



**Australian Government**  
**Refugee Review Tribunal**

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# Country Advice

## Iraq

Iraq – IRQ38175 – Baghdad – Sunnis –  
Shia – Mixed marriages – Tribal groups –  
Government workers – Security forces –  
Muqtada Al Sadr – Communal violence –  
State protection  
21 February 2011

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**1. Please provide country information of how persons in inter-religious marriages (that is, Sunni and Shiite (Shi'a)) are accepted or not in Iraqi society, particularly in Baghdad.**

Inter-religious marriages between Sunni and Shiites is acceptable in Iraqi society; however, the level of acceptance is dependent upon circumstances such as timing, location, and personal relations with family and community. In general, mixed marriages have been common in Iraq for centuries; however, during period of heightened sectarian violence between 2006 and 2007, these unions were unacceptable and came under threat. During this period, married couples were forced to separate or even divorce and mistrust of in-laws and relatives was a serious concern.<sup>1</sup>

Mixed marriages in Iraq, including Baghdad, between Sunnis and Shiites has been acceptable for hundreds of years.<sup>2</sup> There are no official statistics available on number of mixed marriages. Some reports estimate that nearly a third of Iraqi marriages (2 million) are unions between members of different sectarian or ethnic communities. Mixed marriages were also common under Saddam Hussein's regime.<sup>3</sup> The Integrated Regional Information Networks reports that millions of Iraqi children have been raised in mixed belief households without problems until sectarian violence tore families apart in 2006.<sup>4</sup>

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<sup>1</sup> Paley, A. 2006 'Even dating is perilous in polarized Baghdad; *The Washington Post* 27 September <http://www.aliraqi.org/forums/archive/index.php/t-63838.html> - Accessed 21 February 2011 – Attachment 1 & Raghavan, S. 2007 'Marriages Between Sects Come Under Siege in Iraq' *The Washington Post*, 4 March [http://www.washingtonpost.com/wp-dyn/content/article/2007/03/03/AR2007030300647\\_pf.html](http://www.washingtonpost.com/wp-dyn/content/article/2007/03/03/AR2007030300647_pf.html) - Accessed 21 February 2011 – Attachment 2.

<sup>2</sup> Piper, D. 2009, 'Iraqi Program Offering Thousands of Dollars for Mixed Marriages Bears Fruit' *Fox News Network* 15 July <http://www.foxnews.com/story/0,2933,532924,00.html> - Accessed 21 February 2011 – Attachment 3.

<sup>3</sup> Raghavan, S. 2007 'Marriages Between Sects Come Under Siege in Iraq' *The Washington Post*, 4 March [http://www.washingtonpost.com/wp-dyn/content/article/2007/03/03/AR2007030300647\\_pf.html](http://www.washingtonpost.com/wp-dyn/content/article/2007/03/03/AR2007030300647_pf.html) - Accessed 21 February 2011 – Attachment 2

<sup>4</sup> Internal Displacement Monitor Center 2008 'Challenges of Forced Displacement within Iraq' IDMC website 29 December, p. 160, [http://www.internal-displacement.org/8025708F004BE3B1/\(httpInfoFiles\)/9234F1F545E4298FC125752E003DE409/\\$file/Iraq%20-%20December%202008.pdf](http://www.internal-displacement.org/8025708F004BE3B1/(httpInfoFiles)/9234F1F545E4298FC125752E003DE409/$file/Iraq%20-%20December%202008.pdf) - Accessed 6 January 2009 - Attachment 5.

During the height of sectarian violence between Sunni and Shiite militia which began in 2005 and which soared after the bombing of Shiite shrine in 2006, mixed marriages plummeted along with acceptability levels. At the time, many mixed couples had to separate as they and their families were threatened with death and kidnapping by militia. Thousands of couples were affected forced to flee their communities and live areas controlled by militia of their own religious set.<sup>5</sup>

In a recent move to rekindle the permissive environment of mixed marriages, which has generally been tolerated in Iraq, the Vice President announced a mixed-marriage program in 2009 which offered \$1,800 to newly married couples from different sects. The government has not released statistics on the number of couples taking advantage of the plan. However, \$3 million has been spent on the program.<sup>6</sup>

Sectarian violence has diminished since various Sunni militia allied themselves with multinational forces in Iraq in 2007-2008<sup>7</sup> and national elections were held in March 2010.<sup>8</sup> This may signal a return to greater acceptance of mixed marriages. No information was located indicating that the threat to mixed marriages in Iraq is continuing at the 2006-2007 levels. While several media stories of such violence were located from 2006-2007 timeframe<sup>9</sup>, no similar examples were located in the 2008-2011 timeframe.

## **2. Please provide country information on the profile and public recognition of the Sunni tribal name of "Al Jabweri" and the Shiite tribal name of "Al Shalabi".**

A general search of the internet using the name Al Jabweri produced numerous results for Sunni persons with that name.

A general search of the internet using the name Al Shalabi produced some results for Shiite persons with that name and no results for Sunnis with that name.<sup>10</sup>

Iraqi names, in general, often indicate whether the holder is Sunni or Shiite. A September 2006 article in the New York Times reported that during 2006 many Iraqis sought to legally change their name to hide their tribal or sectarian origins in the face of the strife between Sunni and Shia forces.<sup>11</sup>

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<sup>5</sup> Piper, D. 2009, 'Iraqi Program Offering Thousands of Dollars for Mixed Marriages Bears Fruit' *Fox News Network* 15 July <http://www.foxnews.com/story/0,2933,532924,00.html> - Accessed 21 February 2011 – Attachment 3.

