

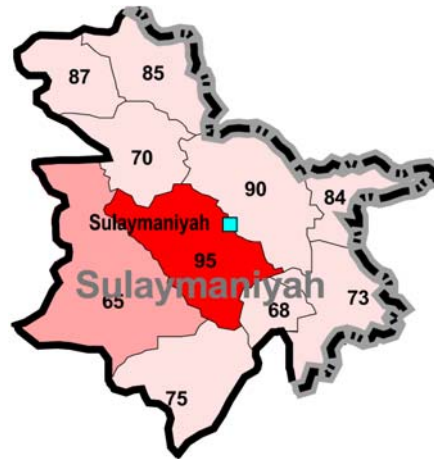
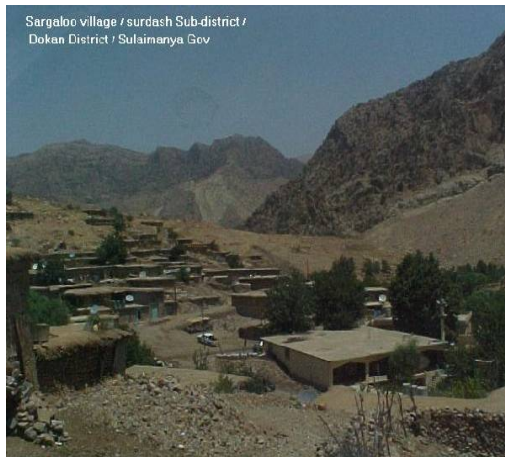


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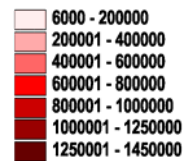
United Nations High Commissioner for Refugees

Haut Commissariat des Nations Unies pour les réfugiés

SULAYMANIYAH GOVERNORATE ASSESSMENT REPORT



Sulaymaniyah
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August 2006

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

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

This report does not take into account events occurring on or after 31 August 2006, unless a later date is specified. UNHCR plans to update the report on a regular basis.

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

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List of Abbreviations

CRRPD	Commission for the Resolution of Real Property Disputes (previously the Iraq Property Claims Commission)
ID	Iraqi Dinar
IECI	Independent Electoral Commission of Iraq
IED	Improvised Explosive Device
IPCC	Iraq Property Claims Commission (now known as the Commission for the Resolution of Real Property Disputes)
IRCS	Iraqi Red Crescent Society
IRD	International Relief and Development
ISF	Iraqi Security Forces
KDP	Kurdistan Democratic Party
KIG	Kurdistan Islamic Group
KIU	Kurdistan Islamic Union
KNA	Kurdistan National Assembly
KRG	Kurdistan Regional Government
LAIC	Legal Aid and Information Centre
MAG	Mines Advisory Group
MNF	Multinational Forces
MoDM	Ministry of Displacement and Migration (Central Government) ¹
MoE	Ministry of Education (Central Government)
MoE/KRG	Ministry of Education (unified KRG)
MoH	Ministry of Health (Central Government)
MoH/KRG	Ministry of Health (unified KRG)
MoHR/KRG	Ministry of Human Rights (unified KRG)
MoI/ Sulaymaniyah	Ministry of Interior (Sulaymaniyah, not yet unified with MoI Erbil)
MoJ/ Sulaymaniyah	Ministry of Justice (Sulaymaniyah, not yet unified with MoJ Erbil)

¹ This report still refers at times to the separate Ministries of the former KRG Sulaymaniyah and the former KRG Erbil as either they have not been merged at the time of writing or because the information dates back to the time before their unification. Therefore, at times three different government bodies have to be distinguished: the central authorities in Baghdad (e.g. Ministry of Human Rights), the (former) KRG Sulaymaniyah (e.g. Ministry of Human Rights / Sulaymaniyah) and the new unified KRG (e.g. Ministry of Human Rights / KRG).

MoLSA	Ministry of Labour and Social Affairs (Central Government)
MoLSA/KRG	Ministry of Labour and Social Affairs (unified KRG)
MoPDC	Ministry of Planning and Development Cooperation (Central Government)
MoT/KRG	Ministry of Trade (unified KRG)
MoTC/KRG	Ministry of Transportation and Communications (unified KRG)
NGO	Non-Governmental Organization
NPA	Norwegian People's Aid
PDS	Public Distribution System
PUK	Patriotic Union of Kurdistan
RWICC	Rewan Women's Information and Cultural Centre
TAL	Transitional Administrative Law
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNOPS	United Nations Office for Project Services
US	United States
UXO	Unexploded Ordnance
VRF	Voluntary Repatriation Form
WFP	World Food Programme
WHO	World Health Organization

Exchange Rate

As of 31 August 2006, the exchange rate between the Iraqi Dinar (ID) and the US Dollar (US \$) was:

1 US \$ = 1,476.40 ID

For simplicity, one may use the approximation:

1 US \$ = 1,500 ID

I. General Information²

The Governorate of Sulaymaniyah is located in the Northeast of Iraq, bordering Iran to the East and sharing internal borders with the Governorates of Erbil, Kirkuk, Diyala and Salah Al-Din. Sulaymaniyah is **geographically** dominated by its rolling terrain, lying at the foothills of the Zagros Mountain range. Much of the Governorate's water supply comes from the Zagros Mountains and collects in lakes such as the Buhayrat Dokan.

Sulaymaniyah was **founded in 1784** by a Kurdish prince known as Ibrahim Pasha Baban, who named it after his father 'Sulayman Pasha'. The Sulaymaniyah Statistics Directorate estimates the population of Sulaymaniyah to be 1,135,000 (2002), although an official census has not been carried out since 1987. The Ministry of Planning and Development Cooperation (MoPDC)/UNDP Iraq Living Conditions Survey (ILCS) estimated that in 2004 the population was 1,715,585.³

The predominant religion in Sulaymaniyah is the Sunni branch of Islam, although Shiite Islam is also practiced, mainly by Kurds displaced by the former regime from Khanaqin District of Diyala Governorate. There are also a number of Chaldean Christians living in Sulaymaniyah City and a small *Ahl Al-Haq* minority who live mostly in Halabja District.

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

Sulaymaniyah Governorate is composed of **11 Districts:** Sulaymaniyah, Ranya, Dokan, Penjwin, Sharbazher, Pshdar, Halabja, Kalar, Darbandikhan, Chamchamal and Sharazoor.⁴

The Governorate administration is organized according to *Qadha* (district) and *Nahiya* (sub-district) Councils and a Governorate Council which has an office in Sulaymaniyah City. MoDM does not have an office in Sulaymaniyah but works in partnership with the Ministry of Human Rights of the Kurdistan Regional Government (MoHR/KRG) and the Committee of Displacement and Refugees, which is under the direction of the Council of Ministers to support the needs of returnees, IDPs and refugees.

A. Political Developments⁵

The Governorate of Sulaymaniyah is part of the area administered by the KRG, which is the legitimate government in the Governorates of Dohuk, Erbil, Sulaymaniyah and parts of the Governorates of Kirkuk, Diyala and Mosul.⁶ The predominant political party in the Governorate of Sulaymaniyah is the Patriotic Union of Kurdistan (PUK, known in Kurdish as

² General information sources include: MoPDC, Governorate Office, Statistics Office and media.

³ MoPDC/UNDP, *Iraq Living Conditions Survey*, April 2005, <http://www.iq.undp.org/ILCS/PDF/Tabulation%20Report%20-%20English.pdf>.

⁴ UNAMI, *Geographic Maps - Sulaymaniyah*, 22 July 2003, http://www.humanitarianinfo.org/iraq/maps/346_A1_Sulaymaniyah_Gov.pdf. Note that the District of Sharazoor has only been created post-2003 and to date no updated maps indicating all districts of Sulaymaniyah Governorate are available.

⁵ Political information sources include: IECEI, Iraqi Authorities, MoHR/Sulaymaniyah and media.

⁶ See Article 53(A) of the Transitional Administrative Law (TAL), which continues to be valid under the Permanent Constitution (see Article 141). Article 53(A) TAL states: *The Kurdistan Regional Government is recognized as the official government of the territories that were administered by the that government on 19 March 2003 in the Governorates of Dohuk, Arbil, Sulaimaniya, Kirkuk, Diyala and Neneveh. The term 'Kurdistan Regional Government' shall refer to the Kurdistan National Assembly, the Kurdistan Council of Ministers, and the regional judicial authority in the Kurdistan region.*

Yaketi Nishtimani). **Other political parties** active in Sulaymaniyah include the Kurdistan Islamic Union (KIU), the Kurdistan Socialist Democratic Party, the Toilers' Party, the Conservative Party, the Kurdistan Islamic Group (KIG), the Kurdistan Islamic Movement, the Kurdistan Communist Party and the Kurdistan Democratic Party (KDP) which has opened offices in the area since an agreement reached in 2001.

a. Regional authorities (in the Governorates of Sulaymaniyah, Erbil and Dohuk)

Elections to the Kurdistan National Assembly (KNA) were held on 30 January 2005 alongside the national and Governorate elections.

The KNA election brought together the two major political parties in Northern Iraq: the PUK and the KDP. These two groups fought a civil war in the mid 1990s that killed and displaced thousands and ultimately divided the region between the two parties, with the KDP controlling the western region from its headquarters in Erbil (former KRG Erbil) and the PUK controlling the southeast from its headquarters in Sulaymaniyah (former KRG Sulaymaniyah). As in the national elections, the KDP and the PUK (together with a large number of smaller parties) ran as a joint list known as the Democratic Patriotic Alliance of Kurdistan. The alliance received 1,570,663 votes, or 90 percent, and holds 104 of the 111 seats in the KNA. The members of the alliance negotiated each party's representation in advance, with the PUK and KDP getting 41 seats each. The elections to the KNA paved the way for the **unification of the two administrations**.

On 29 May 2005, Massoud Barzani, the leader of the KDP, was appointed President of the KRG, and the first meeting of the KNA was held on 4 June 2005. After repeated announcements about merging the two distinct administrations in a phased manner, the two administrations remained divided until early 2006. **An agreement between the PUK and the KDP on the joint administration of the KRG was finally reached on 21 January 2006.** Under the agreement, the parties decided that KDP Head and Kurdistan President Massoud Barzani retains the Presidency, while Nechirvan Barzani from the KDP serves as Prime Minister. The PUK's Adnan Mufti was appointed as Speaker of the KNA until the next election of the KNA at the end of 2007, when the parties will switch control of the offices of the Prime Minister and the Speaker respectively. Furthermore, a new post of Vice-President was established and filled by the PUK politburo executive chief Kosrat Rasul Ali. The Vice-President will also serve as the Deputy Commander-in-Chief of the Peshmerga Forces of the Kurdistan Region.

The seat of the KRG is in Erbil. According to the new power-sharing agreement, the KDP will head/heads the KRG Ministries of Finance, Peshmerga Affairs, Higher Education, Agriculture, Martyrs, Culture, Electricity, Natural Resources, Municipalities, Sports and Youth as well as the Ministry for Extra-Regional Affairs. The PUK oversees the Interior, Justice, Education, Health, Social Affairs, Water Resources, Transportation, Reconstruction, Planning and Human Rights ministries. The KRG Ministries of Finance, Peshmerga Affairs, Justice and Interior should unite within one year.⁷ The KIU, the KIG as well as the Turkmen and Chaldo-Assyrian parties are heading the remaining ministries.

The Permanent Constitution, approved in a referendum in October 2005, provides for the adoption of a **Regional Constitution** defining the structure of the Regional Government and

⁷ Kurdistan Regional Government, *Kurdistan Regional Government Unification Agreement*, paras 1-5, 21 January 2006, http://www.krg.org/articles/article_detail.asp?LangNr=12&RubricNr=107&ArticleNr=8891&LNNr=28&RNNr=70. For a full list of the KRG cabinet, inaugurated on 7 May 2006, see Kurdistan Regional Government, *Ministers of the new unified cabinet*, 7 May 2006, http://www.krg.org/articles/article_detail.asp?ArticleNr=10938&LangNr=12&LNNr=28&RNNr=70.

its areas of jurisdiction. The Regional Government can exercise its authority provided that exercise does not conflict with the Permanent Constitution (Article 119). After months of intense debate between different parliamentary blocks, a draft of the Regional Constitution was finalized at the end of August 2006. Controversial issues concerned the status of Islam in the Regional Constitution, the borders of the Kurdistan Region and its governing system. The Regional Constitution sets Islamic principles as one of the major sources of legislation despite opposition by secular groups and women's organizations. Despite initial reports that Kirkuk would be proclaimed capital of the Kurdistan Region in the constitution, Erbil has been designated regional capital. The draft states that Kirkuk and other disputed areas are part of the Kurdistan Region and that the boundaries of the Kurdistan Region shall be set in accordance with Article 140 of the Permanent Constitution. The draft also gives the Kurdish people the right of self-determination. According to Adnan Mufti, Speaker of the KNA, the draft Regional Constitution will soon be delivered to the KNA for ratification. It must also be submitted to a regional referendum in the three Northern Governorates of Erbil, Sulaymaniyah and Dohuk before it can enter into force.⁸

b. Governorate authorities

The **governing body of the Governorate of Sulaymaniyah is the Governorate Council**, also elected on 30 January 2005. Its 41 seats are divided among four parties: the PUK holds 28 seats, the KDP five seats, the KIU has five seats and the KIG three seats. The 30 January 2005 elections also led to the appointment of Governor Dana Ahmad Majid and the Chairperson of the Council, Sherzad Abdul-Hafiz.

c. National Authorities

In the elections for the 275-member **Transitional National Assembly on 30 January 2005**, the PUK joined with the KDP and smaller parties to form the **Democratic Patriotic Alliance of Kurdistan**. The Kurdish alliance came second in the elections with 25 percent of the votes (75 seats) and PUK founder and Secretary-General, Jalal Talabani, became the President of Iraq on 6 April 2005.

A second round of **National Assembly (Council of Representatives) elections** was held on 15 December 2005. The results show that Iraqis again cast their ballots along sectarian or ethnic lines: the Shiite coalition (*United Iraqi Alliance*) had again dominated the voting, but is short of a majority, holding 128 of the 275 seats. Kurdish parties (*Kurdistan Gathering*) won 53 seats and the main Sunni Arab bloc (*Tawafiq Iraqi Front*) won 44, giving them a much stronger political voice than they had before.⁹ In spite of complaints by some of the leading parties, the polls were run in accordance with international electoral standards¹⁰ and were accompanied by only limited violence. Sunnis, who had boycotted the January 2005 elections, did participate in large numbers and the overall turnout was relatively high (around 70% overall in the country and over 80% in the Governorate of Sulaymaniyah). The Kurdish

⁸ KUNA, *Final draft for Kurdistan constitution to be submit to regional parliament*, 31 August 2006, <http://www.kuna.net.kw/home/Story.aspx?Language=en&DSNO=900830>; The Globe, *Kurdistan constitution recognizes Islam as a source of legislation*, 29 August 2006, <http://www.ekurd.net/mismas/articles/misc2006/8/independentstate929.htm>; The Globe, *Kurdistan Constitution paves way for independence*, 22 August 2006, <http://www.kurdishaspect.com/doc822102.html>; Women's e-News, *Iraqi Kurdish Women Voice Hopes for Constitution*, 25 April 2006, <http://www.womensenews.org/article.cfm/dyn/aid/2717/context/archive>.

⁹ IECI, *Certification of the Council of Representatives Elections Final Results*, 10 February 2006, http://www.ieciraq.org/English/Frameset_english.htm.

¹⁰ International Mission for Iraqi Elections, *Final Report on the December 15, 2005, Iraqi Council of Representatives Elections*, 12 April 2006, http://www.imie.ca/pdf/final_report.pdf; IECI, *Statement No. 39, Board of Commissioners Decisions on Complaints Regarding the Council of Representatives Elections*, 16 January 2006, [http://www.ieciraq.org/final%20cand/Declaration_39_Jan_17_06_amended\[1\].edited.pdf](http://www.ieciraq.org/final%20cand/Declaration_39_Jan_17_06_amended[1].edited.pdf).

Alliance won a clear majority of the votes cast in the Governorate (13 seats) but lost votes to the KIU (2 seats).

After six months of negotiations a **national unity government** was agreed between the *United Iraqi Alliance*, *Tawafiq Iraqi Front*, *Kurdistan Gathering* and *Iraqi National List*, under the leadership of Prime Minister Nouri Al-Maliki.¹¹ PUK-leader Jalal Talabani is the President of the Republic of Iraq.

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

d. Referendum on Permanent Constitution

A referendum on the draft Permanent Constitution was held on 15 October 2005. The Kurdish alliance representatives were full participants in the preparation of the **Permanent Constitution**. Some Sulaymaniyah citizens expressed dissatisfaction with the draft Permanent Constitution, stating that it did not fully satisfy Kurdish aspirations for independence. However, the draft was generally felt to offer the best prospect for autonomy and self-rule currently available and the Sulaymaniyah electorate voted strongly in favour of the Permanent Constitution. According to the IECI, 98.96% of the voters in Sulaymaniyah Governorate voted in favour of the draft Permanent Constitution and 1.04% voted to reject it.¹² Under a compromise reached before the referendum, it was agreed that the new Council of Representatives would consider amendments to the Permanent Constitution within four months (Article 142 of the Permanent Constitution). Amendments agreed will have to be approved in a popular referendum. The referendum will be successful if it is approved by a majority of the voters and if not rejected by two-thirds of the voters in three or more Governorates. Issues at stake include federalism and the distribution of oil.

B. Security and Public Order¹³

The present security situation in Sulaymaniyah is relatively calm and arguably one of the most stable in Iraq. Since the end of the PUK-KDP fighting in 1997, the security situation has stabilized in Sulaymaniyah and local authorities committed themselves to increasing security against external threats. However, for a number of mainly political factors, the security situation remains tense and unpredictable:

- There is a high level of fear that the conflict prevailing in the other parts of the country, in particular in the Governorates of Kirkuk and Mosul, might spill over to Sulaymaniyah;
- Despite recent unification of the two KRG administrations to unify the two distinct administrations, the joint exercise of control still needs to be demonstrated on the crucial portfolios of Justice, Peshmerga Affairs, Interior and Finance;
- Kurdish ambitions to expand their areas of control, in particular in the Governorates of Kirkuk and Mosul, are meeting the resistance of Arab and Turkmen communities

¹¹ For a list of cabinet members see BBC, *Who's who in Iraq's new cabinet*, 22 May 2006, http://news.bbc.co.uk/2/hi/middle_east/5000750.stm.

