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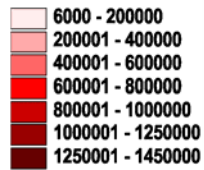
United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

MISSAN GOVERNORATE ASSESSMENT REPORT

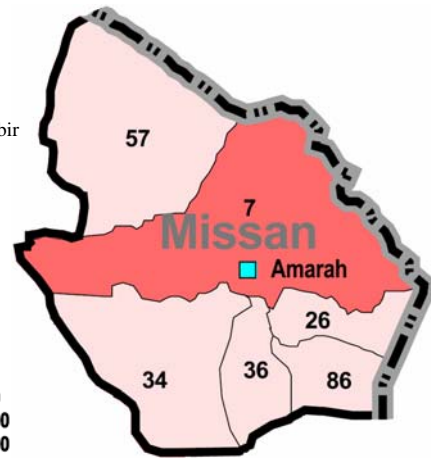


Missan

- 7 Amarah
- 26 Al-Kahla
- 34 Al-Maimouna
- 36 Al-Majar Al-Kabir
- 57 Ali Al-Gharbi
- 86 Qal'at Salah



Inhabitants per district



November 2006

This UNHCR Assessment Report is intended to provide objective information regarding the overall situation in the Governorate in question, detailing the situation faced by persons of concern and their communities. The report has been drafted by UNHCR with its partners, and many governmental and non-governmental organizations have been invited to contribute to this report which draws on international sources, reports of district authorities, UNHCR's returnee monitoring activities and consultations with returnees and their communities. Efforts have been made to ensure that only accurate, reliable, factual material, independently confirmed information is reported. This Assessment Report is not intended to be a comprehensive human rights report, nor is the report an expression of political opinion or a statement of UNHCR policy.

While the Assessment Report primarily targets displaced populations and returnees, information in Annexes I to III have been prepared in a format useful for donors and the Iraqi authorities. Therefore, the Assessment Report will be made available to a wide audience, including refugees abroad, IDPs and returnees and their communities, authorities, donors and other agencies.

This report does not take into account events occurring on or after 30 November 2006, unless a later date is specified. UNHCR plans to update the report on a regular basis.

Further information can be found on www.hcriraq.org

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List of Abbreviations

CPA	Coalition Provisional Authority
CRRPD	Commission for the Resolution of Real Property Disputes (previously the Iraq Property Claims Commission IPCC)
ICS	Iraqi Correctional Service
ID	Iraqi Dinar
IECI	Independent Electoral Commission in Iraq
IED	Improvised Explosive Devices
ILCS	Iraq Living Conditions Survey
ING	Iraqi National Guard
IOM	International Organization of Migration
IP	Iraqi Police
IPCC	Iraq Property Claims Commission (now known as the Commission for the Resolution of Real Property Disputes, CRRPD)
IRCS	Iraqi Red Crescent Society
ISF	Iraqi Security Forces
LAIC	Legal Aid and Information Centre
MNF	Multinational Forces
MoC	Ministry of Culture
MoE	Ministry of Education
MoLSA	Ministry of Labour and Social Affairs
MoDM	Ministry of Displacement and Migration
MoH	Ministry of Health
MoHC	Ministry of Housing and Construction
MoHE	Ministry of Higher Education
MoHR	Ministry of Human Rights
MoI	Ministry of Interior
MoMPW	Ministry for Municipalities and Public Works
MoPDC	Ministry of Planning and Development Cooperation
MoT	Ministry of Trade
MoWR	Ministry of Water Resources
NGO	Non-Governmental Organization
PDS	Public Distribution System
PHC	Primary Health Centre
RRC	Returnee Reception Centre
SHC	Secondary Health Centre
UK	United Kingdom
UNAMI	United Nations Assistance Mission for Iraq
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
US	United States
UXO	Unexploded Ordnance
VRF	Voluntary Repatriation Form
WFP	World Food Programme
WHO	World Health Organization

Exchange Rate

As of 30 November 2006, the exchange rate between the Iraqi Dinar (ID) and the US Dollar (US \$):

$$\mathbf{1\ US\ \$ = 1,476.70\ ID}$$

For simplicity, one may use the approximation:

$$\mathbf{1\ US\ \$ = 1,500\ ID}$$

I. General Information¹

The Governorate of Missan is located in South Iraq, North of Basrah Governorate, on the Iraqi border with Iran. Missan arose as an independent kingdom in the second century AD and has since been inhabited by Chaldeans, Sumerians, Mandaeans, Jews, Ottomans and varying Islamic armies.

The Statistics Directorate in Missan estimates the **population** was 782,826 persons in 2005. UNDP/COSIT projections suggest it was 762,872.²

The **geographical landscape** was once dominated by **marshland** which covered at least two thirds of the Governorate and supported various types of livelihoods such as farming, fishing, hunting, reed-gathering and the grazing of water buffalo. After the devastating drainage campaign carried out by the former regime in 1991, less than a quarter of the marshes remains. The remaining landscape is now only 25% arable land and over 50% desert.

The **Tigris River** runs through Missan, once a major transport route for trade between Amarah, Baghdad and Basrah. Amarah city is the trade and administrative centre for its agricultural region, producing livestock, wool and hides. Amarah is also known for its weaving products and silverware.

The Shiite branch of Islam is prominently followed in Missan, although there is also a Sunni minority. There are minority Chaldean, Christian and Mandaean communities in Amarah City. The ethnic make up of the Governorate is largely Arab with a number of Faili Kurds.

Missan has a strong **tribal history** and approximately two thirds of the Governorate's population are thought to have tribal affiliations. Prior to the revolution of 1958, Amarah was well known for its feudalistic system, in which sheikhs owned large estates and maintained large private armies.³ Tribes in Missan today include varying branches of the Al-Sawa'id, Albu-Muhammad, Bani Lam, Al-Sarai, Al-Bahadil, Albu Darraj, Al-Azeirij, Ka'ab, Kinana, Banu Malik, Al-Sudan, Ubada, Khafaja, Tameem, Al-Maryan, Al-Sada and Al-Sabi'a Al-Manda'iyya groups.

Missan has experienced several waves of **displacement** due to the Iran-Iraq War (1980-1988), the suppressed Shiite Uprising in the aftermath of the 1991 Gulf War, as well as political and religious persecution. The drainage of the marshes during the 1990s destroyed the livelihoods of many Marsh Arabs and forced them to flee the area for neighbouring countries, mainly Iran or elsewhere in Iraq. While in 1991 about 230,000 people were living in the marshlands, the number of Marsh Arabs still living there today is believed to be fewer than 30,000. Since the fall of the former regime, parts of the marshes have been re-flooded; however, the destruction of houses and villages and the dire lack of infrastructure and public services in the area prevent people from returning.⁴

¹ General information sources include: Ministry of Planning and Development Cooperation (MoPDC) and international reports.

² MoPDC/UNDP, *Iraq Living Conditions Survey*, April 2005, <http://www.iq.undp.org/ILCS/PDF/Tabulation%20Report%20-%20English.pdf>.

³ Encyclopaedia of the Orient, *Al Amarah*, <http://i-cias.com/e.o/amarah.htm>.

⁴ IRIN, *IRAQ: Focus on progress made in marshlands*, 22 August 2005, <http://www.irinnews.org/print.asp?ReportID=48679>. See also the findings of the *AMAR London Conference on IDP issues and the Marsh Arabs*, March 2006.

Missan Governorate is divided into six administrative districts: Al-Kahla, Qal’at Salah, Ali Al-Gharbi, Al-Maimouna, Al-Majar Al-Kabir and Amarah. The Governorate administration is organised according to *Qadha* (district) and *Nahiya* (sub-district) Councils, although municipal boundaries do not cover most of the now isolated former marshland areas which were once home to many of the currently returning Iraqi refugees.

Figure 1: Districts and district towns

District	District Towns
Amarah	Al-Mesharah, Kumayt
Ali Al-Gharbi	Ali Al-Sharqi
Al-Maimouna	Al-Salam
Qal’at Salah	Al-Uzayr
Al-Majar Al-Kabir	Al-Adil
Al-Kahla	Al-Kahla

A Provincial Reconstruction Committee plans and coordinates reconstruction in the Governorate. An office of the Ministry of Displacement and Migration (MoDM) was opened in Missan in August 2004.

A. Political Developments⁵

The Missan Governorate Council was elected on 30 January 2005 and comprises 41 seats divided among political parties as outlined in the table below. The Governor of Missan Governorate is Adil Al-Mhooder.

Figure 2: Composition of Missan Governorate Council

Political Party	No. of Seats
Husaini Thinking Forum	15
Islamic Front	6
Islamic Dawa Party, Iraq’s division	5
Fadheela (Virtue) Party	4
Al-Ridha Centre for Culture and Guidance	3
Iraqi Republican Rally	2
Non Partisan Missan Natives’ Rally	2
Dawa Movement	1
Missan’s Democratic Coalition	1
Non Partisan Islamic National Rally	1
Shiite Political Council	1
Total	41

⁵ Political information sources include: IECI (<http://www.ieciraq.org>), Iraqi Authorities and returnees.

A referendum on the draft Permanent Constitution was held on 15 October 2005. Prior to this Grand Ayatollah Ali Al-Sistani backed the Permanent Constitution and called upon all Iraqis to participate in the referendum. It is thought that his backing contributed to the high approval rate in Missan Governorate, although only one third of the population actually voted.⁶ In Missan, 254,067 people voted, of which 98% voted in favour of the Constitution. Under a compromise reached before the referendum, it was agreed that the new Council of Representatives would consider amendments to the constitution within four months (Article 142 of the Constitution), and amendments agreed would have to be approved in a popular referendum. The referendum would be considered successful if it was approved by a majority of the voters and if not rejected by two-thirds of the voters in three or more Governorates. Issues at stake included federalism and the distribution of oil.

Federalism was a key topic of concern to people in Missan Governorate.⁷ For the majority of Shiites in Southern Iraq, the new Permanent Constitution provides the opportunity to enshrine freedom of religious expression they were denied under the former regime.

A second round of **National Assembly (Council of Representatives) elections** was held on 15 December 2005. The results show that Iraqis again cast their ballots along sectarian or ethnic lines: the Shiite coalition (*United Iraqi Alliance*) dominated the voting, but was short of a majority, holding 128 of the 275 seats. Kurdish parties (*Kurdistan Gathering*) won 53 seats and the main Sunni Arab bloc (*Tawafiq Iraqi Front*) won 44, giving them a much stronger political voice than they had before.⁸ In spite of complaints by some of the leading parties, the polls were run in accordance with international electoral standards⁹ and were accompanied by limited violence. Sunnis, who had boycotted the January 2005 elections participated in large numbers and the overall turnout was relatively high (around 70%), including in the Governorate Missan (around 72%).¹⁰ According to results of the election, the ruling Shiite Alliance, the *Unified Iraqi Coalition*, won a large majority in the Governorate (86.91 %, giving them six seats), followed by the secular *National Iraqi List* of former Prime Minister Iyad Allawi (4.31%, giving them 1 seat).¹¹

After six months of negotiations a **national unity government** was agreed between the *United Iraqi Alliance*, *Tawafiq Iraqi Front*, *Kurdistan Gathering* and *Iraqi National List*, under the leadership of Prime Minister Nouri Al-Maliki.¹²

⁶ Washington Post, *Powerful Cleric Backs Iraq Constitution*, 23 September 2005,

<http://www.washingtonpost.com/wp-dyn/content/article/2005/09/22/AR2005092200393.html>.

⁷ The New York Times, *Secular Shiites in Iraq Seek Autonomy in Oil-Rich South*, 30 June 2005,

http://www.occupationwatch.org/headlines/archives/2005/06/secular_shiites.html; The Christian Science

Monitor, *In the south, a bid to loosen Baghdad's grip*, 28 June 2005,

<http://www.csmonitor.com/2005/0628/p01s04-woiq.html>.

⁸ IECI, *Certification of the Council of Representatives Elections Final Results*, 10 February 2006,

http://www.ieciraq.org/English/Frameset_english.htm.

⁹ International Mission for Iraqi Elections, *Final Report on the December 15, 2005, Iraqi Council of Representatives Elections*, 12 April 2006, http://www.imie.ca/pdf/final_report.pdf; IECI, Statement No. 39,

Board of Commissioners Decisions on Complaints Regarding the Council of Representatives Elections, 16

January 2006, [http://www.ieciraq.org/final%20cand/Declaration_39_Jan_17_06_amended\[1\].edited.pdf](http://www.ieciraq.org/final%20cand/Declaration_39_Jan_17_06_amended[1].edited.pdf).

¹⁰ IECI, *Uncertified Partial Results*, 21 December 2005,

<http://www.ieciraq.org/final%20cand/20051221%20Partial%20Results%20Turnout.pdf>.

¹¹ IECI, *Uncertified Results*, 21 January 2006, http://www.ieciraq.org/English/Frameset_english.htm.

¹² For a list of cabinet members see BBC, *Who's who in Iraq's new cabinet*, 22 May 2006,

http://news.bbc.co.uk/2/hi/middle_east/5000750.stm.

In both the January and the December 2005 elections, Iraqis living abroad in a number of countries (including Iran, Syria and Jordan) were able to participate through an 'out of country' voting system.

B. Security and Public Order¹³

Security in Missan Governorate is less characterised by the insurgent activities experienced in other parts of Iraq, but rather by local disputes between the varying political and tribal groups. A major factor contributing to instability in the Governorate is the tension between the rival **Shiite militias**.¹⁴ This tension has increasingly resulted in violent clashes since 2003.

Military confrontations between various **militias and the MNF** have also occurred regularly in Missan since 2003, impacting heavily on civilians living in the Governorate. Until September 2006, the MNF were based in Missan at Abu Naji Camp, which was home to around 1,000 British soldiers. Insurgent groups frequently attacked the base and MNF patrols operating in the area, and as a result a high number of British military casualties were recorded in Missan.¹⁵ In September 2006, the military base at Abu Naji was closed in order to begin the process of transferring responsibility for security to the Iraqi authorities. However, the MNF continue to maintain a presence in Missan, and will do so until responsibility is formally handed over to the Iraqi Security Forces.

