



Home Office

# **Country Information and Guidance**

## **Iraq: Security situation in the 'contested' areas**

**Version 1.0**

**August 2016**

# 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 within 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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# Guidance

Updated: 5 August 2016

## 1. Introduction

### 1.1 Basis of Claim

- 1.1.1 That the security situation in the ‘contested’ areas of Iraq presents a real risk which threatens life or person such that removal would be in breach of Article 15(c) of European Council Directive 2004/83/EC of 29 April 2004 (‘the Qualification Directive’).

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### 1.2 Other Points to Note

- 1.2.1 For the purposes of this guidance the ‘contested’ areas of Iraq refer to the governorates (or provinces) of Anbar, Diyala, Kirkuk (aka Tameen), Ninewah and Salah al-Din.
- 1.2.2 For consideration of the security situation in Baghdad, the south of Iraq and the Kurdistan Region of Iraq (KRI), see [Iraq: Country Information and Guidance – Security situation in Baghdad, the south and the Kurdistan Region of Iraq \(KRI\)](#).

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## 2. Consideration of Issues

### 2.1 Credibility

- 2.1.1 For 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](#)).

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### 2.2 Exclusion

- 2.2.1 Various groups have been responsible for serious human rights abuses (see [Actors of violence](#)). If it is accepted that the person has been involved with such a group then decision makers must consider whether one of the Exclusion clauses is applicable.
- 2.2.2 For guidance on the exclusion clauses, discretionary leave and restricted leave, see the [Asylum Instruction on Exclusion: Article 1F of the Refugee Convention](#), the [Asylum Instruction on Discretionary Leave](#) and the [Asylum Instruction on Restricted Leave](#).

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## 2.3 Assessment of risk

### i. Refugee Convention

- 2.3.1 Decision makers should first consider if the person faces persecution for a Refugee Convention reason noting that a state of civil instability and/or where law and order has broken down does not of itself give rise to a well-founded fear of persecution for a Convention reason.
- 2.3.2 Where the person qualifies under the Refugee Convention, decision makers do not need to go on to make an assessment of the need for protection firstly under Article 3 of the European Convention on Human Rights (ECHR) and if that is unsuccessful, under Article 15(c) of the Qualification Directive.

### ii. Humanitarian situation

- 2.3.3 It is only if the person does **not** qualify under the Refugee Convention that decision makers need to make an assessment of the need for protection firstly under Article 3 of the European Convention on Human Rights (ECHR) and, if that is unsuccessful, under Article 15(c) of the Qualification Directive. For guidance on Article 3 claims based on humanitarian conditions in Iraq, see [Iraq: Country Information and Guidance – humanitarian situation](#)

### iii. Security situation

- 2.3.4 Unlike Article 3 ECHR, Article 15(c) of the Qualification Directive applies only to civilians, who must be genuine non-combatants and not those who are party to the conflict. Civilian status could extend to former combatants who have genuinely and permanently renounced armed activity.
- 2.3.5 In the Country Guidance (CG) case of [AA \(Article 15\(c\)\) \(Rev 1\) Iraq CG \[2015\] UKUT 544 \(IAC\) \(30 September 2015\)](#), the Upper Tribunal (UT) found, based on evidence up to April 2015, that the degree of armed conflict in the ‘contested’ areas **does** engage Article 15(c) of the QD (paragraph 204, A1).
- 2.3.6 Article 15(c) assessments take an ‘inclusive’ approach which considers both quantitative and qualitative factors. The UT in AA found that ‘the list of factors relevant to such an analysis is non-exhaustive but includes within them the conduct, and relevant strength, of the parties to the conflict; the number of civilian deaths and injuries, including psychological injuries caused by the conflict, levels of displacement and the geographical scope of the conflict’ (paragraph 89). The UT accepted that certain governorates met the threshold of Article 15(c) because of the ‘volatility of the situation...the number of displaced persons therefrom, the tactics of warfare used there by ISIL [Daesh] and the circumstances in the areas controlled by ISIL [Daesh]’ (paragraph 106).
- 2.3.7 Iraq is still the scene of internal armed conflict between Government forces (Iraqi Security Forces and/or Kurdish Peshmerga) and associated forces (Shia militia) on the one side and Daesh (Islamic State) on the other (see [Actors of violence](#)).

- 2.3.8 There are reports that civilians are affected by the indiscriminate nature of the current violence, which mainly includes shootings and Improvised Explosive Devices (IEDs), and also suicide bombings, car bombs, rockets and mortars (see [Fatalities](#), [Injuries](#) and [Nature of violence](#)).
- 2.3.9 Within the last year Daesh has suffered significant losses in Anbar, Ninewah and Salah al-Din, with Government and associated forces now controlling most of Diyala, Kirkuk (except Hawija and its surrounding areas) and Salah al-Din (see [Control of territory](#)).
- 2.3.10 There has been a steady decline in security incidents in all 'contested' governorates, especially in Salah al-Din, since Daesh (Islamic State) captured Mosul, Iraq's third-biggest city, in June 2014. Since mid-2015, when the UT in [AA](#) considered evidence, the number of security incidents has declined in Anbar and Salah al-Din. The number of security incidents has remained steady in Ninewah, Diyala and Kirkuk, with the latter two governorates still showing much lower levels overall when compared to the other 'contested' areas (see [Security incidents](#)).
- 2.3.11 Since mid-2015, the number of civilian fatalities and injuries either decreased or remained steady in Diyala, Kirkuk and Salah al-Din, and within relatively low levels. Anbar and Ninewah has seen far more civilian deaths overall. Their statistics are fairly erratic, which reflects the more 'contested' nature of the governorates and how Daesh's control gives them more opportunity to subject the civilian populations in these areas to killings (see [Fatalities](#)).
- 2.3.12 Based on current available evidence, most Internally Displaced Persons (IDPs) in Iraq come from Anbar (43%) and Ninewah (34%). The number of IDPs who come from Diyala (4%) and Kirkuk (4%) is relatively small. IDPs are returning to all 'contested' governorates, although particularly to Salah al-Din. The International Organisation of Migration (IOM) reported that 38% of all returnees went to Salah al-Din, with 20% returned to Tikrit alone. Very few people have returned to Ninewah since August 2014. Returns to Anbar, the largest governorate in Iraq, are happening, but are concentrated in the areas of the governorate near the border with Baghdad. IDPs are returning to Ramadi in Anbar (which accounts for 13% of all returnees), following recent Government military successes there (see [Displacement](#)).
- 2.3.13 Although Daesh has suffered losses in all the 'contested' governorates, the group still holds large parts of Anbar and Ninewah, with life in these areas characterised by systematic and widespread acts of violence and gross violations of international humanitarian law and abuses of human rights. There remains a significant threat to the lives and psychological well-being of the inhabitants there (see [Human rights violations against civilians](#)). These two governorates also remain the most violent of the 'contested' areas, with people still not generally returning there (except to the areas of Anbar near Baghdad).
- 2.3.14 **For these reasons, Diyala, Kirkuk (except Hawija and the surrounding areas) and Salah al-Din no longer meet the threshold of Article 15(c). Anbar and Ninewah, however, still meets the threshold of Article 15(c).**

- 2.3.15 In areas where there is no general Article 15(c) risk, decision makers must consider whether the person has any circumstances which might nevertheless place them at such risk.
- 2.3.16 For guidance on assessing risk, see [Asylum Instruction on Assessing Credibility and Refugee Status](#) and for guidance on Article 15(c), including consideration of enhanced risk factors, see the [Asylum Instruction on Humanitarian Protection](#).

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## 2.4 Internal relocation

- 2.4.1 In general, a person can relocate to areas which do not meet the threshold of Article 15(c). See [Iraq: Internal relocation \(including documentation and feasibility of return\)](#) for further information and guidance on internal relocation.
- 2.4.1 For guidance on internal relocation, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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## 2.5 Certification

- 2.5.1 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.
- 2.5.2 For guidance on certification, see the [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 The 'contested' governorates of Iraq are Anbar, Diyala, Kirkuk (aka Tameen), Ninewah and Salah al-Din.
- 3.1.2 In the CG case of AA, which considered evidence up to April 2015, the courts found that, in the 'contested' governorates, indiscriminate violence was at such a level that substantial grounds existed for believing that a person, solely by being present there for any length of time, faced a real risk of harm which threatened their life or person (thereby engaging Article 15(c) of the Qualification Directive and entitling a person to a grant of Humanitarian Protection).
- 3.1.3 However, the situation has changed since then. Diyala, Kirkuk (with the exception of Hawija and the surrounding area) and Salah al-Din no longer meet the threshold of Article 15(c).
- 3.1.4 However, decision makers should consider whether there are particular factors relevant to the person's individual circumstances which might nevertheless place them at enhanced risk.
- 3.1.5 In general, a person can relocate to the areas which do not meet the threshold of Article 15(c).

3.1.6 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.