<sup>6</sup> Piper, D. 2009, 'Iraqi Program Offering Thousands of Dollars for Mixed Marriages Bears Fruit' *Fox News Network* 15 July <http://www.foxnews.com/story/0,2933,532924,00.html> - Accessed 21 February 2011 – Attachment 3.

<sup>7</sup> US Department of State 2010, *Country Reports on Human Rights Practices 2009 – Iraq*, 11March – Attachment 6.

<sup>8</sup> Mulholland, R. 2010, 'Iraq set for years of Sunni-Shi'ite tensions', *Herald Sun* website <http://www.heraldsun.com.au/news/breaking-news/iraq-set-for-years-of-sunni-shiite-tensions/story-e6frf7jx-1225837755399> - Accessed 21 February 2011 – Attachment 7.

<sup>9</sup> See for example Dehghanpisheh, B., Nordland, R., and Hastings M. 2006, 'Love in a Time of Madness' *Newsweek*, Democratic Underground.com website [http://www.democraticunderground.com/discuss/duboard.php?az=view\\_all&address=103x194943](http://www.democraticunderground.com/discuss/duboard.php?az=view_all&address=103x194943) - Accessed 21 February 2011 – Attachment 8.

<sup>10</sup> See for example: 'Iraq's New Cabinet: Problems and Personalities' Undated, The Estimate website <http://www.theestimate.com/public/091203.html> - Accessed 21 February 2011 – Attachment 9.

<sup>11</sup> Wong, E 2006 'To Stay Alive, Iraqis Change Their Names', *New York Times* 6 September [http://www.nytimes.com/2006/09/06/world/middleeast/06identity.html?\\_r=2](http://www.nytimes.com/2006/09/06/world/middleeast/06identity.html?_r=2) - Accessed 21 February 2011 – Attachment 10.

### 3. Please provide country information of violence between Sunni tribal families and Shiite tribal families.

A prominent Sunni politician interviewed by the *Herald Sun* in March 2010 assessed that sectarian tension will persist in Iraq for years to come if the government does not address discrimination tendencies in the Shiite dominated police and army.<sup>12</sup> Several events since the height of Sunni and Shiite sectarian strife in 2006 have diminished sectarian violence in recent years. These events include the 2006-2007 displacement of Sunnis and Shias from mixed neighbourhoods to neighbourhoods where their sect is predominant for protection, the alliance of major Sunni groups with multi-national forces and Shiite security forces against AQI groups in 2007, and increased capabilities of Iraqi police and military forces to suppress violent sectarian attacks.<sup>13</sup> Sectarian violence, while diminished, has not been eliminated and Sunni-Shiite clashes and violent attacks do still occur.<sup>14</sup>

The 2 March 2006 article ‘Sunnis and Shias does it have to be war?’ in *The Economist* provides a good overview of the evolution of Sunni and Shia sectarian tension, strife, and violence in Iraq beginning with conditions under Saddam Hussein’s regime. The article reports that sectarian violence between the two groups was contained under Saddam, in the aftermath of a crackdown in 1991 on a Shia insurgency which propped up Sunni control of the government. The removal of Sunni Bathist Party members of Saddam’s government after the multinational force invasion of Iraq produced tensions early on in the occupation. These tensions were further ignited on 22 February 2006 when the Shia Askariya mosque and shrine at Samarra, north of Baghdad, was bombed.<sup>15</sup> This event precipitated widespread sectarian violence in Iraq in 2006.

Sectarian violence only began to diminish when Sunni forces allied themselves with multinational forces against al-Qaeda in Iraq (AQI) in August 2006 in an agreement with US commanders, dubbed the ‘Anbar Awakening’ or the ‘Awakening’. Sunni soldiers backing multinational forces were labelled ‘Sons of Iraq’. A multinational force agreement with Sunni insurgents and the Shia-controlled government worked to integrate Sunnis back into the government and suppress the sectarian violence.

The Anbar Awakening has had some success in reducing sectarian violence. A 9 January 2009 article by the Council of Foreign Relations entitled ‘Finding a Place for the Sons of Iraq’ describes the record for these Sunni-Shia conciliatory measures and assesses that tensions remain and the possibility persists of violence erupting in the future if integration programs are not successful. The article states:

Internal disputes within the predominantly Sunni groups have threatened the movement, some experts say. Sunni groups have also complained about low pay and a lack of opportunities for employment within Iraq’s army and police forces. These concerns reached an apex in late 2008, when the U.S.-led military coalition began handing oversight for the Sons of Iraq—including responsibility for payment and job placement—to the Iraqi government. The first handover in Baghdad was reportedly smooth; over 51,000

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<sup>12</sup> Mulholland, R. 2010, ‘Iraq set for years of Sunni-Shi’ite tensions’, *Herald Sun* website <http://www.heraldsun.com.au/news/breaking-news/iraq-set-for-years-of-sunni-shiite-tensions/story-e6frf7jx-1225837755399> - Accessed 21 February 2011 – Attachment 7.

