



Home Office

# **Country Policy and Information Note**

## **Iraq: Political opinion in the Kurdistan Region of Iraq (KRI)**

**Version 1.0**

**August 2017**

# Preface

This note provides country of origin information (COI) and policy guidance to Home Office decision makers on handling particular types of protection and human rights claims. This includes whether claims are likely to justify the granting of asylum, humanitarian protection or discretionary leave and whether – in the event of a claim being refused – it is likely to be certifiable as ‘clearly unfounded’ under s94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers must consider claims on an individual basis, taking into account the case specific facts and all relevant evidence, including: the policy guidance contained with this note; the available COI; any applicable caselaw; and the Home Office casework guidance in relation to relevant policies.

## Country Information

COI in this note has been researched in accordance with principles set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#) and the [European Asylum Support Office's research guidelines, Country of Origin Information report methodology](#), namely taking into account its relevance, reliability, accuracy, objectivity, currency, transparency and traceability.

All information is carefully selected from generally reliable, publicly accessible sources or is information that can be made publicly available. Full publication details of supporting documentation are provided in footnotes. Multiple sourcing is normally used to ensure that the information is accurate, balanced and corroborated, and that a comprehensive and up-to-date picture at the time of publication is provided. Information is compared and contrasted, whenever possible, to provide a range of views and opinions. The inclusion of a source is not an endorsement of it or any views expressed.

## Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, please email [the Country Policy and Information Team](#).

## Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the Home Office's COI material. The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. IAGCI may be contacted at:

Independent Chief Inspector of Borders and Immigration,

5th Floor, Globe House, 89 Eccleston Square, London, SW1V 1PN.

Email: [chiefinspector@icinspector.gsi.gov.uk](mailto:chiefinspector@icinspector.gsi.gov.uk)

Information about the IAGCI's work and a list of the COI documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's website at <http://icinspector.independent.gov.uk/country-information-reviews/>

# Contents

<b>Policy guidance</b> .....	<b>5</b>
1. Introduction.....	5
1.1 Basis of claim.....	5
1.2 Other points to note.....	5
2. Consideration of issues.....	5
2.1 Credibility.....	5
2.2 Assessment of risk.....	5
2.3 Protection.....	6
2.4 Internal relocation.....	7
2.5 Certification.....	7
3. Policy summary.....	8
<b>Country Information</b> .....	<b>9</b>
4. Kurdish people.....	9
5. Kurds in Iraq.....	10
5.1 Demography.....	10
5.2 Religion.....	11
5.3 Language.....	12
6. Kurdistan Region of Iraq (KRI).....	12
7. Kurdistan Regional Government (KRG).....	14
7.1 Kurdish National Assembly.....	14
7.2 Kurdish Presidency.....	15
7.3 Kurdish participation in national politics.....	15
7.4 'Disputed' territories.....	15
8. Kurdish parties.....	17
8.1 Kurdistan Democratic Party (KDP).....	17
8.2 Patriotic Union of Kurdistan (PUK).....	17
8.3 Relationship between KDP and PUK.....	18
8.4 Gorran.....	19
8.5 Relationship between Gorran and KDP/PUK.....	20
8.6 Peshmerga.....	22
8.7 Security and intelligence agencies.....	23
9. October 2015 protests.....	23
9.1 Dispute over the Barzani Presidency.....	23

9.2	Cuts and delays in civil service pay .....	25
9.3	Nature of the protests .....	25
9.4	Government response .....	27
9.5	Number of deaths .....	28
10.	Treatment of political opponents by the Kurdistan Region of Iraq (KRI) authorities .....	29
10.1	Arrests and detention .....	29
10.2	Detention conditions .....	31
10.3	Violence .....	32
10.4	Restrictions on media freedoms .....	34
11.	KRG state protection .....	37
11.1	Laws .....	37
11.2	Enforcement of the law .....	38
12.	Non-Government Organisations (NGOs) .....	39
	<b>Version control and contacts .....</b>	<b>42</b>

# Policy guidance

Updated: 25 July 2017

## 1. Introduction

### 1.1 Basis of claim

- 1.1.1 Fear of persecution or serious harm by the Kurdistan Regional Government (KRG) and/or a particular Kurdish political party or group because of the person's actual or perceived political opinion or activities.

[Back to Contents](#)

### 1.2 Other points to note

- 1.2.1 Kurdish parties and groups are organised along tribal lines. If a Kurd fears serious harm or persecution on the basis of tribal affiliation, see [Iraq Country Policy and Information Note: Blood feuds](#)

[Back to Contents](#)

## 2. Consideration of issues

### 2.1 Credibility

- 2.1.1 For information on assessing credibility, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

- 2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).

- 2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

[Back to Contents](#)

### 2.2 Assessment of risk

- 2.2.1 The democratically-elected Kurdistan Regional Government (KRG) is broad-based, with representatives from all the major parties, although it is dominated by the Kurdistan Democratic Party (KDP) (see [Kurdistan Regional Government \(KRG\)](#)). However, ongoing tensions exist between the main parties: the KDP; its main rival, the Patriotic Union of Kurdistan (PUK); and the Gorran ('Change') party, which has emerged in recent years to challenge the dominance of the KDP and PUK.

- 2.2.2 The evidence is not such that a person will be at real risk of serious harm or persecution simply by being an opponent of, or having taken part in protests against, the KDP and/or PUK. Each case must be considered on its merits.

- 2.2.3 There are reports that political opponents of the KRG and/or the KDP and/or PUK have been arrested, detained, assaulted and even killed by the Kurdistan authorities. However, there is no evidence that such mistreatment is systematic. In general, a person will not be at risk of serious harm or persecution on the basis of political activity within the Kurdistan Region of

Iraq (KRI). Decision makers must, however, consider each case on its merits. Decision makers must consider that those more likely to be at risk of such mistreatment include:

- journalists/media workers and human rights defenders, particularly
  - independent journalists who do not have the protection of either the KDP or PUK;
  - those who write about certain subjects, including corruption, the lack of human rights in the region, women's rights and anything that could be construed as endangering the security of the region or public morality;
- those critical (or perceived as critical) of prominent figures in the KDP or associated organs such as the Peshmerga (see [Arrests and detention](#) and [Restrictions on media freedoms](#))

2.2.4 For further guidance on assessing risk, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

[Back to Contents](#)

## 2.3 Protection

2.4.1 The 'state' within the KRI consists of numerous actors. The KRG is comprised of all of the main parties. The KDP controls Erbil and Dohuk; the PUK controls Sulamanyah.

2.4.2 There are reports of a lack of transparency, corruption and an unwillingness to implement some laws within the KRI. Although law enforcement is generally more effective in the KRI than in the rest of Iraq, effectiveness varies depending on which party controls the area. This is generally the case too in parts of the 'disputed' areas, such as Kirkuk, where Kurdish authority is strong (see [Enforcement of the law](#)).

2.3.1 Both the KDP and PUK have powerful militias (the Peshmerga) and intelligence functions (the Zanyari and Parastin respectively). The Gorran lacks these mechanisms of protection. However, the Gorran have recently made an alliance with the PUK (see [Relationship between Gorran and KDP/PUK](#), [Peshmerga](#) and [Security and intelligence organs](#)).

2.3.2 A supporter or member of either the KDP or PUK will be able, in general, to avail themselves of the protection of either the KDP or the PUK, depending on their location.

2.3.3 A supporter or member of the Gorran party who fears serious harm or persecution from the KDP will be able, in general, to avail themselves of the protection of the PUK, depending on their location.

2.3.4 A person's reluctance to seek protection, or lack of knowledge of it, does not mean that the protection is not available. The onus will be on the person to demonstrate that he or she is unable to obtain effective protection, if it is claimed that they cannot do so. Decision makers must consider each case on its facts.

2.3.5 For further guidance on assessing the availability or not of state protection, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

## 2.4 Internal relocation

### i. Those who fear the KDP or PUK

2.4.1 In general, if a person has a well-founded fear of the PUK or KDP, internal relocation will be a reasonable option within the KRI, to areas where the party that they fear is not the dominant authority. The onus will be on the person to demonstrate why it would not be reasonable to relocate within the KRI, if it is claimed that they cannot do so. Decision makers must consider each case on its facts.

### ii. Kurds in general

2.4.2 This section should be read alongside [Iraq Country Information and Guidance: Return/Internal Relocation](#)

2.4.3 In general, if not unreasonable or unduly harsh, any person can relocate to any area of Iraq to which, as a general matter, relocation is possible. Decision makers must consider each case on its facts.

2.4.4 The onus will be on the person to demonstrate why they cannot relocate to a particular area of Iraq on the basis of their Kurdish identity.

2.4.5 In the Country Guidance case of [AA \(Article 15\(c\)\) Iraq CG \[2015\] UKUT 00544 \(IAC\)](#), the Upper Tribunal found that relocation to Baghdad (except to parts of the 'Baghdad Belt', the urban environs around Baghdad City, which bordered Anbar, Diyala and Salah al-Din) was possible as a general matter (paragraph 204, A2, A3). The Upper Tribunal went on to find that, in assessing whether relocation to Baghdad was unreasonable or unduly harsh, a number of factors are likely to be relevant. Two of these factors are particularly relevant for Kurds. These are:

- whether a person can speak Arabic (as those who cannot are less likely to find employment) (paragraph 204, D 15(b));
- whether a person is from a minority community (paragraph 204, D 15(f))

2.4.6 For further guidance on internal relocation, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

## 2.5 Certification

2.7.1 Where a claim is refused, it is likely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002. This is because in general effective state protection is likely to be available and internal relocation is likely to be a reasonable option.

2.5.1 For further guidance on certification, see [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

### 3. Policy summary

- 3.1.1 The Kurdistan Regional Government (KRG) is democratically elected and includes representatives from all the main Kurdish political parties – the Kurdish Democratic Party (KDP), the Patriotic Union of Kurdistan (PUK) and the Gorran (or ‘Change’) Party, although there are ongoing political tensions.
- 3.1.2 The evidence is not such that a person will be at real risk of serious harm or persecution simply by being an opponent of, or having taken part in protests against, the KDP and/or PUK. Decision makers must consider each case on its facts.
- 3.1.3 In general, a person will not be at risk of serious harm or persecution on the basis of political activity within the KRI. Decision makers must, however, consider each case on its facts. Journalists/media workers and human rights defenders, particularly independent journalists who do not have the protection of either the KDP or PUK, and those who write about certain subjects, including corruption, the lack of human rights in the region, women’s rights and anything that could be construed as endangering the security of the region or public morality; and those critical (or perceived to be critical) of prominent figures in the KDP or associated organs such as the Peshmerga, are more likely to be at risk of mistreatment which may amount to persecution.
- 3.1.4 In general, protection is available from either the KDP or PUK, depending on whom the person fears. Decision makers must consider each case on its facts.
- 3.1.5 Internal relocation is possible, in general, to areas within the KRI that not controlled by the party that the person fears, and to areas of Iraq to which, as a general matter, a person can relocate. Decision makers must consider each case on its facts.
- 3.1.6 Where a claim is refused, it is likely to be certifiable as ‘clearly unfounded’ under section 94 of the Nationality, Immigration and Asylum Act 2002.

[Back to Contents](#)



# Country Information

Updated: 27 June 2017

## 4. Kurdish people

4.1.1 The following map shows Kurdish areas ('Kurdistan') and the countries they span:



4.1.2 'Kurdistan' is divided into four areas:

- Rojava (Western Kurdistan) in Syria
- Rojhalat (Eastern Kurdistan) in Iran
- Bashur (Southern Kurdistan) in Iraq
- Bakur (Northern Kurdistan) in Turkey<sup>2</sup>

4.1.3 For information and guidance on Kurds in other countries, see:

- [Country Information and Guidance – Iran: Kurds and Kurdish political groups](#)

---

<sup>1</sup> Santa Barbara Independent, 'A Report from Kurdish Syria, 13 December 2012, <http://www.independent.com/news/2012/dec/13/report-kurdish-syria/>. Date accessed: 14 December 2016

<sup>2</sup> GlobalSecurity.org, 'Kurdistan – Kurdish Conflict', undated, <http://www.globalsecurity.org/military/world/war/kurdistan.htm>. Date accessed: 20 March 2017

- [Country Information and Guidance – Turkey: Kurdish ethnicity](#)
- [Country Information and Guidance – Turkey: Membership of, or association with, the PKK](#)
- [Country Information and Guidance – Turkey: HDP \(People’s Democratic Party\)](#)

[Back to Contents](#)

## 5. Kurds in Iraq

### 5.1 Demography

5.1.1 The US State Department (USSD) estimated that (Sunni) Kurds comprise approximately 15 per cent (c. 5.6 million) of Iraq’s population of 37 million.<sup>3</sup> The BBC estimated that 15-20 per cent of Iraq’s population (of 33.7 million<sup>4</sup>) are Kurdish (so 5.1 – 6.7 million).<sup>5</sup>

5.1.2 The following map shows where Kurds live in Iraq:



6

5.1.3 Official data from the provincial council in Baghdad shows that there were 300,000 Kurds in Baghdad in 2016. There were 500,000 Kurds in Baghdad in 2003.<sup>7</sup> According to the World Population Review, Baghdad’s population

<sup>3</sup> US State Department (USSD), International Religious Freedom Report for 2015 – Iraq, Section 1. Religious Demography, March 2016,

<http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>. Date accessed: 20 March 2017

<sup>4</sup> BBC News, ‘Iraq country profile’, 5 December 2016, <http://www.bbc.co.uk/news/world-middle-east-14542954>. Date accessed: 14 December 2016

<sup>5</sup> BBC News, ‘Who are the Kurds?’, 14 March 2016, <http://www.bbc.co.uk/news/world-middle-east-29702440>. Date accessed: 14 December 2016

<sup>6</sup> Map of Kurds in Iraq, November 2014, [http://www.oilandgas360.com/wp-content/uploads/2014/11/iraq\\_kurdish\\_regions\\_map5\\_600px\\_02\\_2f6f597f72.jpg](http://www.oilandgas360.com/wp-content/uploads/2014/11/iraq_kurdish_regions_map5_600px_02_2f6f597f72.jpg). Date accessed: 13 September 2016

<sup>7</sup> Rudaw, ‘Baghdad’s Kurdish population sees dramatic decline, official data shows’, 9 April 2016, <http://rudaw.net/english/middleeast/iraq/090420162>. Date accessed: 14 December 2016

was 7.216 million in 2016.<sup>8</sup> This means that Kurds account for about 4 per cent of Baghdad's population.

