Country Policy and Information Note
Iraq: Ba'athists

Version 1.0

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Preface

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

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

Country Information

The COI within this document has been compiled from a wide range of external information sources (usually) published in English. Consideration has been given to the relevance, reliability, accuracy, objectivity, currency, transparency and traceability of the information and wherever possible attempts have been made to corroborate the information used across independent sources, to ensure accuracy. All sources cited have been referenced in footnotes. It has been researched and presented with reference to the Common EU [European Union] Guidelines for Processing Country of Origin Information (COI), dated April 2008, and the European Asylum Support Office's research guidelines, Country of Origin Information report methodology, dated July 2012.

Feedback

Our goal is to continuously improve the guidance and information we provide. Therefore, if you would like to comment on this document, please email the Country Policy and Information Team.

Independent Advisory Group on Country Information

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

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

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Policy Guidance

1. Introduction

1.1 Basis of Claim

1.1.1 Fear of persecution or serious harm by state or non-state actors because of the person's actual or perceived affiliation with the former ruling Ba'ath Party.

2. Consideration of Issues

2.1 Credibility

2.1.1 For further guidance on assessing credibility, see the Asylum Instruction on Assessing Credibility and Refugee Status.

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

2.1.3 Decision makers should also consider the need to conduct language analysis testing; see the Asylum Instruction on Language Analysis.

2.2 Exclusion

2.2.1 Some mid to high ranking Ba'athists may be responsible for serious human rights abuses. If there are serious reasons for considering that the person has been involved in such abuses then decision makers must consider whether one of the Exclusion clauses is applicable. Particular considerations will include the person's rank, position and family.

2.2.2 It is possible that some Ba'athists may have links with Daesh (ISIS/ISIL) or other insurgent organisations such as the Naqshbandi Order (JRTN), Former Regime Loyalists (FRL) or the General Military Council of Iraq's Revolutionaries (GMCIR) (see Linked groups). Decision makers should explore any such links with these groups and consider Exclusion.

2.2.3 For further guidance on the Exclusion clauses and Restricted Leave, see the Asylum Instruction on Exclusion: Article 1F of the Refugee Convention, and the Asylum Instruction on Restricted Leave.

2.3 Assessment of risk

i. General observations

2.3.1 The Ba'ath Party is a proscribed organisation in Iraq (see Current status). That a person belongs to, or is punished for expressing support for, a banned political group does not in itself amount to persecution. The important point to consider is how the person is likely to be treated on return because of their membership or support for such a group.

2.3.2   There are no exact figures of Ba'ath Party membership. Party records have never been found. Although it is sometimes commented (for example, by sources interviewed by the Danish Immigration Service (DIS)) that virtually everybody in Iraq was involved or affiliated to the Party, the Higher National De-Ba'athification Commission (HNDC), from whom the most reliable figures have come, estimated that, at the time of the 2003 invasion that toppled the Saddam Hussein regime, there were about 400,000 full members, of whom 150,000 were employed in the civil service and 250,000 in defence, with 65,000 'top level' members. In all, the HNDC estimated that party members plus sympathisers amounted to 1.2 million to 2 million people (so taken at its highest, c. 5.5% of the population) (see Size and structure).

2.3.3   Ba'ath Party members (especially in the upper ranks) were mainly (although not exclusively) drawn from the Sunni Arab community. Each governorate had two or three bureau offices (although the Kurdistan Region of Iraq (KRI) had only one), each containing four branches, suggesting an extensive network of control. However, power was concentrated in a small, tight-knit group of people linked to Saddam Hussein through tribal or personal connections. Sources interviewed by the DIS noted that those most at risk on account of their Ba'athist affiliation have either already fled the country or were dealt with by the new authorities. Given this, the number of Ba'athists who wielded significant power who remain at risk within Iraq is likely to be very low (see Size and structure).

ii.   State treatment

2.3.4   After the fall of the Saddam Hussein regime, Iraq underwent a programme of 'de-Ba'athification' which involved the dismantling of the party and various associated organisations. Senior party members, party members who occupied high positions within the civil service (director general and above) and members of certain organisations particularly associated with the Ba'athist regime, lost their jobs. However, in recent years the process has eased off and many individuals who lost their jobs have since been reinstated (see 'De-Ba'athification').

2.3.5   The formal provisions of 'de-Ba'athification' may be discriminatory but they do not alone amount to persecution. However, sources point to arrests under anti-terror laws, detention without due process, and even torture, of people, numbering in the thousands, accused of Ba'ath Party affiliation. Such treatment is likely to amount persecution. However, there is no evidence of such treatment later than 2013, and it appeared to be a feature of the Nouri al-Maliki administration that pursued a hardline sectarian agenda. The new government, under Haider al-Abadi, has attempted reconciliation with the Sunni population (see Anti-terror laws and also Section 5: Political and sectarian context in Country Information and Guidance: Iraq: Sunni (Arabs)).

iii.   Non-state treatment

2.3.6   A much larger cohort of people are those (most likely Sunni Arabs) who have been accused by non-state actors of Ba'ath Party affiliation, possibly untruly

and maliciously. Such accusations have been a feature of the deterioration in sectarian relations since the fall of the Saddam Hussein regime. However, there is little evidence of the numbers of people who have faced such accusations or having been mistreated (or what that mistreatment entails) on account of any alleged involvement with the Ba'ath Party (see Discrimination).

2.3.7   Shia militia may target alleged or actual Ba'athists, but such targeting is not systematic (see Risk profiles).

2.3.8   Accusations of Ba'ath Party affiliation may be linked with the wider sectarian targeting of Sunnis, particularly following the (Sunni) Daesh (Islamic State) insurgency. People and organisations have viewed ordinary Sunnis with suspicion and accused them of sympathising with Daesh. For further guidance on claims made on account of a person's Sunni religious sect, see Country Information and Guidance: Iraq: Sunni (Arabs).

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iv.   Conclusions

2.3.9   In general, a person will not be at risk of serious harm or persecution because of their previous involvement with the Ba'ath Party. However, each case must be assessed on its merits, as there may be individual circumstances in which a person is at risk. These will include:

- a person's rank and/or position within the Ba'ath Party;
- whether the person has been involved in any particular activities, or associated with the wider abuses of the Ba'athist regime;
- how those activities or their profile have brought them to the adverse attention of those they fear

2.3.10   A person may claim they are at risk because they are related to someone involved in the Ba'ath Party. A person in these circumstances will not, in general, be at risk of serious harm or persecution for this reason. However, each case must be assessed on its merits. In particular, decision makers must take into account what role the relative played in the Ba'ath Party to assess whether any family members will be at risk on account of their activity (see 2.3.9).

2.3.11   A person may be at risk of being accused of Ba'ath Party involvement. Such people are most likely to be Sunni Arabs. In these circumstances, decision makers must note that, in general, there is no real risk that those accused will face serious harm or persecution, although each case must be assessed on its individual facts.

2.3.12   For further guidance on assessing risk, see section 6 of the Asylum Instruction on Assessing Credibility and Refugee Status.

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2.4   Protection

2.4.1   If the person's fear is of ill treatment/persecution at the hands of the state, they will not be able to avail themselves of the protection of the authorities.

2.4.2   For those fearing non-state agents, decision makers must assess whether effective protection is available. The onus will be on the person to demonstrate why they cannot avail themselves of the protection of the authorities.

2.4.3   For further guidance on assessing the availability or not of state protection, see the Asylum Instruction on Assessing Credibility and Refugee Status.

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2.5   Internal relocation

2.5.1   If the person's fear is of ill treatment/persecution at the hands of the state, they will not be able to relocate to escape that risk.

2.5.2   Those at risk of serious harm or persecution by non-state agents will, in general, be able to relocate internally. For further guidance, see Country Information and Guidance: Iraq: Return/Internal relocation

2.5.3   For further guidance on internal relocation, see the Asylum Instruction on Assessing Credibility and Refugee Status.

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2.6   Certification

2.6.1   Where a claim falls to be refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

2.6.2   For further guidance on certification, see the Appeals Instruction on Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 (clearly unfounded claims).

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3.   Policy Summary

3.1.1   Most high-ranking Ba'athists have either fled the country or already been dealt with by the new regime. While there is still an element of score-settling, random attacks and discriminatory treatment towards former Ba'ath Party members, relatives of former Ba'athists, or those accused of being Ba'athists, such treatment is not systematic and will not, in general, be sufficient to reach a real risk of serious harm or persecution.

3.1.2   There may be some circumstances in which a person may be at real risk of serious harm or persecution from the state and/or Shia militia because of their Ba'athist links. Risk will depend on what the person (or their relative) has done and how they were brought to the adverse attention of any potential persecutor. Each case will need to be considered on its merits.

3.1.3   Decision makers must consider whether Exclusion is applicable based on a person's involvement with abuses committed by the former regime, or their involvement with organisations, including the current Ba'ath Party, known to have committed human rights abuses.

3.1.4   A person at real risk of serious harm or persecution from the state will not be able to avail themselves of the protection of the authorities, nor internally relocate to escape the risk.

3.1.5   For a person at risk from a non-state actor on account of Ba'ath Party affiliation, the onus will be on that person to demonstrate why they cannot avail themselves of the protection of the authorities.

3.1.6   A person at risk from a non-state actor will, in general, be able relocate elsewhere in the country to escape the risk.