¹² IECI, *Certification of the Constitutional Referendum Final Results*, 25 October 2005, <http://www.ieciraq.org/final%20cand/20051102%20Certified%20Referendum%20Results%20English.pdf>.

¹³ Security and public order sources of information include: MoI/Sulaymaniyah, media, Governorate Office and MoJ/Sulaymaniyah.

as well as the Turkish authorities. Tensions are expected to rise in view of a popular referendum on the status of Kirkuk and other disputed areas planned for 2007;¹⁴

- The reported presence of some 5,000 PKK fighters in Northern Iraq is a cause for concern. A number of attacks inside Turkey allegedly perpetrated by PKK fighters operating from Northern Iraq, prompted Turkey to threaten Iraq with military incursion. Both Turkey and Iran have reportedly massed troops on the border and carried out operations against Kurdish fighters along the Iraqi border in recent months.¹⁵
- Radical Islamic elements, offshoots from *Ansar Al-Islam*, a home-grown indigenous Kurdish Islamist Movement, which during the 2003 US-led invasion was attacked by Coalition and Kurdish forces for reportedly providing a safe haven to Al-Qaeda and Abu Musab Al-Zarqawi, appear to have regrouped, mainly near the Iraqi-Iranian border.¹⁶ They are held responsible for (suicide) attacks in the Kurdistan Region, mainly directed against senior PUK/KDP political and military officials.
- Growing dissatisfaction over alleged corruption, restrictions on freedom of press and the lack of public services lead to regular demonstrations and public unrest across the KRG-administered area.¹⁷

A terrorist attack killing the Chief of Security and two of his bodyguards in Halabja in June 2005¹⁸ was the first of its kind to occur in Sulaymaniyah since August 2003, when the Deputy Chief of Security in Sulaymaniyah, Hama Hussein, was shot dead by Ansar Al-Islam.¹⁹ **Bomb explosions in the city of Sulaymaniyah** on 25 October 2005 killed 12 persons and injured several more. One suicide car bomb exploded outside a building housing the then-Sulaymaniyah KRG's Ministry of Peshmerga Affairs. The same day, two suicide car bombers attacked the convoy of senior PUK official Mullah Bakhtiar on a highway west of Sulaymaniyah, wounding two of his guards, and a bomb discovered outside a hotel on the city's main street was defused.²⁰ The targets chosen (the PUK security apparatus and a political figure) show that despite tight control over insurgent activity in the Governorate, it remains vulnerable to attacks.

¹⁴ Iraq's Permanent Constitution stipulates in Article 140 that there be 'normalisation, a census and a referendum in Kirkuk and other disputed territories to determine the will of their citizens before 31 December 2007'.

¹⁵ The Christian Science Monitor, *Turkey sharpens response to upsurge in Kurd violence*, 29 August 2006, <http://www.csmonitor.com/2006/0829/p10s01-woeu.html>; The Guardian, *Kurds flee homes as Iran shells Iraq's northern frontier*, 18 August 2006, <http://www.guardian.co.uk/Iraq/Story/0,,1852843,00.html>; Oxford Analytica, *Tensions mount at Iraq-Turkey border*, 25 July 2006, http://www.hillnews.com/thehill/export/TheHill/Comment/OpEd/072506_oxford.html; Radio Free Europe/Radio Liberty, *Iraq: Turkey Threatens Military Incursion*, 21 July 2006, <http://www.rferl.org/featuresarticle/2006/07/04C77744-2F65-4989-B6DE-D00564FD5DB8.html>; IRIN, *IRAQ: Officials warn of displacement following attacks*, 28 May 2006, http://www.irinnews.org/report.asp?ReportID=53571&SelectRegion=Middle_East&SelectCountry=IRAQ; Ibid., *IRAQ: Kurdish families flee as Iran shells rebel positions*, 2 May 2006, http://www.irinnews.org/report.asp?ReportID=53094&SelectRegion=Middle_East&SelectCountry=IRAQ.

¹⁶ BBC, *US targets Islamist group in Iraq*, 22 March 2003, http://news.bbc.co.uk/1/hi/world/middle_east/2875269.stm.

¹⁷ Radio Free Europe/Radio Liberty, *Iraq: Kurds Call For More Government Accountability*, 9 August 2006, <http://www.rferl.org/featuresarticle/2006/08/b502064d-63c7-484b-adcf-91b92c3d0d07.html>; Institute for War and Peace Reporting, *Kurds Protest Energy Shortages*, Iraq Crisis Report No. 184, 7 July 2006, http://www.iwpr.net/?p=icr&s=f&o=322133&apc_state=henh; IRIN, *IRAQ: Kurdish authorities vow to upgrade services after protests*, 19 March 2006, http://www.irinnews.org/report.asp?ReportID=52303&SelectRegion=Middle_East&SelectCountry=IRAQ.

¹⁸ BBC, *Many dead in attacks across Iraq*, 20 June 2005, http://news.bbc.co.uk/2/hi/middle_east/4109908.stm.

¹⁹ Ibid., *Militants 'kill Kurd police chief'*, 29 August 2003, http://news.bbc.co.uk/go/pr/fr/-/2/hi/middle_east/3192721.stm.

²⁰ Ibid., *Bomb blasts hit Iraqi Kurdistan*, 25 October 2005, http://news.bbc.co.uk/2/hi/middle_east/4374468.stm.

The Governorate has also seen a number of kidnappings for ransom.

Since 2005, incidents of civil unrest have occurred in the Governorate of Sulaymaniyah; there are increasing signs of public impatience with the administration and its ability to deliver improvements to public service provision, particularly as regards water, fuel and electricity. **Despite announcements by the KRG authorities** that they would strive to solve the public service problems, protests have intensified in recent months and have spread across the Kurdistan Region, including Chamchamal, Darbandikhan, Kalar and Sulaymaniyah. Many demonstrations have turned violent and scores of protestors were arrested (see below *Chronology of Events*)

Security concerns do not appear to vary between groups in the community and returning refugees and IDPs have generally not been found to face security concerns greater than those of other residents.

The KIU's decision to run independently from the Kurdish Alliance list in the National Assembly elections of 15 December 2005 led to public riots and harassment of party members in the three Northern Governorates, including the Governorate of Sulaymaniyah.²¹

a. Chronology of Events

The following provides a brief summary of events in Sulaymaniyah Governorate from January to August 2006 (not exhaustive):

August 2006:

- Throughout the month, street protests calling for improved public services took place in Chamchamal, Sulaymaniyah, Kalar and Darbandikhan, several of which turned violent. Reportedly, some 400 people were arrested and 60 people injured. According to media rights groups, among those arrested were numbers of journalists, blamed by the security forces of helping to orchestrate the protests. Cases have been reported of police destroying photographers' equipment and an Associated Press correspondent in the region was banned by the authorities from covering protests.²²

July 2006:

- On 27 July 2006, over 700 workers of the Tasluja Cement Factory in Sulaymaniyah took part in a peaceful protest demanding a pay rise, the reinstatement of fellow workers who had been sacked and the return of the factory's management to the government sector, after giving it to a private firm. Security guards shot into the demonstration reportedly killing two and injuring 13 workers;²³
- On 20 July 2006, the Iranian Army shelled areas on the Iraqi-Iranian border. According to the MoI/Sulaymaniyah several houses were damaged and three shepherdesses were killed in two bomb blasts on the border with Iran.

²¹ Radio Free Europe/Radio Liberty, *Iraq: Kurdish Factions Struggle To Achieve Unity*, 14 December 2005, <http://www.rferl.org/featuresarticle/2005/12/94bb303e-382c-41b4-8f64-1d866488186d.html>; BBC, *Tarnished democracy in Kurdistan*, 13 December 2005, http://news.bbc.co.uk/2/hi/middle_east/4522296.stm; Radio Free Europe/Radio Liberty., *Iraq: Kurdistan Islamic Union Responds To Attacks*, 9 December 2005, <http://www.rferl.org/featuresarticle/2005/12/9dfdf2b2-3d52-4b9b-a56a-38d835cbbb33.html>;

²² Coalition to Stop Deportations to Iraq, *Kurdistan unsafe but Home Office still intent on sending people back there*, 25 August 2006, <http://www.wadinet.de/news/iraq/newsarticle.php?id=2453>; Reporters Without Borders, *Two journalists go on trial while wave of arrests continues in north*, 17 August 2006, http://www.rsf.org/article.php3?id_article=18582; Reuters Alertnet, *Scores detained during protests in Iraq's Kurdistan*, 14 August 2006.

²³ KurdishMedia.com, *Private security guards fire on protestors in Sulemani*, 27 Jul 2006, <http://www.kurdmedia.com/articles.asp?id=12907>.

- On 17 July there was an explosion in a Christian store selling alcohol in Sulaymaniyah, causing widespread damage;
- Two road-side bombs, targeting Iraqi border police patrols, exploded on Penjwin border, there were no casualties;
- In Chwarqurna, 110 kilometres north of Sulaymaniyah, protestors took to the streets over the lack of electricity. Security forces arrested 15 demonstrators, who were charged with starting riots.²⁴

June 2006:

- On June 11, security forces in the town of Said Sadiq detained three persons allegedly linked to Ansar Al-Islam;
- A planned protest over deteriorating public services in front of the Mayor's Office in Said Sadiq was dispersed by security forces. Five persons were detained.²⁵

May 2006:

- On 2 May 2006, a criminal court in the city of Sulaymaniyah sentenced the current and former editors-in-chief of weekly newspaper *Hawlati* to six-month suspended jail terms and fines of 75,000 ID each for defaming Prime Minister Omer Fatah in an article published on 12 October 2005. Reportedly, both editors were compelled to sign a statement that they would not commit defamation again.²⁶
- According to the MoI/Sulaymaniyah, Iranian forces battling the PKK shelled at least 10 villages in several border areas in north-eastern Iraq on 2 May 2006.²⁷

April 2006:

- On the anniversary of the *Anfal* campaign and in expectation of popular protests over the lack of public services, security forces massed in Kalar and authorities cancelled public ceremonies;
- Security forces in Sulaymaniyah dispersed a demonstration organized by the Kurdistan Democratic Solution Party (*Charasari Kurdistan*) on 13 April. Reportedly, dozens of party members were arrested by the security forces.

March 2006:

- PUK security forces arrested Hawez Hawezi, a teacher and journalist working for *Hawlati* newspaper, on the grounds that he had criticized the KDP and the PUK in the press. Citing corruption and cronyism within both administrations, Hawezi called on Kurdish officials to step down in an article published on 15 March. The New York based Committee to Protect Journalists said that Hawezi was released on bail on 19 March after appearing before an investigating judge. Hawezi was rearrested in late April after publicly complaining of his treatment while in detention, Reuters reported on 2 May.²⁸

²⁴ Institute for War and Peace Reporting, *Kurds Protest Energy Shortages*, Iraqi Crisis Report No. 184, 7 July 2006, http://www.iwpr.net/?p=icr&s=f&o=322133&apc_state=henh.

²⁵ Ibid.

²⁶ Committee to Protect Journalists, *IRAQ: Journalists from Kurdish weekly face arrest, trial*, 2 May 2006, <http://www.cpj.org/news/2006/mideast/iraq02may06na.html>.

²⁷ Reuters, *Iran shells Iraqi Kurdistan: Kurd minister*, 2 May 2006, <http://www.iranfocus.com/modules/news/article.php?storyid=7004>.

²⁸ Radio Free Europe/Radio Liberty, *Iraq: New Kurdish Administration Comes Under Scrutiny*, 12 May 2006, <http://www.rferl.org/featuresarticle/2006/5/4B58E7A7-5456-4D67-A1F1-B5DF2E2AD5B4.html>; Committee to Protect Journalists, *IRAQ: Journalists from Kurdish weekly face arrest, trial*, 2 May 2006, <http://www.cpj.org/news/2006/mideast/iraq02may06na.html>; Radio Free Europe/Radio Liberty, *Iraq: Kurdish*

- On 16 March 2006, demonstrators torched a monument to the victims of a gas attack on Halabja. 2,000 locals staged street protests to prevent officials getting into Halabja to take part in ceremonies marking the anniversary of the 1988 attack in which 5,000 people died. Locals said they mounted the demonstration to protest against the lack of services and compensation for the victims of Halabja. Dozens of people were arrested or wounded and a 17-year-old boy was shot when security forces quelled the protests. Reportedly, at least seven journalists were beaten during the demonstration and others had their equipment confiscated.²⁹
- Some 400 students protested in front of the University of Koya on 8 March to demand the university pay their monthly stipends, which were two months late, and provide better basic services such as water and electricity. Security forces dispersed the protest, reportedly injuring some protesters and arresting others. Students accused police of using excessive force.³⁰

February 2006:

- On 11 February, a car bomb killed Kani Yilmaz and Sabri Tori, two former senior members of the PKK in Sulaymaniyah. Kani Yilmaz was a member of the PKK leadership and was also their European representative.³¹

b. Security Forces

In the Governorate of Sulaymaniyah, the provision of security, including law enforcement and basic police functions, continues to be the responsibility of the local police, the security forces and the Peshmerga (the PUK's armed forces). The Permanent Constitution stipulates that 'The Regional Government shall be responsible for all the administrative requirements of the region, particularly the establishment and organization of the internal security forces for the region such as police, security forces and guards of the region'.³² Kurdish officials have repeatedly made it clear that the Peshmerga will not be disbanded or fully integrated into the Iraqi Security Forces (ISF), and regular ISF are able to operate in the Kurdistan Region only with the prior permission of the KRG.³³ Under the unification agreement reached by the KDP and the PUK on 21 January 2006, a Supreme Commission will be established to institutionalize the police and security agencies of the Kurdistan Region. The united agencies are to be removed from political considerations. The agreement also foresees the introduction of a special program for university graduates with the aim of recruiting new candidates to the unified security services.³⁴

Media Complain Of Harassment, 31 March 2006, <http://www.rferl.org/featuresarticle/2006/03/5dcece20-7c49-4f2e-a636-55a53c62e674.html>.

²⁹ Institute for War and Peace Reporting, *Kurdish Press Freedom Abuses*, Iraqi Crisis Report No. 192, 1 September 2006, http://iwpr.net/?p=icr&s=f&o=323571&apc_state=heniicr2006; The Christian Science Monitor, *Kurds' quest for justice overshadowed by economic discontent*, 7 April 2006, <http://www.csmonitor.com/2006/0407/p25s01-woiq.html>; Radio Free Europe/Radio Liberty, *Iraq: Kurdish Media Complain Of Harassment*, 31 March 2006, <http://www.rferl.org/featuresarticle/2006/03/5dcece20-7c49-4f2e-a636-55a53c62e674.html>; Institute for War and Peace Reporting, *Halabja Protesters May Face Death Penalty*, Iraqi Crisis Report No. 169, 23 March 2006, http://iwpr.net/?p=icr&s=f&o=260482&apc_state=heniicr2006.

³⁰ Institute for War and Peace Reporting, *Anger at University Protest Crackdown*, Iraqi Crisis Report No. 168, 15 March 2006, http://www.iwpr.net/?p=icr&s=f&o=260365&apc_state=henh.

³¹ Agence France Presse, *Former Kurdish separatist leader killed in Iraq*, 11 February 2006, <http://www.institutkurde.org/en/afp/archives/?src=news/060211191716.9vg6bgn3.xml>.

³² Article 120 Fifth of the Permanent Constitution.

³³ The New York Times, *Q&A: Iraq's Militias*, 11 June 2005, http://www.nytimes.com/cfr/international/slot2_060905.html.

³⁴ Kurdistan Regional Government, *Kurdistan Regional Government Unification Agreement*, para 7, 21 January 2006,

The Kurdish Police have a General Directorate in Sulaymaniyah City and Departments in all Districts of Sulaymaniyah. Most Sub-districts of the Governorate also have a Police Office.

Security incidents can be reported by dialling '100', the number of the emergency services hotline. This telephone number is constantly advertised through media channels.

The **Peshmerga** have fought successive Iraqi governments and provided military backup during the US-led intervention in Iraq that deposed the former regime. The Peshmerga has an estimated 100,000 members and serves as the primary security force for the **KRG** in Northern Iraq.³⁵ In June 2005, the Kurdish parties agreed to assign 30,000 Peshmerga fighters to the National Government, while the rest will come under the control of a planned unified Peshmerga Ministry in the KRG.³⁶ It was decided, under the 21 January 2006 power-sharing agreement between the KDP and the PUK, that the Peshmerga will come under the control of the joint Ministry of Peshmerga Affairs by the end of 2006, to be headed by the KDP.

The former KRG Sulaymaniyah established its own distinct judicial system as well as separate **prison and detention facilities**. Prison and detention centres are under the authority of the MoI/Sulaymaniyah and run by the police forces. Under the 21 January 2006 agreement between the KDP and the PUK, detention facilities will come under the authority of the joint MoI, headed by the PUK. The major prison complex is called *Ma'askar Salam* and is located west of Sulaymaniyah. A separate institution exists for juvenile offenders.

The Multinational Forces (MNF) have a small presence in Sulaymaniyah City, where their activities focus on the training of regional security services. Since June 2003, the MNF's presence in Iraq has been at the request of the Iraqi authorities and authorized by the UN Security Council. On November 2005, the UN Security Council, upon request of the Iraqi Transitional Government, unanimously extended the MNF's mandate for another year until the end of 2006, subject to a review no later than 15 June 2006.³⁷ As required, members of the UN Security Council discussed on 15 June 2006 the mandate of the MNF in Iraq. Upon request of Iraq's Government (letter from Foreign Minister Zebari dating 9 June 2006), the members of the Security Council agreed upon the continuation of the mandate of the MNF.³⁸

c. **UXO and Mines**³⁹

Mine clearance work started haphazardly after 1991 by local residents without training, which resulted in a number of injuries. Systematic mine clearance started extensively after 1996 by KRG, NGOs (non-governmental organizations) and UNOPS – Mine Action Programme (under the Oil-for-Food Programme). While demining activities have been ongoing since 2003, security has continued to hamper efforts. It is estimated that more than 12 million mines and UXOs remain in the north of Iraq,⁴⁰ with Sulaymaniyah containing

http://www.krg.org/articles/article_detail.asp?LangNr=12&RubricNr=107&ArticleNr=8891&LNNr=28&RNNr=70.

