

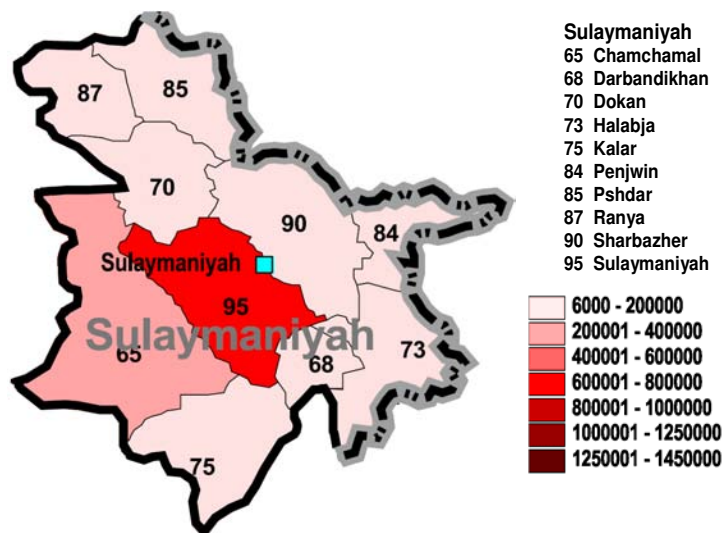


UNHCR

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

GOVERNORATE ASSESSMENT REPORT SULAYMANIYAH GOVERNORATE

September 2007



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, *Millennium* and *IRD*, and governmental and non-governmental organizations as well as other UN agencies have been invited to contribute to this report, which draws on international sources, reports of district authorities, UNHCR's Returnee and IDP Monitoring activities and consultations with returnees and their communities. Efforts have been made to ensure that only accurate, reliable, factual, 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.

This report does not take into account events occurring on or after 31 August 2007, unless a later date is specified. UNHCR plans to update the report on a regular basis.

Requests for further information or feedback on this report can be sent to iraqoper@unhcr.org.

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List of Abbreviations

AFP	Agence France-Presse
AP	Associated Press
BBC	British Broadcasting Company
CPA	Coalition Provisional Authority
CRRPD	Commission for the Resolution of Real Property Disputes (previously the Iraq Property Claims Commission)
CFR	Council on Foreign Relations
DPA	Deutsche Presse Agentur
ENS	Environment News Service
FGM	Female Genital Mutilation
GDMA	General Directorate for Mine Action
HRW	Human Rights Watch
ID	Iraqi Dinar
IDP	Internally Displaced Person
IKMAA	Iraqi Kurdistan Mine Action Agency
IKMAC	Iraqi Kurdistan Mine Action Centre
ILCS	Iraq Living Conditions Survey
ILIS	Iraq Landmine Impact Survey
IOM	International Organization for Migration
IMF	International Monetary Fund
IRCS	Iraqi Red Crescent Organization
IRD	International Relief and Development
IRIN	United Nations Integrated Regional Information Networks
ISF	Iraqi Security Forces
IWPR	Institute for War and Peace Reporting
KDP	Kurdistan Democratic Party
KIG	Kurdistan Islamic Group
KIU	Kurdistan Islamic Union
KNA	Kurdistan National Assembly
KRG	Kurdistan Regional Government
KWU	Kurdistan Women Union
MAG	Mines Advisory Group
MICS	Multiple Indicator Cluster Survey
MNF-I	Multinational Forces-Iraq
MoE	Ministry of Education
MoH	Ministry of Health (unified KRG)
MoHR	Ministry of Human Rights (unified KRG)
MoI	Ministry of Interior (Sulaymaniyah, not yet unified with MoI Erbil)
MoLSA	Ministry of Labour and Social Affairs (unified KRG)
MoPDC	Ministry of Planning and Development Cooperation (central Government in Baghdad)
MRE	Mine Risk Education
MVA	Mine Victim Assistance
NGO	Non-Governmental Organization
NPA	Norwegian People's Aid
PAC	Protection and Assistance Centre

PDS	Public Distribution System
PHC	Primary Health Centre
PJAK	Party for a Free Life in Kurdistan
PKK	Kurdistan Workers Party
PUK	Patriotic Union of Kurdistan
RNA	Rapid Needs Assessment
RFE/RL	Radio Free Europe / Radio Liberty
SHA	Suspected Hazardous Area
TAL	Transitional Administrative Law
UNAMI	United Nations Assistance Mission for Iraq
UNAMI HRO	United Nations Assistance Mission for Iraq, Human Rights Office
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNOPS	United Nations Office for Project Services
UPI	United Press International
US	United States
USAID	United States Agency for International Development
UXO	Unexploded Ordnance
VoA	Voice of America
VOI	Voices of Iraq
VVAF	Vietnam Veterans of America Foundation
WHO	World Health Organization

Exchange Rate

As of 31 August 2007, the exchange rate between the Iraqi Dinar (ID) and the US Dollar (US \$) was:	1 US \$ = 1,258.90 ID
	1 ID = 0.0008231 US \$

I. GENERAL INFORMATION

A. Governorate Profile

1. Governorate Summary

Size	15,852 km ²
Population	1,715,585 ¹
Dominant Religion	Sunni branch of Islam
Administration	<i>Qadha</i> (District) and <i>Nahiya</i> (sub-District) Councils, Governorate Council
Admin Capital	Sulaymaniyah City
Districts	Sulaymaniyah City, Ranya, Dokan, Penjwin, Sharbazher, Pshdar, Halabja, Kalar, Darbandikhan, Chamchamal, Sharazoor, ² Qaradagh, ³ Said Sadiq, ⁴ (<i>de facto</i> Khanaqeen) ⁵
International Borders	Iran ⁶
Internal Boundaries	Diyala, Erbil, Kirkuk, Salah Al-Din Governorates
Border Crossings	Bashmakh, ⁷ Tawela, ⁸ Parwezkhan ⁹
Checkpoints ¹⁰	Sulaymaniyah-Erbil (5), Sulaymaniyah-Kirkuk (2), Sulaymaniyah-Khanaqeen (5), Sulaymaniyah- Penjwin ¹¹ (7), Sulaymaniyah-Choman ¹² (8), Sulaymaniyah-Kanarwey and Marana ¹³ (6)

2. Demographic Profile

Religion: The predominant religion in Sulaymaniyah Governorate is the Sunni branch of Islam, although Shi'ite Islam is also practiced, mainly by Kurds displaced by the former regime from Khanaqeen District of Diyala Governorate. There are also a number of

¹ MoPDC/UNDP, *Iraq Living Conditions Survey*, April 2005, <http://www.iq.undp.org/ILCS/PDF/Analytical%20Report%20-%20English.pdf> (hereafter "MoPDC/UNDP, 2005 *Iraq Living Conditions Survey*"). An official census has not been carried out since 1987.

² UNAMI, *Geographic Maps - Sulaymaniyah*, 22 July 2003, http://www.humanitarianinfo.org/iraq/maps/346_A1_Sulaymaniyah_Gov.pdf. Note that the Districts of Sharazoor, Qaradagh and Said Sadiq were only created post 2003 and to date no updated maps indicating all districts of Sulaymaniyah Governorate are available.

³ Qaradagh was announced as 12th district on 7 August 2007. It consists of 86 villages with a total population of 450,000 persons.

⁴ Said Sadiq was officially declared as 13th district of Sulaymaniyah Governorate on 29 August 2007. The district consists of 4 sub-districts and 12 villages with a total population of 65,000 persons.

⁵ Khanaqeen District with its four sub-districts Jalawla, Jabbara, Qaratapa and Sa'adiyah belongs *de jure* to the Governorate of Diyala; *de facto* it is under control of the Kurdistan Regional Government.

⁶ The border between Iran and Iraq is 386.8 km.

⁷ Penjwin District.

⁸ Halabja District.

⁹ Darbandikhan District.

¹⁰ These figures relate to the number of permanent checkpoints only.

¹¹ East of Sulaymaniyah towards the Iranian border.

¹² North-West of Sulaymaniyah towards the Iranian border.

¹³ North-East of Sulaymaniyah towards the Iranian border.

Chaldean Christians living in Sulaymaniyah City and a small *Ahl Al-Haq* minority that lives mostly in Halabja District.

Tribal groups: Tribal groups in the Governorate include Zengana, Hamawand, Shewann, Bayyat, Jibari, Berzenchi, Jaff, Bajjlan and Hewrama.

IDPs: The Governorate of Sulaymaniyah hosts over of 360,000 IDPs, of which over 302,000 persons¹⁴ have been displaced prior to the Samarra bombing in February 2006. Sulaymaniyah Governorate hosts the largest population of persons displaced since 2003, and mostly since 2006, in the three Northern Governorates. By the end of July 2007, Sulaymaniyah Governorate accounted for 67,844 IDPs displaced after the Samarra bombing. These “new” IDPs are present in all districts of the Governorate, with the majority residing in Sulaymaniyah City (46%) and Kalar District (31%). They are mostly ethnic Arabs (65%) and Kurds (33%). About 1.4% belong to ethnic-based Christians (Assyrians, Chaldeans and Syriacs) and others (most likely Turkmen).¹⁵ The majority of IDPs are children.¹⁶

Returnees: Between 2003 and September 2006, 1,289 families (5,504 individuals) returned to the Governorate of Sulaymaniyah.¹⁷ Returnee Monitoring¹⁸ showed that the large majority of repatriates surveyed returned from Iran¹⁹ and are mostly living in the Districts of Halabja, Ranya and Sulaymaniyah.²⁰ About one quarter of the returnees surveyed by UNHCR in 2006 did not return to their place of origin but continue to be in a situation of displacement.²¹ 40% of returnees surveyed are under the age of 18.²² A

¹⁴ Figure as of 31 December 2005 (will be reviewed in cooperation with authorities). These include persons expelled during the “De-villagisation” campaign, the “Anfal” campaign, the “Arabization” campaign; persons expelled or who fled due to mid-1990s fighting between the two Kurdish parties as well as those fleeing fighting between the PKK and the Turkish military in Northern Iraq; Kurds expelled to Iran in the 1970s and who have since returned to Northern Iraq but into internal displacement; Iraqis of all ethnic and religious backgrounds who fled Government-controlled territory since opposing the Iraqi Government; populations fleeing the Centre of Iraq after the fall of the former regime due to religious/ethnic or political persecution and harassment (e.g. religious minorities, intellectuals, Kurds from Fallujah and Ramadi) as well as ongoing fighting between Coalition Forces/Multinational Forces (MNF-I) and insurgents.

¹⁵ Figures received from Sulaymaniyah Governorate Security Offices, 31 July 2007.

¹⁶ Of the 44,626 IDPs recorded by Iraqi Red Crescent Society (IRCS) in the Governorate of Sulaymaniyah by 31 August 2007, 67.9% are children (up to the age of 12); IRCS, *Figures of Internally Displaced Persons*, Update 26, 16 September 2007; in a survey of 1,258 individuals between October and November 2006, 45% were below 18 years of age; UNHCR, *Rapid Needs Assessment (RNA) of Recently Displaced Persons in the Region of Kurdistan, Governorate of Sulaymaniyah* (hereafter “UNHCR, 2007 RNA Sulaymaniyah”), January 2007.

¹⁷ This includes both persons that returned as part of UNHCR’s facilitated return programme as well as those that returned spontaneously. Sources: UNHCR/IRD, former Ministry of Anfal, IDPs and Human Right, KRG Sulaymaniyah and Directorate of Displacement and Migration in Soran (Erbil Governorate). Returnee data has not been updated since September 2006 as there is currently no government body in charge for returnees in Sulaymaniyah Governorate.

¹⁸ UNHCR through its implementing partner IRD surveyed a total of 340 returnee households between April and December 2006 (hereafter “UNHCR, *Returnee Monitoring 2006*”). As not all households provided an answer to all questions raised, the number of “households surveyed” may not always account for 340.

¹⁹ 3,500 persons returned from Iran.

²⁰ Of 337 returnee households that provided a response to the question, 56.7% said that they returned to the District of Halabja, 27.6% to the District of Ranya, 7.7% to the District of Sulaymaniyah, 3% to the District of Penjwin, 2.7% to the District of Sharbazher, 2.1% to the District of Dokan and 0.3% to the District of Darbandikhan; UNHCR, *Returnee Monitoring 2006*, see above footnote 18.

²¹ Of 340 returnee households; UNHCR, *Returnee Monitoring 2006*, see above footnote 18.

²² Of 339 returnee households, 31.9% were between 5 and 17 years of age, 6% between 1 and 4 years of age and 2.4% below the age of 1; *ibidem*.

significant number of surveyed returnees had fled Iraq due to the 1988 Halabja gassing, the *Anfal* campaign and the 1991 Uprising.²³ The main reason for return was due to a change in the political situation.²⁴

B. Political Developments

The Governorate of Sulaymaniyah is part of the area administered by the Kurdistan Regional Government (KRG), based in Erbil. The KRG has constitutionally recognized authority over the Governorates of Erbil, Dahuk and Sulaymaniyah, as well as de facto authority over parts of Diyala, Ninewa and Kirkuk Governorates.²⁵

The predominant political party in the Governorate of Sulaymaniyah is the Patriotic Union of Kurdistan (PUK, known in Kurdish as *Yaketi Nishtimani*). Other political parties active in Sulaymaniyah include the Kurdistan Islamic Union (KIU), the Kurdistan Socialist Democratic Party, the Toilers' Party, the Conservative Party, the Kurdistan Islamic Group (KIG), the Kurdistan Islamic Movement, the Kurdistan Communist Party, the Iraqi Communist Party and the Kurdistan Democratic Party (KDP).

Until January 2006, the Governorate of Sulaymaniyah was governed by a PUK-led administration, while the Governorates of Erbil and Dahuk were governed by a KDP-led administration. An agreement between the PUK and the KDP on the joint administration of the KRG was reached on 21 January 2006 and the KRG assumed office on 7 May 2006.²⁶

The governing body of Sulaymaniyah is the Governorate Council, elected on 30 January 2005. The Council is made up of 41 members, consisting of an executive body (Governor and Deputy Governor) and legislative (members of Governorate Council). The council holds weekly meetings every Thursday to discuss projects and activities. Unanimity is required before proposals can be passed to the Governor for implementation.

The Council's 41 seats are divided among four parties: the PUK holds 28 seats, the KDP five seats, the KIU five seats and the KIG three seats. Since the PUK owns the majority of the

²³ Of 330 returnee households surveyed, 47.3% mentioned the Halabja gassing, 29.7% the *Anfal* campaign and 14.5% the 1991 Uprising. Other reasons reported were the Iraq-Iran War, political violence and the KDP-PUK fighting (values do not add up to 100% because households listed up to three reasons for leaving); *ibidem*.

