

Review of Iraq Country of Origin Report, March 2011

**Prepared for the Independent Advisory Group on Country Information (IAGCI) by
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1. Introduction and Summary

1.1. Introduction

This review assesses the March 2011 Iraq Country of Origin Report (COI) in line with instructions by both the Independent Advisory Group on Country Information (IAGCI) and the UK Border Agency.

1.2. Scope of COI Iraq Report

According to instructions by Richard Lederle from the UK Border Agency, the Iraq COI report is supposed to reflect the main bases of human rights issues raised in claims made by Iraqi nationals. These currently are:

- A general state of insecurity in Iraq.
- Violence directed against minority groups (both ethnic and religious groups) in particular Christians.
- Targeted attacks by insurgent groups such as Al Qaeda in Iraq, against persons of interest, notably government officials, those aligned or perceived to be aligned to the Government of Iraq.
- Human rights violations perpetrated by the Iraqi Security Forces, particularly in relation to those suspected of terrorist involvement.
- Treatment of former Baath party officials.

Additionally, UKBA also receives requests for information on procedures relating to internal movement, in particular with regard to entry into the semi-autonomous Kurdistan Regional Government (KRG) area.

1.3. Scope of Review

In line with instructions sent to me by Khalid Koser, COI Reports aim to provide an accurate, balanced and up to date summary of the key available source documents regarding the human rights situation in the country covered. This review should evaluate the recent Iraq report in the context of the scope laid out by UKBA and seek to identify any areas where they can be improved. Specifically this review will entail:

- Assessing the extent to which information from source documents has been appropriately and accurately reflected in the Iraq COI Report.
- Identifying additional sources detailing the current human rights situation in Iraq.
- Noting and correcting any specific errors or omissions.
- Making recommendations for general improvements regarding, for example, the structure of the report, its coverage or its overall approach.

1.4. About the author

The author of this report, Nadjie Al-Ali, is professor of gender studies at SOAS, the University of London. She has researched and published on Iraq since the late 1990s. She has published a modern history of Iraqi women (*Iraqi Women: Untold Stories from 1948 to the Present*, Zed, March 2007). More recently, she has co-authored a book entitled *What kind of Liberation? Women and the Occupation of Iraq* (with Nicola Pratt, 2009, University of California Press) and co-edited a book entitled *Women and War in the Middle East* which explores the impact of war and violence on Iraqi and Palestinian women (Zed Books, 2009). Professor Al-Ali has been working since 2006 with the Council of Academic Refugees (CARA) to mentor and support Iraqi academic refugees. She is also working with academics inside Iraq.

2. Summary of Findings

2.1. The March 2011 COI Iraq report presents a valuable, well researched and generally balanced source of documentation for the main human rights issues in Iraq today. The report is based on wide-ranging and well-respected sources. The report is well written, well structured and accessible.

COIS: [We thank the reviewer for their overall positive feedback and commentary on the current COI report.](#) .

2.2. There are a few sections that would benefit from adding alternative sources to present a more nuanced and, to my mind, more realistic description of the situation. The historical context to the contemporary situation is patchy and not balanced enough in its account of the pre- and post-invasion period, especially in terms of the long term impact of economic sanctions on the humanitarian but also social situation; impact of the 2003 invasion and occupation on security and human rights; and the role of US and UK forces and policies in terms of violence and human rights abuses.

COIS: [We accept some of Dr Al-Ali's point about the need for more "nuanced" description, however this needs to be set against the requirements of users – in practice detail is not usually required or used to make asylum/human rights decisions based on current circumstances. See comments below.](#)

2.3. Based on the report and my own knowledge of Iraq and Iraqi asylum seekers, I would add gender-based violence (minly in relation to women but to some extent also LGBT people, especially gay men) to the list of major human rights issues that are frequently source of human rights abuse and flight.

COIS: We agree that gender-based violence is an issue of concern in Iraq and, perhaps to a lesser extent than other human rights issues, also arises in asylum claims. The current COI report includes reference to gender-based violence, including violence directed against LGBT persons. We welcome any further country information which can be provided on this subject.

The list of human rights issues/bases of claim, referred to in Richard Lederle's letter dated 25 March, is derived from feedback COI Service receives from UKBA decision makers and other operational staff as areas of particular interest or demand for COI. This list was included to provide the reviewer with a greater understanding about the main issues which commonly arise in asylum claims, so particular consideration could be given to these areas during the review process. It was not intended as an exhaustive list of identified groups or persons considered to be at particular risk in Iraq.

2.4. In addition, reports by international agencies and human rights organizations cited in the COI Iraq report, as well as other sources, point to the poor human rights conditions for journalists, detainees, displaced persons and persons with disabilities. See for example Human Rights Watch World Report on Iraq (January 2011): "Human rights conditions in Iraq remain extremely poor, especially for journalists, detainees, displaced persons, religious and ethnic minorities, women and girls, and persons with disabilities" (<http://www.hrw.org/en/world-report-2011/iraq>).

COIS: We agree that the list of persons identified in para 2.4 experience particular human rights abuses in Iraq and consideration is given to each of these under the appropriate subheadings of the COI report.

We welcome any further country information that can be provided in respect to these identified persons.

3. Errors, Deletions and Small Textual Changes

3.1. This section of the paper notes copying and referencing errors, and inaccuracies in the texts at source. It also corrects mistakes in terms of factual information and incorrect categorisations.

COIS: We accept the corrections and minor errors highlighted by the reviewer with the exception of comments made below (3.1 (p37)).

(p.iii) Basra 8.42

Intelligence Organisations 10.41

(p. vi.) 25. Inheritance and property ownership

(p.17) 1.03

Kurdistan is a *semi* autonomous region

(Iraqi Kurdistan is not autonomous but semi autonomous according to the Iraqi constitution.)

(p. 22) 3.History

Additionally, there is a discrete...

(p. 23) The Rise of The Baath Party and Saddam Hussein's reign (1968-2003)

(p. 33) Kurdistan National Assembly elections 2009

(p.37) US combat mission ends – August 2010

There are still over 47,000 US troops in Iraq and there is pressure on US government to extend the deadline for withdrawing troops. See, for example a recent NYT article:

Mr. Gates and American military commanders have made no secret of their view that some of the 47,000 American troops in Iraq should remain after 2011 as a stability force, particularly as tensions have flared between Arabs and Kurds in the north. But Mr. Gates said that the Iraqi government must first request that the American troops stay. That has not happened yet, much to the growing impatience of American commanders who say they need to know now in order to plan into 2012.

“We are willing to have a presence beyond that time,” Mr. Gates told the soldiers at Camp Liberty. “But we’ve got a lot of commitments around the world.” He added that “if folks are going to want us to have a presence, we’re going to need to get on with it pretty quickly in terms of our planning and our ability to figure out where we get the forces.”

He also said that although the Iraqis had shown interest in keeping some American troops in the country, “The politics are such, we’ll just have to wait and see.”

(<http://www.nytimes.com/2011/04/08/world/middleeast/08military.html>)

Or an excerpt from the following article:

Last week, U.S. Secretary of Defense Robert Gates visited Baghdad to offer the Iraqis the option of extending the deadline for withdrawing the remaining 47,000 American troops. Not accepting that offer has serious implications for Iraq and the region. A continued, albeit smaller, American presence in Iraq is needed past the deadline to complete Iraq's security preparedness, deter Iran's hegemonic activities, and provide a stabilizing influence to the wobbly oil-rich region.