³⁵ The New York Times, *Kurds Vow to Retain Militia as Guardians of Autonomy*, 27 February 2005, <http://www.nytimes.com/2005/02/27/international/middleeast/27militia.html?ex=1118894400&en=e6966593f41fc420&ei=5070>.

³⁶ Institute for War and Peace Reporting, Iraqi Crisis Report No. 129, *Thousands of Peshmerga drafted into Army*, 22 June 2005, http://www.iwpr.net/index.pl?archive/irq/irq_129_5_eng.txt.

³⁷ UN Security Council, *Resolution 1637 (2005)*, 11 November 2005, http://www.un.org/Docs/sc/unsc_resolutions05.htm.

³⁸ UN Security Council, *Security Council Press Statement on Review of Multinational Force, Development Fund for Iraq Mandates*, SC/8752 IK/548, 15 June 2006, <http://www.un.org/News/Press/docs/2006/sc8752.doc.htm>.

³⁹ UXO and mines sources of information include: the National Mine Authority, local authorities and NGOs.

⁴⁰ IRIN report, June 2006

around 200 square km of Iraq's contaminated areas, and 80% of its land area being under alert conditions.⁴¹ Sharbazher District, bordering Iran, is the area most affected by mines. There is a Directorate of Mines in the KRG, overseeing the work of the local and international organizations working on mine clearance, surveying and mine awareness education. Among the local organizations active in mine and Unexploded Ordnance (UXO) activities are Khabat Zangana Company, Bafrik, Arsa and Zozik. International mine action organizations with a presence in Sulaymaniyah are NPA (Norwegian Peoples Aid), who are working in Sharazoor and Sharbazher, and MAG (Mines Advisory Group), who are working now along the green line area belonging to Sulaymaniyah Governorate.

Mines and UXO represent major obstacles to reconstruction and development in certain areas of the Governorate. While local communities are often aware of the approximate whereabouts of mined areas in their environment, IDPs and returnees are at particular risk as they are often not familiar with the areas they are in. In addition, they are exposed to mine and UXO risks when returning to Iraq through mined border areas or living in vacated public buildings (such as former military sites) upon return due to a lack of housing. Many IDPs cannot return to their villages of origin as they have been destroyed and mined: many villages in the North were depopulated during the *Anfal* campaign and villages along the border with Iran were heavily mined during the Iraq-Iran War. NPA estimates that between 1991 and 2002, 3,500 Iraqi civilians were killed and 6,000 were injured in the three Northern Governorates alone.⁴² The UN/World Bank estimated that under the strategy and funding scenario outlined in the Joint Iraq Needs Assessment of October 2003, 'freeing northern Iraq from the impact of landmines and UXO will take eighteen years'.⁴³

d. Freedom of Movement⁴⁴

Freedom of movement is rarely restricted in Sulaymaniyah and there are no curfews in place. There is normal freedom of movement after dark and in parks, and supermarkets and shops remain open past midnight.

There are three formal border crossing points with Iran in Sulaymaniyah Governorate: Bashmakh crossing point in Penjwin District, Tawela crossing point to Halabja District and Parwezkhan crossing point in Darbandikhan District.

Permanent checkpoints are established at Governorate borders and at the entrance and exit of each District as a security measure. Travellers are asked to show an identification document (e.g. a **Civil ID card**) as part of routine security checks. This can however restrict the movement of returnees who do not have adequate Iraqi documentation as well as of persons not originating from the area (e.g. IDPs). Returnees who have not yet renewed their identity cards are required to obtain a letter from the local security office in their area before travelling outside the district, or between Governorates.

It has been reported that some women face restrictions on their freedom of movement because of social customs/traditions.⁴⁵

⁴¹ Ibid

⁴² Norwegian People's Aid, *Buried mines and ordnance continue to maim Iraqi civilians*, 28 July 2004, <http://www.reliefweb.int/rw/RWB.NSF/db900SID/EVIU-654G3F?OpenDocument>.

⁴³ UN/World Bank, *Joint Iraq Needs Assessment*, October 2003, p. 45, [http://lnweb18.worldbank.org/mna/mena.nsf/Attachments/Iraq+Joint+Needs+Assessment/\\$File/Joint+Needs+Assessment.pdf](http://lnweb18.worldbank.org/mna/mena.nsf/Attachments/Iraq+Joint+Needs+Assessment/$File/Joint+Needs+Assessment.pdf).

⁴⁴ Freedom of movement sources of information include: MoI/Sulaymaniyah, Governorate Office, Border Authorities and returnees.

⁴⁵ Dr. Rebwar Fatah and Sheri Laizer, *Fact Finding Mission to Iraqi Kurdistan, September – October 2004*, 2004, pp. 15/16.

II. Legal Issues⁴⁶

A. Justice System

In the Governorate of Sulaymaniyah, a distinct judicial system emerged due to the area's *de facto* autonomy from Central Iraq in 1991. Both under the TAL and the Permanent Constitution, the region's judiciary continues to function independently from the Central Government's judicial system. A separate Cassation Court had been established in Sulaymaniyah and the previous division of the PUK and the KDP administrations made it necessary to establish a separate Court of Appeal in Sulaymaniyah. In the Governorate of Sulaymaniyah, the Courts apply Sharia law (Shafiite or Hanafi School) in personal status matters, while the Iraqi *Personal Status Law* is applied to non-Muslims (in addition to their own laws). Members of the Peshmerga are tried by special Peshmerga Courts. At the time of writing, it is not yet known how the power-sharing agreement between the KDP and the PUK will affect the set-up of the judicial system given that the distinct Ministries of Justice will only be merged at the end of 2006. In early August 2006, KRG Prime Minister Nechirvan Barzani announced the re-establishment of the Kurdistan Region's Supreme Court, by merging the two highest courts in the Region.⁴⁷

Since August 2006, the Central Ministry of Justice Building is located in Erbil. It supervises the administration of the varying courts in the Kurdistan Region outlined as follows:

- **The Supreme Court;**
- **The Court of Appeal;**
- **The Criminal Court;**
- **The First Instance Courts.**
- **The Personal Status Courts;**
- **The Investigative Courts;**
- **The Labour Courts;**
- **The Juvenile Court;**
- **The Security Forces Permanent Court.**

Judicial services are operating relatively regularly in Sulaymaniyah, although they are prone to delays in court proceedings and the issuing of verdicts.

Courts are more frequently referred to as means to settle disputes in urban rather than rural areas where mediation through traditional leaders is a more common practice.

B. Restitution of Property Claims

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

⁴⁶ Legal issues sources of information include: LAIC, MoJ/Sulaymaniyah, former MoHR/Sulaymaniyah, MoI/Sulaymaniyah and CRRPD.

⁴⁷ Kurdistan Regional Government, *Prime Minister's speech: Kurdistan Region re-establishes Supreme Court*, 2 August 2006, http://www.krg.org/articles/article_detail.asp?LangNr=12&RubricNr=&ArticleNr=12625&LNNr=28&RNNr=70.

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

Claims for the restitution of property misappropriated by the former regime that fall within the jurisdiction of the CRRPD can be submitted to its office in Sulaymaniyah City. The CRRPD office provides assistance with completion and submission of claims. It also collects evidence from appropriate real estate registry and government offices, holds hearings and requests additional evidence on aspects of claims that need further clarification.

As of 31 August 2006, the CRRPD Sulaymaniyah office had received 2,956 claims, of which only 497 have been settled in the first instance (out of these 497 cases, 305 claims were rejected, 128 claimants received compensation and 50 had their property returned). Most of the settled claims were directed against the government (419 out of 497).⁴⁸

To submit a claim to the CRRPD, a claimant should submit the following documents to any CRRPD Office,⁴⁹ preferably to the one nearest to the real property in question:

- A completed CRRPD claim form (in Arabic or Kurdish);⁵⁰
- Originals of supporting documentation;⁵¹
- Copies of supporting documentation;
- A valid identification document (for claimant and/or representative);
- Evidence of representation signed by the claimant (if a representative is submitting the claim).

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

Property claims can also be submitted from abroad. Out-of-country claimants (or their representative) can file their claims with Iraqi embassies and consular offices as well as any CRRPD office in Iraq, either in person or through a legally authorized representative.

The same documentation is required as for the submission of in-country claims.⁵²

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

⁴⁸ CRRPD, *The Weekly General Information Form*, 31 August 2006.

⁴⁹ A list of CRRPD offices in Iraq and their contacts can be found at <http://www.ipcciraq.org/contactus.htm>.

⁵⁰ The claim form is available at any CRRPD Office, Iraqi embassies and consular offices and can be downloaded at http://www.ipcciraq.org/06_forms.htm.

⁵¹ Examples of supporting documentation include: property registration certificates, land contracts, certificates of the transfer of title, tax documentation and utility bills.

⁵² For further guidance, see CRRPD, *Procedures for Persons Living Outside of Iraq*, <http://www.ipcciraq.org/outofcountry.htm>.

The CRRPD Office is open from 08.00-15.00, Saturday to Thursday. For additional assistance in completing the forms, claimants and respondents may contact the CRRPD from 8.00-15.00 (Baghdad time) on the following mobile numbers until further notice: **+96 4 79 01 94 57 67.**⁵³

Property claims that do not fall within the jurisdiction of the CRRPD can be submitted to the Civil Court. The court processes cases relatively quickly, but the applicant must pay for the services of a lawyer to represent him/her in court.

C. Reacquisition of Nationality

There are two documents in Iraq confirming Iraqi nationality:

- **Nationality card;**
- **Civil ID card.**

Persons, whose nationality was withdrawn by the former regime, should apply for these two documents. In the process, their entitlement of citizenship will be checked. The Directorate of IDPs and Refugees has a team to assist returning refugees to renew nationality documents and will issue supporting letters if returnees are facing difficulties.

Applications to obtain the nationality card must be submitted to the Directorate of Nationality in Sulaymaniyah City, which will carry out an investigation into the reasons for loss of nationality. **Applications to obtain the civil ID card** must be submitted to one of the six MoI Identity Offices in Sulaymaniyah Governorate. Returnees can reacquire their nationality if their names are recorded on official records in the Directorate of Nationality or they are able to provide the nationality record of an immediate relative (such as a grandfather or grandmother). If they are not able to provide either of these, then the applicant must bring four witnesses attesting to their right to Iraqi nationality together with a letter of support from their *Mukhtar*, proving current residency. The case will then be investigated by the police and Investigative Courts to verify the application.

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

D. Documentation

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

The nationality card and civil ID card are the most urgently needed forms of documentation for returning refugees as they restore the right to access all entitlements of Iraqi nationality. Returnees still carrying old Iraqi documentation are able to renew documents easily. For those without these documents, further investigation into records must be carried out to prove entitlement. A non-Iraqi (e.g. Iranian) spouse of a returnee can apply for all the documents listed below except the civil ID card and the nationality card, which he/she may qualify for after legally remaining in Iraq for five years according to current Iraqi Nationality Law.

⁵³ CRRPD, *Contact us*, <http://www.ipcciraq.org/contactus.htm>.

Civil ID Cards

Civil ID Cards, which are used in order to obtain most official documents, can be renewed at the Directorate of Personal Status in Sulaymaniyah. The process normally takes three days after an application is submitted. The following documents must be submitted with the application:

- A petition of request for a civil ID card addressed to the Directorate of Personal Status;
- The civil ID card of an immediate relative (e.g. father, grandfather), who has been registered in a previous Iraqi census;
- Four personal photographs.

The fee for the issuance of a civil ID card amounts to 2,000 ID.

Nationality Cards

Nationality Cards, needed for many official purposes, can be applied for at the Directorate of Nationality. The process normally takes three days after an application is submitted. Documents required are:

- A formal letter requesting a nationality card, addressed to the Directorate of Nationality.
- The nationality card of one of the immediate family members;
- Civil ID card;
- Letter from *Mukhtar* certifying the applicant's address;
- Four personal photographs.

The issuance of a nationality card costs 2,000 ID.

Passports

Passports can be applied for with the Directorate of Passports and Residence in Sulaymaniyah City. Applications usually take about one week to be processed. The following documents need to be submitted:

- Application form provided by the Passport and Residence Directorate and completed by the applicant;
- Civil ID card;
- Nationality card;
- Food ration card;
- Letter from the Mukhtar confirming the applicant's residency;
- Four personal photographs.

The issuance of a passport amounts to approximately 30,250 ID (25,000 ID for the passport and additional bank charges of 5,250 ID).

Non-Iraqi spouses of Iraqi returnees are required to register with the Department of Residence in the Passports and Residence Directorate. This process includes security and medical checks (currently a blood test and stool sample). Initial registration lasts for three months, after which non-Iraqi spouses need to extend their residency every six months. After five years of continuous legal residency, non-Iraqi spouses can apply for Iraqi nationality under certain criteria (Article 11 of the new Iraqi Nationality Law No. 26). Registration requires the spouse to have a valid passport, visa and proof of entry through an official Iraqi border crossing point. This has caused difficulties for many who travelled to Iraq illegally

and did not use an official crossing point, particularly in the immediate aftermath of the 2003 conflict. If non-Iraqi spouses do not register and do not have the necessary documents, their stay in Iraq is considered illegal and they are subject to detention and deportation. Please see Section IV.A - *Spontaneous Repatriation Procedures* for information on how unregistered non-Iraqi persons in Iraq can become registered.

Registration of Marital Status

To register marital status, needed for the issuance of civil ID cards, registration of birth certificates, issuance of food ration cards and other official purposes, an application has to be submitted to the Directorate of Personal Status. The registration usually takes place the same day. The following documents need to be submitted:

- Marriage certificate;
- Nationality card of both parties;
- Civil ID card of both parties;
- Letter from the *Mukhtar* confirming the applicants' residency;
- Four personal photographs of both spouses.

There is a fee of 2,000 ID.

Marriage Certificates

Marriage certificates are issued at the Personal Status Court. The following documents are required:

- Civil ID card of both spouses;
- Nationality card of both spouses;
- Testimony of two witnesses;
- Medical examination of both spouses.

The issuance of a marriage certificate costs 2,000 ID.

Birth Certificates

Birth Certificates are required for the issuance of a civil ID card, to add children to the food ration card, facilitate registration of children at school and to apply for social welfare benefits. Furthermore, birth certificates may at times be required by employers. Birth certificates are issued by the Directorate of Births and Deaths Registration in the Maternity Hospital in Sulaymaniyah, usually the same day of application. However, the issuing of birth certificates is dependent on other identification being renewed first (e.g. nationality cards and civil ID cards of parents), which could cause lengthy delays. The following documents are requested:

- Nationality cards of parents;
- Copy of civil ID cards of parents;
- Decision of Medical Committee to estimate the child's age (if not born in hospital);
- If the child was born abroad, then any available birth certificate should be submitted with the above-mentioned documents.

The issuance of a birth certificate costs 2,000 ID.

Death Certificates

Death certificates, needed in order to obtain retirement benefits for a person's surviving spouse or children as well as for inheritance purposes, are issued by the Directorate of Births and Deaths Registration. The death certificate is usually issued the same day. Required documents are:

- Nationality card of the deceased person;
- Civil ID card of the deceased person;
- A letter from the hospital certifying the death (if the death took place in hospital);
- A certification letter from a medical doctor (if the death did not take place in the hospital);
- Testimony of two witnesses from the *Mukhtar* verifying the death (if no certification letter from hospital or medical doctor is available).

The issuance of a death certificate costs 2,000 ID.

Returnees with relatives who died while abroad should apply for a death certificate in the host country before returning.

Food Ration Card (PDS Card)

Registration procedures for the Public Distribution System (PDS) for returning IDPs moving between Iraqi districts require a letter of request for transfer from their current PDS distribution agent to the new proposed PDS agent together with a letter from their new *Mukhtar* confirming the new place of residence.

Returnees from abroad applying for the PDS food ration card for the first time should provide the Ministry of Trade (MoT/KRG) food ration centre in Sulaymaniyah with the following documents:

- Civil ID card of all family members;
- Residence confirmation letter from the *Mukhtar*. When applying, the applicant should take all family members to the food ration centre in Sulaymaniyah for verification.

Applications usually take about thirty days to be processed if the documents are submitted before the 18th of the month. Otherwise, another month is added. The registration is free. In order to include/exclude a newborn/deceased person from a family's food ration card, a copy of the relevant birth/death certificate must be sent to the PDS centre. Those who return within Iraq from one Governorate to another should de-register and then re-register at their place of new residence with the nearest MoT office.

Driving Licences

Driving licences are issued by the Directorate of Traffic after successfully passing a theoretical and practical examination and an eye test. The applicant must be over 18 years of age. Processing the request usually takes six to eight months. Required documents are the following:

- Nationality card;
- Civil ID card;
- A letter from *Mukhtar* certifying the applicant's address;
- Four personal photographs;

There are fees of 80,000 ID for the issuance of a driving license.

The Legal Aid and Information Centre (LAIC) in Sulaymaniyah can provide returnees with further information and advice with regard to obtaining above-mentioned documents.

E. Human Rights

The local authorities have committed themselves to respecting human rights in their area of control. The unified KRG includes a MoHR seated in Erbil and headed by Yousif Mohammad Aziz of the PUK. There is also a number of NGOs operating in the field of human rights in Sulaymaniyah Governorate.

While large numbers of media and civil society organizations have been established since the area's *de facto* autonomy in 1991, they continue to be widely controlled by the PUK and their independence and neutrality need to be further developed. Journalists and media organizations have repeatedly claimed that **press freedom** is restricted and criticism of the ruling party can lead to physical harassment, arrest and imprisonment on the basis of unspecified defamation charges (see also *Security and Public Order*). Officially, there is no censorship in the Governorate, but the authorities seem to be broadening their definition of libel and slander to deter probing reporting. Most media outlets in the Governorate are controlled by the PUK. There are concerns that a new censorship law will further restrict press freedom. The draft legislation, put forward by the Kurdistan Journalists Syndicate and published in July 2006, prohibits the publication of confidential military information and writings, cartoons, advertisements and news deemed to offend religious groups and local customs.⁵⁴

Perceived sympathizers of Islamist groups may be at risk of being arbitrarily arrested and detained.⁵⁵ In the *Asayish* and *Dazgay Zaniary* detention facilities, where detainees are held incommunicado and without judicial review of their detention for prolonged periods of time, the use of torture and ill-treatment cannot be excluded.⁵⁶

The Rights of Children are a subject which the KRG and NGOs have promoted eagerly. There are a number of organizations focussed on raising awareness of the rights of the child and the subject has received a growing amount of media coverage since 2003.

