UNHCR ELIGIBILITY GUIDELINES FOR ASSESSING THE INTERNATIONAL PROTECTION NEEDS OF ASYLUM-SEEKERS FROM IRAQ

United Nations High Commissioner for Refugees (UNHCR)
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NOTE

UNHCR Eligibility Guidelines are issued by the Office to assist decision-makers, including UNHCR staff, Governments and private practitioners, in assessing the international protection needs of asylum-seekers. They are legal interpretations of the refugee criteria in respect of specific profiles on the basis of assessed social, political, economic, security, human rights and humanitarian conditions in the country/territory of origin concerned. The pertinent international protection needs are analyzed in detail, and recommendations made as to how the applications in question relate to the relevant principles and criteria of international refugee law as per, notably, the UNHCR Statute, the 1951 Refugee Convention and its 1967 Protocol, and relevant regional instruments such as the Cartagena Declaration, the 1969 OAU Convention and the EU Qualification Directive. The recommendations may also touch upon, as relevant, complementary or subsidiary protection regimes.

UNHCR issues Eligibility Guidelines to promote the accurate application of the above-mentioned refugee criteria in line with its supervisory responsibility, as contained in paragraph 8 of its Statute in conjunction with Article 35 of the 1951 Convention and Article II of the 1967 Protocol, and based on the expertise it has developed over the years in matters related to eligibility and refugee status determination. It is hoped that the guidance and information contained in the Guidelines will be considered carefully by the authorities and the judiciary in reaching decisions on asylum applications. The Guidelines are based on in-depth research, information provided by UNHCR’s global network of field offices and material from independent country specialists, researchers and other sources, rigorously reviewed for reliability. The Guidelines are posted on UNHCR’s Refworld website at http://www.refworld.org.
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<td>AAH</td>
<td>Asa’ib Ahl Al-Haq</td>
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<tr>
<td>AQI</td>
<td>Al-Qa’eda in Iraq</td>
</tr>
<tr>
<td>AQKB</td>
<td>Al-Qa’eda Kurdish Battalions</td>
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<td>CCCI</td>
<td>Central Criminal Court of Iraq</td>
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<tr>
<td>CEDAW</td>
<td>Convention on the Elimination of All Forms of Discrimination against Women</td>
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<td>CoR</td>
<td>Council of Representatives</td>
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<td>CPA</td>
<td>Coalition Provisional Authority</td>
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<tr>
<td>CPJ</td>
<td>Committee to Protect Journalists</td>
</tr>
<tr>
<td>FGM</td>
<td>female genital mutilation</td>
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<td>FPS</td>
<td>Facilities Protection Service</td>
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<td>GoI</td>
<td>Government of Iraq</td>
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<td>HRW</td>
<td>Human Rights Watch</td>
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<td>ICCPR</td>
<td>International Covenant on Civil and Political Rights</td>
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<tr>
<td>IDP(s)</td>
<td>internally displaced person(s)</td>
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<td>IEDs</td>
<td>improvised explosive devises</td>
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<td>IFA/IRA</td>
<td>internal flight alternative / internal relocation alternative</td>
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<tr>
<td>IHEC</td>
<td>Independent High Electoral Commission</td>
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<td>ILO</td>
<td>International Labour Organization</td>
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<td>ISF</td>
<td>Iraqi security forces</td>
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<td>ISI</td>
<td>Islamic State of Iraq</td>
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<tr>
<td>ITF</td>
<td>Iraqi Turkmen Front</td>
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<tr>
<td>JAM/PDB</td>
<td>Jaysh Al-Mahdi / Promised Day Brigades</td>
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<tr>
<td>JRTN</td>
<td>Naqshbandi Army</td>
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<tr>
<td>KDP</td>
<td>Kurdistan Democratic Party</td>
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<tr>
<td>KH</td>
<td>Kata’ib Hezbollah</td>
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<tr>
<td>KIG</td>
<td>Kurdistan Islamic Group</td>
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<td>KIU</td>
<td>Kurdistan Islamic Union</td>
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<td>KRG</td>
<td>Kurdistan Regional Government</td>
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<tr>
<td>LGBTI</td>
<td>lesbian, gay, bisexual, transgender, intersex</td>
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<td>MNF-I</td>
<td>Multi-National Forces in Iraq</td>
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<td>Abbreviation</td>
<td>Full Form</td>
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<tr>
<td>NGO</td>
<td>non-governmental organization</td>
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<td>UNAMI</td>
<td>United Nations Assistance Mission for Iraq</td>
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<td>UNHCR</td>
<td>(the Office of the) United Nations High Commissioner for Refugee</td>
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<td>UNICEF</td>
<td>The United Nations Children’s Fund</td>
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<td>US</td>
<td>United States</td>
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<td>USF-I</td>
<td>United States Forces in Iraq</td>
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<tr>
<td>UXO</td>
<td>unexploded ordnance</td>
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I. Introduction

These Eligibility Guidelines replace the April 2009 UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Iraq and the 2010 Note on the Continued Applicability of the April 2009 UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Iraqi Asylum-Seekers.\(^1\)

The purpose of these Eligibility Guidelines is to set out the profiles of asylum-seekers for whom international protection needs are likely to arise in the current context in Iraq.\(^2\)

The current situation in Iraq can be characterized as one of ongoing uncertainty due to several factors, including: (i) high levels of political and sectarian violence; (ii) the unpredictable security situation, including significant numbers of civilian casualties as a result of attacks by armed groups; (iii) the full withdrawal of US forces from Iraq at the end of 2011; and (iv) continuing challenges with regard to establishment of the rule of law, provision of services, distribution of land, and respect for human rights.

UNHCR’s recommendations with regard to assessing the international protection needs of asylum-seekers from Iraq, as set out in these Eligibility Guidelines, may be summarized as follows.

All claims lodged by asylum-seekers - whether on the basis of the refugee criteria contained in the 1951 Convention relating to the Status of Refugees\(^3\) and/or its 1967 Protocol\(^4\) (1951 Convention), or broader international protection criteria, including complementary forms of protection - need to be considered on their own merits in fair and efficient status determination procedures and based on up-to-date and relevant country of origin information.

UNHCR considers that asylum-seekers from Iraq with the following profiles, and depending on the particular circumstances of the individual case, are likely to be in need of international refugee protection. These risk profiles are not necessarily exhaustive, nor is there any hierarchy implied in the order in which they are presented:

(i) individuals associated with (or perceived to be supporting) the Iraqi authorities, the Iraqi Security Forces (ISF) or the former foreign forces in Iraq (Multinational Forces in Iraq, MNF-I or US Forces in Iraq, USF-I);

(ii) individuals (perceived as) opposing the Iraqi authorities;

(iii) individuals (perceived as) opposing the Kurdish Regional Government (KRG);

(iv) certain professionals;

(v) individuals with religion-based claims,

(vi) individuals with ethnicity-based claims;

(vii) women with specific profiles or in specific circumstances;

(viii) children with specific profiles or in specific circumstances;

(ix) victims or persons at risk of trafficking; and

(x) lesbian, gay, bisexual, transgender and intersex (LGBTI) individuals.

In light of the ongoing non-international armed conflict,\(^5\) related civilian casualties, security incidents and conflict-induced displacement, in particular in central Iraq,\(^6\) UNHCR recommends that international protection applications lodged by Iraqis claiming to flee high levels of and/or intense violence should each be assessed carefully, in light of the evidence presented by the applicant and other current and reliable information on their place of former residence. This will include an assessment of whether the violence in the place of former residence is of such a level and intensity...
that international protection is required under complementary protection regimes, even if the protection need cannot be related to a 1951 Convention ground.

UNHCR considers that internal flight options are often not available in Iraq due to serious risks faced by Iraqis throughout the country, including threats to safety and security, accessibility problems and lack of livelihood opportunities.

In light of the serious human rights abuses and violations of international humanitarian law during the former regime of Saddam Hussein from 1979 – 2003 (the “former regime”), as well as in the past decade, exclusion considerations under Article 1F of the 1951 Convention may arise in certain individual cases. Careful consideration is particularly required for Iraqi asylum-seekers with the following profiles: (i) members of the former regime (1979 – 2003); (ii) members of armed groups opposing the former regime (1979 – 2003); (iii) members of the ISF, the Iraqi Government, the Kurdish Security Forces and the Sahwa (since 2003); (iv) members of armed groups (since 2003); and (v) members of criminal groups (since 2003).

In preparing these Eligibility Guidelines, UNHCR has analysed the most up-to-date and relevant information available from a wide variety of sources at 18 March 2012. However, access to fully comprehensive information on the situation in Iraq is not always accessible for a variety of reasons. In addition to publicly available sources, the analysis contained in these Eligibility Guidelines is also informed by reliable reports provided by: (i) Iraqi asylum-seekers and refugees around the world; (ii) internally displaced person (IDP) and returnee monitoring operations in Iraq; and (iii) UNHCR operations, UN agencies and other partners in Iraq.

II. Background Information

Developments in Iraq since the issuance of UNHCR’s last update in June 2010 have been uneven. Elections for Iraq’s Council of Representatives (CoR) were held on 7 March 2010. Following intense political wrangling, a coalition government under the leadership of Prime Minister Nouri Al-Maliki was established in December 2010.³ Throughout 2011, power struggles among different factions hampered the political process;⁴ in particular, between Prime Minister Al-Maliki’s Shi’ite-dominated bloc and its cross-sectarian and largely secular partner, the Iraqiyya bloc, led by former Prime Minister Iyad Al-Allawi.⁵ The Iraqiyya bloc, which has strong Sunni support but also appears to be deeply fractured,⁶ accused the Prime Minister of amassing power⁷ and politically sideling Iraqiyya⁸ and Sunnis in general.⁹ In December 2011, in the wake of the full US troop withdrawal,¹⁰ these political tensions turned into a political crisis with sectarian undertones.¹¹ Prime Minister Al-Maliki sought to remove Sunni Deputy Prime Minister Saleh Al-Mutlaq.¹² This action was followed by the issuance of an arrest warrant against Sunni Vice President Tareq Al-Hashemi on terrorism charges.¹³ The Iraqiyya bloc, to which both Al-Mutlaq and Al-Hashemi belong, responded by boycotting CoR and cabinet meetings, bringing government work to a halt.¹⁴ In turn, Prime Minister Al-Maliki threatened to abandon the power-sharing agreement. Further arrests of other prominent Iraqiyya members in Diyala and Baghdad aggravated concerns regarding Prime Minister Al-Maliki’s intentions in terms of continued cooperation with Iraqiyya in the Government.¹⁵ The crisis abated to some extent after Iraqiyya ended its boycott of the CoR and the cabinet.¹⁶ The underlying disputes have not yet been resolved, however.¹⁷ A national conference is being considered to try to reconcile all sides.¹⁸

Apparently making use of the political stalemate,¹⁹ armed Sunni groups (such as Al-Qa’eda in Iraq) have stepped up attacks since December 2011. These attacks have been carried out primarily against Shi’ite civilians in what appears to be an effort to stir sectarian tensions²⁰ and undermine confidence in the ISF and, ultimately, the Iraqi Government.²¹ The political stalemate also comes at an uncertain period in the wider region: the repercussions of ongoing unrest and tensions in Syria²² and Iran,²³ with which Iraq shares porous borders and political and economic ties,²⁴ are not yet known. Iraq’s political difficulties have also reportedly increased tensions with neighbouring Turkey.²⁵
The political paralysis has meant that a number of long-standing issues have remained unresolved. These include disputes over territory and hydrocarbon rights in areas claimed by both the Iraqi central authorities and the Kurdistan Regional Government (KRG); the division of powers between the central government and the regions/governorates; and the inclusion of Sahwa (the largely Sunni Awakening Councils/Sons of Iraq) members into the ISF. There are fears that if fundamental issues concerning the distribution of power, territory and resources remain unaddressed, Iraq’s fragile stability may falter.

As mentioned above, armed groups opposed to the Iraqi Government remain active and capable of disrupting the security environment with regular mass casualty attacks, often directed at Shi’ite civilians, reportedly aiming to reinvigorate sectarian violence. Armed groups are also thought to be responsible for targeted attacks on government and security officials, politicians, tribal and religious leaders, and members of religious and ethnic minorities, among others. Occasionally, local cells manage to coordinate attacks across the country. The number of civilian casualties, though less than at the peak of violence in 2006 and 2007, remains nonetheless significant with around 4,000 civilians killed in both 2010 and 2011, respectively. At least 464 civilians were killed in January 2012, in what appeared to be a surge in mass casualty attacks. Shi’ite civilians have been the most affected. After a short lull in violence, several major attacks across central Iraq were again reported in late February, March and April 2012.

These casualty figures are indicative of the significant risks still faced by Iraqi civilians. The number of civilian deaths from suicide attacks and car bombs decreased in 2011 compared to previous years, to an average of 6.6 per day. While these attacks still account for the highest number of civilian deaths each month, the number of civilians killed from gunfire/executions rose to an average of 4.6 per day in 2011. This suggests that an increasing number of Iraqis, especially government and security officials, are being individually targeted. Violence is mostly concentrated in the predominantly Sunni or mixed central governorates of Al-Anbar, Baghdad, Diyala, Nineawa, Kirkuk, and Salah Al-Din, but occasionally moves into the mainly Shi’ite governorates further south. Armed Sunni groups such as Al-Qaeda in Iraq and Ansar Al-Islam are thought to be responsible for most of the violence. Shi’ite armed groups have to a large extent been integrated into the ISF and the political process, though they reportedly maintain their independent military capabilities and at times threaten to use it to further their political agendas. Armed groups target civilians on the basis of their (imputed) political views, religion, ethnicity, social status or a combination of reasons. As a result of the weak law enforcement and justice system, persons at risk of persecution are reportedly unable to find protection or judicial redress. Observers mention undue political influence, the lack of trained legal professionals and corruption as further obstacles to the administration of justice, including in the Kurdistan Region. Legal professionals continue to work in a very difficult security environment, and remain a target of armed groups. Crime is widespread and some armed groups reportedly engage in extortion, kidnappings and armed robberies to fund their other, politically – or religiously, or ideologically - motivated activities, conflating acts of persecution and criminality. Consequently, the line between persecution and criminality appears to be increasingly blurred.

Significant human rights violations at the hands of the ISF continue to be reported. There are frequent allegations that individuals have been arbitrarily arrested by the ISF, often on vague terrorism-related charges, and held without charge or trial for prolonged periods of time (up to several years). Detention conditions are said to be harsh and torture and ill-treatment are reportedly widespread and systematic, both during arrest and while in detention - including allegedly in secret detention facilities. Torture is reportedly used to extract information from detainees and to obtain “confessions” to be used in court against them. Dozens of detainees have reportedly died as a result of torture or other ill-treatment in recent years. It is suggested that these incidents often go unpunished. Detainees held on terrorism or other security-related charges may be subject to grossly unfair trials at the Central Criminal Court of Iraq or other criminal courts and, if convicted, may face the death penalty, including on the basis of confessions extracted under torture. Iraq has been criticized for excessive use of the death penalty: this has recently been increasing, with at least 69 executions carried out in 2012 [up to 18 March], despite continued allegations of unfair trials and widespread use of evidence obtained under torture.
In the Kurdistan Region, overall human rights conditions are reported to have improved, however, abuses continue to be alleged. Reports of arbitrary arrests, incommunicado detention and the use of torture and ill-treatment have been made, in particular, with regard to facilities run by the Kurdish Security Forces (Asayish). Detainees held on terrorism charges under the 2006 Anti-Terrorism Law may be held without charge or trial for prolonged periods of time, although reports suggest that this practice is not as common as it was in the past. The KRG authorities have reportedly also lessened the previously widespread use of torture and ill-treatment of detainees and prisoners. However, it is still occasionally reported that detainees are subjected to torture and ill-treatment, in particular when interrogated and investigated by the Asayish. The death penalty is still applied in the Kurdistan Region and several persons have been sentenced to death in recent years; however, the penalty has not in fact been carried out.

The Iraqi Government and the KRG have repeatedly been accused of disregard for freedom of expression and assembly. Human rights and media organizations have condemned the violent suppression of popular protests and restrictions on the freedom of the press.

The persistent problem of corruption is said to prevent progress with respect to governance, public services and security in Iraq. Efforts to combat corruption are reportedly hampered, inter alia, by an inadequate legal and institutional framework, weak parliamentary oversight, ongoing attacks against anticorruption officials, as well as government interference and political pressures.

Iraq also continues to face a challenging humanitarian situation and, as evidenced by recent Gallup polls and street protests in the spring of 2011, deepening pessimism and popular discontent. Many Iraqis still do not have sufficient access to essential services - such as food, drinking water, sanitation, electricity, education and health care - and face difficulties in finding employment and adequate housing. These difficult living conditions are often more pronounced for the still high number of Iraqis that remain displaced inside and outside Iraq. Security concerns and the lack of adequate livelihood opportunities remain obstacles to return and successful reintegration of formerly displaced persons. Nearly half a million Iraqis, including IDPs and returnees, reside in squatter settlements without access to basic necessities such as clean water, electricity, and sanitation; and often on public land or in public buildings at risk of eviction.

III. Main Actors of Persecution and Violence

A number of state and non-state actors are identified throughout this document. Observers consider them to be responsible for committing abuses against the civilian population, including acts of terrorism, killings, abductions, torture, rape, threats and harassment, as well as domestic violence and harmful traditional practices.

a) Non-State Actors

According to Iraqi Government officials, there are dozens of armed groups active in Iraq, comprising thousands of members. Armed groups are largely split along sectarian lines, i.e. Sunni or Shi‘ite. Some groups operate independently, while others are openly or secretly affiliated with political parties or have transformed into political parties, though this does not necessarily mean that they have disarmed. This section provides an overview of the major armed groups in Iraq, with a particular focus on their alleged responsibility for violence perpetrated against persons falling within the risk profiles outlined in this document. It also assesses the interaction between criminal groups and politically/ideologically driven armed groups, noting the difficulties in clearly differentiating between them. This section also identifies family and tribes as perpetrators of domestic violence and harmful traditional practices, affecting mainly (but not solely) women and girls.

i. Armed Sunni Groups

After 2003, a range of armed Sunni groups emerged, generally referred to as the “Sunni insurgency”. These groups appeared to be united only by the goals of liberating Iraq from “foreign occupation” and
undermining the new political order in the country. In terms of ideology, membership and tactics, they reportedly had little in common and at times even turned against each other. Today, the Sunni armed groups considered responsible for most of the violence perpetrated against the Iraqi Government and the civilian population are Islamic State of Iraq / Al-Qa’eda in Iraq, Ansar Al-Islam and the Naqshbandi Army. These three groups, although independent, are reported to cooperate to some extent. Other Sunni armed groups are said to have been mainly, though not exclusively, focused on fighting the Multi-National Forces in Iraq (MNF-I) / United States Forces in Iraq (USF-I) and their “collaborators” such as the ISF, armed Shi’ite groups and the Sahwa; they are said to reject targeting Iraqi civilians at large. After the withdrawal of the USF-I from Iraq in December 2011, these groups reportedly shifted their focus to the Iraqi Government, in addition to the remaining US presence in the country.

Al-Qa’eda in Iraq, a radical Salafi organization, has reportedly been the main proponent of the Sunni insurgency since 2003 and is widely blamed for widespread attacks against the MNF-I/USSF-I, the ISF and the (mainly Shi’ite) civilian population. Since 2006, Al-Qa’eda in Iraq has claimed to operate under the umbrella of the Islamic State of Iraq. According to US officials, the group has between 800 and 1,000 members in Iraq. It is claimed to be most active in the governorates of Anbar, Baghdad, Diyala, Kirkuk, Ninewa (with Mosul being its major urban stronghold) and Salah Al-Din. But it is also present in Babel and Kerbala, and even further south, as evidenced by occasional attacks for example in Kut, Basrah or Nasseryiah. Unlike other armed groups, Al-Qa’eda in Iraq has reportedly deliberately targeted Iraqi civilians at large, in particular Shi’ites, apparently with the aim of (re)igniting violence among Iraq’s ethnic and religious groups. Al-Qa’eda in Iraq claims responsibility for continuous attacks against the Shi’ite population and their places of worship - including the attack on the Al-Askari shrine in Samarra in February of 2006, which led to widespread sectarian violence between Sunni and Shi’ite armed groups in 2006 and 2007. Al-Qa’eda in Iraq has also claimed responsibility for attacks against the USF-I, the Iraqi Government, including its political, administrative and security representatives, and anybody considered to be collaborating with either the Government or the USF-I. Persons involved in fighting or openly criticizing Al-Qa’eda in Iraq risk being killed. As a result of diminished popular support, opposition from the Sahwa forces, increased USF-I/ISF offensives as well as high-profile arrests of leaders, the group was weakened and no longer holds territorial control of vast areas in central Iraq. Over time, Al-Qa’eda in Iraq is said to have transformed into a mainly “home-grown” terrorist group made up of Iraqi fighters, including those whose views are said to have radicalized after years in detention. Nonetheless, Islamic State of Iraq / Al-Qa’eda in Iraq remains capable of launching major attacks, including multiple coordinated attacks across the country, and has reportedly resurfaced in former strongholds. While Al-Qa’eda in Iraq originally fought to expel the MNF-I/USSF-I from Iraq, it is said to have shifted its focus to combat the Iraqi Government, which it considers to be controlled by Shi’ite Iran. Al-Qa’eda in Iraq is reported to finance its activities through extortion, kidnappings for ransom and other criminal activities, especially since funding from abroad has reportedly slowed. Al-Qa’eda in Iraq professes to pursue a long-term goal of establishing a Sunni Islamic state based on Shari’a law, including by targeting Shi’ites and Sunnis participating in the political process, members of religious minorities, as well as women and men for their behaviour or dress, or professions considered to be “un-Islamic”. Al-Qa’eda in Iraq is also thought to engage in forcible recruitment, including of women and children, as suicide bombers or for other tasks.

Ansar Al-Islam (or Ansar Al-Sunna), established in 2001, is considered to be a “home-grown” Kurdish Sunni extremist group that aims to establish an Islamic state governed by its interpretation of Shari’a law. In spring 2003, the group was largely driven out of Iraqi Kurdistan by joint US-Kurdish military operations, but subsequently regrouped and reportedly “became one of the most potent elements of the Sunni insurgency in Iraq.” Ansar Al-Islam’s former leader, Abu Abdullah Al-Shafi, who was arrested on 3 May 2010, maintained close ties with Al-Qa’eda in Iraq as well as with Osama Bin Laden and admitted to having conducted joint operations. Ansar Al-Islam is also reported to have close allies in Iran, a country reportedly used as a safe haven by its members. The organization has claimed responsibility for large-scale suicide and car bomb attacks in Mosul, Kirkuk, Erbil, and Baghdad, and is also active in Diyala. Its main targets have been the MNF-
The Naqshbandi Army (or JRTN)\textsuperscript{147} is a Sunni insurgent group with a mainly nationalistic outlook despite its claim to be part of a 14\textsuperscript{th} century order of mystical Islam.\textsuperscript{148} It was formed in December 2006 in response to the execution of former President Saddam Hussein\textsuperscript{149} and seeks to re-establish the Ba’ath Party’s dominance in Iraq.\textsuperscript{150} The Naqshbandi Army has claimed responsibility for numerous attacks against the MNF-I/USF-I\textsuperscript{151} in Baghdad, Al-Anbar, Ninewa, Diyala and Salah Al-Din Governorates.\textsuperscript{152} It is reportedly also active in Kirkuk Governorate\textsuperscript{153} and, owing to Ba’athist ties to southern tribes, it is probably able to conduct limited attacks in southern Iraq.\textsuperscript{154} The Naqshbandi Army is opposed to the Iraqi Government, which it considers to be controlled by Iran and as having persecuted Sunnis.\textsuperscript{155} It is the doctrine of the Naqshbandi Army not to target Iraqi civilians unless they are considered as collaborators with “the unbeliever-occupier”, i.e. the Iraqi Government and previously foreign forces,\textsuperscript{156} apparently making it a more acceptable alternative for supporters than Al-Qa’eda in Iraq.\textsuperscript{157} It has been reported that the Naqshbandi Army enjoys sympathy if not support among Sunni security forces.\textsuperscript{158} Despite deep ideological differences between them, the Naqshbandi Army is reportedly financing operations for Al-Qa’eda in Iraq, particularly attacks on civilian targets, in order not to be seen to be undermining its policy of not attacking civilians.\textsuperscript{159} It reportedly also outsources attacks to other armed groups.\textsuperscript{160}

\textit{ii. Armed Shi’ite Groups}

After 2003, a range of armed Shi’ite groups reportedly started to compete for power and religious influence in Iraq, at times resulting in violent intra-Shi’ite clashes.\textsuperscript{161} This was the case, in particular, between the Badr Corps,\textsuperscript{162} the armed wing of the Supreme Council for the Islamic Revolution in Iraq / Islamic Supreme Council of Iraq, and the Jaysh Al-Mahdi, the armed wing of the Sadr Movement led by cleric Muqtada Al-Sadr.\textsuperscript{163} Jaysh Al-Mahdi became the main Shi’ite opposition to the foreign coalition forces in Iraq after the fall of the former regime in 2003. It staged two uprisings against US forces in April and August 2004 and launched numerous attacks against mainly US military targets. Attacks on US forces peaked in mid-2007, when Jaysh Al-Mahdi was responsible for the majority of all US casualties.\textsuperscript{164} Both the Badr Corps and the Sadrist have integrated into the political process\textsuperscript{165} and the Sadists have become a major political force and main backer of Prime Minister Al-Maliki.\textsuperscript{166} However, none of these groups have given up military capacity\textsuperscript{167} and, in the case of Jaysh Al-Mahdi /Promised Day Brigades, sporadic attacks on US targets continued into 2011.\textsuperscript{168} Some members of the Badr Corps, and to a lesser extent the Jaysh Al-Mahdi, have been integrated into the ISF.\textsuperscript{169} Armed Shi’ite groups are accused of having a major role in the sectarian cleansing that followed the February 2006 Al-Askari shrine bombing.\textsuperscript{170} Armed Shi’ite groups were significantly affected by the ISF-led offensives in southern Iraq and Sadr City/Baghdad in 2007–2008.\textsuperscript{171}

Muqtada Al-Sadr faced apparent difficulties in retaining control over Jaysh Al-Mahdi, and the group splintered into various factions with differing agendas (so-called “Special Groups”\textsuperscript{172}), some of them engaging in mainly criminal activities.\textsuperscript{173} In recent years, three main armed Shi’ite groups have been active: Jaysh Al-Mahdi /Promised Day Brigades; Asa‘ib Ahl Al-Haq,\textsuperscript{174} which was created by former Sadrist Qays Al-Khazali;\textsuperscript{175} and Kata’ib Hezbollah.\textsuperscript{176} In 2011, these groups claimed responsibility for lethal attacks against the USF-I aimed at expediting the withdrawal of foreign forces from Iraq.\textsuperscript{177} Their presence is mainly reported in Baghdad, Basrah, Missan, Thi-Qar, Kerbala, Babel, Najef, Wasit and Diwaniyah.\textsuperscript{178} Armed Shi’ite groups have also been reported to engage in criminal activities such as kidnappings, extortion and oil smuggling.\textsuperscript{179}
Armed Shi’ite groups boasted that the US troop withdrawal from Iraq in mid-December 2011 was a “historic victory”. It remains to be seen how their agendas will evolve in the aftermath of this withdrawal. Reportedly, there continue to be regular rocket attacks against the US consulate in Basrah, which houses almost 1,000 US diplomatic and security personnel. At the same time, Asa’ib Ahl Al-Haq announced its decision to lay down its arms and engage in the political system as an opposition party. This decision heightened existing tensions with the Sadrists. Muqtada Al-Sadr has repeatedly warned that the Promised Day Brigades stand ready to attack any “oversize” US diplomatic presence in Iraq. There are no indications that Kata’ib Hezbollah seeks to integrate into the political system.

While armed Shi’ite groups have in the past publicly focussed on attacking the MNF-I/USF-I, there are reports that they also single out Iraqis of various profiles for kidnapping and assassination, including former Ba’athists, security and government officials, political/religious rivals, and persons considered as “collaborators” with the foreign forces, especially the US. Further, Shi’ite groups have also enforced strict Islamic rules of behaviour and dress, and are considered to be responsible, inter alia, for attacks on women not wearing the veil, persons engaged in selling liquor, and LGBTI persons.

iii. Criminal Groups
Criminal gangs are reported to have taken full advantage of the tenuous security situation and weak law enforcement capacities of the state, engaging in various illegal activities such as extortion, kidnapings, killings, forced prostitution and human trafficking. Ideologically driven or politically oriented armed groups also reportedly engage in criminal activities to finance their activities and to further their political/ideological/sectarian goals, at times cooperating with criminal organizations. As a result, it may be difficult to establish the exact motivation behind a particular armed attack, i.e. whether it is profit-driven or whether there is (also) a link to a 1951 Convention ground such as the victim’s political, ethnic or religious background or his/her membership in a particular social group. Criminal motives may also overlap with motives linked to a 1951 Convention ground. For example, a victim may be singled out for kidnapping against ransom for economic profit and in order to pursue a political/ideological aim. Law enforcement agencies are reported to be prone to corruption and bribery, intimidation and infiltration, which can facilitate and protect criminal activities. As a result, criminal gangs (and armed groups) may be able to operate in collusion with members of the ISF and to enjoy impunity for their activities.

For the above reasons, UNHCR considers that, even in cases of harm or persecution that appear to be criminally motivated, it is necessary to thoroughly examine whether other motives for persecution related to one of the 1951 Convention grounds for refugee status may also have been present.

iv. Family, Community, Tribe
Acts of violence and harmful traditional practices, most notably domestic violence, “honour crimes”, early and forced marriages, female genital mutilation as well as (sex) trafficking and forced prostitution are commonly committed by members of a victim’s (extended) family, community or tribe. Iraqi laws do not criminalize certain acts of violence against women and, even when laws may be available to protect victims of violence, state organs often reportedly fail to charge or prosecute alleged perpetrators. There have also been reports of family members killing (perceived) LGBTI individuals for reasons of “honour”.

b) State Actors

i. Iraqi Security Forces (ISF)
In the past decade of sectarian violence, the ISF - reportedly infiltrated by members of primarily Shi’ite armed groups - have been accused of engaging in frequent kidnapings, torture and summary
executions of (mainly) Sunni Arabs. In recent years, there have been consistent reports of the ISF using repressive measures such as arbitrary arrests, incommunicado detention (including in “secret” facilities) and torture to silence political opponents, journalists, and protestors. There have also been reports of the ISF engaging in abuses of LGBTI individuals. The ISF have allegedly used excessive force against protestors, including live ammunition. Civilian deaths have occurred as a result of ISF or joint ISF/USF-I military operations aimed at combating armed groups. Some sources claim that acts of violence committed by the ISF are achieved with impunity; and that where disciplinary proceedings against perpetrators are initiated, they lack transparency.

ii. Kurdish Security Forces

Kurdish political parties, together with their armed forces and security/intelligence services, are accused by observers of using repressive measures - including harassment, physical assaults, arbitrary arrests, incommunicado detention, torture and ill-treatment in detention – against their political opponents, journalists, and members of ethnic/religious minorities in areas under their de facto or de iure control. Unlawful killings by the Kurdish Security Forces have been reported. Kurdish Security Forces have also reportedly used excessive force, including live ammunition, to disband popular protests.

IV. Eligibility for International Protection

UNHCR recommends that all claims by asylum-seekers from Iraq be considered on their individual merits in fair and efficient refugee status determination procedures, taking into account up-to-date and relevant country of origin information. UNHCR considers that, depending on the particular details of their claims, individuals with profiles and in circumstances similar to those outlined below are likely to be in need of international refugee protection in the sense of the 1951 Convention and the 1967 Protocol.

This listing is not exhaustive and is based on information available to UNHCR as at 18 March 2012. An individual’s claim is not without merit simply because he or she does not fall within any of the profiles identified below. Similarly, not all persons falling within these risk profiles will necessarily be in need of international refugee protection: in the assessment of whether or not a claimant would be likely to be exposed to persecution or serious harm upon return, the specific elements of the individual claim are decisive. Certain claims by asylum-seekers from Iraq, including of those possibly falling within risk profiles described in these guidelines, will require examination for possible exclusion from refugee status.

For persons who have already been recognized as refugees, their status may be reviewed only if there are indications, in an individual case, that there are grounds for cancellation of refugee status which was wrongly granted in the first instance; revocation of refugee status on the grounds of Article 1F of the 1951 Convention; or cessation of refugee status on the basis of Article 1C(1-4) of the 1951 Convention. UNHCR considers that the current situation in Iraq does not warrant cessation of refugee status on the basis of Article 1C(5) of the 1951 Convention.

Availability of National Protection

In Iraq, the main perpetrators of persecution are non-state actors. However, protection by national authorities is unlikely to be available in most cases, given that the national authorities have limited capacity to enforce law and order. The ISF, which now have around 930,000 members and are widely acknowledged as increasingly capable and united, reportedly remain vulnerable to corruption and infiltration by militants, and continue to be themselves a major target of attacks. In addition, political disunity has reportedly limited the effectiveness of the ISF.

The judiciary, which remains understaffed, is reported to be prone to intimidation, infiltration, political interference and corruption. Judges often face death threats and attacks. Perpetrators of crimes and human rights violations are reportedly still not held accountable. In the Kurdistan Region, judicial independence is said to be hampered by political interference.
A. Risk Profiles

1. Individuals Associated with (or Perceived to be Supporting) the Iraqi Authorities and the (former) MNF-I/USF-I

Armed groups continue to target civilians associated with, or perceived as supporting, the Iraqi Government. Numerous attacks against members of the ISF, the Sahwa, government officials and employees as well as members of political parties engaged in the political process have been reported. Tribal and religious leaders, as well as professionals such as judges or academics, have reportedly also been targeted for their (perceived) support of the Iraqi authorities, the political process or the USF-I. It is widely believed that many of these attacks are aimed at undermining the functioning and the overall legitimacy of the Iraqi authorities, although the exact intention is often difficult to establish.\(^{231}\)

According to the UN Secretary General’s 28 November 2011 report, covering the period from 7 July 2011 onwards, "[T]here was a marked increase in assassinations of government officials, professionals and security personnel."\(^{232}\) Attacks include instances of intimidation, abductions and assassinations, including by the use of improvised explosive devices (IEDs), (suicide) car bombs and targeted killings with firearms equipped with silencers or “sticky bombs” attached to vehicles.\(^{233}\) Many reports of intimidations and threats are made.\(^{234}\) Incidents of targeted attacks have been reported in almost all of central and southern Iraq, but particularly in Al-Anbar, Baghdad, Babel, Diyala, Kirkuk, Ninewa and Salah Al-Din Governorates.

UNHCR considers that individuals associated with, or perceived to be supporting the Iraqi authorities, the ISF or the (former) MNF-I/USF-I are, depending on the circumstances of their claim, likely to be in need of international refugee protection on account of their (imputed) political opinion.

Specific groups that may be associated with or perceived be supporting the Iraqi authorities include the following:

a) Government Officials and Employees

Various armed groups\(^{235}\) are thought to be responsible for targeting persons involved in the Iraqi Government at both the federal and local levels, as well as members of their families and their bodyguards. Perpetrators’ motives appear to be multidimensional. While certain acts are thought to be intended to delegitimize the Iraqi Government and spread fear among the wider population, other attacks seem to specifically target government officials, whether for their membership of a particular political party or their involvement in certain political affairs, such as national reconciliation, de-Ba’athification or anti-corruption efforts. In 2010, 2011 and 2012, there have been numerous attacks against high-ranking government officials, including members of the Council of Representatives,\(^{236}\) (deputy) ministers,\(^{237}\) other senior ministry officials\(^{238}\) and advisors to the Prime Minister or CoR members,\(^{239}\) Members of the Iraqi Justice and Accountability Commission,\(^{240}\) the Commission of Integrity\(^{241}\) and the Independent High Electoral Commission\(^{242}\) have also been targeted for assassination. At the provincial/municipality level, governors and deputy governors,\(^{243}\) local mayors\(^{244}\) and members of provincial\(^{245}\) and municipal/city councils\(^{246}\) have been targeted, among others. There are also many reported attacks on government employees\(^{247}\) and state-owned company employees,\(^{248}\) including by targeting their vehicles or homes. Family members, drivers and bodyguards are also at risk of being killed or wounded in attacks\(^{249}\) and, in some cases, may have been targeted deliberately.\(^{250}\) Former members of the Iraqi Government may remain at risk of attack.\(^{251}\) Iraqi judges have frequently been the victims of attacks by armed anti-government groups. They continue to be singled out and killed in targeted attacks, frequently alongside family members and bodyguards.\(^{252}\)
Numerous attacks targeting government offices have been reported, including the heavily guarded Ministry of Interior in Baghdad, a passport office in Kerbala and the provincial council compounds in Baghdad, Ba’quba (Diyala), Ramadi (Al-Anbar) and Tikrit (Salah Al-Din), resulting in a high number of casualties. Baghdad’s heavily fortified International Zone, where many government institutions are located, has been a regular target for rocket and mortar attacks, and was the target of a suicide attack in November 2011, for the first time since 1997.

b) Former Members of the Iraqi Security Forces (ISF)

In view of the need to maintain the civilian and humanitarian character of asylum, applications for international refugee protection by combatants should not be considered unless it is established that they have genuinely and permanently renounced military and armed activities.

As highlighted above, in 2010 and 2011 armed groups increased attacks against the ISF in an apparent effort to destabilize the country and undermine confidence in the ability of the Iraqi Government to provide security. Iraqi soldiers and policemen are killed on a daily basis. This trend is expected to continue following the USF-I’s withdrawal from Iraq in December 2011. Members of the Iraqi Police are often particularly targeted: they do not have heavy weapons and equipment and receive less training than the Iraqi Army, and are accordingly reportedly considered the weakest element of the ISF. In 2011, according to Iraqi Government statistics, about 40 per cent of Iraqis killed were ISF members, including 609 Iraqi police and 458 soldiers.

ISF patrols, convoys, checkpoints, army bases and police stations are subject to daily attacks, mainly by roadside bombs and gunfire. Checkpoints are also regularly attacked by sniper fire. The ISF are frequently targeted in larger attacks involving car bombs or suicide bombers, including in multiple coordinated attacks across the country. Major attacks against the ISF in 2011 and 2012, some of them claimed by Al-Qa’eda in Iraq (ISI/AQI), were carried out in Al-Anbar, Babel, Baghdad, Basrah, Diyala, Kirkuk, Ninewa and Salah Al-Din Governorates.

In addition, targeted killings of ISF personnel have been increasing since late 2010. While most attacks occur in the cities of Baghdad and Kirkuk, senior ISF officials have also regularly been targeted in the central governorates of Al-Anbar, Diyala, Ninevah and Salah Al-Din. In southern Iraq, targeted attacks on senior ISF officials are less frequent. Most assassinations are reportedly carried out through the use of weapons with silencers or “sticky bombs” attached to vehicles. The victims have likely been monitored in advance of an attack. According to Iraqi officials, senior ISF members of Sunni background have been particularly singled out for assassinations. Both Sunni and Shi’ite armed groups are thought to be responsible for the targeting of senior ISF officials. Iraqi officials suggested that Shi’ite groups strengthened their campaign against those of Sunni background due to fears that they could lead a military coup against the Government after the USF-I’s withdrawal from Iraq. According to Ministry of Defense officials, “hit lists” have been issued by armed Shi’ite groups and published on websites, and some officers have received threatening phone calls. Acknowledging the increased risks, the Ministry of Interior introduced measures to help officials avoid assassination - even though, according to experts, “there are few preventive measures against the use of such economical and low-profile tactics” as sniper fire or sticky bombs.

Members of the ISF are also reportedly singled out for assassination when off-duty, including in their homes, sometimes in apparently coordinated multiple attacks. Attacks on off-duty ISF members, as reported by the media, occur mainly in Ninevah and Kirkuk Governorates, but also in Al-Anbar, Babel, Baghdad, Diyala and Salah Al-Din Governorates. Because members of the ISF, regardless of rank, are often attacked in their private environment, e.g. their homes or private vehicles, their family members, guards and drivers as well as civilian passers-by are also at risk of being killed or wounded.
In areas of central Iraq under the de facto control of the Kurdish Security Forces (parts of Diyala, Kirkuk, Ninewa and Salah Al-Din Governorates), attacks targeting the Kurdish Peshmerga and Asayish are reported. There are also reports that members of the army, security and intelligence apparatus of the former regime continue to be targeted by armed groups.

c) Sahwa Members, Traditional Tribal, Religious and Community Leaders

Traditional tribal and community leaders, particularly those involved in the Sahwa movement, reportedly continue to be prime targets for armed groups such as Al-Qa’eda in Iraq (ISI/AQI), as was the case throughout 2010, 2011 and early 2012.

Sahwa leaders and members of all ranks are considered “traitors” for their alliance with the MNF-I/USF-I or, after the transfer of responsibility, the Iraqi Government. They continue to be targets for roadside bombs and suicide attacks against checkpoints or patrols, as well as assassinations.

In 2011 and 2012, several Sahwa leaders have been singled out for assassination, often by “sticky bombs” or firearms. Family members or civilian bystanders are routinely harmed as attacks frequently target the homes or cars of Sahwa members. Occasionally, Sahwa members are targeted in coordinated attacks. There have also been reports of attacks on former Sahwa members. Extremist groups have reportedly also threatened members of the “Daughters of Iraq” (Banat Al-Iraq).

Other traditional tribal, religious and community leaders, beyond Sahwa members, have also been targeted. The motives behind these attacks are often unknown and may be multifaceted. However, in some cases, the victims were known for their involvement with / support to the Sahwa or their outspoken views against Al-Qa’eda in Iraq (ISI/AQI).

d) Members of Political Parties

Members of political parties across the political spectrum continue to be targeted by armed groups opposed to the Iraqi Government or the political process, or as a result of political rivalries. Targeted attacks on party officials and party offices intensified in the run-up to the March 2010 CoR elections, when a number of candidates were killed and continued throughout 2010 and 2011 and into 2012. The perpetrators’ motives appear to be multidimensional. Armed Shi’ite and Sunni groups are both thought to be responsible for targeted attacks on Shi’ite party representatives and offices. Competing Shi’ite armed groups, which in the past were involved in violent clashes against each other, are thought to be responsible for the targeting of rivals. Conversely, armed Sunni groups target Shi’ite party representatives on sectarian and political grounds, considering them as “infidels” or “Iranian agents”. Armed Sunni groups have repeatedly pledged to kill those Sunnis that take part in the political process, labelling them as “traitors” and “collaborators”. They are therefore blamed for the assassination of a number of Sunni and secular politicians, including those belonging to the Iraqi Islamic Party and the cross-sectarian Iraquiyya coalition, which garnered wide Sunni support.

Sahwa members who have become politicians have also been targeted. In the multi-ethnic “disputed areas” of Ninewa, Kirkuk, Diyala and Salah Al-Din Governorates, armed Sunni groups are accused of being behind targeted attacks on party offices and party representatives of Kurdish and Turkmen parties such as the Kurdistan Democratic Party, the Patriotic Union of Kurdistan or the Iraqi Turkmen Front, in what may be attempts to encourage ethnic/political divisions among the communities.

e) Individuals Affiliated with the USF-I, Foreign Governments, NGOs or International Companies

Civilians (formerly) employed or otherwise affiliated with the former MNF-I/USF-I or foreign governments, NGOs or international companies, as well as their families, are at risk of being targeted by non-state actors for their (imputed) political opinion. Since 2003, both Sunni and Shi’ite
armed groups are known to have threatened, kidnapped and killed interpreters, embassy workers, drivers, subcontractors and others affiliated with the MNF-I/USF-I, foreign governments, international companies or organizations, reportedly to deter others from working for them.\textsuperscript{324}

Ahead of the full USF-I withdrawal from Iraq, achieved by mid December 2011, advocates and Iraqis (formerly) employed with the US military raised concerns about being left without protection.\textsuperscript{325} These fears have since been substantiated by reports that employee records maintained by the USF-I may have leaked to armed groups.\textsuperscript{327} Perpetrators of violence against Iraqis affiliated with the MNF-I/USF-I are both Sunni and Shi’ite armed groups.\textsuperscript{328} It is reported that there were no contingency plans to provide emergency protection to former Iraqi employees after the USF-I withdrawal.\textsuperscript{329}

Individuals who have worked for the MNF-I/USF-I may be unable to find new employment if their former employer becomes known. Many former USF-I employees allegedly hesitate to reveal their prior work experience to a potential new employer for fear of retribution.\textsuperscript{330}

\textbf{2. Individuals (Perceived as) Opposing the Iraqi Authorities}

A range of armed groups, both Sunni and Shi’ite, continue to threaten security in Iraq and engage in armed attacks and criminal activities. Many individuals are arrested and prosecuted by the Iraqi authorities for their involvement in terrorism and other criminal acts. However, there are consistent allegations that members of the ISF target (perceived) political opponents in order to marginalize the opposition and consolidate power.\textsuperscript{331} There are allegations that political opponents of the Iraqi Government have been arbitrarily arrested on the basis of vague terrorism-related charges or alleged Ba’athist ties for political motives rather than any specific criminal act. Those accused of terrorism are reportedly regularly exposed to incommunicado detention, torture and even extra-judicial executions, following allegedly unfair trials. In what is said to be an effort to silence critical voices, journalists, protesters and anti-corruption officials have reportedly been subjected to intimidation, harassment and arbitrary arrests or had their employment in the public sector terminated. According to Human Rights Watch, “[A]fter more than six years of democratic rule, Iraqis who publicly express their views still do so at great peril.”\textsuperscript{333}

UNHCR considers that individuals perceived as opposing the Iraqi authorities are, depending on the circumstances of their claim, likely to be in need of international refugee protection on account of their (imputed) political opinion.

Specific groups that may be (perceived as) opposing the Iraqi authorities include the following:

\textit{a) (Perceived) Political Opponents}

Persons (considered to be) in opposition to the Iraqi Government reportedly face politically motivated arrests or are arbitrarily deprived of their employment in the public sector.\textsuperscript{334} Political opponents are allegedly arrested arbitrarily on vague terrorism-related charges, often coupled with accusations of Ba’ath Party ties or corruption.\textsuperscript{335} Judicial or administrative actions against persons reasonably suspected of terrorism, former Ba’athists or persons accused of corruption are legitimate, if in line with relevant legislation and the due process of law. However, observers note that the alleged lack of transparency, reported legal discrepancies, and politicized public statements have raised serious doubts about the real reasons for certain arrests of or administrative sanctions against political opponents of the Iraqi Government.\textsuperscript{336} Arrests of political opponents are reportedly increasing.\textsuperscript{337} Given that the ISF are Shi’ite-dominated, and those arrested are often of Sunni background, some
commentators have expressed the view that sectarian motives may also be a relevant factor in such incidents.338

After the fall of the former regime, the Coalition Provisional Authority and, subsequently, the Iraqi Government introduced a number of measures to “de-Ba’athify” the Iraqi administration and security forces.339 From the outset, it was reported that the implementation of relevant regulations was arbitrary, sectarian340 and politicized.341 There have been continuous claims that the Iraqi Government has used accusations of “Ba’athism” to sideline political opponents and to settle political scores.342 “De-Ba’athification” has reportedly been used to fire government and security officials and replace them with loyalists,343 and to ban political rivals from running in elections.344 Reported arrests of alleged Ba’ath Party members have raised concerns, given that neither the De-Ba’athification Law,345 nor any other law, provides for legal prosecution for Ba’ath Party membership.346 During an “arrest campaign” in October/November 2011, when more than 600 individuals were arrested on charges of terrorism and alleged Ba’ath Party ties, Deputy Minister of Interior Adnan Al-Asadi stated that all arrests were undertaken on the basis of the Counterterrorism Law of 2005.347 However, Iraqi Government officials repeatedly referred to a person’s Ba’ath Party affiliation and rank to justify the arrest.348 The timing and circumstances, the questionable legal basis and the lack of transparency of these arrests raised serious doubts among some observers over their real motivation.349 Most of those arrested reportedly remain in detention without charge.350

Reports suggest that persons accused of terrorism351 are at risk of arbitrary arrest, incommunicado detention, including at secret detention facilities, as well as torture and ill-treatment.352 Detainees suspected of links with armed groups as well as open critics of the Iraqi Government are reported to be at particular risk of being subjected to torture and ill-treatment.353 Several detainees are said to have died as a result of torture.354 Detainees charged under the Counterterrorism Law are considered by some observers to be at risk of facing unfair trials and, if convicted, may face the death penalty, including on the basis of confessions extracted under torture.355

There are allegations that certain senior government officials and politicians seek to silence persons investigating corruption within the Iraqi Government. Anti-corruption officials have reportedly faced threats, intimidation and forced removal from their employment.356 The former head of the Commission of Integrity sought asylum in the US based on fear of assassination allegedly linked to investigations into corruption by senior government officials.357

After the fall of the previous regime in 2003, persons affiliated or associated with the former regime, through membership in the Ba’ath Party or as a result of their functions or profession, were subjected to systematic attacks mainly by armed Shi’ite groups.358 Today, members of the former Ba’ath Party or the former regime’s armed forces or security and intelligence services are reportedly no longer systematically singled out for attack by armed groups. They may still be targeted in individual cases, although the exact motivation behind an attack may not always be known. Many former Ba’athists have found new identities as politicians,359 academics,360 tribal leaders,361 or members of the current ISF.362 It is difficult to determine if attacks against them are motivated by their role under the former regime or by the person’s present profile. Palestinian refugees,1 who are widely considered to have received preferential treatment under the former regime and were suspected of supporting the Sunni insurgency, have also been singled out for attacks and arrests since 2003.

b) Protestors

Article 38 of the Iraqi Constitution guarantees freedom of assembly and peaceful demonstration,

1 It should be noted that Palestinians originating from or having their habitual residence in Iraq are not included in the scope of these Eligibility Guidelines. For UNHCR’s position as regards the protection needs of Palestinians from Iraq, see Update of UNHCR Aide-Mémoire of 2006. Protection Considerations for Palestinian Refugees in Iraq [to be published shortly].
provided the exercise of this freedom “does not violate public order or morality”. However, regulations issued by the Ministry of Interior on 25 June 2010 in the wake of popular protests over poor public services, especially electricity, in several governorates make it difficult to obtain official permission to hold demonstrations and permit “all known methods to disperse protesters” in the event of any violence occurring during a demonstration. Public protests intensified in February 2011 and on a proclaimed “Day of Rage” on 25 February 2011, tens of thousands of individuals demonstrated in at least 12 locations across the country. Grievances expressed included high unemployment, corruption and poor public services, as well as restrictions on civil and political rights. The ISF reportedly used excessive force, including live ammunition, to disband the protesters and reports indicated that at least 25 persons were killed and dozens wounded across central and southern Iraq. The death toll subsequently rose over the following few days. As a result of this response by Iraqi authorities, as well as heightened security measures and restrictive regulations, fewer people participated in later protests. The ISF and armed Iraqi Government supporters have also been accused of intimidating, beating, arresting and mistreating with impunity hundreds of protesters, among them protest organizers, students, women, journalists, artists and intellectuals. It has been reported that detained protestors were often held incommunicado, denied access to lawyers and family visits. Some were reportedly only released after signing a pledge not to participate in future protests. Protests were also accused by Iraqi Government officials of being Ba’athists or serving the interests of foreign instigators. Despite some government concessions in response to the protestors’ demands, small protests continue to take place, usually on Fridays and mainly in Baghdad. They are reportedly regularly subject to interventions by the ISF and armed government supporters.

The Iraqi Constitution stipulates that every citizen has the right to go on strike peacefully in accordance with the law, however, the 1987 Labour Code prohibits striking in the public and private sectors. The US Department of State reported that in 2010 strikers were subjected to harassment and intimidation, and the ISF intervened to disband strikes in Basrah. Union leaders involved in strikes were reportedly forcibly transferred.

3. Individuals (Perceived as) Opposing the KRG Authorities

The KRG authorities - through the two main political parties, the Kurdistan Democratic Party and the Patriotic Union of Kurdistan - have de jure control over the Kurdistan Region encompassing the three northern governorates of Sulaymaniyah, Erbil and Dahuk. They also hold de facto control of “disputed areas”. While the two parties have formally agreed to unify their administration and security forces, in reality they remain split, with the Kurdistan Democratic Party mainly exercising power in Dahuk and Erbil, and the Patriotic Union of Kurdistan in Sulaymaniyah. Both parties have their own armed forces (Peshmerga), intelligence (Parastin and Dazgay Zaniyari) and security services (Asayish). They are also said to control their own party militias.

According to various reports, criticism of the KRG or the ruling parties can result in intimidation, beatings, arbitrary arrest and detention, torture and ill-treatment, mainly at the hands of the party-affiliated security services. Those particularly at risk are said to be members of political opposition groups, journalists and other media personnel, as well as protestors and activists.

Members of political opposition parties - in particular from the Kurdistan Islamic Union, the Kurdistan Islamic Group and the Goran List, which are all represented in the Kurdistan Parliament - are reported to have been repeatedly harrassed, arrested arbitrarily, and physically assaulted; while their party offices have been attacked more than once. In the “disputed areas”, political activists from minority groups challenging the KRG’s dominance are also reported to be at risk of harassment and ill-treatment. Supporters of opposition parties have also reportedly faced discrimination in terms of public sector employment. As all political parties maintain their own media networks, journalists and other media personnel affiliated with opposition parties are often harassed, physically attacked and detained, or brought to court on defamation charges. Early December 2011 saw an escalation of apparently politically-motivated violence during the so-called
“Dahuk riots”. Mobs allegedly linked to the Kurdistan Islamic Union attacked mainly Christian and Yazidi businesses. In what appeared to be retaliatory action, Kurdistan Democratic Party supporters reportedly attacked Kurdistan Islamic Union party offices and party-affiliated media premises. Dozens of people were injured in the violence. The Asayish allegedly arrested many Kurdistan Islamic Union members and more than a dozen journalists, including many affiliated with opposition parties, were reportedly harassed, physically attacked or arrested in various locations across the Kurdistan Region as they attempted to cover the events. Both parties, the Kurdistan Democratic Party and the Kurdistan Islamic Union, accused each other of inciting the violence. An official investigation found that pro-Kurdistan Islamic Union media had provoked the incident and that the security services had been overwhelmed. It also acknowledged that certain groups close to the Kurdistan Democratic Party had played a role. However, to date it appears that no one has been held accountable for these events.

Popular dissatisfaction with the monopoly on power held by the KRG came to the fore in February 2011, when protests broke out demanding, inter alia, political reforms and an end to government corruption. Beginning on 17 February 2011, protests occurred on a daily basis in Sara Square in Sulaymaniyah, and occasionally in other towns, until the Kurdish Security Forces violently seized control of Sara Square on 19 April 2011. Kurdish Security Forces, supported by armed party militia, allegedly used excessive force, including live ammunition, to disband protests. Protestors, journalists, members of political opposition parties, religious figures, students and academics were reportedly threatened, harassed, arbitrarily arrested and detained as a result of their participation in or support for the protests; some were said to have been subjected to torture and ill-treatment. Several media outlets and opposition party offices were also attacked. An official investigation found that the Kurdish Security Forces “were poorly trained” and unable to respond to the protests appropriately; however, to date no one has been charged in relation to the reported violence.

In light of the above, UNHCR considers that individuals (perceived to be) opposing or openly criticizing the KRG authorities or ruling parties are, depending on the circumstances of their claim, likely to be in need of international refugee protection on account of their (imputed) political opinion.

4. Certain Professionals

Since 2003, professionals such as journalists, academics, judges and lawyers, doctors and NGO workers/rights activists have been a prime target for various armed groups in Iraq. Motives for these attacks are complex and often difficult to pinpoint, given the widespread impunity with which they are committed. Professionals have been targeted for their (perceived) political opinion, their religion or ethnic background, their social status as well as for criminal purposes. While overall levels of violence, and particularly sectarian killings, have decreased since mid-2007, targeted attacks against professionals are still a very common occurrence. In some areas, attacks on academics and other professionals even appear to be increasing. It is reported that about 30 teachers, academics and medical practitioners have been killed in Mosul since 2003, in what Iraqi Government officials describe as an effort by armed groups to “empty” Iraq of its elite. In Kirkuk, an increase in targeted abductions and assassinations of professionals was reported in the second half of 2011.

UNHCR considers that, depending on the circumstances of the case, professionals in the categories described below are, as a result of their profession, likely to be in need of international refugee protection on account of their (imputed) political opinion, their religion, ethnicity or membership of a particular social group.
Specific groups of professionals that, depending on the details of their case, are likely to be in need of refugee protection include the following:

a) Journalists and Other Media Professionals

   i. Central and Southern Iraq

Journalism has flourished since the easing of restrictions on the press in Iraq from 2003 onwards. By the end of 2010, Iraq boasted several hundred daily and weekly publications, as well as dozens of radio and television stations. Freedom of the press is protected under Article 38 (A) and (B) of the Iraqi Constitution, subject to limitations on public order and/or morality grounds. Article 46 of the Iraqi Constitution allows restrictions on the press “by law or on the basis of it, and insofar as that limitation or restriction does not violate the essence of the right or freedom.” A variety of Iraqi laws contain such restrictions on the press, in particular, the 1951 Civil Code, the 1969 Penal Code and the 1968 Law of Publications. A 2003 Coalition Provisional Authority Order banning the media from inciting violence also remains in effect. The Iraqi Communications and Media Commission issued regulations that further limit the freedom of media. Journalists have also reportedly been arrested and detained on the basis of the Counterterrorism Law. In addition to legal restrictions, the exercise of freedom of speech and of the press is subject to widespread self-censorship, due to fear of reprisals from a range of state and non-state actors.

Journalists and media workers in Iraq are reported to face many risks as a result of their work. While some have been killed in crossfire or other acts of general violence, the majority of those who have lost their lives have been victims of specific attacks based on their ethnicity or religion and/or their (imputed) political opinion. Given that most Iraqi news and television stations are owned by either political parties, religious groups or by the Iraqi Government, journalists and other media workers are often considered to represent a particular political or sectarian party or opinion. As a result, armed groups have repeatedly targeted media outlets and employees for their perceived “Western” or pro-American views, their affiliation with the Iraqi Government, or their sectarian or ethnic association. Others have been targeted for investigating controversial political or other sensitive issues, including corruption or activities of armed groups. In many cases, the exact motives for an attack remain unknown as no responsibility is claimed and/or serious investigations do not appear to be undertaken. As there have been no arrests or convictions for attacks on the media, in 2011 Iraq was for a fourth year ranked first in the Impunity Index of the Committee to Protect Journalists.

While deaths due to crossfire and other conflict-related events have dropped in recent years, Iraq remains one of the most dangerous places worldwide for journalists. Experts indicate that freedom of the press is being increasingly restricted, nearing 2008 levels. Of the 174 (mostly Iraqi) journalists killed in Iraq since 2003, the majority has reportedly been killed in targeted attacks, in most cases by “political groups.” Many of those killed were television broadcasters who are easily recognized by armed groups given their public profile and recording equipment.

After a brief decline in 2009, the Committee to Protect Journalists reported a new spike in targeted killings in the second half of 2010, when six journalists and three media support workers were killed. In 2011, at least five journalists were killed and reports suggest that others were harassed or attacked, including by armed groups, Iraqi Government and party officials, or the ISF. Several media offices have been bombed. Female journalists are reportedly specifically targeted by armed groups, reportedly as result of their perceived “intrusion” into the male-dominated public sphere. In October 2011 a series of attacks and acts of intimidation against media personnel in different parts of the country were reported, including the attempted murder of a journalist, an ISF-led raid on a journalist’s home and the closure of an independent radio station.

Further, a number of reports claim that journalists and media professionals face harassment, intimidation, arrest and abuse at the hands of the ISF or political parties. Journalists investigating
corruption or criticizing government officials appear to be particularly at risk.\textsuperscript{458} The ISF has allegedly arrested journalists without charge.\textsuperscript{459} Several media outlets were raided by the ISF and equipment was destroyed or confiscated.\textsuperscript{460} During the Iraq-wide protests in 2011, numerous incidents against journalists by the ISF were recorded, including harassment, arbitrary arrest, destruction and confiscation of equipment, and abuse.\textsuperscript{461}

Government officials are alleged to be increasingly\textsuperscript{462} using civil and criminal lawsuits to intimidate journalists and critical news organizations,\textsuperscript{463} although not all lawsuits have been successful.\textsuperscript{464} Journalists have also reported that politicians have pressured them not to publish articles critical of the Iraqi Government.\textsuperscript{465} In some instances, media considered to be pro-government have also reportedly been subject to pressure by government opponents including armed groups.\textsuperscript{466} Journalists in Iraq have stated, however, that they are now more concerned with restrictions placed on them by the Iraqi authorities than threats from armed groups.\textsuperscript{467}

On 9 August 2011, the CoR approved the long-awaited Journalist Protection Law,\textsuperscript{468} intended to protect journalists and to compensate them for any injuries sustained while exercising their profession. Rights groups have criticized the law for what they view as its narrow scope, and other perceived serious omissions.\textsuperscript{469} A local press freedom group has challenged the law in the Federal Supreme Court.\textsuperscript{470} The fact that, according to observers, the law’s provisions are not always implemented in practice further weakens any actual protection provided to journalists by the legislation.\textsuperscript{471}

\begin{itemize}
  \item \textbf{Kurdistan Region}
\end{itemize}

Since 2003, numerous newspapers, television and radio stations have been established in the Kurdistan Region,\textsuperscript{472} many of them are affiliated with political parties, while a few are independent and non-partisan.\textsuperscript{473} Officially, there is no censorship in the Kurdistan Region. However, independent journalists and media organizations have repeatedly claimed that press freedom is restricted and that criticism of the ruling parties can lead to physical harassment, seizure of equipment, arbitrary arrest and legal prosecution on charges of defamation.

In 2007, the KRG promulgated a Press Law, which, \textit{inter alia}, bans censorship, prohibits the closure of news outlets by the authorities, abolishes prison terms and places a ceiling on damages for media-related offenses.\textsuperscript{474} However, reports suggest that the KRG authorities do not implement the law systematically and continue to use the more restrictive 1969 Iraqi Penal Code and the 1951 Iraqi Civil Code provisions to prosecute journalists.\textsuperscript{475} The ruling parties, the Kurdistan Democratic Party and the Patriotic Union of Kurdistan, as well as influential party members and government officials, have filed numerous lawsuits, mostly against independent journalists and news organizations that published articles they reportedly considered to be critical.\textsuperscript{476} Such libel suits appear to be attempts to prevent criticism of the KRG or the ruling parties.\textsuperscript{477} As a result, many media outlets self-censor with respect to key issues, in particular corruption and nepotism involving the ruling parties.\textsuperscript{478}

In addition to libel and defamation lawsuits, critical journalists and media employees in the Kurdistan Region are reportedly subject to frequent intimidation and threats,\textsuperscript{479} arbitrary arrest and detention, beatings\textsuperscript{480} and confiscation or destruction of equipment, allegedly at the hands of KRG officials and Kurdish Security Forces.\textsuperscript{481} Media offices have frequently been targeted for raids or arson attacks. Attacks against journalists, media professionals and media outlets are most frequently reported during political events or security crises such as elections,\textsuperscript{482} popular protests,\textsuperscript{483} Iranian/Turkish bombing of border areas,\textsuperscript{484} or the “Dahuk riots”\textsuperscript{485} in early December 2011.\textsuperscript{486} Journalists and news outlets affiliated with opposition parties are at risk of being forcibly prevented from covering such events.\textsuperscript{487} Reports suggest that journalists have also been targeted for physical assaults, abduction and assassination.\textsuperscript{488} The perpetrators of attacks against journalists are usually not known and most attacks are allegedly not promptly and transparently investigated.\textsuperscript{489} Journalists often express little trust in the independence of the judicial authorities and claim that persons affiliated with political parties are involved in attacks.\textsuperscript{490}
b) Academics

According to various sources, hundreds of professors, teachers and academics have been killed since 2003 and many others have been kidnapped, arrested or threatened. In 2010 and 2011, such attacks have been reported again with higher frequency, and continued also in 2012, including in Al-Anbar, Babel, Baghdad, Diyala, Ninewa, Kirkuk and Salah Al-Din Governorates. In most cases, loss of life has resulted from shootings, often in the victims’ home, or by “sticky bombs” attached to private vehicles. Some academics have been killed after returning to Iraq from abroad.

Students and schoolchildren have also been targeted and in some cases killed and injured in bombings, shootings and abductions. In central and southern Iraq, there are reports that faculty and administrators of schools and universities have been threatened by armed anti-government groups to adapt programmes and activities and promote certain students. Academic institutions have reportedly practiced self-censorship in order to avoid violence.

University personnel are also reported to have been demoted or fired from their employment, often in an arbitrary manner, as part of ongoing “De-Ba’athification” campaigns.

c) Judges and Legal Professionals

In 2010, 2011 and early 2012, reports of attacks against judges and legal professionals continued to be received and included the (attempted) killing of various high-profile figures. Incidents were reported mainly in Al-Anbar, Baghdad, Babel, Diyala, Kirkuk, Ninewa and Salah Al-Din Governorates. In many cases, the victims were killed execution-style in their homes or cars. At least 47 judges have reportedly been killed in Iraq since 2003. To address the threats faced by judges, the Ministry of Interior has allocated nearly 2,000 police officers to protect judges; however, most judges still lack armored cars, weapons permits, and bodyguards and remain particularly vulnerable to attacks on their way to and from work. Family members of judges are also reported to face death threats and attacks. Attacks against judges and lawyers may be motivated by their involvement in sensitive cases, including cases relating to terrorism or corruption charges. Further, judges may be targeted as representatives of the Iraqi state and its institutions. Finally, in an environment of impunity suspects or convicted prisoners, and their families, may also target judges for intimidation or personal revenge.

d) Doctors and Medical Professionals

Health professionals have been killed, maimed and kidnapped in the thousands by armed Sunni and Shi’ite groups and criminal gangs since the fall of the former regime. According to the Iraqi Ministry of Health, more than 600 medical personnel were killed between 2003 and early 2008, and 8,000 of Iraq’s 15,500 doctors resigned in the same period, with many having left Iraq subsequently. The Iraqi Medical Association has estimated the number of doctors killed since 2003 at closer to 2,000. The Iraqi Physicians Union has said that more than 500 leading medical figures have been assassinated and more than 7,000 forced to flee abroad. While violence against doctors and medical professionals declined with the general drop in violence after 2008, and several hundred doctors have returned to Iraq in recent years, reports of threats, abductions and killings continue to be received. Attacks on medical personnel in 2011 and 2012 have been reported mainly in Al-Anbar, Baghdad, Kirkuk and Ninewa Governorates. Several female doctors have been particularly targeted for assassination in Iraq.

The exact motives for attacks on medical professionals are difficult to establish and it is rare for identified perpetrators to be charged or convicted. There is speculation that victims are targeted on the basis of their ethnic/religious background, their social status or (perceived) political opinion. Criminal motivations (especially in cases of abductions against ransom) or personal or tribal acts of revenge (in particular at the hands of patients’ relatives) may be relevant factors. However, even in such cases, elements such as the victim’s religion or ethnic identity may be relevant.
Acknowledging the great risks facing medical practitioners in Iraq, the Iraqi cabinet proposed a new law in January 2010 aimed at protecting doctors and other medical professionals from violent attacks. The law, *inter alia*, stipulates that certain medical professionals have the right to carry a gun for self-defence, outlaws tribal demands for compensation in the event of loss of life (so called “blood money”) and makes attempted extortion of doctors punishable by a prison sentence or fines. At the time of writing, it cannot be confirmed whether or not the law has been approved by the CoR.

e) NGO Workers and Rights Activists

During the height of violence in 2006 and 2007, various armed groups targeted NGO employees for assassination, often on the basis of their (perceived) political or sectarian profile. With the improved security situation, such attacks have become less frequent. In 2010, attacks were reported to be “rare”, but in 2011 media reports again noted the killing of several NGO workers and rights activists in what appeared to be targeted attacks. In addition, some NGO workers and activists reportedly keep their work hidden from neighbours, friends and even family due to fears of retaliation from armed groups, who suspect them to be affiliated with the Iraqi authorities or the international community, in particular the US. NGO workers and activists investigating, documenting or otherwise engaging in politically, religiously or socially sensitive issues - such as corruption, human rights abuses, or religious taboos - appear to be particularly at risk. According to reports, the Iraqi authorities have not taken sufficient action to protect NGOs from being targeted.

The ISF and Iraqi authorities are also reported to harass and intimidate NGO workers and rights activists. The US Department of State stated in its latest human rights report that “police conducted unannounced and intimidating visits to some NGOs, demanding photographs, passport details, names, and addresses of all staff and their family members.” Despite the NGO Law of 25 January 2010, which provides some protection against arbitrary government actions negatively affecting NGOs and their staff, attacks on NGOs and activists reportedly continued, in particular in the context of popular protests in 2011.

5. Individuals with Religion-Based Claims

The Iraqi Constitution provides for freedom of thought, conscience, and religious belief and practice for all citizens and declares all Iraqis equal before the law without discrimination based on religion, sect, or belief. The Iraqi Constitution also states that no law may be enacted that contradicts principles of democracy or the rights and basic freedoms stipulated in the Constitution. The Constitution further stipulates that the state shall guarantee the protection of places of worship. However, several constitutional and legal provisions compete with these guarantees. For example, the Iraqi Constitution guarantees the “Islamic identity” of the majority of the Iraqi people, declares Islam to be the official state religion, mandates that Islam be considered a “foundation source of legislation”, and states that no law may be enacted that contravenes the “established provisions of Islam”. Other legal provisions appear to restrict the guarantee of freedom of religion, including a regulation preventing the conversion of Muslims to other faiths, a law that forcibly converts children to Islam if either parent converts to Islam, laws and resolutions that outlaw the practice of the Baha’i and Wahabi faiths, and a law that overrides religious tenets of individuals adhering to non-Muslim faiths with Islamic law principles. These contradictions have to date not been tested in court and accordingly the full scope of the protection of the freedom of religion remains unclear.

Iraq is made up of diverse religious communities, with the majority of the population adhering to either Shi’ite or Sunni Islam. In addition, there are communities of Christians of various denominations, Yazidis, Sabaeans-Mandaens, Kaka’i, Baha’i and Jews. After the fall of the former regime, Iraqi politics and society largely fragmented along religious and ethnic lines, culminating in the large-scale sectarian violence between Sunni and Shi’ite Arabs in 2006 and 2007. While the Iraqi authorities respect freedom of religion and have assumed the responsibility of protecting religious groups in Iraq (e.g., by providing security at places of worship and to pilgrims), armed groups continue to target religious groups, severely restricting the free exercise of religion.
Political and religious extremism since 2003 has particularly impacted on ethnic and religious minority groups, which commonly do not have strong political or tribal networks. Minority groups represent “soft targets” for radical elements that consider them to be “infidels” and pressure them to conform to strict interpretations of Islamic rules in terms of their dress, social behaviour and occupations. In the ethnically and religiously mixed “disputed areas”, tensions among Arabs, Kurds and Turkmen have been simmering since 2003. Extremist groups are allegedly aiming to exploit those tensions with a view to inciting further violence. Criminal groups have also singled out members of certain religious minorities who are perceived to be comparatively wealthy, in a particularly deadly combination of persecution and crime.

Persons considered to be contravening traditional or religious practices or social mores have also been targeted by various extremist groups, elements of society or by their own families. In particular, secular-minded men and women, artists, LGBTI persons, as well as members of religious minority groups may face discrimination, if not violence, for not conforming to social or religious norms.

Depending on the individual circumstances of the case, persons with the profiles described below are likely to be in need of international refugee protection on account of their religion or perceived religious (or non-religious) identity.

a) Sunnis and Shi’ites

While open sectarian violence between Arab Sunnis and Arab Shi’ites ended in 2008, armed Sunni groups continue to target Shi’ite civilians with the apparent aim of reigniting sectarian tension. Sectarian-motivated violence includes: mass-casualty attacks targeting Shi’ite civilians and pilgrims; threats against Sunnis in Shi’ite majority areas and Shi’ites in Sunni majority areas; as well as targeted killings of both Sunni and Shi’ite clerics and scholars. Baathist ties and/or purported engagement in terrorism are often equated to sectarianism by the Iraqi Government and the ISF. Many individuals accused of Ba’alist ties and/or terrorism and thus perceived to be engaged in sectarianism are of Sunni background.

i. Shi’ite civilians, including pilgrims

Shi’ite civilians - in particular, Shi’ites performing their religious duties at the mosque, during funerals or mourning, or when on pilgrimage - are a key target for Sunni armed groups. The main aim of these attacks appears to be to divide Iraqis along sectarian lines in order to reignite tensions and violence. Attacks are most frequent on religious holidays, when thousands of pilgrims, including from Iran, march to and gather at Shi’ite holy sites in Baghdad, Kerbala and Najef, but also in other areas of southern Iraq. Attacks on Shi’ite pilgrims and civilians have also taken place in the mixed governorates of Diyala, Nineawa, Salah Al-Din and Kirkuk, where Shi’ite Turkmen, Shabak or Kurds (Faili Kurds) may also be targeted, and in the mainly Sunni Al-Anbar Governorate. Shi’ite civilians have also frequently been attacked in their homes, in restaurants or other public places in predominantly Shi’ite governorates, towns or neighbourhoods.

ii. Sunni Arabs in Majority Shi’ite Arab areas and Shi’ite Arabs in Majority Sunni Arab Areas

During the period of heightened sectarian violence in 2006 and 2007, the social and demographic make-up of many areas were altered as Sunni and Shi’ite armed groups sought to seize control and to cleanse “mixed” areas of the rival sect. This occurred principally in Baghdad, Iraq’s most diverse city, but also in the mixed towns and villages surrounding it. During that period, many members of both sects were internally displaced or fled abroad. To date, most of Baghdad’s formerly mixed neighbourhoods remain largely homogenized, preventing many from returning to their former areas of residence. In only a few neighbourhoods of Baghdad do members of both sects live side by
side. Most returnees have returned to areas under the control of their own community. The recent political crisis, combined with a series of attacks by Sunni armed groups targeting Shi’ite neighbourhoods and pilgrims, has deepened sectarian tensions. Anecdotal evidence from UNHCR protection monitoring activities suggests that some Sunnis are leaving mixed and predominantly Shi’ite neighbourhoods in Baghdad fearing retaliation. While previously many Iraqi Sunnis fled to Syria and Jordan to escape sectarian violence, reportedly most now seek to relocate within Iraq given tightened visa requirements in these countries and the ongoing violence in Syria.

Both Sunnis and Shi’ites living in or returning to areas in which they would constitute a minority may be exposed to targeted violence on account of their religious identity. Both Shi’ites in Sunni-dominated neighbourhoods and Sunnis in Shi’ite-dominated neighbourhoods have reportedly been subjected to threatening letters demanding that they vacate their homes. In cases where individuals do not comply, there are reports of violence or harassment, including killings.

### iii. Sunni and Shi’ite Scholars and Mosque Imams

There are numerous reports of attacks and (attempted) killings targeting Sunni and Shi’ite mosque imams and scholars in Al-Anbar, Babel, Basrah, Baghdad, Diwaniyah, Diyala, Kerbala, Ninewa, Salah Al-Din and Wasit. Because many attacks take place at mosques or in private homes, family members, other civilians and security guards are also caught in the violence. Possible perpetrators and their motives are numerous. Armed Sunni groups such as Al-Qa’eda in Iraq (ISI/AQI) are known to have targeted Sunni clerics, commonly for their criticism of the group concerned or their affiliation with the Iraqi Government. They are also thought to be responsible for the killing of Shi’ite clerics, whom they consider “infidels” and affiliated with the Shi’ite-dominated Iraqi Government. Further, armed Shi’ite groups have engaged in assassinations of political/religious rivals, e.g., representatives of Grand Ayatollah Ali Al-Sistani. In February and early March 2012, there were apparent “tit-for-tat” attacks against offices, mosques and homes by followers of two Shi’ite clerics, Mahmoud Al-Hassani Al-Sarkhi and Grand Ayatollah Ali Al-Sistani: these were carried out across southern Iraq, including in Babel, Basrah, Diwaniyah, Thi-Qar and Muthanna.

#### b) Members of Religious Minorities

Since 2003, religious minorities have increasingly gained better representation within Iraq’s political system. The CoR, elected in March 2010, reserved eight out of a total of 325 seats for minority groups, including five seats for Christians and one seat each for Sabaean-Mandaeans, Yazidis and Shabak respectively. In addition to the quota seats, six Yazidi representatives were elected to the CoR as candidates on the Kurdistan Alliance List. The cabinet established under the power-sharing agreement of November 2010 includes one Christian minister (the only minority representative). The KRG Council of Ministers includes two Christian ministers in charge of the Ministries of Finance and Civil Society, and two ministers without portfolio who are prominent Yazidis. Nevertheless, reports indicate that as a result of religion-based discrimination and favouritism, minority groups are often underrepresented in the public sector, especially at the governorate and the municipality level, as well as in the ISF. Yazidis and Christians have complained about political marginalization, resulting from the lack of adequate representation of minority groups in the provincial councils.

Since 2003, Sunni armed groups have targeted religious minority groups on the basis of their religious identity, their (imputed) political opinion or their social status/profession. Yazidis and Kaka’i, who are often identified as ethnic “Kurds”, have also been targeted based on their (perceived) Kurdish ethnicity. Most minority groups live in the areas that have experienced and continue to experience the greatest violence since 2003, in particular Baghdad, Ninewa (Mosul and the Ninevah Plains) and Kirkuk. Attacks on members of religious minority groups have reportedly been on the rise for the last three years due to increased targeting by armed groups, especially Al-Qa’eda in Iraq (ISI/AQI). Reported motivations for armed groups include undermining the Iraqi Government’s ability to provide protection, maintaining a situation of conflict and, ultimately, destroying Iraq’s religious
According to various reports, Sunni armed groups in particular seek to eliminate religious minorities from the country. Smaller religious minority communities, especially non-Muslims, have been particularly vulnerable. Armed groups have reportedly accused minority group members of being crusaders, devil-worshippers, apostates or infidels. As a result of sustained attacks on religious minority groups, their numbers have fallen significantly since 2003.

As many of Iraq’s religious (and ethnic) minority groups such as Christians, Yazidis and Kaka’i, live in the Ninewa Plains, Sinjar District and the city of Kirkuk, all areas which are disputed by the Kurds and the Arabs, they are subject to political pressure and economic marginalization, neglect, and at times harassment and low-level violence. Minority groups have reportedly been pressured to identify as Kurds or Arabs.

Minority women are likely the most vulnerable section of Iraqi society, facing violence and discrimination from a variety of actors on account both of their gender and their religious affiliation. Minority women’s freedom of movement and freedom to express their religious identity through the way they dress has been severely restricted by ongoing threats of violence and growing religious intolerance. This, in turn, restricts their access to health services, employment and education.

The Iraqi Government has repeatedly committed to safeguarding Iraq’s religious diversity, publicly condemned attacks against minorities, promised to compensate victims and prosecute perpetrators of attacks, and also increased security measures at places of worship. In 2011, the Iraqi Government donated land and funds for a new church in Kirkuk, and the CoR created a minority caucus, which aims to reform the education curriculum, eliminate discrimination and improve the provision of basic services for minority groups.

Despite the Iraqi Government’s efforts, reports indicate that attacks against religious groups occur with impunity. The ISF are subject to significant risks when they intervene to protect minority populations. Members of minority groups are also said to be reluctant to report threats or attacks to the ISF, fearing that there will be no appropriate follow-up.

In the Kurdistan Region, the rights of religious minorities are generally respected and groups can worship freely without interference. The KRG Ministry of Education funds public schools at the elementary and high school level in the Aramaic language. The curriculum in the Kurdistan Region does not contain religion or Qur’an studies. A significant number of religious minorities, in particular Christians, have sought refuge in the region.

UNHCR considers that, depending on the particular circumstances of the case, members of minority religious groups in central and southern Iraq are likely to be in need of international refugee protection on the grounds of religion, (imputed) political opinion or membership in a particular social group.

Christian converts are likely to be in need of international refugee protection in the whole country, including the Kurdistan Region.

iv. Christians, including converts

The number of Iraqi Christians (who belong to a number of different branches) has been drastically reduced since 2003, with significant displacement inside and outside the country. Most Christians are located in Baghdad, in and around Mosul (Ninewa Plain), Kirkuk and Basrah. An estimated thirty per cent reside in the northern governorates of Dahuk, Erbil and Sulaymaniyah.
Since the fall of the former regime in 2003, armed Sunni groups have targeted Christians and their places of worship. Attacks are commonly motivated by religion, (imputed) political opinion and/or (perceived) wealth. An attack by Islamic State of Iraq/Al-Qa’eda in Iraq on 31 October 2010 on the Our Lady of Salvation Catholic Cathedral in Baghdad left more than 50 Christians, including two priests, and seven policemen dead, and triggered an exodus of more than 1,300 Christian families from Baghdad, Mosul and Basrah to the Kurdistan Region, other areas of Ninewa Governorate and abroad. In fact, more Christians were displaced in 2010 than any other year since 2003. After the October 2010 attack, threats and violence against Christians further increased and in the following months, persons of Christian faith were specifically targeted in their homes or workplaces.

In 2011 and early 2012, Christians reportedly continued to be subjected to threats, kidnappings, attacks on their homes and assassination. However, even in criminal cases, consideration should be given to the victim’s presumed vulnerability as a member of a religious minority or his/her (perceived) social status. In 2011, churches were repeatedly subject to (attempted) bombings, often coordinated, including in Baghdad, Mosul and Kirkuk. Extremist groups have also targeted Christians for being associated with the sale of alcohol.

In the three northern governorates of Sulaymaniya, Erbil and Dahuk, the rights of Christians are generally respected and a significant number have sought refuge in the region in particular, in the Governorate of Dahuk, from where many originate, and the Christian town of Ainkawa, near the city of Erbil. In early December 2011, however, a mob allegedly shouting anti-Christian slogans reportedly attacked mainly Christian and Yazidi-owned liquor shops and businesses in and near the town of Zakho (Dahuk). The attacks were allegedly triggered by an inflammatory Friday prayer sermon condemning “un-Islamic” businesses. Reportedly, up to 30 liquor shops, hotels and a massage parlour were vandalized or burned down. An attempt to attack the Christian quarter in Zakho was reportedly prevented by the security forces. Affected shop owners reportedly found leaflets on the shop walls, threatening them if they were to reopen the shops. Motives for the violence remain unclear. In 2011 several kidnappings of Christians were reported in Ainkawa, spreading fear among the community and resulting in internally displaced Christian families fleeing abroad.

**Christian converts**

The Constitution of Iraq requires the Iraqi State to uphold both freedom of religion and the principles of Islam, which, according to many Islamic scholars, includes capital punishment for leaving Islam. Iraqi Penal Law does not prohibit conversion from Islam to Christianity (or any other religion); however, Iraq’s Personal Status Law does not provide for the legal recognition of a change in one’s religious status. These apparent contradictions have not yet been tested in court and, as a result, the legal situation of converts remains unclear.

A convert would not be able to have his/her conversion recognized by law, meaning that he/she has no legal means to register the change in religious status and his/her identity card will still identify its holder as “Muslim”. As a result, children of converts may be without an identification card, unless their parents register them as Muslims. Children of converts cannot be enrolled in Christian schools and are obliged to participate in mandatory Islamic religion classes in public schools. A female convert cannot marry a Christian man, as she would still be considered Muslim by law. A convert may also have his/her marriage voided as under Shari’a Law, as an “apostate” cannot marry or remain married to a Muslim and will be excluded from inheritance rights.

Given the widespread animosity towards converts from Islam and the general climate of religious intolerance, the conversion of a Muslim to Christianity would likely result in ostracism and/or violence at the hands of the convert’s community, tribe or family. Many, including (Sunni and Shi’ite) religious and political leaders, reportedly believe that apostasy from Islam is punishable by death, or even see the killing of apostates as a religious duty. Additionally, Christian converts risk being suspected as working with the MNF-I/USF-I or more generally the “West”, which in the
opinion of some has fought a “holy war” against Iraq.584

Converts and children of converts may face harassment at their place of employment, or at school.585 The reporting of harassment to the authorities, may, according to some observers, result in further harassment or violence at the hands of government officials and police.586

v. Sabaean-Mandaean

The Sabaean-Mandaean religion is a gnostic religion with John the Baptist as a central figure and considered a prophet. Its adherents cannot marry outside the faith and they do not accept converts. Before 2003, there were an estimated 50,000 to 70,000 Mandaean living in Iraq687 many of whom were well educated and worked as doctors, engineers, dentists and jewelers. After the fall of the former regime, Sunni and Shi’ite armed groups, as well as criminals,688 have singled out Sabaean-Mandaean on the basis of their religion, profession and (perceived) wealth.689 Some Sabaean-Mandaean elders, who traditionally wear long beards, have reportedly been attacked by Shi’ite militants who have mistaken them for strictly observant Sunni Arabs or Wahhabists.690 Sabaean-Mandaean are particularly vulnerable to attacks for several reasons. Unlike other groups in Iraq, the pacifist Mandaean did not form militias to defend themselves.691 Further, the already small community lives mainly in scattered groups. Their disputed status as “people of the book”, which under the Qur’an would provide them with a level of protection, failed to dissuade extremist groups from targeting them.692 As a result of general violence and targeted attacks, large numbers of Mandaean fled Iraq, mainly to Syria and Jordan. Currently, an estimated 3,500 to 7,000 Mandaean remain in Iraq.693 Most of them live in Baghdad and southern Iraq, including in Amara, Basrah and Nassiriyyah.694 According to a spokesman for the Mandaean community, there are currently about 500 Mandaean families in southern Iraq, mostly in the Governorate of Basrah.695

Since 2003, Sabaean-Mandaean have been subjected to threats, abductions and killings. There are also reports of forced conversions to Islam and some Sabaean-Mandaean have reportedly been killed for refusing to do so.696 Most religious leaders have either been killed or fled the country.697 Eight Sabaean-Mandaean were reportedly killed and five injured in 2010 in what were reported to be targeted attacks.698 In 2011, additional kidnappings and killings were reported by the Mandaean Associations Union.699 Sabaean-Mandaean goldsmiths reportedly continued to receive threats and suffer from attacks.700 Even in cases of kidnapping for ransom, the perpetrators may deliberately single out Sabaean-Mandaean due to their vulnerable status as a religious minority, considered “infidel”.701 There have been reports of kidnapped Sabaean-Mandaean killed or remaining missing despite the payment of ransom.702

In addition to targeted violence perpetrated against Sabaean-Mandaean, the community has also suffered from social marginalization and religious discrimination. There are no schools in southern and central Iraq that teach children in their language, Aramaic, and children are obliged to undertake Qur’anic studies at public schools.703 Sabaean-Mandaean women are pressured to observe the hijab in public in order to avoid physical and verbal abuse, although their religion does not require veiling.704 Reportedly, Sabaean-Mandaean women have been pressured to marry outside their faith in contradiction with their own religious customs and have been pressured to convert to Islam.705

vi. Yazidis

The Yazidi people can be classified as a distinct religious group.706 It is disputed, even among the community itself as well as among Kurds, whether they are ethnically Kurds or form a distinct ethnic group. Most Yazidis speak Kurmanji, a Kurdish dialect, though the Yazidis in Bahzani, Bashiqa and Sinjar often speak Arabic.707 According to Yazidi leaders, the number of Yazidis in Iraq is estimated at 550,000 to 800,000.710 Yazidis reside mostly in the Governorate of Ninewa (primarily in the Sinjar mountain range, the Sheikhan area and the villages of Bahzani and Bashiqa near Mosul), while a minority of around 15 per cent live in the Kurdistan Region (Dahuk Governorate).711

Since 2003, Yazidis have been targeted, including by threats, public defamation campaigns and
assassinations. Armed Sunni groups targeted Yazidis as “infidels”, as (perceived) supporters of the US intervention and on the basis of their (perceived) Kurdish ethnicity. On 14 August 2007, they were targeted in the deadliest attack since the fall of the former regime, in which over 400 people died. In 2009 and 2010, three major attacks against Yazidis were recorded. And in 2011 and 2012, media reported several incidents in which members of the Yazidi community were kidnapped and/or killed. In addition, Yazidis are associated with the sale of alcohol, making them a likely target for Islamist groups.