(<http://www.humanevents.com/article.php?id=42865>)

COIS: This appears to be a misunderstanding over the nature of the US presence, not the fact that there continue to be around 50,000 troops in Iraq, which the report states, citing two reputable sources. Para 4.04 of the COI report refers to two sources, the ICG paper, *Loose ends: Iraq's security forces between U.S. drawdown and withdrawal*, dated 26 October 2010 and a fact sheet by the Institute for the Study of War, dated 27 August 2010. Both sources explain that the US forces combat mission ended in late August 2010, but that there remained in place a force of around 50,000 US troops whose primary mission was to advise and assist the Iraqi Security Forces.

Additionally, further information on the US drawdown and evolving nature of the continued US military presence in Iraq is provided in section 3, paragraph 3.11, *US military drawdown under the US-Iraq Security Agreement (1 January 2009)*, section 10, subsection, *US Forces – Iraq (USF-I)* and section 14, subsection *USF-I detainees*.

(p. 38) 4.06 [...] multiple bombing attacks in central Baghdad”

4.07 [...] commenting on **the** dispute explained:

4.08 [...]population figures and **adding** 2.8%...

(p.66) 8.53 [...] the KRG [**Kurdistan** Regional Government forces...

(p.70) 9. Crime could be cross-referenced with other sections, such as 13.45 Penal Code; 20/09 Corruption; 25.65 ‘Honour’ Crimes

(p.99) 13.04 The source also **provided** a useful

(p.115) 15.03 **Iraqis reported** being most concerned...

(p, 129) 17.23 [...] that has managed to **transform itself** from...

(p. 193) 25.46 ...vulnerable section of Iraqi society, **given** the lack

4. Proposed Improvements and Additions

4.1. (pp.23-24) The Rise of The Baath Party and Saddam Hussein’s reign (19**68**-2003)

I understand that it is beyond the scope of this report to present a detailed history of the previous regime. However, I strongly suggest adding at least one or two sources that more specifically discuss the devastating impact of economic sanctions (1990-2003). Economic sanctions had a long lasting and deeply felt effect on Iraqi society, not only in terms of triggering a humanitarian crisis but also in shifting class structure, social norms, and gender relations. Many of the social changes and conservative trends we see clearly now in post invasion Iraq started to take root in the 1990s.

A Background Paper prepared by the Office of the High Commissioner for Human Rights for the meeting of the Executive Committee on Humanitarian Affairs on 5 September 2000 states:

The Sub-Commission on the Promotion and Protection of Human Rights has considered the humanitarian/human rights situation in Iraq on a number of occasions. In its decision, “Humanitarian Situation of the Iraqi Population”, adopted earlier this month at its fifty second session, the Sub-Commission appealed to the international community, and to the Security Council in particular, for the embargo provisions affecting the humanitarian situation of the population of Iraq to be lifted and urged the international community and all Governments, including that of Iraq, to alleviate the suffering of the Iraqi population, in particular by facilitating the delivery of food, medical supplies and the wherewithal to meet their basic needs. The Sub-Commission referred to reports of the intense suffering endured by the Iraqi people, including untimely death of children as documented by a report prepared by UNICEF in 1999, increase of infant mortality and morbidity, and continuing deterioration of the standard of living, nutrition and health of the population particularly in the areas of drinking water supply, electricity and agriculture. It pointed out that according

to statistics published by the United Nations Office of the Iraq Programme, the “oil-for-food” programme was meeting only part of the vital needs of the population. The Sub-Commission considered that any embargo which condemned an innocent people to hunger, disease, ignorance and even death to be a flagrant violation of the economic, social and cultural rights and the right to life of the people concerned and of international law.

(http://www.humanitarianinfo.org/sanctions/handbook/docs_handbook/HR_im_e_s_iraq.pdf)

4.2. A Global Policy Paper published in August 2002 for the Security Council also argues that sanctions had a devastating impact on Iraqi society and that the Oil-for-Food-Programme did not alleviate the humanitarian crisis:

Sanctions advocates proposed Oil-for-Food under Resolution 986 as a temporary solution to the humanitarian crisis. Oil-for-Food materially improved conditions in Iraq in contrast to the early days of the sanctions. But Oil-for-Food failed to resolve the humanitarian crisis, much less provide a long-term solution for Iraq. Punitive deductions for war reparations weaken the program as do unacceptable delays in delivery (less than 60% of all items ordered from oil sales since December 1996 have actually arrived in Iraq). Politically-motivated blocks and “holds,” imposed almost entirely by the United States, have plagued the program as well. Consequently, there has been little repair and renewal of Iraq’s badly-deteriorated infrastructure, including water treatment, electricity, and public health. Oil-for-Food has failed to improve sufficiently the nutrition and health of Iraqi citizens, who continue to suffer from conditions drastically worse than the pre-sanctions period. Less than \$200 per year per capita has arrived in Iraq under the program. Studies have amply documented a substantial rise in mortality of children, five years of age and below and credible estimates suggest that at least 400,000 of these young children have died due to the sanctions. Various reforms, including Resolution 1284 have proven ineffective in addressing these problems. (<http://reliefweb.int/sites/reliefweb.int/files/resources/DBCA46D5F14377D5C1256C30002E33A7-casi-iraq-06aug.pdf>)

COIS: The aim of the history section in the report is to provide a basic historical context that reflects the needs of our users in assessing current asylum claims, whilst balancing this against the need to provide a rounded, accurate historical summary. The report makes reference to the dismal state of the Iraqi economy following the Iran-Iraq war.

However we agree that specific reference to economic sanctions in the 1990s and their impact will provide a richer, more comprehensive picture of the current difficulties faced by Iraqi civilians, as well as a more nuanced insight into the developing security situation. Appropriate references will be made to the source material provided in the next report.

4.3. (pp.23-26) **Security Situation (2003-2009)**

This section (or any other following sections on human rights) lack an acknowledgement of the role of US and UK troops and policies in contributing both to a security crisis as well as human rights abuses. Some of the details of the violations of human rights are only emerging retrospectively while they were reported at the time. On the 23 October 2010, the Guardian

published the following piece after Wikileaks had published thousands of documents related to the US-led invasion of Iraq (see also p. 37 :Wikileaks ‘war logs’ – October 2010):

The UN has called on Barack Obama to order a full investigation of US forces' involvement in human rights abuses in Iraq after a massive leak of military documents that detail torture, summary executions and war crimes. The call, by the UN's chief investigator on torture, Manfred Nowak, came as Phil Shiner, human rights specialist at Public Interest Lawyers in the UK, warned that some of the deaths documented in the Iraq war logs could have involved British forces and would be pursued through the UK courts. He demanded a public inquiry into allegations that British troops were responsible for civilian deaths during the conflict.

The Guardian has analysed the 400,000 documents, the biggest leak in US military history, and found 15,000 previously unreported civilian deaths. The logs show how US authorities failed to investigate hundreds of reports of abuse, torture, rape and murder by Iraqi police and soldiers whose conduct appears to be systematic and generally unpunished.

