

Kurdistan Regional Government

Presidency of the Council of Ministers

Office of the KRG Coordinator for International Advocacy



Clarification on the United States State Department Annual Human Rights Report for 2018

May 2019

The present response report contains findings of the *Office of the KRG Coordinator for International Advocacy* after careful follow-up with the relevant governmental entities on the concerns raised by the United States Department of State Annual Human Rights Report for 2018.

Table of Contents

Preliminary Comments.....	2
The situation of Ethnic and Religious Minorities in the Kurdistan Region.....	3
The situation of IDPs and Refugees in the Kurdistan Region.....	5
Human Trafficking.....	7
KRG's aid for refugees and IDPs.....	8
The situation of Yazidis and the rescued women.....	12
Recognition of the Yazidis Genocide.....	13
Erbil province terrorist attack - comments from the Erbil governorate.....	14
Arresting ISIL-affiliate juveniles.....	14
Procedures for arresting suspects.....	16
Keeping the detainees for extended period of time.....	17
The case of Niyaz Aziz Salih.....	18
Legal Procedures regarding the detainees.....	19
Torturing ISIL juvenile detainees and secret detention centers.....	20
Freedom of Expression and Media.....	20
March 2018 protests.....	22
Institutionalizing security agencies.....	24
Procedures carried out in the checkpoints.....	26
The situation of detainees in Kurdistan detention centers.....	27
The extension of counter-terrorism law.....	28
The formation of the high committee to coordinate the implementation of a strategy of the prevention of corruption in the Kurdistan Region.....	28
Conclusion.....	31

Preliminary comments:

United States State Department published its annual international human rights report on March 13, 2019. In the part about Iraq and the Kurdistan Region, the report has highlighted topics like the violation of the freedom of expression and media, conditions of reformatory and detention facilities, torture, corruption, the situation of ethnic and religious minorities, human trafficking, labor rights, arbitrary arrests, unlawful killings or for political reasons, the situation of IDPs and refugees, freedom of movement, secret detention facilities, ISIL detainees, Article 140 of the Iraqi Constitution, Kurdistan security forces, kidnapped Yezidis, and several other topics relevant to human rights in the Kurdistan Region.

The Office of the KRG Coordinator for International Advocacy followed up with the concerns raised in the report through gathering information from focal points across all relevant KRG ministries and departments. This report contains the findings of the follow up on the allegations of violation of human rights.

To put our comments forward, it should be pointed out that the report has not relied on primary findings and thus, we believe much of the information lack credibility and accuracy. The sources that the report has relied on appear to be misleading or biased. It is also a matter of concern that the report has been designed in a way that the allegations applying to Iraq seem to have been extended to the Kurdistan Region as well, which is in itself an injustice done to the KR considering its relative advancement in human rights. Furthermore, the report has repeatedly mentioned cases which have already been publicly addressed and resolved; we believe that the future reports should consider careful follow up and analysis into the matters and consider reaching out to official relevant authorities in order to verify the information. The same allegations have been repeated by other international organizations, and they were addressed to by the Office of the KRG Coordinator for International Advocacy.

The situation of Ethnic and Religious Minorities in the Kurdistan Region

Kurdistan Region's draft constitution has fully determined and preserved the rights of all religious and ethnic minorities living in the Kurdistan Region. Being a country that has suffered through economic troubles, domestic conflict and grieved through the terrors of ISIL, Kurdistan Region has managed to tolerate indifferences within ethnic and religious minorities within the region, its core objective is to maintain equality and encourage coexistence. Article 6 in the draft constitution clearly states that Kurdistan is composed of Kurds, Arabs, Turkmen, Chaldeans, Assyrian, Armenian and other people living in the region. Those who practice other religions are not considered minorities, but they are rather considered as constituents in the society since the Kurdistan Region is a multi-ethnic and multi-religion region. Article 7 in the draft constitution stated that "the principles of Islamic Sharia one of the main driving sources of the legislation. Likewise, this Constitution upholds and respects all the religious rights of Christians, Yezidis, and others, and it guarantees to every individual in the Region freedom of belief and the freedom to practice their religious rights and rituals." To this end, the Constitution prohibits enacting any laws that are inconsistent with democratic principles.