The ability of the government to **address economic and social rights** is still limited due to shortfalls in key public services such as water, fuel and electricity and a dire lack of adequate housing. Access to housing and other basic services as well as employment often require tribal or political links. Persons that do not have such links may therefore face difficulties accessing these services and the labour market. Throughout 2005 and 2006 the lack of public services was the cause of street protests and civil unrest (see *Security and Public Order*).

⁵⁴ Institute for War and Peace Reporting, *Kurdish Press Freedom Abuses*, Iraqi Crisis Report No. 192, 1 September 2006, http://iwpr.net/?p=icr&s=f&o=323571&apc_state=heniicr2006.

⁵⁵ Radio Free Europe/Radio Liberty, *Iraq: Corruption Restricts Development In Iraqi Kurdistan*, 29 April 2005, <http://www.rferl.org/featuresarticle/2005/4/DA9D366C-C2C2-486F-A4D7-2EEBC0BB507E.html>; Dr. Rebwar Fatah and Sheri Laizer, *Fact Finding Mission to Iraqi Kurdistan, September – October 2004*, 2004, pp. 10-13, 50; Inter Press Service, *Liberated Kurds Find Little Freedom*, 5 June 2004, <http://www.antiwar.com/glantz/?articleid=2747>; IRIN, *IRAQ: Focus on libel laws in north*, 3 March 2004, http://www.irinnews.org/report.asp?ReportID=39801&SelectRegion=Iraq_Crisis&SelectCountry=IRAQ.

⁵⁶ See for example, Amnesty International, Urgent Action, *Iraq: Incommunicado detention/fear of torture*, Rebwar Arif, 9 May 2005, <http://web.amnesty.org/library/Index/ENGMDE140102005?open&of=ENG-IRQ>; Dr. Rebwar Fatah and Sheri Laizer, *Fact Finding Mission to Iraqi Kurdistan, September – October 2004*, 2004, pp. 32-36.

Women are active in all parts of Sulaymaniyah society, although traditional attitudes towards women continue to dominate in rural areas. Accordingly, girls and women are still exposed to harmful traditional practices such as forced and/or early marriages (including exchanging of women between families for marriage purposes [*Jin bi Jin*], marriages between young women and much older men, or giving a girl in marriage to another family as a compensation for a killing),⁵⁷ ‘honour killings’ or female genital mutilation (although this practice is limited to a few areas in the Governorate).⁵⁸ Recently, women's groups expressed outrage after a convicted killer was released after paying blood money to the family of his female victim. The agreement was reached by the families of the victim and the perpetrator with the help of PUK.⁵⁹ Furthermore, girls in rural areas have less access to education, in particular secondary school and higher education, than in urban areas. While it is encouraging that the local authorities have cancelled provisions of the Iraqi Penal Code providing lenient punishments for ‘honour killings’ in 2000, there is still a need to change people’s way of thinking to make ‘honour killings’ socially and morally unacceptable. The full extent of the practice is unknown and it is likely that many cases go unreported.⁶⁰ The Rewan Women’s Information and Cultural Centre (RWICC), based in Sulaymaniyah, claims that the bodies of victims of ‘honour killings’ are hidden or mutilated to make identification impossible, or their deaths are claimed to have been the result of an accident. One reported case involved the payment of compensation to a victim’s family, which the local authorities were aware of and about which no criminal investigation took place.⁶¹ Some women try to commit suicide, particularly through self-immolation, in order to ‘cleanse’ the honour of the family or to escape being killed or other violence that will be directed towards them. In the Governorate of Sulaymaniyah, 119 cases of self-immolation were recorded by RWICC in 2002.⁶²

A women’s shelter was established in Sulaymaniyah City in January 1999 (*Nawa Centre*), which provides food and accommodation, psychological treatment, social assistance, legal aid as well as a mediation programme. *Asuda*, the first protection centre for women endangered by ‘honour killings’, was opened in a hidden place in Sulaymaniyah City in 2000.⁶³ Since women seeking protection often have to remain protected for long periods of time, *Asuda* offers a ‘home’ which includes education, leisure and daily activities. Mediation

⁵⁷ See Amnesty International, *Iraq - Decades of Suffering*, February 2005, pp. 22/23, [http://web.amnesty.org/library/pdf/MDE140012005ENGLISH/\\$File/MDE1400105.pdf](http://web.amnesty.org/library/pdf/MDE140012005ENGLISH/$File/MDE1400105.pdf).

⁵⁸ A survey undertaken by WADI in the Germian district in the Governorate of Sulaymaniyah revealed that between 60 and 70 percent of the 1,500 women interviewed in 40 villages have been genitally mutilated. Some local women organizations have been campaigning against the practice for many years. Since 2001, they have received important support from clerics issuing ‘fatwas’ (religious orders) against the practice and local TV stations have covered the issue; see Radio Free Europe/Radio Liberty, *Iraq: Study Says Female Genital Mutilation Widespread In North*, 21 January 2005, <http://www.rferl.org/featuresarticle/2005/01/5c740d58-641a-4f32-b375-5c731a811634.html>; Nicholas Birch, in Women’s E-News, *Genital Mutilation is Traditional in Iraq’s Kurdistan*, 1 August 2004, <http://www.wadinet.de/projekte/frauen/fgm/attach4.htm>; Institute for War and Peace Reporting, Iraqi Crisis Report No. 120, *Female circumcision wrecking lives*, 13 April 2005; according to Amnesty International, there are indications that the practice is decreasing, see Amnesty International, *Iraq - Decades of Suffering*, February 2005, p. 20, [http://web.amnesty.org/library/pdf/MDE140012005ENGLISH/\\$File/MDE1400105.pdf](http://web.amnesty.org/library/pdf/MDE140012005ENGLISH/$File/MDE1400105.pdf).

⁵⁹ Institute for War and Peace Reporting, *Women Fear Killer’s Release*, Iraqi Crisis Report No. 187, 27 July 2006, http://iwpr.net/?p=icr&s=f&o=322592&apc_state=heniicr2006.

⁶⁰ A study done by Rewan Women’s Information and Cultural Centre (RWICC), based in Sulaymaniyah, recorded 3,979 cases of women killed as the result of domestic violence in the North in the 1980s. IRIN, *IRAQ: Focus on honour killings*, 17 February 2004, http://www.irinnews.org/report.asp?ReportID=39526&SelectRegion=Iraq_Crisis.

⁶¹ Reported by Amnesty International, *Iraq - Decades of Suffering*, February 2005, p. 18, [http://web.amnesty.org/library/pdf/MDE140012005ENGLISH/\\$File/MDE1400105.pdf](http://web.amnesty.org/library/pdf/MDE140012005ENGLISH/$File/MDE1400105.pdf).

⁶² IRIN, *Focus on increasing domestic violence*, 14 October 2003, http://www.irinnews.org/report.asp?ReportID=37204&SelectRegion=Middle_East&SelectCountry=IRAQ.

⁶³ More information on these centres can be found at Wadi, *Assistance for women in distress in Iraq and Iraqi-Kurdistan*, <http://www.wadinet.de/projekte/newiraq/women/shelters.htm>.

between women and their families aims at enabling the return of women to their families, but this may not always be possible and there have been cases of fathers assuring their daughters that they have forgiven them only to murder them once they are back in the family home. Sometimes, Asuda sends women to distant villages and places in other regions of Northern Iraq where they are not known and can find protection. However, in some cases there are no alternatives beyond remaining in the protection centre or finding solutions outside Iraq.

Christians can generally worship freely in Sulaymaniyah without interference by the authorities. Kurdish Muslims that have converted to Christianity through the efforts of evangelicals, which are increasingly active in Northern Iraq, may face ostracism by their society.⁶⁴

The level of care available to **disabled persons** and others with special needs is limited in both the governmental and non-governmental sectors.

UNHCR consultations with communities of concern in Sulaymaniyah indicated that people feel that their human rights are generally respected; however they feel that more could be done with regard to equal opportunities in **employment** (particularly government employment), **access to public services** and the respect of **women's rights**. Many saw the Permanent Constitution and the debate it created as an opportunity to address civil rights and individual freedoms rather than in terms of sectarian power as in other parts of the country. They also expressed the need to further develop civil society and to maintain the independence of the judiciary.

Those that suffered under the former regime have **requested compensation** for their losses from the new Iraqi government. Particular reference is made to the people of Halabja, but many returnees have also voiced similar demands for losses suffered and the destruction of their homes by the former regime. However, the planned *Reparations Programme for Victims of the Previous Regime* has not yet been established.

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

A. Housing / Land⁶⁵

Housing was indicated in UNHCR returnee monitoring as the most immediate problem facing returnees and their hosting communities. Many returnees are not able to return to their place of origin due to the fact their villages have not been rehabilitated or rebuilt, are mined, or lack access to basic services. There is a shortage of housing in Sulaymaniyah and most returnees initially rely on the support of relatives or rented accommodation. Few, if any, have access to their previous homes as most privately owned properties in the areas which returnees fled from were severely damaged or destroyed by the former regime.

Of the 554 households which UNHCR monitored in Sulaymaniyah, 26% own their homes, 57% rent accommodation, 12% live with relatives, 1% live in public buildings

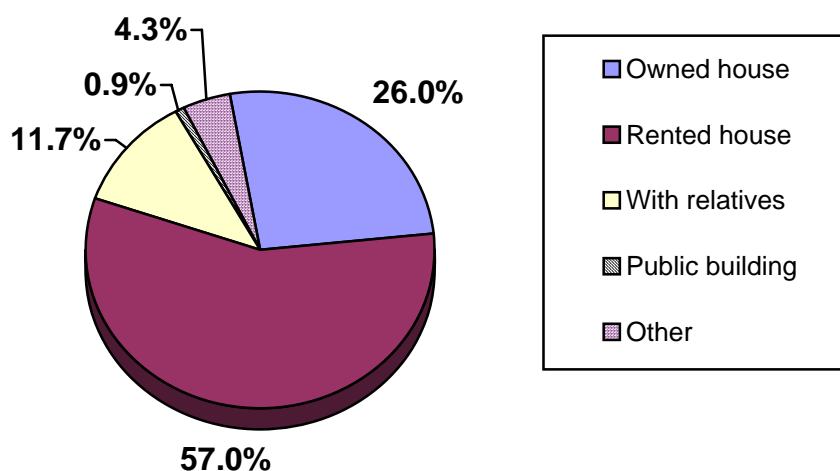
⁶⁴ See for example, Institute for War and Peace Reporting, Iraqi Crisis Report No. 130, *Kurdish Christians Complain of Discrimination*, 28 June 2005, http://www.iwpr.net/index.php?apc_state=hen&s=o&o=archive/irq/irq_130_5_eng.txt.

⁶⁵ Housing and land sources of information include: former Ministry of Housing/Sulaymaniyah and Construction, former Ministry of Municipality/Sulaymaniyah, Governorate Office and media.

and 4% live in 'Other' accommodation which includes temporary houses and tented camps.

Figure 1: Type of accommodation

(Sample of 554 households)



In Sulaymaniyah City rental prices have increased tremendously and renting a small house (of approximately 200m²) costs at least of US \$400-600 per month (prices vary from one quarter to another). Accordingly, a significant number of people are living in public buildings in the Governorate. The local authorities have conducted an inventory of all public buildings currently being used and have introduced a programme to provide US \$2,000 to each family to vacate public buildings, provided that the authorities have sufficient financial resources.⁶⁶ To date, only a few families have made use of this programme, given that the amount of money offered is not enough to rent an apartment. The majority of these buildings are either partially or heavily damaged and in a generally poor condition.⁶⁷

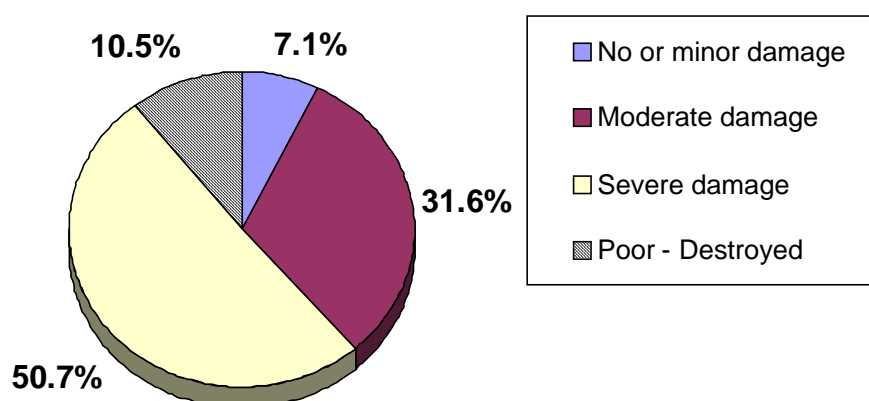
A number of returnees in Sulaymaniyah Governorate whose villages have not yet been rehabilitated are currently living in tents at the Chwarqurna Camp. To assist with the reintegration of returnees from Iran in the Governorate of Sulaymaniyah, local authorities used to allocate each family a piece of land (approximately 200m²) and financial assistance of US \$1,000. However, due to the authorities' limited financial resources financial assistance was stopped and in August 2006 the Council of Ministers also decided to suspend land allocation. To date, a number of returnee families have benefited from this programme; however, few, if any, have been able to begin building housing given the high price of construction materials. The average cost of constructing a two-room house in the area with a bathroom and latrine is estimated to be between US \$10,000 - \$15,000. The programme is limited to families originating from the Governorate of Sulaymaniyah or those who have strong political links to the local authorities (see also Section V. *Sulaymaniyah Assistance Programme*).

UNHCR Returnee Monitoring found that 11% of the returnee households monitored had their homes completely destroyed, and over 50% are living in severely damaged housing. Only 7% of the returnees monitored live in shelter with no damage or only minor damage.

⁶⁶ This programme was created by Administrative Order No. 363 dated 9 October 2004.

⁶⁷ UNOPS, IDP Monitoring, *Sulaymaniyah*, December 2005, p. 7.

Figure 2: Condition of housing
(Sample of 550 households)



The data also showed that there is an average of seven people in each household, with an average floor space per household of just 46m². Of those monitored, 34% were found to be sharing houses with other families. Houses in Sulaymaniyah Governorate are built in one of two ways: using traditional materials such as mud and straw (a technique prevalent in rural areas) or using cement block walls and concrete slab roofs (a technique used mostly in urban areas).

B. Employment and Economy⁶⁸

Since March 2003, the economic situation in Sulaymaniyah has improved a great deal. Public sector salaries have risen and employment opportunities in the private sector have increased. **The private sector is being boosted by construction** primarily generated through spending by the KRG and international donors on development projects. **International companies** are also investing in North Iraq, attracted by the relative stability and security offered in KRG-administered areas. However, the impact of this boom is also being felt through inflationary pressure and the cost of living has increased significantly. In the sectors where public sector employment has grown, employees are often inactive or under-employed due to a lack of training and human resources management. Jobs created by the authorities tend to be in the lower paid manual sector which, rather than lowering unemployment in the region, has had the effect of attracting an influx of labourers from other parts of Iraq who often work for lower salaries.⁶⁹ Furthermore, corruption, government control and bureaucracy restrict private business initiatives and impede economic development.⁷⁰

Domestic tourism to Sulaymaniyah has grown outstandingly since 2003. Hotels and restaurants are being renovated and new hotels and facilities being constructed. People from

⁶⁸ Employment and economy sources of information include: former Ministries of Trade, Social Affairs and Municipalities in Sulaymaniyah.

⁶⁹ According to the Institute for War and Peace Reporting, Kurds in Sulaymaniyah demand as much as 40 percent more for similar jobs than Arabs from other parts of the country, see Institute for War and Peace Reporting, *Arab Labourers Flock to Kurdistan*, Iraqi Crisis Report No. 172, 13 April 2006, http://iwpr.net/?p=icr&s=f&o=261036&apc_state=heniicr2006; Reuters, *Iraqi Arabs flock to Kurdish north for jobs, safety*, 10 August 2005.

⁷⁰ Radio Free Europe/Radio Liberty, *Iraq: Corruption Restricts Development In Iraqi Kurdistan*, 29 April 2005, <http://www.rferl.org/featuresarticle/2005/4/DA9D366C-C2C2-486F-A4D7-2EEBC0BB507E.html>.

Central and Southern parts of Iraq are travelling to the North seeking a safe location away from the constrained security environments affecting their daily lives.