Yazidi activists reported that some 30 Yazidi women and girls had been abducted and forcibly married to members of the Asayish since 2003 and their families threatened with reprisals.

Additionally, Yazidi traditions such as forced marriages, “honour killings” or the prohibition on marriage outside one’s caste and religion may result in serious human rights violations by a victim’s family or community. There has been a reported increase in (attempted) suicides among mainly young Yazidi women, though there are indications that at least some of these suicides may actually be disguised “honour killings”. Yazidi women who have been kidnapped or sexually assaulted by Muslims may, reportedly, face severe sanctions by the Yazidi community, including exclusion from the Yazidi religion and community. At times, mere rumours can be a sufficient basis to impose such sanctions.

There are reports that Yazidis face difficulties when entering the Kurdistan Region and are required to obtain KRG approval to find jobs in areas within Ninewa Province administered by the KRG.

vii. Baha’is

Iraq’s Baha’is, estimated to number only 2,000 individuals spread across the country, continue to suffer from legal discrimination as their faith remains banned under Iraqi law despite constitutional provisions guaranteeing religious freedom. The relevant legislation, Law No. 105 of 1970, has neither been repealed nor invalidated, as no court challenges have been brought against it. Regulation 358 of 1975, which prohibited the issuance of the Iraq national identity card to members of Baha’i faith, was cancelled in April 2007 by the Ministry of Interior. As a result, a small number of Baha’is were issued identity cards. However, the Ministry of the Interior/Nationality and Passport Section stopped issuance of identity cards after only a short period, claiming that Baha’is had been registered as “Muslims” since 1975 and citing a government regulation preventing the conversion of Muslims to another faith. Without identity cards, Baha’i experience difficulties registering their children for school, accessing services and rights, and applying for passports.

viii. Kaka’i

Kaka’i, also known as Yarsan and Ahl-e Haqq (“People of the Truth”), are followers of a monotheistic religion founded in the 14th century in western Iran. Most followers live in Iran while an estimated 200,000 Kaka’i live in Iraq, mostly in a group of villages around the town of Daqquq, southeast of Kirkuk city. In Iraq, Kaka’i are mostly ethnic Kurds who speak Macho, a Gorani dialect, but also Sorani Kurdish, Turkmen and Arabic. In the towns of Mandali, Ba’quba and Khanaqeen in Diyala Governorate, they speak only Arabic. They do not observe Muslim rites and rituals.

Kaka’i are secretive about their faith, which reportedly contains elements of Zoroastrianism and Shi’ism. Reportedly, Kaka’i religious and community leaders increasingly maintain that it is a form of Shi’ism. Since 2003, armed groups have subjected Kaka’i to threats, kidnapping and assassinations. Further, Muslim religious leaders in Kirkuk have allegedly told their followers not to purchase anything from “infidel” Kaka’i shop owners. For fear of persecution, Kaka’i reportedly hide their identity in public.

ix. Jews
After the names and biographies of the nine remaining Jews in Baghdad appeared in cables published by WikiLeaks in September 2011, the small community has faced a heightened risk of being targeted by extremist groups. Since then, one person reportedly emigrated and one died, bringing the total Jewish population to seven individuals. The US Embassy in Baghdad is reportedly working to protect or relocate those that wish to leave Iraq. The only synagogue remaining in Baghdad has been closed and the cables published by WikiLeaks report that most Jews conceal their identity with some reportedly converting to Islam in order to reduce the risk of being targeted. The Nationality Law of 2006 also excludes Jews who emigrate from Iraq from regaining Iraqi citizenship. The promotion of Zionist principles or the association with or support of Zionist organizations is subject to punishment by death according to the Criminal Code.

c) Individuals Perceived as Contravening Traditional Practices or Social Mores

Years of violence and the apparent breakdown of law and order have created a climate which allowed for a rise in both religious extremism and the use of tribal customs. Iraqis, both men and women, have been targeted by Sunni and Shi’ite armed groups and their own families for their “secular leanings” or for not conforming to conservative Islamic or social norms. Women, artists, liquor sellers, LGBTI individuals and members of religious minority groups have been branded for their perceived “un-Islamic” or “Western” behaviour, dress or professions.

The situation of Iraqi women especially has deteriorated significantly since 2003. In particular, those that have taken up a role in the public sphere, e.g. as professionals, journalists, politicians or rights activists, have been intimidated, harassed or even murdered by armed groups. Armed groups also target women for their perceived “un-Islamic” or immoral behaviour. Others have been singled out for the way they dress. In order to avoid harassment, many women, including from non-Muslim minority groups, reportedly wear the hijab in public. Women have reportedly also been targeted for driving a car and wearing trousers. As a result of continuous violence against women, their participation in public life has been seriously undermined. Women are also targeted by their own family members for a variety of perceived transgressions of traditional or religious norms that allegedly infringe on the family or tribe’s “honour”. Armed groups have also targeted (perceived) gay men, as well as men considered effeminate due to their dress or haircut. In early 2012, human rights organizations and media reported a targeted campaign of brutal killings of so-called “emos”, a term that is allegedly used in Iraq to describe “non-conformist” youth, but also gay and effeminate men. “Hit lists” have allegedly been distributed in Shi’ite neighbourhoods and cities. Media reports citing of dozens of victims from this campaign cannot be independently confirmed and Iraqi officials have denied that there was any campaign targeting gay men or “emo” teenagers. However, the reported killings have apparently created strong fears among concerned groups. International NGOs and UNICEF have called on the Iraqi Government to launch an investigation into the reported violence.

Persons engaged in professions or providing goods or services considered “immoral” have also been singled out for attacks. This is particularly the case for shops or bars selling liquor. With the increasing influence of Sunni and Shi’ite extremists after 2003, shops and bars where alcohol is sold became a target for attacks and many consequently were shut down. The situation of persons engaging in alcohol sales remains very precarious. In primarily conservative Shi’ite communities such as the Governorates of Kerbala and Najef, alcohol shops are banned by local laws while in the major cities of Baghdad, Basrah, Kirkuk and Mosul, shops and bars are severely restricted by the conservative political and social atmosphere. In early 2011, media reported two incidents in which armed men (members of the ISF or acting under the cover of the ISF or the Baghdad Provincial Council), raided liquor stores and a club serving alcohol. Sunni and Shi’ite extremists reportedly attack liquor shops and clubs with impunity. Extremists consider that the owners of such shops or clubs engage in un-Islamic practices. These shops or clubs are run by religious minorities, such as Christians and Yazidis. In early December 2011, up to 30 liquor shops in and around Zakho (Dahuk) were attacked by a mob, reportedly encouraged by a sermon lashing out at “un-Islamic” businesses.
After years of reported persistent attacks against artists, actors and singers for their (perceived) engagement in “un-Islamic” or “Western” activities, Artists report restrictions resulting from intolerance and strict interpretations of Islamic values, rather than by direct attacks. In a reflection of the ongoing struggle at the political and social level about the role of Islam in public life, in January 2011 the new Minister of Education reversed a decision of his predecessor to ban music and theater classes in art institutes. Perceived or intended criticism of the Iraqi Government, e.g., in the form of illustrations depicting violence, may also result in government repression. Artists who joined popular protests in spring 2011 were among those arrested by the ISF.

6. Individuals with Ethnicity-based Claims

Iraq is home to a diversity of distinct ethnic groups, including Arabs, Kurds, Turkmen, Black Iraqis, Roma (Kawliyah) and Shabak. Other groups such as Christian Assyrians, Chaldeans and Armenians, Yazidis and Jews often consider themselves to be both distinct religious and ethnic groups. Arabs, Kurds and Turkmen, the three largest ethnic groups in Iraq, have achieved political representation at the central and provincial level since 2003 and minorities such as the Christians, Shabak and Yazidis were provided with seats under a quota system. Other ethnic groups, however, such as the Black Iraqis or the Kawliyah are reported to remain on the margins of society and suffer from political, economic and societal discrimination. While a number of Faili Kurds have been represented in the Iraqi Government since 2003, many others, who have not yet been able to recover their Iraqi citizenship of which they were arbitrarily deprived by the former regime, continue to be stateless. Many have not been able to recover their properties confiscated by the former regime and lack documentation required to access services and basic rights.

Historically, many of Iraq’s various ethnic groups live in Diyala, Kirkuk, Ninewa and Salah Al-Din Governorates, in the areas that are disputed chiefly between Kurds and Arabs, but also by Turkmen. Minority groups such as the Shabak or the Yazidis are put under pressure by Arab and Kurdish political groupings, which seek to further their political influence and territorial claims in the disputed areas. Resistance to such attempts may result in losing access to employment or services. Some Shabak leaders survived assassination attempts that were reportedly linked to their political opposition. In addition to these political power struggles, Sunni armed groups have targeted all ethnic communities in the disputed areas in an apparent effort to ignite ethnic and sectarian violence. According to observers, such violence is largely perpetrated with impunity. While there are targeted attacks against all groups, minority groups are particularly vulnerable given their lack of or limited political representation and general marginalization. In many cases, ethnic, religious and political identities overlap and possible motives for attacks are accordingly manifold. Shabak, Yazidis, Kaka’i and (Faili) Kurds have been targeted on the basis of their religion as well as their (perceived) Kurdish ethnicity. Shabak, Turkmen and Faili Kurds, who primarily adhere to the Shi’ite branch of Islam, have been targeted by Sunni armed groups on the basis of their religious identity as well as their ethnicity. Political and government representatives of all ethnic communities, including members of political parties, government and security officials as well as community leaders, have also been targeted, possibly on the basis of their (imputed) political opinion and ethnicity.

In the Kurdistan Region, no discrimination against ethnic groups has been reported and minority communities reportedly operate their own schools and are represented both in the parliament and executive branch of the KRG. While a previous KRG practice of transferring suspected members of terrorist groups from Ninewa and Kirkuk, including Turkmen and Arabs, to detention facilities in the Kurdistan Region appears to have ceased, to date several prisoners from these areas reportedly continue to be detained in the Kurdistan Region.

UNHCR considers that, depending on the individual circumstances of the case, members of ethnic minorities in central and southern Iraq are likely to be in need of international refugee protection, not
Specific ethnic minorities that are, depending on the details of their claim, likely to be in need of international protection, include the following:

c) Turkmen

Turkmen claim to be the third largest ethnic group in Iraq, and mainly reside in towns and villages in the region stretching from the northern town of Tel Afar in Nineveh Governorate to Badra and Al-Aziziyah in Wasit Governorate, southeast of Baghdad. The largest numbers can be found in the Governorate of Kirkuk, with others in Ninewa, Salah Al-Din, Diyala, Wasit and Baghdad. The northern city of Erbil also has a significant Turkmen population. Turkmen representatives claim that there are an estimated 2.5 to 3 million Turkmen in Iraq while most international sources indicate a population of around 500,000-600,000. The Turkmen belong mostly to either the Sunni or the Shi’a faith of Islam. Reportedly, there is also a minority of 30,000 Christian Turkmen.

Armed groups have targeted Turkmen civilians on the basis of their ethnic and religious identity as well as (imputed) political opinion. Several major attacks targeting Turkmen civilians, including in Shi’ite mosques, have been carried out in recent years. Turkmen party officials and community leaders have been a regular target for armed groups since 2003. In addition, a spike in targeted kidnappings and assassinations of Turkmen professionals was reported in Kirkuk in 2011. As a result of ongoing insecurity and attacks against members of the community, Turkmen in Kirkuk reportedly abstained from holding celebrations on the occasion of Eid Al-Adha in early November 2011.

d) Shabak

Since 2003, there have been reports of attacks directed at the Shabak community in Nineva, one of the disputed areas. The fact that the Shabak are often identified as ethnic Kurds and primarily adhere to the Shi’ite branch of Islam makes them a target for Sunni armed groups. Others may regard them as “infidels” given that they adhere to a distinct form of Islam.

According to Shabak representatives, 1,200 Shabak were killed in Iraq between 2003 and December 2011. Frequently, attacks against Shabak go unnoticed by the media due to the Shabak community’s obscurity and lack of an influential political lobby. The Shabak community was reportedly exposed to attacks mainly in areas not under the control of the Kurdish political parties and their security forces. In the largest attack against the community, on 11 August 2009, 34 persons were killed and 179 persons injured. Since then, no large-scale attacks have been recorded; however, attacks against individual Shabak have been reported in 2010 and 2011 although the motives for these attacks are often not known. The year 2012 saw an increase in reported attacks against Shabak in Ninewa, including an attack against Shabak IDPs in Bartella district (Nineva) in January 2012. In recent research, a high percentage of Shabak women interviewed stated that they were hiding their religious identity in public.

Both Kurds and Arabs holding claim to the “disputed areas” of Nineva Governorate contest the Shabak’s identity and lands. Since 2008, Shabak leaders who oppose KRG policies in their territory are said to have increasingly been targeted for attacks, with Kurdish Peshmerga implicated in some of the incidents. It has been reported that on 10 July 2011, members of the Harkia tribe from the Kurdistan Region attacked the water service of the Shabak Bazwaya village, allegedly in an attempt to gain control over the water and electricity resources. Some 12,000 Shabak villagers were left without water for a prolonged period of time.
7. Women with Specific Profiles or in Specific Circumstances

Article 14 of the Iraqi Constitution contains a strong guarantee of equality of the sexes before the law. Article 16 stipulates that “equal opportunities shall be guaranteed to all Iraqis.” The Constitution also specifically addresses the potential vulnerability of women and the state’s obligation to provide for them and prohibits “all forms of violence and abuse in the family, school and society.” Article 37 prohibits forced labour, slavery, trafficking in women or children and enforced prostitution. The Constitution also provides for a quota for women in the CoR. At the same time, the Constitution contains conflicting provisions that, depending on their interpretation, could undermine women’s rights.

Iraq is a State party to major international human rights treaties protecting the rights of women and girls, including the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Although women’s political representation has been strengthened and the Government of Iraq has committed to achieving gender equality and empowering women in all spheres of life (Millennium Development Goal Three), this is yet to be translated into a broader recognition of gender equality across society and government bodies. Further, as outlined below, a number of Iraqi laws, in particular contained in the Iraqi Penal Code and the Personal Status Law, favour men to the detriment of women. For example, women (except in the Kurdistan Region) reportedly still require the approval of a close male relative before being able to obtain a passport.

While those killed and maimed in violence since 2003 have mostly been men, women are also caught up in indiscriminate attacks, including in attacks aimed at their husbands or other male family members, who, for example, work as policemen, politicians or government officials. Women have also been singled out for attacks, in particular if they have assumed a public role as politicians, government officials, rights activists or professionals. Others, including women of religious minority groups, have been targeted for not conforming to conservative Islamic or traditional norms, e.g., concerning their dress, or because they are considered to have brought shame to their family’s “honour.”

Violence against women and girls has reportedly increased since 2003 and, according to most observers, continues unabated. Women and girls in Iraq are victims of societal, legal and economic discrimination, abductions and killings for political, sectarian or criminal reasons, sexual violence, forced displacement, domestic violence, “honour killings” and other harmful traditional practices, as well as (sex) trafficking and forced prostitution. Iraqi women and girls are reported to face violence at the hands of a range of actors, including armed groups, members of law enforcement agencies, and their (extended) families and community. Most violence against women and girls appears to be perpetrated with impunity. According to a number of reports, the main reason why victims of gender-based violence refrain from reporting sexual abuse and rape, forced marriage, domestic violence and female genital mutilation (FGM) is the fear of retaliation by the perpetrator or the family/community for tainting their “honour.” Reports further indicate that women often fear that they would not receive protection from law enforcement agencies and courts, given that gender-based violence is often treated leniently while certain forms of violence, including domestic violence, trafficking and FGM are not criminalized by Iraqi law. It is reported that legal personnel dealing with cases of domestic violence may be subjected to harassment at the hands of the victim’s family members or may be considered as condoning the “crime of immorality” committed by the victim. Generally, the authorities are reported to have only limited capacity “to prevent, protect and prosecute” in cases of violence against women.

Female detainees are deprived of their freedom either because they are suspected of having committed crimes themselves, or in order to put pressure on their male relatives. Many female detainees are held on charges of prostitution, adultery or homicide. Many have a history of forced marriage, abuse and violence; however, law enforcement and judicial personnel reportedly often disregard this fact and merely focus on the criminal charges brought against the woman. According to some sources,
women are regularly arrested without an arrest warrant and detained for prolonged periods without being charged or tried.\textsuperscript{839} There have been reports of women being held in detention in order to protect them from their families seeking to harm or kill them.\textsuperscript{840} Since 2003, a number of women have been sentenced to death and executed,\textsuperscript{841} including three women in 2011\textsuperscript{842} and two women convicted of terrorism-related crimes in January 2012.\textsuperscript{843}

Women are reported to have been particularly affected by the dire humanitarian conditions following years of conflict. Women without male support,\textsuperscript{844} including widows,\textsuperscript{845} women whose husbands are missing or detained and divorcees, are most affected.\textsuperscript{846} Traditionally, they would move in with their families or their in-laws after the loss of their husbands; however, these relatives are often unable to provide substantial support given their own economic destitution.\textsuperscript{847} In addition, many female heads of household have been displaced and, as a result, have been separated from their extended families and traditional support networks.\textsuperscript{848} Most women heads of households in central and southern Iraq do not receive government welfare.\textsuperscript{849}

Reports indicate that many women lack education,\textsuperscript{850} have little or no professional experience\textsuperscript{851} and face difficulties in accessing the labour market, especially in rural areas.\textsuperscript{852} Unlike in the recent past,\textsuperscript{853} Iraqi society appears increasingly to accept women working as independent breadwinners.\textsuperscript{854} Female-headed households often rely on (irregular) assistance from relatives and neighbours, or charity distributed through the mosques.\textsuperscript{855} Overall, many female-headed households are lacking the means to provide for themselves and their children\textsuperscript{856} and remain among the most vulnerable in the country.\textsuperscript{857} Women without support and protection provided by their family or tribal network are particularly vulnerable to being harassed, kidnapped or sexually assaulted.\textsuperscript{858} In order to ensure livelihoods for themselves and their children, women without a breadwinner may be compelled to engage in prostitution, begging\textsuperscript{859} or marriage to elderly men, including in so-called temporary or “pleasure marriages” (muta‘a).\textsuperscript{860} The prevalence of school dropouts and child labour is particularly high in families headed by females.\textsuperscript{861} Reported incidents also confirm that female heads of household are at greater risk of forced prostitution and/or (sex) trafficking,\textsuperscript{862} or recruitment by armed groups, including as suicide bombers.\textsuperscript{863}

In the Kurdistan Region, the KRG, religious leaders, the media and civil society organizations initiated a public debate on violence against women and lobbied for legislative and administrative measures. The KRG supports women’s shelters throughout the three northern governorates and has established four Directorates for Following up Violence Against Women to document gender-based violence and respond to cases of abuse. An important achievement was the enactment by the KRG, on 21 June 2011, of the Family Violence Bill.\textsuperscript{864} The law criminalizes FGM, forced and early marriages, verbal, physical, and psychological abuse of girls and women, forced prostitution, child abuse, and child labour.\textsuperscript{865} Under the law, special courts dealing with family violence cases are to be established\textsuperscript{866} and the police and courts have the authority to issue and enforce restraining orders to protect victims.\textsuperscript{867} The law led to fierce protest by some Islamic clerics and groups, who called it “un-Islamic”.\textsuperscript{868} Despite this significant legal change, violence against women, including domestic violence, “honour crimes” and FGM, reportedly remains widespread in the Kurdistan Region.\textsuperscript{869} Women in the Kurdistan Region who are widowed as a result of the former regime’s Anfal campaign\textsuperscript{870} or internal conflict, receive a welfare stipend from the KRG authorities.\textsuperscript{871} In the disputed areas, widows reportedly do not receive any welfare assistance due to a lack of clarity as to which authority is in charge.\textsuperscript{872}

\begin{boxed_text}
UNHCR considers that women in specific circumstances as outlined below, including survivors or women at risk of sexual and gender-based violence, harmful traditional practices, and “honour crimes” are likely to be in need of international refugee protection on the basis of their membership of a particular social group, religion and/or (imputed) political opinion.\textsuperscript{873}
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a) Sexual Violence and Harassment

Under Iraqi law, rape is a private offense and only the victim, or her family if she is a child, may file a complaint. Marital rape is not included in the law as a criminal offense. The law indicates that, even if rape is committed with a political motive, it will not be considered as a political offence. Women and girls have been subjected to rape and other forms of sexual violence in detention centres and police stations. have been abducted and raped by or forcibly married to members of armed groups. Face repeated and ongoing rape and sexual abuse in forced or early marriages, or are forced into prostitution or trafficked for sexual purposes. As a result of prevailing social taboos and the victims’ fear of reprisal by their families, sexual violence against women and girls is thought to be grossly underreported.

In addition to the actual ordeal of suffering sexual violence, women often fear or actually face social ostracism and further reprisals, including “honour killings” at the hands of their families. If women file a complaint or are arrested, they may, according to reports, face accusations of harassment and abuse from Iraq’s male-dominated police, who are said to be generally reluctant to deal with cases of sexual violence. In rural areas, impartial investigations are said to be compromised by police members’ own tribal affiliations. Furthermore, women and girls may be subjected to detention and criminal procedures on prostitution or adultery charges, even in the case of forced prostitution and rape. In article 398, the Iraqi Penal Code excuses the perpetrator of rape or sexual assault if he marries the victim, even after a sentence has been imposed. This practice has been reported even in cases in which the victim is a child. Advocates of this provision argue that marriage with the perpetrator will restore the woman’s honour, which, they say, has been tainted by rape or sexual assault, thereby avoiding a potential ‘honour killing’ by her family or tribe. This reasoning ignores that marriage to a rapist is likely to force “the victim to undergo daily emotional, and likely physical, trauma.” While the Personal Status Law requires the consent of both parties to a marriage, fear of further reprisals and social stigma is said to be likely to coerce a woman or girl into a marriage with the abuser. Also in the case of abduction, including abduction with (attempted) rape, the punishment will be void in case the perpetrator marries the victim. As a result, observers note that very few perpetrators of rape are known to have been convicted.

Female detainees have reportedly been subjected to torture and ill-treatment in Iraqi detention facilities, including also rape or the threat of rape. (Threat of) rape of a female family member is also used as a way to humiliate a male detainee and/or to obtain confessions or information. Women subjected to sexual violence in detention or prison may also subsequently face “honour killings” at the hands of their families.

b) Domestic Violence

Domestic violence against women and girls occurs “mainly at the hands of their husbands, fathers, brothers, sons, and male extended family members”, at times at the order of tribal elders. Article 41 of the Iraqi Penal Code provides men with the legal authority to “discipline” their wives and children. While the Penal Code specifies that discipline is permissible only within certain limits prescribed by law or by custom, there are no specified legal criteria to determine when a threshold is breached. It is reported that if a woman does not exhibit any physical manifestation of domestic violence, such as bruising or scars, the case is automatically rejected. Article 393 of the Penal Code treats rape as a private offence. The law does not contain provisions criminalising marital rape. It does not stipulate a minimum penalty for rape and allows the victim’s sexual history to be considered. Further, the authorities cannot initiate enforcement action without the consent of the complainant or her legal guardian. A law addressing domestic violence is reportedly in the drafting process.

Domestic violence is reportedly increasing and surveys show that it is widely tolerated. The capacity of the Iraqi authorities to prevent, protect and prosecute domestic violence is limited. Medical and police authorities lack adequate training on caring for and protecting survivors of domestic violence, leaving women vulnerable to stigmatization and reprisals from family members for reporting their abuse. As a result, domestic violence often occurs with impunity as women rarely make complaints against their abusive husbands and law enforcement officials reportedly regularly
fail to arrest men accused of committing acts of violence against their female relatives. In the few cases that have been brought to trial, there have been complaints that sentencing has been lenient, even where a homicide has been involved. The stigma attached to female divorcees is said to result in women staying in abusive relationships as they consider it would be worse to be divorced. In addition, the economic situation is said to force women to stay in abusive relationships out of necessity. Observers note that some women might be forced into prostitution or fall victim to traffickers after escaping abusive family situations.

c) “Honour-based” Violence

So-called “honour crimes” - that is, violence committed by family members to protect the family’s honour - reportedly remain of particular concern. Most frequently, women and girls and, to a lesser extent, men and boys, are killed or subjected to other types of violence such as mutilations, because they are judged to have transgressed cultural, social or religious norms bringing shame to their family. “Honour crimes” are said to occur for a variety of reasons, including adultery, loss of virginity (even by rape), refusal of an arranged marriage, attempt to marry someone against the wishes of the family or making a demand for a divorce. Even the suspicion or rumour that any of these acts have been committed can reportedly result in “honour crimes”. With the emergence of mobile phones and internet, allowing young couples to communicate in secret, cases have been reported in which girls, or boys, were killed on the basis of suspicious or incriminating messages or phone calls.

The Iraqi Penal Code contains provisions that allow lenient punishments for “honour killings” on the grounds of provocation or if the accused had “honourable motives”. The punishment is between six to 12 months imprisonment. Article 409 further provides that if a person catches his wife or a female relative in the act of committing adultery and kills/injures one or both persons involved immediately, the punishment will not exceed three years. The law does not provide any guidance as to what “honourable motives” are and therefore, observers note, leaves scope for wide interpretation and abuse. “Honour crimes” are reported to be frequently committed with impunity, given the high level of social acceptance of this type of crime, including among law enforcement officials. “Honour crimes” are reported to be committed in all areas of Iraq, though there is generally more information available in the Kurdistan Region, where the KRG has taken steps to combat the practice. Importantly, the KRG has introduced legal amendments to the Iraqi Penal Code, effectively treating “honour killings” on the same level as other homicides.

Despite these measures violence against women, including “honour crimes”, is reported to remain at alarmingly high levels in the Kurdistan Region. Given that “honour killings” are prohibited by law, they are allegedly often concealed as accidents or suicides in order to avoid prosecution. In other cases, women are reported to commit suicide, including by self-immolation, because they fear being killed by their families. Yet others are reportedly coerced by their families to commit suicide. Incidents of self-immolation are reported to be on the increase, with at least one case reported daily since 2010 and many more either going unreported or concealed as accidents. While the KRG pledged to investigate and prosecute “honour killings” and other violence against women, most cases reportedly continue to go unpunished. In the rare cases in which a person is convicted of having committed an “honour crime”, sentences are reported often to be lenient. Women at risk of “honour killing” are said to be unlikely to report to the police with a view to initiating prosecution of the family members involved as they fear retribution and want to avoid bringing further shame to the family.

Women at risk of “honour crimes” at the hands of their family are extremely vulnerable, as they have lost “the primary source of protection and support”. Their options are very limited and include shelters, prisons or the home of another relative or influential community leader. In the Kurdistan Region, local authorities and NGOs have established several shelters with limited capacity. While these shelters can, for a limited time, provide physical protection as well as social, legal and psychological counselling, they generally do not offer a durable solution. Observers indicate that, unless shelter staff, law enforcement officials or community leaders reach a mediated agreement with
the women’s family (e.g., a couple obtains the family’s agreement to marry, and the family commits not to harm her) the woman has no prospects for a future outside the shelter. However, reports indicate that there is a significant risk that even if a family pledges not to harm the woman upon return from the shelter, her rights might still be infringed or she may be killed. In cases of (alleged) adultery, the family’s decision to kill the woman in order to “cleanse” the family’s honour can generally not be reversed through mediation, and the woman has no other option but to remain in the shelter. Most shelters are reportedly under-resourced and unable to provide all necessary services. Women’s shelters can also not guarantee full physical protection to women at risk, especially if a woman has to temporarily leave the shelter to appear in court. Shelter employees have reportedly been subjected to various forms of threats and intimidation because of their work and involvement in matters that are widely regarded as “family affairs”. Occasionally, women’s prisons effectively serve as shelters for some women who fear harm or honour killings if returned home. For these reasons, women at risk of “honour killings” can generally not find durable protection in the shelters available in the Kurdistan Region. For men at risk of “honour crimes”, there are no protection facilities other than detention or prison.

In the central and southern governorates, there are no official shelters, although some women’s organizations provide victims with temporary shelter in hidden locations. Such arrangements are, however, not to be considered an effective form of protection given the lack of prospects for the women in the shelter and the shelter’s unclear legal and financial status, in addition to the general intolerance vis-à-vis such institutions and associated security risks. An Iraqi Government policy on women’s shelters is currently being developed. The Kirkuk Provincial Council recently voted in favour of establishing a shelter in Kirkuk.

d) Female Genital Mutilation (FGM)

Particularly in the Kurdistan Region, the harmful practice of FGM continues to be reported. According to a 2010 empirical study, over 70 per cent of the female population surveyed in the predominantly Kurdish areas of Erbil, Sulaymaniyya and Garmyan/New Kirkuk have been mutilated, though there are regional variations. Reports indicate that, contrary to previous predictions, women in urban areas are as much affected as in the countryside. FGM is practiced mostly among Sunni Muslims, though it can also be found, to a lesser degree, among Shi’ite Muslims and Kaka’i. FGM was found to be almost exclusively practiced by ethnic Kurds, though there is no guarantee that girls/women of other ethnicities, e.g. Arabs and Turkmen, may not also undergo mutilation. The study showed a trend of gradual decline in the practice of FGM, which in the past appears to have been almost universal. The improvement of educational opportunities was found to be a major reason for the downward trend. Preliminary data from another study conducted in Kirkuk indicates that 40 per cent of the women there have undergone FGM.

As a result of intense campaigning and lobbying in recent years, discussion of FGM is no longer taboo in the Kurdistan Region and has been recognized as a problem among the Kurdish public and the local authorities. On 21 June 2011, the Kurdish Regional Parliament took a crucial step towards eradicating the practice when it passed by a great majority the Family Violence Bill, criminalizing FGM. The Central Government of Iraq has yet to acknowledge the issue of FGM, which according to various indications, may also be prevalent in areas outside the Kurdistan Region or areas under de facto control of the KRG, e.g. in Kirkuk and Diyala Governorates.

e) Forced and Early Marriages

Women and girls in Iraq may be exposed to other harmful traditional practices such as forced and/or early marriage, including exchanging of women between families and forced or coerced marriages of young women with much older men. The right of men and women to enter into marriage only if they freely and fully consent is not enshrined in the Iraqi Constitution. The Constitution does provide, however, that the state must protect childhood and prohibits all forms of violence and abuse in the family. In addition, Iraq is party to the ICCPR and the CEDAW, both of which guarantee the right to marry at one’s free will. Under Iraq’s Personal Status Law, which governs the manner in which courts settle disputes in marriage, divorce, child custody, inheritance, endowments and other similar
In 2008, the KRG made amendments to the Personal Status Law relating to forced and early marriage. Article 6 of Law 15 of 2008, which replaces Law 188, prohibits the forced marriage of men and women. Article 5 of the amended law prohibits early marriage and raises the age of marriage for males and females to 16 years, when authorized by a guardian. Nevertheless, the practice of early marriage reportedly persists. In rural areas of northern Iraq, a practice called Zhin bi Zhin, meaning “a woman for a woman”, can be a form of forced marriage as it involves the exchange of girls or women between two families where no dowry is paid. This exchange of females is particularly sought after if one party is unable to pay a dowry or if relations between two tribes would be strengthened through the exchange of girls or women. Similar practices can also be found in other areas of Iraq.

Forced and early marriages have also been linked to some observers to domestic violence and (attempted) suicides among young Kurdish women. Girls reportedly may face ill-treatment or be at risk of honour-related crimes if they refuse the proposed marriage or are seen to associate with men not selected by their families.

8. Children with Specific Profiles or in Specific Circumstances

Articles 29 and 30 of the Iraqi Constitution guarantee the protection of children, particularly from exploitation, violence, forced labour and trafficking. While the authorities are committed to the protection of children, years of violence have destroyed many of the institutions and systems for physical, social and legal protection in much of the country. Children and adolescents continue to be killed and maimed in attacks against markets, schools and hospitals or the private homes of security or government officials. Others are abducted for criminal, sectarian or political motives. Years of conflict have left millions of Iraqi children orphaned and abandoned. Orphans and abandoned children are at particular risk of abuse, trafficking and recruitment by armed groups. Many more children have faced displacement. Children living near one of the more than 3,600 identified areas contaminated by mines and unexploded ordnance (UXO) are at constant risk of being killed or maimed. A high number of Iraqi children suffer from psychological trauma and domestic and school-based violence. Children with mental or physical disabilities are among the most vulnerable of society. Children and youth are threatened by poverty and malnutrition, lack of safe water and sanitation, insufficient access to education, illiteracy and a lack of prospects for employment.

UNHCR considers that children with specific profiles or in specific circumstances, as outlined below,
a) Child Labour

Iraq is a signatory to the Convention on the Rights of the Child and ILO Convention 182 on the Worst Forms of Child Labour. The Iraqi Constitution prohibits economic exploitation of children in all its forms as well as forced labour and slavery. The Iraqi Labour Law (Law No. 71 of 1987 as amended by Coalition Provisional Authority Order No. 89) provides for a minimum age of 15 years for any kind of employment and lists types of work that children below the age of 18 are not allowed to perform as it is “likely to harm their health, safety and morals.” In addition to hazardous work, other worst forms of child labour are defined and prohibited by Order Number 89, including slavery, forced labour, child trafficking, forced or compulsory recruitment of children for use in armed conflict, child prostitution and pornography, and illicit activities such as drug trafficking.

The Iraqi Constitution prohibits trafficking of women and children and the sex trade. While the Government of Iraq has strengthened its legal protections against the worst forms of child labour, “significant gaps remain in government coordination mechanisms and in programs to address the worst forms of child labor,” according to one observer. Child labour, including its worst forms, reportedly remains prevalent in Iraq and the Iraqi Government has yet to initiate programmes, as foreseen by law, to prevent child labour, to remove children from exploitative labour situations or to ensure their access to education. Children are observed to be undertaking hazardous work in the agriculture sector, automobile shops and on construction sites, while others beg in the streets exposed to multiple dangers. Children are also reportedly forced into prostitution and trafficked for forced labour and sexual exploitation within and outside of Iraq. By law, education is mandatory until the age of 11 (in the Kurdistan Region, until 14 years) and many children drop out at this age. Children aged 12 to 15 are thought to be most at risk of being exposed to the worst forms of child labour as they are no longer required to go to school but are not yet permitted legally to work. Vulnerable populations such as IDPs, refugees and returnees are often more susceptible to child labour than those not displaced.

b) Forced Recruitment

The use of child soldiers in the Iraqi armed forces is prohibited. The minimum age for recruitment is 18 years and military service is voluntary. Punishment for individuals recruiting children into military service is imprisonment of up to three months. There are no reports of children being recruited into the Iraqi Army. In 2009, the United Nations received reports that the Sahwa forces employed approximately 350 children in their ranks; however, the reports could not be verified due to the security situation. Sunni armed groups, including Islamic State of Iraq/Al-Qa’eda in Iraq, reportedly continue to recruit and use children for various tasks, including scouting, spying, planting roadside bombs, transporting military supplies and equipment and videotaping attacks for propaganda purposes. Of particular concern is the reported continued use of children as suicide bombers, including vulnerable children such as orphans, street children and mentally disabled children. Armed groups also allegedly use children to lure security forces into ambushes. Armed Shi’ite groups such as the Jaysh Al-Mahdi have also been reported to recruit children as young as 15 years of age. There are only a few programmes available to demobilize and reintegrate children engaged in armed conflict, and these are considered to have limited effectiveness.

c) Domestic and Sexual Violence, Harmful Traditional Practices

Children are also known to be subjected to domestic violence, sexual violence, “honour”-based violence, trafficking and forced prostitution as well as harmful traditional practices such as FGM and early and forced marriages.
d) Children in Detention

There are reports of children being held with adults in some detention facilities and of children being detained for their alleged membership in armed groups, particularly around Mosul. Numerous children, some apparently quite young, are also reportedly held in detention along with their detained or imprisoned mothers. Facilities for convicted juvenile offenders, under the authority of the Ministry of Labour and Social Affairs, continue to be overcrowded and children are at risk of disease, abuse and exploitation. In the Kurdistan Region, juvenile offenders are generally held in reformatory or detention centres for children that, according to the United Nations Assistance Mission for Iraq (UNAMI), provide satisfactory living conditions, though the availability of educational, social and recreational activities is limited.

9. Victims or Persons at Risk of Trafficking or Forced Prostitution

The Iraqi Constitution prohibits forced labour, slavery, slave trade, trafficking in women or children, and the sex trade. A comprehensive anti-trafficking law criminalizing all forms of trafficking has been drafted but not yet enacted. While Iraqi law does not prohibit trafficking as such, the Iraqi Penal Code criminalizes a range of acts that commonly occur in the course of trafficking, including unlawful seizure, kidnapping, detention by force or deception, sexual assault, rape and enticement of children into prostitution. Coalition Provision Authority Order 89, which remains in effect, outlaws child prostitution and child pornography.

Observers describe Iraq as a country of origin, transit and destination for trafficking in persons, including trafficking for sexual purposes, bride trafficking, fraudulent marriages and labour trafficking. Iraqi women and girls are said to be trafficked both within Iraq and across borders to neighbouring countries, most of them for enforced prostitution. Further, women and girls who fled as refugees to Syria, Jordan and other countries in the region are reportedly forced into prostitution in their host countries. Trafficking has reportedly become widespread in the region since 2003, but the exact extent is unknown. Traffickers use various methods of recruitment, including “personal and family threat, coercion, abduction, fraud, deception, abuse of power or even giving payments to a person in order to control the victim”. Traffickers, or their (often female) intermediaries, reportedly deceive women and girls, who are often impoverished and illiterate, with false promises of legitimate employment, marriage, protection or other benefits. It is also reported that orphan children may be trafficked by employees of orphanages for the purpose of forced prostitution. Traffickers and pimps also bail out women from prisons and then force them (back) into prostitution.

In addition to organized networks and criminal gangs engaging in trafficking, increasingly young girls and women are allegedly sold by their families or relatives into [forced] marriages or prostitution due to economic destitution, to pay debts or to resolve disputes with other families. The traditional (Shi’ite) arrangement of temporary marriages (muta’a), under which the family receives a dowry from the husband and the marriage is terminated after a specified period, is also reportedly misused for the purpose of sexual exploitation. Abusive husbands or in-laws are reported to have forced their wives/daughters-in-law into prostitution. The highest demand is said to be for girls under 16, in particular virgins. IDPs and refugees moving between Iraq and neighbouring countries are at particular risk of falling victim to trafficking. There are reports that Iraqi boys, mostly from poor families, have been trafficked for the purpose of sexual exploitation and forced labour, such as street begging.

The Iraqi authorities have undertaken efforts to address trafficking, including by establishing a cross-ministerial committee to monitor the situation and make recommendations, and the drafting of anti-trafficking legislation. Despite these efforts, the Iraqi Government has yet to prosecute, convict or impose sentences on perpetrators of human trafficking or officials complicit in trafficking offenses. Some government and law enforcement officials have reportedly been involved in trafficking women and girls, either directly or through corrupt practices. In some cases, traffickers have reportedly been set free by the authorities despite the gravity of their crimes and families of victims have not pursued cases with law enforcement and judicial authorities. It is further reported
that police often blame the victim, doubt the victim’s credibility, appear to be indifferent and/or conduct inadequate investigations. The Iraqi authorities reportedly do not encourage or assist victims of trafficking to press charges against offenders, nor do they make efforts to identify and protect victims of trafficking, or support NGOs providing legal, medical or psychological services to victims of trafficking. In the Kurdistan Region, the KRG is reportedly working to establish a shelter for victims of trafficking and forced prostitution.

According to reports, victims of trafficking may further be criminalized and be subjected to imprisonment for illegal acts committed as a result of being trafficked, including penalization for engaging in prostitution or traveling with false documents. Due to social stigma, women or girls who were raped or forced into prostitution face difficulties reintegrating into their communities. After release from prison, they may be at risk of “honour killing” or renewed trafficking. Iraqi women and girls trafficked to or in neighbouring countries may also face imprisonment and/or deportation in the host countries. Survivors of trafficking also are reported to lack access to the necessary legal, medical and psychological services, despite the known emotional and physical health risks associated with the ordeal.

In light of the above, UNHCR considers that victims of trafficking and persons at risk of being trafficked or re-trafficked, particularly women and children, are, depending on the circumstances of their individual claim, likely to be in need of international refugee protection on account of their membership of a particular social group.

10. Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) Individuals

Discrimination and targeted attacks against persons on the basis of their perceived or actual sexual orientation or gender identity continued to be reported in 2010, 2011 and 2012. Even though the Iraqi Penal Code does not expressly prohibit same-sex relations between consenting adults, a range of vague provisions in the Iraqi Penal Code leave room for discrimination and prosecution of LGBTI persons. Many Iraqis, including (Sunni and Shi’ite) religious and political leaders, believe that homosexuality is punishable by death under Shari’a law. Though there are no Shari’a courts in Iraq, this perception reportedly creates an environment of tolerance and impunity for violence perpetrated against gay men or those perceived to be gay, and some may see it as a religious duty to kill gay men.

Attacks against men who look “effeminate,” or who are perceived to be engaging in same-sex relations are reported to take place mostly at the hands of armed Shi’ite groups, who position themselves as “agents of moral enforcement” or relatives, who seek to cleanse the family’s tainted “honour.” According to Human Rights Watch, reports suggest that Sunni armed groups “(…) were also joining, possibly competitively, in the campaign of threats and violence.” Attacks against gay men have been reported in many parts of the country, including Baghdad, Najef, Basrah, Kirkuk, Kerbala and Thi-Qar. In September 2011, reports also surfaced of the mistreatment of gay men in the Kurdistan Region. Iraqi LGBTI, a London-based human rights group aiding LGBTI Iraqis, estimates that there have been 750 killings of LGBTI men and women since 2003. Other observers allege that thousands have been harassed and tortured and hundreds killed between 2003 and 2009. Various sources described brutal methods of torturing and killing LGBTI Iraqis. In February and March 2012, human rights organizations and media reported a wave of brutal killings of so-called “emos” and of gay and/or effeminate men.

It is reported that, commonly, attacks against LGBTI persons occur with impunity as perpetrators trust that no arrests or legal prosecution will be carried out. In the rare cases in which legal proceedings are initiated in relation to a crime committed against a person on account of his/her perceived or real sexual orientation, police and courts regularly take into account the alleged homosexuality of the victim as a mitigating factor (“honourable motives”). The ISF allegedly engage in assaults on
(perceived) LGBTI Iraqis, including by raids on safe houses, harassment at checkpoints, extortion, arbitrary arrests, torture and extra-judicial killings.

LGBTI individuals usually keep their sexual orientation secret and live in constant fear of discrimination, ostracism by family members and society, and targeted violence. Reportedly, armed Shi’ite groups and even government officials monitor gay men and inform their families about “inappropriate” behavior, leaving it in the hands of the family to take what action they consider appropriate. In many cases, this puts the individuals at risk of “honour” killings at the hands of their families. It has been reported that the appearance, for example, of men with slightly long hair and tight clothes, or mere rumours about a person’s alleged “misbehavior” is sufficient grounds to inflict harm on him or her. Even in neighbouring countries, gay men may not be safe as family members may pursue them or they may face harassment at the hands of local officials.

In light of widespread prejudice, traditional or tribal values of “honour”, potentially problematic legal provisions of the Iraqi Penal Code, and strong media bias against LGBTI individuals, UNHCR considers that LGBTI individuals are likely to be in need of international refugee protection on account of their membership of a particular social group, i.e., their sexual orientation and/or gender identity, since they do not, or are perceived not to conform to prevailing legal, religious and social norms.

Most information in this section relates to gay men and only limited information is available on the treatment of lesbians and of bisexual, transgender and intersex persons in Iraq. The absence of reports should does not mean that these persons are not at risk. LGBTI individuals cannot be expected to be discreet about their sexual orientation or gender identity in order to avoid persecution. Further, the fact that provisions in the Iraqi Penal Code allow for criminal sanctions for “homosexual conduct” is a bar to state protection, including where persecutory acts are perpetrated by non-state actors such as armed groups, family or community members.

B. Eligibility under Broader International Protection Criteria, Including Complementary Forms of Protection

This section of the Guidelines provides guidance on the determination of eligibility for international protection of Iraqis fleeing areas of conflict and violence in Iraq, but who do not meet the refugee criteria contained in the 1951 Convention and its 1967 Protocol.

Given the widespread human rights violations against individuals with specific profiles in many parts of Iraq, it can be expected that many asylum-seekers from Iraq, including those originating from areas where a situation of generalized violence or events seriously disturbing public order exists at the moment of adjudication of their claim, will be eligible for refugee protection under the 1951 Convention.

The criteria for refugee status in the 1951 Convention should be interpreted in such a manner that individuals or groups of persons who fulfil these criteria are duly recognized and protected. Only when an asylum-seeker is found not to meet the refugee criteria in the 1951 Convention, should complementary or subsidiary forms of protection be examined.

Persons who are outside their country of origin because of a serious threat to their life, liberty or security as a result of generalized violence or events seriously disturbing public order may also be recognized as refugees under broader international protection criteria, where applicable. This is contained in UNHCR’s mandate and several regional instruments. In other regions, the 1951 Convention refugee definition has not been extended, but rather complemented through the establishment of specifically tailored international protection mechanisms.
The severity of conflict-related violence and the correlative risk to Iraqi civilians has been reviewed by UNHCR on the basis of several cumulative indicators: (i) civilian casualties as a result of indiscriminate acts of violence, including car bombs, suicide attacks, IED explosions and landmines, covering also casualties among bystanders affected by targeted violence; (ii) prevalence of security incidents; and (iii) population displacement resulting from violence and insecurity, and voluntary IDP and refugee returns.

**Civilian Casualties**

Iraq continues to experience significant civilian casualties. In 2010 and 2011, media reports recorded more than 4,000 Iraqi civilians killed, on average, each year, bringing the total number of Iraqi civilians killed since 2003 to over 114,000. From these figures, it appears that there is no noticeable downward trend in civilian casualty figures since mid 2009. “A persistent low-level conflict” is said to have taken root in the country, which will continue to kill civilians at a similar rate for years to come (“an impassable minimum”), Iraqi Government sources provide consistently lower casualty figures than media reports by international observers. In what appeared to be a surge in mass casualty attacks in January 2012, 464 civilians were killed, while February 2012 saw again a decrease in the numbers of casualties.

As in previous years, in 2010 and 2011 non-state actors were responsible for the largest number of civilian casualties. Most large attacks in 2011 were directed against the ISF and Sahwa, government buildings as well as Shi’ite civilians, including pilgrims. The number of civilian deaths from suicide attacks and car bombs decreased in 2011 compared to previous years, to an average of 6.6 per day. While these attacks still account for the highest number of civilian deaths each month, the number of civilians killed from gunfire/executions has risen to an average of 4.6 per day in 2011. This suggests that in 2011 an increasing number of civilians, especially government and security officials, were specifically targeted and executed.

Armed groups appear to have a diminished capability to launch large-scale bombings resulting in high numbers of deaths. In 2010, nine large-scale bombings killing more than 50 civilians per attack were recorded; there were eight such attacks in 2009. In 2011, three such large-scale attacks resulting in over 50 civilian victims were recorded. At the same time, armed groups continue to be able to launch multiple coordinated attacks against selected targets, e.g., coordinated attacks on the ISF, government targets or particular religious groups such as Shi’ites or Christians.

While most attacks by armed groups are targeted against specific groups and individuals, due to the nature of the tactics employed, including large-scale bombings and attacks in public places, they inevitably have an indiscriminate effect, causing significant casualties among bystanders.

After years of conflict, Iraq is one of the countries worst-affected by landmines and UXO. Contamination by mines and UXO is reported to affect the safety and livelihood of an estimated 1.6 million Iraqis. As a result of landmines and UXO, between 48,000 and 68,000 Iraqis have had to undergo amputation. In 2010, at least 82 casualties from landmines and UXO were recorded. Lack of capacity, corruption and ongoing insecurity are said to hamper clearance of affected areas, and as a result, reconstruction and economic development can be stifled. Clearance of mines and UXOs is also a prerequisite for displaced persons to be able to return to their former areas of residence and for the provision of humanitarian assistance. However, Iraq currently has less than 2,000 active de-miners, less than a quarter of the 9,000 required to honour its commitment to clear all landmines by 2018. Depleted uranium has been linked to increased rates of leukemia, congenital malformations and various forms of cancers in certain parts of Iraq.

**Security Incidents**

While violence has fallen significantly since the worst period of sectarian conflict in 2006 and 2007, bombings, shootings and assassinations by armed groups continue to occur on a daily basis, taking
a serious toll mainly on the civilian population, and mostly in central Iraq. Baghdad and Nineawa, especially Mosul, remain the most violent areas in Iraq, followed by Kirkuk, Al-Anbar, Babel, Diyala and Salah Al-Din Governorates. The Washington Institute for Near East Policy, using information collated by the Iraqi Government, attributes violence to three main areas of Iraq: 1) Mosul, which remains the major stronghold of Sunni armed groups; 2) areas it describes as “sectarian melting pots” where Sunni armed groups target Shi’ite civilians as well as Sahwa members, i.e., Baghdad and the governorates surrounding it; and 3) the “disputed areas”. According to the Washington Institute, violence is “rising sharply” in these areas. In late 2011 and early 2012, armed groups, which are speculated by some observers to be seeking to fill the political and security vacuum created by the ongoing political crisis and the USF-I’s withdrawal from Iraq, launched a number of large-scale assaults; however, it remains to be seen if this will lead to an overall deterioration of security conditions.

Central Iraq

The large majority of attacks take place in Baghdad, which continues to see daily bombings, shootings and assassinations. A number of attacks with high casualty numbers were reported in 2011 and 2012, resulting in scores of people killed and injured. These attacks took place in Sunni, Shi’ite and mixed areas across the capital. In addition, daily roadside bombs, shootings and “sticky bombs” attached to vehicles result in high numbers of casualties. Most frequently, members of the ISF and Sahwa, government officials and employees, religious figures, politicians, professionals, as well as LGBTI persons are targeted. Members of the Christian communities in Baghdad have seen attacks against churches as well as individual members, including those selling alcohol. Baghdad in 2011 has also been the centre for popular protests, to which the ISF reportedly responded violently, arresting and even killing protesters.

The Governorates of Nineawa (in particular Mosul) and Kirkuk (mainly Kirkuk city) continue to be volatile. In 2011 and 2012, both governorates saw several large-scale attacks as well as daily regular smaller attacks, mostly directed against ISF, Sahwa and government institutions, but also civilians. As in previous years, there were several bombings or attempted bombings of Christian churches in 2011. Further, Kurdish party offices and members of the Kurdish army (“Peshmerga”) remain a target. Both governorates see regular kidnappings and assassinations, including of members of the ISF, government officials and employees, Sahwa members, tribal and religious figures, as well as members of religious and ethnic minorities, including Muslim Shi’ites, Turkmen, Christians, Shabak and Yazidis. In both governorates there are frequent reports of attacks against professionals; Kirkuk has recently seen a sharp increase in targeted abductions and killings of professionals.

The Governorates of Diyala and Salah Al-Din reportedly remain among the most unstable governorates and are subject to frequent security incidents, including attacks mainly directed against security and civilian government institutions, but also civilians, e.g., in cafes or mosques. Both governorates, which are religiously “mixed”, have also seen attacks on Shi’ite civilians and pilgrims as well as Sunni and Shi’ite religious figures. There have also been high numbers of targeted killings, including of senior ISF officials and Peshmerga/Sahwa, government and party officials, as well as professionals.

The predominantly Sunni Al-Anbar Governorate, a former hotbed of insurgent groups, has seen a surge in violence since summer 2009. There were about 10 reported attacks per week in 2010 and 2011 in Al-Anbar Governorate, and observers speculate that Islamic State of Iraq/Al-Qa’eda in Iraq is attempting to undermine the Al-Anbar provincial authorities and the ISF in order to increase tensions between Iraq’s Sunnis and Shi’ites. In 2010, 2011 and 2012, Islamic State of Iraq/Al-Qa’eda in Iraq and other armed groups launched several suicide and bomb attacks against highly secured government buildings and police headquarters. Bomb attacks in areas frequented by civilians, such as markets and a cultural centre, resulted in civilian casualties. Attacks on ISF convoys and checkpoints also often resulted in civilian casualties. ISF officers and Sahwa members are
regularly singled out for assassination, often in their homes or private vehicles, causing casualties among family members. At times, attacks on the houses of ISF members occur in an apparently coordinated manner across the governorate. In addition to targeted attacks on government compounds, government officials and employees appear to be singled out for assassination. Further, armed groups have singled out party officials, tribal leaders, Sunni scholars and mosque imams and professionals for attacks. In some cases it was reported that the victims had been vocal critics of Al-Qa’eda in Iraq.

Southern Iraq

The security situation in Southern Iraq shows a mixed picture. While Sunni armed groups continue to stage attacks mainly in areas closest to Baghdad, they are also capable of launching occasional attacks further south, including in Basrah, Nasseriyah, Kerbala and Najef. Further, Shi’ite armed groups, which in the past fought open battles over dominance in the south, reportedly continue to engage in assassinations for “score-settling and intimidation” against security officials, religious and political rivals. In February and early March 2012, clashes between followers of Shi’ite cleric Mahmoud Al-Hassani Al-Sarkhi and supporters of Grand Ayatollah Ali Al-Sistani occurred in various locations in southern Iraq.

Babel, the governorate closest to Baghdad, sees regular bombings against the ISF and civilians, including Shi’ite pilgrims. Armed groups also single out individual members of the ISF for attacks, including on the houses and private cars of off-duty policemen. Further, members of the Sunni Sahwa remain a major target of armed groups. Government officials and employees, party officials, professionals as well as religious figures are also targeted. It is also reported that Wassit Governorate has seen several high-profile attacks targeting civilians and the ISF. Several planned attacks have reportedly been successfully prevented by the ISF. Targeted killings of security, political, tribal or religious figures have also been reported.

Kerbala and Najef Governorates, which are home to important Shi’ite places of worship, see occasional large-scale attacks targeting mainly Shi’ite pilgrims despite heavy security measures employed ahead of and during religious festivities. Occasional targeting of prominent figures is also reported in Kerbala.

The other southern governorates are relatively calm and stable, however armed groups remain active as evidenced by ongoing arrests of suspected terrorists and criminals and sporadic attacks, mainly in Basrah. There are also targeted assassinations of prominent religious, tribal, political or professional figures, especially in the Governorate of Diwaniya. In 2010 and 2011, southern Iraq was also the site of attacks on US convoys and bases by Shi’ite militias, at times resulting in civilian casualties. Protests over poor services and corruption in 2010 and 2011 in various locations in southern Iraq, several of which turned violent, illustrate the potential for further social upheaval in the south, which has reportedly long felt neglected by the central Iraqi authorities.

Kurdistan Region

Though the security situation in the three northern governorates is relatively more stable, it remains a potential target for terrorist operations, e.g. by Ansar Al-Islam or the Al-Qa’eda Kurdish Battalions, which reportedly remain active in the region. In early December 2011, the relative stability was disrupted for several days when attacks were launched against mainly Christian and Yazidi-run businesses in Dahuk Governorate, followed by retaliatory attacks on party offices and media outlets. Areas bordering the neighbouring central governorates of Diyala, Kirkuk, Nineveh and Salah Al-Din as well as those neighbouring Turkey and Iran, are tense and unstable. The general human rights situation in the Kurdistan Region has improved in recent years, but continued abuses, including arbitrary arrests, incommunicado detention and the use of torture and ill-treatment continue to be reported by observers. Persons (perceived to be) opposing or openly criticizing the KRG or the ruling parties, including members of opposition parties, journalists, and protesters have
been targeted.\textsuperscript{1227} Kurdish security forces are reported to have repeatedly used excessive force to clamp down on mostly peaceful pro-reform protests in spring 2011, resulting in casualties.\textsuperscript{1228}

\textit{Displacement for Reason of Violence and Insecurity and Voluntary Returns}

Iraq has experienced various waves of internal displacement due to conflict, sectarian violence and forced population movements. The bombing of the Al-Askari Shrine in Samarra on 22 February 2006 triggered sectarian violence which quickly escalated and marked the beginning of a new series of displacements. More than 1.6 million Iraqis were displaced and registered as IDPs by September 2008.\textsuperscript{1229} In addition, some two million Iraqis were displaced to neighbouring countries. Since then, new instances of large-scale displacement have decreased significantly. In 2010 and 2011, more than 1,300 Christian families were displaced as a result of targeted violence against their communities. Most of them moved to the Kurdistan Region or sought refuge abroad.\textsuperscript{1230} In October 2010 nearly 1,000 families were displaced within the Diyala Governorate from Jalawla, Saadiya and Qaratap to Khanaqeen, Kalar and Kifri.\textsuperscript{1231} Several hundred families were displaced, mostly temporarily, as a result of Iranian and Turkish shelling of border areas in Erbil and Sulaymaniyah Governorate.\textsuperscript{1232} Others, including persons already displaced by violence, have had to flee again as a result of natural disasters.\textsuperscript{1233} And finally, individuals continue to flee their homes for fear of persecution or generalized violence to seek protection within or outside Iraq; however, their numbers are not known.

In 2008, IDPs and refugees started to return to their places of origin, and this trend has continued. To date, the Iraqi authorities have registered more than 1.55 million returnees, mostly internally displaced.\textsuperscript{1234} The year 2011 saw a significant increase in registered returns, compared to previous years.\textsuperscript{1235} The increase is attributed to various reasons, including stabilization in the security situation, an improvement in the economic situation,\textsuperscript{1236} and, in the case of refugee returnees, an increase in the financial assistance granted by the Iraqi Government.\textsuperscript{1237} Many others, however, returned to Iraq as a result of insecure conditions in their country of asylum, especially in Syria,\textsuperscript{1238} or the inability to afford to continue to live in displacement.\textsuperscript{1239} Not all returnees are able to go back to their place of origin, in particular in areas in which the demographic make-up has been altered as a result of sectarian violence.\textsuperscript{1240} There is a risk that some returns may not be sustainable, in particular due to difficulties in accessing livelihood opportunities\textsuperscript{1241} or renewed violence in the place of return,\textsuperscript{1242} especially in light of a potential deterioration in security and political conditions.\textsuperscript{1243}

Despite increasing returns, the total number of IDPs remains high, with more than 1.25 million Iraqis internally displaced and in need of a durable solution.\textsuperscript{1244} It is not known precisely how many Iraqis remain displaced outside Iraq, but by 29 February 2012, more than 163,000 Iraqis were still registered with UNHCR offices in the region.\textsuperscript{1245} While the number has been decreasing as a result of returns and resettlement, those still displaced in neighbouring countries are becoming increasingly vulnerable.\textsuperscript{1246}

An estimated 467,565 persons – including IDPs, returnees and squatters – reportedly remain in more than 382 informal settlements throughout the country, with 148,483 persons living in 121 settlements in Baghdad, on public land or in public buildings.\textsuperscript{1247} These people face very harsh living conditions and are at risk of eviction at any moment by the authorities, as they are illegally occupying land.\textsuperscript{1248}

\textit{Summary}

The levels of violence in Iraq have declined from that experienced at the height of the conflict in 2006 and 2007. However, while the violence appears to have stabilized, is still at a high level and continues to affect a large number of Iraqis.\textsuperscript{1249}
numbers of civilian casualties; (ii) frequent security incidents; and (iii) significant numbers of persons who remain displaced. Consequently, Iraqi asylum-seekers who do not meet the 1951 Convention criteria and who were formerly residing in governorates, districts, cities, towns, villages or neighbourhoods where, at the time of adjudication of the asylum claim, high levels and a high intensity of violence continue to be reported, are, for reason of the foreseen impact on the individual concerned, likely to be in need of complementary forms of protection on the basis of a fear of serious and indiscriminate harm arising from that violence.

Information on the levels, intensity and impact of violence in an asylum-seeker’s governorate, district, city, town, village or neighbourhood of origin is needed to assess the possible protection needs of persons found not to meet the 1951 Convention refugee criteria under broader international protection criteria. The current situation in Iraq does not allow for generalised conclusions in this regard on the basis of broad geographic distinctions. Therefore, adjudicators will need to assess on a case-by-case basis whether an individual asylum-seeker who has been found not to meet the refugee criteria of the 1951 Convention will run a risk of serious and indiscriminate harm upon return. In doing so, the principle of the shared burden of proof requires that both the asylum-seeker and the adjudicator make every reasonable effort to provide specific and up-to-date information on the situation in the asylum-seeker’s former place of residence to support their position.

C. Internal Flight or Relocation Alternative

A detailed analytical framework for assessing the availability of an internal flight or relocation alternative (IFA/IRA) is contained in the UNHCR Guidelines on International Protection No. 4: “Internal Flight or Relocation Alternative” Within the Context of Article 1A(2) of the 1951 Convention and/or 1967 Protocol Relating to the Status of Refugees.

Individuals at Risk of Persecution

In order for an IFA/IRA to be a relevant consideration in any given case, the individual(s) concerned should not be in need of international refugee protection in the area concerned, and it must be found to be accessible. If these conditions are met, and an IFA is accordingly deemed to be relevant, a reasonableness test must be applied. This might be the case for individuals from southern and central Iraq, for example, for whom it must be determined whether they have an IFA in the KRG.

Whether an IFA/IRA is “reasonable” must be determined on a case-by-case basis, taking fully into account not only the personal circumstances of the individual, but also the security, human rights and humanitarian situation in the prospective area of relocation at the time of decision. To this end, the following elements, amongst others, need to be taken into account: (i) the availability of traditional support mechanisms, such as communities, relatives and/or friends able to host the displaced individuals; (ii) the availability of basic infrastructure and access to essential services, such as sanitation, health care and education; (iii) livelihood opportunities, as well as (iv) the scale of displacement in the area of prospective relocation.

In the context of Iraq, UNHCR’s analysis distinguishes between the situation in the central governorates, the southern governorates, and the three northern governorates (Kurdistan Region). The availability of an IFA/IRA in the latter area would also depend on whether the individual concerned is from the central or southern Governorates, or from within the three northern governorates themselves.

   a) IFA in the Kurdistan Region

A large number of persons from the central governorates have found refuge in the three northern governorates since 2006. Commensurate with the sharp decrease in new displacements generally, the flow of new arrivals has decreased significantly, however, only a few of those previously
displaced have to date returned to their places of origin. The influx of IDPs has had an important impact on the host communities, including increasing housing and rental prices, additional pressure on already strained public services and concerns about security and demographic shifts. At the same time, the three northern governorates have also benefited from the migration of professionals bringing skills and disposable incomes that boost the local economy. Unskilled IDPs have provided a source of affordable labour for the construction industry.

The KRG authorities continue to implement stringent controls on the presence of persons not originating from the Kurdistan Region. Depending on the applicant, particularly his/her ethnic and political profile, he/she may not be allowed to relocate to or take up legal residence in the three northern governorates for security, political or demographic reasons. Others may be able to enter and legalize their stay, but may fear continued persecution as they may still be within reach of the actors of persecution or face undue hardship. Therefore, despite the hospitable attitude of the KRG authorities towards a considerable number of IDPs, the availability of an IFA/IRA must be carefully assessed on a case-by-case basis, taking into consideration the following factors:

i. Relevance

Agent of Persecution

For individuals fleeing a state agent of persecution in the Kurdistan Region, UNHCR considers that no IFA is possible elsewhere in the Kurdistan Region, as the agent of persecution would be able to pursue the individual throughout the territory.

A person from central or southern Iraq may be out of reach of his/her persecutors if relocated to the Kurdistan Region as the state protection of the Kurdish authorities may be triggered. This may occur only if the person is both admitted to the Kurdistan Region and allowed to legally remain there and if the Kurdish authorities are able and willing to provide protection in the individual case. Generally, the Kurdish authorities will be able and willing to provide protection; however, certain persons, particularly those who fear harm as a result of traditional practices and religious norms of a persecutory nature – such as women and children with specific profiles and LGBTI individuals – may still be reached by their persecutors if relocated within Iraq. Further, large segments of society and conservative elements in the KRG public administration endorse such norms, which would militate against the availability of an IFA/IRA for some cases in the Kurdistan Region.

Practical, Safe and Legal Access to the Kurdistan Region

In terms of access, roads between the Kurdistan Region and central Iraq cannot be considered safe. Roads from Erbil, Dahuk and Sulaymaniyah to Kirkuk or Mosul are generally only safe when under the protection of the KRG forces, although attacks on civilians and security forces in areas under their control have also occurred.\(^\text{1254}\) Roads that are not under the control of Kurdish forces are unpredictable and have reportedly been the site of a high numbers of attacks.\(^\text{1255}\) There are several official checkpoints between the central part of the country and the KRG-administered area. There are also random checkpoints set up depending on the security situation. Further, the borders of the Kurdistan Region, including between its own governorates, have been observed to close without advance warning due to security concerns. Other areas along the unofficial border have been heavily mined in the past decade and are regularly patrolled by Kurdish Security Forces. Such conditions make it nearly impossible for persons to cross into the three northern governorates through the countryside without danger. Therefore, entry through the major roads and their checkpoints is, practically, the only option available to most Iraqis seeking to enter the Kurdistan Region. In addition, there are regular flights from Baghdad and Basrah to Erbil and Sulaymaniyah, but a one-way ticket from Baghdad to Erbil or Sulaymaniyah costs 101,000 Iraqi Dinars (approximately US$85), an amount many Iraqis are not able to afford. Travelling from Baghdad or Basrah to Erbil or Sulaymaniyah by air is considered fairly safe and there have been no recent security incidents involving civilian aircraft. There have been infrequent indirect fire attacks on or near the Baghdad and Basrah airports, causing no casualties.\(^\text{1256}\)
Since the fall of the former regime, the KRG authorities are very vigilant about who enters the Kurdistan Region and have introduced strict security measures at their checkpoints. However, there are no official and publicly accessible regulations concerning procedures and practices at the entry checkpoints into the Kurdistan Region. An ad hoc and often inconsistent approach can be expected in terms of who is granted access, varying not only from governorate to governorate, but also from checkpoint to checkpoint. The approach at a particular checkpoint may be influenced by several factors including the overall security situation, the particular checkpoint and its staff, the instructions issued on that day and the particular governorate where the checkpoint is situated. UNHCR has repeatedly sought to obtain information and clarification from the KRG authorities on checkpoint practices and entry/residence in the Kurdistan Region, without success. Therefore, persons seeking to relocate to the Kurdistan Region depend on informal information with regard to entry procedures.

Individuals / families wishing to enter the Kurdistan Region can seek to obtain a tourist, work or residence card. The tourist card, which is commonly given to persons from central and southern Iraq who seek to enter the Kurdistan Region, allows the holder to stay for up to 30 days. Depending on the person’s profile, but also the checkpoint and the officer in charge, persons seeking to enter as tourists may be required to produce a sponsor. Arabs, Turkmen and Kurds from the disputed areas are usually requested to have a sponsor, while Kurds (not from the disputed areas) and Christians are able to enter without a sponsor.

Alternatively, persons who have a proof of employment (letter of appointment) can obtain a work card, which is valid for 10-15 days and is, in principle, renewable. Persons seeking to stay more than 30 days should in principle obtain a residence card. Long-term stays always require a sponsor. UNHCR is not aware of any IDPs who have received the residence card.

The sponsorship process lacks clarity and there is no uniform procedure in place. In some cases, the sponsor is required to be physically present at the checkpoint to secure the person’s entry. In other cases, it seems to suffice that a person seeking to relocate to the Kurdistan Region produces a letter notarized by a court clerk attesting to the person’s connection to the sponsor. In some cases, the officer at the checkpoint will simply make a phone call to the sponsor to verify the acquaintance. Iraqis without sufficiently strong ties to the Kurdistan Region and who, therefore, are unable to find a sponsor, may be denied entry into the Kurdistan Region. There are reportedly also different requirements as to the nature of the sponsor.

UNHCR is aware of individuals who have been refused entry into the Kurdistan Region. Arabs, Turkmen and certain profiles of Kurds will likely face extensive questioning and may be denied entry at the checkpoint, mostly due to security concerns. In particular, single Arab males, including minors, are likely either to be denied entry into the Kurdistan Region or to be allowed entry only after a lengthy administrative procedure and heavy interrogation. Checkpoints reportedly maintain “blacklists” of individuals banned from entering the Kurdistan Region, including those considered a security risk, but also those who have previously overstayed or did not renew their residence permits. Christians, especially those who fled due to targeted attacks, reportedly do not face difficulties in entering the Kurdistan Region.

Persons not originating from one of the three northern governorates intending to remain in the Kurdistan Region for more than 30 days must approach the neighbourhood security station (Asayish) in the area of relocation to obtain a permit to stay (“information card” or karti zaniyari). As with the entry procedures, there are no official rules or regulations concerning the issuance of information cards. Generally, in all three governorates, a sponsor is required in order to obtain the information card. This means that those that were able to enter without a sponsor are, at this stage, obliged to find a sponsor. Families, provided they have a sponsor from the governorate concerned and the necessary personal documentation, are usually able to secure the information card. Single people apparently face more difficulties. Persons who do not have a sponsor will not be able to regularize their continued stay and may be forced to leave.
Persons fleeing persecution at the hands of the KRG or the ruling parties will almost always not be able to find protection in another part of the Kurdistan Region. Persons fleeing persecution at the hands of non-state actors (e.g. family/tribe in the case of fear from “honour killing” or blood feud) may still be within reach of their persecutors. The same applies for persons fearing persecution by armed Islamist groups.

\[\text{ii. Reasonableness}\]

Shelter remains one of the main priorities for all Iraqis.\textsuperscript{1271} Access to adequate, affordable housing in the Kurdistan Region is restricted by the fact that in all three governorates, non-Kurdish IDPs do not have the right to purchase or own property. IDPs may rent property provided that they have successfully registered with the Kurdish Security Forces and that they have the financial means to pay rent (which is increasingly high).\textsuperscript{1272} According to the International Organisation for Migration (IOM), rents can be as high as US$500 per month, requiring at least two members of a family to be fully employed.\textsuperscript{1273} The majority of IDPs live in rented housing,\textsuperscript{1274} and others live with host families,\textsuperscript{1275} in public buildings\textsuperscript{1276} or improvised dwellings made from mud or scrap materials.\textsuperscript{1277} IDPs living in improvised dwellings cite health problems in particular.\textsuperscript{1278} Some Christian IDPs have also found temporary shelter in churches and monasteries.\textsuperscript{1279}

UNHCR received information that single people, especially women, are for cultural reasons not allowed to rent houses on their own.

Although the overall food security situation in Iraq has improved in recent years, most Iraqis continue to rely on food provided through the Public Distribution System.\textsuperscript{1280} In the Kurdistan Region, where costs of living are high, access to the Public Distribution System is crucial.\textsuperscript{1281} While in the past, a temporary transfer of food rations from the place of origin to the place of displacement (except for persons originating from the disputed areas) was possible at least for some IDPs,\textsuperscript{1282} UNHCR was informed that this temporary system had been stopped as of November 2011 based on instructions received by the Ministry of Trade in Baghdad.\textsuperscript{1283} As a result, IDPs in the Kurdistan Region do not have access to their food rations through the Public Distribution System, meaning that they are forced to spend a high portion of their income on food, often leaving them without other essential items such as fuel or furniture.\textsuperscript{1284}

Access to education for IDP children is hampered for a variety of reasons.\textsuperscript{1285} IDP children can generally enrol in schools provided their families are registered with the security department and have obtained an “information card” (see above). As outlined, this generally requires the IDP family to have a sponsor. A major challenge is the shortage of Arabic-language schools for the mostly Arabic-speaking IDP children from central and southern Iraq.\textsuperscript{1286} While the language barrier is less pronounced for young children, who can more easily adopt a new language, older children face more difficulties in continuing their studies.\textsuperscript{1287} In order to access the few Arabic schools, families must pay extra for transportation in order to send their children to school and some families cannot afford to do so.\textsuperscript{1288} In addition, a general problem in primary and secondary schools in the Kurdistan Region is overcrowding. In many locations, schools have to run two or even three shifts in order to accommodate the students.\textsuperscript{1289} This is also likely to affect the quality of education and in particular make it difficult to follow-up on children with specific needs.\textsuperscript{1290} Differences in the curricula can also be an obstacle, especially for students.\textsuperscript{1291} Pupils and students may also face difficulties with the transfer of education documents.\textsuperscript{1292} Many IDP children are deprived of the right to education due to poverty, and are compelled to work in the informal labour market in order to help their families.\textsuperscript{1293}

Only persons registered with the Kurdish Security Forces have access to employment,\textsuperscript{1294} which, as outlined above, means that they generally must have a sponsor.\textsuperscript{1295} Access to employment may also prove difficult for persons with no family, tribal or political connections in the Kurdistan Region. Access to employment, in particular in the public sector, often requires tribal links or affiliation with the Kurdistan Democratic Party or the Patriotic Union of Kurdistan, respectively.\textsuperscript{1296} Single women often depend on their family/tribe to support them economically. Those single women who do not
have such support face great difficulties in accessing employment. IDPs are generally more affected by unemployment than the rest of the population, having left behind their sources of income and moved to areas where their skills might not be marketable. In addition, employees in the Kurdistan Region are usually required to speak Kurdish, limiting access to employment for non-Kurdish speakers. While skilled professionals such as professors or doctors have easily been integrated into the local economy, other IDPs often work on a day-to-day basis with irregular, low incomes. Many IDPs reportedly also face difficulties in accessing pensions they received at their former place of residence. Difficulty in finding employment was a major reason why a significant number of Christian IDPs displaced to the Kurdistan Region in late 2010/early 2011 subsequently moved abroad or, to a lesser extent, returned to their places of origin.

IDPs, irrespective of whether or not they registered with the Kurdish Security Forces, have access to the public health system in all three governorates of the Kurdistan Region; however, they may in practice often find it difficult to access adequate services. Primary health care centers often do not have adequate supplies and sufficient staffing, especially in remote areas, and there is a general shortage of female medical staff and medical services for women. Another common problem is lack of access to medicine and/or poor quality of medication. In particular, medication for chronic diseases is reportedly often in short supply. Often, medication of low quality is sold in unlicensed pharmacies. Furthermore, the public hospitals are often overcrowded and although all persons have the right to receive treatment available there, waiting times are long. Sometimes the only solution to receive necessary surgery or treatment in time is to turn to private health care institutions, which are often not affordable for IDPs.

IDPs will often tend to relocate to areas where they will find religious or ethnic homogeneity or where they have pre-existing tribal or family links, which will support them in finding housing and employment. For example, Christian IDPs will likely choose to relocate to an area where there is already a Christian community and where they may be able to receive some community support, e.g., from the church. Single women and female heads of household may face particular difficulties to access employment and livelihood opportunities without a family/community support network. Vulnerable groups such as female-headed households and separated children, as well as children engaged in labour, are particularly prone to poverty and have, in some cases, been exposed to trafficking and other abuses.

UNHCR generally considers that IFA/IRA in the Kurdistan Region is not relevant for many Iraqis due to the accessibility issues outlined above. In addition, IFA/IRA in the Kurdistan Region is not reasonable for many Iraqis due to difficulties in accessing livelihood opportunities, affordable housing, education, and food through the Public Distribution System. Persons fleeing persecution emanating from state or non-state actors from the Kurdistan Region will generally not be able to find protection in another part of the Kurdistan Region.

b) Summary for IFA/IRA in the Kurdistan Region

UNHCR generally considers that IFA/IRA in the Kurdistan Region is not relevant for many Iraqis due to the accessibility issues outlined above. In addition, IFA/IRA in the Kurdistan Region is not reasonable for many Iraqis due to difficulties in accessing livelihood opportunities, affordable housing, education, and food through the Public Distribution System. Persons fleeing persecution emanating from state or non-state actors from the Kurdistan Region will generally not be able to find protection in another part of the Kurdistan Region.

a) IFA in Southern and Central Iraq

i. Relevance

Agents of Persecution

With respect to individuals fleeing a state agent of persecution in southern and central Iraq, it is UNHCR’s assessment that an IFA/IRA is not available, as the agent of persecution would be able to pursue the individual throughout the territory.
As indicated in these Guidelines, persecution primarily emanates from a range of non-state actors.\textsuperscript{1310} Armed groups reportedly have operatives in many parts of the country and, as a result, a viable IFA/IRA will likely not exist for individuals at risk of being targeted by such groups in southern and central Iraq. As reported throughout these Guidelines, armed groups are present in many parts of the country and have demonstrated mobility in accessing areas where they do not have strongholds.\textsuperscript{1311} The mobility and reach of armed groups should not be underestimated in determining the relevance of an IFA/IRA. Persons seeking to relocate to other areas in central and southern Iraq may be at risk of facing renewed violence given the high levels of violence prevailing in many areas.\textsuperscript{1312} UNHCR protection monitoring shows that lack of physical safety remains a concern for both IDPs and returnees, particularly in the central governorates.\textsuperscript{1313} Reports have been received of returnees being targeted because they do not belong to the majority sect in their area of return. In some cases, these attacks have been fatal.\textsuperscript{1314} The presence of IDPs can at times result in tensions with host communities that consider them a destabilizing factor.\textsuperscript{1315}

Generally, protection by national authorities will not be available given that the national authorities have as yet limited capacity to enforce law and order. Members of the ISF and the judiciary are themselves a major target of attacks and are reportedly prone to corruption and infiltration.\textsuperscript{1316}

The prevalence of ethno-religious violence in the “disputed areas”, compounded by land and property disputes, high unemployment and drought,\textsuperscript{1317} need to be considered when assessing the availability of an IFA/IRA in these governorates (i.e. Kirkuk, Ninewa, parts of Diyala and Salah Al-Din Governorates). Further, reports have been received that IDPs relocating to the disputed areas may be subjected to discrimination, harassment and threats.\textsuperscript{1318}

For categories of individuals who fear harm as a result of traditional practices and religious norms of a persecutory nature – such as women\textsuperscript{1319} and children\textsuperscript{1320} with specific profiles, victims of trafficking\textsuperscript{1321} and LGBTI individuals\textsuperscript{1322} – and for whom internal relocation to another part of central and southern Iraq may be relevant, the endorsement of such norms by large segments of society and powerful conservative elements in the Iraqi public administration as well as the continued presence of armed groups with extremist or highly conservative leanings militate against the availability of an IFA/IRA in southern and central Iraq.

Travel by road within the central and southern governorates remains dangerous, especially at night.\textsuperscript{1323} Roadside bombings\textsuperscript{1324} and shootings,\textsuperscript{1325} robberies,\textsuperscript{1326} kidnappings\textsuperscript{1327} and carjackings\textsuperscript{1328} seem to remain daily occurrences, in addition to attacks on civilian, government and military vehicles on roads and highways in both urban and rural areas throughout the country.\textsuperscript{1329} Travelling prior to or during religious festivities also involves a heightened risk as armed groups are said to aim at launching mass casualty attacks on Shi’ite pilgrims on the road.\textsuperscript{1330} Military operations among armed groups and the ISF/Sahwa continue mainly in the central governorates. Travelling is reportedly often impaired and delayed by ISF/Sahwa checkpoints and convoys, where there is also an increased risk of being harmed given the frequent targeting of the ISF/Sahwa.\textsuperscript{1331} False checkpoints have also reportedly been erected to stage attacks.\textsuperscript{1332} Freedom of movement is also impacted by checks at governorate borders, sometimes reportedly resulting in arrests.\textsuperscript{1333} Moving near official government or military/police convoys is said to be particularly dangerous as they are a frequent target of armed groups, including by roadside bombs and “sticky bombs” attached under vehicles.\textsuperscript{1334} There have also been incidents reported of roadside bombings hitting public buses or “sticky bombs” being placed inside buses or taxis\textsuperscript{1335} or bombstations at bus terminals.\textsuperscript{1336} Movement may further be limited by curfews and vehicle bans, which can be enforced at short notice.\textsuperscript{1337} Travel by air from Baghdad International Airport is said to have improved. No recent attacks on civilian aircraft have been reported,\textsuperscript{1338} but there are reports of infrequent indirect fire attacks on or near the Baghdad and Basrah airports.\textsuperscript{1339} Attacks also occur regularly on the road between Baghdad and Baghdad International Airport.\textsuperscript{1340}

\textit{\textbf{ii. Reasonableness}}

Lack of access to essential services such as food, drinking water, sanitation, electricity, education and health care, as well as the lack of work opportunities and adequate shelter are said to remain obstacles
for persons seeking to relocate to another part of central or southern Iraq. In the disputed areas, service provision may be hampered by administrative ambiguity as a result of disputed authority between the KRG and the central Iraqi authorities. Access to public services such as food through the Public Distribution System, health and education may also be hampered by the fact that many displaced persons are frequently reported to lack the necessary documentation. The most common personal status documents reported to be missing are social welfare registration papers, civil identification cards, Public Distribution System cards, housing cards, nationality certificates, as well as marriage and divorce, birth and death certificates. The lack of critical documentation also appears to compromise IDP protection. Lack of personal identification documents restricts freedom of movement and also may put displaced persons at risk of arbitrary arrest. Access to employment is also restricted for those without proper documentation, as employers require a civil identification card.

**Housing** is a main priority for all Iraqis, but even more so for IDPs. Most IDPs rent homes, often at high and increasing costs, but many others are reported to live in improvised buildings made from mud, sticks, and oil canisters, find a place with or near host families, or settle in public buildings. Displacement resulted in the development of informal housing settlements. Nearly half a million Iraqis – comprised of IDPs, returnees and squatters – are reported to remain in more than 382 settlements throughout the country, including 121 settlements in Baghdad, on public land or in public buildings. Public buildings and settlements are often reported to be overcrowded and to lack sanitation services, drinkable water, and electricity. As illegal settlements are not connected to regular networks, IDPs apparently often resort to illegal tapping of water and electricity supplies, which in turn results in tensions with local communities. Further, illegal tapping often causes sewage to enter the water pipes, contaminating the water supply and causing health problems. Those living in public buildings are reportedly at risk of eviction and secondary displacement at any moment. Despite a December 2010 decision by the CoR to suspend evictions and demolition of informal settlements, it is reported that evictions continue. UNHCR is aware of 45 camps and settlements in central and southern Iraq where residents are under threat of eviction, including 13 in Baghdad. After the passage of the annual budget in late February 2012, evictions are expected to increase as the central and local authorities will, according to reports, start to implement infrastructure projects and therefore may need to “clear” illegal camps and settlements. Those evicted may, if no alternative solution is found for them, end up in a situation of secondary displacement. Other informal settlements are said to have been established on private land. IDP stay there is precarious, as it is fully dependent on the landowners’ goodwill. Several IDP families have reportedly recently received eviction orders or had their settlements demolished. Temporary settlements, including mud houses, may also be prone to damage or collapse as a result of storms or flooding.

Access to food is consistently mentioned as a priority concern by IDPs and returnees. While the overall food security situation in Iraq has improved in recent years, many Iraqis are still food insecure and rely on the Public Distribution System, which provides them, in principle, with essential items on a monthly basis. Displaced persons often face difficulties in accessing their monthly food rations through the Public Distribution System, especially if they move to another governorate. Persons originating from or relocating to a disputed area are not able to transfer their Public Distribution System registration to another place pending a settlement of the areas’ status in line with Article 140 of the Constitution. A third of IDPs interviewed by UNHCR in late 2009 did not have a Public Distribution System card valid in their governorate of residence, and only 15 per cent of those with a card reported receiving their full monthly entitlement. Those who do have access to the Public Distribution System have this apparently on an irregular basis, once every few months, and often report receiving only part of the food rations with several items missing that they then need to purchase from expensive local markets. A number of areas, mainly in Ninewa and Salah Al-Din, have experienced severe drought and related water scarcity and loss of livelihood, reportedly resulting in displacement, including secondary displacement of IDPs.

