and on the Sadrist Mahdi army (*Jaysh al-Mahdi*)." **[25e] (p7)**

Iman Al-Hassan Al-Basri Brigades

The UNHCR COI report, October 2005, noted that:

> "This group has claimed responsibility for several attacks in Basrah in recent months, targeting mainly Iraqi police patrols and British intelligence. It has also claimed responsibility for the killing of Abdul Hussein Khazal, a journalist from the US-funded Al-Hurrah TV channel in Basrah. In a message posted on an Islamist website, the group said it had 'liquidated the apostate agent Abdul Hussein Khazal' and accused him 'of being a member of the Badr Brigade' and an 'Iranian agent'." **[40c] (p71)**

Harakat al Muqawama al-Islamiya fil-'Iraq (the Islamic Resistance's Movement in Iraq)

The ICG reported, on 15 February 2006, that "…at some stage has been joined by Kata'ib Thawrat 'Ashrin (the 1920 Revolution Brigades), now its military wing." **[25c] (p3)**

Al-Jabha al-Islamiya al-'Iraqiya al-Muqawima (the Islamic Front of the Iraqi Resistance)

The ICG report, dated 15 February 2006, stated that it was "… known by its initials as Jami' (mosque or gathering)." **[25c] (p2)** The same report noted that "According to a credible source, it could be more akin to a 'public relations organ' shared between different armed groups, rather than an armed group in itself. It issues weekly updates of claimed attacks, has a comprehensive website and publishes a lengthy, monthly magazine, Jami'. Deeply nationalistic, but with a salafi taint, its discourse counts among the more sophisticated of the groups." **[25c] (p2-3)**

Jama'at Jund Al-Sahaba (Army Squad of the Companions of the Prophet Muhammad)

The UNHCR COI report, October 2005, noted that "Jama'at Jund Al-Sahaba has only recently emerged as insurgency group. In its first communiqué issued on 14 March 2005, it explained that its mission is 'to defend and protect our religion **[Sunni]** and stop the rising storm coming from the Shiites and invading the land of the Muslims'. The group's leader is Sheikh Abu Abbas Al-Omari, and it has claimed responsibility for a number of attacks against Iraq's Shiite Muslims …."

Al-Jaysh al-Islami fi al-'Iraq (the Islamic Army in Iraq)

The UNHCR COI report, October 2005, noted that:

> "This group has been actively organizing and carrying out attacks on foreign military and civilian targets. It has initiated a brutally violent campaign against foreigners in Iraq, specifically anyone believed to be cooperating with the US-led Coalition. It was responsible for the killing of a number of foreign hostages … The Islamic Army in Iraq does not limit its attacks to non-Iraqis however; the group has frequently targeted Iraqis who join Iraq's police and military services or who are involved in the political process. Ahead of the elections of 30 January 2005, this group, Ansar Al-Sunna and the Army of the Mujahedeen, threatened to strike at anyone taking part in the elections which they consider 'un-Islamic'." **[40c] (p70)**

The ICG report, dated 15 February 2006, stated that "Thirteen brigades have claimed allegiance to this group, which also issues daily statements, runs a website (shut down in November 2005 and subsequently reactivated), and publishes al-Fursan, a monthly magazine of up to 50 pages. Again, a highly salafi discourse blends with a vigorously patriotic tone. It is widely seen in both Iraq and the West as one of the more nationalistic of the armed groups" **[25c] (p2)**

The UNHCR COI report 2005 stated that "After reports of possible negotiations between Iraqi/US officials and several insurgent groups including the Islamic Army, the group issued a joint statement with the Army of the Mujahedeen denying their participation in any such talks." **[40c] (p70)**

Jaysh al-Mahdi (Imam Mahdi Army)

The UNHCR COI report, October 2005, stated that "A relatively new group is the Imam Mehdi Army [established in 2003) led by Muqtada Al-Sadr, a radical Shiite cleric, who

became known for his fierce criticism of the US-led 'occupation' and staged two major military confrontations with the MNF in April/June and August 2004." **[40c] (p60)**

The same report noted that:

> "The Imam Mehdi Army is the armed wing of the movement of radical Shiite cleric Muqtada Al-Sadr. … His supporters are largely young, unemployed and often impoverished men from the Shiite urban areas and slums in Baghdad and the southern Shiite cities. The Imam Mehdi Army operates mainly in an area stretching from Basrah to Sadr City in Baghdad. Some activity has also been noted in Baqouba and Kirkuk, where Shia minorities exist among the Turkmen and the Arab populations." **[40c] (p62)**

The CFR report, dated 9 June 2005, noted that:

> "Loyal to the young, anti-U.S. cleric, Muqtada al-Sadr, this group of thousands of armed loyalists fought U.S. forces for much of last year before agreeing to an October 2004 ceasefire. Recent news reports suggest the militia, which controls much of Sadr City, a Baghdad slum of some 2.5 million Shiites, may be regrouping and rearming itself. Muqtada al-Sadr has refused to participate directly in the Iraqi government, though some of his followers were elected to seats on the Iraqi National Assembly." **[8a] (p2)**

The UNHCR COI report, October 2005, mentioned that "It is believed that the Imam Mehdi Army consists of several thousands combatants, but exact figures are presently unavailable." **[40c] (p62)**

It also mentioned that "Supporters of Muqtada Al-Sadr are driven mostly by nationalist and ultra-conservative religious tendencies and demand the withdrawal of all foreign forces from Iraq. Their stated goal is to establish an Islamic state in Iraq under Islamic law." **[40c] (p62)**

The same UNHCR report stated that:

> "In March 2004, the CPA closed down Al-Sadr's daily newspaper Al-Hawza on the grounds that it was inciting anti-American violence, arrested his senior aide Mustafa Al-Yacoubi and issued an arrest warrant against Al-Sadr in connection with Al-Khoei's assassination in April 2004. These acts resulted in thousands turning out to protest and riot and soon escalated into organized armed attacks by the Imam Mehdi Army against the MNF in Najaf, Kufa, Al-Kut, Sadr City, Kerbala, Al-Amarah and Basrah. A fragile truce was agreed to after mediation by Grand Ayatollah Ali Al-Sistani in early June 2004. Fresh clashes again erupted in Najaf in early August 2004, this time focussed on control of the holy Imam Ali shrine. These incidents left hundreds dead, thousands displaced and parts of Najaf's old city destroyed. Three weeks of fighting finally ended in a truce brokered by Grand Ayatollah Ali Al-Sistani, who returned to Iraq from the UK where he had been receiving medical treatment. The Mehdi Army was obliged to disarm and leave Najaf. In turn, US troops had to withdraw from the city, leaving the ISF to take control. The IIG ensured that Al-Sadr's supporters could join the political process and that Al-Sadr himself would not be arrested. The agreement to end the Najaf crisis did not cover other areas in which Sadr militants were holding control and fighting continued in Baghdad's Sadr city suburb. In October 2004, the Mehdi Army agreed to take part in a cash-for-weapons scheme sponsored by the Iraqi

> Government. Under this programme, they received cash payments for handing in their heavy and medium-sized weaponry, but were allowed to keep their Kalashnikov rifles and small arms. In addition, the Iraqi Government promised to rebuild Sadr city, pledging more than US $500 million to the task." **[40c] (p63)**

The ICG report, dated 11 July 2006, stated that "His newspaper regularly published lists of so-called collaborators, tacitly enjoining its readers to kill them." **[25b] (p10)**

The UNHCR COI report, October 2005, mentioned that "The MNF has refrained from arresting Muqtada Al-Sadr and has not challenged his militia's de facto control over a number of areas in Southern Iraq. It remains to be seen whether Muqtada Al-Sadr will continue to pursue his efforts using solely political means. Muqtada Al-Sadr and the Imam Mehdi Army remain a powerful force and it is feared that they could disrupt Shiite Southern Iraq and Sadr City again." **[40c] (p64)**

The CSIS report, dated 19 June 2006, stated that "Formed after Saddam's overthrow in April 2003, it is loyal to Moqtada al-Sadr, who led two rebellions against US and British forces in 2004, and in 2006 threw its political weight in to al-Dawa party behind Shi'ite Prime Minister al-Jafari. The Mahdi Army is estimated to number around 10,000 core fighters, but has thousands more supporters that could be called on to fight." **[63a] (p58)**

The ICG report, dated 11 July 2006, noted that "…the Sadrist movement remained a paramilitary organisation, holding military parades and hinting it could resume fighting. Unlike other militias, *Jaysh al-Mahdi* was highly visible, erecting checkpoints in Baghdad, enforcing social mores, patrolling neighbourhoods and engaging in social work. Armed attacks continued to be sure: the Sadrist militia killed alleged Baathists and Wahhabis, while conducting raids against coalition forces, albeit without claiming responsibility." **[25b] (p13)**

The report added that "An in-house police ensures that militants adhere to a stricter code of conduct; for example, those guilty of corruption have had their heads shaved or been assigned to street cleaning." **[25b] (p13-14)**

The report also noted that "… Muqtada engaged in the political process, participating in the 2005 elections, and, in that context, allying with some Shiite rivals. … in January 2005, Sadrists won 23 out of 275 parliamentary seats and performed well in local elections in Baghdad, Maysan and Basra. In December, they increased their representation to 32 seats, giving them quasi veto power within the dominant Shiite bloc over designation of the next government." **[25b] (p14)**

It stated that "Thus, although he has significantly moderated his rhetoric, he has held to his core principles, namely rejection of the occupation, foreign meddling, and Iraq's partition." **[25b] (p14)**

The report mentioned that "Shiites intent on undermining Muqtada's credibility refer to Muqtada-ists (*Muqtada'iyin)*, not Sadrists. More broadly, they describe his power base as a mob-like gang of extremists, dubbing *Jaysh al-Mahdi* either *Jaysh al-wardi* (in reference to the cheap drug popular among poor Iraqis) or *Jaysh Umm Raydi* (in reference to a Sadr City market that is known as the 'thieves' souk')." **[25b] (p17)**

Jaysh Mohammed (the Army of Mohammed)/Armed Vanguards of Mohammed's 2nd Army

The UNHCR COI report, October 2005, noted that:

> "This organization is made up mostly of Sunni Muslims whose main aim is to liberate Iraq from foreign occupation. US Government sources report that former members of Saddam Hussein's security forces are incorporated into the organization's leadership, although it is reported to operate under the guise of an Islamist organization. In November 2004, the (then) Prime Minister Iyad Allawi announced the capture of this group's leader (Mu'ayyed Ahmed Yassin, also known as Abu Ahmad) and other members of Mohammed's Army in Fallujah. The group was reportedly responsible for some beheadings and was known to have cooperated with Al-Qaeda in Iraq. However, in an interview with IWPR, an alleged spokesperson of the group denied any connection with Al-Qaeda and denounced killings of Muslims by Muslims. It also rejected the idea that a significant number of foreign fighters are among its ranks and stated that most members are Iraqi farmers." **[44f]**

The HRW report, dated 3 October 2005, mentioned that:

> "Jyash Muhammad condemned attacks on 'innocent Muslims'. 'A Muslim must not kill a Muslim, no matter what,' a spokesman said in an interview, as he denounced the bombings at Shi`a shrines and attacks on police. At the same time, he accepted kidnapping those who 'cooperate with the occupation.' 'Kidnapping is an obligation,' he said. 'It is not prohibited by religion, if it is done to foreigners who cooperate with the occupation.'" **[15j] (p30)**

The UNHCR COI report, October 2005, noted that:

> "In early 2005 Raad Al-Doury, the new leader of Jaish Mohammed, was arrested just days after he took over from the previous chief who had been detained two months earlier in Fallujah. Members of Mohammed's Army and a possibly related organization, the Armed Vanguards of Mohammed's 2nd Army, have taken responsibility for videotaped attacks that aired on Arabic television networks. The latter group also claims responsibility for the bombing of the UN Headquarters on 19 August 2003. Jaish Mohammed warned Iraqis against aiding the MNF, saying that such persons would be attacked with the same fury that is directed against the US military. Jaish Mohammed is said to have participated in talks with US officials in June 2005." **[40c] (p68-69)**

The ICG report, dated 15 February 2006, noted that Jaysh Mohammed "…issues periodic communiqués and videos focusing on IED17 attacks in the Anbar governorate." **[25c] (p3)**

Jaysh al-Mujahedeen (Army of the Mujahedeen)

The UNHCR COI report, October 2005, noted that "Little is know[n] about this group. It appears to work closely with Ansar Al-Sunna and the Islamic Army as they have jointly claimed a number of attacks and issued statements warning Sunnis against participating in the political process. The Army of the Mujahedeen has also issued a statement denying any contacts with Iraqi/US officials." **[40c] (p71)**

The ICG report, dated 15 February 2006, stated that "This group, too, puts out weekly updates and operates a website, which was briefly shut down in December 2005." **[25c] (p3)**

Jaysh al-Ta'ifa al-Mansoura (Victorious Army Group)

The UNHCR COI report 2005 mentioned that:

> "This previously unknown group appeared in May 2004 when it claimed responsibility for the kidnapping of two Russian electrical workers and called for the withdrawal of foreign citizens from Iraq. The group issued a number of communiqués in July 2005 claiming responsibility for the killing of Saleh Mahdy Al-Ameri, a leader in the Badr Organization, and various attacks on US military convoys." **[40c] (p72)**

The ICG report, dated 15 February 2006, noted that "At least three brigades are known to have pledged alliance to this group, which also issues weekly updates." **[25c] (p3)**

Jaysh al-Rashidin (The First Four Caliphs Army)

The ICG report, dated 15 February 2006, noted that "As many as six brigades reportedly operate under its banner. The group issues regular updates on its activities and recently set up a website." **[25c] (p3)**

Jund al-Islam (See Ansar al-Islam)

Kurdistan Workers' Party (aka: PKK; KADEK; Kurdistan People's Congress (KHK); People's Congress of Kurdistan; KONGRA-GEL)

The USSD country reports on terrorism, dated 27 April 2005, noted that "The Kurdistan Workers Party (Kongra-Gel/PKK) is a Marxist-Leninist group with roots in Turkey seeking a pan-national Kurdish state carved out of majority Kurdish populated areas. The existence of Kongra-Gel/PKK operatives in northern Iraq continued to be a source of friction between Turkey and Iraq. **[2g] (p131)**

According to an AFP report on Kurdish Media on 13 January 2004, "The names were added to the US terrorism blacklist. **[21b]** The PKK is a proscribed group under the British Terrorism Act 2000. **[30a] (p3)**

al-Muqawama al-'Iraqiya al-Wataniya al-Islamiya – Fayaliq Thawrat 1920 (the Iraqi National Islamic Resistance – the 1920 Revolution Brigades)

The AI report, dated 25 July 2005, noted that:

> "This group reportedly operates in West Baghdad and in al-Anbar, Diyala and Ninawa governorates. It has distributed statements claiming responsibility for specific attacks on US targets outside mosques after Friday prayers. For example, in a statement on 19 August 2004 the group said that between 27 July and 7 August 2004 it had conducted an average of 10 operations a day which resulted in deaths of US soldiers and the destruction of military vehicles." **[28c] (p5)**

Munazzamat Al-Alam Al-Aswad (Black Banner Organization of the Islamic Army)

The UNHCR COI report, October 2005, stated that:

> "This radical Sunni organization is believed to be composed of mainly non-Iraqi fighters and is led by Iraqi Omar Al-Hadid. Said to have links to Al-Qaeda, this organisation was one of a number of different groups that had control over Fallujah until the US military operation there in October 2004. They are said to have imposed strict Islamic law in Fallujah, including a ban on everything from tobacco to popular music cassettes. The organization has also claimed responsibility for a number of kidnappings, including three Indians, two Kenyans and an Egyptian truck driver working for a Kuwaiti company. … Together with two other militant groups, the Mujahedeen Army and the Mutassim Bellah Brigade, it also claimed responsibility for the kidnapping of 10 Iraqis working for a US security and reconstruction company in Iraq." **[40c] (p69)**