Militia groups and Iraqi Security Forces have continued to clash in Missan. This tension erupted violently in Amarah in October 2006, as gun battles broke out between Iraqi Police and militia's loyal to Shiite cleric Muqtada al Sadr, killing over thirty people.¹⁶

Hijackings, kidnappings, general criminality and localised violence are common, especially on routes between Al-Uzayr and Amarah. Under the former regime, the area was deprived of economic opportunities and accordingly parts of Missan's economy rely on trafficking in drugs, diesel, weapons and other contraband. This activity is a root cause of many of the Governorate's security problems.

Improvised Explosive Devices (IEDs) are mainly targeted at the MNF and most are found along Highway 6, the main Basrah-to-Baghdad highway passing through Missan. Roadside IEDs have killed numerous MNF soldiers since 2003.¹⁷ IEDs have also targeted shops selling alcohol or DVDs, cinemas and internet cafes.

Politically motivated assassinations have included the chief of police, the staff of contracting organisations working with foreign organizations and members of civil society organizations, including a female doctor.

The Iraq Living Conditions Survey (ILCS) found that 91% of women in Missan Governorate define criminals as a threat to their security and 70% of women think that the security situation has worsened as compared to the previous year.¹⁸

¹³ Security and public order sources of information include: Ministry of Interior (MoI), MNF and media.

¹⁴ BBC Panorama, *A British tragedy in a volatile province*, 19 March 2006, <http://news.bbc.co.uk/2/low/programmes/panorama/4823276.stm>. Prospect, *Loosing the South*, November 2005, Issue 116, http://www.prospect-magazine.co.uk/article_details.php?id=7111

¹⁵ BBC, *British military casualties in Iraq*, 8 December 2005, http://news.bbc.co.uk/2/hi/uk_news/3847051.stm.

¹⁶ BBC, *UK may return Iraq crisis city*, 21 October, 2006, <http://news.bbc.co.uk/1/hi/uk/6070104.stm>.

¹⁷ DoD News, *Interview with General Dutton*, November 2005, <http://www.defenselink.mil/transcripts/2005/tr20050805-3621.html>.

¹⁸ MoPDC/UNDP, *Iraq Living Conditions Survey, Analytical Report*, April 2005, p. 115/116, <http://www.iq.undp.org/ILCS/PDF/Analytical%20Report%20-%20English.pdf>.

a. Chronology of Events

The following security information is taken from UN security reports, and provides a brief summary of events in Missan from January 2006 (not exhaustive):

November 2006:

- Gunmen blew up a police station in Missan, and detained three guards who were later released.
- An old mine detonated in the east of Amarah killing one farmer.
- Gunmen opened fire on a school south of Amarah, but there were no reported casualties.

October 2006:

- On the 19 October, violent clashes erupted between IP and Militia in Amarah, as militia attempted to take over police stations in retaliation for the killing of a senior police official. Over 300 gunmen are reported to have been fighting in the city, killing over 30, and injuring around 100 people. On 23 October Prime Minister Nouri-Al Maliki issued a statement warning Militia's fighting in Amarah to stop the violence. He said "the Iraqi Government hear by warns all groups with illegal weapons to refrain from any armed activity that threatens public security".¹⁹
- The Head of Criminal Intelligence in Missan was killed when an IED was detonated against his convoy killing him and his bodyguards.

September 2006:

- Unknown gunmen attacked and killed a tribal leader and his wife in Amarah.
- Gunmen shot dead two former Ba'ath Party members in the Al-Urouba area of Missan.

August 2006:

- Gunmen shot dead three women who were former Ba'ath Party members.
- Gunmen killed two former Ba'ath Party members, one was an irrigation engineer killed on his way to work, and the other was a school teacher killed by an assassin on a motorcycle.
- Numerous rocket attacks on Abu Naji Camp took place during August.

July 2006:

- Gunmen shot dead an employee of the Sunni endowment, the organisation that manages Sunni mosques. On the same day a gunman opened fire on civilians in Amarah killing two people.
- Two mortar rounds were targeted at the Governorate Council Building in Amarah.

June 2006:

- A translator working for the MNF in Missan was killed in a drive by shooting.
- Gunmen shot dead an electrician who was a former Ba'ath Party member.
- Gunmen shot dead an Egyptian Ice Cream vendor in Amarah, outside of his shop.

May 2006:

- A mortar round exploded near the Sadr Hospital in Amarah, no casualties reported.
- There were numerous rocket attacks on Camp Abu Naji during May, injuring British Soldiers.

¹⁹ BBC, *UK may return Iraq crisis city*, 21 October 2006, <http://news.bbc.co.uk/1/hi/uk/6070104.stm>.

April 2006:

- A mine exploded killing two shepherds in Al-Tayib, after they accidentally detonated it.
- There were numerous attacks on Camp Abu Naji during April.

March 2006:

- Rocket attack on Camp Abu Naji killed three British Soldiers.
- A roadside bomb detonated in Amarah killing a ten year boy, and injuring an eight year old as they were playing.

February 2006:

- An IED exploded hitting an MNF patrol in Amarah, it killed four MNF Soldiers, and injured three.
- A large demonstration took place in Amarah after the killing of an Iraq TV News correspondent on 22 February.

January 2006:

- A blast bomb was thrown at an IP patrol when leaving a police station, and an IED detonated when an MNF patrol was driving through Amarah.
- Clashes erupted between IP and militia groups in Amarah, no fatalities reported.

b. Security Forces

The **former Iraqi Army, Republican Guard, Ministry of Defence and other security forces were disbanded in 2003** (by CPA Order No. 2) and have since been replaced by the new Iraqi Army. **The Iraqi National Guard (ING)** was established as a civil protection force which has been merged into the new Iraqi Army.²⁰ The ING currently has six battalions across Iraq's four Southern Governorates (Basrah, Missan, Thi-Qar and Muthanna).²¹

The new **ISF are paid and are gaining skills and confidence.** The relationship between the ISF and MNF has been tense in Missan. The ISF are overseen by a Permanent Joint Operations Centre (P-Joc) in Amarah, which includes a call centre for police, ambulance and fire services. A number of observers have commented that the ISF are strongly influenced by militia groups in the Governorate.

ISF have been trained at a facility managed by the British Military close to Abu Naji Camp and in Basrah Governorate. Prior to 2003, military service was compulsory for all Iraqi males but is currently a voluntary service.

Police from Missan Governorate are trained either in the Regional Police Training Centre at Al-Zubayr in Basrah Governorate or at a police training facility in Jordan.

The Iraqi Correctional Service (ICS) is responsible for running the prisons in Iraq under the authority of the Ministry of Justice. The ICS was reformed in 2004 and subsequently a new prison was built in Missan, just outside Amarah City.

If a person is arrested by the ISF, he/she has the right to legal counsel and to have the case heard by an investigative judge within 24 hours. The investigative judge can extend

²⁰ BBC News, *Iraq to dissolve National Guard*, 29 December 2004, http://news.bbc.co.uk/2/low/middle_east/4133039.stm.

²¹ The UK Parliament, House of Commons, Defence Committee, *Iraq: An Initial Assessment of Post Conflict Operations: Government Response to the Committee's Sixth Report of Session 2004-05*, 27 July 2005, <http://www.parliament.the-stationery-office.co.uk/pa/cm200506/cmselect/cmdfence/436/436.pdf>.

the period of detention for up to fifteen days after each review, however the total period of extension cannot exceed six months, after which authorization for further extension has to be obtained from the responsible criminal court. In practice, referrals often occur with delay. Persons arrested by the MNF fall under a different legal regime for arrest and detention depending on the reason for their arrest (whether they are criminal detainees or security detainees).²²

If a member of the public wishes to make a complaint against a member of the IP, it should be addressed to the investigative judge or made in writing to the Inspector General at Missan IP Headquarters.

When UK military forces were based at Abu Naji Camp, they provided support to the ISF in Missan Governorate. In September 2006, Camp Abu Naji was closed, however, MNF still maintains a presence in the Governorate, but is now based in Basrah. Multinational Division Headquarters are located in Basrah Governorate, which provides support to the four southernmost Governorates. The Division's mandate was to support Security Sector Reform and to assist the ISF to provide security in the region.

Since June 2003, the MNF's presence in Iraq has been at the request of the Iraqi authorities and authorized by the UN Security Council. In November 2005, the UN Security Council, upon request of the Iraqi Transitional Government, unanimously extended the **MNF's mandate** for another year until the end of 2006, subject to a review no later than 15 June 2006.²³ On 15 June 2006, members of the UN Security Council upon request of Iraq's Government (letter from Foreign Minister Zebari dating 9 June 2006) agreed to the continuation of the MNFs mandate.²⁴

c. **UXO and Mines**²⁵

Mines and unexploded ordnance (UXO) are prevalent along the border with Iran, as a result of military positions abandoned after the 1980-1988 Iran-Iraq War and the 1991 Gulf War. In 2004, further unmarked UXO and water mines were found in drainage canals around Al-Mesharah and in other towns close to the marshlands, remnants of the former regime's strategy of inhibiting people from moving to or from the marshlands during the 1990s.²⁶

The authority responsible for mines and UXO clearance in Missan is the Iraqi Civil Defence (the fire service) whose work is overseen by the National Mine Action Authority (its closest office is in Basrah City). MNF and ISF have also been involved in de-mining. Hidden mines continue to cause casualties amongst civilians in Missan, however, and there is currently little mine clearance being conducted.

²² For further information see UNHCR, *Country of Origin Information Iraq*, October 2005, <http://www.hcriraq.org/Public/index.html>.

²³ UN Security Council, *Resolution 1637 (2005)*, 11 November 2005, http://www.un.org/Docs/sc/unsc_resolutions05.htm.

²⁴ UN Security Council, *Security Council Press Statement on Review of Multinational Force, Development Fund for Iraq Mandates*, SC/8752 IK/548, 15 June 2006, <http://www.un.org/News/Press/docs/2006/sc8752.doc.htm>.

²⁵ UXO and mines sources of information include the National Mine Authority.

²⁶ Human Rights Watch, *The Iraqi Government Assault on the Marsh Arabs*, January 2003, <http://www.hrw.org/backgrounder/mena/marsharabs1.htm>.

d. Freedom of Movement²⁷

Missan Governorate is linked to four main roads. Roads run to Basrah in the South, Nassiriyah in the West and Kut and Baghdad in the North. The fourth route is along the Beseiteen Road, leading East to Iran. There is an official external border crossing point with Iran in Missan Governorate, called Al-Sheeb.

The official border crossing with Iran at Al-Sheeb opened in 2006, prior to its opening the nearest crossing point was at Al-Shalamshah crossing point, located 30 km east of Basrah City. This crossing point is used for UNHCR facilitated repatriation to Iraq.

Missan Governorate has internal boundaries with the Governorates of Basrah, Thi-Qar and Wassit. Identification such as a civil ID card, passport or food ration card must be displayed at provincial border crossing points within Iraq. Returnees and refugees without documentation have been refused access at border checkpoints for having inaccurate or insufficient documentation.

A major factor impeding freedom of movement is the above-mentioned high rate of criminality in the Governorate – in particular along major routes – including roadside bombs, attacks on MNF convoys and car hijacking. Insecurity also impedes outreach activities set up by humanitarian organizations and local public administration offices.

There are a number of permanent IP vehicle checkpoints on Highway 6 linking Amarah to Baghdad and Basrah. Additional mobile checkpoints and patrols by the ISF operate throughout the Governorate.

There are no official curfews in place in the Governorate of Missan at present, but residents rarely travel after dark because of safety concerns.

II. Legal Issues

A. Justice System

The Central Court House in Missan Governorate is located on the Highway 6 in Amarah City and serves as both the district courthouse for the city of Amarah and the Court of Appeal for the entire Governorate of Missan. It includes the following courts:

- **First Instance Courts for Amarah District**
- **Felony Court**
- **Investigations Court**
- **Appeal Court**
- **Notary Office**
- **Juvenile Court**
- **Land Registry Department**
- **Commission for the Resolution of Real Property Disputes**

District First Instance Courts are located in:

- **Qal’at Salah**
- **Al-Majar Al-Kabir (includes a land registry office)**

²⁷ Freedom of movement sources of information include: Implementing partners, Border Authorities, MNF and returnees.

- **Ali Al-Gharbi**
- **Al-Maimouna**
- **Al-Kahla**

All courts in Missan Governorate were severely looted in the aftermath of the 2003 conflict and most of the records were also destroyed. This has caused complications for returnees wanting to renew documentation (see *Section B: Nationality Documentation*).

Five of the six court houses were renovated and have been supplied with computers and vehicles, however all courts are functioning. District courts mainly carry out hearings for civil court cases and minor criminal offences while the Felony, Juvenile and Appellate proceedings are referred to the Amarah Courts.

The Court of Appeal receives appeals against decisions made in the civil and criminal courts and was established in Amarah in May 2003. Prior to 2003, appeal cases from Missan were referred to the Appellate Court in Basrah Governorate.

There are a total of 31 judges and 5 prosecutors in Missan Governorate. **Some Courts only have one judge**, carrying out both investigative and trial functions, which raises questions regarding their independence and the outcomes of judicial review. There are no independent ombudsmen in Missan to investigate outside influence into court affairs and there is little oversight of court proceedings in District Courts.

The **Missan Bar Association** held a conference in May 2004 and elected 24 individuals, one judge and 23 lawyers. The Bar Association in Amarah has been reformed since 2003 but cooperation has been low among lawyers, the judiciary and law enforcement organisations to improve respect for, and enforcement of the law in Missan.

B. Restitution of Property Claims

The Iraq Property Claims Commission (IPCC) was established on 1 July 2004 as a means for dealing with illegal property confiscation that had occurred in Iraq. A revision to the IPCC statute was published on 10 March 2006 changing the name of the IPCC to the Commission for the Resolution of Real Property Disputes (CRRPD). The jurisdiction of the CRRPD runs from 17 July 1968 to 9 April 2003 and covers the following types of properties:

- *Properties that were confiscated and seized for political, ethnic reasons or on the basis of religion or religious doctrine or any other events resulting from the policies of the previous regime of ethnic, sectarian and nationalist displacement.*
- *Properties that were seized without consideration or appropriated with manifest injustice or in violation of the legal practices adopted for property acquisition. Exception is made to the properties that were seized pursuant to the law of agricultural reform, the cases of in kind compensation and appropriation for purposes of public use and which were actually utilized for public use.*
- *The State real properties that were allocated to the factions of the previous regime without consideration or for a symbolic amount.*

A CRRPD office was established in Amarah in May 2004 to administer disputes arising over property in the Governorate that was wrongly expropriated by the former regime. **The CRRPD office provides assistance with completion and filing of claims.** It also collects evidence from appropriate real estate registry offices and government offices, holds hearings, and requests additional evidence on aspects of claims that need further clarification.

