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FACT-FINDING MISSION TO IRAQ'S THREE NORTHERN GOVERNORATES

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1. BACKGROUND TO THE MISSION

The Legal Service and Country Information Unit of the Directorate of Immigration (DOI)¹ in Finland was given the task in autumn 2007 to perform a fact-finding mission to the three northern governorates of Iraq before the end of the year. Members from the National Bureau of Investigations (NBI)² and the Finnish Refugee Advice Centre³ were invited to join in the fact-finding mission. The fact-finding team thus represented both the Finnish government and the NGO community. The researchers of the team representing DOI and NBI had performed a fact-finding mission to Turkey in 2004.

The third member of the team, a lawyer from the Finnish Refugee Advice Centre, is an ethnic Kurd originating from the three northern governorates and has command of the Kurdish Badini and Sorani dialects. He has acted in the past as an interpreter for the DOI. His participation in the mission was most valuable, enabling the team to receive accurate information from the interviewed sources, and enabling the team to discuss with hundreds of ordinary people and receive valuable information on the mindset of the public in the KRG region today.

The fact-finding team interviewed some 20 sources in the three northern governorates during six days (25.10.-31.10.2007). The team was not officially welcomed by the KRG administration despite efforts to this purpose by the Finnish authorities. During the mission, however, the team managed to secure important meetings with the Kurdish administration dealing with immigration issues, the KRG:s General Directorate of Displacement and Migration (DDM), and the headquarters and Erbil International Airport office of the Directorate of Nationality and General Passport, under the Interior Ministry of the KDP. The fact-finding team is thankful for the excellent cooperation from the embassies of Finland in Ankara and Damascus, as well as the staff of the IOM Iraq office in Erbil, which went out of its way to help the fact-finding team accomplish its mission.

2. THE SECURITY SITUATION

2.1. The three northern governorates

The fact-finding mission was based in Erbil, from where journeys were made to Dohuk, Sulaymaniyah and the northern part of Nineveh governorates and the surroundings of Erbil. The mission found the security situation to be quite stable in the main cities and roads of the three northern governorates. Members of various armed forces such as the border guards, police, Asayish, gendarmerie, army etc. were seen guarding all government institutions, important streets, public monuments, events etc. Some 6-7 checkpoints were passed on the roads between Erbil and Sulaymaniyah as well the road between Erbil and Dohuk/ Zakho. The checkpoints were manned normally by local gendarmerie forces, also Asayish and other forces. Joint forces make spot checks on checkpoints in order to further enhance security. Guard stations were seen on many hilltops around the cities and along the

¹ From 1.1.2008 Finnish Immigration Service, <http://www.migri.fi>

² <http://www.poliisi.fi/poliisi/krp/home.nsf/pages/indexeng>

³ <http://www.pakolaisneuvonta.fi/?lang=eng>



main roads. The local population was said to provide information for authorities concerning security issues.

The fact-finding mission travelled by taxi. The purpose of the foreigners' journey was usually asked at check points, and passports were checked several times. The conduct of Kurdish forces was determined and friendly. All in all, the main cities and roads felt safe both during day and night times. Apparently street crime is also low in the three northern governorates, and walks after sunset in the busy streets and cafes of the main cities were enjoyable, despite electricity shortages and underdeveloped infrastructure in the streets. The fact finding mission did not travel to the eastern villages of Sulaymaniyah, or near the PKK positions in the north. Life in villages in the countryside in general was not covered during the mission.

Following advice from international organisations and local people such as taxi drivers, the mission avoided the main road from Erbil to Dohuk (passing near Mosul in the Nineveh governorate), and the main road from Erbil to Sulaymaniyah (passing through the suburbs of Kirkuk), and travelled instead through more secure, slower roads farther north.⁴ The main roads were in fairly good condition in general, and several long stretches of the roads had only recently been newly asphalted. Quite a few road projects, for instance the building of new traffic lanes was witnessed by the fact-finding team. The roads were mostly not lit during night time, making driving hazardous.

It is forbidden to take photographs of strategic sites such as the airport, parliament, ministries and other KRG administration structures. Members of the mission were in a firm manner asked to delete photographs taken at the airport and near public buildings by security forces. The mission's taxi was at one time stopped by an armed guard because photographs had been taken from the car near the parliament building.⁵

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

According to staff at the University of Dohuk, the Dohuk governorate has become a safe haven for people in the rest of Iraq. The directors of AGEF assessed the security situation in the three northern governorates to be good. The representative of UNHCR in Sulaymaniyah assessed the situation of Erbil, Sulaymaniyah and Dohuk to be calm. Some members of an Islamist group called *Ashaq al-Firdaus* ("Paradise Lovers", separated from the *Mujahedin Army*) had been detained in Sulaymaniyah in October. The detainees were said to be Mosul-based Arabs, who had reportedly bombed MNF troops in Mosul.

⁴ See notes from two journeys in Appendix.

⁵ The members of the fact-finding team all had digital cameras with them. In hindsight, it would be advisable to synchronize the dates and times in the cameras before the journey, so a collection of photographs from different team members can easily be organised after the journey.



2.2. Kirkuk and the Tameem governorate

The security situation of Kirkuk was bad during the fact-finding mission, and daily news was heard of violent incidents in the city.⁶ For instance UNHCR told the mission about a bombing, which had killed 30-35 people at the Sulaymaniyah station in Kirkuk a couple of days previous to the meeting. In general, according to UNHCR, the situation of Kirkuk had improved in the past few months. Following advice from various informants, the fact-finding mission avoided traveling from Erbil to Sulaymaniyah by the main road passing through the suburbs of Kirkuk, and used a mountainous road through Koy Sanjak and Dukan in the north instead. Two of the international organisations met did not travel to Kirkuk for security reasons or works in Kirkuk through intermediate persons.

Some informants thought that the resolving of the Kirkuk issue would take a long time. Ownership issues remain a large problem, as lost property such as houses have been sold several times over, and may have many claims of ownership by different people. The future referendum also creates tensions.

According to UNAMI, Arabs and Turkmen have complained of Kurds' behaviour towards minorities. There is an active ongoing process to reverse the arabization process. This has led to a substantial amount of violence, and many have had to flee Kirkuk.

The Kurdish officials interviewed by the fact-finding team were optimistic about the situation in Kirkuk. According to directors of the DDM, Kirkuk was substantially arabized during Saddam's rule, and people are now willing to return to their ancestral lands. The officials maintained that people in Kirkuk are waiting for the upcoming referendum and do not migrate to the three northern governorates.

2.3. Mosul and the Nineveh governorate

The security situation in Mosul seemed quite bad during the fact-finding mission. News of violence and killings in the city were heard in news on a daily basis.⁷ The fact-finding mission actually spoke to a person, whose former army mate had been killed while visiting Mosul only a few days earlier. Also some other informants told of killings in Mosul in the recent past of people they had known. Following advice from various informants, the fact-finding mission avoided traveling from Erbil to Dohuk through the main road passing Mosul city, and travelled through a road farther north instead. The road passed through traditional Christian and Yazidi areas in the north of the Nineveh governorate (Akre, Shekhan and al-Shikhan districts) and the area seemed to be in control of the KRG forces.⁸

⁶ For a list of security incidents at the time of the fact-finding mission, see "Annex V – List of incidents in Kirkuk and Ninewa governorates" at UN High Commissioner for Refugees, *Addendum to UNHCR's Eligibility Guidelines for Assessing the International Protection Needs of Iraqi Asylum-Seekers*, December 2007. Online. UNHCR Refworld, available at: <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?docid=4766a69d2> (accessed 11 February 2008), pp. 68-76.

⁷ Ibid.

⁸ Parts of northern Nineveh are actually administered by the KRG. In October 2007, the Swedish NGO Qandil mentioned the following in a report received by the fact-finding mission; "After the end of the Second Gulf War (1991), and subsequently to the Kurdish uprising, a no-flying zone was declared creating a de facto military line of demarcation between Kurdish and Iraqi positions, which would then be called the



Many Christians have returned to their original villages in the Kurdish areas in the Nineveh governorate. However, many Christians have also fled from the Nineveh governorate due to the bad security situation. The returnees to the Nineveh governorate have found that their former houses still exist, but services are lacking. An international organisation occasionally refrained traveling to Mosul due to violence. Another international organisation works through intermediate persons in Mosul.



Roads from Erbil to Duhok. The northern road, indicated by the sign in the middle was told by informants to be safer than the faster Mosul road, indicated by the sign on the left.

2.4. Terrorism

During the fact-finding mission, no terror attacks were reported in the three northern governorates. The last terror attack had been reported in May 2007 against a police station in Erbil. Some informants mentioned that the youth in Kurdistan is at a critical stage, due to economic hardships, unemployment and the lack of meaningful activities. Due to these circumstances, some join mosques and become extremists. Youth care is needed, and informants suggested that the West help to set up activities such as youth centers. According to the informants the terrorists are very cunning. For instance some youth had first been invited to football games and later into praying sessions, and had thus been indoctrinated into the extremists' cause. Terrorists have also recruited professional drivers to take part in their activities. Because of this joint patrols of several forces make spot checks on checkpoints to inspect local drivers, whom the local gendarmerie at the checkpoints know and normally let pass by without delay.

2.5. The PKK conflict

Green Line. This line did not follow the previous administrative division between Governorates. The result was that some areas (like Fayda) were joined to (...) Ninewa Governorate, and some others, formerly belonging to Ninewa with Kurdish population, were joined to the Kurdish governorates (...) With the (...) dismantling of Saddam Hussein's Baathist Regime, some border areas formally belonging to Central Governorates, but with predominantly Kurdish population, were in part occupied by the Kurdish army, the Peshmerga (...) The Kurdish Regional Government (KRG) is currently administering, financing, controlling militarily this territory that in geographic old maps, and formally belongs to Mosul (...) The Green Line is still an important and legally recognized boundary by UN agencies, IOM, SIDA and other Humanitarian actors." Qandil, October 2007. *Fayda Survey*, p. 2.

<http://www.qandil.org/publikationer/FaydaSurveyOctober2007.pdf> (accessed 17 February 2008)



During the fact-finding mission the PKK conflict deteriorated to a degree, that a Turkish military operation to the KRG region seemed imminent, and flights between Turkey and Erbil were cancelled.⁹ For instance the flight of two members of the fact-finding mission from Erbil to Istanbul was cancelled, forcing the members to leave Iraq by the Ibrahim Khalil border crossing in Dohuk governorate to Turkey and carry on with the journey from there. The border crossing itself seemed peaceful and nothing out of the ordinary seemed to suggest of a heightened political crisis. Some informants maintained that the border crossing was more quiet than usual due to the political situation, as people did not dare to cross the border.

The mission interviewed many people and organisations on their insights to the conflict. Some interviewed were of the view that the positions of the PKK were in such difficult terrain, that Turkish forces would not be able to launch an invasion against the PKK without suffering serious losses. Some also thought that Turkey was rather after political gains than an actual large-scale military operation. It was also generally not thought that Turkish forces would enter into battle with KRG forces, which were reported to have been amassed to the mountains near the border in order to confront a possible Turkish invasion.¹⁰

The Christians were worried about the PKK conflict, which also touches areas near the border where Christian people are settled, and where shelling has occurred. Some informants pointed out, that the Turkish army has already for years had several outposts inside the KRG region (at least in Bamarne and Zakho districts of Dohuk governorate), and that the PKK areas of influence are situated between the Turkish border and the outposts of the Turkish army in the KRG area. According to ICRC Erbil, there had not been significant outmigration from the villages near the Turkish border by the end of October 2007.