- 5.1.4 Figures from the 1975 census suggested that there were about 100,000 Kurds in southern Iraq.<sup>9</sup> However, no more up-to-date figures can be found. Iraq is due to have a census every ten years but it has been continually postponed because of the violence in the country; the last official census was held in 1987, which showed a population of just over 16 million. Data on the number of Kurds within this number cannot be found.<sup>10</sup>

[Back to Contents](#)

## 5.2 Religion

- 5.2.1 A report on Kurds by the Austrian Ministry of Interior ('the Austrian report'), dated 2014, noted that most Kurdish people are Sunni Muslims and belong to the Shafi'i madhhab school of jurisprudence, although some are Shia, and some Yarsan (also called Ahl-e Haqq or Kaka'i), Alevi or Yezidi. Others are agnostics, atheists, recent converts to non-sectarian Christianity or fit other religious descriptions.<sup>11</sup>
- 5.2.2 The Austrian report noted that Sufiism (mystical movements within Islam) is part of the Kurdish religious landscape. Two main orders operate in Kurdistan, the Qadiri and the Naqshbandi.<sup>12</sup> Sufi leaders (and in many cases their male patrilineal descendants) carry the title 'shaikh' in Kurdistan. The role of a shaikh is not only religious; a shaikh is often a powerful economic or political patron, with the ability to influence and lead people beyond his circle of religious followers. Members of the Barzani and Talabani lineages belonged to the Naqshbandi and Qadiri orders respectively.<sup>13</sup>
- 5.2.3 A small number, Fayli (Faili) Kurds, are Shia. Fayli Kurds live in parts of Diyala, Missan and Wassit governorates, as well as in several neighbourhoods in Baghdad. There are no recent official statistics for their number; according to government statistics in 1947, there were about 30,000 of them (0.6 per cent of Iraq's population at the time).<sup>14</sup>

---

<sup>8</sup> World Population Review, Population of Cities in Iraq, 2016,

<http://worldpopulationreview.com/countries/iraq-population/cities/>. Date accessed: 15 December 2016

<sup>9</sup> Chaliand, Gerard (ed), 'A People Without a Country: The Kurds and Kurdistan' (p143), 1993. Hard copy only

<sup>10</sup> Niqash, 'Counting Iraqis – why there may never be a census again', 20 June 2013, <http://www.niqash.org/en/articles/politics/3238/>. Date accessed: 4 January 2017

<sup>11</sup> Austrian Federal Ministry of the Interior, 'The Kurds: History, Religion, Language, Politics', 2015, p. 22, [http://www.bfa.gv.at/files/broschueren/KURDS\\_Monographie\\_2015\\_11.pdf](http://www.bfa.gv.at/files/broschueren/KURDS_Monographie_2015_11.pdf). Date accessed: 20 March 2017

<sup>12</sup> Not to be confused with the Naqshbandi group (the JRTN), the Sunni insurgent group composed of ex-Ba'athists.

<sup>13</sup> Austrian Federal Ministry of the Interior, 'The Kurds: History, Religion, Language, Politics', 2015, p. 26, [http://www.bfa.gv.at/files/broschueren/KURDS\\_Monographie\\_2015\\_11.pdf](http://www.bfa.gv.at/files/broschueren/KURDS_Monographie_2015_11.pdf). Date accessed: 20 March 2017

<sup>14</sup> Ekurd Daily, 'Iraq announces free visa for 30 days for Faili Kurds in Iran', 28 July 2015, <http://ekurd.net/iraq-announces-free-visa-for-faili-kurds-in-iran-2015-07-28>. Date accessed: 20 March 2017

- 5.2.4 Some people of Kurdish ethnicity may belong to religious minority groups. The Yezidis are a case in point. For information and guidance on religious minorities in Iraq, see [Country Information and Guidance – Iraq: Religious minorities](#)

[Back to Contents](#)

### 5.3 Language

- 5.3.1 Arabic and Kurdish are official languages in Iraq.<sup>15</sup>
- 5.3.2 The Austrian report noted that the following Kurdish languages/dialects are spoken in Iraq:
- Sub-dialects of Sorani (Central Kurdish), including Babani (spoken in Sulamaniyah and the surrounding areas) and Hawleri (spoken in Erbil)
  - Southern Kurdish (aka Pehlewani, Kirmashani and Kermanshahi)
  - Gorani/Hawrami (spoken in Halabja)<sup>16</sup>
- 5.3.3 Kurdish became the official language of the KRI in 1992, although it is not specified which dialect is official. Article 7 of the Kurdistan Regional Government (KRG) constitution also made the teaching of Arabic compulsory, and protected the language rights of Turkmen.<sup>17</sup>

[Back to Contents](#)

## 6. Kurdistan Region of Iraq (KRI)

- 6.1.1 The Kurdistan Region of Iraq (KRI) – sometimes referred to as the Iraqi Kurdistan Region (IKR), Iraqi Kurdistan or the Kurdish Autonomous Region – comprises the northern governorates of Erbil, Dohuk, Sulamaniyah and Halabja. The 2005 Constitution of Iraq recognised the autonomy of this region under the Kurdistan Regional Government (KRG).<sup>18</sup>
- 6.1.2 The following map shows the KRI within Iraq:

---

<sup>15</sup> US State Department (USSD), International Religious Freedom Report for 2015 – Iraq, Section 2. Status of Government Respect for Religious Freedom, March 2016, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>. Date accessed: 20 March 2017

<sup>16</sup> Austrian Federal Ministry of the Interior, 'The Kurds: History, Religion, Language, Politics', 2015, pp. 31, 34-35, [http://www.bfa.gv.at/files/broschueren/KURDS\\_Monographie\\_2015\\_11.pdf](http://www.bfa.gv.at/files/broschueren/KURDS_Monographie_2015_11.pdf). Date accessed: 20 March 2017

<sup>17</sup> Austrian Federal Ministry of the Interior, 'The Kurds: History, Religion, Language, Politics', 2015, pp. 38-39, [http://www.bfa.gv.at/files/broschueren/KURDS\\_Monographie\\_2015\\_11.pdf](http://www.bfa.gv.at/files/broschueren/KURDS_Monographie_2015_11.pdf). Date accessed: 20 March 2017

<sup>18</sup> BBC News, 'Iraqi Kurdistan profile', 5 February 2016, <http://www.bbc.co.uk/news/world-middle-east-28147263>. Date accessed: 14 December 2016



19

- 6.1.3 The capital city of the KRI is Erbil (also known as Hewler).
- 6.1.4 A report of a fact-finding mission to the KRI in October 2015 by the Danish Immigration Service (DIS) and the Danish Refugee Council ('the Danish report') noted that the population of the KRI was approximately 5 million and that recent waves of displaced people had increased the population by 20 per cent.<sup>20</sup> The KRG, in an undated page on their website, put the population of the region at 5.2 million. As well as Kurds, inhabitants include Arabs, Armenians, Assyrians, Chaldeans and Turkmen.<sup>21</sup> The Foundation Institut Kurde de Paris, in January 2017, noted that the KRI comprised 5.4 million Kurds, 100,000 Christians, 500,000 Turkmen and 1.8 million refugees and displaced persons.<sup>22</sup>
- 6.1.5 A referendum to determine the political status of the KRI will be held in September 2017.<sup>23 24 25</sup> The vote will not only take place in the KRI but also in

<sup>19</sup> BBC News, 'Iraqi Kurdistan profile', 5 February 2016, <http://www.bbc.co.uk/news/world-middle-east-28147263>. Date accessed: 20 December 2016

<sup>20</sup> Danish Refugee Council (DRC) and Danish Immigration Service (DIS), 'The Kurdistan Region of Iraq (KRI) – Access, Possibility of Protection, Security and Humanitarian Situation – Report from fact finding mission to Erbil, the Kurdistan Region of Iraq (KRI) and Beirut, Lebanon, 26 September to 6 October 2015', April 2016, p. 10, <https://www.nyidanmark.dk/NR/ronlyres/4B4E8C12-84B7-4ACB-8553-5E0218C5689A/0/FactfindingreportKurdistanRegionofIraq11042016.pdf>. Date accessed: 22 March 2017

<sup>21</sup> Kurdistan Regional Government (KRG), 'The people of the Kurdistan Region', undated, <http://www.gov.krd/p/p.aspx?l=12&p=214>. Date accessed: 22 March 2017

<sup>22</sup> Foundation Institut Kurde de Paris, 'The Kurdish population', 12 January 2017, <http://www.institutkurde.org/en/info/the-kurdish-population-1232551004>. Date accessed: 28 June 2017

<sup>23</sup> Al-Monitor, 'Kurdish independence in Iraq will take more than a referendum', 13 June 2017, <http://www.al-monitor.com/pulse/originals/2017/06/turkey-iraqi-kurdistan-independence-referendum.html>. Date accessed: 27 June 2017



the areas in the 'disputed' regions now under de facto Kurdish control following liberation from Daesh.<sup>26</sup> See: ['Disputed' territories](#)

[Back to Contents](#)

## 7. Kurdistan Regional Government (KRG)

### 7.1 Kurdish National Assembly

7.1.1 Freedom House, in their 2016 report on Iraq (covering events in 2015), noted that the 'KRG's 111-seat parliament, the Kurdish National Assembly, is elected through closed party-list proportional representation in which the three provinces form one district'.<sup>27</sup>

7.1.2 In the 2013 assembly election, the top three parties were as follows:

Party	Seats
Kurdistan Democratic Party (KDP)	38
Gorran (Change)	24
Patriotic Union of Kurdistan (PUK)	18

<sup>28</sup>

See: [Kurdish parties](#)

7.1.3 The US State Department (USSD), in their 2016 human rights report, stated: 'The Iraqi Kurdistan Region Parliament (IKP) had not convened since October 2015...Negotiations among IKR political parties to reactivate parliament continued sporadically throughout the year.'<sup>29</sup> See: [October 2015 protests](#)

[Back to Contents](#)

---

<sup>24</sup> Reuters, 'Turkey must respect Iraqi Kurds' referendum move: Barzani adviser', 21 June 2017, <http://www.reuters.com/article/us-mideast-crisis-iraq-turkey-idUSKBN19C2CE>. Date accessed: 27 June 2017

<sup>25</sup> The Washington Post, 'The Kurdish region of Iraq is going to vote on independence. Here's what you need to know', 21 June 2017, [https://www.washingtonpost.com/news/monkey-cage/wp/2017/06/21/what-you-need-to-know-about-the-kurdish-referendum-on-independence/?utm\\_term=.a3672216b586](https://www.washingtonpost.com/news/monkey-cage/wp/2017/06/21/what-you-need-to-know-about-the-kurdish-referendum-on-independence/?utm_term=.a3672216b586). Date accessed: 27 June 2017

<sup>26</sup> The Washington Post, 'The Kurdish region of Iraq is going to vote on independence. Here's what you need to know', 21 June 2017, [https://www.washingtonpost.com/news/monkey-cage/wp/2017/06/21/what-you-need-to-know-about-the-kurdish-referendum-on-independence/?utm\\_term=.a3672216b586](https://www.washingtonpost.com/news/monkey-cage/wp/2017/06/21/what-you-need-to-know-about-the-kurdish-referendum-on-independence/?utm_term=.a3672216b586). Date accessed: 27 June 2017

<sup>27</sup> Freedom House, Freedom in the World 2016 – Iraq, January 2016, <https://freedomhouse.org/report/freedom-world/2016/iraq>. Date accessed: 22 March 2017

<sup>28</sup> Freedom House, Freedom in the World 2016 – Iraq, January 2016, <https://freedomhouse.org/report/freedom-world/2016/iraq>. Date accessed: 22 March 2017

<sup>29</sup> US State Department (USSD), Country Reports on Human Rights Practices for 2016 – Iraq, Section 3. Freedom to Participate in the Political Process, March 2017, <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>. Date accessed: 23 March 2017

## 7.2 Kurdish Presidency

7.2.1 Freedom House observed: 'The KRG also elects its own president, typically every four years. The powerful Kurdish president controls several key institutions without parliamentary oversight'.<sup>30</sup>

7.2.2 The current President of the KRI is Masoud Barzani of the Kurdish Democratic Party (KDP). See: [Dispute over the Barzani Presidency](#)

[Back to Contents](#)

## 7.3 Kurdish participation in national politics

7.3.1 Freedom House noted: 'Kurdish voters also participate in national parliamentary elections and elect members of their own provincial councils.'<sup>31</sup>

7.3.2 The Austrian report noted:

'The Kurds in Iraq play an important role in the political process in Iraq. With Fuad Masum Iraq has a Kurdish president and with Hoshjar Sebari a Kurdish Foreign Minister. The Kurdish parties therefore actively participate in the political scene and in the main institutions of the country...Only issues concerning the Iraqi state, national foreign policy, national defense, or the nation's membership in international organizations are in the competence of the executive authorities of the central government. The extent of this competence is a recurring point of contention between the KRG in Erbil and the central government in Baghdad - especially concerning the handling of Kurdistan's oil industry.'<sup>32</sup>

[Back to Contents](#)

## 7.4 'Disputed' territories

7.4.1 Parts of Iraq outside the KRI have populations of Kurds, including Kirkuk (aka Ta'mim) governorate, and parts of Ninewah, Salah al-Din and Diyala governorates. Some of these areas are 'disputed' between the Kurdistan authorities and the federal government in Baghdad. The Austrian report stated:

'The population in these areas was predominantly Kurdish, but during the rule of Saddam Hussein, approximately 100,000 Kurds were displaced by force and Arabs were settled. After Hussein's fall in 2003 the Kurds occupied a significant part of these territories...