Between July 2004 and 23 November 2006, **the CRRPD office in Amarah received 673 claims of which 507 have been settled** (of the 507 cases, 159 claims were rejected, 231 had their property returned, 157 received compensation, 2 cases were voluntarily resolved and 9 withdrawn; 28 cases were dealt with under the category of “Other”).²⁸ **Property restitution claims in Amarah can take over a year to process** and poor coordination between government departments often slows applications.

To submit a claim to the CRRPD a claimant should submit the following documents to any CRRPD Office,²⁹ preferably to the one nearest to the real property in question:

- A completed CRRPD claim form (in Arabic or Kurdish);³⁰
- Originals of supporting documentation;
- Copies of supporting documentation;³¹
- A valid identification document (for claimant and/or representative);
- Evidence of representation signed by the claimant (if a representative is submitting the claim).

Claims from persons in Iraq must be filed in person or through a legally authorized representative.

There is also the possibility to submit property claims from abroad. Out-of-country claimants (or their representative) can file their claims with Iraqi embassies and consular offices as well as any CRRPD office in Iraq.

There is no fee for filing a claim, both for in-country and out-of-country claims.³²

An original document issued by the Real Estate Registry Authority confirming property ownership is normally required to register a claim; if this is not available, a new letter is required from the Registry Office in Missan confirming that the property was previously registered in the claimant’s name. Because many records were destroyed during looting in 2003 however, this information may not be available. Furthermore, in cases in which returnees had their nationality, personal records and assets erased by the former regime, access to entitlements has been virtually impossible to ascertain (see below *Section C. Reacquisition of Nationality*).

Because many returnees to Missan Governorate did not have official ownership of their previous properties, their ability to claim restitution/compensation for properties that were misappropriated by the former regime is seriously impeded.

The CRRPD office in Amarah is open from 08.00-15.00, Saturday to Thursday. For additional assistance in completing the forms, claimants and respondents may contact the CRRPD from 8.00-15.00 (Baghdad time) at the following mobile number until further notice: **+9647901945767**.³³

²⁸ CRRPD, *Weekly General Information Form*, 23 November 2006.

²⁹ A list of CRRPD offices in Iraq and their contacts can be found at, <http://www.ipcciraq.org/en/contactus.php>.

³⁰ The claim form is available at any CRRPD Office, Iraqi embassies and consular offices and can be downloaded at <http://www.ipcciraq.org/en/forms05.php>.

³¹ Examples of supporting documentation include: property registration certificates, land contracts, certificates of the transfer of title, tax documentation and utility bills. Copies of the supporting documentation will be certified and submitted with the claim form after the originals are presented to and verified by CRRPD or Iraqi embassy/consular staff. Originals of documentation should not be submitted.

³² For further guidance, see CRRPD, *Procedures for Persons Living Outside of Iraq* <http://www.ipcciraq.org/en/outofcountry.php>.

³³ CRRPD, *Contact us*, <http://www.ipcciraq.org/en/contactus.php>.

C. Reacquisition of Nationality

There are two documents in Iraq confirming Iraqi nationality:

- **Nationality Certificate**
- **Civil ID card.**

Persons, whose nationality was withdrawn by the former regime, should apply for these two documents. An investigation into the reasons for loss of nationality will be carried out by the Missan Directorate of Nationality and Travel and a request for reacquisition will be sent to the Ministry of Interior (MoI) in Baghdad where a final verification is carried out. **The MoDM Branch Office in Amarah City** provides returnees with a letter to facilitate the reacquisition of nationality documentation.

In Missan Governorate many of the identity records were damaged or destroyed by extensive looting in 2003. In other Governorates of Iraq, where official records have stayed relatively intact, it has been easier for Iraqi returnees to prove their Iraqi nationality via relatives registered in previous Iraqi censuses.

However, in Missan some returnees have been unable to prove their nationality entitlement due to the lack of existing records. For these persons, statelessness is a problem and is affecting some of the returnees' ability to access basic services – for which an Iraqi ID document is required. Accordingly, some 20% of the returnee households in Missan Governorate surveyed by UNHCR reported encountering difficulties in obtaining documentation (see below Figure³ *Documents which returnees had problems renewing*).

In order to obtain the nationality certificate applicants must first contact the Nationality and Travel Directorate/MoI in Amarah. However, as applications cannot currently be processed in Missan Governorate, applications have to be submitted directly to the office in Baghdad. Applications have to be submitted in person and returnees often do not have the financial means to make the journey to Baghdad. **Applications to obtain the civil ID card** must be submitted to one of the six Identity Offices/MoI in Missan Governorate.

Delays of several months are usual when applying for reacquisition of nationality documentation in Missan because of lengthy administrative processes in Baghdad.

Procedures to reacquire the nationality certificate as well as the civil ID card are described under *Section D. Documentation*.

D. Documentation

This section contains information on the issuance/renewal of identity documents, travel documents, passports, visas, birth, death and marriage certificates, social welfare cards, etc.

Civil ID Cards

Civil ID cards, which are used in order to obtain most official documents, **can be renewed at any of the six MoI Identity Offices in the Missan Governorate.** Politically sensitive cases may be submitted to the Central ID Office in Baghdad. A request should be forwarded to the ID Offices with the following documents:

- Iraqi birth certificate (if born outside of Iraq);
- A letter from the *Mukhtar* confirming the applicant's residency;
- If possible, a copy of the Civil ID record;
- PDS ration card;
- Two personal photographs.

The only cost incurred for the civil ID is the price of stamps which cost 2000 ID (\$5 US).

Nationality Certificates

Nationality Certificates are needed for most official purposes and applicants should first contact the Nationality and Travel Directorate in Amarah for advice. At present, applications can not be processed in Missan, and need to be submitted in person to the office in Baghdad. The applicant should provide all documents that prove they were a holder of Iraqi nationality (photocopies are accepted). The process normally takes 30 days after an application is submitted. Documents required are:

- An official letter from the Civil Status Office in the applicant's hometown, listing the members of the family (*Sourat Qaid*);
- Civil ID card;
- Food ration card;
- Letter from the *Mukhtar* confirming the applicant's residency;
- Personal photographs.

There are currently no fees to obtain the nationality card. However, the cost of travelling to Baghdad may cost up to 70,000 ID (\$50 US)

Passports

Passports can be applied for at the Passport and Residence Office in Amarah City. Applications usually take about 11 days to process, if applying for a new passport and 3 days to renew. Passports are valid for two years. The following documents need to be submitted:

- Nationality certificate;
- PDS food ration card;
- Letter from the *Mukhtar* confirming the applicant's residency;
- Two personal photographs.

To obtain a new passport costs 25,000 ID. There is no cost to renew a passport.

Non-Iraqi spouses of Iraqi returnees should register with the Passport and Residence Office in Amarah City in line with Article 3 of the *Foreigner Residence Law*. Initial registration lasts for three months, after which non-Iraqi spouses need to extend their residency every year. After five years of continuous legal residency, non-Iraqi spouses can apply for Iraqi nationality under certain criteria (Article 11 of the new Iraqi Nationality Law No. 26). Registration requires the spouse to have a valid passport, visa and proof of entry through an official Iraqi border crossing point. This has caused difficulties for many who travelled to Iraq illegally and did not use an official crossing point, particularly in the immediate aftermath of the 2003 conflict. If non-Iraqi spouses do not register and do not have the necessary documents, their stay in Iraq is considered illegal and they are subject to detention and deportation. Please see Section: *IV.A - Spontaneous Repatriation Procedures* for information on how unregistered non-Iraqi persons in Iraq can become registered.

Marriage Certificates

Marriage certificates are issued by the Personal Status Courts, usually within 3 days after submitting the following documents:

- Civil ID cards of both spouses;
- Nationality certificate of both spouses;
- Medical certificate (100 ID);
- Two witnesses.

Marriage certificates are issued for free.

Birth Certificates

Birth Certificates are required for the issuance of a civil ID card, to add children to the food ration card, facilitate registration of children at school and to apply for social welfare benefits.

Birth certificates are issued by the Ministry of Health (MoH) Births/Deaths Administrative Office, and within one week if the birth was registered at a hospital. To apply for a replacement birth certificate, a citizen is required to go to his/her place of origin. This creates hurdles for returnees and IDPs who may not be able to travel to their place of birth for economic, security or other reasons. The following documents are requested for a birth at a hospital:

- A request form to issue the Birth Certificate (500 ID);
- Civil ID of the parents;
- Nationality certificate of the parents;
- Letter from the *Mukhtar* confirming the parent's residency;
- Any medical documentation showing the birth has taken place (from hospital/or nurse).

If a birth certificate is required for children not registered at birth, it is issued by the court, and the following documents are required:

- A request form (250 ID);
- Civil ID of the parents;
- Letter from the Civil ID records saying the child is not registered;
- Letter from the Birth/Death records department saying the child is not registered;
- Marriage contract;
- Report from the medical committee (age estimation);
- Letter from the *Mukhtar* confirming the parent's residency;
- Two witnesses.

The issuance of a birth certificate is free.

Returnees applying for Iraqi birth certificates for their children born abroad may also have to get authorisation through the Civil Courts.

Death Certificates

Death certificates are needed in order to obtain retirement benefits for the spouse or children, and also for inheritance purposes. They are issued by the MoH Births/Deaths Administrative Office, and a death certificate is usually issued on the same day.

To apply for a replacement death certificate, a citizen is required to go to the deceased's place of origin. This creates hurdles for returnees and IDPs who may not be able to travel to their place of birth for economic, security or other reasons.

If a certificate is issued from a health authority (hospital, health department). Required documents are:

- Request form completed by the deceased family (500 ID);
- A copy of the deceased's Civil ID;
- Medical certificate proving death;
- PDS food ration Card of the deceased.

The issuance of a death certificate is free.

Returnees with relatives that have deceased while abroad should apply for a death certificate in their host country before returning. In case they do not have a death certificate from the host country, they must get authorisation through the Personal Status Courts which will issue a death certificate. This may involve extra costs for legal representation and court fees.

Food Ration Card (PDS Card)

Returnees from abroad applying for the PDS food ration card for the first time should provide any Ministry of Trade (MoT) Office with the following documents:

- Civil ID card of all family members;
- Letter from the Municipality Council.

Applications usually take about thirty days to be processed, and registration is free. In order to include/exclude a newborn/deceased person from a family's food ration card, a copy of the relevant birth/death certificate must be sent to the PDS centre. Those who return within Iraq should de-register and then re-register at their place of new residence with the nearest MoT office.

Social Security Applications

Social security applications are processed through the Ministry of Labour and Social Affairs (MoLSA) (see section on *Public Services*). Returnees and IDPs must approach MoLSA with the following documentation:

- PDS food ration card;
- Nationality certificate;
- Civil ID Card;
- Letter of residency;
- Letter from the Municipality Council.

If IDP/returnees have all the necessary documentation it will take up to two months to process an application.

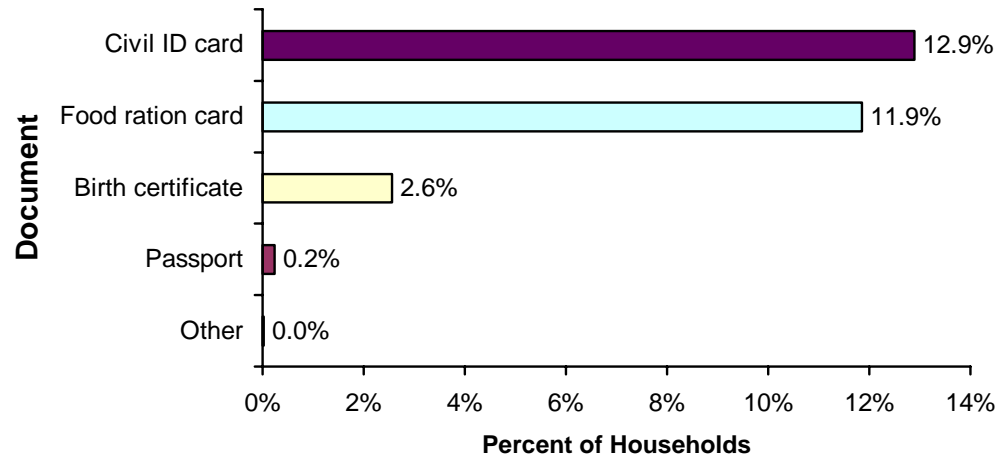
Returnees lacking documentation may need the death certificate or civil ID card of their father or grandfather to prove their Iraqi nationality or to prove property inheritance. Under these circumstances, a search of identity and death certificate records may have to be conducted in the Central Identity Offices in Baghdad, which can create delays to the processing of applications.

The MoDM Branch Office in Amarah provides letters of referral to returnees to facilitate the renewal of documentation.

About 20% of the households surveyed in the Governorate of Missan were found to have faced problems renewing their documents upon return (see *Figure 3*).

Figure 3: Documents that monitored returnees had trouble renewing

(Sample of 4,259 households that indicated problems with renewing documentation)



E. Human Rights³⁴

Differing reports have arisen on the situation of human rights in Missan Governorate. Local authorities say that rights of all people, including members of minorities, are respected in the Governorate.

Although many Iraqis no longer face legal obstacles to the exercise of a range of human rights and have begun to make use of their new freedoms, the security situation and the influence of groups that embrace strict Islamic values are still an obstacle to the full enjoyment of these rights. Drive by shootings, extra-judicial killings and ‘honour killings’ have all been reported in the Governorate since 2003. A newly renovated girls’ school was bombed in 2003 and cinemas and shops selling alcohol or DVDs (none of which are illegal under Iraqi legislation) have been targeted by Islamist militias. In 2004, a female doctor seeking to encourage opportunities for women was shot dead on her doorstep for allegedly promoting ‘improper behaviour’.

The Ministry of Human Rights (MoHR) has a representative in Missan Governorate and an office in Basrah City. The MoHR representative monitors the situation in the Amarah Prison and the IP in Missan Governorate have established a senior-level committee to investigate any allegations of human rights abuses in police station detention facilities as well as in the prison. Human rights’ training in prisons is minimal however, and there is little oversight of the treatment of prisoners in district police stations.