3. THE HUMAN RIGHTS SITUATION

According to UNAMI, the security situation in Iraq had improved in the past six months preceding the fact-finding mission, and in the 1-2 months before the journey in particular. There had been an overall decrease in human rights violations. There were still serious concerns, and a number of violations. The situation of women and minorities had basically not improved. Arrests of opposition figures continued, and journalists were arrested in Sulaymaniyah and Erbil. According to several informants, ruling parties control the three northern governorates, and opposition is non-existent. Hardliners dominate PUK today, and they have good relations with the KDP.

⁹ On the situation at the time, see for instance The Kurdish Globe, No. 131, 23.10.2007, p. 2 and IHT 2.11.2007. *Turkey seeks to quell fears on attack.*

¹⁰ IOM commented on the situation in the area after the fact-finding mission. *“Cross-border shelling by the Turkish and Iranian militaries has caused some small-scale displacement from border villages. There is fear among both IDPs and host community of a large-scale Turkish military incursion, which could displace thousands of families, although the situation is relatively stable at the moment.”* IOM, December 2007. Dahuk, Erbil & Sulaymaniyah Governorate Profiles. http://www.iom-iraq.net/Library/idp_gov_profiles/Governorate%20Profiles_Dahuk_Erbil_Sulaymaniyah.pdf (accessed 17 February 2008). Turkey carried out a substantial land offensive against the PKK in Northern Iraq in the turn of February and March 2008.



3.1. The judiciary

There is a unified justice ministry in the KRG region. The staff of the justice ministry, however, is loyal to the main political parties, and there is a power struggle going on within the ministry. Because of this many trials are politicised. There is an amount of pressure towards lawyers, according to NPA.

3.2. Detainees

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

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

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

3.3. Torture and prison conditions

According to UNAMI, prison conditions do not meet international standards, but a lot of work has been done to improve the conditions. ICRC carries out prison visits in the three northern governorates and has good contact with the Asayish. ICRC's reports from the prison visits are not public.¹¹ According to some informants, also secret prisons exist in the three northern governorates. These prisons are main-

¹¹ According to a newsletter received by the fact-finding mission: "In 2006, the ICRC carried out (...) over 80 visits to 18 places of detention under the authority of the Kurdistan Regional government." Facts & Figures. ICRC in Iraq 2006, p. 2. In 2007, "Detainees were visited in the three northern provinces in detention centers under the authority of the Kurdish regional authorities. Such visits have been taking place since 1992. Between January and March 2007, 1,300 detainees were visited, 613 monitored individually. There were 6 visits to 6 places of detention." Source: ICRC Operational Update 10.4.2007. Iraq: ICRC activities January to March 2007. <http://www.icrc.org/Web/Eng/siteeng0.nsf/html/iraq-update-310307> (accessed 17 February 2008); Between April and July 2007, "Delegates also carried out 18 visits to nine detention centers under the authority of the Kurdish regional government." See ICRC Operational Update 4.10.2007. Iraq: ICRC activities April to July 2007. <http://www.icrc.org/Web/Eng/siteeng0.nsf/html/iraq-update-300607> (accessed 17 February 2008)



tained by Asayish and the intelligence agencies of the KDP and PUK parties, the Parastin and Dazgay Zaniary. According to Human Rights Watch reporting, there may be some 2000 people in such prisons.¹²

Torture exists in the KRG region, according to UNAMI, UNHCR and NPA. Torture was widespread in 2003-2006, as shown for instance by Human Rights Watch in its reporting,¹³ and occurs for instance in secret prisons. UNAMI has visited the notorious Akre prison and mentioned that there are plans to close the prison. The prison should have been closed already a year ago.

3.4. Honour related violence (HRV)

The situation of women in many rural areas in the KRG region is bad, according to UNAMI. The situation of honour related violence is very alarming. Many honour killings and other honour related violence occurs. Self-immolation is a daily occurrence. Women are burned in bathrooms, and are shot at home and at remote places, after which they secretly buried. The killings are often disguised as accidents, “kerosene explosions”, or suicides. According to NPA, the numbers of women’s suicides has doubled between 2002 and 2007.¹⁴

According to UNAMI, women surviving such violence are often badly scarred, and are unable to continue normal life. The majority of the victims are between 14-55 years of age. Some of the victims are very young. According to NPA, the burning of the victims is common in the Kurdish region. According to UNAMI not much is being done about honour violence. UNAMI works with law enforcement officials, urging authorities to talk to people, tribes and religious organisations about the situation.

According to UNAMI and NPA, an important factor in the increase of honour related violence is the increasing use of mobile phones, as SMS-messages and the saved phone numbers of men reveal “illicit relationships”. Honour related violence occurs mainly in villages and sub-districts, but also in larger cities, according to NPA particularly in Sulaymaniyah. According to Qandil, honour killing continuously occurs also in more conservative Erbil.

The main problem behind honour related violence, according to studies made by the government, is the traditional mindset of ordinary men and male law enforcement authorities. Thus many perpetrators of honour related violence escape without punishment, and the few convictions are usually mild, amounting to a few months of prison time. UNAMI is trying to send a signal to the community that honour killing is murder.

¹² See Human Rights Watch, July 2007. *Caught in the Whirlwind, Torture and Denial of Due Process by the Kurdistan Security Forces*, <http://hrw.org/reports/2007/kurdistan0707/> (accessed 17 February 2008)

¹³ Ibid.

¹⁴ IRIN reported on honour killings after the fact-finding journey; “At least 27 Iraqi Kurdish women have been murdered for having illicit affairs in so-called ‘honour killings’ in Iraq’s northern semi-autonomous region of Kurdistan over the past four months, an official of the regional government said on 4 December. ‘Ten murdered women were from Arbil, 11 from Dahouk and six from Sulaymaniyah (...) while 97 women – 60 in Arbil, 21 in Dahouk and 16 in Sulaymaniyah – had tried to commit suicide by self-immolation during the four months’, said Youssif Mohamed Aziz, the regional minister of human rights (...) Since the beginning of this year, the regional government has formed a committee ... to address all forms of violence against women and especially the ‘honour killings’, Aziz said.” See IRIN 10.12.2007. *Iraq: “Honour killings” persist in Kurdish north.*



According to UNHCR, many honour killings have been reported in the three northern governorates. A large amount of suicides of women had been reported in Sulaymaniyah recently. Domestic violence is prevalent. According to UNHCR, the unification of ministries in Erbil has left a huge gap in the economy of Sulaymaniyah. Economic hardships of people partly explain the increase in honour violence in the city. NPA commented that the Kurdish society has a very patriarchal nature, and attitudes are slow to change.

At the same time, awareness of the situation has increased. According to NPA, women today seek help against domestic violence more readily than before. However, available shelters are full, and women cannot often return from the shelters to their families. Some women have been killed after they have returned to their families. The society allows little space for single women. According to NPA, forced marriage is still common in the three northern governorates.

3.5. Prostitution

According to NPA, there is a large increase in prostitution in the three northern governorates due to internal displacement from outside the governorates. The KRG apparently has no statistics on prostitution. Prostitution is linked to human trafficking, as well as drug smuggling and the spread of HIV/ AIDS.¹⁵ The fact-finding mission was shown a copy of the book *Ocean of crime – Scientific research about prostitution and trafficking in Kurdistan*, published by the Khanzad Cultural and Social Organisation. Unfortunately, the Kurdish-language book was out of print, and the fact-finding mission was not able to receive a copy of the book at this time.¹⁶

3.6. Human trafficking of third country nationals

The fact-finding mission witnessed many African and Asian male and female persons working for instance in hotels as room cleaners and at the Erbil International Airport as porters. The IOM has worked with more than 100 such cases, originating from Sudan, Nepal, India, the Philippines and other countries. The persons have contacted IOM usually after 1-3 months of stay in the three northern governorates. Apparently many third country nationals have been promised work for instance in Dubai but have been brought to the KRG region instead, often by group visas. Many have been lured to the KRG region by promises that they would be working in a wealthy region, or that they would be employed by US forces.

According to IOM, the workers have had problems both with the company that brought them to the region as well as with their employers in the region, having encountered low salaries (for instance 150 000 dinars (=80 €) per month) and insufficient nutrition. The persons have often been employed for about one year before being flown back to the country of origin. According to UNAMI, passports are taken away from the persons while they stay in the three northern governorates. Accord-

¹⁵ NPA was not aware of HIV cases, but assumed there to be many cases in the three northern governorates. Qandil representatives had not heard of HIV cases in the three northern governorates, but had heard of a case in Kirkuk.

¹⁶ The book received recognition from the KRG administration after the fact-finding mission in an official awareness-raising event by the KRG administration; *"The Kurdistan Regional Government (KRG) yesterday marked the International Day for Elimination of Violence Against Women with a ceremony at the Erbil Convention Center which honoured the work of Ms Khandan M. Jaza, author of "An Ocean of Crime" and head of the Khanzad Cultural and Social Organisation."* KRG Press releases 26.11.2007. <http://www.krg.org>



ing to Qandil, third country nationals such as Pakistanis work in the three northern governorates in slave-like conditions. Qandil estimated this to be quite a new phenomenon, dating to less than a year ago.

UNAMI sees these people as victims of human trafficking and sees that the KRG region has a trafficking problem. Many such workers have contacted international organisations such as for instance UNAMI or the IOM. There is no monitoring of human trafficking by authorities in the region.

IOM tries to help repatriate such persons, helping them with visas and flight tickets. IOM thought that the number of such third country nationals in the KRG region might be less than one thousand. UNAMI has contacted companies that have brought in third country nationals concerning the problem. The academics at the University of Dohuk commented, that the fact that there is unemployment while there are third country nationals working as cleaners is a global phenomenon.

According to NPA, the phenomenon is fairly new, and has actualised in the past 1-2 years, due to the development of air travel to the KRG region. NPA mentioned Philippino ladies being brought in from Dubai, and Ethiopian persons working in hotels. The passports of the persons are taken away from the labourers during their stay in the three northern governorates. NPA thought that the phenomenon is on the increase.

3.7. The death sentence

The KRG government removed the moratorium for death sentence in 2006. UNAMI was not aware of the amount of people that have been executed, but maintained that there were many people in the death row.

3.8. Homosexuality

According to UNHCR, gays and lesbians are rejected by the community in the three northern governorates. People may be charged for homosexuality and some are detained for some period of time. UNAMI referred to its human rights report in the end of 2006, having a passage on the situation of gays and lesbians.¹⁷

3.9. Freedom of the media

There are some 600 licensed media outlets in the KRG region, according to UNAMI. The media is thus quite large, although part of the media is party controlled, for instance through *PUKmedia*. There are many articles criticising the government, but usually individual politicians are not mentioned by name. A degree of self-censorship exists among the media. Media outlets are often sued in court due to critical articles, but the cases are usually settled out of court. There are occasional more serious court cases, which are mentioned in UNAMI reports.

According to UNHCR, some degree of freedom of expression exists in the three northern governorates. The journals *Awene* and *Hawlati* have been able to criticise the administration. Some reporters have been detained. Basically all TV channels

¹⁷ UNAMI HRO. *Human Rights Report 1 November – 31 December 2006*, pp. 26-7. <http://www.uniraq.org/FileLib/misc/HR%20Report%20Nov%20Dec%202006%20EN.pdf> (accessed 17 February 2008)



and newspapers belong to a political party. According to NPA, the two or three critical newspapers that exist in the three northern governorates have lately been able to write articles on corruption, without having been charged.

The fact-finding mission visited the weekly *Awene* newspaper in Sulaymaniyah.¹⁸ The newspaper is delivered in central districts of the Kurdish region. According to a senior staff member, some kind of freedom of expression exists in the three northern governorates. However, journalists have legal difficulties, and have been sued by the governorate administrations and political parties. *Awene* was dealing with one or two court cases at the time of the visit. According to *Awene*, there are no independent TV channels in the three northern governorates.

