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EASO COI Meeting Report

Iraq

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Gareth Stansfield, Professor of Middle East Politics and the Al-Qasimi Chair of Arab Gulf Studies at the University of Exeter

Joost Hiltermann, Program Director, Middle East & North Africa, at the International Crisis Group

Mark Lattimer, Director of the Ceasefire Centre for Civilian Rights

UNHCR

Contents

Acknowledgments	3
Disclaimer	5
Abbreviations	6
Introduction.....	7
Map.....	8
Security Developments in Iraq (Gareth Stansfield)	9
Discussion.....	10
Shia Militias (Joost Hiltermann, International Crisis Group)	11
Discussion.....	12
The situation of Sunnis, particularly in Mosul (Belkis Wille/Human Rights Watch)	13
Discussion.....	14
Security and Political Developments in the KRI (Gareth Stansfield)	15
IFA/IPA in Iraq (UNHCR)	17
Minorities and Vulnerable Groups (Mark Lattimer).....	17
Question and Answers with Experts.....	23
Alcohol sellers – are alcohol sales still going on?	23
Can you talk about the attitudes of Christian militias?.....	23
How prevalent are jin-jin marriages?.....	23
Are men also subject to honour violence in the Kurdish region, for example?	24
Is compulsory military service in sight?	24
Can mixed couples become targets of persecution?.....	24
What is the security situation along the Iranian border?	24
What is the situation of atheists in Iraq?	25
Can you talk about the prospects for reconciliation and reparations?	25
Are interpreters/drivers etc that works for the coalition still at risk of being persecuted?26	
What do you see as the main issues going forward?.....	26

Disclaimer

This meeting report has been drafted by EASO on the basis of presentations, discussions, and participants' notes to highlight the main content of the meeting and do not purport to reflect the entire proceedings.

Variations in style, terminology, spellings, and choice of language for different terms used by different speakers may appear as a result.

The external speakers validated the information in this report as of June 2017 and have given their consent to be quoted publicly from this report. Information provided by an external speaker in this report should be cited under the name of the speaker and the context in which it was delivered:

Name of speaker, EASO, Practical Cooperation Meeting on Iraq, meeting in Brussels, Belgium, held on: 25-26 April 2017.

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The target users are asylum caseworkers, COI researchers, policymakers, and decision-making authorities.

Abbreviations

AAH	Asaïb Ahl al-Haq, one of the main Popular Mobilization Units
COI	Country of Origin Information
EU+ countries	EU member States plus Norway and Switzerland
IFA	Internal Flight Alternative
IPA	Internal Protection Alternative
IS	The Islamic State (caliphate)
KDP	Kurdistan Democratic Party, Kurdish political party in Iraq
KRG	Kurdistan Regional Government
KRI	Kurdistan Region of Iraq
PKK	Kurdistan Workers' Party, a Kurdish armed movement in Turkey
PMU	Popular Mobilization Units
PUK	The Patriotic Union of Kurdistan, Kurdish political party in Iraq
YPG	Kurdish People's Defense Units

Introduction

On 25 and 26 April 2017, EASO organised a Practical Cooperation meeting on Iraq in Brussels, in which asylum policy-makers, decision-makers, and COI researchers from 18 EU+ countries¹ came together to discuss issues in the Iraqi asylum caseload, to update each other on recent information needs and new national products, and to discuss future joint activities. External experts and organisations mentioned in the [acknowledgement section](#) of this report gave presentations on recent developments in Iraq and the Kurdistan region.

This meeting report presents information from the presentations, followed by questions by the audience and answers from the experts.

¹ EU Member States plus Norway and Switzerland

Map



Map: Iraq, Map No. 3835 Rev.6, July 2014 © United Nations, [Geospatial Information Section](#)

Security Developments in Iraq (Gareth Stansfield)

Dr. Stansfield, a scholar and researcher on Iraq/KRI with the University of Exeter, provided a recent overview of the conflict(s) in Iraq, and explained that the ongoing security problems in Iraq since 2014 have always existed in different forms, but have worsened with the development of Islamic State (IS) in recent years. By the end of 2015, Iraq had essentially broken down into three key zones of influence – the Islamic State (caliphate) in the west, the Kurds in the Northeast, and the Baghdad/Central authorities in the centre and south. IS was able to gain in importance/strength because of the Sunni opposition to the majority Shiite regime, its sectarian policy and because of Shiite and Kurdish opportunism - to the detriment of the Sunnis after the fall of Saddam Hussein. Under al-Baghdadi, IS created a new Sunni Iraqi identity that a large part of the Sunni minority could identify. Indeed, most of the IS fighters come from Nineveh and Mosul, creating a local dynamic. To this end, it is not conceivable that IS could be destroyed only by military intervention. As long as sectarian politics works to the detriment of the Sunnis, an armed opposition is unlikely to cease. Currently, Islamists still have an important popular support as they present themselves as protectors of the Sunni community. The Islamic State, originating from Al-Qaeda in Iraq, is fundamentally an Iraqi movement originally, with strong local roots. Mosul, taken by IS in June 2014 and currently disputed between the forces of IS and those of the central government, shelters few foreign fighters, unlike the territories of IS in Syria. Most of the IS fighters are Iraqis of Arab origin with a minority of Kurds. The power of IS is much stronger than that of the Al-Qaeda group in Iraq had been between 2003 and 2013. In Iraq, IS has a territorial base, with regular resources, although in decline, and it exercises a de facto administration; it is not obliged to go underground.

The sectarian problem becomes worse by the simple fact that most of the fighters who oppose the Islamists are Shiites, which turns the conflict into religious/sectarian conflict. This is worsened by the behaviour of the Shiite militias towards the Sunni population of the "IS-liberated" regions. Although IS's territorial control is currently in the process of gradually being eroded, the group is still very much alive and still wields great power locally. It has been able to adapt to the tactics of the Iraqi armed forces. As a result, the poorly organised fighters of IS have turned into excellent military units who learned the profession of soldiering, not only by former generals of Saddam Hussein, but also by years of observation of the strategies of the American and Iraqi armies.

The KRG experienced a critical situation and was about to collapse during the IS offensive in August 2014. The Peshmergas, the armed force of the KRG, experienced a "near death experience" with IS. They remain a divided force and need to be completely rebuilt. The most professional and effective armed force, and the one that saved Kurdistan in 2014, is the YPG/PKK, Kurdish fighters from Syria and Turkey with their own political structure. They are few in number and, being that they are not Iraqi, they can only have a limited hold on the territory. Kurdish forces in this context are not truly part of the "national" forces as they are primarily involved in fighting in the interest of Kurdistan. According to Dr. Stansfield, it is imperative that Iraq and Syria be treated as a single conflict zone; IS fights on one front, but is able to retreat into Syria to recuperate. One cannot fight the Islamists only in one country by leaving them a way of retreat in the other. However, with the geopolitical problems created during the conflicts in Syria and Iraq, this possibility is not feasible in practice. Kurdistan has been able to move its interests forward since the establishment of IS. Although the Peshmerga was decimated during the first confrontations with IS, the Kurds were able to reform with a new motivation toward regional independence. Several referendums on independence have already been announced and canceled. The next one is expected to take place around autumn

2017. Within Kurdistan, there are rivalries between political factions. In addition, the Kurdish authorities want to integrate a large part of Iraqi territory into Kurdistan. This disputed territory has a large amount of oil fields. The regions of Baghdad and Basra are governed by a sectarian and regional policy exercised by different Shiite factions. These factions do not share the same ideals, which could have security implications in the years to come.