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# Country Information

Updated: 15 August 2016

## 4. Actors of violence

4.1.1 Jane's Sentinel Security Assessment, in a briefing dated 29 July 2016, commented on the Iraqi army:

'Since the initial offensive, Iraqi forces have largely been unable to regain and hold territory, with key strategic terrain such as Ramadi, Baiji, and Tikrit often being gained and lost through 2015. By the close of 2015, Iraqi forces had finally secured Tikrit, Baiji and Ramadi, heavily assisted by coalition aircraft, Iranian leadership and the substantial support in the form of Shia militias. The militias are officially recognised as an extension of the armed forces after a 2014 decree, but operate largely independently of centralised command. Although Islamic State continues to operate freely in pockets of western and north-central Iraq, but their freedom of movement has been constrained by Iraqi and Peshmerga successes in closing off access to Islamic State elements based in Syria.'<sup>1</sup>

4.1.2 The source further noted, in respect of the Kurdish armed forces:

'The Kurdistan Regional Government (KRG) is based in Erbil, and governs Erbil, Slemani, and Duhok. The principal armed groups in the KRG are under the control of the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK). While nominally part of the Iraqi Army in previous years, 2014 saw Kurdish forces deploy under the control of Erbil, with reports of Kurdish soldiers in Iraqi Army units deserting to join units under control of the KDP and PUK, both of which maintain their own military wings, loyal to their respective parties...'<sup>2</sup>

4.1.3 Daesh (Islamic State) are an Islamic jihadist insurgent group which emerged from al-Qaeda in Iraq (AQI). In December 2013 the group took control of Fallujah before capturing Mosul, Iraq's third-biggest city, in June 2014, advanced towards Baghdad and declared the creation of an Islamic Caliphate.<sup>3</sup> For further background see the [BBC profile on Daesh](#).

4.1.4 Although Daesh remained the main insurgent group in Iraq, other Sunni anti-government groups included Jaysh Rijal-al Tariqah al-Naqshabandia (JRTN) and the closely-related General Military Council of Iraqi Revolutionaries and Iraq Ba'ath Party; the Fallujah Military Council; the Council of

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<sup>1</sup> Jane's Sentinel Security Assessment – Iraq – Armed Forces, 29 July 2016, subscription required, accessed 29 July 2016. Available on request.

<sup>2</sup> Jane's Sentinel Security Assessment – Iraq – Armed Forces, 29 July 2016, subscription required, accessed 29 July 2016. Available on request.

<sup>3</sup> BBC News, 'What is "Islamic State?"', 2 December 2015, <http://www.bbc.co.uk/news/world-middle-east-29052144>, accessed 3 March 2016

Revolutionaries Tribes of Anbar; the 1920 Brigades; the Islamic Army of Iraq; Jayish al-Mujahidin and Ansar al-Islam.<sup>4</sup>

- 4.1.5 There are also Shia militias operating in Iraq. In October 2014 the Council of Ministers approved a decree regularizing the Popular Mobilisation Units (PMUs) to fight against Daesh. A September 2015 Congressional Research Service report stated that current estimates of the total Shia militiamen in Iraq number about 100,000.<sup>5</sup> The main armed Shia groups operating in Iraq were the Badr Brigades; the Mahdi Army; Asa'ib Ahl al-Haq and Kata'ib Hizbullah.<sup>6</sup>

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## 5. Control of territory

- 5.1.1 The Institute for the Study of War (ISW) provided the following map showing the control of terrain in Iraq, dated July 2016.

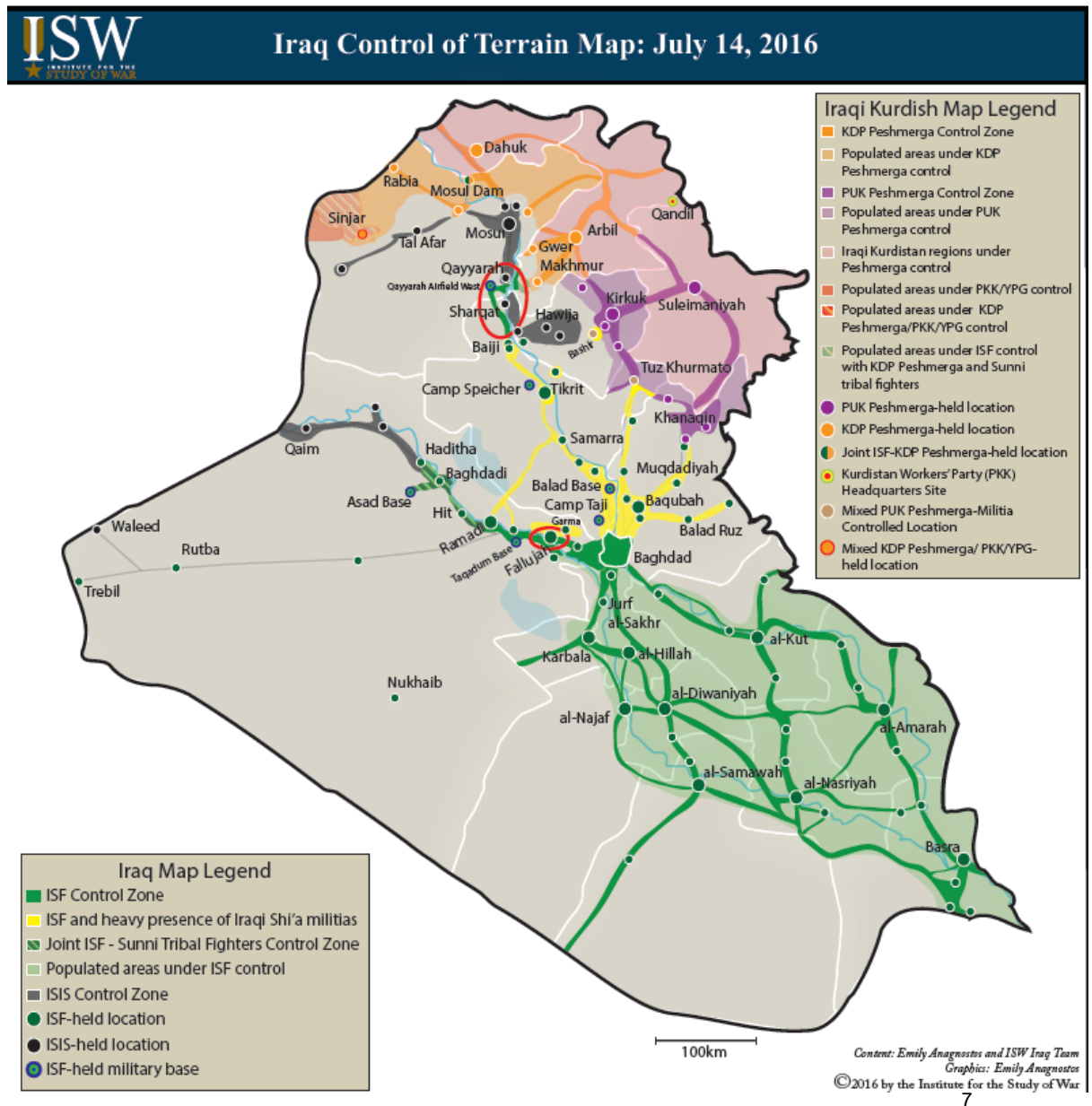
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<sup>4</sup> Institute for the Study of War, 'Beyond The Islamic State: Iraq's Sunni Insurgency', October 2014, p.9, <http://www.understandingwar.org/report/beyond-islamic-state-iraqs-sunni-insurgency>, accessed 7 January 2016

<sup>5</sup> Congressional Research Service, Iraq: Politics, Security, and US Policy, 16 September 2015, <https://www.fas.org/sgp/crs/mideast/RS21968.pdf>, accessed 6 January 2016

<sup>6</sup> Amnesty International, 'Iraq: Absolute impunity: militia rule in Iraq', 14 October 2014, p.17, [https://www.amnesty.org.uk/sites/default/files/absolute\\_impunity\\_iraq\\_report.pdf](https://www.amnesty.org.uk/sites/default/files/absolute_impunity_iraq_report.pdf), accessed 13 January 2016

## Map showing control of terrain in Iraq, July 2016



5.1.2 These maps are regularly updated to reflect the changing situation. See the [The Institute for the Study of War \(ISW\)](http://www.instituteforthe studyofwar.org) for the latest map and summary of control of terrain, as well as previous maps and summaries.