Awene has also received appreciation from authorities. *Awene* receives some financial support from NGOs in Europe such as IKV Nederland, as well as the PUK party. Some technical and consultant support is also received from NGOs. According to *Awene*, there have been no big changes in the situation of journalists during 2007. There is a plan for a conference for Iraqi journalists in May 2008, concerning new media legislation to be discussed both in the parliaments of Iraq and the KRG. Financial issues and the maintaining of current functions were mentioned as the most pressing challenges for the *Awene* newspaper in 2008.

3.10. Opposition parties and the civil society

According to UNAMI, opposition parties are not acknowledged, and underground political movements exist in the three northern governorates. Arrests of members of the opposition have been continuing in the KRG region. According to NPA, main political parties dominate the political scene, and more actors are needed to actually make the views of the opposition heard.

The civil society in the three northern governorates is active. The fact-finding mission was invited to an event at Erbil's Minaret park, where 25 civil society organisations, such as The Iraqi Kurdistan NGO Network (IKNN), Asuda, the Public Aid Organization (PAO), the Chaldean Culture Society and others were represented. The event gathered thousands of mostly young spectators, who enjoyed music, dancing and refreshments and were informed of the activities of the civil society organisations at their tents and stalls. The entrance to the large fenced park was guarded, and people entering the park were searched by law enforcement officials, apparently to prevent possible terrorist attacks. Some soldiers were guarding the fence surrounding the park.

3.11. Religious conversion

According to Qandil, KRG upholds religious freedom. According to UNHCR, it is generally free to exercise religion in the three northern governorates. According to UNAMI and UNHCR, religious conversion is not a crime in the constitution or the civil law. UNHCR mentioned that conversions are not welcome by local people, but was not aware of court cases in Sulaymaniyah. Isolation by the family and community are possible, as well as individual propagation.

¹⁸ *Awene*'s circulation is about 12000, which, according to the paper, is second largest after *Hawlati*. The newspaper is distributed in the central districts of Erbil, Sulaymaniyah, and Dohuk governorates, as well as in Kirkuk.



3.12. Land mines

There is a large land mine problem in the three northern governorates particularly at the borders facing Iran and Turkey. According to NPA, there are no proper maps of the minefields, and the mines move due to floods etc. Some of the mines have been planted in order to prevent cross-border movement of smugglers.¹⁹

4. THE HUMANITARIAN SITUATION

4.1. Health care

The fact-finding mission interviewed staff from the ICRC and the Swedish NGO Qandil, as well as UNHCR, concerning health care issues. The ICRC has offices in Erbil, Sulaymaniyah and Dohuk. The work of the ICRC has been difficult outside of the three northern governorates, where the organisation has only local staff and the security situation is unstable.

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

According to Qandil, there is a need for an upgrade in all levels of medical systems, and the gap between the local level and an “acceptable” level in medical systems is still quite wide. The ongoing cholera epidemic is a landmark of the underdevelopment of health care in Iraq/ the three northern governorates. The epidemic, due to contamination of ground water, is also an indication of the problems in infrastructure, reminiscent of the situation in Bangladesh. According to UNHCR, the cholera epidemic started due to the biological contamination of Dukan lake and the Sarchinar reservoir. Many wells remained contaminated. According to UNHCR the cholera epidemic has spread to Iran. The WHO and the ministry of health of the KRG have done good work in order to control the epidemic, despite of the lack of resources.

According to Qandil, vaccinations have fairly good coverage in the three northern governorates, covering about 70 % of the population. There are no proper statistics available on health care in the three northern governorates. There are for instance no statistics on infant mortality rates, and births are often not registered. This is typical in villages, where birth is often given at home.

¹⁹ After the fact-finding mission NPA published the following document: Norwegian People's Aid 29.11.2007. *NPA Humanitarian Mine Action 2007-8*. See page 11 for Iraq. http://www.npaid.org/filestore/5_3portfolio_A4_11-07.pdf?bcsi_scan_5DD160CFA3910D4B=0&bcsi_scan_filename=5_3portfolio_A4_11-07.pdf (accessed 17 February 2008)



4.1.1. Availability of drugs

Health care in the three northern governorates was unified under one ministry in May 2006. The KRG Ministry of Health²⁰ suffers from capacity problems. The ministry has the right to obtain drugs from abroad, and performs quality control. According to the ICRC, the three northern governorates suffer from a shortage of drugs. Drugs are normally sent to the three northern governorates from the Health Ministry in Baghdad. The bad security situation, however, has hampered drug shipments, as drugs are moved in trucks, and the ministry has not dared to send trucks full of medication along main roads to the three northern governorates. To make up for the drug shortage, medication is shipped in from countries such as Iran and China. Many drugs, originating for instance in India and China, are also smuggled across the border to Iraq. The local media has reported about quality problems of drugs from abroad. According to NPA, there is much fake medicine in the market.

According to Qandil, there is a chronic need of medicine. The distribution of medicines in Iraq is chaotic, and drugs are not being shipped out of Baghdad. There is a privately imported supply of drugs from Turkey and Iran, but no quality control exists in the local market. Prices, however, are cheap, some ten times lower than in Europe.

According to UNHCR, there is a lack of medicines in the three northern governorates. Internally displaced persons are an increasing burden for the host community. Although the population in the three northern governorates has increased due to the refugee wave, the amount of available drugs has remained constant. Most drugs can be found in private pharmacies. Patients usually need to buy their own medicines. About 60 % of drugs arrives from Iran.

4.1.2. Primary health care

According to the ICRC, primary health care is free. Queues for operations, however, are long, and one may have to wait for months for an operation. The three northern governorates have received more doctors from Mosul and elsewhere in Iraq, where violence has forced health care staff to flee. The increase in health care staff in the three northern governorates has occurred particularly after the Samarra bombing in February 2006. According to Qandil, primary health care is in general on a decent level, although health care practices are reminiscent to the practices in the West tens of years ago. Test results in primary health care operations cannot always be relied upon, and the sterilization of instruments can be a problem. According to UNHCR, a normal examination costs around 2500 dinars. In case of injuries, internally displaced people may need to show a letter from the security authorities in order to receive treatment.

4.1.3. Specialised health care

According to the ICRC specialised health care is a problem in the three northern governorates. It is not easy to enter a hospital, and local health care has no capacity for specialised treatment. Cancer patients were formerly treated at the Mosul hospital, but this stopped after the Samarra bombing in 2006. Nowadays patients travel to Jordania or Iran for specialised treatment such as cancer treatment and

²⁰ <http://www.moh-krq.org/>



larger operations.²¹ The problem of treatment abroad is the cost. For instance treatment of cancer and living costs in Amman during the treatment may accumulate to 4000-5000 USD. Traveling abroad may in itself present a problem, as neighbouring countries may not allow the person to cross the border, and getting a passport may take time.

According to UNHCR, specialised treatment is very rare in the three northern governorates. For instance, treatment for leukaemia does not exist. UNHCR has resettled people needing specialised treatment. For coronary diseases, treatment is free, but there is a lack of medicines for ongoing monthly consumption.

4.1.4. Psychiatric treatment

According to Qandil, no psychological treatment exists in the three northern governorates. The Swedish NGO Diakonia withdrew a couple of years ago. According to UNHCR, psychiatric treatment does not exist in Sulaymaniyah, and there are many mentally ill people in the streets. According to IOM, there are no government programmes available for the treatment of PTSD. According to Qandil and UNHCR, there is no treatment available for PTSD in the three northern governorates. The fact-finding mission saw a couple of street signs for psychiatrists apparently working for the private sector in the main cities of the three northern governorates. According to UNHCR, NGOs are too busy with helping internally displaced persons with basic necessities such as water and sanitation to concentrate on mental care issues.²²

4.1.5. Other problems in healthcare

According to the ICRC, hospital infections present a large problem in the hospitals and health care centers of Iraq. Some 80 % per cent of patients receive a hospital infection during treatment outside of the three northern governorates. In the KRG region, only a few per cent are infected. There is a shortage of health care personnel outside of the three northern governorates. Doctors have been killed in Mosul. In the KRG region personnel exists, but primary health care centers suffer from budgetary shortages. The workload of the ICRC is increasing, for instance due to the cholera epidemic in Sulaymaniyah and Kirkuk. According to IOM, hospitals are overcrowded, especially after the large bomb attack against the Yazidi in the Sinjar district of the Nineveh governorate.

4.2. The job market

According to Christians and IOM, there is no proper work for educated persons. According to two recent university graduates the mission spoke to in Erbil, young graduates have no future in the three northern governorates. A person who had graduated in geology mentioned that he had some fifteen graduate colleagues who were out of work many months after graduation.

²¹ The KRG announced after the fact-finding journey the opening of the largest heart surgery hospital in Iraq, the Erbil Cardiac Center. See KRG Press Releases 5.12.2007. *Iraq's largest and best equipped cardiac care hospital opens in Erbil.* <http://www.krg.org/>

²² The UK's Royal College of Psychiatrists signed an MoU to with the KRG Higher Education Ministry after the fact-finding journey. See KRG Press Releases 13.12.2007. *Royal College of Psychiatrists sign MOU to support Kurdistan's mental health services.* <http://www.krg.org/>



According to academics at the University of Dohuk, work is available in Kurdistan if you graduate as a civil engineer or a doctor. IOM confirmed that doctors for instance from Baghdad have been able to find work in the KRG region. According to the academics, the educational sector is also in need of new people. People graduating from other subjects have trouble finding work. IOM mentioned that highly educated IDP graduates may end up in menial jobs such as selling cigarettes on the streets. According to the Yazidis, the KRG has been able to create some work but not enough. Unemployment is a big problem for Yazidis particularly outside the KRG-administered region. Some young unemployed Yazidi men tried to offer the fact-finding team their services in Dohuk city.

A major problem mentioned by some informants is that out of the population of 4 million in the three northern governorates, about one third works as civil servants. These people apparently earn some 70 % of salaries in the region. According to an informant, 20-30 % actually do the work. According to a calculation by an informant, some fifty thousand civil servants would suffice for the region. The fact-finding team heard that many jobs are distributed to people having party connections, even if they have no proper education. According to some informants, the KRG administration is not hiring people to other positions than health care and education in the next five years.²³

According to academics at the Dohuk University a trend for privatization, together with plans to cut down the amount of civil servants, exists. The private sector should get more support so as to be able to hire people. Unfortunately, people are afraid to invest in Dohuk at the moment. According to the British consulate, British companies have been slow to invest in the region, except in oil, as expectations for returns have been low. The KRG is trying to attract more investments. At the third International Trade Fair in Erbil, visited by the fact-finding mission, 300 companies from 22 countries were present.²⁴

Some jobs may be created by an expanding international representation in the KRG region. Russia and Iran have fully accredited consulates in Erbil. Diplomatic representations are also maintained by the Czech Republic, France, Germany, Iran, the Netherlands, the Republic of Korea, the UK and the US.²⁵

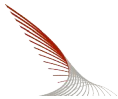
4.3. The lack of accommodation

The UNHCR representative in Sulaymaniyah described the housing situation in the three northern governorates as a major crisis. According to Christians, there is a serious shortage of accommodation, and families live in shared apartments. The Christians mentioned an apartment shared by seven families in Ankawa city in Erbil governorate. According to academics of the University of Dohuk, finding accommodation in Dohuk is a problem, as no free flats are available. According to AGEF, the lack of apartments and their high prices currently present the largest problem for re-

²³ After the fact-finding mission it was reported that the number of ministries of the KRG is expected to decrease from 42 to 20; According to the article, *"Decreasing the ministries will lead to displacement of many employees working for the government."* The Kurdish Globe, No. 145, 6.2.2008. *KRG to decrease ministries.*

²⁴ See KRG Press Releases 29.10.2007. *PM welcomes 300 companies to Kurdistan's largest international trade fair.* <http://www.krg.org/>

²⁵ The Russian Consulate General opened in Erbil after the fact-finding mission. See KRG Press Releases 28.11.2007. *Russian Consulate General opens in Erbil.* <http://www.krg.org/>; See also Le Figaro, 3.2.2008. *La France s'installe chez les Kurdes d'Irak.*



turnees. The DDM sees IDPs having major problems, such as the lack of flats. According to UNHCR internally displaced persons are not allowed to buy flats. UNHCR mentioned, that a normal monthly rent before the Samarra bombing in February 2006 was around 200 USD per flat. Today a normal rent is about 500-600 USD.