The central government is weak. Prime Minister Haidar al-Abadi has made efforts against corruption, but he cannot do much against the internal rivalries of the Shiite parties. He is surrounded by several challengers: Nuri al-Maliki (former Shiite prime minister, pushed to resign in August 2015), Moqtada al-Sadr (popular preacher and opposition leader), the leaders of the Shiite militias (see [below](#)).

Government security forces are divided along sectarian lines and unable to control the northwest of Iraq. The state must rely on the Shiite militias of the Popular Mobilization Units (PMU, Hashd al-Shaabi). The main ones, Asaib Ahl al-Haq (AAH) and Badr Brigades, are under Iranian command. Asaib Ahl al-Haq is the most professional but divided. While the IS offensive continues, the militia leaders are already preparing for the post-conflict: their men will return to settle in the southern provinces and dominate local politics. These leaders are not interested in the conquest of Mosul or the Kurdish territories, regions of the Sunni population where they cannot establish themselves and which they willingly leave to other actors. The offensive against Mosul began on 16 October 2016 and is still unfinished. The districts to the east of the Tigris were conquered on January 24, 2017 but the defences are extremely well organised and the government forces, anti-terrorist units (CTS), 16th Division, police, suffered heavy losses. It will be difficult to prolong the operations if it is necessary to continue to fight IS until Raqqa, its Syrian base. Currently, the PMU concentrate their efforts on Tal Afar, a district with a large Shiite minority in the west of Mosul. The various political forces envisage a "federalisation" of the province of Nineveh (Mosul) which has Christian population districts, Yazidi, etc.

The future conflicts of Iraq depends on several political developments:

- The planned referendum on the independence of Iraqi Kurdistan – 24 September 2017.
- The Iraqi parliamentary elections scheduled for March 2018.
- The game of international players: Turkey and Iran that could benefit from the Kurdish referendum, Russia which seeks to strengthen its influence.

Discussion

Can you speak about the security situation of Sunnis in Baghdad?

(Stansfield) Regarding the situation of Sunnis in Baghdad and the south, that topic will be covered in detail by other speakers, however, Sunni Arabs who have long resided in Baghdad know the rules and pitfalls to avoid drawing attention to themselves; they are generally well integrated into the social fabric there. Internally displaced persons are at much greater risk, in contrast.

Are there any new Sunni armed groups?

(Stansfield) Sunni political leaders and tribal leaders are concerned about the "Shiite - isation" of the central power. On the other hand, the central government needs Sunni Arab forces to ensure the security of the Sunni Arab regions freed from IS.

What will become of the IS fighters who manage to escape from Mosul?

(Stansfield) IS has escape routes; perhaps they will go to the Maghreb, to Syria, we do not know. Bombings occur regularly in Baghdad, we are heading for a return of "jihadism to the bomb".

What are the prospects for the Kurdish referendum on independence?

(Joost Hiltermann) - The Kurds have long wanted to have their own state; they are the victims of the power balance established after the fall of the Ottoman Empire in 1918. Many Arabs would willingly accept their secession, but there is the problem of the disputed territories, with their mixed population of Kurds, Arabs and Turkmen, and the sectarian divisions between Shiites and Sunnis that do not always correspond to ethnic divisions.

Shia Militias (Joost Hiltermann, International Crisis Group)

Dr. Joost Hiltermann, Director of the Middle East and North Africa program of the International Crisis Group, began by providing a brief historical outline of the development of Shia militias. In the 1920s, the Shiite clerics revolted against British rule; the revolt's failure traumatised the community, which was subsequently excluded from the powers of the state. The Islamic Dawa Party was the first Shiite political party in the country, followed by the Communist Party and Ba'ath Party, which were national secular movements dominated by activists who were Shiites. It was only in the 1970s that religion gained influence in politics, but Saddam Hussein, who seized power in 1979, eliminated all Shiite Islamist opposition for fear of a revolt linked to the Iranian Revolution. A large number of members of the Dawa party took refuge in Iran, where some created the Supreme Council for the Islamic Revolution in Iraq. The Iraqi people's revolt against Hussein following the 1991 Kuwait war did not have a religious background in origin. However, the Supreme Council for the Islamic Revolution in Iraq took control of the revolt, giving it a sectarian turn. The uprising was crushed, increasing the level of dissatisfaction of the Shiite population even more. After invading Iraq in 2003, the United States, through a combination of ignorance and arrogance, built an Iraqi political system along religious and ethnic lines, creating ethnic and sectarian problems where there had been none before. The Supreme Council for the Islamic Revolution in Iraq as well as other political parties returned from exile and took control of the government. US blunders allowed these parties to take revenge on their enemies, including through a de-Baathification process that was selectively applied, caused a large number of Sunnis to find themselves without work, income or future. This was compounded by the dismantlement of the army and other security forces by the US, which also left a security vacuum that Shiite militias tried to fill. This triggered a Sunni insurrection. While the revolt against the Americans from 2003 onwards was more a national than a religious movement, over time it developed a dominant radical Sunni Islamist strain. A sectarian war in 2005-2007 prompted an American change of attack, which led to the defeat of Al-Qaeda in Iraq. Yet the problem of Sunni exclusion remained unaddressed, and this set the stage for protests in Sunni areas in 2013-2014, a violent response from the state, and the takeover of Sunni areas by the Islamic State, a more radical version of Al-Qaeda. As the army collapsed in June 2014, Shiite leaders mobilised the community in self-defence. The strongest Shiite militias – the Badr Organisation, Asaeb Ahl al-Haq, Kataeb Hezbollah – have Iranian military backing, and as they have moved northward into Sunni areas, neighbouring Turkey has started to see them as a threat to its security.

These militias' actions in territories taken from IS is also problematic. When they entered the eastern districts of Mosul and the area south of Tal Afar, they displayed very provocative banners. They are bringing back displaced persons, mainly Shiite Turkmen, and are threatening to drive out Sunnis. To make matters worse, Iran has pursued a tactical alliance

with the PKK (Kurdistan Workers' Party, a Kurdish armed movement in Turkey) in order to acquire a base in the Sinjar region – Sinjar is an essential link in a land route from Iran to Syria and the Mediterranean. The militias have been able to act with impunity because of the weakness of the Iraqi state. Their recent integration into government forces is, according to Dr. Hiltermann, more nominal than real, a formality to keep up appearances; meaning there is no formal authority with the capacity to control them. Their involvement in the fight against IS in the north has created new geopolitical problems. As the Shiite militias are largely paid by Iran, Turkey fears that Iran is gaining influence in the area near its border and its interests. This could trigger a new conflict after the fall of Mosul. Concerning the Sunni clans, Dr. Hiltermann explained that some are paid by Iran to cooperate with the Shiite militias. However, many other Sunnis are opposed to the current government and this risks creating a new movement of Sunni insurrection even if and when IS is defeated militarily.

Discussion

Is there a recruitment of young Sunni males among the Shia militias?

(Hiltermann) The militias have no trouble recruiting because they have money and pay well; there are economic incentives to join.