²⁴ 97% of 335 returnee households surveyed. Returns to Sulaymaniyah Governorate took place mainly in 1991, following the area's *de facto* autonomy after the imposition of a no-fly zone. In 2003, increased numbers returned in the wake of the fall of the former regime, resulting in returns in both 2004 and 2005; *ibidem*.

²⁵ See Article 53(A) of the Transitional Administrative Law (TAL), which continues to be valid under the National Constitution as approved by popular referendum in October 2005 (Article 143).

²⁶ The seat of the KRG is in Erbil. According to the new power-sharing agreement, the KDP will head the KRG Ministries of Finance, Peshmerga Affairs, Higher Education, Agriculture, Martyrs, Culture, Electricity, Natural Resources, Municipalities, Sports and Youth as well as the Ministry for Extra-Regional Affairs. The PUK oversees the Interior, Justice, Education, Health, Social Affairs, Water Resources, Transportation, Reconstruction, Planning and Human Rights Ministries. The KRG Ministries of Finance, Peshmerga Affairs and Interior should unite within one year, but to date remain separate. The KIU, the KIG as well as the Turkmen and Chaldo-Assyrian parties are heading the remaining ministries; KRG, *Kurdistan Regional Government Unification Agreement*, paras 1-5, 21 January 2006,

http://www.krg.org/articles/article_detail.asp?LangNr=12&RubricNr=107&ArticleNr=8891&LNNr=28&RNNr=70 (hereafter "KRG, 2006 Unification Agreement"). For a full list of the KRG cabinet, inaugurated on 7 May 2006, see KRG, *Ministers of the new unified cabinet*, 7 May 2006, http://www.krg.org/articles/article_detail.asp?ArticleNr=10938&LangNr=12&LNNr=28&RNNr=70.

seats, it occupies the posts of Head of Council and Deputy. Sherzah Abdul-Hafiz Sharif is Head of the Governorate Council²⁷ and his Deputy is Kawa Abdulla Ali. In addition to the 41 Council members, the Governorate Council employs four staff, including the Council Secretary, Nawzad Asaad.

The PUK, as part of the Democratic Patriotic Alliance of Kurdistan, is also represented in the Iraqi Government of Prime Minister Al-Maliki and the Council of Representatives, and PUK founder and Secretary-General, Jalal Talabani, became the President of Iraq on 6 April 2005.

C. Security and Public Order

1. General Security Situation

Although Sulaymaniyah Governorate has escaped the widespread violence and collapse of law and order that are widespread in many parts of Central and Southern Iraq, the security situation remains tenuous and unpredictable for a number of reasons.²⁸

There is anticipation that the conflict prevailing in the other parts of the country, in particular in Sulaymaniyah Governorate's neighbouring Governorates of Kirkuk and Diyala might spill over; accordingly, the local authorities implement strict security measures, including on the admission of persons not originating from the area.²⁹

Kurdish ambitions to expand their areas of control, in particular in the Governorates of Kirkuk and Ninewa, are met with concern from Arab and Turkmen communities as well as Turkey and Iran. The PUK is already exerting full or partial control over some disputed areas (e.g. Kirkuk, Khanaqeen³⁰), which has resulted in a number of attacks against party offices and representatives. For example, on 16 July 2007, twin suicide car bombings, targeting the PUK's HQ in Kirkuk, killed at least 80 people and wounded around 150.³¹

The reported presence of some 5,000 PKK (Kurdistan Workers Party) and 1,000 PJAK (Party for a Free Life in Kurdistan) fighters in Northern Iraq, including in the Governorate of Sulaymaniyah, has prompted Turkey and Iran to mass troops along the border with Iraq, threatening military retaliation. On 16 August 2007, Iranian troops shelled villages near the town of Qaladiza in the Governorate of Sulaymaniyah. According to the Mayor of Qaladiza, 200 families fled the area. Reportedly, several houses were destroyed and dairy farms and orchards were damaged.³² On 27 August 2007, Iranian troops shelled villages

²⁷ On 20 August 2007, it was reported that the Head of the Governorate Council resigned citing reasons related to his limited powers and the absence of a law defining the Council's responsibilities; see VOI, *Head of Sulaimaniya's provincial council resigns*, 20 August 2007, http://www.iraquupdates.com/p_articles.php/article/20811. Soran Abdulqadir is currently serving as acting head of the Governorate Council.

²⁸ See also UNHCR, *UNHCR Return Advisory and Position on International Protection Needs of Iraqis Outside Iraq*, December 2006 (corr.), pp. 5-7, available at <http://www.unhcr.org/home/RSDLEGAL/458baf6f4.pdf>, (hereafter "UNHCR, 2006 Return Advisory").

²⁹ See Section IV. B. *Internal Relocation*.

³⁰ DPA, *Khanaqin city wants to join the Kurdish region*, 6 September 2006, <http://www.kurdmedia.com/article.aspx?id=13170>.

³¹ AP, Yahya Barzanji, *Twin car bombings in Iraqi city kill 80*, 16 July 2007, http://www.usatoday.com/news/world/2007-07-16-4110462503_x.htm.

³² VOI, *Iranian shelling continues on southern Sulaimaniya*, 23 August 2007, http://www.iraquupdates.com/p_articles.php?refid=DH-S-23-08-2007&article=20959; Counterpunch, Patrick

near the town of Zharawa in Pshdar District. As a result, 157 families were displaced to Zharawa town.³³ Iranian aircraft reportedly dropped leaflets warning villagers to leave certain areas. It is reported that villagers in the area have left their homes in response to the warnings and shelling.³⁴ The KRG and the Kurdistan Assembly condemned the attacks and called for an immediate stop to the shelling.³⁵

Radical Islamic militants, offshoots from *Ansar Al-Islam*, a home-grown indigenous Kurdish Islamist Movement, which during the 2003 US-led invasion was attacked by Coalition and Kurdish forces for reportedly providing a safe haven to major terrorist groups have regrouped, mainly in Sulaymaniyah Governorate near the Iraqi-Iranian border. They are held responsible for (suicide) attacks in the Kurdistan Region, mainly along the Iraqi-Iranian border but also in other parts of Iraq.³⁶ In May 2007, the KRG deployed some 1,000 *Peshmerga* soldiers along the porous Iranian border in an attempt to stop infiltration by *Ansar Al-Islam*.³⁷

Dissatisfaction over alleged corruption, restrictions on freedom of press and lack of public services generate regular demonstrations and public unrest in the Governorate of Sulaymaniyah. Protests over late public sector payments and calls for pay increases were also voiced. A number of protests have turned violent and resulted in a number of arrests and detentions. Accusations of excessive use of force by security forces in the Governorate have been raised in a number of incidents.³⁸

Cockburn, *The Next Invasion of Iraq? Kurdish Mountain Army Awaits Turkish Incursion*, 18 July 2007, <http://www.counterpunch.org/patrick07192007.html>; see also IRIN, *IRAQ: Kurdish families flee as Iran shells rebel positions*, <http://www.irinnews.org/report.aspx?reportid=26335>, 2 May 2006, <http://www.irinnews.org/report.aspx?reportid=26335>.

³³ Information received in a meeting with Mr. Azad Waso, head of Zharawa sub-District on 28 August 2007.

³⁴ Kurdish Globe, Ako Muhammed, *Kurdish villagers flee Iranian bombard*, 30 August 2007, http://www.iraqupdates.com/p_articles.php?refid=DH-S-30-08-2007&article=21200.

³⁵ Kurdish Globe, Ako Muhammed, *Kurdish villagers flee Iranian bombard*, 30 August 2007, http://www.iraqupdates.com/p_articles.php?refid=DH-S-30-08-2007&article=21200; KRG, *Statement: KRG condemns Iranian bombardment of border area*, 27 August 2007, http://www.iraqupdates.com/p_articles.php?refid=DH-S-28-08-2007&article=21125.

³⁶ Kurdish leaders have also attributed recent attacks against *Peshmerga* troops in the border town of Penjwin to *Ansar Al-Islam*, saying the group moves freely across the Iran-Iraq border; see RFE/RL, Kathleen Ridolfo, *Seven Border Guards Killed In Northern Iraq Ambush*, 15 July 2007, <http://www.rferl.org/featuresarticle/2007/7/7C76C1BD-A27F-4D52-86CF-2DCC7A3E4B20.html>; ibidem, *Iraq: Kurdish Region Under Increasing Threat*, 16 May 2007, <http://www.rferl.org/featuresarticle/2007/05/29c92089-22f0-42e2-acc7-3666f1ff1419.html>; ibidem, *Iraq: Al-Qaeda Tactics Lead To Splits Among Insurgents*, 17 April 2007, http://www.rferl.org/features/features_Article.aspx?m=04&y=2007&id=CA95FAFC-1E70-450A-A4BF-9417B05CAA3C; VOI, *Sulaimaniyah border guards clash with Islamist gunmen*, 15 April 2007, <http://www.ekurd.net/mismas/articles/misc2007/4/islamterror153.htm>; in May 2007, Sulaymaniyah's security uncovered a "disastrous terror plot" by *Ansar Al-Islam* to drop chemical gases on the City and assassinate senior political figures there; see Kurdish Globe, Mohammed A. Salih, *Erbil residents defy terror*, 17 May 2007, http://www.iraqupdates.com/p_articles.php/article/17465; also in May 2007, the authorities reportedly discovered and defused several bombs planted in the building of Sulaymaniyah's Culture Office; see Kurdish Globe, *Big blast rocks Erbil*, 10 May 2007, http://www.iraqupdates.com/p_articles.php/article/17243; see also The Jamestown Foundation, Terrorism Monitor, Lydia Khalil, *The Hidden Hand of Iran in the Resurgence of Ansar al-Islam*, Volume 5, Issue 11, 7 June 2007, <http://www.jamestown.org/terrorism/news/article.php?articleid=2373453>; ibidem, *The Kurdistan Brigades: Al-Qaeda's Kurdish Henchmen*, Volume 4, Issue 14, 15 May 2007, <http://www.jamestown.org/terrorism/news/article.php?articleid=2373397>.

³⁷ Asia News, *One Thousand Peshmerga Deployed Along the Iranian Border*, 11 May 2007, <http://www.asianews.it/index.php?l=en&art=9240&size=A>.

³⁸ See for example, RFE/RL, *Iraq: Kurds Call For More Government Accountability*, 9 August 2006, <http://www.rferl.org/featuresarticle/2006/08/b502064d-63c7-484b-adcf-91b92c3d0d07.html>; IWPR, *Kurds*

Criminality is an ongoing problem in the Governorate of Sulaymaniyah with petty crime, smuggling and corruption being of major concern. High unemployment, particularly in rural areas, has exacerbated the problem of smuggling as the only source of income for many villagers living close to the Iranian border. Alcohol, cigarettes and electrical appliances are regularly smuggled into Iran, whilst fuel and reportedly weapons are smuggled into Iraq.³⁹ The trade in smuggled narcotics has also reportedly increased.⁴⁰ There was a high incidence of fraud cases reported during the first quarter of 2007 and bribery and corruption are common.⁴¹ Crimes against women, in particular “honour crimes” are also common.⁴²

IDPs and returnees: The large majority of returnees monitored by UNHCR in 2006⁴³ and all IDPs surveyed in 2007⁴⁴ reported that they generally felt safe in the Governorate.

2. Security Forces

In the Governorate of Sulaymaniyah, the provision of security, including law enforcement and basic police functions, remains the responsibility of the local police, local security and intelligence agencies and the armed forces, the *Peshmerga*.⁴⁵

Protest Energy Shortages, Iraq Crisis Report No. 184, 7 July 2006, http://www.iwpr.net/?p=icr&s=f&o=322133&apc_state=henh; IRIN, *IRAQ: Kurdish authorities vow to upgrade services after protests*, 19 March 2006, available at http://www.irinnews.org/report.asp?ReportID=52303&SelectRegion=Middle_East&SelectCountry=IRAQ.

³⁹ See for example, AP, Sameer N. Yacoub, *U.S. military accuses Iran of smuggling arms into Iraq*, 24 September 2007, http://seattletimes.nwsource.com/html/iraq/2003899086_iraq24.html; See for example, AP, Omar Sinan, *Iraq-Iran Trade in Gasoline Booms*, 11 June 2007, <http://www.washingtonpost.com/wp-dyn/content/article/2007/06/11/AR2007061100295.html>.

⁴⁰ See for example, The Washington Post, Jonathan Finer, *Iraq Used For Transit Of Drugs, Officials Say*, 12 June 2005, http://www.washingtonpost.com/wp-dyn/content/article/2005/06/11/AR2005061100664_pf.html; Stars and Stripes, Kevin Dougherty, *Watching Iran-Iraq Border For More Than Cows*, 19 May 2005, http://www.military.com/NewContent/0,13190,SS_051905_Cows,00.html; AP, Jim Krane, *What Iran, Iraq and Liquor have in common? -- "Smugglers"*, 10 January 2004, http://www.iranian.ws/cgi-bin/iran_news/exec/view.cgi/2/1250.

⁴¹ The Globe and Mail, Mark Mackinnon, *Corruption: The Dark Underbelly of Kurdistan's Dream*, 13 March 2007, available at: <http://www.wadinet.de/news/iraq/newsarticle.php?id=2955>; Los Angeles Times, Solomon Moore, *Safety Over Liberty in Kurdistan*, 10 April 2006, available at: <http://fairuse.100webcustomers.com/fuj/latimes15.htm>; RFE/RL, Kathleen Ridolfo, *Iraq: New Kurdish Administration Comes Under Scrutiny*, 12 May 2006, <http://www.rferl.org/featuresarticle/2006/5/4B58E7A7-5456-4D67-A1F1-B5DF2E2AD5B4.html>; ibidem, Kyle Madigan, *Iraq: Corruption Restricts Development In Iraqi Kurdistan*, 29 April 2005, <http://www.rferl.org/featuresarticle/2005/4/DA9D366C-C2C2-486F-A4D7-2EEBC0BB507E.html>; Global Security, *Patriotic Union of Kurdistan (PUK)*, visited 14 August 2007, <http://www.globalsecurity.org/military/world/para/puk.htm>.

⁴² See Section II. D. Human Rights.

⁴³ 99.7% of 335 household monitored. Concerns for security were related to mine accidents (2 households); UNHCR, *Returnee Monitoring 2006*, see above footnote 18.

⁴⁴ UNHCR through its partner, IRD, surveyed a total of 283 IPD households between May and 15 August 2007 (hereafter “UNHCR, *IDP Monitoring 2007*”). 100% of 283 households surveyed reported that they felt safe in their current location.

⁴⁵ The National Constitution stipulates in Article 120 that “(T)he Regional Government shall be responsible for all the administrative requirements of the region, particularly the establishment and organization of the internal security forces for the region such as police, security forces and guards of the region.”

Police: The local police force in Sulaymaniyah Governorate is institutionalized and reports to the KRG Sulaymaniyah Ministry of Interior (MoI). According to official figures, the police force is composed of 45,000 members,⁴⁶ with a General Directorate in Sulaymaniyah City and departments in all districts. Most sub-districts of the Governorate also have a police office. The General Directorate consists of five units: Aid, Guarding, Civil Emergency Unit, Stations and a special unit for guarding the Governor's office.