While there is a shortage of accommodation, the fact-finding mission witnessed a construction boom of modern housing and supermarkets in major cities, particularly at the outskirts of Erbil, where luxury villages were being built. Construction seems to benefit particularly those well-off.²⁶ Construction of the villages was a major theme at the third Erbil International Trade Fair.



Erbil: modern suburbs and neglected downtown.



Dohuk: supermarket for the wealthy and bazaar for ordinary folks.

²⁶ Associated Press describes the construction boom and the investing climate in general; “*Sigma International Construction (...) is building more than 350 luxury homes in the outskirts of Erbil. Right now, the ‘American Village’ development is little more than levelled earth and shells of half-completed houses, designed with walk-in closets, back doors of sliding glass and fully equipped kitchens (...) 80 homes have been sold in advance, and several ministers from the regional cabinet were clients (...) The same optimism is visible at construction sites across the city (...) The two main cities, Erbil and Sulaymaniyah, have new airports and are building new malls and schools (...) Development occurs because security is relatively good, but the economy is weak, dependent on imports, and prone to political uncertainty, institutional pitfalls and a lack of transparency (...) Kurdistan passed an investment law last year that allows investors to get free land, as well as import materials and repatriate profits without paying tax. But the banking system is so basic that it is difficult to wire money out of the country, and insurance is virtually nonexistent, most car owners, for example, drive without it. (...) Kurdistan (...) lacks a strong industrial and agricultural base and is heavily dependent on imports of products such as milk and grain, a legacy in part of the U.N. oil-for-food programme during Saddam’s rule that delivered foreign products to Iraq.*” AP 25.9.2007. Kurdistan tries to rebuild economy.



4.4. Electricity and water shortages

According to organisations and ordinary people interviewed, there is a shortage of electricity and drinking water in the three northern governorates. Because of this, many people and businesses have their own generators. Complaints were also heard of overuse of electricity by the KRG administration. The fact-finding mission experienced several power cuts during the journey and learned, that in larger cities power is purposefully cut in one sector of town at a time to save energy. According to an international organisation, the shortage of electricity is particularly problematic for health care facilities, and has caused deaths in hospitals. Internally displaced persons in several tent camps suffer from shortages of clean water, for instance, according to IOM, some Yazidi live in tent camps with no access to water. A water shortage was witnessed by the fact-finding mission in the Girdasen refugee camp (see section 5.5.).²⁷

4.5. Street children and child labour

According to academics at the University of Dohuk, some street children exist in Kurdistan. According to Qandil, street children working for instance as vendors exist particularly in Sulaymaniyah. Qandil had witnessed some secondary malnourishment of children, and mentioned that the situation is not alarming at the moment, but may worsen in the future. According to NPA, child labour exists, and many children work in the streets as smugglers and beggars for instance in Sulaymaniyah. The beggar problem has surfaced in 2007, due to the arrival of internally displaced persons to the three northern governorates.

4.6. Rising living costs

According to Christians, living costs in the three northern governorates are very high. According to academics at the University of Dohuk, living in the three northern governorates is very expensive, while salaries are low. Prices have gone up due to the flow of internal displacement to the region. Academics who have fled from Iraq have sent emails enquiring about teaching possibilities at the University of Dohuk, but the university cannot offer competitive salaries for returnees from the West. According to IOM prices keep increasing while salaries are too low. UNHCR mentioned, that a normal rent before the Samarra bombing in February 2006 was around 200 USD per flat. Today a normal rent is about 500-600 USD. The monthly pay for a university teacher is about 1000-1300 USD.

The price of kerosene affects people's mobility and is an important factor in assessing people's livelihood in the KRG region. According to academics at the University of Dohuk, the price of benzine has gone up. According to a taxi driver, people were allowed to buy 40 liters of kerosene per two days from the government. This was not enough for many drivers' consumption, and the rest of the needed kerosene was bought from the black market for a high price.

The fact-finding mission saw many kerosene vendors in the circular roads of Erbil, and in the road between Erbil center and Ankawa. Vendors were seen also on main roads approaching other larger cities and in the high streets of villages along the main roads. The quality of the cheaper kerosene was said to be bad, and damaging

²⁷ On power cuts in the KRG region, see for instance IWPR's Iraqi Crisis Report, No. 235, October 25, 2007. *Kurds struggle to generate own supplies*. <http://www.iwpr.net/>



to the cars. Also high quality kerosene was on sale at the black market. According to Christians, one barrel of oil costs some 100 USD, while a fresh university graduate earns 150-200 USD per month.

According to UNHCR, the unification of ministries and the concentration of the KRG administration in the city of Erbil has left a huge gap in the economy in Sulaymaniyah. A maximum monthly wage of a public sector employee is about 400 USD. This is not enough to rent a normal house. UNHCR mentioned that there has been a hike in prices, for example a barrel of kerosene cost 150 USD a few weeks previous to the interview.

There are also some wealthy people (mainly the party and business elite) in the three northern governorates. These people can afford prices at the new shopping malls being erected in cities. The fact-finding mission visited a very well equipped superstore in Dohuk city. The store was said to be the largest one in the three northern governorates. Apparently anyone was allowed to enter the superstore, but bags were taken for safekeeping for security reasons during the visit to the store.

4.7. Educational opportunities

4.7.1. Primary and secondary education

According to academics at the University of Dohuk, all children receive primary and secondary education in Kurdistan. There are plans to move from the old educational system (6-year primary level + 3-year secondary intermediate level + 3-year secondary intermediate-preparatory level) to a new system (9-year primary education level + 3-year secondary education level). According to IOM, the education of IDP children is a major problem, as only one school exists for Arabic-speaking children. According to Christians, one school exists, where primary and secondary classes are taught in the Chaldean language. According to UNHCR, there are three schools where Arabic is taught in Sulaymaniyah. Due to large numbers of local and internally displaced children, many primary schools work in five two-hour shifts in Sulaymaniyah. According to UNHCR, most IDP children have problems with documentation, and cannot register to school.

4.7.2. University education

The fact-finding mission visited the University of Dohuk (UoD).²⁸ The university had two colleges, when it was founded in October 1992. Today 11 colleges exist, with some 55 departments. Like other universities in Iraqi Kurdistan, the University of Dohuk has a general coverage of subjects, with some variation occurring on a departmental basis. The campus is small but growing, in October 2007 four colleges were situated in the university's new campus in the center of Dohuk city. There is a 75 % quota for local students. This, according to the academics is for practical reasons, such as the lack for flats. The university itself does not have student hostels.

The university is in the process of modernization, but money is needed in order to modernize the decades' old education system. There is also a need to accommodate studies more towards the needs of the private sector, particularly in the fields

²⁸ <http://www.dohukuni.net/index.php?p=front/home> (accessed 17 February 2008)



of health and engineering. This was said to be a main task for the university in the near future.

The university is in need of economic and capacity building support. The students in Iraq are at a disadvantage to students in Europe due to high costs in postgraduate studies. To alleviate the problem, the University of Dohuk is developing international relations with Western European universities. The university takes pride in being the first university in Iraq to take part in the Erasmus Mundus program, and in getting 31 scholarships to 10 leading universities in the EU.²⁹ The University also has collaboration with academics in Iraq's near region, for instance Syria, Turkey and Iran.³⁰ PHD students are exchanged between Dohuk and Sulaymaniyah universities.

The University of Dohuk is trying to cope with problems created by the conflict in Iraq, such as internal displacement. The university has provided jobs for about 100 professors from Baghdad. In the past year, the university received teaching staff mainly from Baghdad, Mosul, also Basra. Many students from outside the three northern governorates have transferred to universities in Iraqi Kurdistan. The University of Dohuk ran final exams to about 750 students from other universities (mostly Mosul university), and university students helped organise exams for the newcomers. In theory anybody can apply to become a student at the university, but in practice, due to the lack of resources, the university cannot take in many of the displaced persons.

The number of students in the university increases on a yearly basis. The University of Dohuk had in 2007 some 30 000 students, with a surplus of some 10 000. The university is in a lot of pressure to take in more students. IOM confirmed that higher education is a problem as there is an overload of students in universities in the three northern governorates.

The language for education in Dohuk is Badini. There has been a political debate about changing the language of instruction into Sorani. The language question also involves plans to build an official Kurdish language for the whole region. According to academics at the University of Dohuk, this is a question involving inter-city and political rivalries in Iraqi Kurdistan. The transition into Sorani would be difficult due for instance to the lack of scientific literature in Sorani. The academics suspected, that a plan to build a third language mixing Sorani and Badini would not succeed, due to the large linguistical challenges involved. A lot of the scientific literature is in English, and some of it, for instance law texts, is translated in Arabic, but not in Kurdish. Thus many courses in Dohuk University are held in English or Arabic.

The Yazidi mentioned that some 860 Yazidi students, of which 154 female students, had in April 2007 had to end their studies in Mosul University because of security reasons. In this case, the Kurdish prime minister and the minister of education allowed the Yazidi to transfer their studies to the KRG region, but they had trouble with their examinations as the professors in Mosul university did not dare to

²⁹ On UoD and the Erasmus Mundus program, see the monthly English newspaper issued by the university, *Sunshine*, No. 9, October 2007. <http://www.dohukuni.net/sunshine/sun9.pdf> (accessed 17 February 2008)

³⁰ After the fact-finding mission, the UoD took part in an International Conference of Higher Education in Erbil. See *Sunshine*, No. 11, December 2007. <http://www.dohukuni.net/sunshine/sun11.pdf> (accessed 17 February 2008)



make question lists for the Yazidi students' exams. The Lalish Cultural Center knows of over 600 Yazidi students who have completed their first year studies, but have not been able to continue with second year studies due to the unstable situation in the disputed areas.

4.8. Public services

Ordinary people and organisations interviewed by the fact-finding mission complained of the lack of public services. Some complained that services in the KRG region had been better before the unification of many of the KDP and PUK ministries. They maintained that before unification, the KDP and PUK ministries and departments were competing against each other. If one could not get good service from a KDP department on a certain issue, one could go to the respective PUK department and receive better service. In some other issue, a person would rather turn to the KDP department rather than its PUK counterpart for better service. According to the informants, after the unification of the ministries, the competition has more or less disappeared, and the quality of services would have decreased.

4.9. Corruption and nepotism

According to organisations and many local people interviewed, wide-spread corruption, misuse of public funds and nepotism in politics occurs in the three northern governorates. This has infuriated ordinary people, having trouble to get by with low salaries and rising prices in the three northern governorates. This was a recurring theme in conversations with local people during the fact-finding journey.