Article 124/1 in the constitution clearly states that the terms that no other religion must be imposed on the practitioners of other religions. Thus, religious beliefs should not be imposed on the civilians and should not be enforced. In addition, Article 124/2 states that worshippers of other religions like Christians and Yezidis are permitted to have their own spiritual councils and have their own religious instructions and management in personal matters. For practicing one's religion is not frowned upon but is rather an organizational status law. Section 3 in the article stated that until a personal status law specific to that religion is issued, the active personal status laws in the region will be implemented.

Article 20/2 states that, "All forms of discrimination on the basis of race, color, sex, language, social background, nationality, origin, religion, belief, thought, age, social, political or economic status, or handicap are prohibited. The principle of equality shall not prevent redressing the effects and consequences of past injustice perpetrated by former regimes against the citizens of Kurdistan and its ethnic, religious and linguistic groups."

The doors of the Kurdistan Region are open towards people from all backgrounds such as Christians, Yezidis, Turkemens, and Arabs who come from central and south Iraq and seek protection and refuge in the Kurdistan Region. The KRG has provided them with all basic necessary needs and they live peacefully free from any pressure or constraints.

Recently, media outlets and other individuals published statements and false information that Christians face discrimination and their rights are violated. However, this is inaccurate information supported with false accusations since the KRG conducts equal treatment towards all the constituents in the region in all fields of life.

The KRG makes efforts to fulfill their rights in all aspects, such as basic life needs, education, and health. The KRG has thoroughly emphasized the importance of shielding all religious and ethnic components in the region and have welcomed many refugees with open hands. The KRG proudly received almost two million IDPs with a large number of them being Christian, Yezidi, Shabak, Fylis and other ethnicities and religions from the Nineveh plains. Despite the dire economic situation and security difficulties that were occurring in the region, the KRG has managed to guarantee the protection of all residents within, since the preservation of these minorities' rights are one of the KRG's top priorities.

In terms of political participation, upon the establishment of the Kurdistan National Council in 1992, a quota of 5 seats, out of 100 main seats, were dedicated to Christians. In 2005, this quota number was augmented to 11 seats for minorities, with five seats reserved for Turkmens, five for Chaldeans and Assyrians and one seat for Armenians.

Furthermore, the KRG has put great significance to eliminate any racial and religious discrimination among all the people of Kurdistan. In 2007, Kurdistan Parliament changed the name of the Ministry of Endowment and Islamic Affairs to the Ministry of Endowment and Religious Affairs. This implied that the ministry does not only belong to Muslims but also to other religious components in the region. In the beginning, the ministry only included departments for Muslims, Christians, and Yezidi. Now, eight religions have their representatives in the ministry. Religious believers that are practicing their own faith have the absolute right to exercise their religious rituals and ceremonies and have been given full encouragement by the KRG. They also have received provisions and backing from the KRG.

To further ensure the protection of all the components living in the Kurdistan Region and ensuring that all their rights are granted, Kurdistan Parliament passed Law No. (5) of the protection of the rights of all components with an absolute vote. The law protects the rights of ethnic components like Turkmens, Assyrians and Chaldeans, Syriacs, and religious components such as Christians, Yezidis, Sabea-Mandeans, Kakayis, and Zoroastrians. The law works to hinder direct and indirect efforts by individuals or groups of people intended to raise hatred, discrimination, and violence on the basis of ethnic, religious, racial or language backgrounds. The legislation is one of the most crucial accomplishments by the KRG towards protecting ethnic and religious components.

In additional similar effort, Ministry of Endowment and Religious Affairs issued Decision No 1910 on July 9, 2017 to establish the Directorate of Religious Coexistence. The main objective of this directorate was to protect and intensify the spirit of religious coexistence in the Kurdistan Region.