(<http://www.guardian.co.uk/world/2010/oct/23/united-nations-call-obama-investigation-abuses-iraq>)

COIS: We agree that this section may be made more nuanced by providing information on the role of foreign troops since 2003 in perpetrating human rights abuses – see comments following. However we do not agree that the rest of the report as a whole fails to acknowledge the role of US and UK forces in human rights violations: a number of sections make reference to this matter.

Taking the history section of the report first, this covers security-related background (para 3.06 – 3.10) and concentrates predominantly on sectarian related violence, historical trends in violence and counter insurgency operations. This information was prioritised to provide an appropriate background to UKBA users when explaining the current security situation and sectarian related conflict. This is an area which has attracted particular attention by UKBA decision makers and in litigation case work. We appreciate however that greater reference could be made in section 3 (history) to the role of foreign troops in perpetrating human rights abuses and how this intervention impacted on Iraqi society.

As to the rest of the report, a number of sections refer to the UK and US involvement in human rights violations. Para 4.05 highlights the Wikileaks evidence referred to by Dr Al-Ali, and specifically draws attention both to under-reporting of civilian fatalities and unreported cases in which US forces may have committed human rights violations. A link is also provided to the Wikileaks War Logs and a related BBC article, which in turn refers readers to various on line sources. Additionally section 10 includes reference to foreign security forces and specifically refers to information related to US and UK forces and associated human rights violations (see para 10.80 and subsequent paragraphs). More generally this section together with the history and recent developments sections outlines current US policy on security. It is also worth noting that UK forces are no longer present in Iraq and US forces are being progressively scaled down. To a large extent the issue is a historical one, at least in terms of assessing asylum claims.

4.4. An article published in March 2008 by John P. Pace entitled “Human rights in Iraq’s transition: the search for inclusiveness” in the *International Review of the Red Cross* explores in depth the role of the UN as well as US government in terms of securing human rights in Iraq. Pace served the United Nations for several years in a range of senior human rights assignments and was Chief of the Human Rights Office at the UN Assistance Mission for Iraq from August 2004 until February 2006. He states:

In addition to the weaknesses in the national capacity, the human rights situation of was made worse by the military interventions in search of presumed terrorists. For a number of months a large part of Anbar governorate continued to be the theatre of military operations, which produced considerable adverse humanitarian consequences in terms of civilian casualties, displacement and so on. The so-called “new displacements” – to distinguish them from those that took place prior to the invasion – ran into hundreds of thousands. The use of certain measures, such as cutting off water and power, the targeting of families in search of individuals and the firepower used, including aerial attacks, all gave rise to serious allegations of violations of the law of armed conflict, including that relating to the protection of civilians and the disproportionate use of force.

Another serious human rights issue resulting (principally) from these military interventions was the taking into custody of large numbers of men, in the hope that some of them were terrorists who were being sought. These arrests produced thousands of detainees, mostly held under MNF custody in detention facilities (including Abu Ghraib and Camp Buca) run by them. In its report for the period 1 April to 30 June 2007, the Human Rights Office gave the number of Iraqis in detention as of the end of June 2007 as 44,235, made up of detainees, security internees and sentenced prisoners. Of these, 21,107 were held in MNF custody. (http://www.icrc.org/eng/assets/files/other/irrc-869_pace.pdf)

COIS: See previous comments.

4.5. (p. 26) Creation of a new government (2003-2005)

This section fails to provide information about the contested and problematic political process in the immediate aftermath of the invasion. As John Pace argues:

The process of establishing legitimacy in Iraq following the invasion was further complicated by the fact that the Iraqi people had no say in choosing their interim authorities – nor, for that matter, in getting their country invaded. The Interim Governing Council, which was appointed by the CPA, had no legitimacy (as far as “sovereignty” is concerned) and was certainly not inclusive. It was dissolved on 1 June 2004 in anticipation of the CPA itself handing over power (on 28 June 2004) to an Iraq Interim Government (the Allawi government). This government had been appointed under the CPA and was also neither inclusive nor “sovereign”.

The fact that these institutions were acknowledged by the Security Council did not necessarily make them acceptable to the Iraqi people.

(http://www.icrc.org/eng/assets/files/other/irrc-869_pace.pdf)

COIS: We partially agree with this point though we think the report does, to some extent, provide an insight into the problems in the political process during the period referred. However, we will look to provide reference to the sources provided in the next review to give a fuller account of the historical situation.

To elaborate, the history section relating to the creation of a new government provides an account with regard to early governance arrangements in Iraq post-invasion (para 3.12 – para 3.13). In considering the needs of UKBA users, the focus of this section was to include specific reference to the political divide between Sunni and Shia groups, to assist understanding of the current political factions and the wider sectarian violence. In outlining this dynamic, reference is given to the elusive political involvement of Sunni groups following the 2005 parliamentary elections, continued grievance

among Sunnis about their diminished involvement in Iraqi power structures at that time, a lack of Sunni representation in the Transitional National Government (TNG) and in drafting the 2005 constitution and the wider concerns related to the de-Baathification process (para 3.14 – 3.16) all of which acted as a catalyst to divide the country. So to some extent, Dr Al-Ali's concerns regarding the contested and problematic political process post invasion are covered, if not specifically with regard to the immediate deficiencies of the Coalition Provisional Authority (CPA) or coalition policy more generally at that time.

4.6. The report also fails to acknowledge the widely articulated critique of the US/UK policy of emphasizing elections over governance. Antony Cordesman who has published extensively on Iraq wrote in 2006:

The sudden end to the Coalition in June 2004 left a partial political vacuum. Then, a focus on elections and the constitution created a schedule where Iraqis had to vote for an interim government, then for a constitution, and hold another election for a permanent government in a little over a year during 2005. Iraqis were then left with the need to form a new government, create new methods of governance, resolve over 50 issues in the constitution within a nominal period of four months after a government was in place, campaign for 60 days for a new constitutional referendum, and then implement whatever new political system emerged during the course of 2006. This process inevitably further polarized Iraqi politics along sectarian and ethnic lines.

The US emphasized elections and politics over governance at every level from the national to the local. It did not provide strong advisory teams for key ministries, including the Ministry of Defense and Ministry of Interior. It had very small and weakly organized interagency teams at the governorate or provincial level, with tenuous coordination and often with only a token civil presence in the field. It did not organize and man provincial reconstruction teams for Iraq's 18 governorates until 2006, and none were in place as of April 2006 -- more than three years after the war. Little effort was made to deal with local government, leaving the government of key cities up to the political leadership that could take control and which had the militia or police forces to enforce it. This created major problems in Baghdad and helped allow Shi'ite Islamist extremists to take de facto control of Basra.

(http://csis.org/files/media/isis/pubs/060419_iraqlitany.pdf)

COIS: See above.

4.7. (pp. 40-41) **March 2010 national elections**

Coalition government established (21 December 2010)

It would be useful to add a paragraph about the political vacuum and the heightened levels of violence linked to it after the elections in 2010. See for example HRW Iraq World report of 2011:

On March 7, 2010, millions of Iraqis from every part of the country braved mortar shells and rockets to vote in the national legislative election. In a blow to the election's credibility, the Supreme National Commission for Accountability and Justice disqualified more than 500 candidates because of alleged Ba'ath Party

links, including several prominent politicians who were expected to do well. Incumbent Prime Minister Nuri al-Maliki, whose State of Law Coalition won 89 of the 325 seats, remained in office pending the formation of a new government, while Ayad Allawi's al-Iraqiya list won 91. The Iraqi National Alliance, a Shia coalition formed by the Islamic Supreme Council of Iraq and the followers of Muqtada al- Sadr, won 70 seats and the Kurdish parties obtained 57. Overall, the election results reflected sectarian divisions.