5. INTERNALLY DISPLACED PERSONS

Qandil estimated the number of internally displaced families in the three northern governorates to be about 100 000 – 150 000.³¹ The displacement to the KRG area has occurred in waves. Some three years ago many Kurds were repatriated from Iran. Today, many IDPs are displaced from the Nineveh governorate. The future of displacement obviously depends on the outcome of the Iraqi war. According to UNHCR, there were some 12 600 internally displaced families in the Sulaymaniyah governorate. Most of the IDPs were in Sulaymaniyah city, many were in Kellar and Chamchamal. The majority of displaced people live in miserable conditions in districts and sub-districts. As Qandil noted in its October 2007 report, the *“current IDP crisis in Iraq interplays with many pre-existing factors such as chronic infrastructure deficit, shortage of shelter, lack of employment, lack of social recreational facilities.”*³²

5.1. The General Directorate of Displacement and Migration (DDM)

The fact-finding mission met with directors of the General Directorate of Displacement and Migration (DDM) in Erbil. The DDM operates under the Ministry of Extra-

³¹ This is a total of about 800 000 people. See in comparison for instance figures for September 2007 at the Iraq page of the Internal Displacement Monitoring Center (IDMC), <http://www.internal-displacement.org/> (accessed 17 February 2008)

³² Qandil, October 2007. *Fayda Survey*, p. 14. <http://www.qandil.org/publikationer/FaydaSurveyOctober2007.pdf> (accessed 17 February 2008)



Regional Affairs³³, and has around 110 staff in its five offices in Erbil, Dohuk, Sulaymaniyah, Soran and Kirkuk. The directorate deals with those persons who were removed from Iraq during Saddam's regime. The DDM provides people with housing and deals with nationality issues, as many have got married abroad, and their spouses seek Iraqi citizenship. The DDM works with displaced persons from central and southern Iraq. There is not much cooperation between the DDM and authorities in Baghdad.

The DDM identifies five categories of IDPs in northern Iraq:

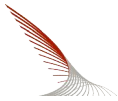
- a) Those displaced during the current war
- b) Kurds who move back to northern Iraq from Iran, Turkey and Syria. These people have difficulties in settling back to northern Iraq, mainly due to the lack of accommodation. The DDM's five offices have registered about 5000 families lacking flats. In the DDM's estimate, about 1000 persons are still stranded in Iran. People have been living up to 25 years in Iran, many were born in Iran and do not speak Kurdish or Arabic. Many of these people originate in Kirkuk, but will not be granted residency in the city. Many have property issues, for instance lost land that has later been allocated to other people. According to the DDM, all returnees from Iran are helped with no discrimination.
- c) Kurds from "newly liberated" Kurdish areas.
- d) Those displaced by the Kurdish civil war. DDM no longer works with this category, as their situation has, according to the directorate, already been settled.
- e) Those displaced from Turkey and Iran due to the PKK conflict. Finding a solution to these people is an important part of DDM's work, as the refugees' villages have been bombed, and the displaced have major difficulties such as getting education for their children. The DDM staff was expecting a crisis at the Turkish border, and for more people to move away from the border area.

According to the DDM, a few tens of families/ a few hundred people return to northern Iraq on a monthly basis. The DDM sees internally displaced persons having major problems, such as the lack of flats. The directorate tries to prioritize help for those that need help most. The government and the UN-Habitat programme have helped DDM to build housing for displaced people. The UN-Habitat programme was temporary, however, and was said to have ended. The directors of the DDM expressed their concern on the fact that many international organisations have left Iraq.

The DDM has no proper statistics on internally displaced persons, as statistics are maintained by the Asayish. Among IDPs there are also Arabs fleeing from governorates having sectarian troubles. According to the directors of the DDM, there is no return movement from Mosul or Kirkuk, instead people are returning to Mosul and Kirkuk in anticipation of the upcoming referendum. The directors also mentioned that Kurdish families are fleeing violence from Mosul but not from Kirkuk.

Those displaced people who cannot find sponsors are settled outside of cities. According to the DDM, the Kurdish government also embraces these people and does its best to secure their situation, by providing tents etc. According to the DDM, these people are not returned outside of the three northern governorates. The DDM also tries to arrange jobs and Arabic education for IDPs.

³³ <http://www.moera-krq.org>



The directors of the DDM maintained that according to statistics from six months before the fact-finding mission, some 120 000 families had returned/ been displaced to Kurdish areas since 2003. In the past two months there had been an increase in internally displaced persons to the area, particularly from central Iraq, and mostly outside of Baghdad, where the situation had improved. The directorate expected an increasing workload in the future, with more and more IDPs arriving from outside the three northern governorates.

Concerning voluntary return from abroad, the directors of the DDM mentioned that people had often sold everything before leaving Iraq, and should be "fully compensated" by the returning country. The DDM criticised the returns of persons not having any money as something that should not occur. According to the DDM, returnees have trouble in sustaining themselves in northern Iraq. The Directors of the DDM mentioned their cooperation with IOM and its AVR program. The Directors of the DDM wished that Iraqi refugees would not be forcefully returned. They asked Europe to help with Iraqi refugees and wanted to extend their gratitude for the help that is already given to Iraqis in Europe.

5.2. Entering the three northern governorates

According to the DDM, a sponsor (guarantor also seems to be a term often used in northern Iraq) is needed in order to migrate to the three northern governorates. This is for security reasons, as it is necessary to avoid terrorists coming into the region. A sponsor needs to be an inhabitant of the three northern governorates, and should be a civil servant or other influential person. The sponsor is responsible for the sponsored person. When the displaced person arrives to the border, the person identifies the sponsor to security officials, and the sponsor is summoned to the border post. The sponsor then gives an oath to the officials, a security clearance is made, and the displaced person is allowed to enter the KRG region.

After the person is given a residence permit (which has to be renewed every three months) by the Asayish, the DDM will be informed of the person by the Asayish. The head of the family comes to the DDM and fills a form. The DDM then can provide the person with a temporary ration card. The DDM then requests the minister of trade in Baghdad to transfer the person's PDS card to the three northern governorates. The validity of the temporary ration card ends when the person's PDS card is transferred. Kirkuk is an exception. According to DDM, Kirkuk was largely arabized during Saddam's rule, and people displaced by the process are now willing to return to their ancestral lands. People in Kirkuk await the upcoming referendum and do not move to the three northern governorates. Their PDS cards are thus not transferred to the three northern governorates, and migrants from Kirkuk are returned to the city.

According to Christians, all Christians are not able to enter the three northern governorates. According to the Chaldean Culture Society, everybody needs a sponsor to enter the region. A trusted sponsor can be a sponsor to many internally displaced persons. In Sulaymaniyah (but not in Erbil or Duhok, where a sponsor is needed), it has been possible for Christians to obtain residency by obtaining a recommendation from a local church and taking the recommendation to the Asayish. According to UNHCR, Kurds and Turkmen from Khanaqin and Kirkuk are not allowed to enter Sulaymaniyah.



According to academics at the University of Dohuk, everybody needs a sponsor, otherwise terrorists could easily enter the three northern governorates. The academics mentioned a case where a person impersonating as a Christian priest had been caught with an explosive belt in a checkpoint when entering the KRG region. In many cases, where academics have migrated to the three northern governorates, the University of Dohuk has acted as a sponsor.

According to IOM, it is fairly easy for an ordinary person without problems to migrate to the three northern governorates. A sponsor is needed. According to IOM, a sponsor should normally work for the administration but sponsors can include business people, friends, relatives and so forth. UNHCR confirmed that basically anyone can act as a sponsor. According to IOM, the sponsor needs to go personally to the checkpoint, where the displaced person waits in order to enter KRG territory. According to Qandil, professional Arabs can also enter the KRG area.

According to IOM, after arrival, the person needs to visit the police in a few weeks' time in order to receive a residency card. A person needs to have an Iraqi ID card, a certificate of birth and a PDS card in order to apply for the residency card. The transfer of the PDS card takes up to one month, and has not been a problem, unless the person comes from Mosul or Kirkuk, in which case the PDS card cannot be transferred to the KRG region. These people need to return to Mosul or Kirkuk every 3-4 months to pick up food rations. According to IOM, temporary PDS cards are issued for instance to persons migrating from Baghdad.

According to UNHCR displaced persons in Sulaymaniyah have access to health and education, but most, apart from eg. doctors and other professional persons, have trouble transferring their PDS cards to Sulaymaniyah. Therefore many families send one family member on a dangerous journey to collect food rations once or twice a month from outside the three northern governorates. Return to Mosul and Kirkuk to pick up rations is a problem because of the bad security situation in the disputed areas. For instance people at the Girdasen refugee camp who had fled Mosul because of the city's bad security situation told the fact-finding mission that they were too afraid to return to Mosul to pick up their food rations.

According to UNHCR, an internally displaced person may rent an apartment after having received a residence permit. There will be consequences for the landlord, if an apartment is rented for a person not having a letter from the security authorities. According to IOM, the KRG is not considering restricting the numbers of internally displaced persons. According to IOM, also wealthy IDPs arrive to the KRG region. According to Qandil, there is a large concentration of IDPs from Mosul and Baquba in Khabat.³⁴ Some are also from Kirkuk.

5.3. Financial situation of the internally displaced people

According to Christians, internally displaced persons suffer from economic hardships and the absence of humanitarian organisations. Many Christians fleeing from Mosul and Basrah have had to leave the area without any possessions. Displaced Christian families receive only nominal support. The Christians have a committee, through which families receive a monthly amount of 80 USD. Practically the money

³⁴ On IDPs in Khabat see for instance The Kurdish Globe, NO. 126, September 11, 2007. *Baghdad's Refugees reflect.*



lasts for about four days. According to Christians, people have trouble getting married and putting up a family due to expensive prices.

5.4. Tent camps and other accommodation

Some refugee camps exist in Iraqi Kurdistan. Most are KRG-run official camps. According to IOM, the camps are temporary.³⁵ Many displaced persons rent accommodation from the private market. Other people try to find shelter in public buildings or other improvised accommodation, for instance 200 families were said to live in old army barracks in Dohuk. Iraq's Ministry of Displacement and Migration (MoDM), together with the Iraqi Red Crescent Society (IRCS) and other Iraqi organisations, international organisations such as IOM, the ICRC and UN agencies provide food, water and necessary items to the tent camps.

5.5. Girdasen refugee camp

The fact-finding team visited a refugee camp at Girdasen in the north of the Nineveh province.³⁶ The camp is situated in an arid plain surrounded by low hills, and is adjoined by the village of Girdasen. The refugees, about 160 families (some 700-800 people) at the camp were internally displaced persons from Mosul, and had fled violence in the city to the north of the governorate. The refugee camp had been set up in the spring of 2007 by the IRCS. The refugees said that they had no income or property, and had no means to build a house or pay rent. The refugees tried to find day labour in order to support their families. The refugees said that they had good relations to the nearby village, but that the villagers were in no position to properly aid the refugees.

The situation in the camp was problematic in many ways. According to the refugees they had been without electricity or ventilators for the past six months. The main water pipe running through the camp had broken down, and the villagers had no proper containers with which to carry water from the main tank to the tents. A shortage of kerosene was also mentioned. The refugees had been given tents by the UNHCR, but the tents were said to be drafty. Winter was on its way, and the refugees were worried about their children, saying that many had taken ill due to the difficult weather conditions. The first winter rain had occurred in the morning preceding the visit, and the refugees predicted substantial problems due to the rains. The refugees had been given tiles with which to build two-layer foundations to the tents, so as to keep rain water away. The refugees stated as their foremost wish a proper roof above their heads before winter.

While women and girls stayed by the tents, a group of men and boys gathered to speak with the fact-finding mission. According to the refugees, every once in a while

³⁵ IOM notes that *"The recently displaced rank shelter as their number one priority need. Moving to tent camps is seen as a last resort due to cultural sensitivities to close living arrangements and lack of services."* IOM, October 2007. *Internally Displaced Persons (IDP) Tent Camp Assessment Report*.

³⁶ According to IOM, *"Gardasin camp is located in a valley in the northern Gardasin sub-district of Akre district, Ninewa. This area is de facto under the administration of Dahuk authorities and is therefore sometimes considered part of Dahuk authority."* See IOM, January 2008. *Internally Displaced Persons (IDP) Tent Camp Assessment Report*. <http://www.iom-iraq.net/Library/Assessment%20of%20IDP%20Camps%20in%20Iraq.pdf>. (accessed 17 February 2008) See also the October 2007 report mentioned in footnote 35.



people arrive to the camp to take notes, but the situation of the refugees remains unchanged. Many of the refugees have food cards (PDS) from Mosul, but are too afraid to collect food from the city due to the ongoing violence. International groups and NGOs have brought food to the camp a few times. Normally the food has lasted for about two weeks. The families maintained that family sizes had not been taken into account when food was distributed, thus small families had benefited and larger families would not have received a fair share of the food. The refugees maintained that the aid received from international and local organisations was not sufficient. The refugees thanked the fact-finding mission for the visit, and expressed their hope that the visit might in some way prove helpful for the people at the camp.³⁷



Girdasen refugee camp, photographs taken 31.10.2007.