5.1.3 To see how the conflict has evolved, see the [BBC's timeline of events](http://www.bbc.com/news/iraq-35282828).

5.1.4 The following sources are also useful:

- [ISW's 'ISIS Sanctuary Map'](http://www.instituteforthe studyofwar.org/isis-sanctuary-map) to see Daesh's current control of terrain.
- [ISW's Iraq Situation Reports](http://www.instituteforthe studyofwar.org/iraq-situation-reports)

<sup>7</sup> Institute for the Study of War (ISW), Iraq Control of Terrain, 14 July 2016, <http://www.understandingwar.org/project/control-terrain-iraq>, accessed 4 August 2016

- [Musings on Iraq \(Joel Wing blog\)](#)
- [The Long War Journal](#)

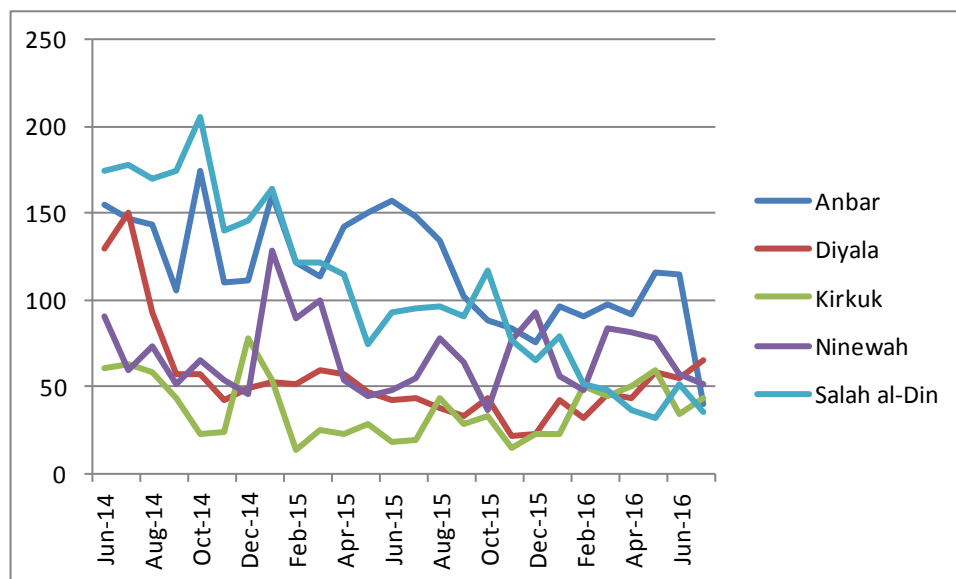
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## 6. Levels of violence

### 6.1 Security incidents

6.1.1 The following graph, using data from [Joel Wing's Musings on Iraq](#), shows the number of security incidents in the five 'contested' governorates from June 2014 to March 2016:

**Graph showing security incidents in the 'contested' governorates, June 2014 to July 2016**



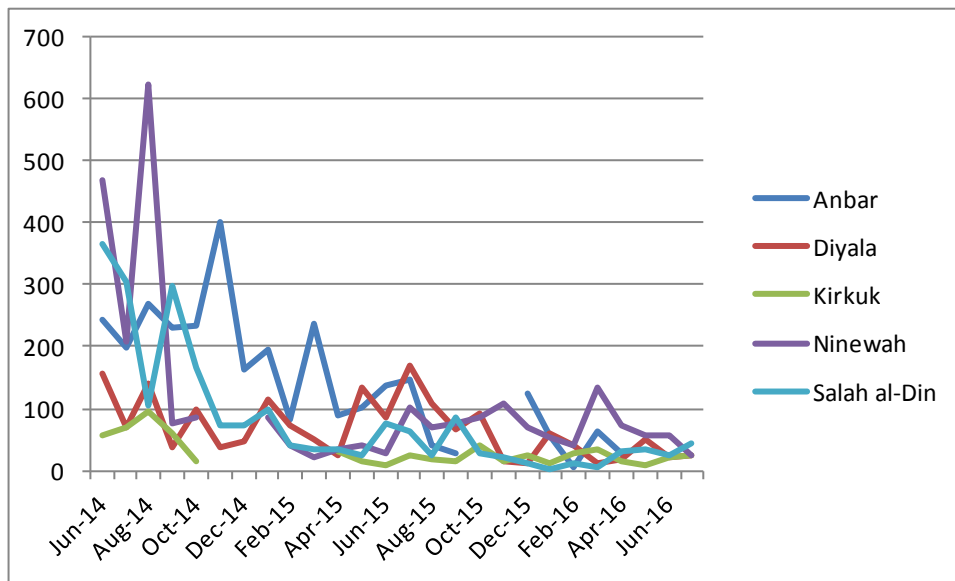
6.1.2 The [Iraq Body Count database](#) also document security incidents, although there is a lag in their data and the latest available data is from March 2016.

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### 6.2 Fatalities

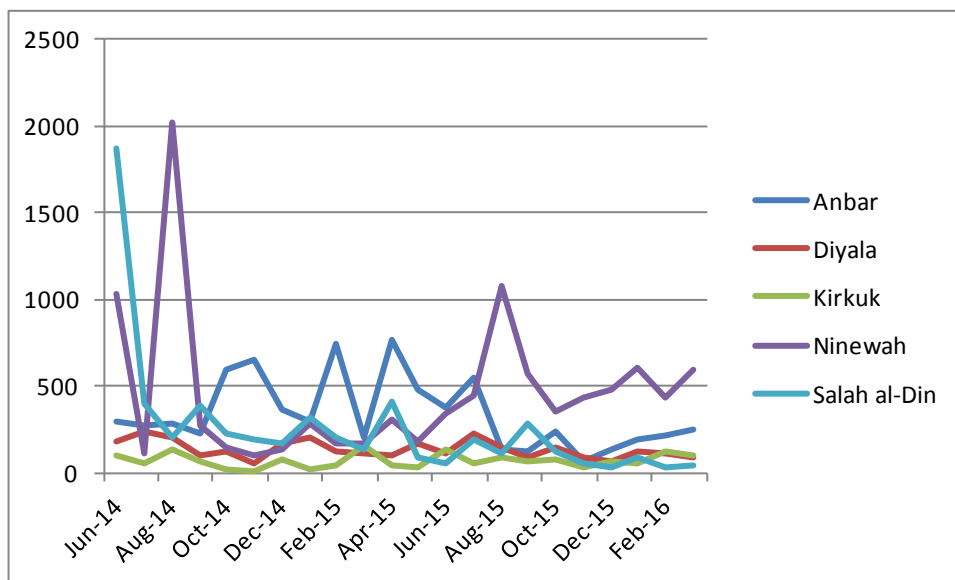
6.2.1 The following graph, using data from [UN Iraq](#), shows civilians killed in the 'contested' governorates between June 2014 and July 2016:

**Graph showing civilian fatalities in the ‘contested’ governorates, June 2014 to July 2016, using data from UN Iraq**



6.2.2 The following graph, using data from Iraq Body Count (IBC), shows civilians killed in the ‘contested’ governorates between June 2014 and March 2016 (latest data at the time of August 2016):

**Graph showing civilian fatalities in the ‘contested’ governorates, June 2014 to March 2016, using data from Iraq Body Count (IBC)**



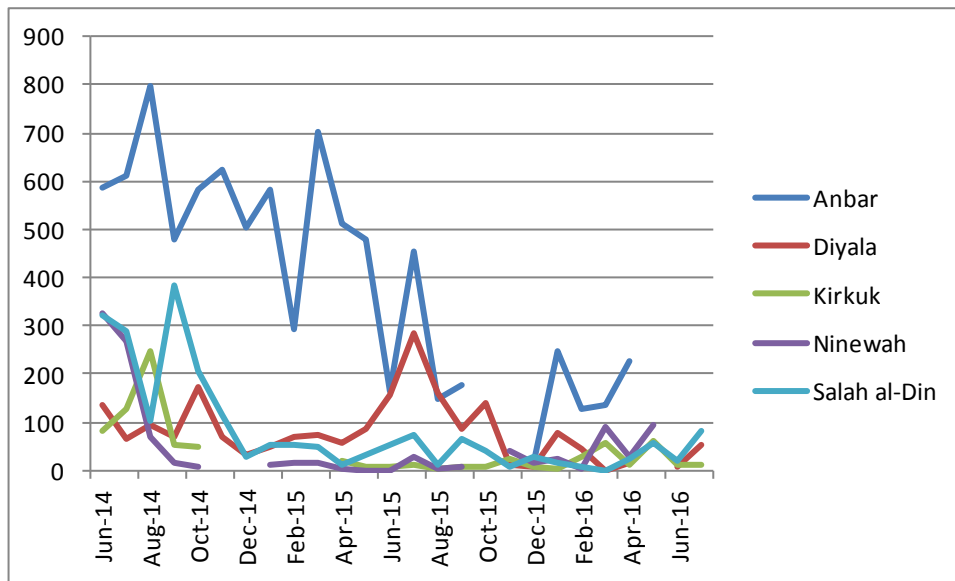
6.2.3 Apart from UN Iraq and Iraq Body Count (IBC), Joel Wing does provide data on civilian fatalities in the ‘contested’ areas, although this data has not been used in this document. Generally, the data follows the same pattern as that provided by UN Iraq and Iraq Body Count (IBC), although at higher levels, reflecting differences in data collecting methodologies. Refer directly to the

[blog](#) for more information. Data is found in monthly articles entitled 'Violence in Iraq [Month Year]'.  
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### 6.3 Injuries

6.3.1 Using data from UN Iraq, the following graph shows a comparison between the 'contested' governorates of civilians injured between June 2014 and July 2016:

**Graph showing civilian injuries in 'contested' governorates, June 2014 to July 2016**

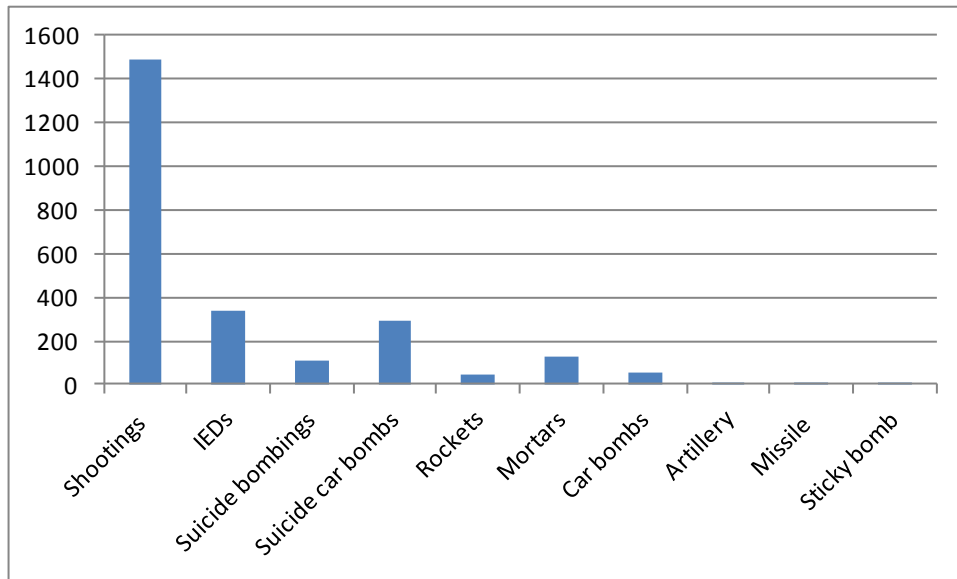


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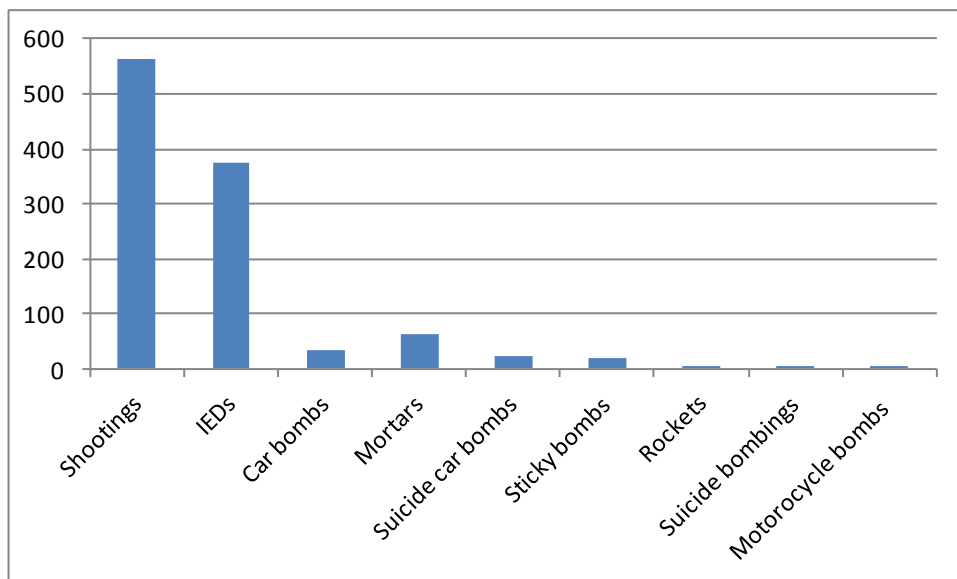
### 6.4 Nature of violence

6.4.1 The following tables, using data from Joel Wing's Musings on Iraq, shows the nature of violent attacks in the 'contested' governorates for the period between June 2014 and July 2016:

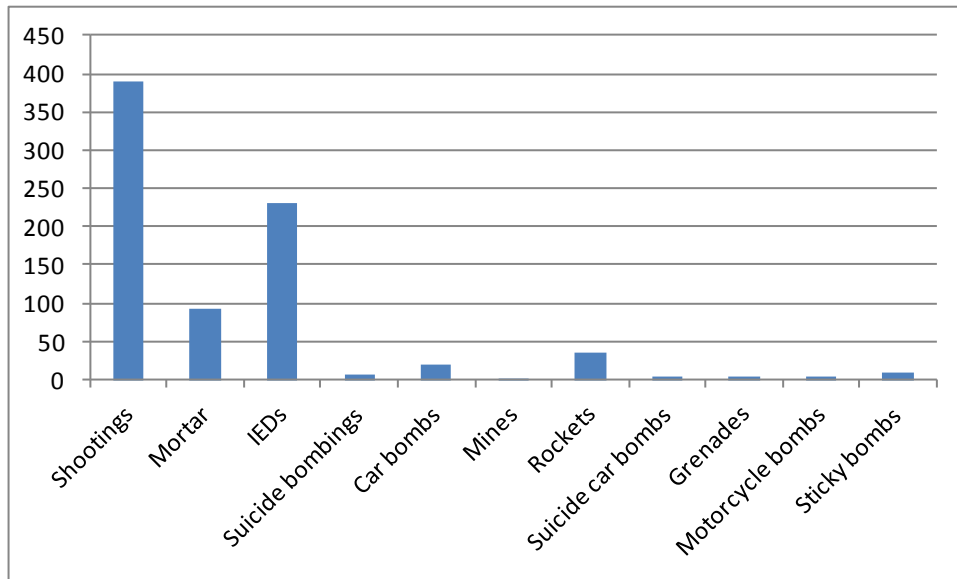
**Chart showing the nature of violent attacks in Anbar, June 2014 to July 2016**



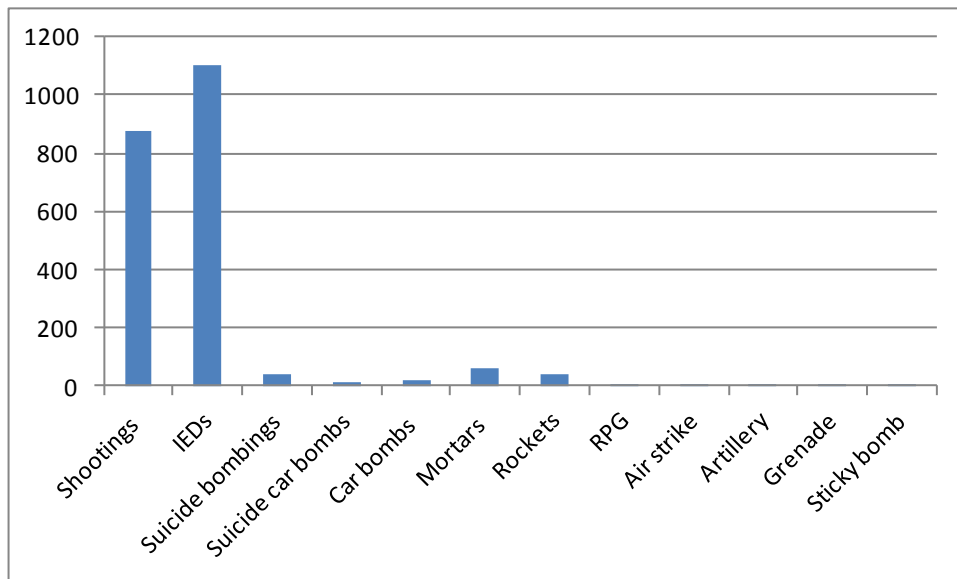
**Chart showing nature of violent attacks in Diyala, June 2014 to July 2016**