3.1.7   A claim is unlikely to be certifiable as 'clearly unfounded'.

4.   Ba'ath Party

4.1   History

4.1.1   The [BBC News profile and history of the Ba'ath Party](#) explained that:

- it was founded in Syria in the 1940s (and is still the current ruling party in Syria);

- the Iraqi branch of the party was founded in 1951;

- the party came to power in Iraq initially in 1963 and then again in 1968;

- from 1979 to 2003 Saddam Hussein was secretary general of the (Iraqi) Ba'ath Party and President of Iraq;

- 'Ba'ath' means 'renaissance' in Arabic and the party's ideology is pan-Arab, secular nationalism.

- power was concentrated in the hands of a narrow elite united by family and tribal ties.[1]

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4.2   Size and structure

4.2.1   The International Centre for Transitional Justice (ICTJ), in a report dated March 2013 ('the ICTJ report'), commented:

'There are no reliable figures for estimating party membership at the time of the 2003 invasion. Unlike the membership records of the Nazi Party, which were captured by Allied Forces, only the military membership lists have ever been found.

'Most figures quoted are those verbally quoted by HNDC [Higher National De-Ba'athification Commission], and they have changed at various times...According to a senior HNDC official, they are based on extrapolating membership patterns from a party handbook published in the mid-1990s... According to HNDC figures, when the regime fell, at least 400,000 Iraqis held the rank of full party members or above. About 150,000 of them worked in the civil service, and about 250,000 were in the defense forces or Ministry of Defense. Of the 150,000 members who were also civil service employees, some 65,000 held one of the top four levels of membership. Estimates of party members plus sympathizers ranged from 1.2 million to 2 million.'[2] [3]

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[1] BBC News, 'The Iraqi Baath Party', 25 March 2003, http://news.bbc.co.uk/1/hi/world/middle_east/2886733.stm, accessed 10 March 2016
[2] International Centre for Transitional Justice (ICTJ), 'A bitter legacy: Lessons of De-Baathification in Iraq', March 2013, p. 6, https://www.ictj.org/sites/default/files/ICTJ-Report-Iraq-De-Baathification-2013-ENG.pdf, accessed 3 December 2015
[3] Iraq's current population is approximately 37 million. Of these 24% (c. 8.8 million) are Sunni Arabs.

4.2.2   A report of a Danish Immigration Service (DIS) Fact-Finding mission ('the DIS FFM report'), published in September 2010, cited a source who noted that everyone employed by the previous regime had to be a member of the Ba'ath party.[4]

4.2.3   The ICTJ report also commented on the structure and composition of the Ba'ath Party:

'It is hard to develop a clear picture of the party's structure or membership levels prior to the US-led invasion of Iraq in 2003. According to the... [HNDC], the regional command consisted of 15 bureaus: two for most governorates, except Baghdad and the Kurdish region, which had three and one respectively. In addition, there were women's, military, professional, and students' bureaus.

'Each geographical bureau reportedly consisted of four branches. Each branch had four to eight sections, depending on the population and size of the area. Each section consisted of four to eight units, depending on the population and size of the area. Similarly, each unit was made up of a variable number of organizations.

'Circle and cell, widely used in English to describe the lowest-level unit of party organization, are synonymous. These members usually met in school buildings and did not have their own offices...Of the three professional bureaus, the student office regulated students in post-secondary education, including universities, colleges, and training institutes. The professional office reportedly oversaw state officials and professional associates and syndicates, such as the Iraqi Women's Association and the Farmers' Union. The military office was reportedly restricted to members of the interior and defense ministries and the military.'[5]

4.2.4   According to the BBC: 'Although all major decisions went through Saddam Hussein, the Ba'ath Party had a highly regimented structure, from village level to regional and national commands.'[6]

4.3   Composition

4.3.1   The ICTJ report said:

See US State Department, International Religious Freedom Report for 2015, Section I: Religious Demography, http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2015&dlid=256267, accessed 23 August 2016

[4] Danish Immigration Service (DIS), 'Security and Human Rights in South/Central Iraq, Report from Danish Immigration Service's fact-finding mission to Amman, Jordan and Baghdad, Iraq 25 February to 9 March and 6 to 16 April 2010, 10 September 2010', pp. 29-30, http://www.ft.dk/samling/20091/almdel/uui/bilag/189/888574.pdf, accessed 23 August 2016

[5] International Centre for Transitional Justice (ICTJ), 'A Bitter Legacy: Lessons of De-Baathification in Iraq', March 2013, p. 5, https://www.ictj.org/sites/default/files/ICTJ-Report-Iraq-De-Baathification-2013-ENG.pdf, accessed 3 December 2015

[6] BBC News, 'The Iraqi Baath Party', 25 March 2003, http://news.bbc.co.uk/1/hi/world/middle_east/2886733.stm, accessed 10 March 2016

'Although many Baath Party members were Shia, it is widely held that Sunnis were disproportionately represented in the party's upper ranks, the military, and the security services. The exercise of authority within the party was highly circumscribed to a tightly knit cadre, all personally dependent on Hussein. Iraq had become a one-person, not a one-party, state. Family and tribal relationships were deployed to guarantee the continued longevity of Hussein's rule.'[7]

4.3.2   The International Crisis Group (ICG), in their report, 'Make or Break: Iraq's Sunnis and the State', dated 14 August 2013, noted:

'After the Baath party assumed power in 1968, Sunni Arabs retained an important – although far from exclusive – share within the power structure. Saddam Hussein, himself a Sunni Arab but above all a provincial outsider, invested in tribal and sectarian loyalties to entrench his power in the capital, especially in the sensitive security arena. That said, his regime victimised people from all backgrounds, members of the Sunni community included – whether ordinary citizens, clerics, businessmen or tribesmen. Saddam's politics took a more avowedly sectarian turn only after the 1991 uprisings in southern and northern Iraq.'[8]

4.3.3   An article in Middle East Eye, dated November 2014, explained the different categories of Ba'athist membership/affiliation :

'The northern city [of Mosul] became the second biggest base for senior Baath party members after Saddam Hussein's own hometown of Tikrit. Locals, who asked to remain anonymous for fear of reprisal, told MEE that Baath party leaders would meet Wednesdays at a central city mosque.

'The Baathists, however, do not appear to have had any real fighting power in Mosul.

'Moving further south toward Baghdad and into Anbar province, there are, broadly speaking, three types of Baath party members present.

'Two of these groups do not have much to do with IS's murderous ways, but may still sympathise with sectarian Baathist policies, including the belief in Sunni Muslim superiority.

'The first includes street level and senior membership, who previously benefitted from being part of Saddam Hussein's apparatus but who, after 2003, were forced out of their jobs. Often these people have ended up having to start new lives, working as taxi drivers or labourers in order to support their families. But they live in fear that Shiite militias, who harbour a historical hatred for the Sunni-dominated Baath party, will find them and punish them for real or imagined wrongdoings.

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[7] International Centre for Transitional Justice (ICTJ), 'A bitter legacy: Lessons of De-Baathification in Iraq', March 2013, p. 4, https://www.ictj.org/sites/default/files/ICTJ-Report-Iraq-De-Baathification-2013-ENG.pdf, accessed 3 December 2015
[8] International Crisis Group (ICG), 'Make or Break: Iraq's Sunnis and the State',14 August 2013, p. 4, accessed via Refworld at http://www.refworld.org/docid/520b818b4.html, accessed 3 December 2015

'The second of these groups involves more powerful Baath party members, who, through influence, connections, corruption or an assortment of other manipulations, managed to return to their former positions - even though everyone knows very well that they were linked to the outlawed political party.

'Possibly the most important in this current crisis though, are the third group: those party members with military skills who still firmly believe in at least some of the Baath party principles, particularly those that involve sectarian superiority, and who continue to harbour ill will toward the new Iraqi government, even though the leadership recently changed.'[9]

4.4   Current status

4.4.1   The Ba'ath Party is a banned party in Iraq, under Article 7 of the 2005 Iraqi Constitution.[10]

4.4.2   The 2015 US State Department report ('USSD 2015') noted that Iraqi constitution 'broadly provides for the right of free expression that does not violate public order and morality or express support for the banned Baath Party or for altering the country's borders by violent means' and that it 'provides for the right to form and join associations and political parties', continuing that the government 'generally respected this right, except for the legal prohibitions on groups expressing support for the Baath Party or Zionist principles.'[11]

4.4.3   The 2015 Freedom House report noted that 'freedom to run for office is limited by the operation of a de-Ba'athification commission and by a "good conduct" requirement in Iraqi electoral law.' In 2014, the de-Ba'athification commission disqualified approximately 350 candidates although candidates disqualified for any reason could appeal and many won reinstatement.'[12]

See also: 'De-Ba'athification'

4.4.4   The Institute for the Study of War (ISW), in a report dated October 2014, noted:

'Although officially banned [after the 2003 invasion], it [the Ba'ath Party] continued to operate as a government-in-waiting, producing regular statements about ongoing events. It is interesting to note that many