6. MINORITIES

According to UNAMI, the Iraqi Constitution protects minorities, but minorities have no special rights in local laws in the KRG region.

6.1. The Christians

The fact-finding mission visited the Chaldean Culture Society³⁸ in Erbil. The center employs 65 people, and has a newspaper *Beth Ankawa*³⁹ and a theatre. According to the staff of the Chaldean Culture Society, the situation of the Christian population in Iraq is very serious. Of the estimated one million Christians in pre-war Iraq many have fled abroad, as the government has not been able to control the security situation and offer Christians protection for instance in Baghdad, where the majority of the displaced Christians used to live. Christians have recently been displaced also in Basrah. Many Christians have fled to Dohuk or Erbil.⁴⁰

³⁷ The Girdasen camp was still operating in January 2008. See IOM, January 2008. *Internally Displaced Persons (IDP) Tent Camp Assessment Report*. See also TV news footage from the camp by the ICRC from September 2007: http://www.icrc.org/Web/Eng/siteeng0.nsf/htmlall/iraq-tvnews-311007?OpenDocument&style=custo_print (accessed 17 February 2008)

³⁸ <http://www.kaldayta.com/>

³⁹ <http://www.bethankawa.com/>; The fact-finding mission received copies of the *Radya Caldaya – The Educated Chaldean – Seasonal General Cultural Magazine*. See magazine online at <http://www.kaldayta.com/magazeen.php?PHPSESSID=be89d237b87b568cfc973707b879c541> (accessed 17 February 2008)

⁴⁰ A wave of attacks against Christian churches and convents occurred in January 2008 in Baghdad, Kirkuk and Mosul. See for instance Kuwait Times 10.1.2008. *2 more churches bombed*.



Due to the stable situation, the three northern governorates have become a safe haven for Christians, and there, according to the Chaldean Culture Society, the situation of Christians resembles something like a normal life. Christians have been welcomed by the local population in the three northern governorates. They have a good relationship with their moderate Muslim neighbours, but consider radical Islamists a threat. There has been substantial migration of Christians to Dohuk and Erbil.

According to the Chaldean Culture Society some 22 000-25 000 Christians live in Ankawa town. Unfortunately, due to laws of the Saddam era and the building of a military camp and airstrip near Ankawa, Christians do not own land around Ankawa that might support the community. The Christians were worried about the PKK conflict, which also touches areas in the north of the three governorates, where Christian people are settled, and where shelling has occurred.

As mentioned in section 5.2., the fact-finding mission was told that all Christians are not able to enter the three northern governorates. According to the Chaldean Culture Society, everybody needs a sponsor to enter the region. A trusted sponsor can be a sponsor to many internally displaced persons. In Sulaymaniyah (but not in Erbil or Duhok, where a sponsor is needed), it has been possible for Christians to obtain residency by obtaining a recommendation from a local church and taking the recommendation to the Asayish.

A large outmigration of Christians to neighbouring countries has occurred. Particularly the young aim to migrate abroad after work, while the older generation has remained in Iraq. Many Christians have migrated to Sweden. According to a recent study by the Chaldean Culture Society, 84 % of young Christians in Ankawa want to leave, due to unclear future, the lack of services, shortages of kerosene, water and electricity, high living costs, low salaries and the lack of work opportunities for educated persons. The Chaldean Culture Society expressed as their wish that residence permits would be granted to Christians who have fled Iraq. According to the society, most Christian refugees in Syria, Jordania, and other neighbouring countries would like to migrate to a third country.

According to the society, living costs in the three northern governorates are very high. As an example it was mentioned, that one barrel of oil costs some 100 USD, while a newly graduated person earns some 150-200 USD per month. Internally displaced people suffer from economic hardships and the absence of humanitarian organisations. Many Christians fleeing for instance from Mosul and Basra, have had to leave the area without any possessions.⁴¹ Displaced Christian families receive only nominal support. The Christians in the (three northern governorates) have a committee, through which families receive a monthly amount of 80 USD. In practise the monthly grant money lasts for about four days. Due to inflation and high prices people have trouble getting married and starting a family. According to UNHCR, Christians do not get money grants in Sulaymaniyah.

The Chaldean Culture Society hoped that the countries receiving Christian refugees would take note of the situation of Christians in Iraq and assist them in their hard-

⁴¹ An article preceding the fact-finding mission looked at the situation of Christians in Mosul and the Nineveh plains, mentioning that; *"Life has become very difficult in Mosul (...) Christians (...) are being driven out en masse (...) Christian families have fled Mosul to the relative safety of the Nineveh plains outside the city."* IWPR Iraqi Crisis Report, No. 230, August 20, 2007. *Mosul Christian Community Dwindles.*



ships. So far, significant aid has not been received, not even after the Geneva conference in 2004, where the center was represented. The Christians criticized the European Union and UN agencies for forgetting the Christian population in Iraq. In the future, the Christians expected a planned investment law to attract investments and create jobs in the three northern governorates. However, the law remained so far a draft. The Christians mentioned a serious shortage of accommodation, and that families often live in shared apartments. As an example the society mentioned an apartment in Ankawa that is shared by seven families.

A parish priest at the Chaldean Culture Society wanted to bring attention to the emotional mindset of the Christian population in Iraq today. One should not only focus on reality and facts such as the security situation. One should also consider the fear and the lack of insight for the future present in peoples' minds. The priest stressed the importance of what he termed the dream of humanity, alongside people's daily lives and basic needs. The Christians feared what would happen to Iraq if the government fails, and felt that their way of living and existence was at stake.

According to UNHCR, the situation of Christians in the three northern governorates is generally good. UNHCR mentioned 36 Christian families, who were living in difficult conditions in Koy Sanjaq.

6.2. The Yazidis

6.2.1. The Lalish Cultural Center

The fact-finding mission visited the Lalish Cultural Center in the city of Dohuk. The center was established in 1993. The purpose of the center is to document the culture and history of the Yazidi Kurds. Information is collected and distributed, and the center has a small library that can be used by researchers. The center has also a museum displaying Yazidi culture. It was emphasized, that the Lalish Cultural Center is not a religious or political center, but a civic center. Nor does the center profess any extremist views or politics. The center also does not defend asylum seekers, for which fact the center has been criticised by Yazidi asylum seekers.

The center was also depicted as the largest NGO in Iraqi Kurdistan, having over 4000 members. The members of the cultural center all have high school education and many have university level studies. The center holds a conference every two years to appoint members to the center's acting committee.

The Yazidi have several publications; the paper of the cultural center, seven local papers, eight magazines and the Lalish newspaper.⁴² The center has good relations to Kurdish cultural centers abroad, for instance in Paris and Moscow. The center had just been visited by a delegation from a Yazidi cultural center in Germany. Delegations have been received from Hamburg and elsewhere in Germany, as many Yazidis have migrated to Germany.

⁴² The fact-finding mission received copies of *Lalish – A cultural magazine published by the Lalish Center in Kurdish, Arabic and English*. The magazine is online at www.eduhok.net/lalish. See also Lalish Media Network <http://www.lalishduhok.org/>.



Traditional Yazidi artifacts at the museum of the Lalish Cultural Center.

6.2.2. History of the Yazidi

Some of the history of the Yazidi Kurds was related to the fact-finding mission at the Lalish Cultural Center. The Yazidi religion is an old religion with a tragic history. Discrimination and persecution towards the Yazidi by Saddam's administration increased in 1968-2003 particularly as many Yazidi were active Kurdish freedom fighters. The arabisation process also touched the Yazidi areas. In 1976, over 150 Yazidi villages were destroyed in the Shangar, Shekhan, Kosh, Semel and Zakho districts. Yazidi lands were seized and Arabs were settled to the lands.

After the 1991 Kurdish uprising, only some 10 % of Yazidis lived within the boundaries of the KRG- administered region. The 90 % living under Saddam's rule were unable to flee their homes, despite of severe persecution and despair. The KRG government, however, supported the cultural and civic rights of the Yazidi and the Lalish Cultural Center was founded. During the Kurdish civil war in the mid-1990s, many young Yazidi fled to Europe. As the Saddam regime collapsed, the rest of the Yazidi areas were liberated. The Yazidi in the liberated areas asked the Lalish Cultural Center to set up local sections to these Yazidi areas. Accordingly, nine sections and 15 information offices were opened. A section was also set up for Yazidis in Germany.

6.2.3. Yazidi in the KRG and the disputed areas

The Lalish Cultural Center tries to extend its cultural activities to the disputed areas, but terrorism is a problem. According to the Yazidi, the US does not allow Kurdish troops in the disputed areas but to protect their own military bases. Meanwhile, the Yazidi there live in fear of terrorism. The Yazidi took up the case in April 2007, where 24 Yazidi factory workers were killed near Mosul.

Mosul was mentioned by the Yazidi as terrorist country. The Yazidi mentioned that some 860 Yazidi students, of which 154 female students, had in April 2007 had to end their studies in Mosul University because of threats towards Yazidis. In this case, the Kurdish prime minister and minister of education allowed the Yazidi to transfer their studies to the KRG region. However, the professors in Mosul University did not dare to make question lists for the students' examinations. The Lalish Cultural Center knows of over 600 Yazidi students who have performed their first year studies, but have not been able to continue with second year studies due to the unstable situation elsewhere in Iraq.

The Yazidis maintain that the economic and security situation in the disputed areas is at least as bad if not worse than in Central and Southern Iraq. The Yazidis took up the recent bomb attack in the Sinjar district of Nineveh governorate. According to



the Yazidis, 311 people were killed and about 600 were wounded. Six wounded persons were transferred to Germany for treatment. Over 800 houses were destroyed in the bombing. When asked about the motives behind the attack, for instance the widely publicized honour killing of the Yazidi girl and the general struggle for control of the disputed regions, the Yazidis answered that the motives of such terrorists will always remain vague.

The aim of this bomb attack, according to the Yazidi, was to empty the area from Yazidis so they would not vote for the area to join the KRG-administered region.⁴³ Over 90 % of Yazidi areas are under the administration of Iraq's central government. Yet, according to the center, the Yazidis have not received any aid from the government. The KRG is trying to help the Yazidis as well as it can.

Concerning Iraqi Kurdistan in general, the Yazidi considered the region to have ethnic and religious pluralism, and to be democratic to a certain degree. The resources of the region are limited, and the region has unfriendly neighbours. The KRG has been able to create some work but not enough. Unemployment is a large problem for Yazidis particularly outside the KRG-administered region. In the disputed areas work is not only scarce, but people are afraid to go to work due to the bad security situation. The Yazidi have great problems in the disputed areas, particularly with radical Islamism.

UNAMI mentioned the killing in April 2007 in Bashiqa of Du'aa Khalil Aswad, a teenager Yazidi girl whose stoning received worldwide attention, as well as the subsequent killings of Yazidi workers.⁴⁴

6.2.4. Yazidi migration

The Yazidi at the Lalish Cultural Center complained that the economic situation of the KRG region is difficult. Kurds from abroad send remittances to the region. According to the Yazidi, all Kurdish families would like to send one son to Europe, with an aim of receiving a 100 USD remittance per month. Although the situation in Kurdistan is improving, increasingly many leave for economic reasons.