Peshmerga: Security in the Governorate of Sulaymaniyah is under the authority of the *Peshmerga*.⁴⁷ The PUK continues to run its own Ministry of *Peshmerga*, which is to be merged with the respective KDP-run Ministry of *Peshmerga* under the Unification Agreement and will be headed by the KDP. Under the unification agreement reached by the KDP and the PUK on 21 January 2006, a *Supreme Commission* will be established to institutionalize the police and security agencies of the Kurdistan Region. The agreement also states that “(T)he united agencies are to be removed from political considerations.” Furthermore, the agreement foresees the introduction of a special programme for university graduates with the aim of recruiting new candidates to the unified security services.⁴⁸

In March 2007, three battalions of *Peshmerga* were sent to Baghdad to support the Iraqi Security Forces (ISF) and the Multinational Forces-Iraq (MNF-I) with the Baghdad Security Plan.⁴⁹ In July 2007, it was reported that in agreement with the Central Government, some 6,000 *Peshmerga* fighters were to be sent to protect power facilities and oil pipelines in Central Iraq, which are regular targets of insurgents.⁵⁰ However, this move has provoked controversy among minority groups in multi-ethnic Kirkuk Governorate.⁵¹ By the time of writing, the deployment had not taken place for political reasons.⁵²

Asayish: The Asayish is the PUK's internal security agency. By law it has jurisdiction over economic and political crimes such as smuggling, espionage, acts of sabotage and terrorism.⁵³

⁴⁶ Information received from the Directorate of Police in Sulaymaniyah.

⁴⁷ According to Jafar Ali Mustafa, the KRG Minister of State for Peshmerga Affairs, the *Peshmerga* number some 200,000, half of which are controlled by the PUK and the other half by the KDP; see The Economist, *Does independence beckon?*, 6 September 2007,

http://www.economist.com/world/africa/displaystory.cfm?story_id=9769132.

⁴⁸ KRG, *2006 Unification Agreement*, para 7, see above footnote 26.

⁴⁹ VoA, Jim Randle, *Iraqi Army Soldiers From the Kurdish North Head to Baghdad*, 16 February 2007,

<http://www.voanews.com/english/archive/2007-02/2007-02-16-voa27.cfm?CFID=116781601&CFTOKEN=88221502>; Reuters, Mussab Al-Khairalla, *Kurd fighters may add*

muscle to Baghdad offensive, 9 February 2007,

http://www.boston.com/news/world/middleeast/articles/2007/02/09/kurd_fighters_may_add_muscle_to_baghdad_offensive/.

⁵⁰ UPI, *Peshmerga to Protect Iraq Power and Oil*, 30 July 2007,

http://www.upi.com/Energy/Briefing/2007/07/30/peshmerga_to_protect_iraq_power_and_oil/1652/.

⁵¹ RFE/RL, Mustafa Mahmud, *Iraq: Plan To Deploy Peshmerga To Kirkuk Alarms Minorities*, 8 August 2007,

<http://www.rferl.org/featuresarticle/2007/8/7470E5AD-D81A-444A-8DC9-14508939152C.html>.

⁵² VOI, *Political situation hampers sending Peshmerga fighters to Mosul, Tikrit*, 14 August 2007,

http://www.iraqupdates.com/p_articles.php/article/20616.

⁵³ UNAMI HRO, *Human Rights Report, 1 January – 31 March 2007*, p. 12,

<http://www.uniraq.org/FileLib/misc/HR%20Report%20Jan%20Mar%202007%20EN.pdf> (hereafter “UNAMI HRO, *March 2007 Human Rights Report*”).

Dazgay Zaniyari: The Dazgay Zaniyari is the party's domestic intelligence agency. These local security and intelligence services and the *Peshmerga* monitor villages, towns and regional checkpoints. In addition, these agencies run detention centres in the Governorate.

Multi-National Forces in Iraq: Since June 2003, the MNF-I have had a limited presence in Sulaymaniyah focusing largely on the training of the regional security services. Full security responsibility in the Kurdistan Region was formally transferred from the MNF-I to the KRG on 30 May 2007.⁵⁴

3. Prison and Detention Facilities

In the Governorate of Sulaymaniyah, the prison and detention centres are under the authority of the KRG Ministry of Labour and Social Affairs (MoLSA) and run by the police forces. The major prison complex is called *Ma'askar Salam*, and is located west of Sulaymaniyah City.⁵⁵ In addition, the security (*Asayish*) and intelligence (*Dazgay Zaniyari*) agencies run special detention facilities which are not under the control of the authorities but rather of the PUK. The *Asayish* runs two prisons, one inside the Directorate of *Asayish* in Sulaymaniyah City and the second one in Kani Goma.⁵⁶ The *Dazgay Zaniyari* maintains, among others, a detention facility within the *Ma'askar Salam* prison complex.

On 10 April 2007, the Kurdistan National Assembly (KNA) approved an Amnesty Law, which was followed by the immediate release of 70 prisoners from prisons in the Kurdistan Region.⁵⁷ Prison and detention facilities are set to unify during 2007 as outlined in the Unification Agreement. At the end of August 2007, separate KDP and PUK administered facilities were still in operation in the region.⁵⁸

In addition, the MNF-I in October 2005 started to use "Fort Suse" near Sulaymaniyah City as a detention facility for security internees held by coalition forces as suspected insurgents. In September 2006, all detainees were transferred to the MNF-I facilities at Camp Cropper and Camp Bucca and the facility was turned over to the Iraqi Government.⁵⁹ Since, it is under the supervision of the central Ministry of Justice but administrated by the General Directorate of *Asayish* in Sulaymaniyah. As part of the ongoing "Baghdad Security Plan", some 1,300 convicted prisoners have been transferred from Baghdad to "Fort Suse" in order to free prison space for new prisoners.⁶⁰

The KRG Minister for Human Rights, Dr. Shwan Mohammed Aziz, stated in a press

⁵⁴ VOI, Abdul Hamid Zibari, *Kurdish Peshmerga receives Kurdistan security file from MNF*, 31 May 2007, http://www.iraqupdates.com/p_articles.php?refid=DH-S-31-05-2007&article=17899.

⁵⁵ Operates three centres for women, men and children.

⁵⁶ For information on the treatment of detainees at prisons and detention facilities of the *Asayish*, see also Section II. D. Human Rights.

⁵⁷ Kurdish Globe, Qassim Khidhir, *Prisoners in Kurdistan given a second chance*, 22 June 2007, http://www.iraqupdates.com/p_articles.php/article/18595.

⁵⁸ Under the 21 January 2006 agreement between the KDP and the PUK, detention facilities are set to come under the authority of the joint MoI, headed by the PUK.

⁵⁹ AP, *Abu Ghraib Prison Totally Empty*, 28 August 2006,

<http://www.cbsnews.com/stories/2006/08/28/iraq/main1940091.shtml>; Stars and Stripes, Joseph Giordano, *One Replacement Prison Finished in Iraq*, 1 November 2005,

<http://www.military.com/features/0,15240,79666,00.html>.

⁶⁰ UNAMI HRO, *March 2007 Human Rights Report*, p. 21, see above footnote 53.

conference on 14 August 2007 that the *Asayish* currently holds 726 detainees in its facilities in Sulaymaniyah Governorate, including 392 persons in Kani Goma Prison, 266 persons in the *Asayish* Directorate in Sulaymaniyah City and 68 persons in Kalar and Koya.⁶¹

4. UXO and Mines

The three Northern Governorates, one of the most contaminated areas of the world with 1,428 affected communities, contend with thousands of minefields especially along the borders with Iran and Turkey and further contamination along the former “Green Line” as well as UXO across all three governorates. The three Northern Governorates account for the heaviest known contamination within Iraq with 3,024 suspected hazardous areas (SHAs) covering an estimated area of 776 km² and affecting 1,126 communities.⁶² Sulaymaniyah Governorate contains around 200 km² contaminated area with Sharbazher District, bordering Iran, being the area most affected by mines.⁶³

Since 1992, the General Directorate for Mine Action (GDMA) has been in charge to manage mine action in the Governorate of Sulaymaniyah under PUK-administration, while the Iraqi Kurdistan Mine Action Centre (IKMAC), based in Erbil, took over management of mine action in Erbil and Dahuk Governorates.⁶⁴ On 7 May 2007, the KNA approved legislation for the creation of a joint Iraqi Kurdistan Mine Action Agency (IKMAA) to replace the two separate directorates in operation in the Governorates of Sulaymaniyah and Erbil/Dahuk, respectively. To date, the IKMAC has not been established and the separate bodies continue to be in charge. Under the new structure, departments of the IKMAA General, Technical and MRE Directorates will be based in Sulaymaniyah, with the headquarters located in Erbil.⁶⁵

Other mine actors in the Governorate include international mine action organizations,⁶⁶ local mine clearance contractors⁶⁷ a mine risk education (MRE) company⁶⁸ and two mine victim assistance (MVA) organizations.

Since the beginning of mine clearance activities in 1993 until the end of 2006, 680 minefields covering an area of more than 13 km² have been cleared.⁶⁹ As a result of mine

⁶¹ Reported by Hawlati (in Kurdish language), 14 August 2007.

⁶² The Iraq Landmine Impact Survey (ILIS) 2006, implemented by Vietnam Veterans of America Foundation (VVAFA), which covered 13 of Iraq’s 18 governorates by April 2006, recorded 565 “recent” casualties in the three Northern Governorates. It also recorded 5,552 “less recent” casualties, including 2,443 people killed and 3,109 injured; Sulaymaniyah recorded 3,964 casualties; MAG recorded at least 8,037 casualties in Northern Iraq since 1993; International Campaign to Ban Landmines, *Landmine Monitor, LM Report 2006*, <http://www.icbl.org/lm/2006/iraq.html>.

⁶³ Information received from UNDP Iraq, May 2007.

⁶⁴ The 2007 annual budget for GDMA is approximately US \$15 million and the *ideal* clearance capacity in Sulaymaniyah Governorate, involving all mine clearance actors, is some 4,8 km² per year; information received from UNDP Iraq, May 2007.

⁶⁵ Ibid.

⁶⁶ UNOPS, Solidarity, Norwegian Peoples Aid (NPA), which are working in Sharazoor and Sharbazher Districts and Mines Advisory Group (MAG), which is working along the former “Green Line”.

⁶⁷ Local contractors include Ararat Company, Khabat Company, Asa Company, Bafrik, Pirmam Demining Organization (PDO) and Bawaji Demining Organization (BDO).

⁶⁸ Daristan Company.

⁶⁹ UNDP Iraq, May 2007.

clearance activities and mine risk education, the total number of reported victims in the three Northern Governorates has significantly decreased in the past years, from 192 in 2003 to 48 in 2006. Between January and April 2007, 28 mine victims were reported.⁷⁰

IDPs and returnees: IDPs and returnees face a higher risk of exposure to contaminated areas than the local population because of their lack of familiarity with the environment and because returnees often travel through mined border areas. In addition, the presence of mines and UXO prevents access to and use of agricultural and pastoral land as well as the rehabilitation and reconstruction of infrastructure, housing and essential services and road networks. Two out of the 340 returnee households surveyed by UNHCR since 2006 indicated that they had had a mine accident in their family.

II. LEGAL ISSUES

A. Justice System

The justice system in Sulaymaniyah Governorate functions within the KRG court system, which operates independently of the Central Government. A joint Ministry of Justice for the KRG was established in February 2007 and the Central Ministry of Justice Building is located in Erbil. The two administrations' separate Cassation Courts were unified in August 2006. The unified Cassation Court is the highest court in the Kurdistan Region and located in Erbil. The highest court in the Governorate of Sulaymaniyah is the Appeal Court.

The following Courts are working in the Governorate of Sulaymaniyah:

- Investigation Court for Crimes Control;
- Investigation Court for *Asayish*;
- Instance Court;
- Personal Status Court;
- Misdemeanours Court;
- Labour Court;
- Juvenile Court;
- First Criminal Court;
- Second Criminal Court (Anti-Terror);
- Appeal Court;
- Martial Court, which looks into crimes committed by MoI Security Forces personnel.

In the Governorate of Sulaymaniyah, civil courts apply Shari'a law (Shafiite or Hanafi School) in personal status matters such as marriage and divorce, inheritance, alimony and child custody, while the *Personal Status Law* (Law No. 188 of 1959, as amended in the area) is applied to non-Muslims in addition to their own laws.

Judicial services are operating relatively regularly in Sulaymaniyah Governorate, although they are prone to delays in court proceedings and issuing verdicts. Courts are more frequently referred to as a means to settle disputes in urban rather than rural areas where mediation through traditional leaders is more commonly practiced to solve disputes among families or clans or

⁷⁰ Ibid.

concerning marriage, divorce or property issues. However, traditional mechanisms of conflict resolution may not always be available or be ineffective in providing protection to the individual concerned. In some cases, reliance on these mechanisms may result in further harm, for example, for women who fear “honour killings” or individuals who fear becoming victims of a blood feud.⁷¹

B. Documentation

Nationality Certificate and Civil ID Card: These two documents are the most essential forms of documentation as they are required in order to obtain most official documents such as passports, birth and death certificates, marriage certificates and food ration cards. Obtaining/renewing these documents is generally possible within a few days and at a reasonable cost; however, in the case of returnees not holding old Iraqi documents, further investigation into records must be carried out to prove entitlement, which might be a lengthy procedure. It is therefore crucial that returnees bring with them any documentation, including Civil ID Cards, Nationality Certificates, military service cards, property documents and birth/death certificates of relatives, even if outdated, which could assist in obtaining new documentation, proving Iraqi citizenship or regaining property. Currently, the Governor’s Office is assisting returnees to renew nationality documents, including through the issuance of supporting letters.⁷²

Passports: Applications for passports of the “S” series are usually processed by the Directorate of Passports in Sulaymaniyah City within a week or, in urgent cases, even within a day. However, “G” series passports⁷³ are only issued centrally by the Directorate of Passport in Baghdad and usually take at minimum three months to be issued. These passports are currently only issued to certain categories of persons:

- Government officials travelling outside Iraq as members of an official delegation;
- Person with a valid entry visa for the USA, Europe or other countries requiring “G” series passports;
- Patients with a valid medical evacuation report indicating that the treatment is not available inside Iraq.