**Chart showing nature of violent attacks in Kirkuk, June 2014 to July 2016**

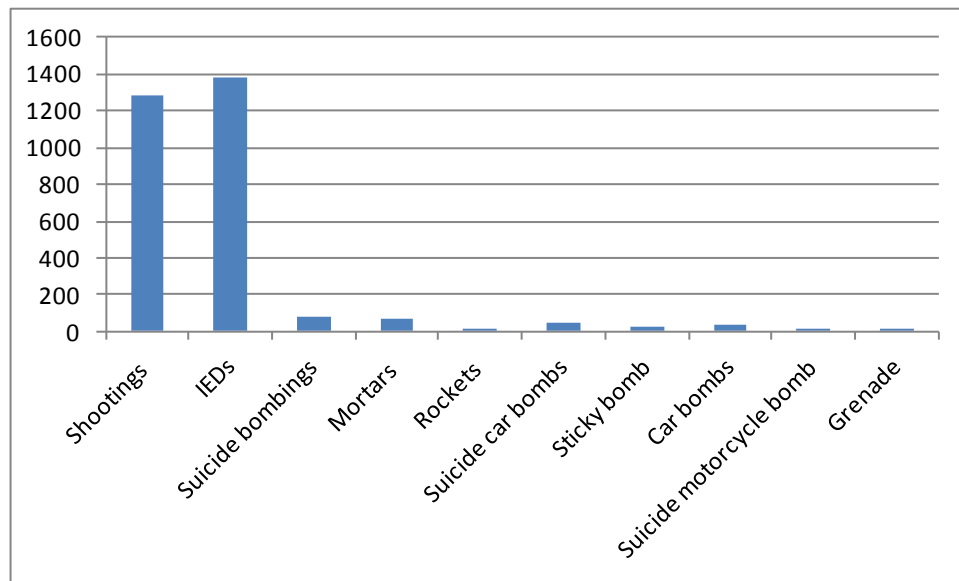


**Chart showing nature of violent attacks in Ninewah, June 2014 to July 2016**





**Chart showing the nature of violent attacks in Salah al-Din, June 2014 to July 2016**



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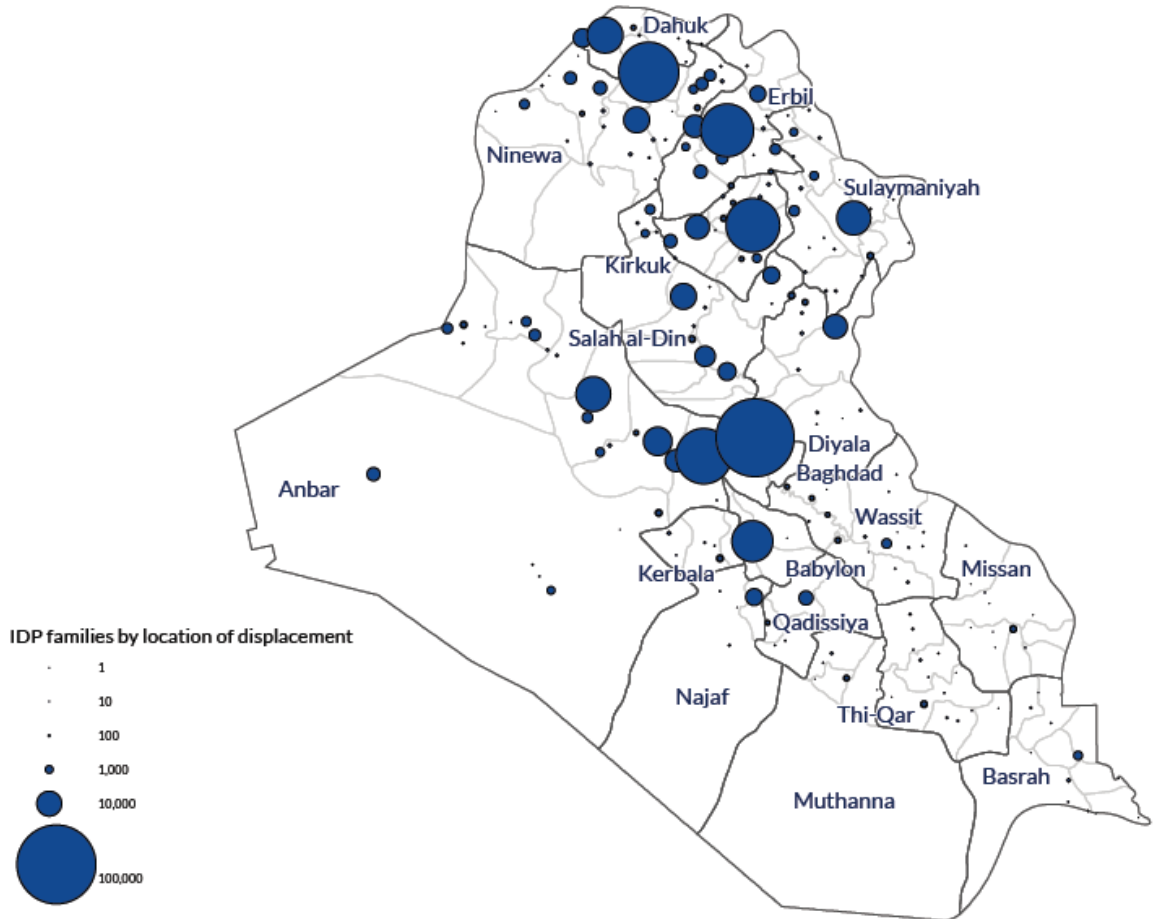
## 7. Displacement

### 7.1 Overview

7.1.1 The International Organisation for Migration (IOM) provided the following map showing the location of displaced families:

## Map showing location of displaced families in Iraq, July 2016

1.0 NUMBER OF IDP FAMILIES BY DISTRICT OF DISPLACEMENT, JULY 2016



8

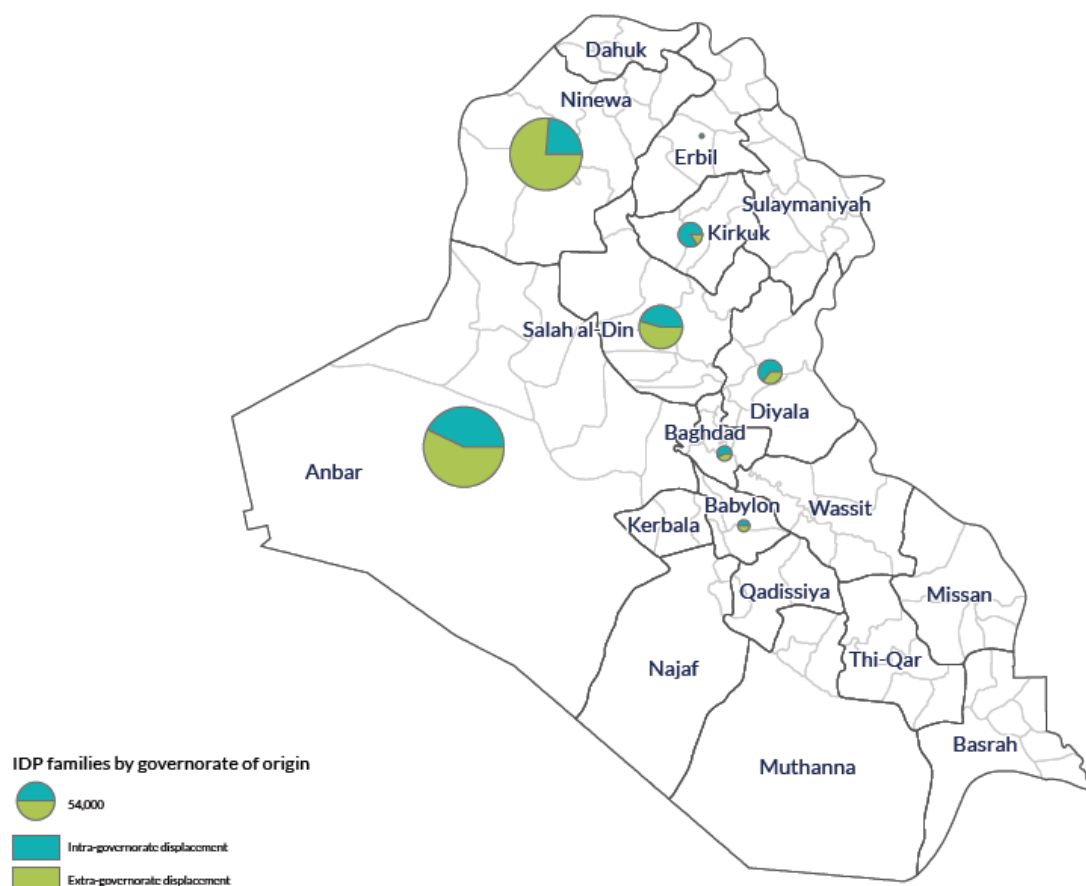
7.1.2 The IOM provided the following map showing the origin of displaced families:

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<sup>8</sup> International Organisation for Migration, Iraq Mission, Displacement Tracking Matrix, DTM Round 50, July 2016, <http://iomiraq.net/dtm-page>, p. 2, accessed 4 August 2016

## Map showing origin of displaced families, July 2016

2.0 NUMBER OF IDP FAMILIES BY GOVERNORATE OF ORIGIN, JULY 2016



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7.1.3 The following table, using July 2016 data from IOM, shows the number of IDPs hosted in each of the 'contested' governorates:

Governorate	IDP families	IDP individuals	% of all IDPs in Iraq
Anbar	105,983	635,898	19%
Diyala	14,807	88,842	3%
Kirkuk	63,643	381,838	11%
Ninewah	48,671	292,026	9%
Salah al-Din	34,808	208,848	6%

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<sup>9</sup> International Organisation for Migration, Iraq Mission, Displacement Tracking Matrix, DTM Round 50, July 2016, <http://iomiraq.net/dtm-page>, p. 4, accessed 4 August 2016

<sup>10</sup> International Organisation for Migration, Iraq Mission, Displacement Tracking Matrix, DTM Round 50, July 2016, <http://iomiraq.net/dtm-page>, p.3, accessed 4 August 2016

7.1.4 For latest data see the [IOM's Displacement Tracking Matrix](#)

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## 7.2 Returns

7.2.1 The following table, using July 2016 data from IOM, shows the how many IDPs originate from each of the 'contested' governorates:

Governorate	Individuals	% of all IDPs in Iraq
Anbar	1,445,196	43%
Diyala	124,608	4%
Kirkuk	131,586	4%
Ninewah	1,159,992	34%
Salah al-Din	422,316	13%

<sup>11</sup>

7.2.2 The IOM provided the following information, dated July 2016:

'Dynamics of return and displacement are independent from each other and largely happen in geographically distinct areas, with return trends limited to seven governorates: Anbar, Baghdad, Diyala, Erbil, Kirkuk Ninewa, and Salah al-Din.

'• As of 22 July 2016, a total of 132,793 families (796,758 individuals) are reported to have returned to their location of origin, indicating an increase of 6% (42,600 individuals) from the previous reporting period.