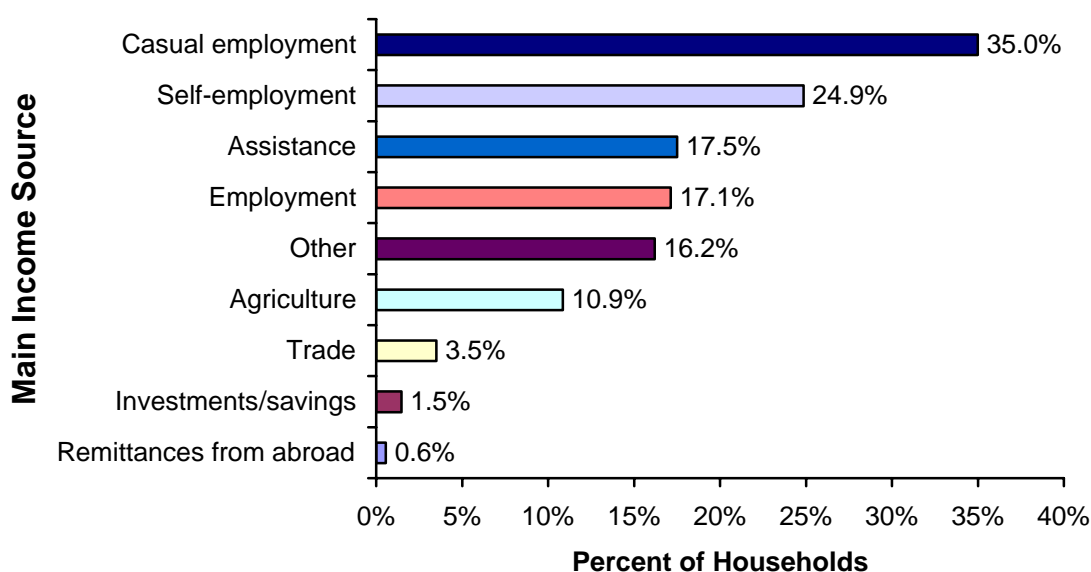
Agriculture and livestock were important sectors of the economy in Sulaymaniyah before the destruction of many rural villages in the 1980s. From 1991 onwards, the KRG, UN Agencies (from 1997 under the Oil-for-Food Programme) and national and international NGOs have attempted to re-invigorate rural livelihoods through investment in **the Governorate’s main agricultural products:** wheat, barley, tobacco, vegetables and fruits (e.g. pomegranate, apple, apricot, pear, grapes and figs). However, because many rural areas remain underdeveloped and are yet to be rehabilitated the rural sector has still not returned to pre-1980 levels of productivity.

Returnees appear to have the same access to economic opportunities as other residents, facing no barriers to employment due to their status. However, new job opportunities are scarce and returnees may suffer if they lack marketable skills in Iraq. Lower paying manual work is the most common form of employment available, but does not always match the skill set of those returning. Of 543 households monitored by UNHCR in Sulaymaniyah, **80% were found to lack a regular income**, although casual employment was higher than in other Governorates. Sources of employment are indicated in Figure 3 *Sources of Income*.

Women contribute much more to the economic life in Sulaymaniyah as compared to neighbouring Governorates. There is a more receptive environment for educated working women in urban areas, and women hold high managerial positions in both public and private sectors. This contrasts with rural areas where women are restricted from holding official positions by limited educational opportunities and traditional values. However, women still play a prominent role in the agricultural sector. UNHCR Returnee Monitoring shows that while returnee women were engaged in seasonal work in agriculture and developed new skills in carpet weaving and textiles while they were in exile in Iran, they lack opportunities to practice these skills on return to Iraq.

Figure 3: Sources of income

(Sample of 543 households)



C. Infrastructure and Communications⁷¹

Investment in infrastructure in Sulaymaniyah has been ongoing since 1991, but there are still shortfalls in the delivery of public services and infrastructure investment.

a. Water

Water availability is irregular in most areas of the Governorate of Sulaymaniyah. The availability of water varies seasonally, and most villages suffer water shortages during the summer months. UNHCR monitored 23 villages in Sulaymaniyah and found that while 77% have access to water, its quality and quantity is unsatisfactory. Sources of water were often found to be 2-3 km away from the main village meaning that that a significant amount of time is spent collecting water.

The water sources for rural mountain villages are natural springs, shallow wells and rivers. The villages in lower lying areas depend on deep wells drilled into the water table. **Sulaymaniyah City and its outlying district towns suffer from water shortages.** In early 2006, the Directorate of Water granted permission for households in Sulaymaniyah City to dig wells inside their houses in response to shortages in municipal services during the summer months. This act was prohibited before 2005 due to its potential negative impact on the groundwater table. The *Kurdistani Nwe* Newspaper reported that more than 1,000 household wells had been dug in Sulaymaniyah City by September 2005⁷² and the number is expected to increase. The municipal water supply system is dilapidated and in need of maintenance. Although the local authorities have committed themselves to addressing the issue, they have said that there are no short-term solutions.

b. Electricity

Electricity supply remains unstable in the Governorate of Sulaymaniyah and is considered a key problem, although Sulaymaniyah's supply is greater than in other parts of Iraq. The amount of electricity available varies from month to month, and is dispersed in two or three hour slots throughout the day. In August 2006, only 3.5 hours of electricity were available per day. The lack of electricity has led to a number of protests in 2005 and 2006.

The Dokan and Darbandikhan hydro-power stations are the main sources of electricity for the Governorate of Sulaymaniyah. They generate 500 megawatts per day for the Governorates of Erbil and Sulaymaniyah. In addition, the Iraqi central government used to provide 200 megawatts for the region from the national power grid; however, in late June 2006, this amount was cut by half due to country-wide power shortages. According to Hersh Muharram, the Head of General Commission for Electricity in Sulaymaniyah, the Governorate of Sulaymaniyah has less than 300 megawatts of power while it requires almost twice that amount per day. In order to solve the longstanding problem, the KRG has begun building two new power stations with a total production capacity of almost 650 megawatts.⁷³ District towns and nearby villages are usually served by the public electricity system, while remote villages have local generators as their main source.

⁷¹ Infrastructure and Communication sources of information include: Ministry of Municipalities, Ministry of Transportation and Communications and media.

⁷² *Kurdistani Nwe Newspaper*, Issue No. 3787, 1-27 September 2005.

⁷³ Institute for War and Peace Reporting, *Kurds Protest Energy Shortages*, Iraqi Crisis Report No. 184, 7 July 2006, http://www.iwpr.net/?p=icr&s=f&o=322133&apc_state=henh; IRIN, *IRAQ: Kurdish cities suffer from power shortage following redistribution*, 2 July 2006, http://www.irinnews.org/report.asp?ReportID=54345&SelectRegion=Middle_East&SelectCountry=IRAQ.

c. Fuel

The main source of gas and alternative fuels are the Iraqi refinery companies. **Gas** is distributed across the Governorate under the direction of the Central Authorities in Baghdad. It is bottled and sold by local companies at the cost of 3,000 ID per bottle, provided an empty bottle is given in exchange. Gas is distributed in residential quarters by trucks, or can be purchased at any gas station. When gas shortages occur, prices escalate according to demand on the black market.

Gasoline (petrol) is available from local public fuel stations for private use. However, the supply is prone to disruption due to the lack of refining capacity. Since December 2005, the government has sharply increased prices of fuel and other petroleum products; at the end of August 2006 the official price for a litre of gasoline was 360 ID. However, when the supply is interrupted, the black market price can rise to as much as 1,400 ID per litre. As in most parts of the country gasoline is rationed in Sulaymaniyah. Following a decision by the Special Projects Commission in January 2006, private cars can receive 25 litres gasoline per week. Until further notice, taxis can receive 30 litres every two days, land cruisers, buses and pick-ups 40 litres per week and cargo vehicles 200 litres per week. A representative from the Public Foundation for Oil Projects, the body responsible for fuel distribution in Sulaymaniyah, estimated the needs for the Governorate to be 1.1 million to 1.2 million litres of petrol and 1 million litres of diesel per day.⁷⁴ The main source of fuel for Sulaymaniyah is by tanker from Turkey under an agreement reached between the Kurdish and Turkish authorities. The local authorities are planning to address the poor supply situation by building two new oil refineries some 20 kilometres south of Sulaymaniyah. They are expected to produce 20,000 barrels of oil per day by the end of 2006 and should largely cover the Governorate's needs.⁷⁵

In the Governorate of Sulaymaniyah, **kerosene** is usually distributed once a year (200 litres/per family) through the PDS. As 200 litres do usually not cover a family's needs during the long, harsh winters in Northern Iraq, many are obliged to buy additional kerosene on the black market. At the end of August 2006, the black market price for kerosene was as high as 140,000 ID for 200 litres. On an exceptional basis, in January 2006, 400 litres of kerosene were distributed to each family through the PDS.

Iraqi Kurds have been taking to the streets in 2005 and 2006 to protest at the shortage of fuel in the region. For example, on 6 July 2006, 500 drivers who had waited for fuel for more than three days in Sulaymaniyah City poured into the nearby streets, set tires on fire and blocked the four main streets of the city.⁷⁶

d. Telephone/Internet

The public landline telephone network is available in Sulaymaniyah City and the district towns as well as some collective towns, but most of the rural villages lie beyond the telephone coverage area, as the availability of lines is limited.

There are two mobile service providers in Sulaymaniyah, Asia Cell and the smaller Sana Tel. Asia Cell covers Sulaymaniyah Governorate and the Central Governorates of Iraq but users are not able to connect with the Korek Telecom system that operates in the rest of the KRG area (Erbil and Dohuk). The Asia Cell SIM card is available in most markets for

⁷⁴ IRIN, *Iraq: Petrol shortage in north*, 20 September 2004, <http://www.irinnews.org/ReportID=43249>.

⁷⁵ Institute for War and Peace Reporting, *Fuel Shortages Frustrate Kurds*, Iraqi Crisis Report No. 171, 5 April 2006, http://iwpr.net/?p=icr&s=f&o=260873&apc_state=heniicr2006.

⁷⁶ Institute for War and Peace Reporting, *Kurds Protest Energy Shortages*, Iraqi Crisis Report No. 184, 7 July 2006, http://www.iwpr.net/?p=icr&s=f&o=322133&apc_state=henh.

37,500 ID, with calls costing 1,350 ID per minute. Sana Tel covers the three Northern Governorates of Iraq (Sulaymaniyah, Erbil and Dohuk). The SIM card costs 15,000 ID with calls costing 900 ID per minute.

Internet cafes are common in Sulaymaniyah City. The extension of Internet lines to houses and offices is available via dial-up and radio connections. Internet cafes are available in all districts and town centres as well as in some sub-districts. Internet services are provided by Mediya Telecom (wireless connection for 15 ID per minute), Alpha Net (wireless connection, 225,000 ID for one-time installation plus 60,000 ID for monthly subscription), Goran Net and Brusik Net (both 247,500 ID for one-time installation plus 75,000 ID for monthly subscription).

Many families have access to satellite **television**. People can buy satellite receivers in the market and many channels are free to air.

e. Post

The KRG's Ministry of Transportation and Communications (MoTC/KRG) operates 13 post offices located in all districts and some sub-districts. Their activities and services are extremely limited due to their inactivity between 1991 and 2003. Postal services for letters and parcels are available as well as opening of current accounts. Registered mail services are currently not operating. Letters and parcels can also be pouched or received through private postal offices or persons who are returning on visits. Correspondence between governmental offices is mainly through their own post messengers. The Ministry has plans to renew the internal and external postal services and hopes to restore public confidence in its ability to provide communications services.

f. Banking and Money Transfers

Currently, there is no banking system that deals with cash transfers. Instead, private offices have been established which conduct cash transfers within the Iraqi Governorates (depending on the security situation) and between Iraq and all European countries. Depending on the destination, cash transfer fees amount to 2-3% of the total amount.

g. Transport

Private cars are the main means of transportation in the Governorate of Sulaymaniyah. Some **public buses are operational inside Sulaymaniyah City and are supervised by the Sulaymaniyah Directorate of Transportation**. **Private buses** run more frequently, operating between districts and sub-districts and providing transportation between cities and towns but are not widely popular, mainly because of their fluctuating prices. 57% of the 23 villages monitored by UNHCR in Sulaymaniyah said that public transportation was not available. The price for travelling by bus from Sulaymaniyah to Erbil rose as high as 7,500 ID due to the prevailing fuel shortage.

Registered taxis are common in the main urban areas. The price of transport differs from one city to another. In Sulaymaniyah City, the minimum price of a taxi fare is 3,000 ID, while in the sub-districts it is around 1,500 ID. The stability of prices depends on the availability of fuel; due to current shortages prices have recently been significantly increased.

The internal road system in Sulaymaniyah Governorate has suffered from a lack of maintenance and investment whereas the population and quantity of vehicles on the roads has expanded rapidly since 2003, putting additional pressure on the existing infrastructure. 22% of the villages which UNHCR monitored in Sulaymaniyah do not have paved roads, and the streets within each district are often in very poor condition. **However some progress is**

being made on rebuilding the Governorate's main road network. The Erbil – Sulaymaniyah road is currently under reconstruction and will include a new tunnel through the Chinarak Mountain. Another project is being implemented to improve the road between Sulaymaniyah and Halabja.

D. Public Services

a) Health⁷⁷

The quality and effectiveness of basic health services provided in Sulaymaniyah Governorate are generally good in urban areas, but are of concern in rural areas. The main problem is the small number of specialist doctors available in the region, partly due to the flight of many Iraqi doctors abroad.⁷⁸ Those with financial resources prefer to travel abroad for major surgery or modern treatment.

Figure 4: Health facilities in the Governorate of Sulaymaniyah⁷⁹

Type of health facility	No.
Hospitals	30
Primary Health Centres	76
Secondary Health Centres	383
Consultant Clinic	10
Public Clinic	9

There are public hospitals in all district towns and some of the bigger sub-districts. The primary and secondary health centres are distributed according to the population in each village and sub-district. Examination fees were increased in early 2006 to 2,000 ID.

The medical infrastructure of rural areas is very poor and insufficient medical coverage in those areas is one of the main reasons for overcrowding of the city's facilities. According to the ILCS, only 41 percent of rural households have easy access to health centres and less than 20 percent live within 30 minutes travel time of a public hospital. Furthermore, more than 40 percent of the population in the Governorate cannot reach pharmacies within 30 minutes.⁸⁰

Public health facilities hold medical consultations from 8.00 to 3.00. Outside of these hours, emergency health care is provided by on-duty doctors in the emergency wards of the main hospitals. These services are not available in the rural areas.

There are five private hospitals located in Sulaymaniyah City called the *Sulaymaniyah, Ashti, Tue Malik, Kew* and *Kurdistan* hospitals. These hospitals provide general medical services. Private clinics and medical laboratories also exist in the City and are open during the day and usually in the evenings.

Drugs are supplied to public hospitals and clinics by the Central Drug Distribution Network in Baghdad, although a small supplementary amount of drugs are also procured independently by the KRG. Shortages of all but the most basic of drugs are common in the

⁷⁷ Health sources of information include: former MoH/Sulaymaniyah, WHO and media.

⁷⁸ IRIN, *Iraq: Interview with the Minister for Health in Sulaymaniyah*, 5 October 2004, <http://www.health-now.org/site/article.php?articleId=352&menuId=14>.

⁷⁹ Figures provided by former MoH/Sulaymaniyah.

⁸⁰ MoPDC/UNDP, *Iraq Living Conditions Survey, Analytical Report*, April 2005, pp. 38-39, <http://www.iq.undp.org/ILCS/PDF/Analytical%20Report%20-%20Englilsh.pdf>.

public system.⁸¹ In 80% of the villages monitored by UNHCR, it was reported that availability of drugs is insufficient to meet the needs of the village.

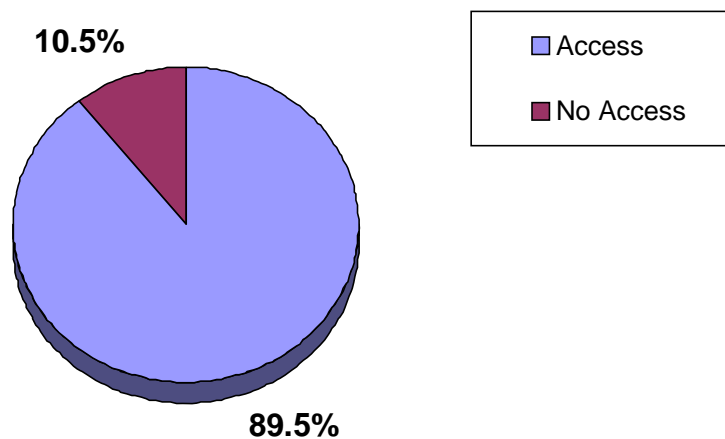
Local Authorities have introduced preventative measures against the possible spread of 'Asian Bird Flu' (*Avian Influenza*). Since January 2006, a number of human cases have tested positive.⁸²

Maternal and infant health services are available in urban districts in hospitals and health centres but are limited in rural areas.

The majority (89.5%) of the returnees surveyed in the Governorate were found to have access to health facilities. The main reason for not having access to the nearest health centre was distance (*see Figure 5*).

Figure 5: Access to health facilities

(Sample of 448 households)



b) **Education**⁸³

In 1996, a programme to rehabilitate and build schools was implemented under the UN Oil-for-Food Programme. However, academic resources and specialist equipment (e.g. laboratories and computers) tend to be concentrated in the schools of Sulaymaniyah City while rural areas have shortages of resources and poor quality facilities, particularly in Halabja, Kalar and Ranya. The School Survey 2003-2004 in Iraq reveals that in the Governorate of Sulaymaniyah there are no primary and secondary schools that do not need rehabilitation and that Sulaymaniyah has the highest rate of completely destroyed school buildings (171 out of 1,381 school buildings).⁸⁴

⁸¹ IRIN, *IRAQ: Special on healthcare in north*, 7 April 2004, http://www.irinnews.org/report.asp?ReportID=40462&SelectRegion=Middle_East&SelectCountry=IRAQ.

⁸² WHO, *Avian Influenza*, Information Bulletin No. 11, 1 February 2006, http://www.emro.who.int/iraq/pdf/AvianInfluenza_InfoBulletin11.pdf.

⁸³ Education sources of information include: former MoE/Sulaymaniyah, UNICEF and media.

⁸⁴ MoE/UNICEF, *School Survey 2003-2004 in Iraq*, October 2004, p. 57, 108, <http://www.unicef.org/files/school-survey-voll-eng.pdf>.

The limited number and coverage of secondary schools and secondary school teachers as well as traditional values regarding education and work are thought to be the main reasons for children, especially girls, not completing their education in rural areas.

Due to the lack of school facilities, each school operates on a double shift system, with one set of classes in the morning and another in the afternoon. In some areas an evening class is held as a third shift. **Iraq has a traditional didactic teaching curriculum**, which includes music, sports and arts as well as subjects such as maths and literacy. The range of subjects taught is usually smaller in rural schools due to a lack of equipment and materials.

A Committee has been established in the Sulaymaniyah Directorate of Education for the enrolment of returnee children. A transcript from the child's previous school should be submitted to the Committee for approval, and a decision will be made on the child's appropriate entry grade in the Iraqi school system.