Omar Brigades

A Sunni group that was set up in response to the Badr Brigades and the Madhi Army. The Omar Brigades enjoy sympathy among the population. **[88b] (p13)**

Peshmerga ('those who face death')

The CSIS report, dated 22 June 2006, noted that:

> "The two major Kurdish parties, the Kurdish Democratic Party (KDP) headed by Masoud Barzani and the Patriotic Union of Kurdistan, headed by Jalal Talibani, retain powerful militias, known collectively as the Peshmerga. Their current strength is difficult to estimate, and some elements are either operating in Iraqi forces or have been trained by US advisors. The Iraqi Kurds could probably assemble a force in excess of 10,000 fighters – albeit of very different levels of training and equipment." **[63b] (p278)**

The CFR report, dated 9 June 2005, stated that "They are a Kurdish liberation army whose name translates literally to 'those who face death.' Elements of the force, whose roots stretch back to the 1920s, fought against Saddam Hussein during the Iran-Iraq war and provided military backup during the U.S.-led coalition's ousting of Saddam Hussein in 2003. The peshmerga is now believed to comprise some 100,000 troops…." **[8a] (p1)**

The UNHCR COI report, October 2005, stated that "In the North, the Kurdish Peshmerga continues to control the three Northern Governorates of Erbil, Dohuk and Sulaymaniyah; since the fall of the former regime it has also expanded its area of influence south into Kirkuk, Mosul and Diyala Governorates." **[40c] (p59)** The peshmerga serve as the primary security force for the KRG in the northern Iraq. (CFR, 9 June 2005) **[8a] (p1)** (UNHCR COI, October 2005) **[40c] (p61)** (CSIS, 22 June 2006) **[63b] (p278)**

The UNHCR COI report, October 2005, stated that "Unlike the other militias, the Peshmerga were not prohibited from existing under the TAL." **[40c] (p61)** The same report noted that "In June 2005, the Kurdish parties agreed to assign about 30,000 Peshmerga fighters to the National Government while the rest will come under the control of a planned unified Peshmerga Ministry in the KRG." **[40c] (p61)**

The CSIS report, dated 19 June 2006, stated that "A Kurdish word meaning 'those ready to die,' the Peshmerga were created in 1946 to fight for an independent Kurdish state. The forces number up to 140,000 with loyalties divided between the two main Kurdish political parties: the Kurdish Democratic Party, and the Patriotic Union of

Kurdistan. About 20,000 Peshmerga had been integrated into Iraq's army by the spring of 2006, but were still largely based in the Kurdish provinces to the north." **[63a] (p58)**

Qatta'ab Al-Imam Al-Hussein (Imam Al-Hussein Brigades)

The UNHCR COI report, October 2005, stated that:

> "This group claimed responsibility for a number of attacks in Baghdad and in the South directed against the 'occupation forces' and those persons, including Iraqi civilians, suspected of supporting them. Furthermore, it claims the assassination of a Ministry of Commerce official and member of the Badr Brigades. …Given the group's name, which refers to one of the most venerated Shiite imams, it is assumed that this insurgency group (unlike most others) is Shiite." **[40c] (p72-73)**

Saraya Al-Ghadhab Al-Islami (the Islamic Anger Brigades) **[25c] (p3)**

Saraya Usud Al-Tawhid (the Lions of Unification Brigades) **[25c] (p3)**

Saraya Suyuf al-Haqq (the Swords of Justice Brigades)

The ICG report, dated 15 February 2006, noted that "Previously unknown, this group took responsibility for the November 2005 kidnapping of four peace activists from the Christian Peacemaking Team. Its origins and affiliation remain murky, although it claims to operate under the banner of Jaysh al-Sunna wal-Jama'a, a recent offshoot of Jaysh Ansar al-Sunna." **[25c] (p3)**

Shura Council of Mujahedeen (SCMI)

The UNHCR COI report, October 2005, noted that "This group appeared as an umbrella organisation of Iraqi resistance fighters in Fallujah prior to the US military's assault on the city in November 2004. The US-led Coalition has posted a reward of US $50,000 for information leading to the capture of Sheik Abdullah Al-Janabi, the Iraqi Sunni cleric who heads the Shura Council of Mujahedeen." **[40c] (p72)**

Jane's Information Group noted, on 1 August 2006, that:

"On 15 January 2006, the Mujahideen Shura Council of the Mujahideen in Iraq (SCMI) announced its establishment, stating that it represented an umbrella movement of Salafist groups that sought to confront the 'Crusaders and their Rafidi (Shiite) and secularist followers who have seized Baghdad.' The movement brought together six Salafist groups: Tanzim Qaedat Al-Jihad fi Bilad Al-Rafidayn; the Jaysh al-Taifa al-Mansura; Ansar al-Tawhid; Al-Ghuraba; Al-Jihad al-Islami; and Al-Ahwal. Utilising both foreigners and Iraqis, these groups have carried out a range of suicide bombings and assassinations inside Iraq. Despite a steady loss of mid-level leaders in the last year, the network continues to maintain a high operational tempo. Recruits are either streamed to suicide operations, or undertake other forms of attacks. This latter set of operatives include recruits (known as 'executors'), who earn the status of 'commanders' after carrying out ten executions by slashed throat or beheading." **[14b]**

Tandhim Qa'idat al-Jihad fi Bilad al-Rafidayn (al-Qa'ida of Jihad Organization in the Land of Two Rivers)

As stated in the AI report, dated 25 July 2005, Tandhim Qa'idat al-Jihad fi Bilad al-Rafidayn (al-Qa'ida of Jihad Organization in the Land of Two Rivers) was reportedly influenced by or linked to al-Qa'ida. **[28c] (p5)** The report noted that it was allegedly set up by Abu Mus'ab al-Zarqawi, a Jordanian Islamist who was sentenced to death in absentia in Jordan on 6 April 2004. **[28c] (p5)** The FCO stated, on 22 October 2004, that Abu Mus'ab al-Zarqawi was based in Fallujah. **[66c] (p4)** The AI report, dated 25 July 2005, added that "The date of Abu Mus'ab al-Zarqawi's arrival in Iraq is not known." **[28c] (p5)**

The same AI report mentioned that "This group was initially called al-Tawhid wal-Jihad (Unity and Holy War) but in October 2004 Abu Mus'ab al-Zarqawi reportedly issued a statement through the internet stating that he was changing the name to Tandhim Qa'idat al-Jihad fi Bilad al-Rafidayn." **[28c] (p5)**

The ICG report, dated 15 February 2006, stated that:

> "It claims to have fifteen brigades or battalions (Katiba, plural Kata'ib) operating under its banner, including two 'martyrs' brigades, of which one allegedly comprises exclusively Iraqi volunteers. Tandhim al-Qa'ida releases daily communiqués, runs two official websites (both of which were shut down as of December 2005), and publishes a short monthly magazine, Siyar A'lam Al-Shuhada' (Biographies of Great Martyrs), as well as one that appears more erratically, Sawt al-Jihad (Voice of Jihad)." **[25c] (p1-2)**

The same report noted that "Known for its uncompromising and generally extreme positions, Tandhim al-Qa'ida sought throughout 2005 to remodel and 'Iraqify' its image. How central it is to the overall insurgency is unclear; … As far as Crisis Group can conclude, based on a study of its communiqués, Tandhim al-Qa'ida appears to be surprisingly well-structured; it should neither be blown up into a Leviathan nor ignored as a mirage, but rather considered as one among a handful of particularly powerful groups." **[25c] (p2)**

The AI report, dated 25 July 2005, stated that:

> "In November 2004 Abu Mus'ab al-Zarqawi and his supporters were among the targets of US military attacks on Falluja. The Iraqi interim government and the US military argued that they wanted to retake Falluja because it was being controlled by insurgents, including foreigners. It turned out that of the 1,000 men reportedly arrested during the assault, only 15 were confirmed as foreign, according to General George W. Casey, Jr., the top US ground commander in Iraq. US military officials stated that many of the fighters had escaped Falluja to other predominantly Sunni Arab cities, including Mosul, before the assault." **[28c] (p5)**

The group claimed responsibility for a number of attacks, often carried out by suicide bombers, against civilians as well as the ISF and MNF. (USSD, 27 April 2005) **[2d] (p1** (AI, 25 July 2005) **[28c] (p8-9, 12, 14)**) (UNHCR COI, October 2005) **[40c] (p68)**

The USSD report, dated 27 April 2005, noted that:

> "Zarqawi's group claimed credit for a number of attacks targeting Coalition and Iraqi forces, as well as civilians, including the October massacre of 49 unarmed, out-of-uniform Iraqi National Guard recruits. Attacks that killed civilians include the March 2004 bombing of the Mount Lebanon Hotel, killing

seven and injuring over 30, and a December 24 suicide bombing using a fuel tanker that killed nine and wounded 19 in the al-Mansur district of Baghdad." **[2d] (p1)**

The UNHCR COI report, October 2005, mentioned that "Those considered part of the 'foreign occupation' – such as the MNF, foreign civilians and humanitarian organizations – have been targeted by JTJ/Al-Qaeda in Iraq in the past, but their focus has now shifted to Iraqis aiming to pacify and rebuilding the country, such as the emerging ISF and those involved in the political process." **[40c] (p68)**

The same report added that "Most recently, the group has claimed responsibility for the killing of several high-ranking foreign diplomats in a move to undermine the ITG's efforts to improve its ties with other governments." **[40c] (p68)**

The report also noted that "On 15 October 2004, the US State Department added Zarqawi and the JTJ to its list of Foreign Terrorist Organizations and ordered a freeze on any assets that the group might have in the US. Furthermore, Abu Musab Al-Zarqawi and JTJ have been designated and listed for international sanctions by the UN 1267 Committee for their ties to Al-Qaeda." **[40c] (p68)**

Jane's Information Group stated in a report, dated 1 August 2006, that "Its raison d'etre is jihad, quite literally the struggle against infidels and apostate Muslims, focusing on means not ends." **[14b] (p3)**

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OTHER MILITIA/INSURGENT GROUPS

A US congressional research report in January 2004 said that the resistance was operating under a number of different names, which included:

Al Awda (the Return), believed to be one of the largest and most active resistance groups;

al-Jabha al-Wataniya litahri al-'Iraq (the National Front for the Liberation of Iraq);

Jaysh Tahrir al-'Iraq (the Iraqi Liberation Army);

Iraq's Revolutionaries – Al Anbar's Armed Brigades;

Salafist Jihad Group (Salafi is a Sunni extremist Islamic movement);

Armed Islamic Movement for Al Qaeda - Falluja Branch
Actual linkages to Al Qaeda, if any, are not known;

Nasirite Organization. **[28c] (p5) [33b]**

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Annex F: Past insurgent/militia groups

This information relates to the situation prior to the fall of the Saddam regime. It should be considered in that context.

Fedayeen Saddam
The paramilitary unit responsible for security duties was also used for specific propaganda objectives. Over the years the Fedayeen Saddam became better equipped and earnt a healthy wage under Iraqi standards. There were also some elite, units. The Fedayeen Saddam was made up of both Sunnis and Shiites. There were several brigades of the Fedayeen Saddam in the southern towns of Najaf, Kerbala, Amara, Nasiriyya and Basra who had partially taken over the duties of the local police. **[30b] (p9)**

Recruitment was not performed according to the same, rigid procedures each time. In view of the fact that there were enough young men who wanted to join the unit, it seemed very unlikely that new recruits had to be forced to join the Fedayeen. An unconfirmed press report noted that they were allowed to perform summary executions. **[71a] (p72)**

Many young people were recruited through teachers and lecturers at schools and universities affiliated to the Ba'ath party. This occasionally involved forced recruitment, but it was possible for them to be put under pressure, for example, by a leader of their own tribe, or if they have shown that they possessed special (physical and other) capabilities. If they refused to join, they would quite possibly run the risk of being picked up and tortured. Young people sometimes fled or went into hiding to evade the Fedayeen Saddam. Early resignation from the Fedayeen Saddam was not accepted and could have attracted problems, such as arrest, intimidation or physical violence. The gravity of the problems encountered depended on the specific circumstances. Young girls and young women could join the Fedayeen Saddam; it couldn't be completely ruled out that they may have also been forced to join. **[71a] (p72)**

Al Quds
Initially this army unit was known as the 'Volunteer Forces of Jerusalem Day'. This army, was, according to the Ba'ath authorities, supposed to be made up of volunteers, and was used for the liberation of the Palestinian areas. It was used in particular for propaganda purposes and had little military power. The name of the army was changed in February 2001 to 'Jerusalem Liberation Army/Al Quds Army'. Although the term 'voluntary' no longer featured in the name, the authorities still considered it to be a volunteer army, which is why no formal legislation had been issued making it an offence to refuse to serve in the army. Officially no charges were brought against people who refused to join. This would have run counter to the alleged voluntary nature of the army. Nothing was recorded in Iraqi criminal law about the 'Jerusalem Liberation Army'. **[71a] (p75)**

Although a volunteer army in principle, in practice it appeared that people were urgently sought to enlist. In general, 'volunteers' (men aged from approximately 18 to 50) were being recruited during house calls by representatives of the Ba'ath party. Men who refused to join (and were unable to bribe the recruitment officer) might have been punished, although the lack of legislation meant that the punishment was not clearly defined. It could have included food ration restrictions, problems at work, or forced termination of studies. Those who refused also found themselves registered as disloyal to the Ba'ath government in the security service files. This could possibly have led to

(serious) problems for the relevant 'volunteer' and the members of his family at a later stage. As a result few probably refused. If you were already recorded as being disloyal, prior to the recruitment (because you came from a 'tainted' family, for example), refusal to serve in the 'Jerusalem Liberation Army' could have been considered a political act. Detention and maltreatment could have then be used. This was a rare category, however. **[71a] (p75-76)**

It was relatively simple to bribe the relevant recruitment officer. You were then released from the 'obligation' to put yourself forward as a 'volunteer'. Apparently Iraqis living abroad could have bought themselves free for USD 1,000 (€ 988). They would have had to pay this sum at the Iraqi embassy in the country where they were living and once they had paid, they were issued with a written declaration which could have been presented to the (military) authorities should they have entered Iraq. They were then no longer called up for Al Quds. Although the above amount was high in Iraqi terms, settlement has shown that the Iraqi authorities were accommodating towards people who did not want to serve as volunteers in this army. **[71a] (p76)**

Jash

Kurdish militias who were allied to Saddam Hussein's regime and operated as mercenaries outside the regular army (popularly derided as 'Jash' or 'Jahsh') were located in central Iraq, especially in and around Mosul. After the intifada in 1991, large groups of Jash deserted to the Kurdish resistance. The KDP and the PUK gave the militias a 'general pardon'. The Jash were incorporated in the existing military structures there or surrendered their weapons. As far as it is known, there was little if any meting out of retribution or settling of scores. The former members of the Jash generally experienced no problems in KAZ because they came from strong tribes, who could defend themselves (if required) in the area. **[71a] (p73-74)**

Initially the Jash were responsible for espionage, ensuring that no anti-Government opinions were voiced and no anti-Government activities were attempted by the local Kurdish population in the north of Central Iraq. These activities also included contacts with the KDP or the PUK. They were responsible, in conjunction with the Central Iraqi security troops, for maintaining order in the district where they were serving. **[71a] (p74)**

Because of the military nature of the Jash-militias and the authoritarian culture in the Ba'ath regime of central Iraq, some of these militias regularly abused their power and employed (excessive) violence. There were reports of intimidation, threats and extortion employed against the local Kurdish population. However, there were also Jash-militias who adopted a more accommodating attitude towards the local population. According to reports, the militias were no longer created purely on the basis of clan and tribal relations, unlike in the past, and members also joined on an individual basis. Privileges and financial reward could have been considered the most important motives for joining. **[71a] (p74)**

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Annex G: Election results

NATIONAL ELECTION RESULTS – JANUARY 2005

Party	Valid votes	Percentage of votes	Seats
United Iraqi Alliance	4,075,295	48.19	140
Kurdistan Alliance List	2,107,551	25.73	75
(Al-Qaimah al-Iraqiyah) The Iraqi List	1,168,943	13.82	40
(Al-Iraqiyun) Iraqis	150,680	1.78	5
Iraqi Turkomen Front	93,480	1.05	3
National Independent Elites and Cadres Party	69,938	0.83	3
People's Union	69,920	0.83	2
Islamic Group of Kurdistan	60,592	0.72	2
Islamic Action Organization in Iraq	43,205	0.51	2
National Democratic Alliance	36,795	0.46	1
(Al-Rafidayn) National Rafidain List	36,255	0.43	1
Liberation and Reconciliation Gathering	30,796	0.36	1
Total			275

[1c] (Transitional National Assembly) [41a]

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IRAQI KURDISTAN ELECTION RESULTS – JANUARY 2005

Party	Votes	Per centage of votes	Seats
Kurdistan Democratic List	1,570,663	89.5	104
Kurdistan Islamic Group in Iraq	85,237	4.9	6
Kurdistan Toilers Party	20,585	1.2	1
Others	77,434	4.4	-

[37c]

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REFERENDUM RESULTS – OCTOBER 2005

Full Results by Province		
	Yes (%)	**No (%)**
Anbar	3.04	96.90
Babil	94.56	5.44
Baghdad	77.70	22.3
Basra	96.02	3.98
Dahuk	99.13	0.87
Dhiqar	97.15	2.85
Diyala	51.27	48.73
Irbil	99.36	0.64
Kerbala	96.58	3.42
Kirkuk	62.91	37.09
Maysan	97.79	2.21
Muthanna	98.65	1.35
Najaf	95.82	4.18
Nineveh	44.92	55.08*
Qadisiya	96.74	3.32
Salahuddin	18.25	81.75
Sulaimaniya	98.96	1.04

Wasit	95.70	4.30
National Total	78.59	21.41

*Two-thirds majority required to reject the charter
[4ag]

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NATIONAL ELECTION RESULTS – DECEMBER 2005

The Psephos report, accessed on 2 February 2006, stated that the Iraqi Council of Representatives consists of 275 members, of which:

- 230 are elected by proportional representation from the Governorates.