'• Salah al-Din is the governorate with the highest percentage of returns registered so far, 38% (306,612 individuals). In Salah al-Din, the district of Tikrit alone hosts 20% of the total returnee population (158,556 individuals).

'• Anbar governorate currently has the second largest number of returnees (20% or 155,568 individuals).

'Moreover, Anbar is the governorate that experienced the highest increase during the reporting period (19% or 25,194 individuals), consisting mostly of returnees displaced internally in Anbar and in the neighbouring Baghdad governorate and returning to the recaptured areas of Ramadi and Heet.<sup>12</sup>

7.2.3 The source also commented:

'Ramadi district currently has 13% of total returnee population (101,574 individuals), the second largest after Tikrit. It is also the district that

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<sup>11</sup> International Organisation for Migration, Iraq Mission, Displacement Tracking Matrix, DTM Round 50, July 2016, <http://iomiraq.net/dtm-page>, p. 5, accessed 4 August 2016

<sup>12</sup> International Organisation for Migration, Iraq Mission, Displacement Tracking Matrix, DTM Round 50, July 2016, <http://iomiraq.net/dtm-page>, p. 5, accessed 4 August 2016

experienced the highest increase between 22 June and 22 July, corresponding to 14% of its returnee population or 2,069 individuals. The governorate of Diyala recorded an increase of return movements (10% or 13,824) between 22 June and 22 July. Returnees displaced during the sixth period of displacement, i.e. after 1 March 2016, represent 10% of the total returnee population (81,150 individuals). Of the returnees displaced after March 2016, 87% (70,866 individuals), that is 9% of the total returnee population, returned to Anbar.<sup>13</sup>

7.2.4 The IOM provided the following chart showing how many IDPs had returned to the seven governorates, which include the ‘contested’ ones, from which most Iraqis are displaced:

5.4 RETURNEES BY DISTRICT OF RETURN AND PERIOD OF DISPLACEMENT, JULY 2016

Governorate of return	Pre-June '14	June-July '14	August '14	Post September '14	Post April '15	Post March '16	Total
Anbar	13,842	10,344	0	36,720	23,796	70,866	155,568
Baghdad	0	0	9,288	21,342	0	0	30,630
Diyala	0	98,136	0	54,840	0	0	152,976
Erbil	0	0	15,384	0	0	0	15,384
Kirkuk	0	0	0	2,388	0	0	2,388
Ninewa	0	0	133,134	0	0	66	133,200
Salah al-Din	30,438	152,736	61,404	50,274	1,542	10,218	306,612
<b>Total</b>	<b>44,280</b>	<b>261,216</b>	<b>219,210</b>	<b>165,564</b>	<b>25,338</b>	<b>81,150</b>	<b>796,758</b>
Percentage	6%	33%	28%	21%	3%	10%	100%

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7.2.5 The latest [joint-report of the UN Assistance Mission in Iraq \(UNAMI\) and the Office of the High Commissioner of Human Rights \(OHCHR\)](#), published in January 2016 and which covers the period May to October 2015, provided information about returnees. Approximately 54 per cent of returnees had returned to Salah al-Din and 39 per cent to Tikrit district alone, specifically to Merkaz, Tikrit. Other places of return within Tikrit district include al-Alam sub-district, al-Ishaqi sub-district, al-Botoamah sub-district, al-Hegag sub-district, al-Mazraah village, and to Tikrit City). People have also returned to Dhuluiya district. However, public services in many of these areas were either not available or inadequate.<sup>15</sup> A BBC News article, dated 5 February 2016, reported that ‘some 80% of the largely Sunni population is believed to have returned’ to Tikrit ‘[b]ut they now live under the flags and banners of the Shia militias who are still there, some of them accused of stealing cars and

<sup>13</sup> International Organisation for Migration, Iraq Mission, Displacement Tracking Matrix, DTM Round 50, July 2016, <http://iomiraq.net/dtm-page>, p. 11, accessed 4 August 2016

<sup>14</sup> International Organisation for Migration, Iraq Mission, Displacement Tracking Matrix, DTM Round 50, July 2016, <http://iomiraq.net/dtm-page>, p. 12, accessed 4 August 2016

<sup>15</sup> United Nations Assistance Mission in Iraq (UNAMI) and Office of the High Commissioner for Human Rights (OHCHR), ‘Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015’, January 2016, <http://www.ohchr.org/Documents/Countries/IQ/UNAMIRreport1May31October2015.pdf>, pp. 6-7, accessed 23 February 2016

kidnapping for ransom - a growing phenomenon in the Shia areas of Baghdad and elsewhere where they also proliferate...Although there is some attempt to set up a Sunni Hashd [militia] in Tikrit, disgruntled Sunnis say it is controlled by the Shia, so recruitment is low.<sup>16</sup>

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## 8. Human rights violations against civilians

The latest [joint-report of the UN Assistance Mission in Iraq \(UNAMI\) and the Office of the High Commissioner of Human Rights \(OHCHR\)](#), published in January 2016 and which covers the period May to October 2015, gave detailed accounts of human rights abuses in Iraq, including in the 'contested' governorates, which are summarised below. Refer to the source for further information.

### 8.1 Anbar

- 8.1.1 There were reports that Daesh committed human rights abuses in Anbar, which included the execution of men for sodomy in Fallujah, and the abduction and possible recruitment of children.<sup>17</sup>
- 8.1.2 There were various incidents involving the Iraqi Security Forces and associated forces in Anbar, which included Shia militia burning a man (although not independently verified), airstrikes killing civilians near Ramadi (although not all verified), and shelling in Fallujah and Ramadi (although not all verified).<sup>18</sup>

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### 8.2 Diyala

- 8.2.1 There various reports of Daesh killing civilians. For example, on 17 July 'at least' 108 people were killed and 167 were injured in Khan Bani Sadd by an IED for which Daesh claimed responsibility. The source described this as 'the first major attack in Diyala by ISIL [Daesh] since the province had been liberated by Government forces in November 2014.'<sup>19</sup>

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<sup>16</sup> BBC News, 'Iraq divisions undermine battle against IS', 5 February 2016, <http://www.bbc.co.uk/news/world-middle-east-35492067>, accessed 9 March 2016

<sup>17</sup> United Nations Assistance Mission in Iraq (UNAMI) and Office of the High Commissioner for Human Rights (OHCHR), 'Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015', January 2016, <http://www.ohchr.org/Documents/Countries/IQ/UNAMIRreport1May31October2015.pdf>, pp.10, 12, 17, 18-19, accessed 23 February 2016

<sup>18</sup> United Nations Assistance Mission in Iraq (UNAMI) and Office of the High Commissioner for Human Rights (OHCHR), 'Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015', January 2016, <http://www.ohchr.org/Documents/Countries/IQ/UNAMIRreport1May31October2015.pdf>, pp. 22-26, 30 accessed 23 February 2016

<sup>19</sup> United Nations Assistance Mission in Iraq (UNAMI) and Office of the High Commissioner for Human Rights (OHCHR), 'Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31

- 8.2.2 UNAMI/OHCHR were able to ‘verify reports of the direct targeting of civilians by ISIL [Daesh] as a deliberate tactic, particularly the use of vehicles or suicide borne improvised explosive devices (VBIED/SBIED) which took ‘a heavy toll upon the civilian population.’<sup>20</sup>
- 8.2.3 UNAMI/OHCHR received one report of an alleged attack by Government-associated forces in Diyala. On 5 May [2015], three Kurds were killed by Shia militia members in Khanaqin district, north of Baquba. The source also reported that Sunni civilians were abducted in different locations around Diyala, particularly in Baquba.<sup>21</sup>
- 8.2.4 There were also reports of IED attacks, use of shell weapons and other killings, in Diyala, particularly in Baladruz and Baquba, with the perpetrators not always identified.