The main difference between the Iranian and Iraqi Education systems is that primary schooling in Iran is five years long compared to six years in Iraq. UNHCR's Returnee Monitoring identified a small number of returnees having difficulties reintegrating into the Iraqi school system because of language difficulties. **The primary language of instruction in Sulaymaniyah is Sorani Kurdish, whereas many children (particularly those who returned from Iran) received their previous education in another language such as Farsi or Arabic.** In some cases, this results in children losing a year of schooling or not attending school at all.

The Governorate of Sulaymaniyah has one university and a number of colleges located in the City of Sulaymaniyah.

c) **Social Welfare**⁸⁵

Iraq's current social safety net program is small and beset by inefficiencies and inequality. In June 2006, the World Bank approved a grant agreement with MoLSA to help strengthen the country's capacity to reform social safety net and pensions programmes to better assist poor and vulnerable populations in Iraq. A multi-donor Iraq Trust Fund administered by the World Bank will finance the Emergency Social Protection Project, worth US \$8 million. The Project will be complemented by the *Emergency Household Survey & Policies Project* which aims to provide updated and comprehensive data on household income and consumption, to help Iraq establish a poverty line and develop targeted and efficient safety nets.⁸⁶

Pensions and social security

Prior to 2003, Iraq had two social security schemes, one for government employees (including military and semi-governmental agencies) and one for private sector employees. Under the *Civil Service Law for Government Employees* (Law No. 24 of 1960), **public-sector employees** are eligible for retirement at the age of 60 if they have served for at least 15 years in the public service. Alternatively, men can retire at the age of 55 if they have at least a 30-year service record while women can retire at 50 if they have at least a 25-year service record.

⁸⁵ Social welfare sources of information include: UNICEF, Directorate of Social Care/Sulaymaniyah, media.

⁸⁶ World Bank, *The World Bank Iraq Trust Fund Newsletter*, Volume 1 / Issue 7, June 2006, [http://siteresources.worldbank.org/IRFFI/64168382-1092419012421/21008602/ITFNewsletterJune2006\(Final\).pdf#search=%22Social%20protection%20network%20iraq%20%22](http://siteresources.worldbank.org/IRFFI/64168382-1092419012421/21008602/ITFNewsletterJune2006(Final).pdf#search=%22Social%20protection%20network%20iraq%20%22).

After the fall of the former Government, the CPA and the Iraqi Ministry of Finance began reforming the existing pension scheme, including the increase of pension payments for pensioners as of 1 January 2004. Whereas under the former regime pensioners received between 15-24,000 ID every three months, pensions were increased in early 2004 to a minimum of 95,000 ID and a maximum of 125,000 ID per quarter.⁸⁷

Military pension entitlement is allocated to military personnel if they retire at 63 years of age, if they have been injured during military service and their injuries are certified by a MoE medical committee, or if they have over 25 years of active service. If they are killed during active service, their families are eligible to receive their pension entitlement. Families with a relative killed by mines or UXO do not qualify for welfare benefit. Pensions paid to retired military personnel are 75,000 ID–130,000 ID per month depending on the length of active service. Pensions paid to the family of those who have died in active service (a ‘martyr’s family’) is between 90,000 ID–250,000 ID per month. Members of entities dissolved by CPA Order No. 2 such as the Iraqi Army, the security and intelligence apparatus, and the Ministries of Defence, Information and Military Affairs are not entitled to pension payments if they were senior Ba’ath Party members, as is outlined in CPA Order No. 1.⁸⁸

The *Pension and Social Security Law for Workers* (Law No. 39 of 1971) covers **private-sector employees** of enterprises with five or more workers (except for agricultural employees, temporary employees, domestic servants and family labour). It provides for old-age pension at the age of 60 for men and 55 for women after 20 years of contributions, or at any age with 30 years of contributions for men and 25 years of contributions for women. Furthermore, it guarantees a disability pension in case of permanent or long-term loss of at least 35 percent of the working capacity and a survivor pension (if the deceased was a pensioner or met the contribution conditions for the old-age pension). The law also covers sickness, maternity and work injury benefits. These programmes are administered by the Labour and Social Security Institute under the general supervision of MoLSA.⁸⁹

Social welfare benefits

The Directorate of Social Care has branches in all districts and works in coordination with the Ministry of Health to provide social benefits and social care to vulnerable groups in Sulaymaniyah, including older persons, widows, the deaf, mute and blind and persons with mental or physical disabilities. While pension and welfare benefits have been raised in the rest of Iraq, they remain at a very low level in Kurdish-administered areas. The Directorate of Social Care offers 30,000 ID as a regular monthly salary to households that fit MoLSA’s criteria for benefit and whose applications are accepted. Criteria should be checked with the Directorate of Social Care in Sulaymaniyah. However, due to a lack of funding, not all persons in need receive social welfare and access may at times depend on political/personal links rather than actual needs.

Social care facilities operated by the Directorate of Social Care in Sulaymaniyah include one orphanage, four kindergartens, two centres for people with disabilities and a centre for older persons which currently houses 40 individuals (male and female). Despite efforts to reform the pension and welfare system in Iraq, a large number of the needy receive insufficient or no assistance from the government, leaving them dependent on family structures and charity.

⁸⁷ CPA, *Policy on Payment of Public Sector Pensions and Benefits for the First Quarter 2004*, 23 January 2004, <http://www.iraqcoalition.org/budget/1-4pensions.html>.

⁸⁸ Sections 3.5 and 3.6 of CPA Order No. 2, *Dissolution of Entities with Annex A*, 23 August 2003, http://www.iraqcoalition.org/regulations/20030823_CPAORD_2_Dissolution_of_Entities_with_Annex_A.pdf.

⁸⁹ U.S. Social Security Administration, *Social Security Programs Throughout the World, Iraq*, 2002, <http://www.ssa.gov/policy/docs/progdesc/ssptw/2002-2003/asia/iraq.pdf>.

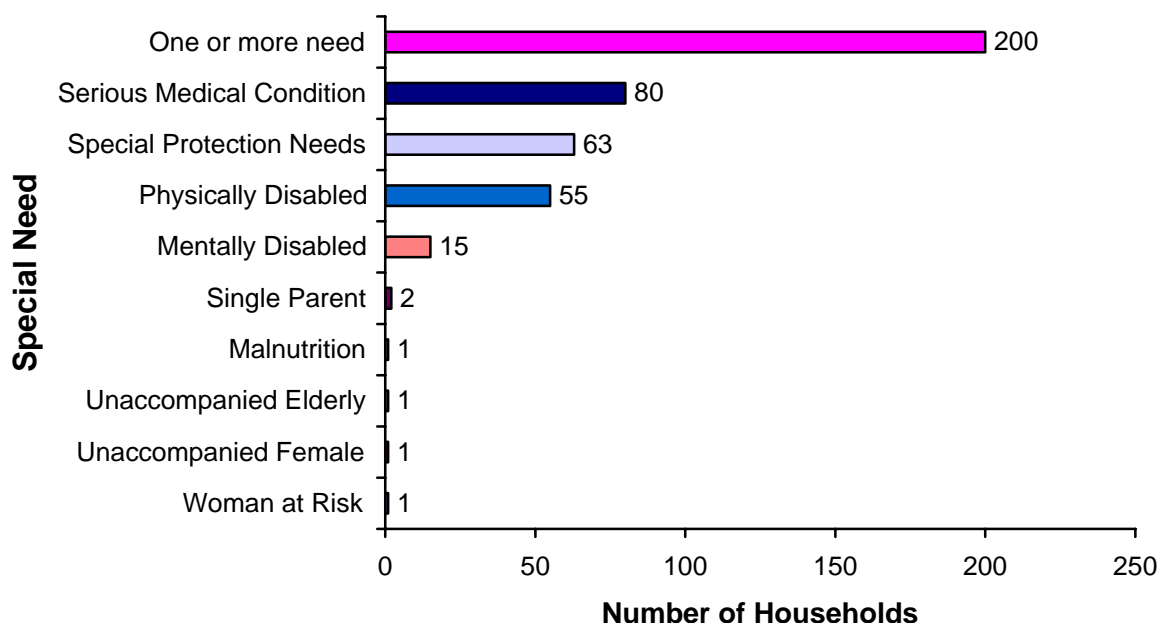
Food distribution

The PDS is a crucial social safety net in Iraq and has a significant impact on the price of basic food stuffs in the market. 534 of 555 households monitored by UNHCR said that they are registered on the PDS but three had faced problems with renewing their PDS document. Despite the PDS, food insecurity persists. The Governorate of Sulaymaniyah is relatively better off in regard to acute malnutrition when compared to the national average, with only 4% of children under the age of five affected. However, the level of chronic malnourishment is very high.⁹⁰ In December 2005 the Deputy Minister of Finance in Sulaymaniyah stated in a press interview that each person would be compensated with an amount of 38.500 ID for the shortage in food rations experienced between January and August 2005, when basic items were not distributed.

The following *Figure 6* shows a high number of returnees and IDPs monitored in the Governorate of Sulaymaniyah with vulnerabilities.

Figure 6: Special needs

(Sample of 555 households)



d) **Religious Facilities and Pilgrimage**⁹¹

The Ministry of *Awqaf* and Religious Affairs is responsible for organizing religious services and coordinates with charities and private donors to organize the building of mosques in Sulaymaniyah Governorate. It is also responsible for managing the annual *Haj* pilgrimage.

There are two churches for Christians in Sulaymaniyah City.

e) **Cultural and Sporting Activities**

Sulaymaniyah is a famous cultural centre in Northern Iraq. It has a long history of well-known poets, writers, musicians and singers and there are a number of cultural events

⁹⁰ MoPDC/UNDP, *Iraq Living Conditions Survey, Analytical Report*, April 2005, pp. 58-63, <http://www.iq.undp.org/ILCS/PDF/Analytical%20Report%20-%20Englilsh.pdf>.

⁹¹ Religious facilities and pilgrimage sources of information include: Endowments Offices, religious leaders and religious minorities.

throughout the year, mainly celebrating the Kurdish language and Kurdish traditions. Sulaymaniyah has a museum and a new library was opened in 2004. Sulaymaniyah University arranges cultural activities and local media channels include a cultural programmes and music.

Youth Centres have been opened in all districts and some sub-districts. Centres are supervised by the local NGO *Kurdistan Save the Children* and they provide sports, cultural and educational training for young people. There are a number of sports and other social clubs and associations active in Sulaymaniyah.

f) **Civil Society and Media**⁹²

There was a rapid growth in the establishment of civil society organizations after the end of the PUK-KDP fighting in 1997. The Iraqi Kurdistan NGOs Network is a membership body for many of these organizations. In the Governorate of Sulaymaniyah, 31 NGOs are registered in the Network. There are also a range of professional associations (e.g. for doctors, teachers and lawyers) and unions (e.g. for women, students, youth, poets and writers) in Sulaymaniyah.

Kurdisat Satellite TV and *Kurdistani Nwe* newspaper are the most widely known media channels in the area, both of which are run by the PUK and are based in Sulaymaniyah City. Other well-known and widely available publications in the market are: *Al-Itihad* (Arabic, PUK). *Khabat* (KDP) *Hawlati*, *Gulan* Magazine, *Zanko*, *Zhyanawa*, *Rewan* and *Hawal*. Despite the wide range of independent publications, the party owned titles dominate the market. With regard to restrictions on press freedom, see Section III.E *Human Rights*.

IV. Repatriation / Relocation / Return⁹³

There are three means of repatriation and registration to Sulaymaniyah Governorate for returnees from abroad.

A. Spontaneous Repatriation Procedures (without UNHCR facilitation)

Refugees returning spontaneously to Iraq without assistance should apply to the Iraqi Embassy in their country of departure to ensure that they have the documentation needed to cross the border. Documentation should be presented to Kurdish Border Authorities to be stamped on entry to Iraq. Upon arrival in Sulaymaniyah, returnees should present themselves in the Governorate Office, which will introduce them to the Sulaymaniyah Directorate of Human Rights. The latter will issue a support letter to facilitate obtaining documents such as nationality card, civil ID card, marriage certificate and food ration card (see below *Section III, D, Documentation* for further information). This support letter also allows returnees to access assistance on return. In order to obtain the support letter, returnees must be able to present a copy of their refugee documentation received in the former host country (e.g. Green Card or White Card from Iran).

Returnees who did not register at the border can register with the Directorate of Passports and Residency of the MoI / Sulaymaniyah and should do so immediately on arrival, explaining their reasons for delayed registration. In May 2003, Iraqi Law No. 102 (1999) was reactivated under which fines of 10,000 ID – 50,000 ID are charged for illegal border crossing into Iraq by foreigners. In addition, foreigners who illegally cross into Iraq

⁹² Civil Society and media sources of information include: NGOs and media.

⁹³ Spontaneous repatriation sources of information include: Border Authorities, UNHCR, Governorate Office, former MoHR/Sulaymaniyah, LAIC and returnees.

and do not register with the Directorate of Passports and Residency within 10 days are being charged a fine of US \$80. In order to avoid penalties, non-Iraqi returnees should check current registration and border crossing procedures with local authorities and abide by them.

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

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

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

Returnees are currently exempted from customs charges (previously up to US \$20 or 30,000 ID) for the transit of personal luggage through the border crossing point. Returnees should note that border crossing charges are subject to change and returnees should check current charges with local authorities. Returnees should also be aware that customs authorities routinely check persons crossing the borders for prohibited items (e.g. firearms and drugs) and that prosecution could result in imprisonment.

B. Voluntary Repatriation Procedures (with UNHCR facilitation)⁹⁴

Refugees interested in returning to Iraq voluntarily should register their interest with UNHCR offices in their host country. Assisted voluntary return convoys are currently operated from Iran to Sulaymaniyah through the Haji Omaran border crossing in Erbil Governorate. Once refugees have completed the application procedures, they will be informed of opportunities for return and of the next available space on a repatriation convoy.

Persons intending to return sign a letter verifying their decision to voluntarily return to Iraq and are given a Voluntary Repatriation Form (VRF) to replace refugee status documentation issued in Iran. Returnees are transported by vehicle convoy from Iran to the Haji Omaran border crossing in Erbil Governorate. Their luggage is loaded onto trucks which follow the convoy.

UNHCR's implementing partner IRD, in cooperation with the Directorate of IDPs and Refugees will receive the convoy at the border. The returnees' names are registered with the Directorate and luggage is transferred onto trucks on the Iraqi side of the border for onward travel to Sulaymaniyah Governorate. Returnees are transported from Diyana/Erbil to their final destination in Sulaymaniyah Governorate accompanied by IRD convoy escorts.

Upon arrival in Sulaymaniyah, returnees should present themselves to the Directorate of IDPs and Refugees in Sulaymaniyah, which will issue a support letter to facilitate obtaining documents such as citizenship card, civil ID card, marriage certificate and food ration card (see below *Section III, D, Documentation* for further information). This support letter also allows them to access assistance on return.

⁹⁴ Voluntary repatriation sources of information include: MoHR/KRG Sulaymaniyah, MoMPW, Governorate Office, Employment Office and media.

C. Repatriation with Assistance (facilitated by the PUK Public Relations Office in Iran)

The alternative method of return is facilitated by the PUK Public Relations Office in Iran. Refugees can register their intent to return and return directly via the different border crossings in Sulaymaniyah Governorate (in particular through Parwezkhan/Darbandikhan, the official border crossing). Potential returnees should present a copy of their Iranian refugee identification document (White or Green Card) to the PUK Public Relations Office. Upon return, returnees should approach the Governor's Office in Sulaymaniyah, which will refer them to the Directorate of IDPs and Refugees who will provide a support letter to facilitate obtaining documents and accessing assistance on return.

V. Organisations Providing Humanitarian and Development Assistance

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

A. Sulaymaniyah Assistance Programme

In addition to the reintegration services provided to returnees by the regional authorities, the former MoHR/Sulaymaniyah had instituted a programme to provide cash (US \$1,000) and land grants (200m²) to returning families from Iran. As of August 2006, 3,200 returnee families had received the cash grant and are in the process of receiving land allocations. A further 1,850 families received land grants only. Due to the lack of funds, the provision of US \$1,000 cash grant was suspended, although an exception was made for 800 families that returned in late 2004/early 2005 to Sulaymaniyah City, their place of origin, where land is no longer available. In August 2006, the assistance programme was suspended altogether.

The criteria for receiving this assistance were as follows:

- A document from District Council *Mukhtar* proving residence in the place of displacement and a document proving their original place of origin (refugees originating from other Governorates cannot receive land allocations in Sulaymaniyah);
- Their date of departure from Iraq was before 1996;
- The household was composed of more than one individual;
- Children up to the age of 18 without parents had to provide their parents' death certificates.
- Returnees had to prove that they were residents in the asylum country.

It should be noted that despite this assistance programme, none of the families that have returned have been able to build permanent houses on the allocated plots due to very high building costs and a lack of public services in the new sites (such as Arbat, Tasluja, Pirmagroom and Chamchamal).

B. International Agencies

- UNHCR - (www.hcriraq.org) – In Sulaymaniyah Governorate, UNHCR in partnership with UNOPS is providing community, individual and protection assistance to returnees through health, education, shelter and income generation projects.

In addition to the voluntary repatriation convoys, UNHCR and its implementing partner IRD are supporting the provision of legal aid and information services to IDPs, returnees and refugees. The LAIC deals with issues regarding documentation and access to services detailed in this report.

Especially vulnerable returnee households are provided with a basic package of non-food items (e.g. tents, blankets and kitchen utensils).

C. Government Development Agencies

- USAID – (www.usaid.gov/iraq) – USAID is funding rehabilitation projects for schools, youth centres and parks. It is further arranging for community development seminars and cultural activities, garbage collection in districts/sub-districts, planting trees in cooperation with the Ministry of Agriculture and cleaning irrigation channels.

D. International Non-Governmental Organizations

- Mines Advisory Group – (www.mag.org.uk) – MAG undertakes mine clearance and awareness activities.
- Norwegian People's Aid– Rehabilitating community infrastructure and mine clearance activities.

E. Iraqi Non-Governmental Organizations

- Iraqi Red Crescent Society – IRCS has an office in Sulaymaniyah providing health assistance, NFIs and food packages during emergency situations.
- Reach – Completed 114 projects in Northern Iraq in the last two years including building dams and bridges, installing generators and engineering projects.
- Kurdistan Save the Children – Constructing sanitation units for IDPs.
- Other Iraqi NGOs – Current estimates put the number of Iraqi NGOs working in Sulaymaniyah Governorate at between 30 and 50. Any NGO which would like to be registered in this report should e-mail UNHCR to the contacts included on the www.hcriraq.org website.