- Additional seats are then allocated to any parties which have attained a nationwide quota of 1/275 of the national vote, but have not won any Governorate seats. In this case, there was only one such seat (Al-Rafidayn).

- The remaining seats (in this case, 44) are allocated to the parties on a national proportional basis. **[37d] (p1)**

Party	Votes	Percentage of votes	Seats
United Iraqi Alliance (Shi'ite)	5,021,137	41.2	128
Kurdistan Coalition	2,642,172	21.7	53
Iraqi Accordance Front (Sunni)	1,840,216	15.1	44
Iraqi National List (Secular)	977,325	8.1	25
National Dialogue Front (Sunni)	499,963	4.1	11
Kurdistan Islamic Union	157,688	1.3	5
National Reconciliation and Liberation Bloc (Sunni)	129,847	1.1	3
Risaliyun / Progressives (Shi'ite, Sadr) movement)	145,028	1.02	2
Al-Rafidayn (Mesopotamia) Party (Christian)	47,263	0.4	1
Iraqi Turkoman Front	87,993	0.7	1
Iraqi Nation List (Mathal al-Alusi) (Sunni)	32,245	0.3	1
Yazidi Movement / El-Ezediah Movement	21,908	0.2	1
Others *	588,348	4.8	0
Total			275

* Unrepresented parties polling less than one per cent of the vote are aggregated as Others. **[22j] (p2) [37d] (p1)**

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Annex I: References to source material

The Home Office is not responsible for the content of external websites.

Numbering of source documents is not always consecutive because some older sources have been removed in the course of updating this document.

[1] Europa Publications

a The Middle East and North Africa 2005, (51st Edition)
Date accessed 25 January 2005

b The Europa World Yearbook 2004, May 2004

c Europa World Online: Iraq
http://www.europaworld.com/entry?id=iq&go_country=GO
Date accessed 31 August 2005

[2] United States Department of State http://www.state.gov

a Trafficking in Persons Report: Iraq, June 2006
http://www.state.gov/documents/organization/66086.pdf
Date accessed 8 October 2006

b Country Report on Human Rights Practices 2005, 8 March 2006
http://www.state.gov/g/drl/rls/hrrpt/2005/61689.htm
Date accessed 8 March 2006

c Background Note: Iraq, August 2005
http://www.state.gov/r/pa/ei/bgn/6804.htm
Date accessed 16 March 2006

d Country Reports on Terrorism: Iraq, 27 April 2005
http://www.state.gov/s/ct/rls/45392.htm
Date accessed 13 September 2005

f International Religious Freedom Report 2006, released on 15 September 2006
http://www.state.gov/g/drl/rls/irf/2006/71422.htm
Date accessed 25 October 2006

g Country Reports of Terrorism 2005: Iraq, 30 April 2006
http://www.state.gov/documents/organization/65472.pdf
Date accessed 13 October 2006

[3] Keesings Record of World Events

a Iraq, 2004 p. 45826 – 46178

[4] BBC http://www.bbc.co.uk/

a Who's who in Iraq's new cabinet, 22 May 2006
http://news.bbc.co.uk/1/hi/world/middle_east/5000750.stm
Date accessed 12 October 2006

b Baghdad curfew after Zarqawi raid, 9 June 2006
http://news.bbc.co.uk/1/hi/world/middle_east/5062688.stm
Date accessed 9 June 2006

c Iraq rebels told to leave shrine, 27 August 2004
http://news.bbc.co.uk/1/hi/world/middle_east/3603730.stm
Date accessed 27 August 2004

d Zarqawi killed in Iraq air raid, 8 June 2006
http://news.bbc.co.uk/1/hi/world/middle_east/5058304.stm
Date accessed 9 June 2006

e War takes toll on Iraq mental health, 12 August 2005
http://news.bbc.co.uk/1/hi/world/middle_east/4620279.stm
Date accessed 2 September 2005

f Who's who in Iraq: Moqtada Sadr, 27 August 2004
http://news.bbc.co.uk/1/hi/world/middle_east/3131330.stm
Date accessed 17 September 2005
g Iraqi Kurdistan leader sworn in, 14 June 2005
http://news.bbc.co.uk/1/hi/world/middle_east/4092926.stm
Date accessed 6 September 2005
h Who's who in Iraq: Ayatollah Sistani, 26 August 2004
http://news.bbc.co.uk/1/hi/world/middle_east/3033306.stm
Date accessed 31 August 2005
i Timeline: Iraq, 9 February 2007
http://news.bbc.co.uk/1/hi/world/middle_east/737483.stm
Date accessed 21 February 2007
j Key Iraqi ministers get approval, 8 June 2006
http://news.bbc.co.uk/1/hi/world/middle_east/5060686.stm
Date accessed 9 June 2006
k Iraqi Kurdistan a world away from war, 12 August 2005
http://news.bbc.co.uk/1/hi/world/middle_east/4145110.stm
Date accessed 15 August 2005
l Iraq's most wanted, 27 February 2005
http://news.bbc.co.uk/1/hi/world/middle_east/2939125.stm
Date accessed 7 April 2005
m Text: Iraqi Interim Constitution, 8 March 2004
http://news.bbc.co.uk/1/hi/world/middle_east/3543237.stm
Date accessed 24 February 2005
n Shia parties triumph in Iraq poll, 14 February 2005
http://news.bbc.co.uk/1/hi/world/middle_east/4261035.stm
Date accessed 16 February 2005
o Iraq Shias move to form coalition, 14 February 2005
http://news.bbc.co.uk/2/hi/middle_east/4263087.stm
Date accessed 16 February 2005
p Q&A: Iraq election, 13 February 2005
http://news.bbc.co.uk/1/hi/world/middle_east/3971635.stm
Date accessed 17 February 2005
q Iraq election: Who ran?, 31 January 2005
http://news.bbc.co.uk/1/hi/world/middle_east/4051977.stm
Date accessed 17 February 2005
r Shia majority for Iraq parliament, 17 February 2005
http://news.bbc.co.uk/1/hi/world/middle_east/4273931.stm
Date accessed 17 February 2005
s Who are the Iraqi Shia?, 17 February 2005
http://news.bbc.co.uk/1/hi/world/middle_east/2931903.stm
Date accessed 20 March 2005
t Blasts target Iraq's Shia Muslims, 18 February 2005
http://news.bbc.co.uk/1/hi/world/middle_east/4276367.stm
Date accessed 20 March 2005
u Who's who in Iraq: Vice-presidents, 6 April 2005
http://news.bbc.co.uk/1/hi/world/middle_east/4416873.stm
Date accessed 22 September 2005
v Maliki endorsed as new Iraqi PM, 22 April 2006
http://news.bbc.co.uk/1/hi/world/middle_east/4933026.stm
Date accessed 9 June 2006
w Iraqi death squads 'not police', 12 April 2006
http://news.bbc.co.uk/1/hi/world/middle_east/4901786.stm
Date accessed 14 August 2006
x Iraq hangs 13 for insurgency role, 9 March 2006
http://news.bbc.co.uk/1/hi/world/middle_east/4790990.stm
Date accessed 10 March 2006

y Ahmed Chalabi returns to Baghdad, 11 August 2004
http://news.bbc.co.uk/1/hi/world/middle_east/3556128.stm
Date accessed 12 August 2004

z Iraq detainees 'found starving', 15 November 2005
http://news.bbc.co.uk/1/hi/world/middle_east/4440134.stm
Date accessed 15 November 2005

aa Bodies found near Baghdad School, 1 August 2005
http://news.bbc.co.uk/1/hi/world/middle_east/4735123.stm
Date accessed 2 August 2005

ab Iraq chaos threatens ancient faith, 20 September 2005
http://news.bbc.co.uk/1/hi/world/middle_east/4260170.stm
Date accessed 7 October 2005

ac Profile: Ibrahim Jaafari, 7 April 2005
http://news.bbc.co.uk/1/hi/world/middle_east/4268143.stm
Date accessed 4 August 2005

ad Iraq curfew aims to curb violence, 24 February 2006
http://news.bbc.co.uk/1/hi/world/middle_east/4745520.stm
Date accessed 24 February 2006

ae New 'torture jail' found in Iraq, 12 December 2005
http://news.bbc.co.uk/1/hi/world/middle_east/4520714.stm
Date accessed 13 December 2005

af 'High turnout' in Iraq election, 15 December 2005
http://news.bbc.co.uk/1/hi/world/middle_east/4531904.stm
Date accessed 1 February 2006

ag Iraq voters back new constitution, 25 November 2005
http://news.bbc.co.uk/2/hi/middle_east/4374822.stm#startcontent
Date accessed 6 March 2006

ah Iraqi police accused of torture, 27 July 2005
http://news.bbc.co.uk/2/hi/middle_east/4718999.stm
Date accessed 16 August 2005

ai Who's who in Iraq: Iyad Allawi, 28 May 2004
http://news.bbc.co.uk/1/hi/world/middle_east/3757923.stm
Date accessed 22 September 2005

aj Iraq's uncertain marshland revival, 27 June 2006
http://news.bbc.co.uk/1/hi/world/middle_east/5120574.stm
Date accessed 27 June 2006

ak Iraq ministry hostages 'tortured', 16 November 2006
http://news.bbc.co.uk/1/hi/world/middle_east/6153316.stm
Date accessed 20 January 2007

al Timeline: Anfal trial, 8 January 2007
http://news.bbc.co.uk/1/hi/world/middle_east/5272224.stm
Date accessed 21 February 2007

am Judge replaced in Saddam's trial, 19 September 2006
http://news.bbc.co.uk/1/hi/world/middle_east/5361492.stm
Date accessed 21 February 2006

an Hanging of Saddam's aides filmed, 15 January 2006
http://news.bbc.co.uk/1/hi/world/middle_east/6263787.stm
Date accessed 20 March 2007

[5] ***The Times*** http://www.timesonline.co.uk/

a Breakthrough as Iraq appoints key ministers, 8 June 2006
http://www.timesonline.co.uk/article/0,,7374-2216796,00.html
Date accessed 9 June 2006

b Death of a terrorist, 9 June 2006
http://www.timesonline.co.uk/printFriendly/0,,1-2-2218027-6047,00.html
Date accessed 9 June 2006

c Iraqi insurgents now outnumber coalition forces, 4 January 2005
http://www.timesonline.co.uk/article/0,,7374-1425022,00.html
Date accessed 15 February 2005

d The mystery heir to al-Zarqawi, 13 June 2006
http://www.timesonline.co.uk/article/0,,3-2222426,00.html
Date accessed 15 June 2006

e Iraq orders probe into secret torture prison, 16 November 2005
http://www.timesonline.co.uk/article/0,,7374-1874817,00.html
Date accessed 16 November 2005

f Al-Qaeda threatens jihad over Pope's remark, 18 September 2006
http://www.timesonline.co.uk/tol/news/world/middle_east/article642645.ece
Date accessed 2 March 2007

g Obituary - Saddam Hussein, 30 December 2006
http://www.timesonline.co.uk/tol/news/world/middle_east/article1265248.ece?token=null&offset=48
Date accessed 20 March 2007

h Outcry over hanging of Saddam's henchmen, 15 January 2007
http://www.timesonline.co.uk/tol/news/world/iraq/article1293090.ece
Date accessed 20 March 2007

[6] ***The Guardian*** http://www.guardian.co.uk/

a 'The US is behaving as if every Sunni is a terrorist', 26 January 2005
http://www.guardian.co.uk/Iraq/Story/0,2763,1398636,00.html
Date accessed 4 March 2005

b 173 prisoners found beaten and starved in Iraq government bunker, 16 November 2005
http://www.guardian.co.uk/Iraq/Story/0,2763,1643563,00.html
Date accessed 18 November 2005

c Hopes fade for deal on Iraqi constitution, 26 August 2005
http://www.guardian.co.uk/print/0,3858,5271204-103681,00.html
Date accessed 19 September 2005

d Mosul deputy police chief assassinated, 25 February 2004
http://www.guardian.co.uk/Iraq/Story/0,2763,1155940,00.html
Date accessed 3 November 2004

e Official US agency paints dire picture of 'out-of-control' Iraq, 18 January 2006
http://www.guardian.co.uk/Iraq/Story/0,,1688730,00.html
Date accessed 1 February 2006

f US helps Iraq prepare for war crimes trials, 8 March 2004
http://www.guardian.co.uk/international/story/0,3604,1164209,00.html
Date accessed 3 November 2004

g Shia majority cut in Iraqi poll as negotiations begin for new PM, 21 January 2006 http://www.guardian.co.uk/print/0,3858,5380323-103681,00.html
Date accessed 1 February 2006

h af Key people in post-conflict Iraq: Masoud Barzani
http://www.guardian.co.uk/gallery/image/0,8543,-11704645647,00.html
Date accessed 31 August 2005

i Talabani elected as Iraqi president, 6 April 2005
http://www.guardian.co.uk/Iraq/Story/0,2763,1453415,00.html
Date accessed 10 May 2005

j Iraq timeline: January 1 2005 – present
http://www.guardian.co.uk/Iraq/page/0,12438,1394573,00.html
Date accessed 6 September 2005

k 2004 was deadliest year for media, 19 January 2005
http://www.guardian.co.uk/international/story/0,3604,1393270,00.html
Date accessed 18 March 2005