The MoHR is also responsible for cataloguing the atrocities of the former regime. The Ministry works with returnees, political prisoners and victims of human rights abuses and is investigating the thousands of missing persons and mass grave sites and gathering evidence regarding the drainage of the Iraqi Marshlands.

³⁴ Human rights sources of information include: MoHR and international media.

Religious minorities have decreased in numbers in Missan Governorate since 2003, as they have come under increasing pressure by radical Islamist groups and their opportunities to openly pursue their traditions, customs and ways of life have decreased. Chaldo-Assyrian and Mandaean community members consider themselves a vulnerable minority in Iraqi society because of their limited financial means and the lack of tribal links protecting their members.³⁵ A number of incidents targeting the Sunni community in Missan have been recorded during 2006 (See section *B: Chronology of Events*).

Minority religious, tribal and ethnic groups are generally more vulnerable to persecution and criminality because of minimal opportunities to draw on support and protection from influential powers such as political parties, militias or tribes.

Women's participation in social and political life in Iraq is recognized in the establishment of a National Women's Commission and the inclusion of women in electoral legislation. In Southern Iraq however, women have reported a deterioration of opportunities for active participation in society, education and employment as well as increased pressure to adhere to conservative traditions, including dress codes. A number of women have received threats for failing to comply with these prescriptions.

Women, mainly those in rural areas in the South, are at risk of '**honour killings**' to cleanse the family's honour in cases of behaviour believed to have brought shame on the family. The Iraqi *Penal Code* (Law No. 111 of 1969) contains provisions that allow for lenient punishments of 'honour killings' on the grounds of provocation or if the accused had 'honourable motives'. No exact figures on the extent of the practice are available and many cases undoubtedly go unreported, but NGOs believe that in areas in which cultural values and traditions remain very strong, the tradition may be common.

Traditions such as forced and/or early marriage are common, mainly in rural areas.

There is currently a lack of services for women within the judicial or security systems in Missan Governorate. Police stations rarely have a female staff member, lawyer or health adviser available for women to speak to. Furthermore, there are no institutions providing legal advice, social counselling, mediation programmes or shelter for women at risk of violence (including 'honour killings').

³⁵ The Assyrian Academic Society, *ChaldoAssyrians of Iraq and the Iraqi Interim Constitution*, March 2004, <http://www.aina.org/reports/catal.pdf>.

III. Housing / Land / Employment / Infrastructure / Public Services

A. Housing and Land³⁶

Given the fact that much of the former marshland has become uninhabitable, many returnees cannot return to their places of origin. They are therefore forced to move to the peripheries of towns, where they have little access to appropriate housing **because of differing tribal affiliations and financial resources**. Furthermore, they must compete with significant numbers of IDPs and other impoverished populations over already scarce resources.³⁷ UNHCR Returnee Monitoring showed that **over 50% of the returnee households were returning into a situation of continued displacement** (*see Figure 8*).

The housing situation of returnees in the Governorate of Missan has been found to be of great concern. UNHCR Returnee Monitoring in the Governorate of Missan revealed that over two thirds of the returnee households are living in mud or straw shelters (2,238 households), while the others live mainly in shelters built out of cement and brick. Reed housing is not a sustainable shelter option for most returnees and is built by families only as a temporary measure as it is unstable, provides insufficient protection from the elements and has to be rebuilt every three years.

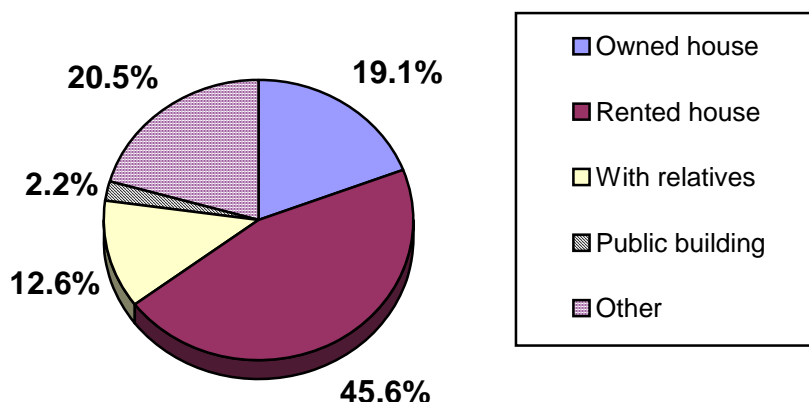
The fact that over **45.6% of the monitored households are living in rented accommodation** and only **12.6% are staying with relatives** indicates that local communities do not have the capacity to absorb returning relatives. Furthermore, it means that even those living in reed or mud brick housing are being charged rent. It is also estimated that rent prices have tripled in some parts of Missan as a result of population increases and the influx of large numbers of returnees.

About 20% of those monitored indicated ‘Other’ as their type of housing, usually to indicate that they have built temporary shelters on government land. These persons have no ownership rights over such structures and are at high risk of eviction.

³⁶ Housing and land sources of information include: Ministry of Housing and Construction (MoHC), UN-Habitat and international media.

³⁷ As of 13 December, 2006 MODM registered 3,995 IDP Families in Missan displaced since Samarra bombing in February 2006.

Figure 4: Type of housing
(Sample of 6,636 households)



UNHCR Returnee Monitoring revealed that returnees have much more severe shelter needs than the general population. Surveys in Missan showed that the majority (61%) of the houses of returnees were either severely damaged or completely destroyed, while the others had suffered minor (20%) or moderate damage (19%).

B. Employment and Economy³⁸

The economy of Missan Governorate is mainly based on agriculture, but economic restrictions imposed by the former regime halted virtually all agricultural exports from the area in the 1980s. The introduction of the Public Distribution System (PDS) supported by the UN Oil-for-Food Programme meant that the price of Missan’s main agricultural product – wheat – became virtually worthless overnight as the country built up a dependence on foreign supplies rather than using existing national resources.

Missan’s four state-owned enterprises produced vegetable oil, plastic, paper and sugar. They all shut down in 2003, exacerbating an already dire unemployment situation. The vegetable oil factory re-opened in July 2005, and now produces detergent. Possible privatisation has been considered for Missan’s other factories, but dilapidation and lack of maintenance over the past ten years means that they do not offer much viability for investors without an immense injection of capital and reconstruction of infrastructure.

Missan also has eight **brick factories** located along the Basrah – Amarah Highway 6. A village is attached to each factory to house workers. Labour conditions are of serious concern, and children, some under ten years of age, are thought to be working in the factory, and are given no protection from the noxious fumes of the brick smelting.

Missan Governorate has one of the highest rates of unemployment in Iraq, and as a result one of the most impoverished populations. Job shortages have already led to violent civil unrest and bear the potential for causing further tensions.

³⁸ Employment and economy sources of information include: MoT, MoLSA, Unemployment Registration Offices, Ministry for Municipalities and Public Works (MoMPW) and international media.

On 14 March 2004, MoLSA opened an Employment Centre in Amarah City. Over 50,000 unemployed persons were registered on the Ministry's database in the first year of operation. The shortage of employment opportunities in the Governorate and the large number of young men previously serving in the military and now without employment however, have meant that MoLSA has been unable to find jobs for the majority of people registered.

Opportunities for employment of women in Missan appear to be increasingly restricted to service and administration posts. The reduction of public sector jobs has meant that women are often the first to be replaced or laid off. Furthermore, women receive lower wages than their male counterparts and their opportunities for promotion are fewer. Lack of kindergartens and child care facilities was also given as a reason inhibiting opportunities for women to work in Missan.

Many of the returnees from Iran have lived in camps near the border in Ahwaz and Dezful where opportunities to gain new skills or develop existing ones are virtually non-existent. Returnees to Missan are therefore at a severe educational and professional disadvantage when trying to reintegrate and find jobs and are returning to an area with limited immediate potential for economic growth.

Returnees previously employed in the public sector have found difficulty in finding positions within the new administration in Missan although a directive by the National Council to allow former political refugees to be reinstated to previously held public sector positions has helped some to overcome this hurdle.

C. Infrastructure and Communications³⁹

There has been a complete absence of investment in infrastructure and communications in Missan Governorate over the past 30 years. The predominantly rural population is spread out in isolated communities where they are cut off from most public services, a policy implemented by the former regime to deny resources to perceived opposition movements whose legacy remains today. Furthermore, the delicate ecological balance of the marshlands has been badly affected by the former regime's drainage programme and will need years of investment to be rehabilitated. Dilapidated infrastructure has come under additional pressure due to large numbers of returns after the fall of the former regime. Reconstruction is taking place at a very low path given the level of insecurity.⁴⁰

a. Water and Sanitation

The main source of water for Missan is the Tigris River and its tributaries. Water is pumped through water treatment stations to the main district towns. There are a few private RO (reverse osmosis desalination) units in Amarah.

In the Governorate of Missan, the available water supply provides for only 60% of the needs of Amarah City and the main district towns. The rural areas rely on drinking water directly from the marshes, water that is highly saline, untreated and often contaminated because of the lack of sanitation systems. Large numbers of returnees are living outside the areas covered by water treatment stations. Under the former regime, the Ministry of Water was

³⁹ Infrastructure and Communication sources of information include: UNDP, UNICEF, Ministry of Water and Sanitation, Ministry of Electricity, Ministry of Oil and Fuel.

⁴⁰ IRIN, *IRAQ: Focus on progress made in marshlands*, 22 August 2005, <http://www.irinnews.org/print.asp?ReportID=48679>; The Washington Post, *No Exit for British in Poor Corner of Iraq*, 12 February 2005, <http://www.washingtonpost.com/wp-dyn/articles/A17527-2005Feb11.html>.

only responsible for water treatment plants in the cities and main district towns, and provided no outreach services to outlying villages. This system has not been reformed since the fall of the former regime in 2003. The few villages where water treatment facilities were installed by humanitarian organizations post-2003 have to maintain the installations themselves, but often do not have the necessary training or resources to do so.

A major weakness of the water system in Missan Governorate is that electricity, fuel and gas are essential for it to operate. If electricity fails, the water systems rely on generators which consume fuel and gas. If the generators are offline or there are shortages of gas and fuel, the entire water system shuts down.

b. Electricity

The estimated electricity supply needed in Missan Governorate is **225 megawatts per day**, while **current supply is only around 70 megawatts**. Average electricity supply in summer and winter months is four hours, and is delivered in windows one hour on and five hours off. In the spring and autumn, when electricity consumption is less, electricity may be available for an hour a day longer.

Electricity is received from Basrah, Nassiriyah and Wassit through the National Grid controlled in Baghdad. There is a small electricity generating station in Bazirkan in Northern Missan, but it does not have the capacity to supply the whole Governorate because of a lack of gas pressure to drive the turbines. Electricity demand has tripled in Missan Governorate since 2003 because of the widespread introduction of imported electrical appliances. The outdated Governorate electricity distribution network is unable to carry the present load and frequently shuts down. Sabotage of electricity wires compound the shortages in electricity supply.

Many villages in Missan have no electricity supply at all, and high concentrations of returnees and IDPs can be found in these areas.

c. Fuel

Gas (bottled propane gas), which is commonly used for cooking, is produced by a state organization in Basrah and then transported to Missan Governorate. Transportation costs have pushed the price up in Missan Governorate. There are three manual gas filling factories in Missan Governorate: two in Amarah and one in Qal'at Salah. Licensed fuel agents in the Governorate are supplied with the cylinders which they distribute to citizens.

Due to organized sabotage against oil and power infrastructure, the dilapidated state of existing infrastructure and a lack of investment in the development of new oil fields, Iraq faces difficulty meeting its needs for **gasoline, diesel and kerosene**. Due to persistent shortages, many turn to the black market (where prices are several times higher) to meet their needs for these fuels. In December 2005 the government announced a sharp increase in the price of petrol, cooking and heating fuels. Premium gasoline rose by 200 percent while diesel jumped by the same amount. Regular gasoline rose by 150 percent and bottled household gas by 100 percent. The price of a litre of ordinary gasoline is now 350 ID.

Other problems with fuel supply include: the small number of gas filling stations which are operated manually rather than automatically, problems with transport contractors, the limited number of trucks available to transport fuel and the lack of a regulated distribution system which means that when shortages occur fuel is distributed unevenly among the various districts. Furthermore, there is a shortage of petrol stations able to service the increased number of cars and generators.

d. Telephone/Internet

Missan Governorate is serviced by the Atheer **Mobile** Network which covers South Iraq, although mobile coverage is intermittent and the limited number of mobile phone masts only cover key districts.

Internet service providers can install private internet connections in Amarah City.

e. Postal Services

There are two post offices in Amarah City centre and district post offices in Ali Al-Gharbi, Ali Al-Sharqi, Kumayt, Al-Mesharah, Al-Kahla, Qal'at Salah, Al-Uzayr, Maimouna and Al-Salam.

The post offices offer the following services: posting and receiving of letters and parcels, opening of saving accounts, post office boxes, e-mails, selling stamps, and registered, express and ordinary mail. Postal services are still unreliable, however, and are often delayed by shortages of staff and transportation for mail delivery and inadequate office infrastructure. Post offices are usually open from 09.00 – 13.00, Saturday to Thursday.

f. Banking and Money Transfers

The Central Bank of Iraq is the main public bank and has a central office in Amarah. It offers loans to merchants, doctors, lawyers and professionals based on mortgages or guarantees. The Central Bank also oversees and finances four branches of the Al-Rasheed Bank (two in Amarah City, one in Al-Qal'at Salah, one in Al-Mesharah) and the Al-Rafidayn Bank, which has three branches called the Amarah, Hadi and Missan banks, all located in Amarah City. Banks are open from 08.00 to 15.00, Saturday to Thursday. There is also a State operated Real Estate Bank and an Agricultural Bank, but there are no private banks.

There are a number of people who do not fully understand the banks' administrative procedures and consequently default on payments, hoping that they will not have to pay their loans back. The banks' complicated administrative procedures as well as the high bank charges have discouraged many businessmen from using their services. There is currently no credit card system available in Missan.

g. Transport

The Governorate of Missan has no trains or public bus services although private buses run to Baghdad and Basrah from a central depot in Amarah City.

The Roads and Bridges Office is responsible for road maintenance. Road rehabilitation projects have been completed and further projects are planned, however, the Governorate needs hundred of roads rehabilitated to link district towns and villages to the main road network. Missan's roads cover about 1,500 km in total. Local municipality offices are responsible for internal road networks within each district, and consequently such networks are in a state of disrepair.