Access to education in southern and central Iraq has reportedly been severely impacted by years of conflict. Given the often high number of youth and children among the IDP population,
access to education is of major importance for their future employment and livelihood opportunities. However, access to education is reportedly often fraught with additional difficulties for those in displacement, resulting in a higher percentage of children out of school than among the general population.\textsuperscript{1372} Obstacles are reported to include inability to afford school supplies or transportation costs, and, in the case of girls, a perception that education is of less importance.\textsuperscript{1373} Other children are reportedly required to support their families through work.\textsuperscript{1374} IDP children may also face difficulties related to social and cultural differences in the place of displacement, e.g., in case where they have relocated from an urban to a more rural or conservative area. Those who are able to access schooling are often confronted with shortages of teachers, crowded classrooms and poor infrastructure.\textsuperscript{1375} Children in informal settlements often are reported not to have systematic access to education.\textsuperscript{1376}

Access to health care\textsuperscript{1377} is reported to be another priority for IDPs, especially women and children, who as a result of “[T]he stress of long periods of displacement, substandard living conditions, insufficient diet, and poor sanitation” may face a number of health issues.\textsuperscript{1378} Access to health services is said to be particularly difficult in rural areas where many IDPs are located.\textsuperscript{1379}

Unemployment is a major concern for IDPs, who as a result of displacement have often lost their source of income.\textsuperscript{1380} Their skills may not be marketable in the area of displacement\textsuperscript{1381} and IDPs may lack the affiliations or links required to secure employment in the area of relocation. Competition over jobs may also result in tension with the host community.\textsuperscript{1382} Often IDPs, and sometimes their children, have been reported to engage in temporary and often unreliable employment as day labourers or street sellers in order to make a living.\textsuperscript{1383} Unemployment is consistently reported to be higher among IDPs compared to the general population, and this is particularly true for those residing in informal settlements.\textsuperscript{1384} Of particular concern is the situation of female-headed households,\textsuperscript{1385} for whom access to employment is reportedly even more problematic, especially in conservative areas and in areas where local customs differ from those in their area of origin.\textsuperscript{1386} Those that find work allegedly often work under harsh conditions, e.g., in the agricultural sector.\textsuperscript{1387} Many female heads of household have to rely on often irregular assistance from relatives, charities and others.\textsuperscript{1388} Female heads of households are also often victims of physical and emotional violence and are particularly vulnerable to further displacement.\textsuperscript{1389}

Common ethnic or religious backgrounds and existing tribal and family ties in the area of relocation are crucial when assessing the availability of an IFA/IRA, as these generally ensure a certain level of community protection and access to services.\textsuperscript{1390} This is true for both towns and rural areas, where newcomers, particularly when they do not belong to the sect, tribes or families present there, may be discriminated against. Even those originating from the area may be perceived as newcomers, if they have lost all links with their community. Further, an IFA/IRA to an area with a predominantly different ethnic or religious demography may also not be possible due to latent or overt tensions between groups. This can be particularly the case for Sunnis in predominantly Shi‘ite areas, and vice versa, especially if the demographic make-up of the areas has changed as a result of previous sectarian violence.\textsuperscript{1391} Also, members of religious minority groups such as Christians or Yazidis should not be expected to relocate to an area with no presence of members of the same religious community that would allow for a certain level of support.
**b) Summary for IFA/IRA in Southern and Central Iraq**

In light of the above, UNHCR generally considers that even in cases where an IFA/IRA could be relevant because the agents of persecution are non-state agents whose reach does not extend to a proposed IFA/IRA area in southern and central Iraq, an IFA/IRA may not be a reasonable option in most cases.

In many cases, the application of an IFA/IRA would result in internal displacement within Iraq, adding to the already significant number of IDPs in the country. Access to education, employment, healthcare, housing, electricity, water and food is of concern to many Iraqis, but even more so for persons displaced from their habitual place of residence, who would likely be cut off from their source of income and traditional social networks. In addition, an individual could not reasonably be expected to relocate to an unsafe area. Depending on the area, IDPs may also be exposed to targeted and/or generalized violence, criminality or landmines/UXOs. Areas already hosting large numbers of IDPs are prone to tensions between the IDPs and the host community over scarce resources, housing and land disputes and rising prices.

Reports of insecurity, problematic living conditions and lack of documentation in southern and central Iraq militate against the availability of an IFA/IRA. Further, relocation to an area with a predominantly different ethnic or religious demographic is not reasonable due to latent or overt tensions between ethnic or religious groups. This can be particularly the case when considering relocation of Sunnis to predominantly Shi’ite areas or vice versa.

**Individuals Fleeing the Indiscriminate Effects of Violence**

When assessing the relevance of an IFA/IRA for those individuals having fled the indiscriminate effects of violence in Iraq and who are not eligible for protection according to the 1951 Convention, the area of prospective IFA/IRA has to be practically, safely and legally accessible. It is of particular importance to consider: (i) the concrete prospects of safely accessing areas of Iraq not affected by the generalized violence, including by assessing the risks associated with the widespread use of IEDs and bombings throughout the territory and attacks taking place on busy roads; and (ii) the volatility and fluidity of the conflict in terms of the difficulty of identifying potential safe zones. The elements outlined above for individuals at risk of persecution should be taken into consideration when applying the reasonableness test.

**D. Exclusion from International Refugee Protection**

In light of the serious human rights abuses and violations of international humanitarian law reported during Iraq’s long history of conflicts and repression, exclusion considerations under Article 1F of the 1951 Convention may arise in individual claims by Iraqi asylum-seekers. Exclusion considerations may be triggered if there are elements in the applicant’s claim that suggest that he or she may have been associated with or involved in the commission of criminal acts that fall within the scope of Article 1F. Given the potentially serious consequences of exclusion from international refugee protection, exclusion clauses need to be applied on the basis of a full assessment of the circumstances of the individual case.
Potential exclusion due to involvement in the commission of war crimes\textsuperscript{1394} in situations of both international\textsuperscript{1395} and non-international armed conflict,\textsuperscript{1396} crimes against humanity,\textsuperscript{1397} and serious non-political crimes\textsuperscript{1398} are of particular relevance in the context of Iraq.\textsuperscript{1399} Acts reportedly committed by the parties to the armed conflict in Iraq\textsuperscript{1400} include, \textit{inter alia}, abductions and enforced disappearances; indiscriminate attacks on civilians; forced displacement; torture and other cruel, inhuman and degrading treatment; murder, including political assassinations; mass killings; extrajudicial and summary executions; and forced recruitment for commission of terrorist acts and/or labour, including recruitment of children.

For exclusion to be justified, individual responsibility must be established in relation to a crime within the scope of Article 1F. Such responsibility may flow from a person having committed or participated in the commission of a criminal act, or on the basis of command/superior responsibility for persons in positions of authority. Adjudicators considering exclusion also need to review defenses to criminal responsibility, if any, as well as considerations related to proportionality. As such, mere membership in government security forces, political parties or armed groups is not a sufficient basis in itself to exclude an individual from refugee status, particularly in light of the documented practices of forced recruitment, including of children, and the widespread membership in the former Ba’ath Party. It is necessary to consider whether the individual concerned was personally involved in acts of violence or other excludable acts, or knowingly contributed in a substantial manner to such acts. A credible explanation regarding the individual’s non-involvement with, or disassociation from, any excludable acts should, absent reliable evidence to the contrary, remove the individual from the scope of the exclusion clauses.

In the context of Iraq, exclusion considerations may arise in the cases of asylum-seekers with certain backgrounds and profiles. Careful consideration needs to be given in particular to the following profiles: (i) members of the former regime of Saddam Hussein, including its armed forces (in particular elite troops and paramilitary forces), the police, the security and intelligence apparatus, and the judiciary; (ii) members of armed groups opposing the former regime of Saddam Hussein; (iii) members of the current ISF, the Iraqi government, the Kurdish Security Forces, as well as members of the Sahwa; (iv) members of armed groups; and (v) members of criminal gangs.

### Members of the Former Regime (1979 – 2003)

Members of the military, paramilitary, police and security services, as well as high-ranking government officials during the former regime are known to have been involved in various acts which may give rise to the application of Article 1F. These acts include, but are not limited to: (i) war crimes committed during the First Gulf War against Iran, including the summary execution of Iranian prisoners of war and the use of chemical weapons against Iranian soldiers;\textsuperscript{1401} (ii) destruction of 5,000 Kurdish Iraqi villages, mass deportation and killings of 180,000 Kurdish civilians, culminating in the \textit{Anfal} campaign against the Kurds and use of prohibited chemical weapons against civilians in 1987-88;\textsuperscript{1402} (iii) the forced expulsion of non-Arab citizens from Kirkuk and other oil-rich areas as part of the \textit{Arabization} campaign;\textsuperscript{1403} (iv) the killing, forced deportation, expropriation and denaturalization of Faili Kurds in 1980;\textsuperscript{1404} (v) crimes committed in the wake of the invasion and occupation of Kuwait (August 1990 - February 1991), including torture and killing of hundreds of Kuwaiti and third-country nationals;\textsuperscript{1405} (vi) the systematic drainage of the marsh areas (along with bombing raids, torture, disappearances and mass executions) and the consequent destruction of the economic, social and cultural base of the Marsh Arabs after the 1991 Gulf War;\textsuperscript{1406} (vii) the former regime’s repression of the Shi’ite population including “systematic assassinations, attacks and threats carried out against the Shi’a leadership”;\textsuperscript{1407} (viii) violent suppression of the 1991 uprisings by Shi’ites and Kurds;\textsuperscript{1408} (ix) systematic abuse of political opponents, including through summary and arbitrary executions, torture and other forms of cruel and inhuman treatment or punishment (for example amputations and mutilations for ordinary criminal offenses), and enforced or involuntary disappearances.\textsuperscript{1409}
Members of Armed Groups Opposing the Former Regime (1979 – 2003)

Crimes committed by various political groups and in particular their armed wings involved in violent resistance against the former regime of Saddam Hussein (e.g. Kurdish Peshmerga\textsuperscript{1410}, Badr Corps, Dawa Party) and mostly directed against government officials and institutions would also need to be assessed in light of the exclusion clauses. Article 1F(b) would be most relevant in this regard, as the acts in question may have been disproportionate to the alleged political objectives. Similar considerations would apply with regard to serious human rights violations committed against civilians and Kurdistan Democratic Party / Patriotic Union of Kurdistan officials by Kurdish Islamist groups\textsuperscript{1411} opposed to the ruling Kurdish parties after 1991.\textsuperscript{1412}

Members of the ISF, the Iraqi Government, the Kurdish Security Forces and members of the Sahwa (since 2003)

Reports suggest that members of the ISF, the Kurdish Security Forces, the Sahwa, as well as senior Iraqi Government officials serving since 2003, may have been involved in various acts which could give rise to the application of Article 1F. These acts include, but are not limited to: (i) extortion, arbitrary arrest, \textit{incommunica\textsuperscript{d} detention, torture and ill-treatment, and summary or extrajudicial executions of civilians reportedly committed by parts of the ISF, including, \textit{inter alia}, the Iraqi Police, the former Special Police Commandoes/Iraqi Federal Police, the Facilities Protection Service (FPS), and the Special Forces under the Prime Minister’s Office; (ii) abductions, torture, extra-judicial killings and extortion of civilians by members of the Sahwa; (iii) forced displacement and ill-treatment of Arab, Turkmen, Yazidi, and other minorities in the disputed territories, as well as arbitrary arrests, \textit{incommunica\textsuperscript{d} detention, torture and ill-treatment attributed to the Kurdish Peshmerga, security and intelligence agencies.

Members of Armed Groups (since 2003)

The applicability of the exclusion clauses is relevant in relation to individual members and the leadership of armed groups, including Islamic State of Iraq/Al-Qa’eda in Iraq, Ansar Al-Islam, Naqshbandi Army, Jaysh Al-Mahdi / Promised Day Brigades, Asa’ib Ahl Al-Haq, Kata’ib Hezbollah, and others.\textsuperscript{1413} Where there is sufficient evidence of their participation in serious violations of human rights and humanitarian law, application of Article 1F may be appropriate. The pattern of indiscriminate and targeted attacks on civilians and security forces by these armed groups, which include roadside bombings, car and suicide bombings, summary executions, torture, and forcible displacement, is widely reported and outlined in these Guidelines. With respect to individuals perceived to be members of armed groups, combatants and armed elements should not be considered as asylum-seekers unless it is established that they have genuinely and permanently renounced military and armed activities, in view of the need to maintain the civilian and humanitarian character of asylum.\textsuperscript{1414}

Members of Criminal Groups (since 2003)

Exclusion considerations also arise with respect to members of criminal gangs, which at times may operate in cooperation with or on behalf of armed groups. The activities of such gangs reportedly include abductions, extortion, rape, murder, forced prostitution and (sex) trafficking.\textsuperscript{1415}

\begin{itemize}
  \item \textsuperscript{1} UNHCR, \textit{UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Iraqi Asylum-Seekers}, April 2009, \texttt{http://www.unhcr.org/refworld/docid/49f569cf2.html}.
  \item \textsuperscript{3} \textit{Convention relating to the Status of Refugees}, 28 July 1951, United Nations, Treaty Series, vol. 189, p. 137, \texttt{http://www.unhcr.org/refworld/docid/3be01b964.html}.
  \item \textsuperscript{5} ERCR in its Annual Report for 2010 refers to Iraq as being in a situation of armed conflict (and has not withdrawn this qualification since then): “Despite improvements in the security situation, Iraq was still wracked by armed conflict. Armed violence, including bombings,

3. The Iraqi parliamentary elections were held on 7 March 2010, with more than 12 million Iraqis taking part in the election process as candidates and voters. Former Prime Minister Iyad Allawi’s National Movement garnered 91 of the 325 seats compared to PM Al-Maliki’s State of Law with 89. As none of the leading political blocs won an outright majority of seats in the 325-seat Council of Representatives (CoR), the constitutional process and power brokering over the formation of the new Government were prolonged. On 10 November 2010, a power-sharing agreement was reached (“Eribi Agreement”) by largely distributing power along sectarian/ethnic quotas. Under the agreement, the CoR elected Sunni Usama Al-Nujayfi as speaker and Kurd Jalal Talabani as president. President Talabani on 25 November 2010 officially reappointed Nouri Al-Maliki as prime minister. On 21 December 2010, the CoR voted in Prime Minister Nouri Al-Maliki’s 42-member government, after more than nine months of stalemate since the elections took place. However, 13 positions were only filled temporarily due to ongoing disputes between the political factions. The CoR on 13 February 2011 approved several more ministers but key posts remained unfilled including the ministries of defense and interior. As part of the agreement, the CoR also lifted de-Baathification charges against three key Iraqiyya bloc leaders, including Saleh al-Mutlaq, who was appointed as one of three Deputy Prime Ministers. For an overview of the developments and the make-up of the major coalitions for the 2010 elections, see Kenneth Katzmann, *Iraq: Politics, Governance, and Human Rights,* CRS, 24 January 2012, pp. 8, 12-15, http://www.fas.org/spp/cis/mideast/RS21968.pdf. See also Abeer Mohammed, *Securitarian Stalls Key Iraqi Cabinet Appointments,* IWR, *Iraq Crisis Report No. 372,* 31 March 2011, http://iwpr.net/report-news/securitarianism-stalls-key-iraqi-cabinet-appointments.


8. As part of the power-sharing agreement of November 2010, the “Eribi Agreement”, the political factions reportedly agreed to establish a “National Council for Strategic Policies”, to be headed by Iyad Al-Allawi, and to distribute the security portfolios among the main blocs; however, from the onset, the political factions had different views of the council’s functions and powers. Iyad Al-Allawi and his supporters wanted it to have an executive role in key areas such as national security that would serve as a counter-balance to the powers of the PM, whereas the PM Al-Maliki intended it to serve as a mere advisory function. “Syria’s Southern Front” includes the Governors of Babel, Basra, Dhiawany, Kerbala, Najf, Missan, Muthanna, Thi-Qar and Wasit. The Kurdistan Region, or the three Northern Governors, encompasses the Governors of Dahuk, Erbil and Sulaymiany.

15 Arrest campaign and layoffs of alleged Ba’athists and members of the former security services are said to have furthered this perception and to have increased mistrust. In October and November 2011 alone, more than 600 individuals, most of them Sunni, were reportedly arrested on often vague terrorism charges and allegations of ties with the former Ba’ath Party, reportedly all without arrest warrants. PM Al-Maliki is reportedly to have denied any sectarian or political motives behind the arrests, pointing out that both Shi’ites and Sunnis were arrested; however, the arrests were widely seen as attempts to consolidate power and marginalize political opponents as they were considered to have lacked legal consistency and transparency. According to Ramzy Mardini of the Institute for the Study of War, “The lack of transparency and legal standards have damaged the credibility of the Maliki government and cast doubt on their intentions, intensifying sectarian tensions and local Sunni Arab movements toward federalism.” Recent calls by Sunni Arabs in Al-Anbar, Salah Al-Din and Diyala Governorates to establish federal regions as foreseen in Article 119 of the Constitution, are meant as “a safeguard from Baghdad’s authoritarian tendencies”; Ramzy Mardini, Maliki Arrests Potential Opposition, Institute for the Study of War, 12 December 2011, http://www.understandingwar.org/sites/default/files/Background_MalikiArrestsPotentialOpposition.pdf. See also “(Perceived) Political Opponents”. Another longstanding issue between Sunnis and the Shi’ite-dominated government is the yet incomplete integration of the largely Sunni Salahwa forces into the ISF and civilian government employment, see below. 14 It was reported that, in adherence to the US-Iraq Security Agreement, which took effect on 1 January 2009, and the US troop drawdown plan outlined by US President Barack Obama on 27 February 2009, the USF-I withdrew its combat troops from Iraqi cities by 30 June 2009, withdrew all combat troops from Iraq by 31 August 2010 and completed the withdrawal before the end of 2011. Throughout 2011, there were reports of intense negotiations to extend the US military presence beyond the December 2011 deadline; however, on 21 October 2011, the US announced the full withdrawal of its troops after the Iraqi Government reportedly refused to grant legal immunity to remaining US troops. For an extensive view of the postponement of US troops’ presence in Iraq, see Iraq: Politics, Governance, and Human Rights, CRS, 24 January 2012, pp. 21, 31-34, http://www.fas.org/sgp/crs/mideast/RS21968.pdf. 13 According to Kenneth Katzmann, “Iraq might be in the throes of its worst political crisis since the U.S. invasion of 2003, and it is possible that the Iraqi central government might unwind [...]”; Kenneth Katzmann, Iraq: Politics, Governance, and Human Rights, CRS, 24 January 2012, p. 22, http://www.fas.org/sgp/crs/mideast/RS21968.pdf. According to Ramzy Mardini of the Institute for the Study of War, "(...) a troubling political crisis emerged in Baghdad and that has placed Iraq on a worrisome path that could potentially unravel and threaten its stability"; Ramzy Mardini, Iraq’s Post-Withdrawal Crisis, Update 1., Institute for the Study of War, 19 December 2011, http://www.understandingwar.org/backgrounds/iraqs-post-withdrawal-crisis-update-1. See also Charles Recknagel, Violence Soars As Political Crisis Paralyzes Iraq, RFE/RL, 27 January 2012, http://www.rferl.org/content/iraq_violence_explores/22465203.html. 12 PM Al-Maliki called for a no-confidence vote against Deputy Prime Minister Saleh Al-Mutlaq after the latter called Al-Maliki a “dictator” in an interview with CNN. Al-Maliki referred to Article 78 of the 2005 Constitution as a basis for removing Mu'tlaq, which gives the prime minister the right to dismiss ministers in his cabinet with the “consent” of the CoR, which can be achieved by a majority of the lawmakers in attendance. However, the CoR did not reach a quorum because the Kurdish bloc decided not to participate in the session; Ramzy Mardini, Iraq’s Recurring Political Crisis, Institute for the Study of War, 16 February 2012, http://www.understandingwar.org/backgrounds/iraqs-recurring-political-crisis; Mohammad Tawfeq and Arwa Damon, Iraq’s leader becoming a new ‘dictator,’ deputy warns, CNN, 13 December 2011, http://articles.cnn.com/2011/12/13/middleeast/world_iraq-maliki_1_iraqi-prime-minister-nuri-shiite-and-minority-sunni?_s=PM:MEDEAST. 11 In mid-December 2011, government forces and tanks surrounded the residency of Sunni Vice President Tarig Al-Hashemi in Baghdad. Two of his bodyguards were reportedly beaten and detained. On 18 December 2011, Al-Hashimi boarded a plane at Baghdad airport to meet with Iraqi President Jalal Talabani in Sulaymaniyah. He was removed from the plane by government forces but later allowed to travel to the Kurdistan region. On 19 December 2011, Al-Hashimi’s bodyguards in a televised appearance confessed to killings and bomb attacks, reportedly stating that they had received orders from Al-Hashimi. On 1 January 2012, an arrest warrant was issued against Al-Hashimi and on 16 February 2012, a judicial panel, whose findings are not legally binding, stated reportedly that at least 150 attacks and assassinations against religious pilgrims, security officials and political opponents between 2005 and 2011 were linked to Al-Hashimi. Among other charges, the panel also holds Al-Hashimi’s bodyguards responsible for a bombing in December 2011 on the Integrity Commission headquarters that killed 25 people and the assassination of a deputy education minister in 2010. Al-Hashimi and other Sunni leaders have not returned from the Kurdish Region after the issuance of the arrest warrant and Masoud Barzani, the KRG President, reportedly refused to hand him over to the central authorities despite Al-Maliki’s warning that there would be “problems” if they protected Al-Hashimi. Al-Hashimi rejected all the charges as “politically motivated” and said that he did not feel safe to return to Baghdad where any trial would be compromised as a result of undue influence on the judiciary. Reportedly more than 50 members of Al-Hashimi’s security and office staff are currently detained in Baghdad pending investigations relating to alleged terrorist acts; Jack Healy, Iraqi Official Was Behind 150 Attacks, Judges Say, New York Times, 16 February 2012, http://www.nytimes.com/2012/02/17/world/middleeast/iraqi-vice-president-faces-new-accusations-of-violence.html; Agencies, Iraq: panel lays out charges against Hashemi, 16 February 2012, http://www.ajazeera.com/news/middleeast/2012/02/201221616142140730.html; Sam Dagher, Iraqi Crisis Ebbs as Sunnis Return to Cabinet, Wall Street Journal, 8 February 2012, http://online.wsj.com/article/SB10001424052700035884095772093806817144726.html?mod=googlenews_wsj; Barbara Surk, Iraq’s Sunni-backed ministers return to Cabinet, AP, 7 February 2012, http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2012/02/07/international/i03543505.DTL; Martin Chulov, Iraqi PM warns Kurds they must hand over Sunni vice-president, Guardian, 21 December 2011, http://www.guardian.co.uk/world/2011/dec/21/iraqi-pm-kurds-sunni-vice-president. 18 Barbara Surk, Iraq’s Sunni-backed ministers return to Cabinet, AP, 7 February 2012, http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2012/02/07/international/i03543505.DTL; Michael S. Schmidt, Rising Strife Threatens Tenuous Iraqi Stability, New York Times, 22 January 2012, http://www.nytimes.com/2012/01/23/world/middleeast/stability-in-iraq-threatened-amid-power-struggle.html. 10 In January 2012, Iyad Al-Allawi of Iraqiya publicly accused PM Al-Maliki of having arbitrarily arrested 1,000 members of other political parties over the past several months and holding them incommunicado detention where they would be subjected to “brutal torture”; Roy Gutman, Sahar Issa And Latif Hammoudi, ‘Iraqi Maliki accused of detaining hundreds of political opponents, McClatchy Newspapers, 19 January 2012, http://www.mcmahonherald.com/2012/01/19/2507925/iraqi-maliki-accused-of-detaining.html. On 20 January 2012, an ISF unit under direct command of the PM was reported to have arrested the Deputy Governor of Diyala, Ghabdan Al-Khazraj, 60
also an Iraqiyya member, on terrorism charges. A second Deputy Governor, Jalal Al-Jabouri, also from Iraqiyya, reportedly escaped arrest by relocating to the Kurdistan Region. Arrest warrants were reportedly also issued against two Iraqiyya provincial councilors, charging them with “terrorist activities”;


On 29 January 2012, Iraqiyya ended a month-long boycott of the CoR. According to Maysoon Al-Damluji, spokeswoman for Iraqiyya, the political bloc decided to end the boycott as a “goodwill gesture” in order to “create a healthy atmosphere to help the national conference” and to “defuse the political crisis.” However, according to an Iraqiyya member of parliament, the bloc decided to return to the CoR in order to have a say in the passing of the 2012 national budget. Another possible reason to end the boycott, which was already disregarded by several Iraqiyya members of parliament and ministers, was, reportedly, to prevent a further break-up of the bloc; Ramzy Mardini, Iraq’s Recurring Political Crisis, Institute for the Study of War, 16 February 2012, http://www.understandingwar.org/backgrounders/iraqs-recurring-political-crisis; Also, on 7 February 2012, all Iraqiyya ministers reportedly attended cabinet meetings; Tim Arango, Iraq’s Political Crisis Eases as Sunnis Ministers Rejoin the Government, The New York Times, 7 February 2012, http://www.nytimes.com/2012/02/08/world/middleeast/crisis-in-iraq-lulls-as-sunni-ministers-return-to-cabinet.html.


Iran is under tight US, EU and UN sanctions due to its disputed nuclear program. The EU increased pressure by announcing an embargo against Iranian crude oil due to take effect on 1 January 2012. In response, Iran threatened to close the Strait of Hormuz, a step that would sharply affect Iran’s ability to export oil from its Southern port in Basrah; Mohammed Tawfiqueq, Iran wants alternative routes to ship oil amid tanker tensions, CNN, 18 March 2012, http://edition.cnn.com/2012/03/18/world/meast/iran-oil-europe-sanctions/; U.N. slaps new sanctions on Iran amid tensions, 6 February 2012, http://www.cbsnews.com/8301-202_162-57571898948-s-slaps-new-sanctions-on-iran-amid-tensions; Jim Loney, FACTBOX-Key political risks to watch in Iraq, Reuters, 2 February 2012, http://www.reuters.com/article/2012/02/02/iraq-risk-idAFLEXCS01A20120202.
The KRG and the central government both claim authority over parts of Kirkuk, Diyala, Ninewa and Salah Al-Din Governorates (so-called “disputed areas”). As a result, many disputed areas are legally under the administration of the central authorities, but are de facto controlled by the KRG. The draft Kurdistan Constitution, which was finalized by the Kurdish Parliament in 2009, in Article 2(1) unilaterally lays claim to all disputed areas by stipulating that Iraq Kurdistan is a de facto entity made up of the disputed areas, as well as the provinces of Kirkuk, Sulaymaniyah, and Erbil Provinces, as well as the districts of Akra, Sreekhan, Sinjar, Telkef, Karakush, and sub-districts of Zummar, Basha, Askal Kalak of the Nineveh province and the districts of Khanakeen, Mandalli of the Diyala province according to their administrative boundaries before 1968.”

Article 140 of the 2005 Iraqi Constitution, which incorporates Article 53 of the former Transitional Administrative Law (TAL), the KRG has de jure authority over “the territories that were administered by that government [the KRG] on 19 March 2003 in the governorates of Dahuk, Erbil, Suleymaniyah, Kirkuk, Diyala and Nineveh”. While there is no dispute that the KRG has de jure authority over the Governorates of Dahuk, Erbil and Sulaymaniyah, the TAL, as well as the 2005 Constitution (Article 142 says that this paragraph remains in force), fail to clearly define the southern borders of the Kurdistan Region. The KRG and the central government both claim authority over parts of Kirkuk, Diyala, Ninewa and Salah Al-Din Governorates (so-called “disputed areas”). As a result, many disputed areas are legally under the administration of the central authorities, but are de facto controlled by the KRG. The draft Kurdistan Constitution, which was finalized by the Kurdish Parliament in 2009, in Article 2(1) unilaterally lays claim to all disputed areas by stipulating that Iraq Kurdistan is a de facto entity made up of the disputed areas, as well as the provinces of Kirkuk, Sulaymaniyah, and Erbil Provinces, as well as the districts of Akra, Sreekhan, Sinjar, Telkef, Karakush, and sub-districts of Zummar, Basha, Askal Kalak of the Nineveh province and the districts of Khanakeen, Mandalli of the Diyala province according to their administrative boundaries before 1968.”

The KRG has de facto control of Kirkuk, the capital city of the region, where the KRG has entered into power-sharing agreements with other Kurdish factions.

In November 2011, another tense standoff was reported when the US Army ordered the KRG to relinquish control of Kirkuk’s military airfield from the withdrawing US Forces. The KRG reportedly ended the confrontation with a compromise under which the ISF was allowed to take control of the airfield, which however, as a result of broad sectarian/ethnic conflict, has interfered with the basic functions of governing and produced popular frustration over a failure of government to deliver services.
adopted its own oil and gas law and to have signed nearly 50 production-sharing contracts with international oil companies; however, the Iraqi Government has consistently demanded that all oil contracts go exclusively through its Ministry of Oil and has reportedly blacklisted companies that signed deals with the KRG, excluding them from working elsewhere in Iraq. Most recently, in October 2011, tensions reportedly increased after the KRG signed an exploration deal with Exxon Mobil Corp. At least two of the six exploration blocks concerned, the Qash and the Bashigua blocks, are reportedly to be located in the “disputed territories” of Ninewa Governorate that are de facto controlled by the KRG. According to Reidar Visser, an Iran expert with the Norwegian Institute of International Affairs, the Bashigua bloc is even located in a “particularly disputed area” given that Kurdistan claims in that area are not very popular among the local electorate. The KRG conceded that if the concerned territory was subsequently judged to be part of central government-administered territory, then the revenues would be reallocated retroactively. Nevertheless, the central government considers the exploration deal “illegal” and has been reported to state in February 2012 that it would ban Exxon from further oil and gas exploration bids in Southern Iraq; Joel Wing, Iraq Sanctions Exxon For Deal With Kurdistan, Al Jazeera, 18 February 2012, http://www.ajknews.com/en/aknews/8298.html; Reuters, Iraq Deputy Prime Minister Blasts “Threats” Against Exxon, 15 February 2012, http://www.foxbusiness.com/news/2012/02/15/iraq-deputy-prime-minister-blasts-threats-against-exxon/; Ahmed Rasheed, Iraq oil law deal fester as crisis drags on, Reuters, 26 January 2012, http://www.reuters.com/article/2012/01/26/iraq-oil-law-idUSBELL24L12201212; Kenneth Katzmann, Iraq: Politics, Governance, and Human Rights, CRS, 24 January 2012, p. 20, http://www.fas.org/sgp/crs/mideast/RS21968.pdf; Reidar Visser, Exxon Moving into Seriously Disputed Territory, Iraq Business News, 17 November 2011, http://www.iraqbusinessnews.com/2011/11/17/exxon-moving-into-seriously-disputed-territory/; See also Joost R. Hiltermann oft he International Crisis Group, who says that oil and gas in the „disputed areas” could „constitute a potential casus belli for both Baghdad and Erbil”; Joost R. Hiltermann, Ethnic interests could trump economic sense, Financial Times, 7 December 2011, http://www.crisisgroup.org/en/regions/middle-east-north-africa/iraq-iran-egypt/iraq-nds-eds/hiltermann-guest-column-ethnic-interests-could-trump-economic-sense.aspx.

35 The Iraq Constitution of 2005 establishes three main levels of government: the national government in Baghdad, regional governments and the governorates. Currently, there is only one region, the Kurdistan Region administered by the Kurdistan Regional Government (KRG). The Law of the Executive Procedures regarding the Formation of Regions (Law No. 13 of 2008) is reported to provide that any governorate or group of governorates may choose to form a federal region via popular referendum. In order to initiate such a referendum, one-third of the Provincial Council members or one-tenth of the voters in the relevant governorates must submit a request to hold a referendum (Article 2). If a simple majority of voters approves the measure in the referendum, a region is formed (Article 6); see Law of the Executive Procedures Regarding the Formation of Regions, Law No. 13, 2008, UNAMI, International English translation of, "Law No. 13 on Forming Regions", in "UNAMI INTERPRETATION OF IRELAND'S LAW ON FORMING REGIONS", download/upload/2009/01/cor_law_13_2008_formulation_of_region_en-1.pdf. In response to perceived Sunni political and economic marginalization, in the last quarter of 2011, Sunni groups in three governorates (Salah Al-Din, Al-Anbar and Diyala) sought to initiate the mechanism to hold popular referenda to create federal regions. These moves were reportedly opposed by the central authorities, but also to varying degrees at the governorate level (especially in the mixed Diyalah Governorate, where the move set off, at times, violent demonstrations and sit-ins by mostly Shi’ites in Ba’quba, causing Sunni and Kurdish members of the council who had supported the declaration to flee into Kurdish controlled areas in northern Diyala). PM Al-Maliki was reportedly to have dismissed the moves to form separate regions, saying that provincial and local governance institutions were currently too weak to assume the increased powers that would accompany such a change. Though no further actions have been taken to actually organize referenda, the underlying causes remain; KUNA, Iraq: Prime Minister Still Opposed To Federalism, 12 February 2012, http://www.eurasia review.com/12022012-iraq-prime-minister-still-opposed-to-federalism/; SIGIR, Quarterly Report and Seminannual Report to the United States Congress, 30 January 2012, p. 5, http://www.sigir.mil/files/quarterlyreports/January2012Report - January 2012.pdf?view=fit; Kenneth Katzmann, Iraq: Politics, Governance, and Human Rights, CRS, 24 January 2012, p. 17, http://www.fas.org/sgp/crs/mideast/RS21968.pdf; Joel Wings, Push To Make Iraq’s Diyala Province An Autonomous Region Fades, Musingson Iraq, 28 December 2011, http://musingsoniraq.blogspot.com/2011/12/push-to-make-iraq-as-diyala-province.html; Sam Dagher and Munaf Ammar, Disruptions Mount in Iraq, Wall Street Journal, 17 December 2011, http://online.wsj.com/article/SB1000142405297020345539045571107027887591713.html. In August 2011, also the Basrah provincial Council was reportedly seeking to create a federal region in reaction to what the local authorities say is an unfair distribution of oil revenues. The central government has not yet reacted to the demand and no further steps towards a referendum have been initiated. In February 2012, the provincial council reportedly postponed the bid, saying that the time was not right; Waheed Ghanim, Iraq’s Basra postpones bid for independence: Escape from centralism, Niqash, 3 February 2012, http://www.ekurud.net/miمناسبة/articles/mi32012/20110919-HT; Greg Carlstrom, The break up: More Iraqis bid for autonomy, Al Jazeera, 22 December 2011, http://www.aljazeera.com/news/asia/2011/122220111212161775181626.html; Reidar Visser, “De Facto” Independence: Johar al-Hashemi’s Aseneh Movement, 31 December 2011, http://www.aljazeera.com/news/mena/2011/1231201112161775181626.html. In summer 2006, Sunni tribes and former insurgent groups in Al-Anbar Governorate began to turn against AQI. In early 2007, the US military reportedly started to support and train these groups and encouraged them (referred to by the MNF-I as “Concerned Local Citizens” or “Sons of Iraq”) to spread into other Governorates, including Baghdad, Babel, Diyala, Kirkuk, Ninewa and Salah Al-Din, where Sunni armed groups led a violent campaign against the MNF-I/ISF and Iraqi civilians. From early on, AQI was reportedly to have started a systematic campaign against the Sahwa in all the aforementioned areas in an attempt to break it up and regain control over areas it once controlled. Members of the Sahwa are considered to be a prime target for armed groups as evidenced by almost daily reports of attacks and assassinations. In 2008, the Iraq Government vowed to absorb 20 percent of the Sahwa into the ISF and provide the rest with civilian government employment. The integration of the Sahwa fighters into security or civilian employment is considered a key to stabilizing Iraq. However, to date, their integration has been limited in numbers and geographic reach and promises to speed up the process after the formation of a new government have not been kept and by December 2011, only about half of them (about 50,000) had been integrated into the ISF or given civilian government jobs. Further fueling tensions, on 27 January 2012, Minister for National Reconciliation Al-Khuzaie was reported to have told the Iraqi press that ISF would no longer want to recruit Sahwa members. At the same time, a number of ISF commanders were reported to have signed on 30 January 2012 to have pledged to revive efforts to absorb the Sahwa into the ISF; Ramzy Mardini, Iraq’s Post-Withdrawal Crisis, Update 7, Institute for the Study of War, 3 February 2012, http://www.isw.org/publications/iraq-paper-withdrawal-crisis-update-7; Many are thought to fear being increasingly disillusioned and threatened Sahwa members could revert to AQI or other armed groups. AQI has reportedly begun to entice Sahwa members by outing their salaries paid by the Iraqi Government. Some former Sahwa members also reportedly maintain that rejoining AQI is the only way to protect themselves from being targeted by the group. Myriam Benraad, research fellow at the Paris Institute of Political Studies and the Center for International Studies and Research, “Although no firm figures exist that precisely count how many have switched sides and rejoined al-Qaeda and other insurgent groups at this stage, recent official sources suggest that possibly thousands have done so since 2009, often while still receiving government payroll and receiving ammunition”; In while still receiving government payroll and receiving ammunition “Iraqi police reportedly arrested a local Sahwa leader over his alleged involvement in deadly bombings against Shi’ite pilgrims in Kerbala on 20 January 2011; Myriam Benraad, Iraq’s Tribal Sahwa’s: Its Rise and Fall, Middle East Policy Council, 15 March 2011, http://www.mepc.org/journal/middle-east-policy-archives/iraq-tribal-sahwa-its-rise-and-fall.html; Kenneth Katzmann, Iraq: Politics, Governance, and Human Rights, CRS, 24 January 2012, p. 17, http://www.fas.org/sgp/crs/mideast/RS21968.pdf; Reuters, Iraq’s Qaeda asks ex-fighters to return, threatens attacks, 8 August 2011, http://www.trust.org/alertnet/news/iraq-quadas-asks-ex-fighters-to-return-threatens-attacks/; Waleed Ibrahim, Iraqi Sunni


For example,


- On 23 February 2012, simultaneous early morning involving bombings and shootings across Iraq reportedly killed at least 55 people and wounded more than 200 in Baghdad. At least 32 people were killed in 10 explosions in mainly Shi’ite neighbourhoods. More than a dozen blasts and attacks hit other cities and towns in Al-Anbar, Babel, Kirkuk and Salah Al-Din Governorates, many of them targeting police. Although no group claimed responsibility for the attacks, Iraqi officials were reported to blame AQI, which in the past carried out similar coordinated attacks, Kareem Raheem, Iraq attacks kill 60, raise sectarian fears, Reuters, 23 February 2012, http://www.trust.org/alertnet/news/iraq-attacks-kill-60-raise-sectarian-fears/; Asaad Alazawi and Ernesto Londoño, At least 55 killed in wave of bombings across Iraq, Washington Post, 23 February 2012, http://www.washingntonpost.com/world/middle-east/more-than-50-killed-in-wave-of-bombings-across-iraq/2012/02/23/gJQAE6UI/view_story.html.

- On 23 February 2012, simultaneous early morning involving bombings and shootings across Iraq reportedly killed at least 55 people and wounded more than 200 across Iraq. In the worst incident, a roadside bomb followed by a car bomb targeting police near a busy downtown market reportedly killed at least 37 people and wounded more than 60 in Kut (Wasit). And in Diyala, 12 people were reported to have died in two attacks that targeted an Iraqi checkpoint and a military camp. An estimated 20 others were wounded. Laith Hammoudi, Coordinated attacks kill 68 on Iraq’s deadliest day this month, McClatchy Newspapers, 15 August 2011, http://www.mcclatchycdv.com/2011/08/15/120705/explosions-rip-iraq-from-north.html.


- On 10 May 2010, a series of reported attacks in Baghdad, Basrah, Fallujah, Samarra, Hilla, Mahmudiya, Tarmiya and Susayya struck police and army checkpoints, as well as markets, a mayor’s office and a textile factory, killing more than 100 and wounding hundreds; Steven Lee Myers, Coordinated Attacks in Iraq Kill More Than 100, New York Times, 10 May 2010, http://www.nytimes.com/2010/05/11/world/middleeast/iraq.html.


38 In 2006 and 2007, Iraq Body Count (IBC) based on media reports recorded 28,062 and 24,940 civilian casualties, respectively. In 2008 and even more in 2009, reported violence dropped significantly (down to 9,357 in 2008 and 4,704 in 2009). In 2010, IBC recorded reports of 4,045 civilian deaths and in 2011, 4,087; see IBC, Database, http://www.iraqbodycount.org/database/. See also “Civilian Casualties”.

39 IBC Database, accessed 18 March 2012, http://www.iraqbodycount.org/database/. According to Michael Knights from the Washington Institute for Near East Policy, which collates security metrics directly from the Iraqi government, Iraq witnessed 36 confirmed attempted mass-casualty attacks in January 2012, a significant increase of the average of 23 attacks a month in the last quarter of 2011. The Washington Institute also accounted for 561 reported attacks in January 2012, compared to 494 reported attacks in December 2011 and 302 reported attacks in November 2011. According to these statistics, a rise in violence is observed in particular in:

1) Mosul, which remains the main hub of Sunni armed groups (here the number of attacks reportedly jumped from 22 security incidents in November 2011 to 105 in January 2012);

2) “Sectarian melting pots”, where Sunni armed groups attack Shi’ite civilians as well as Sahwa members (Baghdad and the governorates surrounding the capital);

3) In the „disputed areas”, including Kirkuk but also in smaller towns and villages; Michael Knights, A Violent New Year in Iraq, The National Interest, 16 February 2012, http://nationalinterest.org/commentary/violent-new-year-iraq-6517. Casualty figures provided by the Iraqi Government, though lower, also showed a slight increase (99 civilians were killed in January, up from 90 in December. Thirty-one police and 21 soldiers were reported to have been killed, down from 36 and 29 respectively the previous month), but significantly lower than figures provided by IBC or other sources; Reuters, Iraq civilian deaths rise in January-govt figures, 1 February 2012, http://www.theruro.org/alertnet/news/iraq-civilian-deaths-rise-in-january-govt-figures.
Political Leaders Seeking Maliki’s Ouster

The most recent major attacks included:


- On 19 February 2012, a suicide bomber reportedly detonated his car as a group of police recruits left their academy in Baghdad, killing 20 and wounding at least 28; AP, Iraq suicide car bomber kills 20 at police academy, 19 February 2012, http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2012/02/19/MN6OJ1O8M8.DTL; AQI was reported to have claimed responsibility for the attack; AFP, Qaeda claims Iraq police academy attack: SITE, 17 March 2012, http://www.finance24.com/en/20120317/qaeda-claims-iraq-police-academy-attack-site.

The 5th edition of the Global Peace Index (GPI) for 2011 ranked Iraq as the world’s second least-peaceful country after Somalia. This is the first time Iraq is not ranked lowest in the GPI, which gauges ongoing domestic and international conflict, safety and security in society, and militarization in 153 countries. The improvement in the ranking is linked to better security situation, the formation of a new government and better relations with neighboring countries compared to previous years. However, the report notes “tension and violent remain widespread with the exception of the relatively peaceful Kurdish-inhabited northern part of the country. The level of trust in other citizens, the homicide rate, the level of violent crime, the perceptions of criminality, the likelihood of violent demonstrations and the potential for terrorist acts all receive the highest possible scores”. It also mentions that displacement remains high (the third-highest in the world). Furthermore, the availability of small arms and light weapons remains widespread; Institute for Economics and Peace, Global Peace Index-2011 Methodology, Results and Findings, 25 May 2011, pp. 19-29, http://www.visionofhumanity.org/wp-content/uploads/PDF/2011%20GPI%20Results%20Report.pdf; see also US Department of State, 2010 Country Reports on Human Rights Practices - Iraq, 8 April 2011, http://www.state.gov/documents/organization/160462.pdf.

At the height of the conflict in 2006/2007, the average number of reported deaths by suicide attacks and car bombs was 16 and 21, respectively. In 2008, the number dropped to 10 per day, in 2009 to 8.3 per day and in 2010 to 7.3; IBC, Database, accessed 8 February 2012, http://www.iraqbodycount.org/database.

This figure was highest during the peak of the sectarian conflict in 2006/2007 when dozens of people were reportedly executed on a daily basis (57 per day in 2006 and 41 per day in 2007). Since then, the number of civilians reported to have been executed has dropped to a low of 3.9 per day in 2010, but has again increased over the course of 2011; IBC, Database, accessed 8 February 2012, http://www.iraqbodycount.org/database.

See “Government Officials” and “Members of the Iraqi Security Forces (ISF)”.

See “Actors of Violence”.

See “Actors of Violence”.

See “Availability of National Protection”.

See “Availability of National Protection”.

See “Judges and Lawyers”.

See “Actors of Violence”.

Despite Iraqi Law requiring that criminal suspects must have their case reviewed by an examining magistrate within 24 hours of arrest (Article 123 of the 1971 Law on Criminal Proceedings), detainees are reportedly held without charge or trial for prolonged periods of time, at times for several years. While exact figures are not disclosed by the GoI, Amnesty International estimates that some 30,000 detainees are reportedly suffering from health problems, mostly skin infections; UNAMI Human Rights Office/OHCHR, 2010 Report on Human Rights in Iraq, January 2011, pp. 15, 17, http://www.ohchr.org/Documents/Countries/IQ/UNAMI_HR%20Report_Iraq11_en.pdf; Law on Criminal Proceedings (Law No. 23 of 1971), 4 February 1971, http://www.unhcr.org/refworld/docid/468674f2.html.


There are reports of severe overcrowding, lack of natural light or ventilation, and generally unhygienic conditions. According to the UN Secretary-General, detention conditions “are characterized by overcrowding, poor hygiene, a lack of rehabilitation programmes for detainees and poor security.” He further reported that during a monitoring visit conducted by UNAMI in the Hilla Central Prison in Babel Governorate, severe overcrowding was found with 1,300 detainees being held in a facility with a capacity of 300; UN Security Council, First report of the Secretary-General pursuant to paragraph 6 of resolution 6501 (2011), 28 November 2011, para 59, http://www.uniraq.gov/Iraq/pdf/law/6501.pdf; Amnesty International, Report on the Human Rights Situation in Iraq 2011, 736 EN.pdf. In 2010, UNAMI conducted 21 monitoring visits to prisons and detention centres in Central and Southern Iraq. While the physical condition of the facilities and the standards of detainee treatment varied to a large extent, overcrowding was reportedly prevalent in many facilities. It further reported that in some places, prisoners were removed before UNAMI’s arrival in order to avoid giving the impression of overcrowding. As a result of unhygienic conditions, many detainees reportedly suffered from health problems, mostly skin infections; UNAMI Human Rights Office/OHCHR, 2010 Report on Human Rights in
Iraq, January 2011, pp. 14-17, http://www.ohchr.org/Documents/Countries/IQ/UNAMI_HR%20Report_1Aug11_en.pdf. According to HRW and Amnesty International, the situation worsened in July 2010 after the USF-I transferred most of its remaining prison sites and detainees to Iraqi custody; HRW, World Report 2011: Iraq; January 2011, http://www.hrw.org/world-report-2011/iraq; Amnesty International, New Order, Same Abuses: Unlawful Detentions And Torture In Iraq, September 2010, p. 6, http://www.amnesty.org/en/library/asset/MDE14/006/2010/en/7df06cb-5dc4-4820-9f14-a977f863666d/mde140062010en.pdf. The Iraqi Constitution (art. 37) and the Law on Criminal Proceedings (Article 127) explicitly prohibit the use of torture and the Iraqi Penal Code and the Law on Criminal Proceedings provide for criminal liability of the use of torture; Constitution of the Republic of Iraq, http://www.unhchr.ch/refworld/docid/454f50804.html; Law No. 23 of 1971, Law on Criminal Proceedings, 4 February 1971, http://www.unhchr.ch/refworld/docid/468a674z.html. According to Amnesty International, “[t]orture and other ill-treatment of detainees were rife in Iraqi prisons; especially those controlled by the Ministries of Defense and Interior”; Amnesty International, Annual Report 2011, May 2011, http://www.amnesty.org/en/region/iraq/report-2011#section-65-11. The human rights organization also reported that torture and ill-treatment most commonly take place following arrest when detainees are held incommunicado in police stations and detention facilities controlled by the Ministries of Interior and Defence; Amnesty International, New Order, Same Abuses: Unlawful Detentions And Torture In Iraq, September 2010, p. 32, http://www.amnesty.org/en/library/asset/MDE14/006/2010/en/7df06cb-5dc4-4820-9f14-a977f863666d/mde140062010en.pdf. UNAMI staff visiting various detention facilities in 2010 reported seeing marks on some prisoners and detainees that appeared consistent with torture or mistreatment. UNAMI further reported that prisoners with visible marks of torture or abuse were removed from their cells before UNAMI’s visit. UNAMI further reported to have received evidence that detainees and prisoners were harmed after speaking to UNAMI. Common techniques alleged included beatings, death threats (including against family members), suspension from iron bars in painful positions for lengthy periods of time, electric shocks, sexual assaults, cigarette burns to the body, food, water and sleep deprivation, denial of medial treatment, near-suffocation by plastic bags placed over the head. UNAMI describes in its 2010 report a range of institutional, legal and environmental reasons resulting in the widespread and systematic use of torture and mistreatment, including, inter alia, a lack of accountability, insufficient resources, a “culture of abuse” and weak institutional capacity; UNAMI Human Rights Office/OHCHR, 2010 Report on Human Rights in Iraq, January 2011, pp. 15, 18-19, http://www.ohchr.org/Documents/Countries/IQ/UNAMI_HR%20Report_1Aug11_en.pdf. See also HRW, World Report 2012: Iraq, January 2012, http://www.hrw.org/world-report-2012/world-report-2012-iraq; US Department of State, 2010 Country Reports on Human Rights Practices - Iraq, 8 April 2011, pp. 6-7, http://www.state.gov/d/organization/169462.pdf. In February 2011, HRW reported that security forces controlled by the office of Prime Minister were operating a secret detention site at Camp Justice in northwest Baghdad. Reportedly, authorities transferred more than 280 detainees, almost all of them terrorism suspects, to this site ahead of a planned international inspection of their previous location at Camp Honor in Baghdads International Zone. Camp Honor itself was the subject of scrutiny in January 2011, after the Los Angeles Times reported widespread abuse there and described the conditions as “miserable.” HRW interviewed several former detainees at Camp Honor and documented that detainees were held incommunicado in inhumane conditions, often for several months. HRW reported of wide ranging abuses including beatings, suspension from the ceiling, electric shocks and asphyxiation with plastic bags put over detainees’ heads. PM Al-Maliki reportedly called the report ”a lie” and said “We don’t have secret prisons, we don’t have political detainees or secret detainees.” According to the Iraqi Minister of Justice, who refuted all the allegations, the facility at Camp Honor was under his full authority. However, HRW reported to have obtained documents showing that the facility was under control of the Army’s 56th Brigade ("Baghdad Brigade") and the Counter-Terrorism Service, both under the authority of the PM’s Office. It was reported that on 14 March 2011, the Iraqi authorities announced that Camp Honor would be closed after a parliamentary committee found evidence of torture there. The committee reportedly told HRW that they had observed 175 prisoners in “horrible conditions” at the prison. They also reported “signs of recent abuse, including electric shocks” and marks on detainees’ bodies. Detainees reportedly told the committee that more than 40 other detainees had been hastily removed from the site just before the committee’s arrival. On 19 March 2011, PM Al-Maliki issued a statement reiterating that “there are no secret detention centers, and all prisons and detention centers are open to regulatory authorities and judicial authorities, which must report any violations found, if any, and notify judicial authorities to take legal action against the perpetrators.” However, HRW reportedly received credible information that detainees are still held at Camp Honor, and that by the end of 2011, no officials had been prosecuted for torture in Camp Honor; HRW, World Report 2012: Iraq, January 2012, http://www.hrw.org/world-report-2012/world-report-2012-iraq; HRW, Iraq: Closing Torture Prison Won’t End Abuse, 31 March 2011, http://www.hrw.org/news/2011/03/31/iraq-closing-torture-prison-wont-end-abuse; AFP, "Iraq's Maliki denies reports of secret prisons", 6 February 2011, http://www.alarabyeya.com/articles/2011/2/6/3/b493.html; HRW, Iraq: Secretary of Defense "Incourages" Inhuman Treatment of Detainees, 7 February 2011, http://www.hrw.org/news/2011/02/01/iraq-secretary-defense-encourages-inhuman-treatment-detainees. Alleged abuse at Iraqi detention center prompts oversight concerns, Los Angeles Times, 23 January 2011, http://articles.latimes.com/2011/jan/23/world/la-fg-iraq-prison-20110124. On 19 April 2010, media reported the discovery of a secret prison at the old Muthanna Airport operated by security forces under control of the PM’s Office (54th Brigade with the assistance of the 56th Brigade). More than 400 mostly Sunni Arab detainees, arrested in October 2009 in Nineawa Governorate, were reportedly being held there in incommunicado detention. Over 100 of them were reported to have been subjected to torture, including beatings, rape, suffocation with plastic bags and electricity applied to sensitive parts of the body. One prisoner reportedly died in January 2010 from the abuse. Reportedly, no officials associated with the event were held accountable. According to government officials, 75 of the prisoners were released and 200 were transferred to other jails; US Department of State, 2010 Country Reports on Human Rights Practices - Iraq, 8 April 2011, p. 7, http://www.state.gov/documents/organization/160462.pdf; HRW, World Report 2011: Iraq, January 2011, http://www.hrw.org/world-report-2011/iraq. It is reported that sometimes, “confessions” are televised, jeopardizing the defendant’s right to a fair trial and violating the presumption of innocence; Amnesty International, Annual Report 2011, May 2011, http://www.amnesty.org/en/region/iraq/report-2011#section-65-11; UNAMI Human Rights Office/OHCHR, 2010 Report on Human Rights in Iraq, January 2011, pp. 15, 18-19, http://www.ohchr.org/Documents/Countries/IQ/UNAMI_HR%20Report_1Aug11_en.pdf. UNAMI reported that detainees were threatened with death or rape of female family members if they refused to sign confessions. UNAMI also received consistent reports that suspects were coerced to sign statements, which they had not been allowed to read; UNAMI Human Rights Office/OHCHR, 2010 Report on Human Rights in Iraq, January 2011, pp. 15, 18, http://www.ohchr.org/Documents/Countries/IQ/UNAMI_HR%20Report_1Aug11_en.pdf. It is reported that commonly, death certificates attribute death to “heart failure” or “heart attack” without further medical explanations. Human rights organizations however have reported that signs of torture have been found on detainees’ bodies; Amnesty International, Brief to Boden: Tortured, Tortured Minds, and Neglect of Detainees Abuse in Iraq; March 2011, p. 11, http://www.amnesty.org/en/library/asset/MDE14/001/2011/en/48c3f6c-9607-4926-92b7-5d1e1ca51976/mde140012011en.pdf. According to UNAMI, at least nine detainees reportedly died as a result of torture in 2010. And according to the Iraqi MoHR, four persons died as a result of torture in 2009; UNAMI Human Rights Office/OHCHR, 2010 Report on Human Rights in Iraq, January 2011, pp. 13, 19, http://www.ohchr.org/Documents/Countries/IQ/UNAMI_HR%20Report_1Aug11_en.pdf.
Persons subjected to torture and ill-treatment are said to be reluctant to report any of the violations mainly due to fear of retribution. If abuses are reported, the authorities reportedly often do not conduct investigations into the allegations. In the rare instances where investigations were carried out, results were apparently not made public and penalties applied to perpetrators were often limited to disciplinary or administrative measures. According to HRW, “[S]ecurity forces in Iraq, particularly in detention facilities, violate rights with impunity, and the government too often looks the other way.” And the US Department of State assessed that “[L]imitation for security forces continues.”


The former CCA established the CCCI by Order No. 13. It has jurisdiction to hear cases involving serious criminal offenses, including terrorism, organized crime, governmental corruption, acts intended to destabilize democratic institutions or processes and violence based on race, nationality, ethnicity or religion (Section 18); see CPA, Order No. 13 (revised and amended), The Central Criminal Court of Iraq, 27 April 2004, http://www.unhchr.ch/pdf/docs/d2421034743.html. See also HRW, The Quality of Justice – Failings of Iraq’s Central Criminal Court, December 2008, pp. 14-15, http://www.hrw.org/sites/default/files/reports/iraq1208web.pdf.


Under the regime of Saddam Hussein, the death penalty was applicable for a wide range of offences and was used extensively. The former CPA by Order No. 7 amended the Iraqi Penal Code and suspended the death penalty. However, Order No. 3 of 2004 of the Interim Iraqi Government (IG), passed on 8 August 2004, reintroduced the death penalty and provides for capital punishment for some 48 crimes including those affecting internal state security, public safety, accidents on means of transportation, premeditated murder, drug trafficking, and abduction. The death penalty is extensively used in Iraq, mostly against defendants convicted of involvement in armed attacks. In December 2010, Iraq was one of a few states that voted against a UN General Assembly resolution calling for a worldwide moratorium on executions. According to OHCHR estimates, more than 1,200 persons have been sentenced to death since 2004. Despite objections by Ms. Nabi Pilla, the UN High Commissioner for Human Rights, who called the number of executions “terrifying”, saying there were “major concerns about due process and fairness of trials”, between 1 January and 21 February 2012, Iraq executed at least 69 persons convicted mostly of terrorism-related charges. The UN High Commissioner for Human Rights also expressed concern that there are no reports of any person on death row being pardoned despite the well-documented cases of confessions being extracted under duress. Pillai called for an immediate moratorium. According to Haidar Al-Saadi, spokesman for the Iraqi Ministry of Justice, Iraq executed 68 persons in 2011, commonly by hanging. He further asserted that 99 percent of those executed were sentenced to death for terrorism-related crimes; AFP, Iraq’s 2012 executions up 64 percent, number at 34, February 2012; http://www.google.com/hostednews/ap/article/AlAlgsMu5Wh2Re6KkTk0BRnKmNqWQ18wQs2Cq0cID=CGNA3740593e518ae063874127.


63 The Asayish is the official security agency in the Kurdistan Region. Law No. 46 of 2004 describes the role of the Asayish as follows: “protect the population, provide stability and security in the Kurdistan Region of Iraq and to combat terrorism, espionage and drug-related crime” (Article 6). The Asayish does not fall under the jurisdiction of any ministry, but reports directly to the presidency of the KRG. However, in reality, two separate Asayish entities are reportedly continuing to function, each under the control of the KDP and the PUK in their respective areas of influence, both within the Kurdistan Region but also in areas de facto under their control; US Department of State, 2010 Country Reports on Human Rights Practices - Iraq, 8 April 2011, pp. 8, 13, http://www.state.gov/documents/organization/160462.pdf; UNAMI Human Rights Office/OHCHR, 2010 Report on Human Rights in Iraq, January 2011, pp. 27, 50, http://www.ohchr.org/Documents/Countries/IQ/UNAMI_HR%20Report_1Aug11_en.pdf. The Asayish reportedly run their own detention centres that are not under control of the KRG authorities, but rather the KDP and the PUK. Respectively, there is an Asayish facility in every city and town, each one with a detention centre or prison; US Department of State, 2010 Country Reports on Human Rights Practices - Iraq, 8 April 2011, pp. 8, 10, http://www.state.gov/documents/organization/160462.pdf; Amnesty International, Days of Rage – Protests and Repression in Iraq, April 2011, p. 10, http://www.amnesty.org/en/library/asset/MDE14/006/2009/en/c25ee23-3d04-4b6c-41f5-06cd5101f62f1a400620110en.pdf.


66 In 2010, UNAMI reportedly became aware of several persons detained in security detention facility in Erbil, who had been held for prolonged periods of time on terrorism-related charges. The authorities reportedly informed that they were unwilling to bring these cases to court because they considered the applicable penalties under the Criminal Code as being “too lenient”; UNAMI Human Rights Office/OHCHR,
According to the International Crisis Group, “[P]ublic services continue to be plagued by severe deficiencies, notably widespread corruption, which spread like a virus throughout state institutions during the years of lawlessness that prevailed until 2008.” It further assessed that partly as a result of widespread corruption, “(…) living standards languish, even paling in comparison with the country’s own recent past. This applies to practically all aspects of life, including the health, education and electricity sectors, all of which underperform despite marked budget increases.”

In September 2006, the Kurdistan National Assembly repealed the CPA’s decision to suspend the death penalty. According to this decision, the final authority for confirmation of death sentences approved by the Iraqi Supreme Court rests with the Kurdish Executive. Reportedly, between 2006 and 2008, 18 persons have been executed in the Kurdistan Region (all but one case in Erbil). Ako Muhammed, Capital punishment opposed in Kurdistan. KRG, 3 July 2008, http://www.kurdishglobe.net/displayArticle.php?spd=9F97D7967ED1C1DF95A5A14377A5B8.

In 2010, 19 persons were reportedly sentenced to death, including 10 for murder under the Criminal Code and nine under the 2006 Anti-Terrorism Law (Article 2 Item 3), which stipulates the death sentence for “[e]stablishing or organizing or managing an organization or association, committee, gang, centre, group or to lead these to commit one of the terror acts mentioned above;” UNAMI Human Rights Office/OCHR, 2010 Report on Human Rights in Iraq, January 2011, p. 30, http://www.unohchr.org/Documents/Countries/IQ/UNAMI_HR%20Report_1Aug11_en.pdf.

According to Sarah Leah Whitson, Middle East Director at Human Rights Watch, “Iraq is quickly slipping back into authoritarianism as its security forces abuse protesters, harass journalists and torture detainees. Despite U.S. government assurances that it helped create a stable democracy, the reality is that it left behind a budding police state.” HRW, Iraq: Intensifying Crackdown on Free Speech, Protests, 22 January 2012, http://www.hrw.org/news/2012/01/22/iraq-intensifying-crackdown-free-speech-protests.

See “Journalists and Other Media Professionals” and “Individuals (Perceived as) Opposing the KRG Authorities”.


The law (in Arabic) can be found at: http://www.niqash.org/uploaded/documents/antiterorlaw.kurdistan.htm.


According to Sarah Leah Whitson, Middle East Director at Human Rights Watch, “Iraq is quickly slipping back into authoritarianism as its security forces abuse protesters, harass journalists and torture detainees. Despite U.S. government assurances that it helped create a stable democracy, the reality is that it left behind a budding police state.” HRW, Iraq: Intensifying Crackdown on Free Speech, Protests, 22 January 2012, http://www.hrw.org/news/2012/01/22/iraq-intensifying-crackdown-free-speech-protests.

See “Journalists and Other Media Professionals” and “Individuals (Perceived as) Opposing the KRG Authorities”. Transparency International’s Corruption Perceptions Index 2011, which measures the perceived levels of public sector corruption in 183 countries and territories around the world ranked Iran 175th out of 182 countries. Transparency International, Corruption Perceptions Index 2011, http://cpi.transparency.org/cpi2011. According to the Chief Justice of the Higher Judicial Council (HC), Medhat Al-Mahmoud, corruption in Iraq is “pervasive” and although it exists at all levels of the Government, it is “worse among high-ranking officials and has seemingly become the norm in many ministries.” SIGIR, Quarterly Report and Semiannual Report to the United States Congress, 30 January 2012, p. 70, http://www.sigir-mli.org/files/statement/reports/2012/12-01-2012.pdf. The Iraq Knowledge Network (IKN) survey of 2011 revealed that Iraqis perceive political parties and local civil servants to be heavily affected by corruption, while the media and the judiciary were perceived to be less affected. According to the survey, more than half of the population (54%) believes that the situation has deteriorated during the two years preceding the survey and only 28 percent consider the government’s anti-corruption efforts to have been effective. IKN, Governance Factsheet, December 2011, p. 2, http://www.wiltonria.org/documents/1581/GovernanceFactsheet-English.pdf.


83 A recent poll conducted by Gallup found that an increasing number of Iraqis, 25 percent in September 2011 compared to 14 percent in October 2010, rate their lives poorly enough to be considered as “suffering.” These findings are a reversal of the positive trend observed between 2008 and 2010. The percentage of Iraqis aged 15 or older that are “suffering” in 2011 is close to the high of 30 percent recorded in June 2008, at the end of intense sectarian violence. The rate also is among the highest in the Middle East and North Africa and the percentage of Iraqis who are “thriving,” only 7 percent of the respondents—is among the lowest. On the other hand, the poll revealed that negative emotions such as sadness, stress, and anger were increasing with, for example, 70% stating that they were experiencing stress and 60% stating they were experiencing anger during much of the day prior to the interview. According to Gallup, “a stressed, angry population whose wellbeing is decreasing is not conducive to stability.” The results are based on face-to-face interviews with about 1,000 adults, aged 15 and older, conducted between June 2008 and September 2011 in Iraq. Stafford Nichols, ’Suffering’ in Iraq Highest Since 2008, Gallup, 9 January 2012, http://www.gallup.com/poll/151940/Suffering-Iraq-Highest-2008.aspx. Another Gallup poll suggested that Iraqis’ dissatisfaction with economic conditions is the highest in three years with 37% percent saying that the economy is getting worse in 2011 compared to 14 percent in 2009. Nearly two-thirds of Iraqis (65%) say it is a bad time to find a job in the city or area where they live, up from 41% in early 2010. The poll also found that more than half of all Iraqis state they are dissatisfied with their standard of living, and third of Iraqis (65%) say it is a bad time to find a job in the city or area where they live, up from 41% in early 2010. The poll also found that more than half of all Iraqis state that they are dissatisfied with their standard of living, and more Iraqis see their standard of living getting worse than getting better—the first time this has been the case since Gallup started asking the question in 2008. Nicole Naurath, Economic Negativity Abounds in Iraq, Abu Dhabi Gallup Center, 26 September 2011, http://www.gallup.com/poll/199702/economic-negativity-abounds-iraq.aspx.

84 Partly inspired by the revolutions in Tunisia and Egypt in spring 2011, reportedly thousands of Iraqis took the streets across the country calling for better services and an end to corruption. According to Kenneth Katzmann, “[T]he spread of unrest into Iraq suggested to many that Iraqis have been frustrated by what they perceive as a nearly exclusive focus of the major factions on politics rather than governing or improving services.” Kenneth Katzmann, Iraq: Politics, Governance, and Human Rights, CRS, 24 January 2012, p. 24, http://www.fas.org/sgp/crs/mideast/RS21968.pdf. It is reported that while the Iraqi Government did make some concessions to protestors, it largely cracked down on protests. Both the ISF and the Kurdish security forces, at times helped by government or party-sponsored gangs, have been accused of using excessive force against protestors, killing, inter alia, at least 25 on the 25 February 2011 “Day of Rage”. According to accounts, many protesters and journalists were arbitrarily arrested, detained, and subjected to beatings and other ill treatment. Reportedly, PM Al-Maliki pledged not to seek a third term in 2014 and called for a constitutional term limit. He also set a 100-day deadline for his cabinet members to respond to demands for better government services from electricity to employment and for an end to corruption or risk losing their jobs. However, the deadline passed on 7 June 2011 with little tangible results and the move was widely seen as a political maneuver to buy time. Ranzy Mardini and Marisa Cochrane Sullivan, Iraq Trip Report, Institute for the Study of the War, 4 August 2011, p. 2, http://www.understandingwar.org/files/Iraq_Trip_Report.pdf; Lara Jakes and Qassim Abdul-Zahra, AP Interview; Iraqi PM confident on reforms, AP, 2 April 2011, http://www.investorsiraq.com/showthread.php?155735-AP-Interview-Iraq-PM-confident-on-reforms. According to reports, a number of local officials resigned or were replaced in reaction to the protestors’ demands, including the Governors of Babyl, Basrah, Kirkuk and Wasit. Also the complete Fallujah City Council resigned over the protests. See Stephanie McCormann, Iraq’s “Day of Rage” protests followed by detentions, beatings, The Washington Post, 26 February 2011, http://www.washingtonpost.com/wp- dyn/content/article/2011/02/26/AR2011022601854.html; Aswat al-Iraq, West Iraq Babyel’s Governor resigns, following mass protests, 27 February 2011, http://en.awsatirag.info/default.aspx?page=article_page&id=141270&l=1; Aswat al-Iraq, Nizar al-Jabouri to replace Basra governor, 28 February 2011, http://en.awsatirag.info/Default.aspx?page=article_page&id=141238&l=1; SIIHR. Quarterly Report to Congress, April 2011, pp. 6, 73, http://www.sigr.mil/files/quarterlyreports/April2011/Report_-_April_2011.pdf. In addition, a number of ad hoc measures were reportedly implemented to appease protestors, including the provision of free fuel for neighbourhood generators, promises of free power from the national grid and the declaration of a national holiday on one particularly hot day. Jim Loney, FACTBOX: Key protests to watch in Iraq; Basra, 1 September 2011, http://www.trust.org/alertnet/news/factbox-key-political-risks-to-watch-in-iraq/. See also “Protestors” and “Individuals (Perceived as) Opposing the KRG Authorities”.

85 According to the IRC, “[A]ccess to public services, such as clean water and proper healthcare, also remained a challenge for too many Iraqis, especially in rural and conflict-prone areas.” IRCR, Iraq: Facts and Figures, January to December 2011, p. 1, March 2012.

86 Reportedly twenty-three percent of Iraqis are living on less than US $2 per day. Rising food prices, which doubled between 2004 and 2008, led to a 20 percent drop in protein acquisition in poorer households and further aggravated undernutrition among children and

It is reported that as a result of decades of wars, violence, sanctions, underinvestment in infrastructure and poor management, the delivery of safe water continues to be hampered. Millions of Iraqis cannot get clean water or water in sufficient quantity, though there are significant differences between governorates, urban and rural areas and even between neighbouring districts. A comprehensive survey on the state of the environment in Iraq, undertaken by the Gol in cooperation with UNICEF and the EU revealed that 79% of the population has access to the drinking water distribution network, leaving one in every five Iraqis without access to safe drinking water. In rural areas, those without access to safe drinking water reportedly doubles in numbers to two in every five Iraqis. UNICEF/EU, Survey on the state of the environment in Iraq launched, 22 September 2011, http://www.unicef.org/info/bcountry/media_59892.html. Reportedly the public water network is often not sufficient to provide households with drinking water, especially in rural areas. Only 38 percent of households surveyed in 2011 rated the availability of drinking water as “good” or “very good” (mostly in the Kurdistan Region, where the approval rate reached up to 89 percent in urban areas of Erbil Governorate). The lowest approval rates were found across most rural areas of the south and centre, dropping to as low as one percent in rural Missan Governorate. Salinity affects public drinking water networks, especially in the southeastern part of the country and many households rely on bottled or tankered water (in Basrah, for example, only 1 percent of households use the public water network as main drinking water source). In rural areas, there are still significant numbers of households without access to the general water network, water tankers or bottled water. In mountain areas, these households use cisterns. In other areas, households have to use water directly from rivers or lakes, especially in rural areas of Thi-Qar (36%), Babel (31%), Baghdad (31%), Wasit (26%), Kirkuk (22%) and Diyala (21%), Governors, Iraq Knowledge Network (IKN), Essential Services Factheet, December 2011, pp. 1-2, http://www.iauiraq.org/documents/1583/ServicesFactheet-English.pdf. See also Dahr Jamail, Iraq: A country in shambles, Al Jazeera, 8 January 2012, http://www.aljazeera.com/ indepth/features/2012/01/2012141141519835348.html; ICRC, Iraq: water formerly a blessing, increasingly a problem, 14 May 2010, http://www.icrc.org/eng/siteeng0.nsf/html/iraq-update-110510.

Only one third (30%) of households surveyed in 2011 had access to the public sanitation network, mostly located in the urban areas of Suliayniyag and Baghdad Governorates. In most other areas, access to the public sanitation network is very poor, dropping to just four percent among rural households. Access to the network is also below 10 percent in urban areas of Babel, Dakh, Diyala, Muthanna and Ninewa Governorates. As a result, there is widespread dissatisfaction with sanitation facilities with 59 percent of the population rating their household’s facility as “bad” or “very bad” (85 percent in rural areas). Households without access to the public network commonly use either a septic tank (40 percent of households) or a covered drain (25 percent) for waste disposal. Six percent of households use an unsafe sanitation method, such as an open drain (13 percent among households living in non-durable structures). Iraq Knowledge Network (IKN), Essential Services Factheet, December 2011, p. 2, http://www.iauiraq.org/documents/1583/ServicesFactheet-English.pdf. Poor sanitation exposes especially young children to diseases such as diarrhea and causes outbreaks of cholera. In 2010, there were reportedly almost 8,400 diarrhoea cases as a result of polluted drinking water and poor hygiene practices, 57% of which were among children under the age of 5. WHO, Weekly Situation Report on Influenza like Illness, Diarrhoea and Cholera in Iraq, week 52, 2010, cited in: IAU, Water in Iraq Factheet, revised March 2011, http://www.iauiraq.org/documents/1319/Water%20Fact%20Sheet%20March%202011.pdf. See also Dahr Jamail, A War Made for Profits, Middle East/2012/Feb-13/163126-iraq-plans-to-up-power-supply-still-below-demand.aax#ezjz1mMu%9Ppm; SIGIR, Quarterly Report and Seminarannual Report to the United States Congress, 30 January 2012, p. 74, http://www.squirrel.finders/university/Reports/January2012/Report_-_January_2012.pdf#view=fit; Iraq Knowledge Network (IKN), Essential Services Factheet, December 2011, p. 1, http://www.iauiraq.org/documents/1583/ServicesFactheet-English.pdf; BBC, Iraq electricity minister resigns, 21 June 2010, http://www.bbc.co.uk/殃ead/iraq/10071581. 93 Reportedly, enrolment rates at primary school level remain low, especially in girls and in rural areas. According to COSIT, primary school net enrolment for the academic year 2007/08 was 87%; however, there are significant differences between boys and girls, rural and urban areas. COSIT, cited in: UN, Common Country Assessment Iraq – 2010, p. 45, http://www.iauiraq.org/reports/COSIT_Final.pdf. According to reports, net enrolment figures for primary education vary significantly among governorates. According to the IHIES 2007, it is highest in the Governorates of Diyala, Duhuk and Sulaymaniya (91%-92%) and lowest in the Governorates of Missan (66%), Babel, 70

Furthermore, reports indicate many schools are in need of repair and reconstruction. According to UNICEF, 49% of school buildings in Iraq are in dire need of renovation and 21% are extremely unsuitable, leaving only 30% in an acceptable physical status. As a result, student to classroom ratio has reached 46:1 in some areas hosting a large number of IDPs. UNICEF, Girls Education in Iraq – 2010, Appendix 1, p. 51, http://www.iauiraq.org/documents/1098/Girls-Education-Ban.pdf; UN, Common Country Assessment Iraq – 2010, p. 46, http://www.unocha.org/reports/CCA_Final.pdf. UNICEF noted that attacks against schools and education professionals have significantly increased. While not all the attacks are specifically aimed at schools, they nevertheless impact a child’s right to education. UNICEF, On the Day of the Iraqi Child, UNICEF reconfirms its commitment to protect the rights of children in Iraq, 13 July 2011, http://www.unicef.org/infobycountry/media_92912.html. See also chapter “Certain Professionals – Academics”.

All Iraqis are entitled to public personal health services at minimal charges. It is reported that the majority of Iraqis lack many of the essential health services with health centres in dire need of rehabilitation, a lack of qualified and experienced medical staff and a lack of drugs, medical supplies and equipment. While services in private clinics may be better and waiting times shorter, 71 percent of households surveyed said that lack of affordability was a barrier to access such facilities. Less than a third of households (29%) have a positive opinion of health services (18 percent in rural areas, 33 percent in urban areas). Iraq Knowledge Network (IKN), Essential Services Factsheet, December 2011, p. 1, http://www.iauiraq.org/documents/1585/ServicesFactsheet-English.pdf. WHO, 2011 Review, p. 5, http://www.emro.who.int/iraq/pdf/Review_report2011.pdf. Reports indicate that poor electricity, water, sanitation and waste disposal further aggravate the situation and result in poor hygienic standards and high rates of infections, especially among trauma victims, pregnant women and children. According to ICRC, “even minor accidents can sometimes be fatal because of inappropriate care.” ICRC, Iraq: putting the health-care system back on its feet, 29 July 2010, http://www.cicr.org/eng/resources/documents/update/iraq-update-200710.html. Medical doctors, surgeons and nurses have been subjected to threats and targeted violence and many consequently left the country; see “Professionals”. Consequently, Iraq still ranks last in most of the major maternal and child health indicators for countries in the region. Iraq’s Under-Five Mortality Rate currently stands at 41 per 1,000 live births. Iraq’s high maternal mortality ratio, 84 per 100,000 live births, along with high infant mortality, 35 per 1,000 live births, places it in the group of 68 countries globally, which account for the vast majority (97%) of maternal and child deaths worldwide. WHO, 2011 Review, p. 28, http://www.emro.who.int/iraq/pdf/Review_report2011.pdf; UNICEF, An Iraq Fit For Children: Building Iraq’s Future, Quarterly Newsletter, Issue 01, 2010, March 2010, p. 6, http://www.uniraq.org/documents/UNICEF%20'Fit%20For%20Children%20Newsletter%20Issue%201.pdf.

Unemployment rates are reportedly estimated at 15 to 30 percent and often public sector jobs are the only ones available. SIGIR, Quarterly Report and Seminar Annual Report to the United States Congress, 30 January 2012, p. 3, http://www.stigirmil/files/quarterlyreports/January2012/Report - January_2012.pdf/view=fit. According to IKN, the national unemployment rate, using the relaxed definition, stands at 11 percent (9 percent for males and 21 percent for females). However, among the youth (15-24 years of age), the unemployment rate are reportedly high at 18 percent (27 percent of females and 17 percent of males), particularly affecting those with higher education. Forty percent are employed in the public sector (45 percent in urban areas and 28 percent in rural areas). It is reported that the highest unemployment rates can be found in Thi-Qar (17%), Al-Anbar (16%) and Diyala (14%) Governorates. Kirkuk (2%), Erbil (4%) and Nineveh (5%) Governorates have the lowest. Female unemployment rates are highest in Diyala (30%) and Kerbala and Thi-Qar (18%), and Sulaymaniyah (17%) Governorates. The lowest rates are found in Kirkuk (3%) and Salah Al-Din (4%) Governorates. Male unemployment rates are the highest in Al-Anbar (17%), Thi-Qar (16%) and Diyala (11%) Governorates. The lowest are in the governorates of Kirkuk (2%) and Erbil (3%). In addition, unemployment of out of 6 persons in the labour force is a woman. IKN, Labour Force Factsheet, December 2011, http://www.iauiraq.org/documents/1582/LB%20Factsheet-English.pdf. See also Dahr Jamail, Iraq: A country in shambles, Al Jazeera, 8 January 2012, http://www.aljazeera.com/news/2012/01/20121411519185348.html.

It is reported that Iraq has a shortage of up to two million dwellings and many of the existing dwellings are dilapidated, overcrowded and structurally unsafe. In recent years, there has been an increase in informal housing, including squatting in public buildings and proliferation of small informal settlements, where living conditions are often sub-standard. IDMC/NRC, IRAQ: Response still centred on return despite increasing IDP demands for local integration, 10 October 2011, p. 7, http://www.internal-displacement.org/802570F004BE3B1/hti/html/Files/CCE172078C732F29C123792100523DC7/$file/Iraq-October-2011.pdf; Ministry of Construction and Housing, Iraq National Housing Policy, October 2010, pp. 9–27, http://www.unhabitat.org/en/our-work/our-projects/634247%20NHNP_English%20Version.pdf. Among Iraqi households surveyed in 2011, 40% of households are of made of masonry materials (clay, wood, or metal plating). Most of them (73%) are found in rural areas. Housing from non-durable materials is most common in rural areas of Missan (57% of households), Wasit (48%), Mosul (38%) and Kirkuk (37%). Overcrowding was reportedly found to be a problem with 12 percent of households surveyed having more than three persons per room (17 percent in rural areas and 25 percent among households living in non-durable structures). Overcrowding is particularly common in rural areas of Missan (49 percent of households) and also affects approximately a quarter of households in rural Thi-Qar, Najaf, Diwaniyah, Kirkuk and Ninewa, and 10 percent of households in Baghdad. Iraq Knowledge Network (IKN), Essential Services Factsheet, December 2011, p. 3, http://www.iauiraq.org/documents/1583/ServicesFactsheet-English.pdf.

By August 2011, Iraq accounted for more than 1.25 million IDPs displaced in and after 2006. It is not known how many Iraqis remain displaced outside Iraq, but by December 2011, more than 168,000 Iraqis remain registered with UNHCR offices in the region, mostly in Syria and Jordan. UNHCR Iraq Operation, Monthly Statistical Update on Return, December 2011, pp. 1-2, http://reliefweb.int/sites/reliefweb.int/files/resources/Full_Report_3434.pdf. See also “Conflict-Induced Displacements and Voluntary Returns”.


It needs to be reiterated that many in most cases, the perpetrator of violence is repudially unknown. Reports indicate that, armed groups often only publicly claim high-profile cases for propaganda purpose. The description of actors of violence and their main tactics and targets therefore remain indicative and are by no means exhaustive.

The Governor of Kirkuk, Najmuddine Karim, reportedly stated that: “there is cooperation between Qaeda and Ansar Al Sunna and the Naqshbandi Army to carry out terrorist acts inside and outside Kirkuk.” NINA, Kirkuk Governor: we have no desire or plan to bring in additional forces, 10 December 2011, http://www.ninaweb.com/english/News, Details.asp?id=9028; FIFQG.

Reports indicate that targeting Shi’ite civilians and religious sites differentiates IS/AQ and Ansar Al-Islam from most other armed Sunni groups in Iraq, such as the 1920s Revolution Brigades, Hamas in Iraq, the Islamic Army in Iraq, the Mujahideen Army or Ansar Al-Sunna Sharia, which do not condone AQI’s tactics. Several of these groups also reportedly formed anti-IS/AQ coalitions, the Political Council for the Iraqi Resistance (IRPC) in November 2007, and the Jihad and Reform Front (JRF) in May 2007, Stanford University, Mapping Militant Organizations – Al Qaeda in Iraq, last updated 11 October 2010, http://www.stanford.edu/group/mappingmilitants/cgi-bin/profiles/view/11#footn12; Stanford University, Mapping Militant Organizations – Ansar Al-Sunna Sharia, last updated 5 August 2011, http://www.stanford.edu/group/mappingmilitants/cgi-bin/profiles/view/11#footn12.


It is reported that the Islamic State of Iraq (Dawlat Al-Iraq Al-Islamiyya, ISI) was created in 2006 by Abu Ayub al-Masri, who placed Abu Umar al-Baghdadi, an Iraqi, as its leader. ISI superseded a previous umbrella organization, the Mujahideen Shura Council (MSC). ISI was formed as a governmental structure with a complete cabinet and also included several other, smaller insurgent groups. It is believed that ISI was established in order to give AQI which at the height of the insurgency in 2005-2007 had a significant component of foreign fighters, an “Iraqi face”. Abu Umar al-Baghdadi was reportedly killed on 18 April 2010. Since then, no new leadership has been announced. Stanford University, Mapping Militant Organizations – Al Qaeda in Iraq, last updated 11 October 2010, http://www.stanford.edu/group/mappingmilitants/cgi-bin/profiles/view/1.

For example, AKnews reported in January 2012 that ISI/AQI claimed responsibility for attacks on security and government officials in Iraq. Aswat al-Iraq, Al-Qaeda in Iraq, last updated 11 October 2010, http://www.stanford.edu/group/mappingmilitants/cgi-bin/profiles/view/11#footn12.

See also “Security Incidents - Central Iraq”.


See also “Security/Incidents - Southern Iraq”.

For example, AKnews reported in January 2012 that IS/AQ claimed responsibility for attacks on security and government officials in Mosul; Rizan Ahmed, Al-Qaeda in Mosul lost third of their finances say officials, AKnews, 29 January 2012, http://www.aknews.com/en/aknews/3/286958/.

See also “Shi’ite civilians, including pilgrims” and “Individuals with Ethnicity-based Claims”.

For example, AKnews reported in January 2012 that IS/AQ claimed responsibility for attacks on security and government officials in Mosul; Rizan Ahmed, Al-Qaeda in Mosul lost third of their finances say officials, AKnews, 29 January 2012, http://www.aknews.com/en/aknews/3/286958/.

NINA, the Iraqi National News Agency, reported in August 2011, that ISI had distributed leaflets in Hawija (Kirkuk) threatening those that collaborate with the ISF; NINA, Group of Islamic State of Iraq threatens of killing detectives in Kirkuk, 6 August 2011, http://www.ninaweb.com/english/News, Details.asp?id=9050; FIFQG. See also chapter “Individuals Associated with (or Perceived to be Supporting) the Iraqi Authorities and the (former) MNF-I/USSF”.

In particular, members of the ISF, members of the Sahwa, members of political parties, journalists, imams, religious and community leaders; see relevant chapters. For example, on 24 January 2012, Mullah Nadim al-Juburi, a former senior AQI leader in Dhuylisalah (Salah Al-Din), who joined the Sahwa and sided with the US Forces as of 2008 and a member of a national reconciliation commission, was reportedly killed by gunmen in Baghdad’s Al-Liq’a Square. The killing came after Al-Juburi made remarks on Iraqi television of ISI’s leadership structure and provided names. Several messages on a jihadist Internet forum had warned that Al-Juburi’s “days are numbered”. Al-Juburi had reportedly only returned to Iraq a few days earlier from Jordan, where he had been in exile for the last two years; AFP, Assassins kill Iraq Qaeda leader on website; 25 January 2012, http://www.channel.newsws.com/story/world/2012/01/25/afp-assassins-kill-iraq-qaeda-leader-on-website/11790681.html; The Voice of Russia, Former Iraqi Al Qaeda leader killed in Baghdad, 25 January 2012, http://english.ruv.ru/ru/2012/01/25/4663824.html.

Reportedly, as of late 2006, Sunni tribes and former insurgents formed the Sahwa groups and turned against AQI, rejecting its extremist ideology and foreign leadership. John Ward Anderson and Salih Dahima, Offensive Targets Al-Qaeda In Iraq, Washington Post, 20 June 2007, http://www.washingtonpost.com/wp-dyn/content/article/20070619/AR2007061900315.html; Bill Roggio, 1920s Revolution...


On 26 December 2011, at least seven people were killed and 34 wounded when a suicide car bomber, who passed six security checkpoints, drove his vehicle into a security cordon at the main entrance of the heavily fortified Ministry of Interior in central Baghdad. ISI/AQi claimed responsibility for the attack; Reuters, *Iraqi al Qaeda group claims to have hit Green Zone*, 10 January 2011, http://m.trust.org/alertnet/news/iraqi-al-qaeda-group-claims-to-have-hit-green-zone/

On 28 November 2011, a suicide car bomb explosion in a parking lot at the CoR in Baghdad’s International Zone killed at least one person and wounded six, including MP Muayad Al-Tayyeb, the spokesman for the Kurdish bloc in CoR. ISI/AQI claimed responsibility for the attack; Reuters, Iraq al Queda group claims to have hit Green Zone, 10 January 2011, http://www.msnbnc.com/enterprise/news/iraq-al-qaeda-group-claims-to-have-hit-green-zone/.

On 28 August 2011, a suicide attack against the Sunni Unn Al-Qura mosque in Baghdad’s western Ghazaliyah district was reportedly targeted at him. He and another 39 people were wounded in the attack, which also killed 32 people.. The US government said Ibrahim Awwad Ibrahim Ali Al-Badri (aka Abu Du'a), the alleged AQI leader, was responsible for this attack. AP, US puts al-Qaida in Iraq leader on terrorist blacklist, offers $10 million bounty, 4 October 2011, http://www.washingtonpost.com/business/us-puts-al-qaeda-in-iraq-leader-on-terrorist-blacklist-offers-10-million-bounty/2011/10/04/plfAQIS8qKL_story.html.