F. Addresses of Government Offices and other institutions

For the time being, the following addresses continue to be valid. In light of the unification agreement between the KDP and the PUK, KRG ministries will be located in Erbil, though

they may keep Directorates in Sulaymaniyah. UNHCR will update this information as soon as possible.

Governorate Directorates are open 08.00 – 15.00, except on holidays, Fridays and Saturdays.

- Governorate Building
Near Sulaymaniyah Palace and Sulaymaniyah National Park
- CRRPD Office
Ashtee Qr., near Brayati Intermediate School, down to Taban Sweets.
- Library
Close to the Ministry of Finance/Sulaymaniyah, Sahol Street, Sulaymaniyah
- LAIC
Inside the building of the local NGO ‘Civilization Development Organization’, Shorish Qr., confronting the ‘Amnasuraka’ (Red Security Building), Sulaymaniyah
- Maternity and Children’s Hospital
Qanat Street, near the Directorate of Health
- MoE/KRG, Directorate of Education
Bakhtiary, near former UN Centre
- MoH/KRG, Directorate of Health
Qanat Street, near Sulaymaniyah Traffic Directorate
- MoH/KRG, Directorate of Births and Deaths Registration
Qanat Street, Maternity Hospital, near Directorate of Health
- MoHR/KRG, Directorate of Human Rights
Sarchnar Shahidan, near Benayee petrol station
- MoI/Sulaymaniyah
Sulaymaniyah City Centre, near the Grand Mosque – Serah Square
- MoI/Sulaymaniyah, Directorate of Passports and Residence
Kaway Asinger roundabout, Sulaymaniyah City. Located inside the building of Sulaymaniyah Security Directorate, at the end of the street that leads to the University of Sulaymaniyah.
- MoI/Sulaymaniyah, Directorate of Personal Status and Citizenship
Close to the Palace Hotel, Chwarbagh District, Sulaymaniyah City
- MoI/Sulaymaniyah, Directorate of Traffic
Qanat Street, behind Directorate of Health
- MoJ/Sulaymaniyah, Central Justice Building
Haji Kak Ahmed Street, near the Grand Mosque
- MoLSA/KRG, Directorate of Social Care
Located behind Directorate of Health, Sulaymaniyah City

- MoLSA/KRG, Centre for Older Persons
Located close to Directorate of Health, Sulaymaniyah City
- MoLSA/KRG, Employment Office
Bakhtiary Qr, besides Directorate of Labour and Housing
- MoT/KRG, Directorate of Trade, main Food Ration Centre
Ashti Q., Near Ashti Hotel
- Directorate of IDPs and Refugees⁹⁵
Building of the former MoHR/Sulaymaniyah, Sarchnar Shahidan, near Benayee petrol station
- University of Sulaymaniyah
On the same street that leads to the Sulaymaniyah Security Directorate
- Women Advice Centres
 - Asuda Women Organization: Tel: 3150332
 - Nawa Women Centre: Tel: 3128118

⁹⁵ After the merger of administrations, it is currently unclear under which Ministry this Directorate will fall.

ANNEX I: Summary of Returnee Monitoring Findings and Recommendations

A. UNHCR Returnee Monitoring in Sulaymaniyah Governorate

UNHCR has been monitoring returnees in Sulaymaniyah Governorate since September 2004 in order to determine to what degree Iraqi refugees can return in safety and dignity. As of 31 August 2006, 23 village surveys, 38 group surveys and 555 household surveys had been performed and entered into a central database. Note that village surveys describe the overall situation within the village, while household surveys focus on the situation of individual returnee families.

Figure 7: UNHCR returnee monitoring in Sulaymaniyah Governorate

	Monitored villages, households and returnees	Comments
Monitored Villages	23	Halabja, Ranya, Sulaymaniyah, Dokan, Pshdar and Kalar Districts
Monitored Groups	38	Halabja, Ranya, Penjwin, Sulaymaniyah, Dokan, Pshdar and Kalar Districts
Monitored Households	555	Halabja, Ranya, Penjwin, Sulaymaniyah, Dokan, Pshdar and Kalar Districts
Estimated returnee population	99,149	Estimated returnee population from village forms

The figures in this report are based on 555 household surveys. The sample size in each figure refers to the number of households which provided an answer to the relevant question.

B. Housing

Issue: The shortfall in housing is a repercussion of the devastating Anfal campaign, during which 750 Kurdish villages in Sulaymaniyah were bulldozed and over 200,000 people across Northern Iraq were displaced from their homes by the former regime. According to Human Rights Watch, the Iraqi government destroyed between 3,000 and 4,000 Kurdish villages and towns across Iraq as part of the Anfal campaign during the late 1980s.⁹⁶ According to the local authorities, 1,992 out of 2,035 villages in the Governorate of Sulaymaniyah were destroyed. To date, 1,350 villages have been reconstructed since 1991, leaving 642 destroyed.⁹⁷ Although some residents have returned, many are still not able to return to their places of origin because their villages are still destroyed, mine-affected or lack basic services. The Kurdish authorities have attempted to assist returnees by granting parcels of government land, but a lack of resources and public service delivery to the new sites has meant that few have been able to construct new accommodation.

⁹⁶ Human Rights Watch, *Claims in conflict: Reversing Ethnic Cleansing in Northern Iraq*, p. 9, August 2004 <http://www.hrw.org/reports/2004/iraq0804/iraq0804.pdf>.

⁹⁷ Kurdistan Development Corporation, *Village Statistics*, http://www.kurdistancorporation.com/construction_rebuild.html.

Recommendation: The KRG authorities in partnership with UNHCR and the Iraqi national authorities to advocate with other government departments (Ministry of Housing and Construction) and UN Agencies (UN-Habitat) for public services and credits to be made available to returnees for self-built housing in the areas where authorities have already granted land to returnees. They should also advocate for the expansion of services to other areas.

C. Employment

Issue: Despite economic growth and efforts by the KRG to provide employment opportunities for unskilled persons, returnees and IDPs are still not able to access permanent employment opportunities. Casual employment provides income for many, but the uncertain, often seasonal, nature of the work is unsettling and does not enable returnees and IDPs to achieve a high level of self-reliance and (re)integrate in a sustainable manner. Returnees lack the opportunity to practise new skills learned abroad, including textile and carpet making, because of a lack of financial and material resources to set up their own businesses. The amount of unskilled labour needed in Sulaymaniyah attracts workers from other parts of Iraq and competition for jobs remains fierce.

Recommendation: UNHCR, KRG and the Iraqi national authorities to advocate for micro-credit facilities to be made available to returnees and IDPs that will enable them to develop self-sufficient enterprise initiatives with their existing skill sets and contribute to the growing economy of Sulaymaniyah.

D. Water

Issue: Water quality is a key concern to returning refugees and IDPs. Although water is available through springs and ground wells, the quality is low and continues to pose health risks. Water shortages in Sulaymaniyah City in the summer of 2005 have led to the local authorities allowing households to dig their own wells into the water table, with potentially damaging long term impacts. Returnees and IDPs are living in areas where they must drink untreated water and with poor sanitation infrastructure.

Recommendation: UNHCR, KRG and other UN agencies (including UNICEF) to advocate with the Iraqi authorities and the Kurdistan National Assembly for an immediate sustainable solution to the water shortages in the Governorate of Sulaymaniyah and for resources to install water treatment systems in areas with high concentrations of returnees and IDPs, particularly in collective towns and areas where returnees are being granted parcels of land.

E. Health

Issue: Health facilities are still not available in much of rural Sulaymaniyah and the region is lacking specialist doctors, many of whom have left the area to move abroad. The supply of essential drugs is still unreliable and even nominal charges for health consultations and prescriptions are beyond the means of impoverished families, which include returnees and IDPs.

Recommendation: UNHCR, KRG and the Iraqi national authorities to work with the Ministry of Health and the WHO to advocate for urgently needed outreach health services in rural areas, for training opportunities that will allow newly trained doctors to specialize in priority fields of medicine and to explore opportunities for exiled health professionals to support health initiatives in the Governorate.

F. Essential Infrastructure

Issue: Investments in essential infrastructure, particularly electricity and roads, are not reaching many rural impoverished communities. **These services are vital for vulnerable communities to be able to access opportunities, including employment.**

Recommendation: UNHCR, KRG and the Iraqi national authorities to advocate for increased investment in rural infrastructure, particularly to collective towns and new sites where returnees are being granted parcels of land. The installation of electricity and water infrastructure, the rehabilitation of road networks, the establishment of education facilities and the extension of public transport systems are the greatest needs.

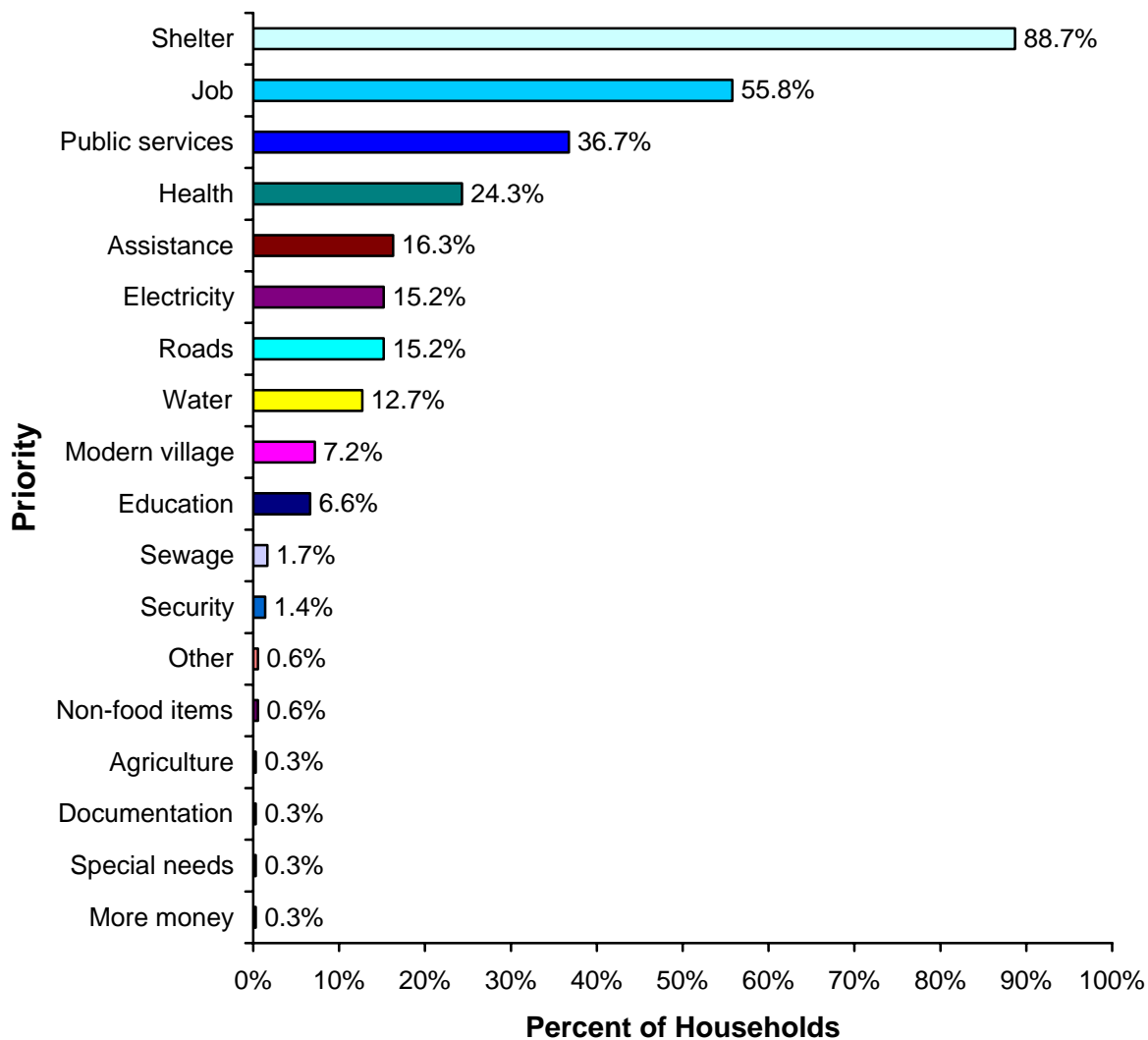
G. Additional Vulnerabilities

Issue: 39% of the households monitored by UNHCR returning to Halabja District have a family member with an additional vulnerability, usually a physical disability or a serious illness. Although it has been 18 years since the Halabja gassing, its after-effects are still being felt and the area has few specialist resources to assist the families who experienced the horrific physical and mental trauma of the 1988 attack on their town.

Recommendation: KRG to work with local and national authorities to assist the community in Halabja to overcome the particularly traumatizing physical and mental scars of the 1988 gassing.

Figure 8: Top three priorities of returnee households

(Sample of 362 households. The values do not add up to 100% because households listed up to three priorities for assistance.)



ANNEX II: Overview of Displacement and Return Situation⁹⁸

A. Displacement from (and to) Sulaymaniyah Governorate (pre-2003)

The former regime's *Arabization* campaign led to the displacement of large numbers of IDPs from Kirkuk, Mosul and Diyala into the three Northern Governorates, including the Governorate of Sulaymaniyah.

After the failure of the Kurdish Uprising in 1975, the former regime began to **evacuate a 10 km wide strip of land along its borders with Iran, Turkey and Syria**. All villages and towns within the boundary were destroyed, including private houses, mosques and public buildings. During this time, **some 250,000 Iraqi Kurds fled from the three Northern Governorates**, including Sulaymaniyah. Many sought refuge in Iran. In autumn of 1975, those that stayed behind began to be resettled in **collective towns** around the larger cities, such as Pira Magroon and Smud in Sulaymaniyah. **In the mid 1980s, the evacuation zone was increased to 15-20 km** (allegedly because of the local security situation), many other villages were destroyed and more people displaced. **Most of the Iraqis that fled in 1975 returned during the various amnesties offered by Iraq between 1975 and 1979**, but nearly 50,000 remained in Iran. Another 25,000 Kurds fled to Iran intermittently between 1980 and 1988, often because of persecution by the former regime targeted at individuals or families.

The Anfal Campaign began in 1988, towards the end of the Iran-Iraq War. The brutal campaign was launched by the former regime under the code name *Anfal* in an attempt to suppress Kurdish opposition, and some Human Rights organizations have argued that it constitutes genocide. The *Anfal* Campaign was implemented in several stages, primarily between February and September 1988 in Sulaymaniyah. **Up to 180,000 persons disappeared during the Anfal Campaign, and numerous mass graves of Kurdish ethnicity have been found since 2003**. According to the records of the Directorate of Human Rights in Sulaymaniyah, 750 Kurdish villages were bulldozed and completely destroyed in Sulaymaniyah Governorate. Those who survived the *Anfal* Campaign were gathered in collective towns and left with no access to essential services and few, if any, employment opportunities.

In 1988, towards the end of the Iran-Iraq War (locally known as the First Gulf War of 1980-88), **forces of the former regime dropped chemical gas on Halabja town and other villages in Northern Iraq**. 5,000 are estimated to have died in Halabja alone, 75% of which were women and children. Thousands more were injured and subject to terrifying after-effects, including cancer, breathing problems, eye diseases and skin allergies, which people still suffer from today. Many more were left homeless as people had to evacuate the area. The *Anfal* Campaign and the use of chemical gas created an additional 100,000 Iraqi refugees in Iran.

In the 1991 uprising following the Gulf War, Kurdish forces took control over much of the Northern region. The former regime attempted to retake the cities, and after

⁹⁸ Overview of return and displacement sources of information include: former MoHR/Sulaymaniyah, former Ministry of Municipality/Sulaymaniyah, Governorate Office, Employment Office and media.

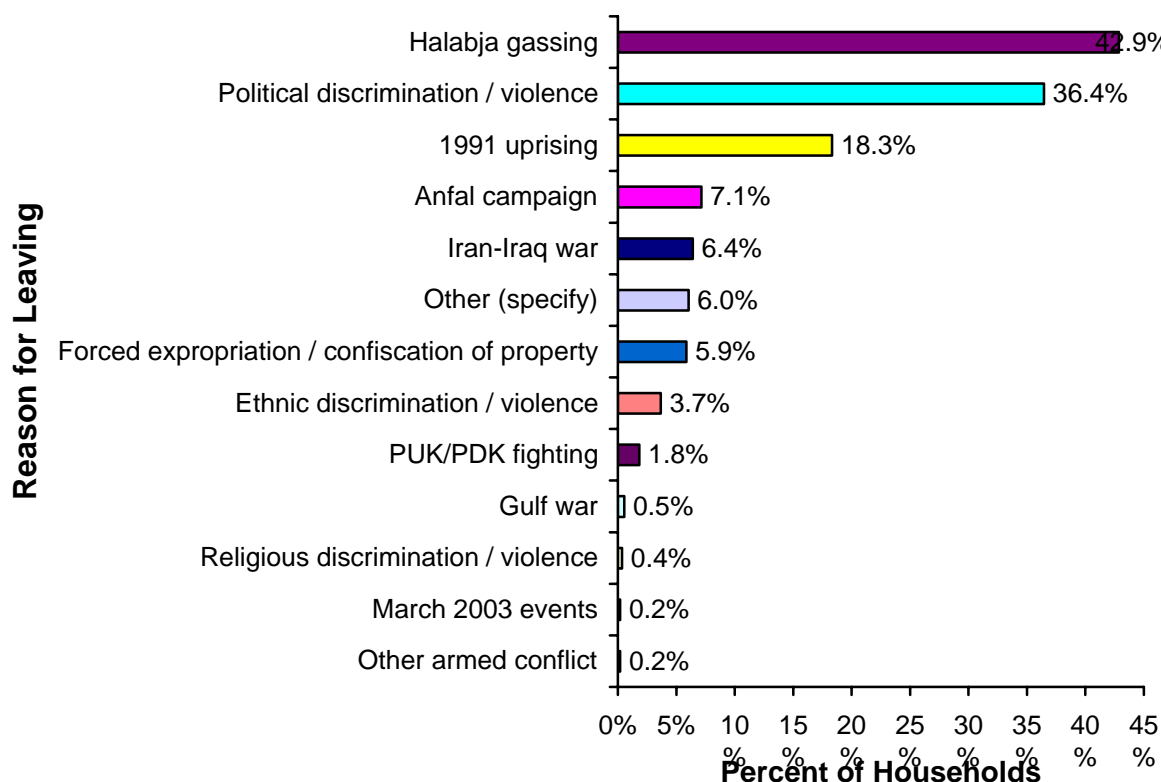
consolidating its control, conducted a ruthless and indiscriminate programme of searches, arrests and executions. An estimated 750,000 Iraqi Kurds fled to Iran while a further 280,000 fled to Turkey, and 300,000 more gathered at the Turkish border. The majority of those that fled from Sulaymaniyah went to Iran across the nearest international border. However, many returned back to Sulaymaniyah during the same year following the establishment of a ‘safe haven’ in Northern Iraq by the US and the UK, which allowed the region to gain *de facto* independence (see below *Figure 11 Year of Return*).