l Fifteen dead in Tikrit car bomb, 24 February 2005
http://www.guardian.co.uk/Iraq/Story/0,,1424214,00.html
Date accessed 16 March 2005
m Key people in post-conflict Iraq: Moqtada al-Sadr
http://www.guardian.co.uk/gallery/image/0,8543,-11504645647,00.html
Date accessed 31 August 2005
n Bomber in uniform kills 12 Iraqi police, 25 February 2005
http://www.guardian.co.uk/Iraq/Story/0,2763,1424866,00.html
Date accessed 16 March 2005
o Talabani elected as Iraqi president, 6 April 2005
http://www.guardian.co.uk/Iraq/Story/0,2763,1453415,00.html
Date accessed 10 May 2005
p Iraqi elections: the key parties, 27 January 2005
http://www.guardian.co.uk/Iraq/Story/0,2763,1399971,00.html
Date accessed 27 January 2005
q Balance of parties means new constitution will be a product of compromise, 14 February 2005
http://www.guardian.co.uk/Iraq/Story/0,2763,1412336,00.html
Date accessed 16 February 2005
r Allawi attempts to restore rule of law, 9 August 2004
http://www.guardian.co.uk/print/0,3858,4988962-103550,00.html
Date accessed 9 August 2004
s Iraq Timeline February 1 2004 to December 31 2004, 29 December 2004
http://www.guardian.co.uk/Iraq/page/0,12438,1151021,00.html
Date accessed 11 April 2005
t Sunnis admit poll boycott blunder and ask to share power, 15 February 2005 http://www.guardian.co.uk/Iraq/Story/0,2763,1414818,00.html
Date accessed 16 February 2005
u Iraq election results fail to stem violence, 14 February 2005
http://www.guardian.co.uk/international/story/0,3604,1414572,00.html
Date accessed 16 February 2005
v Iraq's Shias in landmark poll victory, 14 February 2005
http://www.guardian.co.uk/Iraq/Story/0,2763,1412317,00.html
Date accessed 16 February 2005
w Key people in post-conflict Iraq: Ahmad Chalabi
http://www.guardian.co.uk/gallery/image/0,8543,-11404645647,00.html
Date accessed 31 August 2005
x Key people for post-conflict Iraq: Jahal Talabani
http://www.guardian.co.uk/gallery/image/0,8543,-10704645647,00.html
Date accessed 31 August 2005
y Key people for post-conflict Iraq: Ibrahim al-Jaafari
http://www.guardian.co.uk/gallery/image/0,8543,-10404645647,00.html
Date accessed 31 August 2005
z Key people for post-conflict Iraq: Grand Ayatollah Ali al-Sistani
http://www.guardian.co.uk/gallery/image/0,8543,-10304645647,00.html
Date accessed 31 August 2005
aa Key people for post-conflict Iraq: Abdul Aziz al-Hakim
http://www.guardian.co.uk/gallery/image/0,8543,-11304645647,00.html
Date accessed 31 August 2005
ab Key people for post-conflict Iraq: Ayad Allawi
http://www.guardian.co.uk/gallery/image/0,8543,-11204645647,00.html
Date accessed 31 August 2005
ac After a three-year hunt, US kills Iraq target number one, 9 June 2006
http://www.guardian.co.uk/print/0,,329500589-103550,00.html
Date accessed 9 June 2006

ad As violence grows, oil rich Kirkuk could hold key to Iraq's future, 27 October 2006
http://www.guardian.co.uk/Iraq/Story/0,,1932789,00.html
Date accessed 20 February 2007

[7] Reuters http://today.reuters.co.uk/news/default.aspx?src=googleSEM
a Iraqi group fears revival of 'devil worship' tag, (via Kurdish Media), 18 August 2005
http://www.kurdmedia.com/news.asp?id=7531
Date accessed 20 August 2005
b Zarqawi successor named, 13 June 2006
http://today.reuters.co.uk/news/newsArticle.aspx?type=topNews&storyID=2006-06-12T143806Z_01_L12372526_RTRUKOC_0_UK-IRAQ.xml
Date accessed 15 June 2006
c Fleeing violence, Iraq's Arabs flock to Kurdistan, 31 August 2006
http://www.alertnet.org/thenews/newsdesk/MAC846966.htm
Date accessed 15 October 2006

[8] Council on Foreign Relations (CFR), USA
a Iraq: Militia Groups, 9 June 2005
http://www.cfr.org/publication.html?id=8175
Date accessed 2 September 2005
b Iraq : Debaathification, 7 April 2005
http://www.cfr.org/publication.html?id=7853
Date accessed 5 September 2005
c Iraq: The Role of Tribes, 14 November 2003
http://www.cfr.org/publication/7681/iraq.html
Date accessed 5 September 2005
d Iraq: Saddam's Trial, 30 August 2005
http://www.cfr.org/publication/8750/iraq.html
Date accessed 30 August 2005
e The New Face of Iraq's Government, 22 April 2006
http://www.cfr.org/publication/10515/new_face_of_iraqs_government.html
Date accessed 6 June 2006
f Profile: Abu Musab al-Zarqawi, 8 June 2006
http://www.cfr.org/publication/9866/profile.html?breadcrumb=default
Date accessed 14 June 2006

[9] Substance Abuse and Mental Health Services Administration (SAMHSA)
a Across Borders: Rebuilding Iraq, January / February 2005, Volume 13, Number 1
http://alt.samhsa.gov/samhsa_news/VolumeXIII_1/article6.htm
Date accessed 11 August 2005
b In Transition: Al-Rashad Mental Hospital, May / June 2005, Volume 13, Number 3
http://alt.samhsa.gov/SAMHSA_News/VolumeXIII_3/index3.htm
Date accessed 11 August 2005

[10] Medact http://www.medact.org/
a Iraq health update, Summer 2005, (via ReliefWeb), 26 July 2005
http://www.reliefweb.int/rw/RWB.NSF/db900SID/RMOI-6EP9GR?OpenDocument
Date accessed 10 August 2005

[11] Institute for War and Peace Reporting (IWPR)
http://www.iwpr.net/home_index_new.html

a Mobile Schools Set up for Marsh Arabs, 20 October 2004
http://www.iwpr.net/index.pl?archive/irq/irq_85_3_eng.txt
Date accessed 22 March 2005

b Arabs encounter prejudice in Kurdistan, 10 August 2004
http://www.iwpr.net/index.pl?archive/irq/irq_78_4_eng.txt
Date accessed 13 August 2004

c Kurdish Christians Complain of Discrimination, 28 June 2005
http://iwpr.net/index.pl?archive/irq/irq_130_5_eng.txt
Date accessed 15 September 2005

d Shia Militia Takes on the Insurgents, 24 May 2005
http://www.iwpr.net/index.pl?archive/irq/irq_126_1_eng.txt
Date accessed 7 September 2005

e Stressed-Out Men Beating Their Wives, 19 July 2005
http://www.iwpr.net/in\dex.pl?archive/irq/irq_133_4_eng.txt
Date accessed 30 August 2005

f Iraqi Journalists Demand Protection, 2 March 2006
http://www.iwpr.net/?p=icr&s=f&o=259972&apc_state=henh
Date accessed 3 March 2006

g Arab Lecturers Go North, (via Tharwa Project), 24 February 2005
http://www.tharwaproject.com/index.php?option=com_keywords&task=view&id=566&Itemid=0
Date accessed 31 March 2005

h Cautious Optimism for New Iraqi Government, 26 January 2006
http://www.iwpr.net/?p=icr&s=f&o=259164&apc_state=henh
Date accessed 1 February 2006

i Police, Civil Servants Punished for Not Voting, 15 November 2005
http://www.iwpr.net/index.php?apc_state=hen&s=o&o=archive/irq/irq_152_3_eng.txt
Date accessed 6 March 2006

j Summary of Iraqi Transitional Administrative Law, 22 March 2004
http://www.iwpr.net/index.pl?iraq_ta_law_032004.html
Date accessed 22 March 2004

k Ethnic Tensions Rising in Kirkuk, 1 February 2006
http://www.iwpr.net/?p=icr&s=f&o=259239&apc_state=henh
Date accessed 6 February 2006

l Children held for ransom, 8 January 2004
http://www.iwpr.net/index.pl?archive/irq/irq_43_3_eng.txt
Date accessed 15 January 2004

m Insurgents Impose Curbs on Women, 5 July 2005
http://www.iwpr.net/index.pl?archive/irq/irq_131_1_eng.txt
Date accessed 15 August 2005

n Insurgents Target Doctors, 12 July 2005
http://www.iwpr.net/index.pl?archive/irq/irq_132_2_eng.txt
Date accessed 15 August 2005

o Sex Trade Blights the North, 27 July 2005
http://www.iwpr.net/index.pl?archive/irq/irq_134_6_eng.txt
Date accessed 15 August 2005

p Main Players
http://www.iwpr.net/index.pl?iraq_elect_players.html
Date accessed 27 January 2005

q What are Iraqis Voting for?
http://www.iwpr.net/index.pl?iraq_elect_voting.html
Date accessed 18 February 2005

r After the Sunni Boycott, 14 February 2005
http://www.iwpr.net/index.pl?archive/irq/irq_112_2_eng.txt
Date accessed 17 February 2005
s Iraqi Election: Winners Rejoice, but Talk to Losers, 14 February 2005
http://www.iwpr.net/index.pl?archive/irq/irq_112_1_eng.txt
Date accessed 17 February 2005
t Rape Victims Suffer in Silence, 3 August 2005
http://www.iwpr.net/index.pl?archive/irq/irq_135_2_eng.txt
Date accessed 15 August 2005
u Blood thicker than water, 20 October 2003
http://www.iwpr.net/index.pl?archive/irq/irq_32_2_eng.txt
Date accessed 28 October 2003
v The Road of Death, 30 June 2006
http://www.iwpr.net/?p=icr&s=f&o=321909&apc_state=heniicr200606
Date accessed 25 August 2006
w Baghdad gays fear for their lives, 20 October 2006
http://iwpr.net/?p=icr&s=f&o=324756&apc_state=heniicr200610
Date accessed 9 February 2007
x Iraqi Kurdistan Offers Safe Haven for Fleeing Arabs, 13 October 2006
http://iwpr.net/?p=icr&s=f&o=324561&apc_state=heniicr200610
Date accessed 4 February 2007

[12] Dahr Jamail's Iraq Dispatches http://dahrjamailiraq.com/index.php
a Iraqi Hospitals Ailing Under Occupation, June 2005
http://dahrjamailiraq.com/reports/HealthcareUnderOccupationDahrJamail.pdf
Date accessed 10 August 2005

[13] Knight Ridder Newspapers, USA
a Revenge killings of members of Saddam's former regime rise, 25 February 2005
http://www.realcities.com/mld/krwashington/10994419.htm?template=contentModules/printstory.jsp
Date accessed 29 July 2005
b Sunnis claim Shiite militia carries out campaign of threats, murder, 8 June 2005
http://www.realcities.com/mld/krwashington/11846777.htm?template=contentModules/printstory.jsp
Date accessed 16 September 2005
c Iraq swears in new government, (via LexisNexis), 20 May 2006
Date accessed 6 June 2006

[14] Jane's Information Group http://jir.Jane's.com/
a Northern Iraq faces increased instability in 2005, February 2005,
Date accessed 27 July 2005
b Iraq: Security, 1 August 2006
http://www8.Jane's.com/Search/documentView.do?docId=/content1/Jane's data/sent/gulfsu/gulfa000.htm@current&pageSelected=allJane's&keyword=iraq%2C%20sunni&backPath=http://search.Jane's.com/Search&Prod_Name=GULFS&#toclink-j1091129561028141
Date accessed 15 August 2006

[15] Human Rights Watch http://www.hrw.org/
a Torture Continues at Hands of New Government, 25 January 2005
http://hrw.org/english/docs/2005/01/26/iraq10053.htm
Date accessed 15 March 2005

b Getting Away with Torture? Command Responsibility for the U.S. Abuses of Detainees, April 2005, Vol.17, No 1(G)
http://www.hrw.org/reports/2005/us0405/us0405.pdf
Date accessed 29 July 2005
c Iraqi Election 2005, 1 February 2005
http://hrw.org/campaigns/iraq/elections/index.htm
Date accessed 17 February 2005
d Sidelined: Human rights in postwar Iraq, January 2004
http://hrw.org/wr2k4/6.htm
Date accessed 27 January 2004
e US: Soldiers Tell of Detainee Abuse in Iraq, 23 July 2006
http://hrw.org/english/docs/2006/07/19/usint13767.htm
Date accessed 25 July 2006
f "No Blood, No Foul" Soldiers' Accounts of Detainee Abuse in Iraq, July 2006, Volume 18, No 3(G)
http://hrw.org/reports/2006/us0706/us0706webwcover.pdf
Date accessed 24 July 2006
g The New Iraq? Torture and ill-treatment of detainees in Iraq custody, January 2005
http://hrw.org/reports/2005/iraq0105/iraq0105.pdf
Date accessed 31 January 2005
h The Iraqi High Tribunal and Representation of the Accused, February 2006
http://hrw.org/backgrounder/mena/iraq0206/iraq0206.pdf
Date accessed 16 March 2006
i World Report 2006: Iraq
http://www.hrw.org/english/docs/2006/01/18/iraq12215.htm
Date accessed 7 February 2006
j A Face and a Name, 3 October 2005
http://hrw.org/reports/2005/iraq1005/iraq1005.pdf
Date accessed 28 February 2006
k Nowhere to Flee: The Perilous Situation of Palestinians in Iraq, September 2006, Volume 18, No 4(E)
http://hrw.org/reports/2006/iraq0706/iraq0706sumandrecs.pdf
Date accessed 10 October 2006
l Saddam Hussein Put to Death, 30 December 2006
http://hrw.org/english/docs/2006/12/30/iraq14950.htm
Date accessed 5 January 2007
m Removal of Judge a Grave Threat to Independence of Genocide court, 19 September 2006
http://hrw.org/english/docs/2006/09/19/iraq14229_txt.htm
Date accessed 21 February 2007
n US, Jordan, Syria Must Open Doors to Iraq Refugees, 16 January 2007
http://hrw.org/english/docs/2007/01/16/usint15064.htm
Date accessed 1 February 2007
o World Report 2007: Iraq
http://hrw.org/englishwr2k7/docs/2007/01/11/iraq14705.htm
Date accessed 31 January 2007

[16] ***The Washington Post*** http://www.washingtonpost.com/
a Iraq's Baath Party is abolished ,12 May 2003
http://www.washingtonpost.com/ac2/wp-dyn?pagename=article&contentId=A42950-2003May11&notFound=true
Date accessed 12 May 2003
b Uniformed Killers Difficult to Identify, 15 May 2006
http://www.washingtonpost.com/wp-dyn/content/article/2006/05/14/AR2006051400944.html
Date accessed 20 July 2006

c Political Violence Surges in Iraq, 26 August 2005
http://www.washingtonpost.com/wp-dyn/content/article/2005/08/25/AR2005082500294.html
Date accessed 2 September 2005
d 'My Hands Are Not Stained with Blood', 3 February 2005
http://www.washingtonpost.com/wp-dyn/articles/A59279-2005Feb3.html
Date accessed 23 March 2005
e US Prisons in Iraq Nearly Full with Rise in Insurgent Arrests, 21 January 2005
http://www.washingtonpost.com/ac2/wp-dyn/A24875-2005Jan20?language=printer
Date accessed 15 March 2005
f Militias Wresting Control Across Iraq's North and South, 20 August 2005
http://www.washingtonpost.com/wp-dyn/content/article/2005/08/20/AR2005082000940.html
Date accessed 25 August 2005
g Kurdish Officials Sanction Abductions in Kirkuk; US Memo Says Arabs, Turkmens Secretly Sent to the North, (via LexisNexis), 15 June 2005
Date accessed 15 March 2006
h Iraq Begins to Rein in Paramilitary Force; Out of Control Guard Unit Established by US in Death Squad-Style Executions, (via LexisNexis), 14 May 2006
Date accessed 20 July 2006
i Date Floated For Baghdad Security Shift, 28 May 2006
http://www.washingtonpost.com/wp-dyn/content/article/2006/05/27/AR2006052700859.html
Date accessed 19 July 2006
j Tackling Another Major Challenge in Iraq: Unemployment, 20 June 2005
http://www.washingtonpost.com/wp-dyn/content/article/2005/06/19/AR2005061900729.html
Date accessed 5 January 2007
j Another freedom cut short, 6 October 2006
http://www.washingtonpost.com/wp-dyn/content/article/2006/10/05/AR2006100501825.html
Date accessed 19 January 2007
k Shiite Clerics' Rivalry Deepens In Fragile Iraq, 21 December 2006
http://www.washingtonpost.com/wp-dyn/content/article/2006/12/20/AR2006122002047.html
Date accessed 19 January 2007