On 5 May 2011, a suicide bomber rammed his car into the entrance of a police headquarters in Hillâ (Babel) during a shift change in the morning, when many police officers were outside the building, killing at least 20 and wounding 80. AQI was reportedly responsible for the attack; AP, US puts al-Qaida in Iraq leader on terrorist blacklist, offers $10 million bounty, 4 October 2011, http://www.washingtonpost.com/business/us-puts-al-qaeda-in-iraq-leader-on-terrorist-blacklist-offers-10-million-bounty/2011/10/04/plfAQIS8qKL_story.html.

On 9 February 2011, eight people died and 75 were wounded when three car bombs targeting ISF detonated in quick succession in a residential area in southern Kirkuk. The third explosion, allegedly caused by a suicide truck bomber, targeted a Peshmerga building and also caused damages to a nearby KDP office. Investigations by the ISF revealed that the attacks were the responsibility of AQI; Mustafa Mahmoud, Three car bombs kill 7, wound 78 in Iraq’s Kirkuk, Reuters, 9 May 2011, http://www.thr.org/alertnews/news/three-car-bombs-kill-7-wound-20-in-iraq’s-kirkuk/, Aswat al-Iraq, Recent bombings made by al-Qa’ida - Kirkuk police, 17 February 2011, http://www.msnbc.com/enterprise/news/item/14306416067.html.


It was reported that Community leaders http://www.stanford.edu/group/mappingmilitants/cgi
See also “


According to reports, the largest attacks against Kurdish interests claimed by or reliably attributed to Ansar Al-Islam included:

- On 9 February 2011, a suicide bomber posing as a dairy deliveryman struck a Kurdish Asayish headquarters in Kirkuk, killing seven and wounding up to 80 persons, including several Asayish members. No group immediately claimed responsibility for the attack, but one week earlier, Ansar Al-Sunna had reportedly issued threats against the Kurdish security forces and political parties in Kirkuk; AP, Car Bombs in Northern Iraq Kill 7, 9 February 2011, http://www.fxnews.com/world/2011/02/09/car-bombs-northern-iraq-kill/.


On 10 October 2011, at least 10 people were killed in three successive blasts in Baghdad’s mainly Shi’ite Washash district. The first blast was followed by two more when emergency services arrived at the site to tend to the wounded; Kareem Raheem, Suicide bombers, attacks hit Baghdad police, 28 dead, 10 October 2011, http://www.worl.org/alertnet/news/suicide-bombers-attacks-hit-baghdad-police-28-dead/


See also “Shi’ite civilians, including pilgrims”.


For example, it was reported that in January 2012, ISF arrested a military commander of Ansar Al-Islam in Kanaqnah, who was accused, inter alia, of killing a Turkmen selling alcohol; Bryan Mohammed, Ansar al-Sunnah’s military commander detained in Kanaqnah, AKnews, 8 January 2012, http://www.aknews.com/en/aknews/3/282964/.


The “Men of the Army of al-Naqshbandia Way” (Jaysh Rajal al-Tariqah al-Naqshbandia, JRTN).


According to Michael Knights of the Washington Institute, JRTN “is rapidly becoming the most influential insurgent group in the country”;

militants-on-rise-amid-US-pullout/UP-11921318531853/553;


JRTN has reportedly been linked in Ramadi, Kirkuk and Tikrit and some attacks by IS/ISI have even been jointly claimed by JRTN. JRTN only publishes videos showing attacks against the USF-I; Michael Knights, Iraq’s Hybrid Insurgents — The JRTN, Washington Institute, 31 August 2011, http://www.thecuttingedgenews.com/index.php/articles=52553. According to US intelligence, IS/ISI/Al Qaeda has “greater operational capabilities and allows the Naqshbandis to claim that they are not responsible for the deaths when they occur—something AQI is still all-too-happy to take credit for”; Kenneth M. Pollack, Iraq and the Death of Bin Laden, Brookings Institute, 14 May 2011, http://www.brookings.edu/opinions/2011/0502_bin_laden_pollack.aspx; Stanford University, Mapping Militant Organizations — Jaysh Rijal al-Tariqia al-Naqshbandia, last updated 15 February 2012, http://www.stanford.edu/group/mappingmilitants/cgi-bin/profiles/view?75#ref4;


The Badr Organization (formerly the Badr Corps or Badr Brigade) used to be the paramilitary wing of ISCI (formerly SCIR) and was trained and controlled by the Islamic Revolutionary Guard Corps in Iran; Michael Eisenstadt, Iran and Iraq, USIP, December 2010, http://iranprimer.usip.org/sites/iranprimer.usip.org/files/Iran%20and%20Iraq.pdf.

It was reported that Muqtada Al-Sadr had announced the formation of the Mahdi Army (Jaysh Al-Mahdi, JAM) in 2003 to oppose the MNF-I’s presence in Iraq. Its membership was estimated by the Iraq Survey Group to be around 60,000 in 2006. In August 2007, following a violent clash between the JAM and the ISF, Al-Sadr ordered a temporary “freeze” on all JAM activity, which was subsequently extended. In June 2008, Al-Sadr announced that the majority of JAM would be transitioned into a socio-cultural organization (the Murshidhood) and that a small group of well-trained and tightly controlled fighters (the “Promised Day Brigades,” PDB) would be deployed to break the coalition’s”. The Murshidhood are reportedly engaged in religious teaching, political gatherings, and social events, and with some believing that Al-Sadr aims at establishing a state within the state modelled after the Lebanese Hezbollah. Reportedly, in early 2010, Al-Sadr announced a third wing, the Alam-hone, to focus on social issues; Stanford University, Mapping Militant Organizations – Mahdi Army, last updated 18 February 2012, http://www.stanford.edu/group/mappingmilitants/cgi-bin/profiles/view=57#foon82;


Since 2003, the Badr Corps has been transformed into a political party, the Badr Organization, led by Hadi Al-Ameri (the current Minister of Transportation); Michael Eisenstadt, Iran and Iraq, USIP, December 2010, http://iranprimer.usip.org/sites/iranprimer.usip.org/files/Iran%20and%20Iraq.pdf.

The Sadrist bloc currently holds 40 out of 325 seats in the CoR and is part of the ruling coalition. Al-Sadr used this political power to secure the Prime Minister Al-Maliki a second term and to gain several ministerial posts; New York Times, Al-Maliki, updated 18 January 2011, http://topics.nytimes.com/top/reference/timestopics/organizations/m/mahdi_army/index.html. Reportedly, Al-Sadr conditioned his support to Al-Maliki to the release of several JAM prisoners; Kelly McEvers, Iraqi PM’s Alliance With Cleric Prompts Concerns, NPR, 8 November 2010, http://www.npr.org/templates/story/story.php?storyId=111513538.


Under Bayan Jalal Shologh, a former Badr commander and Minister of Interior between April 2005 and May 2006, many Badr militants were reportedly integrated into the ISF, especially in the Special Police Commando units. Also, militiamen loyal to Shi’ite cleric Muqtada al-


175 League of the Righteous People.

176 AAH is led by Qays Al-Khazali, a Shi’ite cleric and former JAM leader, who fell out with Muqtada Al-Sadr on several occasions since 2004 and finally split and founded the AAH in 2006. According to the New York Times, “[H]e release came after negotiations with American and Iraqi officials that left the United States hoped that Khazali would renounce violence and steer his men toward the political system.” However, a ceasefire observed by the group since 2009 and negotiations with the Iraqi Government have failed. The group reportedly has less than 1,000 armed militiamen, but enjoys the backing of tens of thousands of supporters. JAM and AAH remain rivals and have at times clashed violently; Adam Schreck and Qassim Abdul-Zahra, Asaib Ahi Al-Haq, Iraq Shi‘ite Militia, Will Reportedly Lay Down Arms, AP, 6 January 2012, http://www.huffingtonpost.com/2012/01/05/asaib-ahal-haq-lay-down-arms_n_1189600.html; Emad al-Shara, US Troops Face New Threat From Iraqi Shia Militia, IWP, 31 August 2011, http://iwpr.net/report/news/us-troops-face-new-threat-iraqi-shia-militia; Michail Harari, Status Update: Shi’a Militias in Iraq, Institute for the Study of the War, 16 August 2010, pp. 2-4, http://www.understandingwar.org/sites/default/files/Backgrounder/Shi%20Militias.pdf.

177 Kata’ib Hezbollah, or the Brigades of the Party of God, is reportedly Baghdad-based and has about 1,000 fighters. It has been accused of being a surrogate of Iran’s Quds Force in Iraq and is also allegedly affiliated with the Lebanese Hezbollah. Though not much is known about its leadership, Jamal Ja’far Muhammad, known as Abu Mahdi Al-Mahmud is said to be a key figure. He has been described as the right hand of Qassem Suleimani, the head of Iran’s Quds Force and is wanted by Kuwait for his role in the bombings of Western embassies and an attempted assassination of the Emur of Kuwait in the 1980s; however, his status as a member of the CoR provides him with parliamentary immunity; AP, June deadliest month for U.S. troops in 2 years, 30 June 2011, http://www.usatoday.com/news/world/iraq/2011-06-30-us-troops-iraq_n.htm; International Centre for Political Violence and Terrorism Research (ICPVRT), Kata’ib Hezbollah, last updated 5 March 2010, accessed 18 March 2012, http://www.icpvr.t.org/GrouProfile/KataibHezbollah_05March10; Thomas Stouwe, Kata’ib Hezbollah and the Intricate Web of Iranian Military Involvement in Iraq, Jamestown Foundation, Terrorism Monitor Volume 8, Issue 9, 4 March 2010, http://www.jamestown.org/single/no_cache=1&tx_tnews%5B57%5Dtt_news%5D=36109.


181 Reuters quoted Qais Al-Khazali as saying, “[W]e believe that we have carried out our role regarding the liberation of our country and restoring its sovereignty. This political achievement could not have been done without the Iraqi armed resistance”; Reuters, Iraq’s Shi’ite militia says U.S. has ‘failed’, pledges to lay down arms in wake of Sunni bombings, 5 January 2012, http://news.nationalpost.com/2012/01/05/iraq-shiite-militia-pledges-to-lay-down-arms/. See also Sam Dagher and Ali A. Nabhan, As Iraq
Ignites, Cleric Seeks Gains, Christian Science Monitor, 6 January 2012.


188 Reports have indicated that it is not clear whether AAH would also disarm. Certainly, the Iraqi Government has not asked for AAH’s disarmament, and Amer Al-Khuzaie, the government’s adviser for National Reconciliation, was quoted as saying, “[T]he government will not buy up the group’s weapons, but we are ready to take them if they want us to”: Joel Wing, What Role Will The League Of The Righteous Play In Iraqi Politics?, AKnews, 24 January 2012, http://www.aknews.com/en/aknews/8/286150.pdf.


193 See chapter “Former Ba’ath Party Members and Members of the Former Regime”.

194 See chapter “Members of the Iraqi Security Forces (ISF)”.

195 See chapter “Government Officials and Employees”.

196 According to Michael Kenneth of the Washington Institute for Near East Policy, as part of intra-Shi‘ite power struggles “Shia political parties have carried out a wave of Shia-on-Shia assassination attempts against Iraqi Army division commanders, political party bosses, and local representatives of Grand Ayatollah Ali al-Sistani.” Michael Kenneth, Iraq’s Relentless Insurgency, Real Clear World, 25 August 2011, http://www.realclearworld.com/articles/2011/08/25/iraqs_relentless_insurgency_99641.html. See also chapters “Members of Political Parties” and “Sunni and Shia Scholars and Mosque Imams”.

197 For example, KH reportedly “mounts attacks on Coalition troops and patrols, as well as threatens Iraqi politicians and civilians that are in support of democratic reform in the country that does not result in an Islamic Shia ‘leadership’”: International Centre for Political Violence and Terrorism Research (ICPVTR), Kata’ ib Hezbollah, last updated 5 March 2010, p. 9, http://www.icpvtr.org/pdf/GroupProfiles/Kata'ibHezbollah-05March10.pdf. See also chapter “Individuals Affiliated with the USF-I, Foreign Governments, NGOs or Companies”.

198 See chapter “Individuals Perceived as Contravening Traditional Practices or Social Mores”.

199 See chapter “Lesbian, Gay, BiseXual, Transgender and Intersex (LGBTI) Individuals”.


201 It was suspected that AQI cooperated with Shi‘ite militias and criminal groups to execute terrorist attacks in Southern Iraq, Nizar Latif, Shiite gangs join al Qu’eda in Iraq, The National, 13 September 2010, http://www.thenational.ae/news/world/middle-east/shiite-gangs-join-al-quad-a-in-iraq?pageCount=0. “Cooperation occurred between criminal organizations on the one side and terrorist and insurgent organizations on the other: some groups pursued both political and financial agendas; and some individuals and groups were transformed by events or opportunities, in effect moving from one identity to another. Moreover, different actors overlapped and intersected in complex ways”; Phil Williams, Criminals, Militias, And Insurgents: Organized Crime In Iraq, Strategic Studies Institute, June 2009, pp. 53-54, 116, 131, http://www.strategicstudiesinstitute.army.mil/pdfs/files/pub930.pdf.

202 Iraq reportedly saw a massive upsurge in kidnappings for economic and political motives, or both, after 2003. Criminals as well as Iraqi and foreign insurgents have been named as perpetrators. Motives behind kidnappings are often difficult to assess: “In Iraq it is often unclear who is responsible for particular kidnappings, how and why specific individuals are targeted, or why some kidnap victims are killed while others are released unharmed’”; Phil Williams, Criminals, Militias, And Insurgents: Organized Crime In Iraq, Strategic Studies Institute, June 2009, pp. 105-107, 109, 147, http://www.strategicstudiesinstitute.army.mil/pdfs/files/pub930.pdf. For kidnappings for the purpose of forced prostitution and (sex) trafficking, see chapter “Victims of or Persons at Risk of Trafficking or Forced Prostitution”.

203 “In some cases, kidnapping was done for profit, but the victim was also told to leave the country or face death. This seems to have been particularly prevalent in kidnappings of scientists, university professors, and doctors. Although the primary motive was profit, a political motive typically related either to sectarian cleansing or to the elimination of secular professions and the transformation of Iraq into a theocracy overlay the profit motive.” Widespread kidnappings as a means for sectarian cleansing have also proven to be effective during the years of sectarian conflict. Often, the perpetrators murdered their victims. If not, the kidnapping served as a method to intimidate the victim and his/her family, who may then decide to leave the neighbourhood or the country; Phil Williams, Criminals, Militias, And Insurgents: Organized Crime In Iraq, Strategic Studies Institute, June 2009, pp. 109-111, 121-122, http://www.strategicstudiesinstitute.army.mil/pdfs/files/pub930.pdf.
It was reported that the rate of Iraqi civilian deaths caused by US-led coalition forces has declined steadily from 2009, along with the gradual reduction of troops and the hand-over of security responsibilities to the ISF. In 2011, a total of 19 civilian deaths were reported to be directly attributed to actions involving US-led coalition forces (down from 32 in 2010), the lowest rate since 2003. In total, IBC documented 14,712 civilian deaths directly caused by the US-led coalition between 2003 and 2011. At the same time, the rate of civilian deaths caused by the ISF has increased, rising from 96 to 100 in 2011; IBC, Iraqi deaths from violence 2003–2011, updated 2 January 2012, http://www.iraqbodycount.org/analysis/numbers/2011/. See also UNAMI Human Rights Office/UNHCR, 2010 Report on Human Rights in Iraq, January 2011, p. 10, http://www.ohchr.org/Documents/Countries/IQ/UNAMI_HR%20Report_1Aug11_en.pdf.


According to UNAMI/OHCHR, “...judges were vulnerable to intimidation and violence. There were reports that criminal cases at the trial level or on appeal to the Court of Cassation were decided by corruption or intimidation”; US Department of State, 2010 Country Reports on Human Rights Practices - Iraq, 8 April 2011, p. 16, http://www.state.gov/documents/organization/160462.pdf. See also Amnesty International, New Order, Same Abuses: Unlawful detentions and torture in Iraq, 13 September 2010, pp. 17-18, http://www.amnesty.org/en/library/西亚/har拘留/22567/2010/eng.pdf.


See chapter “Judges and Legal Professionals”.


According to UNAMI/OHCHR, “[T]here appears that many of these attacks were aimed at undermining the functioning of State institutions and to ‘punish’ anyone seen to be associated with them;” UNAMI Human Rights Office/OHCHR, 2010 Report on Human Rights in Iraq, January 2011, p. 7, http://www.ohchr.org/Documents/Countries/IQ/UNAMI_HR%20Report_1Aug11_en.pdf.


According to John Drake of AKE, a British private security firm working in Iraq since 2003, “sticky bombs are also known as Under Vehicle Impressed Explosive Devices (UVIEDs). They are usually magnetic in nature and are affixed to a target vehicle before being detonated – usually by remote control. (...). UVIEDs are normally used to kill a specifically targeted individual, such as a ministry employee or senior member of the Iraqi security forces”; John Drake, Weekly Security Update for 2nd February 2012, AKE, 2 February 2012, http://www.iraq-businessnews.com/tag/iraq/.

According to Michael Knights of the Washington Institute for Near East Policy, “[M]ass-casualty attacks tell only part of the story of violence in Iraq, and mortality statistics overlook the targeted nature of violence in today’s Iraq, where a high proportion of victims are...
local progovernment community leaders. For every one person of this kind who is killed, an exponential number of others are intimidated into passive support for insurgent groups”, Michael Knights, A Violent New Year in Iraq, The National Interest, 16 February 2012, http://nationalinterest.org/commentary/violent-new-year-iraq-6517.

For example, the following incidents were reported:

- On 21 March 2012, an IED stuck to a car detonated against the house of a former CoR member for the Sadrist bloc in Basrah, causing only material damages; NINA, Material damages in explosion of two cars in Basra, 21 March 2012, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FKGKLJ.

- On 14 March 2012, Al-Iraqiya bloc MP Talal al-Zawbaie says that he escaped an assassination attempt while he was driving his car near the entrance of the International Zone in central Baghdad. He said that a man wearing a police uniform opened fire on his vehicle; Aswat al-Iraq, URGENT / MP Zawbaie says survived assassination attempt near GZ, 14 March 2012, http://en.aswataliraq.info/(S(bpv24s45zb4lhyzseefcbz2))/Default1.aspx?page=article_page&id=147356&l=1.


- On 1 March 2012, CoR member Mohammed Iqlbal from Iraqiya, survived an assassination attempt when a car bomb exploded against his convoy in western Mosul; NINA, MP Mohammad Iqlbal survive from an assassination attempt in Mosul, 2 March 2012, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FKHGHG.

- On 1 February 2012, Quis Al-Shathir, a CoR member who had recently left the Iraqiya political bloc, escaped injury when a roadside bomb went off near his convoy, wounding two of his bodyguards and three passers-by in Baghdad's southeastern Ameen district; Reuters Alertnet, FACTBOX-Security developments in Iraq, February 1, 1 February 2012, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-february-1.

- On 31 January 2012, the house of MP Zahrah Al-Arajhi from the White Iraqiya bloc was attacked in Arajya district in Mosul by a car bomb and an IED, causing no casualties; NINA, Car bomb. IED explode near Al Arajhi house in Mosul, 31 January 2012, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FMMKFK.


- On 9 October 2011, MP from the Al Ahrar Bloc, Maha Al-Douri, was unharmed during an assassination attempt where gunmen using firearms with silencers shot at her car in Bab Al Sharji area in Baghdad; NINA, BREAKING NEWS...Maha Al Douri survives assassination attack, 9 October 2011, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FHIIHII.

- On 11 July 2011, the residence of Kamila Al-Moussawi, a CoR member for the Al-Fadhaa Party from Thi-Qar, was destroyed in a rocket attack on Baghdad’s International Zone. The MP’s son and several of her guards were in the attack; Aswat al-Iraq, URGENT / Son of Iraqi MP, her guards, injured in rocket attack on Baghdad’s Green Zone, 11 July 2011, http://en.aswataliraq.info/(S(1hyzseefcbz2q))/Default1.aspx?page=article_page&id=147301&l=1.


For example:


- On 25 December 2011, Kareem Abdumarey, the Minister of Science and Technology, was unharmed when a roadside bomb hit his motorcade in Balad (Salah Al-Din), injuring two of his guards; Yazin Shamari, Minister survives bombing, AKnews, 25 December 2011, http://www.aknews.com/en/aknews/3/280431/.

- On 1 December 2011, Sargon Lazar, the Minister of Environment, and Emad Youhanne, MP in the CoR, both members of the Assyrian Democratic Movement, escaped an assassination attempt by a roadside bomb that blew up when their convoy was passing. It wounded four people including one of the minister’s guards in Taij (Salah Al-Din); Reuters Alertnet, Security developments in Iraq, December 1, 1 December 2011, http://www.trust.org/alertnet/news/alertnet/news/factbox-security-developments-in-iraq-december-1/; Ankara News, This morning, the Minister of Environment Sargon Lazar survives assassination attempt, 1 December 2011, http://www.ankawa.com/english/?p=5577.

- On 13 July 2011, Minister of State, Bushra Azwaini, was unharmed during an assassination attempt where her convoy was attacked with weapons with silencers in southeast Baghdad; NINA, Minister of State Bushra Azwaini survived of an assassination attempt in Baghdad, 13 July 2011, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FHHMDM.


- On 1 June 2011, the Deputy Minister for Human Rights, Abdul-Karim Abdullah, escaped an assassination attempt when a parked car bomb exploded near his convoy in Baghdad’s Mansour district. Two passers-by were also wounded in the incident; Reuters Alertnet, Security developments in Iraq, June 1, 1 June 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-june-1/.


Recent reported incidents included:


On 23 October 2011, an Oil Ministry media official was injured and his driver killed in an explosive charge blast under their car in Baghdad’s Sadiya district; Aswat al-Iraq, Oil Ministry reporter injured, driver killed in Baghdad, 23 October 2011, http://en.aswataliraq.info/Default1.aspx?page=article_page&id=145370&l=1.


The Commission of Integrity (formerly Commission on Public Integrity) is the main government body charged with preventing and investigating cases of corruption in all ministries and other components of the government nationwide (except for the Kurdistan Region). According to the US Department of State, officials combating corruption were subjected to physical threats and attacks. According to one inspector general those involved in investigating corruption “are facing serious risks without personal security details and other protective measures to do their jobs and stay alive at the same time.” In the deadliest attack on Iraq’s anti-corruption agency, a car bomb reportedly detonated outside one of The Commission of Integrity’s office in eastern Baghdad on 22 December 2011, killing 32 personnel; SIGIR, Quarterly Report and Seminannual Report to the United States Congress, 30 January 2012, p. 12, http://www.sigir.mil/files/quarterlyreports/January2012/Report_-_January_2012.pdf#view=fit. According to the Commission, 40 personnel have been assassinated while performing their work since 2004; US Department of State, 2010 Country Reports on Human Rights Practices - Iraq, 8 April 2011, p. 38, http://www.state.gov/documents/organization/160462.pdf. Reported attacks against anti-corruption officials included for example:


On 26 September 2010, Laieh Muhammed, who executed arrest warrants for the Commission on Integrity, was killed on his way to work at a checkpoint into the International Zone; US Department of State, 2010 Country Reports on Human Rights Practices - Iraq, 8 April 2011, p. 38, http://www.state.gov/documents/organization/160462.pdf.


In 2011 and 2012, media reported about attacks on the (deputy) governors of Anbar, Baghdad, Diyawiya, Ninewa and Salah Al-DinGovernorates:

On 20 March 2012, a car bomb parked near the Faculty of Agriculture in Ramadi detonated as the Anbar Governor’s convoy passed by. The Governor Qasim Mohammed remained unharmed, but one civilian was killed and another one wounded; NINA, Breaking news Anbar governor survives from assassination attempt, 20 March 2012, http://www.ninansnews.com/english/News_Details.asp?ar95_VQ=FPKPJD.

On 21 June 2011, two bombs killed at least 25 people and wounded 35 outside the Diwaniya Governor’s house in Diwaniya city. Most of the victims were guards. ISI claimed responsibility for the attack; Reuters, Al Qaeda affiliate says behind two Iraq attacks, 6 July 2011, http://www.trust.org/alertnet/news/al-qaeda-affiliate-says-behind-two-iraq-attacks/.


In 2011 and 2012, media reported about attacks on local mayors in neighbourhoods/villages of Al-Anbar, Babel, Baghdad, Diyala, Nineawa, Kirkuk and Salah Al-Din and Wassit Governates, for example:

- On 11 February 2012, the mayor of Al-Ghaibiyah area near Ba’quba (Diyala) was wounded when an IED detonated next to his house; NINA, A municipality Cheikh injuring northwest of Baquba, 11 February 2012, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FKEHKD.
- On 18 January 2012, gunmen stormed the house of Sabbah Mohammed, the mayor of Albasaj village in Latifiyah District (Babel), killing him and three of his children, and wounding a fourth, who is a Salwa member; NINA, Makhtar of a village killed with three of his sons by gunmen near Latifiya area south of Baghdad, 18 January 2012, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FIKMKG.
- On 9 November 2011, Hussein Ali Chernam, the mayor of Mosul city, escaped unharmed an assassination attempt when his house in Qayara (Nineawa), south of Mosul, was attacked; Aswat Al-Iraq, North Iraq’s Mayor escapes assassination, 9 November 2011, http://www.aswataliraq.info/Default1.aspx?page=article_page&id=145543&l=1.
- On 14 October 2011, a local mayor was killed and three members of his family wounded when an IED detonated in front of his house in Jurf Al-Milhi area north of Ba’quba (Diyala); NINA, A local municipal chief killed and three members of his family wounded north of Baquba, 14 October 2011, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FIIIEJD.
- On 26 July 2011, a roadside bomb planted close to a village mayor’s house exploded, killing him and wounding his wife and daughter, on the northwestern outskirts of Ba’quba (Diyala); Reuters Alertnet, Security developments in Iraq, July 26, 26 July 2011, http://www.trust.org/alertnet/news/security-developments-in-iraq-july-26/.

In 2011 and 2012, media reported about attacks on chairmen and members of provincial councils of Al-Anbar, Babel, Baghdad, Diyala, Kirkbala, Kirkuk, Nineva, Thi-Qar and Salah Al-Din Governates, for example:

- On 10 March 2012, Murad Anad Al-Jubouri, member of the Kirkbala Provincial Council, survived an assassination attempt in Tuareeq District, in eastern Kerbala; NINA, Member of the Karbala PC survives assassination, 10 March 2012, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FKGJHK.
- On 10 February 2012, Hussein Al-Shatab, member of the Salah Al-Din Provincial Council, survived an attack on his house in Mo’tasam district, south of Tikrit; Othman Shalsh Salahaddin official survives rocket attack, AKnews, 10 February 2012, http://www.aknews.com/en/aknews/3289069/.
- On 28 November 2011, at least one civilian was killed and 15 people wounded, including five policemen, when three roadside bombs exploded near the house of Ali Malikhi, a Turkmen provincial council member, in central Kirkuk; Reuters Alertnet, Security developments in Iraq, November 29, 29 November 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-november-29/.
- On 15 September 2011, the chairman of the Kerbala Provincial Council, Mohammed Hameed al-Mousawi, escaped an assassination attempt when on a visit to Al-Nukhaib in Al-Anbar Governorate; Aswat al-Iraq, URGENT: Chairman of Karbala Province escapes


On 17 June 2011, a car bomb targeted the house of Niaz Muhammad Maa’mar, a member of the Salah Al-Din Provincial Council, in Tuz District (Salah Al-Din), killing five and wounding 45. Maa’mar was not inside the house during the time of the attack but some members of his family were severely wounded; Aswat al-Iraq, Turkmen Front denounces attack on local council member’s house, 19 June 2011, http://en.aswataliraq.info/Default1.aspx?page=article_page&id=143341&l=1.

For example, the following incidents were reported: On 12 March 2012, Musa Yahiya, a Turkic member of the Taza District Council was assassinated when armed men opened fire on him in central Taza district (Kirkuk); Abdullah al-Amin, District councilor and teacher killed in Kirkuk, AKNews, 12 March 2012, http://www.aknews.com/en/aknews/3/295528/.


On 26 April 2011, two people were wounded when the home of a municipal official was bombed in the town of Riyadh (Kirkuk); Reuters Alertnet, Security developments in Iraq, April 26, 26 April 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-april-26/.

Recent reported attacks included for example:


On 11 February 2012, gunmen, using guns with silencers, assassinated an Interior Ministry Inspector General’s Office employee while he was driving on the Mohammed Al-Qasim Highway in Baghdad; NINA, Assassinating an employee at the Office of Interior Ministry’s Inspector General, 11 February 2012, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FJEIEJ.

On 7 February 2012, gunmen in a speeding car opened fire with weapons with silencers at the convoy of Sajidah Al-Dulaimi, the District’s police chief, killing her and her driver in Doora district in Baghdad; Reuters Alertnet, FACTBOX-Security developments in Iraq, Feb. 7, 7 February 2012, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-feb-7/.

On 2 February 2012, Dr. Sallahuddin Thanoon, Director General of the Health Department in Ninevah, survived an assassination attempt when an explosive device placed in his car detonated in the garage of the Ibn Sina Hospital in downtown Mosul; NINA, Health Director General in Mosul survives assassination attempt, 2 February 2012, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FJKDFQJ.


On 10 January 2012, two agriculture ministry employees were killed when a bomb attached to their vehicle exploded in Shirqat (Salah Al-Din); BBC, Iraq violence: Schoolboys among eight people killed, 10 January 2012, http://www.bbc.co.uk/news/world-middle-east-16497462.


On 15 December 2011, the bodies of three government employees were found with their hands tied behind their backs and gunshot wounds to the chest, three days after they were kidnapped in a desert area in Dhuailiya (Salah Al-Din); Reuters Alertnet, FACTBOX-Security developments in Iraq, December 15, 15 December 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-december-15/.

On 8 December 2011, a sticky bomb attached to the car of a government employee at the Citizenship Department, killed him and his cousin, in a town west of Mqadiya (Diyaia); Reuters Alertnet, FACTBOX-Security developments in Iraq, December 9, 9 December 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-december-9/.


On 18 September 2011, a governmental official and his son were injured by a sticky bomb explosion south of Kirkuk; Aswat al-Iraq, 2 injured in sticky bomb in Kirkuk, 18 September 2011, http://en.aswataliraq.info/Default.aspx?page=r8c&sid=show&sid=144912&l=1.


On 20 August 2011, an IED attached under the car of an employee in Diyaia’s Education Department detonated on the main road of Al-Hadeed area northwest of Ba’quba, killing three of the employee’s family members; NINA, Three members of a family killed by an IED in their car in Diyaia; 20 August 2011, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FHKKMK.

According to reports, examples include:


On 11 December 2011, police found the body of a civil servant at a state-run medicine factory shot in the head and chest two hours after he was kidnapped in Mosul; Reuters Alertnet, FACTBOX-Security developments in Iraq, December 11, 11 December 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-december-11/.


On 7 December 2011, a sticky bomb attached to a car carrying an employee of Iraq’s North Oil Company killed him in southern Kirkuk. In a separate incident, also in Kirkuk, a roadside bomb wounded a senior official of the state-run Iraqi Railways Company; Reuters Alertnet, FACTBOX-Security developments in Iraq, December 7, 7 December 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-december-7/.


On 3 May 2011, Hassan Ibrahim, Director of the Iraqi Grains Trading Company (under the supervision of the Ministry of Trade), was wounded in an apparent assassination attempt when a roadside bomb blasted his motorcade in Baghdad’s southeastern Al-Wahda neighbourhood. The blast killed his driver and wounded one of his bodyguards; Reuters, Iraq’s grain board chief survives bomb attack, 3 May 2011, http://www.trust.org/alertnet/news/iraqs-grain-board-chief-survives-bomb-attack/.

According to reports, examples include:

On 25 September 2011, in the town of Khaldiyah (Al-Anbar), a bomb planted inside a house of a government employee killed his wife and wounded two of his daughters. Another bomb near the house went off when a police patrol arrived at the scene, killing one


According to reports, examples include:

On 9 February 2012, Akram Dayni, the brother of Sunni lawmaker and Iraqiyaa political bloc member Nahida Al-Dayni, was found dead with multiple gunshot wounds near Baiji (Salah Al-Din). He was kidnapped on 4 February 2012 on the highway from Baghdad to Kirkuk. Reportedly, the family had refused to pay ransom. Dayni’s bodyguard reportedly survived with several gunshot wounds; AFP, Iraq MP’s kidnapped brother found dead, 9 February 2012, http://www.dawn.com/2012/02/09/iraq-mps-kidnapped-brother-found-dead.html; Reuters Alternet, FACTBOX-Security developments in Iraq, Feb. 5, 5 February 2012, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-feb-5/.


According to reports, examples include:


On 28 June 2011, Bayan Diazyee, the former Minister of Reconstruction and Housing and member of the KDP, was injured in an armed attack against her convoy near Tuz Khurmatu (Salah Al-Din); Aswat al-Iraq, Ex-minister hurt in armed attack, 28 June 2011, http://en.aswataliraq.info/Default1.aspx?page=article_page&id=143447&l=1.

See chapter “Judges and Lawyers”


On 20 March 2012, as part of a wave of apparently coordinated attacks across the country, a car bomb near the provincial council building reportedly killed four and wounded 11; Agencies, Iraq bombs kill scores before Arab League summit, 20 March 2012, http://www.guardian.co.uk/world/2012/mar/20/iraq-bombs-kill-degrees.

The following attacks on provincial government compounds were reported in 2011:


On 15 August 2011, at least eight people were killed and 14 wounded when a suicide car bomber attacked a municipality building in the town of Khan Bani Saad (Diyala). The same day, a parked car bomb near a government building killed one person and wounded 13 others when it went off in the town of Al-Wajhiya, northeast of Ba‘qua (Diyala). And in Balad (Salah Al-Din), a bomb placed near a municipal council building wounded six people when it exploded; Reuters Alternet, Security developments in Iraq, August 15, 15 August 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-august-15/.


On 5 July 2011, a car bomb and a roadside bomb blew up in a crowded parking lot outside a municipal building in the town of Taji (Salah Al-Din), killing at least 28 people and wounding 38. The explosions hit police, government workers and Iraqis lining up for

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- On 29 March 2011, at least 56 people were killed and scores wounded when gunmen laid siege to a Provincial Council Headquarters in Tikrit (Salah Al-Din). The attackers, who were wearing military uniforms, reportedly set off car bombs, explosive belts and hand grenades as they stormed the building and took hostages. A government spokesman said that 15 hostages were executed before their captors blew themselves up. Among the dead were three provincial council members and an Israeli journalist. The Guardian, Dozens killed in attack on Tikrit council, 29 March 2011, http://www.guardian.co.uk/world/2011/mar/29/iraq-middleeast


264 According to reports, examples include:

- On 20 March 2012, a wave of apparently coordinated attacks across the country targeted mostly police checkpoints and patrols, including for example in Kirkuk, where two car bombs exploded near a police headquarters, killing nine people and wounding 42; Agencies, Iraq bombs kill scores before Arab League summit, 20 March 2012, http://www.guardian.co.uk/world/2012/mar/20/iraq-bombs-kill-dozens.


- On 15 August 2011, a series of suicide bombings, car bombs and explosives killed at least 30 people and wounded more than 70 across Iraq. In the worst incident, a roadside bomb followed by a car bomb targeting police near a busy downtown market killed at least 37 people and wounded more than 60 in Kut (Wasit). And in Diyala, 12 people died in two attacks that targeted an Iraqi checkpoint and a military camp. An estimated 20 others were wounded. Laith Hammoud, Coordinated attacks kill 68 on Iraq’s deadliest day this year, McClatchy Newspapers, 15 August 2011, http://www.mcclatchydc.com/2011/08/15/120705/explosions-rip-iraq-from-north.html.


265 According to reports, examples include:


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On 15 January 2012, six gunmen, three policemen and a civilian died in the assault on the Ramadi police building, which houses an anti-terrorism unit and a jail, and 18 other people were wounded; Reuters, Ten dead in militant attack in Iraq's Ramadi, 15 January 2012, http://www.reuters.com/article/2012/01/15/us-iraq-violence-idUSTRE80E970T20120115?feedType=RSS&feedName=topNews&rpc=1.


On 3 October 2011, four people, including the director of the police station and an employee in the mayor's office, were killed after ISF stormed a police station in Al-Baghdadi (Al-Anbar) where gunmen disguised as police officers were holding dozens of police and civilians hostage; Rebecca Santana, Gunmen kill 4 in hostage standoff in western Iraq, AP, 3 October 2011, http://www.google.com/hostednews/ap/article/ALeqM5inqDP7a4QOFZqK4NNbh4QMLWfmUQ?docid=a20d78771976439897f09c952c26a4.

On 3 March 2011, a suicide bomber killed at least ten people, including eight soldiers, and wounded 26 others, when he blew himself up among soldiers that were collecting their paychecks at a branch of the state-owned Rafidain bank in Haditha (Al-Anbar); Reuters, Suicide bomber kills 10, wounds 26 in Iraq-sources, 3 March 2011, http://www.trust.org/alertnet/news/suicide-bomber-kills-10-wounds-26-in-iraq-sources/.


On 19 February 2012, a suicide bomber reportedly detonated his car as a group of police recruits left their academy in Baghdad, killing 20 and wounding 80 others; AP, Iraqi suicide bomber kills 20 at police academy, 19 February 2012, http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2012/02/19/MNG01N5MS.DTL. On 31 August 2011, a parked car bomb reportedly exploded near a police checkpoint on a commercial street in a largely Sunni area of southwestern Baghdad, killing three people and wounding 20 others; Reuters, Car bomb kills three, wounds 20 in Iraq, 31 August 2011, http://www.trust.org/alertnet/news/car-bomb-kills-three-wounds-20-in-iraq/.

According to reports, examples include:

- On 24 November 2010, triple bombings in a popular open-air market in Basrah killed 19 people and injured dozens more. Most of the victims were members of the ISF, including several senior officers, that arrived at the blast scene after the first bombing; Nabil Al-Jarani, Triple bombings in south Iraq kill 19, injure 64, AP, 24 November 2011, http://ap.stripe.com/dynamic/stories/MM/LIRAOQ SITE=DCSAS&SECTION=HOME&TEMPLATE=DEFAULT.


- On 20 March 2012, a car bomb exploded near a police checkpoint in Ba'quba, wounding 20, including four policemen; NINA, Death toll of Baquba explosion raised to 20 wounded, 20 March 2012, http://www.ninanews.com/english/News_Details.asp?id=95_VO=FKELH.


- On 19 January 2011, a suicide bomber driving an ambulance killed 15 people and wounded 55 others in an attack on a police headquarters in Ba'quba (Diyala). The blast caused part of the three-storey building, where offices for different departments of Iraqi police and security are located, to collapse; Shashank Bengal and Latif Hammoudi, Attack on pilgrims kills dozens as Iraqi violence continues, McClatchy Newspapers, 20 January 2011, http://www.mcclatchydc.com/2011/01/20/107142/attack-on-pilgrims-kills-dozens/.


- On 19 May 2011, two car bombs and a sticky bomb reportedly targeting ISF exploded near a police headquarters in central Kirkuk, killing 27 people and wounding more than 90 others. The third bomb reportedly targeted Colonel Oras Mohammed, the head of Kirkuk's Counter-Terrorism Unit. He was not hurt but four of his bodyguards were killed; Mustafa Mahmood, Blasts in northern Iraqi oil city kill 27, Reuters, 19 May 2011, http://www.trust.org/alertnet/news/blasts-in-northern-iraq-oil-city-kill-27/27. And on 9 February 2011, eight people died and 75 others were wounded when three car bombs targeting ISF detonated in quick succession in a residential area in southern Kirkuk. The third explosion, allegedly caused by a suicide truck bomber, targeted a Pezhmerga building and also caused damages to a nearby KDP office. Investigations by the ISF revealed that the attacks were the responsibility of AQI; Mustafa Mahmood, Three car bombs kill 7, wound 78 in Iraq's Kirkuk, Reuters, 9 May 2011, http://www.trust.org/alertnet/news/three-car-bombs-kill-7-wound-78-in-iraq-kirkuk/, Aswat al-Iraq, Recent bombings made by al-Qaeda - Kirkuk police, 17 February 2011, http://en.aswataliraq.info/Default1.aspx?page=article_page&id=141035&l=1.

- For example, on 19 February 2012, two soldiers were reportedly killed and four others were injured in the morning hours, as mortar rockets fell on the Iraqi Army headquarters in the Nahrwan area of Mosul; Rezan Ahmed, Two soldiers killed and four injured as mortar rockets fall on Nineveh HQ, AKnews, 20 February 2012, http://www.aknews.com/en/aknews/3/291095/.

For example, on 19 February 2012, two soldiers were reportedly killed and four others were injured in the morning hours, as mortar rockets fell on the Iraqi Army headquarters in the Nahrwan area of Mosul; Rezan Ahmed, Two soldiers killed and four injured as mortar rockets fall on Nineveh HQ, AKnews, 20 February 2012, http://www.aknews.com/en/aknews/3/291095/.

On 16 February 2012, three Iraqi soldiers were killed and a fourth was injured in a checkpoint attack in Ain al-Baydha village, south of Mosul city; Rezan Ahmed, 3 soldiers killed, 1 injured in Nineveh, AKnews, 16 February 2012, http://www.aknews.com/en/aknews/3/290440/.

On 30 April 2011, eight people were reportedly killed and 19 wounded when a suicide bomber blew himself up at an Iraqi army checkpoint next to a popular market in the city of Mosul; Reuters, Suicide bomber kills 5, wounds 19 in N.Iraq, 30 April 2011, http://www.trust.org/alertnet/news/suicide-bomber-kills-5-wounds-19-in-n-iraq/.
On 4 December 2012, gunmen using hand grenades attacked a police checkpoint, killing one policeman, wounding three others, and setting a police vehicle ablaze in Samarra; Reuters Alertnet, FACTBOX-Security developments in Iraq, January 4, 4 January 2012.


On 28 July 2011, two suicide bombers killed at least 15 people and wounded more than 30 others as police and soldiers were collecting their salaries at the local Rafidain Bank in central Tikrit; Reuters, Blasts kill at least 15 in Iraq's Tikrit, 28 July 2011, http://www.trust.org/alertnet/news/blasts-kill-at-least-15-in-iraq-tikrit/.

On 26 June 2011, at least 12 people were wounded, including nine policemen and three civilians, when a suicide bomber in a wheelchair blew himself up at a police station in Tarmayyah. Another source put the toll at two people killed and 17 wounded; Reuters, Suicide bomber hits Iraq police station, 12 wounded, 26 June 2011, http://www.trust.org/alertnet/news/suicide-bomber-hits-iraq-police-station-12-wounded/.


For example, reported attacks against senior ISF officials in Baghdad in 2011 and 2012 included:


On 26 February 2012, gunfire killed a vehicle driven by Colonel Abdallah Hammad in Doura, southern Baghdad. Hammad was wounded while his brother was killed in the attack; Aswat al-Iraq, 8 dead, wounded in Baghdad attacks, 26 February 2012, http://en.aswatiraq.info/Sf0i10540848/s553nynn13455/static1.aspx?page=article_page&cid=1473181&i=1.


On 5 February 2012, gunmen fired at Major Majid Waleed while he was driving his car on Mohammed Al Qasim highway in Baghdad, killing him instantly; NINA, Major in MOI killed on the highway in Baghdad, 5 February 2012, http://www.ninamnews.com/english/News_Details.asp?a=95_VQ=FKDIHH.


On 3 December 2011, gunmen using weapons with silencers wounded Iraqi army Brigadier General Ali Fadhil, and killed his wife, while he was driving his car in Baghdad's northeastern Ur district; Reuters Alertnet, FACTBOX-Security developments in Iraq, December 4, 4 December 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-december-4/.

On 5 November 2011, gunmen assassinated the Deputy Chief of the Borders Police, Brigadier Jaleel Al Abadi, with guns with silencers when he was passing through Zayouna district in eastern Baghdad; NINA, Deputy of Borders Police Chief killed in Baghdad, 5 November 2011, http://www.ninamnews.com/english/News_Details.asp?a=95_VQ=FLILD.


For example, reported attacks against senior ISF officials in Kirkuk in 2011 and 2012 included:


On 21 July 2011, a rocket was launched on the house of Police Officer Colonel Imad Murshid in a village close to Riyadh. When police arrived at the scene, a bomb exploded, killing a civilian and wounding two others; Aswat al-Iraq, Iraqi citizen killed, two others injured in Kirkuk blast, 21 July 2011, http://en.aswataliraq.info/Default1.aspx?page=article_page&id=143870&l=1.

On 19 July 2011, gunmen blew up the house of Colonel Qasim Al-Ussafiya, the assistant police chief of Riyadh town (Kirkuk), wounding him and his son; Aswat al-Iraq, House of a Kirkuk Assistant Police Director blown up, 20 July 2011, http://en.aswataliraq.info/Default1.aspx?page=article_page&id=143851&l=1.


On 13 April 2011, the assistant commander of Kirkuk’s Al-Urouba district’s police, Colonel Najat Hassan, escaped an assassination attempt when an explosive charge blew off under his vehicle while on his way to his office. Hassan was wounded in the incident; Aswat al-Iraq, Assistant Police Commander escapes assassination attempt in Kirkuk, 13 April 2011, http://en.aswataliraq.info/Default1.aspx?page=article_page&id=141955&l=1.

For example, reported attacks against senior ISF officials in Al-Anbar in 2011 and 2012 included: .


- On 15 November 2011, the commander of a Fallujah police station was killed by gunmen when on a tour through the city; Aswat al-Iraq, Police commander killed in Fallouja, 12 November 2011, http://en.aswataliraq.info/Default1.aspx?page=article_page&id=145576&k=1.


- According to reports, examples include:
  - On 30 October 2011, gunmen using guns with silencers opened fire at the car of Colonel Ali Al-Timimi, head of Jalawla’s Criminal Investigation Bureau, while driving back home in Askari neighborhood, in Muqdadiyah. Col. Timimi was seriously wounded while his son, who was accompanying him in the car, was killed; NINA, Head of Criminal Investigation Bureau in Jalawla wounded, his son killed, 30 October 2011, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FKKHKF.
  - On 19 May 2011, a parked car bomb targeting the convoy of police Lieutenant-Colonel Abdul Hameed Al-Shimari, the Emergency Response Unit Commander in Diyala Governorate, killed two civilians and wounded 10 people in Ba'quba. Al-Shimari survived unharmed but three of his guards were among the wounded; Reuters AlertNet, Security developments in Iraq, May 19, 19 May 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-may-19/.


273 For example, attacks reported on senior ISF officials in Ninewa in 2011 and 2012 included:


According to Baghdad Security Operations, militants reportedly killed more than 38 officials in the first five months of 2011. Interior Ministry sources reported at least 51 such killings to Reuters in the same period; Suadad al-Sally, EXCLUSIVE-Shi'ite groups behind Iraq killings, officials say, Reuters, 16 May 2011, http://www.trust.org/alertnet/news/exclusive-shiite-groups-behind-iraq-killings-officials-say/.

In the last two months of 2010, more than 37 successful and attempted assassinations were reportedly registered by the Baghdad Operations Centre; Suadad al-Sally, INTERVIEW-Assassination wave targets Iraq security officials, Reuters, 4 January 2011, http://www.trust.org/alertnet/news/interview-assassination-wave-targets-iraq-security-officials/.


NIWA, the National Iraqi News Agency, reported in May 2011 that ISF found leaflets, signed by AQI, threatening to kill security officials, in Baiji and Samarra (Salah Al-Din) as well as Muqadiyah (Diyala); NINA, Threats to security officials in Salah al-Deen province, 14 May 2011, http://www.ninanews.com/english/News_Details.asp?id=95_VQ=FGIKMD. See also “Actors of Violence”.


For example, it has been reported that on 26 January 2012, in the early morning, a bomb attack at the home of Ahmed and Jhadi Zawariyin, two brothers, both policemen and killed all 10 of their family members, including their wives and children, in Mussayib (Babel); AlP, Bombing of ISF members' home, 26 January 2012, http://www.google.com/hostednews/saf/article/AlEqM5iuebT7D77eUJhNf0xwp6UjqZj4qOQ/doc/CNG.06e1434111c019885da75e883365c1ae613131. Between 1 September 2011 and 31 January 2012, media reported that off-duty ISF members were targeted for assassination in Al-Anbar, Babel, Baghdad, Diwaniyah, Diyala, Kirkuk, Salah Al-Din and Ninewa; see Reuters Alertnet, Security developments in Iraq, 1 September 2011 until 31 January 2012. Furthermore, NINA, the Iraqi National News Agency, reported in August 2011, that ISI had distributed leaflets in Hawija (Kirkuk) threatening those that collaborate with the ISF; NINA, Group of Islamic State of Iraq threatens of killing detectives in Kirkuk, 6 August 2011, http://www.ninanews.com/english/News_Details.asp?id=95_VQ=FHIKMK.

According to reports, examples include:


On 26 April 2011, bombs planted around the homes of two policemen exploded, killing a man and a child and wounding four other people, in Hawija (Kirkuk); Reuters Alertnet, Security developments in Iraq, April 26, 26 April 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-april-26/.


Analysis of security incidents as reported by Reuters Alertnet and Aswat Al-Iraq between January 2011 and February 2012. See above examples.

See “Background Information”.

According to reports, examples include:


On 27 January 2012, the mutilated body of Peshmerga member Wisam Jumaa was found dead in Saadiya (Diyala); Bryar Mohammed, Peshmerga cut into pieces in Diyala, AKnews, 27 January 2012, http://www.aknews.com/en/aknews3/2366108/.


On 18 December 2011, Adel Hameed, a member of the Asayish, was killed when his vehicle exploded in front of the KDP's committee building in Saadiya (Diyala); Bryar Mohammed, Asayish member killed in Diyala bombing, AKnews, 18 December 2011, http://new.aknews.com/en/aknews3/2778893/.

On 6 December 2011, a member of the Kurdish security forces was wounded when a roadside bomb targeting his patrol went off near the city of Mousul; Reuters Alertnet, FACTBOX-Security developments in Iraq, December 6, 6 December 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-december-6/. The same day, gunmen opened fire at a car...


On 3 October 2011, gunmen wedged a Peshmerga checkpoint in Bay Doman area of Khanqeen (Diyala), killing one and wounding four others; NINA; Element of Peshmerga killed seven others wounded in Diyala, 3 October 2011, http://www.ninnews.com/english/News_Details.asp?ar95_VQ=FLIGHG.

On 5 May 2011, a roadside bomb targeting the motorcade of the Asayish Director in Tuz Khurmato, Nawzad Karimwnt, killed two Asayish members and wounded four others, including two civilians, in the town of Tuz Khurmato (Salah Al-Din); Reuters Alertnet, Security developments in Iraq, May 5, 5 May 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-may-5.

On 21 December 2011, three bombs were consecutively in Arbil, eastern Kirkuk, killing one person and injuring 19 others, including five Asayish members and four policemen; Aswat al-Iraq, 3 blasts in Kirkuk leave 20 casualties, 26 April 2011, http://en.aswataraq.info/Default1.aspx?/page/article_page/kid=142198&l=1.


On 5 March 2011, two Asayish members were killed and five wounded when an IED targeting the convoy of the Asayish head detonated in Tuz Khurmatu (Salah Al-Din); NINA, 7 Ashaayish Kurdish forces killed and injured in Salahuddin province, 5 March 2011, http://www.ninnews.com/english/News_Details.asp?ar95_VQ=FGHIMM.

On 12 January 2011, gunmen opened fire on a lieutenant in the former army, in Mahaweed district (Babel), wounding him; NINA, An officer in the former army injured in Babel, Hilla / NINA/- An officer in the former army injured today by an armed attack occurred in Babel, 13 February 2012, http://www.ninnews.com/english/News_Details.asp?ar95_VQ=FKEKJH.


On 22 June 2011, a sticky bomb attached to a car exploded, killing Qahtan Anbar, a senior officer in the former Ba’ath Party, in Ba’quba (Diyala). In a separate incident, a sticky bomb attached to his car killed a retired lieutenant colonel who served in Saddam Hussein’s army, in Baghdad’s southern Saidiya district; Reuters Alertnet, Security developments in Iraq, June 22, 22 June 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-june-22/.


On 22 February 2011, gunmen using guns with silencers shot dead Ismael Mohammed Mehdi, an officer at the rank of Brigadier in the former Iraqi Army, in Ba’quba (Diyala); NINA, Former officer assassinated in Muqadiya, 22 February 2011, http://www.ninnews.com/english/News_Details.asp?ar95_VQ=FIEMFG.

On 20 February 2011, a fireman killed an officer at the rank of colonel of the former Iraqi Army in Askari neighborhood, northeastern Ba’quba (Diyala); NINA, Former officer assassinated in Muqadiya, 22 February 2011, http://www.ninnews.com/english/News_Details.asp?ar95_VQ=FIEMFG.


It needs to be noted that the term “Sa’ha” does not cover a single, uniform organization; rather, these are local groups made up from mainly former insurgents and tribal members. See also “Background Information”.

In 2008, the MNF-I reportedly transferred responsibility for the Sahwa to the Iraqi Government. The latter had committed to integrate 20 percent of the fighters into the ISF and to find jobs for the others in civil service or private sector jobs. To date, the process has been slow and many Sahwa members reportedly feel marginalized; Dan Morse, *Former ‘Sons of Iraq’ targeted by insurgents after U.S. pullout*, Washington Post, 27 January 2012, http://www.washingtonpost.com/world/middle_east/former-sons-of-iraq-targeted-by-sunni-insurgents-after-us-pullout/2012/01/14/d02a1494VQ_story.html.

In August 2011, ISIS’s spokesman Abu Mohammed Al-Adnani in an audio message reportedly asked Sunni Sahwa members who turned against the insurgency and joined forces with the USF-I and the Iraqi Government to return to its ranks, promising to forgive them. He also reportedly threatened to “slaughter” those who did not “repent”; Maamoun Youssef, *Al Qaeda In Iraq Audio Message Reportedly Asks Ex-Members To Return*, AP, 8 August 2011, http://www.huffingtonpost.com/2011/08/08/al-qaeda-in-iraq-audio-message_n_921328.html. On 15 August 2011, gunmen dressed in military uniforms reportedly executed four Sahwa members and wounded three others after dragging them out of Al-Tawrah mosque in the town of Sayafiyah (Babel). Reports, a note was left near the bodies claiming it was from ISIS; Reuters, *Gunmen kill four Sunni fighters near Baghdad*, 16 August 2011, http://www.trust.org/alertnet/news/gunmen-kill-four-sunni-fighters-near-baghdad/.

According to reports, examples include:

- On 18 March 2012, three Sahwa members were killed and two seriously injured when two IEDs exploded near their checkpoint in Shirqat District (Salah Al-Din); NINA, *Five Sahwa members killed, injured northern Tikrit*, 18 March 2012, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FKHMFF.
- On 15 March 2012, a Sahwa member was killed and two others wounded when roadside bomb detonated against their patrol in Shirqat district (Salah Al-Din); NINA, *Sahwa element killed, 2 wounded in Shirqat*, 15 March 2012, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FKHHH.
- On 4 March 2012, two Sahwa members were injured when a roadside bomb planted near a Sahwa checkpoint went off in the district of Tuz; NINA, *Two members of Sahwa forces injured in Salahuddin*, 5 March 2012, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FKFLLJ.
- On 3 November 2011, a suicide bomber detonated an explosive belt outside the gates of a military base in Ba’quba (Diyala) as Sahwa members lined up to collect their salaries. A car bomb blew up in a nearby parking lot a few minutes later. It was reported that at least six people were killed and 23 wounded in the attacks. Other sources put the death toll at 10 killed and 40 wounded; Reuters, *Bombs kill at least six in Iraq’s Baquba*, 3 November 2011, http://www.trust.org/alertnet/news/bombs-kill-at-least-six-in-iraqs-baqubah/.

For example, recent reported incidents included:

- On 18 March 2012, a Sahwa member was wounded when an improvised explosive device exploded near his house off in Shirqat district (Salah Al-Din). A second bomb was deactivated by ISF; NINA, *Sahwa element wounded in Shirqat*, 18 March 2012, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FKHFF.
- On 4 February 2012, a sticky bomb attached to a Sahwa member exploded and killed him in central Ba’quba (Diyala). In a separate incident, ot was reported that a bomb planted in front of the house of a Sahwa member exploded and severely wounded him and one of his family members in the town of Ud’ham (Diyala); Reuters Alertnet, *FACTBOX-Security developments in Iraq, Feb. 4, 4 February 2012*, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-february-4/.
On 29 January 2012, gunmen opened fire on a Sahwa member in front of his house in Arab Ijabbar village of Bani Saad (Diyaal), killing him instantly; NINA, A member of Sahwa forces killed and 8 wanted arrested in Diyala, 29 January 2012, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=F4MIGE.


On 31 October 2011, gunmen using weapons with silencers stormed the house of a Sahwa member and held the women and the children inside the home while they killed the Sahwa member and his brother outside, in the town of Khan Bani Saad (Diyaal); Reuters Alertnet, FACTBOX-Security developments in Iraq, October 31, 31 October 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-october-31/.

On 26 November 2011, a Sahwa member was killed and two injured when an IED targeting their vehicle exploded in Iskandariyah (Babel); Aswat al-Iraq, Sahwa (Awakening) element killed, 2 others injured in Babel, 26 November 2011, http://en.aswaatiraq.info/Default1.aspx?Page=article_page&id=14515&l=1.


On 4 October 2011, the body of a Sahwa member was found with gunshot wounds to the head and chest in Qayara (Nineaw); Reuters Alertnet, Security developments in Iraq, October 5, 5 October 2011, http://www.trust.org/alertnet/news/security-developments-in-iraq-october-5/.

On 1 October 2011, gunmen stormed the house of Ammar Al-Majmai, a Sahwa leader, and killed at least one relative in Buhriz (Diyaal). The gunmen also left a bomb behind, which blew up when ISF rushed to the site, killing one policeman and wounding four others. The same day, gunmen using weapons with silencers shot dead a Sahwa member in Udhaim (Diyaal); Reuters Alertnet, Security developments in Iraq, October 1, 1 October 2011, http://www.trust.org/alertnet/news/security-developments-in-iraq-october-1/.

For example, the following incidents were reported:

On 27 February 2012, a bomb detonated against the vehicle of Sheikh Hatef Al-Janemi, one of the Sahwa leaders in Al-Sabiehat region, eastern Fallujah (Al-Anbar), seriously wounding him along with his companion; Aswat al-Iraq, IED wounds Sahwa leader in Fallujah, 27 February 2012, http://en.aswaatiraq.info/Sy/01dlyalajzayb2w3w5rdtdp550/Default1.aspx?page=article_page&id=147137&l=1.

On 13 December 2011, Colonel Saad Al- Shammy, the Sahwa leader for Fallujah (Al-Anbar) and two of his guards were wounded. Two others were also wounded in an attack on his convoy on Fallujah-Garma road. Al- Shammy had reportedly survived at least six earlier assassination attempts on his life; NINA, BREAKING NEWS: military leader of Fallujah Support, two of his guards killed by armed attack, 13 February 2012, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FKLED; Aswat al-Iraq, Sahwa leader killed in Anbar province, 13 February 2012, http://en.aswaatiraq.info/Sy/07b227258wnbho5h5m5fiosf55/Default1.aspx?page=article_page&id=146895&l=1.


On 24 January 2012, Mullah Nadim al-Juburi, a former senior AQI leader in Dhulaiya (Salah Al-Din), who joined the Sahwa and sided with the US Forces as of 2008 and member of the national reconciliation commission, was killed by gunmen in Baghdad’s Al-Liq’a Square. The killing came after Al-Juburi made remarks on Iraqi television of ISI’s leadership structure and provided names. Several messages on a jihadist Internet forum had warned that Al-Juburi’s “days are numbered”. Al-Juburi reportedly only returned to Iraq a few days earlier from Jordan, where he had been in exile for the last two years; AFP, Assassins kill Iraq Qaeda leader-turned-critic, 25 January 2012, http://www.channelnewsasia.com/articles/517906651.html; The Voice of Russia, Former Iraqi Al Qaeda leader killed in Baghdad, 25 January 2012, http://english.rvru.ru/2012/01/25/64603824.html.


For example, the following incidents were reported:


On 22 December 2011, a family of five, including the parents, a son and two daughters were gunned down in their home in Ba'quba (Diyala). The father and the son were both members of the Sahwa; Prashant Rao, Bombs kill 57 as Iraq mired in political crisis, AFP, 22 December 2011, http://www.google.com/hostednews/ap/article/ALeqM5i84pYeYljJF7ArcDK_pu3A5J2uvw?docId=CNG.011113bade199475ce97ce6 9295236b.3a1.

On 1 December 2011, gunmen using weapons with silencers stormed three houses of Sahwa militiamen, killing eight members of two families and wounding five members of a third family in Buhriz (Diyala); Reuters Alertnet, Security developments in Iraq, December 1, 1 December 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-december-1/.

On 20 November 2011, two civilians were wounded when a sticky bomb attached to the car of Hazim Nawaf Shahal, commander of Sahwa force in Balad district (Diyala), went off; NINA, Civilian wounded in Balad, 20 November 2011, http://www.ninanews.com/english/News_Details.asp?ar95_VOn=FMLFF.

On 28 September 2011, gunmen wearing military uniforms broke into the house of Sahwa member Hamed Al-Zobaie, in Abu Ghraiab (Baghdad), and killed five members of his family, including his wife and three sons, and wounded seven guards. Al-Zobaie was not in the house at the time; Saad Abdul-Kadir, Gunmen kill 5 relatives of Sunni fighter in Iraq, AP, 28 September 2011, http://www.google.com/hostednews/ap/article/ALeqM5i5kVJ7TeAi5LaLoC sQOwX7KUXXAA/docId=77937fd1f178d2a9a9a81794d6f974ec; AFP, Gunmen kill five relatives of Iraqi militiaman, 28 September 2011, http://www.khalajtimes.com/displayarticle.asp?file=data/middleeast/2011/September/middleeast_Sep563.xml&section=middle east&col=.


For example, it was reported that on 24 September 2011, gunmen attacked four houses belonging to former Sahwa members, killing one man and wounding three other people, on the southwestern outskirts of Fallujah (Al-Anbar); Reuters Alertnet, Security developments in Iraq, September 24, 24 September 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-september-24/.


For example, the following incidents were reported:


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On 28 June 2011, a former Sahwa member was killed when a sticky bomb placed under his car exploded in the Abu Ghraib district, west of Baghdad; NINA, Former Sahwa element forces, assassination west of Baghdad, 28 June 2011, http://www.nnanews.com/english/News_Details.asp?a=95 VO=FHEDDL.


On 27 February 2011, gunmen shot dead Saad Fakhil Allo-Dulaimi, a former Sahwa member, with guns with silencers when he was driving his car on his way home north-east of Ba’quba (Diyaal); NINA, Former Sahwa member assassinated, 28 February 2011, http://www.nnanews.com/english/News_Details.asp?a=95 VO=FFMJYM.

This unit was established in 2008 in an effort to support the Iraqi police to search women at checkpoints and govern increased reliance on female suicide bombers and the threat of male bombers that dress like women; Jack Healy a...

On 2 October 2011, gunmen stormed the house of Imad Al-Dulaimi, a former Sahwa member, with guns with silencers when he was driving his car on his way home north-east of Ba’quba (Diyaal); NINA, Former Sahwa member assassinated, 28 February 2011, http://www.nnanews.com/english/News_Details.asp?a=95 VO=FFMJYM.

For example, the following incidents were reported:

On 20 March 2012, gunmen opened fire at tribal chief Sheikh Najih Abbass Al-Rawi while he was driving his car through Qaim district (Al-Anbar); NINA, Tribal chief killed in western Anbar, 20 March 2012, http://www.nnanews.com/english/News_Details.asp?a=95 VO=FKIGDL.

On 20 February 2012, a tribal sheikh of the Bani Awisat tribe, was passing by in his car, killing him, along with his brother, his wife and their two-year-old son.He was reportedly an outspoken critic of Sunni armed groups; Sky News, Seven killed in Iraq attacks, 12 February 2012, http://www.skynews.com.au/world/article.aspx?id=71526&vId=.

On 11 February 2012, an IED planted on the roadside in Garma District (Al-Anbar) exploded when Najm Mustafa Al-Awisi, sheikh of Al-Awaisat tribe, was passing by in his car, killing him, along with his brother, his wife and their two-year-old son. He was reportedly an outspoken critic of Sunni armed groups; Sky News, Seven killed in Iraq attacks, 12 February 2012, http://www.skynews.com.au/world/article.aspx?id=71526&vId=.

On 8 February 2012, an explosive charge planted in the car of Sheikh Jabbar Hussein, one of the chieftains of Al-Asakira Tribe, blew up on the main road connecting Saadiya with Khanaqeen (Diyala), killing him on the spot and wounding three others in the car; Aswat al-Iraq, Dula tribal chieftain killed, 3 others injured, 8 February 2012, http://en.aswataliraq.info/S(F342en55tpuoueay0ka5ctat))/Default1.aspx?page=article_page&id=146829&l=1.

On 29 December 2011, a former Sahwa member was killed when a sticky bomb placed under his car exploded near his house in central Kirkuk; Reuters Alertnet, FACTBOX-Security developments in Iraq, December 30, 30 December 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-december-30/.

On 9 December 2011, a tribal sheikh of the Bani-Tamim tribes was injured by a roadside bomb that targeted his car north-east of Ba’quba (Diyaal); NINA, A tribal Sheikh injured in Diyala, 9 December 2011, http://www.nnanews.com/english/News_Details.asp?a=95 VO=EIFIFL.


On 9 November 2011, Sheikh Ali Ali-Shiahi, leader of the Makademah Tribe, was killed when a sticky bomb attacked his car and exploded near his house in Dijail district (Salah Al-Din); NINA, Dijail’s Makademah Tribe’s chief assassinated, 9 November 2011, http://www.nnanews.com/english/News_Details.asp?a=95 VO=FLHIL.


On 2 May 2011, Sheikh Ahmed Hacham Al-Dairay survived an assassination attempt with serious injuries when he was shot at with machine guns in front of his house in Samarra’s Al-Huwesh district (Salah Al-Din); Aswat al-Iraq, Tribal Chief seriously injured in armed attack, 2 May 2011, http://en.aswataliraq.info/Default.aspx?page=article_page&id=142300&l=1.


See also ‘Sunni and Shia Scholars and Mosque Imams’. 504

For example, the following incidents were reported:


On 4 February 2011, armed men blew up the house of an Anbar University professor and cleric who criticized AQI during prayers the week before. The cleric was not at home when the blast occurred. Al-Jibouri was reported to provide medical treatment to Sahwa members. Al-Jibouri had only returned to his home three months earlier due to the threat of attacks, in an area south of Fallujah (Al-Anbar), but two of his sons were wounded. Reuters Alertnet, Security developments in Iraq, February 4, 4 February 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-feb-4/.

On 8/9 September 2010, Jabbar Saleh Al-Jibouri, a Sunni cleric and medic, was stabbed, beheaded and set alight in his home near Muqdadiyah (Diyala). Reportedly, Al-Jibouri was used to provide medical treatment to Sahwa members. Al-Jibouri had only returned to his home three months earlier due to the threat of AQI attacks in 2007. Al-Jibouri, Sunnis behead, set alight Sunni cleric in Iraq, 9 September 2010, http://www.reuters.com/article/2010/09/09/us-iraq-violence-idUSTRE6883RL20100909.

In the run-up to the elections, 2011, reports accused that five candidates of the Iraqi List and Kurdish Islamic Group political parties were killed. Elections-related violence as reported by UNAMI Human Rights Office and OHCHR included:

- On 22 January 2010, gunmen attacked the office of the National Congress Party in central Basrah. They were expelled by security guards and no casualties were reported.
- On 7 February 2010, gunmen assassinated Dr. Suha Abdullah Al-Shemagh, a candidate of the Iraqi List, in central Mosul.
- On 28 February 2010, UNAMI received reports that an unnamed member of the Kurdish Islamic Group had been shot dead in front of his house in Tuz Khurmatu (Salah Al-Din).
- On 6 March, Sirwan Kakai’e, a candidate of the Kurdistan Democratic Party (KDP), reportedly escaped an assassination attempt in Kirkuk.


310 Including for example members of Dawa, the Islamic Supreme Council of Iraq (ISCI), Badr Organization, Fadhila, and the Sadrist Trend.

Incidents in 2011 and 2012 involving Shi'ite party officials reportedly included:

- On 26 February 2012, an IED detonated at a Sadrist cleric’s home in Basrah; UNAMI Safety and Security Unit, 27 February 2012.


- On 7 September 2011, Fadhil Al-Zirgani, an ISCI official in Kut (Wasit), escaped an assassination when gunmen opened fire at him while he was on his way to his house in Kut; NINA, ISIC official escapes assassination in Kut, 7 September 2011, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FIHMJ.


On 29 May 2011, two guards were injured in two successive explosions targeting the ISCI headquarters in north-east Hilla (Babel); Awsat Iraq. Two persons injured in 2 blasts against the Supreme Islamic Council’s HQ in Hilla, west Iraq, 29 May 2011, http://en.aswataliraq.info/Default1.aspx?page=article_page&id=1428161&l=1.


On 31 January 2011, Ali al-Shura, a member of the Shi‘ite Shabaniya movement (linked to the Iraqi National Alliance), was killed by a roadside bomb in east Baghdad. Two of his guards were wounded; Saad Abdul-Kadir, Baghdad Attacks Kill Engineer, Politician, AP, 31 January 2011, http://abcnews.go.com/International/wireStory?id=12800327.


See chapter “Actors of Violence”.

For example, according to reports, on 2 August 2011, Iyad Jamaliuddin, a Shi‘ite cleric and former member of the CoR belonging to the Ahhr Party was seriously injured when a rocket hit his house in Baghdad’s Jadiria neighbourhood. Jamaliuddin, who is known for his public position against Iranian interference in Iraqi affairs, has reportedly accused armed groups controlled by Iran to be behind the attack; Al-Sa‘ir Special for News, 2 August 2011, cited in: MEMRI Blog, Iraqi Liberal Anti-Iran Shia Cleric Survives Missle Attack on Home, http://www.themenriblog.org/blog_personal/en/39884.htm; Awsat Iraq, ‘Iraq’s former MP, Iyad Jamaliuddin, injured in rocket attack on his house in Baghdad, 3 August 2011, http://en.aswataliraq.info/8(dkynup55ptsd2453htxw45)/Default1.aspx?page=article_page&id=144096&l=1.

For the recent violence between followers of Shi‘ite cleric Mahmoud Al-Hassani Al-Sarkhi and Grand Ayatollah Ali Al-Sistani, see “Shi‘ite Scholars and Mosque Imams”. See also “Actors of Violence”.

See “Actors of Violence”.

For example, attacks on Sunni or secular party officials and party offices were reported to include:

- On 6 June 2011, a roadside bomb killed hospital official Ehab Al-Ani in Al-Qaim (Al-Anbar). The incident investigation reportedly indicated that Al-Ani was specifically targeted because of his ties to Iraqiya; Adam Schreck, 2 candidates from Iraq’s Sunni-backed party killed, AP, 6 June 2010, http://www.google.com/hostednews/ap/article/ALeqM5lw_C7pBvsNuVUEaDuOwnSSCqGwD9G5B6L01.

- On 15 February 2011, armed men attacked the house of Iraqiya member Ra’ad Al-Dahlaki in northern Ba‘quba, injuring two guards. Al-Dahlaki was not in the house at the time of the attack; NINA, Dahlaki’s house attacked in Diyala, 16 February 2011, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FGHJL.


- On 14 October 2010, a roadside bomb targeted the motorcade of Qereem Mahood, member of Iraqiyya, in southwestern Baghdad. The bomb missed the motorcade, but the explosion killed four nearby civilians and seriously injured another three; Sahar Issa, Round-up of Daily Violence in Iraq - Thursday 14 October, 14 October 2010, http://www.mccatchyd.com/2010/10/14/v-print/102044/round-up-of-daily-violence-in.html.

For example, it was reported that on 23 August 2011, Sheikh Ahmed Abu Risha, Secretary-General of the Iraqi Sahwa Conference Movement and leader in Iraq’s Unity Coalition, was unharmed during an assassination attempt when an IED targeted his convoy on the highway between Fallujah and Abu Ghraib, NINA, BREAKING NEWS, Abu Risha survives an assassination attempt, 23 August 2011, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FHHFDJ. See also “Sahwa Members, Traditional Tribal, Religious and Community leaders”.

See “Background Information”.

For example, reports of attacks in 2011 and 2012 included:
On 15 August 2011, gunmen in a car shot dead Abbas Hassan Rashid, who was in charge of the PUK branch office in Saadiya, and one of his bodyguards in front of the PUK headquarters in the town of Saadiya (Diyala). AQI was reportedly held responsible for the assassination; KurdNet, Kurdish PUK party official killed in Iraq's disputed Diyala province, 15 August 2011, http://www.ekurd.net/mismas/articles/misc/2011/8/kurdsiniraq120.htm. The same day, at least one civilian was killed when a series of bombs exploded in quick succession near PUK headquarters in Kirkuk; Reuters, Civilian killed in Kirkuk blasts near Kurdish PUK headquarters, 17 August 2011, http://news.xinhuanet.com/english2010/world/2011-08/17/content_17617040.htm.; Assistant Chairman of Iraqi Turkomen Front escapes assassination attempt


In July 2011, a car bomb exploded near the headquarters of the political party Goran in Tuz Khurmatu (Salah Al-Din); UNAMI Safety and Security Unit, 23 February 2012.


On 17 November 2011, at least 10 people were wounded as three roadside bombs exploded near a PUK office in central Mosul as they were lining up to get fuel from a nearby station; Mohammed Tawfeeq, Iraq executes 11 ‘terrorists’ says state TV, CNN, 17 November 2011, http://edition.cnn.com/2011/11/17/world/meast/iraq-executions/index.html.


On 21 November 2011, an IED blew up against a civilian car close to the KDP headquarters in Dibbis town (Kirkuk), wounding two persons, including Jabbar Mohammed Ibrahim, Kirkuk’s Youth and Sports Director, who is also a senior KDP official; Aswat al-Iraq, Kirkuk’s Youth & Sports Director injured in explosive charge blast, 21 November 2011, http://en.aswataliraq.info/Default1.aspx?page=article_page&id=145694&l=1.

On 15 August 2012, a PUK member was killed in Jalawla (Diyala); KurdNet, security developments in Iraq, August 17, 17 August 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-august-17/.

On 22 February 2012, a car bomb exploded near the headquarters of the political party Goran in Tuz Khurmatu (Salah Al-Din); UNAMI Safety and Security Unit, 23 February 2012.

On 27 January 2012, security forces found the dead body of Wismal Jomaa, a PUK member, in an orchard located on the outskirts of Saadiya district (Diyala). He had been kidnapped three days earlier. The body bore signs of gunshot wounds and torture; NINA, A dead body of a member of (PUK) in Diyala, 27 January 2012, http://www.ninanews.com/english/News_Details.asp?a95_VQ=FMHIF.


For example, the following incidents were reported:


On 1 March 2011, a former translator for the USF-1 was killed when a bomb exploded near his house in southern Mosul; Reuters Alertnet, Security developments in Iraq, March 2, 2 March 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-march-2/.

On 16 September 2010, Ghassan Adnan, an interpreter for the USF-I, was killed by a bomb attached to his car in Ba’quba (Diyala); Iraq Body Count Database, Interpreter by bomb attached to car in west Baquba, accessed 18 March 2012, http://www.iraqbodycount.org/database/incidents/15790.


See “Actors of Violence”.


On 15 February 2011, an Iraqi interpreter was reportedly killed by a sniper while accompanying a US Provincial Reconstruction Team (PRT) in Al-Dawaleen neighborhood in eastern Kut (Wasit); Aswat al-Iraq. U.S. engineering team’s interpreter killed in Kut, 15 February 2011, http://en.awsadiraq.info/Default1.aspx?page=article&pagkid=140997&lid=1. And on 16 September 2010, Ghassan Adnan, an interpreter for the USF-I, was reportedly killed by a bomb attached to his car in Ba’quba (Diyala); Iraq Body Count Database, Interpreter by bomb attached to car in west Baquba, accessed 18 March 2012, http://www.iraqbodycount.org/database/incidents/15790. See also The List Project, which is tracking threats and attacks against former USF-I employees, including in 2012; The List Project, End Game in Iraq, accessed 18 March 2012, http://thelistproject.org/end-game-in-iraq.

By July 2011, about 9,000 Iraqis were reportedly employed by the USF-I in various capacities, according to Major General Jeffrey Buchanan, spokesman for the USF-I. All of them had reportedly lost their employment as a result of the USF-I’s withdrawal from Iraq; AFP, US military’s Iraqi linguists face uncertain road, 22 August 2011, http://www.dawn.com/2011/08/22/us-militarys-iraqi-linguists-face-uncertain-road.html. According to this US-based NGO, tens of thousands have worked for the MNF-I since 2003. The US Department of Defense estimates that over 36,000 Iraqis were working for it in Iraq as of the second quarter of 2009. The Congressional Budget Office reported that as of August 2008, roughly 70,000 Iraqis were working for US government agencies or their contractors in Iraq; The List Project to Resettle Iraqi Allies, The Crisis, accessed 18 March 2012, http://thelistproject.org/Withdrawal/?page_id=436. According to a report by Al Jazeera, more than 140,000 Iraqis worked for the US between 2003 and 2011; Gregg Carlstrom, Iraqis who aided US left behind and fearful, Al Jazeera, 18 December 2011, http://www.aljazeera.com/indepth/features/2011/12/20111215164220357796.html.

According to reports, they feared exposure to reprisals at the hands of armed groups or segments of the population, who consider them “traitors” and “collaborators”. This is particularly true for those individuals that lived and worked full-time at the relatively safe military bases from which they will be expelled after their closure; Gregg Carlstrom, Iraqis who aided US left behind and fearful, Al Jazeera, 18 December 2011, http://www.aljazeera.com/indepth/features/2011/12/20111215164220357796.html.

The List Project reported that prominent Shi’ite clerics, “traitors” and “collaborators”, has given them an ultimatum to leave with the US by the end of 2011. It was further suggested that Iraqi staff take extra security measures to avoid potential attacks against them; Majid Khadami, Interpreter by bomb attached to car in west Baquba, accessed 18 March 2012, http://thelistproject.org/Withdrawal/?page_id=436. According to this US-based NGO, founded in 2007, violence against individuals affiliated with the USF-I has already increased and is expected to further escalate. The List Project to Resettle Iraqis, Tragedy on the Horizon, May 2010, p. 13, http://thelistproject.org/Withdrawal.pdf; see also Tim Lester and Tim Young, Iraqis interpreters’ acts of heroism lost in translation, The Age, 5 June 2011, http://www.theage.com.au/national/iraqi-interpreters-acts-of-heroes-lost-in-translation-20110604-1fnum.html#ixzz1QONbBCUP.


Gregg Carlstrom, Iraqis who aided US left behind and fearful, Al Jazeera, 18 December 2011, http://www.aljazeera.com/indepth/features/2011/12/20111215164220357796.html. The List Project reported that prominent Shi’ite clerics issued statements condemning the US and its “collaborators”: on 28 October 2011, Grand Ayatollah Mahmoud Hassani Sarkhi had reportedly released a statement in conjunction with a celebration for Mohammed Sadiq Al-Sadr (a revered Shi’ite cleric allegedly killed by the former regime and Muqtada Al-Sadr’s father) telling his followers to “[R]eject the occupation, the invaders and the collaborators, and those who prepared for their arrival and are satisfied with their work.” The List Project to Resettle Iraqi Allies, End Game in Iraq, accessed on 18 March 2012, http://thelistproject.org/Withdrawal/?page_id=1985; the original statement (in Arabic) is available at: http://www.al-hasany.net/News_Print.php?ID=1410. On 1 September 2011, it was reported that after attacks against USAID contractors in Baghdad by JAM, their Iraqi staff of USAID were informed that they would move their compound to a more secure location. On 31 October 2011, a US State Department representative informed Iraqi USAID contractor staff that Muqtada Al-Sadr announced a war on US-affiliated Iraqis and has given them an ultimatum to leave with the US by the end of 2011. It was further suggested that Iraqi staff take extra security measures to protect themselves; The List Project to Resettle Iraqi Allies, End Game in Iraq, accessed on 18 March 2012, http://thelistproject.org/Withdrawal/?page_id=1985. The List Project analyzed a strategic plan by ISIL, issued in Fallujah in 2010, in which it plans for the steady targeting of US-affiliated Iraqis in the wake of the USF-I withdrawal. According to the plan, it foresees “nine bullets for the traitors and one for the crusaders”, “cleansing” and “targeting”; The List Project to Resettle Iraqi Allies, Tragedy on the Horizon, May 2010, pp. 13-14, 20-21, 42, 47, http://thelistproject.org/Withdrawal.pdf. See also “Actors of Violence”.

According to a November report by an Iraqi newspaper Salah Al-Din, many former interpreters in Balad (Salah Al-Din) threw away any paperwork that identified them as such; Gregg Carlstrom, Iraqis who aided US left behind and fearful, Al Jazeera, 18 December 2011, http://www.aljazeera.com/indepth/features/2011/12/20111215164220357796.html.

See also The List Project to Resettle Iraqi Allies, Tragedy on the Horizon, May 2010, p. 13, http://thelistproject.org/Withdrawal.pdf. The US Government has a special immigrant visa programme for Iraqis at risk due to their former employment with its forces; however, it has been reported that its implementation has been cumbersome and slow and actual admissions and departures have been lower than anticipated. See for example, Trudy Rubin, Worldview: 103

330 Andrew E. Kramer, Village in Iraq Falters With Exit of U.S. Troops, NY Times, 15 November 2011, http://www.nytimes.com/2011/11/16/world/middleeast/iraqi-town-falters-as-united-states-troops-exit.html. Cases of US-affiliated Iraqis that were denied employment by the GoI due to their previous work with the US have been reported. Allegedly, many former USF-I employees fear to reveal their prior work experience to a potential new employer as they may be once more exposed to threats or violence. The List Project to Resettle Iraqi Allies, Tragedy on the Horizon, May 2010, p. 49, http://theisliproject.org/Withdrawal.pdf.


340 According to Ramzy Mardini of the Institute for the Study of War, “[T]he ruling Shi’a bloc has used de-Ba’athification measures as a political tool to marginalize Sunni opponents; Ramzy Mardini, Maliki Arrests Potential Opposition, Institute for the Study of War, 21 December 2011, p. 4, http://www.understandingwar.org/sites/default/files/Backgrounder_MalikiArrestsPotentialOpposition.pdf. De-Ba’athification has reportedly been used in a sectarian manner as it was widely used to purge Sunni officials from the Iraqi administration whereas Shi’ite and Kurdish former Ba’athists were “silent ‘un-Ba’athified’ and thus co-opted”; Reidar Visser, Blacklisted in Baghdad, Foreign Affairs, 27 January 2010, http://www.foreignaffairs.com/articles/65939/reidar-visser/blacklisted-in-baghdad/.


342 Reidar Visser has reportedly said about the mass arrests of mainly Sunnis in October 2011 that, “[T]his is of course not the first time vague accusations of Baathism are being used as a basis for vilification with hunts against political opponents in Iraq”; Reidar Visser, The Latest Wave of Arrests: Ba’athists and Terrorists Are Two Different Things, Gulf Analysis, 26 October 2011,


In the run-up of the March 2010 parliamentary elections, it was reported that some 500 candidates were disqualified by the Accountability and Justice Commission (AJC) due to their alleged ties with the former Ba’ath Party. Thirty-six candidates were later reportedly reinstated under the auspices of an ad hoc CoR committee. Ultimately the cassation chamber completed its vetting process for the others prior to the elections, reportedly reinstating another 26 candidates. While the 2008 De-Ba’athification Law prevents active Ba’athists and high-level former Ba’athists from running for elected office, it was reported that due process was clearly violated in the disqualification process.


The Justice and Accountability Law is reportedly only concerned in defining what levels of Ba’ath Party membership would prevent a person from holding government employment or in running for election. However, the law does not provide a legal basis to prosecute Ba’ath Party members.

While the 2005 constitution outlawed the Ba’ath Party, Article 135(5) explicitly provides that “mere membership of the Ba’ath party is not a sufficient condition for transfer to the court”. Article 7 of the constitution outlawed propagation of a number of political ideologies, including Ba’athism; however, to date no law has been issued as requested by the constitution.


Ramzy Mardini of the Institute for the Study of War concluded that “[G]iven Maliki’s history of centralization, the U.S. withdrawal, and Iraq’s upcoming elections, it is likely that consolidating power and purifying the security sector from rivals are the principles motivating factors in his decision-making”; Ramzy Mardini, *Maliki Arrests Potential Opposition*, Institute for the Study of War, 21 December 2011, pp. 3, 6, http://www.understandingwar.org/sites/default/files/Backgrounder_MalikiArrestsPotentialOpposition.pdf.

In February 2011, it was reported that protests took place in various locations of Central and Southern Iraq, including:

- On 17 February 2011, in Nassiriya (Thiqar), hundreds of people staged a protest demanding better services and the dissolution of the municipality council. The premises of the Nassiriya municipal council were burned by one. The premises of the Nasseriyah municipal council were burned by protesters, 17 February 2011, http://en.aswataliraq.info/Default1.aspx?page=article_page&id=141049&l=1.
- On 16 February 2011, police opened fire on peaceful protesters calling for the resignation of the governor in Kut (Wasit), killing three and wounding more than 50 others, according to local security sources. As a result of the shootings, protesters stormed the provincial governor’s headquarters and home and set them ablaze. In Diwaniyah, at least three persons were reportedly injured by police gunfire. As a result, the municipal councils of Al-Hamza and Iqiq resigned; Liz Sly and Ali Qeis, Two Iraq protesters killed amid unrest in normally peaceful Kurdistan, 18 February 2011, http://www.washingtonpost.com/wp-dyn/content/article/2011/02/17/AR2011021706418.html; Aswat al-Iraq, Religious group accused of wounding behind Nasiriya incident, 18 February 2011, http://en.aswataliraq.info/Default1.aspx?page=article_page&id=141049&l=1.

In May and June 2010, popular protests had reportedly occurred in the governorates of Anbar, Basrah, Kerbala, Najaf, Thi-Qar and Wasit. Several deaths and injuries among civilians were reported due to the use of live fire by the ISF. For example, on 19 June 2010, ISF had reportedly killed two protesters and wounded two others after protesters tried to enter the provincial council building in Basrah; HRW, Iraq: Stop Blocking Demonstrations, 17 September 2010, http://www.hrw.org/news/2010/09/17/iraq-stop-blocking-demonstrations.