Women below the age of 40 applying for a “G” series passport need to have the approval of a male family member. This decision from the Central Government was criticized by the

⁷¹ See IWPR, Rebaz Mahmood, *Above the law*, Iraq Crisis Report No. 215, 17 March 2007, http://iwpr.net/?apc_state=hempicr&s=i&o=200703; see also UNHCR, *Eligibility Guidelines for Assessing the International Protection Needs of Iraqi Asylum-seekers*, August 2007, p. 37, available in UNHCR’s Refworld at: <http://www.unhcr.org/cgi-bin/txis/vtx/refworld/rwmain?docid=46deb05557> (hereafter “UNHCR, 2007 Eligibility Guidelines”); UNHCR, *Country of Origin Information Iraq*, October 2005, pp. 123-124, available in UNHCR’s Refworld at: <http://www.unhcr.org/cgi-bin/txis/vtx/refworld/rwmain?docid=435637914> (hereafter “UNHCR, 2005 Country of Origin Information Iraq”).

⁷² The planned Directorate of IDPs and Refugees is not yet running in Sulaymaniyah Governorate.

⁷³ Many states, including the UK, USA, Sweden, Belgium, the Netherlands, Germany, Switzerland and Luxembourg, only accept holders of Iraqi passports of the “G” series, which is machine-readable and more secure than older versions, given the high level of fraud involved with passports of previous series, including the “S” series which was first issued after the fall of the former regime. The “M”, “N” and “H” series passports were issued pre-2003. The Government of Iraq also decided to invalidate its own passport series “M” and “N”; see for example, Embassy of the United States in Baghdad, *Iraqi Passport Info*, visited 31 August 2007, <http://iraq.usembassy.gov/iraq/iraqippts.html>; Swedish Migration Board, *Questions and answers about Iraqi passports*, 6 September 2007, <http://www.migrationsverket.se/english.jsp>; Jordan Times, Linda Hindi, *Iraqis granted extra 7 months to upgrade passports*, 30 May 2007, <http://www.jordanembassyus.org/05302007003.htm>.

Kurdish authorities; however, given that “G” series passports can only be issued in Baghdad, the regulation also applies in the Governorate of Sulaymaniyah.⁷⁴ While the official fee amounts to 27,500 ID, it has been reported that “G” series passports are only obtained with the use of bribery ranging from US \$700–1,500 and even higher.⁷⁵

Food ration cards: Regarding the (temporary) transferral of food rations, please see Section C.1 *Infrastructure and Public Services Food*. Ration cards should be obtainable at no cost for returnees and IDPs in Sulaymaniyah Governorate.

Registration of non-Iraqi spouses: Non-Iraqi spouses of Iraqi returnees are required to register with the Department of Residence in the Passports and Residence Directorate. This process includes security and medical checks (currently a blood test and stool sample). Initial registration lasts for three months, after which non-Iraqi spouses need to extend their residency every six months. After five years of continuous legal residency, non-Iraqi spouses can apply for Iraqi nationality under certain criteria.⁷⁶ 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.

Assistance: The Protection and Assistance Centre⁷⁷ in Sulaymaniyah can provide IDPs and returnees with further information and advice with regard to obtaining documents.

C. Restitution of Property

Claims for the restitution of property misappropriated by the former regime that fall within the jurisdiction of the Commission for the Resolution of Real Property Disputes (CRRPD)⁷⁸ can be submitted to its office in Sulaymaniyah City.⁷⁹ The CRRPD office provides assistance with completion and submission of claims. It also collects evidence from appropriate real estate registry and government offices, holds hearings and requests additional evidence on aspects of claims that need further clarification. Working hours are from 08:00 to 15:00 hrs, except Fridays and Saturdays.

⁷⁴ IWPR, *Kurdish Women Resent New Passport System*, Iraq Crisis Report No. 223, 8 June 2007, http://iwpr.net/?p=icr&s=f&o=336227&apc_state=henh.

⁷⁵ KurdishMedia.com, *You can get G-Type Iraqi passports but at a price*, 8 July 2007, http://www.iraquupdates.com/p_articles.php?refid=DH-S-09-07-2007&article=19144.

⁷⁶ Articles 7 and 11 of Law No. 26 of 7 March 2006.

⁷⁷ Previously *Legal Aid and Information Centre* (LAIC).

⁷⁸ 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.*

⁷⁹ The office is located in Al-Muhandissin Area, Ararat Str. Building No. 31, near the Scientific Research Compound.

Claim forms and instructions relating to the submission of claims can be found at: <http://ipcciraq.org/>.

As of 29 August 2007, the CRRPD Sulaymaniyah office had received 3,238 claims. So far, a total of 2,257 claims have been settled,⁸⁰ 542 cases are still pending at first instance and 439 cases are pending at the appeal stage.

Property restitution claims in Sulaymaniyah Governorate can take over a year to process and poor coordination between government departments often slows applications. Lengthy court procedures and a lack of follow-up or incorrect decisions by the specialized judges contribute to delays.⁸¹

Property claims that do not fall within the jurisdiction of the CRRPD can be submitted to the civil courts. The court procedures would usually take 6-24 months and sometimes even more, depending on the case. The applicant must pay for the services of a lawyer to represent him/her in court.

D. Human Rights

The unified KRG includes a Ministry of Human Rights (MoHR), which is seated in Erbil and headed by Yousif Mohammad Aziz of the PUK. It maintains Directorates in Dahuk, Erbil and Sulaymaniyah. A number of local and international NGOs operate in the field of human rights in Sulaymaniyah Governorate. Despite the authorities' commitment to respect human rights, human rights violations continue to occur in the Governorate.⁸²

Press freedom: Officially, there is no censorship in the Governorate; however most media outlets are controlled by the PUK.⁸³ Independent journalists and media organizations have repeatedly claimed that press freedom is restricted and that criticism of the ruling parties can lead to physical harassment, seizure of cameras and notebooks, arrest and legal prosecution on charges of defamation.⁸⁴ On 20 September 2007, Tareq Fateh, the owner of the independent Sulaymaniyah-based newspaper Hawlati was released on bail after being arrested earlier in the day for publishing an article that allegedly criticized the brother of KRG Deputy Prime Minister Omar Fattah. Local police forces also raided the newspaper's headquarters in

⁸⁰ This includes claims that have been settled (930 cases), retrieved (49 cases), compensated (128 cases), rejected (728 cases), settled after appeal procedure (398 cases), settled outside court (8 cases), partially compensated/restored (2 cases) or withdrawn (14). Most of the settled claims were directed against the Government; information received from CRRPD office in Sulaymaniyah, 4 September 2007.

⁸¹ For example, 68 cases sent back for revision by CRRPD Baghdad to Sulaymaniyah in April 2007 because of miscalculation in the division of estates, remain pending at the end of August 2007. Information received by UNHCR.

⁸² See for example, UNAMI HRO, *March 2007 Human Rights Report*, see above footnote 53.

⁸³ Global Security, *Patriotic Union of Kurdistan (PUK)*, visited 14 August 2007, <http://www.globalsecurity.org/military/world/para/puk.htm>; see also The Economist, *Does independence beckon?*, 6 September 2007, http://www.economist.com/world/africa/displaystory.cfm?story_id=9769132; Wordpress.org, David Axe, *Propagandistan: Iraqi Kurdistan Is Free — but Its Media Sure Isn't*, 5 April 2006, <http://www.worldpress.org/Mideast/2308.cfm>.

⁸⁴ UNAMI HRO "noted several incidents of harassment, legal action and intimidation against journalists addressing issues of corruption and mismanagement of public services in the Region of Kurdistan"; UNAMI HRO, *March 2007 Human Rights Report*, pp. 4, 11, see above footnote 53; for further information on the situation of journalists in the Kurdistan Region and possible grounds of persecution, please see UNHCR, *2007 Eligibility Guidelines*, pp. 115, see above footnote 71.

Sulaymaniyah City.⁸⁵ In another incident, Garmian Hamakhan, a journalist with the internet portal *Kurdistan Online* was arrested in Sulaymaniyah on 2 February 2007 while covering a demonstration of taxi drivers in Kalar District. Police detained him for a day and destroyed his photographs before releasing him.⁸⁶

Due process: Human rights organizations documented widespread and systematic mistreatment and violations of due process rights of detainees at prisons and detention facilities of the *Asayish*.⁸⁷ Many detainees are being held on suspicion of involvement in acts of terrorism or are said to be members or supporters of proscribed Islamist groups. According to Human Rights Watch (HRW), Kurdish security forces routinely subject detainees to torture and other mistreatment.⁸⁸ In one heavily-publicized case, Ismail Ahmad Hassan, aged thirty-five, died while in the custody of the *Asayish* in Sulaymaniyah three days after his arrest on 22 April 2004.⁸⁹

Death penalty: On 2 September 2006, the KNA voted to repeal the suspension of the death penalty that was introduced by the former Coalition Provisional Authority (CPA) in 2003.⁹⁰ According to this decision, the final authority for confirmation of death sentences approved by the Kurdish Supreme Court rests with the Kurdish Executive.⁹¹

Women and girls:⁹² Traditional attitudes continue to dominate in the Governorate of Sulaymaniyah, in particular in rural areas, exposing women and girls to harmful traditional practices such as forced and/or early marriages, marriages between young women and much older men or giving a girl in marriage to another family as compensation for a killing.⁹³ Also female genital mutilation (FGM) has been reported in rural areas of Sulaymaniyah Governorate.⁹⁴ Some local women organizations have been campaigning against the practice for many years. Since 2001, they have received important support from clerics issuing religious edicts (*fatwas* against the practice and local TV stations covering the issue.⁹⁵ Most

⁸⁵ VOI, *Owner of Kurdish Hawlati released*, 20 September 2007, http://www.iraqupdates.com/p_articles.php?refid=DH-S-20-09-2007&article=21982.

⁸⁶ UNAMI HRO, *March 2007 Human Rights Report*, p. 12, see above footnote 53.

⁸⁷ UNHCR, *2007 Eligibility Guidelines*, p. 107, see above footnote 71; on the *Asayish*, see also above Section I. C. 2. *Security Forces*.

⁸⁸ HRW, *Caught in the Whirlwind, Torture and Denial of Due Process by the Kurdistan Security Forces*, July 2007, <http://hrw.org/reports/2007/kurdistan0707/>; UNAMI HRO, *March 2007 Human Rights Report*, p. 22.

⁸⁹ A Special Investigation Committee comprising three judges with wide judicial powers and headed by Judge Rizgar Amin concluded that he had died as a result of torture. In 2004, the Committee ordered the arrest of three *Asayish* officers on manslaughter charges in connection with this case, but according to UNAMI none have been brought to justice to date; UNAMI HRO, *March 2007 Human Rights Report*, p. 22, see above footnote 53.

⁹⁰ CPA Order No. 7, *Penal Code*, Section 2 para. 1, 10 June 2003, available online in UNHCR's Refworld at <http://www.unhcr.org/cgi-bin/txis/vtx/refworld/rwmain?docid=452524304>.

⁹¹ See UNAMI HRO, *Human Rights Report, 1 September – 31 October 2006*, p. 20, <http://www.uniraq.org/documents/HR%20Report%20Sep%20Oct%202006%20EN.pdf>.

⁹² For further information on the situation of women in the Region of Kurdistan and possible grounds of persecution, please see UNHCR, *2007 Eligibility Guidelines*, pp. 122, see above footnote 71.

⁹³ IWPR, Najeeba Mohammad, *Brides pay high price*, Iraqi Crisis Report No. 215, 17 March 2007, http://iwpr.net/?p=icr&s=f&o=334150&apc_state=heniicr2007; see also UNHCR, *2005 Country of Origin Information Iraq*, p. 162, see above footnote 71.

⁹⁴ This practice has been reported from a few rural areas in the Governorate. A survey undertaken by the German NGO WADI in the Germian District in the Governorate of Sulaymaniyah revealed that between 60 and 70 percent of the 1,500 women interviewed in 40 villages have been genitally mutilated; see UNHCR, *2005 Country of Origin Information Iraq*, p. 39, see above footnote 71.

⁹⁵ WADI, Sandra Strobel and Thomas v. der Osten-Sacken, "Female Genital Mutilation in Iraqi Kurdistan", Presentation to the conference: 1ère Journée Humanitaire sur la Santé des Femmes dans le

recently, Kurdish Government officials and the KRG's Women's Commission have expressed their support for the campaign "Stop FGM in Kurdistan" that is seeking to introduce legislation banning FGM.⁹⁶

"Honour killings": Despite the fact that the Iraqi *Penal Code* (Law No. 111 of 1969, as amended in the area)⁹⁷ defines "honour killings" as murder, crimes of this type still take place and women who are, for example victims of sexual aggression may be at risk of being killed by their family members in an attempt to preserve the family's "honour". A report by the KNA accounts for 24 women who have been killed in the first six months of 2007 in the Governorate. Reportedly, arrests have been made in only five of these cases.⁹⁸ Given the fact that "honour killings" are prohibited by law, families often try to conceal them as accidents, suicides or suicide attempts, and reportedly, most cases are investigated as such. Closely linked to the issue of "honour killings" is the trend of mostly young women committing suicide by self-immolation due to the strict social pressures of Kurdish society. According to a newspaper portal source, Awena, injuries and deaths by immolation and suspected "honour crimes" are increasing.⁹⁹ The issue has recently been covered quite extensively by the Kurdish media¹⁰⁰ and according to the KRG Health Minister, Dr. Osman, Sulaymaniyah Governorate accounts for the highest number of cases of self-immolation in the Kurdistan Region. Reportedly, every 24 hours a woman set fire to herself in an attempt to commit suicide in the Governorate.¹⁰¹

In recognition of the problems faced by women, women's shelters have been established in the Governorate.¹⁰² There are several women's rights organizations¹⁰³ active in the Governorate, but the conservative character of the Kurdish society can limit their capacity.

Monde organized by Gynécologie sans Frontières, 8 May 2006, http://www.wadinet.de/news/dokus/fgm-conference_1ere_journee_humanitaire-en.htm.

⁹⁶ WADI, *Prospective law against female genital mutilation in Iraqi Kurdistan*, 2 July 2007, http://www.wadinet.de/news/dokus/press_june07-stopfgm_en.htm; see also Stop FGM in Kurdistan, <http://www.stopfgmkurdistan.org>.

⁹⁷ The unofficial English translation, as prepared by the US Armed Forces Judge Advocate General, is available online in UNHCR's Refworld at <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?docid=452514424>. For further information on Iraq's Penal Law, see UNHCR, *2005 Country of Origin Information Iraq*, pp. 116-117, see above footnote 71.

⁹⁸ IPS, Mohammed A. Salih, *IRAQ: Women Face Increased Violence in Kurdistan*, 18 July 2007, <http://ipsnews.net/news.asp?idnews=38582>.

⁹⁹ UNAMI HRO, *March 2007 Human Rights Report*, p. 16, see above footnote 53.

¹⁰⁰ See for example, Kurdish Women's Rights Watch (KWRW), Nazaneen Rashid, *Roundup of reports on honour-based violence in Kurdistan Region*, 10 July 2007, http://www.iraquupdates.com/p_articles.php?refid=DH-S-10-07-2007&article=19241.