'Since 2014 the Kurds have used the presence of the IS [Islamic State – Daesh] to secure most of the positions originally held by the Iraqi Army - in particular the oil-rich Kirkuk. The "land-grab" of the Kurds leads to increasing tensions between the Kurds on the one side and the Shia dominated Iraqi

---

<sup>30</sup> Freedom House, Freedom in the World 2016 – Iraq, January 2016, <https://freedomhouse.org/report/freedom-world/2016/iraq>. Date accessed: 22 March 2017

<sup>31</sup> Freedom House, Freedom in the World 2016 – Iraq, <https://freedomhouse.org/report/freedom-world/2016/iraq>. Date accessed: 22 March 2017

<sup>32</sup> Austrian Federal Ministry of the Interior, 'The Kurds: History, Religion, Language, Politics', 2015, p. 153, [http://www.bfa.gv.at/files/broschueren/KURDS\\_Monographie\\_2015\\_11.pdf](http://www.bfa.gv.at/files/broschueren/KURDS_Monographie_2015_11.pdf). Date accessed: 22 March 2017

government, the Shiite militias and Iran on the other side. These tensions are reflecting on the inner-Kurdish strife between KDP [Kurdistan Democratic Party] and PUK [Patriotic Union of Kurdistan], as the Shia/Iran-leaning PUK wants Kirkuk to be more independent from Western-leaning KDP-controlled Erbil. According to the new Iraqi constitution from 2005 the status of the territories could be changed by a referendum which would have to be held by the central government. If the majority of the population would vote in favor of it, the disputed areas could join the Autonomous Region of Kurdistan. However, the central government has prevented such a referendum since 2007.<sup>33</sup>

7.4.2 The UN High Commissioner for Refugees (UNHCR) observed different 'graduations' of disputed territories in Iraq, which are those:

- a. under the administrative control of the KRG;
- b. under the security (and sometimes administrative) control of the KRG after 2014/15;
- c. either partially under the control of the KRG or otherwise still under the control of the Government of Iraq (GOI)<sup>34</sup>

7.4.3 An article from Rudaw News, dated 1 August 2012, commented on Kirkuk: 'Kirkuk is unique to the rest of Iraq because it is an ethnically integrated city. However, because it is also the center of Iraq's petroleum industry, the three major ethnic groups – Arabs, Kurds and Turkmen – claim the region as their own...The city has witnessed consecutive occupations and violence throughout its history but, despite the efforts to systematically Arabize the city by former Iraqi regimes, Kurds have always made up the bulk of the city's population.'<sup>35</sup>

7.4.4 The Danish report stated however:

'Different definitions of 'disputed areas' are, however, used by different stakeholders in the area, and according to Human Rights Watch it is unclear exactly which areas the terminology refers to. In line with this, UNHCR said that Kirkuk is perceived to be part of KRI by Kurdish authorities, but the governor of Kirkuk still reports to Baghdad. Correspondingly, Visiting Scholar Renad Mansour said that the Peshmerga has stated that they protect the minorities in Kirkuk which is to say that they control the area. The same

---

<sup>33</sup> Austrian Federal Ministry of the Interior, 'The Kurds: History, Religion, Language, Politics', 2015, pp. 154-55, [http://www.bfa.gv.at/files/broschueren/KURDS\\_Monographie\\_2015\\_11.pdf](http://www.bfa.gv.at/files/broschueren/KURDS_Monographie_2015_11.pdf). Date accessed: 22 March 2017

<sup>34</sup> Danish Refugee Council (DRC) and Danish Immigration Service (DIS), 'The Kurdistan Region of Iraq (KRI) – Access, Possibility of Protection, Security and Humanitarian Situation – Report from fact finding mission to Erbil, the Kurdistan Region of Iraq (KRI) and Beirut, Lebanon, 26 September to 6 October 2015', April 2016, p. 12, <https://www.nyidanmark.dk/NR/rdonlyres/4B4E8C12-84B7-4ACB-8553-5E0218C5689A/0/FactfindingreportKurdistanRegionofIraq11042016.pdf>. Date accessed: 22 March 2017

<sup>35</sup> Rudaw, 'Iraqi Turkmen: Turmoil Continues in Kirkuk', 1 August 2012, <http://unpo.org/article/14648>. Date accessed: 22 March 2017



source added that the Kurdish authorities have an ambition to govern the disputed areas and the people living in them.<sup>36</sup>

- 7.4.5 For the latest areas within Iraq that are under Kurdish control, see the [Institute for the Study of War \(ISW\)'s latest control of terrain maps](#).

[Back to Contents](#)

## 8. Kurdish parties

### 8.1 Kurdistan Democratic Party (KDP)

8.1.1 The KDP is 'pro-Western' and are allies of the US-led coalition and Turkey.<sup>37</sup>

8.1.2 The KDP governs the governorates of Erbil and Dohuk.<sup>38</sup>

8.1.3 The KDP is led by (KRI President) Masoud Barzani who governs the party along with his family.<sup>39</sup>

8.1.4 For more information, see the [KDP's website](#).

[Back to Contents](#)

### 8.2 Patriotic Union of Kurdistan (PUK)

8.2.1 The PUK was formed in Lebanon in 1975 by the intellectual, leftish and urban wing of the KDP. The PUK is 'Iran-leaning' and are allies of the (Turkish) Kurdistan Workers' Party (PKK), the (Syrian) Democratic Union Party (PYD) and the central government in Baghdad.<sup>40</sup>

8.2.2 The PUK governs in Sulaymaniyah governorate.<sup>41</sup>

---

<sup>36</sup> Danish Refugee Council (DRC) and The Danish Immigration Service (DIS), 'The Kurdistan Region of Iraq (KRI) – Access, Possibility of Protection, Security and Humanitarian Situation – Report from fact finding mission to Erbil, the Kurdistan Region of Iraq (KRI) and Beirut, Lebanon, 26 September to 6 October 2015', April 2016, p. 12, <https://www.nyidanmark.dk/NR/rdonlyres/4B4E8C12-84B7-4ACB-8553-5E0218C5689A/0/FactfindingreportKurdistanRegionofIraq11042016.pdf>. Date accessed: 22 March 2017

<sup>37</sup> Austrian Federal Ministry of the Interior, 'The Kurds: History, Religion, Language, Politics', 2015, pp.144, 151, [http://www.bfa.gv.at/files/broschueren/KURDS\\_Monographie\\_2015\\_11.pdf](http://www.bfa.gv.at/files/broschueren/KURDS_Monographie_2015_11.pdf). Date accessed: 22 March 2017

<sup>38</sup> Danish Refugee Council (DRC) and Danish Immigration Service (DIS), 'The Kurdistan Region of Iraq (KRI) – Access, Possibility of Protection, Security and Humanitarian Situation – Report from fact finding mission to Erbil, the Kurdistan Region of Iraq (KRI) and Beirut, Lebanon, 26 September to 6 October 2015', April 2016, pp. 12-13, <https://www.nyidanmark.dk/NR/rdonlyres/4B4E8C12-84B7-4ACB-8553-5E0218C5689A/0/FactfindingreportKurdistanRegionofIraq11042016.pdf>. Date accessed: 13 December 2016

<sup>39</sup> Danish Refugee Council (DRC) and Danish Immigration Service (DIS), 'The Kurdistan Region of Iraq (KRI) – Access, Possibility of Protection, Security and Humanitarian Situation – Report from fact finding mission to Erbil, the Kurdistan Region of Iraq (KRI) and Beirut, Lebanon, 26 September to 6 October 2015', April 2016, pp. 12-13, <https://www.nyidanmark.dk/NR/rdonlyres/4B4E8C12-84B7-4ACB-8553-5E0218C5689A/0/FactfindingreportKurdistanRegionofIraq11042016.pdf>. Date accessed: 13 December 2016

<sup>40</sup> Austrian Federal Ministry of the Interior, 'The Kurds: History, Religion, Language, Politics', 2015, pp.141, 144, 151, [http://www.bfa.gv.at/files/broschueren/KURDS\\_Monographie\\_2015\\_11.pdf](http://www.bfa.gv.at/files/broschueren/KURDS_Monographie_2015_11.pdf). Date accessed: 22 March 2017

<sup>41</sup> Danish Refugee Council (DRC) and Danish Immigration Service (DIS), 'The Kurdistan Region of Iraq (KRI) – Access, Possibility of Protection, Security and Humanitarian Situation – Report from fact finding mission to Erbil, the Kurdistan Region of Iraq (KRI) and Beirut, Lebanon, 26 September to 6

8.2.3 The PUK is led by former President of Iraq Jalal Talabani, who governs along with his family.<sup>42</sup>

8.2.4 For more information, see the [PUK's website](#).

[Back to Contents](#)

### 8.3 Relationship between KDP and PUK

8.3.1 The Austrian report, citing various sources, noted:

'KDP and PUK reached a "strategic agreement" that reaffirmed the 50:50 arrangement regarding governance and resource allocation and stipulated that the administrations and the military agencies should be unified. Furthermore they both signed a unification code in 2006 which brought an official end to the armed conflicts between them. Since then KDP and PUK maintained an extensive cooperation and shared government posts leading to a more or less functioning regional government...

'The emergence of the extremist Islamist organization Islamic State (IS) [Daesh] did little to strengthen the cohesion between the parties. Instead, the Kurdish politics became more partisan again, and – because of Gorran's lack of military resources and ability to get involved into war actions – it also fell back to the dual party system of KDP and PUK, both of them again seeking their fortune in opposing alliance policies, as it had happened so often before in the history of the two parties.'<sup>43</sup>

8.3.2 The report also noted that the 'divide between the Barzani [KDP] camp and the Talabani [PUK] camp was also based on historical, cultural, linguistic and ideological differences and did not allow any cross-party loyalties'.<sup>44</sup>

8.3.3 An article in The Washington Institute, dated August 2016, commented:

'Kurdish politics has been fraught with internal armed fighting. The PUK emerged as a reaction to certain KDP policies and practices. In 1964, the nucleus for the PUK took form when Jalal Talabani and his future father-in-law, Ibrahim Ahmed, parted ways with KDP's Mustafa Barzani, father of the current leader Masoud Barzani. They objected to senior Barzani's monopolization of power within the party's ranks. Talabani returned to the KDP in early 1970s, only to leave again when the Barzani-led Kurdish revolt

---

October 2015', April 2016, pp. 12-13, <https://www.nyidanmark.dk/NR/ronlyres/4B4E8C12-84B7-4ACB-8553-5E0218C5689A/0/FactfindingreportKurdistanRegionofIraq11042016.pdf>. Date accessed: 13 December 2016

<sup>42</sup> Danish Refugee Council (DRC) and Danish Immigration Service (DIS), 'The Kurdistan Region of Iraq (KRI) – Access, Possibility of Protection, Security and Humanitarian Situation – Report from fact finding mission to Erbil, the Kurdistan Region of Iraq (KRI) and Beirut, Lebanon, 26 September to 6 October 2015', April 2016, pp. 12-13, <https://www.nyidanmark.dk/NR/ronlyres/4B4E8C12-84B7-4ACB-8553-5E0218C5689A/0/FactfindingreportKurdistanRegionofIraq11042016.pdf>. Date accessed: 13 December 2016

<sup>43</sup> Austrian Federal Ministry of the Interior, 'The Kurds: History, Religion, Language, Politics', 2015, pp.145, 148-49, [http://www.bfa.gv.at/files/broschueren/KURDS\\_Monographie\\_2015\\_11.pdf](http://www.bfa.gv.at/files/broschueren/KURDS_Monographie_2015_11.pdf). Date accessed: 22 March 2017

<sup>44</sup> Austrian Federal Ministry of the Interior, 'The Kurds: History, Religion, Language, Politics', 2015, p. 144, [http://www.bfa.gv.at/files/broschueren/KURDS\\_Monographie\\_2015\\_11.pdf](http://www.bfa.gv.at/files/broschueren/KURDS_Monographie_2015_11.pdf). Date accessed: 22 March 2017

against the Iraqi government collapsed in 1975. That same year, Talabani established the PUK with a group of other young leaders trying to set a new path in Iraqi Kurdish politics. Despite periods of cooperation, the relationship between the PUK and the KDP has been largely characterized by deep mistrust and armed clashes since the very beginning.