Inter-Kurdish fighting between the PUK and the KDP from 1994-97 further exasperated the displacement situation and damaged essential infrastructure, and a continuous stream of people from the Kurdish region sought to migrate out of Iraq throughout the decade. There was also displacement due to fighting between PKK and Turkish military in mid 1990s.

UNHCR Returnee Monitoring in Sulaymaniyah revealed that out of 546 households monitored, 234 fled because of the Halabja gassing in 1988, 199 fled because of political violence, 100 left the area because of the 1991 Uprising, 39 listed the Anfal Campaign and 32 because their properties were confiscated. Others left for reasons including insecurity and the desperate economic situation resulting from the Iran-Iraq War (see *Figure 9*).

Figure 9: Reasons for leaving Iraq

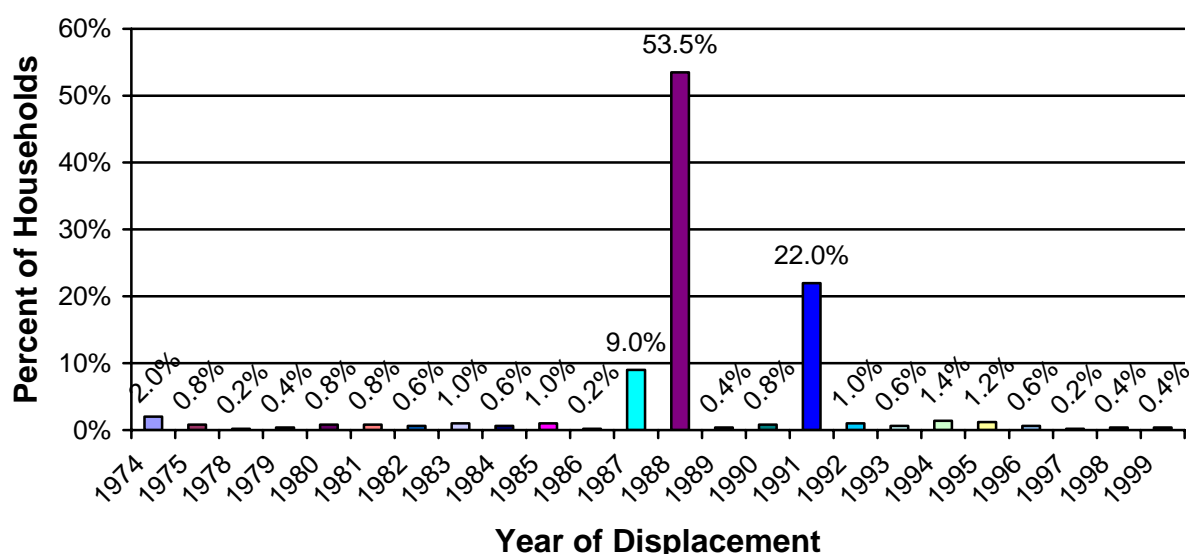
(Sample of 546 households. The values do not add up to 100% because households listed up to three reasons for leaving)



Note: Given that 53% of the monitored households originate from Halabja, these findings are not surprising. Monitoring in other districts may show different results with regard to the reasons for flight. It is noteworthy, however, that people were fleeing Sulaymaniyah Governorate throughout the 1970s, 1980s and 1990s.

Figure 10: Year of displacement

(Sample of 501 households)



In December 2005, UNOPS IDP Monitoring accounted for over 50,000 IDP and IDP returnee families in Sulaymaniyah Governorate (some 300,000 persons or approximately 20% of the total population of the governorate). Ninety percent of monitored IDPs are victims of *Collectivization, Arabization* and *Anfal* operations which occurred in the 1970s and 1980s. The IDPs are found in six districts of Sulaymaniyah Governorate, one third concentrated mainly in Chamchamal District followed by Kalar, Ranya, Sulaymaniyah, Sharazoor and Dokan areas. The large majority of IDPs live in collective towns (97%) while a small minority live in public buildings (3%). The majority of IDPs originate mainly from within the Governorate of Sulaymaniyah, followed by Kirkuk, Diyala and Erbil Governorates.⁹⁹

Since the February 2006 Samarra bombing and consequent escalation of Sunni-Shiite violence, more than 250,000 persons have been displaced inside Iraq. According to KRG authorities, around 8,000 families (40-50,000 persons) have moved to the KRG-administered area.¹⁰⁰ According to UNHCR/IRD Monitoring in August 2006, most of the newly arrived IDP families are Christians and Sunni Muslim Arabs, along with some Kurdish families who previously resided for a long period of time in the Centre or South of Iraq. In addition, some 500 families reportedly fled their homes due to heavy Iranian shelling of the border area of Belessan Valley in Sulaymaniyah Governorate that destroyed their villages.¹⁰¹

B. Return to Sulaymaniyah Governorate

The following graph (*Figure 11*) shows that returns to Sulaymaniyah Governorate took place mainly in 1991, following the area's *de facto* independence after the imposition of a no-fly zone. In 2003, increased numbers returned in the wake of the fall of the former regime, resulting in returns in both 2004 and 2005. Fewer returns have been recorded in the first eight months of 2006. Accordingly, 'change in political situation' was given as the main

⁹⁹ UNOPS, *Sulaymaniyah Profile*, December 2005.

¹⁰⁰ Cluster F, *Cluster F Update on Newly Displaced Populations in Iraq*, 24 August 2006.

¹⁰¹ Ibid.

reason given for the decision to return (see below *Figure 12*). In October 2003, UNHCR established a **voluntary repatriation process** to facilitate the return of Iraqi refugees mainly in Saudi Arabia and Iran to their places of origin. Through this facilitated return process **3,502 persons returned to the Governorate of Sulaymaniyah out of an overall 25,171 Iraqis returning to Iraq with assistance from UNHCR between August 2003 and August 2006. In 2006, no facilitated returns have taken place so far to the Governorate of Sulaymaniyah.** The vast majority of returnees to Sulaymaniyah Governorate came from Iran (3,500 persons) while only two persons returned from other countries.

Figure 11: Year of return
(Sample of 500 households)

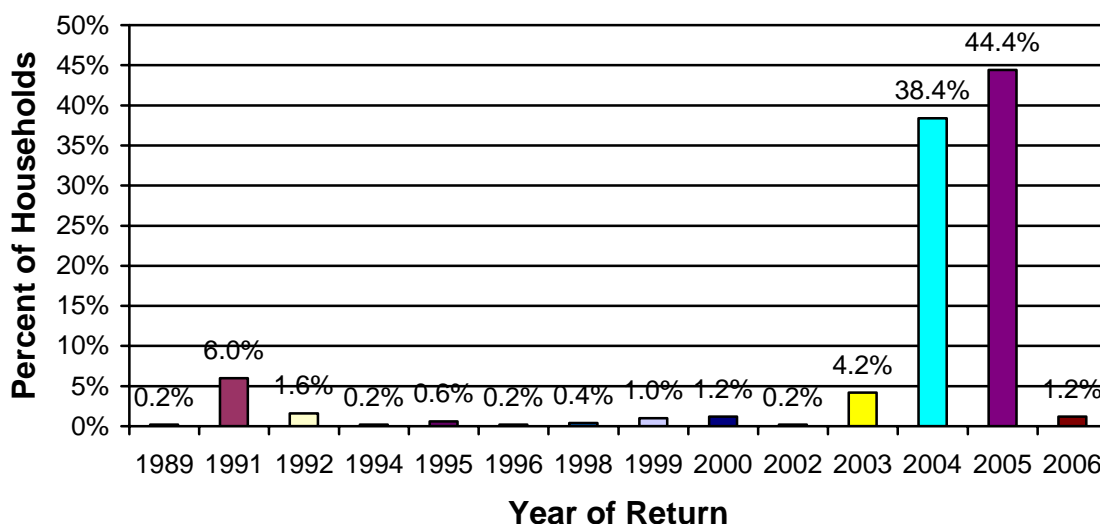
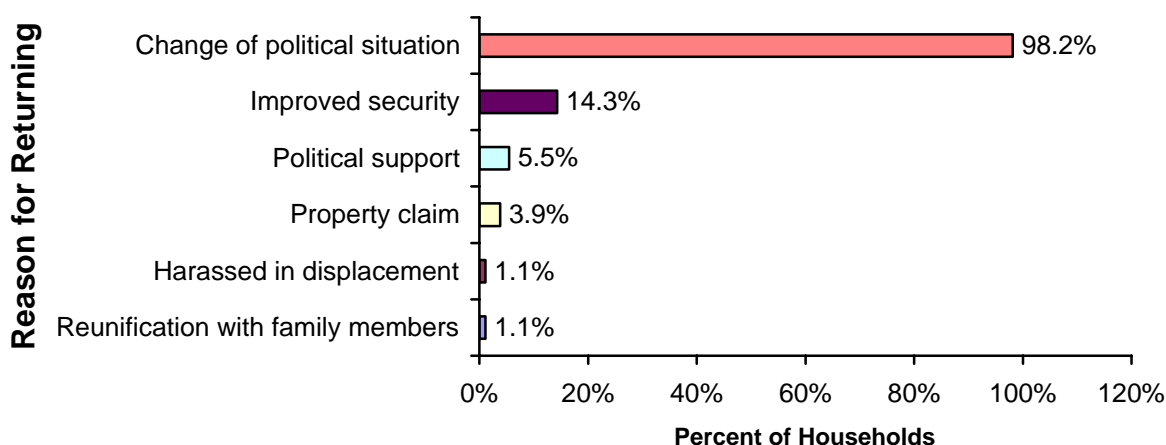


Figure 12: Reasons for return to Iraq

(Sample of 545 households. The values do not add up to 100% because households listed up to three reasons each for returning)



C. Return to Continued Displacement

As returnees from abroad often find their predominantly rural places of origin lacking basic services and devastated from years of neglect, many cannot return there and choose to settle in urban areas. Some returnees became adapted to a more urbanized way of life during their time abroad, and rural areas generally lack the opportunities and infrastructure they require to rebuild their livelihoods. UNHCR Returnee Monitoring suggests that refugees usually return

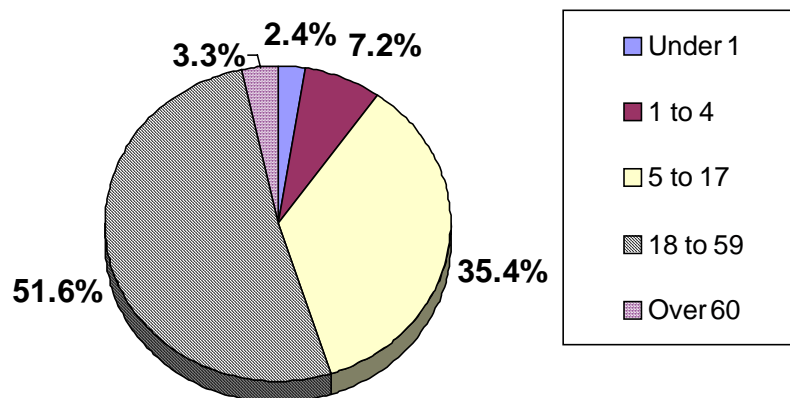
to those districts that are close to their original villages so as to be near family and kinship networks.

D. Profile of Returnees

The following graphic shows that **45% of monitored returnees to Sulaymaniyah Governorate are under 18 years of age.**

Figure 13: Age range of monitored returnee and IDP households

(Sample of 551 households)

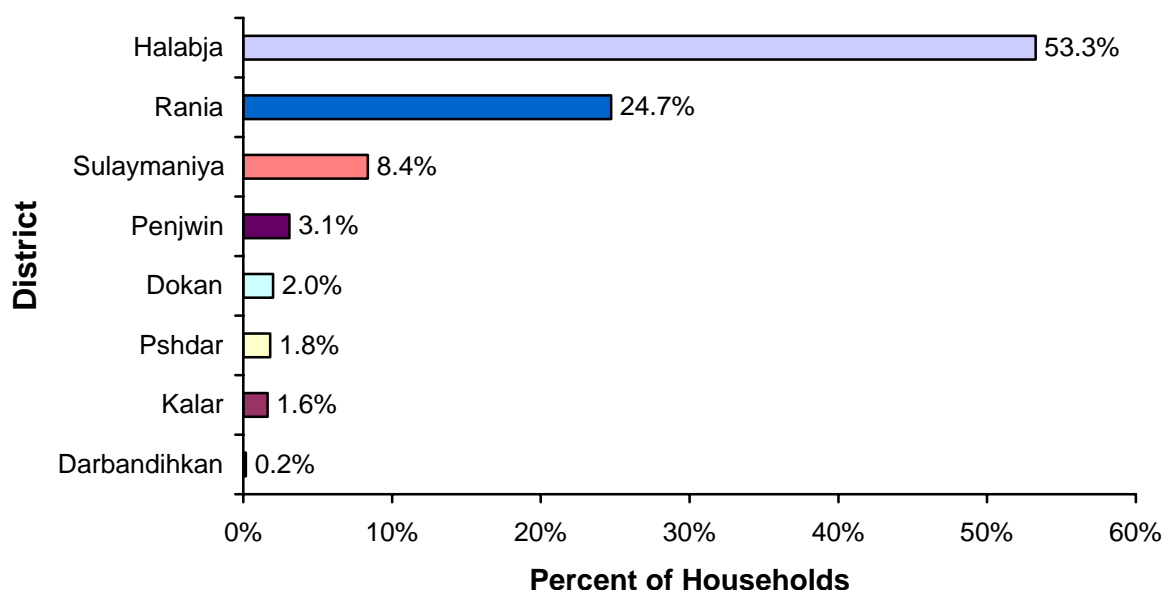


ANNEX III: Summary of District Profiles

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

Figure 14: Returnee and IDP households monitored by district

(Sample of 550 households)



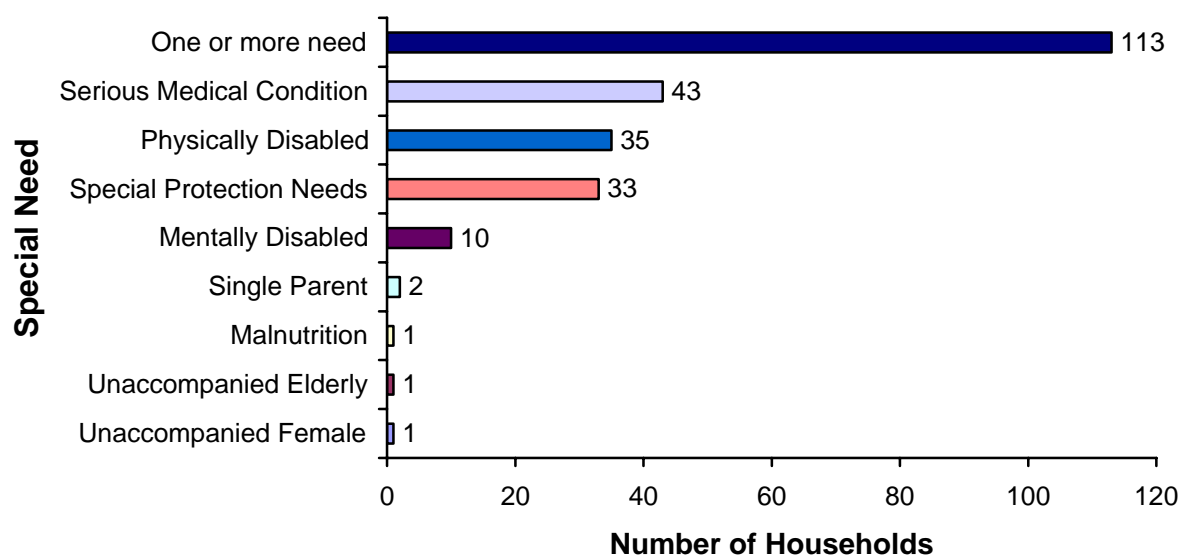
A. Refugee and IDP Returnees to Halabja District

(Sample of 274 [94%] households returned from Iran, 18 [6%] IDPs)

- 74% left because of the chemical bombardment of Halabja in 1988;
- 74% returned to their place of origin, 19% returned into continued displacement;
- 12% returned in 1991, 31% in 2004 and 44% in 2005;
- 38% are now living in a house which they own;
- 14% have no access to health facilities;
- 97% said that their current house is damaged;
- Halabja has a high number of households with special needs (see *Figure 15*).

Figure 15: Special needs of monitored households in Halabja

(Sample of 293 households)



B. Refugee Returnees from Iran to Ranya District

(Sample of 136 returnee households)

- 65% returned into continued displacement. Reasons indicated for not returning to place of origin are house or village destroyed, lack of services (including shelter) as well as insecurity;
- 58% are intending to settle in Ranya District, although this is not their place of origin;
- 53% returned in 2004 and 44% returned in 2005;
- 54% were displaced in 1988 and 22% in 1991;
- 99% gave 'change in political situation' as their reason for return;
- 93% have access to health care.

C. Returnee Communities of Concern Needing further Monitoring

There is currently no sufficient data available on returnee households in the Districts of Penjwin, Sulaymaniyah, Dokan, Pshdar and Kalar.