<sup>13</sup> US Department of State 2010, *Country Reports on Human Rights Practices 2009 – Iraq*, 11 March – Attachment 6.

<sup>14</sup> Gamel, K. 2009, ‘Sunni, Shiite leaders killed in Iraq bombing’ *The Star*, 10 March <http://www.thestar.com/news/world/article/599588> - Accessed 21 February 2011 – Attachment 11.

<sup>15</sup> ‘Does it have to be war?’ 2006, *The Economist*, 2 March [http://www.economist.com/node/5572723?story\\_id=5572723](http://www.economist.com/node/5572723?story_id=5572723) - Accessed 21 February 2011 – Attachment 12.

Sons of Iraq members were paid on time by the Iraqi government, and job placement and training courses continue. But analysts question whether the peace will hold. CFR Senior Fellow Steven Simon, for one, writes in *Foreign Affairs* that while the Awakening strategy may bring short-term stability to Iraq, the long-term effect could be runaway "tribalism, warlordism, and sectarianism."<sup>16</sup>

This article along with other sources also warns that tensions in Iraq between Sunnis and Shias will likely continue as the Sunnis continue to experience a loss of political power to the vastly dominant Shia majority.

Whether sectarian violence will erupt again depends on how the Shia-led government manages ongoing conciliation programs following national parliamentary elections in 2010. Several sources indicate that currently sectarian violence remains at lower levels. The Carnegie Endowment for Peace reported in January 2011 that: 'Maliki was then able to form a national unity government that includes ministers from all political alliances and major parties, thus from all sectarian and ethnic groups.'<sup>17</sup>

A 9 February 2011 report by Center for Strategic and International Studies contains extensive information about the levels and types of violence in Iraq between 2003 and 2010. Virtually all of the charts and data indicate that violence in general, and sectarian violence specifically, diminished after the 2010 elections. For example, in Figure 1 below, there is a clear drop-off in incidents of sectarian violence depicted through August 2009 in both Baghdad and Iraq generally<sup>18</sup>:

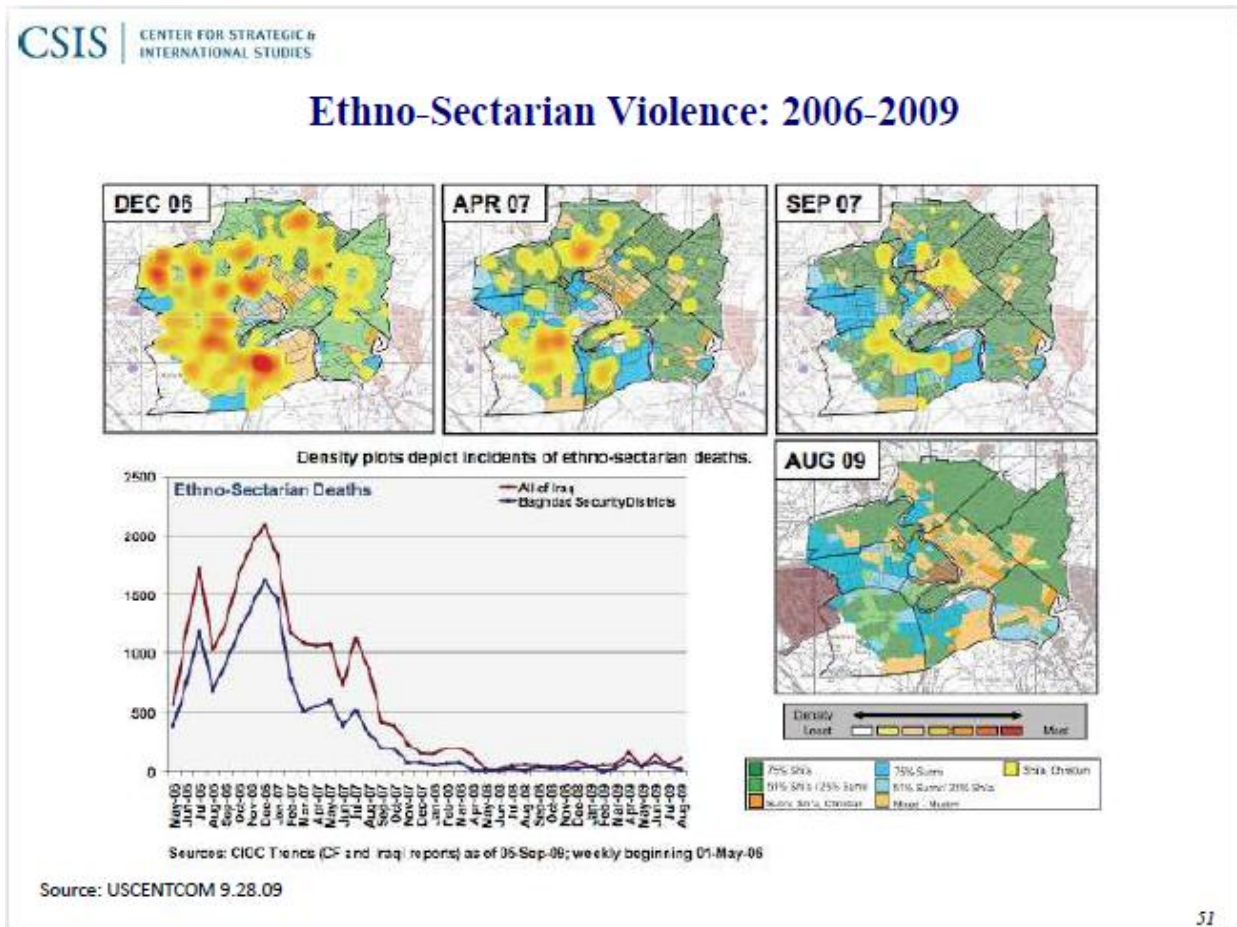
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<sup>16</sup> Bruno, G. 2009, 'Finding a Place for the 'Sons of Iraq' Council on Foreign Relations <http://www.cfr.org/iraq/finding-place-sons-iraq/p16088> - Accessed 21 February 2011 – Attachment 13.