The Yazidis in the Lalish Cultural Center told the fact-finding mission that they do not encourage young Yazidis to migrate to Europe. They complained of the brain drain the migration of the young people causes. A lot of money is lost to the smugglers, who may demand 10 000-12 000 USD for the journey, and migrants may not reach their destination. Migrants travel through dangerous routes, and in several cases, for instance, Yazidi migrants have died in the waters between Turkey and Greece. One should also consider the dangers smuggled children meet.

At the same time the Yazidis mentioned that one could not stop the youngsters from leaving the area. The elder Yazidi, some of whom have experience from Europe, try to explain to the young that Europe is not the kind of paradise that they generally believe it to be. According to the Yazidi, if a residence permit is given,

⁴³ According to recent reporting, "For more than a year, Yazidis have fled from their villages and neighbourhoods in Mosul, in Tal Afar, along the Syrian border and in Kurdistan. At least 70 000 Yazidis have left the country, said Khairi Shankaly, the director of the Yazidi affairs for the Kurdistan Regional Government. That is almost 15 percent of the Yazidi population of 500 000." The New York Times, 14.10.2007. *Persecuted Sect in Iraq Avoids its Shrine*.

⁴⁴ See UNAMI. Human Rights Report 1 April – 30 June 2007, p. 15.

<http://www.uniraq.org/FileLib/misc/HR%20Report%20Apr%20Jun%202007%20EN.pdf> (accessed 17.2.2008)



however, then permits for family reunification should also be granted, so as to alleviate the situation of the young Yazidi migrant in the receiving country.

Members of the fact-finding mission asked how one can be sure of an asylum seeker's identity when the person arrives without documents and maintains that his/her identity is Yazidi. The Yazidi suggested that authorities in receiving countries turn to the eight-year old Yazidi cultural forum in Oldenburg, Germany⁴⁵ and check the name with the forum. According to the Yazidis, some European courts have contacted the Oldenburg Center, and have been satisfied with the quality of the information received. Questions can also be posed directly to the Lalish Cultural Center, as some EU states have done. According to the Yazidi, it is not useful to only interview an asylum seeker on Yazidi culture in itself, because anyone can learn the basics of Yazidi culture.

According to UNAMI, the Yazidi were asked to register as Arabs during Saddam's regime. Today the KRG is in control of much of the Yazidi areas. Yazidis maintain that they are often forced to register as Kurds, in anticipation of the referendum concerning the disputed areas. The minorities in northern Iraq are generally weak, not having their own military or police forces. According to Christians, the situation of the Yazidis is very difficult, particularly after the large bomb attack. According to IOM, some Yazidi live in tent camps with no access to water.⁴⁶

7. IRAQI REFUGEES IN TURKEY⁴⁷

The fact-finding mission interviewed staff at UNHCR Ankara. According to UNHCR, the refugee crisis in Iraq was not properly noted before 2003. During the Iraq war there has been a gradual awakening to the expanding refugee crisis. According to its December 2006 guidelines UNHCR Ankara considers Iraqi refugees from Central and Southern Iraq to be *prima facie* refugees and provides them with refugee certificates (unless exclusion needs to be considered).

No refugee status determination interview is conducted, only an enhanced registration procedure. Persons originating from the three northern governorates and those for whom exclusion is considered, undergo full refugee status determination. The budget of UNHCR is on the rise, but is not sufficient to help the some two million refugees outside of Iraq's borders. UNHCR's goal at this point, then, is the resettlement of the most vulnerable refugees.

UNHCR noted Christians as making up a significant amount of refugees in the beginning of the conflict. Later on in the conflict the numbers of Shia and Sunni escaping violence have grown. Some 45 % of Iraqi refugees reside in Istanbul where they receive aid from Caritas and other NGOs. The rest are distributed in medium-size satellite cities in Central Anatolia. The refugees are required to register and have to stay in the cities assigned to them. However, they are rarely allowed to work, do not receive social support and, particularly in the case of Christians, who make some

⁴⁵ <http://www.yeziden.de/>

⁴⁶ On recent reporting concerning the Yazidi, see for instance AP 11.12.2007. *Iraq's Yazidis look to Kurdish region.*

⁴⁷ UNHCR Ankara provided the fact-finding team with the following 4-page information note: UNHCR Representation in Turkey, 22 October 2007. *Iraqi Refugees in Turkey.* The information in the chapter is both from the mentioned report and an interview of UNHCR staff in Ankara.



39 % of Iraqi refugees registered with UNHCR in Turkey, are not able to worship publicly.

Iraqi refugees also have trouble communicating with the local population. Due to financial hardships the refugees often work illegally. Refugees also receive random help from NGOs. UNHCR has provided Iraqi refugees with education kits and other assistance. UNHCR is also involved with capacity building of Turkey's immigration administration, for instance in the building of seven reception centers for refugees. According to UNHCR, Turkey needs help in many issues, such as the building of the reception centers, health care etc.

UNHCR can only resettle refugees who have been registered by Turkish authorities. The registration process of Iraqi refugees with local authorities is very costly, and large fees amounting to 500-600 USD may be extracted from the refugees. Altogether a refugee may need to spend 1000 USD or more in registration fees and overstay fines before they are allowed to be resettled out of Turkey. UNHCR has asked some cities to waive fees for Iraqi refugees, and has received some cooperation in this respect.

Generally, attitudes of Turkish authorities towards Iraqi refugees still need to improve. UNHCR has received reports of deportations of Iraqi refugees to the three northern governorates. The reasons of leaving Iraq by these persons apparently were economic. UNHCR is also aware of persons returned to Iraq from the international airport in Istanbul, after they had tried to apply for asylum at the airport. Some people trying to reach the western border of Turkey have also been deported to Iraq.

UNHCR automatically aims to resettle all Iraqi refugees from Turkey. UNHCR has a detailed list of exclusion criteria, and makes detailed interviews to persons considered as possible exclusion cases. In October 2007, there were some 50-60 such cases pending. The cases included for instance persons who had been members of the Baath party and military units of Saddam's army, but also members of the post-Saddam administration, such as personnel in the Abu Ghraib prison.

The refugees in Turkey represent some 40 nationalities. Many originate in Iran, Iraq, Afghanistan, Somalia. Many of the refugees travel through Iran and are normally "dumped" in the city of Van in Eastern Turkey by smugglers. Refugees coming from Iraq traditionally travel through the Hakkari province and refugees from Jordania and Syria travel through the Hatay province. Refugees have been caught all along Turkey's coast. Some 50 000 to 80 000 illegal immigrants are apprehended in Turkey every year.

Iraqi refugees fleeing to Turkey are very well documented, and possess documents varying from passports and ID cards to educational and military documents, also threat letters confirming persecution. Chaldean Christians are particularly well documented. UNHCR maintains and updates a database on Iraqi regional documents. UNHCR Ankara has not detected much fraud in the documents of Iraqi refugees.

Decision-making time concerning refugee registration varies at UNHCR Ankara. Some decisions are made in a months' time, some decisions can take over a year, particularly in possible exclusion cases. UNHCR Ankara identifies two main problems causing delays in the departure of refugees for resettlement. Firstly, the Turk-



ish authorities might not consider that the person is in need of international protection, and might therefore not grant the person an exit permission. Secondly, refugees may not be able to pay all the accumulated residence fees and purchase the residence documents in order to be authorized to depart from Turkey, and thus may not receive exit permission from Turkish authorities.

8. DOCUMENTS

8.1. The Directorate of Nationality and General Passport

The fact-finding mission visited the Directorate of Nationality and General Passport of the Asayish, functioning under the Ministry of Interior in Erbil. The senior officers of the directorate welcomed the mission, mentioning that other European delegations had visited or were scheduled to visit the directorate, and that the directorate had good relations to officials in several EU states. Passports, ID cards and nationality certificates are issued at the directorate. The Erbil office is the main office, and there are many branch offices. The directorate has a passport section at the Erbil International Airport (see 7.2.). The staff of the directorate gave an impression of efficiency and orderliness.

The directorate is partly computerised, and its staff receives IT training from IOM, but a lot of information is still manually recorded.⁴⁸ Although the computerisation process is ongoing, all passport information has been entered into a central database. Information on ID cards, passports and nationality certificates in the three northern governorates can be obtained through the directorate.

The S- and G-series passports can be applied for in the directorate and its branch offices. The cost of both passports is 25 000 Dinars (about 14 €). The identity of the applicant is checked for instance from the nationality certificate. The S- series passport is granted in the three northern governorates, but an application for a G-series passport is only examined in Erbil and is then sent by courier to Baghdad, where the G- series passports are granted.

According to the senior officers, it often takes a long time to receive a G-series passport from Baghdad, due to the difficult situation in Baghdad and challenges of the central administration. Because of this, and the fact, that children need to have their own G-series passports, the senior officers of the directorate wished that the S-series passport would be largely recognised in Europe. The officers maintained that the fact that S-series passports are not recognised in Europe is also problematic for family reunifications.

The said difficulties with passports had caused trouble at the directorate, which, at the time of the visit, was practically swamped with people waiting to have their applications processed. The Directorate has demanded, that the G- passport could also be granted outside of Baghdad, mainly in Erbil and Basra, but their demands had so far not been met.

⁴⁸ For instance, information from the fact-finding mission's passports was manually recorded to a list at the passport control of the Erbil International Airport.



8.2. The office of the directorate at the Erbil International Airport (EIA)

The senior officer at the office of the Directorate of Nationality and General Passport at Erbil International Airport told the fact-finding mission that some 600-700 false passports had been intercepted at the airport in the past two years. In some cases passports had been used by false persons, in some cases photographs had been changed, wrong residence permits and visa stickers had been used and so forth. Most persons using false passports, according to the manager, originate from outside the three northern governorates.

There had been many such attempts after the opening of the airport and important air routes, but the attempts have become scarcer as many have been caught at the airport. According to the manager the passports, often British, Swedish, Danish etc. have usually been falsified in Syria or Europe, and the passport holders maintain that they do not know the counterfeiters. The senior officer expressed the office's willingness to share information with EU states.

In some cases, according to the British Consulate in Erbil, false persons have used the EU standard travel document granted to them.

9. TRACING MISSING PERSONS

IOM Iraq receives information on missing persons from European states and the ICRC. To be able to trace a person, the latest contact details of the person such as the name of village, address and telephone number, names of neighbours would be helpful. The IOM has found neighbours of missing persons and has been able to receive information on missing persons from them. Without any contact details a missing person is hard to find. In cases where the tribe of the person is known, IOM has met with the tribal head to enquire about the missing person. IOM Amman can be contacted when looking for information on missing persons in Iraqi Kurdistan. IOM has sent missing persons to Amman, from where the persons have flown to Europe for family reunification.

The tracing team of the ICRC in the three northern governorates consists of one delegate and 4 local staff in Erbil, 2 staff members in Sulaymaniyah and 1 staff member in Dohuk. The team received 15 tracing requests in 2006. According to the ICRC, tracing requests for missing persons usually come from abroad, not from Iraqis in Iraq, who use their own contacts. Tracing is easier in the three northern governorates than in other parts of the country. The traced person has often been missing for years. Information needed in order to trace a person should include latest address details (as accurate as possible, unfortunately addresses given are often vague), information on other persons linked to the missing person such as relatives and friends, and information on the workplace.

The ICRC may contact the local tribal leader to trace a missing person. This is the case particularly in the countryside, where tribal relations are stronger than in the cities. The tribal leader may have information on the person dating for instance 2-3 years back, such as information on the person's location at the time. ICRC also visits local mosques in the three northern governorates to ask information of the missing person. The ICRC cooperates with the IRCS in locating missing persons in the KRG region and the rest of Iraq, for instance Mosul and Kirkuk. The tracing of per-



sons in Mosul and Kirkuk, is however more difficult than in the three northern governorates.