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[9] Middle East Eye, 'Analysis: Iraq's Baath party: where are they now?', 14 November 2014, http://www.middleeasteye.net/in-depth/features/analysis-iraqs-baath-party-where-are-they-now-1079222336, accessed 10 March 2016
[10] International Center for Transitional Justice (ICTJ), 'A Bitter Legacy: Lessons of De-Baathification in Iraq', March 2013, p. 15, https://www.ictj.org/sites/default/files/ICTJ-Report-Iraq-De-Baathification-2013-ENG.pdf, accessed 11 March 2016
[11] US State Department, Country Reports on Human Rights Practices for 2015 – Iraq, Section 2: Respect for Civil Liberties,
http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2015&dlid=256267 , accessed 10 March 2016
[12] Freedom House, Freedom in the World 2015, https://freedomhouse.org/report/freedom-world/2015/iraq, accessed 10 March 2016

statements by the group reflect anti-Western and anti-Israeli rhetoric very similar to that of the former Hussein regime. The party is comprised of three factions as a result of internal disputes...The splintering of the Iraqi Ba'ath Party and the participation of the Party, along with its component JRTN [Jaysh Rijal al-Tariq al-Naqshbandi], within these various umbrella organizations demonstrate the complexity of the environment for armed anti-government groups. There may be many numerous small groups and factions that join together in various coalitions and joint statements, but there is no evidence to point to them having any significant role in fighting.'[13]

See also: Linked Groups

5. Linked groups

5.1 Ba'athists and Daesh

5.1.1 Several sources observed that there were links between Ba'athists and Al-Qaeda in Iraq (AQI), the forerunner of Daesh (Islamic State of Iraq and the Levant (ISIL) or Islamic State of Iraq and Syria/al-Sham (ISIS)). The UN Security Council noted that AQI launched a campaign called 'Harvesting of Soldiers' in July 2013 aimed at recruiting former Ba'athists and elements of the Iraqi security forces.[14] An article in Al-Monitor dated April 2015 noted that within AQI 'former Sunni Arab Iraqi Baathists gradually assumed leadership positions as foreigners were killed, captured and/or relegated to mid-level and foot soldier positions.'[15] A Reuters article dated December 2015 noted that 'Baathists began collaborating with al-Qaeda in Iraq – the early incarnation of what would become Islamic State – soon after Saddam Hussein was ousted in 2003.'[16]

5.1.2 Several sources observed an alliance between Ba'athists and Daesh. Al-Monitor wrote that Ba'athists in Daesh 'reinforce the political nature of IS and its Sunni Arab, Iraqi nationalist roots' and that 'alongside or within IS's aim to devise a "pure" Islamic society is a Ba'athist plan to run a meticulously calculating state able to monopolise power, control territory and eradicate potential threats through brutality and terror.'[17] A report from Al-Arabiya,

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[13] Institute for the Study of War (ISW), Middle East Security Report 24, 'Beyond the Islamic State: Iraq's Sunni Insurgency', October 2014, pp. 13-14, http://www.understandingwar.org/sites/default/files/Sunni%20Insurgency%20in%20Iraq.pdf, accessed 24 August 2016

[14] United Nations Security Council, Report of the Secretary-General on children and armed conflict in Iraq, 9 November 2015, pp. 3-5, http://www.un.org/en/sc/documents/sgreports/2015.shtml, accessed 24 August 2016

[15] Al-Monitor, 'The Islamic State's Baathist roots', 24 April 2015, http://www.al-monitor.com/pulse/originals/2015/04/baathists-behind-the-islamic-state.html, accessed 24 August 2016

[16] Reuters, 'How Saddam's men help Islamic State rule', 11 December 2015, http://www.reuters.com/investigates/special-report/mideast-crisis-iraq-islamicstate/, accessed 24 August 2016

[17] Al-Monitor, 'The Islamic State's Baathist roots', 24 April 2015, http://www.al-monitor.com/pulse/originals/2015/04/baathists-behind-the-islamic-state.html, accessed 24 August 2016

dated August 2015, noted described Ba'athists as having 'forged an unlikely alliance with [Daesh]'. The source quoted Dan Gabriel, a former CIA officer, that 'aggrieved Sunnis found common ground with ISIS on their shared objective to take down [former Prime Minister] al-Maliki's government, and to end Iranian influence in Iraq.'[18]

5.1.3   Sources also suggest that Ba'athists have an operational as well as political influence within Daesh. The Al-Monitor article noted that Daesh 'relies on complex networks led by former Iraqi Baathist officers to operate and control its so-called caliphate' and that the nature of Daesh terror operations such as 'extensive security and spy networks, hierarchical bureaucracies, battlefield tactics and elaborate financial and logistical networks' are 'similar to those used by former Iraqi President Saddam Hussein and his Ba'athist circles'.[19] A report from Al-Arabiya noted that, according to senior Iraqi officers, Daesh's top command is dominated by officers from Saddam's military and intelligence agencies.[20] Reuters, quoting Hisham al-Hashimi, 'an Iraqi analyst who has worked with the Iraqi government', wrote that 'of Islamic State's 23 portfolios – equivalent to ministries – former Saddam regime officers run three of the most crucial: security, military and finance'.[21] An article in The Intercept dated June 2015 described that 'ex-Baathists essentially run ISIS [Daesh], and their past is evident in the tactics they are using now'.[22]

5.1.4   The Intercept also reported that Daesh's capture of Ramadi in May 2015 had '...given Ramadi back to its former owners — the ex-Ba'athist Sunni terrorists known as the Former Regime Loyalists. The FRLs, as they're called, were Saddam Hussein's most ardent followers, the same fighters whom the United States fought non-stop for eight years.' The source observed that 'simply put, ISIS today is essentially a Baathist-organized amalgam of virtually every Sunni tribal and jihadist insurgent group the United States has fought since April 2003'.[23]

5.1.5   Sources referred to several high-profile ex-Ba'athists who have joined Daesh. A report from A-Arabiya, quoted Dan Gabriel, a former CIA officer,

[18] Al-Arabiya, 'Where is Iraq's Baath party today?', 21 August 2015, http://english.alarabiya.net/en/perspective/analysis/2015/08/21/Where-is-Iraq-s-Baath-party-today-.html, accessed 10 March 2016
[19] Al-Monitor, 'The Islamic State's Baathist roots', 24 April 2015, http://www.al-monitor.com/pulse/originals/2015/04/baathists-behind-the-islamic-state.html, accessed 24 August 2016
[20] Al-Arabiya, 'Where is Iraq's Baath party today?', 21 August 2015, http://english.alarabiya.net/en/perspective/analysis/2015/08/21/Where-is-Iraq-s-Baath-party-today-.html, accessed 10 March 2016
[21] Reuters, 'How Saddam's men help Islamic State rule', 11 December 2015, http://www.reuters.com/investigates/special-report/mideast-crisis-iraq-islamicstate/, accessed 24 August 2016
[22] The Intercept, 'ISIS Forces That Now Control Ramadi Are Ex-Baathist Saddam Loyalists', 3 June 2015, https://theintercept.com/2015/06/03/isis-forces-exbaathist-saddam-loyalists/, accessed 10 March 2016
[23] The Intercept, 'ISIS Forces That Now Control Ramadi Are Ex-Baathist Saddam Loyalists', 3 June 2015, https://theintercept.com/2015/06/03/isis-forces-exbaathist-saddam-loyalists/, accessed 10 March 2016

that [Abu Bakir] al-Baghdadi, the leader of Daesh, had recruited Fadel al-Hayali and Adnan al-Sweidawi, two former high-ranking Ba'athists, into the organisation.[24] The Intercept also referred to Daesh's recruitment of ex-Ba'athist Samir Abd Muhammad al-Khlifawi, usually known as Haji Bakr, who became Daesh's chief of military operations.[25] A Reuters article dated December 2015 referred to Ayman Sabawi and Raad Hassan, both relatives of Saddam Hussein, as 'among the most high profile Ba'athists to join Islamic State'.[26]

5.1.6   Sources also point to tensions in the alliance between Ba'athists and Daesh. The report from Al Monitor wrote that, since Daesh's capture of Mosul in June 2014,

'...former Baathist officers and Sunni tribes that previously looked to IS as a trusted security force for Sunni Arab regions have reacted to IS brutality against Christians and minorities, as well as against key Sunni Arab groups. They are now seeking to create their own Sunni National Guard, or are cooperating with Iraqi security forces, Shiite militias and Kurdish peshmerga to expel IS from its safe havens. Still, IS remains embedded in part of the Sunni Arab community, which may not necessarily support the terrorist group but is still reticent to fight due to ongoing distrust of the Iraqi government and fear of retaliation and retribution.'[27]

5.1.7   Sources report that Daesh and Ba'athists have different agendas and tactics. The Intercept surmised that 'the ex-Baathists flying the ISIS flag today are covertly working to undermine ISIS's caliphate and eventually achieve their own political goals. The FRLs may be allowing ISIS to do the hard work of fighting and carving out a Sunni-dominated tribal nation from Damascus to Fallujah to Mosul. Once that geographic goal has been achieved, it should not take much to depose the caliph and eliminate ISIS.'[28] Reuters described the relationship between Ba'athists and Daesh as 'a union of convenience. Most former Baathist officers have little in common with Islamic State. Saddam promoted Arab nationalism and secularism for most of his rule.'[29]