<sup>17</sup> Ottaway M., Kaysi, D. 2011, 'Winners and Losers in the Iraqi Election Battle' Carnegie Endowment for International Peace 10 January <http://carnegieendowment.org/publications/index.cfm?fa=view&id=42260> - Accessed 21 February 2011 – Attachment 14.

<sup>18</sup> Cordesman, A. 2011, *Iraq: Patterns of Violence, Casualty Trends and Emerging Security Threats* Center for Strategic International Studies, 9 February <http://csis.org/publication/iraq-patterns-violence-casualty-trends-and-emerging-security-threats> - Accessed 21 February 2011 – Attachment 15.

Figure 1.



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Most sources<sup>20</sup> of Iraqi insurgent and sectarian violence information have yet to determine whether conciliatory programs will have lasting and positive effect in Baghdad, and Iraq in general.

A December 2010 report by the Norwegian Refugee Council captures the prevailing sectarian security situation in Iraq, describing a more secure situation than in years past and a possible evolution from sectarian strife to political wrangling, punctuated by some violence. The article states:

Internal displacement has profoundly marked the country. Neighbourhoods that once were mixed are now visibly dominated by one sectarian group, with signs such as flags, pictures and graffiti. The main sectarian groups have eschewed armed struggle for the political arena, leaving violence to smaller more radical organisations. Consequently, violence has become less predictable and remains a central obstacle to the development of a stable Iraq, while the sectarian political stalemate has had the primary effect of preventing the development of essential public services. Threats to life, safety and security Overall, Iraqis now enjoy greater physical security, even though coordinated

<sup>19</sup> Cordesman, A. 2011, *Iraq: Patterns of Violence, Casualty Trends and Emerging Security Threats* Center for Strategic International Studies, 9 February, p. 51 <http://csis.org/publication/iraq-patterns-violence-casualty-trends-and-emerging-security-threats> - Accessed 21 February 2011 – Attachment 15.

<sup>20</sup> For example, see Karon, T. 2010, 'Four Lessons from Iraq's New Government', *Time*, 12 November <http://www.time.com/time/world/article/0,8599,2031038,00.html> - Accessed 21 February 2011 – Attachment 16.

large explosions have continued, in Baghdad and elsewhere, every few months. The second half of 2010 has witnessed an upsurge in violent attacks, especially in Baghdad. However, the open insurgency and conflict has given way to smaller-scale violence, with the re-emergence of small “sticky bombs” and covert assassinations.<sup>21</sup>

**4. Please provide country information of whether government ministries have a higher proportion of Shiite workers compared to Sunni workers and whether Shiites hold more favourable positions than Sunnis in the government ministries.**

All sources indicate that Shiites hold the majority of positions in government ministries and public sector jobs, though no reliable statistical sources were located. The *Herald Sun* reported in March 2010 that: ‘There are no official figures on how public sector jobs are split between Iraq's religious and ethnic communities but Sunnis complain that the Shi'ites are disproportionately represented.’<sup>22</sup>

A report produced by the Fund for Peace organisation provides a historical snapshot of the ebb and flow of Sunni and Shiite influence in government since Saddam Hussein was in power:

There are extremely deep divisions within Iraq between the Shi'a majority and the Sunni and Kurdish minorities. Tensions between Sunni and Shi'a, though felt in nearly all Muslim countries, are particularly strong in Iraq. The Shi'a majority, who comprise nearly 65% of the nation's population, were shut out of Hussein's Sunni government and subjected to systematic discrimination. Once Saddam Hussein was removed from power the Shi'a advocated for a representative government, confident that their numbers would protect them from violence. However, the Sunnis refused to endorse the constitution drafted in 2005, turning instead to armed insurgency in an attempt to regain power. Waves of severe sectarian violence, set off by the bombing of the Askariya Shrine in February, continued throughout 2006 and much of 2007. In August 2007, the main Sunni bloc within the Iraq government withdrew its support. They rejoined in July 2008, an indication of easing tensions between the Sunnis and Shi'a majority. Sunni cooperation continued to improve throughout 2008; the Baghdad Awakening Council, a prominent Sunni organization, joined the Iraqi government in October. The Sunni province of Anbar, once one of the most hostile regions and an al-Qaeda stronghold, was reincorporated into the Iraqi government in September 2008.<sup>23</sup>

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<sup>21</sup> Norwegian Refugee Council 2010, ‘Political wrangling leaves around 2.8 million displaced Iraqis with no durable solutions in sight’ 14 December [http://www.internal-displacement.org/8025708F004BE3B1/\(httpInfoFiles\)/3D35B6E12A391265C12577F90045B37E/\\$file/Iraq\\_Overview\\_Dec2010.pdf](http://www.internal-displacement.org/8025708F004BE3B1/(httpInfoFiles)/3D35B6E12A391265C12577F90045B37E/$file/Iraq_Overview_Dec2010.pdf) - Accessed 21 February 2011 – Attachment 17.