(Lattimer) Most of the members of the Shia militias are Shiite but there are also Sunni, Christian or mixed militias. Service in militias is very attractive for young men because of the possibility to earn a wage where there are few other economic options.

What is the official status of the Shia militias?

(Hiltermann) The reintegration of Shiite militias within the Iraqi security forces is not serious – in the sense that the government does not truly control these forces. There is a de facto alliance between the United States and Iran: the Shiite militias need American air support. The United States supports those fighting IS but the Shiite militias take their orders from Iran and not from Baghdad.

What is the conduct of the Shiite militias in Baghdad and other areas?

(Hiltermann) This topic will be covered in more detail in the next presentation. Shiite militias cannot exercise lasting territorial control over Sunni territories without the help of Sunni tribal leaders. But, they have a stronger position in areas of mixed populations, where they can rely on a Shiite population for support. In the regions retaken from IS, the new governors are Sunnis, but protected by Iran.

Are Palestinians from Baghdad targeted? How many Palestinians remain in the capital?

(Hiltermann) The Palestinians in Baghdad were targeted as allies of Saddam Hussein, and now as allies of the IS. No detailed information.

Are there differences between Shia militias regarding their attitude towards the Sunnis?

(Hiltermann) The Iran-backed Shiite militias tend to be sectarian, and overtly anti-Sunni. In taking areas from IS, they have engaged in forced removals of the local Sunni population. Other Shiite militias that answer to Ayatollah Sistani or to Muqtada al-Sadr have been more nationalist in outlook, and have embraced the Sunni population even as they have fought IS.

How large are the Shia militias?

(Stanfield) It is very difficult to have accurate numbers. Asaib Ahl al-Haq (AAH) and the Badr Brigades have a good level of recruitment, including among the Shiite Turkmen of Tuz Khormatu and Tal Afar. The Sadrists militias are perhaps the most numerous, but they have

little involvement with IS in the north. They are mainly concerned with maintaining order in Baghdad and other areas.

(Hiltermann) Shiites are mostly interested in defending areas in the south, Baghdad, Samarra, Karbala and Najaf; they have little interest in Mosul. This is especially true for PMUs claiming links to Iran. Those who do not depend on Iran are the most numerous, but less armed and trained.

The situation of Sunnis, particularly in Mosul (Belkis Wille/Human Rights Watch)

Ms. Belkis Wille, a senior researcher on Iraq with Human Rights Watch, gave an overview of the human rights situation in Iraq, starting with the abuses committed by the Shiite militias in Nineveh, notably around Mosul. In the territories taken back from IS, security is provided by the Popular Mobilization Forces (known as the Hashad al-Shaabi or PMF); there are Shiite units as well as Sunni tribal units that have been integrated into the PMF and in the disputed territories it is usually Kurdish military forces (the Peshmerga). Sunni tribal units, particularly active in the south of Mosul, may be very harsh to suspects belonging to their own tribal group and who they accuse of having "sullied the honor of the tribe" by having stayed behind instead of fled in 2014 and supported IS; the state authorities prefer to close their eyes to these issues within the tribe. Any inhabitant who has spent three years in an area under the control of IS is considered a potential terrorist.

During their military operations, the PMF control and detain persons whom they regard as IS-affiliated, usually without a warrant. According to the government, every person who has lived in a territory under the control of the IS in the past three years is a potential terrorist. Background security checks are conducted based on lists that are consulted by armed actors including from the Ministry of Defence, Interior, and the PMF, manning checkpoints. The lists of "suspects" and "wanted" persons are not based on any transparent or objective factors. Each militia has its own lists and databases. If the name of a person passing the control point appears on a list, the person can be 'disappeared' without warning. Prison managers to whom these individuals are handed over have told her that only few people on these lists are actual IS fighters. She gave the example that it can be enough to have served tea to an IS fighter to be classified as a suspect. In addition, these lists rarely contain more information than the name of a person. As many Iraqi citizens have identical names, they risk detention. There are numerous lists, containing about 90,000 names at the moment, and no transparent way of knowing how a person's name ends up on the lists.

Prisons are under the mandate of the Ministry of the Interior and have the worst conditions of incarceration that she has seen in the region. Those arrested may be held incommunicado and sometimes disappeared. Suspects who are identified as members of the IS are sent to prisons in Erbil, Dohuk or Sulaimaniya areas if captured by Peshmerga forces or Baghdad if captured by Iraqi forces. She visited several prisons which were extremely overcrowded, without hygiene, without separation of adults and minors. The accusations in relation to involvement with IS receive little follow-up. A judge finally makes the decision if a person is affiliated with IS. The burden of proof is on the side of the accused. Since August 2016, an amnesty has been declared for the members of IS if they have been forced to join and if they have not caused offenses.

Shiite units within the PMF are used mainly around Mosul and not in the city. In the areas where they are employed, she has documented these units looting and destroying houses and

carring out arbitrary detentions. The PMFs integrated 47 Sunni militias into their ranks. These units were used to the south and east of Mosul in order to give a Sunni face to the retaking of the city and surrounding areas. Sunni militias have begun to "punish" the members of their communities for not leaving the region after the arrival of IS. These punishments can take the form of detention, torture and execution. This applies not only to individual persons but involves their entire family, who are treated as the "family of the Islamic State". The PMFs have established their own courts to make judgments in cases of abuse. At present, however, this court makes judgments on detained Sunnis without a warrant.

Ms. Wille also discussed the issue of forced recruitment. She observed that Sunni tribal forces forced their entry into IDP camps to recruit men and boys. It is not clear, however, whether this is forced recruitment in the strict sense of the term. What can be noted is that recruitment is not entirely voluntary as the families of many men and boys strongly encourage them to join the Sunni tribal forces. In other ways, membership in these units is sometimes the only possibility for men to leave the refugee camps and bring in an income for their families. As for the PKK, it has been observed that they employ not only forced recruitment but particularly target children. Shiite units also employ minors in their ranks, but she has not documented any cases of them forcibly recruiting.

The forced displacement of Sunni Arab inhabitants has been frequent since 2014 in the provinces of Anbar, Salah ad-Din, Babil and Diyala. Parents of suspected IS-affiliates are considered "IS families"; their internment in the camp tends to become permanent. In addition, the resettlement of families in the territories freed from IS may prove problematic due to water, electricity, humanitarian needs, deficiencies in living conditions, and security issues.

Discussion

How are people identified as suspects?

(Wille) Everyone in the IS territories is suspected. For example, a young woman who was forcefully married to an IS fighter and has a baby, a man who has been forced to work for the IS, and so on. However, there is a lack of transparency over how these suspicions arise - some people are denounced as being IS to the authorities by their neighbours or family, and listed because of land disputes or other private problems.

Are there any Kurds left in Mosul?

(Wille) Maybe a small number of Kurds in the neighbourhoods that are still under the control of IS.

What is the attitude of the fighting forces toward IS suspects?

(Wille) On the battlefield, the suspects are not kept in custody: either they are killed on the spot or they are handed over to other security services. So far, no foreign combatants have been captured in Mosul.

Are there any cases of forced recruitment to the PMU?