In November 2010 Iraq's political parties agreed to form a new coalition government eight months after parliamentary elections. The deadlock had created a political vacuum that allowed armed groups to reassert themselves in some areas.

(<http://www.hrw.org/en/world-report-2011/iraq>)

COIS: We'll consider this, although we don't think it is essential – the connection between the political vacuum and violence is made clear in the report, if not necessarily in this section, and is referred to from this section.

To explain further, the sub-section, covering the new coalition government (para 4.14 – 4.17), includes a link to political factions and sectarian insurgency (section 17) in which para 17.20 includes reference to the SIGIR quarterly report, October 2010, which explains how Iraq remained susceptible to violence and insecurity through the post elections negotiations. Additionally reference is also made in para 17.20 to the HRW world report identified by Dr Al-Ali which explains the political vacuum post election. It is also worth noting that earlier in section 4 of the report, the section entitled *Run-up to the 2010 parliamentary elections: challenge to Maliki's rule* makes reference to a Congressional Research Service paper, which explains that from 2009 onwards Maliki's premiership was tarnished by a series of high profile attacks. The report goes on to provide a link to Recent Developments – security related incidents (para 4.06). The section entitled *Security Developments: Security-related incidents*, provides a list of reported security incidents covering the period 1 December 2009 – 1 February 2011, reference is also made in the introduction for users to see section 8 of the report covering the security situation (para 4.01). Under para 8.12 under the heading *Trends in the number of security incidents and fatalities* reference is made to the spike in election related violence and efforts made by the security forces to maintain security during the election period.

4.8. (pp. 49-50) 8. **Security Situation** & following

The report should include some information about the on-going threats against Iraqis who are or have been working for either the US or UK troops or governments. Iraqi interpreters have been particularly at risk. See, for example list of sources on the treatment of people working for American Forces compiled by the Refugee Documentation Centre of Ireland on 11 February 2010:

<http://www.unhcr.org/refworld/pdfid/4b8fcb20d.pdf>

An older article in the Sunday Times addressed the risks posed to former interpreters for the British army:

British soldiers who have worked with Iraqi interpreters feel that Britain has a duty of care towards people such as Mr Kinani, whose lives are at risk simply because they have made it possible for British Forces to interact with the Iraqi public, question detainees and address tribal leaders.

Major Pauric Newland, who spent six months in Basra this year in charge of the linguistics unit, wrote to his headquarters in March asking for Mr Kinani and his

family to be granted residency in Britain. “It is my opinion that [Mr Kinani’s] life is in danger and his ability to reintegrate in Iraqi society once the British Forces withdraw from Iraq is doubtful,” he wrote. “For us, at the point of withdrawal, to abandon [Mr Kinani] would be, in my opinion, a desertion of our moral responsibility.” Major Newland has yet to receive a response.
(<http://www.timesonline.co.uk/tol/news/world/iraq/article2211211.ece>)

2 years ago, the Sunday Times published another article addressing the same problem:

About 25 Iraqis, mainly interpreters, employed by British Forces in Iraq are to take legal action against the Government for allegedly failing to protect them from militias that regarded the men as traitors.

The group members, who failed to benefit from an assistance scheme offered by Britain, said that they were owed a duty of care. Some still fear for their life despite a big drop in the influence of the Iranian-backed militants who once controlled Basra, southern Iraq. They say the tense relationship between Iran and Britain makes anyone associated with the British military more of a target.

One former interpreter, who is in hiding in Basra, told *The Times*: “I am worthless. I have lost my life.”

(<http://www.timesonline.co.uk/tol/news/uk/article6705403.ece>)

COIS: While we accept that individuals who have worked for the UK or US governments/forces may be at risk in Iraq we have not been asked by users about such people and as far as we are aware, we do not receive many asylums claims based on this. As such we do not propose to provide detailed information although we will look to provide something in section 17, which covers matters related to an individual’s political affiliation (rather than in this section, 8, the purpose of which is to provide more general information about the character, nature and trends in the security situation, hyperlinked to other sections where relevant).

We’d also point out that section 17 of the report, and specifically the subsection entitled *Government officials and (perceived) ‘western collaborators’*, includes several references to armed groups targeting persons who have cooperated with US/multi-national forces and persons linked to foreign companies or relatives of such persons (see para 17.31 – 17.35).

4.9. (p.50) 8.02 & (p. 56) 8.18 **Limitations in quantitative data**

The figure of 100,000 civilians who have died from violence since 2003 is a very conservative estimate. Figures vary greatly according to methodology as well as political stand. Iraq Body Count which is generally viewed as conservative in its numbers counts about 109,000 stating that analysis of Wikileaks adds another 15,000 deaths of civilians <http://www.iraqbodycount.org/>. A 2009 article published in the *Journal of Humanitarian Assistance* states:

Reports range from 128,000 to 1,033,000. This means the death of over 900,000 Iraqis is disputed. This discrepancy and dispute over the lives of Iraqi civilians is due to the politics of numbers. That is, the reported number of excess civilian casualties supports policy agendas and serve as political statements. Counting has been treated as a means of elevating political positions. In this way, counting excess civilian casualties of the Iraq war has not been treated as an unbiased scientific endeavor by all parties involved. Individuals and states gaining from the

Iraq War, for example, have an incentive to report smaller numbers of Iraqi civilian casualties. The fewer the numbers, the lesser the responsibility on the part of the US and its allies to Iraq and its people. As observed by Marla Ruzicka, “Until people have a name and are counted they don’t exist in a policy sense.”

We may never know the true number of Iraqi civilians killed as a result of the 2003 US-led invasion of Iraq. Not only because of the politics of numbers, but also because it is nearly impossible to accurately count numbers of civilian deaths during war. A lack of a centralized death registration system and the mass killing of civilians are only a few reasons for this. What the international community can achieve however, is the strengthening of humanitarian law and policies so that states bear responsibility for civilians during war to ensure enemy forces do not act with impunity towards civilian populations. Accountability is the only force powerful enough to ensure enemy forces take responsibility for civilian lives lost, rather than treating civilian deaths as inevitable collateral damage. Strengthened responsibility towards civilians during war is required if we are to prevent a repeat of the situation in Iraq where, as mentioned, the death of nearly 900,000 Iraqis is disputed.

(http://reliefweb.int/sites/reliefweb.int/files/resources/FBB33CA3B7EA2FD9492577A500231614-Full_Report.pdf)

COIS: We agree that it is not clear how many Iraqis have died, and that 100,000 may be a conservative figure. The sub-section entitled *Limitations in quantitative data* is designed to highlight variations in reporting, including conservative estimates and under-counting. Reference is given to several sources including the October 2010 report from the Congressional Research Service (CRS) entitled *Iraq Casualties: US Military Forces and Iraqi Civilians, Police and Security Forces* which provides estimates of casualties from a number of sources and advises caution in the use of the different estimates partly because of the varying methodologies applied. Additionally it is recommended in the COI report that users refer to the CRS report via a hyperlink for a fuller account of this specific issue. Consideration is also given to under-reporting considered to have taken place by the US Department of Defence (para 8.19). Section 4 also includes reference to under-reporting identified through the Wikileaks war log figures (para 4.05).