[17] CNN.com http://edition.cnn.com/WORLD/
a Iraq leaders praise group accused of killings, 8 June 2005
http://cgi.cnn.com/2005/WORLD/meast/06/08/iraq.badr/
Date accessed 2 September 2005
b Sources say hundreds of Iraq attacks planned, 20 January 2005
http://www.cnn.com/2005/WORLD/meast/01/20/iraq.main/
Date accessed 21 March 2005
c Shiite alliance wins plurality in Iraq, 14 February 2005
http://www.cnn.com/2005/WORLD/meast/02/13/iraq.main/
Date accessed 16 February 2005
d Curfew ordered after al-Zarqawi killed, 9 June 2006
http://www.cnn.com/2006/WORLD/meast/06/08/iraq.main/index.html
Date accessed 9 June 2006
e Survey: 25,000 civilians killed in Iraq war, 19 July 2005
http://www.cnn.com/2005/WORLD/meast/07/19/iraq.bodycount/
Date accessed 9 August 2005

[18] IRIN http://www.irinnews.org/

a After months of squabbling, government appointments raise hopes for calm, 23 April 2006
http://www.irinnews.org/print.asp?ReportID=52924
Date accessed 5 June 2006

b Focus on progress made in marshlands, 22 August 2005
http://www.irinnews.org/report.asp?ReportID=48679&SelectRegion=Middle_East
Date accessed 26 August 2005

c Ongoing insecurity hampers landmine clearance, 6 June 2005
http://www.irinnews.org/print.asp?ReportID=47482
Date accessed 5 September 2005

d Briefing paper on Education, 20 May 2005
http://www.irinnews.org/report.asp?ReportID=41159&SelectRegion=Middle_East
Date accessed 6 September 2005

e Focus of displacement in Kirkuk, 23 September 2004
http://www.irinnews.org/print.asp?ReportID=43319
Date accessed 22 March 2005

f NGO warns of rising rates of child labour, 15 June 2006
http://www.irinnews.org/report.asp?ReportID=53955&SelectRegion=Middle_East&SelectCountry=IRAQ
Date accessed 20 June 2006

g Religious and ethnic minorities want rights enshrined in new constitution, 20 April 2005
http://www.irinnews.org/report.asp?ReportID=46725&SelectRegion=Middle_East&SelectCountry=IRAQ
Date accessed 25 August 2005

h Survey suggests widespread female circumcision in Germain region, 7 January 2005
http://www.irinnews.org/report.asp?ReportID=44944&SelectRegion=Middle_East&SelectCountry=IRAQ
Date accessed 22 March 2005

i IRAQ: Year in Brief 2005 – Chronology of humanitarian events, 9 January 2006. http://www.irinnews.org/report.asp?ReportID=50986#Aug
Date accessed 24 April 2006

j Tougher regulations for visas announced, 22 December 2005
http://www.irinnews.org/report.asp?ReportID=50848&SelectRegion=Middle_East
Date accessed 5 January 2006

k Focus on boys trapped in commercial sex trade, 8 August 2005
http://www.plusnews.org/report.asp?ReportID=48485&SelectRegion=Middle_East
Date accessed 11 August 2005

l Evidence of insurgents using child soldiers, 15 March 2005
http://www.irinnews.org/report.asp?ReportID=46117&SelectRegion=Middle_East&SelectCountry=IRAQ
Date accessed 15 February 2006

m Interview with senior advisor to Ministry of Justice, 22 October 2004
http://www.irinnews.org/report.asp?ReportID=43801&SelectRegion=Iraq_Crisis&SelectCountry=IRAQ
Date accessed 7 February 2005

n Focus on election outcome, 15 February 2005
http://www.plusnews.org/report.asp?ReportID=45583&SelectRegion=Middle_East
Date accessed 22 February 2005

o Health system improves in south, 4 February 2005
http://www.irinnews.org/report.asp?ReportID=45384&SelectRegion=Middle_East&SelectCountry=IRAQ
Date accessed 24 February 2005

p Palestinian refugees still waiting to be moved, 21 June 2004
http://www.irinnews.org/report.asp?ReportID=41786&SelectRegion=Iraq_Crisis&SelectCountry=IRAQ
Date accessed 2 July 2004

q Palestinians targeted – UNHCR, 5 March 2006
http://www.irinnews.org/report.asp?ReportID=52017&SelectRegion=Middle_East
Date accessed 6 March 2006

r Activists call on army, police to respect women's rights, 8 February 2006
http://www.irinnews.org/report.asp?ReportID=51607&SelectRegion=Middle_East
Date accessed 6 March 2006

s New prison in Basra eases overcrowding, 6 July 2004
http://www.irinnews.org/report.asp?ReportID=42027&SelectRegion=Iraq_Crisis&SelectCountry=IRAQ
Date accessed 16 February 2005

t Government defends use of curfew despite disruptions, 27 February 2006
http://www.irinnews.org/report.asp?ReportID=51919&SelectRegion=Middle_East
Date accessed 6 March 2006

u Salaries increased to improve education, 22 June 2005
http://www.plusnews.org/report.asp?ReportID=47758&SelectRegion=Middle_East&SelectCountry=IRAQ
Date accessed 11 August 2005

v Street children face hunger and abuse, 26 December 2005
http://www.irinnews.org/report.asp?ReportID=50850&SelectRegion=Middle_East
Date accessed 6 March 2006

w Children of mixed marriages protest official discrimination, 12 December 2005
http://www.irinnews.org/report.asp?ReportID=50618&SelectRegion=Middle_East
Date accessed 6 March 2006

x Insecurity threatens to leave students with late start, 10 August 2005
http://www.plusnews.org/report.asp?ReportID=48529&SelectRegion=Middle_East&SelectCountry=IRAQ
Date accessed 11 August 2005

y Focus on shortage of medicine for HIV/AIDS patients, 7 April 2005
http://www.plusnews.org/report.asp?ReportID=46501&SelectRegion=Middle_East&SelectCountry=IRAQ
Date accessed 11 August 2005

z Increased protection for children following attacks, 5 March 2006
http://www.irinnews.org/report.asp?ReportID=52018
Date accessed 6 March 2006

aa Preventive measures taken on Syrian border against HIV, 20 July 2005
http://www.plusnews.org/report.asp?ReportID=48203&SelectRegion=Middle_East&SelectCountry=IRAQ
Date accessed 11 August 2005

ab Despite government scepticism, negotiations with insurgents continue, 31 January 2006
http://www.irinnews.org/report.asp?ReportID=51443&SelectRegion=Middle_East
Date accessed 6 February 2006

ac Activists call for protection of academics, 15 January 2006
http://www.irinnews.org/report.asp?ReportID=51116&SelectRegion=Middle_East&SelectCountry=IRAQ
Date accessed 6 March 2006

ad Rise in numbers living with HIV/AIDS, says health ministry, 19 January 2006
http://www.irinnews.org/report.asp?ReportID=51212&SelectRegion=Middle_East&SelectCountry=IRAQ
Date accessed 6 March 2006

ae Insurgent attacks rose in 2005, says US military report, 24 January 2006
http://www.irinnews.org/report.asp?ReportID=51304&SelectRegion=Middle_East&SelectCountry=IRAQ
Date accessed 6 March 2006

af Violence and threats hamper freedom of expression, 25 January 2006
http://www.irinnews.org/report.asp?ReportID=51326&SelectRegion=Middle_East&SelectCountry=IRAQ
Date accessed 6 March 2006

ag Local NGO documents prisoner abuse, 20 February 2006
http://www.irinnews.org/report.asp?ReportID=51801&SelectRegion=Middle_East&SelectCountry=IRAQ
Date accessed 6 March 2006

ah Male homosexuality still a taboo, 5 February 2006
http://www.irinnews.org/report.asp?ReportID=51540&SelectRegion=Middle_East
Date accessed 6 March 2006

ai Sectarian tensions on the rise, 30 January 2006
http://www.irinnews.org/report.asp?ReportID=51414&SelectRegion=Middle_East&SelectCountry=IRAQ
Date accessed 6 March 2006

aj Kurdish government to build camp for IDPs, 29 August 2006
http://www.irinnews.org/report.asp?ReportID=55322&SelectRegion=Middle_East&SelectCountry=IRAQ
Date accessed 15 October 2006

ak Local NGO warns of rising cases of sexual abuse, 14 June 2006
http://www.irinnews.org/report.asp?ReportID=53936&SelectRegion=Middle_East&SelectCountry=IRAQ
Date accessed 8 October 2006

al Women were more respected under Saddam, say women's groups, 13 April 2006
http://www.irinnews.org/report.asp?ReportID=52776&SelectRegion=Middle_East&SelectCountry=IRAQ
Date accessed 8 October 2006

am Child prisoners left without support, 30 July 2006
http://www.irinnews.org/report.asp?ReportID=54888&SelectRegion=Middle_East&SelectCountry=IRAQ
Date accessed 5 October 2006

an Concern over reports of child trafficking, 29 June 2006
http://www.irinnews.org/report.asp?ReportID=54295&SelectRegion=Middle_East&SelectCountry=IRAQ
Date accessed 5 October 2006

ao For quality of life, Baghdad ranked last in world, survey finds, 11 April 2006
http://www.irinnews.org/report.asp?ReportID=52733&SelectRegion=Middle_East&SelectCountry=IRAQ
Date accessed 3 October 2006

ap Refugees enjoy improved conditions in new camp, says UNHCR, 11 April 2006
http://www.irinnews.org/report.asp?ReportID=52726
Date accessed 3 October 2006

aq Threatened teachers fleeing the country, 24 August 2006
http://www.irinnews.org/report.asp?ReportID=55261&SelectRegion=Middle_East&SelectCountry=IRAQ
Date accessed 3 October 2006

ar Aid workers threatened by sectarian violence, 16 August 2006
http://www.irinnews.org/report.asp?ReportID=55137&SelectRegion=Middle_East&SelectCountry=IRAQ
Date accessed 3 October 2006

as HIV-positive couple murdered, 9 August 2006
http://www.irinnews.org/report.asp?ReportID=55053&SelectRegion=Middle_East
Date accessed 3 October 2006

at Shi'ite and Sunnis shelter each other, 3 August 2006
http://www.irinnews.org/report.asp?ReportID=54963&SelectRegion=Middle_East&SelectCountry=IRAQ
Date accessed 3 October 2006

au Palestinians flee to borders amid intimidation, 5 June 2006
http://www.irinnews.org/print.asp?ReportID=53730
Date accessed 5 June 2006

av Mixed marriages confront sectarian violence, 6 April 2006
http://www.irinnews.org/report.asp?ReportID=52644&SelectRegion=Middle_East&SelectCountry=IRAQ
Date accessed 10 October 2006

aw Thousands of Iraq's young women not going to school, (via Electroniciraq.net), 13 December 2006
http://electroniciraq.net/news/2726.shtml
Date accessed 4 January 2007

ax Insurgents using children to fight US-led forces, 2 November 2006
http://www.irinnews.org/report.asp?ReportID=56187&SelectRegion=Middle_East&SelectCountry=IRAQ
Date accessed 7 November 2006

ay Meat, light and water become luxuries, 15 October 2006
http://www.irinnews.org/report.asp?ReportID=55957&SelectRegion=Middle_East&SelectCountry=IRAQ
Date accessed 5 January 2007

az Shortage of anti-retroviral drugs and Kurdistan, 12 December 2006
http://www.irinnews.org/report.asp?ReportID=56707&SelectRegion=Middle_East&SelectCountry=IRAQ
Date accessd 4 January 2007

ba Slow reconstruction blamed on corruption, 6 September 2006
http://www.irinnews.org/report.aspx?reportid=60585
Date accessed 20 January 2007

bb Christians live in fear of death squads, 19 October 2006
http://www.irinnews.org/report.aspx?reportid=61897
Date accessed 2 March 2007

bc Ethnic tensions mount in Kirkuk, 16 November 2006
http://www.irinnews.org/report.aspx?reportid=70009
Date accessed 20 February 2007

bd Sectarian violence forces mixed couples to divorce, 8 November 2006
http://www.irinnews.org/report.aspx?reportid=61927
Date accessed 1 February 2007

be Children suffer most in Iraq, 11 December 2006
http://www.irinnews.org/report.aspx?reportid=62430
Date accessed 2 February 2007

bf Ministry copes with rising numbers of orphaned children 18 April 2006
http://www.irinnews.org/report.aspx?reportid=26300
Date accessed 2 February 2007

bg Brian drain poses threat to future, 16 November 2006
http://www.rferl.org/featuresarticle/2006/11/d0c40243-4975-49f8-9fe4-536f108b95a9.html
Date accessed 4 February 2007

bh Unemployment and violence increase poverty, 17 October 2006
http://www.irinnews.org/report.aspx?reportid=61892
Date accessed 2 February 2007

bi Iraq: Humanitarian Country Profile, February 2007
http://irinnews.org/country.aspx?CountryCode=IQ&RegionCode=ME
Date accessed 28 February 2006

bj Smuggled oil hampering reconstruction, 25 December 2006
http://www.irinnews.org/report.aspx?reportid=62904
Date accessed 6 January 2007

bk New rules a 'death sentence' for Iraqis, (via Reuters), 1 March 2007
http://www.alertnet.org/thenews/newsdesk/IRIN/8ebf4f902d4d3593f9810fdbb752759e.htm
Date accessed 1 March 2007

[19] The Economist http://www.economist.com/countries/Iraq/index.cfm

a Iraqi's Shias go from exclusion to dominance, 17 February 2005
http://www.economist.com/agenda/displayStory.cfm?story_id=3663599
Date accessed 31 August 2005

b Political Structure, 10 December 2004
http://www.economist.com/countries/Iraq/profile.cfm?folder=Profile%2DPolitical%20Structure
Date accessed 7 February 2005

c Iraqi Kurdistan's two governments become one, (via LexisNexis), 13 May 2006
Date accessed 14 October 2006

d From killing zone to safe haven, 10 August 2006
http://www.economist.com/world/africa/displaystory.cfm?story_id=7281204
Date accessed 4 February 2007

[20] Reporters sans Frontières (RSF) http://www.rsf.org/

a "Unacceptable" allegations against Al-Jazeera by defence minister, 25 November 2004
http://www.rsf.org/article.php3?id_article=11938
Date accessed 18 March 2005

b Press Freedom – War on Iraq
http://www.rsf.org/special_iraq_en.php3
Date accessed 28 September 2006

c Iraq: 2005 annual report, 3 May 2005
http://www.rsf.org/article.php3?id_article=13307
Date accessed 25 July 2005

d Iraq: 2006 annual report
http://www.rsf.org/article.php3?id_article=13307
Date accessed 28 September 2006

e Three years of slaughter in Iraq, 20 March 2006
http://www.rsf.org/article.php3?id_article=16793
Date accessed 28 September 2006

f Slaughter in Iraq, March 2006
http://www.rsf.org/IMG/pdf/Survey_RSF_Iraq_06.pdf
Date accessed 28 September 2006

g Iraq – Annual report 2007, 1 February 2007
http://www.rsf.org/IMG/pdf/rapport_en_bd-4.pdf
Date accessed 2 February 2007

h Two TV stations closed for showing Iraqs protesting against death sentence for Saddam, 6 November 2006
http://www.rsf.org/article.php3?id_article=19599
Date accessed 15 December 2006