<sup>22</sup> Mulholland, R. 2010, ‘Iraq set for years of Sunni-Shi'ite tensions’, *Herald Sun* website <http://www.heraldsun.com.au/news/breaking-news/iraq-set-for-years-of-sunni-shiite-tensions/story-e6frf7jx-1225837755399> - Accessed 21 February 2011 – Attachment 7.

<sup>23</sup> ‘Country Profile Iraq 2009’ 2010, The Fund for Peace, 22 June [http://www.fundforpeace.org/web/index.php?option=com\\_content&task=view&id=388&Itemid=545](http://www.fundforpeace.org/web/index.php?option=com_content&task=view&id=388&Itemid=545) - Accessed 21 February 2011 – Attachment 18.

**5. Please provide country information of the extent (if any) of discrimination of Sunni workers in government ministries either by Shiite colleagues or by Shiite bosses, managers or directors.**

Several sources indicate that Sunnis are very concerned about government discrimination practices against them due to the majority presence of Shiites in government positions.<sup>24</sup>

Specific examples of discriminatory practices and incidents were not located; however, several sources provided indications that Sunnis are discriminated against in government positions. These are described below.

A May 2010 *New York Times* article reports that some Sunnis brought into government positions under reconciliation and integration programs are derided by Shiite officials when they report to collect pay checks. The same article reports that feelings of distrust and fear prevent Sunnis from meeting with aides to the Prime Minister, whose portfolio includes reconciliation programs.<sup>25</sup>

A 2009 report carried by the US Council of Foreign Relations states that: ‘Sunni groups have also complained about low pay and a lack of opportunities for employment within Iraq’s army and police forces.’<sup>26</sup> It is likely that staff in government ministries are experiencing similar forms of discrimination.

The 2008 Freedom House *Freedom in the World Report* noted that there are credible allegations of discrimination against Sunnis in government institutions. The report stated:

There have been credible allegations of employment discrimination against Sunni Arabs and non-Muslim minorities in some government institutions, and many former Baath party members have faced difficulty obtaining state employment due to the overzealous application of de-Baathification policies. However, Sunni Arabs joined the Shiite-dominated security services, particularly the local police, in greater numbers in 2007; this trend was encouraged by the Anbar Salvation Council and other elements of the so-called Sunni awakening movement, which opposed al-Qaeda and sought a greater role for Sunnis in government.<sup>27</sup>

The *Economist* reported in March 2006 that with the government under Shia control Sunnis were discriminated against in ministries in a systemic fashion and sanctioned by department heads. The article states:

The violence has clearly driven a wedge into Iraqi sensibilities. In each election since the toppling of the Baath party, voters have opted in ever-greater proportion for

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<sup>24</sup> Mulholland, R. 2010, ‘Iraq set for years of Sunni-Shi’ite tensions’, *Courier Mail*, 6 March <http://www.couriermail.com.au/news/breaking-news/iraq-set-for-years-of-sunni-shiite-tensions/story-e6freonf-1225837755399> - Accessed 21 February 2011 – Attachment 7.

<sup>25</sup> Arango, T. 2010, ‘Iraqi Sunnis Frustrated as Awakening Loses Clout’, *New York Times*, 3 May [http://www.nytimes.com/2010/05/04/world/middleeast/04awakening.html?\\_r=2](http://www.nytimes.com/2010/05/04/world/middleeast/04awakening.html?_r=2) - Accessed 21 February 2011 – Attachment 19.

<sup>26</sup> Bruno, G. 2009, ‘Finding a Place for the ‘Sons of Iraq’ Council on Foreign Relations <http://www.cfr.org/iraq/finding-place-sons-iraq/p16088> - Accessed 21 February 2011 – Attachment 13.

<sup>27</sup> Freedom House 2008 ‘Freedom in the World - Iraq (2008)’ <http://www.freedomhouse.org/template.cfm?page=22&country=7414&year=2008> - Accessed 21 February 2011 – Attachment 20.

parties with explicitly sectarian platforms. These parties have taken over government ministries, and turned them into fiefs manned by their supporters.<sup>28</sup>

**6. Are there functioning legal mechanisms set up by government which an aggrieved person can call upon as a legal remedy, if she is experiencing discrimination by way of religion?**

No information was located indicating that a functioning legal mechanism is available to Iraqi government employees experiencing religious discrimination in the workplace. Information contained in the US DOS 2009 *Country Reports on Human Rights Practices – Iraq* indicates that if there is a procedure for lodging a complaint, it is likely not very effective. The report states the corruption is ‘large scale’ and rampant in government departments and that: ‘...officials combating corruption faced persistent political, social, and capacity restraints.’ In this environment it is unlikely that charges of discrimination are dealt with adequately. The report also states that ‘de-Bathification’ processes supported by multi-national forces in the early days of occupation, and which involve moving former Sunni supporters of Saddam Hussein’s regime out of influential positions, are still in operation.<sup>29</sup> This being the case, it is unlikely that a Sunni making allegations of discrimination by Shiite colleagues would perceive that there is a productive mechanism for redress.