¹⁰¹ KurdishMedia, *Kurdish women on fire: Every 24 hours a woman burns herself*, 2 July 2007, http://www.iraquupdates.com/p_articles.php?refid=DH-S-02-07-2007&article=18874; see also AFP, *Self-immolation: the dark secret of Iraqi Kurdish women*, 23 August 2007, http://www.institutkurde.org/en/afp/?src=http://afp.institutkurde.org/AFP/english/topics/news/070823042456.xig_uyoak.xml.

¹⁰² A women's shelter was established in Sulaymaniyah City in January 1999 (Nawa Centre) and Asuda, the first protection centre for women endangered by "honour killings", was opened in an undisclosed location in Sulaymaniyah City in 2000. More information on these centres can be found at Wadi, *Assistance for women in distress in Iraq and Iraqi-Kurdistan*, <http://www.wadinet.de/projekte/newiraq/women/shelters.htm>; see also UNHCR, *2005 Country of Origin Information Iraq*, p. 38, see above footnote 71.

¹⁰³ The Kurdistan Women Union (KWU) has a branch in Sulaymaniyah. It belongs to the PUK and is the main women's organization in the Kurdistan Region with over 10,000 members.

Freedom of religion: Christians and members of other religious minority groups can worship freely without interference by the Kurdish authorities.¹⁰⁴ By the end of August 2007, 150 Christian IDP families were present in the Governorate.¹⁰⁵ Reportedly, the Governor's Office allocated 2,000m² of land to build a church in Sulaymaniyah City.¹⁰⁶ Through the efforts of Evangelicals, which are increasingly active in Northern Iraq, a number of Kurdish Muslims have reportedly converted to Christianity. The general population does not tolerate a Muslim's conversion to Christianity and, accordingly, law enforcement organs may be unwilling to interfere and provide protection to a convert at risk.¹⁰⁷ In May 2007, leaflets circulated in towns inside Al-Sulaymaniyah Governorate saying that Ansar Al-Islam and Al-Qa'eda are "*hunting down those who have converted*" to Zoroastrianism and Christianity.¹⁰⁸

Economic and social rights: The ability of the government to address economic and social rights is still limited due to shortfalls in key public services such as water, fuel and electricity and a dire lack of adequate and affordable housing.¹⁰⁹

E. Freedom of Movement

Freedom of movement within Sulaymaniyah and between neighbouring Governorates is generally uninhibited and there are no curfews in place. However, persons originating from outside the Kurdistan Region have to inform the authorities if they intend to change their location.

Travellers are asked to show an identification document (e.g. Civil ID Card) as part of routine security checks. This can restrict the movement of returnees and IDPs who may not have appropriate Iraqi documentation. Returnees who have not yet renewed their identity cards are required to obtain a letter from the local security office in their area before travelling outside the district or between Governorates. It has been reported that some women face restrictions on their freedom of movement by their families because of social customs/traditions.¹¹⁰

However, during 2007, some measures were implemented at the boundary between Erbil and Sulaymaniyah Governorates, according to which all passengers and drivers using public transportation between sunset and sunrise have to register their names at the border checkpoint for reasons of security.

¹⁰⁴ On the situation of Christians in the three Northern Governorates, see also UNHCR, *2007 Eligibility Guidelines*, pp. 65, see above footnote 71.

¹⁰⁵ Information received from the Governor's Office, September 2007.

¹⁰⁶ To date, there are two churches in Sulaymaniyah City: Maryam Athra (Virgin Mary), located in Sabon Karan Quarter and Mar Yousif located in Al-Muhandiseen Quarter.

¹⁰⁷ See for example a statement by Sulaymaniyah's Minister for Religious Affairs, Muhammed Ahmed Gaznayi, saying that people who turn to Christianity are "*renegades*" in the eyes of Islam and "*I consider that those who turn to Christianity pose a threat to society*"; see IWPR, *Kurdish Converts to Christianity Ostracised By Society and Family*, Iraqi Crisis Report No. 130, 28 June 2005,

http://iwpr.net/index.php?apc_state=hen&s=o&o=archive/irq/irq_130_5_eng.txt; see also UNHCR, *2007 Eligibility Guidelines*, p. 66, see above footnote 71.

¹⁰⁸ RFE/RL, Kathleen Ridolfo, *Iraq: Kurdish Region Under Increasing Threat*, 16 May 2007,

<http://www.rferl.org/featuresarticle/2007/05/29c92089-22f0-42e2-acc7-3666f1ff1419.html>

¹⁰⁹ See Section III. A. *Housing / Land / Employment / Infrastructure / Public Services*.

¹¹⁰ Of 145 returnee households surveyed, 21% of women reported that their freedom of movement had enhanced since 2003, 77.5% reported no change and 1.4% said their freedom of movement had become more restricted since 2003; UNHCR, *Returnee Monitoring 2006*, see above footnote 18.

On 20 July 2005, Sulaymaniyah International Airport was opened. It operates flights to and from Baghdad, Basrah, Damascus, Cairo, Dubai, Istanbul and a few European cities.¹¹¹ In August 2007, a Swedish aircraft came allegedly under rocket fire as it took off from Sulaymaniyah Airport. Kurdish aviation officials denied that the Nordic Airways plane was targeted, but Sweden has since suspended commercial flights to the country.¹¹²

The authorities in the Governorate of Sulaymaniyah have introduced restrictions on admission and stay of IDPs. For further information, please see Section IV. B. *Internal Relocation*.

III. HOUSING / LAND / EMPLOYMENT / INFRASTRUCTURE / PUBLIC SERVICES

A. Housing / Land

Housing remains a critical issue throughout the Kurdistan Region. In the Governorate of Sulaymaniyah, adequate shelter was indicated in UNHCR Monitoring as the top priority need identified by IDPs (99%)¹¹³ and similar results were collected from returnees. A lack of rehabilitation and investment in the housing market and the escalation in rental prices has led to a shortage of affordable housing across the Governorate. The large influx of IDPs from Central and Southern Iraq since February 2006 has further exacerbated the shortfall.¹¹⁴ But also within the Governorate, people tend to move from rural to urban areas to seek employment and better access to services.¹¹⁵

Rental prices have risen sharply across the Governorate since 2006 as a result of the local authorities' suspension of land allocation and construction grants and the large influx of IDPs.¹¹⁶ At the end of July 2007, the minimum rental price for a small or medium size apartment was US \$400-500 per month; in some locations prices reached US \$800-1,000 per month.¹¹⁷ It is common practice in Sulaymaniyah for the property owner to request the rent in advance for the whole year.

IDPs: IDPs have no right to purchase or own property in Sulaymaniyah Governorate, but may rent property providing that they are registered in the Governorate.¹¹⁸ In Sulaymaniyah Governorate, 91% of surveyed IDP families reported living in a rented house, 2% with host

¹¹¹ <http://www.sulairport.net/>.

¹¹² AP/Sweden Radio, *Sweden suspends all flights to Iraqi Kurdistan*, 14 August 2007, <http://www.ekurd.net/mismas/articles/misc2007/8/kurdlocal403.htm>; AFP, *Iraqi Kurdistan: Sulaimaniyah airport international dismisses report of attack on Swedish airliner*, 11 August 2007, <http://www.ekurd.net/mismas/articles/misc2007/8/kurdlocal401.htm>.

¹¹³ UNHCR, *IDP Monitoring 2007*, see above footnote 44.

¹¹⁴ IWPR, *Housing Crunch Hits Young Couples in Sulaimaniyah*, 12 July 2007, http://iwpr.net/?p=icr&s=f&o=322245&apc_state=henpicr.

¹¹⁵ Swiss Refugee Council, *The socio-economic situation in the KRG administrated provinces Sulaimaniyah, Erbil and Dohuk*, 10 July 2007, http://www.osar.ch/2007/07/27/0707_irq_socioecosituation (hereafter "Swiss Refugee Council, 2007 KRG socio-economic situation").

¹¹⁶ See for example, IWPR, Zanko Ahmed, *Kurds bemoan soaring costs of living*, Iraqi Crisis Report No. 227, 13 July 2007, http://iwpr.net/index.php?apc_state=hen&s=o&o=l=EN&p=icr&s=f&o=337118.

¹¹⁷ Prices may fluctuate from one quarter to another.

¹¹⁸ In order to rent property, IDPs must register with the Directorate of Security and should present a permission letter issued by security to the broker's offices. There is no single ministry or local body responsible for house allocation in Sulaymaniyah Governorate.

families and 7% in a camp.¹¹⁹ Together with their lack of regular income, rental market pressure means that families find it difficult to afford housing as the length of their displacement extends. In addition to high rent prices, many rented houses visited by monitors were found to be in a moderate or bad state and rarely maintained by landlords. Accordingly, many IDPs are living in overcrowded conditions in very sub-standard rented apartments or with relatives. IDP Monitoring indicated that 62% of IDPs monitored are living in overcrowded conditions.¹²⁰

Also, 784 families displaced prior to 2003 continue to live in six public buildings in the Governorate by the end of August 2007.¹²¹ Public buildings are either partially or heavily damaged and in a generally poor condition. In an effort to reduce the number of people living in public buildings, the local authorities introduced financial incentives for families to vacate public buildings; however, the US \$2,000 is hardly sufficient to rent an apartment and, as a result, few families have made use of the programme. 158 IDP families, who lived in former Popular Army buildings and in the Sugar Mill in Sulaymaniyah City, were evacuated and returned to Kirkuk after receiving compensation and a land plot.

An increasing number of IDPs live in make-shift camps. For example, more than 100 Arab families from Baghdad and Diyala Governorates are living in the Qalawa Camp, which is located about 8 km outside of the City of Sulaymaniyah and has been set up by the IDPs themselves. Reportedly, sanitation conditions in the camp are poor and dehydration, diarrhoea and rashes are common.¹²² The authorities consider the camp illegal and seek to relocate the inhabitants.¹²³

In August 2007, the Kurdish daily newspaper Hawlati reported that the local authorities allocated 36 recently constructed apartments in Koya to Christian IDPs that had fled sectarian violence in other parts of Iraq.¹²⁴

Returnees: Most returnees surveyed live in rented accommodation (63.8%) or in their own house (27.1%) in mostly urban areas. Others live with relatives, on land they do not own or with host families.¹²⁵ Some 20 returnee families in Sulaymaniyah Governorate, whose villages have not yet been rehabilitated,¹²⁶ have been living in tents at the Chwarqurna Camp since mid 2006. Almost 80% of returnees surveyed are living in damaged or destroyed properties.¹²⁷

¹¹⁹ UNHCR, *IDP Monitoring 2007*, see above footnote 44.

¹²⁰ Ibid.

¹²¹ Information received from the Directorate of Human Rights in Sulaymaniyah, September 2007.

¹²² IWPR, Rezheen Ibraheem, *Iraq: Displaced Arabs languish in makeshift camps*, Iraqi Crisis Report No. 229, 27 July 2007, <http://www.reliefweb.int/rw/RWB.NSF/db900SID/TBRL-75HSA2?OpenDocument>.

¹²³ Cluster F, IDP Working Group, 13 August 2007.

¹²⁴ Hawlati (in Kurdish language), 13 August 2007.

¹²⁵ Of 340 households surveyed; UNHCR, *Returnee Monitoring 2006*, see above footnote 18.

¹²⁶ In the 1980s, the former regime destroyed over 4,000 villages in the Kurdistan Region, including 1,992 out of 2,035 villages in Sulaymaniyah Governorate. Since 1991, many destroyed villages were rebuilt by the KRG with the support of UN agencies and NGOs. According to the KRG, 642 villages in the Governorate of Sulaymaniyah still need to be rehabilitated; see KRG, Ministry of Reconstruction and Development, accessed 14 August 2007, <http://old.krg.org/about/ministries/reconstruction/index.asp>.

¹²⁷ Of 194 returnee households surveyed, only 21.1% live in property with no or minor damage. 33.5% live in properties that have sustained moderate damage, 37.6% in properties with severe damages and 7.7% in destroyed properties; UNHCR, *Returnee Monitoring 2006*, see above footnote 18.

Overcrowding is a concern of over 65% of returnees surveyed.¹²⁸ Housing was identified as a major concern for the majority of returnees monitored in the governorate.¹²⁹

Limited land allocation and financial assistance programmes¹³⁰ aimed at assisting the reintegration of returnees were discontinued in August 2006 due to lack of funds.¹³¹

B. Employment and Economy

Since March 2003, the economic situation in the three Northern Governorates has improved due to the relatively stable security situation and a foreigner-friendly investment law that was approved by the Kurdistan Assembly in July 2006 and aims at luring foreign capital to the region.¹³² In particular bilateral trade with neighbouring Turkey has boomed in recent years. Annual bilateral trade was estimated at around US \$5 billion by April 2007 and Turkish contractors reportedly secured contracts worth US \$2 billion in northern Iraq. A total of 1,200 Turkish companies were estimated to be operating, employing around 14,000 Turkish employees. However, due to increasing tensions with Turkey over the PKKs' presence in Iraq, Turkish companies are reportedly winding down their business operations in the Region.¹³³

The Governorate has seen a construction boom, in particular for huge infrastructure projects; however, this has led to only limited creation of new jobs for the local population as the mostly foreign construction companies employ foreigners rather than Kurds.¹³⁴ Corruption, government control and bureaucracy restrict both foreign investment as well as private business initiatives.¹³⁵ In addition, electricity and fuel shortages further inhibit business development as construction costs become increasingly high.¹³⁶ The three Northern

¹²⁸ Of 146 returnee households surveyed, only 34.2% reported no overcrowding, while 54.8% reported living in "somewhat overcrowded" and 11% "extremely overcrowded" conditions; *ibidem*.

¹²⁹ More than 84% of households monitored listed "shelter" as their top priority; *ibidem*.

¹³⁰ To assist with the reintegration of returnees from Iran in the Governorate of Sulaymaniyah, local authorities used to allocate each family a piece of land (approximately 200m²) and financial assistance of US \$1,000. The programme was limited to families originating from the Governorate of Sulaymaniyah or those who have strong political links to the local authorities. In total, 3,200 returnee families had received the cash grants and were allocated land. A further 1,850 families received land grants only.

¹³¹ Due to the local authorities' limited financial resources, financial assistance was stopped and in August 2006 the Council of Ministers also decided to suspend land allocation. To date, a number of returnee families have benefited from this programme; however, few, if any, have been able to begin building housing given the high price of construction materials. The average cost of constructing a two-room house in the area with a bathroom and latrine is estimated to be between US \$10,000 - 15,000.

¹³² KRG, *Kurds approve foreigner-friendly investment law*, 6 July 2006,

<http://www.krg.org/articles/detail.asp?nr=24&lngnr=12&nr=12117&smap=>. Reportedly, more than 5,800 companies have been registered over the past few years in the Kurdistan Region, of which 1,900 are foreign; see IPS, Mohammed Salih, *Is Iraqi Kurdistan a Good Investment?*, 22 June 2007, <http://www.antiwar.com/ips/salih.php?articleid=11177>.