There is a shortage of bridges crossing the Tigris River that would link communities to key district towns. There are currently only six bridges across the Tigris in the whole of Missan and many are simple floating structures, some of which were built as a temporary measure by British troops arriving in the area in 2003.

D. Public Services

Public service delivery still falls dramatically short of public needs in Missan Governorate. Limited access to health, education, social security and other public services has not only an immediate impact on stability in the area, but also has the potential for longer-term damage.

UNHCR Returnee Monitoring showed that returnees and IDPs face additional hurdles in accessing public services compared to their non-displaced neighbours. This was particularly apparent in Al-Majar Al-Kabir and Al-Maimouna Districts where over 80% of returning refugee and IDP households monitored by UNHCR had no access to education (See *Annex III: Summary of Community / District Profiles*).

a. Health⁴¹

Missan Governorate has some of the most concerning health indicators in Iraq. Health facilities in the Governorate do not meet the needs of the population, and there are limited outreach services in rural areas. The population has a high level of illiteracy and little awareness of basic health care principles. Water contamination is also a problem causing dysentery in the Governorate, and communicable diseases are also reported. The reasons for this include widespread poverty, large amounts of dust in the air and a lack of health awareness programmes and medicines.⁴² In February 2006, the Iraqi Government raised a health alert in the Governorate after local laboratory tests confirmed the presence of the H5N1 bird flu virus in dozens of birds in the area. Samples tested from suspected patients in Missan Governorate were confirmed negative by WHO.⁴³

Lack of health care professionals and drug shortages mean that health care is inaccessible or unaffordable for many.

Missan Governorate has 8 Hospitals and 25 Primary Health Centres (PHCs).

⁴¹ Health sources of information include: MoH and WHO.

⁴² Ibid., *IRAQ: Increase in TB cases worrying, doctors say*, 13 June 2005, http://www.irinnews.org/report.asp?ReportID=47610&SelectRegion=Middle_East&SelectCountry=IRAQ.

⁴³ IRIN, *IRAQ: Another suspected human case of bird flu*, WHO, 1 March 2006, http://www.irinnews.org/report.asp?ReportID=51963&SelectRegion=Middle_East.

Figure 5: Hospitals and Primary Health Centres in Missan Governorate

Districts towns	Hospitals	PHCs
Amarah	Al-Sadr General Hospital Al-Zahrawi General Hospital Communicable Diseases Hospital Hospital (Mental Health)	12
Ali Al-Gharbi	General hospital	1
Ali Al-Sharqi		1
Al-Majar Al-Kabir	General Hospital	2
Qal'at Salah	General Hospital	2
Al-Kahla		1
Kumayt		1
Al-Salam		1
Al-Adil		1
Al-Maimouna	General Hospital	1
Al-Uzayr		1
Al-Mesharah		1

Health care facilities are generally in a dilapidated state and have a poor standard of hygiene. There are maternity and childcare services in district towns but not in the rural areas where many returnees and IDPs are living. A lack of civil ID cards has prevented returnees in Missan from accessing health care.

Accessibility to drugs and pharmacies vary and hospitals sometimes run low of critical drugs. Drugs are available at considerably higher prices at private pharmacies and are often sold without prescriptions on the black-market past their expiry dates or for purposes other than their intended use.

Out of 4,259 households surveyed, only 51% indicated that they had access to health facilities in their village (*see Figure 7*), with the situation most worrying in the Districts of Al-Majar Al-Kabir and Al-Maimouna, where only around one quarter of the returnees had access to health facilities. Furthermore, only 27% of the returnees surveyed in the Governorate had access to drugs mostly needed.

Figure 6: Households with access to health facilities (by district)

(Sample of 4,259 households)

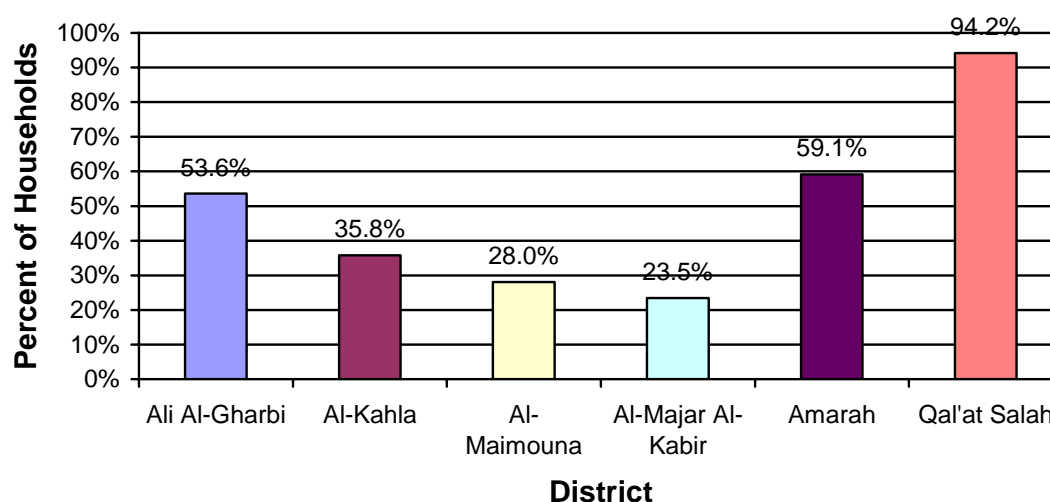
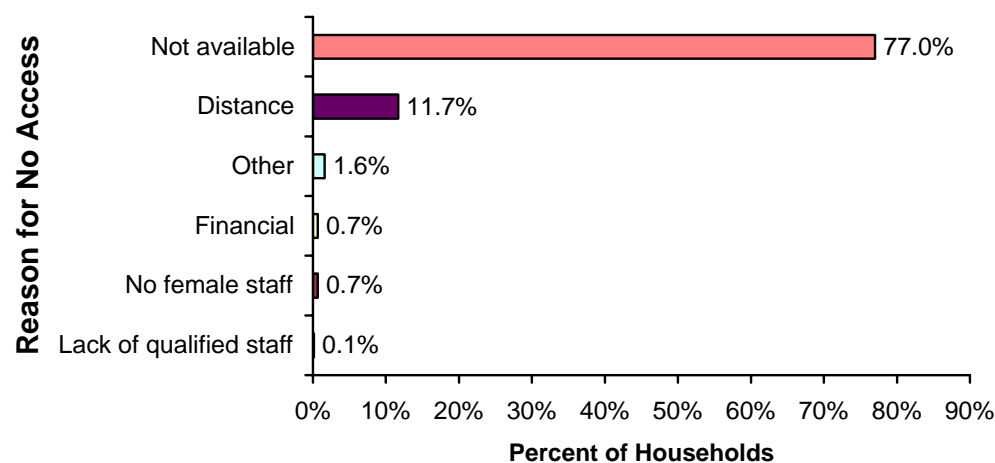


Figure 7: Monitored returnee households' reasons for no access to health facilities

(Sample of 2,122 households which indicated the reason for no access to health facilities)



b. Education⁴⁴

Over 60% of the population in Missan is thought to be illiterate, in particular members of the female population. Primary, intermediate, secondary and college level education is available, but is inaccessible to a large proportion of the rural population in the Governorate. The Ministry of Education (MoE)/UNICEF *School Survey 2003-2004 in Iraq* found that the enrolment of girls was lower than boys in every grade, in particular at the Secondary School level. As teaching is a predominantly female profession in Missan, there is the potential for a serious long-term shortage of teaching staff, which will impact on the education of all in the Governorate, unless the imbalance is immediately rectified.

⁴⁴ Health sources of information include: MoE and UNICEF.

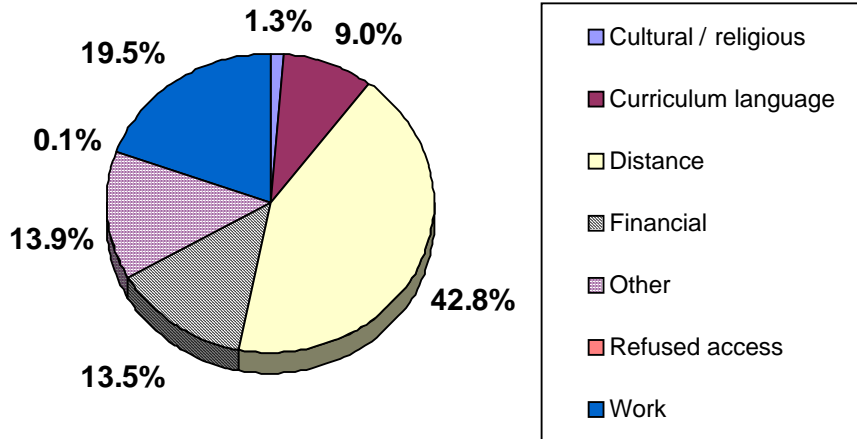
There is no University in the Governorate of Missan. The Ministry of Higher Education (MoHE) operates a Technical Institute, an Educational College and a Teacher Training College, all of which are affiliated with the University of Basrah. The lack of higher education teaching facilities has created a shortage of professionally qualified persons in the Governorate. Students have to travel to other Governorates to obtain a university education or to specialise in particular subjects, which only a privileged few can afford.

The number of schools falls dramatically short of the immense needs in the Governorate. Many villages have no schools at all and the MoE does not have the resources to pay for additional teaching staff, even in areas where humanitarian organizations have built new school buildings. Schools lack running water, electricity, lavatories, libraries, art and sports equipment and essential teaching materials.

Returnee children face language barriers, difficulties adapting to a different school curriculum and problems integrating with an unfamiliar society, all of which affect their long term future prospects and socialization. Furthermore, many live in rural areas and consequently more than 40% have difficulties accessing schools due to their distance. These factors are indicated in *Figure 8* below, which illustrates the reasons that monitored households gave for their children not attending school.

Figure 8: Reasons for not attending school

(Sample of 1,263 households with children which gave reasons for not attending school)



The Missan MoDM Branch Office and MoE Directorate office have worked together to ensure that certificates and awards acquired by returnees while abroad are generally recognized in Missan. The MoE Directorate holds tests for children to ascertain at what grade they should enter the Iraqi school system, particularly for those with no school certificates. Education is free at all the levels in Missan except evening classes, for which a nominal fee is charged. In 2006, the LAIC in Missan assisted newly displaced IDP families to obtain the necessary documentation needed to enrol in the new academic school year.

Poor health and lack of food are a major disincentive to students from poor families attending schools in Missan.

c. Social Welfare⁴⁵

Iraq's social safety net program is small and beset by inefficiencies and inequality. In June 2006, the World Bank approved a grant agreement with MoLSA. Its aim is to help strengthen the country's capacity to reform social safety net and pensions programs which would better assist poor and vulnerable people in Iraq. A multi-donor Iraq Trust Fund administered by the World Bank will finance the Emergency Social Protection Project, worth US \$8 million. The Project will be complemented by the *Emergency Household Survey & Policies Project* which aims to provide updated and comprehensive data on household income and consumption, to help Iraq establish a poverty line and develop targeted and efficient safety nets.⁴⁶

Pensions and social security

Prior to 2003, Iraq had two social security schemes, one for government employees (including military and semi-governmental agencies) and one for private sector employees. Under the *Civil Service Law for Government Employees* (Law No. 24 of 1960), **public-sector employees** are eligible for retirement at the age of 60 if they have served for at least 15 years in the public service; alternatively men can retire at the age of 55 if they have at least a 30-year service record while women can retire at 50 if they have at least a 25-year service record. After the fall of the former regime, the CPA and the Iraqi Ministry of Finance began reforming the existing pension scheme, including the increase of pension payments for pensioners as of 1 January 2004. Whereas under the former regime pensioners received between 15,000-24,000 ID every three months, pensions were increased in early 2004 to a minimum of 95,000 ID and a maximum of 125,000 ID per quarter.⁴⁷

Military pension entitlement is allocated to military personnel if they retire at 63 years of age, if they have been injured during military service and their injuries are certified by a MoE medical committee, or if they have over 25 years of active service. If they are killed during active service, their families are eligible to receive their pension entitlement. Families with a relative killed by mines or UXO do not qualify for welfare benefit. Pensions paid to retired military personnel are 130,000-750,000 ID per month depending on the length of active service. Pensions paid to the family of those who have died in active service (a 'martyr's family') is between 90,000 ID-250,000 ID per month. Members of entities dissolved by CPA Order No. 2 such as the Iraqi Army, the security and intelligence apparatus, and the Ministries of Defence, Information and Military Affairs are not entitled to pension payments if they were senior Ba'ath Party members, as is outlined in CPA Order No. 1.⁴⁸

A returning refugee who has a public employment record and who retired while abroad (or upon return) may be entitled to a pension after they have reacquired Iraqi nationality and an application has been sent to MoLSA to renew their pension entitlement.

In Missan Governorate, over 60,000 former public sector workers are receiving state pensions, including former military servicemen.

⁴⁵ Social welfare sources of information include: UNICEF, MoLSA and MOT.

⁴⁶ World Bank, *The World Bank Iraq Trust Fund Newsletter*, Volume 1 / Issue 7, June 2006, [http://siteresources.worldbank.org/IRFFI/64168382-1092419012421/21008602/ITFNewsletterJune2006\(Final\).pdf#search=%22Social%20protection%20network%20Iraq%20%22](http://siteresources.worldbank.org/IRFFI/64168382-1092419012421/21008602/ITFNewsletterJune2006(Final).pdf#search=%22Social%20protection%20network%20Iraq%20%22).

⁴⁷ CPA, *Policy on Payment of Public Sector Pensions and Benefits for the First Quarter 2004*, 23 January 2004, <http://www.iraqcoalition.org/budget/1-4pensions.html>.

⁴⁸ Sections 3.5 and 3.6 of CPA Order No. 2, *Dissolution of Entities with Annex A*, 23 August 2003, http://www.iraqcoalition.org/regulations/20030823_CPAORD_2_Dissolution_of_Entities_with_Annex_A.pdf.