(Wille) Within the militias, the problem of recruitment that is "not totally voluntary" concerns mainly the Sunni tribal militias. Young men, sometimes minors, are recruited in camps for displaced persons through tribal leaders; they can also be strongly encouraged by their brothers or their parents, or they may follow in a relatives' footsteps, or go along to accompany a father or brother to the fighting and become involved that way. There was a wave of recruitment in the spring of 2016. Forced recruitment by PKK was reported among the Yezidis of Sinjar. In Halabja (south-eastern Iraqi Kurdistan), there was forced recruitment

by the PKK, as well as by IS. In Shiite militias, forced recruitment remains very rare, perhaps three or four cases reported. In some cases, young Sunni men enlisted in a Shiite militia (Kataeb Hezbollah).

Security and Political Developments in the KRI (Gareth Stansfield)

In order to understand the current situation of the Kurdistan regions, Dr. Stansfield began with the fall of Mosul in 2014. This event did not concern the Kurdish forces at the outset. KRG in 2014 had no focus on ISIS. They saw an opportunity to take control over the disputed territories (DIB). The so-called Islamic State has advanced towards the regions of influence of the Kurds, causing the first armed conflicts. As a result of these conflicts, the Peshmerga was decimated. In the summer of 2014, the Peshmerga collapsed on certain spots along the “border”. The PUK-Peshmerga had to (help) defend Erbil. However, the Kurds were able to return in force by becoming an important partner of the western forces in the fight against the Islamists. KDP became increasingly allied with the West and Turkey (in reality Erdogan) in order to cope with ISIS. The saber rattling of the Maliki days (Baghdad versus Erbil) were over. There is now not so much ado about KRI’s (illegal) export of oil. Similarly, it was able to align itself with Turkey and calm relations with Baghdad through uniting against a common enemy. Thus, Peshmerga has become an important security player in the region. KDP has also (as PUK) good relations with Iran, but they keep quiet about that. Kurdish jihadism also remains a key undercurrent - the lines go back to Ansar al Islam, Ansar al Sunna and Al-Qaeda in Iraq, which turned into IS.

The political situation also influences the security context. KRG tries to some extent to fight the corruption, but the government is dysfunctional (PUK runs the eastern part of KRI). The elites resist reforms to the system. The political equilibrium in the KRG was based on a division of power between the PDK and the PUK, but the latter has been weakened since 2009 by the split into Gorran (Movement for Change). Regional President Massoud Barzani (KDP) remains in power well after the expiry of his mandate; it is possible that he will withdraw after the regional elections scheduled for autumn 2017. Political (and non-religious) divisions hinder developments. If ministers are away, little is moved forward and the director generals do not act on their own. The Prime Minister exercises power through negotiation within the party and broader system where there are gaps between political parties and a heavily corrupt elite. The KDP is losing popularity, the PUK is plunged into chaos and the Gorran party no longer has a leader. Despite this, the PUK could gain popularity, notably because of the victories of its Peshmerga forces. The political conflict has resulted in harassment and even persecution of any form of opposition. In addition, the economy is at the end of the collapse. To the outside, the agreements with Baghdad are not applied and the so-called Islamic State remains a serious danger. In the disputed territories, the Kurdish and Shiite militias are in conflict. Cooperation with the West and Turkey is fragile and can quickly dissolve. On the surface KDP looks united but there is internal disunion/split. The KDP Peshmerga did not have a good war. KDP is still fragile because of the failure in Sinjar in the summer of 2017. Now the problem with PKK in Sinjar (and Kirkuk) is added. There is also the question of KDP leadership. No matter what he says, Massoud Barzani has no intentions to leave the presidency. In case he still leaves (or later on) the son Masrour or nephew Nechirwan may be the successor. An alliance with PUK is on the table again. Barzani tries to ward off an alliance between PUK and PKK and/or an alliance between PUK and PMU (at least some of the Shia militias).

KDP and PUK have different interests. For KDP, Sinjar is important and with that the threat of PKK and the Turkish relationship. Among the Christians on the Ninewa plain, some are for and others are against KDP. For PUK, Kirkuk is important as are the oil- and gas fields of Garmian. PUK sees a threat in Shia militias but not the Iranian engagement, so there may be common interest. KDP is externally strong, PUK is externally weak, but internally strong. PKK leadership is in chaos, but increasingly popular (with people) and they have a strong Peshmerga. (Jalal Talabani has returned to his house in Sulaymaniya). Hero Ahmed is on one side and Barhan Saleh and Kosrat Rasool on the other. Lately they seem to have reached some understanding. Gorran is in decline now that the party leader Noushirwan Mustafa is sick (n.b. he died in May 2017 after this meeting occurred).

The Peshmergas (regional armed force) are still divided between the political forces. There is a mixed PDK/PUK force with about 30,000 men. The PDK Peshmergas have been largely discredited by their defeats in the summer of 2014 while those of the PUK have been more effective against IS. It is the opposite in politics: the PDK remains the dominant party and President Massoud Barzani shows no desire to leave his post, while the PUK is torn by internal rivalries. The KRG has little involvement in the Mosul offensive. On the other hand, the PUK tends to reinforce its positions in the regions of Kirkuk (disputed territory) and Garmian (Halabja).

The referendum on the independence of Kurdistan, announced by Massoud Barzani on 27 March 2017 could change the situation. The future conflicts are likely over oil. The economy depends heavily on oil price and production. Also, the issue of how to accommodate minorities such as Christians, Turkmen and possibly displaced Arabs, is the question for a possibly enlarged future KRI.

(Hiltermann) Virtually all Kurds want independence, but holding a referendum depends on several factors: the sharing of economic resources (oil) and resolving the status of the disputed territories, in particular. Massoud Barzani has a very clever strategy: he announced the holding of the referendum several times, in spring 2016, during the previous offensive against IS, and again in March 2017. He seeks to get his Western allies, such as the United Kingdom and Germany, to provide military support and extend political credit. He does not really need it to fight IS, which has not tried to enter the Kurdistan region; the August 2014 IS offensive only concerned the disputed territories. But, Barzani is taking advantage of the threat of IS to strengthen his own position as president whose term has twice been extended extra-legally. His succession will be played out within his family between Nechirvan Barzani (KRG Prime Minister and nephew of Massoud), who has rather a liberal entrepreneurial profile, and Masrour Barzani (son of Massoud), the head of the security and intelligence service.

(Wille) It is important to note that Kurdistan is the site of many opposition demonstrations and political activism, with activists and journalists frequently being arrested, especially Yezidi activists. There are also cases of torture reported. There is also a rivalry in Sinjar, for example, between the Yezidis who are pro-PDK and those who are pro-PUK. As we can see, the fragmentation of the political situation in Kurdistan leaves people caught up in the middle of these conflicts.

IFA/IPA in Iraq (UNHCR)

UNHCR gave a presentation on relevant country of origin information in relation to internal flight / internal protection alternatives (IFA/IPA) for Sunni Arabs in Iraq. For further information, please refer to:

- UNHCR, *Iraq: Relevant COI for Assessments on the Availability of an Internal Flight or Relocation Alternative (IFA/IRA) - Ability of Persons Originating from (Previously or Currently) ISIS-Held or Conflict Areas to Legally Access and Remain in Proposed Areas of Relocation*, 12 April 2017 (<http://www.refworld.org/docid/58ee2f5d4.html>)
- UNHCR, *Relevant COI on the Situation of Palestinian Refugees in Baghdad*, 30 March 2017 (<http://www.refworld.org/docid/58de48104.html>)
- UNHCR, *UNHCR Position on Returns to Iraq*, 14 November 2016 (<http://www.refworld.org/docid/58299e694.html>)

Minorities and Vulnerable Groups (Mark Lattimer)

Mark Lattimer – Ceasefire Centre for Civilian Rights

So far, presentations have touched on the vital issues of movement and this question about movement within Iraq. Anyone who has travelled within in Iraq recently will be very familiar with checkpoints, and certainly in any areas affected by conflict, you encounter checkpoints all the time. This is to the point where it has become impossible to move around in the country unless your paperwork is in order and unless in many cases you are from the right ethnic or religious group that enables you to have access to that particular region or governorate of Iraq. That is something that has developed over the years but is now a pressing feature of the security situation in Iraq and has immediate consequences for the safety of individuals.