The regulations require protest organizers to obtain written approval from the MoI and the provincial governor concerned before submitting an application to the relevant police department, no less than 72 hours ahead of a planned event. The regulations do not set out clear criteria for grants or denials of such requests, suggesting substantial discretionary powers; Amnesty International, Days of Rage – Protests and Repression in Iraq, April 2011, pp. 2, 4, http://www.amnesty.org/en/library/asset/MDE14/013/2011/en/991f0bae-762-43cf-84f-15555eb5684d17/mde140132011en.pdf

The regulations do not include any limits to the use of force against protestors nor do they make any mention of the proporti

The regulations do not include any limits to the use of force against protestors nor do they make any mention of...
On 10 February 2011, Iraqi lawyers led a protest of some 3,000 persons in Baghdad denouncing failures of the judicial system, the abuse of prisoners and widespread corruption. Similar but smaller protests were also held in Basrah and Mosul; Bushra Juhi, Lawyers lead anti-government protest in Baghdad, AP, 11 February 2011, http://abcnews.go.com/International/wireStory?id=12881803#Ts_92b98vU.


It was only on 30 March 2011 that the Iraqi authorities had finally announced that the ISF were banned from using live ammunition against demonstrators except in cases of self-defense. Those violating the new regulations would be held accountable; Awasat Al-Iraq, Iraq’s PM bans use of fire against demonstrators, 30 March 2011, http://en.aswataliraq.info/Default1.aspx?page=article_page&id=141712&l=1.

In several locations, clashes erupted between protestors and ISF as protestors reportedly aimed to storm government buildings and police stations or threw stones at the security forces. Demonstrators were reported to have used violence only after ISF had used force against them, including sound bombs and live ammunition; Amnesty International, Days of Rage – Protest and Repression in Iraq, April 2011, p. 3, http://www.amnesty.org/en/library/asset/MDE14/013/2011/en/991fffba43d1-8b4f-1555eb568d17/mde140132011en.pdf; Charles McDermid with Karim Lami, The Missing Ingredient in Iraq’s Day of Rage, Time, 25 February 2011, http://www.time.com/time/world/article/0,8859,2055525,00.html.

In Tikrit (Salah Al-Din), four people were killed after soldiers opened fire against protestors seeking entry to local government offices; Stephanie McCrummen, Iraq Day of Rage protests followed by detentions, beatings, The Washington Post, 26 February 2011, http://www.washingtonpost.com/wp-dyn/content/article/2011/02/26/AR2011022601854.html.

In Kirkuk, three people were reportedly killed in Kirkuk, where angry protestors raged a police station; Stephanie McCrummen, Iraq Day of Rage protests followed by detentions, beatings, The Washington Post, 26 February 2011, http://www.washingtonpost.com/wp-dyn/content/article/2011/02/26/AR2011022601854.html.

In Mosul, protests stormed and set ablaze a provincial government building. In the ensuing shoot-out, six people were reportedly killed. Also, angry protestors attacked with stones the convoy of the provincial governor and his brother, parliament speaker Osama Al-Nujafi when they tried to reach the government building in the morning; Stephanie McCrummen, Iraq Day of Rage protests followed by detentions, beatings, The Washington Post, 26 February 2011, http://www.washingtonpost.com/wp-dyn/content/article/2011/02/26/AR2011022601854.html.

In Fallujah (Al-Anbar), six protestors were reportedly killed; Stephanie McCrummen, Iraq Day of Rage protests followed by detentions, beatings, The Washington Post, 26 February 2011, http://www.washingtonpost.com/wp-dyn/content/article/2011/02/26/AR2011022601854.html.


377 HRW reported that in the end of May / beginning of June 2011, ISF detained, interrogated and beat several protest organizers in Baghdad. For example, on 28 May 2011, ISF reportedly raided the offices of the human rights group “Where Are My Rights?” in Baghdad’s Bab Al-Mut'adham neighborhood as members met with other protest organizers from the February 25 Group. Members of both groups told HRW that soldiers raided the building with guns drawn, took away 13 activists in handcuffs and blindfolds and confiscated mobile phones, computers and documents; HRW, Iraq: Protest Organizers Beaten, Detained, 2 June 2011, http://www.hrw.org/en/news/2011/06/02/iraq-protest-organizers-beaten-detained. See also chapter “NGO Workers and Rights Activists”.


379 See chapter on “Journalists”.

380 According to Hassan Al-Sair, a journalist and poet arrested on 25 February 2011, “[It] was like they were dealing with a bunch of al-Qaeda operatives, not a group of journalists.” And Hadi Al-Mahdi, a theater director and radio anchor, reported that he was blindfolded and beaten repeatedly with sticks, boots and fists and also threatened to be raped with a stick; Stephanie M. Crummen, “Iraq ‘Day of Rage’ protests followed by detentions, beatings, The Washington Post, 26 February 2011, http://www.washingtonpost.com/wp-dyn/content/article/2011/02/26/AR2011022601854.html. According to Amnesty International, there is “(...) disturbing evidence of targeted attacks on political activists, torture and other ill-treatment of people arrested in connection with the protests, and attacks or threats against journalists, media outlets, government critics, academics and students”; Amnesty International, Days of Rage – Protests and Repression in Iraq, April 2011, pp. 3, 7, 8, http://www.amnesty.org/en/library/asset/MDE14/014/2011/en/991f1fiba-1762-43d1-8bf4-f1555c5662c7/me/04131432011en.pdf.


For example, Hadi Al-Mahdi, theater director and radio anchor, had reportedly said that in detention he was accused of being a tool of outsiders seeking to topple the Iraqi Government. They reportedly wanted him to admit that he was a member of former President Saddam Hussein’s banned Ba’ath Party; Stephanie M. Crummen, “Iraq ‘Day of Rage’ protests followed by detentions, beatings, The Washington Post, 26 February 2011, http://www.washingtonpost.com/wp-dyn/content/article/2011/02/26/AR2011022601854.html. An official in the Thi-Qar Provincial Council accused Ba’athists of “enraging” protesters and three former Ba’athists were reportedly arrested; Aswat al-Iraq, Thi-Qar Council blames Baathists for “enraging” protesters, 25 February 2011, http://en.aswatiraq.info/default1.aspx?page=article_page&id=141179&l=1. See “Background Information”.


385 See “Background Information”.

386 Until January 2006, the Governorate of Sulaymaniyyah was governed by a PUK-led administration, while the Governorates of Erbil and Dahuk were governed by a KDP-led administration. An agreement between the PUK and the KDP on the joint administration of the Kurdistan Region was reportedly reached on 21 January 2006 and the KRG assumed office on 7 May 2006.


389 The Asayish is the official security agency in the Kurdistan Region. Law No. 46 of 2004 describes the role of the Asayish as follows: “protect the population, provide stability and security in the Kurdistan Region of Iraq and to combat terrorism, espionage and drug-related crime” (Article 6). The Asayish does not fall under the jurisdiction of any ministry, but reports directly to the presidency of the KRG. However, in reality, there are still two separate Asayish entities, each under the control of the KDP and the PUK in their respective areas of influence, both within the Kurdistan Region but also in areas de facto under their control; US Department of State, 2010 Country Reports on Human Rights Practices - Iraq, 8 April 2011, pp. 8, 13, http://www.state.gov/documents/organization/160462.pdf.


See “Background Information”.

See “Journalists and other media personnel in the Kurdistan Region”.

The KIU, the KIG and Goran have reportedly gained increasing popular support due to the widespread disillusionment with the ruling parties; The Majalla, The Kurdish Crisis, 9 December 2011, http://www.majalla.com-eng/2011/12/article55228153.pdf.

Mohamed Abdel Dayem, CPJ's Middle East and North Africa program coordinator, “Indeed, parts of political score settling between opposing political factions and their supporters.


In the months following the 25 July 2009 Kurdish parliamentary elections, in which Change Movement won 25 out of 111 seats, hundreds of government employees, especially members of the security services, had their employment reportedly terminated, allegedly for supporting the Change List. KRG President Barzani formed a committee to investigate the allegations, but reportedly no action was taken; US Department of State, 2009 Country Reports on Human Rights Practices - Iraq, 11 March 2010, http://www.state.gov/g/drl/hr/brtp/2009/nea/136069.htm. On the other hand, the KDP and PUK reportedly gave preference in government employment to their respective members; US Department of State, 2010 Country Reports on Human Rights Practices - Iraq, 8 April 2011, p. 36, http://www.state.gov/documents/organization/160462.pdf.

According to Amnesty International, on 9/10 April 2011, in two separate incidents, the cars of Adil Hassan, a journalist working for KIU, and the car of Soran Omer, a journalist working for the KIG, were reportedly set on fire in Sulaymaniyah. Also on 10 April 2011, KDP security forces reportedly arrested reporter Farhad Muhamad and cameraman Abdulla Ahmed, both working for the KIU satellite TV station Spedo, in Zakho (Dahuk), while they were covering protests to demand better public services. On 5 April 2011, Balen Othman, a reporter for the KIU news website Kurdistan, was reportedly arrested by the KDP security forces while trying to photograph the pro-KDP protest in the centre of Erbil and released after being taken to the Assyish office. The same day, Umed Omanarawy, a reporter for Payam TV and Komal newspaper (operated by KIG), was reportedly harassed by police officers in Soran (Erbil), while taking photos in the town’s hospital; RSF, Journalist Still Being Arrested, Harassed And intimidated Amid Continuing Protest, 11 April 2011, http://en.rsf.org/irak-journalist-still-being-arrested-11-04-20110003.html. See also RSF, More Attacks On Journalists Covering Demonstrations, TV Cameraman Missing, 4 April 2011, http://en.rsf.org/irak-more-attacks-on-journalists-04-04-201100949.html; RSF, Death Threats And Targeted Physical Attacks On Journalists In Iraqi Kurdistan, 28 February 2011, http://en.rsf.org/iraq-death-threats-and-targeted-28-02-201139637.html.


On 2 December 2011, crowds reportedly ransacked, torched or otherwise damaged up to 30 liquor store premises; The Majalla, The Kurdish Crisis, 9 December 2011, http://www.majalla.com-eng/2011/12/article55228153.pdf, CPJ, In Iraqi Kurdistan, riots lead to press freedom abuses, 6 December 2011,


10, 11, 1762, 12, 5603, 142068&l=1.


410 Aswat al-Iraq, Security forces break through demo in Sulaimaniya, 19 April 2011, http://en.aswataliraq.info/?%6E%98%BD%69%6D%61%62%6F%6B%65%63%74&article_id=124906&fi=1; After clinging down on protesters in Sulaimaniyah’s Sara Square on 19 April 2011, unauthorized protests were reportedly banned; Dilshad Safdaddin, Opposition offices attacked in Sulaimaniya, AKnews, 23 April 2011, http://www.aknews.com/en/aknews/3/2342377. According to the KRG’s Ministry of the Interior, 122 security force members arrived at the scene, the security force then opened fire using their weapons.


416 In Sulaimaniyah, daily sit-ins were reportedly held on the central Sara Square, which became known as Azduyy (Freedom) Square. In Erbil, organizers were reportedly denied authorization to hold protests and when they attempted to stage protests on Erbil’s main square on 25 February and 11 March 2011, they were reportedly violently dispersed; Amnesty International, Days of Rage – Protests and Repression in Iraq, April 2011, p. 10, http://www.amnesty.org/en/library/asset/MDE14/013/2011/en/991f1bb8-762-4341-8bf0-1555b569d179/nude/1401320151.pdf.


418 It was reported that ten people died and more than 250 others were injured; HRW, World Report 2012: Iraq, January 2012, http://www.hrw.org/world-report-2012/world-report-2012-iraq. According to Amnesty International, “[I]t appears clear that the two main political parties in the Kurdish region have sought to mobilize their own security agencies and party militants to undermine and weaken the protest movement and are prepared to use extreme means, including excessive force, arbitrary arrests, torture and threats, to achieve their objective”; Amnesty International, Days of Rage – Protests and Repression in Iraq, April 2011, p. 10, http://www.amnesty.org/en/library/asset/MDE14/013/2011/en/991f1bb8-762-4341-8bf0-1555b569d179/nude/1401320151.pdf.

Amnesty International recorded the following casualties for the early days of the protests:

26 February 2011, anti-riot police reportedly threw a sound bomb into the crowd protesting on Sara Square, injuring at least eight people. The police then reportedly started shooting in the air to disperse the protestors. It was also reported that a stray bullet fatally hit a bystander.

On 25 February 2011, after a peaceful demonstration at a central square in Kalar (Sulaimaniyah), some of the protestors had reportedly proceeded to the KDP office and started throwing stones at it. KDP guards and Asayish officers reportedly responded by shooting in the air. After Peshmerga forces arrived at the scene, the security forces had reportedly started to shoot live ammunition at protestors, killing two, including a bystander, and wounding 23 others. Five persons, including several security men, were reportedly wounded by stones.

On 19 February 2011, hundreds of protestors reportedly started walking toward the KDP headquarters in Sulaimaniyah to protest against the shooting of a 5-year-old boy two days earlier. According to Amnesty International, video clips clearly reveal that security forces, including some in plain clothes, were shooting at demonstrators with rifles and pistols, killing two protestors and wounding 14 others.
others.

- On 17 February 2011, armed KDP militia reportedly opened fire killing a 15-year-old boy and wounding 50 others, when protesters started to throw stones at the KDP headquarters in Sulaimaniyah.


427 KIU, KIG and Goran have reportedly supported the anti-government protests. On 26 February 2011, they issued a 17-point reform programme, which included a call for new elections to be held within three months. Later, they reportedly boycotted the regional parliament and called for the dissolution of the Kurdistan government. In May 2011, these parties had reportedly said that their budgets, paid by the KRG, had been cut. They alleged that this was done in retaliation for their support for the protests; Raber Y. Aziz, Opposition deputy’s car torched in Sulaimaniya, 29 June 2011, [http://www.aknews.com/en/aknews/3/233869](http://www.aknews.com/en/aknews/3/233869).


429 For example, Sharwan Azad Faqi, an NGO worker, was reportedly arrested and beaten by several security men wearing civilian clothes in Erbil on 25 February 2011. He was taken to the Asayish in Erbil and detained for four days. Amnesty International confirmed that he bore visible marks of torture in his face when he met delegates less than two weeks after his release. Faqi reported that he was forced to sign a confession without reading it; Asayish refutes reports of torturing detainees of recent unrest, Karwan Kamal, a lawyer defending protesters in the city of Sulaimanyah survived an assassination attempt; an unknown gunman reportedly shot at Kamal, when he and a friend were leaving a restaurant on 26 June 2011. Kamal was hit in his leg and (Shaprelan are the fragments thrown out by an exploding bomb-not gunsheets) his friend and a bystander were also injured. According to Amnesty International, “[T]here is strong reason to believe that Karwan Kamal was targeted for his work to defend pro-reform protesters;” Amnesty International, Attacks target activists in Iraqi Kurdistan, 29 June 2011, [http://www.amnesty.org/en/news-and-updates/attacks-target-activists-iraqi-kurdistan-2011-06-29](http://www.amnesty.org/en/news-and-updates/attacks-target-activists-iraqi-kurdistan-2011-06-29).

- See also “Journalists and other media personnel in the Kurdistan Region”.


431 In 2011, the KRG reported a issue of its investigation into the violence during the 60 days of protests. It concluded that both sides, security forces and protesters, committed violence that “the police and security forces were poorly trained in handling it appropriately.” However, at the time of writing, UNHCR is not aware if anybody was held accountable for the violence; Amnesty International, Days of

Motives for such attacks are often complex and not always clear. http://www.unhcr.org/refworld/docid/454f50804.html

Earlier in 2011, employees were exposed to the violence and harassment on the freedom, morality, honor, reputation, social standing, or financial position (credibility) of others. On the basis of these regulations, the "Bahrain Channel," 2 June 2011, was reportedly closed. For example, paragraphs 225 and 226 of the Penal Code, which penalizedamages on roads, January 2011, p. 9. http://www.english.alfalas.com/cps/rde/cwcdo/id/1371217/en/1/Alexandria-University-Report.pdf


http://www.unhcr.org/refworld/docid/454f50804.html


The Iraqi Penal Code contains several provisions criminalizing defamatory speech targeting public officials and institutions, see for example, Paragraphs 255 and 256 of the Penal Code, which penalizes those who publicly insult, inter alia, the president or his representatives, the CoR, the government, the courts or the armed forces (fines or imprisonment up to seven years); Law No. (111) of 1969 as amended, http://www.unhcr.org/refworld/category,LEGAL,NATLEGBOD,,IRQ,452514424,0.html. For an overview of all relevant provisions in the Penal Code, see HRW, At a Crossroads, February 2011, pp. 47-48, http://www.hrw.org/sites/default/files/reports/iraq0211W.pdf. Also see CPIJ/FJO, CPI, FJO cite press freedom abuses in Iraq, 10 June 2009, http://cpi.at/200906/pji-fjo-cite-press-freedom-abuses-in-iraq.php

The Law of Publications (Law No. 206 of 1968), in articles 16 and broad wording and harsh penalties on the broadcast media banning and punishing incitement of violence and sectarianism. Rights organizations reportedly criticized the regulations for its vague and broad wording and harsh penalties (suspension, fines and the confiscation of equipment). On the basis of these regulations, the Commission reportedly ordered the closure of the Baghdad and Basrah offices of Al-Baghdadiya on 1 November 2010. The station had broadcast the demands of gunmen that had reportedly attacked Our Lady of Salvation Catholic cathedral in Baghdad on 31 October 2010. The Commission reportedly accused Al-Baghdadiya of being a mouthpiece for the attackers whose demands amounted to “incitement to violence”; Freedom House, Freedom of the Press 2011 - Iraq, 23 September 2011, http://www.unhcr.org/refworld/docid/47c84fb71b.html


According to RSF, media “(...) employees were exposed to the violence and hatred of groups opposed to those supporting the media”; RSF, The Iraq War: A Heavy Toll for the Media, August 2010, p. 7, http://en.rsf.org/IMA/pdf/report_iraq_2003-2010_0b.pdf

For example, in July 2010, ISI reportedly claimed responsibility for the bombing of the “corrupted” Al Arabiya satellite TV channel, which killed six people and destroyed the Baghdad Bureau, stating on a website that the operation was reportedly aimed to hit the “mouthpieces of the wicked and evil.” The statement continued, “[W]e will not hesitate to hit any media office and chase its staffers if they insist on being a tool of war against almighty God and his Prophet”; AP, Al Qaeda Group Claims Iraq TV Channel Bomb, 29 July 2010, http://www.cnn.com/stories/2010/07/29/world/mena/733631.shtml. It was reported that Al Arabya, which is considered as “pro-Western” by some, has repeatedly been targeted since 2003; HRW, At a Crossroads, February 2011, p. 33, http://www.hrw.org/sites/default/files/reports/iraq0211W.pdf.

The Iraqi Media Network, which includes Al-Iraqiya television and Al-Sabah newspaper, has reportedly suffered the highest death toll for any media organization. It was established and funded by the US Department of Defense before being transferred to the Iraqi authorities. Between 2003 and September 2010, 15 Iraqi Media Network staffers have reportedly been killed. For example, on 7 September 2010, Raed Al-Saray, an anchorman for Al-Iraqiya, was reportedly killed when gunmen opened fire on his car in western Baghdad. Al-Saray reportedly hosted religious-based programs promoting reconciliation between Shi’ites and Sunnis; CPI, Al-Iraqiya anchorman gunned down in Iraq, 7 September 2010, http://cpi.org/2010/08/09/al-iraqiya-anchorman-gunned-down-in-iraq.php

For example, on 27 November 2010, gunmen reportedly opened fire on the home of Mohammad Al-Johair, who was reportedly targeted on the basis of his work for several public-based programs promoting reconciliation between Shi’ites and Sunnis; http://en.rsf.org/iraq.php.

Al-Johair was a well-known freelance journalist whose work for several publications focused on corruption; UNESCO, Director-General condemns killing of Iraqi journalist HilaJ Al-Alhadi, 10 March 2011, http://portal.unesco.org/ci/en/ev.php-

CPJ’s annual Impunity Index, first published in 2008, identifies countries where journalists are murdered regularly and governments fail to solve the crimes. For the 2011 index, CPJ examined unresolved journalist murders that occurred between 1 January 2001 and 31 December 2010. Of 92 reported journalist killings, none were resolved by 31 December 2010; CPJ, Getting Away With Murder, 1 June 2011, http://www.cpj.org/reports/2011/06/2011-impunity-index-getting-away-murder-php#more. Also according to CPJ, Iraq was the reported to be the deadliest country in the world for journalists for six consecutive years, between 2003 and 2008 CPJ, For Six Straight Years, Iraq Deadliest Nation for Press, 18 December 2008, http://cpj.org/reports/2008/12/forsix-straight-year-iraq-deadliest-nation-for-php.


In most cases, 151 out of 174, the motives could be established. Most of those killed (62%) where reportedly murdered, while others died as a result of crossfire/combat. The vast majority (83%) of those murdered, were reportedly killed at the hands of “political groups”, the remainder were reportedly killed by criminal groups (2%) or government officials (2%). In 13 percent of the cases, the perpetrators remain unknown. CPJ also recorded that 41 percent of those murdered had reportedly received threats; 27 percent were reportedly abducted and 9 percent were reportedly tortured prior to the killing; CPJ, 151 Journalists Killed in Iraq since 1992/Motive Confirmed, accessed 5 February 2012, http://www.cpj.org/killed/mideast/iraq/; RSF, based on data from 2003-2010, found similar results. It assessed that 68 percent of the journalists reportedly killed were deliberately targeted, in most cases by armed groups (88%); RSF, The Iraq War: A Heavy Toll for the Media, August 2010, p. 8, http://en.rsf.org/IMG/pdf/rapport_irak_2003-2010_es.pdf.


According to reports, CPJ accounted for five journalists and one media worker killed in 2011. CPJ in 2011 recorded 66 attacks against journalists and media workers, including:

- 26 Detentions
- 10 Assaualts
- 8 Equipment seizures or destruction
- 6 Killed (including one media worker)
- 6 Injured
- 5 Raids
- 2 Obstructions
- 3 Drive-by shootings.


For example, the following incidents were reported:


- On 16 September 2011, the home of journalist Faris Abbas Al-Samawi was attacked with gunfire in Hilla (Babel), resulting in the wounding of Al-Samawi’s teenage daughter; Aswat al-Iraq, Attack on journalist's house denounced, 18 September 2011, http://en.aswataliraq.info/Default1.aspx?Page=article_page&id=144916&l=1.


According to HRW, “Government officials, political party figures, and militias may all be responsible for the violence, intended to silence some and intimidate the rest”; HRW, At a Crossroads, February 2011, p. 30, http://www.hrw.org/sites/default/files/reports/iraq0211W.pdf.

For example, the following incidents were reported: On 19 August 2011, gunmen set fire to the building of the Holy Quran radio

On 26 July 2010, a suicide car bomb detonated his vehicle in front of the Al Arabiya satellite TV station, killing six people and destroying the Baghdad bureau. ISi later claimed responsibility for the attack; Al, Al Qaeda Group Claims Iraq TV Channel Bomb, 29 July 2010, http://www.chsnews.com/stories/20100729/world/main6723631.shtml.


RSF reported that on 17 October 2011 ISF raided the home of Khalil Al-Alwani, a reporter with Al-Sharq, in Fallujah. According to Al-Alwani, the raid occurred without court order. He alleged that the aim of the raid was to arrest him in relation to articles he had written about the situation in Al-Anbar. The authorities reportedly denied any involvement in the raid; RSF, Attacks and Acts of Intimidation Against Journalists, 21 October 2011, http://en.rsf.org/iraq-attacks-and-acts-of-intimidation-21-10-2011,41261.html.

RSF reported that local authorities closed Al-Sada on the grounds that its programmes contained music “contrary to local morality”. The station had come under pressure since its establishment in the beginning of 2011, including pressure from the local governor not to launch the station, the duty to pay an annual tax and threats against the station’s staff; RSF, New Wave of Abuses and Intimidation Against Journalists, 29 October 2011, http://en.rsf.org/iraq-new-wave-of-abuses-and-29-10-2011,41313.html.


For example, the following incidents were reported:


HRW, Iraq: Intensifying Crackdown on Free Speech, Protests, 22 January 2012, http://www.hrw.org/news/2012/01/22/iraq-intensifying- crackdown-free-speech-protests. For example, the following incidents were reported:

On 22 July 2011, photographer Saad Allah Al-Khaledi, who was covering a demonstration in Baghdad’s Tahrir Square, was detained by ISF. He was reportedly forced into a car, beaten and subjected to threats with a gun held against his head. He reported that at some point, when he was blindfolded and his hands tied, he heard one of his captors saying: “Move away from him so that you don’t get blood on you when I shoot him in the head;” RSF, Alarming Statement And Constant Harassment Or No Respition For Journalists, published 4 August 2011, http://www.ifex.org/iraq/2011/08/14/alawsi_released/; Freedom House, Freedom of the Press 2011 - Iraq, 23 September 2011, http://www.uhrc.org/refworld/docid/4e/c84171b.html; US Department of State, 2010 Country Reports on Human Rights Practices - Iraq, 8 April 2011, p. 22, http://www.state.gov/documents/organization/160462.pdf.

On 25 May 2011, reporters and cameramen from local and international satellite TV stations were beaten and detained and had their equipment destroyed or confiscated by ISF while covering a demonstration in central Baghdad’s Tahrir Square; RSF, Attacks on Journalists and Media in Iraq and Yemen, Two Bloggers Freed in Saudi Arabia, published 1 June 2011, updated 24 June 2011, http://en.rsf.org/saudi-arabia-attacks-on-journalists-and-media-01-06-2011,40389.html.


On 25 February 2011, Hadi Al-Mahdi and three other journalists were detained by at least 15 soldiers after they had attended a pro-reform demonstration in Tahrir Square. The four journalists were detained overnight for interrogation at the headquarters of the army’s 11th division, where Al-Mahdi received electric shocks and threatened rape, before being released without charge. On 8 September 2011, Hadi Al-Mahdi, a prominent radio journalist with Radio Dernooz and an outspoken political critic, was shot twice in the head in his flat in the Karrada district of Baghdad, ahead of a planned protest he was due to attend in the Baghdad’s Tahrir Square the next day. Al-Mahdi was said to have feared for his life after receiving a string of threats in recent weeks, during which

See also “Protestors”. 462


464 See for example; RSF, Court throws out sports ministry’s libel suit, 4 November 2010, http://www.unhcr.org/refworld/docid/4c91d81c.html.


466 RSF, Press Freedom Index, Iraq, 2010, http://en.rsf.org/report-iraq152.html. The Press Freedom Index is compiled from questionnaires including questions about every kind of violation directly affecting journalists such as murders, imprisonment, physical attacks and threats and news media, such as censorship, confiscation of newspaper issues, harassment, defamations of journalists on social networks.

467 Mu’aid Al-Lami, head of the Iraqi Journalists’ Syndicate, which represents 12,000 journalists and survivor of two assassination attempts, had reportedly told HRW that before 2008, “killing was the preferred method of silencing journalists in Iraq. Today it’s with lawsuits”; HRW, At a Crossroads, February 2011, pp. 34, 43, http://www.hrw.org/sites/default/files/reports/iraq0211W.pdf. See also Samar Dazzay, Journalist safety most threatened by Iraqi security forces, AKnews 4 December 2011, http://www.aknews.com/en/aknews/3276149.html; IFEX, Iraqi Media Complain of Tightening Curbs, 10 December 2010, http://www.unhcr.org/refworld/docid/4d071ce01a.html. In July 2010, the Court of Publication and Media was established in Baghdad to adjudicate civil and criminal media offenses such as defamation. Some rights groups had reportedly expressed concern that the court may further negatively impact on the freedom of press; however, the court has dismissed at least two lawsuits to date. In September 2010, the court heard its first defamation lawsuit filed by the Ministry of Sports and Youth against Al-Alam newspaper and its editor Ziyad Al-Ajili, who also heads the Journalistic Freedom Observatory, after it reported about alleged mismanagement and corruption in relation to a an Olympic city project built in Basrah. The ministry claimed damages of 1 billion Iraqi Dinars. In October 2010, the court ruled in favor of the newspaper, reportedly saying that the article did not defame the ministry and satisfied the right to information about a subject of general interest; IFPR, Iraqi Media Complain of Tightening Curbs, 10 December 2010, http://www.unhcr.org/refworld/docid/4d071ce01a.html; RSF, Court Throws Out Sports Ministry’s Libel Suit, published on 4 November 2010, updated on 5 November 2010, http://en.rsf.org/iraq-libel-suit-against-head-of-partner-20-10-2010,38632.html.

Another lawsuit was reportedly filed by the Hajj Commission against journalist Majid Kaabi, who in an article published in the "Blaa" newspaper on 9 June 2011 accusing the commission of not doing its job properly; the lawsuit was also rejected by the court; RFE/RL, Iraqi court dismisses case against journalist, 7 October 2011, http://www.unhcr.org/refworld/docid/4e9ca791c.html.

468 The law, which took effect in November 2011, is available in Arabic at: http://www.parliament.iq/Iraqi_Council_of_Representatives.php?name=articles_ajsdayaqwqjdsja8b467a7996dsd9sddasa5dasdswqeqp4655eweqjdfeg4ew5s9f5asegedsgsasl&files=showdetail&id=84234.


470 On 23 January 2012, the Society for Defending Press Freedom in Iraq reportedly challenged the law and called for its repeal in court. The group’s president, Oday Hatem, had reportedly told CPI that the law’s main problem was that it could be used by the Iraqi authorities to restrict media freedoms; CPI, ‘Iraq’s journalist protection law doesn’t protect them, 24 January 2012, http://www.cpi.org/2012/01/iraqs-journalist-protection-law-doesnt-protect-the.php.

471 In January 2012, Ali al-Fayad, a reporter for the daily Al-Zaman in Wasit Governorate was reportedly released after being detained for five days without a judicial warrant, an action that the new law allegedly prevents under Article 10. The journalist was told that he was detained for writing about the termination of police officers’ wages in Basra; CPI, ‘Iraq’s journalist protection law doesn’t protect them, 24 January 2012, http://www.cpi.org/2012/01/iraq-journalist-protection-law-doesnt-protect-the.php.

472 According to RSF, there are a reported 850 media outlets, including 415 print media, officially registered in the Kurdistan Region. The Kurdistan Journalists Syndicate has reportedly registered 5,000 journalists; RSF, Between Freedom And Abuses: The Media Paradox In Iraqi Kurdistan, November 2010, pp. 2, 7, http://en.rsf.org/LM/pdf/rsf_rapport_kurdistan_iraqen_nov_2010_gb.pdf.

473 Actually, some media have “become involved as political actors, which has led to difficulties differentiating political groups from the media”.

474 RSF differentiates between four groups of media organizations in the Kurdistan Region:

1. Media groups directly affiliated with the ruling political parties (for example KDP’s daily Khabat, the Gali Kurdistan Channel, controlled by the PUK);

2. Media groups indirectly affiliated with the ruling political parties, also known as “shadow media” (for example, the newspaper Rudaw and Civil Magazine, which are funded primarily by the KDP, and the newspaper Asafo funded by the PUK);

3. Media groups directly affiliated with opposition political parties (for example, Speda satellite channel, which belongs to KIU, the...
satellite news channel KNN, affiliated with Goran, and the KIG’s weekly, Komal;)


474 The law only covers print media; Kurdistan Region Presidency, Press Law in the Kurdistan Region, Law No. 35, 2007, http://www.krp.org/docs/presslaw-KR1.pdf. According to RSF, the law constitutes a significant improvement of press freedom in the Kurdistan Region, but also contains some flaws, including the vague formulation of press offences, leaving room for interpretation and arbitrariness, as well as the exorbitant fines foreseen in the case of press offences (for example, Article 9, para 1, of Chapter V stipulates that a journalist who has written an incriminating article, and his/her chief editor, can be punished by fines ranging from 1 to 5 million Iraqi Dinars – considering the average salary of a journalist, this provision can result in self-censorship; RSF, Between Freedom And Abuses: The Media Paradox In Iraqi Kurdistan, November 2010, p. 10, http://en.rsf.org/IMG/pdf/rsf_rapport_kurdistan_irakien_nov_2010_gb.pdf.


476 For example, on 17 May 2011, the KDP had reportedly brought a defamation lawsuit against the Livin editor-in-chief, Ahmed Mira, for publishing an article about an alleged plot by the KDP and the PUK to assassinate opposition leaders. According to court documents obtained by HRW, the KDP is seeking total damages of one billion dinars (US$ 864,000) and an order to shut down the magazine by revoking its license. Earlier in May 2011, Iraqi President Jalal Talabani, the PUK leader, filed his own lawsuit over the same article, resulting in the temporary detention of Ahmed Mira and a Livin reporter; HRW, Iraqi Kurdistan: Growing Effort to Silence Media, 24 May 2011, http://www.hrw.org/news/2011/05/24/iraqi-kurdistan-growing-effort-silence-media.


478 RSF points out that the notorious “red lines” can vary, depending on the location and the media outlet’s political affiliation. However, commonly religion, sex, tribal leaders and key political figures (e.g. Massoud Barzani, Jalal Talabani), corruption, neighbouring countries (in particular Iran), and the unresolved status of Kirkuk are identified as notorious “red lines” or taboos; RSF, Between Freedom And Abuses: The Media Paradox In Iraqi Kurdistan, November 2010, pp. 12-13, http://en.rsf.org/IMG/pdf/rsf_rapport_kurdistan_irakien_nov_2010_gb.pdf.

479 For example, on 24 April 2011, Sheikh Jaffar Mustafa, Minister of Peshmerga, reportedly made a death threat against Ahmed Mira, Livin’s editor-in-chief, in a (taped) telephone conversation. Even though Mira reported the threat to the KRG Prime Minister, reportedly no investigation was initiated, which prompted Mira to publish an article about the threat on 7 May 2011; HRW, Iraqi Kurdistan: Growing Effort to Silence Media, 24 May 2011, http://www.hrw.org/news/2011/05/24/iraqi-kurdistan-growing-effort-silence-media. A journalist, who has written articles critical of the KRG and received several anonymous threats told HRW in late April 2011, “[M]any of my Facebook friends told me that security forces called and threatened them, saying they had better take me off their Facebook ‘friend list,’ and many of them have”; HRW, Iraqi Kurdistan: Growing Effort to Silence Media, 24 May 2011, http://www.hrw.org/news/2011/05/24/iraqi-kurdistan-growing-effort-silence-media. RSF reported that many journalists, most of whom work for independent or opposition party newspapers, complained about receiving frequent anonymous death threats targeting them personally or those close to them. Threats are often reported to be received following the publication of an article and are made by mobile phone text messages, e-mail, fax, etc.; RSF, Between Freedom And Abuses: The Media Paradox In Iraqi Kurdistan, November 2010, p. 17, http://en.rsf.org/IMG/pdf/rsf_rapport_kurdistan_irakien_nov_2010_gb.pdf.

480 For example, on 11 May 2011, security forces in plain clothes reportedly detained and beat a Kurdistan News Network (KNN) reporter, Bryar Namiq, breaking his hand, when he went to the Parliament office in Sulaymaniyah to cover a shooting incident there. He was reportedly put in the back of a car and dumped in a different part of the city; HRW, Iraqi Kurdistan: Growing Effort to Silence Media, 24 May 2011, http://www.hrw.org/news/2011/05/24/iraqi-kurdistan-growing-effort-silence-media.


482 Harassment of journalists reportedly reached a peak at the time of the March 2010 CoR elections, allegedly due to the KRG’s fear of support for the opposition Goran Movement. Examples reported by RSF included:

- Kawa Garmiyani, a reporter with Awene newspaper in the town of Kalar (Sulaymaniyah), was beaten by security forces and prevented from taking photos.
- In Halabja (Sulaymaniyah), security forces attacked a reporter for the Kurdistan News Network (KNN), a satellite television channel affiliated with Goran, while he was filming PUK polling violations.
- Independent and opposition journalists were prevented from entering voting stations or taking photos of them although the Independent High Electoral Commission (IHEC) said all journalists had the right to do so.
- Residents helped Rabar Uzer, a reporter for the KIU website to escape when PUK security forces tried to confiscate his camera and beat him in the city of Sulaymaniyah.
- Akar Fars and Ragar Muhsin, two journalists working for Yek-gituru’s TV station in Erbil, were attacked and badly beaten by security forces, who took their camera, defaced the station’s logo and detained them for 20 minutes.
- Ibrahim Ali, Livin’s correspondent in Erbil, was prevented from taking photos although he had a press ID that had been approved by the IHEC.
threatening phone call from an unidentified phone number. Shwan Sidiq, a
ani’s bodyguards of atrocities
22 February 2011,
se named for fear of reprisal,
alists
January 2012,
rbil. The men

mencing down the build
4 December 2011,

hreas chased after them in E
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n two vehicles on the street just before the journalists were supposed to meet with a regional official who had ask
afraid to b
newspaper
Iraqi Kurdistan, riots lead to press freedom abuses
Freedom In Iraqi Kurdistan

of journalists that were carried out in a completely illegal manner
Authorities
sermon,
Aswat al
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who actively covered the Sulaymaniyah protests, is also

http://www.trust.org/alertnet/news/iraqi

more than 200 cases
year anniversary of popular protests in Sulaymaniyah; Dilshad Saifaddin,


For example, on 29 March 2011, about 10 gunmen stormed the office of the privately owned Radio Dang in Kalar (Sulaymaniyah). They handcuffed
the night guard of the building, broke most of the broadcasting equipment and confiscated other items. The radio station has been
broadcasting programmes encouraging people to demonstrate and calling for political reforms in the Kurdistan Region; HRW, Iraqi
protesters; Shamil Aqrawi, Ganmen storm Iraqi radio station, halt broadcasts, Reuters, 6 March 2011, http://www.trust.org/alertnet/news/iraq-
radio-storm-iraqi-radio-station-halt-broadcasts.

On 20 February 2011, dozens of armed men attacked the private Nalia Radio and Television (NRT) in Sulaymaniyah, shooting up
broadcasting equipment, winding a guard and burning down the building. NRT, which broadcast footage of the protests, had begun
its broadcast only two days earlier. According to Twana Othman, a manager at Nalia TV, the attackers were wearing military uniforms
but disguised their faces; CPJ, Reporter missing in Libya; attacks continue in Yemen, Iraq, 22 February 2011, http://cpj.org/2011/02/libyan-
kurdistan-prevent-attacks-protesters.

On 17 February 2011, Hawlati, an independent bi-weekly newspaper, evacuated its offices after receiving threats from unformed security forces stationed at a nearby KDP office. Tariq Fattah, the director of Hawlati, told CPJ, that “The guards of the KDP were shouting at the door of the paper that we are traitors and that we are standing behind and leading the demonstrations.” CPJ, Reporter missing in Libya; attacks continue in Yemen, Iraq, 22 February 2011, http://cpj.org/2011/02/libyan-journalist-missing-media-attacked-in-libya.php.

The threat of attacks and arrests has sent some journalists into hiding. For example, Soran Umar, a protest organizer and freelance journalist, has reportedly been in hiding since 19 April 2011 as a result of an alleged kidnapping attempt. A freelance photojournalist, Zmnako Ismail, who actively covered the Sulaymaniyah protests, is also reported to be in hiding. His Facebook account has reportedly been hacked; HRW, World Report 2012: Iraq, January 2012, http://www.hrw.org/world-report/2012/world-report-2012-iraq; HRW, Iraqi Kurdistan: Growing Effort to Silence Media, 24 May 2011, http://www.hrw.org/news/2011/05/24/iraqi-kurdistan-
growing-effort-silence-media.

Metro Center to Defend Journalists reported on 8 August 2011 that bodyguards of KRG President Massoud Barzani attacked journalists
during his visit to border areas after renewed bombardment. Reportedly, they confiscated the journalists’ cameras and erased all pictures; Aswat al-Iraq, Metro Center charges Massoud Barzani’s bodyguards of atrocities, 27 August 2011, http://en.assowataliraq.info/s/33/nek//bxai/5yf5z5o8hla1/Deaflal1.aspx?source=article_page&cid=145160.

In early December 2011, Kurdish mobs, allegedly linked to the Kurdistan Islamic Union (KIU) and instigated by a Friday prayer
\[email protected]


For example, on 29 August 2011, Asos Hardy, the director of the Awene Press and Publishing Company, which publishes the independent newspaper Awene in Iraqi Kurdistan, and a member of HRW’s Middle East and North Africa advisory committee, was reportedly attacked as he was leaving his office. He was knocked to the ground with a blow to the back of his head with a pistol and severely beaten. Hardy was hospitalized and received 32 stitches for six wounds to his head. Hardy believes that he was targeted for his journalistic work and raised doubts over the KRG authorities’ claim to investigate the attack. HRW, Iraqi Kurdistan: Prominent Kurdish Journalist Assassinated, 30 August 2011, http://www.trust.org/alertnet/news/iraqi-kurdistan-prominent-kurdish-journalist-assassinated/. In late April 2011, two journalists, afraid to be named for fear of reprisal, had reportedly told HRW that eight men in civilian clothes chased after them in Erbil. The men appeared in two vehicles on the street just before the journalists were supposed to meet with a regional official who had asked for a meeting with some members of the media. The journalists believe that the men were plainclothes security forces who were aware of the meeting and were kidnapping them trying to HRW, Iraqi Kurdistan: Growing Effort to Silence Media, 24 May 2011, http://www.hrw.org/news/2011/05/24/iraqi-kurdistan-growing-effort-silence-media.

On 4 May 2010, Sardasht Osman, a freelance journalist
for several news outlets, was reportedly abducted in Erbil by unidentified gunmen. His body was found two days later in Mosul. He was reported to have received anonymous threats because of articles criticizing senior Kurdish political leaders and raising allegations of corruption. Freedom House, Freedom of the Press 2011 - Iraq, 23 September 2011, http://www.unhcr.org/refworld/docid/4e7c84f7b1.html.

485 Idris ABBubakir, Over 350 attacks on journalists in 2011, and on one has been caught, AKnews, 15 January 2012, http://www.aknews.com/en/aknews/3284387. In the well-known case of Sardasht Osman, whose body was found in Mosul a few days after his abduction by unidentified gunmen, a KRG-appointed investigative committee reported in September 2010 that Osman had been killed by Ansar Al-Islam. The latter reportedly denied responsibility for the killing. Osman’s family rejected the investigative committee’s findings and rights organizations have reportedly harshly criticized the investigation as not transparent. According to CPI, "[The investigation of his murder is emblematic of the deeply entrenched culture of impunity in Iraq. Authorities took no discernible action in the case until they faced intense international pressure. Then, investigators produced a cursory, 430-word report that vaguely accused Osman of having links to an extremist group that led to his killing. The report, which cited no supporting evidence for its claims, was widely denounced for lacking credibility and transparency." CPI, Getting Away With Murder, 1 June 2011, http://cpi.org/cpi/reports/2011/06/2011 impunity-index-getting-away-murder-php#more


488 BRussels Tribunal recorded more than 110 (in 2006) and more than 60 (in 2007) assassinations of academics. Since 2008, there was a clear drop in the occurrence of such killings and in 2009, BRussels Tribunal accounted for 10 assassinations. However, in 2010, BRussels Tribunal recorded 17 killings and in 2011, 15 killings. Furthermore, there were a number of attempted killings (see below examples); BRussels Tribunal, List of assassinated Iraqi Academics, updated 20 January 2012, http://www.brusselstribunal.org/Academics.htm.

In 2011 and 2012, the following incidents were among others reported in Kirkuk: On 12 March 2012, school teacher Mahmoud Khidir Abdulrahman was kidnapped when a bomb attached to his car exploded in Kirkuk city’s popular market place; Abdulrahman Al-Amiri, District councilor and teacher killed in Kirkuk, AKnews, 12 March 2012, http://www.aknews.com/en/aknews/3/295528/.


On 4 November 2011, gunmen in military attire kidnapped two Kirkuk university professors, Musa Mustafa, the Dean of Imam Al Sadeq College, and Dr. Sami Ridha, a professor in the Technology College, in the Wasiti neighborhood of western Kirkuk. In addition, ISF defused a sticky bomb attached to a teacher’s car, 40 km west of Kirkuk; Aswat al-Iraq, 2 university professors kidnapped in Kirkuk, 5 November 2011, http://en.aswasatiraq.info/Default1.aspx?page=article_page&id=145516&l=1.

In 2011 and 2012, the following incidents were amongst others reported in Ninevah: On 13 March 2012, gunmen shot dead Abdullah Ahmed al-Hamdi, a university academic, and his sister, a final year student at Mosul University’s College of Dentistry, in the Al-Hadba area in Mosul; Rezan Ahmed, Mosul gunman kill academic and his sister, AKnews, 13 March 2012, http://www.aknews.com/en/aknews/3/295739/.


On 10 September 2011, Hamad Majed Sadek, a secondary school teacher, was shot dead near his home in Maamoun, south Mosul; AKnews, Assassination of lecturers continues in Mosul, 10 September 2011, http://www.aknews.com/en/aknews/3/26182/.


In 2011 and 2012, the following incidents were amongst others reported in Ninevah: On 13 March 2012, gunmen shot dead Abdullah Ahmed al-Hamdi, a university academic, and his sister, a final year student at Mosul University’s College of Dentistry, in the Al-Hadba area in Mosul; Rezan Ahmed, Mosul gunman kill academic and his sister, AKnews, 13 March 2012, http://www.aknews.com/en/aknews/3/295739/.


On 4 June 2011, gunmen opened fire at Dr. Isma'il Khalil Al-Mahdawi, an instructor at the Asma’e College of the University of Diyala, when he was on his way backhome in in western Ba’quba, seriously wounding him; NINA, University instructor wounded in Diyala, 4 June 2011, http://www.ninanews.com/english/News.Details.asp?ar95_VQ=FGFLEM.


On 6 December 2011, Musa Mustafa, the Dean of Imam al Sadeq College, was reportedly released from captivity after the payment of US$800,000. Allegedly, AQI was behind the kidnapping; Abdulrahman Al-Amiri, Kidnapped academic released for US$800,000 in Kirkuk, AKnews, 6 December 2011, http://www.aknews.com/en/aknews/3/27662/.


On 6 March 2011, Aaad Ibrahim Mohamed Al-Jebory, a neurosurgery professor at the College of Medicine in Tikrit University, was picked up with his brother during a military raid on his village in Hawijah (Kirkuk). His body was delivered by the following day to Tikrit Hospital. His brother’s fate is unknown; Iraq Solidaridad, List of Iraqi academics assassinated in Iraq during the US-led occupation, updated 2 May 2011, accessed 18 March 2012, p. 15, http://www.iraqsolidaridad.org/2011/docs/Lista_profesores_ENGLISH_02_MAY_2011.pdf.


For example, the following incidents were reported:

On 14 October 2010, Saad Abd Al-Wahab Al-Shaiban, the former Dean of the College of Computer Engineering and Information Technology at the University of Technology in Baghdad, was killed by a plastic explosive stuck to his car in Adhamiyah district of Baghdad. Al-Shaiban had left Iraq in 2006 and only recently returned to Baghdad; CEOIS Iraqi University sources on Alane News Agency, http://www.alanenews.org, October 15, 2010; see Iraq Solidaridad, List of Iraqi academics assassinated in Iraq during the US-


For example, the following incidents were reported:

- On 21 February 2012, a university student was injured when an adhesive bomb placed in his car detonated in the Amiriya area in western Baghdad; NINA, College student injured in west of Baghdad, 21 February 2012, http://www.ninawnews.com/english/News_Details.asp?ar95_VQ=FKFMF.


- On 30 November 2011, a gunman in a civilian car opened fire from his machine guns on Kurdish high school student Sherwan Arsalan Jamal while he was getting out of school in Almaz neighbourhood, north of Kirkuk; Abdullah al-Amiri, Kurdish student shot dead in Kirkuk, 30 November 2011, http://www.aknews.com/en/aknews/327551/.


- On 20 April 2011, gunmen killed a high school student in the Domeez neighborhood, southern Mosul (Ninewa); NINA, High school student killed in Mosul, 20 April 2011, http://www.ninawnews.com/english/News_Details.asp?ar95_VQ=FGFLFG.


[8] In Salah Al-Din, for example, the Ministry of Higher Education reportedly demoted 140 professors and university personnel in Tikrit University for their former Ba’ath Party affiliation. The president of the University reportedly resigned in protest of these measures; Aswat al-Iraq, Sadr support "uprooting Baath elements", 26 October 2011, http://en.aswataliraq.info/Default1.aspx?page=article_page&id=1454525&l=1. See also “Background Information” and “(Perceived) Political Opponents”.


Including reported attacks on the following persons:


For example, the following incidents were reported:


- On 1 January 2012, an unknown gunman broke into a lawyer’s house in central Fallujah and stabbed him to death; NINA, Lawyer stabbed to death in Falluja, 1 January 2012, http://www.ninawnews.com/english/News_Details.asp?ar95_VQ=FJIDU.


For example, the following incidents were reported:


On 2 January 2011, Waad Abdul-Razzaq Al-Abd Al-Mu'min, a lawyer from the Association Defending Iraqi Prisoners, was shot dead in east Baghdad; Aswat al-Iraq, Employee in Iraq's Association Defending Political Prisoners shot dead, 2 January 2011, http://www.thefreelibrary.com/Employee+in+Iraq+'s+Association+Defending+Political+Prisoners+is+shot---a0245774627.

For example, the following incidents were reported:


On 8 November 2011, an IED placed near a judge’s house in Ba’quba’s Suk al-Kabeer area, went off damaging the house without causing in casualties; NINA, 3 IEDs in Baquba wounding 3 persons, damaging judge’s house, 8 November 2011, http://www.ninanews.com/english/News_Details.asp?id=143996.


For example, on 5 March 2012, Judge Assim Omar survived an assassination attempt when an IED struck his vehicle when he was driving to work in the central Zab district. His driver was seriously wounded; Abdullah al-Amiri, Kirkuk judge survives assassination attempt, AKnews, 5 March 2012, http://www.aknews.com/en/aknews/3/293561/.

On 9 February 2012, an IED went off against a lawyer’s car in the village of Sabaghiya, in Zab district (Kirkuk), seriously wounding him; NINA, Lawyer wounded west of Kirkuk, 9 February 2012, http://www.ninanews.com/english/News_Details.asp?id=95_VQ=FLHEF.

On 21 December 2011, judge Saad Abdulla was killed by a bomb attached to his car in Kirkuk. One of the judge’s guards was seriously wounded. Reportedly, a second IED detonated inside the hospital to which the judge was transferred wounding two civilians; Abdullah Ameri, Kirkuk judge killed, IED exploded in hospital, 21 December 2011, http://www.aknews.com/en/aknews/3/279522/.

On 7 December 2011, prosecutor Nadhim Aziz Al-Taie was killed when a bomb attached to his vehicle went off in Yajai area; Abdullah al-Amari, Judge killed, official injured in Kirkuk blasts, AKnews, 7 December 2011, http://www.aknews.com/en/aknews/3/276838/.

On 30 November 2011, gunmen attacked he house of a judge in Kirkuk, causing no casualties; NINA, Two houses in Kirkuk came under armed attack, 30 November 2011, http://www.ninanews.com/english/News_Details.asp?id=95_VQ=FJEDKF.

For example, the following incidents were reported:


For example, the following incidents were reported:

On 22 February 2012, a car bomb exploded in front of a court house in Bajji, injuring four persons; UNAMI Security and Safety Unit, 23 February 2012.

On 30 April 2011, gunmen detonated bombs at the house of Tuma al-Tawfeeq, a judge in Karkh (Baghdad), killing him, his wife and two daughters in Tal (Salah Al-Din). In a separate attack, gunmen using weapons with silencers shot dead a policeman who was assigned to provide security for the judge; Reuters Alertnet, Security developments in Iraq, April 30, 30 April 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-april-30/.


On 21 April 2011, a bomb targeting the vehicle of a Samarra Investigation Judge, Shihab Ahmed, exploded in Samarra, killing a university student and wounding five persons, including a judge’s guard. Ahmed was not in the convoy at the time; NINA, Judge targeted in Samara, 21 April 2011, http://www.ninnews.com/english/News_Details.asp?ar95_VQ=FGFLKD.

On 20 April 2011, the chief judge of Salah Al-Din Court survived an assassination attempt when a car bomb parked on the main road of central Tikrit exploded. Four persons, including one of the judge’s guards, were injured; NINA, Salah-Al-Din chief Judge attacked, 20 April 2011, http://www.ninnews.com/en/News_Details.asp?ar95_VQ=FGKFL.


According to Chief Justice Medhat al-Mahmoud, the level of threats against judges in cities such as Mosul and Ba’quba is so high that judges from Baghdad are temporarily deployed to these areas to handle sensitive cases that could jeopardize the security of local judges; SIGIR, Quarterly Report and Seminannual Report to the United States Congress, 30 January 2012, p. 78, http://www.sigrj.mil/files/quarterlyreports/January2012/Report_-.January_2012.pdf#view=fit.


According to the International Crisis Group, “[T]he court system in general continues to suffer from undue political interference, which mostly takes the form of threats of physical violence against judges and their friends and family. Often the threat no longer even needs to be made: on the rare occasions when a case involving high-level corruption are forwarded to a particular judge, he or she will not give it a fair hearing and will either dismiss it on procedural grounds or issue a reduced sentence ;” International Crisis Group, Failing Oversight Iraq’s Unchecked Government, Middle East Report N°113, 26 September 2011, p. 24, http://www.crisisgroup.org/-/media/Files/Middle%20East%20North%20Africa/Iraq%20Syria%20Lebanon/Iraq/113%20-%20Failing%20Oversight%20-%20Iraq%20Unchecked%20Government.pdf.


For example, the following incidents were reported:


- On 18 October 2011, gunmen abducted a pharmacist at Bisya Children Hospital, while on his way home in Zayouna area, in eastern Baghdad; NINA, Gunmen abduct doctor in eastern Baghdad, 29 October 2011, http://www.ninnanews.com/english/News_Details.asp?ar95_VQ=FIKFGF.


In the second half of 2011, there has been a reported spike in kidnappings and killings of doctors in Kirkuk city. According to security sources, armed groups have killed more than seven doctors and kidnapped at least five others. Others reportedly received threatening phone calls. Reportedly, many doctors cut their working hours or fled Kirkuk altogether; Abdullah Ameri, Assassination of doctors in Kirkuk continues, AKNews, 18 October 2011, http://173.201.38.81/en/aknews/3/2678377; NINA, Kirkuk's Health Director: Doctors, medical staff still being threatened, 12 September 2011, http://www.ninnanews.com/english/News_Details.asp?ar95_VQ=FIJDJD.

For example, the following incidents were reported:

- On 10 January 2012, the mutilated and severed body of Khafif Ibrahim Awdal, a paramedic, was found in Shorja neighbourhood of Kirkuk; Jamshid Zangan and Hwaa Husamaddin, Kirkuk paramedic found in pieces, AKNews, 10 January 2012, http://www.akanews.com/en/aknews/3/275467.


- On 30 October 2011, gunmen opened fire on Dr. Housni Suhail Malahal, a pediatrician at Bisya Children Hospital, while on his way home in Zayouna area, in eastern Baghdad; NINA, Gunmen abduct doctor in eastern Baghdad, 29 October 2011, http://www.ninnanews.com/english/News_Details.asp?ar95_VQ=FIKFGF.


On 1 October 2011, a doctor with the rank of a major in the Iraqi Army was killed when an explosive charge planted under his car detonated on Telkeif road, north of Mosul; Assawat al-Iraq, "Doctor officer killed in sticking charge blast in Mosul", 1 October 2011, http://en.aswataliraq.info/Default1.aspx?page=article_page&id=51041&l=1.


For example, the following incidents were reported:


See above examples involving doctors of Turkmen, Kurdish, Shabak and Christian identity.


By then, the Iraqi Ministry of Health estimated that at least 620 Iraqi medical professionals, including 134 doctors, had been killed and many more threatened since 2003; AP, "Iraq says doctors can carry guns for protection", 29 September 2008, http://www.msnbc.msn.com/id/26947184/ns/world_news-middle_east_africa/iraq-says-doctors-can-carry-guns-protection/#Ts/U/mw8X-Y.


It is estimated that between 2003 and 2007, 94 aid workers were reportedly killed and 248 were injured while working in Iraq, including 22 UN staff killed and over 100 injured following a bombing on 19 August 2003 at the former UN Headquarters in Baghdad; OCHA, World Humanitarian Day FactSheet 2010, August 2010, http://www.unaaur.org/documents/389/WHD percent20Factsheet percent20EN.pdf.


For example, the following incidents were reported:

On 27 December 2011, the head of the Iraqi Red Crescent Office in Kirkuk, Yaqoub Yousif Lazim, was wounded when a bomb attached to his car went off in western Kirkuk; NINA, "Head of Red Crescent in Kirkuk wounded", 27 December 2011, http://www.ninanews.com/english/News_Details.asp?id=954694&VQ=FIDEG.

On 20 November 2011, Amer Khalaaf Abdulla, a member of a human rights organization was killed by a sticky bomb attached to his car parked in the city of Kirkuk; NINA, "Human rights activist killed by AED in his car southwest of Kirkuk", 20 November 2011, http://www.ninanews.com/english/News_Details.asp?id=954694&VQ=FIMKMG.
On 30 October 2011, the Legal Advisor to the Political Prisoners’ Organization was killed when a sticky bomb attached to his car exploded in Baghdad’s Adhamiyah district; NINA, Legal Advisor to Political Prisoners’ body killed in Baghdad, 30 October 2011, http://www.ninaworldnews.com/english/News_Details.asp?ar95_VQ=F8KH.

On 11 June 2011, the beheaded body of Namir Ryhan, an activist from a local human rights NGO, was found in his home in Abu Ghraib (Baghdad); Reuters Alertnet, Security developments in Iraq, June 11, 11 June 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-june-11/

On 8 April 2011, gunmen shot dead Abid Farhan, an official with a political prisoner advocacy group together with Taha Hamad Jaafar, Director of the al-Masar television channel, in an attack on their vehicle in the town of Mahmudiyah (Babel); Reuters Alertnet, Security developments in Iraq, April 8, 8 April 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-april-8/


Several organizations involved in organizing popular protests have reportedly been arrested and abused by ISF and the groups’ offices were raided. Reported incidents included:

On 30 September 2011, OWFI activist Aya Al Lamie was reportedly abducted by members of the ISF, dressed in civilian clothes, after attending a weekly protest on Baghdad’s Tahrir Square. She was taken to a security facility in Jadiiya and severely beaten before she was released later in the day after being told: “[I]t was a first warning!”, OWFI, 20 year old OWFI activist Aya Al Lamie Kidnapped from Tahrir Square and tortured, 3 October 2011, http://www.equalityiniraq.com/?page=

On 10 June 2011, OWFI members, who have been assembling in Tahrir Square every Friday since protests started in February 2011, have been attacked and sexually harassed by alleged government-sponsored thugs; Marcia G. Yerman, Yanar Mohammed – Iraqi Women’s Vigilant Champion, Women’s Media Center, 28 June 2011, http://www.womensmediacenter.com/blog/2011/06/exclusive-yanar-mohammed-iraqi-womens-vigilant-champion/


On 28 May 2011, ISF raided the offices of the activist group “Ayna Huqqi” (or “Where is My Right”), which has been involved in organizing street protests in Baghdad, when they were meeting with other protest organizers from the February 25 Group. They arrested 13 activists and confiscated mobile phones, computers and documents. Rights groups considered the arrests, which occurred without arrest warrants, as a government crack-down ahead of a planned protests; HRW, Iraq: Protest Organizers Beaten, Detained, 2 June 2011, http://www.hrw.org/en/news/2011/06/02/iraq-protest-organizers-beaten-detained


On 11 June 2011, the beheaded body of Namir Ryhan, a lawyer from the Association Defending Iraqi Prisoners, was shot dead in east Baghdad; Aswat al-Iraq, Employee in Iraq’s Association Defending Political Prisoners shot dead, 2 January 2011, http://www.thefreelebrary.com/Employee-in-Iraqs-Association-DefendingPolitical-Prisoners-shot—42045774627.

On 10 June 2011, OWFI members, who have been assembling in Tahrir Square every Friday since protests started in February 2011, have been attacked and sexually harassed by alleged government-sponsored thugs; Marcia G. Yerman, Yanar Mohammed – Iraqi Women’s Vigilant Champion, Women’s Media Center, 28 June 2011, http://www.womensmediacenter.com/blog/2011/06/exclusive-yanar-mohammed-iraqi-womens-vigilant-champion/


On 8 April 2011, several activists from the “February 25 Group”, a youth group involved in organizing weekly protests, were arrested and allegedly tortured after joining peaceful protests in Baghdad’s Tahrir Square; OWFI, The Iraqi government detains and tortures peaceful demonstrators from Tahrir Square, 8 April 2011, http://equalityiniraq.com/activities/130-the-iraqi-government-detains-and-tortures-peaceful-demonstrators-from-tahrir-square.


Furthermore, LGBTI activists reported that on 16 June 2010, ISF raided a safe house in Kerbala and violently beat up and blindfolded the six occupants, including three men, one woman and two transgender people, before taking them away in vans. Reportedly, the police confiscated computer equipment found in the house before burning it down. Two days later, one of the men turned up in hospital with a throat wound claiming he had been tortured; UNAMI has not been able to ascertain the whereabouts of the other five individuals; UNAMI Human Rights Office/OHCHR, 2010 Report on Human Rights in Iraq, January 2011, p. 43, http://www.ohchr.org/Documents/Countries/IRUNAMIHR%20Report%20Eng_16Jan11.pdf.

Furthermore, LGBTI activists reported that on 16 June 2010, ISF raided a safe house in Kerbala and violently beat up and blindfolded the six occupants, including three men, one woman and two transgender people, before taking them away in vans. Reportedly, the police confiscated computer equipment found in the house before burning it down. Two days later, one of the men turned up in hospital with a throat wound claiming he had been tortured; UNAMI has not been able to ascertain the whereabouts of the other five individuals; UNAMI Human Rights Office/OHCHR, 2010 Report on Human Rights in Iraq, January 2011, p. 43, http://www.ohchr.org/Documents/Countries/IRUNAMIHR%20Report%20Eng_16Jan11.pdf. See also Matt Mcalester, The Hunted, NY Magazine, 4 October 2009, http://nymag.com/news/features/50695/.


Article 14 reads: “Iraqis are equal before the law without discrimination based on gender, race, ethnicity, nationality, origin, color, religion, sex, economic or social status” : Constitution of the Republic of Iraq, 15 October 2005, unofficial English translation available at: http://www.unhcr.org/refworld/docid/454f580404.html


560 Article 41 of the Constitution provides that “Iraqis are free in their commitment to their personal status according to their religions, sects, beliefs, or choices (...).” However, the implementing legislation required by the constitution has not yet been enacted. The 1959 Personal Status Law (Law 188), which is based on Shari’a (Islamic law) principles, calls for the adjudication of cases in accordance with Shari’a principles in the absence of applicable legislative text. As a result, Shari’a principles become applicable on non-Muslims. Proclamation No. 6 provides that the civil courts consult the religious authority of the non-Muslim parties for their opinion under the applicable religious law and apply this opinion in court; US Department of State, July-December, 2010 International Religious Freedom Report, 13 September 2011, pp. 4-5, http://www.state.gov/documents/organization/171735.pdf.


564 See “Actors of Violence”.


566 See “Background Information”.

567 Marwan Ibrahim, Iraq’s Kirkuk ‘may be fertile ground for militants’, AFP, 26 November 2011. http://www.google.com/hostednews/afp/article/ALeqM5jXZGTp2Q2TmzUZ1iOqic1K0W5q4A?docId=CNG.d2cb7fcead198fb5fcf3ea88ef8e0a35.781.

568 See “Actors of Violence”.

569 See “(Perceived) Political Opponents”.

570 On 23 January 2012, ISI/AQI reportedly posted messages on a jihadist forum, claiming responsibility for the most recent attacks on Shi’ite pilgrims and announcing more attacks against the “rauwafid”, “the rejecters”, a name used by Sunni extremists for the Shi’ites; AFP, Bombing of Iraq policemen’s home kills 10, 26 January 2012, http://www.google.com/hostednews/afp/article/ALeqM5jM5ejubTD77cUnhOwry7piqIzn40QdocID=CNG.08e433d55a83111d0988585a7e883365c1ae613.131. According to the US Department of State, “the overwhelming majority of the mass-casualty attacks targeted the Shia population”; US Department of State, July-December, 2010 International Religious Freedom Report, 13 September 2011, p. 12, http://www.state.gov/documents/organization/171735.pdf. See also chapter “Actors of Violence”.


572 Since 2010, reported attacks on Shi‘ite pilgrims in Baghdad (including pilgrims from Iran) or on mosques, included:


On 13 November 2011, a roadside bomb targeting a bus carrying pilgrims wounded 15 people, among them were 13 Iranians, in Kadhimiya; AFP, Iraq attacks wound 20, including Iran pilgrims, 13 November 2011, http://www.khalajtimes.com/displayarticle.asp?xfile=data/middleeast/2011/November/middleeast_November317.xml&section=middle east&col=


On 23 January 2011, four car bombs, mostly targeting Shi'ite pilgrims, killed at least six people and wounded 29 others in a seemingly coordinated series of attacks during the major Shi'ite religious rite of Arbaeen; Reuters, Car bombs around Baghdad kill 6, wound 29, 23 January 2011, http://www.trust.org/alertnet/news/car-bombs-around-baghdad-kill-6-wound-29/.


On 7 July 2010, at least 43 people were killed and more than 160 others were wounded in several attacks on Shi'ite pilgrims commemorating Imam Musa Al-Kadhimi, a revered Shi'ite saint, in Baghdad despite heightened security measures with 200,000 security force members assigned to patrol streets, check cars and search pilgrims as they walked to the shrine; Leila Fadel and Jinan Hussein, At least 43 killed across Baghdad in attacks aimed at Shiite pilgrims, Washington Post, 8 July 2010, http://www.washingtonpost.com/wp-dyn/content/article/2010/07/07/AR2010070712331.html.

In 2010, 2011, and 2012, Karbala and Najaf reportedly saw several large-scale attacks targeting Shi’ite pilgrims, often on the occasion of religious holidays, including:


On 15/16 July 2011, three attacks during the annual Shi’ite pilgrimage on the occasion of the anniversary of Imam Mohammed Al-Mehdi's birthday killed 13 and wounded 100 people, including women and children, in Karbala; Aswat al-Iraq, 113 persons killed, injured in Karbala province, 16 July 2011, en.aswataliraq.info/Default.aspx?page=article_page&id=145783&k=1.


On 20 January 2011, two simultaneous car bombs killed up to 63 pilgrims and wounded more than 200 others at checkpoints near the northern and southern entrances to the city of Karbala ahead of the culmination of the major Shi’ite Muslim religious festival of Arbaeen; Shashank Bengali and Laith Hammoudi, Attack on pilgrims kills dozens as Iraqi violence continues, McClatchy Newspapers, 20 January 2011, http://www.mcclatchydc.com/2011/01/20/107142/attack-on-pilgrims-kills-dozens.html.

On 8 November 2010, at least 10 people were killed and a dozen others were wounded in attacks on Iranian pilgrims in Najaf and Karbala. Reuters, Car bomb kills 3 in Iraq's holy city of Najaf, 8 November 2010, http://www.alertnet.org/t Henriews/newsdesk/LDE6A70UT.htm; Reuters, Car bomb kills 7, including Iranians, in Iraq city, 8 November 2010, http://www.alertnet.org/t Henriews/newsdesk/LDE6A706J.htm.


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For example, reported incidents included:

- On 16 January 2012, a car bomb blew up while the bomber was driving it, killing at least three people and wounding another 18, in central Hillah; Reuters Alertnet, FACTBOX-Security developments in Iraq, January 16; 16 January 2012, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-january-16/.


- On 12 January 2012, a roadside bomb exploded near Shi'ite pilgrims and wounded four of them in the town of Latifiyah (Babel). The same day, also in Babel Governorate, a car bomb exploded near a vegetable market killing one person and wounding 12 others, including Shi'ite pilgrims, in the town of Kifl. Another police source put the toll at 10 people wounded and said a bomb had been placed inside a car. Also, a roadside bomb went off near a vehicle, wounding five, in the town of Jbelal (Babel). It was not clear whether the victims were pilgrims; Reuters Alertnet, FACTBOX-Security developments in Iraq, January 12, 12 January 2012, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-january-12/.

- On 8 January 2012, a bomb placed inside a car wounded at least 13 Shi'ite pilgrims when it exploded near the town of Mussayab (Babel); Reuters Alertnet, FACTBOX-Security developments in Iraq, January 8, 8 January 2012, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-january-8/.


- On 5 January 2012, 48 pilgrims were killed and dozens wounded when a suicide bomber detonated himself while the pilgrims were heading from Nasseryyah (Thi-Qar) to Kerbala ahead of Arbaeen. ISI/AQI claimed responsibility for the attack; AP, Iraq's al-Qaida claims 2 deadly attacks on Shiites, 6 February 2012, http://abclocal.go.com/ktrk/story?section=news/national_world&id=8533308; Adam Schreck, 78 killed in Iraq bombings targeting Shi'ites; AP, 6 January 2012, http://bostonlobe.com/news/world/2012/01/06/least- killed-iraq-bombings-targeting-shiites/shlNLYV2HVJrT0r/C/11X/story.html.

- On 5 December 2011, three bombs tore through crowds of Shi'ite pilgrims in the town of Hillah (Babel), killing at least 22 - mostly women and children - and wounding 63 more. In a separate incident, in Latifiyah (Babel), gunmen using hand grenades attacked Shi'ite pilgrims marching to the holy city of Kerbala to mark the festival of Ashura, killing two and wounding four others; Security developments in Iraq, December 5, 5 December 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-december-5/.


For example, reported incidents included:

- On 19 January 2012, four bombs planted at the house of a Shi’ite family in central Ba’quba (Diyala) blew up, causing no casualties. In a separate incident, three food stores owned by Shi’ites in Ba’quba were blown up, also causing no casualties; Reuters Alertnet, FACTBOX-Security developments in Iraq, January 19, 19 January 2012, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-january-19/.


For example, reported incidents included:

- On 16 January 2012, a car bomb exploded in a residential complex housing displaced Shi'ite Muslims of Shabak ethnicity, killing at least eight people and wounding four others, east of the city of Mosul; Jamal al-Badrani, Car bomb kills at least 9 in Iraq's Mosul, Reuters, 16 January 2012, http://af.reuters.com/article/worldNews/idAFREBELF0E5201201.16.

- On 14 January 2012, a roadside bomb targeting Shi'ite pilgrims wounded five people, including two policemen, when it went off near a main road leading to a Shi'ite mosque east of Mosul; Reuters Alertnet, FACTBOX-Security developments in Iraq, January 14, 14 January 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-january-14/.

Aswat al-Iraq. Child killed. 5 women injured in explosion against Imam Hussein Day's visitors in Mosal, 5 January 2012, http://en.aswataliraq.info/5fmacqycv0g45r5n1rwm1.html?article_pageid=146366581.

- On 6 December 2011, six Katyusha rockets set for firing at Shi‘ite pilgrims who celebrate the Ashura Day have been disarmed in Tal Afar district; AKnews, Rockets set for targeting Shi'ite pilgrims disarmed in Nineveh, 6 December 2011, http://www.aknews.com/en/aknews/327662/.

- In 2011 and 2012, the following incidents were reported from Salah Al-Din Governorate:
  - On 6 January 2012, two militants were killed when a bomb they were trying to plant exploded near a main road used by Shi‘ite pilgrims in Tarmiya; Reuters Alertnet, FACTBOX-Security developments in Iraq, January 7, 7 January 2012, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-january-7/.
  - On 12 February 2011, during a commemoration of the death of Hasan Al-Askari, one of 12 revered Shi‘ite imams, a suicide bomber targeting Shi‘ite pilgrims detonated an explosive vest at a bus depot at the entry to Samarra, killing 48 people and wounding 80 others; Reuters, Iraq has fewer violent deaths in February, 1 March 2011, http://www.trust.org/alertnet/news/iraq-has-fewer-violent-deaths-in-february/.
  - On 6 December 2011, two mortar rounds reportedly landed near al-Mustafa mosque in Ras Domiz area, southern Kirkuk, where pilgrims were gathering to commemorate Ashura, a major religious ritual, killing one civilian and wounding eight others; Reuters Alertnet, FACTBOX-Security developments in Iraq, December 6, 6 December 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-december-6/.

- For example, some incidents included:
  - On 22 September 2011, a car bomb exploded outside a restaurant near a Shi‘ite mosque in the town of Al-Iskandariyah (Babel), killing four and wounding 17 others; Aswat al-Iraq, Four killed, 17 injured in Babel blast, 23 September 2011, http://en.aswataliraq.info/(S(maccrjvqg05ifo45r5n1rwm1))/Default1.aspx?page=article_page&id=14636658/.
  - On 1 November 2011, six people were killed and at least 11 others were wounded when a bomb exploded at a wedding party in Al-Hamya village in Mussayib (Babel); Reuters Alertnet, Security developments in Iraq, June 1, 1 June 2011, http://www.trust.org/alertnet/news/security-developments-in-iraq-june-1/.


For example, reported attacks in predominantly Shi’ite neighbourhoods of Baghdad included:

- On 24 January 2012, four car bombs exploded in mainly Shi'ite areas of Baghdad (Sadr City, Shula and Hurriya), killing 14 people and wounding 75 others; Kareem Raheem, Car bombs kill 14, wounds 75 in Iraqi capital, 24 January 2012, af.reuters.com/article/worldNews/idAFTRE80N08E20120124.
- On 5 January 2012, explosions struck the Baghdad’s largest Shi’ite neighborhood of Sadr City and the neighbourhood of Kadhemiyah in north-western Baghdad, which is home to a revered Shi’ite shrine, killing at least 30 people; Adam Schreck, 78 killed in Iraq bombings targeting Shi’ites, AP, 6 January 2012, http://business.hq.com/news/world/2012/01/06/last-keast-kill-iraq-bombings-targeting-shites/x/thNeVZVYHV7wTeC1xloXZ/story.html.

 sectarian strife, especially Sunni-on-Shi’ite violence, has reportedly been on the rise since the fall of the former regime in 2003. However, the bombing of the holy Shi’ite Al-Askari shrine in Samarra (Salah Al-Din) in February 2006 by Sunni insurgents, who had repeatedly attacked Shi’ite civilians in an aim to ignite sectarian violence, resulted in large-scale tit-for-tat killings and forced displacements of both Sunni and Shi’ite civilians at the hands of extremist groups and multila-infiltrated security forces; Ashraf Al-Khalidi and Victor Tanner, Sectarian Violence: Radical Groups Drive Internal Displacement in Iraq, The Brookings Institution – University of Bern Project on Internal Displacement, November 2006, pp. 5, 8, http://www.internal-displacement.org/8025708F004CF90B/8/http/Documents/v32A4E6DF73CD176C125720B004F151A/$file/10112006_Tanner_Iraq_FINAL.pdf.

Maps comparing the demographic make-up of Baghdad before 2006 and after 2007 have reportedly been showing a pattern of Shi’ite expansion in the east and northwest, the clear reduction of mixed neighborhoods and the concentration of Sunnis in the west of the city; see for example, BBC, Baghdad: Mapping the violence, accessed 18 March 2012, http://news.bbc.co.uk/2/shared/spl/hottopic/depth/baghdad_navigator. See also the map collection developed by Dr. Michael Izady for Columbia University’s Gulf2000 Project, which show Baghdad’s demographic changes, http://gulf2000.columbia.edu/maps.shtml. For an overview of sectarian violence in Baghdad between 2006 and 2007, see Institute for the Study of the War, Maps Of Ethno-Sectarian

As a result of large-scale killings, many Sunnis and Shi’ites were reportedly forced to leave their areas of origin where they either constituted a minority or where armed groups of the opposite sect established control; Ashraf Al-Khalidi and Victor Tanner, *Sectarian Violence: Radical Groups Drive Internal Displacement in Iraq*, The Brookings Institution – University of Bern Project on Internal Displacement, October 2006, p. 2. http://www.internal-displacement.org/8025708F000CFE90B/0/httpDocuments/32AABEEMF73CD125720B040F151A/files/10112006.Tanner_Iraq_FINAL.pdf.

In Baghdad, it was reported that tens of thousands were killed and more than 10 percent of the population was displaced as of February 2006; IAU/OM/UN Habitat, *Urban Baghdad: Impact of Conflict on Daily Life*, June 2011, p. 1. http://www.iainau.org/documents/1372/urban%20Baghdad-Impact%20of%20Conflict%20on%20Daily%20Life-May%202012-Final.pdf.

Reportedly, IDPs overwhelmingly fled to areas where their own sectarian group was dominant, Shi’ites fled to Shi’ite-dominated areas and Sunnis to Sunni areas, a pattern that led to demographic homogenization and greater segregation of communities. According to IDMC and Brookings, “In Baghdad, militant groups, including several affiliated to political actors and state institutions, sought to establish sectarian boundaries across what had been mixed neighbourhoods, systematically displacing members of opposing sects to consolidate their control.” More than 1.5 million people were reportedly internally displaced in the aftermath of the Samarra mosque bombing in February 2006, most of them Shi’ites (60%) and Sunnis (30%), and the remainder minority groups; IDMC/NRC, *IRAQ: Response still centred on return despite increasing IDP demands for local integration*, 10 October 2011, p. 8, http://www.internal-displacement.org/8025708F000CFE90B/0/httpDocuments/32AABEEMF73CD125720B040F151A/files/Iraq-October-2011.pdf.


It is estimated that a total of 2 million Iraqis fled after the February 2006 Samarra bombing, mainly to neighbouring countries, especially Syria and Jordan. Among those registered with UNHCR, the majority fled from Baghdad.

“Neighbourhoods that once were mixed are now visibly dominated by one sectarian group, their territory marked with foot concrete wall, installed to keep insurgents in as well as Shiite militias out, and residents say they feel nervous every time they venture out into the majority Shiite city beyond”; Liz Sly, *In Baghdad, Sunnis avoid elections with unease*, Los Angeles Times, 5 March 2010, http://articles.latimes.com/2010/mar/05/world/la-fe-iraq-sunnis6-2010mar06.

According to the US Department of State, the GoI has no comprehensive policy for undoing sectarian cleansing that occurred as a result of a sect displacement in mainly 2006 and 2007. At the same time, the GoI has reportedly encouraged returns and promised to provide essential services to returnees in Baghdad and Diyala Governorates; however, humanitarian organizations and Sunni leaders reportedly claim that the GoI does not fulfill its promises as it seeks to discourage Sunni Arab refugees and IDPs from returning to their former areas. GoI officials have reportedly said that practical obstacles such as property disputes prevent large-scale returns; US Department of State, *2010 Country Reports on Human Rights Practices - Iraq*, 8 April 2011, p. 32, http://www.state.gov/documents/organization/160342.pdf. For example, due to fear from further violence, only a few Sunnis were reportedly said to have returned to Baghdad’s formerly mixed neighbourhoods of Hurriya after the neighborhood was displaced by sectarian violence in mainly 2006. After the neighborhood is reportedly under control of the Shi’ite militia Asaib Ahl al-Haq. According to Army Maj. Gen. Jeffrey S. Buchanan, USF-I chief spokesman, Shi’ite militias will keep Sunnis from returning to their former homes. Until today, Hurriya’s Sunni mosques, reportedly all destroyed in 2006, remain in shatters; Lara Jakes, *Iraq emerges from war a society divided by sect*, 27 November 2011, http://www.sfgate.com/cgi-bin/article.cgi?f=/n痴/2011/11/27/international/682343564.DTL&type=politics. See also Heath Druzin, *The violence has waned, but the fear remains*, Stars and Stripes, 19 August 2011, http://www.stripes.com/news/special-reports/the-violence-has-wanted-but-the-fear-remains-1.115300.


Many families, who have reportedly been forced to flee sectarian violence, still fear to return to their places of origin. According to USIP “...the forced movement is undoubtedly a factor in present stability, and people going back to places where they would constitute a religious minority might well generate violent responses. Of course, the opposite logic may also prevail, but many are unwilling to gamble on it;” Patricia Weiss Fagen, Refugees and IDPs after Conflict - Why They Do Not Go Home, USIP, Special Report 268, April 2011, pp. 8, 11, http://www.usip.org/files/resources/SR268Fagen.pdf. UNHCR Returnee Monitoring also showed that not all returnees are able to return to their place of origin, in particular in areas in which the demographic make-up has been altered as a result of sectarian violence. Among refugee returnees monitored by UNHCR between August and December 2011, 33 percent of those monitored in Baghdad, Diyala, Anbar, Basrah and Ninewa Governorates reportedly returned to a different district in their original Governorate. This is at least partly due to the homogenization of formerly mixed neighbourhoods and districts as a result of sectarian violence; UNHCR Iraq, Returnee Monitoring, August – December 2011.

According to a report by AP, “[T]he numbers so far are small and not easy to track with precision, but anecdotal accounts and a rise in business at real estate agencies in Sunni neighborhoods reveal a Sunni community contemplating the worse-case scenario and acting before it’s too late.” Reportedly, real estate prices in Sunni neighbourhoods such as Adel, Adhamiyah and Khadra have recently risen; Rebecca Santana, *Fearful, Iraq's Sunnis Leave Mixed Neighborhoods*, AP, 1 January 2012, http://abcnews.go.com/International/wireStory/fearful-iraqs-sunnis-leave-mixed-neighbourhoods-152692688.Tvw/MyWbgk2A; Raheem Salman and Alexandra Zavis, *Iraq bombings targeting...


596 For example, reported incidents included:

- On 26 January 2012, Sheikh Qutadeh Mansour, preacher of Ali Bin Abi Talib Mosque in Heet, was killed when an improvised explosive device was detonated against his car; NINA, Karameh Suhava commander, Heet’s Mosque preacher assassinated, 26 January 2012, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=F3MKG.


600 On 10 November 2010, Abbas Mahmoud, the imam of the Sunni Al-Jzzaer mosque, was shot dead near his home in Garma; Reuters Alertnet, FACTBOX-Security developments in Iraq, Nov 10, 10 November 2010, http://reliefweb.int/node/374332.

601 For example, on 25 October 2011, Sheikh Safaa Jasim, a Sistani representative, was reportedly wounded in an attack against his home north of Hilla; his wife and son were killed and three other sons were wounded in the attack; Fars News Agency, Gunmen Attack Residence of Ayatollah Sistani’s Representative, 26 October 2011, http://english.farsnews.com/news/20110726/news17589.html.


603 For example, recent reported incidents included:


607 For example, reported incidents included:

- On 20 May 2011, a roadside bomb exploded near the house of Saadoun Al-Mashaikhi, a mosque imam, while he was returning from prayer, wounding him and killing two people, including his son in southern Ba’quba; Reuters Alertnet, Security developments in Iraq, May 20, 20 May 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-may-20/.

On 8/9 September 2010, Jabbar Saleh Al-Ilbouri, a Sunni cleric and medic, was stabbed, beheaded and set alight in his home near Muqadiyah. Reportedly, Al-Ilbouri used to provide medical treatment to Sahwa members. Al-Ilbouri had only returned to the area three months earlier after having been displaced as a result of AQI threats in 2007; Reuters, Gunmen behead, set alight Sunni cleric in Iraq, 9 September 2010, http://www.reuters.com/article/2010/09/09/us-iraq-violence-idUSTRE6683RL20100909.


A Sunni mosque's imam and his two sons were reportedly wounded when they came under gunfire in northern Wasit province; Aswat al-Iraq, Sunni Imam, his 2 sons injured in Shiite Wasit, 8 June 2010, http://en.awsatiraq.info/?p=133085.


According to Michael Knights of the Washington Institute for Near East Policy, local representatives of Grand Ayatollah Ali Al-Sistani have been assassinated as part of intra-Shi’i power struggles over political and religious dominance in Southern Iraq. Examples of reported attacks against Al-Sistani representatives included:


• On 3 March 2012, police diffused an explosive charge that was planted near the house of Sheikh Mohammad Jaafar Baqer Al-Nasser, an assistant to Grand Ayatollah Al-Sistani, near the Sahib Al-Zaman mosque in northern Nasseriyah (Thiqar); Aswat al-Iraq, Police foil life attempt of Al-Sistani’s assistant in Nassiriya, 3 March 2012, http://en.awsatiraq.info/?SaLva9g345qmdcn045o9dv disruption=1&Default1.asp?page=article_page&cid=1472251&i=1.

• On 26 February 2012, an IED detonated near the home of a representative of Ayatollah Al-Sistani in north Basrah. The same day, two handgrenades were aimed at Ayatollah Al-Sistani’s representatives in Dwayaniy; UNAMI Safety and Security Unit, 27 February 2012.

• On 25 October 2011, Sheikh Safa Jasim, a Sistani representative survived with injuries an attack against his home north of Hilla (Babel); his wife and son were killed and three other sons were wounded in the attack; Fars News Agency, Gunmen Attack Residence of Ayatollah Sistani’s Representative, 26 October 2011, http://english.farsnews.com/newsviewtext.php?nn=0007270820; Reuters Alertnet, FACTBOX-Security developments in Iraq, October 26, 26 October 2011, http://m.trust.org/alertnet/news/factbox-security-developments-in-iraq-october-26/.


See also chapters “Members of Political Parties” and “Actors of Violence”.

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The amendment of the Electoral Law No. 26 of 2009 Amending the Electoral Law No. 16 of 2005, approved on 9 December 2009, granted five seats to Christian minorities distributed among the governorates of Baghdad (2), Ninewa (1), Kirkuk (1), Dahuk (1) and Erbil (1), January 2011, p. 40, http://www.ohchr.org/Documents/Countries/IQ/UNAMI_HR%20Report_1Aug11_en.pdf. However, minority representatives reportedly criticize the law saying that the scope of the law was too restrictive. The Sabaean-Mandeans separate constituency is very small and located in the center of the country. Many of them do not live in the specified administrative district and some do not have Arabic as their first language. The Sabaean-Mandeans are persecuted based on their religious beliefs and practices, as well as other cultural and social characteristics. The Sabaean-Mandeans are not recognized as a national minority according to the Iraqi constitution.

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Minority groups are reportedly often considered to have ties to the supposedly Christian “West” and, by association, with the USF-I/MNF-I. According to HRW, they are perceived as accounting for a large number of the interpreters working for the USF-I: HRW, At a Crossroads, February 2011, p. 68, http://www.hrw.org/sites/default/files/reports/iraq0211W.pdf.