¹³³ The Jamestown Foundation, Gareth Jenkins, *Political Tensions Hit Turkish Economic Ties With Northern Iraq*, 14 September 2007, http://www.jamestown.org/edm/article.php?article_id=2372423.

¹³⁴ Kurdish Globe, Ali S. Murad, *Kurdistan unemployment*, 6 September 2007, http://www.iraquupdates.com/p_articles.php/article/21455; Swiss Refugee Council, *2007 KRG socio-economic situation*, p. 3, see above footnote 115; IPS, Mohammed Salih, *Is Iraqi Kurdistan a Good Investment?*, 22 June 2007, <http://www.antiwar.com/ips/salih.php?articleid=11177>.

¹³⁵ See above footnote 41.

¹³⁶ ENS/IWPR, Fazil Najeeb, *Zooming Fuel Costs Trouble Iraqi Kurdistan*, 30 January 2007, <http://www.ens-news.com/ens/jan2007/2007-01-30-02.asp>.

Governorates also lack a developed banking system and the economy is still largely based on cash.¹³⁷

The KRG has issued its own Oil and Gas Law in early August 2007.¹³⁸ The KRG has signed contracts for oil exploration with foreign companies and drilling began in May 2006 in the Taq Taq area, south of Sulaymaniyah, by the Taq Taq Operating Company (TTopco), an oil exploration joint venture between Swiss-Canadian Addax Petroleum and Turkey's Genel Enerji. Oil reserves in Taq Taq are estimated at 1.2 billion barrels. However, legal concerns continue to deter new oil firms as a controversial national oil law is yet to be passed by the Council of Representatives.¹³⁹

Inflation remains high,¹⁴⁰ so does unemployment,¹⁴¹ and deficiencies in the public sector are rampant.¹⁴² According to the American Kurdish Society, an organization that monitors economic growth in Iraqi Kurdistan, Sulaymaniyah is the most expensive city in the Kurdistan Region.¹⁴³ Access to employment, in particular in the public sector, often requires tribal links or affiliation with the PUK.¹⁴⁴

The Unification Agreement has frozen public sector recruitment and resulted in some cuts as Ministries were moved from Sulaymaniyah to Erbil, the capital of the Kurdistan Region. Also, employees in the public sector are often inactive or under-employed due to a lack of training and human resources management.¹⁴⁵ Many jobs created by the authorities tend to be in the lower paid manual sector which, rather than lowering unemployment, has had the effect of

¹³⁷ The Economist, *Iraq's economy*, 4 April 2007,

http://www.economist.com/daily/news/displaystory.cfm?story_id=8960605.

¹³⁸ KRG, *KRG publishes approved Kurdistan Region Oil and Gas Law in Arabic and English, updated model contract*, 6 September 2007,

<http://web.krg.org/articles/detail.asp?smap=02010100&lngnr=12&anr=20040&rnr=223>.

¹³⁹ ENS, *Oil and Corruption in Iraq Part III - Kurdistan's Gushing Crude Spawns Conflict*, 12 September 2007,

<http://www.ens-newswire.com/ens/sep2007/2007-09-12-01.asp>; The New Anatolian, *New Iraqi Kurdish oil law may trigger confrontation with Baghdad, won't attract leading oil companies*, 3 August 2007,

<http://www.iraqdirectory.com/DisplayNews.aspx?id=4314>.

¹⁴⁰ According to the International Monetary Fund (IMF), Iraq's inflation had jumped 65% by the end of 2006, mainly due to shortages of fuel and other key commodities. While the Iraqi Government brought down record inflation levels in the first half of 2007, prices continue to be 35 – 40% higher than they were a year ago; IWPR, Zanko Ahmed, *Kurds bemoan soaring costs of living*, Iraqi Crisis Report No. 227, 13 July 2007,

http://iwpr.net/index.php?apc_state=hen&s=o&o=I=EN&p=icr&s=f&o=337118; see also Swiss Refugee Council, *2007 KRG socio-economic situation*, p. 4, see above footnote 115.

¹⁴¹ There are no official unemployment statistics. For unemployment estimates in the Kurdistan Region, see *ibidem*, p. 5.

¹⁴² The New York Times, Kirk Semple, *Pointing to Stability, Kurds in Iraq Lure Investors*, 27 June 2007,

<http://travel.nytimes.com/2007/06/27/world/middleeast/27kurds.html>; CFR, Lionel Beehner, *Economic Doldrums in Iraq*, 20 June 2007, http://www.cfr.org/publication/13629/economic_doldrums_in_iraq.html#7;

ENS/IWPR, Fazil Najeeb, *Zooming Fuel Costs Trouble Iraqi Kurdistan*, 30 January 2007, <http://www.ens-newswire.com/ens/jan2007/2007-01-30-02.asp>; IRIN, *IRAQ: Kurdistan, low in violence but lacking services*, 18 January 2007, <http://www.irinnews.org/report.aspx?reportid=64504>.

¹⁴³ IWPR, Zanko Ahmed, *Kurds bemoan soaring costs of living*, Iraqi Crisis Report No. 227, 13 July 2007,

http://iwpr.net/index.php?apc_state=hen&s=o&o=I=EN&p=icr&s=f&o=337118.

¹⁴⁴ US Department of State, Bureau of Democracy, Human Rights, and Labor, *Country Reports on Human Rights Practices - 2006, Iraq*, <http://www.state.gov/g/drl/rls/hrrpt/2006/78853.htm>.

¹⁴⁵ The KRG estimates that up to a quarter of the four million people in the Kurdistan Region work for the Government, but salaries are as low as US \$75 per month; IWPR, Zanko Ahmed, *Kurds Bemoan Soaring Cost of Living*, Iraqi Crisis Report No. 227, 13 July 2007, http://www.iwpr.net/?p=icr&s=f&o=337118&apc_state=henh; see also Kurdish Globe, Ali S. Murad, *Kurdistan unemployment*, 6 September 2007, http://www.iraqupdates.com/p_articles.php/article/21455; Swiss Refugee Council, *2007 KRG socio-economic situation*, p. 5, see above footnote 115.

attracting an influx of labourers from other parts of Iraq, who are willing to work for lower salaries.¹⁴⁶ Reportedly, daily wages have fallen about 50% in the lower paid employment sector.¹⁴⁷ At the same time, the Governorate is benefiting from an influx of professionals such as professors and doctors and has been facilitating their stay¹⁴⁸ and employment.¹⁴⁹

Attempts to re-invigorate rural livelihoods and rehabilitate the rural sector to its pre-1980 levels of productivity have yet to be accomplished despite international investment in agricultural products.¹⁵⁰

Women mostly work in the public sector, but for considerably lower wages than their male counterparts. In addition, traditional values continue to impede women's employment.¹⁵¹

IDPs: Among the IDPs monitored in 2007, only 4.6% received their income through regular full-time employment. Most held some casual employment (72%) or were self-employed. IDPs registered employment as their second priority need after housing (86%).¹⁵²

Returnees: Returnees have in principle access to the employment market on par with the local population. However, UNHCR Returnee Monitoring in 2006 indicated that almost 70% of all returnees surveyed did not have access to regular employment or a regular income.¹⁵³ New job opportunities are scarce and returnees may suffer if they lack marketable skills in Iraq. Lower paying manual work, including mechanics, construction and hairdressing, is the most common form of employment available, but does not always match the skill set of those returning. Securing employment for returnees often carries additional challenges, including language barriers. Employment was listed as the second priority by returnees surveyed.¹⁵⁴

¹⁴⁶ According to IWPR, Kurds in Sulaymaniyah demand as much as 40% more for similar jobs than Arabs from other parts of the country; see IWPR, *Arab Labourers Flock to Kurdistan*, Iraqi Crisis Report No. 172, 13 April 2006, http://iwpr.net/?p=icr&s=f&o=261036&apc_state=heniicr2006; see also VoA, Chris Padden, *Peaceful Kurdish Region Experiencing Growing Pain*, 22 August 2007, <http://voanews.com/english/2007-08-22-voa22.cfm>; Asharq Alawsat, Maad Fayyad, *A tale of two Iraqi cities*, 17 June 2006, <http://web.krg.org/articles/detail.asp?smap=&lngnr=12&rnrr=77&anr=11773>.

¹⁴⁷ Swiss Refugee Council, *2007 KRG socio-economic situation*, p. 6, see above footnote 115. The report also provides an overview of average wages in different sectors.

¹⁴⁸ Doctors, owners of companies/restaurants and university teachers are currently exempted from the sponsorship requirement to reside in the Governorate; see Section IV. B. *Internal Relocation*.

¹⁴⁹ According to Sulaymaniyah Director General of Health, Dr. Sherko Abdullah, 150 doctors from central and southern parts of Iraq have come to Sulaymaniyah Governorate since 2003. The local authorities provide the doctors with rental assistance (US \$200 per month) and help them set up their own clinics or find a job public hospitals and health centres; see Hawlati, *Arab Doctors Head for Kurdistan*, published and translated by Iraqi Press Monitor, No. 563, 8 November 2006, http://iwpr.net/?apc_state=henmicr&o=c-1-1162944000-2-1163030400-3-icr&o1=month-11,year-2006&month=11&year=2006.

¹⁵⁰ Agriculture and livestock were important sectors of the economy in Sulaymaniyah Governorate before the destruction of many rural villages during the former regime's *Anfal* campaign in the 1980. Agricultural products include: wheat, barley, tobacco, vegetables and fruits (e.g. pomegranates, apples, apricots, pears, grapes and figs). According to the KRG's Minister of Planning, the percentage of Kurds in agriculture has dropped from some 60% to around 10% in the past generation; The Economist, *Does independence beckon?*, 6 September 2007, http://www.economist.com/world/africa/displaystory.cfm?story_id=9769132.

¹⁵¹ Swiss Refugee Council, *2007 KRG socio-economic situation*, p. 7, see above footnote 115.

¹⁵² UNHCR, *IDP Monitoring 2007*, see above footnote 44.

¹⁵³ Of 141 returnee households monitored, only 31.2% reported to have a regular full-time employment; UNHCR, *Returnee Monitoring 2006*, see above footnote 18.

¹⁵⁴ 81.1% of 328 returnee households surveyed; *ibidem*.

C. Infrastructure and Public Services

1. Food

In the Governorate of Sulaymaniyah, distribution of the food rations through the PDS is irregular and there are shortfalls in the quantity of items received in the food basket.¹⁵⁵ A large number of IDP families are unable to access food rations in the Governorate. IDP Monitoring revealed that only 14% of IDPs were able to collect their rations.¹⁵⁶

IDPs: IDPs originating from the three Northern Governorates can transfer their food ration cards from the previous place of residence to the new place of residence.

Since December 2006, IDPs not originating from the Governorate have the possibility to temporarily access their food rations without the requirement of transferring the registration.¹⁵⁷ This paperwork involved takes about one month during which the IDPs are without access to their food rations. For demographic and political reasons, Kurds, Arabs and Turkmen originating from “disputed areas” (Kirkuk and Khanaqeen) are not included in this system. They have to fully rely on food from the local markets. By the end of August 2007, 1,026 IDP families (5,479 persons) were issued with temporary ration cards. It is expected that they will receive their monthly food rations in September, though distribution is at times delayed. Eleven distribution points in Sulaymaniyah have been authorised to distribute rations to IDPs and the distribution point is specified on the card. It is not clear how readily the list will be updated with newly displaced steadily arriving in the Governorate.

Returnees: UNHCR Returnee Monitoring in 2006 revealed that 99.3% of returnee households monitored said that they receive PDS rations.¹⁵⁸ Almost all returnees rely solely on the PDS to cover their food needs.¹⁵⁹

2. Water

The Governorate of Sulaymaniyah suffers from water shortages and access to potable water supplies is irregular across all districts. Urban centres rely on municipal networks whilst rural areas rely on natural springs, shallow wells and rivers for their supplies. The availability of water in rural areas varies seasonally and most villages suffer water shortages during the summer months.¹⁶⁰

¹⁵⁵ IDP Monitoring during 2006 revealed that all families receiving rations in all locations said their rations were incomplete. No family reported receiving regular food assistance from any other source; see UNHCR, *2007 RNA Sulaymaniyah*, p. 7, see above footnote 16.

¹⁵⁶ UNHCR, *IDP Monitoring 2007*, see above footnote 44.

¹⁵⁷ The process involves the creation of a list of IDPs, who wish to receive their rations in the Governorate of Sulaymaniyah. This list needs to be shared with the central Ministry of Trade in Baghdad.

¹⁵⁸ Out of 145 returnee households surveyed; UNHCR, *Returnee Monitoring 2006*, see above footnote 18.

¹⁵⁹ 97.8% of 138 returnee households surveyed; *ibidem*.

¹⁶⁰ In response to the shortage of municipal drinking water services in the region, people mainly in the dry rural areas are increasingly reliant on digging their own deep wells to reach clean water. In early 2006, the Directorate of Water granted permission for households in Sulaymaniyah City to dig wells inside their houses in response to shortages in municipal services during the summer months. The increase is so great that local authorities are now moving to prevent illegal diggings for fear of the negative impact on the regional groundwater table. In Sulaymaniyah Governorate some 110 drillers have been seized; see *Kurdish Globe*, Ako Muhammed, *The*

Many of the municipal water networks in Sulaymaniyah are dilapidated and in need of maintenance. Irregular electricity supplies affect pumping and filtration stations and therefore further contribute to the problem. In addition, the ongoing misuse of water by local authorities and residents¹⁶¹ and an increasing number of new housing constructions, which are often not met by expansion of water projects, have exacerbated the decline in quality and quantity of potable water in the Governorate.

In August 2007, the Governorate of Sulaymaniyah was hit by a major cholera outbreak. According to WHO's Situation Report of 3 September 2007, covering the period from 23 August to 2 September 2007, the number of cases of acute watery diarrhoea reported from four out of eleven districts was 2,930 and 187 confirmed cases of epidemic cholera. Nine persons had died by 31 August 2007; 14 by 17 October 2007. The UN Children's Fund (UNICEF) said the outbreak was due to serious problems with water quality and sewage treatment. It quoted local reports which said that only 30% of the population in Sulaymaniyah Governorate had an adequate water supply. "Mains water is only available for two hours per day at most in the city. A water quality report on Suleimaniyah in July showed that only 50 per cent of the city's water was chlorinated," said UNICEF, adding that many had been reduced to digging shallow wells outside their homes.¹⁶² Health officials shut down juice bars and ordered restaurants to stop serving vegetables that may have been washed in polluted water.¹⁶³ The KRG Ministry of Municipality announced in September the allocation of ID 500 million to renovate the water supply network in Sulaymaniyah City.¹⁶⁴

IDPs: The majority of surveyed IDPs in the Governorate are dependent on municipal water networks as their main source of water.¹⁶⁵ However, the poor conditions of many municipal networks have left an increasing number of IDPs exposed to contaminated water sources, predominately in urban centres.