‘When a civil war broke out between the KDP and PUK in 1994, Iraqi Kurdistan’s territory was split into two zones, with the northern part dominated by the KDP and the southern part by the PUK. Following a Washington-mediated peace process in 1998, the two parties started to gradually mend fences. They joined the U.S.-led coalition against Saddam Hussein in 2003 and managed to largely transcend partisan politics for almost a decade. During that period the parties shared power in both Kurdistan and Baghdad, later formalized through a strategic agreement in 2007 resulting in a period of unprecedented Kurdish stability and economic development.

‘But this carefully-crafted equilibrium was shaken when Gorran split from the PUK in 2009, taking away as much as half of the party’s votes. A number of other events, including disagreements over how to deal with Baghdad and the repercussions of the Syrian crisis, drove the KDP and PUK further apart. When the PUK came third in 2013 Kurdish parliamentary elections, the KDP no longer treated the PUK as an ally and instead chose Gorran as its main partner for the new Kurdish administration.’<sup>45</sup>

[Back to Contents](#)

## 8.4 Gorran

8.4.1 The Gorran Party/movement broke away from the PUK in 2009.<sup>46</sup>

8.4.2 The Austrian report noted:

‘In the elections for the parliament of Iraqi-Kurdistan in July 2009 it became evident that KDP and PUK, who were dividing power among themselves in a quasi-authoritarian manner, were facing serious contenders. Two lists - the Gorran List and the Services and Reform List - represented a new political opposition. Both were running an anti-corruption campaign and were profiting from growing popular frustration over KDPs and PUKs nepotism.... Gorran (“change”)...also referred to as Change Movement...would challenge KDP and PUK even more in the future. KDP und PUK won about 57 percent of the seats while Gorran won approximately 24 percent. Starting out as a reform faction within the PUK, Gorran - led by Nawshirwan Mustafa - had splintered off in frustration and was now running its own list.’<sup>47</sup>

---

<sup>45</sup> The Washington Institute, ‘The New Politics of Iraqi Kurdistan’, 16 August 2016, <http://www.washingtoninstitute.org/policy-analysis/view/the-new-politics-of-iraqi-kurdistan>. Date accessed: 27 June 2017

<sup>46</sup> Jamestown Foundation, ‘Political Turmoil in KRG Risks Hindering Kurdish Efforts Against Islamic State’, Terrorism Monitor Volume: 14 Issues, 17, 19 August 2016, <https://jamestown.org/program/political-turmoil-in-krk-risks-hindering-kurdish-efforts-against-islamic-state/>. Date accessed: 29 November 2016

<sup>47</sup> Austrian Federal Ministry of the Interior, ‘The Kurds: History, Religion, Language, Politics’, 2015,

#### 8.4.3 The report also stated:

‘The success of Gorran lies in the new type of politics it seems to offer. Rather than relying on the keywords “liberation” and “historic experience” - which were the traditional topics of the leading parties - Gorran spoke of reform and criticized corruption and party interference of the established dual political system harshly. In contrast to the two leading parties, Gorran does not own large corporations. Its power stems mainly from public support and most of the Gorran voters are younger people from the middle or lower class who see the need for far-reaching reforms in the KRG institutions. Many activists, journalists and writers joined the new party, giving Gorran an intellectual background.’<sup>48</sup>

[Back to Contents](#)

### 8.5 Relationship between Gorran and KDP/PUK

#### 8.5.1 The Austrian report commented:

‘Although the new party [Gorran] struggled to make serious electoral inroads into KDP territory which has always been more tribal and traditional, it soon managed to become a serious contender to the more urban and progressive PUK. Additionally, PUK’s ageing leader Talabani had been treated for health problems which negatively affected his political standing. Particularly after 2012, when Talabani suffered a stroke, his party lacked a strong leader and struggled to recover. In the September 2013 elections for the Iraqi-Kurdistan parliament Gorran came in second, pushing the PUK to the third place. KDP took 38 seats in the 111 seat parliament; Gorran won 24 seats, leaving PUK with only 19 seats. This result was a huge success for Gorran and a political disaster for the PUK. So the two ruling parties were no longer able to divide the posts between themselves as they did in the past...’<sup>49</sup>

#### 8.5.2 The report also commented:

‘...the KDP did not regard Gorran as its new strategic partner, especially because Gorran did not have any military or security forces of its own whereas PUK still had its own forces, even if their strength was decreasing. Furthermore, Gorran’s share of the KRG’s power was largely limited to the level of ministries and did not reach the depth of the KRG’s administration. Therefore, Gorran failed to impose operational control over the region’s political institutions which were widely staffed with personnel still being loyal to the two older established parties.’<sup>50</sup>

---

pp. 146-47, [http://www.bfa.gv.at/files/broschueren/KURDS\\_Monographie\\_2015\\_11.pdf](http://www.bfa.gv.at/files/broschueren/KURDS_Monographie_2015_11.pdf). Date accessed 22 August 2016

<sup>48</sup> Austrian Federal Ministry of the Interior, *The Kurds: History, Religion, Language, Politics*, 2015, pp. 146-48, 152, [http://www.bfa.gv.at/files/broschueren/KURDS\\_Monographie\\_2015\\_11.pdf](http://www.bfa.gv.at/files/broschueren/KURDS_Monographie_2015_11.pdf). Date accessed: 4 May 2016

<sup>49</sup> Austrian Federal Ministry of the Interior, *The Kurds: History, Religion, Language, Politics*, 2015, pp. 146-48, 152, [http://www.bfa.gv.at/files/broschueren/KURDS\\_Monographie\\_2015\\_11.pdf](http://www.bfa.gv.at/files/broschueren/KURDS_Monographie_2015_11.pdf). Date accessed 22 March 2017

<sup>50</sup> Austrian Federal Ministry of the Interior, ‘*The Kurds: History, Religion, Language, Politics*’, 2015, p. 148, [http://www.bfa.gv.at/files/broschueren/KURDS\\_Monographie\\_2015\\_11.pdf](http://www.bfa.gv.at/files/broschueren/KURDS_Monographie_2015_11.pdf). Date accessed: 22

See: [October 2015 protests](#)

- 8.5.3 The Jamestown Foundation noted that there was a ‘period of tension’ between the KDP and Gorran in 2015 and that ‘the KDP has resorted to repression in the past’. It noted that ‘Gorran is particularly susceptible to the threat of force since, unlike the other two parties, it does not maintain its own Peshmerga’.<sup>51</sup>
- 8.5.4 Sources noted the agreement reached in May 2016 between Gorran and the PUK in opposing Barzani and the KDP. The agreement, ‘which consists of 25 articles, emphasizes the importance of liberal democratic values and strongly criticizes the lack of such values in the KRG’.<sup>52</sup>
- 8.5.5 The Jamestown Foundation noted:  
‘These moves appear to have brought the PUK and Gorran closer together. It had been thought that the PUK could soften its stance towards Barzani in the hope of eliminating Gorran, and regain its position as the main political partner of the KDP. The PUK-Gorran deal in May [2016], then, came as a surprise to many but indicates the two parties believe that united they may be able to remove Barzani from office and share power between themselves’.<sup>53</sup>
- 8.5.6 The UN Security Council noted, in July 2016, that the agreement ‘end[ed]...the split between the organizations’. It continued: ‘Although the agreement does not stipulate a merger of the two parties, it provides for them contesting elections at the national, regional and governorate levels as a single list. Both parties also affirmed their preference for a parliamentary system of government in the Kurdistan Region of Iraq, with the President of the Region elected by the Regional Parliament’.<sup>54</sup>
- 8.5.7 The source continued:  
‘On 18 May [2016], the Kurdistan Democratic Party issued a statement noting that the agreement would worsen the political situation in Kurdistan. It also criticized the Patriotic Union of Kurdistan for entering into the agreement without prior notification to the Kurdistan Democratic Party, given an earlier strategic agreement between the two parties. Political dialogue to address

---

March 2017

<sup>51</sup> Jamestown Foundation, ‘Political Turmoil in KRG Risks Hindering Kurdish Efforts Against Islamic State’, Terrorism Monitor Volume: 14 Issues, 17, 19 August 2016, <https://jamestown.org/program/political-turmoil-in-kr-g-risks-hindering-kurdish-efforts-against-islamic-state/>. Date accessed: 29 November 2016

<sup>52</sup> Jamestown Foundation, ‘Political Turmoil in KRG Risks Hindering Kurdish Efforts Against Islamic State’, Terrorism Monitor Volume: 14 Issues, 17, 19 August 2016, <https://jamestown.org/program/political-turmoil-in-kr-g-risks-hindering-kurdish-efforts-against-islamic-state/>. Date accessed: 29 November 2016

<sup>53</sup> Jamestown Foundation, ‘Political Turmoil in KRG Risks Hindering Kurdish Efforts Against Islamic State’, Terrorism Monitor Volume: 14 Issues, 17, 19 August 2016, <https://jamestown.org/program/political-turmoil-in-kr-g-risks-hindering-kurdish-efforts-against-islamic-state/>. Date accessed: 29 November 2016

<sup>54</sup> United Nations Security Council, Fourth report of the Secretary-General pursuant to paragraph 7 of resolution 2233 (2015), 5 July 2016, para 14, <http://www.un.org/en/sc/documents/sgreports/2016.shtml>. Date accessed 29 November 2016



the outstanding differences between the Kurdistan Democratic Party and the Patriotic Union of Kurdistan continued.<sup>55</sup>

[Back to Contents](#)

## 8.6 Peshmerga

8.6.1 The Peshmerga are the armed units of the KDP and PUK, originally formed to resist the central government in Baghdad.<sup>56</sup>

8.6.2 The Austrian report commented:

‘In 2009 the KDP and the PUK created the Ministry of Peshmerga Affairs whose aim was to centralize administrative tasks and establish joint KDP-PUK brigades commanded by officers graduated from a military academy. However, the new ministry was not able to fulfill its tasks against the partisan politicians due to the lack of political support. Thus when the Iraqi-Kurdish region was confronted with the emergence of IS, the Peshmerga forces were not a unified army at all.’<sup>57</sup>

8.6.3 The USSD 2016 report noted:

‘Under the federal constitution, the Kurdistan Regional Government has the right to maintain regional guard brigades, supported financially by the central government but under the regional government’s control. Accordingly, the KRG established a Ministry of Peshmerga Affairs. There are 14 infantry brigades and two support brigades under the authority of the Ministry of Peshmerga Affairs, but the PUK and KDP controlled tens of thousands of additional military personnel.’<sup>58</sup>

8.6.4 The Danish report stated that:

‘...various sources said that the Kurdistan Regional Government...Peshmerga forces are divided between the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK). According to a scholar specialized in Kurdish issues, the Kurdish Ministry of Interior has stated that there is an ambition of unification of forces and implementation of conscription to the joint forces based on professionalism rather than party affiliation. The scholar specialized in Kurdish issues, however, said that despite promises from both the Patriotic Union of

---

<sup>55</sup> United Nations Security Council, Fourth report of the Secretary-General pursuant to paragraph 7 of resolution 2233 (2015), 5 July 2016, para 14, <http://www.un.org/en/sc/documents/sgreports/2016.shtml>. Date accessed: 29 November 2016

<sup>56</sup> Austrian Federal Ministry of the Interior, ‘The Kurds: History, Religion, Language, Politics’, 2015, pp. 149, [http://www.bfa.gv.at/files/broschueren/KURDS\\_Monographie\\_2015\\_11.pdf](http://www.bfa.gv.at/files/broschueren/KURDS_Monographie_2015_11.pdf). Date accessed: 22 August 2016

<sup>57</sup> Austrian Federal Ministry of the Interior, ‘The Kurds: History, Religion, Language, Politics’, 2015, pp. 149, [http://www.bfa.gv.at/files/broschueren/KURDS\\_Monographie\\_2015\\_11.pdf](http://www.bfa.gv.at/files/broschueren/KURDS_Monographie_2015_11.pdf). Date accessed: 22 August 2016

<sup>58</sup> US State Department (USSD), Country Reports on Human Rights Practices for 2016 – Iraq, March 2017, Section 1. Respect for the Integrity of the Person, <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>. Date accessed: 27 June 2017

Kurdistan (PUK) and the Kurdistan Democratic Party (KDP) to institutionalize the forces, it has not happened yet.<sup>59</sup>

[Back to Contents](#)

## 8.7 Security and intelligence agencies

8.7.1 The Danish report stated that ‘various sources said that the Kurdistan Regional Government (KRG) security sector [and] the intelligence services...are divided between the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK).’<sup>60</sup>

8.7.2 The USSD 2016 report noted:

‘The two main Kurdish political parties, the KDP and PUK, had their own security apparatuses...