It is worth mentioning that all the religions practice their religious ceremonies, rites, and rituals in a peaceful environment that is free from any restrictions. Correspondingly, all major religious celebrations such as Eid, Christmas, and Yezidi New Year are considered official public holidays throughout the region. They also have cultural directorates and offices in all the provinces in the KR. There are numerous schools that teach in the Assyrian language, predominantly in Christian-populated areas like Erbil/Ainkawa, Shaqlawa, Koya, Dyana, Harmota, and Hawdyan. There are similar schools in areas outside Kurdistan administration such as schools in Hamdaniyah, Bertille, Tilkef, Qereqush, Kremlis, and Alqosh. For the Yezidis, a special committee in the General Directorate of Education in the Governorate of Duhok administers the Yezidi educational curriculum in areas of Duhok and Mosul where there are some Yezidi populations.

The KRG provides financial support to various cultural or artistic groups and centers that focus on the Turkmen, Chaldean, Assyrian, and Yezidi cultural units. Thus, these attempts are made for the preservation of their distinctive culture. For instance, these endeavors also include the establishment of Assyrian museums and the printing of thousands of books in Kurdish, Arabic, Assyrian, and Turkmen languages.

Director of Yezidi Affairs in the Ministry of Endowment and Religious Affairs

Following the arrival of Popular Mobilization Forces (PMF) and Kurdistan Worker's Party (PKK) forces in their areas, around 800 families returned to the camps in Duhok. The IDP camps are protected by Asayish and police and the lives of the IDPs are not in danger. It is worth mentioning that in the areas under the Peshmerga's control, ethnic and religious minorities have not been mistreated, and the destruction and looting of people's houses and properties has not occurred there. As opposed to what has been reported, the Yezidis have never been forced to identify themselves as Kurds or to support the KRG.

The General Prosecutors Office

The security and safety of all religious components is completely protected. The office has not received any lawsuits that they have been mistreated based on their religion. This is the result of efforts from the KRG to protect all religious components under its authority.

The situation of IDPs and Refugees in the Kurdistan Region:

The sectarian war in central and southern Iraq, that escalated in 2006 and before 2005 with the emergence of sectarian war, the political destabilization of the country, the civil war in Syria and consequently rise of ISIL led to various waves of vast influxes of refugees and IDPs into the Kurdistan Region. In 2015 it had reached 1.9 million displaced people, which meant a 30% increase of the KR population. And even after reaching its full capacities, going through a major economic crisis, ISIL, receiving

inadequate international humanitarian financial support, the Kurdistan Region remained to be a safe haven for people looking for shelter, such as due to the siege of Mosul and subsequent liberation or the continuous conflict in neighboring Syria. The statistics for the number of IDPs and refugees in the Kurdistan Region shows that now the KRG accommodates 1509 Turkish refugees, 182, 13 Iranian refugees, and 760 Palestinian refugees. Most of the refugees live among the communities; 37% of whom live in the 37 refugee camps. 50% of the refugees and IDPs live in Erbil Governorate, 31% live in Duhok Governorate, and 19% live in Sulaymaniyah Governorate.

Below are comments from relevant KRG departments regarding their treatment towards refugees and IDPs:

Judicial Council

The courts handle the refugees and IDPs cases whether Iraqis or Kurds from Syria or from all the other distinct religions of the region. Certain procedures are taken by the courts to address the refugees' and IDPs' legal needs. For example, in personal status circumstances like engagement and divorce cases, memos are directed to the General Directorate of Asayish, and thus according to the available documents and ID cards, Asayish will approve these documents. Later, the refugee must visit the notary public and sign a permit for marriage, divorce, refugee cards, or any other personal status case that must be available document. Therefore, Iraqi law is implemented for this purpose. In circumstances that these individuals do not have ID cards, two witnesses must be present in the completion of this procedure.

To further facilitate legal needs of refugees and IDPs, an appellate court has been opened in Sheikhan area for following up with for IDPs who are from Ninevah and Mosul areas, therefore, when people from Mosul have a civil problem within the Ninevah border areas, they visit appellate court of Sheikhan. If a refugee or IDP commits a crime or faces something in Erbil, Duhok, and Sulaymaniyah areas, and if a lawsuit was filed for that end, the court process will take place in the court where that crime has taken place according to active laws in Kurdistan and Iraq. However, if the crime happened elsewhere in Iraq, first defendant and suspect will be identified, and then the case will be treated with according to the location of the crime. For the refugees who are not Iraqi, they will be treated with based on active laws in Iraq and Kurdistan, and in coordination with the Asayish and notary publics throughout Kurdistan.