We have heard a lot of information about the strategic, security information and humanitarian situation and I will try to decipher what effect all of these factors have on the vulnerability of individual and their chances of facing persecution, to try to provide you with information that you might come across to help you in determination of asylum claims. It is not as easy as it used to be. There is a perception amongst the general public and policymakers that it is just a matter of a series of categories – so, the main threat is from IS, if you are not in an IS area then you are not at risk, or, there is a particular threat to group X or group Y and if you are not part of that group, then you are not at risk; but in practice, it does not work like that. It often relates to the combination of factors in any given individual's situation. The good news in a sense is that many communities in Iraq are very resilient – there are many communities in Iraq who carry on their daily business, who have managed to keep their families safe over a difficult period and that applies to different communities in different parts of the country. If you are a Christian living in Ankawa (outside Erbil), you have generally been in a safe situation over the last 15 years. If you are a Shia living in Kerbala, for most of the last 10 years you have been in a safe situation. If you have money, you have better chances of finding safety now. But it is the combination of identity with the location and particularly if there is movement –

if you are forced to move – which can place people not only in dangerous situations, but in extreme situations. I was in Iraq again last month and had the chance to travel through the liberated areas east of Mosul on the Ninevah plain from Bartala, Hamdiniya down to Nimrud, and I noticed a number of things: many towns were completely empty – they may have been liberated as much as six months ago, but they were complete ghost towns. The Sunni Arab towns still had populations; most of the towns belonging to other peoples were deserted. The only people you meet are militias. Someone estimated to me that there were maybe 15 militias, others said there were over 30 controlling territory on the Nineveh plain from Tal Afar down to Makmuhr alone. When you move around from place to place, checkpoints are a constant feature. Often one militia checkpoint will be next to another militia checkpoint located at the same place. They play the game of who has the highest flag on the checkpoint. At the bottom will be the Iraqi flag, and then the militia flags get higher and higher. Now there is often a friendly relationship between them, though I doubt this will last very long. Many of the human rights activists I've worked with over the past 10 years in Iraq now have their own militias, or cooperate with militias, and this has become a reality that if you want to move about, you have to somehow engage with this landscape. So the transformation of the Iraqi landscape over the last few years is very pronounced – the situation is very different than in previous times, and it is a situation with the growth of militias such as Hashd al Shabi; that is going to become the norm in the post-IS environment where militias are emerging, growing, and feature heavily in terms of the impacts on people's daily lives.

In order to give you information on how these large strategic trends impact people's rights in practice and on the ground and also therefore, their vulnerability to persecution I want to look in particular at certain vulnerable groups –

- women, particularly in Iraq – there is quite an engrained and serious problem with women's vulnerability as soon as a woman leaves a family situation and for many, even within their own families;
- The situation with regard to particular religious and ethnic minorities;
- The situation with children and IDPs, although this will be rather brief;
- Finally, regarding the situation of prosecutions for war crimes.

I started off by talking about the Hashd Al shabi and the growth of militias, which is now becoming the new reality. For the people on the ground this has a number of immediate consequences. It means that their ability to move around, but also to continue their business in many territories in Iraq is now dependent upon the armed militias – for instance, the Badr militias now control certain regions such as the southern parts of Diyala. To live your life in those areas now requires some engagement or some relationship with those militias, such as Badr. That is a developing situation and one which is really critical to understanding the human rights situation - it means if communities are on the move, they have to run the gauntlet of checkpoints staffed by militias, and if they want to move further away, it means passing through checkpoints run by a number of different militias, often of very different sectarian or ethnic identities. That is a huge disincentive to moving, due to the real risk involved in such movement. It also means that you have the rare situation where not only are militias responsible for security in many areas, and all the rule of law problems involved in irregular security forces, but at the same time, it is difficult to address it formally because they are official militias – part of the apparatus now being given official sanction in Iraq. So, you have the problems of the challenge to the rule of law, but what you don't have is the potential for official recourse to the state to try and address those challenges. This speaks not only to the role of the state either in persecution, but also being unable to stop persecution, and of the Hashd, for instance, which is a kind of official government militias of Iraq. That is combined with the resurgence of sectarianism. I have always traditionally agreed that Joost expressed

yesterday – I do not believe Iraq was one of those societies where sectarianism was very engrained – there was a huge preponderance of mixed marriages over many decades and there still are many mixed families and mixed communities in Iraq. But, at the same time there is clearly a new resurgence of sectarianism, though it hasn't reached the level it did in 2006-2007. There are, on behalf of many of the militias, clear sectarian ideologies, and you hear from many quarters, outright racist sectarian viewpoints and a clear determination to use their power to change the demographic make up in the areas where they operate. Much of the sectarianism and inter-ethnic dynamics are also supported now by other states or international actors, which means that the situation in Iraq is often not fully in the control of the national government. I had a meeting with Sunni Arab MPs who have taken up the case of the 600-700 young men who disappeared from the assault on Falluja – an ongoing bone of contention with the Iraqi government – Haider al Abadi agreed to have a meeting with Kataib Hezbollah, he called the meeting and Hezbollah didn't turn up. Nothing he can do – the Iraqi government is unable to control some of these supporters who are now controlled by people within their own country or controlled/directed heavily from abroad.

The difficulty now is that we have seen a huge increase in the numbers of people who are very vulnerable – IDPs are the biggest single example of that – where you have at least 3 million or more who are still displaced and remain highly vulnerable in their current environment but also potentially in any area of return. Finally, I already mentioned this point about demographic engineering – why do many of the already liberated areas remain empty? Or, why in the areas retaken from IS are people not returning? They are not returning partly because there are not the services or security for them to return, but also because it is in the interest of certain of those players who control territory, to prevent their return so that the territory can be taken or claimed by other groups, or, so that the land can be used in the interim as a bargaining chip for future negotiations or discussions over territorial swaps. So, we are seeing populations who are not just vulnerable, but whose situations are actively being used by powerful players for demographic or political advantage.

Ethnic and religious minorities – we are familiar with this distinction between ethnicity and religion, but it is often seen in Iraq that ethnicity and religion are much more closely related, than how we conceptualise it in the West. In Iraq, generally speaking, you are considered to be born into a religion and you will die in that religion – it is not just in Islam, but also in most other religions in Iraq, that apostasy is not just frowned upon as an offence, but seen as unnatural. Most communities who are mainly known for their religious identity will also tell you of their cultural characteristics that make them distinct from others. So be aware that the question of religion or ethnicity as they present in any individual case are often intertwined very closely, and can certainly make the person the subject of persecution. The only other thing I would also say is that, in the Iraqi context, the term 'minority' is used mainly to refer to about 10% of the population that is not Sunni Arab, Shia Arab, or Kurdish. In practice, you can find many populations that find themselves in a minority situation in any given locality. So, clearly, those Sunni Arab villages for example, in the Nineveh plain in the east bank of the Tigris are now in a very vulnerable situation, although they would not normally be referred to in Iraqi terminology as one of the 'minority' community.