Reportedly, Christians and Yazidis, whose religions do not prohibit alcohol salutation, are known to sell liquor, making them easily identifiable as minorities. Furthermore, Christians and Sabeen-Mandaens are reported to be traditionally working as jewelers and goldsmiths, making them preferred targets for kidnappings for ransom; HRW, At a Crossroads, February 2011, p. 68, http://www.hrw.org/sites/default/files/reports/iraq0211W.pdf.


in general, has curtailed the freedom of movement of women from minority communities might have previously enjoyed.” Among minority women surveyed in Iraq, only 25 percent have reportedly said that they thought that women felt safe when leaving the home (among Sabaean-Mandaean women, less than 10% said to feel safe). Fear from abduction and forced marriage limit the freedom of movement of Yazidi women and girls. Sabaean-Mandaean women reportedly feared forced conversion to Islam. And fear from verbal and sexual harassment at checkpoints also reportedly inhibits women’s freedom of movement; Taneja, Iraq’s Minorities: Participation in Public Life, Minority Rights Group International, 28 November 2011, pp. 24-25, http://www.minorityrights.org/11106/reports/iraq-minorities-participation-in-public-life.html.

665 Three quarters of the minority women interviewed for the Minority Rights Group International report have reportedly responded that they believed that women for security reasons needed to hide their religious affiliation, either by not wearing their religious symbols or traditional make-up, by wearing the hijab even if they are secular or non-Muslims, or by not speaking in their traditional languages. Two Christian women respondents interviewed said that they reportedly received threats at Mosul University for not wearing the hijab. Sabaean-Mandaean women reported that they would be subjected to physical and verbal abuse in public, including in their workplace, if they did not adhere to an Islamic dress code; Preti Taneja, Iraq’s Minorities: Participation in Public Life, Minority Rights Group International, 28 November 2011, pp. 11, 25, http://www.minorityrights.org/11106/reports/iraq-minorities-participation-in-public-life.html.


663 For example, in the wake of the 31 October 2010 attack on a Christian church in Baghdad, the CoR speaker reportedly created a committee to address the situation of Christians and other minorities. The committee reportedly recommended many actions to the GoI, including public condemnations of attacks, increased security and compensation for victims; USCIRF, USCIRF Annual Report 2011 - Countries of Particular Concern: Iraq, 28 April 2011, http://www.uscirf.org/refworld/docid/4dbe90c22b.html.

662 Reportedly, the increased security measures around some places of worship have not increased the feeling of safety for minority group members and only 47 percent of those interviewed said that they felt safe visiting places of worship (with those living in the Kurdistan Region expressing more safety); Preti Taneja, Iraq’s Minorities: Participation in Public Life, Minority Rights Group International, 28 November 2011, p. 11, http://www.minorityrights.org/11106/reports/iraq-minorities-participation-in-public-life.html. According to USCIRF, the GoI increased security at churches and in Christian areas, including by conducting searches for explosive devises before church services, increasing patrols in Christian neighborhoods and providing training for more Christians to protect churches. Furthermore, the GoI indicated that it would provide compensation to the families of those killed and injured in the 31 October 2010 attack and financial assistance to repair the church. In late 2010, Iraqi President Jalal Talabani called for the creation of a special government office to address Christian affairs, although this had not been done as of this writing; USCIRF Annual Report 2011 - Countries of Particular Concern: Iraq, 28 April 2011, http://www.uscirf.org/refworld/docid/4dbe90c22b.html. During the first anniversary of the 31 October 2010 attack, security measures at the church reportedly included rifle armed police on rooftops in the area and ISF searching people and their bags as they entered the church. Amelie Herenstein, Iraqis Christians mark anniversary of massacre, APP; 1 November 2011, http://www.google.com/hostednews/afp/article/ALeqM5h1WpTnAZM_xvdp9P79qJJKRPvlw/docid=NG.4521709910956617c4e3f9233477a7.391.1.


658 According to Minority Group Rights International, “(...) fear of discrimination prevents some groups from reporting crimes and concerns to police. Faili Kurd respondents said 77 per cent felt this to be the case. Half the Yazidi respondents felt they had experienced discrimination when taking claims to local police services, while Bahá’í, Palestinian and Mandaean respondents to the survey said they were afraid to seek help from local police, for fear they might be discriminated against and therefore lose their claims”; Preti Taneja, Iraq’s Minorities: Participation in Public Life, Minority Rights Group International, 28 November 2011, p. 22, http://www.minorityrights.org/11106/reports/iraq-minorities-participation-in-public-life.html.

657 Minority Rights Group International found for example that in among the Christians interviewed in Dahuk Governorate, 82 percent had reportedly said that they were free to practice their religion. Among Christians in Kirkuk, only 5 percent were able to do so; Preti Taneja, Iraq’s Minorities: Participation in Public Life, Minority Rights Group International, 28 November 2011, p. 11, http://www.minorityrights.org/11106/reports/iraq-minorities-participation-in-public-life.html.


652 See chapter “Actors of Violence”. 136
Reportedly, Christians are also associated with the sale of alcohol, making them a target in an increasingly strict Islamic environment; see “Individuals Perceived as Contravening Traditional Practices or Social Mores”. In particular their religious ties with the “West” and the foreign “invaders” have reportedly made them a target. Furthermore, many Christians were reported to be employed by the MNF-IUSF-I since 2003; Kenneth Katzmann, *Iraq: Politics, Governance, and Human Rights*, CRS Report for Congress, 27 December 2011, p. 27, http://www.fas.org/sgp/crs/mideast/RS21968.pdf; Preti Tanjera, *Iraq’s Minorities in Transition: Participation in Public Life*, Minority Rights Group International, 28 November 2011, p. 8, http://www.minorityrights.org/11106/reports/iraqs-minorities-participation-in-public-life.html. See also “Individuals Affiliated with the USF-I, Foreign Governments, NGOs or Companies”.


According to Lieutenant General Robert Cone, the US Deputy Commanding General for Operations in Iraq, AQI seemed determined to continue attacks against Christians and “(…) has shifted to try and go after the Christians where they live,” after security measures were

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reinforced around the 144 churches in Iraq after the 31 October 2010 attack on a cathedral in Baghdad; Serena Chadhry, INTERVIEW-Iraq's al Qaeda focused on Christian attacks-US, Reuters, 6 January 2011, http://www.trust.org/alertnet/news/interview-iraqs-al-quadra-focused-on-christian-attacks/


- For example, reported incidents included:


  - On 22 November 2010, two Christian brothers were killed in Mosul when gunmen broke into their workplace in an industrial part of the city and shot them; Jomana Karadsheh, Deadly attacks on Iraq’s Christians continue, 22 November 2010, http://www.cnn.com/2010/WW/Dimeos/11/22/iraq.christians.targeted/index.html.


  - On 4 December 2011, a Christian was killed and four of his family members were injured when an IED exploded in his house in Kirkuk; NINA, One Christian killed, 4 of his family members injured in Kirkuk, 4 December 2011, http://www.ninanews.com/english/News_Details.asp?aID95=FEIMIL.


- For example, reported incidents included:


  - On 16 May 2011, police found the body of Assyrian Christian Ashur Yakob Issa (Ashur Jacob), who had been kidnapped for ransom three days earlier, in Kirkuk city. Ransom negotiations between the kidnappers and the family reportedly failed as the family could not pay 100,000 US$. The victim’s body reportedly bore signs of torture and had been beheaded. According to Chaldean Catholic Archishop Bashar Warda of Erbil, “[T]he murder was meant to intimidate Christians so that in the future they will more readily pay ransom demands;” John Newton and Andre Stieffenhofer, Young Christian beheaded in northern Iraq, Catholic Herald, 19 May 2011, http://www.catholicherald.co.uk/news/2011/05/19/young-christian-beheaded-in-northern-iraq/; AINA, Iraq Assyrian Killed, Mutilated in

For example, on 30 May 2011, Arkan Jahan Yacob, an Orthodox Christian and vice-director of a cement factory, was reportedly shot and killed execution-style on his way to work in Mosul. He had reportedly been the victim of two attempted ransom abductions in the past, but in both cases was able to thwart the attacks; Asia News, Othodox Christian shot to death in Mosul, 30 May 2011, http://www.asianews.it/news-en/Orthodox-Christian-shot-to-death-in-Mosul-21701.html. In some cases, victims of kidnapping were reportedly killed despite the payment of ransom. For example, on 19 August 2011, Luay Barham Al-Malik was reportedly killed by his kidnappers despite the fact that his family had paid a US $15,000 ransom; UNAMI Human Rights Office/ OHCHR, 2010 Report on Human Rights in Iraq, January 2011, p. 41, http://www.ohchr.org/Documents/Countries/IQ/UNAMI_HRDoc2010_Report_1Jan11_en.pdf. See also “Actors of Violence – Criminal Groups”.


See “Individuals Perceived as Opposing the KRG Authorities”.

More violence was reported in the next days and including the burning of a Christian cultural club, and attempted attacks on Christians near Erbil and Sulaymaniyah that were however put down by the security forces; Damaris Keemda, Islamic Rioters Attack Christian Shops Near Erbil, Compass Direct News, 7 December 2011, http://www.eurasireview.com/07122011-islamic-rioters-attack-christian-shops-in-northern-iraq. It was also reported that around 100 persons attacked the Assyrian church of Mar Daniel and Christians homes in Almansoria town (Dahuk) with stones, but were then stopped by security forces; Ankawa News, Breaking news, this morning The Church and the Christian houses attacked by stones in the town of Almansoria, 3 December 2011, http://www.ankawa.com/english/?p=5955.


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Kidnapping stokes fears in Iraqi Kurdistan, Al Jazeera, 17 December 2011.

Although the Koran reportedly threatens apostates with eternal retribution, it does not clearly specify any punishment in this world. Rather, the punishment for apostasy is found in the Hadith (the written record of Prophet Mohammed’s words and deeds). Although some contemporary Islamic scholars have repudiated the traditional interpretation that the punishment required for apostasy is death, it is still widely held, for a discussion on the subject, see Melinda A. Hatung, The Right to Change One’s Religion: Apostasy as the Linus Test for Religious Freedom in Iraq and Afghanistan’s Constitutions, Georgetown University, 2010, http://www.bc.edu/content/dam/files/schools/cas_sites/polisci/pdf/The Right to Change.pdf; Timothy G. Burroughs, Turning Away From Islam In Iraq: A Conjecture As To How The New Iraq Will Treat Muslim Apostates, Hofstra Law Review, Volume 37 Issue 2 (Winter 2008), pp. 517, http://law.hofstra.edu/pdf/Academics/Journals/LawReview/lrv_issues_v37n02_D1_D12_Burroughs_final.pdf. While there are no Shi’a courts in Iraq that could sentence a convict to death, individual attackers may take matters into their own hands and carry out attacks against converts. It is also unclear how the Iraqi legal system would deal with cases of apostasy, as the Iraqi constitution and laws include conflicting provisions. In particular, the constitution mandates in Article 2 that Islam be considered a “foundation source of legislation” and that no law may be enacted that contravenes the “established provisions of Islam”, but it also guarantees the freedom of religion in Article 2(2), establishes that “no law be enacted that contradicts the rights and basic freedoms” stipulated in the Constitution in Article 2 (1C), and guarantees protection from religious coercion in Article 37 (2), which would preclude the Iraqi state from penalizing individuals for leaving Islam. Legal experts interviewed by IWPR in relation to the killing of a convert in 2010 said that judges would have to refer to Islamic principles in dealing with such a case. The former head of Iraqi Lawyers Union told IWPR that Islamic Law could be considered as a mitigating factor; Abeer Mohammed and Neil Arun, Interpreter’s Killing Pits Faith Against Law, IWPR, Iraq Crisis Report Issue 344, 9 July 2010, http://iwpr.net/report-news/iraqi-interpreters-killing-pits-faith-against-law; Timothy G. Burroughs, Turning Away From Islam In Iraq: A Conjecture As To How The New Iraq Will Treat Muslim Apostates, Hofstra Law Review, Volume 37 Issue 2 (Winter 2008), pp. 517, http://law.hofstra.edu/pdf/Academics/Journals/LawReview/lrv_issues_v37n02_D1_D12_Burroughs_final.pdf.

According to Joel Rosenberg of the Joshua Fund, a US-based Christian charity, there has been a trend in Iraq in conversions from Islam to Christianity since the First Gulf War, including some 20,000 between 2003 and 2008; Fox News, Thousands of Muslims Converting to Christianity (Iraq), 9 September 2008, http://www.youtube.com/watch?v=wo4s3uUo4Ls.


The Qur’an is said to guarantee protection to a group mentioned as “sabians”, but provides no details as to who they were. While it is believed that the Qur’an refers to the Mandaean-Mandaean as “People of the Book” (Abh Al-Kitab), which would provide them with toleration and protection, including the right to worship and protection of their property, their status has at times been disputed by dyabolical scholars. After 2003, some Shi’ite scholars reportedly issued religious edicts (fatwas) against the Mandaenae, calling them “non-believers” and “filthy”. The Mandaean-Sabaean spiritual leader, Sheikh Satar Jabar Hilou, said that Grand Ayatollah Ali Al-Sistani, the highest Shi’a religious authority in Iraq, failed to clearly counter such false perceptions. He also stated that the Iraqi Government had not given sufficient “attentiction and protection” to the Mandaenae. HRW, At a Crossroads, February 2011, p. 68, http://www.hrw.org/sites/default/files/reports/iraq0211W.pdf; Cable from the US Embassy in Damascus, Syria, dated 8 December 2009, released by WikiLeaks ID #238684, on the subject “Saeban Mandaean Refugees Torn Between Resettlement And Preserving Iraqi Roots”; http://www.cablesearch.net/cable.php?id=09DAMASCUSUS52. For a discussion on the Saeban Mandaean’s status in Islam, see UNHCR, UNHCR’s Eligibility Guidelines for Assessing the International Protection Needs of Iraqi Asylum-seekers, pp. 70–71, August 2007, http://www.unhcr.org/refworld/docid/46deb0557.html. See also HRW, At a Crossroads, February 2011, p. 68, http://www.hrw.org/sites/default/files/reports/iraq0211W.pdf.


Including Sheikh Satar Jabar Hilou who is said to live in Australia. Reportedly, 23 out of 28 religious leaders have been killed or have fled from 2003; Baha Al-Kadhimi, Saeban-Mandaenae demand governmental support, AKnews, 21 May 2011, http://www.aknews.com/en/aknews/1/241313/.


The Society for Threatened Peoples (STP) observed a “series of murders” of Saeban-Mandaenae in 2010. STP and the Mandaean Associations Union recorded the following attacks in 2010:

- On 26 November 2010, Saif Re’at suffered severe injuries in a car explosion in Dora district, Baghdad.
- On 10 November 2010, Abdul Kareem Shetel Zagi was looted under the threat of guns in Sadr City district, Baghdad.
- On 8 September 2010, Emad Najrus Doukhi Al-Ohmany was kidnapped in Baghdad’s Sha’lab district and tortured. He was reportedly released four days later after paying ransom.
- On 26 June 2010, Riyadh Salim Hato was killed in Falooja, South of Baghdad. In a separate incident, Tawfeek Sabti Al-Ohmany and his son Audi were killed in Husse Sadoun Governorate. Another son, Hazaen, was injured in the attack.
- On 25 May 2010, Arshad Amjad Al Sayfi and his son Audi were killed in Basrah Governorate. Another son, Hazem, was injured in the attack.
- On 22 May 2010, Baha Sori Zaggi was reportedly murdered when his car was wayed from his home in Baghdad. According to the Mandaean Associations Union, he had been kidnapped before and was released after paying a ransom of US $25,000. He was an IDP and was returned from a refugee country back to Dora in Baghdad. He had received threats prior to his assassination.
- On 25 April 2010, Bassam Hassanye Raheem was killed with firearms equipped with silenced in a market in Suwayra (Wasit). He died three days later.
- On 8 February 2010, Nien Younes Medlol, who had returned to Iraq from Syria, reportedly due to the lack of resettlement and his dire economic situation, was killed with a gun equipped with a silencer in a market in Al-Saidiya in Baghdad.


For example, on 5 June 2011, Salem Latef Ghanem and Asad Sabih Ghanem were reportedly abducted on their way to Bagdad after they were reportedly stopped by a policed uniform unit. They were detained and kept in an isolated hut in the marshall. They were severely tortured until they disclosed all their valuables. On 23 February 2011, Salim Ayesh was reportedly found dead tied to a chair in his own house in Baghdad with multiple shots to his body. And on 13 January 2011, while walking home after work, Iyad Neseri Alshawi, a young Mandaean, was kidnapped in Baghdad’s Sha’lab district. On 13 January 2011, while walking home after work, Iyad Neseri Alshawi, a young Mandaean, was kidnapped in Baghdad’s Sha’lab district.


For example, HRW reported that Mandaean community leader Naiel Thejel Ganeen from Basrah was abducted at gunpoint in 2006. During his nine days of captivity, they repeatedly referred to him as "negus" (impure) and demanded that he pay them jizya, a tax that early Islamic rulers demanded from their non-Muslim subjects in return for communal autonomy and military protection; HRW, At a Crossroads, February 2011, p. 66. http://www.hrw.org/sites/default/files/reports/iraq0211W.pdf. According to Elizabeth Ferris and Matthew Hall, the Sabaeans-Mandaens’ "reputation as wealthy merchants put the community at heightened risk for ransom kidnappings. Following the 2003 invasion, they became targets for armed gangs and radical groups (the two often blurring), both in Baghdad and in Basra.” Elizabeth Ferris and Matthew Hall, Update on Humanitarian Issues and Politics in Iraq, Brookings-Bern Project on Internal Displacement, University of Bern, July 6, 2007, p. 7, http://www.brookings.edu/programs/cdp/20070706.pdf.


“People in our religion get harassed all the time. We can’t touch the food or fish of Muslims. Teachers don’t let Sabean students drink from the same cup of water with other students—they need to bring their own cups in order to drink”; HRW, At a Crossroads, February 2011, p. 68, http://www.hrw.org/sites/default/files/reports/iraq0211W.pdf.

The curriculum in public schools requires Islamic religious instruction (with the exception of the Kurdistan Region). While non-Muslim students are not required to participate, some non-Muslim students reported that they felt pressured to do so; US Department of State, July-December, 2010 International Religious Freedom Report, 13 September 2011, p. 7, http://www.state.gov/documents/organization/171735.pdf.


It is reported that the Yazidi religion is monotheistic and syncretistic, encompassing elements from Zoroastrianism, Manichaeanism, Islam, Christianity, Judaism and Gnostic traditions and beliefs. The Yazidi religion is closed to outsiders as Yazidis do not intermarry nor do they accept converts. The Yazidis worship Malak Taos (or “Peacock Angel”), the chief of angels, who is often equated by Muslims and Christians to the “fallen angel”, or devil. The central role of Malak Taos earned the Yazidis the undeserved reputation as “devil-worshippers” and has been the basis for a long history of persecution; HRW, At a Crossroads, February 2011, p. 72, http://www.hrw.org/sites/default/files/reports/iraq0211W.pdf; Sebastian Masael, Social Change Amidst Terror and Discrimination: Yazidis in the New Iraq, The Middle East Institute, Policy Brief No. 18, August 2008, p. 2, http://www.mideasti.org/files/Yezidis-in-the-New-Iraq.pdf.


Many low-scale attacks may go unreported given the community’s obscurity and lack of influential lobby; HRW, At a Crossroads, February 2011, p. 71, http://www.hrw.org/sites/default/files/reports/iraq0211W.pdf.


Reported incidents included:


Incidents reported in the media in 2011 and 2012 included:


On 11 October 2011, gunmen broke into a house in Al-Jazeera compound in Baaj District (Ninawa) and shot dead a Yazidi man and his wife; NINA, Ezidi citizen, his wife killed northeastern Mosul, 11 October 2011, http://www.ninawnews.com/english/News_Details.asp?ar=95_VQ=F1HMKH.


On 8 June 2011, police said they found the body of a kidnapped man from the minority Yazidi sect with gunshot wounds in an area west of the city of Mosul; Reuters Alternet, Security developments in Iraq, 8 June, 8 June 2011, http://www.trust.org/alertnet/news/security-developments-in-iraq-june-8/.


In early December 2011, up to 30 liquor shops in Zakho (Dahuk), some of them owned by Yazidis, were reportedly vandalized or torched; See “Individuals (Perceived as) Opposing the KRG Authorities” and “Individuals Perceived as Contravening Traditional Practices or Social Mores”.


Yazidi society follows a strict hierarchical class system. The Yazidis are born into any of the three castes: the Murids (the laity) and the Sheiks and the Pirs (the clergy). Marriage across classes is forbidden.

Reportedly, there have been 70 recorded suicides in Sinjar and the surrounding area in 2011, including by self-immolation. Frequently, dire economic conditions or the influence of soap operas on television are cited as the reasons behind the suicide; however, there are indications that at least some cases are actual “honour killings” at the hands of the families; Khudr Khalatt, Suicide increasing in Sinjar - calls for humanitarian intervention, Aknews, 15 January 2012, http://www.aknews.com/en/aknews/s/29835354; Abdul-Mahaymen Basel, honour killings: plague of suicides in north may actually be murder, Niqash, 10 January 2012, http://www.niqash.org/articles/?id=2968; IOM, Special Report: Increased Incidents of Suicide Among Yazidis in Sinjar, Nineva, July 2011, http://reliefweb.int/sites/reliefweb.int/files/resources/Full%20Report%20079.pdf; Yahia al Barzani, foreign soap operas blamed for youth suicide and bad behaviour; Niqash, 7 June 2011, http://www.niqash.org/articles/?id=2848. See also “Women with Specific Profiles or in Specific Circumstances”.


In their faith, “Kakaism”, is reportedly derived from the word for “brotherhood”. As a belief, it is a combination of Zoroastrianism and Shi’ism, similar to Yazidism; Minority Rights Group International, Still Targeted: Continued Persecution of Iraq’s Minorities, Minority Rights Group International, June 2010, p. 4, http://www.minorityrights.org/download.php?id=956.


The worst attack against the Kaka’i was recorded in November 2009, when a parked car bomb reportedly targeted civilians near a shrine holy to the Kaka’a sect in one of the crowded marketplaces in central Kirkuk. The bomb reportedly killed six civilians, injuring another eight; US Department of State, 2009 Country Reports on Human Rights Practices - Iraq, 11 March 2010, http://www.usihc.org/refworld/docid/4b6e5e2ae.html.


For an overview of the situation of women prior to 2003, see HRW, Background on Women’s Status in Iraq Prior to the Fall of the Saddam Hussein Government, November 2003, http://www.hrw.org/hrw/backgrounder/wrd/iraq-women.htm.


The popular conflagration of British and militia-infiltrated security forces reportedly filled the security vacuum and mutilated and killed 133 women in 2007 alone, “claiming religious or customary sanctions.” Reportedly, “a majority of these victims were women’s rights activists, doctors and prominent professionals who were outspoken about the rising curb on women’s rights and civil liberties by militant groups,” Journal of International Peace Operations, Women Fighting for Peace in Iraq, Volume 7, Number 4, January-February 2012, http://www.peacecene.com/archives/1885. According to ISF sources in Basrah, 79 of the victims were killed for “violating Islamic teachings”, 47 for honor-related reasons and seven, the basis of their political affiliations. After the GoI’s crackdown on militias in Basrah in 2008, the situation has reportedly improved. However, the crimes were reportedly never investigated as the ISF were reportedly themselves implicated in the killings; HRW, At a Crossroads, February 2011, p. 9, http://www.hrw.org/sites/default/files/reports/iraq0211W.pdf. See also Women’s World Wide Web, From Shelter to Freedom: the life-saving work and history of the Organization of Women’s Freedom in Iraq, p. 3, 2010, http://www.womensworldwideweb.org/images/W4_Yazan_Mohammed_FINAL.pdf.


748 See chapter “Women with Specific Profiles or in Specific Circumstances”.

749 See chapter “Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) Individuals”.

750 “Emo” in the West generally identifies teens or young adults who listen to alternative music, wear tight-fitting clothes, and have distinctive long or spiky hairstyles. However, the term is apparently used to describe non-conformist youth, but also gay and effeminate men. According to John Drake of the British-based AKE security consulting firm, to Iraqis, the term “Emo” is widely synonymous with “gay”.

751 According to official Ministry of Interior statement of 13 February 2012 reportedly called emos “Satanists”, casting doubts as to whether the Iraqi authorities are willing to protect the youth, according to HRW; HRW, Iraq: Investigate ‘Emo’ Attacks, 16 March 2012, http://www.hrw.org/news/2012/03/16/iraq-investigate-emo-attacks. An official Ministry of Interior statement of 13 February 2012 reportedly called emos “Satanists”, casting doubts as to whether the Iraqi authorities are willing to protect the youth, according to HRW; HRW, Iraq: Investigate ‘Emo’ Attacks, 16 March 2012, http://www.hrw.org/news/2012/03/16/iraq-investigate-emo-attacks. Shi’ite cleric Muqtada Al-Sadr reportedly said Emos were “crazy fools” and a “lemon on the Muslim community” in a statement on his website, but maintained that they should be dealt with “within the law”. The violence however also drew condemnation from Grand Ayatollah Ali Al-Sistani, who reportedly said that targeting “Emo” youth was an act of “terrorism” and a “bad phenomenon for the peaceful co-existence project.” Emily Alpert, Iraq killings said to target ‘emos’ for nonconformist style, Los Angeles Times, 16 March 2012, http://latimesblogs.latimes.com/world_news/now/2012/03/iraq-emo-killings-gay.html; Reuters, Iraq militants stone ‘emo kids’ to death, 13 March 2012, http://www.timeslive.co.za/world/2012/03/13-iraq-militants-stone-emo-kids-to-death. The GoI’s crackdown on militias in Basrah in 2008, the situation has reportedly improved. However, the crimes were reportedly never investigated as the ISF were reportedly themselves implicated in the killings; HRW, At a Crossroads, February 2011, p. 9, http://www.hrw.org/sites/default/files/reports/iraq0211W.pdf. See also Women’s World Wide Web, From Shelter to Freedom: the life-saving work and history of the Organization of Women’s Freedom in Iraq, p. 3, 2010, http://www.womensworldwideweb.org/images/W4_Yazan_Mohammed_FINAL.pdf.

It was reported that during July and August 2011, there were 134 IED detonations, 44 rocket attacks, and 76 mortar attacks. This resulted in the closure of many shops and bars. After the fall of the former regime in 2003, the government of Iraq began to clamp down on the sale of alcohol. In 1990, former President Saddam Hussein reportedly introduced a law banning alcohol in an attempt to promote his religious credentials. This resulted in the closure of many shops and bars. After the fall of the former regime in 2003, it was reported that alcohol was initially mostly opened, before this trend was reportedly reversed by government influence; Adel Kamal, Dying for a Drink: Mosul’s Liquor Ban Leads to Desperate Measures, Nisqash, 19 May 2011, http://www.nisqash.org/articles/?d=2896&amp;lang=en.


The legal situation of shops and clubs selling alcohol in Baghdad reportedly remains unclear after a 2010 decision by the Baghdad Provincial Council to revoke the 1994 law that banned Muslims from selling alcohol and required anyone selling alcohol to have a license. The revival of the old law reportedly led to a new wave of crackdowns and attacks upon places, which sold or used alcohol. The political debate as to whether alcohol should be banned or not reportedly mirrors the ongoing struggle between more liberal and more conservative trends over the role of Islam in today’s Iraq. The implementation of the law has reportedly been arbitrary with authorities shutting down shops as of November 2010, and then again rescinding the decision in early 2011 in the wake of popular protests in Baghdad over corruption, lack of services and restrictions of personal freedom. However, in July 2011, the head of the Baghdad Provincial Council, Kamil Al-Zaidi, reportedly called for harsher sentences for those running a shop without a license; AKnews, Baghdad Council Demands Harsher Sentences for Alcohol Sales, 23 July 2011, http://iraqdailytimes.com/baghdad-council-demands-harsher-sentences-for-alcohol-sales/; Mohammed Tawfeeq and Chelsea J. Carter, Iraq liquor store owners fear for their lives amid attacks, CNN, 7 June 2011, http://articles.cnn.com/2011-06-07/world/iraq.liquor.backlash_1_liquor-stores-liquor-license-alcohol-sales?_s=PM:WORLD.


In Mosul city, there is reportedly no outright ban on alcohol, however, as a result of the apprehensive atmosphere in the city, which continues to be a hot spot for Sunni armed groups, merely one shop run by a Christian is reported to be open in a highly secured area. Nevertheless, the shop was reportedly attacked in 2008 and 2009. Alcohol is reportedly more freely available in the predominantly Christian areas in the rural Nineva Plains; Adal Kamal, Dying for a Drink: Mosul’s Liquor Ban Leads to Desperate Measures, Nisqash, 19 May 2011, http://www.nisqash.org/articles/?d=2896&amp;lang=en.


On 7 March 2011, police patrols reportedly arrived unannounced at liquor stores with orders from the Baghdad Provincial Council to close down all unlicensed shops; 12 March 2011, http://www.iraq-businessnews.com/2011/03/12/baghdad-clamps-down-on-unlicensed-liquor-stores/. And on 13 January 2011, men armed with handguns and steel pipes reportedly raided and vandalized the Christian Ashurbanapal social club that also runs a bar in one building as well as several liquor shops in Baghdad. Allegedly, the intruders belonged to either the ISF or the Provincial Council acting with the protection of police. Witnesses said that police cars were blocking off a street during the raid. A police major reportedly said that the men who raided the club were employees of the provincial council. But the head of the provincial council reportedly said that they were police officers in civilian clothes; Muhanad Mohammed, Club, shops attacked in Iraq alcohol clamp down, Reuters, 17 January 2011, http://www.trust.org/alertnet/news/club-shops-attacked-in-iraq-alcohol-clampdown/; John Leland, Baghdad Raids on Alcohol Sellers Stir Fears, NY Times, 15 January 2011, http://www.nytimes.com/2011/01/16/world/middleeast/16iraq.html.

It was reported that during July and August 2011, at least 30 attacks against alcohol shops were recorded, with the large majority in Baghdad and several others in Basra. According to Baghdad Governor Abdel Razak the reason for the attacks on liquor shops are either “ideological or moral;” W. G. Dunlop, Selling booze in Baghdad a dangerous business, 27 September 2011, http://www.msnwine.com/node/64284; W. G. Dunlop, Selling booze in Baghdad a dangerous business, 27 September 2011, http://www.msnwine.com/node/64284. Between March and May 2011, 25 stores were reportedly bombed in Baghdad; Mohammed Tawfeeq and Chelsea J. Carter, Iraq liquor store owners fear for their lives amid attacks, CNN, 7 June 2011, http://articles.cnn.com/2011-06-07/world/iraq.liquor.backlash_1_liquor-stores-liquor-license-alcohol-sales?_s=PM:WORLD.

Recent reported incidents included:

- On 12 December 2011, four civilians were seriously injured in an attack on a liquor shop in Baghdad’s central Battaween district;

• On 29 October 2011, a liquor store owner was gunned down in front of his home in Debi Abbas (Diyala); AFP, Iraq violence kills five, 30 October 2011, http://www.google.com/hostednews/afp/article/ALeqM5x5X0vEFVBFWJ3n80afCfBl0oQw5W86s3hocd=CGN.db6b3fb.6ece355ac8cb3813431348a1.

• On 17 October 2011, a bomb blast near a Baghdad liquor store killed seven people and injured 18 others, including several policemen. It was not immediately clear whether the liquor store or the police officers were the targets; AP, Bomb near Baghdad liquor store kills 7 people, 18 injured, 17 October 2011, http://www.washingtonpost.com/world/middle-east/bomb-near-baghdad-liquor-store-kills-7-people-18-injured/2011/10/17gqAQVz4z4l_story.html.

• On 12 September 2011, three civilians were injured in an explosive charge blast against a liquor shop in Baghdad’s Nidhal Street; Aswat al-Iraq, Three civilians injured in Baghdad alcohol shop attack, 12 September 2011, http://en.aswatiraq.info/Default1.aspx?pageid=144799&i=1.


• Some attacks are reportedly driven by criminal motives; W. G. Dunlop, Selling booze in Baghdad a dangerous business, 27 September 2011, http://www.mysinchenew.com/node/64284.

• See “Individuals Perceived as Opposing the KRG Authorities” and “Religious Minorities – Christians”.

• Since 2003, Sunni and Shi’ite extremists reportedly targeted artists, actors and singers, accusing them of engaging in “un-Islamic” or “Western” activities such as music, theatre and television. The situation was particularly dire during the height of violence between 2006 and 2008. During this time, many artists, singers and actors reportedly fled the country. According to the Iraqi Artists’ Association, at least 115 singers, 60 actors and 60 painters were killed between 2003 and 2008; Afif Sarhan and Caroline Davies, Iraqi artists and singers flee amid crackdown on forbidden culture, The Guardian, 11 May 2008, http://www.guardian.co.uk/world/2008/may/11/iraq. See also IRIN, Iraq: Singing “the devil’s music” will get you killed, 23 November 2006, http://www.irinnews.org/report.aspx?reportid=61962; Khaleed Yacob Owens, Exiled Iraqi artists play on in Syria, Reuters, 24 October 2007, http://www.reuters.com/article/2007/10/25/people-iraqمسرح opera-idUSWE45878520071025; IRIN, IRAQ: Artists become targets in rising atmosphere of intolerance, 24 April 2006, http://www.irinnews.org/report.aspx?reportid=26311. In 2008, the Iraqi Ministry of Culture estimated that about 80 percent of artists had fled Iraq; Afif Sarhan and Caroline Davies, Iraqi artists and singers flee amid crackdown on forbidden culture, The Guardian, 11 May 2008, http://www.guardian.co.uk/world/2008/may/11/iraq; Most attacks were reportedly perpetrated with impunity. For example, Seif Yehia was reportedly beheaded for singing western songs at weddings in November 2007 and Ibrahim Sadoon, a painter, was reportedly shot dead as he drove through Baghdad; in both cases, nobody was brought to trial. Take Action to End Impunity for Seif Yehia and Ibrahim Sadoon, 14 November 2011, http://www.indexoncensorship.org/2011/11/take-action-to-end-impunity-seif-yehia-and-ibrahim-sadoon/. It has been reported that extremist groups have also reportedly targeted journalists whom they claim were promoting immorality; HRW, At a Crossroads, February 2011, p. 33, http://www.hrw.org/sites/default/files/reports/iraq2111.WP.


• Aseel Kami, Iraq's artists lament decline in cultural life, Reuters, 14 March 2012, http://www.reuters.com/article/2012/03/14/ik-iraq-artists-idUSLNE2D027220120314. An award-winning actress stated, “...now it's the religious parties we have to be careful about offending. There are a whole new set of red lines that we can't cross.” Statement by actress Bushra Ismail, cited in: Hadani Ditmars, Culture from chaos: where next for Iraqi art?, The Guardian, 12 March 2010, http://www.guardian.co.uk/artanddesign/2010/mar/12/iraq-war-art-heritage. For example, depicting the human shape could be considered “immoral” or against Islam; Kelly McEvers, Many Iraqi Artists Struggle, Suffer In Silence, NPR, 30 March 2011, http://www.npr.org/2011/03/30/136015252/many-iraqi-artists-struggle-suffer-in-silence.

• On 27 October 2011, a twin bombing at a music store reportedly killed 32 and wounded 71 people in a Shi’ite neighborhood of Baghdad. However, it is not known who and for which motive the attack was perpetrated; Bushra Juhai, Baghdad: Bombings Death Toll Rises To 32, AP, 28 October 2011, http://www.huffingtonpost.com/2011/10/24/baghdad-bombings-death-toll-a_146546.html. On 27 April 2011, the general director of Iraq’s Theatre and Cinema Department in the Ministry of Culture, Shafigh Al-Temsah, escaped an assassination attempt. A bomb attached to his car reportedly exploded just as he was to enter the National Theatre in Baghdad’s central Karada district. Two of the theatre’s guards were reportedly wounded in this attack; AFP, Iraq culture chief escapes assassination bid, 27 April 2011, http://www.google.com/hostednews/afp/article/ALeqM5i5k35VnrVtHslxwOTih7vo/UY6UQYQdocd=CGN.e9j016e9eo57952aeo6582e01eas1_231; Reuters, FACTBOX-Security developments in Iraq, April 27, 27 April 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-april-27.

According to the CIA’s World Factbook, Arabs constitute the majority of the population (75-80%), followed by the Kurds (15-20%), while minority groups such as Turkmen, Assyrians and others account for the remaining 5 percent; CIA, The World Factbook, last updated 21 February 2012. [https://www.cia.gov/library/publications/the-world-factbook/geos/iz.html]

See chapter “Religious minorities”.

In the March 2010 CoR elections, Turkmen political parties joined the three main lists: the State of Law list included the Islamic Turkmen Union, the National Alliance included both the Turkmen Islamic Union of Iraq and the Turkmen Loyalty Movement, while minority groups such as Turkmen, Assyrians and others account for the remaining 5 percent; CIA, The World Factbook, last updated 21 February 2012. [https://www.cia.gov/library/publications/the-world-factbook/geos/iz.html]

See chapter “Religious minorities”.

Among Black Iraqis and Kawliyah, the rate of illiteracy is reportedly much higher than that of the general population; Preti Taneja, “Iraq’s Roma Feel New Political Strength”, RFE/RL, 1 April 2011, p. 51, [http://www.state.gov/documents/organization/160462.pdf]

The Roma, or Kawliyah, originate from India, but have reportedly been living in Iraq for hundreds of years. They can mainly be found in isolated villages nearby major cities such as Baghdad, Basrah and Mosul and in Southern Iraq. The Kawliyah are a distinct ethnic group with their own language, traditions and culture, although they have never been recognized as such in Iraq. They usually have been reported adopting the dominant religion of the host country while preserving aspects of their particular belief systems, in Iraq, usually Sunni or Shi’a Islam. The Kawliyah kept their language, known as “Ahrutin” (or “Ruttin”), a mixture of Persian, Indian, Turkish, Kurdish and Arabic. There are no reliable figures on the number of Kawliyah in Iraq, but estimates range from 50,000 to 200,000. According to Abbas Mohammad Saied, a member of the Human Rights Commission in Diwaniyah, there are an estimated 60,000 individuals in Diwaniyah. Since 2003, the Kawliyah community in Iraq has reportedly been subjected to persecution for a variety of reasons, in particular they are collectively reputed as alcohol sellers and prostitutes, both considered “un-Islamic”. After the fall of the former regime, Shi’ite militias reportedly targeted them for their (perceived) support for or preferential treatment by the former regime. In 2003 and 2004, there were reports of Roma villages being destroyed and looted by Shi’ite militias. Reportedly, Roma women are forced to provide sexual services and suffer from harassment and verbal abuse; Preti Taneja, “Iraq’s Roma: Feel New Political Strength”, Minority Rights Group International, 28 November 2011, p. 8, [http://www.minorityrights.org/11106/reports/iraqs-minorities-participation-in-public-life.html]


In 1880, under the former regime, Faili Kurds were reported to be specifically targeted. Many were reportedly killed between 220,000 and 300,000 were reportedly deported, stripped of their Iraqi citizenship and their properties confiscated due to their perceived Iranian origin and links with Iran. In August 2011, the CoR recognized the former regime’s persecution of the Faili Kurds as “genocide” and in November 2010, former Minister of Foreign Affairs, Tariq Aziz, was found guilty for displacing and killing Faili Kurds. Aziz at the time was a member of the Revolutionary Command Council, which decreed that all Faili Kurds be stripped of their Iraqi citizenship (Decree 666). The 2006 Iraqi Nationality Law repealed past discriminatory laws and decrees and provided that Faili Kurds could re-acquire their Iraqi citizenship. However, according to the Ministry of Migration and Displacement, only about 20,000 Faili Kurd families had taken the necessary steps to have their citizenship reinstated since 2003. An estimated 100,000 Faili Kurds reportedly continued to be “non-citizens”, reportedly mainly because they could not show that they were registered in the 1957 national census. Many are reportedly unable to provide this evidence as many civil records were destroyed or lost because they had never been included in the census. The Faili Kurds live mainly in Baghdad, in Dhiyalah (mainly Jalawla, Khanaqin and Mandali) and in the Southern Governorates of Wasit, Missan and Basrah (including in Budja, Jassan, Kut, Nu’maniyah and Arzita). Most of them adhere to the Shi’ite branch of Islam; Jasim Alaswaw, Faili Kurds Struggle in Iraq, Rudaw, 26 January 2012, [http://www.rudaw.net/english/iraq/46deb5557.html]; Preti Taneja, Iraq’s Minorities: Participation in Public Life, Minority Rights Group International, 28 November 2011, pp. 8, 15, 16, 18, 20, 21, 22, [http://www.minorityrights.org/11106/reports/iraqs-minorities-participation-in-public-life.html]; Mandalawi Sazan M, Scars that won’t heal: Iraq recognises Faili Kurd persecution as ‘genocide’, Niqash, 11 August 2011, [http://www.niqash.org/articles/?id=2878]; Elizabeth Campbell, The Faili Kurds of Iraq: Thirty Years Without Nationality, Refugees International / World Bridge Blog, 2 April 2010, [http://www.refugeesinternational.org/blog/iraqs-faili-kurds-thirty-years-without-nationality]; Martin Chulov, Tariq Aziz: given additional 10-year jail term for persecution of Shia Kurds, The Guardian, 29 November 2010, [http://www.guardian.co.uk/world/2010/nov/29/tariq-aziz-iraq-sentence-kurds].

See “Background Information”.

Preti Taneja, Iraq’s Minorities: Participation in Public Life, Minority Rights Group International, 28 November 2011, p. 9, [http://www.minorityrights.org/11106/reports/iraqs-minorities-participation-in-public-life.html]. In 2006, there were widespread reports of...
Kurdish forces abducting and forcibly transferring Arabs and Turkmen to detention centres in the Kurdistan Region. While no new such cases have been reported in recent years, a number of these detainees are reportedly still held in the Kurdistan Region, commonly on terrorism charges; see “Individuals (Perceived as) Opposing the KRG Authorities”.


Marwan Ibrahim, Iraq’s Kirkuk ‘may be fertile ground for militants’, AFP, 26 November 2011, http://www.google.com/hostednews/afp/article/ALeqM5XZTGrX2Q2TmnU71Qijic1KOW5a4A?docid=CNG.d2c77c1ead19585fcf3ea88d7e0357b51. See also “Background Information”.


See also chapter “Shi’ite civilians, including pilgrims”.

See also “Government Officials and Employees” and “Members of Political Parties”.

A Turkic representative interviewed by Minority Rights Group International said that while Turkmen enjoy the right to education in their mother tongue in the Kurdistan Region, they, in practice suffer from a shortage of teachers. As a result, Turkmen pay for teachers to come from outside the area; Preti Taneja, Iraq’s Minorities: Participation in Public Life, Minority Rights Group International, 28 November 2011, p. 19, http://www.minorityrights.org/11106/reports/iraqs-minorities-participation-in-public-life.html.


UNAMI in 2010 facilitated a new order, same abuses initiative to resolve these cases reportedly not yet brought substantial progress due to prevalent political tensions. UNAMI in 2010 facilitated an initiative to seek solutions for detainees and prisoners from Ninewa held in the Kurdistan Region. In April 2010, the “Ninewa Detainee Committee” was established to identify and categorize the caseload and to make recommendations as to how their case could be resolved. The committee was made of representatives from the Asayish, the Deputy PM’s Office, the Police and the Ninewa Governorate Council. On 5 July 2010, the Asayish named 147 pre-trial detainees and prisoners from Ninewa held in Asayish custody. However, as result of heightening tensions between the KRG and the Ninewa provincial authorities, the committee’s activities were reportedly suspended. Similar efforts were reportedly made in relation to Arab and Turkmen detainees from Kirkuk held in the Kurdistan Region. As a result of these efforts, UNAMI was reportedly granted access to the detainees from outside the Kurdistan Region; UNAMI Human Rights Office/OhCHR, 2010 Report on Human Rights in Iraq, January 2011, p. 27, http://www.ohchr.org/Documents/Countries/IRQ/UNAMI_HR%20Report_1Aug11_en.pdf.

The Turkmen originally came from Central Asia, a region that took place over several hundred years, beginning in the 7th century AD. The first Turkic people settled in Iraq in the early Islamic era, in the late 7th century, and their numbers increased throughout history. Minority Rights Group International, State of the World’s Minorities and Indigenous Peoples 2011 - Iraq, 6 July 2011, http://www.unhchr.ch/refworld/docid/4e16d36e5f.html.

Part of the reason for the vast difference in estimates is the former government’s reportedly Arabization policy that forcibly expelled Turkmen from their traditional lands in Iraq and forced them to register officially as Arabs. Furthermore, demographics and n...
On 16 October 2009, a suicide bomb terrorist who had been among the Sunni congregation in a Tel Afar (Nineva) mosque first shot and killed the imam, Abdul-Satar Hassan, and then sprayed gunfire at worshippers before blowing himself up, killing at least 15 people and wounding 95 others; Chelsea J. Carter, *Iraq Mosque: Suicide Bomber Kills 12 Worshippers In Tel Afar*, AP, 16 October 2009, http://www.usatoday.com/news/world/iraq/2009-10-16-baghdad-bombing_N.htm.


On 20 June 2009, up to 85 people were killed and over 170 others were wounded when a suicide truck bomb detonated more than 1,900 kg of explosives close to the Al-Rasul mosque in Taza, a Shi'ite Turkmen town 20 km south of Kirkuk. The attack completely destroyed 95 homes and a further 100 homes suffered over 40% damage. According to OCHA and UNAMI, up to 600 people have been affected by this incident; OCHA/UNAMI, *Iraq - Taza Bombing*, Situation Report, 30 June 2009, http://www.unmra.org/documents/Taza%20SITREP%2009%20July.pdf.

Reported incidents included:

On 12 March 2012, Musa Yahya, a Turkmen member of the Taza District Council was assassinated when armed men opened fire on him in central Taza district (Kirkuk); Abdullah al-Amri, *District councilor and teacher killed in Kirkuk*, AKNews, 12 March 2012, http://www.aknews.com/en/aknews/3/295528/


On 18 June 2010, a bomb blast targeted the house of Niazi Muhammad Maa’mar, a Turkmen member of the Salah Al-Din Provincial Council and former member of the CoR, in Tuz Khurmatu (Salah Al-Din). Maa’mar was not in the house, but eight others were killed and 63 more were wounded; UNHCR, *Annex to the Note on the Continued Applicability of the April 2009 UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Iraqi Asylum-Seekers: Reports of Attacks and Security Incidents in Iraq since April 2009, p. 7, http://www.unhcr.org/cgi-bin/texis/vtx/en_world/mwmain/openemadepdf.cgi?pdfid=doc-xv-kamp.docid=4c4ol722.


For example, reported incidents included:


On 21 September 2011, Qasim Mohammed, a Shi'ite Turkmen businessman, was killed by a sticky bomb attached to his car in Kirkuk; AFP, *Iraqi attacks kill six*, 21 September 2011, http://english.ahram.org.eg/NewsContent/2/8/25212/World/Region/Iraq-attacks-kills-six.aspx.

On 5 September 2011, gunmen in a speeding car opened fire at a vehicle carrying prominent Turkic neurologist Yeldrim Abbass (Yuldroz Abbas Damrichy), killing him and his brother in central Kirkuk; Reuters Alertnet, *Security developments in Iraq*, September 7,

On 19 June 2011, gunmen kidnapped Adwal Ali Mahmud, a prominent Turkmen doctor, from his house in central Kirkuk city. Only a few days later, gunmen kidnapped Sahi Harzan, a Kurdish doctor; Wladimir van Wilgenburg, Another bomb blast was likely the responsibility of Ansar Al-Sunnah in Kirkuk, 7 September 2011, http://en.aswatイラク.info/Default1.aspx?page=article_page&id=144670&l=1.

In addition, the Chairman of the Iraqi Turkmen Front and member of the Iraquiyya coalition, Arshad Al-Salehy, reportedly blamed the Iraqi Government for closing its eyes to the ongoing abductions and assassinations of Turkmen personalities. Aswat al-Iraq, Iraq’s Turkmen Front says Turkmen did not celebrate Eid al-Adha holidays due to fear from aggressive attacks, 10 November 2011, http://en.aswatイラク.info/Default.aspx?page=article_page&slideshow=1&id=145548.

According to the Encyclopedia of the Orient, the Shabaks are both “a people and a religion. The Shabaks live in the region of Mosul, Iraq, and are united in culture and language, but they cover more than one ethnic group and among them there is more than one religion.” Though some, and in particular the Kurdish parties, identify the Shabaks as Kurds, they have their own traditions, customs and their own identity. As a distinct ethnic group, most Shabaks consider themselves Muslims (mainly belonging to the Shi’ite branch of Islam, with a smaller Sunni minority), though they follow their own unique form of Islam, which includes elements of Christianity and other religions and has its own sacred book known as Buynak, written in the Turkmän language. There is a close relationship between the Shabaks and the Yazidis, and the Shabaks perform pilgrimage to Yazidi shrines. The Shabaks reside mainly in Nineva Governorate (Mosul and in the disputed villages in the Nineva Plains such as Mandamanya, Bartilla, Bashaq, Al-Namroud). Their language, Shabaki, is a Zaza-Gorani dialect, similar to Kurdish, with many borrowings from Turkish, Persian and Arabic. Until 1952, under British rule, the Shabaks were considered as a distinct ethnic group. However, the former regime registered them as Arabs and deported an estimated 3,000 Shabak families to Kirkuk and Erbil as they considered themselves Kurds. Their 22 villages were reportedly destroyed. It is not known how many Shabak remain in Iraq nowadays and estimates range from 60,000 to 500,000. According to the Encyclopedia of the Orient, there are 60,000 to 400,000 Shabak in Iraq; Encyclopedia of the Orient, The Shabak minority fears of attacks increase against them in Mosul News Agencies, 60,000 to 100,000 Shabak; According to IRIN, String of blasts kills dozens in Iraq, 5 December 2011, http://www.irinnews.org/Report.aspx?ReportId=94389.

At A Crossroads, February 2011, p. 71, http://www.hrwt.org/sites/default/files/reports/iraq/0211W.pdf The Society for Threatened People reported that there are 60,000 to 100,000 Shabak; Society for Threatened People, Terrorists are trying to stir up the ethnic groups against each other, 10 August 2009, http://www.gfbv.de/pressemit.php?id=1958&highlight=shabak.


Two truck bombs reportedly detonated almost simultaneously in a residential area of the Shabak/Turkmen village of Khazna Tabtah in Al Faisaliyah District (Nineva); Reportedly killing at least 34 people and injuring 179 others. The blasts were so powerful that they completely destroyed at least 30 houses; OCHA/UNAMI Iraq - Khazna Tabtah & Shrekhan Sufla Villages, Mosul, Nineva, Situation Report 4, 12 August 2009, http://www.iraqra.org/reports/Sitrep%20Khazna%20Tabtah%20&%20Shrekhan%20Sufla%20Mosul%20Nineva%200809%20_final%20draft.pdf. It was reported that the attack was likely the responsibility of Sunni Islamists, who reportedly used the killing of the Shabaks for granting that they are “non-believers” or supporters of the USA or Iran. For example, Mulla Salim Khadr, a Shabak leader, reportedly said that Ansar Al-Sunnah had issued a statement in early January 2011, in which it called for the killing of Shabak and Shi’ite Turkmen for their affiliation with the US; Sha’afa Media, Shabak minority fears of attacks increase against them in Mosul News Agencies, 12 January 2011, http://www.shafaaqMedia.com/en/component/content/article/691-shabak-minority-fears-of-attacks-increase-against-them-in-mosul-news-agencies.html. Shortly before the August 2009 attack, a member of the Army of Naqshbandi, a Sunni insurgent group operating in Nineva, told The National that the Shabaks were “in line with Iraq and therefore traitors”; Nizar Latif and Phil Sands, String of blasts kills dozens in Iraq, The National, 11 August 2009, http://www.thenational.ae/news/worldwide/middle-east/19-blasts-kills-dozens-in-iraq. See also HRW, At a Crossroads, February 2011, p. 71, http://www.hrw.org/sites/default/files/reports/iraq/0211W.pdf. Also in 2009, on July 8, a bomb reportedly exploded near a Shi’ite mosque located in a Shabak neighborhood in the city of Mosul, killing nine persons and injuring 22 others. The same day, another bomb detonated in a different Shabak neighborhood injuring seven people; USCIRF, International Religious Freedom Report 2010 – Iraq, 17 November 2010, http://www.state.gov/g/drl/rls/irf/2010/148821.htm.


For example, reported incidents included:
On 19 December 2011, a Shabak high school student was shot and dead was his brother was wounded, when a gunman opened fire on them in the Kokjali area east of Mosul city, which is mainly inhabited by Shabak; Rezan Ahmed, "Shabak student killed east of Mosul," AKNews, 19 December 2011, http://www.aknews.com/en/aknews/3/279101/.

On 3 November 2011, a Shabak man was killed by gunfire in front of his house in Badoush (Nineva); AKNews, Mosul attacks leaves two dead, 3 November 2011, http://www.aknews.com/en/aknews/3/279097/.

On 22 October 2011, two Shabak men were shot and killed out of a passing car in Mosul's eastern Dora Al-Hamam area; AKNews, Four civilians killed in Mosul armed actions, 22 October 2011, http://www.aknews.com/en/aknews/3/268553/.


On 11 July 2011, a Shabak man was killed and his wife was wounded when gunmen opened fire on them from a speeding car near Mosul; AKNews, Shabak civilian shot dead in Nineveh, 31 July 2011, http://www.aknews.com/en/aknews/3/254595/.


On 19 April 2011, ISF found the bodies of two Shabak men with gunshot wounds to their heads and chest. They had been abducted earlier in Mosul; AKNews, 2 kidnapped Shabaks found dead in Nineve, 19 April 2011, http://en.awsalitraq.info/Default1.aspx?page=article_page&id=142079&l=en.


On 16 January 2012, a car bomb reportedly exploded in a residential complex housing displaced Shi'ite Muslims of Shabak ethnicity, killing at least eight people and wounding four others, in Bartella district (Nineva); Jamal al-Badrani, Car bomb kills at least 9 in Iraq's Mosul, Reuters, 16 January 2012. http://id.reuters.com/article/worldNews/idAFR3E0D5E52011016. Other reported attacks against Shabak in 2012 included:


On 12 March 2012, a Shabak man was killed and his wife was seriously wounded in an attack on their house in northern Mosul city; AKNews, 12 March 2012, http://www.aknews.com/en/aknews/3/295401/.


On 3 March 2012, a Shabak man was killed and his brother was seriously wounded when gunmen opened fire on them when they left their house in eastern Mosul’s al-Ashana area; Rezan Ahmed, Shabak man shot dead and brother wounded in Mosul, AKNews, 5 March 2012, http://www.aknews.com/en/aknews/5/293964/.

On 31 January 2012, twin IEDs detonated in a Shabak village in north Mosul, injuring three civilians and one policeman; UNAMI Security and Safety Unit, 1 February 2012.


HRW reported alleged assassination attempts against Shabak leader Hunein Qaddo, whose convoy was reportedly fired on by men wearing Kurdish security uniforms (7 January 2009) and Qusay Abbas, an elected member of Nineva’s Provincial Council, who was reportedly hospitalized after Peshmerga shot him twice at a checkpoint (7 March 2010); on 16 August 2009, Abbas convoy was reportedly targeted by an IED in Mosul; HRW, At a Crossroads, February 2011, pp. 71-72, http://www.hrw.org/sites/default/files/reportfiles/iraq211w.pdf. See also Preti Taneja, Iraq’s Minorities: Participation in Public Life, Minority Rights Group International, 28 November 2011, p. 13, http://www.minorityrights.org/11106/reports/iraqs-minorities-participation-in-public-life.html. Among the Shabak community, there are those that reportedly call for the incorporation of their areas into the Kurdish Region under the mechanism of Article 140 of the Iraqi Constitution, while others reject the idea and blame the Kurdish authorities for not preventing or even orchestrating attacks committed against them. Reidar Visser, The Shabak React to the Atrocities of Khazna Tepe, Iraq and Gulf Analysis, 10 August 2009, https://gulfanalysis.wordpress.com/2009/08/10/the-shabak-react-to-the-atrocities-of-khazna-tepe/.

Saddam Hussein’s Arabization campaign for the Kurds, for example, is reportedly ongoing even though the Iraqi authorities say they have stopped. The reason for the threat of ethnic cleansing is likely due to the government’s policy of rewarding an ethnic group that cooperates with the government over another ethnic group that does not cooperate with the government, which is a policy that the Kurdish Regional Government (KRG) is likely to continue.

HRW report states that “the majority of Shabak elders live in their traditional homeland in the area of Qaraqosh and in the area of al-Ashana near Mosul. The remainder of the population live in towns and cities throughout the Ninevah province.”


Article 14 reads: “Iraqis are equal before the law without discrimination based on gender.” The Constitution of the Kurdistan
Region even obliges the KRG to “(…) seek to remove all obstacles hindering equality in all spheres of life, and in political, social, cultural and economic rights.”

815 Article 29 (First B) obliges the State to “guarantee the protection of motherhood” and Article 30 (First) to “guarantee to the individual and the family – especially children and women – social and health security, the basic requirements for living a free and decent life, and shall secure for them suitable income and appropriate housing.”

816 Article 29 (Fourth).

817 Article 49 (Fourth) reads: “The elections law shall aim to achieve a percentage of representation for women of not less than one quarter of the members of the Council of Representatives.”

818 Article 2 provides that Islam is “a foundation source of legislation” and “no law may be enacted that contradicts the established provisions of Islam.” Given that not all laws are founded in Shari’a law, these provisions could be used to void provisions that currently provide protection to women. Of further note, Article 41, which stipulates, “Iraqis are free in their commitment to their personal status according to their religions, sects, beliefs or choices (…)”. See for example, Institute for International Law and Human Rights, Women and the Law in Iraq, December 2010, pp. 25-29, 53-54, 97, http://ilhr.org/documents/womenandlawiraqEN.pdf.


820 Article 47 of The constitution of 2005 mandates that female members of parliament constitute 25 percent of the CoR. In the March 2010 parliamentary elections, 86 women were elected to the 235-member CoR, though only five of them won their seats without the quota. However, upon forming the new 44-member cabinet in December 2010, it was reported that no woman was appointed for a senior cabinet position and only two ministries of state were offered to women. Bushra Hussein Saleh (INaF/Paditia) was appointed as minister of state without portfolio, while another women lawmaker was offered the position of state minister of women’s affairs, which she refused to protest against women’s marginalization in the government. On 13 February 2011, Iblit Al-Zaidi (INA) was appointed as Minister of State for Women’s Affairs. In July 2011, PM Al-Maliki obtained parliamentary approval to downsize his large cabinet. As a result, Bushra Hussein Saleh lost their post, leaving only one remaining female minister, the Minister of State for Women’s Affairs. In Iblit Al-Zaidi’s own words, the “the Ministry is no more than an executive-consultation bureau with a limited budget and no jurisdiction on implementing resolutions or activities.” It is noteworthy that her predecessor, Nawal al-Samarraie, who predecessor to her post for the lack of jurisdiction and budget; NCCI, Iraq’s Female Face, Op-Ed 15 November 2011, http://www4.ncciraq.org/index.php?option=com_content&view=article&id=11&lang=en.


822 In the Kurdistan Region, February 2009 amendments to the election law reportedly increased the legal quota for women in the regional parliament from 25 to 30 percent. Currently, 36 out of 111 members of parliament are reported to be women. However, as on the central level, women’s representation in the cabinet is low and decreasing with only one female minister, the Minister of Labour and Social Affairs, represented in the KRG (compared to three up under the previous government). According to recent reports, women’s political representation is diminishing as a number of female mayors and high-ranking civil servants in Iraqi Kurdistan have been removed from their posts and replaced by men in recent months; Nawzad Mahmoud, Female Leaders Decline in Kurdistan, Rudaw, 21 September 2011, http://www.rudaw.net/english/kurds/3993.html; Shourzted Khalid, Glass Ceiling for Female Kurdish Politicians, IWPR, Iraq Crisis Report Issue 334, 29 April 2010, http://iwpr.net/report/news/glass-ceiling-female-kurdish-politicians; UNAMI Human Rights Office/OHCHR, 2010 Report on Human Rights in Iraq, January 2011, p. 34, http://www.ohchr.org/Documents/Countries/ID/IQ/UNAMIHR%20Report_Aug11_en.pdf.


826 For an extensive study on Iraqi law and how it relates to women rights, see Institute for International Law and Human Rights, Women and the Law in Iraq, December 2010, http://ilhr.org/documents/womenandlawiraqEN.pdf.


830 See chapters “Individuals Perceived as Contravening Traditional Practices or Social Mores” and “Members of Religious Minorities”.

831 According to HRW, “[T]he deterioration of security has promoted a rise in tribal customs and religiously-inflected political extremism,
which have had a deleterious effect on women's rights, both inside and outside the home;” HRW, At a Crossroads, February 2011, p. 1, http://www.hrw.org/sites/default/files/reports/iraq2011W.pdf.


According to Amnesty International, “[A]ll parties to the armed conflict in Iraq have been involved in violent crimes specifically aimed at women and girls, including rape. Perpetrators have included members of armed groups, militias, Iraqi government forces and foreign military forces. In addition, women and girls continue to be attacked and sometimes killed by male relatives and Islamist armed groups or militias for their perceived or alleged transgression of traditional roles or moral codes. Most of these crimes are committed with impunity;” Amnesty International, Civilians Under Fire, April 2010, p. 19, http://www.ohchr.org/Documents/Countries/IQ/UNAMI_HR%20Report_1Aug11_en.pdf.


For example, Rasha Nameer Jaafar al-Hussain and Bassima Saleem Kryakos, who are both working in the media team of Iraqi Vice-President Tareq Al-Hashimi, have been reportedly arrested without arrest warrants on 1 January 2012. Since then, their whereabouts have been unknown. It is believed that they have been arrested in relation to the terrorism-related charges brought against Al-Hashimi. Amnesty International expressed concern over the women’s fate, saying that they are at risk of torture or other ill-treatment. Bassima Kryakos had reportedly already been detained for three days in December 2011, during which she was reportedly subjected to beatings before being released without charge; Amnesty International, Iraq must reveal whereabouts of Vice-President’s detained aides, 30 January 2012, http://www.amnesty.org/en/news/iraq-must-reveal-whereabouts-of-vice-president-s-detained-aides-2012-01-30; Amnesty International, Urgent Action - Iraqi Women Held Without Charge, 27 January 2012, http://www.amnesty.org/en/library/asset/MDE14/002/2012/en/eb793e49-99a9-42c8-a2ac-b9f59070991/mde140022012en.pdf. On average, victims of gender-based violence included in a legal aid programme operated by the Heartland Alliance in partnership with local NGOs, were reportedly held for six months before a trial was held; in some cases observed by the Heartland Alliance, this period was further extended by the order of a judge; Heartland Alliance for Human Needs & Human Rights, Institutionalized Violence Against Women and Girls in Iraq, 2011, p. 14, http://www.scribd.com/doc/49420024/Institutionalized-Violence-Against-Women-and-Girls-in-Iraq. See also “Background Information”.

Between 2003 and December 2010, 1,145 persons were reportedly sentenced to death, including 39 women. Many of them were sentenced after trials, which reportedly failed to conform to international standards for fair trial. Out of 257 persons executed between 2005 and 2010, six were women; UNAMI Human Rights Office/OHCHR, 2010 Report on Human Rights in Iraq, January 2011, pp. iv, 29, http://www.unochr.org/Documents/Countries/iq/UNAMI_HR%20Report%20Aug11_en.pdf. See also “Background Information”.


Between September and December 2010, ICRC conducted in-depth interviews with 11 particularly vulnerable female heads of household in North Ninewa, Kirkuk City, North Diyala, Baghdad and Al-Anbar. The vast majority (92%) of the women interviewed were reported to be widows; the others were wives of detainees or of men who had gone missing, or divorcées. According to ICRC, only one out of three widows in Iraq do not have a primary-school education. The ICRC survey, which focused on particularly vulnerable women heads of household, revealed that only 19 percent receive the benefits. While all women surveyed were found to be registered with the public distribution system (PDS), they reportedly lack of resources and personnel. As a result, not all eligible women actually receive the welfare benefit. According to official figures, only 40 percent of the women reportedly registered. The ICRC survey, which focussed on particularly vulnerable women heads of household, revealed that only 19 percent receive the benefits. Food packs were reportedly distributed to households following the survey. According to ICRC, only one in four of those surveyed were able to live with their parents or in-laws. All women noted that they felt like a burden, and preferred to live on their own; ICRC, Households Headed by Women in Iraq: A Case for Action, August 2011, pp. 1, 3, http://www.icrc.org/eng/assets/files/2011/iraq-women-survey-2011-08-eng.pdf. See also HRW, At a Crossroads, February 2011, p. 22, http://www.hrw.org/sites/default/files/reports/iraq0211W.pdf.

According to the ICRC survey, 43 percent of the women were displaced as a result of conflict. Most of them left their homes after the loss of their husband; ICRC, Households Headed by Women in Iraq: A Case for Action, August 2011, p. 4, http://www.icrc.org/eng/assets/files/2011/iraq-women-survey-2011-08-eng.pdf.

Under a government welfare programme, administered by the Directorate for Women, the poorest among the widows reportedly receive a modest benefit ranging from US $43 to 150 per month, depending on the number of children. However, many women are unable to work through the necessary administrative procedures while the concerned directorate is reportedly unable to process all the applications due to a lack of resources and personnel. As a result, not all eligible women actually receive the welfare benefit. According to official figures, only 40 percent of female heads of household are reportedly registered. The ICRC survey, which focussed on particularly vulnerable women heads of household, revealed that only 19 percent receive the benefits. While all women surveyed were found to be registered with the public distribution system (PDS), they reportedly receive their food rations on an irregular basis and mostly incomplete; ICRC, Iraq: working to achieve a brighter future for women heading households, 8 March 2012, http://www.icrc.org/eng/resources/documents/news-release/2012/iraq-news-2012-03-08.htm; ICRC, Households Headed by Women in Iraq: A Case for Action, August 2011, p. 8, http://www.icrc.org/eng/assets/files/2011/iraq-women-survey-2011-08-eng.pdf. Widows whose husband died as a result of “terrorism” are also reportedly entitled to a one-time compensation of up to 2.5 million Iraqi Dinars (US $2,100); HRW, At a Crossroads, February 2011, p. 22, http://www.hrw.org/sites/default/files/reports/iraq0211W.pdf. See also Oxfam, In Her Own Words: Iraqi women talk about their greatest concerns and challenges, 8 March 2009, pp. 3, 4, 7, http://www.oxfam.org/sites/oxfam.org/files/oxfam-in-her-own-words-iraqi-women-survey-08mar2009.pdf.

Nearly half (46%) of the women surveyed by ICRC obtained only a minimal education. Only 9 percent, being mostly teachers, have more than a primary-school education. Almost 45 percent of the women surveyed were illiterate; ICRC, Households Headed by Women in Iraq: A Case for Action, August 2011, p. 3, http://www.icrc.org/eng/assets/files/2011/iraq-women-survey-2011-08-eng.pdf.

Among the women surveyed by ICRC, most were reportedly married before they reached 20 years of age. After marriage, they became mothers and housewives, and accordingly they did not acquire any professional skills; ICRC, Households Headed by Women in Iraq: A Case for Action, August 2011, p. 3, http://www.icrc.org/eng/assets/files/2011/iraq-women-survey-2011-08-eng.pdf.


The Iraq National Youth and Adolescents Survey 2009 revealed that roughly half of young men aged 10 to 30 support women’s work (while more than 90% of young women did). Also, the large majority of young women (92.3%) and men (91.2%) agreed that females must take the approval of their caretaker before practicing any work; Ministry of Youth and Sport/COSIT/KRSO/UNIFPA, Iraq National Youth and Adolescents Survey 2009, Summary Report, 2009, pp. 25, 42, http://cosit.gov.iq/english/pdf/2011/oys_nys.pdf.

Fifty percent of the women interviewed by ICRC were working at the time the survey was taken. Most women reportedly started working after the loss of their husband. One third of the women were reportedly found to run their own business, putting them in a relatively better situation than those employed. The others work mostly as farmers, seamstresses, bakers or cleaners. Women in Iraq reportedly earn...

855 ICRC found that 30 percent of the women surveyed do not have a stable source of income through employment or regular allowances from relatives or others. They therefore reportedly depend on ad hoc aid, such as the welfare contributions on the occasion of Ramadan, food donations and household gifts; ICRC, Households Headed by Women in Iraq: A Case for Action, August 2011, p. 9, http://www.icrc.org/eng/assets/files/2011/iraq-women-survey-2011-08-eng.pdf. See also ICRC, Iraq: working to achieve a brighter future for women heading households, 8 March 2012, http://www.icrc.org/eng/resources/documents/news-release/2012/iraq-news-2012-03-08.htm.

856 According to ICRC, even those women that have some job income and/or receive limited assistance from relatives or neighbours, struggle to make a living. Almost 70 percent of the women surveyed spend more money than they earn and need to borrow money to cover their basic needs. ICRC found that almost 50 percent of the women heading households surveyed live in poor conditions, with only basic amenities. Relatives and neighbours usually donate a number of household items. Almost a third of their homes reportedly lack insulation and basic furniture. About 10 percent of the women surveyed quarrel in abandoned buildings, putting them under threat of eviction. Families headed by women can often not afford education for their children and health services; ICRC, Households Headed by Women in Iraq: A Case for Action, August 2011, pp. 4, 6, 7, http://www.icrc.org/eng/assets/files/2011/iraq-women-survey-2011-08-eng.pdf.


860 According to HRW, “[M]ut’ah (also known as pleasure marriage) is a traditional marriage contract between a man and an unmarried woman for a specific timeframe (ranging from an hour to months) that often stipulates that the “wife” will be paid a designated sum of money, Women who become pregnant are not entitled to child support. Often, the marriages are conducted in secret, unbeknownst to family members. Some clerics argue the practice prevents adultery while critics view it as a form of prostitution. The practice is not addressed in Iraq’s Personal Status Code,” HRW, At a Crossroads, February 2011, pp. 2, 17, http://www.hrw.org/sites/default/files/reports/iraq211W.pdf. As a result, it is reported that the marriage is not legally recognized. A pleasurable marriage reportedly ends when either party’s term expires. The woman endures poverty has no right to alimony; however, a child born out of a “temporary marriage” reportedly has the right to inherit from his father; IWPR, Temporary Marriages Stir Iraqi Sensitivities, Iraq Crisis Report Issue 353, 23 September 2010, http://iwpr.net/report-news/temporary-marriages-stir-iraqi-sensitivities; Paula I. Nielson, Temporary Marriage in Modern Iran and Iraq, 12 January 2016, http://paula-i-nielson.suite101.com/temporary-marriages-in-modern-iran-and-iraq-a186868.

861 It has been reported that widows may be pressured into such marriages in exchange for jobs, charity or services; HRW, At a Crossroads, February 2011, pp. 2, 17, http://www.hrw.org/sites/default/files/reports/iraq211W.pdf; Kelly McEvers, Abuse Of Temporary Marriages Flourishes In Iraq, NPR, 19 October 2010, http://www.npr.org/templates/story/story.php?storyId=130350678; Temporary marriages are reportedly being misused to the disadvantage of many poor or widowed women; IWPR, Temporary Marriages Stir Iraqi Sensitivities, 23 September 2010, http://www.iwpr.net/rtfworld/doc/id/39c6642.html. According to Rana Khalid Musawi, a women activist in Basrah, two main groups of women engage in “temporary marriages”: “[F]eather widows and divorcées who get married desperately because they need to feed their children, and this group is the majority, or women who want easier lives”; Aif Sarhan, Iraq: Temporary Marriages Boom in South, Islam Online, 12 February 2009, http://www.whuml.org/node/5743.

862 According to ICRC, up to 47 percent of the children in households headed by women do not go to school. Nearly 40% of the families surveyed have at least one boy under the age of 16 working, usually in markets or on farms; See ICRC, Households Headed by Women in Iraq: A Case for Action, August 2011, pp. 6, 7, http://www.icrc.org/eng/assets/files/2011/iraq-women-survey-2011-08-eng.pdf.


864 Since 2007, likely in a tactical shift introduced by Sunni armed groups, there was a reported surge in female suicide bombers (in 2007, eight such attacks were reported and in 2008 36 attacks were reported). Women, who can hide the explosives under their loose-fitting traditional robes and can take advantage of more relaxed security checks applied on women, usually work in markets or on farms; See ICRC, Households Headed by Women in Iraq: A Case for Action, August 2011, pp. 4, 6, 7, http://www.icrc.org/eng/assets/files/2011/iraq-women-survey-2011-08-eng.pdf.

865 By February 2012, no special courts have been established. In a first step, a judge specialized in violence against women cases has been appointed within the regular court; information available to UNHCR, February 2012.


867 By February 2012, no special courts have been established. In a first step, a judge specialized in violence against women cases has been appointed within the regular court; information available to UNHCR, February 2012.


869 HRW, Iraq: Female Genital Mutilation “An Obligation” According to Iraqi Muslim Cleric, Stonegate Institute, 18 August 2011, http://www.stonegateinstitute.org/2360/female-genital-mutilation-iraq; Thomas V. Der Osten-Sacken, Female Genital Mutilation “is an
violence and trafficking, may she is the sole breadwinner of the family, or the head of household combating Sexual Slavery in Post, Washington website of HCR/GIP/06/07, 2011, pp. 21, 26, legitimated if not at least understandable. Heartland Alliance reported that law enforcement officials regularly check whether the violence was "investigations 881 http://www.amnesty.org/en/library/asset/MDE14/002/2010/en/c9dc5d8d-02d4-11e0-ba-a4d8d0700f67.html. 878 marriages are not recognized by law a (forced) marriage are not recognized by law under the organization's control. US officials s 875 http://gjpi.org/2009/04/12/penal-justice/ article 939 of the Iraqi Penal Code. The unofficial English translation, as prepared by the US Armed Forces Judge Advocate General, is available at http://www.unhcr.org/refworld/docid/452514424.html. Note however that in this translation, a number of pages are missing. A full translation is available on the website of The University of Utah, SJ Quinney College of Law, Global Justice Project, http://ejsj.org/2009/04/12/penal-code-111-of-1969/. See also below “Domestic Violence”. 877 See below “Women in Detention”. 876 Though statistics are not available, hundreds of women and girls have reportedly been raped and/or forcibly married to AQI militants in areas under the organization’s control. US officials speculated that AQI deliberately used this tactic to grow a new generation of fighters. Marriages with local women and girls was also reportedly meant to strengthen AQI’s foothold among the local population. The law does not reportedly recognize these marriages, as they had never been officially registered. As a result, these women, whose husbands have often been killed or detained, are said to be unable to claim any rights. Reportedly, the women often do not even know the identity of the men. Furthermore, they reportedly fear to be arrested and detained for having been associated with armed groups. Reportedly, children born out of a child marriage are not recognized as legitimate if a marriage has not been officially registered. Also, these children are reportedly not able to obtain identity documents, preventing them from accessing services such as education. Both the woman and the child are reportedly ostracized by society; Arwa Damon, Raped by al Qaeda, CNN, 12 September 2011, http://edition.cnn.com/video/?video/world/2011/09/12/damon-rape-al-qaeda.cnn; McEvers and Isra’ al Rubei’i, ‘Iraqi Women Wed To Insurgents Find Little Hope, NPR, 28 January 2011, http://www.npr.org/2011/01/28/153213152/iraqi-women-wed-to-insurgents-find-little-hope; Leslie Fadel, Children of al-Qaeda in Iraq pay for sins of their fathers, Washington Post, 21 September 2010, http://www.washingtonpost.com/wp-dyn/content/article/2010/09/20/AR2010092006336.html. Some women have reportedly been raped and then persuaded to cleanse their shame by blowing themselves up as suicide bombers; BBC, ‘Iraq’s female bomber recruit’, 4 February 2009, http://news.bbc.co.uk/2/hi/7869570.stm. 875 Alliance for Human Needs & Human Rights, Institutionalized Violence Against Women and Girls in Iraq, 2011, pp. 21, 26, http://www.scribd.com/doc/49420024/Institutionalized-Violence-Against-Women-and-Girls-in-Iraq. See also below “Early and forced marriages”.

First, it is important to note that adultery constitutes a criminal act in many countries, including Iraq. According to Article 377 (1) of the Penal Code, “[A]n adulterer and the man with whom she commits adultery are punishable by detention”. Adultery is punishable with imprisonment ranging from three months to five years (Article 26 of the Iraqi Penal Code). As there is no mention of adultery being consensual, the victim of rape may be labelled as adulterer and fall under this provision; Institute for International Law and Human Rights, *Women and the Law in Iraq*, December 2010, p. 33-34, http://ilhr.org/documents/womenandlawiniraqEN.pdf.

From the above, it is evident that the victim of rape has legal protection under the law, and their rights are secured. Moreover, the sentence will be quashed if the defendant divorces the victim without legal justification during a period of three years after the end of proceedings.

**In Iraq, a story of rape, shame and 'honor killing'**

In Iraq, a story of rape, shame and 'honor killing' is well documented in various reports. An example of such a story is the one reported by Amnesty International in 2009, which highlighted the plight of women who were subjected to various forms of torture and ill-treatment in Iraqi detention and prison facilities.


In conclusion, the report by Amnesty International highlights the severity of the human rights violations faced by women in Iraqi detention and prison facilities. It is essential to take concrete steps to address these violations and ensure the protection of women's human rights in Iraq.
At the time of writing, the law has not been issued; UNHCR, March 2012; IAU, Violence Against Women in Iraq Factsheet, November 2010, p. 2, http://www.iuairaq.org/documents/1149/Violence%20against%20women%20Factsheet_Final.pdf.


Cruel and inhumane tribal treatment of females is said to be one of the reasons for young females to run away from their homes, sometimes lured by males who were reportedly connected to prostitution rings. Once alone, without a family and penniless, they reportedly became vulnerable victims to a thriving sex industry. OWFI, Prostitution and Trafficking of Women and Girls in Iraq, 5 March 2010, http://www.equalityiraq.com/images/stories/pdf/prostitutionandtrafficking-OWIFreport.pdf?1c658c405b6b90347a0e2c11d91cbb6e4b6b6565305e4e. See also chapter “Victims of or Persons at Risk of Trafficking”.

On “honour crimes” committed against boys and men, see Danish Immigration Service, Honours Crimes against Men in Kurdistan Region of Iraq (KRI) and the Availability of Protection, 23 March 2010, http://www.unhcr.org/refworld/docid/4bd95e2a2.html.

For example, in a case described on Latitudes Radio, a girl and a boy, who were reportedly refused marriage by their families and accused of adultery, were both mutilated with the girl having her nose cut off and the boy his ears; Andrea Wenzel, Challenging Gender-Based Violence in Iraq Kurdistan, Latitudes Radio, 23 February 2011, http://www.latitudesradio.org/shows/2011-02/challenging-gender-based-violence-iraq-kurdistan.


http://www.wwhr.org/files/GenderSexualityandCriminalLaws.pdf. For example, near Kirkuk in 2008, a father reportedly killed two of his teenage daughters and injured a third one on the suspicion that they had relationships. Medical examinations showed that they were still virgins; Yara Bayoumy and Aseel Kami, “Honour killings” require tougher laws, say Iraqi women, Reuters, 6 March 2012, http://www.reuters.com/article/2012/03/06/us-iraq-women-idUSTRE25109220120306.


718 Article 128(1) of the Law No. (111) of 1969, Penal Code, reads: “Legal excuse either discharges a person from a penalty or reduces that penalty. Excuse only exists under conditions that are specified by law. Notwithstanding these conditions, the commission of an offence with honorable motives or in response to the unjustified and serious provocation of a victim is considered a mitigating excuse.”

719 Article 130 of the Penal Code reads: “If there exists a mitigating excuse for a felony for which the penalty is death, the penalty shall be reduced to life imprisonment or imprisonment for a term of years or detention for a period of not less than 1 year. If the penalty is life imprisonment or imprisonment for a term of years, the penalty shall be reduced to a period of detention of not less than 6 months unless otherwise stipulated by law.”


724 See for example, Soran Bahadin, It was not accidental, the women were murdered in Iraqi Kurdistan, Rudaw, 6 November 2010, http://www.rudaw.net/english/culture_art/3275.html.


728 The newspaper Dar Al-Hayat reported the number of women burning themselves is increasing. While in 1991, 39 cases have been recorded by the police, the figure had reportedly rose to 441 cases in 2010. According to the newspaper’s estimates, 14,000 girls have burnt themselves since 1990 and every 20 hours on average on a girl commits suicide. Other cases go unreported. These figures however do not indicate how many girls and women have committed suicide or have been killed by their families; Al Arabiya, Of women who set themselves on fire in Iraq’s Kurdistan, 25 November 2011, http://english.alarabiya.net/articles/2011/11/23/178796.html.


It is reported that, in total, there are five shelters in the Kurdistan Region. In each of the three Governorates, there is one governmental shelter under the authority of MoLSA/KRG. These have a capacity to host up to 12 women at the time; however, given the authorities’ commitment to provide protection, the shelters often host more women in need. UNHCR was informed that at times, up to 30 women have been sheltered at the same time. In principle, the length of stay should not exceed six months; however, if a case has not been resolved by that time, the women concerned are allowed to stay on an exceptional basis. Some women reportedly stay for up to three years in the governmental shelters. Furthermore, there are two more shelters in Sulaymaniya, one of them is the Aram Shelter run by the Women’s Union and the other one is Asuda, which is run by the Asuda local NGO and funded by UN agencies and NGOs. Aram has a capacity to shelter 15 women at the time for a maximum stay of three months. Asuda, also with a capacity to host 15 women, does not have a limit as regards the length of stay, rather than until their case has been resolved; UNHCR/PAC information, January 2012.


According to the US Department of State, “[O]ther than marrying or returning to their families (which often resulted in the family or community reactivizing the shelter resident), there were few options for women who were housed at shelters;” US Department of State, 2010 Country Reports on Human Rights Practices - Iraq, 8 April 2011, p. 47, http://www.state.gov/documents/organization/160462.pdf.

Latitudes Radio described the case of Hapsa, who was accused by her family of adultery and continues to be threatened by her family. She has not left the Aram shelter for nine years with no prospects for the future; Andrea Wenzel, Challenging Gender-Based Violence in Iraqi Kurdistan, Latitudes Radio, 23 February 2011, http://www.latitudesradio.org/shows/2011-02/challenging-gender-based-violence-iraqi-kurdistan.

For example, in the case of a woman may be obliged by her family to marry the perpetrator, which, according to Iraqi law, results in the closing of all related criminal proceedings. In cases in which a woman had initially rejected a forced marriage by her family, she may have to agree to that marriage to avoid an “honour crime”.

Rudaw, an English-language newspaper published by the Rudaw Media Company in Erbil, accounted for 10 women who had left a shelter in Erbil (Nawa Center opened in 2007) and were killed afterwards by their relatives; Rudaw, When Women Are Victims of Tradition, 3 November 2010, http://www.rudaw.net/english/culture_art/3f65.html. According to Bahar Rafiq, an experienced psychologist working at a women’s shelter in Erbil, “[I]f we speak realistically, we don’t have any families taking their daughters back. In my experience the violent families are safer than those that pretend to accept.” Rafiq also mentions a case, which she thought to be an exception as the father was well educated and lived in Europe. He committed not to harm his daughter. However, after taking her back from the shelter, she disappeared and the family took her to Europe; Tracey Shelton, Life In Women Shelter In Erbil, Rudaw, 17 July 2010, http://www.rudaw.net/english/interview/3029.html. See also Amnesty International, Civilians Under Fire, April 2010, p. 20, http://www.amnesty.org/en/library/asset/MDE14/002/2010/en/c9dc5d8d-95fa-46ed-8671-c09b99037f8c/mde140022010en.pdf.


UNHCR received information that there were several cases in which a women was attacked and killed by her family when she was transferred from the shelter to the court; UNHCR/PAC information, January 2012. On 11 May 2008, a gunman shot and seriously injured a woman, whose husband had accused her of adultery, in the Asuda Women Centre in Sulaymaniya. This incident showed that despite security measures taken to protect the women, they may still be at risk of being targeted by family members even inside the shelter; Amnesty International, Civilians Under Fire, April 2010, p. 20, http://www.amnesty.org/en/library/asset/MDE14/002/2010/en/c9dc5d8d-95fa-46ed-8671-c09b99037f8c/mde140022010en.pdf; IAU, Violence Against Women in Iraq Factsheet, November 2010, p. 2, http://www.iauiraq.org/documents/1149/Violence%20against%20women%20Factsheet_Final.pdf; Khanum Raheem Lateef, Women’s shelter attacked by gunmen, Asuda, 12 May 2008, http://www.kurdmedia.com/article.aspx?id=14781.


This is also reported to be the case in the Kurdistan Region if the threat against the woman or girl is so serious that there is reason to believe that the shelters would not provide sufficient physical protection. Reportedly, some judges are biased against shelters and ordered women/girls to be held in protective detention. To keep women or girls in detention in order to provide for their physical protection poses numerous problems, in particular, “women are held with suspects with a violent past; family problems may be exacerbated when a victim/delitenance is accused of further causing family dishonor and shame; and victims of gender-based violence are caught up in the criminal justice system, possibly charged with a crime for which they never committed.” Alliance for Human Needs & Human Rights, Institutionalized Violence Against Women and Girls in Iraq, 2011, p. 15, http://www.scribd.com/doc/49420024/Institutionalized-Violence-Against-Women-and-Girls-in-Iraq. See also Malka Marcovich, Trafficking, Sexual Exploitation And Prostitution Of Women And Girls In Iraq, Norwegian Church Aid, April 2010, pp. 22, 23, http://www.kirkensnohjelp.no/PageFiles/726/Report,%20Trafficking%20in%20Iraq%20%284%29.pdf; HRW, At a Crossroads, February 2011, pp. 13, 15, http://www.hrw.org/sites/default/files/reports/iraq211W.pdf; UNAMI Human Rights Office/OHCHR, 2010 Report on Human Rights in Iraq, January 2011, p. 33, http://www.ochter.org/Documents/Countries/IQ/UNAMI_HR%20/Report%20Aug11_en.pdf; Mohammed Jamjoon, Sex Slave Girls Face Cruel Justice in Iraq, CNN, 4 May 2010, http://articles.cnn.com/2010-05-04/world/iraq-women.prostitution_1_trafficked-iraq-sexual-slavery?_s=PM:WORLD. See also chapter “Victims of or Persons at Risk of Trafficking or Forced Prostitution”.