Ministry of Justice

Everyone in Kurdistan has the right to defend themselves before court, and they should be immediately notified of the reason of their arrest upon their arrest. Anyone who is arrested has the full right of having access to a lawyer, and in case he/she could not afford

one, the court assigns a lawyer to them. This is the standard legal procedure where both the right of the suspect and defendant is ensured.

The KRG also grants the refugees work permit, which is something that most countries in the world do not do or put a lot of constraints on. The UNHCR has therefore, credited KRG for this act as a best practice host region.

Whoever feels oppressed has the right to file a lawsuit and submit it to a special court in a written manner, and their case will be finalized before court whether they are Kurdish citizens, IDPs or refugees. The refugees and IDPs have the same civil and criminal legal rights as any other Kurdish citizen living in the Kurdistan Region. Similar to all the citizens in Kurdistan, IDPs and refugees have access to all civil rights such as purchasing and selling cars, renting houses, and getting necessary documents from KR relevant departments. Among other IDPs rights are the following:

- Filing lawsuits in relevant Kurdistan courts
- Owning residence (houses, apartments).
- Receiving driver's license.
- Access to the tax department when selling and purchasing property.
- Obtaining official documents such as IDs or passports if they have lost.

Human Trafficking:

Procedures for preventing and eliminating human trafficking are done according to Kurdistan Parliament Law No. 6 of 2018 or implementing Iraqi human trafficking Law No. 28 of 2012. Forcing children to beg on the streets is considered a criminal act according to juveniles monitoring Law No. 76 of 1983. For that reason, if any children are caught begging, they will be treated according to the applicable laws. Similarly, the individuals or groups of people who force/encourage kids to beg will be subject to the law. The responsibility of following up and preventing these issues lies with the office of the General Prosecutor in coordination with the head of the districts. In cases of sexual abuse on the refugees and IDPs and other sexual crimes, the assaulter will be punished by Article 393 of the amended Iraqi Penal Code of 1969.

Comments from General Prosecutors Office:

We have not received any official claims regarding the reports that refugees and IDPs are in danger of being used for sexual trafficking and those under 18 years old be used for street mendicancy. However, words go around that certain international organizations are repeating these claims. We have given our contact details to local and charity

organizations to notify us of any such cases, and this way we can open a criminal file, however, we have not received any official reports thus far.

Regarding human trafficking cases, we have only received two cases and the offenders have not been found guilty of the crime yet. Procedures for preventing and eliminating human trafficking are carried out according to Kurdistan Parliament Law No. 6 of 2018 for executing Iraqi human trafficking Law No. 28 of 2012. A high committee has been formed by the Ministry of Interior that consists of relevant implementing partners of the law along with other departments such as the office of the general prosecutor and independent commission of human rights. According to Article 5 of the law, violating the terms of the law will result in life-time imprisonment. Other penalties include charging the violators with a fine of a minimum amount of five million Iraqi dinars, and maximum of ten million Iraqi dinars as well as detention in Kurdistan reformatory centers. The criminal charge is heavier when the perpetrator misuses the refugees and IDPs in camps and brainwashes them, especially using women for sexual trafficking. The legal procedure for such cases will be: opening a criminal file on the criminal and submitting it to criminal court. Upon verifying the evidence that the Office of General Prosecutor and court has obtained, the court will issue the final verdict.

It is worth mentioning that United Nations drugs, terrorism, and human trafficking sections are in constant coordination with General Prosecutor's office to provide trainings for judges and members of GP office, and to provide financial support for the detention facilities that have human trafficking crimes.

KRG's aid for refugees and IDPs:

Iraqi citizens from central and Southern Iraq have continuously sought shelter in the KR since 2003. Even before ISIL attacked, the KRG had provided help for people from all ethnic and religious backgrounds.