10. Returns

10.1. Voluntary return

The senior officer at the office of the Directorate of Nationality and General Passport at Erbil International Airport told the fact-finding mission that it is possible for those persons to return to the Erbil International Airport who return voluntarily and who originate from whatever area in Iraq, also from outside the Kurdish region. It is also of no relevance from where the person flies to Erbil. The office cooperates with IOM which meets voluntary returnees at the airport and transports them to their destination.

Through its AVR (Assisted Voluntary Return) programs⁴⁹, IOM has worked with over 2000 cases in Iraqi Kurdistan. At the time of the fact-finding mission, IOM:s workload consisted mainly of AVR cases from the UK, with some cases from other countries, such as Sweden and Denmark. According to IOM, most returnees have family in Iraqi Kurdistan.

IOM makes business plans for returnees, using financial return grants provided for returnees by the returning country. IOM for instance mentioned that Sweden pays the returnee 20 000 SEK (some 2130 €) after arrival. The British consulate mentioned, that voluntary return packages include a monetary payment of 5000 £ (some 6500 €), which is managed by IOM. IOM mentioned that return has many forms; many returnees follow the business plan, many find work in family businesses or with other employers, some returns fail.

According to the British consulate, the KRG only accepts voluntary returns of people originating in the three northern governorates. Returns of people originating in the disputed areas or having an Iranian background are problematic. IOM was aware of a few cases, where the returnee was a wrong person, ie. the returnee had used documents belonging to another person.

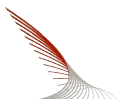
10.1.1. Meetings with persons who had been returned through IOM:s AVR program

IOM took the fact-finding mission to meet two returnees, for whom business plans had been made.⁵⁰ The first case concerned a young man, who had returned from the UK about six months previously, and who was working in the northern industrial area of Erbil in a welding shop together with his brother, also a returnee, and one other person. IOM had provided materials for the company worth some 5000 USD. The young man interviewed explained as the reason of his return to Iraq the lack of residence and work permits in the UK.

The person had been informed of IOM:s AVR program by a friend, and had contacted a local IOM office in Britain. The Home Office had approved the person's application for the AVR program, he had received a one-way travel document from British authorities and had returned to the KRG region. IOM staff had met the per-

⁴⁹ See <http://iom.fi/content/view/58/102> (accessed 17 February 2008)

⁵⁰ A third meeting had also been planned, but did not fit in the fact-finding mission's timetable.



son at the airport in Erbil. The person said that the last few months had been good for business, but that the future looked uncertain.

The other returnee met by the fact-finding mission was a mid-aged male person, who had returned from the UK because he had received a negative decision to his residence permit application and had no work permit. The person in question also had not been able to find accommodation in Britain. The returnee took up outmigration from the three northern governorates, explaining that economic problems are partly behind outmigration. Local youth lack work and their own accommodation, and have no insights about the future. According to the returnee, many people migrating to Britain make up stories of political persecution, but at the same time some of the stories are truthful.

The returnee said that he had put the return payment to good use. He was manager of a well-equipped and tidy food store, and seemed to be doing well. The returnee listed as prerequisites for return a flat and workplace. He also stressed that countries returning people to Iraqi Kurdistan should give the person a money grant or loan so that the returnee can set up a business, as many of the returnees have been unemployed for a long period of time, and have run out of money.

When asked how the person had come into contact with IOM, the person said that there are many NGOs in Britain helping the so called *sans papiers*, and that these NGOs establish contacts with IOM concerning return. Also this returnee had received a one-way travel document from British authorities. After return, he had had to live in his parents' flat for some time before he had found his own accommodation.

According to the returnee it is difficult to find a flat in the KRG region, and this should be taken into consideration by the returning countries. The returnee said that he had been able to obtain a new ID card, but that he had trouble in getting a new nationality certificate. He suggested that authorities in returning countries help returnees to obtain new documents. The returnee said that living in the KRG region is feasible, as long as the political situation remains stable.

10.1.2. Meeting with AGEF

The fact-finding mission met with the directors of AGEF⁵¹ in Erbil. AGEF aims to support reintegration of returnees in general, but does not provide travel services, nor does the organisation give returnees cash money. AGEF tries to find employment for returnees, so that returnees can resume normal life as soon as possible. AGEF also provides capacity building for the KRG government, educating civil servants and aiding the government to open up through computer and internet training. AGEF has offices in Dohuk, Sulaymaniyah and Erbil, and is expanding in the near future to Mosul, Kirkuk and Basra. The new offices will act as contact points, and will possibly have training courses. Vocational education is due to start in 2008. The aim of AGEF is to place people to suitable companies, while AGEF will bring in vocational trainers from Germany to do the actual training.

Some countries returning people to the three northern governorates grant financial support packages for returnees. AGEF is working with six such countries at the

⁵¹ <http://www.agef.net/>



moment. Normal financial packages include subsidizing employment to a certain level, with a contribution from the employer. Some 2500 people, who have benefited from AGEF training worked in different labour sectors and companies depending on their background at the time of the fact-finding mission.

The AGEF directors estimated that after a year of work, some 65 % of people trained by the organisation were managing successfully with their lives. Some have returned back to Europe. The AGEF directors see that there is an economic boom in the three northern governorates, for instance in the oil industry, with many companies coming in and investing in the region. A lot of positive effort is being put in for economic development. According to AGEF voluntary returns have increased, and there is an increased demand for the organisation's services.

The fact-finding mission visited the AGEF training center in Erbil. AGEF trains government officials and returnees in mixed classes in several levels in Erbil, Sulaymaniyah and Dohuk. The classes, where English, IT skills and management are taught, take about 15 persons, and have a duration of three months. The training center and its staff seemed very efficient and well organised. The mission was kindly given the opportunity to interview the students and staff at the training center.

The mission interviewed participants in an English language class. Many of the students had returned, as they had not received positive decision for their asylum or other residence permit applications in Europe. Many of the students were returnees from the UK. The students expressed their need to find employment as soon as possible, and complained of the difficulties in finding work, telling for instance that the KRG government was not hiring people. The students thought it was easier to find employment through AGEF training.

The students told the mission that English language was a desirable language, as the command of English helps secure work with companies and NGOs and in security structures as for instance body guards. One of the students had arrived from Baghdad with his family. One student had heard of AGEF from relatives. The person was taking English and computer courses at level one and was hoping to pursue later with other courses. The students seemed satisfied with the benefits offered by AGEF.

10.2. Forced return

Concerning forced returns, UNHCR Ankara encourages diplomatic solutions. Northern Iraq is more stable than Central or Southern Iraq. Returns to Northern Iraq are possible, but not to Central or Southern Iraq. UNHCR does not see an internal flight option to the north as an option for persons originating from Central or Southern Iraq. UNHCR Iraq mentioned, that cash grants to returnees would be advisable.

A senior officer at the Directorate of Nationality and General Passport of the Asayish, operating under the Ministry of Interior in Erbil said that the forced return of a criminal can be considered on a case-by-case basis, but that it should be negotiated with the Minister of Interior or the Minister for Human Rights.

The senior officer of the office of the Directorate of Nationality and General Passport at Erbil International Airport told the fact-finding mission that forced returnees are not allowed to enter the three northern governorates. According to the senior of-



ficer, if it turns out that the person is a forced returnee, the person is put back to a plane as soon as possible. According to the senior officer, the KRG is against forced returns to the region because they bring more trouble to a region already suffering from poverty and unemployment. Concerning the return of criminals, the manager said that the fact-finding mission should try to negotiate the issue with the Interior Minister.

The directors of the DDM wished that Iraqi refugees would not be forcefully returned and asked Europe to help with Iraqi refugees.

According to IOM, the KRG has rejected forced returns due to the fact that the administration is not able to receive more returnees. The administration considers that there is no future for returnees due to a lack of jobs.

11. APPENDIX

Notes from safe travel routes (recommended by international organisations, taxi drivers and other informants) that were taken in October 2007 by the fact-finding mission.

1) Erbil-Dohuk-Zakho

-156 min at about 110 km/h, traffic normal, no stops apart from checkpoints

A) ERBIL DISTRICT

16.33 four-lane highway out of Erbil city

16.39 1st checkpoint - after Erbil city

16.54 2nd checkpoint - bridge at Khabat (former Kalar) - here we turned off the Mosul road for security reasons to a two-lane road to Bardarash

B) AKRE DISTRICT

17.15 3rd checkpoint before Bardarash village

17.19-17.27 roadsigns to villages Amian, Ismawa. Amianok, Nezrawa, Karamaz, Khrabawash, Jujar Gewra

17.27 4rd checkpoint at Rovia, here we took the Duhok road (other road goes to Akre)

17.27-17.36 roadsigns to Ali Shana, Omar Sanan, Pirchanish, Dinaran, Girbawail Libra

17.36 5th checkpoint in Hasani, after bridge

C) SHEKHAN DISTRICT

17.38 Malabrwan

17.40 Chrra Municipality road sign

17.42 a bridge

D) AL-SHIKHAN DISTRICT

17.45 Zinawamiri road sign

17.46 Zinavazhure, bridge

17.46 Pirbeeb road sign

17.48 Piran road sign

17.50 Mamrashan road sign

17.53 Betnare road sign

18.00 Almaman road sign

18.02 Shekhan lights on the right, Badre lights ahead

18.03 Badre Municipality road sign



18.07 6th checkpoint - after Badre
18.08 road goes up to hills
E) SHEKHAN DISTRICT
18.16 passing famous Dervish Brifka village and Mausoleum/ pilgrimage sight on the right in the hills (cannot be seen from road)
F) DOHUK DISTRICT
18.26 Duhok lights can be seen in valley
18.29 7th checkpoint - before Duhok
18.31 Duhok city
G) SEMEL DISTRICT
18.40 Tanahi Municipality road sign
18.42 Semel Municipality road sign
H) ZAKHO DISTRICT
18.55 Fishkhabar road sign
18.59 climb up to hills
19.03 Betasy road sign
19.07 road descends from hills
19.09 8th checkpoint - arriving to Zakho city

2) Erbil - Sulaymaniyah

-144 min at about 100 km/h, traffic normal, with 15 min break. Driving partly before sunrise hindered taking notes of road signs.

05.00 leaving Erbil
05.12 1st checkpoint - after Erbil, after this curvy road rises to hills
05.33 2nd checkpoint
05.50 rise to greater hills
05.53 3rd checkpoint at Koy Sanjak
06.00 roadfork, two roads to Sulaymaniyah, a longer one up to the hills, we took the shorter one through the valley, mountain range to the left of road and another one far to the right
06.14 4th checkpoint
06.21 road climbs to high hills
06.35 5th checkpoint - on top of hill before Dukan; 15 min break on hill overlooking Dukan lake
06.50 Dukan, bridge
06.55 6th checkpoint - after Dukan (road Dukan to Sulaymaniyah recently asphalted, two new lanes being constructed alongside asphalted road)
07.17 7th checkpoint before Sulaymaniyah
07.24 Sulaymaniyah



Road Erbil-Dohuk.



Newly asphalted road Dukan-Sulaymaniyah.
New lanes being built.



12. INTERVIEWED ORGANISATIONS

AGEF headquarters, Erbil

AGEF training center, Erbil, staff and students

Awene Newspaper, Sulaymaniyah

The British Consulate, Khanzad Hotel, Shaqlawa district

The Chaldean Culture Society, Ankawa

The Directorate of Nationality and General Passport, headquarters, Erbil

The Directorate of Nationality and General Passport, Erbil International Airport office

The Embassy of Finland, Ankara

The General Directorate of Displacement and Migration (DDM), Erbil

Girdasen refugee camp, internally displaced persons

ICRC, Erbil

The Lalish Cultural Center, Dohuk

IOM Iraq, Ankawa

IOM AVR programme, participants, Erbil

Qandil, Erbil

Norwegian People's Aid, Sulaymaniyah

UNAMI, Khanzad Hotel, Shaqlawa District

The University of Dohuk

UNHCR Ankara

UNHCR Iraq