Returnees: UNHCR Returnee Monitoring in 2006 found that almost all returnees had access to water.¹⁶⁶ Those that did not have access to drinking water reported that the water source was more than 500m away from their places of residence or they did not receive sufficient water. Returnees rely mostly on municipal water networks (83.7%), tankered water (66%), public wells (59.6%) and unprotected wells (4.3%).¹⁶⁷

digging of deep wells threatens region's drinking water, 7 June 2007,

http://www.iraquupdates.com/p_articles.php/article/18117.

¹⁶¹ Among those who do have a regular water supply, there is a lack of understanding of the need to conserve water usage and large volumes of water are wasted to regularly water gardens, wash streets and cars.

¹⁶² IRIN, *IRAQ: Hospitals in north struggle to contain cholera outbreak*, 30 August 2007,

<http://www.irinnews.org/Report.aspx?ReportId=74028>.

¹⁶³ Reuters, Sherko Raouf, *Kurdistan hit by major cholera outbreak – minister*, 30 August 2007,

http://www.iraquupdates.com/p_articles.php?refid=DH-S-30-08-2007&article=21193. See also Section III. C. 5.

Health.

¹⁶⁴ Kurdistan Nwe (in Kurdish, translated by UNAMI), September 2007.

¹⁶⁵ In Sulaymaniyah Governorate, 92% of IDPs reported municipal water networks as their main source of water; UNHCR, *IDP Monitoring 2007*, see above footnote 44.

¹⁶⁶ 98% of 337 returnee households; UNHCR, *Returnee Monitoring 2006*, see above footnote 18.

¹⁶⁷ Out of 141 returnee households; *ibidem*.

3. Electricity

Power in the Sulaymaniyah Governorate is mainly supplied from the national grid and two regional hydropower stations at Dokan and Darbandikhan. The stations generate 500 megawatts per day for the Governorates of Erbil and Sulaymaniyah and, until late June 2006, the national grid provided 200 megawatts for the region; however, country-wide power shortages have since reduced this amount by half.¹⁶⁸ District towns and nearby villages are usually served by the public electricity system, while remote villages have local generators as their main source.

Electricity supplies are unstable in the Governorate of Sulaymaniyah. Supplies fluctuate from month to month and the 3.5 hours of electricity available per day in August 2006 decreased to 2.5 hours by January 2007 and increased to eight hours in July 2007. The lack of electricity has led to a number of public protests in 2006 and 2007.¹⁶⁹ To alleviate the problem, local authorities have limited the provision of power to ten Ampère/per household and approved private sector installation of generators across Sulaymaniyah City. Since mid March 2007, private generators have been used to supply the majority of households across the City and each household is provided with 1-5 Ampères for eight hours, depending on financial capability. The cost per Ampère per month is 9,000 ID in July 2007, in addition to 64,000 ID installation costs. The increasing price of fuel has led to reports that in some areas families are spending up to half of their income on electricity.¹⁷⁰

IDPs and returnees: IDPs and returnees face the same issues as local residents in accessing electricity. However, the increasing costs of private generators necessary to supplement electricity shortfalls are often unaffordable for IDPs, who are either unemployed or have low-incomes. IDP Monitoring revealed that 94% of families in Sulaymaniyah Governorate have more than four hours of electricity per day.¹⁷¹ Returnee Monitoring in 2006 showed that 34% of surveyed households had less than four hours electricity per day.¹⁷²

4. Fuel

The Governorate of Sulaymaniyah faces shortages of all petroleum derivatives, including gasoline, gas oil, kerosene and liquid gas, due to insecurity, sabotage and corruption, which limit the refining capacity across the country.

As part of the PDS, each family is entitled to one gas cylinder per month, one 200 litre barrel of kerosene every three months and 20 litres of gasoline per week. However, shortages have left the local authorities unable to provide the full allocated fuel quotas.¹⁷³

¹⁶⁸ IRIN, *IRAQ: Kurdish cities suffer from power shortage following redistribution*, 2 July 2006, http://www.irinnews.org/report.asp?ReportID=54345&SelectRegion=Middle_East&SelectCountry=IRAQ.

¹⁶⁹ See Section I. C. *Security and Public Order*.

¹⁷⁰ IRIN, *IRAQ: Kurds look to Iran for electricity needs*, 11 May 2006.

http://www.irinnews.org/report.asp?ReportID=53285&SelectRegion=Middle_East&SelectCountry=IRAQ.

¹⁷¹ UNHCR, *IDP Monitoring 2007*, see above footnote 44.

¹⁷² 31.2% of 138 returnee households had 1-3 hours access and 2.9% had no electricity at all; UNHCR, *Returnee Monitoring 2006*, see above footnote 18.

¹⁷³ Kerosene shortages have reduced allocation to one annual quota of 200 litres, instead of four.

Gasoline is rationed in Sulaymaniyah Governorate¹⁷⁴ and falls short of consumption needs.

Shortages have led many families to rely on the black market to meet their fuel needs and accordingly black market prices have risen sharply. In Sulaymaniyah Governorate one cylinder of gas¹⁷⁵ per family is available from the Government for 4,000 ID; on the black market, the same quantity reached 17,000 ID. At the end of July 2007, the black market price for kerosene reached 160,000 ID for 200 litres and petrol reached 1,125 ID per litre, nearly four times the official price of 410 ID.¹⁷⁶

Dissatisfaction with fuel shortages and long queues at gas stations across the Governorate has led to public protest across the Governorate.¹⁷⁷

IDPs and returnees: IDPs and returnees face the same problems as local residents in accessing fuel in the Governorate. Given their limited incomes and resources, many vulnerable families are unable to afford private or black market supplies.

5. Health

The KRG Ministry of Health (MoH) is responsible for health policy and strategy in the Kurdistan Region. In Sulaymaniyah Governorate, the Directorate of Health is responsible for healthcare planning and management. The quality and effectiveness of basic health services provided in Sulaymaniyah Governorate are generally good in urban areas, but are of concern in rural areas. There is a lack of specialists and medical training.¹⁷⁸ Accordingly, patients with financial resources prefer to travel abroad for major surgery or modern treatment. In recent years, the Governorate benefited from the influx of medical specialists fleeing the insecurity in Southern and Central Iraq.¹⁷⁹

Health facilities: There are public hospitals in all district towns and some of the larger sub-districts. In addition, there are primary and secondary health centres (PHCs, SHCs), which are distributed according to the population in each village and sub-district. Public health facilities hold medical consultations from 8.00 to 15.00 hrs. Outside of these hours,

¹⁷⁴ Following a decision by the Special Projects Commission in January 2007, private cars can receive 50 litres of gasoline per week, taxis, land cruisers and pick-ups receive 90 litres per week, buses 300 litres per week and cargo vehicles 200 litres per week.

¹⁷⁵ This is around 26 litres.

¹⁷⁶ Figures as of 31 July 2007. Note that prices are subject to fluctuation, in particular on the black market.

¹⁷⁷ Kurds have been taking to the streets in 2005, 2006 and 2007 to protest at the shortage of fuel in the region. For example, on 6 July 2006, 500 drivers who had waited for fuel for more than three days in Sulaymaniyah City poured into the nearby streets, set tires on fire and blocked the four main streets of the city; see IWPR, *Kurds Protest Energy Shortages*, Iraqi Crisis Report No. 184, 7 July 2006, http://www.iwpr.net/?p=icr&s=f&o=322133&apc_state=henh.

¹⁷⁸ Swiss Refugee Council, *2007 KRG socio-economic situation*, p. 10, see above footnote 115; IRIN, *IRAQ: Kurdistan government appeals for medical supplies*, 1 July 2007, <http://www.irinnews.org/Report.aspx?ReportId=73018>.

¹⁷⁹ According to Sulaymaniyah Director General of Health, Dr. Sherko Abdullah, 150 doctors from central and southern parts of Iraq have come to Sulaymaniyah Governorate since 2003. The local authorities provide the doctors with rental assistance (US \$200 per month) and help them set up their own clinics or find a job public hospitals and health centres, see Hawlati, *Arab Doctors Head for Kurdistan*, published and translated by Iraqi Press Monitor, No. 563, 8 November 2006, http://iwpr.net/?apc_state=henmic&o=c-1-1162944000-2-1163030400-3-icr&o1=month-11,year-2006&month=11&year=2006. By 31 August 2007, this information is still correct.

health care is provided by on-duty doctors in the emergency wards of the main hospitals and consultant clinics. The latter were opened recently in order to complement the public health centres that are open only until the early afternoon. Consultant clinics are open from 16.00 to 19.00 hrs. In addition, there are five private hospitals located in Sulaymaniyah City,¹⁸⁰ which provide general medical services and a number of private clinics and medical laboratories (see *Table 1*). The medical infrastructure in rural areas is very poor and insufficient medical coverage in those areas is one of the main reasons for overcrowding in the city's facilities.¹⁸¹

Table 1: Health facilities in the Governorate of Sulaymaniyah¹⁸²

Type of health facility	No.
Hospitals	30
PHCs	76
SHCs	383
Consultant clinics	10
Private clinics	9

Drugs and equipment: In June 2007, the KRG Minister of Health issued an appeal saying that the security situation in other parts of Iraq, and in particular in Baghdad, was the cause for the lack of needed materials, equipment and pharmaceuticals. He added that the Kurdistan Region's 48 hospitals and 672 PHCs lack the basic medicines and medical supplies needed to treat wounds or provide basic care.¹⁸³ Sulaymaniyah Governorate similarly suffers from a shortage of both medical drugs and equipment. Drugs are supplied to public hospitals and clinics by the Central Drug Distribution Network in Baghdad. Fair distribution across the Governorates of Iraq has been hindered by poor management and the security situation, leaving Sulaymaniyah Governorate with an inadequate supply. In addition, Central Government allocations have not taken into consideration the IDP influx since 2006, which has increased the shortfalls. Some medicines are purchased locally by the MoH, but this system also suffers from delays and a shortfall in items. Reportedly, several diseases such as brain, lung or pancreas cancer and diseases that require laser surgery cannot be treated in the three Northern Governorates.¹⁸⁴ Health officials also reported that they lack anti-retroviral drugs and the necessary equipment for testing for HIV.¹⁸⁵

During the recent cholera outbreak in the Governorate, described by the World Health Organisation (WHO) in Geneva as a "major epidemic", doctors called for urgent medical support, saying that they were short of medicines. UNICEF, in coordination with WHO which is leading the UN response, has delivered 4,000 cannulae and needles and 15,000 sachets of oral rehydration salts, which is essential to prevent death from dehydration

¹⁸⁰ Sulaymaniyah, Ashti, Tue Malik, Kew and Kurdistan hospitals.

¹⁸¹ According to the Iraq Living Conditions Survey (ILCS) of 2005, only 41% of rural households have easy access to health centres and less than 20% live within 30 minutes travel time of a public hospital. Furthermore, more than 60% of the population in the Governorate cannot reach pharmacies within 30 minutes; MoPDC/UNDP, *2005 Iraq Living Conditions Survey*, pp. 38-39, see above footnote 1; see also Swiss Refugee Council, *2007 KRG socio-economic situation*, p. 13, see above footnote 115.

¹⁸² Figures by 31 July 2007.

¹⁸³ IRIN, *IRAQ: Kurdistan government appeals for medical supplies*, 1 July 2007, <http://www.irinnews.org/Report.aspx?ReportId=73018>.

¹⁸⁴ Swiss Refugee Council, *2007 KRG socio-economic situation*, p. 15, see above footnote 115.

¹⁸⁵ IRIN, *Iraq: Shortage of anti-retroviral drugs in Kurdistan*, 12 December 2006, <http://www.irinnews.org/report.aspx?reportid=62435>.

caused by severe diarrhoea. UNICEF said that 4,000 safe water kits were delivered on 30 August to families in the Sulaymaniyah, where significant numbers of IDPs are also at risk.¹⁸⁶

Costs: Emergency and health services in public health facilities are free, except for an examination fee of 2,000 ID. There is generally no charge for medication, but due to shortages and a lack of availability of some medicines for chronic diseases such as blood hypertension, diabetes, heart disease and thyroid, patients often have to rely on private pharmacies or the black market where prices are high. In consultant clinics the examination fee is 2,500 ID and patients must pay for all medication. Examinations and medical treatment in privately owned hospitals and clinics are of better quality than in public health facilities. Although the MoH has fixed prices for private consultations,¹⁸⁷ the law is not yet applicable in Sulaymaniyah Governorate and prices charged are often beyond the means of poor patients.¹⁸⁸

Mental health: Psychiatric services are limited and reportedly insufficient in view of increasing numbers of persons in need of mental treatment.¹⁸⁹ There is only one psychiatric clinic in Sulaymaniyah City, in which services are basic and involve only physical treatment (pharmacotherapy and electroconvulsive therapy ECT). Reportedly, the KRG is sending graduated doctors for training abroad to build better mental health services.¹⁹⁰ One international¹⁹¹ and a local NGO¹⁹² also provide mental treatment for children. There are only very few psychologists and no possibility of treatment for post-traumatic stress disorder in the Governorate.¹⁹³

IDPs and returnees: IDPs (provided that they are allowed to remain in the Governorate) and returnees in principle have access to health facilities on par with the general population. 100% of IDP and returnee families surveyed in the Governorate reported having access to PHCs.¹⁹⁴ Returnee Monitoring also revealed that most returnees had access to their mostly needed drugs.¹⁹⁵ But visits from health workers in their current location and participation in vaccination campaigns were low.¹⁹⁶

¹⁸⁶ AFP, *Iraqi Kurdish province hit by cholera*, 31 August 2007,

http://www.iraquupdates.com/p_articles.php?refid=DH-S-03-09-2007&article=21270; IRIN, *IRAQ: Hospitals in north struggle to contain cholera outbreak*, 30 August 2007, <http://www.irinnews.org/Report.aspx?ReportId=74028>.

¹⁸⁷ Swiss Refugee Council, *2007 KRG socio-economic situation*, pp. 13-14, see above footnote 115.

¹⁸⁸ Information received by UNHCR, September 2007.

¹⁸⁹ Experts believe that in urban areas mental illness is on the rise, blaming increasing violence among the youth and the deterioration in living conditions; see Swiss Refugee Council, *2007 KRG socio-economic situation*, p. 16, see above footnote 115.

¹⁹⁰ Ibid.

¹⁹¹ The Swedish humanitarian organization Diakonia offers mental treatment for traumatized children in Sulaymaniyah and is planning to open a *Psychosocial Education, Treatment and Consulting Centre*, which will provide treatments to children with behavioral abnormalities and psychological illnesses in addition to social education for their families; *ibidem*.

¹⁹² Kurdistan Save the Children offers psycho-social support to children; *ibidem*.

¹⁹³ Ibid.

¹⁹⁴ UNHCR, *IDP Monitoring 2007*, see above footnote 44.