‘The KDP had its own internal security unit, the Asayish, and its own intelligence service, the Parastin. The PUK also maintained its own internal security unit, known also as the Asayish, and its own intelligence service, the Zanyari. While the PUK and KDP took some nominal steps to unify their internal and external security organizations, they remained separate, since political party leaders effectively controlled these organizations through party channels.’<sup>61</sup>

[Back to Contents](#)

## 9. October 2015 protests

### 9.1 Dispute over the Barzani Presidency

9.1.1 Freedom House observed that in June 2013, after serving eight years in the presidency, Masoud Barzani and his party, the KDP, made an agreement with the PUK to extend his term for two years. The extension expired in August 2015. However, ‘with no successor in place due to delays in election preparations, the main Kurdish parties were unable to agree on how or whether to remove Barzani from office...Barzani and the KDP were

---

<sup>59</sup> Danish Refugee Council (DRC) and Danish Immigration Service (DIS), ‘The Kurdistan Region of Iraq (KRI) – Access, Possibility of Protection, Security and Humanitarian Situation – Report from fact finding mission to Erbil, the Kurdistan Region of Iraq (KRI) and Beirut, Lebanon, 26 September to 6 October 2015’, April 2016, pp. 12-13, <https://www.nyidanmark.dk/NR/rdonlyres/4B4E8C12-84B7-4ACB-8553-5E0218C5689A/0/FactfindingreportKurdistanRegionofIraq11042016.pdf>. Date accessed: 13 December 2016

<sup>60</sup> Danish Refugee Council (DRC) and Danish Immigration Service (DIS), ‘The Kurdistan Region of Iraq (KRI) – Access, Possibility of Protection, Security and Humanitarian Situation – Report from fact finding mission to Erbil, the Kurdistan Region of Iraq (KRI) and Beirut, Lebanon, 26 September to 6 October 2015’, April 2016, pp. 12-13, <https://www.nyidanmark.dk/NR/rdonlyres/4B4E8C12-84B7-4ACB-8553-5E0218C5689A/0/FactfindingreportKurdistanRegionofIraq11042016.pdf>. Date accessed: 13 December 2016

<sup>61</sup> US State Department (USSD), Country Reports on Human Rights Practices for 2016 – Iraq, Section 1. Respect for the Integrity of the Person, <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>. Date accessed: 23 March 2017

governing without support from Gorran and the PUK at year's end, and the parliament was effectively suspended....'<sup>62</sup>

9.1.2 The Jamestown Foundation noted:

'Masoud Barzani...has been president of the KRG since 2005. His second term ended in 2013, but his rule was extended for a further two years by parliament. Under this legal amendment he should have stepped down on August 19, 2015. Instead he has ruled without a mandate for nearly a year. From the outset, there was disagreement over the move to extend Barzani's presidential term. Both the PUK and Gorran demanded Barzani's powers be reduced in favor of parliament. The KDP, on the other hand, wanted to call a presidential election, which they expected would see Barzani granted another term. The political debate spilled over into violence.'<sup>63</sup>

9.1.3 International Business Times, in an article dated October 2015, observed: 'The political parties have been deadlocked since 20 August [2015] when President Massoud Barzani's term expired. Barzani...has held office since 2005. The law limits the president's term to two terms but Barzani's was extended by two years in 2013. The KDP seeks a further extension of his term, which is opposed by Gorran and KDP rival PUK.'<sup>64</sup>

9.1.4 Amnesty International, in their annual report on Iraq for 2015/16, commented: 'Political tensions rose...amid efforts by the Kurdistan Democratic Party (KDP) to extend KDP leader Massoud Barzani's term of office as President of the Kurdistan Regional Government (KRG); a move that other political parties opposed.'<sup>65</sup>

9.1.5 The Danish report noted: 'Two sources referred to longstanding disagreements over the power of the Kurdistan Regional Government (KRG) presidency between the two mentioned political parties [KDP and PUK] which, among others, has resulted in protests by civilians that has been forcibly suppressed by the authorities.'<sup>66</sup> See: [Nature of the protests](#)

[Back to Contents](#)

---

<sup>62</sup> Freedom House, Freedom in the World 2016 – Iraq, <https://freedomhouse.org/report/freedom-world/2016/iraq>. Date accessed: 7 December 2016

<sup>63</sup> Jamestown Foundation, 'Political Turmoil in KRG Risks Hindering Kurdish Efforts Against Islamic State', Terrorism Monitor Volume: 14 Issues, 17, 19 August 2016, <https://jamestown.org/program/political-turmoil-in-krq-risks-hindering-kurdish-efforts-against-islamic-state/>. Date accessed: 29 November 2016

<sup>64</sup> International Business Times, 'Kurds rail against government corruption as protests turn violent in Iraqi Kurdistan', 16 October 2015, <http://www.ibtimes.co.uk/kurds-rail-against-government-corruption-protests-turn-violent-iraqi-kurdistan-1523915>. Date accessed: 23 March 2017

<sup>65</sup> Amnesty International, Annual Report, Iraq 2015/16, <https://www.amnesty.org/en/countries/middle-east-and-north-africa/iraq/report-iraq/>. Date accessed: 23 March 2017

<sup>66</sup> Danish Refugee Council (DRC) and Danish Immigration Service (DIS), 'The Kurdistan Region of Iraq (KRI) – Access, Possibility of Protection, Security and Humanitarian Situation – Report from fact finding mission to Erbil, the Kurdistan Region of Iraq (KRI) and Beirut, Lebanon, 26 September to 6 October 2015', April 2016, p. 13, <https://www.nyidanmark.dk/NR/ronlyres/4B4E8C12-84B7-4ACB-8553-5E0218C5689A/0/FactfindingreportKurdistanRegionofIraq11042016.pdf>. Date accessed: 23 March 2017



## 9.2 Cuts and delays in civil service pay

### 9.2.1 A report by the UN Security dated January 2016 described:

'In mid-October [2015], the Prime Minister [Nechervan Barzani, nephew of Masoud] initiated measures to reduce the salaries of civil servants in four ministries (Public Health, Higher Education, Oil and Electricity). Given the subsequent adverse political reaction and protests by civil servants, the Prime Minister instituted a governmental committee to review the measures. The 2016 federal budget included a provision for a cut of 3 per cent across the board in the salaries and allowances of all government officials and pensioners...'<sup>67</sup>

### 9.2.2 The same source assessed that 'delays in the payment of civil servants' salaries [was] linked in part to the inconclusive talks between Kurdish parties on the issue of the Kurdistan Regional Presidency'.<sup>68</sup>

### 9.2.3 International Business Times, in an article dated October 2015, observed that the 'core of the protesters are civil servants demanding the government pay their salaries, many of whom are three months in arrears'.<sup>69</sup>

### 9.2.4 The Amnesty report commented that protestors 'demand[ed] payment of overdue salaries'.<sup>70</sup>

### 9.2.5 A report by Shafaq News, dated October 2015, reported that 'one of the organizers [of the protests] told Shafaq News reporter, that teachers are waving to take more severe and civilian actions if their demands were not responded and called to speed up the distribution their salaries and improve the education conditions. He said that the late payment of salaries caused a livelihood crisis for this part of the Kurdish community'.<sup>71</sup>

[Back to Contents](#)

## 9.3 Nature of the protests

### 9.3.1 The UN Security Council, in a report dated January 2016, noted: 'On 12 October [2015], protests lasting several days erupted in Sulaymaniyah.'<sup>72</sup>

---

<sup>67</sup> UN Security Council, Second report of the Secretary-General pursuant to paragraph 7 of resolution 2233 (2015), 26 January 2016, pp. 2-3, <http://www.un.org/en/sc/documents/sgreports/2016.shtml>. Date accessed: 23 March 2017

<sup>68</sup> UN Security Council, Second report of the Secretary-General pursuant to paragraph 7 of resolution 2233 (2015), 26 January 2016, pp. 2-3, <http://www.un.org/en/sc/documents/sgreports/2016.shtml>. Date accessed: 23 March 2017

<sup>69</sup> International Business Times, 'Kurds rail against government corruption as protests turn violent in Iraqi Kurdistan', 16 October 2015, <http://www.ibtimes.co.uk/kurds-rail-against-government-corruption-protests-turn-violent-iraqi-kurdistan-1523915>. Date accessed: 23 March 2017

<sup>70</sup> Amnesty International, Annual Report, Iraq 2015/16, <https://www.amnesty.org/en/countries/middle-east-and-north-africa/iraq/report-iraq/>. Date accessed: 23 March 2017

<sup>71</sup> Shafaq News, 'Teachers of Sulaymaniyah protest and stop working', 5 October 2015, <http://english.shafaq.com/security/16117-teachers-of-sulaymaniyah-protest-and-stop-working.html>. Date accessed: 23 March 2017

<sup>72</sup> UN Security Council, 'Second report of the Secretary-General pursuant to paragraph 7 of resolution 2233 (2015), 26 January 2016, p. 23, <http://www.un.org/en/sc/documents/sgreports/2016.shtml>. Date accessed: 23 March 2017

- 9.3.2 The Amnesty report commented that there were ‘hundreds’ of public sector employees who protested in Sulamaniyah and other eastern cities.<sup>73</sup>
- 9.3.3 The USSD 2015 report noted that security forces’ killing and wounding of protestors occurred in Kalar, Qaldze and ‘to a lesser extent’ in towns in Sulamaniyah.<sup>74</sup>
- 9.3.4 A report by Shafaq News, dated October 2015, reported that the protestors included teachers and that ‘demonstrators had shut down streets in Sulaymaniyah city’.<sup>75</sup>
- 9.3.5 Human Rights Watch (HRW) interviewed a resident of the town of Fort Diza, Fatah, who said that demonstrators from nearby Zarawa marched to Fort Diza and threw stones at the offices of parties, including Gorran’s. It also interviewed another resident, Ali Qadir, who said that Mayor Bakir Bayez, a Gorran member, was pelted with stones by protestors when he tried to speak with them, before they marched towards KDP offices, which they also stoned. It also noted that KNN offices were attacked in Erbil, Dohuk and Soran. ‘Eleven or so’ of its employees were threatened and detained, and released a few hours later outside the city limits. However, on 10 October, Hemin Hawarami, head of the KDP foreign affairs office, and Najat Hassan, a KDP official responsible for Fort Diza and other districts, blamed Gorran members for killing a KDP member and for shooting at KDP security guards.<sup>76</sup>
- 9.3.6 International Business Times, in an article dated October 2015, described the protests in Sulayminyah as a ‘month-long dispute over the presidency of Iraqi Kurdistan’ and that there were ‘demonstrations in cities across opposition-controlled regions [which] turned violent’.<sup>77</sup>
- 9.3.7 A Reuters article described the protests as ‘the most serious the region has seen for years’.<sup>78</sup>

---

<sup>73</sup> Amnesty International, Annual Report, Iraq 2015/16, <https://www.amnesty.org/en/countries/middle-east-and-north-africa/iraq/report-iraq/>. Date accessed: 23 March 2017

<sup>74</sup> US State Department (USSD), Country Reports on Human Rights Practices for 2015 – Iraq, 13 April 2016, Section 2. Respect for Civil Liberties, <https://www.state.gov/j/drl/rls/hrrpt/2015humanrightsreport/index.htm#wrapper>. Date accessed: 7 December 2016

<sup>75</sup> Shafaq News, ‘Teachers of Sulayminyah protest and stop working’, 5 October 2015, <http://english.shafaq.com/security/16117-teachers-of-sulaymaniyah-protest-and-stop-working.html>. Date accessed: 23 March 2017

<sup>76</sup> Human Rights Watch (HRW), ‘Iraqi Kurdistan: Ruling Party Forces Fire on Protestors’, 21 October 2015, <https://www.hrw.org/news/2015/10/21/iraqi-kurdistan-ruling-party-forces-fire-protesters>. Date accessed: 23 March 2017

<sup>77</sup> International Business Times, ‘Kurds rail against government corruption as protests turn violent in Iraqi Kurdistan’, 16 October 2015, <http://www.ibtimes.co.uk/kurds-rail-against-government-corruption-protests-turn-violent-iraqi-kurdistan-1523915>. Date accessed: 23 March 2017

<sup>78</sup> Reuters, ‘Three killed in violent unrest in Iraq’s Kurdistan region’, 10 October 2015, <http://www.reuters.com/article/us-iraq-kurds-protests-idUSKCN0S40JE20151010>. Date accessed: 23 March 2017

9.3.8 The USSD 2015 report also noted that ‘there were limited reports of violence or official interference in protests in the IKR’, although does not specifically mention the October 2015 Sulaymaniyah protests.<sup>79</sup>

[Back to Contents](#)

#### 9.4 Government response

9.4.1 The Danish report noted: ‘Two sources referred to...protests by civilians that has been forcibly suppressed by authorities.’<sup>80</sup>

9.4.2 The USSD reported that the protests ‘prompted government security forces to limit...freedom of movement in the region--limitations that continued at year’s end. For example...on October 12, security forces denied entry into Erbil to individuals and parliamentarians believed to be affiliated with the Gorran Party’.<sup>81</sup> The UN Security Council also noted that Gorran ministers had been expelled, and added: ‘The political stalemate continues over the Kurdistan Regional Presidency and related matters in the Kurdistan region of Iraq, and work at the Kurdistan Regional Government and Regional Parliament has been affected.’<sup>82</sup> The Jamestown Foundation and Human Rights Watch (HRW) noted that Gorran ministers departed the Kurdistan parliament. The Jamestown Foundation said that Gorran ministers were ‘dismissed’ by the Prime Minister, Nechirvan Barzani<sup>83</sup>; HRW noted that the Prime Minister asked the ministers to resign. On 11 October 2015, according to HRW, security forces had barred the four regional government ministers from Gorran from their offices.<sup>84</sup>