The *Pension and Social Security Law for Workers* (Law No. 39 of 1971) covers **private-sector employees** of enterprises with five or more workers (except for agricultural employees, temporary employees, domestic servants and family labour). It provides for old-age pension at the age of 60 for men and 55 for women after 20 years of contributions, or at any age with 30 years of contributions for men and 25 years of contributions for women. Furthermore, it guarantees a disability pension in case of permanent or long-term loss of at least 35 percent of the working capacity and a survivor pension (if the deceased was a pensioner or met the contribution conditions for the old-age pension). The law also covers sickness, maternity and work injury benefits. These programmes are administered by the Labour and Social Security Institute under the general supervision of MoLSA.⁴⁹

Social welfare benefits

The *Law of Social Welfare* (Law No. 126 of 1980) provides for a monthly salary for poor families, including older persons with no income, widows or divorced women with children, orphans and persons with disabilities.

MoLSA has a Social Welfare Directorate in Amarah City, which provides social benefits to vulnerable groups according to its criteria. A full list of criteria can be obtained from the MoLSA office in Amarah (See Section: *III Legal Issues-Documentation*). Crowds of impoverished persons appear daily outside the Missan Social Welfare Directorate in the hopes of receiving welfare support. Most do not qualify under the current legislation, which has not been reformed since it was introduced by the former regime, or are not registered due to the limited number of permitted beneficiaries.

MoLSA also manages four public social care facilities, including a child care facility or kindergarten, a home for children whose families are unable to take care of them and the Al-Amal School for hearing-impaired children. There are no care facilities for older persons in Missan.

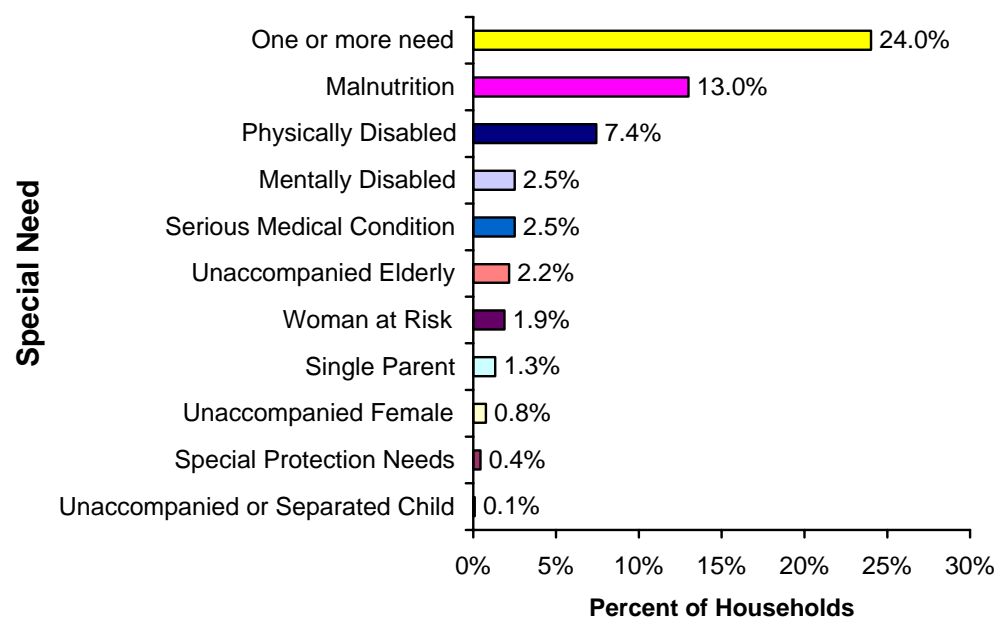
Returnees and IDPs are allowed to apply for social benefits, but it is currently unknown how many of these groups have been able to receive entitlements. According to Government records, nearly 26,000 families (including IDP families) received social welfare assistance in Missan during 2006.

Figure 9 shows that there are a high number of returnees and IDPs in Missan Governorate with vulnerabilities. An alarmingly high percentage of households have a member suffering from chronic malnutrition (see also below *Food Distribution*) or a physical disability.

⁴⁹ U.S. Social Security Administration, *Social Security Programs Throughout the World, Iraq, 2002*, <http://www.ssa.gov/policy/docs/progdesc/ssptw/2002-2003/asia/iraq.pdf>.

Figure 9: Special needs of returnee households monitored in Missan Governorate

(Sample of 4,294 households)



Despite efforts to reform the pension and welfare systems in Iraq, a large number of needy people continue to live with insufficient or no assistance from the Government, leaving them dependent on family structures and charity.

Food distribution

The **PDS** is the prime source of food for Iraqi families of limited income. A monthly food ration is available to all Iraqi households and food is available at a subsidised price. The PDS is indispensable for many, but its quantity and quality are still considered inadequate for the needs of the population.

Despite the PDS, **food insecurity** persists in Iraq. The 2006 WFP/MoP Food Security and Vulnerability Analysis in Iraq⁵⁰ reported that in the Governorate of Missan malnutrition in children is of concern. Among the children in Missan,

- **25.5% are stunting** (national average: 25.9%);
- **17.6% are underweight** (national average: 15.7%)
- **8.1% are wasting** (national average: 9.0%).

The situation is especially concerning in areas such as Al-Kahla (46.5% of the children stunting, 16.5% children underweight), Al-Maimouna (19.6% underweight) and Ali Al-Gharbi (37.0% stunting).

d. Religious Facilities and Pilgrimage⁵¹

The Ministry of Religious Affairs was dissolved in 2003 and replaced by Religious Affairs Endowments Offices, which are responsible for the maintenance of religious buildings and facilities in Iraq. Three endowments offices for Shiite, Sunni and other religions have been opened in the Governorate of Missan. The offices are also an important

⁵⁰ WFP Iraq Country Office – Central Organization for Statistics & Information Technology (Ministry of Planning and Development Cooperation, Iraq), *Food Security and Vulnerability Analysis in Iraq, 2006*.

⁵¹ Religious facilities and pilgrimage sources of information include: Endowments Offices, Religious Leaders and Religious Minorities.

part of Iraq's social security network and administer funds from *zakat* (funds donated to the poor in Ramadan) and *waqf* (legacies committed for religious works). Furthermore, the Offices are responsible for the organisation of religious occasions and pilgrimage including **Hajj** (pilgrimage to Mecca). Iraqis wishing to attend *Hajj* should register their interest with the Endowment Offices. People from Missan can apply to attend the *Hajj* via the Arar border crossing with Saudi-Arabia. Transport to the Holy Shiite shrines at Najaf and Karbala is provided from Missan by road via Diwaniyya.

Religious ceremonies are practised by all religions in Missan and some are shared among religions. Muslims and Christians celebrate Christmas, and Mandaeans hold a celebration in reverence of John the Baptist in March.

E. Cultural and Sporting Activities

The Ministry of Culture has a public library and a museum in Amarah City. There are also many other cultural organizations.

The Ministry of Youth and Sport is responsible for seven youth and sports centres in Missan Governorate, which provide sporting, arts, cultural and educational activities for young people. Two youth and sports centres are located in Amarah City and five others are located in Al-Majar Al-Kabir, Ali Al-Gharbi, Al-Mesharah, Al-Uzayr and Al-Maimouna.

A number of sporting federations located in Amarah City are responsible for arranging national league matches. There is also as a football stadium.

F. Civil Society and Media

Before 2003, only government-funded organisations and unions were allowed to operate in Iraq. After the fall of the former regime, new governmental and non-governmental organisations have been formed. Over 100 NGOs are known to have established themselves in Missan Governorate since 2003. NGOs in Missan specialise in a number of fields, including social development, protection of women and children, humanitarian services, education, civil dialogue and protection of the Iraqi marshlands. There are also a range of other civil society organisations, including tribal councils, professional associations and organizations affiliated with religious and political groups. There are also a number of umbrella organizations which arrange weekly meetings and which include the Iraqi Commission for Civil Society.

Local, national and international press is available in Missan Governorate. Local newspapers include: Al-Amarah, Missan, Al-Mathar and Al-Itra. National newspapers include Az-Zaman, As-Sabah, Baghdad, Al-Mada, Al-Mu'tamar, As-Sabah Al-Jadeed, Al-Dustoor and Al-Ittihad. The international newspaper Ash-Sharq Al-Awsat is also available.

There is a local radio channel called Al-Amarah and national channels are also available including Al-Marbid, Sawt Al-Jamaheer, Baghdad, Al-Furat, Wadi Al-Rafidayn. International radio channels can also be received, including Monte Carlo, BBC and Sawa.

There is a local TV channel called Al-Amarah in addition to satellite channels which are available in Missan. The most common TV channels are Al-Iraqiyah, Ash-Sharqiyya, Al-Jazeera and Al-Arabiya, who each have correspondents within the Governorate.

IV. Repatriation / Relocation / Return

A. Spontaneous Repatriation Procedures (without UNHCR facilitation)

In the aftermath of the 2003 invasion, the Governorate of Missan experienced an influx of returnees from Iran, many of which illegally crossed the border into Iraq with no official documents or proof of entry. Any person travelling across Iraq's borders, including returnees, is required by Iraqi law to register his/her arrival with the **Passport and Customs Authorities**. Those who cross the border illegally may later have difficulty applying for documentation renewals or could face arrest if their arrival has not been registered.

Returnees that did not register at the border can register with the Passport and Residence Office in Amarah and should do so immediately on arrival, explaining their reasons for delayed registration. Iraqi Law No. 102 (1999), under which fines of 30,000 ID (around US \$35) may be charged for delayed registration with border authorities, and face the possibility of imprisonment. In order to avoid penalties, returnees should check current registration and border crossing procedures with local authorities and abide by them.

Returnees should bring any documentation they possess back to Iraq with them, even if it is outdated. This includes civil ID cards, nationality certificates, military service cards, property documents and birth/death certificates of relatives, which could assist in obtaining new documentation, proving Iraqi nationality or regaining property.

Returnees should apply for **Iraqi visas for non-Iraqi spouses or children** before approaching the border. Iraqi visas for persons of other nationalities must be applied for at an Iraqi Embassy before crossing the Iraqi border. The documents required for such a visa are:

- Spouse/parent's Iraqi nationality certificate (copy or original);
- Spouse/parent's valid national passport (alternate to above document if in copy);
- Couple's marriage certificate / child's birth certificate;
- Two personal photos of applicant;
- Applicant's valid national passport.

Returnees must pay customs charges (US \$35 or 30,000 ID) for the transit of personal luggage through the border crossing point, they are no longer exempted. Returnees should note that border crossing charges are subject to change and returnees should check current charges with local authorities. Returnees should be aware that customs authorities routinely check persons crossing the borders for prohibited items (e.g. firearms and drugs) and that prosecution could result in imprisonment.

Returnees are advised to register at the MoDM Branch office in Amarah City.

B. Voluntary Repatriation Procedures (with UNHCR facilitation)⁵²

Refugees interested in voluntarily returning to Iraq should register their interest with UNHCR offices in their host country. Assisted voluntary return convoys are operated from Iran but have not taken place since January 2006 due to the security situation. Return convoys are no longer operating from Saudi Arabia. Once refugees have completed the

⁵² Voluntary repatriation sources of information include: Shalamsha Passport and Customs offices and UNHCR.

application procedures, they will be informed of opportunities for return on a repatriation convoy.

Once a returnee family has expressed their wish to return voluntarily, they will be requested to fill in a manifest at a UNHCR office, giving their families details and intended travel dates. UNHCR will then transfer these details to MoI in Iraq, who will check the names and clear their entry. If the returnee family have appropriate travel documents, they can travel on their own without assistance. However, if there are large groups of people returning, the Iraqi authorities need to be informed.

After crossing into Iraq, the return convoys travel to the Returnee Reception Centre (RRC) at Maqal Port in Basrah City, where returnees register with border authorities and complete immigration procedures.

Returnees should be aware that, in addition to the travel time of convoys, the border procedures can take up to three hours and registration at the RRC up to four hours, depending on the size of the returnee group. Returnees can arrange for friends or relatives to collect them from the RRC, but they must wait until registration has been completed for the entire convoy before family members are allowed to be reunited with returnees.

Returnees will be given US \$20 to cover onward travel costs and initial reintegration expenses. Returnees will also receive mine awareness training at the RRC and medical facilities are available for those with health conditions.

Onward transport for returnees to a **central point in Missan Governorate**, usually Amarah City, is provided but transport within the Governorate must be arranged by the returnees themselves. Returnees should be aware that all furniture and belongings must be transferred onto a new transport for onward journeys from the RRC in Basrah.

MoDM encourages persons returning to the Governorate of Missan via UNHCR facilitated returns process to also register with the MoDM Branch Office in Amarah City.

V. Organizations Providing Humanitarian and Development Assistance

The following organizations provide services in areas of return in Missan Governorate. It is important that returnees are aware of the limitations of these services, which are often overstretched and under-resourced. Some of the organizations listed below do not have the capacity to receive individual returnees. Returnees should seek assistance from local authorities in the first instance. Contacting any of the organizations listed below does not guarantee assistance and returnees should not hold such organizations' staff accountable if they are unable to assist in a particular situation.

A. International Agencies

- **UNHCR** – (www.hcriraq.org) – In Missan Governorate, UNHCR is providing community assistance, individual assistance and protection assistance to returnees through health, education and water projects, mainly in rural areas. UNHCR is also facilitating voluntary repatriation to Missan, monitoring the protection situation of IDPs and returnees in

the Governorate, and supporting a Legal Aid and Information Centre (LAIC) in Amarah City.

- UNDP – (www.iq.undp.org) – UNDP is implementing the Iraq Reconstruction and Employment Programme and has been funding employment initiatives in Missan Governorate.
- WFP – (www.wfp.org) – WFP currently assists 7,522 beneficiaries in Missan (district of Ali Al Gharbi); in addition, the agency dispatched a total of average of 630 mt of commodities to the Governorate of Missan during the period February 2005 to November 2006.
- IOM – (www.iom-iraq.net) – IOM is working on health and migration initiatives in Missan Governorate, and monitoring IDPs in the Governorate.

B. Government Development Agencies

- DFID – (www.dfid.gov.uk) – DFID is supporting the PRT (Provincial Reconstruction Team), which is based in Basrah but working in all Governorates in South Iraq, as well as implementing reconstruction projects.
- USAID – (www.usaid.gov/iraq) – In Missan Governorate, USAID is funding school rehabilitation and community action programmes.

C. International Non-Governmental Organizations

- Ockenden International – (<http://www.ockenden.org.uk/index.asp?id=1497>) – Ockenden has provided advice to returnees and IDPs in Missan since 2003 through its advice and information centre in Amarah, with support from UNHCR. Ockenden is also supporting community development initiatives in the Governorate.