¹⁹⁵ 97.9% of 337 returnee households reported having access to the most needed drugs; UNHCR, *Returnee Monitoring 2006*, see above footnote 18.

¹⁹⁶ 69.8% of 139 returnee households were never visited by a health worker in their current location and only 28.8% were included in vaccination campaigns; *ibidem*.

6. Education

According to Unification Agreement, the responsibility of the education system is shared between the PUK, which heads the Ministry of Education (MoE) and the KDP, which is overseeing Higher Education.¹⁹⁷

As a consequence of wars, sanctions and limited investment and rehabilitation, school infrastructure in Sulaymaniyah Governorate remains extremely poor and many schools are in urgent need of renovation and repair.¹⁹⁸ Infrastructure is more limited in rural areas.¹⁹⁹ The Governorate of Sulaymaniyah has 516 primary schools, 115 intermediate and only 67 secondary schools. There is one university, the University of Sulaymaniyah, four institutes²⁰⁰ and ten vocational colleges located in the City of Sulaymaniyah (see *Table 2*). Construction is underway for the American University of Sulaymaniyah, which is due to offer its first classes in autumn 2008.²⁰¹

Access to higher education and the granting of academic titles are controlled by the PUK and may therefore depend not only on academic qualifications but also party affiliation. This has also affected the academic standards at the institutions.²⁰²

Education at all levels, including University, is free of charge, with the exception of several private institutions which charge fees.²⁰³

The large influx of IDPs since 2006, of which a large number are children,²⁰⁴ has placed additional pressure on already limited educational facilities. As a result, there is a shortage of both primary and secondary schools in all districts. The increase in students has led to a shortage of teaching staff for secondary education (see *Table 2*).²⁰⁵

¹⁹⁷ KRG, *2006 Unification Agreement*, see above footnote 26.

¹⁹⁸ The School Survey 2003-2004 in Iraq revealed that in the Governorate of Sulaymaniyah there are no primary and secondary schools that escaped damage and that Sulaymaniyah had the highest rate of completely destroyed school buildings (171 out of 1,381 primary school buildings); Ministry of Education/UNICEF, *School Survey 2003-2004 in Iraq*, October 2004, p. 57, <http://www.unicef.org/files/school-survey-vol1-eng.pdf>.

¹⁹⁹ Academic resources and specialist equipment (e.g. laboratories and computers) tend to be concentrated in the schools of Sulaymaniyah City, while rural areas have shortages of resources and poor quality facilities, particularly in Halabja, Kalar and Ranya. Source: UNHCR.

²⁰⁰ These are Teachers, Technical, Administrative and Computer Institutes.

²⁰¹ Tuition at the American University would be US \$8,500 - 10,000 a year; see International Herald Tribune, Edward Wong, *A university for Iraq, far from the chaos of Baghdad*, 3 January 2007, <http://www.iht.com/articles/2007/01/03/news/college.php>.

²⁰² Swiss Refugee Council, *2007 KRG socio-economic situation*, p. 20, see above footnote 115; IWPR, *Students Abuse University Admissions Scheme*, Iraqi Crisis Report No. 205, 9 December 2006, http://www.iwpr.net/?p=icr&s=f&o=326017&apc_state=heniicr2006.

²⁰³ For example, Al-Salahaddin High School charges US \$1,200 per year and the primary school charges \$1,600 per year (open in 2008) in addition to an extra US \$100 for text books. The same costs apply to Media Schools, which offer primary and secondary education.

²⁰⁴ See above footnote 16.

²⁰⁵ There is a particular shortage of physics, chemistry, English and mathematics teachers. Source: UNHCR.

Table 2: Educational facilities in the Governorate of Sulaymaniyah

School Type	No. buildings	No. teachers	No. students
Kindergarten	24	550	4,203
Primary	516	10,750	109,453
Intermediate	115	1,944	33,982
Secondary	67	1,857	32,953
Vocational Secondary Education ²⁰⁶	10	210	4,733
Institutes	4	172	2,818

As a result of the shortage of school buildings and teaching staff and the large increase in students since 2006, the majority of schools in Sulaymaniyah are operating on a shift system²⁰⁷ in order to meet the increased demand. This also resulted in a reduction of the hours of teaching. The Assistant Director of Sulaymaniyah's Education Department stated that the Governorate would need an additional 200 schools for the next academic year (2007/2008) to avoid three-shift education in the schools. She also added that only seven school buildings will be finished on time.²⁰⁸

The *Multiple Indicator Cluster Survey* (MICS) survey undertaken by UNICEF revealed that primary school attendance rate was 88.2% in the Kurdistan Region during 2005, slightly higher than in other parts of Iraq.²⁰⁹ A comprehensive survey has not been conducted since this time, but shortages in both teachers and facilities are likely to contribute significantly to a reduction in student attendance across the Governorate.

IDPs and returnees: IDPs (provided that they are allowed to remain in the Governorate) and returnees in principle have access to education on par with the general population. Nearly three-quarters of the surveyed returnee children had access to education.²¹⁰ Main reasons for not attending are the need to work, lack of appropriate documentation to register and curriculum language (Kurdish). Some children were not in possession of the necessary academic certification needed to place them in the correct level. Some children were found to be illiterate.²¹¹ Returnee children from Europe and other Western countries may face problems reintegrating when used to a Western schooling system. This is particularly true for girls that may not easily integrate into a traditional and conservative society.²¹²

A Committee has been established in the Sulaymaniyah Directorate of Education for the enrolment of returnee children.²¹³ In order to facilitate the reintegration of returnee children, the local NGO *Kurdistan Save the Children* set up Gasha School in 2004. Its main teaching language is English, but students are also taught Arabic and Kurdish in

²⁰⁶ These are industrial, commercial, arts and agricultural schools.

²⁰⁷ Shifts are split between morning, afternoon sessions and evening classes.

²⁰⁸ Hawler Post (in Kurdish), 12 August 2007.

²⁰⁹ School attendance was 83.1% in Iraq (excluding the Kurdistan Region) in 2005; see UNICEF, *Multiple Indicator Cluster Survey (MICS) 2006, Preliminary Report*, March 2007.

²¹⁰ 72.8% of 309 returnee households; UNHCR, *Returnee Monitoring 2006*, see above footnote 18.

²¹¹ 4% of 220 households with children 5-17 years of age; *ibidem*.

²¹² Swiss Refugee Council, *2007 KRG socio-economic situation*, p. 21, see above footnote 115.

²¹³ A transcript from the child's previous school should be submitted to the Committee for approval and a decision will be made on the child's appropriate entry grade in the Iraqi school system.

order to facilitate the reintegration process. Recently, the school was taken over by the Directorate of Education.²¹⁴

The main barrier to education for IDPs is the language. There are only two Arabic primary schools in Sulaymaniyah and one secondary school for girls and one for boys. Given the high number of Arab IDPs in the Governorate, there is a severe shortage of Arabic schools. Currently, there are three Arabic schools in Sulaymaniyah, including Jawahiri Primary School for boys and girls, Shorish High School for boys, Zagros Intermediate School for boys and Frishta High School for girls.

7. Social Welfare

Pension and welfare benefits remain at a very low level in Sulaymaniyah Governorate. The Directorate of Social Care offers 30,000 ID as a regular monthly salary to households fitting MoLSA's criteria and whose applications are accepted. Criteria should be checked with the Directorate of Social Care in Sulaymaniyah City. However, due to a lack of funding, not all persons in need receive social welfare and access may at times depend on political/personal links rather than actual needs. Since the third quarter of 2006, the provision of a monthly salary to households has been discontinued as the KRG budget is insufficient to cover the costs and the central government in Baghdad had not transferred the Regions' annual budget.

A separate scheme called the "Family Care Plan" is used by the Directorate of Social Care to provide a monthly salary to widows, elderly and those whose husbands are imprisoned and have no income-earner. There are currently 16,000 beneficiaries of this scheme. The level of care available to disabled persons and others with special needs is limited in both the governmental and non-governmental sectors. There is an Orthopaedic Centre in Sulaymaniyah City providing services artificial limbs and wheel chairs to beneficiaries, including returnees.

IV. REPATRIATION - RELOCATION MOVEMENTS

A. Voluntary Repatriation and Return²¹⁵

There are the following means of voluntary repatriation to Sulaymaniyah Governorate for returnees from abroad:

- 1. Spontaneous Repatriation (without UNHCR facilitation):*** Refugees returning spontaneously to Iraq without assistance should apply to the Iraqi Embassy in their country of departure to ensure that they have the documentation needed to cross the border. Documentation should be presented to the Kurdish Border Authorities to be stamped on entry to Iraq. A number of European countries provide limited return and reintegration assistance for Iraqis wishing to return to Iraq. Persons interested should check with the concerned authorities of their host country.

²¹⁴ Information received by UNHCR, September 2007.

²¹⁵ For an overview of UNHCR's position regarding returns to the three Northern Governorates, see UNHCR, *2006 Return Advisory*, see above footnote 28.

2. ***Voluntary Repatriation Procedures (with UNHCR facilitation):*** Refugees interested in returning to Iraq voluntarily should register their interest with UNHCR offices in their host country. Assisted voluntary return convoys are operated from Iran to Sulaymaniyah through the Haji Omaran border crossing in Erbil Governorate. Once refugees have completed the application procedures and the KRG MoI has cleared their return, they will be informed of opportunities for return and of the next available space on a repatriation convoy.
3. ***Repatriation with Assistance (facilitated by the PUK Public Relations Office in Iran):*** Refugees can register their intent to return directly via the different border crossings in Sulaymaniyah Governorate (Parwezkhani / Darbandikhan is the official border crossing).

B. Internal Relocation²¹⁶

Admission: In the Governorate of Sulaymaniyah, admission into the Governorate is generally not restricted and does not require a sponsor.²¹⁷ However, persons from *arabized* areas claimed by the PUK, i.e. Kirkuk and Khanaqeen in the Governorate of Diyala, are generally denied entry to the Governorate for political and demographic reasons, unless they wish to come for a visit only.²¹⁸ In that case, they are allowed entry but are not able to bring their belongings or a large amount of luggage with them.

Persons arriving in Sulaymaniyah by airplane do not face any entry restrictions (however, this requires that the person has the necessary financial means).

Stay: Persons not originating from the three Northern Governorates wishing to legally remain in the Governorate generally must have a sponsor,²¹⁹ who should accompany the person/family to the Directorate of Security (*Asayish*). He/she will have to undergo a security screening in which the reasons for relocation are investigated. Provided the person is not considered a security risk, he/she will be granted a permit to stay for six months, which is in principle subject to extension. Upon arrival IDPs should also contact the Quarter Representative (*Mukhtar*) to introduce themselves and should inform the security department

²¹⁶ For a full overview on Internal Flight or Relocation Alternative in the three Northern Governorates, please see UNHCR, *2007 Eligibility Guidelines*, pp. 159, see above footnote 71.

²¹⁷ There are special procedures applicable to persons wishing to relocate to the District of Kalar. An IDP first has to approach the security office in person and submit a petition requesting permission to relocate. The applicant needs a Kurdish sponsor who resides in Kalar. The sponsorship letter needs to be ratified by the Notary Public Office in Kalar. Only after these conditions have been met, the security officer will provide the permission to relocate and to bring family members and belongings. Any applicant without a sponsor from Kalar will be denied permission to relocate. Once the IDP has moved to Kalar and rented a house, a letter from the *Mukhtar* (neighbourhood representative) needs to be submitted to the security office to confirm the IDP's address in Kalar.

²¹⁸ While Kurds are not permitted entry in order to maintain a Kurdish presence in these formerly *arabized* areas, Arabs, Turkmen, Yazidis and members of other religious or ethnic groups from disputed areas are also denied entry as the authorities do not want to be confronted with the accusation of changing the demographics by relocating non-Kurds from these areas.

²¹⁹ The sponsor could be an individual person or a company. The responsibility of the sponsor is to inform authorities that he/she knows the IDP and, in case of security-related incidents, the sponsor will be questioned. The sponsor should have his/her food ration card issued in the Governorate of Sulaymaniyah and have a good reputation. Doctors, owners of companies/restaurants and university teachers are currently exempt from the sponsorship requirement.

whenever they change the place of residence. Persons who do not have a sponsor are not allowed to stay and are requested to leave the Governorate or are otherwise forcibly removed.²²⁰ Persons originating from Kirkuk or Khanaqeen, including Kurds, Arabs, Turkmen and members of other ethnic or religious groups, are not able to stay for demographic and political reasons.

V. ASSISTANCE UPON ARRIVAL

Several organizations are active in the Governorate and provide humanitarian assistance to returnees and IDPs, including two international agencies,²²¹ a governmental development agency,²²² international NGOs²²³ and Iraqi NGOs.²²⁴

IDPs: The authorities do not officially provide financial support to IDPs but individual mayors' offices have given limited assistance in some areas. The most common form of assistance received was distribution of food items.

Monitoring in 2006 and 2007 revealed that the majority of the newly displaced families surveyed had not received humanitarian assistance since their arrival in Sulaymaniyah²²⁵ and that levels of assistance varied across districts. IRCS provided the most assistance to IDPs in Sulaymaniyah followed by religious groups.²²⁶

Returnees: Only about one quarter of returnees monitored in the governorate received some assistance upon return.²²⁷

²²⁰ Awene website / Sulaymaniyah, No. 46, 28 November 2006 (in Sorani Kurdish), reported that 42 Iraqi Arabs, who were working in Bazyan Cement Factory, were detained on 26 November 2006 by Chamchamal Security Forces in order to be returned to their places of origin outside the Region of Kurdistan given that they had entered the Governorate of Sulaymaniyah without sponsorship and without registering with the security forces. The head of the Chamchamal Security Directorate, Muqadam Ahmad Nadr, told Awene that the arrested people had come to Chamchamal sub-District without the knowledge of the security forces, adding that “*any Arab residing in Chamchamal need[s] to report their presence to the authorities.*”

²²¹ UNHCR and IRD.

²²² USAID.

²²³ MAG and NPA.

²²⁴ Including IRCS, Reach and Kurdistan Save the Children. Current estimates put the number of Iraqi NGOs working in Sulaymaniyah Governorate at between 30 and 50.

²²⁵ Families in Dokan and Halabja did not report receiving assistance, while 20% in Chamchamal and 9% in Sulaymaniyah City did; see UNHCR, *RNA Sulaymaniyah*, p. 6, see above footnote 16, and UNHCR, *IDP Monitoring 2007*, see above footnote 44.

²²⁶ IRCS was the main provider across Sulaymaniyah Governorate providing basic food and non food items. 100% of the humanitarian assistance received in Chamchamal District came from IRCS. Other sources of assistance in Sulaymaniyah City included religious groups (18%) and other official bodies (10%).

²²⁷ 31.7% of returnee households; UNHCR, *Returnee Monitoring 2006*, see above footnote 18.