9.4.3 Various sources, including Freedom House<sup>85</sup>, the Jamestown Foundation<sup>86</sup> and sources interviewed by the Danish Refugee Council and Danish

---

<sup>79</sup> US State Department (USSD), Country Reports on Human Rights Practices for 2015 – Iraq, 13 April 2016, Section 2. Respect for Civil Liberties, <https://www.state.gov/j/drl/rls/hrrpt/2015humanrightsreport/index.htm#wrapper>. Date accessed: 23 March 2017

<sup>80</sup> Danish Refugee Council (DRC) and Danish Immigration Service (DIS), ‘The Kurdistan Region of Iraq (KRI) – Access, Possibility of Protection, Security and Humanitarian Situation – Report from fact finding mission to Erbil, the Kurdistan Region of Iraq (KRI) and Beirut, Lebanon, 26 September to 6 October 2015’, April 2016, p. 13, <https://www.nyidanmark.dk/NR/ronlyres/4B4E8C12-84B7-4ACB-8553-5E0218C5689A/0/FactfindingreportKurdistanRegionofIraq11042016.pdf>. Date accessed: 23 March 2017

<sup>81</sup> US State Department (USSD), Country Reports on Human Rights Practices for 2015 – Iraq, 13 April 2016, Section 2. Respect for Civil Liberties, <https://www.state.gov/j/drl/rls/hrrpt/2015humanrightsreport/index.htm#wrapper>. Date accessed 23 March 2017

<sup>82</sup> UN Security Council, ‘Second report of the Secretary-General pursuant to paragraph 7 of resolution 2233 (2015), 26 January 2016, p. 3, <http://www.un.org/en/sc/documents/sgreports/2016.shtml>. Date accessed: 23 March 2017

<sup>83</sup> Jamestown Foundation, ‘Political Turmoil in KRG Risks Hindering Kurdish Efforts Against Islamic State’, Terrorism Monitor Volume: 14 Issues, 17, 19 August 2016, <https://jamestown.org/program/political-turmoil-in-kr-g-risks-hindering-kurdish-efforts-against-islamic-state/>. Date accessed: 29 November 2016

<sup>84</sup> Human Rights Watch (HRW), ‘Iraqi Kurdistan: Ruling Party Forces Fire on Protestors’, 21 October 2015, <https://www.hrw.org/news/2015/10/21/iraqi-kurdistan-ruling-party-forces-fire-protesters>, accessed 7 December 2016

<sup>85</sup> Freedom House, Freedom in the World 2016 – Iraq, <https://freedomhouse.org/report/freedom->

Immigration Service Fact-Finding Mission<sup>87</sup> noted that Yusuf Mohammed Sadiq, the Gorran speaker of the Kurdish parliament, was banned from Erbil.<sup>88</sup>

- 9.4.4 The USSD 2015 report noted that ‘security forces temporarily closed NRT and KNN networks. While NRT was allowed to open in December, KNN remained closed, according to media and NGOs, ‘allegedly for its affiliation with the Gorran Party’.<sup>89</sup> HRW also noted the continued closure of KNN; it mentioned that staff were ‘forcibly moved’ to Sulamaniyah.<sup>90</sup> Reporters Sans Frontières (RSF) noted that Radio Gorran, which shares a building with KNN TV in Erbil, was also shut down.<sup>91</sup>

See: [Restrictions on media freedoms](#)

[Back to Contents](#)

## 9.5 Number of deaths

- 9.5.1 A report by the UN Security Council dated January 2016 stated that ‘[the] protests resulted in the deaths of five people, including members of the Kurdistan Democratic Party and Gorran’.<sup>92</sup>
- 9.5.2 The USSD reported that security forces ‘killed five demonstrators and, according to media reports, wounded another 130’.<sup>93</sup> Amnesty International

---

[world/2016/iraq](#), accessed 7 December 2016

<sup>86</sup> Jamestown Foundation, ‘Political Turmoil in KRG Risks Hindering Kurdish Efforts Against Islamic State’, Terrorism Monitor Volume: 14 Issues, 17, 19 August 2016, <https://jamestown.org/program/political-turmoil-in-kr-g-risks-hindering-kurdish-efforts-against-islamic-state/>, accessed 29 November 2016

<sup>87</sup> Danish Refugee Council (DRC) and Danish Immigration Service (DIS), ‘The Kurdistan Region of Iraq (KRI) – Access, Possibility of Protection, Security and Humanitarian Situation, Report from fact finding mission to Erbil, the Kurdistan Region of Iraq (KRI) and Beirut, Lebanon, 26 September to 6 October 2015, April 2016, p.48, <https://www.nyidanmark.dk/NR/ronlyres/4B4E8C12-84B7-4ACB-8553-5E0218C5689A/0/FactfindingreportKurdistanRegionofIraq11042016.pdf>. Date accessed: 7 December 2016

<sup>88</sup> US State Department (USSD), Country Reports on Human Rights Practices for 2015 – Iraq, 13 April 2016, Section 2. Respect for Civil Liberties, <https://www.state.gov/j/drl/rls/hrrpt/2015humanrightsreport/index.htm#wrapper>. Date accessed: 7 December 2016

<sup>89</sup> US State Department (USSD), Country Reports on Human Rights Practices for 2015 – Iraq, 13 April 2016, Section 2. Respect for Civil Liberties, <https://www.state.gov/j/drl/rls/hrrpt/2015humanrightsreport/index.htm#wrapper>. Date accessed: 7 December 2016

<sup>90</sup> Human Rights Watch (HRW), ‘Iraqi Kurdistan: Ruling Party Forces Fire on Protestors’, 21 October 2015, <https://www.hrw.org/news/2015/10/21/iraqi-kurdistan-ruling-party-forces-fire-protesters>. Date accessed: 7 December 2016

<sup>91</sup> Reporters Sans Frontières, ‘Kurdish security forces unleash wave of terror on media’, 17 October 2015, <https://rsf.org/en/news/kurdish-security-forces-unleash-wave-terror-media>. Date accessed: 7 December 2016

<sup>92</sup> UN Security Council, Second report of the Secretary-General pursuant to paragraph 7 of resolution 2233 (2015), 26 January 2016, pp. 2-3, <http://www.un.org/en/sc/documents/sgreports/2016.shtml>. Date accessed: 23 March 2017

<sup>93</sup> US State Department (USSD), Country Reports on Human Rights Practices for 2015 – Iraq, Section 2. Respect for Civil Liberties, 13 April 2016, <https://www.state.gov/j/drl/rls/hrrpt/2015humanrightsreport/index.htm#wrapper>. Date accessed: 23 March 2017

reported that the shooters were KDP militia who killed ‘at least five’ and injured ‘others’.<sup>94</sup>

- 9.5.3 International Business Times said that ‘at least six people were killed’ in the protests in Sulamaniyah.<sup>95</sup>

[Back to Contents](#)

## 10. Treatment of political opponents by the Kurdistan Region of Iraq (KRI) authorities

### 10.1 Arrests and detention

- 10.1.1 The Gulf Center for Human Rights, in an article dated December 2014, commented that journalists are ‘arrested on a regular basis’. It noted:

‘The KRG authorities have arbitrarily tried, convicted and imprisoned journalists with impunity. This despite a Press Law of 2007 which purports to give protection to the right of journalists to obtain information of “importance to citizens” and “relevant to the public interest.”

‘The criminal law is the tool most frequently used against journalists, often for stories about corruption. In 2012, the Ministry of Justice and the Ministry of Endowments and Religious Affairs sought to promulgate a law criminalising insults to religious and political figures. The passage of the law has so far been blocked by the Kurdish Parliament’s Legal, Human Rights and Civil Affairs Committees, but if passed it would represent a serious infringement of freedom of expression and could prevent the media from playing any role in holding political and religious figures to account.’<sup>96</sup>

- 10.1.2 The USSD 2016 report noted that the ‘press reported that the KRG internal security service temporarily detained several...journalists’ and that:

‘IKR police and internal security service officers in the IKR arrested protesters and activists critical of the KRG, and detained them for several days, according to NGO contacts and local press reporting. For example, Iraqi Kurdistan authorities in the northern city of Sulaimaniyah arrested 13 teachers on December 1, ahead of a demonstration over unpaid public-sector salaries...’<sup>97</sup>

- 10.1.3 Human Rights Watch, in their 2016 world report, commented:

---

<sup>94</sup> Amnesty International, Annual Report, Iraq 2015/16, <https://www.amnesty.org/en/countries/middle-east-and-north-africa/iraq/report-iraq/>. Date accessed: 23 March 2017

<sup>95</sup> International Business Times, ‘Kurds rail against government corruption as protests turn violent in Iraqi Kurdistan’, 16 October 2015, <http://www.ibtimes.co.uk/kurds-rail-against-government-corruption-protests-turn-violent-iraqi-kurdistan-1523915>. Date accessed: 23 March 2017

<sup>96</sup> Gulf Center for Human Rights, ‘Iraqi Kurdistan: No safe haven for human rights defenders and independent journalists’, 31 December 2014, <http://www.gc4hr.org/report/view/28>. Date accessed: 16 March 2017

<sup>97</sup> US State Department (USSD), Country Reports on Human Rights Practices for 2016 – Iraq, Section 1: Respect for the Integrity of the Person, March 2017, <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>. Date accessed: 23 March 2017



'KRG authorities arrested and prosecuted critics. On February 2 [2016], Asayish security forces detained and charged Sabah al-Atrushi with terrorism over public comments critical of senior Peshmerga commanders. On August 4, intelligence agents of the ruling Kurdistan Democratic Party arrested Esa Barzani over pictures on Facebook supporting Kurdish leaders rivaling KRG President Masoud Barzani.'<sup>98</sup>

10.1.4 Freedom House, in their 2016 report, also reported on the above-described incidents: 'In February [2015], a journalist in the KRG was arrested and charged under an antiterrorism law for suggesting that a Kurdish military commander should be removed from duty. He was later released, and the case was dropped. In August the KDP's intelligence organization detained a man for posting pictures online that were supportive of Barzani's political rivals.'<sup>99</sup>

10.1.5 The USSD 2016 report also stated:

'KRG law provides for compensation to persons subject to unlawful arrest or detention. The KRG's Ministry of Martyrs and Anfal Affairs handles compensation for unlawful arrests or detentions, and its Human Rights Commission reported that while approximately 8,000 cases (including many historical cases) received approval for compensation, the government was not able to pay compensation due to budget constraints.'<sup>100</sup>

10.1.6 The Foreign and Commonwealth Office (FCO), in an update of February 2017, which covered the period July to December 2016, wrote that 'teachers were arrested and detained in Sulaymania and Halabja after striking over pay and working detentions, but were released the same day'.<sup>101</sup>

10.1.7 The FCO update also noted:

'The KRG has responded positively to some of the human rights allegations that were made. The KRG's 'High Committee to Evaluate and Respond to International Reports' (HCERIR) – a governmental body to field, respond to and clarify concerns raised by the international community (NGOs and diplomatic missions) – has responded constructively to some of the allegations made'.<sup>102</sup>

---

<sup>98</sup> Human Rights Watch (HRW), World Report 2016: Iraq, <https://www.hrw.org/world-report/2016/country-chapters/iraq>. Date accessed: 23 March 2017

<sup>99</sup> Freedom House, Freedom in the World 2016 – Iraq, <https://freedomhouse.org/report/freedom-world/2016/iraq>. Date accessed: 23 March 2017

<sup>100</sup> US State Department (USSD), Country Reports on Human Rights Practices for 2016 – Iraq, Section 1. Respect for the Integrity of the Person, March 2017, <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>. Date accessed: 23 March 2017

<sup>101</sup> Foreign and Commonwealth Office (FCO), Human Rights and Democracy Report 2015 – Human Rights Priority Country update report: July to December 2016 – Iraq, 8 February 2017, <https://www.gov.uk/government/publications/iraq-human-rights-priority-country/human-rights-priority-country-update-report-july-to-december-2016>. Date accessed: 24 March 2017

<sup>102</sup> Foreign and Commonwealth Office (FCO), Human Rights and Democracy Report 2015 – Human Rights Priority Country update report: July to December 2016 – Iraq, 8 February 2017, <https://www.gov.uk/government/publications/iraq-human-rights-priority-country/human-rights-priority-country-update-report-july-to-december-2016>. Date accessed: 24 March 2017

## 10.2 Detention conditions

10.2.1 The USSD 2016 report noted that international human rights organisations documented ‘credible cases of torture and abuse...in facilities in the KRG’, although ‘to a lesser extent’ when compared to other parts of Iraq.<sup>103</sup>

10.2.2 The same report continued:

‘Abusive interrogation under certain conditions reportedly occurred in some detention facilities of the KRG’s internal security unit, the Asayish, and the intelligence services of the major political parties, the Kurdistan Democratic Party’s (KDP) Parastin and the Patriotic Union of Kurdistan’s (PUK) Zanyari. During monitoring visits to IKR prisons and places of detention between January 2015 and June 2016, UNAMI reported 70 detainees had raised allegations of torture or other ill treatment during the interrogation phase, or both.’<sup>104</sup>