[21] Agence France-Presse (AFP) http://www.afp.com/

a Baghdad under curfew in fear of Zarqawi successors, 9 June 2006
http://www.afp.com/english/news/stories/060609115701.2o2zx7hg.html
Date accessed 9 June 2006

b US makes good on pledge to blacklist PKK under new name, 13 January 2004 http://www.kurdmedia.com/news.asp?id=4617
Date accessed 6 February 2004

c Kurdish paper says Al Qaeda-linked suspects in Arbil blast were Iraqis, (via the Kurdistan Observer), 11 February 2004
http://home.cogeco.ca/~kurdistan1/12-2-04-arbil-bombers-irqi.htm
Date accessed 12 February 2004

d Iraqi interior minister admits 'death squads' exist, 12 April 2006 (via LexisNexis)
Date accessed 18 July 2006

e Iraq's 'devil-worshippers' seek constitutional rights, (via Kerkûk Kurdistane), 23 May 2006
http://www.kerkuk-kurdistan.com/nuceyek.asp?ser=4&cep=1&nnimre=4707
Date accessed 5 March 2007

f Beleaguered Yazidi find peace high in Iraq's northern mountains, (via Lebanon Wire), 13 October 2006
http://lebanonwire.com/0610MLN/06101315MAF.asp
Date accessed 5 March 2007

g Ethnic tensions deepen over vote in northern Iraqi city, (via Institut Kurde de Paris), 6 February 2006
http://www.institutkurde.org/en/info/index.php?subaction=showfull&id=1107790140&archive=&start_from=&ucat=2&
Date accessed 6 January 2007

[22] Radio Free Europe/Radio Liberty (RFE/RL) http://www.rferl.org/

a Iraq: Writing Of Draft Constitution Ends Amid Disputes, 29 August 2005
http://www.rferl.org/featuresarticle/2005/08/11bb58f4-888a-4a99-9d80-1aa231333bd5.html
Date accessed 30 August 2005

b Iraq: Judges Say Improving Rule Of Law Depends On Security, 15 September 2004
http://www.rferl.org/featuresarticle/2004/09/c727eb91-42a7-4039-b4ea-d26500b15f05.html
Date accessed 28 February 2005

c Study says Female Genital Mutilation Widespread in North, 21 January 2005
http://www.rferl.org/featuresarticle/2005/01/5c740d58-641a-4f32-b375-5c731a811634.html
Date accessed 22 March 2005

d Iraq: New NGO Helps Street Children in Baghdad, 21 June 2004
http://www.rferl.org/featuresarticle/2004/06/f0d81bca-e15d-4d87-80de-f2610a393da0.html
Date accessed 23 March 2005

e Al-Qaeda Leader In Iraq Reported Dead, 8 June 2006
http://www.rferl.org/featuresarticle/2006/6/9E0D9512-7EFA-40A4-8F29-D81EC9EF0C9D.html
Date accessed 9 June 2006

f Full-Term Iraqi Government Finally Approved, 20 May 2006
http://www.rferl.org/featuresarticle/2006/05/8cc1e98c-a270-4fca-81a0-e6dde1fa204d.html
Date accessed 31 May 2006

g Iraq: Sectarian Violence On The Rise, 24 May 2005
http://www.rferl.org/featuresarticle/2005/05/3111e849-611e-4da7-b29c-51e352fb84f3.html
Date accessed 24 August 2005

h Iraq: Christians Face Threats From All Sides, 3 July 2005
http://www.rferl.org/featuresarticle/2005/07/4362a76d-1036-45fd-9ef6-04aa53a1d805.html
Date accessed 25 July 2005

i Iraq: Alleged Terrorist Leader To Be Deported From Norway, 2 April 2005
http://www.rferl.org/featuresarticle/2005/04/d36876fc-0a66-4594-ab86-2f5a2b95ee5a.html
Date accessed 12 September 2005

j Election Commission Releases Final Vote Results, 20 January 2006
http://www.rferl.org/featuresarticle/2006/01/531913d7-7dd8-4b5c-ad48-c7ade9c045c7.html
Date accessed 23 January 2006

k Election Commission Releases Final Vote Results, 20 January 2006
http://www.rferl.org/featuresarticle/2006/01/531913d7-7dd8-4b5c-ad48-c7ade9c045c7.html
Date accessed 23 January 2006

l Iraq Wants U.S. To Transfer Control Of Iraqi Prisoners, 16 February 2006
http://www.rferl.org/featuresarticle/2006/2/4286B094-3CB7-47B7-9A03-E2836B81BD18.html
Date accessed 17 February 2006

m On the brink of Civil War?, 22 February 2006
http://www.rferl.org/featuresarticle/2006/02/88CEE1C1-0D2E-4936-B9AF-6E3503E728CA.html
Date accessed 23 February 2006

n Fears Of Sectarian Violence Bring Daytime Curfew In Baghdad, 24 February 2006 http://www.rferl.org/featuresarticle/2006/02/17438304-92bc-4a8b-bc5e-9e8338d6304b.html
Date accessed 25 February 2006

o Hussein Trial Postponed After New Chief Judge Appointed, 24 January 2006 http://www.rferl.org/featuresarticle/2006/01/2749fdc0-32df-4765-8815-e2630bcd47d6.html
Date accessed 16 March 2006

p Iraq's New Government Meets for First Time, 21 May 2006
http://www.rferl.org/featuresarticle/2006/05/2D088392-D8D4-4F71-B5DA-757FC145E482.html
Date accessed 31 May 2006

q Parliament Approves New Iraqi Government, 20 May 2006
http://www.rferl.org/featuresarticle/2006/5/E94A849B-4059-4578-AA62-FA49745A1ABF.html
Date accessed 31 May 2006

r Iraqi Army Takes over Security in Kirkuk, 1 September 2006
http://www.rferl.org/featuresarticle/2006/9/B009B92C-C0D1-412A-919E-7CF935C0F791.html
Date accessed 10 October 2006

s Iraq Takes Control Of Its Armed Forces, 7 September 2006
http://www.rferl.org/featuresarticle/2006/9/0868B219-87C5-40AC-8ED1-349FDA58092F.html
Date accessed 10 October 2006

t Christian minority seeks haven from violence, 19 October 2006
http://www.rferl.org/featuresarticle/2006/10/40228640-c96c-4881-bb37-375bd1346efc.html
Date accessed 5 March 2007

u Ethnic Tensions Increasing In Oil-Rich City, 2 November 2006
http://www.rferl.org/featuresarticle/2006/11/304874c7-d3ff-471c-bfa3-087b0618c459.html
Date accessed 20 February 2007

v Kurds Call For More Government Accountability, 9 August 2006
http://www.rferl.org/featuresarticle/2006/08/b502064d-63c7-484b-adcf-91b92c3d0d07.html
Date accessed 20 February 2007

[23] World Health Organisation (WHO) http://www.who.int/en/

a WHO calls for more investment in health in Iraq, (via ReliefWeb), 18 July 2005
http://www.reliefweb.int/rw/RWB.NSF/db900SID/HMYT-6EEKMK?OpenDocument
Date accessed 11 August 2005

b Health Systems Profile: Iraq, June 2005
http://www.emro.who.int/iraq/pdf/HealthSystemsProfile.pdf
Date accessed 10 August 2005

c WHO in Iraq: Weekly Bulletin 215, 31 July 2005
http://unjobs.org/news/1123155855.98
Date accessed 11 August 2005

[24] *The New York Times* http://www.nytimes.com/

a Kurds Vow to Retain Militia as Guardians of Autonomy, 23 February 2005
http://www.nytimes.com/2005/02/27/international/middleeast/27militia.html/?ex=1125028800&en=38849835522763da&ei=5070
Date accessed 24 August 2005

b Iraqi Arabs See Unlikely Haven With Old Foes, 2 September 2006
http://www.nytimes.com/2006/09/02/world/middleeast/02arabs.html?ex=1314849600&en=814ef10794d8c4cf&ei=5088&partner=rssnyt&emc=rss
Date accessed 15 October 2006

c Influence Rises But Base Frays For Iraqi Cleric, 13 November 2006
http://select.nytimes.com/gst/abstract.html?res=F40F13F83D5A0C708DDDA80994DE404482
Date accessed 19 January 2007

d Cleric Said to Lose Reins of Parts of Iraqi Militia, 28 September 2006
http://www.nytimes.com/2006/09/28/world/middleeast/28sadr.html?ex=1317096000&en=5f9450eeea4966f8&ei=5088&partner=rssnyt&emc=rss
Date accessed 20 January 2007

e Rival Shiite militias clash in Iraqi city, 20 October 2006
http://www.iht.com/articles/2006/10/20/news/iraq.php
Date accessed 17 January 2007

f Iraq's legal system staggers beneath the weight of war, 16 December 2006
http://select.nytimes.com/gst/abstract.html?res=F10615FC38550C748DDDAB0994DE404482
Date accessed 21 February 2007

g Iraq's Christian minority flees as extremist threat worsens, (via LexisNexis), 17 October 2006
Date accessed 5 March 2007

h Most tribes in Anbar agree to unite against insurgents, 18 September 2006
http://www.nytimes.com/2006/09/18/world/middleeast/18iraq.html?ei=5088&en=acc6bd621900b06d&ex=1316232000&partner=rssnyt&emc=rss&pagewanted=print
Date accessed 1 February 2007

i Iraqis No. 2 Health Official is held and accused of financing Shiite militants, (via LexisNexis), 9 February 2007
Date accesed 10 February 2007

[25] International Crisis Group (ICG) http://www.crisisweb.org/home/index.cfm

a Iraq and the Kurds: The Brewing Battle over Kirkuk, 18 July 2006
http://www.crisisgroup.org/home/getfile.cfm?id=2447&tid=4267&type=pdf&l=1
Date accessed 19 July 2006

b Iraq's Muqtada al-Sadr: Spoiler or Stabiliser?, 11 July 2006
http://www.crisisgroup.org/home/getfile.cfm?id=2441&tid=4210&type=pdf&l=1
Date accessed 19 July 2006

c In their own words: Reading the Iraqi insurgency, 15 February 2006
http://www.crisisgroup.org/home/getfile.cfm?id=2209&tid=3953&type=pdf&l=1
Date accessed 1 March 2006

d The next Iraqi war? Sectarianism and civil conflict. 27 February 2006
http://www.crisisgroup.org/home/index.cfm?id=3980&l=1
Date accessed 4 March 2006

e After Baker-Hamilton: What to do in Iraq, 19 December 2006
http://www.crisisgroup.org/library/documents/middle_east__north_africa/60_after_baker_hamilton__what_to_do_in_iraq.pdf
Date accessed 4 Janaury 2007

[26] Committee to Protect Journalists (CPJ) http://www.cpj.org/

a Dangerous Assignments: Jailing Iraqi Journalists, 4 October 2005
http://www.cpj.org/Briefings/2005/DA_fall05/comment/comment_DA_fall05.html
Date accessed 2 March 2006

b Attacks on the Press in 2005: Iraq, February 2006
http://www.cpj.org/attacks05/mideast05/iraq_05.html
Date accessed 2 March 2006

c Attacks on the Press in 2005: Introduction, February 2006
http://www.cpj.org/attacks05/pages05/intro05.html
Date accessed 2 March 2006

d Special Report 2006: From Iraq to Philippines, Murder is top cause of journalists' deaths in '05, 5 January 2006
http://www.cpj.org/Briefings/2006/killed_05/killed_release_03jan05.html
Date accessed 2 March 2006
e Two Iraqi journalists found murdered, 8 August 2006
http://www.cpj.org/news/2006/mideast/iraq08aug06na.html
Date accessed 25 August 2006

[27] United Nations Children's Fund (UNICEF) http://www.unicef.org/
a Iraq's Schools Suffering From Neglect and War, 15 October 2004
http://www.unicef.org/media/media_23630.htm
Date accessed 14 March 2005
b Iraq: Epidemiological fact sheet on HIV and Sexually Transmitted Infections 2004 (Joint report by WHO, UNAIDS and INICEF)
http://www.childinfo.org/eddb/hiv_aids/factsheets/pdfs/Iraq_en.pdf
Date accessed 14 March 2005
c At a glance: Iraq
http://www.unicef.org/infobycountry/iraq.html
Date accessed 23 March 2005

[28] Amnesty International http://www.amnesty.org/
a Iraq: Human rights protection and promotion vital in the transitional period, 28 June 2004
http://web.amnesty.org/library/Index/ENGMDE140302004?open&of=ENG-IRQ
Date accessed 31 August 2004
b Beyond Abu Ghraib: detention and torture in Iraq, 6 March 2006, AI Index MDE 14/001/2006
http://web.amnesty.org/library/print/ENGMDE140012006 **Date accessed 6 March 2006**
c Iraq: In cold blood: Abuses by armed groups, AI Index: MDE 14/009/2005, 25 July 2005
http://web.amnesty.org/library/print/ENGMDE140092005
Date accessed 27 July 2005
d Iraq: One year on the human rights situation remains dire, 18 March 2004
http://web.amnesty.org/library/Index/ENGMDE140062004
Date accessed 13 March 2004
e Iraq: Decades of suffering, Now women deserve better, AI Index: MDE 14/001/2005, 22 February 2005
http://web.amnesty.org/library/print/ENGMDE140012005
Date accessed 13 March 2005
f Iraq: Annual report 2005, Covering events from January – December 2004
http://web.amnesty.org/report2005/irq-summary-eng
Date accessed 28 July 2005
g Death penalty news, Iraq: First judicial executions since Saddam Hussein era, 1 January 2006
http://web.amnesty.org/library/Index/ENGACT530012006?open&of=ENG-IRQ
Date accessed 4 March 2006
h "Disappearance"/Fear of torture or ill-treatment, 22 February 2006, AI Index: MDE 14/004/2006
http://web.amnesty.org/library/print/ENGMDE140042006
Date accessed 4 March 2006

i Amnesty International alarmed at rise in executions, 25 September 2006
http://web.amnesty.org/library/Index/ENGMDE140332006?open&of=ENG-IRQ
Date accessed 28 September 2006

[29] Peyamner http://www.peyamner.com/index.php?lang=english
a 14 February 2005, (via Iraqi Media Monitoring)
http://www.globalsecurity.org/wmd/library/news/iraq/2005/02/imm-050215-unami.htm
Date accessed 13 March 2005

[30] Home Office
a Terrorism Act 2000 (TACT): Terrorist Groups
http://www.homeoffice.gov.uk/terrorism/threat/groups/index.html
Date accessed 20 April 2005
b Joint British/Danish fact-finding mission to Amman and Ankara regarding Iraqi asylum seekers – 26 May–4 June 2002
c Joint British/Danish fact-finding mission to Baghdad and Amman on Conditions in Iraq (1–8 September 2004), October 2004

[31] Coalition Provisional Authority Orders http://www.cpa-iraq.org/
a No 7: Penal Code, 10 June 2003
http://www.iraqcoalition.org/regulations/20030610_CPAORD_7_Penal_Code.pdf
Date accessed 10 June 2003

[32] Iraqi Kurdistan National Assembly (IKNA) http://www.kurdistan-parliament.org/
a Judicial Authority in the Region
http://www.kurdistan-parliament.org/www.kurdistan-parliament.org/justice.htm
Date accessed 28 February 2005

[33] US Library of Congress http://lcweb2.loc.gov/frd/cs/iqtoc.html
a Country Profile: Iraq, August 2006
http://lcweb2.loc.gov/frd/cs/profiles/Iraq.pdf
Date accessed 29 August 2006
b Iraq: US regime change efforts and post-Saddam governance, 7 January 2004
http://fpc.state.gov/documents/organization/28648.pdf
Date accessed 7 January 2004

[34] The Christian Science Monitor http://www.csmonitor.com/
a After the attacks, calls for militia grow, 18 July 2005
http://www.csmonitor.com/2005/0718/p06s01-woiq.html
Date accessed 2 September 2005
b Though battle-hardened, Iraq's Kurdish militia struggles for role, 2 March 2005
http://www.csmonitor.com/2005/0302/p05s01-woiq.htm
Date accessed 19 September 2005
c Iraqis feel weight of high prices, few jobs, 15 September 2006
http://www.csmonitor.com/2006/0915/p01s04-woiq.html
Date accessed 5 January 2007

[35] Voices of the Wilderness http://vitw.org/
a Bremmer puts Iraqi civil society and international NGO's on probation, 2 January 2004
Date accessed 26 September 2004

[36] The Mandaean Society of America
a The Sabian Mandaeans Face a Critical Moment in their History, March 2005 http://mandaeanunion.org/HMRG/HR%20report%202005.pdf
Date accessed 10 March 2006