We will provide further cross referencing is provided when referring to figures about fatalities elsewhere in the report to ensure this point is clear to readers. We will also include reference to the Wikileaks war logs in this section and reference to the 2009 Journal of Humanitarian Assistance article (and any other more recent material which may be published in the future) to account for political influences impacting on statistical reporting.

We’d also welcome information specifically related to the Iraq Body Count.

4.10. (pp. 60-61) 8.34 & 8.35

The report does not directly refer to the specific problems facing couples and families of mixed ethnic and religious background. Although open sectarian violence has stopped, mixed marriages have become less socially acceptable amongst people of low income background and those close to sectarian political parties. The government is trying to encourage mixed marriages and has even started a programme with financial incentive of mixed couples. However, social pressures and attitudes have shifted amongst many sectors of the Iraqi population.

COIS: Although we have not previously received particular interest from UKBA decision makers on the issue of the difficulties faced by Iraqis in mixed marriages we appreciate that it is a

problem in Iraq, and we will look to provide some material in the next COI report. We'd welcome any further information that can be provided on this subject.

4.11. p. 72 10.05- 10.11

The author quotes a couple of crucial paragraphs from the International Crisis Group (ICG) paper 'Loose Ends: Iraq's Security Forces between US Drawdown and Withdrawal (2010) as well as other respectable reports. However, missing in the emerging narrative is the fact that security forces have become extremely fragmented and linked to specific political parties. A;; major politicians run and control their own security groups. The same ICG report states:

Another phenomenon further complicates the picture. Since 2008, Maliki has sought to assert greater personal control over the security forces. His main argument related to safety and initially was not without foundation. Iraq had barely begun to emerge from a sectarian war; parliament was unable either to pass laws regulating security agencies or approve nominations to key posts. But his remedy was at least equally dangerous. Without parliamentary oversight or legal basis, the institutions he established are accountable to him alone. Even some Iraqis who originally accepted this as dictated by circumstance argue it has lost any justification. Although regular forces also have been known to engage in unlawful conduct, these new security bodies are believed to carry out extra-judicial operations, uncoordinated with the defence or interior ministries, unmonitored by parliament and unregulated by oversight agencies. Maliki's authoritarian tendencies are widely decried – one reason why some opponents resist granting him a new tenure and others will acquiesce only if his powers are seriously diluted.

(<http://www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/Iraq%20Syria%20Lebanon/Iraq/99%20Loose%20Ends%20-%20Iraqs%20Security%20Forces%20between%20US%20Drawdown%20and%20Withdrawal.ashx>)

COIS: We agree that more could be provided on the politicisation of the security forces, and we will include further reference to political party influence in the next update.

However, we think the report does identify the increasing fragmentation and sectarian influence within these organisations. This is covered in the subsection *Sectarian influence and division within the security forces*, (paras 10.12 to 10.14) which is dedicated to the sectarian influences in the security forces. This subsection includes reference to Maliki's appointment of loyalists elements in the security forces, by-passing the Council of Representatives, the use of private body guards, as well as wider sectarian divisions within the security services. Additionally reference to this issue is provided later in the report, for example under the subsection on police (para 10.18 – 10.20 and 10.27), army (para 10.40) and the section on the Awakening Councils/ Sons of Iraq (para 10.43 – 10.48).

4.12.(p. 98) **Kurdish Militia Groups**

Several reports and articles address the various ways Kurdish militia groups control, threaten and occasionally terrorize non Kurdish populations, such as Arabs, Turkmen, Assyrians and Chaldeans. See, for example:

Tensions are high in the oil-rich city of Kirkuk as the head of Kurdish autonomous region has deployed new units of his Kurdish militias known locally as Peshmerga. Massoud Barzani, in comments on his decision to send in his militias, said he wanted to protect the Kurds in the city. However, he did not say from whom. The presence of Kurdish militias has ignited harsh criticism from both Arab and Turkmen communities in Kirkuk who charge that the Kurds are intent to resort to force to annex the city.

(<http://merryabla64.wordpress.com/2011/03/02/tensions-rise-in-iraq%E2%80%99s-kirkuk-as-kurdish-leader-sends-in-militias/>)

COIS: The report does provide information on human rights violations committed by the Kurdish forces against minority groups but not in this section but section 22, subsection *Arab-Kurdish tensions over the 'disputed territories'* (see para 22.09 – 22.21). However we could improve cross referencing between sections 10, 12 and 22, to ensure this matter is clearly identified and accessible to readers.

4.13. (p. 107) 13.34

The paragraphs address the issue of 'irregular' courts, but this significant trend is not elaborated in the report.

Based on my own research amongst Iraqi women's rights activists (both in central and southern Iraq as well as Iraqi Kurdistan) as well as conversations with Gita Saghal, the former head of Amnesty International's gender unit, 'irregular' courts which apply customary law have been on the increase since 2003, particularly in relation to family law, i.e. issues around divorce, child custody, domestic violence, honour-based killings etc. Customary law is largely based on tribal law, which, in turn, has gained significance since the 1990s when the state engaged in the re-tribalization of Iraq after decades of trying to marginalize tribes. I have written about this in two publications: *Al-Ali (Iraqi Women: Untold Stories from 1948 to the Present, Zed books, 2007 & What kind of Liberation: Women and the Occupation of Iraq; co-authored with Nicola Pratt, University of California Press. 2009).*

4.14. Maha Sabria, professor of political science at Al-Nahrain University in Baghdad says in an interview with a well known journalist: "The real ruler in Iraq now is the rule of old traditions and tribal, backward laws," Sabria says. "The biggest problem is that more women in Iraq are unaware of their rights because of the backwardness and ignorance prevailing in Iraqi society today."

(<http://www.globalresearch.ca/index.php?context=va&aid=18134>)

COIS: We think there is further elaboration on the subject of 'irregular' courts within the report. Paragraph 13.34 and the reference made by Dr Al-Ali relates specifically to terrorist cases heard in irregular courts such as the Central Criminal Court of Iraq (CCCI) or irregular courts set up by the Ministry of Interior or Ministry of Defence. It does not refer to tribal or customary courts. Whilst COI Service would welcome further information on tribal, customary courts, this subject is covered, to some extent, in paras 13.42 – 13.44 and the dedicated subsection entitled *Tribal justice systems*. We would also refer to section 25 on women and specifically the subsection entitled *Summary of types of violence and societal context*, the introduction to which provides further reference to the importance of tribal justice systems with regard to women. Additionally section 22, subsection *Tribes/clans* explains about the increasing prominence of tribal structures in Iraq (para 22.47)

4.15. It is not only women who are negatively affected by the increasing significance of tribal and customary law. Professional Iraqis, specifically medical doctors, have been subject to

threats and the extortion of money. A Washington Post published 1 April 2011 addresses the problem:

Eight years after the American invasion put Iraq on a path to a more modern, democratic society, people here are increasingly resorting to the ancient process of tribal negotiations — called *fasels*, and conducted by tribal leaders or sheiks — to demand compensation for alleged injustices. While Iraqis have long joked about frivolous *fasels*, people say an especially degenerate version is now running amok, in which powerful sheiks are essentially extorting huge sums of money from professionals, especially doctors.