10.2.3 The report stated: ‘The KRG High Committee to Evaluate and Respond to International Reports considered charges of Peshmerga abuse, largely against IDPs, and exculpated them in public reports and commentaries. Impunity effectively existed for government officials, security force personnel, including the Peshmerga, and militias.’<sup>105</sup>

10.2.4 The report observed that ‘there was no information indicating that authorities undertook credible investigations into the allegations, and no prosecutions resulted therefrom’.<sup>106</sup>

10.2.5 The source continued: ‘According to local NGOs and the head of the IKR parliamentary Human Rights Committee, prisoners held in KRG-administered Asayish prisons sometimes remained in detention for more than six months without trial.’<sup>107</sup>

10.2.6 The report also stated:

---

<sup>103</sup> US State Department (USSD), Country Reports on Human Rights Practices for 2016 – Iraq, Section 1. Respect for the Integrity of the Person, March 2017, <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>. Date accessed: 23 March 2017

<sup>104</sup> US State Department (USSD), Country Reports on Human Rights Practices for 2016 – Iraq, Section 1. Respect for the Integrity of the Person, March 2017, <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>. Date accessed: 23 March 2017

<sup>105</sup> US State Department (USSD), Country Reports on Human Rights Practices for 2016 – Iraq, Executive Summary, March 2017, <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>. Date accessed: 23 March 2017

<sup>106</sup> US State Department (USSD), Country Reports on Human Rights Practices for 2016 – Iraq, Section 1. Respect for the Integrity of the Person, March 2017, <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>. Date accessed: 23 March 2017

<sup>107</sup> US State Department (USSD), Country Reports on Human Rights Practices for 2016 – Iraq, Section 1. Respect for the Integrity of the Person, March 2017, <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>. Date accessed: 23 March 2017

'The KRG generally allowed international human rights NGOs and intergovernmental organizations to visit convicted prisoners and pretrial detainees but occasionally delayed or denied access to some individuals, usually in cases involving terrorism. The UNAMI Human Rights Office and ICRC [International Committee of the Red Cross] continued to receive regular access to IKR prisons and detention facilities.'<sup>108</sup>

10.2.7 Dindar Zebari, head of the KRG committee to evaluate and respond to international reports, challenged some of the findings of the US State Department's 2016 human rights report, accusing the report of being 'repetitive' and 'not first-hand'.<sup>109</sup>

10.2.8 It is not clear whether it is political opponents who were mistreated in this way, or whether it relates to other categories of people.

[Back to Contents](#)

### 10.3 Violence

10.3.1 The Gulf Center for Human Rights (GCHR), in an article dated December 2014, observed:

'Many see Iraqi Kurdistan, an autonomous region in Northern Iraq, as a safe haven, a place of relative calm away from the terror and chaos that exists in much of the rest of Iraq. This is not the position for independent journalists and human rights defenders. The internal political tensions raging in the region have resulted in impunity for attacks against them which include murder and arson. Human rights defenders, working on such issues as women's rights or conditions in detention, face violence from within the community. Many journalists say that they self-censor; they know where the "red lines" exist around issues such as religion, corruption and social inequality, lines that must not be crossed.'<sup>110</sup>

10.3.2 The same report stated that journalists 'have suffered assaults by the police, by unknown people and have on some occasions paid with their lives...Every journalist that GCHR spoke to had experienced some degree of threat or had suffered an unexplained violent attack which they believed related directly to the nature of articles they had published'.<sup>111</sup>

10.3.3 The USSD 2016 report stated:

---

<sup>108</sup> US State Department (USSD), Country Reports on Human Rights Practices for 2016 – Iraq, Section 1. Respect for the Integrity of the Person, March 2017, <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>. Date accessed: 23 March 2017

<sup>109</sup> Rudaw, 'US human rights report on Kurdistan 'not first hand,' says KRG official', 5 March 2017, <http://www.rudaw.net/mobile/english/kurdistan/05032017>. Date accessed: 24 March 2017

<sup>110</sup> Gulf Center for Human Rights, 'Iraqi Kurdistan: No safe haven for human rights defenders and independent journalists', 31 December 2014, <http://www.gc4hr.org/report/view/28>. Date accessed: 16 March 2017

<sup>111</sup> Gulf Center for Human Rights, 'Iraqi Kurdistan: No safe haven for human rights defenders and independent journalists', 31 December 2014, <http://www.gc4hr.org/report/view/28>. Date accessed: 16 March 2017



'Throughout the IKR there were numerous beatings...and death threats against media workers. In some cases the aggressors wore military or police uniforms. Many attacks targeted independent and former opposition media, mainly the independent NRT; Payama Television, affiliated with the Kurdistan Islamic Group; and the KNN Television, affiliated with the Gorran Party.'<sup>112</sup>

10.3.4 The same source noted:

'On May 3 [2016], the IKR press reported several killings for which the families of the deceased alleged KRG security forces were responsible. On August 13, Wedat Hussein Ali, a journalist working for ROJ News, was abducted and later found dead. Media reports indicated his injuries were consistent with torture and quoted Wedat's family as saying the KRG internal security service had previously questioned him about his ties to the Kurdistan Workers Party (PKK).'<sup>113</sup>

10.3.5 Amnesty International also reported on the murder of Wedat Hussein Ali.<sup>114</sup>

10.3.6 The FCO, in an update of February 2017, referred to the above death, as well as the death of Shukri Zaynadin – from the Kurdish News Network – who was found near Dohuk in December 2016.<sup>115</sup>

10.3.7 Another example, from the USSD report for 2016, of violence against journalists was: 'On April 9 [2016], security forces wearing civilian uniforms reportedly attacked a Kurdistan News Network (KNN) cameraman in an Erbil mosque while the KNN crew was covering a protest there. As the cameraman attempted to film the protest, one of the uniformed security force members placed a weapon against the cameraman's head to force him to stop.'<sup>116</sup>

10.3.8 Amnesty International, in their 2016/17 report, noted: 'Media workers, activists and politicians critical of the ruling Kurdistan Democratic Party (KDP) faced harassment and threats and some were expelled from Erbil governorate. No progress was made in conducting investigations into the

---

<sup>112</sup> US State Department (USSD), Country Reports on Human Rights Practices for 2016 – Iraq, Section 2. Respect for Civil Liberties, <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>. Date accessed: 23 March 2017

<sup>113</sup> US State Department (USSD), Country Reports on Human Rights Practices for 2016 – Iraq, Section 1. Respect for the Integrity of the Person, <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>. Date accessed: 23 March 2017

<sup>114</sup> Amnesty International, Annual Report Iraq 2016/2017, <https://www.amnesty.org/en/countries/middle-east-and-north-africa/iraq/report-iraq/>. Date accessed: 23 March 2017

<sup>115</sup> Foreign and Commonwealth Office (FCO), Human Rights and Democracy Report 2015 – Human Rights Priority Country update report: July to December 2016 – Iraq, 8 February 2017, <https://www.gov.uk/government/publications/iraq-human-rights-priority-country/human-rights-priority-country-update-report-july-to-december-2016>. Date accessed: 24 March 2017

<sup>116</sup> US State Department (USSD), Country Reports on Human Rights Practices for 2016 – Iraq, Section 2. Respect for Civil Liberties, <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>. Date accessed: 23 March 2017

killings in previous years of journalists and other perceived critics and opponents of the Kurdish authorities.<sup>117</sup>

10.3.9 An article in Foreign Policy, dated July 2016, commented: ‘Rather than maturing as a democracy, Iraqi Kurdistan has begun to slip backwards. Political space has shrunk and political violence has increased.’<sup>118</sup>

10.3.10 The USSD 2016 report, however, noted: ‘There were limited reports of violence or official interference in protests in the IKR.’<sup>119</sup>

[Back to Contents](#)

## 10.4 Restrictions on media freedoms

10.4.1 Reporters Sans Frontières’ (Reporters Without Borders’) 2016 World Press Freedom Index ranked Iraq at 158 out of 180 countries, although this ranking is based on an assessment of the whole of the Iraq, not solely the KRI.<sup>120</sup> The FCO, in an update of February 2017, wrote that ‘Iraq remains one of the most dangerous countries for journalists’ (again, not distinguishing between the KRI and the rest of Iraq).<sup>121</sup>

10.4.2 The GCHR, in an article dated December 2014, commented:

‘The state of the media in Iraqi Kurdistan is, like the political situation, highly complex. Media figures described a classification of the three main types of media in the following terms:

1. The independent or private media, which are answerable to no one: This is a very small group, one can count them on the fingers of one hand.
2. The shadow media: These news outlets present themselves as independent but are in reality funded fully or in part by individual officials from political parties. In effect they give the news from the perspective of that individual. Thus individual political agendas can be served under the guise of independence which creates an extremely complex and difficult context within which the populace can attempt to understand what is happening around them.

---

<sup>117</sup> Amnesty International, Annual Report Iraq 2016/2017, <https://www.amnesty.org/en/countries/middle-east-and-north-africa/iraq/report-iraq/>. Date accessed: 23 March 2017

<sup>118</sup> Foreign Policy, ‘The Battle for the Soul of Iraqi Kurdistan’, 14 July 2016, <http://foreignpolicy.com/2016/07/14/the-battle-for-the-soul-of-iraqi-kurdistan/>. Date accessed: 23 March 2017

<sup>119</sup> US State Department (USSD), Country Reports on Human Rights Practices for 2016 – Iraq, Section 2. Respect for Civil Liberties, <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>. Date accessed: 23 March 2017

<sup>120</sup> Reporters Sans Frontières (Reports Without Borders), 2016 World Press Freedom Index, <https://rsf.org/en/ranking>. Date accessed: 23 March 2017

<sup>121</sup> Foreign and Commonwealth Office (FCO), Human Rights and Democracy Report 2015 – Human Rights Priority Country update report: July to December 2016 – Iraq, 8 February 2017, <https://www.gov.uk/government/publications/iraq-human-rights-priority-country/human-rights-priority-country-update-report-july-to-december-2016>. Date accessed: 24 March 2017

3. The party media: These outlets are directly and openly connected to any one of the political parties.

'Many journalists and media figures described to GCHR how the red lines are well known to anyone working in the media. Investigative articles concerning high profile figures, in particular if they concern corruption, articles concerning matters of a sexual nature, and anything that comments on the family of the President are out of bounds for public discussion. Journalists who have dared to engage in these areas have lost their lives.'<sup>122</sup>

#### 10.4.3 The same source observed:

'From all the reports GCHR has received, the judicial system in the Kurdistan region appears to have been harnessed to try to stifle investigations into allegations of corruption, and to arbitrarily limit discussion and criticism of the major political families. During its mission, GCHR heard credible allegations of baseless charges, protracted court processes, and repeated court hearings at different levels of court to extend the period of time that people have charges hanging over them. The Courts appear to be engaged in a deliberate attempt to restrict rights of journalists to freely exercise their profession in breach of both domestic and international obligations...

'A joke circulating in media circles in Iraqi Kurdistan is that the political parties tell journalists that they are free to write whatever they want, but that they, the political parties, are also free to arrest journalists whenever they want.'<sup>123</sup>

#### 10.4.4 The USSD 2016 reported: 'Despite the constitutional protection for freedom of expression, government and KRG oversight and censorship interfered with media operations, at times resulting in closures of media outlets, restrictions on reporting, and interference with internet service. Individuals were able to criticize the government publicly or privately, but not without fear of reprisal.'<sup>124</sup>

#### 10.4.5 The report also stated: 'The deterioration in the security situation exacerbated harassment of journalists. Government and KRG security authorities sometimes prevented journalists from reporting citing security pretexts.'<sup>125</sup>

---

<sup>122</sup> Gulf Center for Human Rights, 'Iraqi Kurdistan: No safe haven for human rights defenders and independent journalists', 31 December 2014, <http://www.gc4hr.org/report/view/28>. Date accessed: 16 March 2017

<sup>123</sup> Gulf Center for Human Rights, 'Iraqi Kurdistan: No safe haven for human rights defenders and independent journalists', 31 December 2014, <http://www.gc4hr.org/report/view/28>. Date accessed: 16 March 2017

<sup>124</sup> US State Department (USSD), Country Reports on Human Rights Practices for 2016 – Iraq, Section 2. Respect for Civil Liberties, <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>. Date accessed: 23 March 2017

<sup>125</sup> US State Department (USSD), Country Reports on Human Rights Practices for 2016 – Iraq, Section 2. Respect for Civil Liberties, <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>. Date accessed: 23 March

#### 10.4.6 The same report stated:

'In the IKR, government authorities continued to try, convict, and take legal action against journalists, despite a 2008 law that decriminalizes publication-related offenses. According to Kurdistan Journalist Syndicate officials, the 2008 law is the sole basis for prosecution of journalists for publication offense under the regional counterterrorism law, for public morality violations and other crimes.