D. Iraqi Non-Governmental Organizations

- Iraqi Red Crescent Society (IRCS) – IRCS has an office in Amarah City and is providing health assistance and emergency assistance to IDPs.
- Other Iraqi NGOs – Current estimates put the number of Iraqi NGOs working in Missan Governorate at around 150.

E. Government Offices/Other Institutions

Governorate Directorates are open from 8.00 to 15.00, except on holidays and Fridays.

- CRRPD Office
Awashah, Sports Club Street, Amarah
- Governorate Building
Serail Building, Amarah
- LAIC
Near old IRCS building, Awashah, Amarah
- MoDM Branch Office
Dawryat Street, Awashah, Amarah

- MoE Directorate
Al Mahatta Al Jadida behind Telecom Directorate, Amarah
- MoH Directorate
Al Mahatta Al Jadida (behind police station) Amarah
- MoH, Births/Deaths Administrative Office
In the old Directorate of Health building, Hay Al-Iskan,
- MoI, Nationality and Travel Directorate Offices
Serail building, behind the Town Hall, Amarah
- MoI, Passport and Residence Office
Serail building, behind the Town Hall, Amarah
- MoLSA
National Library Street, Awashah, Amarah
- MoLSA, Social Welfare Directorate
Cluster 15, Shaaban, Amarah
- MoT, main Food Ration Centre
Hay Al Wehda Al Islamiya, Basrah road, Amarah
- Real Estate Registry Office
Shabanah, Amarah (same building as Appeal Court)

Annex I: Summary of Returnee Monitoring Findings and Recommendations

A. UNHCR Returnee Monitoring in Missan Governorate

UNHCR has been monitoring returnees in Missan Governorate since December 2003 in order to determine to what degree Iraqi refugees can return in safety and dignity. As of 31 October 2006, 185 village surveys and 6,771 household surveys had been performed and entered into a central database. Note that village surveys describe the overall situation within the village, while household surveys focus on the situation of individual returnee families.

Figure 10: UNHCR returnee monitoring in Missan Governorate

	Monitored villages, households and returnees	Comments
Monitored Villages	185	Amarah, Al-Majar Al-Kabir, Ali Al-Gharbi, Al-Kahla and Al-Maimouna
Monitored Households	6,771	Amarah, Al-Majar Al-Kabir, Ali Al-Gharbi, Al-Kahla and Al-Maimouna
Estimated returnee population	23,614	Estimated returnee population from village surveys

The figures in this report are based on 6,771 household surveys. The sample size in each figure refers to the number of households which provided an answer to the relevant question.

B. The Southern Iraqi Marshlands

Issue: UNHCR Returnee Monitoring found concerning levels of deprivation among rural communities in the marshlands of Western Missan Governorate, particularly in the Districts of Al-Majar Al-Kabir and Al-Maimouna on the west bank of the Canal by the town of Al-Uzayr. The Western Marshes have seen little revival since the fall of the former regime. Thousands of returning refugees and IDPs have moved back to the area and are living close to the Canal, now their only source of water.

Recommendation: MoDM to work with the Ministry of Water Resources (MoWR) and the Ministry of Planning and Development Cooperation (MoPDC) to plan integrated human and environmental development programmes that will respond to the immediate and desperate needs of the local population and evaluate the environmental potential of the Marshes.

C. Housing

Issue: There is an extreme lack of housing for returnees to Missan Governorate, primarily because of the destruction of villages in Marshland areas under the former regime. Inflated construction costs, minimal land ownership rights and a lack of previous rural properties registered in the Land Registry has reduced the chances of returnees finding accommodation. Most are living in mud-brick or reed shelters which they have to rent, leaving them with no disposable income and bound to the tribal landlords who they pay for these inadequate shelters.

Recommendations: UNHCR, UN-Habitat and MoDM to advocate with MoHC for new housing programmes and social housing policies allowing vulnerable groups to access sustainable housing opportunities.

D. Employment

Issue: A lack of employment opportunities in Missan means that a significant proportion of the population do not have a regular source of employment and that 90% of vulnerable and poverty-affected populations, including returnees and IDPs, are unable to afford the basic necessities of living and are solely dependent on the PDS (which is meant to be additional to an existing food supply and not be the sole source of food for a family). The predominantly agricultural economy of Missan has seen little growth since 2003. It needs urgent investment to give rural communities the means to participate in the future of Iraq and to draw them out of a downward cycle of poverty, particularly in the areas around Al-Majar Al-Kabir and Al-Uzayr.

Recommendations: Livelihood projects in rural areas which build on agriculture and traditional crafts and skills are urgently needed, particularly in areas where rural poverty and the concentrations of returnees are high. Local livelihood projects need to be linked to plans for national economic growth, which focus on reviving the agricultural markets in Missan.

E. Health

Issue: Health facilities in Missan fall dramatically short of the needs of the Governorate and outreach services are urgently needed in areas with high concentrations of returnees and IDPs. UNHCR Returnee Monitoring found that in some areas over 75% of households monitored do not have any access to basic health services and that communicable diseases including tuberculosis, dysentery and black fever are prevalent.

Recommendation: MoDM and UNHCR to advocate with MoH and WHO for increased resources to the areas where health facilities are currently lacking and for improved access to basic health needs for all vulnerable groups, particularly women and children.

F. Water

Issue: A dilapidated water treatment system, the absence of water treatment facilities outside key district towns and the lack of rehabilitation of the marshlands (now a desert interspersed with large expanses of contaminated saline water) are causing dysentery, water-borne diseases and high mortality rates among children in both rural and urban areas of Missan.

Recommendations: MoDM and UNHCR to advocate with the Directorate of Water to ensure that rural areas have equal access to water resources.

G. Electricity, Essential Services and Fuel

Issue: Fuel and electricity shortages are common place in Missan Governorate and essential services including water and sanitation are not available to a large part of the population, mainly in rural areas. This impacts on all aspects of daily life in Missan and inhibits the ability of the local economy to function.

Recommendations: Investment in essential infrastructure is urgently needed in Missan to allow its population the same opportunities and freedoms as in other parts of Iraq.

H. Education

Issue: UNHCR Returnee Monitoring found dramatic rates of illiteracy and gender disparity in access to education amongst rural returnee communities, suggesting that even in areas where male children are able to access education services, girls are less likely to attend school. The MoE and UNICEF have highlighted the long term impact that the lack of female children attending school could have on future teaching resources in the Governorate. The MoE/UNICEF *School Survey 2003-2004 in Iraq* found that rural girls in Missan are the most disadvantaged in Iraq in accessing education.

Recommendation: MoDM and UNHCR to advocate with UNICEF and MoE for greater teaching resources in Missan Governorate and greater outreach services to children in rural areas, focussing particular attention on girls.

I. Documentation

Issue: Many returnees and IDPs did not have their civil status or properties registered with authorities prior to their displacement. The erasing of records by the former regime and looting of identity offices, land registry offices, courts and hospitals in Missan during 2003 means that even those who were registered often find that there is no record of their Iraqi nationality or property rights.

Recommendations: MoDM and UNHCR to advocate with the MoI and the Ministry of Justice to appoint additional staff members in Baghdad offices to search for documents needed by Missan Regional Offices, and to provide additional resources and delegate authority to the Missan offices so that they can renew documents locally.

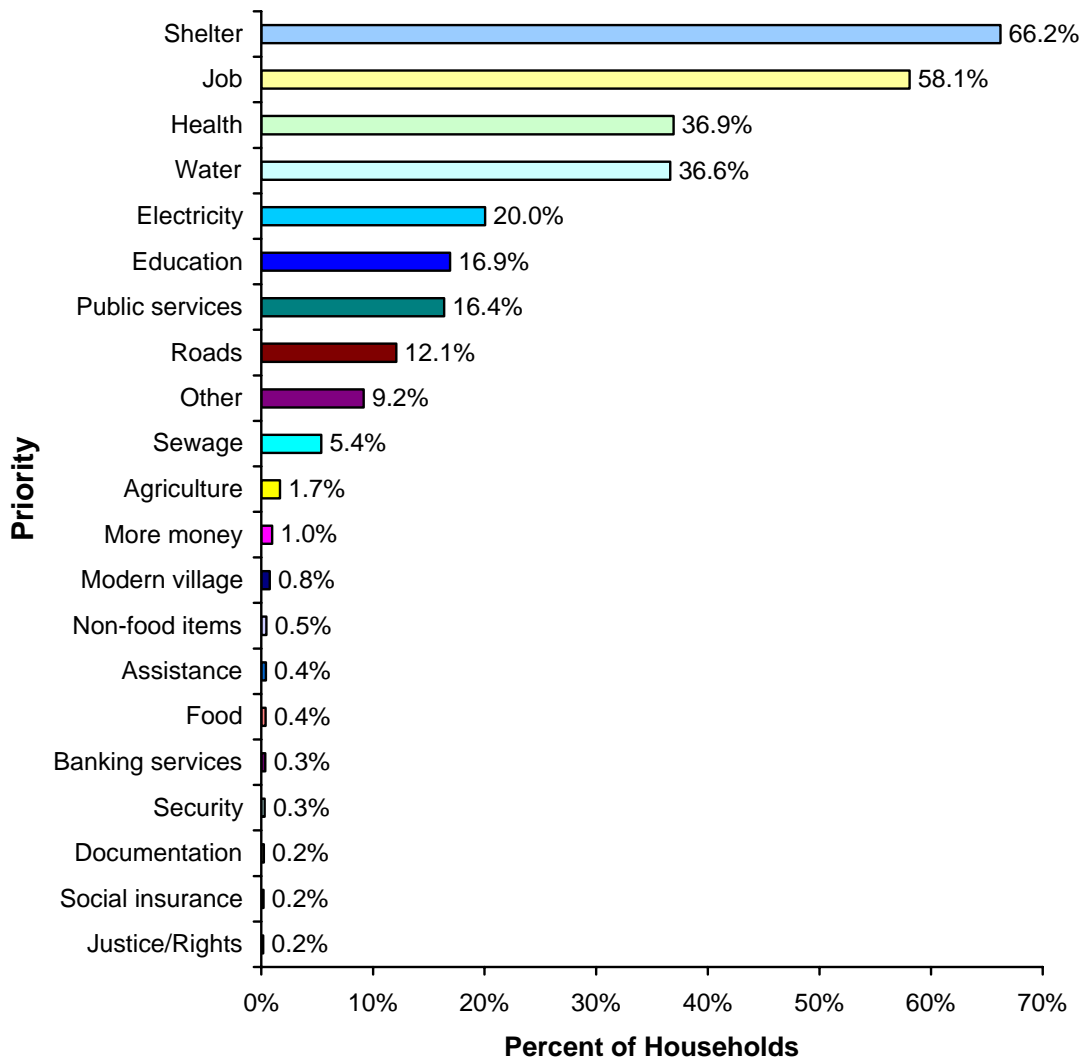
J. Vulnerable Groups

Issue: The high number of returning refugees and IDPs with additional vulnerabilities that UNHCR's Returnee Monitoring identified in Missan Governorate (1,031 households) is of particular concern. Malnutrition among children and women, mental and physical disabilities and a high number of families supported by single women, widows or elderly persons means that these households are less likely to access opportunities for reintegration. The high number of households supporting their extended family was particularly noticeable in Al-Maimouna District, where the average size of households monitored was 12, twice the national average.

Recommendations: MoDM to work with MoLSA to extend social outreach services to those communities that are not able to reach the MoLSA office in Amarah, and to seek additional resources from national authorities so that returning vulnerable persons can apply for state entitlements.

Figure 11: Top three priorities of monitored returnee households

(Sample of 4,079 households)



Annex II: Overview of Displacement and Return Situation

Missan Governorate was at the forefront of the **Iran-Iraq War (1980-1988) and the Shiite Uprising which followed the 1991 Gulf War. Thousands fled political persecution by the former regime and began to return in 2003 as the former regime fell.**

A. Displacement from the Governorate of Missan

The Governorate of Missan has experienced the brunt of the Iraq-Iran War, witnessing several waves of displacements. Furthermore, the former regime positioned over 20,000 troops in South Iraq following the 1991 Gulf War and proceeded to use aerial bombardments, the razing of entire villages and artillery to suppress resistance. The villages South of Amarah, especially Al-Salam, came under a wave of attacks and innocent civilians were persecuted and displaced in the process.⁵³ These are the same areas where UNHCR Returnee Monitoring in 2005 found the highest levels of depravity and poverty among returning refugee and IDP households.⁵⁴ As a result of the drainage of the Marshlands during the 1990s, many Marsh Arabs were forced to leave their places of origin.

B. Return to the Governorate of Missan

For many Iraqi refugees, the fall of the former regime in April 2003 meant the end of the persecution and oppression from which they had fled. Enthusiasm to return home combined with optimism about the future resulted in the spontaneous return of an estimated **130,000 Iraqis to Southern Iraq between May 2003 and 2004.**⁵⁵

Most refugees returned spontaneously across the border without assistance, but it became apparent that many households that wanted to return could not afford transport or had vulnerable family members (including older persons and people with disabilities) who were unable to make the journey without assistance. With this in mind, UNHCR established a **voluntary repatriation process** in October 2003 to facilitate the return of Iraqi refugees in Saudi Arabia and Iran to their places of origin. 2,679 persons used the facilitated process to return to Missan between October 2003 and November 2006. Most returnees to Missan Governorate came from Iran (2,652 persons), while few returned from Lebanon, Jordan and other countries. **Between June 2004, and September 2006 it is estimated that 77,794 people returned from outside of Iraq to the Governorate of Missan.**

Most of the refugee returns occurred after the fall of the former regime and throughout the year 2003. While returns continued in 2004, 2005 and into 2006, UNHCR Returnee Monitoring showed greatly reduced numbers, indicating that either most have now returned or that there is a severe apprehension over Iraq's political future and internal security. It is expected that return movements will continue, albeit more gradually and with lower numbers than those seen before.

⁵³ Human Rights Watch, *Endless Torment - The 1991 Uprising And Its Aftermath*, June 1992, <http://hrw.org/reports/1992/Iraq926.htm>.

⁵⁴ Human Rights Watch, *Iraqi Government Assault on the Marsh Arabs*, January 2003, <http://www.hrw.org/mideast/iraq.php>.

⁵⁵ MoT, December 2004.