The problem is partly a result of Iraq's weak legal system and the lack of official grievance processes, non-issues during Saddam Hussein's autocratic rule, when a tyrannical order prevailed and malpractice complaints were handled through the courts. But many also blame a relic of the U.S. occupation: so-called "fake sheiks" — including "Condoleeza Rice sheiks," named for the former secretary of state — who were paid by the United States to fight insurgents, a practice Prime Minister Nouri al-Maliki has continued.

[...]Though tribal law was officially banned in 1958 and mostly stifled during Hussein's rule, it has begun to flourish again for a variety of reasons. "After the ugly occupation, Iraq spent years with no authority, no government," said Mohammad Ismaeel Almsuody, a respected sheik in Baghdad. "We've handled these matters responsibly."

(http://www.washingtonpost.com/world/tribal-lawsuits-fake-sheiks-threaten-iraqi-doctors/2011/03/30/AFdCgFJC_story.html)

COIS: We recognise tribal justice systems have an important role in civil society as referred in the subsection *Tribal justice systems* (para 13.42 – 13.44) and affiliated sections. We welcome further COI related to tribal justice and will include reference to the *Washington Post* article in the next report.

4.16. (p. 183) 25.10 -25.14 Women's political participation – women's quota

The sources cited in the report stress the positive aspect of the women's quota. However, my own published research and my joint work with Nicola Pratt reveals that the quota is problematic for several reasons: 1) it has been mainly the wives, sisters and daughters of conservative male politicians who have made it into parliament; 2) many women are forced to run by male relatives; 3) it has not actually been implemented across the board. Within ministries and many of the important committees, such as the constitutional review committee, lack adequate representation of women.

Time Magazine published an article in 2009 entitled "How Iraq Fills the Quota for Female Politicians":

Fadhila Hanoosh Khalif is an unlikely candidate for public office. To start, the mother of five has absolutely no interest in the position she's running for. "I don't want to be a candidate. He forced it on me," she says, scowling at her husband, Sheikh Hamid al-Hais, who heads one of the largest tribal-based political parties in Iraq's desert Anbar province. "I don't even know what number I am on the list. Ask him." She flicks her hand in his direction.

(<http://www.time.com/time/world/article/0,8599,1870765,00.html#ixzz1LiAcfcOl>)

The original law ensuring a 25% quota has been changed and diluted as was reported in a New York Times article entitled “Changes in Iraq Election Law Weaken Quota for Women”, published in January 2009:

Early versions of the law, which governs the election of Iraq’s 18 provincial councils, included a firm guarantee that women would have at least 25 percent of the seats — the same percentage mandated by the Constitution for the numbers of women in Parliament. In the male-dominated Arab culture, the framers of the Constitution and the Americans who were involved in drafting it thought that the quota was necessary to ensure that women would be represented. But the provincial election law was changed several times, and the quota language was gone by the time it went to the Presidency Council, whose approval is needed for it to become official. It went back to the Parliament with several unrelated changes and was published in early October. The lack of a strong guarantee for women’s council seats has begun to gain widespread attention only in the last few days.

(<http://www.nytimes.com/2009/01/14/world/middleeast/14iraq.html>)

A New York Times article published in March 2011 discusses the backlash against women’s political participation:

Iraqi women hoped that last year’s election would cement a larger role for them in the government. But they have less political influence today than at any time since the American invasion. No women took part in the protracted negotiations to reach a compromise government. And despite holding a quarter of the seats in Parliament, only one woman runs a ministry: women’s affairs, a largely ceremonial department with a tiny budget and few employees.

In the previous government from 2006 to 2010, four women led ministries, and in the government from 2005 to 2006, six did, including the influential ones governing public works, refugees and communications. “I consider it a disaster,” said Ashwaq Abbas, a female Member of Parliament from the Kurdish Alliance bloc. “Democracy should also include women, and the rights of women should be developed as the democracy here develops. But what’s actually happened is that the rights of women have gotten worse over time.”

The same article also addresses some of the problems with the quota that Nicola Pratt and myself also described in our joint book:

Many of those women who were chosen as part of the political parties were chosen because they were relatives of members of the party,” said Safia Taleb al-Souhail, a member of Parliament who is part of the State of Law bloc, which Mr. Maliki leads.

“The parties didn’t really think to have women inside the party itself, and just chose many of the women, like, two weeks before the election,” Ms. Souhail said.

“This is what I meant exactly: there are not a lot of serious politicians.” She said that men from her own bloc often excluded her and other women from closed meetings to discuss strategy.

(http://www.peacewomen.org/news_article.php?id=3236&type=news)

COIS: We welcome the range of additional sources provided by the reviewer with regard to the women’s quota system and will include references this material in the next report.

However we question if it is fair to say that the report tends to “stress the positive aspect of the women’s quota” and would argue that the report still gives a balanced consideration of the quota system. For example the Freedom House report cited explains: “To meet the election quotas, they deliberately chose obedient or conservative women as candidates on party lists. In general, many male party leaders view their female colleagues as too mentally and physically weak to handle high-level roles.” (para 25.10) The same source also more generally highlights obstacles faced by women in politics. The COI report also includes a hyper link to an interview with Christina Asquith, a writer and academic on women’s issues. Although it is noted Ms Asquith is generally positive about the quota system, referring to the interview transcript, she also cautions, for example, that in earlier elections the quota system was exploited by political parties to fill the ranks with women who could be controlled.

4.17. (p, 213) **27. Trafficking** addresses the issue of trafficking of men, women and children. However, the report does not provide sufficient information about the increase in various forms of human trafficking and the extent to which this has been identified as a major human rights violation by organizations inside and outside Iraq.

A Human Rights report on the trafficking of persons from Iraq, particularly women and children, published in 2010 states:

Trafficking in Iraq exists for purposes of prostitution, forced labor, and the trade of human organs. Medical providers, victims, witnesses, and law enforcement agencies have documented reports of sexual violence and abduction. However, an accurate number is impossible to calculate, given the breakdown in keeping accurate and accessible police and hospital records. This is coupled with the fact that many victims do not seek medical attention or justice for fear of retribution. It is assumed, however, that the level of sexual violence and abductions against women has increased sharply since the U.S.-led invasion. One nongovernmental organization estimated in 2006 that more than 3,500 women had gone missing since 2003, and that 25 percent have been trafficked abroad since the beginning of 2006.

Frequently, Iraqi women and girls undergo forms of trafficking such as forced labor, sexual exploitation, slavery, and forced servitude. Some are even forced to take part in criminal activity. When mothers sell their daughters into the sex market, female pimps then transport these girls, who can be as young as 11 and 12, after illegally forging passports or “legally” forcing them into marriage. This is because when young girls are married, questions concerning their status and whereabouts are not raised in Iraqi society. Upon arrival to their destination, the girls are then immediately divorced and put to work. By the traffickers’ standards, the younger the girl, the better, because those who reach the age of 20 are considered too old for forced servitude.

(<http://www.protectionproject.org/wp-content/uploads/2010/09/Iraq.pdf>.)