The latest statistics show that there are now 1,246,423 IDPs, and 250,451 refugees living in the Kurdistan Region. Part of the refugees and IDPs live among the community and part of them live in the 38 refugee camps across the Kurdistan Region. 160 local and international NGOs provide them with aid and basic needs. The biggest numbers of those reside in Erbil Governorate, the number of which is 667,529 IDPs, and 135,764 refugees.

Of the total number of the IDPs in the KR, 79% of them live among the communities and 21% of them live in the 29 camps provided by the KRG across the KR. Of the total number of refugees, 63% live among the community and 37% of them live in the 9 camps provided by the KRG.

Thousands of Yezidi students are enrolled in schools and universities in the Kurdistan Region as their lives were threatened in their areas. Statistics show that in 2013 alone,

850 Yezidi students who came from Mosul areas were accepted in Duhok schools and universities. KRG has also received thousands of people to peacefully live in the Kurdistan Region areas.

It is worth mentioning that Kurdish areas outside KRG administration are very ethnic and religiously diverse areas. Yet, even before ISIL attacked, these areas were legally, politically, economically, and socially unstable. This was due to the conflict between the KRG and Baghdad over what is known as disputed territories. In the past, Iraq's Ba'th regime had followed a policy of demographic change for those areas by forcefully expelling and killing people in historically Kurdish areas replacing them with Sunni Arabs.

Ethnic and religious minorities have suffered a great share of the tragic events that occurred in those areas. Most of them as a result were forcefully displaced due to political, security and socio-economic issues. These factors forced them to either seek refuge in Kurdistan or immigrate abroad. For those areas that could be repatriated many difficulties remain. The budget for improving those areas is the responsibility of the Iraqi federal government. However, there are many shortages in the administration and services of those areas.

Kurdish security forces are present in those areas to protect them and to fill in the security vacuum that the Iraqi central government has left behind. Since those areas are still legally disputed territories, the KRG considers it its right to do its share in protecting those areas. The Iraqi central government has tried to prohibit this with various measures. The mandate of the Kurdish security forces is to protect people from all backgrounds. In most of those areas, Kurdish political party branches are present and they conduct their political activities. The areas where Peshmerga and Kurdish security are predominant are the ones that are very stable and safe. Before ISIL arrival, and the areas being solely controlled by the central government, there were hundreds of terrorist attacks recorded, most of which were targeting different ethnic and religious groups to undermine the regions diversity. However, terrorist attacks were rarely happening in the areas that were under the protection of the Peshmerga and Asayish (Kurdish security forces) because their mandate was to protect the lives of civilians of all backgrounds.

Displacement was not very common due to the presence of the Peshmerga forces and Asayish. However, political displacement started happening, and a huge number of refugees and IDPs came to KR cities. Most of those who were previously threatened because of political activism are allowed to carry on their activities in a peaceful environment, protected by Peshmerga and Asayish, who have not arrested individuals on charges of activism.

The Peshmerga forces have always tried to protect the disputed territories even before ISIL attacks. The people of those areas have felt safe and protected in the presence of the Peshmerga forces because they are certain that they will protect them without discrimination.

The dispute between Erbil and Baghdad over those areas is one of the reasons of the instability of those areas, and certain people do not want those areas to return to their original state, wishing them to fall under Iraqi provinces. However, it is unfortunate that Iraqi authorities try to take advantage of the dissatisfied population for their political interests and create conflict among the people. This constructed conflict has led to the creation of terrorist groups in those areas and the current period of instability that Iraq is experiencing.

In times of feeling threatened, people of ethnic and religious backgrounds have sought safety and refuge in the Kurdistan Region. This is due to that their security, welfare, and job opportunities are guaranteed and their rights are protected. For example, if a Christian government employee requests to transfer to a government office in the KR from any place in Iraq, the request will be approved. This is despite the fact that this process has generally been frozen. Other government offices and departments facilitate the paperwork of the religious and ethnic components in the region according to their needs.