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### 8.3 Kirkuk

8.3.1 The report described incidents perpetrated by Daesh, which included destruction of an entire village and ‘multiple reports of abductions’ of civilians and murders of civilians who attempt escape, in the Hawija district.<sup>22</sup>

8.3.2 The source reported on the conditions in Daesh-controlled areas, including in Kirkuk:

‘In areas controlled by ISIL many villages are reportedly receiving only a few hours of electricity a day, if at all, and food is becoming scarce. The food available for purchase has become very expensive and people are reportedly beginning to starve. Villagers are not permitted to leave without permission from ISIL and those caught attempting to do so have been tortured or executed. Similar conditions have been reported by people who have escaped from Hawija’.<sup>23</sup>

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October 2015’, January 2016,

<http://www.ohchr.org/Documents/Countries/IQ/UNAMIRreport1May31October2015.pdf>, p. 2, accessed 23 February 2016

<sup>20</sup> United Nations Assistance Mission in Iraq (UNAMI) and Office of the High Commissioner for Human Rights (OHCHR), ‘Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015’, January 2016,

<http://www.ohchr.org/Documents/Countries/IQ/UNAMIRreport1May31October2015.pdf>, p. 14, accessed 23 February 2016

<sup>21</sup> United Nations Assistance Mission in Iraq (UNAMI) and Office of the High Commissioner for Human Rights (OHCHR), ‘Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015’, January 2016,

<http://www.ohchr.org/Documents/Countries/IQ/UNAMIRreport1May31October2015.pdf>, p. 28, accessed 23 February 2016

<sup>22</sup> United Nations Assistance Mission in Iraq (UNAMI) and Office of the High Commissioner for Human Rights (OHCHR), ‘Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015’, January 2016,

<http://www.ohchr.org/Documents/Countries/IQ/UNAMIRreport1May31October2015.pdf>, pp. 9, 13, 16, accessed 23 February 2016

<sup>23</sup> United Nations Assistance Mission in Iraq (UNAMI) and Office of the High Commissioner for Human Rights (OHCHR), ‘Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015’, January 2016,

- 8.3.3 UNAMI/OHCHR noted that they had received reports from IDPs, mostly from Kirkuk, who had reached safe areas but were subjected to arbitrary arrests by security forces. The source commented: ‘Such raids and arrests were frequent in the southern neighborhoods of Kirkuk city where there was a large number of IDPs. The arrested individuals were often times released after a day or two in detention.’<sup>24</sup>
- 8.3.4 The source reported on airstrikes in Kirkuk, some of which mistakenly hit civilians.<sup>25</sup>
- 8.3.5 The source reported incidents which involved Peshmerga forces. For example, on 2-3 August 2015, the Peshmerga allegedly destroyed civilian houses and Government buildings in Dibis district. Using IEDs and other explosives, Peshmerga forces also allegedly destroyed civilian houses in Dor Ray Ula and Dor Ray Thania villages, Mullah-Abdullah sub-district. However, UNAMI/OHCHR could not independently verify these alleged attacks by Peshmerga forces.<sup>26</sup>
- 8.3.6 The source also reported that Sunni Arabs were targeted by unknown gunmen. One incident described as ‘perhaps the most high-profile case’ was the killing of the Chief Judge of the Hawija District Court on 20 September [2015].<sup>27</sup>

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## 8.4 Ninewah

- 8.4.1 There were reports that Daesh was responsible for numerous human rights abuses in Ninewah, mainly in Mosul. These included executions of civil servants, police officers, former candidates for public office, those suspected of cooperating with the Government, those accused of breaching their rules or of failing to support them, homosexuals or suspected homosexuals, and

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<http://www.ohchr.org/Documents/Countries/IQ/UNAMIRreport1May31October2015.pdf>, p. 20, accessed 23 February 2016

<sup>24</sup> United Nations Assistance Mission in Iraq (UNAMI) and Office of the High Commissioner for Human Rights (OHCHR), ‘Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015’, January 2016,

<http://www.ohchr.org/Documents/Countries/IQ/UNAMIRreport1May31October2015.pdf>, p. 20, accessed 23 February 2016

<sup>25</sup> United Nations Assistance Mission in Iraq (UNAMI) and Office of the High Commissioner for Human Rights (OHCHR), ‘Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015’, January 2016,

<http://www.ohchr.org/Documents/Countries/IQ/UNAMIRreport1May31October2015.pdf>, p. 24, accessed 23 February 2016

<sup>26</sup> United Nations Assistance Mission in Iraq (UNAMI) and Office of the High Commissioner for Human Rights (OHCHR), ‘Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015’, January 2016,

<http://www.ohchr.org/Documents/Countries/IQ/UNAMIRreport1May31October2015.pdf>, p. 26, accessed 23 February 2016

<sup>27</sup> United Nations Assistance Mission in Iraq (UNAMI) and Office of the High Commissioner for Human Rights (OHCHR), ‘Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015’, January 2016,

<http://www.ohchr.org/Documents/Countries/IQ/UNAMIRreport1May31October2015.pdf>, p. 27, accessed 23 February 2016



religious minorities (including children); the imposition of ‘cruel and inhuman punishments’ and executions (including of minors) in ‘grim public spectacles’ of those convicted by self-appointed courts; the use of IEDs; the destruction of religious properties; gender-based violence; and the forcible recruitment and use of child soldiers.<sup>28</sup>

- 8.4.2 There are reports of airstrikes in Ninewah, in Mosul, which killed civilians, although not all of these reports were verified.<sup>29</sup>
- 8.4.3 The source also commented: ‘UNAMI/OHCHR has...continued to receive reports of ISF and associated forces apparently deliberately destroying civilian infrastructure or failing to take adequate precautions in the planning and execution of their operations.’<sup>30</sup>

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## 8.5 Salah al-Din

- 8.5.1 The report referred to abuses committed by Daesh. These abuses included the execution of civilians in Shirqat district; abductions in Qayarra and Shirqat districts; and the looting of religious sites in Saied Khareeb, south Tikrit.<sup>31</sup>
- 8.5.2 The source reported that Iraqi government and associated forces committed abuses. These included extra-judicial killings near al-Alam sub-district; and the abductions of Sunni tribesmen, in Tuz Khurmatu, Baiji and Samarra districts (although some of these reported that the perpetrators were unknown).<sup>32</sup>

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<sup>28</sup> United Nations Assistance Mission in Iraq (UNAMI) and Office of the High Commissioner for Human Rights (OHCHR), ‘Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015’, January 2016, <http://www.ohchr.org/Documents/Countries/IQ/UNAMIRreport1May31October2015.pdf>, pp. 8-18, accessed 23 February 2016

<sup>29</sup> United Nations Assistance Mission in Iraq (UNAMI) and Office of the High Commissioner for Human Rights (OHCHR), ‘Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015’, January 2016, <http://www.ohchr.org/Documents/Countries/IQ/UNAMIRreport1May31October2015.pdf>, pp. 23-24, accessed 23 February 2016

<sup>30</sup> United Nations Assistance Mission in Iraq (UNAMI) and Office of the High Commissioner for Human Rights (OHCHR), ‘Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015’, January 2016, <http://www.ohchr.org/Documents/Countries/IQ/UNAMIRreport1May31October2015.pdf>, p. 26, accessed 23 February 2016

<sup>31</sup> United Nations Assistance Mission in Iraq (UNAMI) and Office of the High Commissioner for Human Rights (OHCHR), ‘Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015’, January 2016, <http://www.ohchr.org/Documents/Countries/IQ/UNAMIRreport1May31October2015.pdf>, pp. 9, 13, 16, accessed 23 February 2016

<sup>32</sup> United Nations Assistance Mission in Iraq (UNAMI) and Office of the High Commissioner for Human Rights (OHCHR), ‘Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015’, January 2016, <http://www.ohchr.org/Documents/Countries/IQ/UNAMIRreport1May31October2015.pdf>, p. 21-23, 27-28, accessed 23 February 2016

- 8.5.3 The source reported that the governorate had seen airstrikes in Baiji, and shelling in Baiji and al-Alam, east of Tikrit.<sup>33</sup>
- 8.5.4 The source also detailed the destruction of properties, including mosques and civilian houses, in Baiji by ISF and Shia militias. The areas of Tal Abu were reportedly completely destroyed during the fighting. In Siniya sub-district, 'almost all' civilian houses were reportedly destroyed after the fighting ceased. PMUs allegedly consider all the residents of the sub-district as associated with Daesh.<sup>34</sup> Human Rights Watch, in an article dated 27 January 2016, reported: 'After recapturing Tikrit in March 2015, militia forces torched and blew up hundreds of buildings and destroyed large sections of neighboring al-Dur, al-Bu 'Ajil and southern al-Alam. Militias also forcibly disappeared some 200 men and boys. Shia militias also recruited, trained, and used children as young as 12 years in battle.'<sup>35</sup>

Further useful sources include:

- [Amnesty International](#)
- [Freedom House, Freedom in the World Report for 2016](#)
- [Human Rights Watch](#)
- [Musings on Iraq](#)
- [Office of the High Commissioner for Human Rights \(OHCHR\)](#)
- [UN High Commissioner for Refugees \(UNHCR\)](#)
- [UN Security Council, Fourth report of the Secretary-General pursuant to paragraph 7 of resolution 2233 \(2015\)](#)
- [US State Department, Human Rights Report for 2015](#)