[37] Psephos, Australia http://psephos.adam-carr.net/
a 2005 legislative election
http://psephos.adam-carr.net/countries/i/iraq/iraqmapindex.shtml
Date accessed 17 February 2005
b Votes by Governorate
http://psephos.adam-carr.net/countries/i/iraq/iraq20052.txt
Date accessed 17 February 2005
c Iraqi Kurdistan Election Results
http://psephos.adam-carr.net/countries/i/iraq/kurdistan2005.txt
Date accessed 17 February 2005
d December 2005 legislative election
http://psephos.adam-carr.net/countries/i/iraq/iraqdec2005.txt
Date accessed 2 February 2006

[38] United Nations Security Council (UNSC) http://www.un.org/Docs/sc/
a Report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004), 7 March 2005
http://daccess-ods.un.org/access.nsf/Get?Open&DS=S/2005/141&Lang=E&Area=UNDOC
Date accessed 26 July 2005
b Report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004), 7 June 2005
http://daccess-ods.un.org/access.nsf/Get?Open&DS=S/2005/373&Lang=E&Area=UNDOC
Date accessed 26 July 2005
c Report of the Secretary-General, 8 December 2004
http://www.un.org/Docs/sc/sgrep04.html
Date accessed 27 January 2005
d Report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004), 7 December 2005
http://daccess-ods.un.org/access.nsf/Get?Open&DS=S/2005/766&Lang=E&Area=UNDOC
Date accessed 1 February 2006
e Report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004), 3 March 2006
http://daccess-ods.un.org/access.nsf/Get?Open&DS=S/2006/137&Lang=E&Area=UNDOC
Date accessed 9 March 2006

f Report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004), 2 June 2006
http://daccess-ods.un.org/access.nsf/Get?Open&DS=S/2006/360&Lang=E&Area=UNDOC
Date accessed 6 June 2006

g Report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004), 1 September 2006
http://daccessdds.un.org/doc/UNDOC/GEN/N06/484/95/PDF/N0648495.pdf?OpenElement
Date accessed 10 October 2006

h Report of the Secretary-General pursuant to paragraph 30 of resolution 1546 (2004), 5 December 2006
http://www.uniraq.org/FileLib/misc/SG_Report_S_2006_945_EN.pdf
Date accessed 12 December 2006

[39] UN Assistance Mission for Iraq (UNAMI)

a Human Rights report, 1 May 2006–30 June 2006
http://www.uniraq.org/documents/HR%20Report%20May%20Jun%202006%20EN.pdf
Date accessed 20 July 2006

b Human Rights report, 1 January–28 February 2006
http://www.uniraq.org/documents/HR%20Report%20Jan%20Feb%2006%20EN.PDF
Date accessed 30 September 2006

c Human Rights report, 1 July–31 August 2006
http://www.uniraq.org/documents/HR%20Report%20July%20August%202006%20EN.pdf
Date accessed 30 September 2006

d UN-Iraq Humanitarian Update, April 2006
https://www2582.ssldomain.com/uniraq/documents/UN-Iraq%20Humanitarian%20Update%20on%20Iraq%20April%202006.pdf
Date accessed 10 October 2006

e Human Rights report, 1 September–31 October 2006
http://www.uniraq.org/documents/HR%20Report%20Sep%20Oct%202006%20EN.pdf
Date accessed 10 December 2006

f Human Rights report, 1 November-31 December 2006
http://www.uniraq.org/FileLib/misc/HR%20Report%20Nov%20Dec%202006%20EN.pdf
Date accessed 20 January 2007

[40] UNHCR http://www.unhcr.ch/cgi-bin/texis/vtx/home

a Guidelines Relating to the Eligibility of Iraqi Asylum-Seekers, October 2005
http://www.unhcr.org/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=RSDLEGAL&id=4354e3594
Date accessed 10 February 2006

b Country of Origin Information – Iraq, 12 August 2004
http://www.unhcr.ch/cgi-bin/texis/vtx/rsd/+gwwBmegYorexxwwwwnwwwwwwwxFqwqFqh1DrqGmFqwnFqwhFqwtFqnoGw3rFqwoFqwzFqwAFqqejh+qFqo-uPPyER0MFmmDFqm7y-dFqt2IygZf3zmzwwwwwww1zmwwwwwwww/rsddocview.pdf
Date accessed 14 August 2004

c Country of Origin Information: Iraq, October 2005
http://www.unhcr.org/home/RSDCOI/435637914.pdf
Date accessed 10 February 2006

d Background Information on the situation of Non-Muslim Religious Minorities in Iraq, 1 October 2005
http://www.unhcr.org/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=RSDLEGAL&id=4371cf5b4
Date accessed 8 February 2006

e Return advisory and position on international protection needs of Iraqis outside Iraq, 18 December 2006
http://www.unhcr.org/home/RSDLEGAL/458baf6f4.pdf
Date accessed 5 January 2007

f Sulaymaniyah Governorate Assessment Report, August 2006
http://www.reliefweb.int/library/documents/2006/unhcr-irq-31aug.pdf
Date accessed 20 January 2007

g Basrah Governorate Assessment Report, August 2006
http://www.reliefweb.int/library/documents/2006/unhcr-irq-31aug2.pdf
Date accessed 20 January 2006

h Strategy for the Iraq situation, revised 1 January 2007
http://www.unhcr.org/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=SUBSITES&id=45c30eee2
Date accessed 2 February 2007

i UNHCR launches new appeal for Iraq operations, 8 January 2007
http://www.unhcr.org/cgi-bin/texis/vtx/iraq?page=press&id=45a243a54
Date accessed 4 February 2007

[41] US Agency for International Development (via Electionguide)
http://www.electionguide.org/

a Results Summary: Iraq
http://www.electionguide.org/resultsum/iraq_parl_2005.htm
Date accessed 17 February 2005

[42] Coalition to Stop the Use of Child Soldiers http://www.child-soldiers.org/

a Child Soldiers global report: Iraq, 17 November 2004
http://www.child-soldiers.org/document_get.php?id=944
Date accessed 22 March 2005

[43] International Committee of the Red Cross (ICRC) http://www.icrc.org/eng

a What is the ICRC's position on the reported abuses of Iraqi prisoners by US and UK forces?, 6 May 2004
http://www.icrc.org/web/eng/siteeng0.nsf/iwpList322/40A0CDE4C698440BC1256E8A004B42AA
Date accessed 16 February 2005

b Iraq: ICRC operations in 2004, 31 December 2004
http://www.icrc.org/Web/Eng/siteeng0.nsf/html/693L9H?OpenDocument
Date accessed 16 February 2005

[44] US Committee on Refugees and Immigrants (USCRI)

a World Refugee Survey 2005: Iraq, (via UNHCR), 20 June 2005
http://www.unhcr.ch/cgi-bin/texis/vtx/home/opendoc.htm?tbl=RSDCOI&page=research&id=42c928902f
Date accessed 25 July 2005

b World Refugee Survey 2006: Iraq, 14 June 2006
http://www.refugees.org/countryreports.aspx?subm=&ssm=&cid=1590
Date accessed 2 October 2006

[45] Medicine For Peace (MFP)
a Civilian Health in Iraq: Assessment of Public Hospitals in Baghdad, 7 February 2005
http://www.medpeace.org/news/MFPstudy2005.pdf
Date accessed 15 March 2006

[46] Iraqi Press Monitor (published by the IWPR)
http://www.iwpr.net/index.pl?iraq_ipm_index.html
a No.164, 28 September 2004
http://www.iwpr.net/archive/ipm/ipm_164.html
Date accessed 30 September 2004

[47] International Confederation of Free Trade Unions (ICFTU)
a Iraq – murder of oil trade unionist and wave of kidnappings mark surge in worker intimidation, 24 February 2005
http://www.icftu.org/displaydocument.asp?Index=991221334&Language=EN
Date accessed 21 March 2005

[48] *The Telegraph* http://www.telegraph.co.uk
a Iraqi forces desert posts as insurgent posts are stepped up, 25 April 2005
http://www.telegraph.co.uk/news/main.jhtml?xml=/news/2005/04/25/wirq25.xml&sSheet=/news/2005/04/25/ixnewstop.html
Date accessed 1 September 2005
b Shia hardliner on a mission to hold his despairing nation together, (via LexisNexis), 23 May 2006
Date accessed 6 June 2006
c Iraq war led to surge in numbers of mentally ill, 24 January 2006
http://www.telegraph.co.uk/news/main.jhtml?xml=/news/2006/01/24/wirq24.xml
Date accessed 8 March 2006
d Panic as Saddam judge asks to resign, 16 January 2006
http://www.telegraph.co.uk/news/main.jhtml?xml=/news/2006/01/16/wirq16.xml
Date accessed 16 March 2006
e 27 are hanged at Abu Ghraib in first mass execution since Saddam's fall, 8 September 2006
http://www.telegraph.co.uk/news/main.jhtml?xml=/news/2006/09/08/wiraq08.xml
Date accessed 28 September 2006
f Tortured screams ring out as Iraqis take over Abu Ghraib, 10 September 2006
http://www.telegraph.co.uk/news/main.jhtml?xml=/news/2006/09/10/wirq10.xml
Date accessed 28 September 2006
g Saddam Hussein, 1 January 2007
http://www.telegraph.co.uk/news/main.jhtml?xml=/news/2007/01/01/db0101.xml
Date accessed 20 March 2007

[49] Forced Migration Review, Oxford University, UK
http://www.fmreview.org/welcome.htm
a Displaced Iraqis – caught in the maelstrom, Issue 22, January 2005
http://www.fmreview.org/FMRpdfs/FMR22/FMR22contents.pdf
Date accessed 30 March 2005

[50] Internal Displacement Monitoring Centre (IDMC), Norwegian Refugee Council http://www.internal-displacement.org/
a Iraq: sectarian violence, military operations spark new displacement, as humanitarian access deteriorates
http://www.internal-displacement.org/8025708F004BE3B1/(httpInfoFiles)/5FF5134F8672E698C125717700492CAC/$file/Iraq%20Overview%2023%20May%202006.pdf
Date accessed 10 October 2006

[51] Transparency International
a A world built on bribes? Corruption in construction bankrupts countries and costs lives, says TI report, 16 March 2006
http://ww1.transparency.org/pressreleases_archive/2005/2005.03.16.gcr_relaunch.html
Date accessed 10 March 2006
b Corruption Perception Index (CPI) 2006, 16 November 2006
http://www.transparency.org/news_room/in_focus/cpi_2006/cpi_table
Date accessed 20 JAnuary 2007

[52] News24, South Africa
a Baghdad hospitals taking strain, 20 February 2005
http://www.news24.com/News24/World/Iraq/0,,2-10-1460_1665070,00.html
Date accessed 24 February 2005

[53] The International Lesbian and Gay Association http://www.ilga.org/
a World Legal Survey: Iraq, last updated 31 July 2000
http://www.ilga.info/Information/Legal_survey/middle%20east/iraq.htm
Date accessed 31 March 2003

[54] United Nations Development Programme – Programme on Governance in the Arab Region (UNDP – POGAR) http://www.pogar.org/
a Iraq in Brief
http://www.pogar.org/countries/index.asp?cid=6
Date accessed 8 August 2005

[55] Currency Converter http://www.oanda.com/convert/classic
a FXConverter – 164 Currency Converter Results, British pound to Iraqi Dinar, 1 March 2007
Date accessed 5 January 2007

[56] Political Parties of the World
a John Harper Publishing (6th Edition), Edited by Bogdan Szajkowski, 2005: Iraq p309-316

[57] Le Monde Dipolmatique
a "Iraq's Resistance Evolves", 12 May 2006 (via ICG)
http://www.crisisgroup.org/home/index.cfm?id=4126
Date accessed 17 July 2006

[58] Economist Intelligence Unit (EIU), UK http://www.eiu.com/index.asp
a Country Profile 2005: Iraq
http://www.eiu.com/report_dl.asp?issue_id=1919526377&mode=pdf
Date accessed 13 March 2006

b Country report 2005: Iraq
http://www.eiu.com/report_dl.asp?issue_id=739172459&mode=pdf
Date accessed 9 August 2005
c Country Profile 2006: Iraq
http://www.eiu.com/report_dl.asp?issue_id=1611208546&mode=pdf
Date accessed 4 Januray 2007

[59] Department for International Development (DFID)
http://www.dfid.gov.uk/DFIDAroundWorld/asia/iraq_crisis.htm#Updates
a Iraq Update: Issue 9, July 2005
http://www.dfid.gov.uk/news/files/iraqupdate/july05.pdf
Date accessed 30 August 2005
b Iraq Update: Issue 2, October 2004
http://www.dfid.gov.uk/news/files/iraqupdate/Oct04.pdf
Date accessed 9 February 2005
c Iraq Update: Issue 6, February 2005
http://www.dfid.gov.uk/news/files/iraqupdate/feb05.pdf
Date accessed 16 March 2005

[60] ***Duluth News Tribune*** http://www.duluthsuperior.com/mld/duluthsuperior/
a Shiites target former Baathists, 26 February 2005
http://www.stg.duluthsuperior.com/mld/duluthsuperior/2005/02/26/news/10934161.htm
Date accessed 23 March 2005
b Iraq's Shiites break deadlock, (via LexisNexis), 22 April 2006
Date accessed 6 June 2006

[61] UN Cartographic Section
http://www.un.org/Depts/Cartographic/english/index.htm
a Map of Iraq, January 2004
Date accessed 26 January 2005

[62] The United Kingdom Parliament http://www.parliament.uk/index.cfm
a Select Committee on Foreign Affairs Seventh Report, 29 July 2004
http://www.publications.parliament.uk/pa/cm200304/cmselect/cmfaff/441/44105.htm
Date accessed 30 July 2004

[63] Center for Strategic and International Studies http://www.csis.org/
a Iraqi Force Development in 2006, 19 June 2006
http://www.csis.org/media/csis/pubs/060619_iraq_force_dev.pdf
Date accessed 23 June 2006
b Iraq's Evolving Insurgency and the Risk of Civil War, 22 June 2006
http://www.csis.org/media/csis/pubs/060622_insurgency.pdf
Date accessed 5 September 2006
c Iraqi Force Development and the Challenge of CivilWar: The Critical Problems and Failures the US Must Address if Iraqi Forces Are to Eventually Do the Job, 30 November 2006
http://www.csis.org/media/csis/pubs/061130_iraqi_force.pdf
Date accessed 20 January 2007

[64] Center for Naval Analysis (CNA)

a Managing Civil Strife and Avoiding Civil War in Iraq, 2 June 2006
http://www.cna.org/Documents/iraq%20conf%20rpt_final.pdf#search=%22%22Managing%20Civil%20Strife%20and%20Avoiding%20Civil%20War%20in%20Iraq%22%22
Date accessed 30 August 2006

[65] Associated Press (AP) http://ap.tbo.com/ap/breaking/index.htm

a Deadliest attacks in Iraq this year, (via *The Guardian*), 29 July 2004
http://www.guardian.co.uk/worldlatest/story/0,1280,-4362046,00.html
Date accessed 29 July 2004

b Gunmen seized chairman of Iraq's Olympic committee in brazen daylight attack, (via LexisNexis), 16 July 2006
Date accessed 4 September 2006

c Parliament gathers to approve Iraq's new government, despite more violence, (via LexisNexis), 20 May 2006
Date accessed 6 June 2006

d Iraq swears in Cabinet after 5 months, (via LexisNexis), 20 May 2006
Date accessed 6 June 2006

e Iraqi Parliament Passes Anti-Terror Law, (via LexisNexis), 4 October 2005
Date accessed 15 March 2006

f Iraqi Shias win narrow victory, (via *The Independent*), 20 January 2006
http://news.independent.co.uk/world/middle_east/article339953.ece
Date accessed 1 February 2006

g Translators dying by the dozens in Iraq, (via USA Today), 21 May 2006
http://www.usatoday.com/news/world/iraq/2005-05-21-translator-deaths_x.htm
Date accessed 20 June 2006

h Turmoil after Saddam ordered to leave courtroom, (via *The Guardian*), 20 September 2006
http://news.independent.co.uk/world/middle_east/article1622139.ece
Date accessed 21 January 2007

i Over 35,000 Christians have fled Iraq, (via *The Christian Post*), 12 October 2006
http://www.christianpost.com/article/20061018/22989_Over_35%2C000_Christians_Have_Fled_Iraq.htm
Date accessed 2 March 2007