4.18. According to the U.S. Department of State's Trafficking in Persons report of June 2009:

Iraqi boys, mostly from poor families of Turkmen and Kurdish origin, are trafficked within Iraq for the purpose of forced labor, such as street begging and sexual exploitation. Iraqi men and boys who migrate abroad for economic reasons may become victims of trafficking. Women from Ethiopia, Indonesia, Nepal, and the Philippines are trafficked into the area under the jurisdiction of the Kurdistan Regional Government (KRG) for involuntary domestic servitude after being promised different jobs. Over the past year, there was a credible report of women trafficked by the director of a women's shelter in KRG area; the shelter was subsequently closed. There were also reports that some foreign women recruited for work in beauty salons in the KRG area had debts imposed on them and were coerced into prostitution. During 2008, dozens of Indonesian women trafficked to Iraq were trapped without assistance from law enforcement authorities. IOM helped to rescue and repatriate several of these women (<http://www.state.gov/g/tip/rls/tiprpt/2009/123136.htm>).

4.19. Media Freedom International, which publishes validated international news stated in 2010 that "more than 50,000 Iraqi women have fled to Jordan and Syria and are trapped in sexual servitude with no possibility of escape. Unable to support themselves or their households due to new government restrictions, thousands of Iraqi women have been preyed on by sex traffickers taking advantage of this chaotic environment" (<http://www.mediafreedominternational.org/2010/12/13/human-trafficking-in-post-conflict-iraq/>).

4.20. In June 2010 The State Department released its most recent annual Trafficking in Persons Report (TiP Report) which laid out a picture of human trafficking across the globe, and reaffirmed the US's commitment to ending this scourge. However, this and other reports show that neither the US government nor Iraqi politicians have been successful in controlling the various forms of human trafficking inside and from Iraq:

The government made minimal progress in its antihuman trafficking law enforcement efforts over the past year. The 2005 Iraqi Constitution prohibits forced labor, slavery, slave trade, trafficking in women or children, and sex trade, though the Constitution does not prescribe specific punishments for these acts and it cannot be used to prosecute offenders. The Government of Iraq has not yet passed its anti-trafficking draft legislation; however, it is reported the legislation finally progressed through the Shura Council. Although no single law defines trafficking in persons or establishes it as a criminal offense, various provisions of Iraqi law apply to trafficking. During the last six months, the Iraqi government initiated both a criminal and a human rights investigation into an alleged labor trafficking crime, which resulted in the issuance of two arrest warrants. There were no mechanisms to collect data on offenses or enforcement. There was some evidence of complicity in trafficking by officials. An investigation of alleged trafficking involving the director of a women's shelter in the KRG area last year

had not been completed at the time of this report.

Protection

The Iraqi government demonstrated minimal efforts to ensure that victims of trafficking were given access to protective services during the reporting period. Iraq did not have formal procedures to identify victims of trafficking among vulnerable groups, such as women arrested for prostitution or foreign workers imported to Iraq by labor brokers, some of whom reportedly provided workers for U.S. government contractors and sub-contractors. The government did not fund even temporary shelters for trafficking victims, and did not show efforts to develop or implement procedures by which government officials systematically refer victims to organizations providing legal, medical, or psychological services. However, two ministries refer adult and juvenile detainees to medical screening if they report abuse; reports of abuse of juvenile detainees are investigated, although the results of these investigations are not known. All care is administered by NGOs, which run victim-care facilities and shelters accessible to victims of trafficking. Because coercion is not recognized in Iraqi courts as a legal defense for engaging in an unlawful act, women who have been coerced into prostitution have been prosecuted and convicted. Sex trafficking victims reportedly were prosecuted for prostitution and some spent several months in detention awaiting trial. In the few known cases of children who were forced into armed service, the child victims were prosecuted for terrorism offenses. Some child trafficking victims were placed in protective facilities, orphanages, and foster care, while others were placed in juvenile detention centers. Since trafficking is not established as a crime in Iraq, the government did not encourage victims to assist in investigations or prosecution. Foreign victims had no legal protection against removal to countries in which they may face hardship or retribution. Iraq did not assist foreign trafficking victims by providing temporary or permanent residency status or other relief from deportation. There was no victims' restitution program. In August 2009, the Iraqi government assisted in the repatriation of the 14 Ugandan women subjected to forced labor in Iraq. Iraq did not provide any specialized training for government officials to identify trafficking victims. Furthermore, the government denied permission for an NGO to visit Baghdad's women's prison, where the NGO had previously identified trafficking victims among women detained for offenses committed as a result of being trafficked. (<http://www.state.gov/g/tip/rls/tiprpt/2010/142760.htm>)

COIS: We welcome the range of sources provided by the reviewer. We accept trafficking is a serious human rights concern in Iraq and will consider adding further material on this, though we need to balance this against the fact that we are not aware of it as an issue commonly arising, at least directly, in Iraqi asylum claims..

4.21. (p.218) 28.14 Cancer Treatment

The section on cancer treatment is very short and does not adequately cover the seriousness of the problem in terms of both prevalence of different forms of cancers as well as lack of proper healthcare provision to treat it. A leading Iraqi oncologist Dr. Mula-Hussain, who is a Board Certified Radiation Oncologist, and an Academic Physician/Lecturer in the Department of Clinical Oncology of Mosul University Medical College in Iraq wrote in 2010:

More than 70% of patients diagnosed are in an advanced stage of cancer — an alarming rate with multiple causative factors. The damages in the natural life by war pollutants, the deterioration of medical services, overall low socioeconomic status, and denial or cultural misperceptions about cancer all are contributing factors to this issue. Patients with potentially curable cancers can receive only the drugs available at the time of their treatment, which has led to a relative average cure rate of 10% to 20%²; this rate can be 60% or greater in developed countries. By extension, cancer has become a major cause of morbidity and mortality among the Iraqi population. Cancer incidence itself increased from 31.1 per 100,000 people in 1991 to 52.8 per 100,000 people in 2006.³ However, it is possible that even these statistics are underestimated because data are mostly hospital based, and many patients seek care outside of Iraq. Indeed, in Iraq, the incidence in 2001 was 61.8 per 100,000 people,³ and incidence in the neighboring country of Jordan was 75 per 100,000 people.

(<http://www.asco.org/ASCOv2/Meetings/Annual+Meeting/2010+ASCO+Daily+News/Saturday,+June+5/Expert+Editorials/The+Challenges+of+Providing+Cancer+Care+in+a+War-torn+Nation+%E2%80%94+The+Iraqi+Experience>)

4.22. A report published in September 2010 by the International Medical Corps states:

Nearly a decade of violence and sanctions crippled Iraq's capacity to provide the training and resources necessary to develop an active base of medical professionals highly specialized in modern cancer treatment methods. As a result, Iraq has a very limited number of practicing radiation oncologists with experience in administering radiation treatment. There are even fewer medical physicists and radiation therapists practicing within the country and few facilities providing radiation treatment. This has resulted in the lack of capacity to sufficiently meet the need for cancer treatment in Iraq and contributed to a significant increase in the number of cancer-related deaths and disabilities. In addition, low levels of awareness - over 70% of cancer patients in Iraq are diagnosed at an advanced stage - result in cure rates of only 10-20%. Cancer incidence itself increased from 31.1 per 100,000 people in 1991 to 52.8 per 100,000 people in 2006 in Iraq. Survival levels in the Middle East overall are significantly lower than in Europe and the United States despite the fact that the most commonly occurring cancers are both preventable (bladder and lung) and detectable at an early stage (breast, oral, colon)

(http://reliefweb.int/sites/reliefweb.int/files/reliefweb_pdf/node-368555.pdf).