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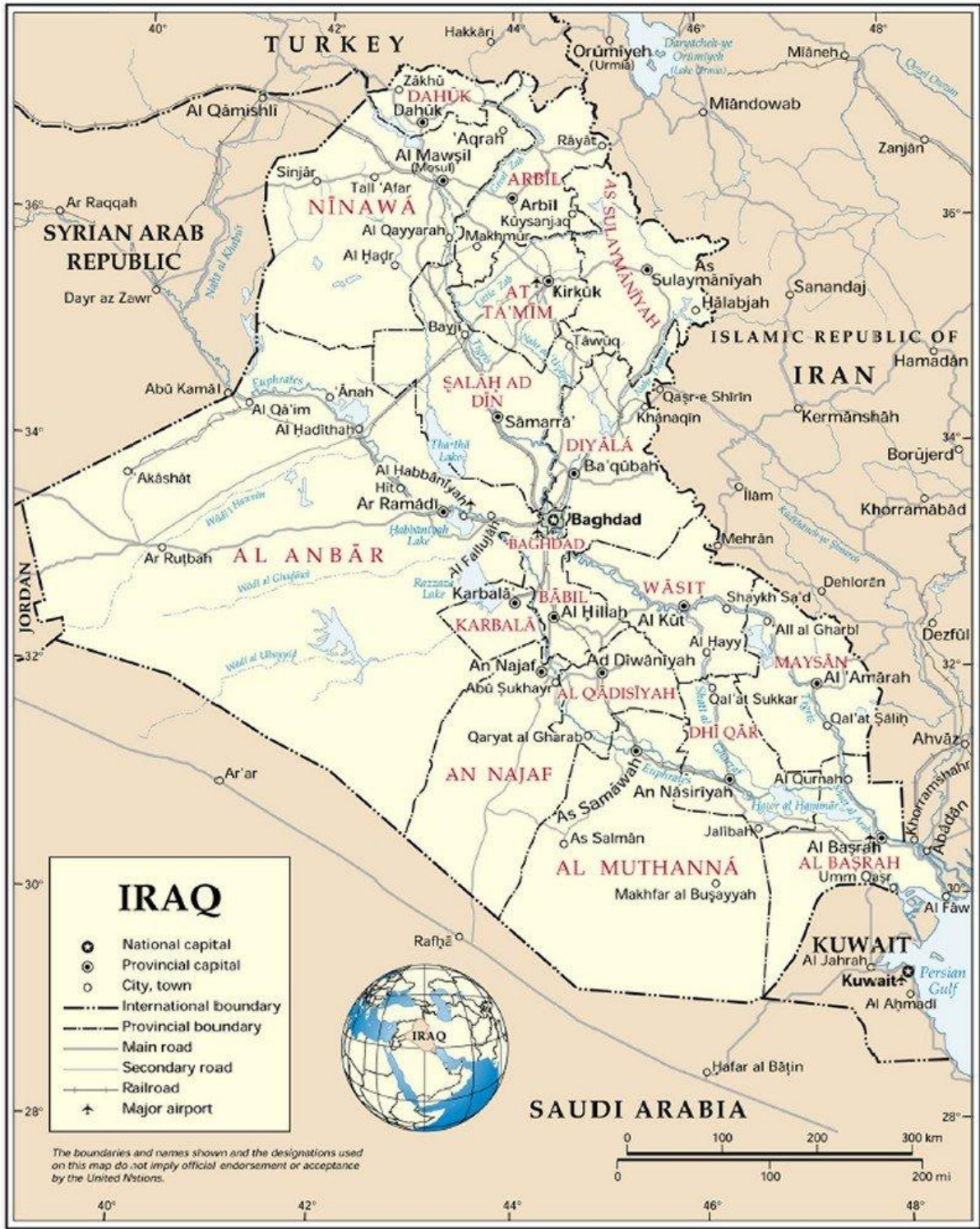
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<sup>33</sup> United Nations Assistance Mission in Iraq (UNAMI) and Office of the High Commissioner for Human Rights (OHCHR), 'Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015', January 2016, <http://www.ohchr.org/Documents/Countries/IQ/UNAMIRreport1May31October2015.pdf>, pp. 23, 30, accessed 23 February 2016

<sup>34</sup> United Nations Assistance Mission in Iraq (UNAMI) and Office of the High Commissioner for Human Rights (OHCHR), 'Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015', January 2016, <http://www.ohchr.org/Documents/Countries/IQ/UNAMIRreport1May31October2015.pdf>, pp. 26-27, accessed 23 February 2016

<sup>35</sup> Human Rights Watch, 'Iraq: Civilians Pay Price of Conflict', 27 January 2016, <https://www.hrw.org/news/2016/01/27/iraq-civilians-pay-price-conflict>, accessed 23 February 2016

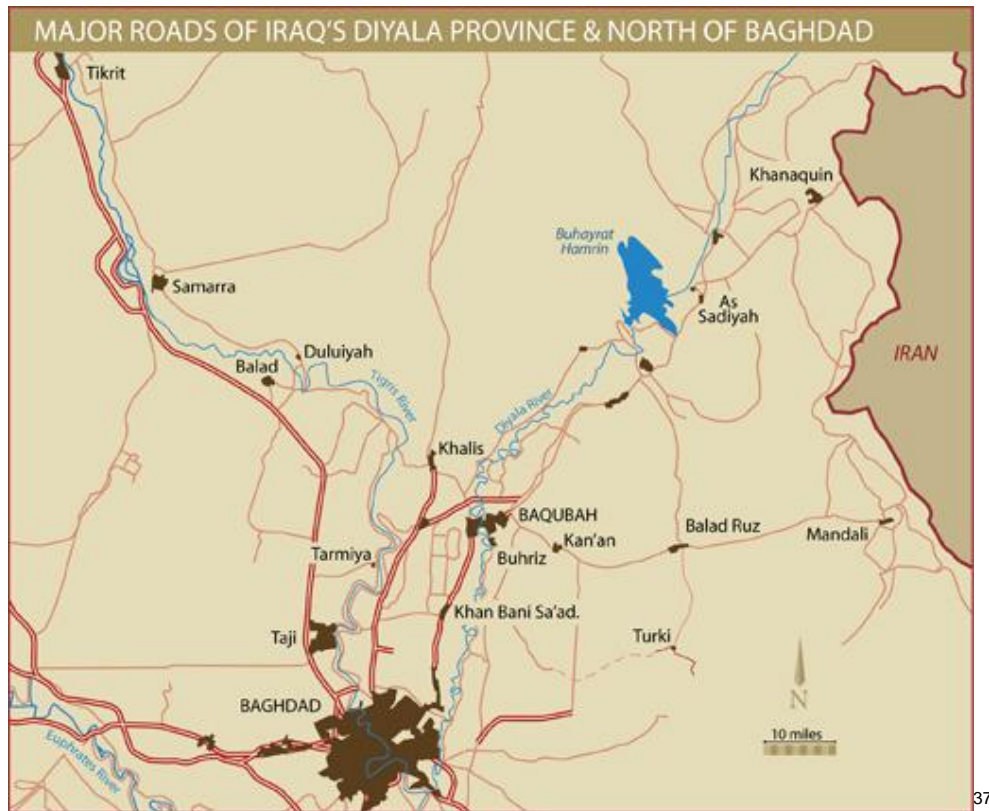
# Annex A: Map of Iraq



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<sup>36</sup> Map of Iraq, Nations Online Project, [http://www.nationsonline.org/oneworld/map/iraq\\_map.htm](http://www.nationsonline.org/oneworld/map/iraq_map.htm),

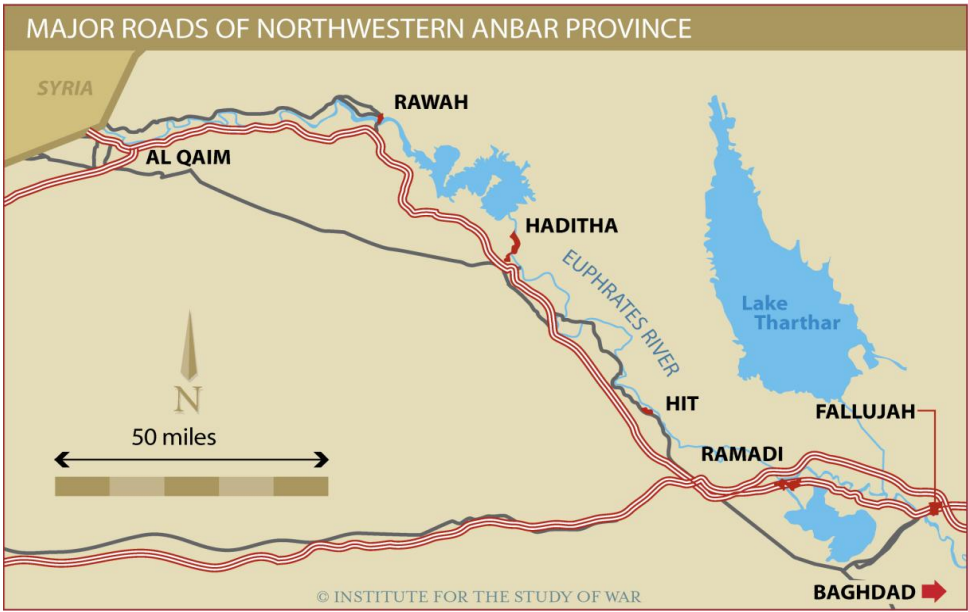
## Annex B: Maps of major roads in northern and central Iraq



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accessed 9 March 2016

<sup>37</sup> Institute for the Study of War, 'Major roads of Iraq's Diyala province and north of Baghdad', <http://www.understandingwar.org/map/northern-baghdad-and-diyala-province-roads>, accessed 9 March 2016



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<sup>38</sup> Institute for the Study of War, 'Major roads of Anbar province', 13 November 2008, <http://www.understandingwar.org/map/major-roads-anbar-province>, accessed 9 March 2016

<sup>39</sup> Institute for the Study of War, 'Central and Northern Iraq', 12 November 2008, <http://www.understandingwar.org/map/central-and-northern-iraq>, accessed 8 August 2014

# Version Control and Contacts

## Contacts

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

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

## Clearance

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

- version **1.0**
- valid from **17 August 2016**

## Changes from last version of this guidance

Departure from AA caselaw

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