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[24] Al-Arabiya, 'Where is Iraq's Baath party today?', 21 August 2015, http://english.alarabiya.net/en/perspective/analysis/2015/08/21/Where-is-Iraq-s-Baath-party-today-.html, accessed 10 March 2016
[25] The Intercept, 'ISIS Forces That Now Control Ramadi Are Ex-Baathist Saddam Loyalists', 3 June 2015, https://theintercept.com/2015/06/03/isis-forces-exbaathist-saddam-loyalists/, accessed 10 March 2016
[26] Reuters, 'How Saddam's men help Islamic State rule', 11 December 2016, http://www.reuters.com/investigates/special-report/mideast-crisis-iraq-islamicstate/, accessed 10 March 2016
[27] Al-Monitor, 'The Islamic State's Baathist roots', 24 April 2015, http://www.al-monitor.com/pulse/originals/2015/04/baathists-behind-the-islamic-state.html#, accessed 10 March 2016
[28] The Intercept, 'ISIS Forces That Now Control Ramadi Are Ex-Baathist Saddam Loyalists', 3 June 2015, https://theintercept.com/2015/06/03/isis-forces-exbaathist-saddam-loyalists/, accessed 10 March 2016
[29] Reuters, 'How Saddam's men help Islamic State rule', 11 December 2016, http://www.reuters.com/investigates/special-report/mideast-crisis-iraq-islamicstate/, accessed 10

5.1.8   Other reports take a different view of the religiosity of the Ba'athists. Reuters quoted Emma Sky, a former adviser to the U.S. military: "The mustached officers have grown religious beards. I think many have genuinely become religious."[30] Al-Monitor described a historical 'Baathist-Salafist nexus' and referred to how Saddam Hussein's 'Islamic faith' campaign of the early 1990s 'involved the Baath Party's direct control of all religious policies and institutions in Iraq, creating Islamic structures, recruiting networks of spies and Islamic activists to work for the regime, and embedding Ba'ath Party structures, members and security organs into religious circles.'[31]

5.1.9   The Reuters article noted that 'Ba'athists and jihadists disagreed over who should be in charge' and 'many ex-Ba'athists struck an alliance with the US military and turned on the jihadists', although they were 'back to being allies' by 2014. The source wrote that, following the fall of Tikrit in June 2014, 'Islamic State told Baathists they had a choice: Join us or stand down. Some Baathists abandoned the revolt. Others stayed, swelling the ranks of Islamic State with mid-level security veterans.'[32]

5.1.10   Other sources suggest that the link between Ba'athists and Daesh is not as strong as some allege. An article from Middle East Eye dated November 2014 noted:

'There was speculation that the Baath party had for a long-time hidden sleeper cells in Mosul and that they had played an integral role in the IS takeover.

'It was also rumoured that one of the long-unseen, former leaders of the Baath party would soon be making an appearance in Mosul: Izzat Ibrahim al-Douri, a senior military commander and member of Saddam Hussein's outlawed government who had managed to evade capture for a decade. But he never turned up.

'Since June [2014], reports on the IS leadership have placed increasing importance on former members of the Iraqi Baath party, particularly those who were former military or police. Most recently, reports that IS leader, Abu Bakr al-Baghdadi had been severely injured in an air strike saw speculation that a former Baath party member might take over the leadership if he were to die.'[33]

March 2016
[30] Reuters, 'How Saddam's men help Islamic State rule', 11 December 2016, http://www.reuters.com/investigates/special-report/mideast-crisis-iraq-islamicstate/, accessed 10 March 2016
[31] Al-Monitor, 'The Islamic State's Baathist roots', 24 April 2015, http://www.al-monitor.com/pulse/originals/2015/04/baathists-behind-the-islamic-state.html#, accessed 10 March 2016
[32] Reuters, 'How Saddam's men help Islamic State rule', 11 December 2016, http://www.reuters.com/investigates/special-report/mideast-crisis-iraq-islamicstate/, accessed 10 March 2016
[33] Middle East Eye, 'Analysis: Iraq's Baath party: where are they now?', 14 November 2014, http://www.middleeasteye.net/in-depth/features/analysis-iraqs-baath-party-where-are-they-now-1079222336, accessed 10 March 2016

5.1.11   However, the source continued that 'in northern Iraq, it seems they [Ba'athists] are not in such a good place' and that 'Mosul locals say initial hype about the return of the Baath party...has since proven bogus. The party has a presence in Mosul, the Iraqi capital of IS operations, but it is relatively ineffective'. The source also noted that: 'In their attempts to tame any opposition, IS has arrested a number of local Baath party leaders. And most recently, politicians on the provincial council who were connected to the Baath party have also been in trouble, threatened with expulsion from the council as the political mood has changed'.[34]

5.1.12   The source did note that 'there is no doubt that former Baath party members hold some very senior positions within it [Daesh]... Former Baath party members are also known to make up sleeper cells in other parts of Iraq - these will only be activated by the IS group once they start making inroads into the territory...But it is important to remember that not all Baath party members – just as not all of Iraq's Sunni Muslims – are enthusiastic about IS. In Anbar province in particular, it is a complex situation involving multiple tribal groups and shifting loyalties, which only seems to be becoming more complicated.'[35]

5.2   Naqshbandi Order (JRTN)

5.2.1   The BBC provided the following profile (dated July 2014) of the Naqshbandi Order:

'While exact numbers are difficult to determine, the Army of the Men of the Naqshbandi Order (Jaysh Rijal al-Tariqa al-Naqshbandia, or JRTN) and its front groups likely constitute the second largest insurgent grouping in Iraq after Isis.

'Led by Saddam Hussein's right-hand man, Izzat Ibrahim al-Douri, JRTN is the main front for Baathist insurgents. JRTN espouses a blend of the banned Baathist Party's ideology (pan-Arab, secular nationalism) and Naqshbandi Sufi Islam, while emphasising the language of jihad in an attempt to garner religious legitimacy.

'As most Sunni Arabs are not Naqshbandis, JRTN set up front groups of Baathists, which have become unified under the "General Military Council for Iraq's Revolutionaries" (GMC).'[36]

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[34] Middle East Eye, 'Analysis: Iraq's Baath party: where are they now?', 14 November 2014, http://www.middleeasteye.net/in-depth/features/analysis-iraqs-baath-party-where-are-they-now-1079222336, accessed 10 March 2016
[35] Middle East Eye, 'Analysis: Iraq's Baath party: where are they now?', 14 November 2014, http://www.middleeasteye.net/in-depth/features/analysis-iraqs-baath-party-where-are-they-now-1079222336, accessed 10 March 2016
[36] BBC News, 'Iraq crisis: Key players in Sunni rebellion', 1 July 2014, http://www.bbc.co.uk/news/world-middle-east-28053496, accessed 11 January 2015. See also: Center for Strategic and International Studies, 'The New "Great Game" in the Middle East: Looking Beyond the "Islamic State" and Iraq', 9 July 2014, p. 5, http://csis.org/files/publication/140809_NewGreatGame.pdf, accessed 11 January 2016

5.2.2   On 17 April 2015, BBC News reported that al-Douri had been killed in Salah al-Din.[37]

5.2.3   A Jamestown Foundation report dated July 2014 described the goals of the JRTN as the 'return to power of the Ba'ath party and the safeguarding of Iraqi sovereignty through the simultaneous end of the strong Iranian influence in Baghdad. Their key aim is to "fight for the unity of Iraq's land and people to preserve the Arab and Islamic identity."'[38]

5.2.4   The BBC's profile noted that JRTN and its front groups have worked with Daesh in Mosul (Ninewah governorate), Tikrit (Salah al-Din governorate) and Diyala governorate, although 'coordination with Isis is not admitted.'[39] An Inter-Press Service article, dated June 2014, described Mosul as 'the country's last stronghold of the Baath party' and that the capture of Mosul had been achieved by a 'joint operation' between Daesh and the JRTN (as well as other groups).[40]

5.2.5   However, although reports have pointed to cooperation there are also reports of distrust between the two groups. A BBC profile dated July 2014 observed that: 'Such co-operation suggests JRTN hopes for some kind of power-sharing arrangement that could eventually get the better of Isis and lead to a restoration of the Baathist state, as existed under Saddam,' and 'in public statements, JRTN tries to avoid mentioning Isis by name and it is clear that there is no wish to engage in an all-out war against Isis, though on both sides there is profound distrust on account of ideological differences.'[41]

5.2.6   A report from the Institute for the Study of War (ISW), dated 30 June 2014, described the coordination between Daesh and the Tribal Military Councils in Anbar as a 'notable exception' to the Daesh-JRTN clashes occurring in other parts of the country.[42] Another ISW report observed that Daesh had executed members of the JRTN in Mosul.[43] A third ISW report, dated 1 July 2014, also noted that JRTN had launched mortar attacks at Daesh along the Hamrin ridge area in Diyala province. However the same source also noted

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[37] BBC News, 'Saddam aide Izzat Ibrahim al-Douri 'killed' in Iraq', 17 April 2015, http://www.bbc.co.uk/news/world-middle-east-32347036, accessed 11 January 2016

[38] Jamestown Foundation, 'A Marriage of Convenience: The Many Faces of Iraq's Sunni insurgency', 25 July 2014, http://www.jamestown.org/programs/tm/single/?tx_ttnews%5Btt_news%5D=42668&cHash=7e37d5ad1b0c4bade274e187867ab9c3#.VpOegfm8PyM, accessed 11 January 2016

[39] BBC News, 'Iraq crisis: Key players in Sunni rebellion', 1 July 2014, http://www.bbc.co.uk/news/world-middle-east-28053496, accessed 11 January

[40] Inter Press Service (IPS), 'Mosul Refugees Victims of "Victory of the Revolution", 15 June 2014, http://www.ipsnews.net/2014/06/mosul-refugees-victims-of-victory-of-the-revolution/?utm_source=rss&utm_medium=rss&utm_campaign=mosul-refugees-victims-of-victory-of-the-revolution, accessed 11 January 2016

[41] BBC News, 'Iraq crisis: Key players in Sunni rebellion', 1 July 2014, http://www.bbc.co.uk/news/world-middle-east-28053496, accessed 11 January 2015

[42] Institute for the Study of War (ISW), 'Iraq Situation Report: 30 June 2014', http://www.understandingwar.org/backgrounder/iraq-situation-report-june-30-2014, accessed 11 January 2016

[43] Institute for War and Peace Reporting (IWPR), 'Iraqi Military Pushes Back into Tal Afar', 17 June 2014, accessed via ecoi.net at http://www.ecoi.net/local_link/278473/394865_en.html, accessed 11 January 2016

that gunmen from JRTN, along with Daesh and several other anti-government groups, were negotiating with representatives of the Haditha based Jaghaifa and Albu Salman tribes, to gain peaceful access to the Hadita, suggesting some level of collaboration between these groups.[44]

5.2.7 An article in the Geopolitcal Monitor dated July 2014 noted that the JRTN and Daesh were

'...united by their aversion to the Shiite government and a desire to regain what was taken away from them by the United States' military intervention. But ISIS and JRTN are not natural allies. The differences within the two organisations are in fact many, deep, and increasingly obvious. If ISIS wants to erase the boundaries of today's Iraq – and Syria – to build an Islamic State on the ashes, the latter represents a largely secular and progressive movement that would restore the supremacy of the Ba'ath party in Iraqi political and civic life.'