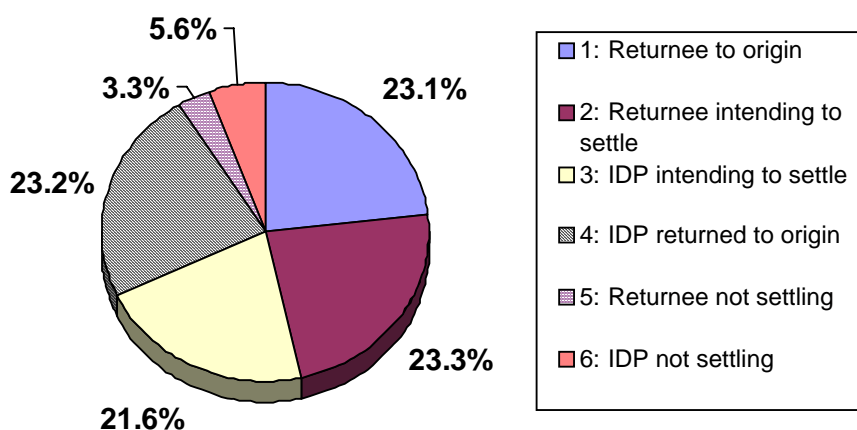
C. Return into a Situation of Displacement

While in 1991 about 230,000 people were living in the marshlands, the number of Marsh Arabs still living there today is believed to be fewer than 30,000.⁵⁶ The former regime's drainage campaign has had a severe long-term impact on Missan, Basrah and Thi-Qar Governorates.⁵⁷ Some international reports have suggested that the marshlands are gradually being restored. This may be true for some parts of the Hawiyze and Hammar Marshes in Eastern Missan and Thi-Qar Governorate, but in Western Missan – the most severely damaged part of the Marshes – evidence of re-growth is non-existent.

Because of the state of the marshes, a significant number of returnees in Missan are not able to return to their places of origin. *Figure 12* below indicates that **over 50% of the refugees and IDPs monitored in Missan have not been able to return to their place of origin** (groups 2, 3, 5 and 6), mainly because the devastation caused to the marshes has made vast tracts of land uninhabitable. *Figure 13* further indicates that 53.5% of those monitored have returned into a cycle of continued displacement.

Figure 12: Type of returnee and IDP households

(Sample of 4,268 households which indicated their origin and intentions)



Note:

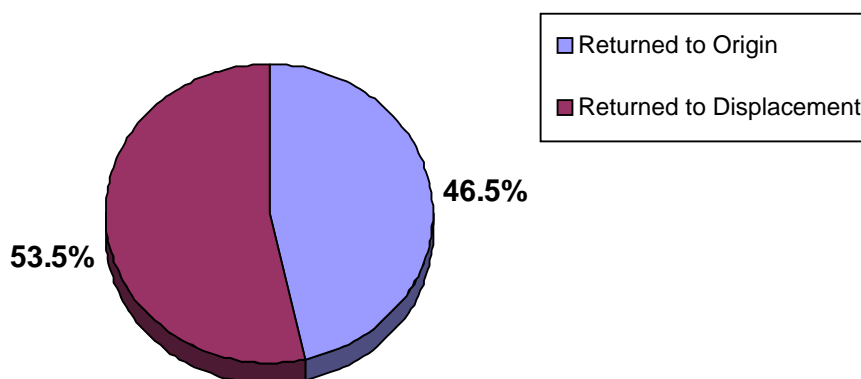
1. Returnee from outside of Iraq to place of origin;
2. Returnee from outside of Iraq, not in place of origin, but intending to settle in current location;
3. IDP from within Iraq, not in place of origin, but intending to settle in current location.
4. IDP from within Iraq, returned to place of origin;
5. Returnee from outside of Iraq, not in place of origin and not intending to settle in current location;
6. IDP from within Iraq, not in place of origin and not intending to settle in current location.

⁵⁶ IRIN, *IRAQ: Focus on progress made in marshlands*, 22 August 2005, <http://www.irinnews.org/print.asp?ReportID=48679>.

⁵⁷ For more information see UNEP, *The Iraqi Marshlands Project*, 2002, <http://marshlands.unep.or.jp/>.

Figure 13: Displacement on return

(Sample of 2,116 households which indicated their place of return)



Those that have attempted to settle in their places of origin have been put at further risk of displacement. Haphazard efforts to re-flood some areas of the marshes have caused unintentional flooding of the settlements of those returning. In spring 2004, the deterioration and collapse of un-maintained canal banks caused widespread flooding of IDP and returnee settlements. These groups were particularly affected because they had settled near the canal to be close to the only remaining water source in the area. The catastrophic impact of this secondary displacement is indicated in the District profile of Al-Majar Al-Kabir, where 97% of households monitored are solely reliant on the PDS, 90% are living in severely damaged shelter, 69% of children under 15 are illiterate, 77% said that health services are unavailable in their area and 12% are suffering from chronic malnutrition.

Since the February 2006 bombing of the Al Askari Shrine in Samarra, and the consequent escalation of sectarian violence, more than 600,000 persons (as of December 2006) have been displaced in Iraq. According to MoDM, 3,995 IDP families have been registered in the Governorate of Missan, and many of them originate from areas around Baghdad, in particular the areas of Abu Ghraib, Doura and Mahmoudiyah.⁵⁸

D. Obstacles to Reintegration

Reintegration has been exceptionally difficult for many of those returning to Missan. The thriving environment which many left behind has been transformed beyond all recognition into a desolate landscape void of natural or man-made resources. The former regime's liquidation of refugees' assets and removal of refugees' nationality status inhibits them from proving their legal entitlements once they are back in Iraq. In addition, many persons did not have official status or property documents before they left, further reducing their chances of receiving any compensation for the infringements of human rights which they have suffered.

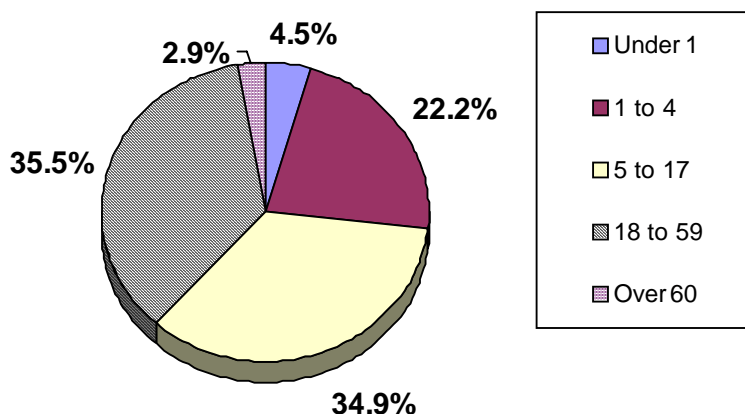
⁵⁸ MoDM, *Number of IDPs from Areas of Tension in all Iraqi Governorates* (translated from Arabic), 14 December, 2006.

E. Profile of Returnees

Over 61% of the monitored households in Missan Governorate are under 18 years of age (see Figure 14). Children reintegrating into an unfamiliar school system and young people searching for scarce employment opportunities are particularly vulnerable. Most returnees to Missan fled Iraq more than ten years ago, and young people are therefore less likely than those in older age groups to have the social connections and links in Iraq that could help them reintegrate more easily.

Figure 14: Age range of monitored returnee households

(Sample of 4,572 households)



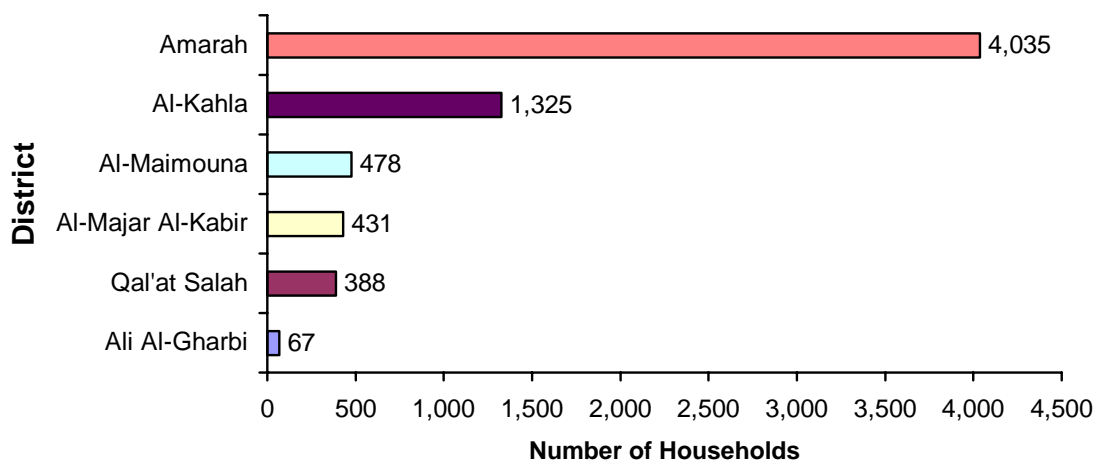
Additional Notes:

The UNDP/MoPDC Iraq Living Conditions Survey 2004 sampling is referenced in this report but may show differing results to the findings of the UNHCR Returnee Monitoring. The ILCS is based on the 1997 census and therefore excludes 'areas that became inhabited after the 1997 census', such as the marsh areas in the South which became inhabited after the recent war. Returnees and IDPs have therefore only been covered 'to the extent that they reside in housing that existed at the time of the 1997 census or newly built housing within the 1997 census enumeration areas'. As most of the returnees are living in rural areas outside the initial 1997 census areas, UNHCR Monitoring in Missan Governorate is mostly carried out in the very areas that were not covered by the ILCS.

Annex III: Summary of District Profiles

Note: The following district profile summaries and charts of returnee monitoring data included in this report are provided as an overview of the patterns highlighted and the issues raised during returnee monitoring in Missan Governorate. They should be considered an indication of the issues faced by returnees in each district of concern (e.g. for guiding further evaluation) rather than as a definitive picture of the return situation (e.g. for policy-making). District profile analysis of returnee monitoring data was started by UNHCR in September 2005, and therefore this section will be upgraded as the analysis develops further. More detailed district profiles will be made available on www.hcriraq.org.

Figure 15: Returnee households monitored (by district)



A. IDPs and refugee returnees to Al-Majar Al-Kabir District

(Sample of 431 returnee households: 80% IDPs intending to settle, 19% refugee returnees from Iran)

- Al-Majar Al-Kabir District includes the area of the Al-Izz Canal where an estimated 10,000 people lost their homes to flooding in 2004, among them many returnees;
- Al-Majar Al-Kabir has the worst access to services and opportunities data of any of the districts monitored by UNHCR in Iraq to date;
- Political discrimination, drainage of the marshes and forced expropriation of property were the reasons for leaving given by 80% of the households monitored;
- **86% said that they have not returned to their place of origin because their village has been destroyed;**
- The average household size is eight (compared to an average of six in other Governorates), suggesting that households are supporting vulnerable relatives of their extended family;
- **90% of those monitored described their current accommodation as severely damaged;**
- **85% are living in a mud or straw shelter;**
- **97% rely solely on the PDS;**
- Only 23% have access to health facilities in their village and **89% said that health facilities are not available at all;**
- **69% of families with school-age children indicated that they are not attending school;**

- 69% of children under 15 are illiterate;
- 84% said that their children have to work;
- **0% said that they have a regular income;**
- 12% of households have a member suffering from chronic malnutrition.

B. Returnees to Amarah District

(Sample of 4,035 households: 77% refugee returnees from Iran, 21% IDPs, 2% refugee returnees from other countries)

- Political discrimination, the Iran-Iraq War and the 1991 Uprising were the main reasons for displacement;
- 56% are living in modern brick housing, while 44% are living in reed straw housing, indicating more permanent housing in urban rather than rural areas;
- 51% of housing has severe damage, less on average than in rural areas;
- 49% are renting and 15% are living with relatives;
- 66% had use of a house before fleeing, 65% of these are in possession of that house now;
- 52% have access to drinkable water in their village;
- 97% rely solely on the PDS;
- 59% have access to health facilities;
- 70% have access to education;
- 28% of children over the age of six are not attending school;
- 19% of children under the age of 15 are illiterate;
- 7% of children have to work;
- 12% have access to regular income;
- 17% of households have a person suffering from chronic malnutrition and 9% of households have a member who has a physical disability.

C. Refugees and IDP returnees to Al-Kahla District

(Sample of 1,325 households: 40% IDPs, 59% returnees from Iran, 0.4% returnees from other countries)

- The 1991 Uprising, forced expropriation of property, the Iraq-Iran War and drainage of the marshlands were the main reasons for leaving Al-Kahla.
- **Most IDPs returned to Al-Kahla in 1992 after the Uprising**, whereas most refugees returned after the fall of the former regime (2003-2005);
- 69% are living in mud or straw housing;
- Only 10% have access to drinking water;
- 99% rely solely on the PDS;
- 66% have access to education in their village (this is thought to be partly due to new schools built in the area). However, girls' attendance rate is very low with 59% of male and 39% of female children attending primary school. **At the secondary level, there is a startling difference: 80% of school attendees are male**, suggesting a high level of gender disparity (note: households monitored in Al-Kahla District were 50% male and 50% female in all age groups).

D. Refugee returnees to Qal'at Salah District

(Sample of 388 households: 100% returnee refugees from Iran)

- Political discrimination / violence and the 1991 Uprising were the main reasons for leaving Iraq;
- 86% are living in modern/brick housing;
- 76% are renting accommodation;

- Less than 5% owned a house before fleeing;
- 99% rely solely on the PDS;
- 94% have access to health facilities;
- 17% of children over the age of six are not attending school;
- 12% of children under the age of 15 are illiterate;
- 5% have a household member with chronic malnutrition.

E. IDPs and refugee returnees to Al-Maimouna District

(Sample of 478 returnee households: 90% IDPs, 10% refugee returnees from Iran)

- The average household size is 10, much higher than the national average;
- Drainage of the Southern Marshlands was the main reason for displacement;
- The main reason given for not returning to their place of origin was that their village had been destroyed and not yet rebuilt/rehabilitated;
- 91% are living in mud or reed housing;
- 88% are currently living on land over which they have no ownership rights and therefore face a risk of eviction.
- 99% rely solely on the PDS;
- 66% of children over the age of six are not attending school;
- 38% of children under the age of 15 are illiterate;
- 93% of children have to work;
- 22% of households have a member with chronic malnutrition;
- 2% have a regular source of income.