**7. What is the extent of influence and participation of Muqtada Al Sadr and his followers within the current government and what is the extent of their influence in the security and police force in Baghdad?**

Several sources indicate that Muqtada Al Sadr wields a fairly strong influence in the government and that it extends to the security forces. In December 2010, the *Associated Press* (AP) reported that Mahdi Army militiamen were “increasingly back” and Moqtada al-Sadr was “pressing for a bigger presence in the police and military apparatus”.<sup>30</sup> A month earlier, the *Los Angeles Times* (LA Times) had reported that Sadr was reaping benefits from his “move to support Prime Minister Maliki’s bid for a second term”, with rewards taking the form of freed Mahdi Army personnel and the awarding of security positions to “veteran commanders of the militia”.<sup>31</sup> In June 2010, the *LA Times* said that Mahdi Army “ex-militiamen” were being seen in Baghdad neighbourhoods, and quoted a resident as saying, “We’re seeing their mobility, their presence, in the mosques, in their gatherings, in the alleyways... We are worried that they will come back and sabotage our neighborhoods”.<sup>32</sup> A May 2010 AP article reported that the Mahdi Army had “quietly started to regroup” and Sadr

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<sup>28</sup> ‘Does it have to be war?’ 2006, *The Economist*, 2 March

[http://www.economist.com/node/5572723?story\\_id=5572723](http://www.economist.com/node/5572723?story_id=5572723) - Accessed 21 February 2011 – Attachment 21.

<sup>29</sup> US Department of State 2010, *Country Reports on Human Rights Practices 2009 – Iraq*, 11 March – Attachment 6.

<sup>30</sup> Santana, R 2010, ‘Anti-US Shiite Sadrist movement seeking big role in new Iraq government, raising worries’, *Associated Press*, 1 December, <http://www.newser.com/article/d9jr7eag0/anti-us-shiite-sadrist-movement-seeking-big-role-in-new-iraq-government-raising-worries.html> – Accessed 2 December 2010 – Attachment 22.

<sup>31</sup> Parker, N 2010, “Sadr sees star rise again in Iraq”, *Los Angeles Times*, 25 November, <http://articles.latimes.com/2010/nov/25/world/la-fg-iraq-sadr-20101125> – Accessed 29 November 2010 – Attachment 23; see also Santana, R 2010, ‘Anti-US Shiite Sadrist movement seeking big role in new Iraq government, raising worries’, *Associated Press*, 1 December, <http://www.newser.com/article/d9jr7eag0/anti-us-shiite-sadrist-movement-seeking-big-role-in-new-iraq-government-raising-worries.html> – Accessed 2 December 2010 – Attachment 22.

<sup>32</sup> Daragahi, B 2010, “Muqtada Sadr’s Mahdi Army militiamen slowly resurface”, *Los Angeles Times*, 28 June, <http://articles.latimes.com/2010/jun/28/world/la-fg-mahdi-army-20100628> – Accessed 29 November 2010 – Attachment 24.



had deployed militiamen to protect Shi'a mosques in Baghdad's Sadr City.<sup>33</sup> The AP said "Mahdi Army militiamen in their trademark black shirts have taken to parading again on the streets of Shiite neighborhoods in Baghdad and elsewhere" and that the group had threatened to attack US forces if they did not leave the country by the end of December 2011.<sup>34</sup>

Reports generally indicate that the Mahdi Army has had members working in, and/or influencing, police and security forces in Baghdad and elsewhere in Iraq.<sup>35</sup> Some sources suggest that the militia (or Sadrists more broadly) still has "reach" within security agencies including the police, and news stories from 2010 have reported that Muqtada al-Sadr has leveraged his clout with the Maliki government to secure "security positions for veteran commanders of the militia" and is pushing for "a bigger presence in the police and military apparatus".<sup>36</sup>

In addition, a recent news report offers some evidence that Sadr supporters and their families may be able to take advantage of connections in the police or security forces to exact revenge on enemies. In April 2010, the *Pittsburgh Post-Gazette* reported on the case of a Shi'a Iraqi from Baghdad who had been "unjustly imprisoned" and tortured as a result of a Mahdi Army family using its "personal connections with senior army and intelligence officers to get him arrested". The man's offense against them was to have informed on militia members in the family in 2007.<sup>37</sup>

A 2010 post-election Carnegie Endowment for International Peace report also comments that Sadr wields influence over the government and security forces. The article states:

Sadr's stature has also been enhanced. His decision to back Maliki was the key to forming the government. His triumphal return from self-imposed exile in Iran on January 4 confirmed that he is a power to be reckoned with. Having secured 40 seats in the elections, the Sadrist Trend is well represented in the government, particularly in the service ministries.