FGM, as practiced in the Kurdistan Region, reportedly involves cutting of the clitoris and sometimes parts of the inner and/or outer labia of girls, usually aged 12 to 15 years, in order to curb their sexual desire and preserve their “honour” before marriage. The operation is usually undertaken in secret by midwives using a razor blade or a knife. The operation regularly causes severe physical and psychological consequences. Fear and trauma, lasting pain and infertility are common consequences; Stop FGM in Kurdistan, Female Genital Mutilation: It's a crime not culture, accessed 18 March 2012, http://www.stopfgmkurdistan.org/html/english/fgm_e.htm#mape. A HRW report describes the experiences of young girls and women who underwent FGM and the impact it has on their physical and mental health; see HRW, “They
Took Me and Told Me Nothing”, 16 June 2010, http://www.hrw.org/en/reports/2010/06/16/they-took-me-and-told-me-nothing-0. A study revealed that girls who have undergone FGM are more prone to mental disorders, including post-traumatic stress disorder (PTSD). The research found “alarmingly high rates” of PTSD (44 percent), depression (34 percent), anxiety (46 percent) and somatic disturbances (37 percent) among a group of 79 circumcised girls in the Kurdistan Region, aged 8-14, who did not otherwise suffer any traumatic events. These rates were reported to be up to seven times higher than among non-circumcised girls from the same region and were comparable to rates among people who suffered early childhood abuse. According to the author of the study, the Kurdistan Region has just 13 psychologists and only one with expertise in psychotherapy; Jan Ilhan Kizilhan, Impact of psychological disorders after female genital mutilation among Kurdish girls in Northern Iraq, European Journal of Psychiatry, Vol. 25, N° 2, 2011, pp. 92-100, http://scielo.scui.edu.pe/pdf/cjepen/v25n2/ajpl2011.pdf; IRIN, IRAQ: New research highlights link between FGM/C and mental disorders, 13 January 2012, http://www.irinnews.org/report.aspx?itemid=94633.

For this study, 1,692 standardized interviews were conducted with girls and women from 14 years of age and up between September 2007 and May 2008. The study covered the three Northern Governorates of Dahuk, Erbil and Sulaymaniyah in addition to the districts of Garmyan and New Kirkuk, which belong as facto, but not de jure, to the Kurdistan Region. De jure, these districts belong to Diyala and Kirkuk Governorates. In the Governorate of Dahuk, WADI found a significant lower rate of FGM than in the other areas surveyed (7% compared to rates of 63-81%). WADI, which was not able to use its own teams to conduct the survey in Dahuk, could not find a plausible explanation for the large deviation of the data and decided to exclude the results obtained in Dahuk from the report. The results of the survey therefore are based on 1,408 interviews, including 565 in Erbil, 534 in Sulaymaniyah, and 309 in Garmyan and New Kirkuk; WADI, Female Genital Mutilation in Iraqi Kurdistan, 2010, pp. 2-4, http://www.stopfgmkurdistan.org/study_fgm_iraqi_kurdistan_en.pdf; WADI - Association for Crisis Assistance and Development Co-operation - is a German NGO, which supports programmes of development, gender-mainstreaming and conflict resolution in Northern Iraq, Israel, Jordan and Syria since 1992. Since 2005, WADI is part of the Stop-FGM-in-Kurdistan campaign, an initiative of local and international NGO for a legal ban on FGM, see www.wadi.net.de.

In the Governorate of Erbil, 63 percent of the women had undergone FGM. In Sulaymaniyah Governorate, the rate was 77.9 percent. The Kurdistan districts of Garmyan and New Kirkuk were particularly affected with a rate of 81.2 percent; WADI, Female Genital Mutilation in Iraqi Kurdistan, 2010, p. 5, http://www.stopfgmkurdistan.org/study_fgm_iraqi_kurdistan_en.pdf.


Among Sunni Muslims interviewed by WADI, 75.4 percent had reportedly undergone FGM. The survey also included 5.2 percent non-Sunnis Muslims. Among these, three Shi’ites (23.1% of the Shi’ites) and 13 Kak’a (39.4% of the Kak’a) indicated that they had been mutilated. No indications of mutilations among Christians and Yazidis could be found. According to WADI, these results show a clear link between Islam and FGM in the Kurdistan Region, even if among Muslim scholars it is disputed whether FGM is a religious duty; WADI, Female Genital Mutilation in Iraqi Kurdistan, 2010, p. 18, http://www.stopfgmkurdistan.org/study_fgm_iraqi_kurdistan_en.pdf; See also Arvid Vormann, Some results from Kirkuk – Female Genital Mutilation goes beyond borders, 4 September 2011, http://stopfgmkurdistan.wordpress.com/2011/09/04/fgm-in-kirkuk-first-findings/; see also Falah Muradkhan Sharakam, Female Genitale Mutilation in Kirkuk – outlook for a campaign, Awene In Kurdish language, 27 December 2010, English translation http://www.stopfgmkurdistan.org/html/english/updates/update08e.htm.

Some 74.8 percent of the Kurdish women surveyed indicated that they had undergone FGM. This compares to only one in eight women of Arabic origin, two in every nine women of Turkmen origin and one in every 20 women of other ethnic origins. Of the 40 non-Kurdish mothers of daughters under the age of 14, none had her daughter(s) genitally mutilated. These results support the assumption that FGM is practiced in a systematic way only among Kurdish women; WADI, Female Genital Mutilation in Iraqi Kurdistan, 2010, pp. 22, http://www.stopfgmkurdistan.org/study_fgm_iraqi_kurdistan_en.pdf; According to WADI, it is likely that FGM is also a problem in areas outside the Kurdistan Region: “In the light of our experiences from Kurdistan, it may be the case that, rather than not being practiced, FGM in other regions of Iraq is being practiced but still hidden.” Preliminary results from a new study conducted in Kirkuk showed that 78 percent of the Kurds but only 25 percent of the Arabs and Turkmen there have undergone FGM. Among Christians of different denominations, no cases of FGM were found; Arvid Vormann, Some results from Kirkuk – Female Genital Mutilation goes beyond borders, 4 September 2011, http://stopfgmkurdistan.wordpress.com/2011/09/04/fgm-in-kirkuk-first-findings/; see also Falah Muradkhan Sharakam, Female Genitale Mutilation in Kirkuk – outlook for a campaign, Awene In Kurdish language, 27 December 2010, English translation http://www.stopfgmkurdistan.org/html/english/updates/update08e.htm.

Among women under the age of 20, the FGM rate was 57 percent, while in the 30-39 age group, it was 73.8 percent. The rate rose to 95.7 percent among women over 80 years of age. However, there are regional variations. While in Garmyan and Sulaymaniyah a significant drop of 33 percent among women of age 50-59, such a decline took place earlier. In fact, today a slight increase can, reportedly, be observed in Erbil. WADI predicts that the overall decrease might continue, as only 46.2 percent of the interviewees said that FGM continued to be common in their community. According to WADI, in an optimistic assessment, the current FGM rate could be below 50 percent; WADI, Female Genital Mutilation in Iraqi Kurdistan, 2010, pp. 5-6, http://www.stopfgmkurdistan.org/study_fgm_iraqi_kurdistan_en.pdf.

A survey conducted by the Kurdistan Ministry of Health in July 2010 seems to confirm the lower prevalence of FGM. The survey, which involved 5,112 women, found that 41 percent had been mutilated. The study found no prevalence of FGM in the Governorate of Dahuk. The rate of FGM was higher in the Governorate of Sulaymaniyah than in Erbil Governorate; Ari Osman, Government Says 41 Percent of Kurdish Women Are Circumcised, Rudaw, 1 December 2010, http://www.rudaw.net/english/culture_art/3332.html; Awat al-Iraq, 41% of women in Iraq’s Kurdistan circumcised – survey, 28 November 2010, http://www.stopfgmkurdistan.org/html/english/articles/article040e.htm.

The study showed a clear interrelationship between a lack of education and FGM. Whereas the FGM rate was 84 percent among illiterates, it was 57.6 percent among those with a secondary school education and down to 37 percent among those with a university degree. Similar correlations were observed in relation to the education of the husband and that of the parents, in particular that of the mother; for more details, see WADI, Female Genital Mutilation in Iraqi Kurdistan, 2010, pp. 11-17, 36, http://www.stopfgmkurdistan.org/study_fgm_iraqi_kurdistan_en.pdf.


Article 6 of the law stipulates a penalty for anyone, including medical professionals and midwives, who “instigate, assist, or carry out” the procedure. According to HRW, penalties include prison terms ranging from six months to three years in addition to fines of up to 10 million Iraqi Dinars (US $8,500). A fine of at least 3 to 6 years imprisonment is imposed on anyone found guilty of instigating, assisting or carrying out FGM, or instigating, assisting or carrying out such procedures, they will be banned from working for three years; Hemm Hadi and Patrick Smith, Ban on female genital mutilation passed, AKnews, 24 June 2011, http://www.ekurd.net/musmas/articles/mss2011/01/state5212.htm. HRW acknowledged the KRG’s commitment to eradicate the practice, but stressed that “(...) the government needs a long-term strategy to deal with this harmful practice because criminalizing it is not enough;”


Article 29(1) (B) and Article 29(4).

The General Assembly has set the international standard for the minimum age of marriage at 15 years of age; UN General Assembly, Resolution 2018 (1965) - Recommendation on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, 1 November 1965, A/RES/2018, http://www.unhchr.ch/refworld/docid/3b008f0a63.html. CEDAW in Article 16 states that women shall have the same rights as men in marriage (a), including “the same rights free to choose a spouse and to enter into marriage only with their free and full consent” (b). However, Iraq has put a reservation on Article 16 as it was deemed “un-Islamic” at the time; Article 16, Convention on the Elimination of All Forms of Discrimination Against Women, 18 December 1979, A/RES/34/180, http://www.unhchr.ch/refworld/docid/3b007224.html. CEDAW, Declarations, Reservations and Objections to CEDAW - Iraq, accessed 18 March 2012, http://www.un.org/womenwatch/daw/cedaw/reservations-country.htm.

Iraq’s Personal Status Law, which is considered one of the most progressive personal status laws in the Middle East in terms of women’s rights, applies to both Sunni and Shi’a Muslims. Where, however, the Personal Status Law does not make explicit provision for a situation, Shari’a law is applicable. It may then be applied differently to members of the two communities as they follow different schools of jurisprudence. Non-Muslims were allowed to keep their separate systems. Their family matters are adjudicated by the Personal Matters Court, which seeks advice from the relevant religious authorities. Since 2003, the role of Islam and Shari’a law remains highly contentious. To date, reportedly no enabling legislation has been promulgated as required by Article 41 of the Constitution, which sets forth that Iraqis be free in matters of personal status according to their religions, sects, beliefs or choices. It remains unclear whether the Personal Status Law would be modified or cancelled altogether, leaving different sects to apply their own sets of laws and interpretation as was done before the introduction of the Personal Status Law in 1959. Certainly, any such decision would strongly affect the lives of Iraqis as it regulates relationships within families. Particular concerns are expressed with regard to women. LGBTI and minority rights; see Law No. (188) of 1959, Personal Status Law. (as amended), http://www.unhchr.ch/eng/bilat/sv/irCHKERRQ1/page=categoriename&%amp;docid=469cfd301111&%amp;skip=0&%amp;category=LEGAL&%amp;published=NATLEG&% OD&%accent=IR&%querystring=personal&%searchin=title&%display=10&%sort=date.

Article 9 of the Personal Status Law provides that a forced marriage is void. However, once the marriage has been consummated, the marriage is considered valid by law, leaving those subjected to a forced marriage, mostly women, without legal protection; Institute for International Law and Human Rights, Women and the Law in Iraq, December 2010, p. 100, http://ilhr.org/documents/womenandlawinarqEN.pdf. According to a Baghdad lawyer specialized in family cases, “We have the laws and they are enforced by the old regime. This government is weak, the police are weak and offer little protection on men or women’s rights.” Nizar Latifi, “I hate my father for my forced marriage, I hate my tribe, and I don’t love my wife”, The National, 25 July 2010, http://www.thenational.ae/news/world/middle-east/i-hate-my-father-for-my-forced-marriage-i-hate-my-tribe-and-i-dont-love-my-wife?pageCount=4.

Article 7 of the Personal Status Law.

The law provides no definition as to what “an urgent necessity” would constitute. Therefore, cultural or religious “necessities” could reportedly be used to force a 15-year-old child to marry; Institute for International Law and Human Rights, Women and the Law in Iraq, December 2010, pp. 99-100, http://ilhr.org/documents/womenandlawinarqEN.pdf. Reportedly, the reason for lowering the minimum marriage age to 15 years was that it was considered to be in line with tribal practices; Fatima Agha Al-Hayani, Legal Modernism in Iraq: A Study of the Amendments to Family Law, Ph.D. diss., University of Michigan, 1993, cited in: Dr. Sherifa Zuhur, “Marriage and Family Law in the Middle East And North Africa: A Comparative Study, Women For Women’s Rights (WWHR) - New Ways, February 2005, footnote 14, http://www.wwhr.org/files/GenderSexualityandCriminalLaws.pdf.

Also men may be forced or pressured to agree to an arranged marriage in line with traditional or tribal customs; see for example, Nizar Latifi, ‘I hate my father for my forced marriage, I hate my tribe, and I don’t love my wife’, The National, 25 July 2010, http://www.thenational.ae/news/world/middle-east/i-hate-my-father-for-my-forced-marriage-i-hate-my-tribe-and-i-dont-love-my-wife?pageCount=4.


The law as mandates provides that a forced marriage is “suspended” if the marriage is consummated. However, the amendment has little practical effect as the girl would still have to initiate legal proceedings to terminate the “suspended” marriage; Alliance for Human Needs & Human Rights, Institutionalized Violence Against Women and Girls in Iraq, 2011, p. 20, http://www.scribd.com/doc/49420024/Institutionalized-Violence-Against-Women-and-Girls-in-Iraq.


According to Taney B. Taysi, “Zhin be Taney (woman for woman) marriage is a cultural institution in which a woman is traded for another in a marriage arrangement. For example, man “A” has his eye on a daughter of man “B.” In return for agreeing to this marriage, man “B” is given the daughter or sister of man “A.” It is in essence a very severe form of the commoditization of women, as these women or girls are utilized as bargaining chips. To protest a Zhin be Zhin can leave a woman at risk of honor-related violence, as it is seen as her duty to submit to being traded.” Taney B. Taysi, Eliminating Violence Against Women Policies on Honor-Related Violence in the Iraqi Kurdistan Region, Sulayman Governorate, 16 March 2009, p. 26, http://www.uniraq.org/documents/asuda_report_16mar2009.pdf. See for example the case of “Hapsa” from the town of Ranya (Sulaymaniya), who was supposed to be married according to “Zhin bi Zhin”.

Andrea Wenzel, Challenging Gender-Based Violence in Iraqi Kurdistan, Latitudes Radio, 23 February 2011, http://www.latitudesradio.org/shows/2011-02/challenging-gender-based-violence-iraq-kurdistan . See also Izadin Rasool, who explains in an exchange marriage, the fate of one couple’s marriage is linked to the other couple’s marriage, i.e. if one couple seeks divorce, the other couple should also be divorced or pay for the expenses of the second marriage: Izadin Rasool, Factors in Attempted Female Suicide in the Kurdistan Region of Iraq, School of Social Sciences, University of Bangor/UK, Draft Conference Paper for the 2nd Global Conference “Suicide – A Making Sense of: Project”, 30 October - 2 November 2011, p. 8, http://www.inter-disciplinary.net/wp-content/uploads/2011/10/raasoolspaper.pdf.


Kosar, L. and International, Civilians Under Fire, April 2010, http://www.amnesty.org/en/library/asset/MDE14/004/2010/en/9dc5d84-95fa-46e4-8671-c9b99d0378c8/mede140022010en.pdf. “Women are also suffering violence at the hands of their fathers, brothers and other relatives, particularly if they try to choose how to lead their own lives. Much female trepidation in marriage if they refuse to be forcibly married or dare to associate with men not selected by their families – even though Iraqi legislation specifically prohibits forced marriage, and the right to choose a spouse is guaranteed under international law applicable in all parts of Iraq. Some women are reported to have been killed by male relatives who the authorities have then failed to bring to justice;” Amnesty International, Iraq, Human Rights Briefing, March 2010, p. 12, http://www.amnesty.org/en/library/asset/MDE14/004/2010/en/6cbb7123-1317-4af7-8202-466814486444/mede140022010en.pdf.


For example, in the first report of the Secretary-General pursuant to paragraph 6 of resolution 2001 (2011), it was reported that “[C]hildren were among the victims of the violence. On 25 July, in Kirkuk governorate, a car bomb killed seven people including two children aged 10 and 11, and injured seven other children. On 30 July, in Salah ad-Din governorate, three children were killed in an exchange of fire between Iraqi security forces and insurgents. On 15 August, a car bomb in a market in Al-Kut killed more than 60 people, including 16 children;” UN Security Council, First report of the Secretary-General pursuant to paragraph 6 of resolution 2001 (2011), 11 February 2011, para 77, http://www.uniraq.org/File/Dir/misce/SG_Report_S_2011_736_EN.pdf. The Iraqi MoHR reported that in 2010, 174 children were killed and 773 were injured in conflict-related incidents, primarily in the Baghdad, Diyala and Nineveh governorates. In 2009, 362 children were killed and 1,044 injured. The Country Task Force for the Monitoring and Reporting Mechanism (MMR), which comprises members of relevant UN agencies operating in Iraq as well as NGO representatives, accounted for 194 children killed and 232 children injured in conflict-related incidents during 2010; UNAMI Human Rights Office/OHCHR, 2010 Report on Human Rights in Iraq, January 2011, pp. 36, 39, http://www.ohchr.org/Documents/Countries/IQ/UNAMI_HR/2Report_1Aug11_en.pdf. Of the 45,779 victims killed between 2003 and 2011, for whom 2003-SC was able to obtain age-data, 3,911 (8.54%) were children under age 18; BBC, Iraqi deaths from violence 2003–2011, 2 January 2012, http://www.iraqbodycount.org/analysis/numbers/2011/.

The abduction of children reportedly remains a serious problem in 2009 alone, the MoI estimated that at least 265 children were abducted in a serious incident, however, more incidents may occur and not be reported to the authorities for fear of reprisal. The Ministry of Education instructed schools to take precautions and security patrols and checkpoints around schools are decided. Many groups reportedly strip children to finance their activities and, in one case reported by the UN, to secure the release of prisoners; UN Security Council, Report of the Secretary-General on children and armed conflict in Iraq, 15 June 2011, p. 9, http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N11/350/96/PDF/N1135096.pdf?OpenElement; UN Security Council, First report of the Secretary-General pursuant to paragraph 6 of resolution 2001 (2011), 28 November 2011, para 57, http://www.uniraq.org/File/Dir/misce/SG_Report_S_2011_736_EN.pdf. In January 2012, it was reported that ISP freed five kidnapped children and arrested seven suspected members of a child kidnapping ring, which allegedly also engaged in the illicit trade of organs taken from kidnapped children; Mohammed al-Qaisi, Baghdad police free five children from organ selling gang, Mawtani.com, 25 January 2012, http://www.mawtani.com/coconen/ir/chi/men_GB/features/ir/fb/features/irqtoday/2012/01/26/feature_01 .

Estimates on the number of orphans in Iraq vary. According to MoLSA, there are approximately 4.5 million orphans in Iraq, 70 percent of whom are believed to have lost their parents since 2003. From the total number, around 600,000 children are living in the streets without a home. Only 700 children are living in the 18 orphanages existing in Iraq; SOS Children’s Villages, Investigation Launched into Orphan Abuse in Iraq, 9 July 2011, http://www.soschildrensvillages.ca/news/news/orphan-charity-press/news/ investigation-orphan-abuse-iraq-064.aspx; Deborah Lutterbeck, 4.5 Million Orphans in Iraq: Protests Over Food and Shelter, GRTV, 22 February 2011, http://tv.globalessence.ca/2011/02/45-million-orphans-iraq-protests-over-food-and-shelter. The Iraqi Orphan Foundation, a UK registered charity, estimates that there are 3 million orphans in Iraq; Iraqi Orphan Foundation, accessed 18 March 2012, http://www.iraq orphanfoundation.com/index.html. According to the “Comprehensive Food Security and Vulnerability Analysis in Iraq” (CSFA) (March 2010), 8 percent of the 2.8 million population (approximately 1.12 million) is orphans, representing about 0.3 million other lost father, mother or both. In 80 percent of the cases, the child reportedly lost his/her father. The CSFA found the highest rates of orphans in the Governorates of Diyala (5.4%), Erbil (4.9%) and Al-Anbar (4.6%); COSTI, Ministry of Planning and Development Cooperation/Kurdistan Region Statistics Office (KRSO) / Ministry of Health/WFP. CSFA, 2008, p. 33, http://home.wfp.org/stellent/groups/public/documents/communications/wfp192255.pdf.
Reportedly mothers or fathers at times abandon their children when they themselves get married again after a death or divorce. Also, families would rather abandon children they are unable to take care of than having to live with the shame of bringing them to an orphanage; Jane Arafat, Iraq’s abandoned children, Al Jazeera, 10 May 2011, http://www.aljazeera.com/video/middleeast/2011/05/20115101017124884.html.

MoLSA has reportedly initiated an investigation into allegations raised by a CoR member that children in orphanages and juvenile correction units have been subjected to abuse, early marriages and organ theft; SOS Children’s Villages, Investigation Launched into Orphan Abuse in Iraq, 9 July 2011, http://www.soschildrensvillages.ca/news/news/orphan-charity-news/pages/investigation-orphan-abuse-iraq-064.aspx.

Since 2003, more than 1.6 million people, including many children, reportedly lost their homes. IOM reported in 2011, that about 50 percent of IOM-assessed IDPs are under the age of 18; IOM, Review of Displacement and Return in Iraq, February 2011, pp. 1, 5, http://www.iomiraq.net/Documents/Five%20Years%20of%20Post-Samarra%20Displacement%20in%20Iraq%20-%20E.pdf.

Among Iraqi refugees registered with UNHCR offices in the region, 37.4 percent are children aged 0-17; UNHCR Iraq, Statistical Report on UNHCR Registered Iraqis and Non-Iraqis, 29 February 2012.


The magnitude of mental disorders among Iraq’s children and youth after decades of conflict and sanctions is not known; however, studies and reports suggest that a high number of children suffer from mental disorders, including post-traumatic stress disorder (PTSD) and attention-deficit/hyperactivity disorder, which, if untreated, has lifelong negative consequences. For example, the Iraq Mental Health Survey 2006/2007 indicated an overall lifetime prevalence of mental disorders of 16 percent and an overall 12-month prevalence of 11 percent among adults, with anxiety disorders being most dominant. The results showed that women were more affected by mental disorders than men, and those separated, widowed and divorced having a higher prevalence than those married. Treatment was very low despite an overall lifetime exposure to traumatic events of 56 percent; WHO, Iraq Mental Health Survey 2006/7, 2009, http://www.emro.who.int/iraq/pdf/imhs_report_en.pdf. A study by the Iraqi Society of Psychiatrists in collaboration with WHO that found that 70 percent of children in the Shaab district of North Baghdad are suffering from trauma-related symptoms, including stuttering and bedwetting; James Palmer, Trauma severe for Iraqi children, USA Today, 16 April 2007, http://www.usatoday.com/printedin/2007/04/16/la.de.iraq.en.htm. A 2007 study showed that 31 percent of children and adolescents aged 1 to 15 who were patients at primary health facilities (total of 3,079 children assessed) in Mosul had a mental disorder, including PTSD (10.5%), enuresis (6%), separation anxiety disorder (4.3%), specific phobia (3.3%) stuttering and refusal to attend school (3.2% each), learning and conduct disorders (2.5% each), stereotypic movement (2.3%) and feeding disorder in infancy or early childhood (2.0%). The highest prevalence of mental disorders was among children 10–15 years old (49.2%) while the lowest was among 1–5 years old (29.1%). Overall, boys were found to be more affected than girls (40.2% and 33.2%, respectively); however, the results showed a reverse trend for PTSD and specific phobia; Asma Al-Jawadi and Shatha Abdul-Rhman, Prevalence of childhood and early adolescence mental disorders among children attending primary health care centers in Mosul, Iraq: a cross-sectional study, BMC Public Health, October 2007, http://www.biomedcentral.com/1471-2458/7/274.


Reports indicate that domestic violence against children is widespread and has increased since 2003, though statistical data is difficult to obtain. Corporal punishment of children remains legal in the home, According to Article 41 of the Iraqi Penal Code “the punishment of a wife by her husband, the disciplining by parents and teachers of children under their authority within certain limits prescribed by law or by custom” is a legal right. Regulations state that corporal punishment should not be used in schools, however, the Penal Code applies; Global Initiative to End All Corporal Punishment of Children, Iraq: Briefing For The Human Rights Council Universal Periodic Review – 7th session, 2010, http://ib.ohchr.org/HRBodies/UPR/Documents/Session7/IQ/GIEACP_UPR_IQ_RO_07_2010_GlobalInitiativeEndAllCorporalPunishmentIraqid.pdf.

According to a 2010 UNICEF report, 85 percent of children aged 2–14 experienced violent discipline, including physical punishment and/or psychological aggression in 2005–2006. Nearly three quarters reportedly experienced physical punishment, three in ten children experienced severe physical punishment (being hit or slapped on the face, head or ears or being hit over and over with an implement) and 82 percent experienced psychological aggression (being shouted at, yelled at, screamed at or insulted). Boys were slightly more likely than girls to experience violent discipline (87% and 83%, respectively); UNICEF, Child Disciplinary Practices At Home – Evidence from a Range of Low- and Middle-Income Countries, 2010, pp. 38, 72, 88, http://www.childinfo.org/files/report_Dispers_FIN.pdf. A 2008 study of the situation of children’s rights in Iraq found a high level of family violence, especially for girls, including physical and psychological violence as well as neglect. Corporal punishment in schools was found to be common – for example, 48% of teachers in the South Region of the country had said that they had used physical violence to discipline children. In the Central Region, 83% of children’s drawings showed negative images of life in school, at home and in neighbourhoods, with many mentions of violence; Save the Children Iraq: A Child Rights Situation Analysis, October 2008, pp. 34–35, http://www.savethechildren.net/Documents/Files/Nythead/2009/08/0131_Iraq_CRSR_2008_Final.pdf. For more information on early and forced marriages, domestic violence against women, “honour killings” and FGM, see chapter “Women with Specific Profiles or in Specific Circumstances”.

There are hardly any specialized facilities for persons with special needs. Many disabled persons reportedly live on the edge of society,

Forty-one percent of the Iraqi population is below the age of 15; Iraq Knowledge Network (IKN), Labour Force Factsheet, December 2011, p. 1, http://www.iauiraq.org/documents/1582/LB%20FactSheet-English.pdf. Population of Children and adolescents with disabilities has doubled between 2004 and 2008 reportedly to a 20 percent drop in protein acquisition in poorer households and further aggravates undernutrition among children and women; UNICEF, Humanitarian Action for Children, 2011, p. 2, http://www.unicef.org/hac2011/files/HAC2011_4pager_Irak_rev1.pdf. Seven out of every 100 Iraqis, a total of 2.1 million persons, are reportedly undernourished, though disparities exist between the governorates with the governorates of Babel, Basrah, Diyala, Kerbala, Muthanna and Salah Al- Din Governorates being particularly affected by food deprivation. In 2007, more than one in five children in Iraq (22%) aged under five years showed stunted growth, 5 percent suffered from wasting and 9 percent were underweight; IAU, World Food Day Factsheet, December 2010, http://www.iauiraq.org/documents/1125/; Iraqi Labour Law, Articles, 92 and 93, UN, Nepal, Minimum wage; see UNHCR, Guidelines on International Protection No. 2: “Membership of a Particular Social Group” Within the Context of Article 1A(2) of the 1951 Convention and/or its 1967 Protocol Relating to the Status of Refugees, 7 May 2002, http://www.unhcr.org/refworld/docid/3d6623fe.html; and UNHCR, Guidelines on International Protection No. 7: The Application of Article 1A(2) of the 1951 Convention and/or 1967 Protocol relating to the Status of Refugees, 19 November 2006, 10 April 2010, http://www.unhcr.org/documents/1582/LB%20FactSheet-English.pdf. The highest rate of youth unemployment can be found in the three Northern Governorates and in the Southern Governorates of Missan, Muthanna and Diwaniyah, where literacy rates stand between 69 and 76 percent (as compared to literacy rates of 88-93 percent in the Central Governorates of Baghdad, Diyala and Kirkuk). Women are particularly affected by illiteracy, especially in rural areas. Available data indicates that among women aged 15 to 24 living in rural areas close to 50 percent are literate, compared to 72-80 percent of women living in urban and metropolitan areas, respectively. Illiteracy affects life in many ways. A household headed by an illiterate Iraqi is more likely to be deprived (insufficient water, sanitation, food, assets and electricity) than a household headed by a literate individual. Households with illiterate mothers have higher incidence of disease than those households where a mother can read; IAU, Literacy in Iraq Fact Sheet, September 2010, http://www.iauiraq.org/documents/1050/Literacy%20Day%20FactSheet%20Sep8.pdf; UN, On Global Action Week for Education the UN Calls for More Funds to Improve Access to Quality Public Education in Iraq, 20 April 2010, http://www.uniraq.org/documents/2011/0420_Eng.pdf; CSFA 2008, p. 29.

Unemployment among the 15-24 years age group is reportedly high at 18 percent (27% of females, 17% of males) and higher in urban areas compared to rural areas. The highest rate of youth unemployment can be found in the Governorates of Al-Anbar and Thi-Qar with 26-33 percent unemployment. Of particular concern is the fact that unemployment is higher among youth with higher education; Iraq Knowledge Network (IKN), Labour Force Factsheet, December 2011, p. 1, http://www.iauiraq.org/documents/1582/LB%20FactSheet-English.pdf. According to the 2009 Iraq Youth Survey, up to 23 percent of males and 21 percent of females aged 15-24 are unemployed. Given the lack of opportunities, 33 percent of those unemployed intend to go abroad in search of work; IRIN, Iraq: Youth unemployment driving emigration, 20 July 2011, http://www.irinnews.org/report.aspx?reportid=93278. See also, Dahr Jamail, Iraq: A country in shambles, Al Jazeera, 8 January 2012, http://www.aljazeera.com/inddepth/features/2012/01/201214111519385348.html. See also “Background Information”.


Iraqi Labour Law, Article 90. Additional legal requirements regarding the employment of children under 18 include a maximum 7-hour workday, a pre-employment medical examination, a daily rest period of one hour after four hours of work and a 30-day paid vacation per year. Employers must maintain a register of names of employees under the age of 18, post a copy of the labor provisions protecting children and keep medical fitness certificates of employed children on file. However, youth 15 years or older who are employed in family enterprises are excluded from most of these provisions, putting them at greater risk for involvement in the worst forms of child labor. Penalties for violation of these provisions are imprisonment for between 10 days and three months or fines up to 12 times the minimum wage; see Iraqi Labour Law, Articles, 92-94 and 96.
of whom may be homeless. It appears that some are Arab IDPs displaced from other areas of Iraq. The KRG in all three governorates established homes for children who are either homeless or are unable to live with their families for various reasons; however, there are reportedly few programmes aimed at their long-term reintegration into society; UNAMI Human Rights Office/OHCHR, 2010 Report on Human Rights in Iraq, January 2011, p. 39, http://www.unmultitools.org/publications/11768).

See chapter “Victims of or Persons at Risk of Trafficking”.


See chapter “IFA in Southern and Central Iraq”.


See “Acts of Violence”.

The number of children recruited and used by armed groups remains difficult to ascertain because of the restrictive security situation; however, the UN Secretary-General reported that “children have been systematically used by insurgent groups”; UN Security Council, Report of the Secretary-General on children and armed conflict in Iraq, 15 June 2011, pp. 5-7, http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N11/350/96/PDF/N1135096.pdf?OpenElement. See also US Department of Labor, 2010 Findings on the Worst Forms of Child Labor - Iraq, September 2011, p. xxxvi, 386, http://www.dol.gov/ilab/programs/ocft/PDF/2010TDA.pdf.


For example, in August 2010, armed gunmen reportedly entered a house in Sadiyah, north of Baghdad, killed three persons and then sent two children, 10 and 12 years old, to report the attack to the ISF. When the ISF arrived at the scene, explosives planted in the house killed eight soldiers and wounded four. The two children were not injured and were later placed in the care of relatives; UN Security Council, Report of the Secretary-General on children and armed conflict in Iraq, 15 June 2011, p. 7, http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N11/350/96/PDF/N1135096.pdf?OpenElement.


See “Women with Specific Profiles or in Specific Circumstances – Domestic Violence”.

See “Women with Specific Profiles or in Specific Circumstances - Sexual Violence and Harassment”.

See “Women with Specific Profiles or in Specific Circumstances – Honour-Based Violence”.

See “Victims or Persons at Risk of Trafficking or Forced Prostitution”.

See “Women with Specific Profiles or in Specific Circumstances – Female Genital Mutilation”.

See “Women with Specific Profiles or in Specific Circumstances – Early and Forced Marriages”.

UNAMI reported that there were 520 boys and girls held with adults (though in separate cells) in various pre-trial facilities in Iraq (excluding the Kurdistan Region) and 759 boys and 29 girls held in facilities for convicts; UNAMI Human Rights Office/OHCHR, 2010 Report on Human Rights in Iraq, January 2011, p. 38, http://www.unhchr.org/Documents/Countries/IQ/UNAMI_HR%20Report_1Jan11_en.pdf.


Adopted in 2003, the UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children, defines...
trafficking as: “The recruitment, transportation, transfer, harboring or receipt of person by means of the threat or use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability, or giving payments or benefits to a person in control of the victim for the purposes of exploitation, which includes: 1) exploitation of prostitution or other forms of sexual exploitation; 2) forced labor or services; 3) slavery or practices similar to slavery; 4) servitude; and 5) the removal of organs”; UN General Assembly, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime, 15 November 2000, http://www.unhcr.org/refworld/docid/4720708e0.html.


53 According to NCA, a range of factors resulted in the increase of sex trafficking and prostitution in the region, including “the US-led 2003 war and the chaos it has generated; the growing insecurity in areas of lawlessness; corruption of authorities; the upsurge in religious extremism; economic hardship; marriage pressures; gender based violence and recurrent discrimination suffered by women; kidnappings of girls and women; the impunity of perpetrators of crimes, especially those against women; and the development of new technologies associated with the globalization of the sex industry.” Malka Marcovich, Trafficking, Sexual Exploitation And Prostitution Of Women And Girls In Iraq, Norwegian Church Aid, April 2010, p. 17, 18, http://www.kirkensnordhjelp.no/PageFiles/726/Report%20Trafficking%20in%20Iraq%20%28PDF%29.pdf. “Huge numbers of refugees and IDPs, lawlessness that allowed for the rise of organized crime, a society tolerant of smuggling, and the presence of military and peacekeeping forces have created a perfect storm in Iraq that has allowed for trafficking to increase dramatically;” Kyle H. Goedert, Iraq’s Next Battle: Combating Sexual Slavery in Post-Conflict Iraq, Senior Honors Thesis, Class of 2011 Department of Near Eastern Studies University of Michigan, pp. 10, 11, 16. http://deepblue.lib.umich.edu/bitstream/2027.42/86579/1/goedertk.pdf; HRW, At a Crossroads, February 2011, http://www.hrw.org/sites/default/files/reports/iraq0211W.pdf.

54 According to Samer Muscati of HRW, “(...) there is this black hole in terms of information” concerning trafficking as the Iraqi authorities do not monitor the situation nor do they prosecute offenders; Rebecca Murray, Female Trafficking Soars in Iraq, IPS, 27 August 2011, http://www.commondreams.org/headline2011/08/27-2. OWFI estimates that some 4,000 Iraqi women, five of whom for fifth of the world's women, were trafficked between 2003 and 2010.Many are believed to have been trafficked for sexual exploitation by criminal gangs or their families, within and out of Iraq. Alexandra Michá, Iman Abou-Atta, Marie-Charlotte Macaud and Sarah Barnes, An Investigation into the Sex Trafficking of Iraqi Women and Girls, Social Change through Education in the Middle East (SCHEME)/Karamatuna, 10 November 2011, p. 11 http://www.peacewomen.org/assets/file/karamatuna-web_resource.pdf. Iraqi women activists interviewed by HRW estimated that hundreds if not thousands of Iraqi women have been trafficked since 2003; HRW, At a Crossroads, February 2011, pp. 11-12, http://www.hrw.org/sites/default/files/reports/iraq0211W.pdf.


56 Women who have themselves been exploited for many years reportedly often turn into recruiters of girls and women in the sex industry. However, pimps, traffickers and managers of brothels and sex clubs are commonly men; Malka Marcovich, Trafficking, Sexual Exploitation And Prostitution Of Women And Girls In Iraq, Norwegian Church Aid, April 2010, p. 20, http://www.kirkensnordhjelp.no/PageFiles/726/Report%20Trafficking%20in%20Iraq%20%28PDF%29.pdf.


58 Women are for example trafficked into the UAE with the promise of employment as domestic workers. The National Committee to Combat Human Trafficking (NCCHT) reported in May 2010 that most of the women are trafficked to the UAE to be forced into prostitution, rather than the employment they had been promised. Anecdotal evidence suggests that as many as 50 percent of the women who are trafficked into Dubai are forced into prostitution. Once they arrive in the UAE, their passports are taken from them and they are forced to work as prostitutes to pay for travel and living expenses, ending up in a vicious cycle of abuse and exploitation; Alexandra Michá, Iman Abou-Atta, Marie-Charlotte Macaud and Sarah Barnes, An Investigation into the Sex Trafficking of Iraqi Women and Girls, Social Change through Education in the Middle East (SCHEME)/Karamatuna, 10 November 2011, pp. 26, 27, 30,
Women and girls are reportedly subjected to torture, beatings, rape and sexual assault in order to comply with the traffickers’ wishes. Alexandra Micha, Iman Abou-Atta, Marie-Charlotte Macaud and Sarah Barnes, An Investigation into the Sex Trafficking of Iraqi Women and Girls, Social Change through Education in the Middle East (SCHEME)/Karamatuna, 10 November 2011, p. 8, http://www.peacewomen.org/assets/file/karamatuna-web_resource.pdf.

In order to prevent their escape, trafficked girls and women are said to be subjected to numerous violations “including starvation, confinement, beatings, physical abuse, rape, gang rape, threats of violence to the victims and the victims’ families’ friends or colleagues, use and threat of using violence against the victims and their families’ friends,” US Department of Health and Human Services, The Campaign to Rescue & Restore Victims of Human Trafficking, cited in: Charlotte Macaud and Sarah Barnes, Social Change through Education in the Middle East (SCHEME)/Karamatuna, 10 November 2011, http://www.peacewomen.org/assets/file/karamatuna-web_resource.pdf.

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It was reported that Iraqi refugee women and girls in Syria and Lebanon are forced into “summer marriages” with tourists from the Gulf, from where traffickers take them to their destination outside Iraq, usually with forged documents or through marriages; Alexandra Micha, Iman Abou-Atta, Marie-Charlotte Macaud and Sarah Barnes, An Investigation into the Sex Trafficking of Iraqi Women and Girls, Social Change through Education in the Middle East (SCHEME)/Karamatuna, 10 November 2011, p. 18, http://www.peacewomen.org/assets/file/karamatuna-web_resource.pdf.

The term “muta’a” has become an euphemism for prostitution and places where couples conclude a temporary marriage are reportedly used as brothels; Malka Marcovich, Trafficking, Sexual Exploitation And Prostitution Of Women And Girls In Iraq, Norwegian Church Aid, April 2010, p. 20, http://www.kirkensnodhjelp.no/PageFiles/726/Report%20Trafficking%20Iraq%202010.pdf.

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The Supreme Committee to Combat Human Trafficking was established on 31 December 2009 and includes representatives from the Ministry of Human Rights, Ministry of the Interior, and the Ministries of State for Women’s Affairs. However, it reportedly does not have any authority to implement its own recommendations; Kyle H. Goedert, Iraq’s Next Battle: Combating Sexual Slavery in Post-Conflict Iraq, Senior Honors Thesis, Class of 2011 Department of Near Eastern Studies University of Michigan, pp. 6-7, http://deepblue.lib.umich.edu/bitstream/2027.42/866579/1/goedert.pdf.


According to the Office To Monitor And Combat Trafficking In Persons, “(...) some victims of trafficking were incarcerated, fined, or otherwise penalized for acts committed as a direct result of being trafficked, such as prostitution;” Office To Monitor And Combat Trafficking In Persons, Trafficking in Persons Report 2011 – Country Narratives: Iraq, June 2011, http://www.hrw.org/sites/default/files/reports/iraq0211W.pdf.


According to the Office To Monitor And Combat Trafficking In Persons, “some victims of trafficking were incarcerated, fined, or otherwise penalized for acts committed as a direct result of being trafficked, such as prostitution;” Office To Monitor And Combat Trafficking In Persons, Trafficking in Persons Report 2011 – Country Narratives: Iraq, June 2011, http://www.state.gov/g/tip/rls/tiprpt/2011/164232.htm.

For example due to illegal entry, use of false documents, or on the basis of local laws prohibiting prostitution; Alexandra Micha, Iman Abou-Atta, Marie-Charlotte Macaud and Sarah Barnes, An Investigation into the Sex Trafficking of Iraqi Women and Girls, Social Change

90 According to the US Department of Health and Human Services, survivors can suffer from “drug and alcohol addiction; physical injuries...traumatic brain injury...sexually transmitted diseases...sterility, miscarriages, menstrual problems; other diseases...forced or coerced abortions...mind/body separation/disassociated ego states, shame, grief, fear, distrust, hatred of men, self-hatred, suicide, and such...suicide attempts,” as well as Post-Traumatic Stress Disorder; US Department of Health and Human Services, The Campaign to Rescue & Restore Victims of Human Trafficking, cited in: Kyle H. Goedert, Iraq’s Next Battle: Combating Sexual Slavery in Post-Conflict Iraq, Senior Honors Thesis, Class of 2011 Department of Near Eastern Studies University of Michigan, p. 25, http://deepblue.lib.umich.edu/bitstream/2027.42/86579/1/goedert.pdf. Most NGOs providing services to victims of trafficking in Iraq are reportedly underfunded and under-staffed and lack the capacities to provide all necessary services; Kyle H. Goedert, Iraq’s Next Battle: Combating Sexual Slavery in Post-Conflict Iraq, Senior Honors Thesis, Class of 2011 Department of Near Eastern Studies University of Michigan, p. 26, http://deepblue.lib.umich.edu/bitstream/2027.42/86579/1/goedert.pdf.


93 HRW, for example, reported that Sadrist mosques and JAM officials have warned about the spreading dangers of the “third sex;” HRW, They want us exterminated; murder, torture, sexual orientation and gender in Iraq, August 2009, p. 3, http://www.hrw.org/sites/default/files/reports/iraq0809webwcover.pdf. The same report also provides background information on relevant norms and procedures where such a law is in relation to homosexuality conduct; see pp. 5-7.

94 Most reports mentioned here deal with dealing with perpetrators against (perceived) gay men. HRW, which to date authored the most comprehensive report about the situation of gay men in Iraq, reported that it was unable to find any women engaged in same-sex relationships during its research. The fact that most information in this chapter relates to men and that only limited information is available on the treatment of lesbian, bisexual, transgender and intersex persons in Iraq should not be interpreted as meaning that these persons are not at risk; see also HRW, They want us exterminated; murder, torture, sexual orientation and gender in Iraq, August 2009, p. 43, http://www.hrw.org/en/reports/2009/08/16/they-want-us-exterminated.


96 Most commonly the JAM of Muqtada Al-Sadr is seen responsible for targeted killings of gay men in Iraq. However, other Shii’ite militias such as Ahl Al-Haq (AAH) have reportedly claimed responsibility for some killings; HRW, They want us exterminated; murder, torture, sexual orientation and gender in Iraq, August 2009, pp. 3, 22, 26, 48, http://www.hrw.org/en/reports/2009/08/16/they-want-us-exterminated. See also “Actors of Violence – Armed Shi’ite Groups”.


According to Iraqi LGBT, Iraqi police conducted violent raids against safe houses and engaged in harassment, assaults and abuse on gay men. The organization reported that for example on 5 July 2010, in the city of Nasseriyah (Thi-Qar), three gay men were seized, beaten and taken handcuffed into a vehicle belonging to the Iraqi Ministry of Interior and have not been heard of since; Iraqi LGBT, Iraq: The war against sexual minorities continues, 4 August 2010, http://iraqilgbt.org.uk/news-home/iraq-the-war-against-sexual-minorities-continues.;


As recognized by numerous national jurisdictions, persecution does not cease to be a violation of international law when the person is determined to belong to a group that is not recognized by the state in question. See also UNHCR, UNHCR Guidance Note on Refugee Claims Relating to Sexual Orientation and Gender Identity, 21 November 2008, http://www.unhcr.org/50fb8f2660.html; and UNHCR, Guidelines on International Protection No. 2: “Membership of a Particular Social Group” Within the Context of Article 1A(2) of the 1951 Convention and/or its 1967 Protocol Relating to the Status of Refugees, 7 May 2002, http://www.unhcr.org/50fb8f2660.html.


See chapter “Individuals Perceived as Contravening Traditional Practices or Social Mores”.


As recognized by numerous national jurisdictions, persecution does not cease to be a violation of international law when the person is determined to belong to a group that is not recognized by the state in question. See also UNHCR, UNHCR Guidance Note on Refugee Claims Relating to Sexual Orientation and Gender Identity, 21 November 2008, http://www.unhcr.org/50fb8f2660.html; and UNHCR, Guidelines on International Protection No. 2: “Membership of a Particular Social Group” Within the Context of Article 1A(2) of the 1951 Convention and/or its 1967 Protocol Relating to the Status of Refugees, 7 May 2002, http://www.unhcr.org/50fb8f2660.html.


The right to freedom of opinion and expression encompasses “the expression of identity or personality through speech, deportment, dress, bodily characteristics, choice of name, or any other means, as well as the freedom to seek, receive and impart ideas and information of all kinds, including with regard to human rights, sexual orientation and gender identity, through any medium and regardless of frontiers”; see Principle 19 of the Yogyakarta Principles - Principles on the application to sexual orientation and gender identity, March 2007, http://www.unhcr.org/refworld/docid/48244e602.html. As recognized by numerous national jurisdictions, persecution does not cease to be persecution for the purpose of the 1951 Convention because those persecuted can eliminate the harm by taking avoiding action within the country of nationality or habitual residence. See, for instance, the UK Supreme Court judgment in HJ (Iran) and HT (Cameroon) v.
Even in the absence of enforcement of the legal provisions criminalizing “homosexual conduct”, the pervading or generalized climate of homophobia, as evidenced by societal and other attitudes, may be sufficient indication of the risks faced by LGBTI individuals in Iraq. See UNHCR, UNHCR Guidance Note on Refugee Claims Relating to Sexual Orientation and Gender Identity, 21 November 2008, para 21-22, http://www.unhcr.org/refworld/docid/48a8bd5660.html.

It is important to note that not all of the persons fleeing their country of origin in situations of armed conflict may have a well-founded fear of persecution based on one or more of the Convention grounds. When examining the link to a 1951 Convention ground in the claims of persons who are fleeing a situation of internal armed conflict, there is no requirement that the individual be known to, and sought personally by the agent(s) of persecution. Whole communities may risk or suffer persecution for 1951 Convention reasons, and there is no requirement that an individual suffer a form or degree of harm which is different from that suffered by other individuals with the same profile. Furthermore, many ordinary civilians may be at risk of harm from bombs, shelling, suicide attacks, and improvised explosive devices. These methods of violence may be used against targets or in areas where civilians of specific ethnic or political profiles predominantly reside or gather, and for this reason, may be linked to a 1951 Convention ground. See UNHCR, Handbook on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the 1967 Protocol relating to the Status of Refugees, January 1992, para 164, http://www.unhcr.org/refworld/docid/3ae6b3314.html. The 1951 Convention forms the cornerstone of international protection for refugees and should be rigorously and properly applied. The criteria for refugee status in the 1951 Convention should be interpreted in such a manner that individuals or groups of persons who meet these criteria are duly recognized and protected under that instrument. Only when an asylum-seeker is found not to meet the refugee criteria in the 1951 Convention should extended/broader refugee criteria and/or complementary/subsidiary regimes be examined. See UNHCR Executive Committee, Conclusion on the Provision on International Protection Including through Complementary Forms of Protection, No. 103 (LVI) – 2005, 7 October 2005, http://www.unhcr.org/refworld/docid/3576e292.html.


In the European Union, for example, “subsidiary protection” shall be granted to persons who have been found not to meet the criteria for refugee status under the 1951 Conventions, but are at risk of serious harm by reason of indiscriminate violence in situations of international or internal armed conflict: Article 15 - Serious harm. Serious harm consists of: (a) death penalty or execution; or (b) torture or inhuman or degrading treatment or punishment of an applicant in the country of origin; or (c) serious and individual threat to a civilian's life or person by reason of indiscriminate violence in situations of international or internal armed conflict.” See European Union: Council of the European Union, Council Directive 2004/83/EC of 29 April 2004 on Minimum Standards for the Qualification and Status of Third Country Nationals or Stateless Persons as Refugees or as Persons Who Otherwise Need International Protection and the Content of the Protection Granted, 2004/83/EC, 19 May 2004, http://www.unhcr.org/refworld/docid/4157e75e4.html (Article 15).


Since the peak in violence in 2006 and 2007 with 28,062 and 24,940 civilian casualties, respectively, violence dropped significantly in 2008 (down to 9,357) and 2009 (4,704): see IBC, Database, http://www.iraqbodycount.org/database.


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According to recently published Iraqi government statistics, nearly 70,000 people have been killed and 239,000 wounded in violence between 5 April 2004 and 31 December 2011. However, these figures are significantly lower than those from other sources, including the Iraqi Ministry of Health, which said in October 2009 that 85,694 people had been killed between 2004 and 2008. W.G. Dunlop and Salam Faraj, Bombs kill eight as Iraq says 70,000 dead 2004–2011, AFP, 29 February 2012, http://www.google.com/hostednews/article?**article=AL&oe=utf8&ie=UTF8&pid=20&sid=581ce576ae320b9ab72a9e8185a0631. The Iraqi Government accounted for a total of 2,645 deaths (including 1,578 civilians) in 2011 and 3,254 persons killed in 2010 (compared to 4,068 killed in 2009); UNAMI Human Rights Office/OHCHR, 2010 Report on Human Rights in Iraq, 2011, pp. 3-4, http://www.ohchr.org/Documents/Countries/IQ/UNAMI_HR%20Report_Iraq11_en.pdf.

According to official statistics, 91 civilians, 39 police and 21 soldiers were killed in February 2012, totalling 151 persons; Reuters, Iraqi monthly death toll 151 in February, 2 March 2012, http://www.reuters.com/article/2012/03/02/iraq-toll-idUSTRE8210020120302.


See “Former Members of the Iraqi Security Forces (ISF).”

See “Sa’iba Members, Traditional Tribal, Religious and Community leaders”.

See “Government Officials and Employees”.

See “Shi’ite civilians, including pilgrims.”
At the height of the conflict in 2006/2007, the average daily number of deaths by suicide attacks and car bombs was 16 and 21, respectively. In 2008, the number dropped to 10 per day, in 2009 to 8.3 per day and in 2010 to 7.3; IBC, Database, accessed 8 February 2012, http://www.iraqbodycount.org/database.

This figure was highest during the peak of the sectarian conflict in 2006/2007 when dozens of people were executed on a daily basis (57 per day in 2006 and 41 per day in 2007). Since then, the number of civilians executed has dropped to a low of 3.9 per day in 2010, but has again increased over the course of 2011; IBC, Database, accessed 8 February 2012, http://www.iraqbodycount.org/database.

See “Government Officials and Employees” and “Members of the Iraqi Security Forces (ISF)”.

Three attacks reportedly caused more than 50 casualties in 2011:

- On 22 December 2011, a series of coordinated attacks claimed by ISI/AQI ripped through markets, cafes and government buildings in Baghdad and killed 69 people;
- On 29 March 2011, a siege to a Provincial Council headquarters in Tikrit (Salah Al-Din), resulted in at least 58 people killed and 98 wounded;
- On 18 January 2011, also in Tikrit, a suicide bomber targeting a police recruitment centre killed 60 people and wounded over 100.


According to a Baghdad Security official who spoke to McClatchy on the condition of anonymity “Armed groups are choosing their targets very carefully. They are targeting members of the security forces and government officials. It is not as random as it used to be”; Sahar Issa, If you think Iraq’s secure, read this about Wednesday's violence, McClatchy Newspapers, 13 October 2011, http://www.miamiherald.com/2011/10/12/2451338/if-you-think-iraq-secure-read.html.

See “Members of the Iraqi Security Forces (ISF)”.

See “Government Officials”.

See “Shi‘ite civilians, including pilgrims”.

See “Christians”.


ICRC, Iraq: Facts and Figures, January to December 2011, p. 2, March 2012. According to the Iraq Landmine Impact Survey 2004-2006 (ILS), conducted in populated areas in 13 out of Iraq’s 18 governorates, 1,622 communities are affected, with 3,673 separate areas suspected of being contaminated or hazardous. In total, it is believed that 1,730 square kilometers of land are contaminated. According to the LIS, the highest number of incidents happened during farming and herding activities and 99% of the victims recorded were civilians; Geneva International Center for Humanitarian Demining, Iraq Mine Action Strategy: 2010 To 2012, accessed 18 March 2012, pp. 4, 5, http://www.ichd.org/fileadmin/pdf/ma_development/nma_strap/NMAS-Iraq-2010-12.pdf.


Of these, 27 persons were reportedly killed and another 55 were injured. Most of the casualties occurred in the Kurdistan Region and have been recorded by the concerned authorities. There is no reliable data available for Central and Southern Iraq and those included were identified through media reports. Therefore, the actual casualty figures are expected to be significantly higher; International Campaign to Ban Landmines, Landmine & Cluster Munition Monitor, Iraq: Casualties and Victim Assistance, updated 18 October 2011, accessed 14 December 2011, http://www.the-monitor.org/index.php/cp/display/region_profiles/theme/1054#_ftnref1. In 2009, landmines and UXO reportedly killed or injured approximately two Iraqis every week, mostly young men between the ages of 15 to 29 years old. In the Kurdistan Region, a reported 44% of victims in the past forty years were breadwinners. According to UNICEF, children are also often affected; in the Kurdistan Region, 24% of the victims were reportedly children under the age of 14. Child victims often face societal discrimination with little prospects for education and employment; UNICEF, 2009 needs assessment in Kurdistan Region, cited in: IAU, Landmines and Unexploded Ordnances Factsheet, April 2011, p. 1, http://www.iauiraq.org/documents/1333/Landmine%20Factsheet.pdf.


According to IDMC, a few returnee families have been affected by landmines/UXO, but the presence of landmines and UXO certainly deters IDPs from returning. Returnees are also at higher risk because they are reportedly not aware of contaminated areas; IDMC/ICRC, IRAQ: Response still centred on return despite increasing IDP demands for local integration, 10 October 2011, p. 39, http://www.internal-displacement.org/802578F0F04BE3B1/html/uploadFiles/CCE717078C7372F921257922100523DC785f/Iraq-Iraq-October-2011.pdf.


On 26 November 2011, a series of bombings rocked Baghdad and Abu Ghraib, killing at least 15 people and wounding more than 25 others. According to Iraqi officials, blasts first went off near the town of Abu Ghraib, in an area frequented by day laborers, killing at least seven people. A few hours later, three bombs ripped through a marketplace in Baghdad's Bab Al-Sharqi district, killing another 174

- On 27 October 2011, a twin bombing in the predominantly Shi’ite Ur neighbourhood killed 18 people and wounded 36 others. The first explosion at a music store killed two people. The second bomb struck just minutes later, as rescue workers and others rushed to the scene; Sameer N. Yacoub, Officials: Twin Bombs Kill 18 in Baghdad, AP, 27 October 2011, http://www.reuters.com/article/2011/10/27/us-iraq-bombings-idUSBRE79Q1IQ20111027.

- On 26 October 2011, a booby-trapped car exploded in Suez district and another car exploded in Al-Zhour district, along with an explosive charge blast in Dargazaliya district, in Mosul, killing two civilians and wounding 15 others; Awasf al-Iraq, Two civilians killed, 15 injured in Mosul blasts, 26 October 2011, http://en.awstaliraq.info/Default1.aspx?page=article_page&id=145409&i=1.

- On 17 October 2011, a bomb blast near a liquor store in eastern Baghdad killed seven people and injured another 18, including several policemen. It was not immediately clear whether the liquor store was the target or the police officers; AP, Bomb near Baghdad liquor store kills 7 people, 18 injured, 17 October 2011, http://news.yahoo.com/bomb-near-baghdad-liquor-store-kills-7-people-190106944.html.


- On 12 October 2011, five apparently coordinated explosions caused by suicide bombers and roadside bombs targeted police across the capital (AlWiyah, Hurriya, Ilaam and Washash), killing at least 25 people and wounding more than 70 others. Furthermore, police defused two car bombs in separate areas in southwestern and northern Baghdad, and a roadside bomb was discovered on the road leading to the police academy in eastern Baghdad; Dan Zak and Asaad Majeed, Bombing in Baghdad police, 28 dead, 26 October 2011, http://www.trust.org/alertnet/news/suicide-bombers-targets-hit-baghdad-police-28-dead/.

The media reported other major attacks resulting in at least 15 casualties (killed and wounded) in Baghdad on 31, 28 and 15 August, 23 June, 3 May, 11 April, 3 February, and on 27, 23 and 13 January 2011.

Reports of major attacks in 2012 included:


- On 13 October 2011, at least 16 people were killed by two blasts in the predominantly Shi’ite neighbourhood of Sadr City. BBC, Bombing in Baghdad police, 28 dead, 26 October 2011, http://news.yahoo.com/bomb-near-baghdad-liquor-store-kills-7-people-190106944.html.


- On 11 March 2012, Iraqiyya bloc MP Talal al-Zaabaneh said that he escaped an assassination attempt while he was driving his car near the entrance of the International Zone in central Baghdad. He said that a man wearing a police uniform opened fire on his vehicle; Aswat al-Iraq, URGENT / MP Zaabaneh says survived assassination attempt near GZ, 14 March 2012, http://en.awstaliraq.info/7Upnx3z55mg4c72a4ec551/Default1.aspx?page=article_page&id=147356&i=1.

- On 7 February 2012, gunmen in a speeding car opened fire with weapons with silencers at the convoy of Sajidah Al-Muneer, the Director of a women’s prison, killing her and her driver in Doura district in Baghdad; Reuters Alertnet, FACTBOX-Security developments in Iraq, Feb. 7, 7 February 2012, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-feb-7/.

- On 1 February 2012, Qais Al-Shatir, a CoR member who left the Iraqiyya political bloc recently, escaped injury when a roadside bomb exploded near his convoy, wounding two of his bodyguards and three passers-by in Baghdad’s southeastern Ameen district; Reuters Alertnet, FACTBOX-Security developments in Iraq, Febuay 1, 1 February 2012, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-february-1/.


On 23 October 2011, an Oil Ministry media official was injured and his driver killed in an explosive charge blast under their car in Baghdad’s Sadiya district; Aswat al-Iraq, Oil Ministry reporter injured, driver killed in Baghdad, 23 October 2011, http://en.aswatalarq.info/default1.aspx?page=article_page&id=15370&l=1.

On 9 October 2011, MP from the Alahr Bloc, Maha Al-Douri, survived unharmed an assassination attempt when gunmen using firearms equipped with silencers shot at her car in Bab Al Sharji area in Baghdad; NINA, BREAKING NEWS...Maha Al Douri survives assassination attempt, 9 October 2011, http://www.ninanews.com/english/News_Details.asp?ar95_VO=FHHHG.

For example, reported incidents included:

On 11 February 2012, gunmen, using guns equipped with silencers, assassinated an Interior Ministry Inspector General’s Office employee while he was driving on the Mohammed al-Qasim Highway in Baghdad; NINA, Assassinating an employee at the Office of Interior Ministry’s Inspector General, 11 February 2012, http://www.ninanews.com/english/News_Details.asp?ar95_VO=FKEIEK.


For example, reported incidents included:


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For example, reported incidents included:

On 23 December 2011, an explosive charge, planted by unknown gunmen, exploded under the car of Nidal Hussein, a broadcaster with Baghdad TV, a satellite channel affiliated with the IIP, seriously wounding her and her daughter; Aswat al-Iraq, Baghdad TV Channel’s Announcer, her daughter, seriously injured, 24 December 2011, http://en.aswatalarq.info/Spnujpa25dkzcz542de5p5z555i/Default1.aspx?page=article_page&id=146166&l=1.
• On 21 December 2012, gunman killed Firas Yazow Abdul Qadir Awchi, a scientific assistance dean at the Law Faculty at Al-Mustansiriya University in Baghdad, when he was leaving to his office; BBrussels Tribunal, List of assassinated Iraqi Academics, updated 20 January 2012, http://www.brusselstribunal.org/Academics.htm.

• On 20 December 2011, a university teacher was killed by a bomb attached to his car in Adhamiyah, Baghdad; PUK Media, University teacher, 2 iraqi soldiers killed in Baghdad, 20 December 2011, http://www.pukmedia.com/english/index.php?option=com-content&task=view&id=1093&Itemid=.


• On 30 October 2011, the Legal Advisor to the Political Prisoners’ Organization was killed when a sticky bomb attached to his car exploded in Baghdad’s Adhamiyah district; NINA, Legal Advisor to Political Prisoners’ body killed in Baghdad, 30 October 2011, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=F1JKHK.

• On 29 October 2011, gunman ab ducted Dr. Houm Suhail Malalah, a paediatrician at Illwiya Children Hospital, while on his way home in Zayouna area, in eastern Baghdad; NINA, Gunmen ab duct doctor in eastern Baghdad, 29 October 2011, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=F1JKGJ.

• On 8 September 2011. Hadi Al-Mahdi, a prominent radio journalist with Radio Demozy and an outspoken political critic, was shot twice in the head in his flat in Baghdad’s Karrada district, ahead of a planned protest he was due to attend in the Baghdad’s Tahrir Square the next day. Al-Mahdi was said to have feared for his life after receiving a string of threats in recent weeks, during which he had been attending weekly pro-reform protests; Amnesty International, Outspoken Iraqi Radio Journalist Shot Dead at Home, 9 September 2011, http://www.amnesty.org/en/news/iraq/2011/09/11/officials-11-killed-in-separate-attacks-in-iraq.


• On 11 June 2011, the beheaded body of Namir Ryhan, an activist from a local human rights NGO, was found in his home in Abu Ghraib (Baghdad); Reuters Alertnet, Security developments in Iraq, June 11, 11 June 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-april-24/.

1157 See chapter “Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) Individuals”.

1158 On Easter Sunday, 24 April 2011, a roadside bomb exploded near an entrance to the Catholic Sacred Heart Church in Baghdad’s central Karrada district, reportedly wounding two police officers and two civilians. In a second attack not far away, four Iraqi police officers were reportedly wounded in a firefight with gunmen outside the Mary the Virgin Catholic Church; Reuters Alertnet, Security developments in Iraq, April 24, 24 April 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-april-24/.


1160 In the most devastating single incident targeting Christians since 2003, the attack on Our Lady of Salvation Catholic cathedral in Baghdad had reportedly left more than 50 Christians, including two priests and seven police men and triggered a fresh exodus of at least 1,000 Christian families, or 6,000 persons, from Baghdad, Mosul and Basrah fleeing to the Kurdistan region or further abroad; Steven Lee Myers, More Christians Flee Iraq After New Violence, New York Times, 12 December 2010, http://www.nytimes.com/2010/12/13/world/middleeast/13iraq.html?pagewanted=all; Amnesty International, Iraqi Christians fear spike in Christmas attacks, 20 December 2010, http://www.amnesty.org/en/news-and-updates/iraq-christians-fear-spike-christmas-attacks-2010-12-20/.

1161 For example, on 30 December 2010, a series of at least six coordinated bombings in and around Baghdad reportedly targeted homes of Christians, killing at least three and wounding more than a dozen more; Aaron C. Davis, Series of Baghdad bombings target Christians, police say, Washington Post, 30 December 2010, http://www.washingtonpost.com/wp-dyn/content/article/2010/12/30/AR2010123004248.html.

1162 Other reported incidents included:


1164 See chapter “Individuals Perceived as Contravening Conservative Islamic or Social Norms”.

1165 See chapter “Protestors”.


• For example, reported incidents included:

• On 20 March 2012, as part of a wave of apparently coordinated attacks across countries, two car bombs exploded near a police headquarters in Kirkuk, killing nine people and wounding 42 others; Agencies, Iraq bombs kill scores before Arab League summit, 20 March 2012, http://www.guardian.co.uk/world/2012/mar/20/iraq-bombs-kill-dozens.

• On 20 March 2012, two bombs that exploded in swift succession outside a crowded restaurant in the predominantly Turkmen city of Tal-alf (Nineka) killed 20 and wounded 21 others; Ruzan Ahmed, UPDATE on Talafar bombings: 20 killed, 21 injured, AKNews, 8
On 5 March 2012, three people were killed and two others were injured when two mortar rockets fell on a popular market west of Mosul city’s Al-Yahsat area; Rezan Ahmed, Three killed and two injured in Mosul mortar rocket blast, Aknews, 5 March 2012, http://www.aknews.com/en/aknews/3/293934/.

On 14 February 2012, a car bomb exploded outside a popular restaurant in eastern Mosul, killing three people and wounding 19 others; Mohammed Tawfeeq, Three dead, two dozen wounded in Iraq explosions, CNN, 14 February 2012, http://edition.cnn.com/2012/02/14/world/meast/iraq-violence/.


On 3 December 2011, at least one person was killed and 12 others were wounded when three roadside bombs exploded in quick succession in southeastern Kirkuk; Reuters Alertnet, FACTBOX-Security developments in Iraq, December 3, 3 December 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-december-3/.

On 29 November 2011, at least four people were wounded when a roadside bomb exploded near an Iraqi army checkpoint in western Mosul. In a separate incident, a roadside bomb targeting a police patrol killed one policeman and wounded two others in the village of Shura, south of Mosul; FACTBOX-Security developments in Iraq, November 29, 29 November 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-november-29/.

On 28 November 2011, at least one civilian was killed and 15 people were wounded, including five policemen, when three roadside bombs exploded near a Turkman provincial council member’s house in central Kirkuk; FACTBOX-Security developments in Iraq, November 29, 29 November 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-november-29/.

On 23 November 2011, armed men using car bombs and mortars launched an attack near the police headquarters and government buildings in the town of Hawija (Kirkuk), wounding nine people including two soldiers and a policeman; Reuters Alertnet, FACTBOX-Security developments in Iraq, November 23, 23 November 2011, http://reliefweb.int/node/461104.

On 16 November 2011, a civilian was killed and 13 people were wounded, including two Iraqi soldiers, when a roadside bomb exploded near an army patrol in western Mosul; Reuters Alertnet, FACTBOX-Security developments in Iraq, November 16, 16 November 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-november-16/.

On 26 October 2011, a booby-trapped car exploded in Suiz district and another car blew up in Al-Zhouhour district, along with an explosive charge blast in Dargazaliya district, in Mosul, killing two civilians and wounding 15 others; Aswat al-Iraq, Two civilians killed, 15 injured in Mosul blasts, 26 October 2011, http://en.aswataliraq.info/Default.aspx?page=article_page&id=145409&l=1.

On 15 August 2011, as part of a series of suicide bombings, car-bombs and roadside explosives across the country, one person died and 12 were wounded in two car bombings in Kirkuk; Laith Hammoudi, Coordinated attacks kill 68 on Iraq’s deadliest day this year, McClatchy Newspapers, 15 August 2011, http://www.mcclatchyde.com/2011/08/15/120705/explosions-rip-iraq-from-north.html.


On 19 May 2011, two car bombs and a sticky bomb targeting ISF exploded near a police headquarters in central Kirkuk, killing 27 people and wounding more than 90 others. The third bomb reportedly targeted Colonel Omer Mohammed, the head of Kirkuk’s Counter-Terrorism Unit. He was not hurt but four of his bodyguards were killed; Mustafa Mahmoud, Blasts in northern Iraqi oil city kill 27, Reuters, 19 May 2011, http://www.trust.org/alertnet/news/blasts-in-northern-iraqi-oil-city-kill-27/.

On 30 April 2011, eight people were killed and 19 others were wounded when a suicide bomber blew himself up at an Iraqi army checkpoint next to a popular market in Mosul; Reuters Alertnet, Suicide bomber kills 8, wounds 19 in N-Iraq, 30 April 2011, http://www.trust.org/alertnet/news/suicide-bomber-kills-8-wounds-19-in-iraq/.


On 5 February 2011, a mixed car bomb exploded against the Syrian Orthodox Church of St. Ephrem in Kirkuk, damaging the church but causing no casualties. According to the pastor, this was the third attack against his church in the past five years; CNN News, Bomb Damages Second Christian Church in Iraq, 19 August 2011, http://www.cnn.com/cnn/news/2011/August/Bomb-Damages-Second-Christian-Church-In-Iraq/.

On 2 August 2011, in a coordinated attack, a car bomb exploded in front of the Syrian Catholic Church of the Holy Family in central Kirkuk, injuring at least 23 people and severely damaging the church and nearby houses. Rev. Imad Yalda, the church’s priest,
was the only person inside the church at the time of the blast and was wounded. Police also found car bombs outside the Christian Anglican church and the Mar Gourgis church, both in downtown Kirkuk, but defused them before they exploded; AP, 23 hurt as car bomb explodes near Iraqi church; two other attacks on Christians foiled, 2 August 2011, http://www.msnbc.msn.com/id/43982676/ns/world_news-mideast_n_africa/hurt-car-bomb-explodes-near-iraqi-church-two-other-attacks-christians-foiled/; Reuters, Bombers target churches in northern Iraq-police, 2 August 2011, http://www.trust.org/alertnet/news/bombers-target-churches-in-northern-iraq-police/.


- For example, reported incidents included:
  - On 26 November 2011, several mortar shells hit the Peshmerga headquarters in Zumar district (Nineawa), causing no casualties; NINA, Peshmerga forces arrest 20 persons in Zumar in Nineveh, 26 November 2011, http://www.ninaw.net/english/News_Details.asp?id=95. VO=FJDHE.
  - On 23 November 2011, an IED blew up against a civilian car close to the KDP headquarters in Dibbis town (Kirkuk), wounding two persons, including Jabbar Mohammed Ibrahim, Kirkuk’s Youth and Sports Director, who is also a senior KDP official; Aswat al-Iraq, Kirkuk’s Youth & Sports Director injured in explosive charge blast, 21 November 2011, http://en.aswataliraq.info/Default1.aspx?pag=article_page&id=145064&l=1.
  - On 17 November 2011, at least 10 people were wounded when three roadside bombs exploded near a PUK office in central Mosul as they were lining up to get fuel from a near-by fuel station; Mohammed Tawfeeq, Iraq executes 11 ‘terrorists’ says state TV, CNN, 17 November 2011, http://edition.cnn.com/2011/11/17/world/africa/t/hurt/index.html.
  - On 16 November 2011, a suicide car bomb struck the convoy of Hraim Kamal Agha, the head of Mosul’s PUK office, in southern Mosul; Agha escaped the attack unharmed but three passers-by were wounded; Xinhuza, Suicide car bomb hits convoy of Kurdish party official in Iraq's Mosul, 16 November 2011, http://news.xinhuanet.com/english/2011-11/16/c_131251284.htm.

1163See “Former Members of the Iraqi Security Forces (ISF)”.

For example, reported incidents included:
- On 12 March 2012, Musa Yahya, a Turkmen member of the Taza District Council was assassinated when armed men opened fire on him in central Taza district (Kirkuk); Abdullah al-‘Amir, District councilor and teacher killed in Kirkuk, ANews, 12 March 2012, http://www.aknews.com/en/aknews/3/295528/.
On 1 March 2012, CoR member Mohammad Iqbal from Iraqiyaa, survived an assassination attempt when a car bomb exploded against his convoy in western Mosul; NINA, MP Mohammad Iqbal survive from an assassination attempt in Mosul, 2 March 2012, http://www.ninanews.com/english/News_Details.asp?ar95_V0=FKHFGF.


On 2 February 2012, a sticky bomb attached to the car of a worker with the state-run North Oil Company exploded and killed him in the town of Al-Zab (Kirkuk); Reuters Alertnet, FACTBOX-Security developments in Iraq, February 2, 2 February 2012, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-february-2/.

The same day, Dr. Sallahuddin Thanoon, Director General of the Health Department in Nineawa, survived an assassination attempt when an explosive device placed in his car detonated in the garage of the Ibn Sina Hospital in downtown Mosul; NINA, Health Director General in Mosul survives assassination attempt, 2 February 2012, http://www.ninanews.com/english/News_Details.asp?ar95_V0=FXDGCI.


On 11 December 2011, police found the body of a civil servant at a state-run medicine factory shot in the head and chest two hours after he was kidnapped in Mosul; Reuters Alertnet, FACTBOX-Security developments in Iraq, December 11, 11 December 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-december-11/.


On 7 December 2011, a sticky bomb attached to a car carrying an employee of the North Oil Company killed him in southern Kirkuk. In a separate incident, also in Kirkuk, a roadside bomb wounded a senior official of the state-run Iraqi Airways Company; Reuters Alertnet, FACTBOX-Security developments in Iraq, December 7, 7 December 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-december-7/.


For example, reported incidents included:

- On 4 October 2011, the body of a Sahwa member was found with gunshot wounds to the head and chest in Qayara (Nineva); Reuters Alertnet, Security developments in Iraq, October 5, 5 October 2011, http://www.trust.org/alertnet/news/security-developments-in-iraq-october-5/.

For example, reported incidents included:


On 23 August 2011, gunman broke into the house of Mishal al-Mohammed Owayaid, one of the chauffeirs of Al-Jugheifa Tribe west of Mosul; killing him and his son during their Ramadan breakfast in central Mosul; Aswat al-Iraq, Tribal leader and his son, killed in Mosul, 23 August 2011, http://en.aswataliraq.info/Default1.aspx?page=article_page&id=144439&l=1.

On 6 May 2011, Shahadha Hamad Ahmed, a tribal chief, was gunned down in his son’s home, in Al-Nahrawan, west Mosul; AFP, Car bombs hit Iraq police station where 24 killed, 6 May 2011, http://www.google.com/hostednews/afn/article/ALeqM5phHqylbr5-wQVNReyMI_Kd8lfDA=docId=CNG.f1611b(db69f4502a3c31cb7b3e81f1).

On 29 April 2011, gunman opened fire on Sheikh Mutashar Al-Oakayd, a notable of the Al-Oakayd clan, on a main street in the area of Al-Mosul Al-Jadida (New Mosul) in the western part of the city, just ten meters away from a police checkpoint, killing him instantly; Aswat al-Iraq, Tribal notable killed near checkpoint in Mosul, 29 April 2011, http://en.aswataliraq.info/Default1.aspx?page=article_page&id=142255&l=1.


On 26 January 2012, Adnan Mahmoud, imam and preacher of Sadiq Mosque of Cairo in Mosul, and his brother were reportedly killed when they stepped out of the mosque after prayer; Rezan Ahmed, Imam and brother murdered outside mosque, Aknews, 26 January 2012, http://www.aknews.com/en/enaknews/3/286463/.


Recent security incidents involving Turkmen as reported in the media included:

On 12 March 2012, Musa Yahya, a Turkmen member of the the Taza District Council was assassinated when armed men opened fire on him in central Taza district (Kirkuk); Abdullah al-Amrini, District councilor and teacher killed in Kirkuk, Aknews, 12 March 2012, http://www.aknews.com/en/enaknews/3/295528/.

On 28 November 2011, at least one civilian was killed and 15 people were wounded, including five policemen, when three roadside bombs exploded near the house of Ali Mehdi, a Turkmen provincial council member, in central Kirkuk; Reuters Alertnet, Security developments in Iraq, November 29, 29 November 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-november-29/; Aswat al-Iraq, Person killed, 13 wounded in 3 blasts in Kirkuk, 29 November 2011, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FIDLJJ.

On 17 October 2011, gunman blew up an IFT headquarters in Kirkuk city, causing no casualties, but completely destroying the premises; NINA, Turkmen Front headquarters blow up in Kirkuk, 17 October 2011, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FIIIIII.

On 10 October 2010, an IED detonated next to the ITF’s office in southern Kirkuk, causing only damages to the office building; NINA, IED against Turkman party office in Kirkuk, 10 October 2010, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FHIJJF.


For example, reported incidents included:

On 22 March 2012, gunman opened fire from a taxi car on two Shabak men who sold groceries on carts in eastern Mosul’s Al-Karama area. The two men died on the spot; Rezan Ahmed and Khudr al-Khallat, Five killed and seven injured in series of attacks in Nineveh,

- On 5 March 2012, a Shabak man was killed and his brother was seriously wounded when gunmen opened fire on them as they left their house in eastern Mosul's Al-Atshan area; Rezan Ahmed, *Shabak man shot dead and brother wounded in Mosul*, AKNews, 5 March 2012, [http://www.aknews.com/en/aknews/3/293964/](http://www.aknews.com/en/aknews/3/293964/).
- On 31 January 2012, twin IEDs detonated in a Shabak village in north Mosul, injuring three civilians and one policeman; UNAMI Safety and Security Unit, 1 February 2012.
- On 19 December 2011, a Shabak high school student was shot dead and his brother was wounded, when a gunman opened fire on them in the Kokjali area east of Mosul city, which is mainly inhabited by Shabak; Rezan Ahmed, *Shabak student killed east of Mosul*, AKNews, 19 December 2011, [http://www.aknews.com/en/aknews/3/279101/](http://www.aknews.com/en/aknews/3/279101/).
- On 4 December 2011, a Christian was killed and four of his family members were injured when an IED exploded in his house in Kirkuk; NINA, *One Christian killed, 4 of his family members injured in Kirkuk*, 4 December 2011, [http://www.ninanews.com/english/News_Details.asp?id=95_VO=FIJEML](http://www.ninanews.com/english/News_Details.asp?id=95_VO=FIJEML).

In late 2010, Mosul reportedly saw a series of attacks on Christian homes and shops, including:

On 21 December 2011, judge Saad Abdulla was killed by a bomb attached to his car in Kirkuk. One of the judge’s guards was seriously wounded. Reportedly, a second IED detonated inside the hospital to which the judge was transferred, wounding two civilians. Already on 18 December 2011, another Kirkuk judge, Abdul-Razzaq Al-Jobouri survived three IED explosions which targeted his house in Kirkuk; Abdullah Ameri, Kirkuk judge killed, IED exploded in hospital, 21 December 2011, http://aknews.com/en/aknews/3/279522/.
On 7 December 2011, prosecutor Nadhim Aziz Al-Taie was killed when a bomb attached to his vehicle exploded in Yaij area; Abdullah al-Amari, Prosecutor killed, official injured in Kirkuk blasts, AKNews, 7 December 2011, http://www.aknews.com/en/aknews/3/276838/.

On 30 November 2011, gunmen attacked the house of a judge in Kirkuk, causing no casualties; NINA, Two houses in Kirkuk come under armed attack, 30 November 2011, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FEFDK, The same day, gunmen in a civilian car opened fire from their machine guns on a Kirkuk University professor, Mustafa Mustafa, the Dean of Imam Al Sadeg College, and a 7-year-old boy, a student in a kindergarten. Mustafa was killed by the gunfire, the boy was wounded; Reuters Alertnet, 30 November 2011, http://www.aknews.com/en/aknews/3/275514/.

On 20 November 2011, Amer Khalaf Abdullah, a member of a human rights organization was killed when a sticky bomb attached to his car exploded southwest of Kirkuk; NINA, Human rights activist killed by AED in his car southwest of Kirkuk, 20 November 2011, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=JIMKMG.


For example, reported incidents included:


On 3 November 2011, a suicide bomber detonated an explosive belt outside the gates of a military base in Ba’quba (Diyala) as Sahwa members lined up to collect their salaries. A car bomb blew up in a nearby parking lot a few minutes later. At least six people were killed and 23 others were wounded in the attacks. Other sources put the death toll at 10 killed and 40 wounded; Reuters, Bombs kill at least six in Iraq’s Baquba, 3 November 2011, http://www.trust.org/alertnet/news/bombs-kill-at-least-six-in-iraq-s-baquba/.


On 15 August 2011, as part of a series of suicide bombings, car bombs and roadside explosions across the country, 12 people died in two attacks that targeted an Iraqi checkpoint and a military camp in Diyala. An estimated 20 others were wounded; Laila Hammoudi, Coordinated attacks kill 68 on Iraq’s deadliest day this year, McClatchy News, 15 August 2011, http://www.mcclatchydc.com/2011/08/15/120705/explosions-rip-iraq-from-north.html.


On 28 April 2011, at least eight people were killed and 17 others were wounded when a suicide bomber blew himself up inside a mosque shortly after evening prayers in Balad Ruz; Reuters, Suicide bomber kills 8, wounds 17 in Iraqi mosque, 28 April 2011, http://www.trust.org/alertnet/news/suicide-bomber-kills-8-wounds-17-in-iraqi-mosque/.

On 11 April 2011, six members of a family died in the explosion of a roadside bomb and four people were killed by a second blast as they tried to help victims of the first blast, in a village near the town of Khan Bani Saad; Reuters Alertnet, Security developments in Iraq, April 11, 11 April 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-april-11/.


On 19 January 2011, a suicide bomber driving an ambulance killed 15 people and wounded 55 others in an attack on a police headquarters in Ba‘quba. The blast caused part of the three-story building, where offices for different departments of Iraqi police and security were located, to collapse; Shashank Bengali and Laith Hammoudi, Attack on pilgrims kills dozens as Iraqi violence continues, McClatchy Newspapers, 20 January 2011, http://www.mcclatchy.com/2011/01/20/107142/attack-on-pilgrims-kills-dozens.html.


For example, reported incidents included:


On 28 July 2011, two suicide bombers killed at least 13 people and wounded more than 30 as police and soldiers were collecting their salaries at the local Rafidain Bank in central Tikrit; Reuters, Blasts kill at least 15 in Iraq's Tikrit, 28 July 2011, http://www.trust.org/alertnet/news/blasts-kill-at-least-15-in-iraq-tikrit/.


On 29 March 2011, at least 58 people were killed and 98 others wounded when gunmen in military uniforms laid siege to a Provincial Council Headquarters in Tikrit. ISI later claimed responsibility for the attack in which it said it was a response to crimes committed against Sunni prisoners; Reuters, Al Qaeda claims responsibility for Iraq's Tikrit attack, 2 April 2011, http://www.trust.org/alertnet/news/al-qaeda-claims-responsibility-for-iraqis-tikrit-attack/.


Reported recent incidents included for example,

On 20 March 2012, a car bomb exploded near a police checkpoint in Ba‘quba, wounding 20 persons, including four policemen; NINA, Death toll of Baquba explosion raised to 20 wounded, 20 March 2012, http://www.ninanews.com/english/News_Details.asp?nID=9579; FRIEL.H.


On 23 February 2012, as part of widespread coordinated attacks across Iraq, bombings and armed attacks in Tuz Khurmatu, Baiji, Sulayman Bak, Dujail and Balad districts of Salah Al Din Governorate resulted in more than 80 people dead or wounded; Othman Shalash, Four wounded in Samarra market blast, AKNews, 24 February 2012, http://www.aknews.com/en/aknews/3/291891/; Furthermore, three people were killed and at least 21 others wounded after nine bombs exploded in the Jalawla district in Diyala; Fayed Mohammed and Bryan Mohammed, Kurdistan willing to expedite force to protect Kurds in Diyala, 24 February 2012, http://www.aknews.com/en/aknews/4/291906/; Also in Diyala Governorate, the explosion of a car bomb which targeted the house of the Baladruz police chief killed three civilians and caused damage to several adjacent houses. And two people were killed and eight wounded after a car bomb detonated in a garage in Ba‘quba; Mohammed al-Jobouri and Bryan Mohammed, Five killed and 10 wounded after Diyala rocked by bomb attacks, AKNews, 23 February 2012, http://www.aknews.com/en/aknews/3/291706/.

On 11 February 2012, a bomb exploded against a police patrol on a highway northwest of Tikrit, seriously injuring one officer and three police members; NINA, Injuring a police officer and three other policemen northwest of Tikrit, 11 February 2012, http://www.ninanews.com/english/News_Details.asp?a=95_V=FKGHE.

On 30 January 2012, a suicide bomber detonated a car bomb at a police checkpoint, killing three policemen and wounding three other people, including a civilian, in central Ba'quba (Diyala). In a separate incident, a roadside bomb went off near a police patrol in central Ba'quba, killing one policeman and wounding three others. Also, a roadside bomb went off near an army convoy and wounded one soldier in southern Ba'quba; Reuters Alertnet, FACTBOX-Security developments in Iraq, January 30, 30 January 2012, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-january-30/.

On 10 January 2012, a bomb exploded in the village of Yathrib, near Tikrit, killing three boys on their way to school; BBC, Iraq violence: Schoolboys among eight people killed, 10 January 2012, http://www.bbc.co.uk/news/world-middle-east-16497462.


On 2 December 2011, one policeman was killed and five persons were wounded, including four policemen in two roadside bombs in Tuz Khurmatu; Reuters Alertnet, FACTBOX-Security developments in Iraq, December 2, 2 December 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-december-2/.

On 1 December 2011, a car bomb exploded in a street market in the mainly Shi'ite Iraqi town of Khalis (Diyala), killing 10 people and wounding 25 others. The same day, seven policemen were wounded when one of three roadside bombs they were trying to defuse went off in Taji (Salah Al-Din); Reuters Alertnet, Security developments in Iraq, December 1, 1 December 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-december-1/.


See “Shi'ite Civilians, including Pilgrims".

For example, reported incidents included


On 20 May 2011, a roadside bomb exploded near a house of Saudoun Al-Mashaikh, a mosque imam, while he was returning from prayer, wounding him and killing two people, including his son in southern Ba'quba (Diyala); Reuters Alertnet, Security developments in Iraq, May 20, 20 May 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-may-20/.

On 28 April 2011, gunmen killed Basheer Al-Sumaidiaei, an imam, and his wife and daughter when they stormed his house in the town of Imam Weis, east of Ba'quba (Diyala); Reuters Alertnet, Security developments in Iraq, April 29, 29 April 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-april-29/.

See “Former Members of the Iraqi Security Forces (ISF)".