Yezidis – situation of the Yezidis because of the IS advance have received international attention. Of all the groups that have been targeted by IS, the Yezidis are an egregious case of human rights violations. They are historically marginalised in Iraq – it is not just by IS. Yezidis have suffered major human rights violations for decades, or even centuries, according to Yezidi activists. Between 400-800 were killed in a single incident in Tal Afar about ten years ago. The fact that we do not know the exact numbers shows you how their situation is treated in Iraq. They are, broadly speaking, with the exception of some of the Black Iraqis in the south, probably Iraq's poorest community and they are widely discriminated against in Iraqi society.

Then they were subject to a campaign of extermination and enslavement by IS. They remain highly vulnerable. There are probably anything between 2,000-3000 Yezidi who are still missing in IS controlled territory including the young girls and women who were abducted/enslaved. The Sinjar Yezidi were not all, but were mostly displaced, and are living in camps or settlements in the KRI. There are still large number from the Nineveh plain displaced living in Sheikhan or in the KRI in informal settlements. They remain in precarious position because they cannot find work and are cut off from their traditional lands and livelihoods. There has been a large population movement to Europe, but it is less pronounced than other communities because they have fewer international ties and they do not have the money to flee. That is a large population that remains highly vulnerable. That will not end with IS.

The Christians – most of Iraq's Christians had already fled before the 2014 IS advance. It is hard to estimate how many remain – best estimates are in the region of 300,000 or so. The majority now live in the KRG, particularly in a Christian district of Erbil called Ankawa. Many of the Christians in Iraq believe that the Christians of Iraq do not have a hope of surviving beyond that enclave. There are remaining Christian populations in Baghdad, in Basra, and there are many Christians who hope to return to the Nineveh plain. Certainly, Christians from the Nineveh plain are divided between those who believe their future is in the KRI, and those who feel deeply, deeply betrayed by the retreat of the Peshmerga in 2014.

There are other minorities in Iraq whose fortunes are very much dictated by their sectarian identity – such as the Turkmen, Shabak and Ka'kai in Iraq – when IS advanced in 2014, the minorities within Shia and Sunni were treated differently from one another. So, many Sunni Turkmen and some Sunni Shabak have remained in Nineveh, some of them remained in IS territory – whereas the Shia Turkmen and Shia Shabak were expelled en masse and fled en masse – on the whole they fled to the south. Some of them were flown directly by a government effort to the south and became IDPs in Kerbala and Najaf. I was in Kerbala in 2016 and the IDP situation was probably better there than in any other places in Iraq – you had population of Shia, mainly Turkmen and Shabak mainly living in the 'visitors city' in Kerbala where people who are visiting the Shrines are put up. But, they have now been there for nearly three years and many of them cannot find employment, living in informal situations, abandoned buildings, precarious rental accommodation and they are under pressure to move. Whether or not they are able to move back is questionable. There is an open debate, including amongst the Turkmen leadership about the differences between Sunni and Shia and whether the differences can be reconciled and whether the Turkmen, for example, will be able to return to the Nineveh plain. Right now, we are not seeing those returns and many communities are very scared to return because they feel not just threatened by IS, but they feel that their neighbours or others from across the sectarian divide were complicit in their expulsion and persecution.

A couple of other groups mentioned – Sabean-Mandaens used to number 20-30,000 people about 15 years ago, who are followers of John the Baptist. They are still spread around different parts of the country. The community themselves estimate that there may be just 1,000-2,000 left in Iraq. Partly because they were associated with the jewellery trade they were perceived as rich and were therefore targeted for extortion by extremist groups and criminal gangs and that remains a real risk for that community.

The Faili/Shia Kurds have an ongoing statelessness issues. Many were stripped of citizenship by Saddam on the grounds that they were agents of Iran, and many were expelled to Iran. Many though also returned after 2003. Their position was in theory regularised after the new Iraqi constitution and nationality law of 2006 which many it possible for them to re-register as Iraqi citizens. Unfortunately, we have seen many of the same issues that recent IDPs have faced, with Faili Kurds over the years – if some of their documentation was missing, or if they had moved from their original residence in Iraq, they had many problems getting

regularisation. I would estimate that half or that over half of the 300,000 did get their documentation – UNHCR did used to have a project on this that our organisation worked with them together on but that was suspended in 2014 with the crisis, but there e is an ongoing task to regularise their position. Partly for ethnic reasons there is still quite a large population of them in Baghdad and also partly because of sectarian reasons they remain a vulnerable population.

The patterns of ethnic and religious persecution are not just specific to individual communities but can operate on almost any community depending on where it finds itself located – for instance, those Sunni arab communities in the south, those who returned to Baghdad after the 2006-2007 civil war, remain vulnerable because of their relative situation. Similarly, in the north, any Arab, Sunni or Shia, who finds themselves in KRI will find themselves relatively vulnerable. If you enter the KRI from the outside, you will see what happens at the checkpoints. It is a combination of location, the dynamics of minority/majority, which can be very localised.

Generally, even in the KRI, women are generally expected to be deferential to men. They are expected always to travel with a man who will be their guardian. Respectable women are not expected to travel alone or do activities by themselves. Under the legislative environment, there are provisions under the penal code, code 11, which dates to 1969, which engrains the position of women in Iraqi society as being the property of their men. Article 41 gives husbands a legal right to punish their wives, leading to the phenomena of domestic violence across Iraq, which is extreme, and across the country. In terms of the bodies of women arriving in morgues and medico-legal institutes, we think that approximately 1,000 women are killed or more every year in Iraq due to domestic violence. The honour crimes situation is often spoken of in the KRI, but this is an Iraq wide issue although there are different aspects and practices with how domestic violence is treated – it is definitely an Iraq wide issue that is difficult to raise on any systematic level. We have worked on trying to press for a new law on domestic violence in the Iraqi parliament – it has now been reformulated as an Iraqi family law, but it has been reformulated and weakened. You have the women’s committee in parliament but many members are actively weakening the law – many particularly Shia, will argue passionately for the rights of men to punish their wives, explicitly through physical chastisement. In KRI, there is a new law dating from 2-011 (law 8) which is a comprehensive law to try and address domestic violence, there also a new directorate for combatting violence against women in the KRG which is understaffed, but trying to get comprehensive statistics on women’s rights and honour violence. These are still prevalent practices. In KRI in particular, you have the particular situation where 300-400 women every year are burnt alive. They are often recorded as suicides but are often linked to domestic violence or honour killings. We believe this situation is probably worsening in many areas of Iraq partly due to the slow taking over of much of the regulatory environment by the more traditional types of customary law and the weakening of the national personal status law. There are numerous examples of *Faslia* in southern Iraq – the practice of bartering women to settle tribal disputes. This is becoming more prevalent again. This is a symptom of an increasingly difficult situation regarding women’s rights in Iraq. How might this be presented in a potential claim for asylum or vulnerability to persecution for women because of their gender? The key thing to understand is that the position of any Iraqi woman outside of a family situation is a dangerous one. There are no shelters effectively in the whole of Iraq with the exception of three shelters in Kurdistan and there are certainly no official shelters for women fleeing abusive husbands. Where there have been shelters in Baghdad, they have been actively attacked. In the north, there are three official shelters in the KRI, but the woman needs the order of a judge to stay in one of them. These are already very vulnerable women; it means there is really no place for them to go. You sometimes see women takin shelter in prisons because that is the only place that they can go. The problem is that even after they go to court, nearly always, the woman has to