The article continued that Daesh's violence is also a point of difference between the two groups and the JRTN has 'denounced the massacres [by Daesh] and in particular the persecution of religious minorities...'[45]

5.2.8 Joel Wing's Musings on Iraq, in a post dated 15 December 2015, reported on the relationship between the Naqshbandi and Daesh:

'During the summer of 2014 the Baathist Naqshibandi cooperated with the Islamic State to seize Mosul and Tikrit, but that alliance quickly collapsed. The Islamic State asserted control over all of the areas captured by the insurgents and demanded that the Naqshibandi pledge allegiance or be eliminated. That led to a series of gun battles and executions with IS coming out on top.

'Every month there is a report of a confrontation between the two insurgent groups...

'The Naqshibandi made a huge error last year allying with the Islamic State, and is paying for it to this day. The group believed that it could work with the Islamic State and carve out its own sphere of influence after the summer offensive. Instead, IS ended up forcing it out of all of its strongholds in places like Hawija. The Naqshibandi was so devastated as a result that these clashes with IS are almost all that's heard of the group these days. It also challenges some of the recent reporting that Baathists have taken over the Islamic State and are simply using it as a means to return to power. The Naqshibandi is the main Baathist armed group and led by Izzat al-Douri, Saddam's former number two. If the Baathists really ran both groups there would be no fighting between them. Instead IS is systematically trying to eliminate the Naqshibandi from its territory in Iraq.'[46]

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[44] Institute for the Study of War (ISW), 'Situation report: 1 July 2014', http://iswiraq.blogspot.co.uk/2014/07/iraq-situation-report-july-1-2014.html#!/2014/07/iraq-situation-report-july-1-2014.html, accessed 11 January 2016
[45] Geopolitical Monitor, 'The Ba'athist Roots of Islamic State', 31 August 2015, http://www.geopoliticalmonitor.com/the-baathist-roots-of-islamic-state/, accessed 11 January 2016
[46] Musings on Iraq, 'Low Level War Between Naqshbandi and Islamic State Continues in Iraq', 15

5.3   General Military Council for Iraqi Revolutionaries (GMCIR)

5.3.1   The Jamestown Foundation provided the following profile (dated July 2014) of the General Military Council for Iraqi Revolutionaries (GMCIR):

'GMCIR members assert that their leadership is composed predominately of a network of Sunni former Iraq Army officers of tribal Arab origin that maintain a hierarchical chain-of-command inside Iraq in order to oversee the day-to-day operations of the organization. They estimate that there are 75,000 fighters affiliated with the GMCIR, mostly concentrated in Anbar, Salah al-Din and Ninewah governorates, with GMCIR-affiliated armed groups also located in Ta'mim [aka Kirkuk], Baghdad, Diyala, Karbala, Dhi Qar and Maysan governorates...

'The GMCIR's first public declaration on January 15 [2014] outlined its political program. This declaration emphasized that the GMCIR is an Iraqi nationalist, non-sectarian movement that is drawn from Iraq's tribes...GMCIR members assert that the second-in-command of the organization is a Shi'a from southern Iraq and that the GMCIR is actively seeking the assistance of southern Iraqi Shi'a tribes in Basra, Dhi Qar and Maysan...

'According to GMCIR members and media produced by the organization, the rank-and-file of the GMCIR consists of predominately Arab and Sunni tribal fighters, including a significant number of Sahwa (Awakening) council veterans mobilized as part of the "Sons of Iraq" and Iraqi military officers that served in the Iraqi Army prior to its May 2003 disbandment by Coalition Provisional Authority Order Number 2.

'GMCIR members state that the majority of its first cohort of fighters were local protestors, mainly from Anbar governorate, that actively demonstrated against the al-Maliki government and decided to join an armed uprising against the Iraqi government following the December 2013 arrest of popular Anbari MP and member of the Iraqiya bloc, Ahmad al-Awlani, and the ongoing Iraqi security force operations that resulted in Anbari protestors being fired on...

'The GMCIR's opponents claim that the group is strongly influenced by former Ba'athist officers affiliated with groups such as the Jaysh Rajaal al-Tariqa al-Naqshabandia (JRTN – Army of the Men of the Naqshabandi Path), which is particularly powerful in Ninewah governorate and the city of Mosul.

'GMCIR members state that JTRN members and former Ba'athist officers are represented in their organization, including in its Political Council; however, they assert that these officers are not the most important figures within it. Arabic media report that social media sites affiliated with JRTN claim it is operating in Ninewah and Salah al-Din governorates in close cooperation with the GMCIR and its affiliate, the Military Council of Iraqi

Tribal Revolutionaries. In addition to JRTN and tribal militias, it is reported that the GMCIR maintains close contact with the Iraqi Sunni socio-political movement Hay'at al-Ulama al-Muslimeen (Association of Muslim Scholars), which serves as a political ally of the organization.

'The GMCIR's relationship with the Islamic State of Iraq and Syria (ISIS) is also a controversial subject. GMCIR members admit to an operational relationship with ISIS, particularly in Anbar, Ninewah and Salah al-Din governorates. It is reported that two former Iraqi generals associated with the GMCIR were appointed to serve as governing administrators of territory seized by the Iraqi armed opposition in Anbar and Salah al-Din governorates, with approval for their appointments given by ISIS in consultation with local Sunni Arab tribes. A GMCIR spokesman stated that ISIS in Iraq was a small organization and could not have seized Mosul without the support of the Iraqi armed opposition. The spokesman further claimed that the GMCIR was stronger than ISIS, better organized than ISIS, and fought under the laws of war established by the Geneva Convention.'[47]

5.3.2   The Institute for the Study of War (ISW), in a report of October 2014, explained about the relationship between the GMCIR and Daesh:

'[The] General Military Council of Iraqi Revolutionaries (GMCIR) have cooperated with ISIS in its campaign to expel the ISF [Iraqi Security Forces] from parts of Iraq. Nevertheless, most of them do not share ISIS's long-term objectives for Iraq. Each group has come into direct confrontation with ISIS in 2014. Some of these groups may turn and fight ISIS, but the Iraqi government will not find them an acceptable partner because they oppose the Shi'a government in Baghdad. In fact, where ISIS is degraded by military action, these groups may seek to fill the vacuum and continue to challenge the ISF for control of Iraq's Sunni heartland.

'These groups vary in capability. Not every group is capable of mounting effective attacks, and not every group maintains widespread influence. Among the most capable are the General Military Council of Iraqi Revolutionaries, which is Ba'athist aligned, and Ansar al-Islam. Both groups represent long-term threats to the Iraqi state...'[48]

5.3.3   The Washington Post, in an article dated March 2014, described the GMCIR as having '...emerged as a unified leadership of what it calls regional military councils coordinating attacks against Iraqi security forces and officials. The councils include tribal leaders and former insurgent leaders but are headed by former senior army officers — among the thousands of Sunni generals

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[47] The Jamestown Foundation, 'The Tribal Component of Iraq's Sunni rebellion: The General Military Council for Iraqi Revolutionaries', 26 June 2014, http://www.jamestown.org/programs/tm/single/?tx_ttnews%5Btt_news%5D=42554&cHash=5ce0%20babbb2face2fa0e67b07a91048c5#.VuLRK_m8PyM, accessed 11 March 2016
[48] Institute for the Study of War, 'Beyond the Islamic State: Iraq's Sunni Insurgency', October 2014, http://www.understandingwar.org/report/beyond-islamic-state-iraqs-sunni-insurgency, accessed 11 March 2016

cast aside when the United States disbanded the Iraqi army after the toppling of Saddam Hussein in 2003.'[49]

5.3.4 For more information on these groups, see:

Institute for the Study of War (ISW), Middle East Security Report 24, 'Beyond the Islamic State: Iraq's Sunni Insurgency', October 2014

US State Department's Country Report on Terrorism for Iraq, 2015

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6. Treatment of Ba'athists

6.1 'De-Ba'athification'

6.1.1 The International Center for Transitional Justice (ICTJ), in 2013, produced a report on 'de-Ba'athification'.[50] 'De-Ba'athification' is the name given to a number of processes initiated by the Coalition Provisional Authority (CPA) and later Iraq's Higher National De-ba'athification Commission (HNDBC) and then the Accountability and Justice Commission (AJC) after the fall of Iraq's Ba'athist regime in 2003.