For example,


On 8 February 2012, an explosive charge planted in the car of Sheikh Jabbar Hussein, one of the chieftains of Al-Asakira Tribe, blew up on the main road connecting Saadiya with Khaqanq (Diyala), killing him on the spot and wounding three others in the car, Aswat al-Iraq. Diala tribal chieftain killed, 3 others injured, 8 February 2012, http://en.aswatiraq.info/Info/S/342on55t5mu0eayokca7cat1)/Default1.aspx?page=article_page&id=146829&k=1.

On 4 February 2012, a sticky bomb attached to the car of a Sahwa member exploded and killed him in central Ba'quba (Diyala). In a separate incident, a bomb planted in front of the house of a Sahwa member went off and severely wounded him and one of his family members in the town of Udhaim (Diyala); Reuters Alertnet, FACTBOX-Security developments in Iraq, Feb. 4, 4 February 2012, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-feb-4/.


On 22 December 2011, a family of five, including the parents, a son and two daughters were gunned down in their home in Ba‘quba (Diya‘a). Both father and son were Sahwa members; Prashant Rao, Bombs kill 57 as Iraq mired in political crisis, AFP, 22 December 2011; http://www.google.com/hostednews/ap/article/ALeqM5i84pYeYLjJF7ArchDK_pu3A5J2vuw?docid=CNG.011113bade199475ce97ce6329523336b3_1.

On 9 December 2011, a tribal sheikh of the Bani-Tamin tribes was injured by a roadside bomb that targeted his car north-east of Ba‘quba (Diya‘a); NINA, A tribal Sheikh injured in Diya‘a, 9 December 2011, http://www.ninanews.com/english/News_Details.asp?url95_VQ=FIPELL.

On 3 November 2011, a suicide bomber detonated an explosive belt outside the gates of a military base in Ba‘quba (Diya‘a) as Sahwa members lined up to collect their salaries. A car bomb blew up in a nearby parking lot a few minutes later. At least six people were killed and 23 wounded in the attacks. Other sources put the death toll at 10 killed and 40 wounded; Reuters, Bombs kill at least six in Iraq's Baquba, 3 November 2011, http://www.trust.org/alertnet/news/bombs-kill-at-least-six-in-iraq-baquba/.

On 1 October 2011, gunmen stormed the house of Ammar Al-Majmaju, a Sahwa leader, and killed at least one relative in Buhriz (Diya‘a). Gunmen left a bomb behind, which blew up when ISF rushed to the site. A policeman was killed and four others were seriously wounded. The same day, gunmen using weapons with silencers shot dead a Sahwa member in Udhaim (Diya‘a); Reuters Alertnet, Security developments in Iraq, October 1, 1 October 2011, http://www.trust.org/alertnet/news/security-developments-in-iraq-october-1/.


On 10 January 2012, two agriculture ministry employees were killed when a bomb attached to their vehicle exploded in Shirqat (Salah Al-Din); BBC, Iraq violence: Schoolboys among eight people killed, 10 January 2012, http://www.bbc.co.uk/news/world-middle-east-16497462.

On 25 December 2011, Abdul-Kareem Samarayi, the Minister of Science and Technology, was unharmed when a roadside bomb hit his motorcade in Balad (Salah Al-Din), injuring two of his guards; Yazen Shamri, Minister survives bombing, AKNews, 25 December 2011, http://www.aknews.com/en/aknews/3/280431.

On 15 December 2011, the bodies of the three government employees were found with their hands tied behind their backs and gunshot wounds to the chest, three days after they were kidnapped in a desert area in Duhuiya (Salah Al-Din); Reuters Alertnet, FACTBOX-Security developments in Iraq, December 15, 15 December 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-december-15/.

179Reported recent incidents included for example,


On 11 February 2012, the mayor of Al-Ghabliya area near Ba‘quba (Diya‘a) was wounded when an IED detonated next to his house; NINA, A municipality Sheikh injuring northwest of Baquba, 11 February 2012, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-february-11/.


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On 8 December 2011, a sticky bomb attached to the car of a government employee at the Citizenship Department, killed him and his cousin, in a town west of Muqdadiya (Diyala); Reuters Alertnet, FACTBOX-Security developments in Iraq, December 9, 9 December 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-december-9/.


On 14 October 2011, a mayor was killed and three members of his family wounded when an IED went off in front of his home in Jurf Al-Milah area north of Ba'quba (Diyala); NINA, A local municipal chief killed and three members of his family wounded north of Baqubah, 14 October 2011, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FIEJEJ0.


On 20 August 2011, an IED attacked under the car of an employee in Diyala’s Education Department detonated on the main road of Al-Hadeed area northwest of Ba’quba, killing three of the employee’s family members; NINA, Three members of a family killed by an AED in their car in Diyala, 20 August 2011, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FHKKMK.


On 26 July 2011, a roadside bomb planted close to a village mayor’s house exploded, killing him and wounding his wife and daughter, on the northwestern outskirts of Ba’quba (Diyala); Reuters Alertnet, Security developments in Iraq, July 26, 26 July 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-july-26/.


On 17 June 2011, a car bomb targeted the house of Niazii Muhammad Maa’mar, a Turkmen member of the Sahil Al-Din Provincial Council, in Tuz District (Salah Al-Din), killing five and wounding 45. Maa’mar was not inside the house during the time of the attack but some members of his family were severely wounded; Assyat al-Iraq, Turkmen Front denounces attack on local council member’s house, 19 June 2011, http://en.aswataliraq.info/Default1.aspx?page=article_page&id=133431&l=1.


In particular, several attacks on Kurdish party officials and offices, mostly from the PUK, have been reported in the disputed areas. For example:

On 22 February 2012, a car bomb exploded near the headquarters of Goran in Tuz Khurmato (Salah Al-Din); UNAMI Safety and Security Unit, 23 February 2012.

On 27 January 2012, security forces found the dead body of Wissam Jomaa, a PUK member, in an orchard located on the outskirts of Saadiya district (Diyala). He had been kidnapped three days earlier. The body bore signs of gunshot wounds and torture; NINA, A dead body of a member of (PUK) in Diyala, 27 January 2012, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FIMHFE.


On 17 August 2011, Ahmed Amen, a PUK affiliate and engineer was reportedly strapped into an explosive vest before being released close to a KDP office and a local mosque before the vest was detonated, killing him on the spot; KurdNet, PUK member assassinated in Jalawla in disputed Diyala province, 17 August 2011, http://www.ekurd.net/umsas/articles/misc/2011/8/kurdisiniraq120.htm.


On 22 February 2012, a car bomb exploded in front of a court house in Bajij, injuring four persons; UNAMI Safety and Security Unit, 23 February 2012.


On 8 November 2011, an IED placed near a judge’s house in Ba’quba (Diyala), went off damaging the house without causing in casualties; NINA, 3 IEDs in Baquba wounding 3 persons, damaging judge’s house, 8 November 2011, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FILHEE.


On 4 June 2011, gunmen opened fire on Dr. Isma'il Khalil Al-Mahdawi, an instructor at the Asma’e College of the University of Diyala, when he was on his way home in western Ba’quba (Diyala), seriously wounding him; NINA, University instructor wounded in Diyala, 4 June 2011, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FLLEM.

On 1 May 2011, teacher Mohammed Sabah was killed by a bomb attacked to his car in Ba’quba (Diyala); Xinhua, Civilian killed, 7 injured in Iraq bomb attacks, 1 May 2011, http://en.trend.az/regions/met/iraq/1869423.html.


On 21 April 2011, a bomb targeting the vehicle of a Samarra Investigation Judge, Shihab Ahmed, exploded in Samarra (Salah Al-Din), killing a university student and wounding five persons, including a judge’s guard. Ahmed was not in the convoy at the time; NINA, Judge targeted in Samara, 21 April 2011, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FGFLKD.

On 20 April 2011, the chief judge of Salah Al-Din Court survived an assassination attempt when a car bomb parked on the main road of central Tikrit (Salah Al-Din) exploded. Four persons, including one of the judge’s guards, were injured; NINA, Salah-al-Din chief Judge attacked, 20 April 2011, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FGFKE.

On 17 April 2011, a teacher was wounded in Abu Sa'id District (Diyala), when an IED detonated inside his car as he was driving along a rural road in the area; NINA, Teacher wounded, 4 wanted in Diyala arrested, 17 April 2011, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FGFKE.


Statements made by the spokesman for the US military in Iraq, Maj. Gen Jeffrey S. Buchanan. Furthermore, provincial leaders in Al-Anbar claim that the Shi'ite-dominated Iraqi Government, which has sent the Iraqi Army to Al-Anbar in 2010 over concerns of corruption in the local police forces, has an interest in keeping Al-Anbar unstable in order to decrease Sunni influence at the national level. Consequently, they argue, that the Iraqi Army does not sufficiently fight AQI in Al-Anbar; Michael S. Schmidt, Baghdad Assailed over Attack in Anbar, New York Times, 13 September 2011, http://www.nytimes.com/2011/09/14/world/middleeast/14iraq.html.


Including in Ramadi, Garma, Haditha and Saqlawiya. Major attacks in 2010, 2011 and 2012 targeting government buildings and police stations as reported in the media included:


- On 15 January 2012, six gunmen, three policemen and a civilian died in the assault on the Ramadi police building, which houses an anti-terrorism unit and a jail, and 18 other people were wounded; Reuters, Ten dead in militant attack in Iraq's Ramadi, 15 January 2012, http://www.reuters.com/article/2012/01/15/iraq-violence-idSTRE809710201115%feedType=RSS&feedName=topNews&rpc=711.

- On 3 October 2011, four people, including the chief of the local police, were killed after ISF stormed a police station in Al-Baghdadi where gunmen disguised as police officers were holding dozens of policemen and civilians hostage. Rebecca Santana, Gunmen kill 4 in hostage standoff in western Iraq, AP, 3 October 2011, http://www.google.com/hostednews/ap/article/ALeqM5inqDP7a4QFzugKnNh4QHMLWinfUQ?docId=aa20d78719b4439b9700f0c952c26a4.

- On 20 September 2011, three suicide bombers struck an Al-Anbar provincial government complex in Ramadi, which houses the municipal council, the office of the provincial governor and the police department, killing four people and wounding at least 15 others; Fadhil Al-Badran, Bombers kill 4 at govt centre in Iraq's Anbar, 20 September 2011, http://www.trust.org/alertnet/news/bombers-kills-4-at-govt-centre-in-iraq-anbar/.


- On 2 June 2011, at least four people were killed and more than a dozen injured when four bombs exploded in quick succession in Ramadi. Two bombs exploded near the eastern gate of a local government compound that governs the host government’s office, police command and several other security directorates. Another bomb exploded near the Ramadi hospital where military and civilian rescuers were treating at least four civilians were injured after a suicide bomber blew himself up in front of the Abdullah Bin Mubarak Mosque in central Hit; Anwar Ibrahim, Suicide bomber kills 13 in Iraq's Anbar province, 18 February 2010, http://www.aljazeera.net/news/iraq/2010/02/18/iraq-violence-idUKTRE6BB0D120101212.

- On 3 March 2011, a suicide bomber killed at least 10 people, including eight soldiers, and wounded 26, when he blew himself up among soldiers who were collecting their paychecks at a branch of the state-owned Rafidain bank in Haditha; Reuters, Suicide bomber kills 10, wounds 26 in Iraq-sources, 3 March 2011, http://www.trust.org/alertnet/news/suicide-bomber-kills-10-wounds-26-in-iraq-sources/.


- On 18 February 2010, a suicide bomber killed at least 10 people and wounded two dozen when he exploded himself at an entrance to the government compound in Ramadi, which includes the Al-Anbar Provincial Council, the governor’s office and the police headquarters; Al-Arabiya, Suicide bomber kills 13 in Iraq's Anbar province, 18 February 2010, http://www.alarabiya.net/articles/2010/02/18/100705.html.

- On 13 January 2010, a water truck loaded with explosives was detonated inside a local government compound in Saqlawiya, which includes the municipal council and police station, killing seven persons and wounding six; Mohammed Hussein and Timothy Williams, Suicide Attack Kills 7 in Iraq Inside Government Compound, New York Times, 13 January 2010, http://www.nytimes.com/2010/01/14/world/middleeast/14iraq.html.

For example, reported attacks against civilian targets in 2011 and 2012 included:

- On 7 March 2012, at least four civilians were injured after a suicide bomber blew himself up in front of the Abdullah Bin Mubarak Mosque in central Hit; Anwar Ibrahim, At least four injured in Anbar suicide bombing, AKNews, 7 March 2012, http://www.aknews.com/en/aknews/3294353/.

- On 22 February 2012, a suicide bomber riding a motorbike drove into a café in Ramadi city, killing one and injuring three others; Ali Al-Qaisi, Suicide bomber kills one and injures three others in Ramadi, AKNews, 22 February 2012, http://www.aknews.com/en/aknews/3291637/.

For example, a motorcycle bomb exploded in a car park in Ramadi, causing only damage to parked cars, The authorities imposed a bicycle and motorcycle ban in Ramadi; NRA, Ban on motorcycles, bicycles in Ramadi, 22 February 2012, http://www.ninanews.com/english/News_Details.asp?urid=VQEFKGFJ.


110 The ISF see frequent attacks on their convoys and checkpoints. Recent reported incidents included:


113 See chapter “Former Members of the Iraqi Security Forces (ISF)”.

114 See chapter “Salwa Members, Traditional Tribal, Religious and Community leaders”.

115 See chapter “Former Members of the Iraqi Security Forces (ISF)”.

116 For example, reports of apparently coordinated attacks on houses of ISF members included:


On 24 May 2010, two bombs targeting the house of a senior police officer killed his guard and wounded four members of his family in central Ramadi. Two separate bomb blasts targeted the homes of two police officers in central Ramadi, causing no casualties; Reuters, FACTBOX-Security developments in Iraq, May 24, 24 May 2010, http://www.reuters.com/article/idUSLDE64N0RX.

On 26 April 2010, four roadside bombs planted around the house of a policeman in Ramadi exploded before daylight, killing him and wounding three others; Reuters, FACTBOX-Security developments in Iraq, April 26, 26 April 2010, http://www.reuters.com/article/id/SLDE63P0TP.

On 25 April 2010, nine persons were killed and dozens more were wounded after bombs were detonated at the homes of police officers and a judge in Khalidiyah; BBC, Dozens killed in Baghdad in ‘revenge al-Qaeda attacks’, 23 April 2010, http://news.bbc.co.uk/2/hi/middle_east/8639223.stm.

117 Reports on government officials and employees in 2011 and 2012 included for example,

On 20 March 2012, a car bomb parked near the Faculty of Agriculture in Ramadi detonated as the Al-Anbar Governor’s convoy passed by. The Governor Qassim Mohammed remained unharmed, but one civilian was killed and another one wounded; NINA, Breaking news - Anbar governor survives from assassination attempt, 20 March 2012, http://www.ninanews.com/english/News_Details.asp?ar=95_VQ=FKJFFD.


On 15 September 2011, the Chairman of the Kirkhaba Provincial Council, Mohammed Harmal Al-Mousawi, escaped an assassination attempt when on a visit to Al-Nukhba where gunmen had executed 22 Shi’ite pilgrims on their way from Syria through Al-Anbar to Kirkhaba; Aswat al-Iraq, URGENT: Chairman of Kirkhaba Province escapes assassination attempt in Nukhba township, 15 September 2011, http://en.aswataliraq.info/Default1.aspx?page=article_page&id=144850&l=1.


Since 2003, Al-Anbar has seen five provincial governors, all of whom worked under tremendous pressure due to persistent threats and attacks against their lives and the lives of their families. The first governor resigned in July 2004 after the kidnapping of four of his children. An interim governor then replaced him until the newly elected Provincial Council appointed Raja Nawaf Farhan Al-Mahalawas as governor in January 2005. Al-Mahalawas was killed and killed by insurgents only five months later. He was succeeded by Maamoun Sani Rashid Al-Awani, who survived more than two dozen assassination attempts but completed his term. He was replaced by the current governor, Qasim Mohammed Abid Hammadi Al-Fahadawi after the January 2009 provincial elections, who so far has survived at least four attempts on his life, including a massive bombing in December 2009 that severely injured him and another car bombing on 17 January 2011; SIGIR, Quarterly reports to Congress – Focus on Anbar, April 2011, p. 6, http://www.sigir.mi/files/quarterlyreports/April2011/Anbar_.April_2011.pdf.

For example, reported attacks on party officials included:


On 11 July 2011, Ahmed Awad Al-Quibeisy, a candidate for the post of the Mayor of Rutbah, was found beheaded along with his two brothers, near Rutba; Aswat al-Iraq, 3 murdered brothers found in Anbar, 11 July 2011, http://en.aswataliraq.info/Default1.aspx?page=article_page&id=134702&l=1.

On 5 June 2010, a bomb killed Fahad Al-Aabi, director of Al-Obaidi Hospital in Al-Qaim, inside his clinic. The initial investigation indicated that Al-Ami was specifically targeted because of his ties to Iraqia; Adam Schreck, Another Alawii bloc member killed Saturday, 5 June 2010, http://en.aswataliraq.info/Default1.aspx?page=article_page&id=132768&l=1.

On 28 March 2010, Ghanim Al-Mahalawas, a candidate for the post of the Mayor of Rutbah, was found beheaded along with his two brothers, near Rutba; Aswat al-Iraq, 3 murdered brothers found in Anbar, 11 July 2011, http://en.aswataliraq.info/Default1.aspx?page=article_page&id=134702&l=1.

On 5 June 2010, a bomb killed Fahad Al-Aabi, director of Al-Obaidi Hospital in Al-Qaim, inside his clinic. The initial investigation indicated that Al-Ami was specifically targeted because of his ties to Iraqia; Adam Schreck, Another Alawii bloc member killed Saturday, 5 June 2010, http://en.aswataliraq.info/Default1.aspx?page=article_page&id=132768&l=1.

On 28 March 2010, Ghanim Al-Mahalawas, a candidate for the post of the Mayor of Rutbah, was found beheaded along with his two brothers, near Rutba; Aswat al-Iraq, 3 murdered brothers found in Anbar, 11 July 2011, http://en.aswataliraq.info/Default1.aspx?page=article_page&id=134702&l=1.

On 11 July 2011, Ahmed Awad Al-Quibeisy, a candidate for the post of the Mayor of Rutba, was found beheaded along with his two brothers, near Rutba; Aswat al-Iraq, 3 murdered brothers found in Anbar, 11 July 2011, http://en.aswataliraq.info/Default1.aspx?page=article_page&id=134702&l=1.

On 5 June 2010, a bomb killed Fahad Al-Aabi, director of Al-Obaidi Hospital in Al-Qaim, inside his clinic. The initial investigation indicated that Al-Ami was specifically targeted because of his ties to Iraqia; Adam Schreck, Another Alawii bloc member killed Saturday, 5 June 2010, http://en.aswataliraq.info/Default1.aspx?page=article_page&id=132768&l=1.

On 28 March 2010, Ghanim Al-Mahalawas, a candidate for the post of the Mayor of Rutbah, was found beheaded along with his two brothers, near Rutba; Aswat al-Iraq, 3 murdered brothers found in Anbar, 11 July 2011, http://en.aswataliraq.info/Default1.aspx?page=article_page&id=134702&l=1.

On 11 July 2011, Ahmed Awad Al-Quibeisy, a candidate for the post of the Mayor of Rutba, was found beheaded along with his two brothers, near Rutba; Aswat al-Iraq, 3 murdered brothers found in Anbar, 11 July 2011, http://en.aswataliraq.info/Default1.aspx?page=article_page&id=134702&l=1.


A high number of religious scholars and mosque imams have reportedly been targeted for assassination in 2010 and 2011. In August 2010, the Al-Anbar authorities reportedly introduced security measures to protect religious figures from being targeted, including by providing licenses to carry light weapons; Aswat al-Iraq, *Tight security measures to protect scholars, imams in Anbar*, 5 August 2011, http://en.aswataliraq.info/Default1.aspx?page=article_page&id=135287&l=1.

Reported attacks in 2011 and 2012 included for example,


On 4 February 2011, gunfire blew up the house of an Anbar University professor and cleric who criticized AQI during prayers the week before. The cleric was not at the house, in an area south of Fallujah, but two of his sons were wounded; Reuters Alertnet, *Security developments in Iraq*, *February 4*, 4 February 2011, http://www.trust.org/alertnet/news/foxbox-security-developments-in-iraq-feb-4/.


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For example, reported incidents included,


On 4 February 2011, gunmen blew up the home of an Anbar University professor and cleric who criticized AQI during prayers the week before. The cleric was not in the house at the time of the incident, in the area south of Fallujah, but two of his sons were wounded; Reuters Alertnet, Security developments in Iraq, February 4, 4 February 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-feb-4/.

On 7 July 2010, a reporter for al-Iraqiya state-run TV station in Al-Anbar survived an armed attack when gunfire opened fire on his house in Ramadi. He had reportedly received death threats from AQI; Aswat al-Iraq, TV reporter in Ramadi survives armed attack, 7 July 2010, http://en.aswatalarfaqo.info/Default1.aspx?page=article_page&id=134174!&l=1.

On 28 March 2010, five people were killed and 33 more were injured in a bomb attack targeting a tribal leader's house. The tribal leader, named as Sheikh Turki Hamad Mikhif, has been involved in fighting AQI in the Al-Anbar; BBC, Iraq blasts target Anbar tribal leader's house, 20 March 2010, http://news.bbc.co.uk/2/hi/8591546.stm.

On 15 August 2011, as part of coordinated attacks across the country, a booby-trapped car exploded near the Governor's convoy north of Hilla; Aswat al-Iraq, Four cops killed, 4 others injured in mortar shell attack in Musayyib, Babel Province, 16 August 2011, http://en.aswatalarfaqo.info/Default1.aspx?page=article_page&id=144320!&l=1.


For example, reported attacks on the ISF in Babel in 2011 and 2012 included:


Babel Governorate sees regular attacks, often in places where civilians gather such as mosques, restaurants or markets. Recent reported incidents included:

- On 20 March 2012, as part of a string of apparently coordinated attacks across Iraq, a bomb detonated near a popular cafe in Hilla, killing seven people and wounding more than 30 others; NINA, Casualties number of Hilla explosion up to 7 dead, 21 March 2012, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FKIEL.

- On 19 March 2012, three persons were wounded when gunmen attacked a cafe in Musayyib with machine guns and handgrenades; NINA, 3 Wounded in attack north of Hilla, 19 March 2012, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FKIEFL.

- On 16 January 2012, a car bomb blew up while the bomber was driving it, killing at least three people and wounding another 18, in central Hilla; Reuters Alertnet, FACTBOX-Security developments in Iraq, January 16, 16 January 2012, http://m.trust.org/alertnet/news/factbox-security-developments-in-iraq-january-16/.

- On 12 January 2012, a roadside bomb exploded near Shi'ite pilgrims and wounded four of them in the town of Latifiyah. The same day, a car bomb exploded near a vegetable market, killing one person and wounding12 others, including Shi'ite pilgrims, in the town of Kifl, a police source said. Another police source put the toll at 10 people wounded and said a bomb had been placed inside a car. Also, a roadside bomb detonated near a vehicle, wounding five, in the town of Jbeila. It was not clear whether the victims were pilgrims; Reuters Alertnet, FACTBOX-Security developments in Iraq, January 12, 12 January 2012, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-january-12/.


On 14 September 2011, a car bomb parked outside a restaurant in the town of Al-Shumali near Hilla exploded as local police were eating breakfast inside, killing 15 people and wounding 41 others; AP, Bomb kills 17 at Shiite funeral south of Baghdad, 30 September 2011, http://www.asatoday.com/news/world/story/2011-09-30/iraq-blast/50615894/.

For example, reported incidents included:

- On 8 August 2011, a bomb planted inside a policeman's house in Haswa wounded four of his family members. The policeman was not around at the time of the blast; Reuters Alertnet, Security developments in Iraq, August 8, 8 August 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-august-8/.

For example, reported incidents included:

- On 26 October 2011, a Sahwa member was killed and two others were injured when an IED targeting their vehicle exploded in Iskandariyah; wat al-Iraq, Sahwa (Awakening) element killed, 2 others injured in Babel, 26 October, http://en.aswataliraq.info/Default1.aspx?page=article_page&id=145415&l=1.
- On 15 August 2011, gunman dressed in military uniforms executed four Sahwa members and wounded three others after dragging them out of Al-Tawab mosque in the town of Sayyaifa. Reportedly, a note was left near the bodies claiming it was from ISI; Reuters, Gunmen kill four Sunni fighters near Baghdad, 16 August 2011, http://www.trust.org/alertnet/news/gunmen-kill-four-sunni-fighters-near-baghdad/.
- On 4 April 2011, five Sahwa members were killed when a bomb exploded outside the town of Jurf Al-Sakhr; Reuters Alertnet, Security developments in Iraq, April 4, 4 April 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-april-4/.

For example, reported incidents included:

- On 18 January 2012, gunmen stormed the house of Sabbah Mohammed, the mayor of Albasajuq village in Latifiya District, killing him and three of his children, and wounding a fourth, who is a Sahwa member; NINA, Mukhtar of a village killed with three of his sons by gunmen near Latifiya area south of Baghdad, 18 January 2012, http://www.ninanews.com/english/News_Details.asp?id=95 VO=FJKMKG.

• On 26 August 2011, a member of a local council and two of his family members were killed and a forth was injured, in an armed attack on their car in Iskandariyah; Aswat al-Iraq, Three persons killed, 4th injured from single family in Babel, 27 August 2011, http://en.aswatAILYraq.info/Default1.aspx?page=article_page&id=144517&fl=1.


• On 26 October 2011, two guards were injured in two successive explosions targeting the ISCI headquarters in Hilla; Aswat al-Iraq, Two persons injured in 2 blasts against the Supreme Islamic Council’s HQ in Hilla, west Iraq, 29 May 2011, http://en.aswatAILYraq.info/Default1.aspx?page=article_page&id=142816&fl=1.


• On 27 February 2012, gunmen attacked a University of Dijlah professor’s house in Mussayib, injuring two; UNAMI Safety and Security Unit, 27 February 2012.

• On 15 December 2011, a security source said that police has registered the kidnapping of a University professor from Babel; NINA, University professor disappeared in Babil, 15 December 2011, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FJGEKL.


• On 24 December 2010, suspected AQI militants bombed the home of Mohammed Al-Karrafi, a follower of Muqtada Al-Sadr, killing him as well as his two sons and his nephew, in Haswa. Four other people in the home were also wounded; Reuters, Alertnet, Security developments in Iraq, December 24, 24 December 2010, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-dec-24/.

• On 19 February 2012, a judge in the Ministry of Interior, Qas Jiad, was killed when a bomb attached to his car exploded in Jurf Al-Sakhr; NINA, Judge killed by AED explosion northwest Babel, 19 March 2012, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FKIDLG.

• On 10 May 2010, a coordinated series of suicide bombings and assassinations across the country resulted in the death of 100 in a market in Suwayra that killed 16 civilians and injured more than 80; The Times, 10 May 2010, http://www.timesonline.co.uk/tol/news/world/iraq/article7122359.ece.


• On 25 October 2011, Sheikh Safa Jasim, a Sistani representative survived with injuries an attack against his home north of Hilla (Babel); his wife and son were killed and three other sons were wounded in the attack; Fars News Agency, Gunmen Attack Residence of Grand Ayatollah’s Aide in Babil, 25 October 2011, http://english.farsnews.com/newstext.php?nn=9007270820.

• On 16 November 2011, the home of journalist Faris Abbas Al-Samawi was attacked with gunfire in Hilla, resulting in the wounding of his teenage daughter; Aswat al-Iraq, Attack on journalist’s house denounced, 18 September 2011, http://en.aswatAILYraq.info/Default1.aspx?page=article_page&id=144916&fl=1.


• On 10 May 2011, a coordinated series of suicide bombings and assassinations across the country were reported, included two bombings in a market in Suwayra that killed 16 civilians and injured more than 80 others; Rebecca Santana and Lara Jakes, In Iraq’s bloodiest day of 2010, attacks kill 100, AP, 11 May 2010, http://www.google.com/hostednews/ap/article/ALeqM5shwK_CSpsXs9VUEnDuOwmsSSCqGwd9FKKS4A0; The Times, 102 dead as bombers fill power vacuum caused by Iraqi election, 11 May 2010, http://www.timesonline.co.uk/tol/news/world/iraq/article/7122359.ece.

• On 10 February 2012, police dismantled a car bomb and arrested its driver in Suwayra district. Reportedly, the bomb was to be used against civilians in the town’s commercial district; NINA, Car bomb dismantled north of Kut, 10 February 2012, http://www.ninanews.com/english/News_Details.asp?ar95_VQ=FKEHD.


For example, reported incidents included:

On 3 March 2012, the wife of the former Director of Wasist’s Electricity Department, Hashem Ali Jaafar, died of wounds sustained during an armed attack on their house last month, during which three women and a child were wounded by a sharp knife; Aswat al-Iraq, Local official’s wife dies of wounds sustained in armed attack in Kut, 3 March 2012, http://en.aswataltaliraq.info/Default1.aspx?page=article_page&id=1472321&l=1.


On 19 January 2012, an IED planted in front of the house of Ahmed Hussein, a member of Ahrar bloc within the Sadrist Trend and former member of the Wasist Provincial Council, detonated in Kut, causing only material damage; NINA, Device’s Explosion targeted a former member of Wasist provincial Council of Ahrar bloc, 19 January 2012, http://www.ninanews.com/english/News_Details.asp?a=95 VQ=FJLJGL.

On 31 December 2011, an IED detonated against the house of the mayor of Kut, causing no casualties; NINA, IED against the house of Kut’s Mayor, 31 December 2011, http://www.ninanews.com/english/News_Details.asp?a=95 VQ=FJLJFI.

On 7 September 2011, Fadhil Al-Zergani, an ISCI official, escaped an assassination attempt when gunmen opened fire at him while he was on his way to his house in Kut; NINA, SIC official escapes assassination in Kut, 7 September 2011, http://www.ninanews.com/english/News_Details.asp?a=95 VQ=FHMLMF.


Kerbala, and to a lesser extent Najef Governorate, reportedly saw a number of large-scale attacks in 2010, 2011 and 2012, mostly directed against Shi’ite pilgrims on the occasion of religious holidays. Most recently, on 20 March 2012, as part of apparently coordinated attacks across the country, two car bombs reportedly exploded in a crowded shopping and restaurant area in Kerbala, killing 13 and wounding 50 others; Lara Jakas, Al-Qaida claims responsibility for Iraq attacks, AP, 21 March 2012, http://abcnews.go.com/m/story?id=15959016&sid=76 . On 25 September 2011, 15 people were reportedly killed and more than 80 others were wounded when four successive explosions struck outside a Ministry of Interior Passport Office in central Kerbala city; Tim Arango, Bombs Strike Shiite Holy City in Iraq, New York Times, 25 September 2011, http://www.nytimes.com/2011/09/26/world/iraq/26iraq.html. For attacks targeting Shi’ite civilians and pilgrims in Kerbala and Najaf, see “Shi’ite Civilians, including Pilgrims”.

For example, on the occasion of Arbain in January 2011, 120,000 police and soldiers were deployed in Kerbala; Muhanad Mohammed, UPDATE 2-Two bombs kill 12 Shi’ites heading to rite in Iraq, Reuters, 24 January 2011, http://www.trust.org/alarmnet/news/update-2-two-bombs-kill-12-shiites-heading-to-rite-in-iraq/.

For example, reported incidents included:

On 10 March 2012, Murad Anad Al-Jubouri, member of the Kerbala Provincial Council, survived an assassination attempt in Tuairej District, in eastern Kerbala; NINA, Member of the Kerbala PC survives assassination, 10 March 2012, http://www.ninanews.com/english/News_Details.asp?a=95 VQ=FJGJHK.


On 12 October 2011, unknown gunmen driving a car shot dead Sheikh Mohammad Al-Maamar, a senior Shi’ite cleric and Al-Sistani representative, along with his escort, near his house in a southern neighbourhood of Kerbala; Fars News Agency, Gunmen Attack Residence of Ayatollah Sistani’s Representative, 26 October 2011, http://english.farsnews.com/newstext.php?n=9007270820; PUK Media, Religious man killed along with his escort in Kerbala, 12 October 2011,


Reported major attacks in 2010, 2011 and 2012 included:


On 5 January 2012, 48 pilgrims were killed and more than 100 others were wounded when a suicide bomber detonated himself while they were heading from Nasseriyah (Thi-Qar) to Kerbala ahead of Arbaeen; Adam Schreck, 78 killed in Iraq bombings targeting Shi’ites, AP, 6 January 2012, http://bostonglobel/2011/06/06/least-killed-iraq-bombers-targeting-shiites/shl0VZHVH1TeuzClOJIL/story.html.


For example, reported incidents included:

On 21 March 2012, an IED stuck to a card carried against the house of a former CoR member for the Sadrist bloc in Basrah, causing only material damages; NINA, Material damages in explosion of two cars in Basrah, 21 March 2012, http://www.ninanews.com/english/News_Details.aspx?ar95_VQ=FKGLJ.

On 4 March 2012, gunmen fired a grenade on a house in front of the Big Mosque in Diwaniya city, which belongs to the mosque preacher Sheikh Arkan Kazem, causing only material damage; NINA, Security authority announce launching a grenade at the preacher of mosque in Qadisiyah, 4 March 2012, http://www.ninanews.com/english/News_Details.aspx?ar95_VQ=FKKKEP.


On 18 February 2012, the residence of a Grand Ayatollah Ali Al-Sistani representative was targeted by a bomb in Thi-Qar, causing no casualties. The same day, the residence of another Al-Sistani representative was also attacked by a grenade in Diwaniyah; Aswat al-Iraq, Attacks on religious leader representative’s residence, 18 February 2012, http://en.aswataliraq.info/S%20zkvZ%2055lw3w2Jcyrusrpq4%205/S/default1.aspx?pagearticle_page_id=146973&l=1.


On 6 September 2011, gunmen attacked the home of a tribal sheikh in eastern Diwaniyah and killed him. In a separate incident, gunmen using weapons equipped with silencers seriously wounded Razzaq Rahman Al-Sistani, a former JAM member was killed when an IED placed inside his car in southern Nasiriyah (Thi-Qar) exploded in his garage. His brother was killed too and another person was injured; Aswat al-Iraq, 2 killed, 1 wounded in Nasiriyah blast, 7 January 2011, http://en.aswataliraq.info/Default1.aspx?pagearticle_page_id=140395&l=1.

As a result, the local authorities reportedly imposed a nightly vehicle and motorcycle curfew; NINA, Night curfew on vehicles and motorbikes in Diwaniyah due to recent assassinations, 10 October 2011, http://www.ninanews.com/english/News_Details.aspx?ar95_VQ=FIHFGE.

On 7 January 2011, a former IAF member was killed when an IED exploded in his car in southern Nasiriyah (Thi-Qar) and religious leaders as well as artists singled out for assassination. Aswat al-Iraq, Plan to assassinate VIPs in Diwaniyah, 12 October 2011, http://en.aswataliraq.info/Default1.aspx?pagearticle_page_id=145237&l=1.


See chapter “Protestors”.

The Kurdistan Region has reportedly seen a limited number of terrorist attacks since 2003, mostly targeting Kurdish Government and Party institutions. Most recently, on 27 February 2011, security forces reportedly clashed with militants in a house under construction in the city of Sulaymaniyyah and killed five of them, including one who was wearing an explosive vest, according to Sulaymaniyyah Governor Bahroz Mohammed; Reuters Alertnet, Security developments in Iraq, February 27, 27 February 2011, http://www.trust.org/alertnet/news/FACTBOX-security-developments-in-iraq-feb-27/.


See “Actors of Violence”.

According to the US Department of State, AQKB was established in 2007 from the remnants of other terrorist organizations, including AQI and Ansar Al-Islam and “has sworn allegiance publicly to other terrorist groups, including Al-Qaeda and AQL.” The group is operating along the borders of Iran and Iraq and has reportedly claimed responsibility for several attacks against the KRG, which it considers “traitors”, including a car bombing at the Kurdish Ministries of the Interior and Security in Erbil that killed 19 people in May 2007, an ambush in Penwyn (Sulaymaniyyah Governorate) that killed seven border guards and one PKK security personnel in July 2007 and a failed suicide attack targeting security forces in Sulaymaniyyah, in which two police officers were wounded, in September 2010. In January 2012, the US Department of State reportedly added AQKB to the list of specially designated global terrorist entities that will be subject to US sanctions; Bill Roggio, US adds Al Qaeda Kurdistan Battalions to list of terror groups, The Long War Journal, 5 January 2012,
A total of 260,690 IDP and refugee returnees were registered between January and December 2011, including 193,610 IDP returnees and 67,080 refugee returnees. Of the total 67,080 refugee returns in 2011, 3,272,186 refugee returnees and 1,031,720 IDP returnees registered by MoDM, DDM, City Councils and UNHCR Protection and Assistance Centres; UNHCR Iraq Operation, Monthly Statistical Update on Return, December 2011, p. 3, http://reliefweb.int/sites/reliefweb.int/files/resources/Full_Report_3434.pdf. UNHCR has assisted some 9,600 voluntary returns to Iraq between 2006 and 2011. The majority (4,490 persons) returned from Iraq to Iran, followed by returns from Syria (2,698) and Egypt (1,285). UNHCR, Iraq Situation in Numbers Report, December 2011.

A result of reported displacement was reportedly recorded in mainly Salah Al-Din and Ninewa Governorsates. According to IOM, “therefore a deterioration in one location may result in a relative perceived improvement in the other;” and 67,080 refugee returnees were registered between January and December 2011, including 193,610 IDP returnees and 67,080 refugee returnees; UNHCR Iraq Operation, Monthly Statistical Update on Return, December 2011, p. 3, http://reliefweb.int/sites/reliefweb.int/files/resources/Full_Report_3434.pdf. Of the total 67,080 refugee returnees in 2011, 23,140 persons were reportedly (34%) returned to Baghdad Governorate, followed by Najaf (7,260 persons); UNHCR, Iraq Situation in Numbers Report, December 2011.

Between August and December 2011, UNHCR Iraq reportedly monitored 1,766 Iraqi refugee returnee families (representing 8,830 individuals) in Baghdad, Diyala, Anbar, Basra and Nineva through direct interviews (90 percent) and phone interviews (10 percent). Monitoring results showed that more than half (57 percent) of those monitored reportedly returned to the aforementioned governorates in response to perceived security improvements in their location of return. Another four percent mentioned improvements in the economic situation, i.e. improved access to employment; UNHCR Iraq Returnee Monitoring, August – December 2011.

Since June 2011, the financial assistance granted to refugee returnees displaced between 1 January 2006 and 1 January 2008 was reportedly increased from 1.5 million Iraqi Dinars to 4 million Iraqi Dinars; UNHCR Iraq Operation, Monthly Statistical Update on Return, December 2011, p. 1, http://reliefweb.int/sites/reliefweb.int/files/resources/Full_Report_3434.pdf. Among the returnee refugees monitored by UNHCR between August and December 2011, 97% of those eligible for the returnee grant have successfully received or are in the process of receiving MoDM returnee cash assistance. During this period, a total of 52,362 returnee families have reportedly been cleared by MoDM to receive the returnee cash assistance grant of 4 million Iraqi Dinars in four separate payments; UNHCR Iraq Returnee Monitoring, August – December 2011.

Seventeen percent of the returnee refugees monitored by UNHCR between August and December 2011 returned primarily as they reportedly no longer felt safe in their country of asylum, mainly from Syria. It is also worth noting that refugee returnees perceptions of the security situation in both the country of asylum (particularly, at this time, Syria) and Iraq are inter-related and relative to each other and therefore a deterioration in one location may result in a relative perceived improvement in the other; UNHCR Iraq Returnee Monitoring, August – December 2011.
to the ongoing security deterioration in the country. However, a further deterioration of the security situation may result in more returns to Iraq. In February 2012, the Iraqi Ministry of Displacement and Migration, Dindar Najman, reported the return of 200 Iraqi families from Syria within a period of two weeks, saying that the actual number could be higher as not all returnees register with the concerned authorities; Fyad Mohammed, Iraqi families flee from Syria, AKnews, 2 February 2012, http://www.aknews.com/en/aknews/3/287829. See also Sam Dagher, Syria Chaos Pushes Iraqis Back Home, Wall Street Journal, 17 February 2012, http://online.wsj.com/article/SB10001424052702462046207486577220483773114856.html.

Among those monitored by UNHCR between August and December 2011, 19 percent had reportedly indicated that they could no longer afford to stay in the country of asylum; UNHCR Iraq Returnee Monitoring, August – December 2011.

Among refugee returnees monitored by UNHCR between August and December 2011, 59 percent have reportedly been able to return to their original neighbourhoods (46 percent returned to their original house and 13 percent returned to a different house within their old neighbourhood). However, one third of those monitored (35 percent) have reportedly returned to a different district in their original Governate. This is at least partly due to the homogenization of formerly mixed neighbourhoods and districts as a result of reported sectarian violence in mainly 2006 and 2007. The remaining eight percent reportedly returned to a different neighbourhood in their original district (6%) or to a different governorate (2%); UNHCR Iraq Returnee Monitoring, August – December 2011.

Among refugee returnees monitored between August and December 2011, 41 percent had reportedly said that they were unemployed. At the same time, 75 percent of the returnees monitored reportedly stated that their household’s current income was insufficient to meet their basic needs, indicating the prevalence of not only unemployment, but also underemployment among a large proportion of returnees. Twelve percent indicated that they were living on pensions received in Iraq. A significant number also indicated no source of income or a precarious source of income that may not last (14% no income, 11% living on assistance provided by family and friends, and 3% living on savings). Needs may be further exacerbated by additional vulnerabilities such as medical needs, disabilities or trauma. Among the refugee returnees monitored by UNHCR between August and December 2011, 17 percent claimed to have special needs. A significant majority of these returnees, 27 percent, have reportedly claimed that they or someone within their household has a serious medical condition (other than a physical/ mental disability or trauma), while 11 percent of households claimed to contain elderly in need of care or elderly headed households; another 16 percent claimed to be disabled or have a disabled family member, 8 percent claimed to be a survivor of violence/ torture and 15 percent claimed to be female headed households or unaccompanied women. However, it needs to be noted that UNHCR does not have the ability to verify the returns of these returnees’ claims and therefore it is expected that some returnees monitored may give inaccurate information regarding their current situation in expectation of greater assistance; UNHCR Iraq Returnee Monitoring, August – December 2011. 64 percent of refugee and IDP returnees surveyed by IOM have reportedly indicated that they had “some kind of employment”. Unemployment among returnees was reportedly to be particularly high in the Governorates of Dahuk, Diyalah and Najef, where approximately 70 percent of the returnees headed of households were unemployed; IOM, Review of Displacement and Return in Iraq, February 2011, 9, http://www.iomira.net/Documents/Five%20Years%20of%20Post-Samara%20Displacement%20in%20Iraq%20-Feb%202011%20EN.pdf.

Among the refugee returnees monitored by UNHCR between August and December 2011, 15 percent have reportedly indicated that they had experienced security incidents affecting their family or their specific location of return in the six months preceding the interviews, including abduction/assault (40%), targeted murder (13%), large explosions (10%), mines/UXO (9%), military operations (8%), kidnappings/disappearance (8%), and physical assaults (5%); UNHCR Iraq Returnee Monitoring, August – December 2011.

See “Background Information”.

UNHCR, Iraq Situation in Numbers Report, December 2011. Compared to 2008 figures, this constitutes a decrease of 23 percent, though there are regional variations. Most significantly, the number of IDPs in Baghdad and Diyalah (the two governorates which had seen the highest number of IDPs since 2003) reportedly dropped by 45 percent and 16 percent, respectively, between 2008 and 2011 (in Baghdad down from 550,000 IDPs in 2008 to 300,000 in 2011, in Diyalah down from 136,000 to 114,000). At the same time, the number of IDPs in Ninewa increased by 67 percent (up from 106,000 in 2008 to 178,000 in 2011). The other two central governorates, Kirkuk and Salah Al-Din remained largely stable (Kirkuk saw a reduction of 7 percent, Salah Al-Din remained unchanged); UNHCR Iraq Operation, Monthly Statistical Update on Return, December 2011, p. 1, http://reliefweb.int/sites/reliefweb.int/files/resources/Full_Report_3434.pdf.

The large majority, 60 percent or more than 101,000 Iraqis, are registered with UNHCR in Syria, followed by Jordan, where more than 29,000 Iraqis are registered by 29 February 2012. The vast majority of the Iraqis registered with UNHCR in all countries in the region originate from Baghdad (total of 105,900 Iraqis or 68 percent), followed by Ninewa (total of 16,900 Iraqis or 11 percent); UNHCR Iraq, Statistical Reportification UNHCR Iraq Reg, 29 February 2012. In 2011, UNHCR registered more than 35,000 new registrations, down from a peak in 2007, when offices in the region registered more than 168,000 Iraqi refugees. While Syria still accounts for the largest share in new registrations, there has been a drop compared to recent years, while other countries, especially Turkey, saw an increase in new registrations, likely reflecting the current unstable situation in Syria causing refugees to choose an alternative destination (in 2010, Syria accounted for nearly 60 percent of the new registrations, in 2011, its share dropped to 44 percent; Turkey, on the other hand, saw an increase from 9.4 percent in 2010 to 22.8 percent in 2011. Also Jordan, Lebanon and Egypt witnessed small increases); UNHCR, Iraq Situation in Numbers Report, December 2011.


Evictions from state-owned property are reportedly carried out pursuant to Council of Ministers Decision 440 of 2 December 2008 and came into force on 1 January 2009. This decision offers notice prior to any eviction (no period specified), and for compensation (one to five million Dinars). The decision further adds that no legal action should be taken against the persons who vacate within 6 months of the decision being in force. The decision was suspended pursuant to Cabinet Order 157, but it was reactivated in 2010 and remains in force to date. Towards the end of 2010, increasing numbers of evictions were reported. Implementation of these decisions was reportedly inconsistent and in some cases families were reportedly evicted with little prior notice, often leading to secondary displacement. On 21 December 2010, the Parliamentary session No. 13 unanimously approved and called for the suspension of evictions and demolition of informal settlements pending the identification of solutions. However, the order was not implemented and evictions from lands reportedly continued. In 2011, UNHCR is aware of at least three settlements where eviction orders were executed in Baghdad during the year of 2011 and five orders were issued but not implemented yet; UNHCR Information, February 2012.

See “Civilian Casualties”.


The assessment of the availability of an IFA/IRA requires two main sets of analysis, namely its (i) relevance and its (ii) reasonableness. In cases where a well-founded fear of persecution has been established in some localized part of the country of origin, the determination of whether the proposed internal flight or relocation area is an appropriate alternative for the individual concerned requires an assessment over time, taking into account not only the circumstances that gave rise to the risk feared, and that prompted flight from the area of origin, but also whether the proposed area provides a safe and meaningful alternative in the future. The personal circumstances of the individual
applicant and the conditions in the area of relocation need to be considered; see UNHCR, Guidelines on International Protection No. 4: “Internal Flight or Relocation Alternative” Within the Context of Article 1A(2) of the 1951 Convention and/or 1967 Protocol Relating to the Status of Refugees, HCR/CP/630/04, 23 July 2003, http://www.unhcr.org/refworld/docid/3f2791a44.html.

The large majority of IDPs from Central and Southern Iraq had reportedly arrived in the Kurdistan Region after 2006. By August 2011, there were 37,941 post-2006 IDP families (208,675 individuals) in the three Northern Governorates, including 9,704 families (53,342 individuals) in Erbil Governorate, 19,251 families (105,880 individuals) in Dahuk Governorate and 8,986 families (49,423 individuals) in Sulaymaniyah Governorate. In addition, the three Northern Governorates also host significant numbers of pre-2006 IDPs, most of whom have been reportedly displaced before 2003 as a result of the policies and violence of the former regime; information received from DDM and BMD, October 2011.

In late 2010 and early 2011, more than 1,300 Christian families had reportedly left Baghdad and Mosul, moving mainly to the Kurdistan Region. In 2010, IOM replaced the previous IDP displacement and Return in Iraq, February 2011, p. 13, http://www.ionmiraj.net/Documents/Five%20Years%20of%20post-Samarra%20Displacement%20in%20Iraq%20Feb%202011%20EN.pdf.

See “Former Members of the Iraqi Security Forces (ISF)”. In particular, there is “a continual threat of roadside improvised explosive devices (IEDs)”; US Department of State/Bureau of Diplomatic Security, Iraq 2011 Crime and Safety Report: Baghdad, 21 April 2011, https://www.osac.gov/pages/ContentReportPDF.aspx?cid=10884. Between January 2011 and September 2011, UNAMI’s Security and Information Analysis Unit (SIAU) recorded the following security incidents on the routes approaching the KRG checkpoints, mainly on the route from Kirkuk:

- 4 RPG attacks
- 9 small arms attacks
- 4 grenade attacks
- 3 mortar attacks
- 24 IEDs
- 4 car bombs.


Depending on the security situation and the level of threats, entry procedures are reportedly more or less rigid. In 2011, according to UNAMI SSU, the security situation has reportedly been more tense as a result of attempted terrorist attacks. On 1 June 2011, Assyrian reportedly dismantled a sticky bomb in a civilian car at Erbil’s main entrance on the Kirkuk – Erbil road; Aswat al-Iraq, Sticky bomb dismantled in Arbil, 1 June 2011, http://en.aswataliraq.info/?p=138517; Reuters, FACTBOX-Security developments in Iraq, Nov 1, 2011, http://www.aswatnews.com/tag/arbil/.

The information contained in this chapter is based on information received from UNAMI SSU and SIAU; field surveys and monitoring by UNHCR PACs in the Kurdistan Region and information obtained by UNHCR protection and field staff in the Governorates of Dahuk, Erbil, Sulaymaniyah, Mosul and Kirkuk.

Again, there is no uniform approach. For example, UNHCR became aware that IDP families can enter Sulaymaniyah Governorate on a tourist card without having a sponsor. However, if the family is not aware of this option, they may be asked to provide a sponsor. At the same time, single Arab men may be refused entry if they do not have a sponsor.

Work cards are given to daily workers, who are usually known to the authorities due to their daily travel to the Kurdistan Region, or to those who can provide a letter of appointment by their employer in the Kurdistan Region. However, it is important to note that these cards are not automatically renewed and UNHCR is aware of several Arab labourers from Hawija, Kirkuk, who travelled to the Kurdistan Region for work but were not given an extension on their card (2010).

In 2010, the KRG replaced the previous sponsor system, under which a person had to have a sponsor guaranteeing for his/her presence in the new reference or acquaintance system. According to the KRG authorities, under the new system, a person seeking to enter and reside in the Kurdistan Region only needed to have a local contact. However, UNHCR observed that in reality the previous sponsor system remains in place.

There is anecdotal evidence of sponsors harassing or abusing IDPs or asking for money in return.

In some places it suffices that the sponsor is a resident of the governorate to which the person wishes to relocate. In Erbil city, however, the sponsor must reportedly be a public servant.

Kurds from the disputed areas or Kurds suspected to pose a threat to the Region’s security.

Non-Kurds reportedly have their ID card withheld at the checkpoint. They are provided a letter to be used while in the Kurdistan Region and can reclaim their ID card once they leave the Region.

In March 2011, UNHCR received information indicating that church officials in Erbil have been allowed to act as sponsors on behalf of the Christian IDPs.

The information card contains the holder’s personal data and expiry date. The card can be issued for a three-month, six-month, or a 12-month period. The information card reportedly provides the holder with freedom of movement within the Kurdistan Region. It that person wishes to relocate to another neighbourhood or Governorate, he/she must obtain a new information card from the local security station.

Again, procedures and requirements are not uniform and can vary even within a governorate. For example, it appears that persons seeking to stay in Raparin, Dukan and Bakarajo (Sulaymaniyah) are reportedly not required to have a sponsor. However, in New Halabja and Shorish in the same governorate a sponsor is mandatory. Furthermore, even if no sponsor is required, a local security office may still reject the stay, especially of single man on security grounds.

In some cases, a proof of rent is also required. However, in other cases it was observed that the information card was a prerequisite to rent a house or apartment.

There are unverified reports of IDP families forced to leave the Kurdistan Region in 2010 due to their inability to identify a sponsor.


IOM monitors noted that in areas with high numbers of Christian IDPs, e.g. Ainkawa (Erbil), rental prices for modest accommodation...


1276 According to a 2011 UNHCR survey of public buildings and settlements illegally occupied by IDPs in the Kurdistan Region, there are 673 IDP families (4,044 individuals) living in public buildings in Dahuk, 96 families (563 individuals) in Erbil and 63 families (339 individuals) in Sulaymaniyah; UNHCR IDP complex survey, July 2011. Those living with a host family or in a public building are in a precarious situation; should the host die or the authorities' goodwill end, they may be rendered homeless; IOM, Governorate Profile – Erbil, November 2010, p. 4, http://www.iomiraq.net/Documents/IOM%20Iraq%20%20Governorate%20Profile%20-%20%20Erbil.pdf.


1278 For instance, 7 percent of those surveyed in Sulaymaniyah Governorate reported that "rented house' can be a misleading category which suggests comfort and financial security. In fact, rising rent prices together with poor quality accommodation mean that even those living in rented accommodation can feel insecure about long-term shelter for their families;" IOM, Governorate Profile – Sulaymaniyah, November 2010, p. 4, http://www.iomiraq.net/Documents/IOM%20Iraq%20%20Governorate%20Profile%20-%20%20Sulaymaniyah.pdf.

1279 According to a 2011 UNHCR survey of public buildings and settlements illegally occupied by IDPs in the Kurdistan Region, there are 673 IDP families (4,044 individuals) living in public buildings in Dahuk, 96 families (563 individuals) in Erbil and 63 families (339 individuals) in Sulaymaniyah; UNHCR IDP complex survey, July 2011. Those living with a host family or in a public building are in a precarious situation; should the host die or the authorities' goodwill end, they may be rendered homeless; IOM, Governorate Profile – Erbil, November 2010, p. 4, http://www.iomiraq.net/Documents/IOM%20Iraq%20%20Governorate%20Profile%20-%20%20Erbil.pdf.


1281 For example, 7 percent of those surveyed in Sulaymaniyah Governorate reported that "rented house' can be a misleading category which suggests comfort and financial security. In fact, rising rent prices together with poor quality accommodation mean that even those living in rented accommodation can feel insecure about long-term shelter for their families;" IOM, Governorate Profile – Sulaymaniyah, November 2010, p. 4, http://www.iomiraq.net/Documents/IOM%20Iraq%20%20Governorate%20Profile%20-%20%20Sulaymaniyah.pdf.
As a result of the high number of students, those with special needs, e.g. due to conflict-trauma, are reportedly left behind; UNHCR, UNHCR assists displaced children in Iraq's Kurdistan region, 30 October 2011, http://www.unhcr.org/4e4ebe3636.html.


See also “Background Information.”


The public sector reportedly remains the largest employer in the Kurdistan Region. The KDP and the PUK reportedly give preference in government employment to their respective members; Shwan Zalal, Blasted Public Sector, Almamal al-Kurdi, 20 January 2012, http://af.reuters.com/article/worldNews/idAFTRE80F0E520120116.

According to Juliana Taimoorazy, president of the Iraqi Christian Relief organization, Christian IDPs in the Kurdistan Region are compelled to join the KDP “…be able to live modestly. However, many refuse to do so and are experiencing poverty [and] lack of education”; Ayman Jawal Al-Tamani and Phillip Smyth, Iraqi Kurdistan Without Blinders, The American Spectator, 22 March 2012, http://www.meforum.org/3195/iraqu-kurdistan-minorities.

According to IDMC, over 70 percent of IDP families have no members employed; IDMC/NRC, Iraq: Response still centred on return despite increasing IDP demands for local integration, 10 October 2011, p. 8, http://www.internal-displacement.org/8025708F0043BE1B/00/htmlFiles/CC717078C72F92C125792100525C78file/Iraq-October-2011.pdf.


For example, 63% of households surveyed in Sulaymaniyah Governorate in 2011 have reportedly said that the lack of medical staff or equipment was an obstacle to access primary health care centres; Iraq Knowledge Network (IKN), Essential Services Factsheet, December 2011, p. 3, http://www.iauiraq.org/documents/1583/ServicesFactsheet-English.pdf.


See also chapter “Acts of Persecution and Violence”.

For example, Christians that relocated to the outerlying areas of Ninewa (“Ninewa Plains”) in the end of 2010 and early 2011 reportedly faced security threats, prompting many to further relocate or even return to their places of origin; IOM, Displacement of Christians To The North Of Iraq, 31 January 2012, p. 1, http://www.iomiraq.net/Documents/IOM%20Iraq%20Displacement%20at%202012%20Update%20%31%20January%202012.pdf.

http://www.kurdishglobe.net/display/article.html?id=D6CA656C4F318A1ADFA7EED3081E6F.


See “Acts of Persecution and Violence”.

For example, recurrent attacks reported in Basrah, Kerbala or Kut demonstrate that armed Sunni groups such as ISI/AQI have the capability to plan and execute attacks even in predominantly Shi’ite areas; see also chapter “Acts of Violence”.

For example, Christians that relocated to the outerlying areas of Nineveh (“Ninewa Plains”) in the end of 2010 and early 2011 reportedly faced security threats, prompting many to further relocate or even return to their places of origin; IOM, Displacement of Christians To The North Of Iraq, 31 January 2012, p. 13, http://www.iomiraq.net/Documents/Five%20Years%20End%20Post-Samarra%20Displacement%20%20%20%20%20%20Iraq%20Feb%202011%20EN.pdf.

For example, it has been reported that Christian IDPs in Erbil Governorate can mainly be found in Erbil district, and mostly in Ainkawa, which has a predominantly Christian population and several churches; Middle East Online, Iraqi Christian IDPs find refuge in Kurdistan north, 28 December 2010, http://www.middle-east-online.com/english/id=45311.

On 14 January 2012, a roadside bomb targeting Shi’ite pilgrims wounded five people, including two policemen, when it exploded near a main road leading to a Shi’ite shrine in the town of Bartella, near Mosul; Reuters Alertnet, FACTBOX-Security developments in Iraq, January 14, 14 January 2012, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-january-14/.

On 14 January 2012, a roadside bomb targeting Shi’ite pilgrims wounded five people, including two policemen, when it exploded near a main road leading to a Shi’ite shrine in the town of Bartella, near Mosul; Reuters Alertnet, FACTBOX-Security developments in Iraq, January 14, 14 January 2012, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-january-14/.

On 16 January 2012, a car bomb exploded in a residential complex housing IDPs of Shabak ethnicity, killing at least eight people and wounding four others, in Bartella district (Ninewan); Jamal al-Badrani, Car bomb kills at least 9 in Iraq's Mosul, Reuters, 16 January 2012, http://af.reuters.com/article/worldNews/idAFTRF80E520120106.

On 2 May 2010, one person was killed and over one hundred students were injured when a convoy of school buses carrying Christian students was attacked after passing a security checkpoint on the outskirts of Mosul. The buses were transporting university students from the mainly Christian town of Al-Hamdaniyah to Mosul. According to an Iraqi security official, the buses were escorted by Iraqi soldiers because of past threats and attacks against Christians in the area. A teenage student died later of her wounds; see UNHCR,

- On 10 August 2009, two truck bombs exploded nearly simultaneously in the Shabak/Turkmen village of Khazna Tabtah in Al-Hamdaniyah District (Nineawa), killing at least 34 people and injuring 179 others. The blasts were so powerful that they completely destroyed at least 30 houses; see UNHCR, Annex to the Note on the Continued Applicability of the April 2009 UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Iraqi Asylum-Seekers: Reports of Attacks and Security Incidents in Iraq since April 2009, pp. 4-6, 28 July 2010, http://www.unhcr.org/cgi-bin/texis/vtx/efworld/rwmain/opendo.pdf?redoc=y&docid=4c4feff72.

- On 7 August 2009, a suicide truck bomb detonated outside the main mosque in the Turkmen village of Shrekan Sufia in Tilkeif District (Nineawa), killing up to 45 people and wounding 217 others during Friday prayers, including a significant number of women and children; see UNHCR, Annex to the Note on the Continued Applicability of the April 2009 UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Iraqi Asylum-Seekers: Reports of Attacks and Security Incidents in Iraq since April 2009, pp. 4-6, 28 July 2010, http://www.unhcr.org/cgi-bin/texis/vtx/efworld/rwmain/opendo.pdf?redoc=y&docid=4c4feff72.

131 Among the refugee returnees monitored by UNHCR in Baghdad, Diyala, Anbar, Basrah and Ninewa between August and December 2011, 15 percent had reportedly indicated that they had experienced security incidents affecting their family or their specific location of return in the six months preceding the interviews, including abuse/harassment (40%), targeted murder (13%), large explosions (10%), mines/UXOs (9%), military operations (8%), kidnappings/disappearance (8%), and physical assaults (5%); UNHCR Iraq Returnee Monitoring, August – December 2011. Between January and November 2010, UNHCR Protection and Assistance Centre (PAC) monitors conducted 192 community level assessments, surveying a total of 50,000 families (295,992 persons), including 36,819 families (220,189 individuals) post-2006 IDPs, 12,210 families (70,422 individuals) IDP returnees and 971 families (5,381 individuals) refugee returnees. Virtually all returnees monitored reportedly cited the perceived improvements in security as central to their decision to return (96.9% of IDP returnee groups; 100% of refugee returnee groups); however, all groups of returnees reportedly confirmed that they continue to face security issues upon return. 69% of IDP returnees and 22.6% of refugee returnees reportedly said that incidents of general violence had affected them in the previous three month period. Furthermore, 12.8% of the IDP returnees and 11.7% of the refugee returnees claimed they had been targeted for religious reasons; 11.5% of the IDP returnees and 9.2% of the refugee returnees claimed they had been targeted for political reasons. UNHCR/PAC, Community Monitoring Assessments January – November 2010.

1312 Reported to UNHCR/PAC protection monitors, April – June 2010. See also “Sunni Arabs in Majority Shi‘ite Arab areas and Shi‘ite Arabs in Majority Sunni Arab Areas”.

1313 IOM observed occasional tensions between IDP and host communities because the latter had reportedly considered the IDPs to be increasing insecurity. Reportedly, this can at times result in targeting of IDPs by local security forces, especially in the wake of attacks or security breaches; IOM, Salah al-Din – Governorate Profile, November 2010, p. 2, http://www.iomiraq.net/Documents/IOMF%20Iraq%20-%20Governorate%20Profile%20-%20Salah%20al-Din.pdf.

1314 See chapter “Availability of National Protection”.

1315 See “Background Information” and “Individuals with Ethnicity-based Claims”. See also IOM, Special Focus – Disputed Internal Boundaries, November 2010, http://reliefweb.int/sites/reliefweb.int/files/resources/1F7/0227853DF941C1257F7C004CEBC8-Full_BReport.pdf.

1316 In Kirkuk, IOM had reportedly been targets of harassment and detention, particularly during the run-up to the anticipated census exercise.

1317 See “Women with Specific Profiles or in Specific Circumstances”.

1318 See “Children with Specific Profiles or in Specific Circumstances”.

1319 See “Victims or Persons at Risk of Trafficking or Forced Prostitution”.

1320 See “Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) Individuals”.

1321 According to the US Department of State, “[T]ravel throughout the country by road involves the significant potential for attacks.” It further assessed that “[V]ehicular travel in Iraq is extremely dangerous. There have been attacks on civilian vehicles as well as USF-I and Iraqi military and security convoys on roads and highways throughout Iraq, both in and outside metropolitan areas. Attacks occur throughout the day, but travel at night is exceptionally dangerous (…)”; US Department of State/Bureau of Consular Affairs, Iraq Country Specific Information, 23 December 2011, accessed 18 March 2012, http://travel.state.gov/travel/cis_pa_tw/cis/cis_1144.html. According to FCO, “Road travel within Iraq remains extremely dangerous and there continue to be fatal roadside bombings and both random and premeditated attacks on military and civilian vehicles”; FCO, Middle East and North Africa – Iraq, updated 5 March 2012, accessed 18 March 2012, http://www.fco.gov.uk/en/travel-and-living-abroad/travel-advice-by-country/middle-east-north-africa/iraq.

1322 For example, on 29 January 2012, a roadside bomb reportedly exploded near a minibus, killing one person and wounding nine others, in Baghdad’s Za’faraniyah district; Reuters Alertnet, FACTBOX-Security developments in Iraq in January-29/1. On 7 January 2012, a civilian was reportedly killed and three others were wounded, including a child, when a roadside bomb struck a minibus carrying passengers on a main road just north of Ba’tuba (Diyala); Xinhua, Three killed, 12 wounded in Iraq’s violence, 7 January 2012, http://news.xinhuanet.com/english/world/2012-01/07/c_1313147952.htm. On 5 January 2012, a roadside bomb targeting a minibus carrying Shi‘ite pilgrims reportedly killed one child and wounded five women when it exploded just southwest of Mosul; Reuters Alertnet, FACTBOX-Security developments in Iraq, January 5, 5 January 2012, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-january-5. On 26 November 2011, bombs on each side of the main road from Abu Ghraib to Fallujah reportedly killed seven people and injured at least seven more; AFP, Eight killed in Iraq bombings, 26 November 2011, http://www.abs-cbnnews.com/global-filipino/world/11/26/11/eight-killed-iraq-bombings.


1326 According to the US Department of State, “[C]arjacking by armed thieves is very common, even during daylight hours, and particularly on the highways from Jordan and Kuwait to Baghdad. Both foreigners (…) and Iraqi citizens are targets of kidnaping. Kidnappers often

According to the US Department of State, “While Baghdad has seen the majority of insurgent activity over the past year, significant incidents have also occurred in outlying cities, indicating a high risk to travelers on roadways.” US Department of State/Bureau of Consular Affairs, Iraq Country Specific Information, 23 December 2011, accessed 18 March 2012, http://travel.state.gov/travel/cis/cis_1144.html


IDMC/NRC, IRAQ: Response still centred on return despite increasing IDP demands for local integration, 10 October 2011, p. 38, http://www.internal-displacement.org/80275f80004b5b1f004e8ad068f4578?doc_language=en&doc_type=aid&doc_access=full_text&doc_id=13300

For example, on 3 December 2011, a roadside bomb targeting a police patrol reportedly killed three people, including a father and his son, when it exploded near their vehicle in a farmland near the town of Iskandariya (Babel); Reuters Alertnet, FACTBOX-Security developments in Iraq, December 3, 3 December 2011, http://www.trust.org/alertnet/news/factbox-security-developments-in-iraq-december-3/. See also “Government Officials and Employees” and “Members of the Iraqi Security Forces (ISF)”.

For example, reported incidents included:

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- On 8 September 2010, at least three people were killed and more than 20 others were wounded when a parked car bomb exploded near a bus station in the southern Bayaa neighbourhood of Baghdad. The same day, two bombs detonated near a bus station in eastern Baghdad, killing at least one person and wounding 12 others; BBC, Second Iraq TV presenter shot. Baghdad bombs kill four, 8 September 2010, http://www.bbc.co.uk/news/world/middle-east-11235930.

1338 On 11 December 2011, the Iraqi Transportation Ministry reportedly denied media rumours that there had been a rocket attack at Baghdad International Airport. Baghdad International was also the site of the large US military base, Camp Victory, which was handed over to Iraqi authorities in November 2011. Camp Victory had reportedly been a regular target for rocket attacks; Wissam al-Jaff, Government denies attack at Baghdad International, ANews, 11 December 2011, http://www.aknews.com/en/aknews/3/3277525/.


1341 IOM also observed that as a result of sectarian tensions, Arab IDPs and returnees in Kurdish areas may often not receive the same services as Kurds, and vice versa; IOM, Review of Displacement and Return in Iraq, February 2011, p. 16, http://www.iomiraq.net/Documents/Five%20Years%20of%20post-Samarra%20Displacement%20in%20Iraq,%20Feb%202011%20EN.pdf.

1342 See also “Background Information”.

1343 Nearly half (48%) of the IDPs surveyed by IOM mentioned shelter as a priority need; IOM, Review of Displacement and Return in Iraq, February 2011, p. 7, http://www.iomiraq.net/Documents/Five%20Years%20%20of%20post-Samarra%20Displacement%20in%20Iraq,%20Feb%202011%20EN.pdf.

1344 Among IOM-surveyed IDPs, 38 percent lived in rented accommodations; IOM, Review of Displacement and Return in Iraq, February 2011, p. 10, http://www.iomiraq.net/Documents/Five%20Years%20%20of%20post-Samarra%20Displacement%20in%20Iraq,%20Feb%202011%20EN.pdf.

1345 High rental costs are a problem for IDPs because it means that a large portion of their resources will be spent on paying rent each month, reducing what is left for food, health, or education. Having to pay rent is especially burdensome for those with no steady income; IOM, Review of Displacement and Return in Iraq, February 2011, p. 10, http://www.iomiraq.net/Documents/Five%20Years%20%20of%20post-Samarra%20Displacement%20in%20Iraq,%20Feb%202011%20EN.pdf.


1347 Among IDP families monitored by IOM, more than half (58%) live in rented homes, 19 percent live in homes described as “other”, which are generally temporary buildings comprised of mud, sticks, and oil canisters, with little or no plumbing or waste collection facilities, and almost 10 percent live in collective settlements. Another 10 percent live with host families or in tents near the host family and 2.6 percent were reported to be living in IDP camps; IOM, Review of Displacement and Return in Iraq, February 2011, p. 10, http://www.iomiraq.net/Documents/Five%20Years%20%20of%20post-Samarra%20Displacement%20in%20Iraq,%20Feb%202011%20EN.pdf.


1352 UNHCR Monitoring in 2010 showed that over 80 percent of IDP groups monitored reported that members were suffering from water borne diseases such as dysentery or diarrhea. Also, 76.9 percent of IDP returnees and 22.6 percent of refugee returnees reportedly also suffered from water borne diseases; UNHCR in Iraq, December 2010. See also IOM, Review of Displacement and Return in Iraq, February 2011, p. 11, http://www.iomiraq.net/Documents/Five%20Years%20%20of%20post-Samarra%20Displacement%20in%20Iraq,%20Feb%202011%20EN.pdf.

1353 See “Conflict-Induced Displacements and Voluntary Returns”; UNHCR is aware of at least three settlements where eviction orders were executed in Baghdad during the year of 2011 and five orders were issued but not implemented yet; UNHCR Information, February 2012. See also IOM, Review of Displacement and Return in Iraq, February 2011, p. 10, http://www.iomiraq.net/Documents/Five%20Years%20%20of%20post-Samarra%20Displacement%20in%20Iraq,%20Feb%202011%20EN.pdf.

1354 See “Conflict-Induced Displacements and Voluntary Returns”.

1355 In the Governorates of Al-Anbar, Babel, Baghdad, Diyala, Kirkbala, Najef, Salah Al-Din and Wasit. These 45 settlements hosts some 10,083 families (57,670 individuals), mostly IDPs (5,913 families or 32,816 individuals), but also IDP and refugee returnees as well as persons from the local community; UNHCR Iraq, February 2012.
UNHCR is aware that a number of camps and settlements are located within the master plan of the main cities where public infrastructure projects could be implemented; UNHCR information, February 2012.

UNHCR is aware of some eight IDP camps, four of them in Baghdad, that have been established on private lands; UNHCR Iraq, February 2012.

According to latest reports by UNHCR’s Implementing Partners, IDP families in Haidar Al-Kazari settlement in Baghdad have reportedly received eviction warning within ten days and more than 20 houses were demolished in the settlement. Eighteen IDP families in Nuori Shafiq, also in Baghdad, have reportedly received a court order to either vacate the compound or pay rent, which however the majority cannot afford. Some 80 families have reportedly already been evicted from Al-Awassa settlement in Baghdad and moved to an adjacent area. There reportedly is a current threat of eviction also against vulnerable families in Al-Mansuriya quarter in Al-Alawi area in Baghdad; UNHCR Iraq, February 2012.


Nearly half (47%) of the IDPs surveyed by IOM mentioned food as a priority need; reportedly, the rate is generally higher among the recently displaced compared to those displaced five or more years ago, who in the meantime have usually been able to secure access to food. Also, among IDPs monitored in the disputed areas, 64 percent have reportedly cited food as their main priority; IOM, Review of Displacement and Return in Iraq, February 2011, p. 7, http://www.iomiraq.net/Documents/Five%20Years%20of%20Post-Samarra%20Governorate%20Profile%20-%20Feb%202011%20-%20EN.pdf.

Among returnees monitored by IOM, food was reportedly cited as the top priority need by 67 percent. IOM field assessments showed that 66 percent of returnee families had regular access to food rations, 30 percent received rations on a less regular basis and 3 percent did not have access; IOM, Review of Displacement and Return in Iraq, February 2011, pp. 8, 10, http://www.iomiraq.net/Documents/Five%20Years%20of%20Post-Samarra%20Displacement%20-%20Iraq%20-%20Feb%202011%20-%20EN.pdf.

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See “Background Information”.


To obtain food rations, the family/individual is reportedly required to be registered at the branch supply centre in the place of residence. However, bureaucratic hurdles, including those related to documentation, have reportedly challenged their ability to do so. Persons seeking to transfer their PDS registration to another location are required to fill in a transfer request form at the new PDS centre. This request must be sent to the centre in the place of origin in order to cancel his/her registration there, and then be returned to the new PDS centre to add the person to the list. Depending on the area and the workload of the concerned PDS centre, this process can take several weeks or months. The procedure can be further delayed by up to six months by Ministry of Trade regulations that PDS transfers are not possible between November and April each year. Between May and October, applications for PDS transfer are only received during the first 10 days of each month. In the interim, IDPs have to rely on food supplies from local markets, if possible, retrieve their food rations from their previous place of residence, which may however not be possible due to insecurity or lack of finance to pay for transportation. Another obstacle encountered by IDPs is the requirement to produce a “housing card” (see above “Documentation”) to the PDS centre in order to request the transfer. Unofficially, some PDS centres accepted a “residency letter” issued by the local council in the place of displacement; however, this practice was stopped in line with instructions from the MoI. IDPs living in illegal settlements are consequently denied access to the PDS in the place of displacement for lack of relevant documentation. IDPs may also face difficulties to add new-born children to their PDS registration, as this requires the child’s civil ID card. However, often IDPs face difficulties to obtain civil ID cards for their children born in displacement. As a result, the family may not be able to increase the monthly food ration according to the number of family members. Widowed or divorced women may also face difficulties to obtain their separate PDS cards; UNHCR Iraq Information, February 2012. According to IOM, IDPs reported that it was too dangerous to return to their governorate of origin to transfer their PDS registration. Others have reportedly said that they did not transfer their registration because they thought that they would be able to return to their places of origin in the foreseeable future. IDPs in Kirkuk Governorate reported that they were not able to transfer their food registration; IOM, Review of Displacement and Return in Iraq, February 2011, p. 10, http://www.iomiraq.net/Documents/Five%20Years%20of%20Post-Samarra%20Displacement%20-%20Iraq%20-%20Feb%202011%20-%20EN.pdf.


See “Displacements for Reason of Violence and Insecurity and Voluntary Returns”.

See “Background Information”.

For example, in the Governorate of Babel, 57 percent of the IOM-assessed IDPs are reported to be under the age of 18. In Anbar Governorate 64 percent are reportedly under the age of 18; see IOM, Governorate Profiles, November 2010, http://www.iomiraq.net/governorates.html.

Among the communities assessed by UNHCR/PAC in Baghdad in 2010, it has been reported that the highest rate of non-attendance was found among IDPs with only 54 percent of IDP boys and 51 percent of IDPs girls attending school. The attendance rate was higher among IDP returnee children (72%) and refugee returnee children (76%); IRC PAC, Protection Monitoring Assessments Summary Baghdad, April – June 2010.


1376 For example, in Al-Manar Camp in Baghdad, which reportedly houses more than 3,500 persons, 50 percent of the children do not attend school; UN News Centre, Iraq, official calls for better access to services for the internally displaced, 11 March 2012, http://www.un.org/apps/news/story.asp?NewsId=41511&Cr=Iraq&Cr1=

1377 See “Background Information”.


1382 For example, IOM monitors in Diwaniyah reported that a majority of the IDP families surveyed were either unemployed or had insufficient income. Monitors observed that in Diwaniyah, more than half (55%) of IDP heads of household were reportedly unemployed, 30 percent worked as day-to-day construction workers, and only 15 percent had a regular employment, such as working as grocery store attendants or local government employees; IOM, Review of Displacement and Return in Iraq, February 2011, p. 7, http://www.iomiraq.net/Documents/Five%20Years%20%20Post%20Samarra%20Displacement%20in%20Iraq,%20Feb%202011%20EN.pdf. In Kerbala, IOM monitors reported that many IDP children are often begging to help sustain their families; IOM, Kerbala – Governorate Profile, November 2010, p. 4, http://www.iomiraq.net/Documents/IOM%20Iraq%20-%20Governorate%20Profile%20-%20Kerbala.pdf. In Kirkuk, the high number of minors and elderly people among the IDPs means that even where the head of household is employed, he/she will face difficulties to sustain the many dependants in the family. As a result, many children reportedly drop out of school in order to support their families; IOM, Kirkuk – Governorate Profile, November 2010, p. 3, http://www.iomiraq.net/Documents/IOM%20Iraq%20-%20Governorate%20Profile%20-%20Kirkuk.pdf. See also IOM, Governorate Profile – Qadissiyah, November 2010, p. 4, http://www.iomiraq.net/Documents/IOM%20Iraq%20-%20Governorate%20Profile%20-%20Qadissiyah.pdf; IOM, Salah al-Din Governorate Profile, November 2010, p. 4, http://www.iomiraq.net/Documents/IOM%20Iraq%20-%20Governorate%20Profile%20-%20Salah%20al-Din.pdf.

1383 In IDP settlements, unemployment rates have reportedly been as high as 70 percent amongst men of working age; UNHCR Iraq, September 2010.

1384 According to IOM, among the displaced, one in eight households are headed by a female, 71 percent of whom are able to find employment and thus cannot effectively provide for their families. Some districts/governorates see particularly high numbers of female-headed households. For example, in Baladruz district of Diyala, a reported 25 percent of the IDP households are headed by females. In Diwaniyah Governorate, 19 percent of IDP families are female-headed, rising to 40 percent in Afaq District, and in Kerbala Governorate, 16 percent of IDP families (20% in Al-Hindiya District) are headed by women; IOM, Review of Displacement and Return in Iraq, February 2011, p. 17, http://www.iomiraq.net/Documents/Five%20Years%20%20Post%20Samarra%20Displacement%20in%20Iraq,%20Feb%202011%20EN.pdf.

1385 IDP assessments revealed that IDPs tend to move to areas where there is greater religious or ethnic homogeneity, especially if they are fleeing persecution related to their ethnic or religious background, or where those families have pre-existing tribal or family ties. In doing

178 To date the government has reportedly not undertaken concrete steps to reverse the effects of sectarian cleansing: US Department of State, July-December, 2010 International Religious Freedom Report, 13 September 2011, p. 32, http://www.state.gov/documents/organization/171735.pdf. See also “Sunni Arabs in Majority Sh’ite Arab areas and Sh’ite Arabs in Majority Sunni Arab Areas”.

179 The number of persons displaced mainly as a result of sectarian violence as of February 2006 has reportedly reached 1.6 million in Iraq. As a result of a significant reduction in violence since then, the total figure dropped by 23% to 1.25 million by August 2011. The reductions have been uneven across the governorates and a few governorates, in particular in Nineveh, have seen an increase in IDP figures (in Nineva, IDP figures increased by 76% from 106,000 to 178,000). Post-2006 IDPs can be found in all of Iraq’s 18 Governorates, with Baghdad, Nineveh and Dhiyala accounting for almost half of all IDPs (596,131 out of 1,258,934); UNHCR Iraq Operation, Monthly Statistical Update on Return, October 2011, p. 1, http://www.iauiraq.org/documents/1565/Return%20update%20Iraq%202011.pdf.


181 Article 1F(a) of the 1951 Convention.

182 Since 1979, Iraq went through various periods of international armed conflict, notably:

- The Iran-Iraq War (1980-1988);
- The invasion and occupation of Kuwait in 1990 and subsequent Gulf War (1991); and
- The period from the US-led invasion in March 2003 until the handover of sovereignty to the Iraqi Interim Government on 28 June 2004.

183 Traditionally, “war crimes” were considered only in international armed conflicts. Breaches of common Article 3 and Additional Protocol II did not give rise to criminal responsibility at the international level and, as a consequence, such breaches could not be considered “war crimes” until mid-1990s. Only in 1994, with the adoption of the Statute of the International Tribunal on Rwanda (ICTR), were serious violations of Additional Protocol II considered within the jurisdiction of the Court as war crimes. In 1995, the International Criminal Tribunal for the former Yugoslavia (ICTY) decided that violations of international humanitarian law applicable to non-international armed conflicts can be criminal under customary international law. After these developments, it has now become generally accepted that serious violations of international humanitarian law in a non-international armed conflict may give rise to individual criminal responsibility under international law, if the relevant conduct has been criminalized. Thus, it is now recognized that war crimes may also be committed in the context of non- international armed conflicts; see Article 4 of the Statute of the ICTR, http://www.un.org/ictr/statute.html; Prosecutor v. Dusko Tadic aka “Dule” (Decision on the Defence Motion for Interlocutory Appeal on Jurisdiction), IT-94-1, International Criminal Tribunal for the former Yugoslavia (ICTY), 2 October 1995, para 134, http://www.unhchr.org/refworld/docid/47dfbf020.html. Moreover, violations of AP II are explicitly contained as war crimes in Article 4 of the ICTR Statute, http://www.un.org/ictr/statute.html. Therefore, for the purposes of an exclusion analysis, serious violations of international humanitarian law including violations of common Article 3 and AP II and customary international law applicable to internal armed conflicts, which were not criminalized before the mid-1990s, could not give rise to exclusion on the basis of Article 1F(a) as “war crimes”. Conduct in breach of these provisions could, however, come within the scope of Article 1F(b) as serious non-political crimes or Article 1F(a) as crimes against humanity. In the Iraq context, these considerations should be borne in mind when assessing crimes committed during the 1991 Shi’ite and Kurdish Uprisings. Acts committed during later periods of non-international armed conflict in Iraq may give rise to exclusion under Article 1F(a) as “war crimes”, provided they take place in the context of, and were associated with, the armed conflict. This could be the case, in particular, for crimes committed during the Kurdish Civil War (1995-1998) and the armed conflict between the ISF/MNF I and armed insurgent groups following the handover of sovereignty to the Iraqi Interim Government on 28 June 2004, which may be considered as a non-international armed conflict; see Article 1F(b) of the 1951 Convention. In the Iraq context, acts such as assassinations, abductions or torture committed by state security forces, armed opposition groups (pre-2003) or armed or criminal groups or militias (post-2003) are likely to reach the seriousness threshold required to fall under Article 1F(b). Similarly, egregious acts which involve the use of violence and the indiscriminate harm, or threat of harm, against civilians are also likely to constitute non-political crimes within the meaning of Article 1F(b) of the 1951 Convention.

185 In addition, Article 1F(c) of the 1951 Convention refers to “acts contrary to the purposes and principles of the United Nations”. The purposes and principles of the UN are contained in the Preamble and Articles 1 and 2 of the UN Charter. Their broad and general terms give
little guidance as to the types of acts that would deprive a person of the benefits of refugee status under Article 1F(c) of the 1951 Convention. Given the vagueness of its terms, the lack of coherent State practice and the danger of being open to abuse, it is important that Article 1F(c) be interpreted restrictively and with caution, in light of the purposes and object of the Convention. Exclusion from refugee protection based on the criteria of Article 1F(c) should thus be reserved for situations where an act and the consequences thereof meet a very high threshold, that is, where an act is serious or egregious enough as to be capable of being contrary to the purposes and principles of the United Nations. This threshold should be defined in terms of the gravity of the act in question, the manner in which the act is organized, its international impact and long-term objectives, and the implications for international peace and security. Thus, in UNHCHR’s view, crimes which are capable of affecting the maintenance of international peace and security and peaceful relations between States, as well as serious and sustained violations of human rights, would fall within this clause. In the Iraq context, the UN Security Council considered Iraq’s invasion in Kuwait in 1990 as a “breach of international peace and security.” In addition, the violent suppression of the popular uprisings in the aftermath of the Gulf War in 1991, which led to massive displacement to neighbouring countries, in particular Turkey and Iran, was condemned by the UNSC as a threat to international peace and security in the region. It should be noted, however, that references to UNSC resolutions in this context should not suggest an automatic application of Article 1F(c). As previously stated, the application of Article 1F requires an individual examination, on the basis of reliable and credible information, that “there are serious reasons for considering” that the individual concerned has incurred individual responsibility for acts which are contrary to the purposes and principles of the UN falling within the scope of Article 1F(c). Where the specific circumstances are such that a particular criminal conduct cannot be considered as contrary to the purposes and principles of the UN, the application of Article 1F(c) of the 1951 Convention would not be justified. Such offences may, however, come more appropriately within the scope of other sub-categories under Article 1F. In the Iraq context, particular attention should be excercised in relation to claims involving acts committed by applicants who hold a position of State authority during the Iraq’s invasion in Kuwait in 1990 and during the violent suppression of the popular uprisings in the aftermath of the Gulf War in 1991; see UNHCHR, Background Note on the Application of the Exclusion Clauses: Article 1F of the 1951 Convention relating to the Status of Refugees, 4 September 2003, para. 107-111, http://www.unhchr.ch/pdf/Refworld/DocId/3b00f12240.html; UNSC, Resolution 660 (1990), 2 August 1990, http://www.unhchr.ch/refworld/docid/3b00f12240.html; UNSC, Resolution 688 (1991), 5 April 1991, http://www.unhchr.ch/refworld/docid/3b00f12240.html.


For an overview on the Peshmerga and its role throughout the various conflicts, see Michael Garrett Lortz, Willing to Face Death: A History of Kurdish Military Forces – The Peshmerga – From the Ottoman Empire to Present-Day Iraq, Master of Arts Thesis in International Affairs, Florida State University, 14 November 2005, http://etd.lib.fsu.edu/theses/available/etai/11142005-144616; see also the Islamic Movements and various breakaway groups such as Jund Al-Islam/Ansar Al-Islam.


See “Actors of Violence”.

UNHCHR Executive Committee, No. 94 (LIH) - 2002, Conclusion on the civilian and humanitarian character of asylum, 8 October 2002, http://www.unhchr.ch/refworld/docid/3badd7c4.html. For guidance on how to establish the genuineness and permanence of renunciation,

See "Actors of Violence".