return to the family situation – usually after an agreement with the husband/relatives/wider family. So the ability of a women to escape such a situation is very problematic. In addition to that, women do also suffer from other types of conflict related violence – approximately 14,000 women killed in relation to conflict-linked violence, separate from family related violence. Many of these are women killed in indiscriminate violence, but also there have been scores of women who targeted for assassination because of their political activities but also because of commission of moral crimes. Asaib Ahl al haq in Baghdad – mass killings found in alleged brothels – they have gone into a house they say is a brothel and killed everyone inside. There have been dozens of cases of women turning up in Basra with notes saying they were found wearing the wrong clothes or in compromising positions and have been killed by militias. There is a general vulnerability in Iraqi society, but once she has to leave or flee the home situation, that vulnerability can become extreme. One of the most worrying things is that if a women faces abuse in the home, which can be extreme, then she has the situation that if she then leaves, there is nowhere safe for her to turn.

Female genital mutilation (FGM) – there is new legislation against that as well in Kurdish areas. Very few people know the real situation of this – even among Iraqi and Kurdish officials. There have been some studies over recent years – it is not just a Kurdish phenomenon. It is also practiced among Arabs and Turkmen communities. It is more prevalent in rural areas and the rates of those who have experienced FGM are higher among older women, so there is hope that it is actually decreasing.

Security, services, and education are key services given by IDPs who are interviewed about the possibility of returning to their area of origin. There is a general concern about schooling – in some IDP camps there is no education or children may only go to school part-time. This is a major concern, which determines the likelihood that people will feel they cannot return to the liberated areas.

Early marriage is another concern that is rising in Iraq. Different Iraqi officials estimate that the number of girls that are married at age 15 or below is around 10% in areas outside Kurdistan. This is a significant rate of child marriage in Iraq. Certainly, at the age of 18 or so, about 50% or so are likely married. There is a growing trend of marrying younger women as a measure of family security.

IS families – this phenomenon relates to connections with IS and grounds for exclusion. They are known now in Iraq as the IS families - there are situations where babies/infants who have been born in IS territory and are unregistered and problems with documentation (defacto statelessness), but there is also a separate problem of families of foreign fighters who are either killed or deserting Iraq. There are in many cases fighters had families created or women who had children through rape – and the question of those highly vulnerable women and children remains. It is a highly taboo subject in Iraq in official circles and it is difficult to raise the situation. These highly vulnerable populations – either open IS families, or women and children who have lived or were born in IS control who are now, because of stigmatisation and documentation issues, and because of the ongoing conflict, are in a very vulnerable position.

My last point is on the question of the national justice system and the number of Iraqis now who are accused of war crimes. The national justice system in Iraq – what we think of as being international crimes under international law, genocide, crimes against humanity, war crimes – these are not criminalised in the Iraqi system. Therefore, when alleged war criminal present, they are charged either under the Iraqi penal code (Number 111) with murder or other acts, or they are charged under Law 13, which covers terrorism. In fact, what we are seeing is the widespread use of Law 13 to cover a whole series of situations because it is much easier to prosecute people under that as a catch-all. In the context of an Iraqi justice system which fails

international standards for fair trial – basically the criminal justice system is based on confessions and most prosecutions are a result of a confession and the confession does not often come immediately upon arrest. Therefore, any convictions in such a system need to be seen in this context. You will have people fleeing the country who may be accused of association with one group or another – a major feature of what is happening in Iraq is punishment that is thought of and applied on a collective basis. This way of thinking is prevalent – that retribution and customary justice must apply to settle scores between groups. This is one of the problems we face as human rights researchers all the time. There is a danger that this might come up in some way in the exclusion criteria because of allegations that a person was alleged to have been involved in IS activity and therefore, for instance, the members of their family might have difficulty getting protection. It is important to maintain a distinction between combatants and non-combatants – the importance is whether the person who has actually fought and committed crimes for IS, versus those who are not directly combatants, women, children, etc.

Question and Answers with Experts

Alcohol sellers – are alcohol sales still going on?

(Lattimer) It is still heavily frowned on in most areas of Iraq, including in KRI, although quite a lot of Iraqis do drink alcohol, the public practice of selling and buying it is widely seen as immoral. There are some communities associated with the practiced – Christians and Ka’kai – which has been given as a reason for their persecution. So you see, the charge of being an alcohol seller, attaches a stigma to someone, by reason even of ethnic or religious identity – there is also a pattern of those who do sell alcohol being targeted by Shia militias in Basra and Baghdad – Asaib Ahl al-Haq has carried out assassinations, death threats, forcing people out of the community, or sometimes just using it as an allegation to get someone to leave or get them to leave their property.

Can you talk about the attitudes of Christian militias?

(Lattimer) We often hear people talking about how they wish it was back in the days when we all lived together; you do also hear negative things expressed by different groups, and from Christians as well. For instance, some Christian militia commanders in Hamdaniya they said they didn’t see how Sunni Arabs could ever be let back into the Hamdaniya area, and they turned them away at checkpoints – so they were not allowed to enter Hamdaniya. That view, that communities cannot be living together any longer is one held – so you do hear these views – I would say that they are not representative of the broader views, but you do hear them from each community – I mean, that there are some people from each community who will have views like that.

How prevalent are jin-jin marriages?

(Lattimer) I don’t know very much about the situation, but I have heard that it happens. There is a lot of interfamily marriage anyway amongst wider members of the family - this is fairly common – such as two brothers and two sisters marrying. Would it lead to increasing domestic violence? Quite possibly. Any situation where you have young people placed in a situation where they have no choice in their marital partner will cause that to rise. As to the connection directly to jin jin, I don’t know.

Are men also subject to honour violence in the Kurdish region, for example?

(Lattimer) Men may also become victims of honour killings, but women are more affected by this practice (for example, in the case of adultery or a problematic mixed marriage). Maybe you have a Muslim and a Christian or a Sunni and a Shia who are in a relationship and want to marry but the families do not approve. It is also the men who can be targeted as well as the women. It is less likely but it can happen. One thing to understand about honour crimes generally in the Iraqi context is the way in which the legal system deals with them. Under the Iraqi penal code if you can argue that the crime you committed was done for honourable motives – that is taken into account in sentencing, so that is a mitigating factor in terms of punishments. For example, if you kill someone/murder someone when the death penalty is available and if often awarded, though infrequently carried out - if you prove that you killed the woman for ‘honourable’ purposes then the sentence becomes one year. In the case of serious assault, it’s down to six months. The potential implications of being able to argue that it was done for honourable reasons has profound consequences, and you do have these kinds of situations when men kill their wives because they want to remarry, or they want an inheritance, but then they will allege that there was adultery and use that as a cover to effectively avoid punishment for the crime. And that mitigation is not available if the family then retaliates against the family that did the honour killing. So, for example, if the husband kills the wife but the wife’s family/brother then kills the husband in retaliation – the mitigation is not open to him – he cannot plead in mitigation that his killing of the killer was honourable.