6.1.2 In 2003 the 'de-Ba'athification' process occurred in two main phases. 'Order 1' of the process included measures to:

- remove Ba'ath Party leaders from 'positions of authority and responsibility in Iraqi society', specifically:
  - o all individuals at the top four ranks of Ba'ath Party membership ('senior party members');
  - o all individuals at the three highest levels of management position (director general and above) who held any level of party membership;
- forbid the displaying of images of Saddam Hussein;
- initiate investigations into alleged crimes;
- authorise rewards leading to the arrest of Ba'athists[51]

6.1.3 'Order 2' of the process included measures to:

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[49] The Washington Post, 'Iraq's Sunni tribal leaders say fight for Fallujah is part of a revolution', 12 March 2014, https://www.washingtonpost.com/world/middle_east/iraqs-sunni-tribal-leaders-say-fight-for-fallujah-is-part-of-a-revolution/2014/03/12/cac86d7a-9f19-11e3-b8d8-94577ff66b28_story.html, accessed 11 March 2016
[50] International Center for Transitional Justice (ICTJ), 'A Bitter Legacy: Lessons of De-Baathification in Iraq', March 2013, https://www.ictj.org/sites/default/files/ICTJ-Report-Iraq-De-Baathification-2013-ENG.pdf, accessed 11 March 2016
[51] International Center for Transitional Justice (ICTJ), 'A Bitter Legacy: Lessons of De-Baathification in Iraq', March 2013, p. 11, https://www.ictj.org/sites/default/files/ICTJ-Report-Iraq-De-Baathification-2013-ENG.pdf, accessed 11 March 2016

- dissolve certain organisations that were either notorious for their role in enforcing Ba'ath party rule, or whose resources might offer the party a means to return to power, such as:
    - the Iraqi armed forces;
    - security services;
    - party militias;
    - the Olympic committee;
- abolish all military ranks;
- release conscripts;
- dismiss employees;
- discontinue pensions for senior party members and officers at the rank of colonel and above[52]

6.1.4   In September 2003, the 'de-Ba'athification' commission expanded its scope, by:

- prohibiting certain categories of people from holding high-level positions in the new state bureaucracy, politics, civil institutions or the media. The affected people were:
    - senior party members[53];
    - those who held civil service or equivalent positions from director general level or above;
    - members of 'oppressive institutions'; and
    - those known to have participated in crimes
- creating 'De-Ba'athification' committees in each ministry;
- cancelling all previous reinstatements;
- taking control of the appeals process from the CPA, with only senior party members and high-ranking civil servants able to appeal, but who would lose their pensions if the appeal was rejected[54]

6.1.5   The source commented on the impact of these procedures:

'At the stroke of a pen in May 2003, some 400,000 conscripts, officials, officers, and others were left unemployed by CPA Order 2. There appears to

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[52] International Center for Transitional Justice (ICTJ), 'A Bitter Legacy: Lessons of De-Baathification in Iraq', March 2013, pp. 11-12, https://www.ictj.org/sites/default/files/ICTJ-Report-Iraq-De-Baathification-2013-ENG.pdf, accessed 11 March 2016
[53] International Center for Transitional Justice (ICTJ), 'A Bitter Legacy: Lessons of De-Baathification in Iraq', March 2013, pp. 11-12, https://www.ictj.org/sites/default/files/ICTJ-Report-Iraq-De-Baathification-2013-ENG.pdf, accessed 11 March 2016. From rank ´Udu Ferqa and above, see Table 1 Baath Party Membership Levels on p.6 for further information
[54] International Center for Transitional Justice (ICTJ), 'A Bitter Legacy: Lessons of De-Baathification in Iraq', March 2013, pp. 12-13, https://www.ictj.org/sites/default/files/ICTJ-Report-Iraq-De-Baathification-2013-ENG.pdf, accessed 11 March 2016

be almost universal criticism of the decision to dissolve the army, particularly in light of the bloody insurgency that evolved in 2004 and intensified from 2006 to 2008. It appears, however, that many people were reabsorbed into the new military and security institutions. De-Ba'athification measures were largely backward looking and for the most part did not prohibit future reemployment.

'The impact on Iraq's public administration is somewhat harder to assess. Implementation varied according to the ministry or institution involved, with some agencies enthusiastically dismissing eligible employees and others proceeding more slowly or selectively. In the Ministry of Foreign Affairs and other specialized entities, for example, the need for certain technical skills meant that exemptions were frequent and implementation severely compromised. The exception was the judiciary, which was subjected to a separate judicial vetting process.

'Despite a halting start, however, de-Baathification of the government accelerated strongly at the end of 2003 and in the first months of 2004. Although Iraqi officials conveniently laid responsibility on the CPA for the mass wave of dismissals, ICTJ's on-the-ground research strongly indicates that the de-Baathification commission was largely responsible. Policy-making power appears to have flowed to the commission from September 2003 and operational power from November 2003.

'During these months the CPA began to realize that de-Baathification's scope was larger that it had envisioned. The education sector was particularly hard hit, at a time when it appeared that schools and universities were having difficulty functioning. In the following months, it became increasingly clear that many thousands of people had been dismissed, but few had received pension payments or had their appeals heard.'[55]

6.1.6   The ICTJ noted that political pressure from Sunnis and the US government changed the 'de-Ba'athification' process: 'With rising violence and midterm elections looming, US officials decided that reforming de-Baathification was essential to lessening sectarian tensions. They immediately pressured Maliki's government to commit to do so.'[56] A Congressional Research Service (CRS) paper dated May 2014 noted that, in July 2013, the government approved a package of reforms easing the 'de-Ba'athification' laws to allow many former Baathists to hold government positions.[57]

6.1.7   The ICTJ commented:

'Iraq's public sector doubled from 2003 to 2005. In 2006 it grew more due to a law reinstating former civil servants who were dismissed by Hussein's

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[55] International Center for Transitional Justice (ICTJ), 'A Bitter Legacy: Lessons of De-Baathification in Iraq', March 2013, p. 19, https://www.ictj.org/sites/default/files/ICTJ-Report-Iraq-De-Baathification-2013-ENG.pdf, accessed 11 March 2016

[56] International Center for Transitional Justice (ICTJ), 'A Bitter Legacy: Lessons of De-Baathification in Iraq', March 2013, p. 18, https://www.ictj.org/sites/default/files/ICTJ-Report-Iraq-De-Baathification-2013-ENG.pdf, accessed 11 March 2016

[57] Congressional Research Service (CRS), Iraq: Politics, Governance, and Human Rights', 20 May 2014, p. 19, http://fpc.state.gov/documents/organization/227642.pdf, accessed 10 March 2016

regime for political reasons. The law, along with weak governmental controls, rampant patronage, and the effects of corruption and conflict, meant that civil service personnel procedures slipped almost entirely out of government control and into the hands of those with the most extensive patronage networks. Based on the fragmentary information that exists, HNDC reinstated at least 9,088 people in at least 46 different orders from 2004 to early 2006.'[58]

6.1.8 The Higher National Commission for Accountability and Justice (HNCAJ) preserved much of the old 'de-Ba'athification' system but introduced some changes, including:

- clearer enforcement requirements;
- permitting most 'Firqa-level members' ('group' members of senior party members) to return to government service
- providing pension eligibility for most dismissed people;
- a more aggressive stance against employees of Ba'ath-era intelligence services, regardless of actual party membership;
- the introduction of an independent judicial appeals chamber[59]

6.1.9 The source commented: 'Importantly, however, no time limits were placed on the de-Baathification process. It was unclear whether the de-Baathification commission would simply be renamed or dissolved; and the process still lacked basic administrative fairness guarantees.'[60]

6.1.10 The source noted: 'Sunnis repeatedly portrayed de-Baathification as "de-Sunnificiation," complaining that de-Baathification had become a sectarian instrument wielded to prevent Sunnis from participating in public life. The presumption of guilt inherent in de-Baathification processes—and the collective nature of that guilt—made the claim hard to rebut. Resentment was stoked further, caused by the commission's strong Shi´a political ties and lack of transparency as well as its lack of accountability.'[61]

6.1.11 An article in The New Arab, dated 7 November 2014, noted that President Masum called for the

'...de-Ba'athification laws to be repealed and Baath party members not implicated in crimes to be rehabilitated and be allowed to work for the

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[58] International Center for Transitional Justice (ICTJ), 'A Bitter Legacy: Lessons of De-Baathification in Iraq', March 2013, p. 23, https://www.ictj.org/sites/default/files/ICTJ-Report-Iraq-De-Baathification-2013-ENG.pdf, accessed 11 March 2016

[59] International Center for Transitional Justice (ICTJ), 'A Bitter Legacy: Lessons of De-Baathification in Iraq', March 2013, pp. 18-19, https://www.ictj.org/sites/default/files/ICTJ-Report-Iraq-De-Baathification-2013-ENG.pdf, accessed 11 March 2016

[60] International Center for Transitional Justice (ICTJ), 'A Bitter Legacy: Lessons of De-Baathification in Iraq', March 2013, pp. 18-19, https://www.ictj.org/sites/default/files/ICTJ-Report-Iraq-De-Baathification-2013-ENG.pdf, accessed 11 March 2016

[61] International Center for Transitional Justice (ICTJ), 'A Bitter Legacy: Lessons of De-Baathification in Iraq', March 2013, p. 17, https://www.ictj.org/sites/default/files/ICTJ-Report-Iraq-De-Baathification-2013-ENG.pdf, accessed 11 March 2016

government...The law, known as the law of "accountability and justice", had clearly been misused, Masum said, as it had been used against many innocent people, who had been banned from government employment. He added: "National reconciliation is the precursor to peace in the country, which is what we want in Iraq. Reconciliation is not a goal in itself, it is the way to achieve peace in the country."'[62]

6.1.12 A report from Al-Monitor dated March 2015 observed:

'As for dealing with individual Baathists, governorates and provinces can do so in accordance with the decentralized powers granted to them. Governorates such as Najaf, Erbil, Karbala or Dhi Qar — which have suffered tremendously at the hands of the Baath Party — have the right to be more rigid in dealing with ex-Baathists. In 1991, Saddam Hussein's regime killed thousands and destroyed entire cities with the help of the Baath Party during an uprising in southern and northern Iraq.