COIS: We welcome the additional advice and input provided by the reviewer and will consider adding reference to it in the next report update. Though we should point out that for asylum/human rights claims, the issue is the availability of treatment, less prevalence, and this is an issue that arises in only a handful of cases as far as we aware.

5. Updates and Information That Has Appeared Since March 2011

The following section contains commentaries and updated information published after the March 2011 release of the Iraq COI report.

5.1. Crack down on protesters and journalists

Thousands of Iraqis have taken to the streets since early February 2011 to protest against the chronic lack of basic services, rising prices, mass unemployment and endemic corruption, and to demand greater civil and political rights (Amnesty International, 19 April 2011). Both the central Iraqi government and the Kurdish regional Government have been engaged in the brutal crackdown of peaceful protesters. Demonstrators have been arrested, beaten, shot at, and in some instances killed. On 2 April, Samer Muscati reporting for Human Rights Watch stated:

While authorities in Erbil and Baghdad profess the right of citizens to take to the streets, in practice both governments have brutally suppressed protesters and journalists covering the events. Since February 16 security forces have killed at least 17 protesters across Iraq and injured more than 250. Thugs acting with tacit official approval stabbed peaceful protesters in Baghdad, while their Sulaymaniyah counterparts beat demonstrators and set their tents on fire. Security forces and their proxies in Kurdistan and Baghdad have raided media outlets and the offices of a prominent press freedom group, confiscating or destroying equipment and documents. They have attacked, arrested and threatened dozens of journalists, smashed cameras and confiscated memory cards.
(<http://www.hrw.org/en/news/2011/04/02/returning-tyranny>)

5.2. The same news release reports the finding of a secret detention site in Baghdad, run by elite security forces answering to Prime Minister Nouri al-Maliki's military office: "At two other Baghdad facilities over the past year, forces belonging to two brigades outside the Defense Ministry's chain of command have tortured, with complete impunity, detainees accused of terrorism. The prime minister also directly controls the Counter-Terrorism Service, which is subject to neither ministerial nor legislative oversight".

5.3. According to a more recent Human Rights Watch report issued on 21 April (<http://www.hrw.org/en/news/2011/04/21/iraq-widening-crackdown-protests>), the police and security forces have violently clashed down on peaceful protesters and journalists since the beginning of protests in February 2011. "The authorities should hold accountable those responsible for attacking protesters and journalists in Arbil and Sulaimaniya since April 17, 2011, including opening fire on demonstrators and beating them severely", Human Rights Watch said. The report continues:

Human Rights Watch also called on Iraqi authorities in Baghdad to investigate the detention and torture of a protester, Alaa Nabil, and to charge or release more than two dozen activists held in a prison in Baghdad's Old Muthanna Airport. Central government and Kurdistan Regional Government authorities should

revoke their recent bans on unlicensed demonstrations in Sulaimaniya province and on street protests in Baghdad, Human Rights Watch said.

(<http://www.hrw.org/en/news/2011/04/21/iraq-widening-crackdown-protests>)

See also Amnesty International:

<http://www.amnesty.org/en/news-and-updates/independent-investigation-urged-police-violence-iraqi-kurdistan-2011-04-19>

5.4. Killing of Iranian Mojahedin-e Khalq

Members of the Iranian Mojahedin-e Khalq organization have experienced persecutions, attacks and killings over the past years. Several thousand members live in camp Ashraf, north of Baghdad. Many Iraqis loathe the group as they were under protection of the previous regime of Saddam Hussein. According to a Human Rights news release on 15 April 2011:

UN human rights spokesperson Rupert Colville said on April 14 that the UN team had seen 28 bodies at Camp Ashraf, and that most had been shot, including several women. Six bodies were missing, Colville said. Details of the incident remain murky, with camp residents and security forces blaming each other for the deaths and violence in widely different accounts of what happened. The Iranian exiles said that Iraqi security forces invaded their camp, killing 34 unarmed civilians and wounding more than 300, in an unprovoked attack that involved security forces opening fire and crushing people under Humvees.

[...] The deaths are the latest in a series of violent incidents at Camp Ashraf, where members of an Iranian dissident group, Mojahedin-e Khalq Organization, have lived for over two decades. The Iraqi government of Saddam Hussein allowed the Mojahedin-e Khalq to base itself in Iraq in 1986. In 2011 more than 3,000 persons remained in Camp Ashraf, in Diyala province, north of Baghdad; they surrendered their weapons to US forces following the invasion of Iraq in 2003. Many Iraqis have alleged that the group's members actively participated in campaigns against opponents of Saddam Hussein's government, and Prime Minister Nuri al-Maliki's government has indicated its intention to shut down the camp.

<http://www.hrw.org/en/news/2011/04/15/iraq-order-independent-probe-camp-ashraf-violence>

5.5. Kate Allen, director of Amnesty International UK, published an article on 14 April 2011 in the Guardian's Comment is Free section condemning the Iraqi governments actions:

Last Friday Iraqi troops in armoured personnel carriers moved into the camp and reportedly opened fire on residents who had tried to resist the incursion. Video clips uploaded by the PMOI to YouTube appear to show Iraqi soldiers firing indiscriminately into crowds and using vehicles to try to run people down. It's impossible to verify a figure, but the PMOI claim that 34 Camp Ashraf residents were killed and 300 injured.

It's not the first time there have been deadly attacks of this kind. In July 2009 Iraqi security forces bulldozed their way into the camp and reportedly used batons, tear gas and water cannon against unarmed residents. As clashes developed the Iraqi forces opened fire, killing at least nine people and injuring some 400. In addition, 36 residents were arrested, held for over two months (in defiance of court orders for their release) and reportedly tortured before being released without charge.

(<http://www.guardian.co.uk/commentisfree/2011/apr/14/camp-ashraf-iraq-human-rights>)

See also Amnesty International:

<http://www.amnesty.org/en/news-and-updates/iraq-restraint-urged-camp-ashraf-government-forces-mass-2011-04-15>

COIS: Thank you. COI Service will include relevant COI, including cited material highlighted by the reviewer in our next report.

6. Sources & Accessibility

The sources used in the Iraq COI of March 2011 are diverse, credible and respected. The url links provided are valid.

COIS: We thank the reviewer for her positive feedback and comments on the range of sources used.

7. Conclusion

7.1. The Iraqi COI report March 2011 is a well- researched and comprehensive synthesis of the available open source materials on the Human Rights situation in Iraq up to February 2011. Overall, information from source documents has been appropriately and accurately reflected in the Iraq COI Report. I have indicated whenever I thought that the source material was either selectively used or when it could be complemented by additional material to present a more nuanced or complete picture.

7.2. Having reviewed a similar report in 2006, I would like to stress that the recent March 2011 report is of much higher quality than the previous report I read. It is much better researched, more accurate and more balanced.

7.3. I expect recent development in the region to have an impact on Iraq and Iraqi society. Protests and demonstrations as we have seen in various cities across Iraq, most predominantly in Sulamaniya, Mosul and Baghdad might spread. Given the reaction of the Iraqi and Kurdish regional Government (arrests, threats and killing of protesters and journalists), we might witness an escalation of violence by security forces and the police. However, this is speculation and beyond the scope of this report.

COIS: We thank the reviewer for her positive conclusions and recognition that our current report on Iraq is an improvement on previous editions. We would be grateful to receive any further support, or country information on emerging trends the reviewer can provide.