Can a clan / tribe expel a member or even condemn him to death? An example was given of a person who provided a written document saying they had been expelled from the tribe – have there been reports of this?

There was no clear answer to this question as the experts were not aware of the inner workings of tribal legal affairs. On the other hand, they agreed that it is possible for a clan or a tribe to punish a member (especially a woman) for committing a misguided act, such as a mixed marriage. It was unclear whether they would be likely to issue a document expelling a person.

Is compulsory military service in sight?

(Lattimer) Not to my knowledge. There was a discussion about the introduction of compulsory military service in 2013, but the reputation of the Iraqi army deteriorated in 2014 with the fall of Mosul and the problem of ghost soldiers. There is a big problem of ‘ghost soldiers’ who exist on paper and receive a salary as a result of corruption.

Can mixed couples become targets of persecution?

(Lattimer) Yes, but they are not persecuted indiscriminately; there has been a long history of mixed marriages in Iraq.

What is the security situation along the Iranian border?

(Stanfield) - There is a security zone between Suleyman Bek and Amerli (governorate of Diyala), in a sector run by the Badr militia, and another area on the border of Suleymanyč province governed by the PUK. In the province of Halabja, a strong presence of Iranian advisers is reported by local interlocutors but not confirmed. Around Halabja, there is a resurgence of the Sunni jihadist group Ansar al-Islam, with caches of weapons. The PUK officers of the checkpoints ensure Iran is not made aware of any Western visitors in the area.

Are there reports of attacks on resettled people to this area?

(Lattimer) This is especially so in the regions of Suleyman Bek and Amerli, which are held by the Badr militia.

What is the situation of atheists in Iraq?

(Lattimer) Young people in Iraq are coming under many different influences and there are many older Iraqis who are not religious. I think as the country becomes more and more sectarian it is easy to assume everyone is becoming more religious, but this is not necessarily the case. There is a strong strain of communism in Iraq associated with a secularist outlook and that is still quite strong among Iraqi civil society. You have varying degrees of religious adherence, but that doesn't mean it is easy to identify as an atheist and it is rare that you would do that publicly. Sometimes people will say they are Muslim but privately are atheist.

Can you talk about the prospects for reconciliation and reparations?

(Lattimer) Iraq reparation programs and the question of the possibility of reconciliation. It is not widely known but Iraq does have a program for reparations because of a law first passed in 2009 and revised in 2015. This is for the compensation of those affected by military operations, mistakes, and terrorist actions. It is quite an established program of a fair size – for instance, in 2016 they assessed 17,000 cases and awarded about 70 million USD in compensation. There are pension rights that are linked if a family member is killed. The difficulty of course is that there are delays, as with many things in Iraq, but also that the program is available to some Iraqis but not others. There is a regional system – there are committees at the governorate level who assess claims and make awards. It is overseen by ... in Baghdad. It is a sort of quasi-judicial process that is relatively streamlined – they have had some success in handling quite a lot of claims. The difficulty is that they haven't really started to confront the really huge deluge of claims that come from the ISIS experience – so there could potentially be tens of thousands, if not hundreds of thousands of claims made over the next few years and they are not geared up to meet that challenge but there is a system and I think that with more help for the Iraqi government to professionalise it would be a good idea. But many people are not aware about it. Reparations are an element in the whole question of reconciliation but the word, the concept, and the initiative of reconciliation are used by many people, politicians, because they feel it will gain favour with the international community. There is a certain cynicism about reconciliation among Iraqis. I do not believe that is because they do not believe in it or that they do not want it. I think they are just a little more realistic about what it might mean in individual circumstances. The reparations program has been in operation about four years, but now we are in a wholly different scenario with the threat that the volume of claims will simply deluge the system. And you know that in Iraq there's an older program to try to handle claims from the Saddam era – the Iraq Property Claims Commission – which dealt with a large volume of claims but then became a rather ... which then took years to resolve. There have been generations of attempts to try to deal with various reparations of one form or another from different phases of the conflict.

(Hiltermann) I think Mark's answer is spot on in terms of how the government sees it, but what we should keep in mind is that – like in Rwanda, victims and perpetrators may be living together – when I was talking to Yezidi victims of what happened in 2014 – they said that the prospect of living together with their neighbours again would be absolutely unimaginable. This is contrast for instance with the situation in Rwanda, where you had Hutu and Tutsi residing once again side by side in the aftermath of the genocide. I'm sure for the victims at the time it would have been unimaginable – but something changed – and what happened is that there was a measure of reconciliation that happened that involved justice, a transitional justice mechanism specific to Rwanda. So, you can imagine something that might resemble that in Iraq – the big difference between the two is that in Rwanda the government was strong

enough to organise the system – whereas in Iraq we have a government that is symbolic, or not real, or that has no capacity to organise such a reconciliation process even if they sincerely want it. That means that we need to look not at the national level, but at the local level. There are many NGOs and organisations that really want to bring communities back together and if they can be encouraged in various places this is bound to be more productive than anything at the national level.

Are interpreters/drivers etc that works for the coalition still at risk of being persecuted?

(Lattimer) To my knowledge, there have not been many cases recently. There are many US personnel still in Iraq; with most of the government; this is a less sensitive job than previously.

(Stansfield) Iraqis can forget quickly, but they can also remember quickly. If, for instance, the Asaib Ahl al-Haq made good on their threats to target Americans then you could see guilt by association coming back in and the re-targeted of former American associates coming back. It has changed over time, but it could change again and quickly.

What do you see as the main issues going forward?

(Hiltermann) The worst case scenario is renewed civil war in the Kurdish areas – we need to watch Sinjar, Tal Afar and the Iranian and Turkish proxies in these areas. Among the Kurdish parties, they don't want to get into another round of civil war, but may not be able to prevent it due to larger forces. The link between northern Iraq and northern Syria is also a key issue to watch:

<https://www.crisisgroup.org/middle-east-north-africa/eastern-mediterranean/syria/176-pkk-s-fateful-choice-northern-syria>

(Stansfield) The problems that Kurdistan faces are those to watch, because if the KRI falls apart this will affect everywhere else. The fragmentation and breaking down of the already complex conflict patterns could become even more nuanced, and the situation changes very quickly. The other issue that needs to be looked at carefully is the post-Mosul operation Sunni areas and what happens in terms of reorganizing political leadership going forward and how Sunni areas are represented in the government of Iraq and how they are received. This could be very conflictual indeed as we don't know who the future figures of power and influence among the Sunni will be. I don't think Iraqi stability will come until there is a process in Syria as well because these theatres feed one another.

(Lattimer) The big question to watch is what will happen post-ISIS. After ISIS, that is not going to solve the question of Sunni and Arab jihadism in Iraq. There will be a new generation – whether it will be more disparate, more tribal-lead we don't know. Given what has happened to those communities and the level of anger seen in the camps and a generation of young men who have grown up with nothing, interrupted education, legacies of grievances and no gainful employment – it is difficult to see how this will not continue the cycle. This is though, this unity against ISIS, is a rare opportunity for Iraq – this is the one time you have seen very different power blocks coming together to agree about something. This next year will be crucial for that reason.