'Meanwhile, governorates such as Anbar, Salahuddin and Ninevah — the former social and administrative backbones of the party — have the right to be more lenient, so long as they adhere to the law.

'This decentralized approach is likely to raise criticisms. In the opinion of some, it could open the door to social division. Moreover, decentralizing the issue does not prevent ex-Baathists from taking advantage of these lax measures and grouping together to carry out a coup.'[63]

6.1.13 The UN Security Council, in a report dated 26 October 2015, stated:

'Most of the priority legislation that would aid national reconciliation, however, remained pending in Parliament. Votes on the national guard law were postponed on 30 August and again on 7 September owing to disagreements between parliamentary blocs over its provisions. Additionally, no progress was made towards the enactment of a general amnesty law since its first reading on 5 July. Meanwhile, the National Reconciliation Committee of the Council of Representatives separated the Justice and Accountability and Banning of the Baath Party Act into two bills on 25 July. While the Council of Representatives concluded, on 30 July, the first reading of the draft law on the banning of the Baath Party, dissolved entities and parties, and the activities of racism, terrorism and takfir (charge of unbelief), no voting took place on legislation that would revise de-baathification measures. On 15 September, the Council of Ministers decided to withdraw and review all draft laws submitted to the Council of Representatives by the previous Government. This amounted to some 80 draft bills, including the draft anti-terrorism law of 2005.'[64]

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[62] The New Arab, 'Iraqi president calls for repeal of de-Baathification laws', 7 November 2014, https://www.alaraby.co.uk/english/news/2014/11/7/iraqi-president-calls-for-repeal-of-de-baathification-laws, accessed 11 March 2016
[63] Al-Monitor, 'Iraqi provinces take ex-Baathists to court', 4 March 2015, http://www.al-monitor.com/pulse/originals/2015/03/iraq-de-baathification-law-sunnis-decentralization.html#, accessed 24 August 2016
[64] UN Security Council, 'Report by the UN Secretary-General on developments since 13 July 2015

6.1.14 Al Monitor reported in August 2016: 'Thirteen years after the fall of the Baath Party, Iraq's parliament voted in favor of a law to ban the Baath Party on July 30 [2016]. The law caused widespread reactions in the Iraqi Arab street. Prime Minister Haider al-Abadi described the vote in favor of the law as "victory." The law has given the Shiite parliamentary blocs further momentum to vote in favor of other laws against the Baathists.'[65]

6.2   Anti-terror laws

6.2.1   The UN High Commissioner for Refugees (UNHCR) Eligibility Guidelines (published in 2012) observed:

'During an arrest campaign in October/November 2011, when more than 600 individuals were arrested on charges of terrorism and alleged Ba'ath Party ties, Deputy Minister of Interior Adnan Al-Asadi stated that all arrests were undertaken on the basis of the Counterterrorism Law of 2005. However, Iraqi Government officials repeatedly referred to a person's Ba'ath Party affiliation and rank to justify the arrest. The timing and circumstances, the questionable legal basis and the lack of transparency of these arrests raised serious doubts among some observers over their real motivation.'[66]

6.2.2   According to a September 2013 joint NGO submission to the UN Human Rights Council: 'People are arrested without warrants, charges, or on the premise that they are terrorists or Baathists. In one case, in which, according to officials numbered approximately 1,500, were arrested under direct orders by Maliki for being "Saddam Hussein loyalists plotting against the government." Arrests and detention under these circumstances are inarguably arbitrary.'[67]

6.2.3   According to the 2012 US State Department's Report on Human Rights ('USSD 2012'), in 2010 the local and international media reported the discovery of a secret detention facility in the International Zone operated by security forces under control of the Prime Minister's Office containing more than 400 Sunni detainees, of whom more than 100 were reportedly tortured.

(political situation; security situation; activities of the UN mission; human rights situation; human rights situation; situation of residents of Camps Hurriya and New Iraq; humanitarian assistance)', 26 October 2015, p. 4, http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2015_819.pdf, accessed 3 December 2015

[65] Al-Monitor, 'What does de-Baathification mean for Iraq's Kurds?', August 2016 http://www.al-monitor.com/pulse/originals/2016/08/debaathification-iraq-kurdistan.html, accessed 29

http://www.al-monitor.com/pulse/originals/2016/08/debaathification-iraq-kurdistan.html, accessed 29 September 2016

[66] UN High Commissioner for Refugees (UNHCR), 'UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum Seekers for Iraq, 31 May 2012,' A. Risk Profiles, 2. Individuals (Perceived as) Opposing the Iraqi Authorities a) (Perceived) Political Opponents, p.18, http://www.unhcr.org/refworld/pdfid/4fc77d522.pdf, accessed 10 March 2016

[67] Joint written statement* submitted to the UN Human Rights Council by the International Organization for the Elimination of All Forms of Racial Discrimination, the Women's International League for Peace & Freedom et al, 9 September 2013, p.3, http://www.ecoi.net/file_upload/1930_1379601024_g1316900.pdf, accessed 10 March 2016

Although the government announced the closure of the detention facility in March 2011, Human Rights Watch (HRW) on 18 May 2012 reported that the facility had remained in use as late as March 2012. Government officials reported that the facility was used to hold detainees alleged to be Baath Party and Saddam Hussein loyalists in late October 2011.[68]

6.2.4 According to USSD 2012:

'From October to December 2011, the army arrested more than 1,100 alleged former members of the Baath Party said to be involved in a coup plot. Media reported that some detainees released in late 2011 and early 2012 were tortured while in custody. At the end of 2012 some detainees still awaited trial. For example, four employees of a development NGO were detained in October 2011 during the Baath Party arrests. Of the four, one employee was released on 12 February 2012, two were convicted on terrorism charges, and the fourth employee was still in pretrial detention at year's end. All four employees reported being tortured while in custody. Many Sunnis contended that the mass arrests were intended to weaken the government's political opponents.'[69]

6.3 Discrimination

6.3.1 In its 2012 Eligibility Guidelines, the UN High Commissioner for Refugees (UNHCR) noted that 'there have been continuous claims that the Iraqi Government has used accusations of 'Ba'athism' to sideline political opponents and to settle political scores. 'De-Ba'athification' has reportedly been used to fire government and security officials and replace them with loyalists, and to ban political rivals from running in elections. Reported arrests of alleged Ba'ath Party members have raised concerns, given that neither the De-Ba'athification Law, nor any other law, provides for legal prosecution for Ba'ath Party membership.'[70]

6.3.2 The DIS FFM report noted that an NGO in Amman said that 'accusing a person of being a former Baath member remains a favourite accusation. This can be problematic as a person wrongly accused may not be able to rectify such claims before action is taken against him.'[71]

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[68] US State Department (USSD), Country Reports on Human Rights Practices 2012: Iraq, Section 1: Respect for the Integrity of the Person, 19 April 2013, http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2012&dlid=204362, accessed 10 March 2016
[69] US State Department (USSD), Country Reports on Human Rights Practices 2012: Iraq, Section 1: Respect for the Integrity of the Person, 19 April 2013, http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2012&dlid=204362, accessed 10 March 2016
[70] UN High Commissioner for Refugees (UNHCR), 'UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum Seekers for Iraq, 31 May 2012', A. Risk Profiles, 2. Individuals (Perceived as) Opposing the Iraqi Authorities a) (Perceived) Political Opponents, p.18, http://www.unhcr.org/refworld/pdfid/4fc77d522.pdf, accessed 10 March 2016
[71] Danish Immigration Service (DIS), 'Security and Human Rights in South/Central Iraq, Report from Danish Immigration Service's fact-finding mission to Amman, Jordan and Baghdad, Iraq 25 February

6.3.3   A Congressional Research Service report observed: 'For the April 2013 elections, about 8,150 individual candidates registered, of which 200 were later barred by the JAC for alleged Baathist ties.'[72]

6.3.4   A report from the Special Inspector General for Iraq Reconstruction (SIGIR), dated April 2013, reported that, on 12 February 2013, the Justice and Accountability Commission (JAC) removed as Head of the Judicial Council Chief Justice Medhat al-Mahmoud because of ''new evidence'...regarding Judge Medhat's Ba'athist ties.'[73]