'While in December 2015 the KRG reopened Nalia Radio and Television (NRT) offices that it originally closed in October 2015, Gorran-affiliated KNN offices in Erbil and Dahuk Governorates remained closed because of KRG pressure.<sup>126</sup>

#### 10.4.7 The source further added:

'In 2013 the Iraqi Kurdistan Parliament passed the Access to Information Law, to provide for access to information for journalists, media outlets, and ordinary citizens...[and] local government, political parties, and officials, regularly discriminated against some media outlets regarding access to information based on party affiliation. For example, in KDP stronghold areas Dahok and Erbil, KDP-affiliated outlets Rudaw and KTV had access to all KRG departments, while in the PUK and Gorran stronghold of Sulaimaniyah, PUK-affiliated outlets such as GK TV and Kurdsat TV received more access to government and party information than other outlets.<sup>127</sup>

#### 10.4.8 Amnesty International, in its annual report covering 2016, noted: 'Media workers, activists and politicians critical of the ruling Kurdistan Democratic Party (KDP) faced harassment and threats and some were expelled from Erbil governorate.'<sup>128</sup>

#### 10.4.9 Dindar Zebari, head of the KRG committee to evaluate and respond to international reports, challenged some of the findings of the US State Department's 2016 human rights report. He told Rudaw News: "When it comes to the right of freedom of speech, our laws are clear. We have over 7,000 journalists in Kurdistan. We have dozens of TV stations in the country... Journalists and media outlets are free to cover the news about the government and have access to information..."<sup>129</sup>

---

2017

<sup>126</sup> US State Department (USSD), Country Reports on Human Rights Practices for 2016 – Iraq, Section 2. Respect for Civil Liberties, <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>. Date accessed: 23 March 2017

<sup>127</sup> US State Department (USSD), Country Reports on Human Rights Practices for 2016 – Iraq, Section 2. Respect for Civil Liberties, <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>. Date accessed: 23 March 2017

<sup>128</sup> Amnesty International, Annual Report 2016/2017 – Iraq, February 2017, <https://www.amnesty.org/en/countries/middle-east-and-north-africa/iraq/report-iraq/>. Date accessed: 27 June 2017

<sup>129</sup> Rudaw, 'US human rights report on Kurdistan 'not first hand,' says KRG official', 5 March 2017, <http://www.rudaw.net/mobile/english/kurdistan/05032017>. Date accessed: 24 March 2017

## 11. KRG state protection

### 11.1 Laws

#### 11.1.1 Article 38 of the Iraqi Constitution states:

‘The State shall guarantee in a way that does not violate public order and morality:

A. Freedom of expression using all means.

B. Freedom of press, printing, advertisement, media and publication.

C. Freedom of assembly and peaceful demonstration, and this shall be regulated by law.’<sup>130</sup>

#### 11.1.2 Article 45(1) of the Iraqi Constitution states: ‘The State shall seek to strengthen the role of civil society institutions, and to support, develop and preserve their independence in a way that is consistent with peaceful means to achieve their legitimate goals, and this shall be regulated by law.’<sup>131</sup>

#### 11.1.3 The Gulf Center for Human Rights, in an article dated December 2014, noted: ‘Within the Kurdistan Region, freedom of the press is further guaranteed in Law no. 35 of 2007, which states: “The press is free and no censorship shall be imposed on it. Freedom of expression and publication shall be guaranteed to every citizen within the framework of respect for personal rights, liberties and the privacy of individuals in accordance with the law...”’<sup>132</sup>

#### 11.1.4 The USSD 2015 report noted: ‘The Iraqi Kurdistan Parliament passed the Access to Information Law in 2013, which provides for access to information for journalists, media outlets, and ordinary citizens’.<sup>133</sup> However, the USSD 2016 report observed that, as of September 2015, ‘the KRG had not made efforts to implement the [2013 Access to Information] law’.<sup>134</sup>

---

<sup>130</sup> Iraqi Constitution, [http://www.iraqinationality.gov.iq/attach/iraqi\\_constitution.pdf](http://www.iraqinationality.gov.iq/attach/iraqi_constitution.pdf). Date accessed: 16 March 2017

<sup>131</sup> Iraqi Constitution, [http://www.iraqinationality.gov.iq/attach/iraqi\\_constitution.pdf](http://www.iraqinationality.gov.iq/attach/iraqi_constitution.pdf). Date accessed: 16 March 2017

<sup>132</sup> Gulf Center for Human Rights, ‘Iraqi Kurdistan: No safe haven for human rights defenders and independent journalists’, 31 December 2014, <http://www.gc4hr.org/report/view/28>. Date accessed: 16 March 2017

<sup>133</sup> US State Department (USSD), Country Reports on Human Rights Practices for 2015 – Iraq, 13 April 2016, Section 2. Respect for Civil Liberties, <https://www.state.gov/j/drl/rls/hrrpt/2015humanrightsreport/index.htm#wrapper>. Date accessed 23 March 2017

<sup>134</sup> US State Department (USSD), Country Reports on Human Rights Practices for 2016 – Iraq, Section 2. Respect for Civil Liberties, <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>, accessed 23 March 2017



## 11.2 Enforcement of the law

11.2.1 The GCHR, in an article dated December 2014, commented: ‘The laws as written are in conformity with international standards but the problems lie in the implementation of these laws. It appears to GCHR that for this reason it is imperative that the judiciary and all arms of the criminal justice system be fully trained and conversant with the current laws and how they should be applied.’<sup>135</sup>

11.2.2 The Danish report, citing various sources on the enforcement of the law generally in the KRI, noted:

‘Human Rights Watch said that compared to south and central Iraq, the effectiveness in terms of law enforcement in KRI is higher. An international humanitarian organisation characterized law enforcement in KRI as exceptionally effective but said that it varies in other Kurdish controlled areas. The international humanitarian organisation added that law enforcement in Kirkuk is very effective but that, in some Peshmerga controlled areas outside KRI, there are many pockets with lack of law enforcement, especially in a westward direction of KRI towards Anbar.

‘According to two sources, the Kurdish authorities have the potential to provide very effective security in the areas that they control. Being one of these sources, the international humanitarian organisation, however, stated that if Kurdish authorities do not want to protect an individual, they can also enforce that very effectively. Correspondingly, Journalist Osama Al Habahbeh said that the possibility to receive protection from KRI authorities depends on who the persecutor is. Journalist Osama Al Habahbeh explained that the authorities would not protect an individual in case the person had a conflict with a politician. In line with this, Human Rights Watch characterized the Kurdish court system as being under political influence and used to stifle dissent and target critical voices, including journalists.

‘According to UNHCR, there is very little regard of law enforcement among the local population in KRI and people do not make use of the police or the courts. UNHCR said that the courts are not seen to respond, even though, in principle, they have a number of excellent laws meeting international standards. In addition, UNHCR explained that access to rule of law is dependent on ethnic and religious affiliation, tribe, connections, family and relatives, and it is very difficult, if not impossible, for an individual to stand up for his rights by himself.’<sup>136</sup>

11.2.3 The report also observed:

---

<sup>135</sup> Gulf Center for Human Rights, ‘Iraqi Kurdistan: No safe haven for human rights defenders and independent journalists’, 31 December 2014, <http://www.gc4hr.org/report/view/28>. Date accessed: 16 March 2017

<sup>136</sup> Danish Refugee Council (DRC) and Danish Immigration Service (DIS), ‘The Kurdistan Region of Iraq (KRI) – Access, Possibility of Protection, Security and Humanitarian Situation – Report from fact finding mission to Erbil, the Kurdistan Region of Iraq (KRI) and Beirut, Lebanon, 26 September to 6 October 2015’, April 2016, p. 45, , <https://www.nyidanmark.dk/NR/ronlyres/4B4E8C12-84B7-4ACB-8553-5E0218C5689A/0/FactfindingreportKurdistanRegionofIraq11042016.pdf>. Date accessed: 13 September 2016

‘According to Visiting Scholar Renad Mansour, KRI authorities have the capacity to protect an individual who has a conflict with or is being harassed by armed groups in KRI or other Kurdish controlled areas. Visiting Scholar Renad Mansour added that protection in cases of conflicts with armed groups is, however, also a question of the authorities' will. According to Visiting Scholar Renad Mansour, some armed groups have members from higher places in society, and these groups remain without interference by police or other authorities. In line with this, PAO/KHRW [Public Aid Organisation/Kurdish Human Rights Watch] explained that almost all armed groups in KRI belong either to the Kurdistan Democratic Party (KDP) or the Patriotic Union of Kurdistan (PUK). PAO/KHRW added that if someone has a problem with an armed group, there is no help from the authorities because the armed groups are in power. According to PAO/KHRW, tribes with weapons often have power, and the Kurdistan Regional Government (KRG) is more interested in their political support than in taking them to court.

‘UNHCR said that, in the disputed areas, the possibility to seek protection from the authorities in case of conflict with armed groups depends on whether or not a person belongs to the groups that the Peshmerga would protect. According to UNHCR, groups that are protected by the Peshmerga include Kurds and ethnic or religious minorities. In line with this, an international humanitarian organisation said that private individuals' possibility to seek protection from the Kurdish authorities if they have conflicts with armed groups in KRI and other Kurdish controlled areas depends on who they are. According to the international humanitarian organisation, generally, Sunni Arabs would be unlikely to receive support from the authorities, especially if conflicts are with non-Sunni Arabs. The international humanitarian organisation added that if a Sunni Arab has a conflict with Islamic State, there is nothing that the authorities can do.’<sup>137</sup>

- 11.2.4 The USSD 2016 report noted: ‘The Kurdistan Judicial Council is legally, financially, and administratively independent from the KRG Ministry of Justice, but the KRG Executive continued to influence politically sensitive cases.’<sup>138</sup>

[Back to Contents](#)

## 12. Non-Government Organisations (NGOs)

- 12.1.1 The Gulf Center for Human Rights, in an article dated December 2014, commented:

---

<sup>137</sup> Danish Refugee Council (DRC) and Danish Immigration Service (DIS), ‘The Kurdistan Region of Iraq (KRI) – Access, Possibility of Protection, Security and Humanitarian Situation – Report from fact finding mission to Erbil, the Kurdistan Region of Iraq (KRI) and Beirut, Lebanon, 26 September to 6 October 2015’, April 2016, p. 50, <https://www.nyidanmark.dk/NR/ronlyres/4B4E8C12-84B7-4ACB-8553-5E0218C5689A/0/FactfindingreportKurdistanRegionofIraq11042016.pdf>. Date accessed: 13 September 2016

<sup>138</sup> US State Department (USSD), Country Reports on Human Rights Practices for 2016 – Iraq, Section 1. Respect for the Integrity of the Person, <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>, accessed 23 March 2017

‘GCHR met with many civil society organisations in Sulaimaniya and Erbil during the course of the mission to Iraqi Kurdistan in September 2014. The fact that there are thousands of officially registered organisations in existence conducting important work, for example in the areas of women’s rights, minority rights advocacy and press freedom, is impressive and gives cause for optimism...

‘However, it was widely asserted by those interviewed that the majority of civil society organisations are linked to one or other of the major political parties...

‘Most organisations interviewed by GCHR reported that they were able to carry out work in their chosen areas but that they had to proceed with caution. In particular it was understood that criticism of certain government figures was unacceptable and would result in threats and bullying. Several people reported having criticised government policy and as a result had received telephone calls and visits from political figures asking them to retract statements and asking them how they would feel if something bad was written about their families. GCHR was asked not to publish the names of the political figures concerned. The threats also included suggestions that something unspecified but bad could happen, and that the authorities would be unable to offer protection.’<sup>139</sup>

#### 12.1.2 The USSD 2016 report observed:

‘The IKR had an active community of mostly Kurdish NGOs, many with close ties and funded by the PUK and KDP political parties. Government funding of NGOs is legally contingent upon whether an NGO’s programming goals conform to already-identified priority areas. The region’s NGO Directorate established formal procedures for awarding funds to NGOs, which included a public description of the annual budget for NGO funding, priority areas for consideration, deadlines for proposal submission, establishment of a grant committee, and the criteria for ranking proposals. During the year local and international NGOs did not report difficulties registering with the regional government and obtaining permits for their operations in KRG-administered areas.’<sup>140</sup>

#### 12.1.3 The same report stated:

‘The KRG Human Rights Commission, which began operating in 2013, issues periodic reports on human rights, trafficking in persons, and religious freedom. The Commission reported KRG police and security organizations had generally been receptive to human rights training and responsive to reports of violations. In February [2016], however, a court convicted the

---

<sup>139</sup> Gulf Center for Human Rights, ‘Iraqi Kurdistan: No safe haven for human rights defenders and independent journalists’, 31 December 2014, <http://www.gc4hr.org/report/view/28>. Date accessed: 16 March 2017

<sup>140</sup> US State Department (USSD), Country Reports on Human Rights Practices for 2016 – Iraq, Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights, <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>. Date accessed: 23 March 2017



deputy head of the commission's Dahuk office for interfering with a police investigation; his sentence was suspended.<sup>141</sup>

[Back to Contents](#)

---

<sup>141</sup> US State Department (USSD), Country Reports on Human Rights Practices for 2016 – Iraq, Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights, <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>. Date accessed: 23 March 2017

# Version control and contacts

## Contacts

If you have any questions about the note and your line manager or senior caseworker cannot help you or you think that the note has factual errors then email [the Country Policy and Information Team](#).

If you notice any formatting errors in this note (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the note then you can email [the Guidance, Rules and Forms Team](#).

## Clearance

Below is information on when this version of the guidance was cleared:

- version **1.0**
- valid from **26 July 2017**

## Changes from last version of this guidance

New CPIN

[Back to Contents](#)