Displacement to the KR continues in 2019, and people are forced to leave their areas due to the lack of security and decent living situation. In March 2019, 946 IDPs and refugees have sought refuge in the KR. Of that number, 932 are IDPs, and 14 are Syrian refugees. In the same month, more than 941 Syrian refugees have left the KR to either return to their liberated areas or immigrate abroad whether by legal means or otherwise.

On another side, the KRG has opened special directorates for the Kurdish areas outside the regional government's administration which are part of the services ministries such as ministries of education, health, municipality and reconstruction to provide services for the people of those areas without any discrimination. The KRG has also established a special committee called The Committee for Kurdish Areas outside Kurdistan Administration. This committee works to provide services for all the areas without discriminating against any religious or ethnic community. and it has been able to open nine offices in those areas. The KRG has allocated a part of its annual budget to this committee and these areas which continue to this day. The KRG, through this budget, has been able to construct many schools and health centers as well as renovating and constructing roads and buildings. It has also helped to provide electricity for the citizens. Many of those projects have been completed, many will finish soon, and some of these projects will continue into the foreseeable future. Teachers and medical staff have been employed on the KRG budget for schools and hospitals in those areas.

Ministry of Health

The KRG provides equal health services in the IDP camps for Yezidis, Arabs, Shabaks, Christians, Shiite Turkmen, and everyone else.

After Yezidis faced horrendous crimes perpetrated by ISIL, many were in need of urgent aid; the KRG set a strategic plan to provide urgent help for the Yezidis.

According to World Health Organization (WHO) reports, the services and help that the KRG has provided for refugees and IDPs has been much more advanced than the ones that are provided in other areas in Iraq. This is despite the fact that the KRG only receives 19% of its share in health services from the Iraqi central government. This amount does not include the share for refugees and IDPs.

The KRG has set a national plan for health services to IDPs and refugees in coordination with the WHO. In spite of the economic crisis which has put a lot of pressure on the region, the KRG is continuously committed to address the needs of Yezidis victims to reduce their suffering.

The IDPs are not prohibited from receiving medical treatment in the hospitals outside the camps and they are not charged for hospital fees.

The KRG is in the process of providing maternity and pediatric services according to international standards. For this reason, there are many health centers in the camps for maternity and thousands of babies were born in those centers. Special medical care is provided for the rescued Yezidi women and girls, who had been previously kidnapped by ISIL in coordination with WHO, including timely monitoring of the conditions of the pregnant women and those who gave birth to babies, the administration of birth control, and children with medical conditions or disease.

The hospitals outside camps have received the Yezidi women and provided them with medical treatment, and in some hospitals a special section was opened after the Sinjar liberation for the Yezidi women who were pregnant.

The Ministry of Health has initiated workshops and trainings for the treatment of victims of sexual exploitation by ISIS. The trainings were provided in Duhok, Erbil, and Sulaymaniyah regarding clinical management of rape for all the doctors who work in the health centers. Trainings were also provided for officers in the Directorate of Combatting Violence. Other trainings on service protocol for rape survivors were provided for the doctors throughout the year.

Ministry of Interior

The KRG has taken the legal needs of the IDPs into close consideration as they needed legal support for the return of their rights. For this reason, 33,000 legal cases were supported and the number of the IDPs who benefitted from these services reached 60,000 people in March 2015.

The situation of Yezidis and the rescued women:

Yezidis, who have a unique faith and culture, have continuously been the target of extremist groups. Their areas near Mosul province, Sinjar district, and the Kurdish areas outside Kurdistan administration, especially in Sheikhan, Bashik, Behzane, Shingal, Zummar, Alqush, and in Duhok governorate, the Semel, Khanke compound and Deraboon areas, came under ISIL attack. The people of those areas were displaced to the Kurdistan Region until their areas were liberated by the Kurdistan Peshmerga forces.

Prior to ISIL arrival, there were 550,000 Yezidis were living in Iraq. After the attacks on Ninevah Plains and the invasion of Shingal in the beginning of August 2014, Yezidis were not the only targets of ISIL attacks, Christians, Shabaks, and the Turkmen people of those areas also faced genocide, suffering, and catastrophes. They were forced to flee their homes and come to Kurdistan; however, they were a firm target due to their different faith and religion.