6.3.5   The ICTJ paper noted that the relationship between the Iraqi High Tribunal (IHT), set up to investigate crimes committed during the Saddam Hussein era, and the 'De-Ba'athification' commission 'shows the politicized, selective use of de-Ba'athification measures'. The IHT banned any former Ba'ath Party member, not just senior party members, from participating. The source commented: 'This standard was almost unimplementable because party membership was strongly enforced among judges and prosecutors during the Hussein era. It appears not to have been fully enforced when the tribunal was set up, but served as a sword over judges' heads from 2005 onward.' The source noted that the 'de-Ba'athification' commission successfully intervened three times in a notable trial, the Dujail trial.[74]

6.3.6   USSD 2015 noted:

'Many Sunni Muslims alleged that the country's Shia majority waged a continuing campaign of revenge identifying Sunnis with the Baath Party's abuses against Shia under Saddam Hussein's rule. Complaints included allegations of discrimination in public sector employment due to the continuing campaign of de-Baathification. The government claimed that it intended the de-Baathification process to target loyalists of the former regime, but some NGOs and Sunnis believed the government implemented the Accountability and Justice Law (de-Baathification law) selectively to render many Sunnis ineligible for government employment.'[75]

6.3.7   The Global Coalition to Protect Education from Attack observed in 2014: 'After the appointment in 2011 of a leading member of the pro-Shiite Islamic Dawa party, Ali al-Adeeb, as Minister of Higher Education, the education ministry fired large numbers of former Baathists from university faculties.'[76]

to 9 March and 6 to 16 April 2010', 10 September 2010, pp. 29-30 http://www.ft.dk/samling/20091/almdel/uui/bilag/189/888574.pdf, accessed 23 August 2016
[72] Congressional Research Service, Iraq: Politics, Governance, and Human Rights', 20 May 2014, p. 20, http://fpc.state.gov/documents/organization/227642.pdf, accessed 10 March 2016
[73] Special Inspector General for Iraq Reconstruction (SIGIR), Quarterly Reports, April 2013, http://www.sigir.mil/files/quarterlyreports/April2013/Section1_-_April_2013.pdf
[74] International Center for Transitional Justice (ICTJ), 'A Bitter Legacy: Lessons of De-Baathification in Iraq', March 2013, p.16, https://www.ictj.org/sites/default/files/ICTJ-Report-Iraq-De-Baathification-2013-ENG.pdf, accessed 11 March 2016
[75] US State Department (USSD), Country Reports on Human Rights Practices for 2015 – Iraq, Section 2: Respect for Civil Liberties, http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper, accessed 10 March 2016
[76] Global Coalition to Protect Education from Attack, Education Under Attack 2014 – Iraq, http://protectingeducation.org/sites/default/files/documents/eua_2014_country_profiles_iraq.pdf,

6.4 Risk profiles

6.4.1 The DIS FFM cited a source who noted that 'a former affiliation to the Ba'ath party could add to a person's insecurity. However, being targeted solely with reference to former Ba'athist association is not likely as everyone employed by the previous regime had to be a member of the Ba'ath party'. According to Christine Fowler and Mohamed El Ghannam of UN Development Programme (UNDP) Iraq, 'senior members who were genuinely at risk have either fled abroad, for example to Syria, or had already been dealt with harshly by the government'.[77]

6.4.2 The DIS FFM were told that former membership of the Ba'ath party is not a determining factor when it comes to the question of whether or not a person would be targeted, and that: 'There are only few examples of assassinations of former Baath party members and since 2008 this issue has been 'minimal''. The International Organisation for Migration (IOM), who were interviewed, were not aware of people currently being targeted for this reason. However, UNHCR Iraq considered: 'Depending on function and level, former Baathists may still be targeted. A former Baathist affiliation could be an element that is cumulative in putting a person at risk of being targeted. However, some individuals have been targeted solely on the basis of former Baathist affiliation.'[78]

6.4.3 The DIS FFM also noted:

'Former Baathists who have been involved in human rights violations and where this is known could be at risk [of being targeted]. UNHCR - Iraq, Baghdad considered that relatives of pre-2003 prominent figures who have been involved in human rights violations would not consider it safe to return to Iraq.

'Regarding former Baathists party members and affiliates, a reliable source [in] Iraq stated this issue is like opening a Pandora's Box and it is very complex when it comes to assessing whether a person is at risk of being targeted for this reason.'[79]

6.4.4 The same report also recorded that an international NGO in Amman stated that senior Ba'ath party members are targeted especially in south Iraq and

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accessed 24 August 2016

[77] Danish Immigration Service (DIS), 'Security and Human Rights in South/Central Iraq, Report from Danish Immigration Service's fact-finding mission to Amman, Jordan and Baghdad, Iraq 25 February to 9 March and 6 to 16 April 2010, 10 September 2010', pp. 29-30, http://www.ft.dk/samling/20091/almdel/uui/bilag/189/888574.pdf, accessed 23 August 2016

[78] Danish Immigration Service (DIS), 'Security and Human Rights in South/Central Iraq, Report from Danish Immigration Service's fact-finding mission to Amman, Jordan and Baghdad, Iraq 25 February to 9 March and 6 to 16 April 2010, 10 September 2010', pp. 29-30 http://www.ft.dk/samling/20091/almdel/uui/bilag/189/888574.pdf, accessed 23 August 2016

[79] Danish Immigration Service (DIS), 'Security and Human Rights in South/Central Iraq, Report from Danish Immigration Service's fact-finding mission to Amman, Jordan and Baghdad, Iraq 25 February to 9 March and 6 to 16 April 2010, 10 September 2010', pp. 29-30 http://www.ft.dk/samling/20091/almdel/uui/bilag/189/888574.pdf, accessed 23 August 2016

some central parts. However, such a person would need to be well-known to others and other factors such as having occupied a particular exposed position are likely to have influence the risks as well.[80]

6.4.5 It also cited a source who stated that in relation to 'whether or not relatives to persons threatened or attacked due to their professional background or Baathist affiliation may be at risk from armed groups or criminal gangs as well' and that 'everything is possible.'[81]

6.4.6 In its 2012 Eligibility Guidelines, the UNHCR identified perceived political opponents as a risk category, noting: 'Political opponents are allegedly arrested arbitrarily on vague terrorism-related charges, often coupled with accusations of Ba'ath Party ties or corruption'.[82] Furthermore: 'While armed Shi'ite groups have in the past publicly focussed on attacking the MNF-I/USF-I [Multi-National Forces-Iraq/US Forces-Iraq], there are reports that they also single out Iraqis of various profiles for kidnapping and assassination, including former Ba'athists...' [83]

6.4.7 The source continued:

'After the fall of the previous regime in 2003, persons affiliated or associated with the former regime, through membership in the Ba'ath Party or as a result of their functions or profession, were subjected to systematic attacks mainly by armed Shi'ite groups. Today, members of the former Ba'ath Party or the former regime's armed forces or security and intelligence services are reportedly no longer systematically singled out for attack by armed groups. They may still be targeted in individual cases, although the exact motivation behind an attack may not always be known. Many former Ba'athists have found new identities as politicians, academics, tribal leaders, or members of the current Iraqi Security Forces (ISF). It is difficult to determine if attacks against them are motivated by their role under the former regime or by the person's present profile. Palestinian refugees, who are widely considered to have received preferential treatment under the former regime and were suspected of supporting the Sunni insurgency, have also been singled out for attacks and arrests since 2003.'[84]

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[80] Danish Immigration Service (DIS), 'Security and Human Rights in South/Central Iraq, Report from Danish Immigration Service's fact-finding mission to Amman, Jordan and Baghdad, Iraq 25 February to 9 March and 6 to 16 April 2010, 10 September 2010', pp. 29-30 http://www.ft.dk/samling/20091/almdel/uui/bilag/189/888574.pdf, accessed 23 August 2016

[81] Danish Immigration Service (DIS), 'Security and Human Rights in South/Central Iraq, Report from Danish Immigration Service's fact-finding mission to Amman, Jordan and Baghdad, Iraq 25 February to 9 March and 6 to 16 April 2010, 10 September 2010', pp. 29-30 http://www.ft.dk/samling/20091/almdel/uui/bilag/189/888574.pdf, accessed 23 August 2016

[82] UN High Commissioner for Refugees (UNHCR), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum Seekers for Iraq, 31 May 2012, 2012 A. Risk Profiles, 2. Individuals (Perceived as) Opposing the Iraqi Authorities a) (Perceived) Political Opponents, p.17-18, http://www.unhcr.org/refworld/pdfid/4fc77d522.pdf, accessed 10 March 2016

[83] UN High Commissioner for Refugees (UNHCR), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum Seekers for Iraq, 31 May 2012, 2012 III, (a), Armed Shi'ite Groups, p.12, http://www.unhcr.org/refworld/pdfid/4fc77d522.pdf, accessed 10 March 2016

[84] UN High Commissioner for Refugees (UNHCR), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Asylum Seekers for Iraq, 31 May 2012, p.18,

6.4.8   An article in Middle East Eye, dated November 2014, noted that 'street level and senior' Ba'athist members who were forced out of their jobs 'live in fear that Shiite militias, who harbour a historical hatred for the Sunni-dominated Baath party, will find them and punish them for real or imagined wrongdoings.'[85]

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http://www.unhcr.org/refworld/pdfid/4fc77d522.pdf, accessed 10 March 2016

[85] Middle East Eye, 'Analysis: Iraq's Baath party: where are they now?', 14 November 2014, http://www.middleeasteye.net/in-depth/features/analysis-iraqs-baath-party-where-are-they-now-1079222336, accessed 10 March 2016

Version Control and Contacts

Contacts

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Clearance

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

- version **1.0**
- valid from **November 2016**

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New CPIN

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