[66] Foreign and Commonwealth Office (FCO), UK
http://www.fco.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1007029390554

a Iraq government formation, 20 May 2006
http://www.fco.gov.uk/Files/kfile/Gov%20Formation%20organogram%20-%208%20June.pdf
Date accessed 29 July 2006

b Letter dated 20 September 2004

c Letter dated 22 October 2004

d Letter dated 25 May 2005

e Country Profile: Iraq, last updated 29 June 2006
http://www.fco.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1007029394365&a=KCountryProfile&aid=1020338054604
Date accessed 16 March 2006

f Letter dated 25 January 2005 (Christians in Iraq)

g Letter dated 20 January 2005 (Christian Community in Iraq)

h Letter dated 12 April 2005

i Letter dated 8 March 2006 (Update: Iraq Constitution)
j Human Rights Annual report 2005, July 2005
http://www.fco.gov.uk/Files/kfile/HumanRights2005.pdf
Date accessed 9 August 2005
k Justice,
http://www.fco.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1075299384650
Date accessed 8 August 2005
l Iraqi Referendum on Constitution – 15 October 2005,
http://www.fco.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1130674078910
Date accessed 21 November 2005
m Letter dated 10 October 2005 (Iraq country report – Comments)
n Letter dated 6 December 2006 (Information of the KRG area of Iraq)
o Letter dated 6 November 2006 (Documentation for movement in Iraq)

[67] ***The Financial Times*** http://news.ft.com/home/uk
a US troops launch offensive in Najaf, 11 August 2004
http://news.ft.com/cms/s/16ce4778-eb6d-11d8-82f7-00000e2511c8.html
Date accessed 12 August 2004
b Beyond the battle, the quiet struggle for Iraq's future, (via LexisNexis) 13 August 2004
Date accessed 13 August 2004

[68] **Wadi (Germany)** http://www.wadinet.de/index.php
a Assistance for women in distress in Iraq and Iraqi Kurdistan,
http://www.wadinet.de/projekte/newiraq/women/shelters.htm
Date accessed 22 March 2005

[69] **Women's News** http://www.womensenews.org/index.cfm
a Genital mutilations traditional in Iraqi Kurdistan, (via Wadi), 1 August 2004
http://www.wadinet.de/projekte/frauen/fgm/attach4.htm
Date accessed 22 March 2005

[70] **Freedom House** http://www.freedomhouse.org/
a Freedom of the Press: Iraq 2005
http://www.freedomhouse.org/research/pressurvey/fop05.pdf
Date accessed 15 August 2005
b Freedom in the World – 2006: Iraq, September 2006
http://www.freedomhouse.org/template.cfm?page=22&year=2006&country=6983
Date accessed 27 September 2006
c Freedom of the Press 2006: Iraq
http://www.rsf.org/IMG/icones/pdf-dist
Date accessed 28 September 2006

[71] **Netherlands Ministry of Foreign Affairs**
a Official Country Report Central Iraq, November 2002
b General Official Report on Iraq, translated in and owned by the UK, June 2004
c General Country report Iraq, translated in and owned by the UK, December 2004
Date accessed 14 March 2005

[72] 365Gay.com
a Kidnappers Targeting Gay Iraqis, 11 April 2006
http://365gay.com/Newscon06/04/041006iraq.htm
Date accessed 3 October 2006
b Iraqi Shia Leader Calls Fatwa Against Gays, 15 March 2006
http://www.365gay.com/Newscon06/03/031506iraq.htm
Date accessed 4 October 2006
c Plight Of Iraqi Gays Worsens, 4 September 2006
http://365gay.com/Newscon06/09/090406iraq.htm
Date accessed 3 October 2006

[73] GlobalSecurity.org http://www.globalsecurity.org/index.html
a Military: Al-Mahdi Army / Active Religious Seminary / Al-Sadr's Group, 6 July 2005
http://www.globalsecurity.org/military/world/para/al-sadr.htm
Date accessed 17 September 2005

[74] PlanetOut
a Family of Iraq hostage hid that he is gay, 27 March 2006
http://www.planetout.com/news/article-print.html?2006/03/27/4
Date accessed 3 October 2006

[75] Advocate.com
a Death squads targeting gays in Iraq, 25 March 2006
http://www.advocate.com/print_article_ektid28282.asp
Date accessed 3 October 2006

[76] Pinknews.co.uk
a Gay Iraqis face death squad, 22 March 2006
http://www.pinknews.co.uk/news/articles/2005-889.html
Date accessed 3 October 2006

[77] Dr Rebwar Fatah Associates
a Workers Communist Party – Iraq, 28 November 2005
Date accessed 1 March 2006
b Sufficiency of protection and internal relocation throughout Iraq, 28 June 2006
Date accessed 2 July 2006

[78] Central Intelligence Agency (CIA), USA
http://www.cia.gov/cia/publications/factbook/
a The World Factbook: Iraq, last updated 10 January 2006
http://www.cia.gov/cia/publications/factbook/geos/iz.html
Date accessed 16 March 2006

[79] Commission for Resolution of Real Property Disputes (CRRPD)
a Statistics, March 2004 – April 2006
http://www.ipcciraq.org/09_stats.htm
Date accessed 10 October 2006

[80] International Monetary Fund (IMF) http://www.imf.org/external/index.htm
a Iraq: 2005 Article IV Consultation—Staff Report; Staff Supplement; Public Information Notice on the Executive Board Discussion; and Statement by the Executive Director for Iraq, August 2005, IMF Country Report No. 05/294
http://www.imf.org/external/pubs/ft/scr/2005/cr05294.pdf
Date accessed 11 October 2005

[81] Ministry of Planning and Development Co-operation
a Iraq living Conditions Survey 2004, Analytical report, with UNDP, First published 2005
http://www.iq.undp.org/ILCS/PDF/Analytical%20Report%20-%20English.pdf
Date accessed 11 October 2005

[82] The Constitution of Iraq
a UN/US/UK agreed translation
Date accessed 8 March 2006

[83] Global Security
a Iraq maps, last modified 24 February 2006
http://www.globalsecurity.org/military/world/war/images/kurdistan_2002_control1.gif
Date accessed 10 October 2006

[84] Al-Jazeera
a High turnout for Iraq vote, 15 December 2005
http://english.aljazeera.net/NR/exeres/7920E78E-3DB6-412C-81FC-E42159BEDB8E.htm **Date accessed 1 February 2006**
b New Saddam judge denounced, 18 January 2006
http://english.aljazeera.net/NR/exeres/EAF5C715-0CE6-4989-8824-3CBFCEA95F55.htm
Date accessed 16 March 2006
c Profile: Jawad al Maliki, 22 April 2006
http://english.aljazeera.net/NR/exeres/1D99F1A8-AA07-4D5C-B2C0-1F4A407640DF.htm
Date accessed 9 June 2006
d Iraq priest 'killed over pope speech', 13 October 2006
http://english.aljazeera.net/English/archive/archive?ArchiveId=36747
Date accessed 2 March 2007

[85] *The Independent*, UK
a Shiites look to coalition after Sunni gains in Iraqi elections, 21 January 2006
http://news.independent.co.uk/world/middle_east/article340043.ece
Date accessed 1 February 2006
b 100 Iraqis being killed each day, says UN, 20 July 2006
http://news.independent.co.uk/world/middle_east/article1187007.ece
Date accessed 20 July 2006
c Al-Zarqawi air raid, 8 June 2006
http://news.independent.co.uk/world/middle_east/article752127.ece
Date accessed 9 June 2006

[86] International Mission for Iraqi Elections (IMIE)
a IMIE Assessment Team Final Report, 19 January 2006
http://www.imie.ca/pdf/team_report.pdf
Date accessed 1 February 2006

[87] ***The Observer*, UK**
a UK aid funds Iraqi torture units, 3 July 2005
http://observer.guardian.co.uk/international/story/0,6903,1520186,00.html
Date accessed 27 February 2006
b Gays flee Iraq as Shia death squads find a new target: Evidence shows the increase in number of executions as homosexuals plead for asylum in Britain, 6 August 2006 (via LexisNexis)
Date accessed 15 August 2006

[88] **The Brookings Institution**
a Iraq Index: Tracking Variables of Reconstruction & Security in Post-Saddam Iraq, 30 October 2006
http://www.brookings.edu/fp/saban/iraq/index.pdf
Date accessed 9 March 2006
b Sectarian Violence: Radical Groups Drive Internal Displacement in Iraq, October 2006, (joint project with the University of Bern)
http://www.reliefweb.int/library/documents/2006/bi-irq-18oct.pdf
Date accessed 20 December 2006

[93] **BBC Monitoring**
a BBC Monitoring weekly roundup of Iraqi press 15-21 May 06 (via LexisNexis)
Date accessed 10 September 2006

[94] **Infoplease**
a Iraq Crisis 2006
http://www.infoplease.com/spot/iraqtimeline5.html
Date accessed 12 October 2006

[95] **World Organisation Against Torture (OMCT)**
a New assassination of a trade union leader, 31 May 2006
http://www.omct.org/base.cfm?page=article&num=6094&consol=close&kwrd=OMCT&rows=9&cfid=4203191&cftoken=86264228
Date accessed 25 July 2006

[96] ***The Washington Times***
a General says Iraq army is 'willing', but not ready, 3 May 2006
http://washingtontimes.com/national/20060502-110459-2311r.htm
Date accessed 20 July 2006
b 'Good news' from northern Iraq, 23 May 2006
http://www.washtimes.com/national/20060523-124029-4936r.htm
Date accessed 24 August 2006

[97] **Hands off Cain**
a Iraq, 2006
http://english.nessunotocchicaino.it/bancadati/schedastato.php?idcontinente=8&nome=iraq
Date accessed 25 July 2006

[98] **International Campaign to Ban Landmines (ICBL)**
a Landmine Monitor Report 2006: Toward a Mine-Free World, (via ReliefWeb), 13 September 2006
http://www.reliefweb.int/rw/RWB.NSF/db900SID/LZEG-6U9L3Q?OpenDocument
Date accessed 16 October 2006

[99] United Nations (UN)
a Commission on the status of women, fiftieth session, Nesreen Barwari, 27 February – 10 March 2005
http://www.un.org/womenwatch/daw/csw/csw50/statements/CSW%2050%20-%20Panel%20II%20-%20Nesreen%20Barwari.pdf
Date accessed 4 January 2007
b The Office of the Special Representative of the Secretary-General for Children and Armed Conflict, Developments in Iraq, 2006
http://www.un.org/children/conflict/english/iraq63.html
Date accessed 6 January 2007

[100] World Bank
a Country Brief: Middle East & North Africa Region (MENA) – Iraq, August 2006
http://siteresources.worldbank.org/INTIRAQ/Resources/IRAQ-ENG-2006AM.pdf
Date accessed 4 January 2007

[101] Center for Contemporary Conflict
a The Economics of Iraqi Reconstruction, Strategic Insights, Volume V, Issue 5, May 2006 by Robert Looney
http://www.ccc.nps.navy.mil/si/2006/May/looneyMay06.pdf
Date accessed 5 January 2007

[102] The Lancet
a Iraq's health requires continued funding commitment, 9 September 2006
http://www.thelancet.com/journals/lancet/article/PIIS0140673606693525/fulltext
Date accessed 8 January 2007
b Iraq: time to signal a new era for health in foreign policy, 21 October 2006
http://www.thelancet.com/journals/lancet/article/PIIS0140673606694920/fulltext
Date accessed 8 January 2007

[103] US Department of Defense http://www.defenselink.mil/
a Measuring Stability and Security in Iraq, 30 November 2006
http://www.defenselink.mil/pubs/pdfs/9010Quarterly-Report-20061216.pdf
Date accessed 20 January 2007

[104] Jurist Legal news and research http://jurist.law.pitt.edu/
a Strained Iraqi criminal court orders death penalty for Libyan admitting al Qaeda ties, 17 December 2006
http://jurist.law.pitt.edu/printable.php
Date accessed 17 Fbruary 2007

[105] Iraq Updates
a 1,500 Baathists killed in south, 9 November 2006
http://www.iraqupdates.com/p_articles.php?refid=DH-s-09-11-2006&article=11687
Date accessed 21 February 2007

[106] Iraq Updates
a Iraq languages, 25 February 2007
http://www.britannica.com/eb/article-22939/Iraq#793556.hook
Date accessed 25 February 2007

[107] Asia News
a Christian leader in Mosul kidnapped and killed, 6 December 2006
http://www.asianews.it/index.php?l=en&art=7937#
Date accessed 2 March 2007
b Another Chaldean priest abducted in Baghdad, 5 December 2006
http://www.asianews.it/index.php?l=en&art=7926
Date accessed 2 March 2007
c Kidnapped priest released in Baghdad, 29 November 2006
http://www.asianews.it/index.php?l=en&art=7879&geo=23&theme=8&size=A
Date accessed 2 March 2007
d Abducted and raped, young Christian women and girls are driven to suicide in Iraq, 11 October 2006
http://www.asianews.it/view.php?l=en&art=7450
Date accessed 2 March 2007

[108] The Daily Star, Lebanon
a The Assyrians: Ignored among fears of an Iraqi civil war, (via Christians of Iraq), 4 October 2006
http://www.christiansofiraq.com/assyriansignored.html
Date accessed 2 March 2007

[109] Christian Today
a Iraqi Church Bombings Linked to Cartoon Protests, 9 February 2006
http://www.christiantoday.com/article/iraqi.church.bombings.linked.to.cartoon.protests/5261.htm
Date accessed 2 March 2007

[110] Society for Threatened Peoples (STP), Germany
a After centuries of persecution – Today their very survival is threatene, updated March 2006
http://www.gfbv.de/inhaltsDok.php?id=694
Date accessed 5 March 2007

[111] International Organisation for Migration (IOM)
a Mission in Iraq, Newsletter, January-February 2006
http://www.iom-iraq.net/newsletters/IOM_Iraq_Newsletter_JanFeb06_English.pdf
Date accessed 5 March 2007

[112] Independent Electoral Commission of Iraq (IECI)
a Certification of the Council of Representatives Elections Final Results, 10 February 2006
http://www.ieciraq.org/English/Frameset_english.htm
Date accessed 5 March 2007

[113] Zaman Online
a Turkmens win only one seat in Kerkuk, 22 January 2006

[114] Azzaman
a Iraqi tribes dragged into sectarian strife, 26 October 2006
http://www.iraqupdates.com/p_articles.php/article/11335
Date accessed 1 February 2007

[115] War Child

a In their own words, 13 October 2006
http://www.warchild.org.uk/show_article.asp?ArticleType=Project&ArticleID=214
Date accessed 1 February 2007

[116] Hawlati

a Arab doctors head for Kurdistan, (via ekurd), 8 November 2006
http://www.ekurd.net/mismas/articles/misc2006/11/mediamonitor126.htm
Date accessed 4 February 2007

[117] Multi-National Force Iraq

a Operation Iraqi Freedom, 25 February 2007
http://www.mnf-iraq.com/index.php?option=com_content&task=view&id=294&Itemid=27
Date accessed 1 March 2007

[118] Inter Press Service

a Jordan Becomes a Doubtful Refuge, 29 January 2007
http://www.dahrjamailiraq.com/hard_news/archives/iraq/000533.php
Date accessed 30 January 2007

[119] Refugees international

a Iraqi Refugee Crisis: International Response Urgently Needed, 5 December 2006
http://www.refugeesinternational.org/content/article/detail/9688?PHPSESSID=5cfliegen3C
Date accessed 30 January 2007

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