But there are also indications that other deals were likely struck. Since Sadr backed Maliki, over 600 individuals believed to be Sadrists who were imprisoned during Maliki's first term were found innocent of the violent crimes they were charged with and released from prisons. The government denies a deal was made, but many Iraqis believe otherwise. There are also rumors that Maliki promised the Sadrists control

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<sup>33</sup> "Feared Shiite Mahdi Army militia led by hardline cleric reviving in post-election Iraq" 2010, *Associated Press*, 4 May, <http://www.foxnews.com/world/2010/05/04/feared-shiite-mahdi-army-militia-led-hardline-cleric-reviving-post-election/> – Accessed 29 November 2010 – Attachment 25.

<sup>34</sup> "Feared Shiite Mahdi Army militia led by hardline cleric reviving in post-election Iraq" 2010, *Associated Press*, 4 May, <http://www.foxnews.com/world/2010/05/04/feared-shiite-mahdi-army-militia-led-hardline-cleric-reviving-post-election/> – Accessed 29 November 2010 – Attachment 25.

<sup>35</sup> See for example United Nations Assistance Mission for Iraq (UNAMI) 2009, "Human Rights Report 1 July – 31 December 2009", [http://www.uniraq.org/documents/UNAMI\\_Human\\_Rights\\_Report16\\_EN.pdf](http://www.uniraq.org/documents/UNAMI_Human_Rights_Report16_EN.pdf) – Accessed 9 December 2010 – Attachment 26, p 39; Trejos, N 2007, "Battling With Sadr for Iraqi Soldiers' Hearts", *The Washington Post*, 13 January, <http://www.washingtonpost.com/wp-dyn/content/article/2007/01/12/AR2007011202217.html> – Accessed 9 December 2010 – Attachment 27;

<sup>36</sup> Parker, N 2010, "Sadr sees star rise again in Iraq", *Los Angeles Times*, 25 November, <http://articles.latimes.com/2010/nov/25/world/la-fg-iraq-sadr-20101125> – Accessed 29 November 2010 – Attachment 23; Santana, R 2010, "Anti-US Shiite Sadrist movement seeking big role in new Iraq government, raising worries", *Associated Press*, 1 December, <http://www.newser.com/article/d9jr7eag0/anti-us-shiite-sadrist-movement-seeking-big-role-in-new-iraq-government-raising-worries.html> – Accessed 2 December 2010 – Attachment 22; Rubin, T 2010, "Injustice in Iraq", *Pittsburgh Post-Gazette*, 25 April, <http://www.post-gazette.com/pg/10115/1052858-109.stm> – Accessed 2 December 2010 – Attachment 29.

<sup>37</sup> Rubin, T 2010, "Injustice in Iraq", *Pittsburgh Post-Gazette*, 25 April, <http://www.post-gazette.com/pg/10115/1052858-109.stm> – Accessed 2 December 2010 – Attachment 29.

over several southern governorates in return for their support; the appointment of Sadrist Trend's Ali Dwai Lazem as governor of Maysan gave the rumor additional credibility.<sup>38</sup>

## **8. Please provide current country information on the government's ability (or lack thereof) to protect Sunni's against physical attacks in Baghdad.**

Sunnis are underrepresented in the ranks of the police and army after choosing to not participate in nation-building projects after the rise of Shiite political power after Saddam Hussein was overthrown. When they refused to participate in national elections held in 2005, Shiites became the dominant majority in police and army ranks. This situation has led to great distrust by Sunnis of police protection.<sup>39</sup>

The 2009 US DOS *Country Report on Human Rights Practices – Iraq* reports that while overall security has increased in Iraq in the last two years, ‘...insurgent and terrorist bombings, executions, and killings were regular occurrences throughout all regions and sectors of society.’<sup>40</sup> Sunnis, like other groups, are not adequately protected from random or targeted violence. The report noted that the government was making efforts to improve this situation, especially in regard to the perceived disadvantage of Sunnis, but was meeting with mixed results. The report states:

The ability of the overwhelmingly Shia ISF to convince Sunni communities that the ISF was not biased in enforcement remained a problem. Government efforts to pay the approximately 94,000 SOI personnel, mostly Sunnis, and integrate them into full-time government employment positions (20 percent with state security agencies and 80 percent with civil ministries) continued on a largely successful course.

And

**The government has no comprehensive policy for undoing sectarian cleansing, but it did encourage returns to secure areas where violence had occurred previously.** Council of Ministers Decree 262 of July 2008 provided stipends to IDPs who vacate the homes of the displaced. Prime Ministerial Order 101, issued in August 2008, provided displaced persons with government resources to access their homes in Baghdad. Prime Ministerial Order 54 of July extended Order 101 to Diyala Province, the second-largest locus of returns after Baghdad... Despite these measures, many humanitarian organizations and Sunni leaders, including deputy prime minister Rafi al-Issawi, cited **the lack of steps to reverse the worst of sectarian cleansing, declaring that the government wished to discourage Sunni Arab refugees and IDPs from returning.** Government officials vigorously denied these charges.<sup>41</sup>

Several other sources indicate that the government is unable to provide adequate protection to Sunnis and that Shia's are afforded greater protection due their dominant influence in the

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<sup>38</sup> , ‘Winners and Losers in the Iraqi Election Battle’ Carnegie Endowment for International Peace 10 January <http://carnegieendowment.org/publications/index.cfm?fa=view&id=42260> - Accessed 21 February 2011 – Attachment 30.

<sup>39</sup> Mulholland, R. 2010, ‘Iraq set for years of Sunni-Shi'ite tensions’, *Herald Sun* website <http://www.heraldsun.com.au/news/breaking-news/iraq-set-for-years-of-sunni-shiite-tensions/story-e6frf7jx-1225837755399> - Accessed 21 February 2011 – Attachment 31.

<sup>40</sup> US Department of State 2010, *Country Reports on Human Rights Practices 2009 – Iraq*, 11March – Attachment 6.

<sup>41</sup> US Department of State 2010, *Country Reports on Human Rights Practices 2009 – Iraq*, 11March – Attachment 6.

government and security forces. While most sources do not comment on the specific situation of Sunnis, since Shias are also victims of violence, general descriptions portray a government unable to adequately protect any group targeted by violence.

For example, the 2010 Amnesty International *Annual Report* states that the government was unable to protect women from discrimination and violence. The report states:

Women continued to face high levels of discrimination and violence. Some were attacked in the street by armed men or received death threats from men who accused them of not adhering to strict Islamic moral codes. In May, inmates of the women's prison in al-Kadhimiya told members of the parliament's human rights committee that they had been raped in the prison or while detained elsewhere. **The government provided little protection against societal and family violence.**<sup>42</sup>

A December 2010 report by the Norwegian Refugee Council (NRC) stated:

In 2009, approximately 60 per cent of IDPs surveyed by UNHCR reported not seeking assistance from relevant institutions as they lacked required documents, did not trust state institutions, could not afford required fees, or feared retribution.<sup>43</sup>

Despite these findings, the same (NRC) report also commented on some improvements in security over previous years. Some of these benefits are mixed results derived from the sectarian violence between Sunnis and Shias, which caused huge displacements in 2006. The report states:

Today, the governorates and neighbourhoods which were most affected by displacement are now more ethnically or religiously homogenous than at any time in Iraq's history. Tensions have remained high yet increasingly confined to the disputed areas of the ethnically diverse northern governorates of Kirkuk and Ninawa. Though it remains fragile, security has to some extent improved, and as a result there has been little new displacement outside disputed northern areas since 2009. However, the improvement in security is linked to the major political parties eschewing violence for political competition which in turn has brought the state to a standstill. The government has proven unable to provide access to basic services to internally displaced people (IDPs), most of whom are either single women, children or elderly people.<sup>44</sup>

The 2009 Fund for Peace organisation's 2009 *Iraq Country Profile* portrays a more grim picture of the protection afforded by police. While the situation may have improved somewhat in 2010, per the reports above, there is a likelihood that police corruption and discrimination against Sunnis currently persists in some form. The report states:

The predominantly Shiite Iraqi police force has been accused of carrying out killings and kidnappings of Sunnis. The police are prone to bribery and corruption, commit

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<sup>42</sup> Amnesty International 2010, *Amnesty International Report 2010 - Iraq* [http://thereport.amnesty.org/sites/default/files/AIR2010\\_AZ\\_EN.pdf#page=123](http://thereport.amnesty.org/sites/default/files/AIR2010_AZ_EN.pdf#page=123) - Accessed 21 February 2011 Attachment 32.

<sup>43</sup> Norwegian Refugee Council 2010, 'Political wrangling leaves around 2.8 million displaced Iraqis with no durable solutions in sight' 14 December [http://www.internal-displacement.org/8025708F004BE3B1/\(httpInfoFiles\)/3D35B6E12A391265C12577F90045B37E/\\$file/Iraq\\_Overview\\_Dec2010.pdf](http://www.internal-displacement.org/8025708F004BE3B1/(httpInfoFiles)/3D35B6E12A391265C12577F90045B37E/$file/Iraq_Overview_Dec2010.pdf) - Accessed 21 February 2011 – Attachment 17.

<sup>44</sup> Norwegian Refugee Council 2010, 'Political wrangling leaves around 2.8 million displaced Iraqis with no durable solutions in sight' 14 December [http://www.internal-displacement.org/8025708F004BE3B1/\(httpInfoFiles\)/3D35B6E12A391265C12577F90045B37E/\\$file/Iraq\\_Overview\\_Dec2010.pdf](http://www.internal-displacement.org/8025708F004BE3B1/(httpInfoFiles)/3D35B6E12A391265C12577F90045B37E/$file/Iraq_Overview_Dec2010.pdf) - Accessed 21 February 2011 – Attachment 17.

widespread violations of human rights, and have been accused of engaging in torture. The police force has also been accused of acting as a cover for sectarian death squads.<sup>45</sup>

In general, the security environment in Baghdad remains poor. Despite recent improvements and lower levels of violence in the last nine months, Iraqi security forces are still unable to stop violent attacks from occurring on individuals, groups, and other targets. The Iraq Business News Weekly Security Update for the week of 10 February 2011 reports that although 2011 has been 'generally quiet', 40 incidents of violence were still recorded in that week and the majority of violence is taking place in Baghdad and Mosul.<sup>46</sup>

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<sup>46</sup> 'Weekly Security Update for 10th February 2011' 2011, Iraq Business News website <http://www.iraq-businessnews.com/2011/02/10/weekly-security-update-for-10th-february-2011/> - Accessed 21 February 2011 – Attachment 33.

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