In the first days of the attack, 1293 Yezidis were killed and left 1759 kids without a father, and 407 kids without a mother, and 359 kids without both parents. The fathers of 229 kids are in the hands of ISIS.

The Kurdistan Region received the refugees and IDPs with open arms. In coordination with other entities, i.e. local NGOs, it provided them with all types of aid such as shelter, food, healthcare and education.

The Directorate of Yezidi Affairs in the Ministry of Endowment and Religious Affairs

Following invasion of Shingal, 6,417 Yezidis were kidnapped by ISIL, including 3,548 females and 2,869 males. The KRG put all its efforts to rescue the kidnapped Yezidis and follow up with the cases of kidnapped Yezidis. Thus, a special committee was formed on November 25, 2014, and a special budget was allocated for rescuing the kidnapped Yezidis, including providing money for those who will help rescue the kidnapped Yezidi women. The government also makes arrangement for their rehabilitation in the society so that they will be able to live a dignified life.

According to the latest statistics, the number of the rescued Yezidis until May 2nd, 2019 reflects the following:

Table 1.1:

Rescued				
Total	Men	Women	Young Boys	Young Girls
3,451	337	1178	926	1010

The KRG continues its efforts to rescue the remaining kidnapped Yezidis in coordination with the Iraqi government which are 2966 Yezidis, 1360 of whom are women and 1606 are men.

Similarly, a women rights committee in the Kurdistan Parliament began its efforts to collect support for the Yezidi girls and women. The members of the committee met with the Iraqi Minister of Social Affairs in Baghdad to find an urgent solution for the case of the kidnapped Yezidi women. As a result, the federal government sent a fact-finding committee to the region and the IDP camps to provide aid and compensate the rescued Yezidi women.

After liberating the Yezidi-populated areas, many individual and mass graves (around 71), were found in those areas where most of the victims were Yezidi. Special teams continue to search for mass graves. In addition to kidnappings and mass killings, ISIL exploded and destroyed many historical holy religious sites and shrines. Before the arrival of ISIL, there were 315 holy sites for Yezidis; ISIL destroyed 68 of them in addition to destroying sites holy to followers of other religions such as Christians.

ISIL committed war crimes and crimes against humanity indiscriminately against people from all ethnic and religious backgrounds. Christians were also one of the targets of ISIL; ISIL kidnapped many of them, and 20,000 Christians fled to Kurdistan.

On another side, 2,036 sexual violence cases against Yezidi women and girls have been recorded, among whom 1,052 are above 18 years old and 984 are under 18 years old.

Recognition of the Yezidis Genocide:

The injustices committed against the Yezidis by ISIL are considered war crimes and genocide; however, this comes with lots of legal obstacles as Iraq is not part of the Treaty of Rome or the International Criminal Court (ICC). The Kurdistan Regional Government has continuously urged international institutions to investigate into the genocide that was perpetrated against Yezidis.

For this reason, a special committee that consists of KRG representatives from various departments to appeal for the cause of the Yezidi genocide has been formed. The committee works to gather all relevant documents and information regarding the events that occurred after the arrival of ISIL. A large amount of evidence has been gathered and

the KRG will continue its efforts to collect more information while following all legal procedures to transfer them to the International Criminal Court.

The High Commission for recognizing the genocide against Yezidis and other religious groups works to document evidence of ISIL crimes and conducts interviews with witnesses and victims of all genders. As a result of their work, the commission has been able to record 4,206 cases. The investigation into 1,778 cases has finished and 2,428 cases are still under investigation. Among the completed cases, 1,191 cases were specific to Yezidi women and girls. The missing Yezidis are recorded as 2,495 people among whom 845 are female. There is no information about 2,303 of the missing people.

The KRG is also in close coordination with the United Nations to allow the International Criminal Court to do carry out its job on a national and international level on the crimes that ISIL perpetrated against Yezidis.

Erbil province terrorist attack - comments from the Erbil governorate:

The purpose of the terror attack on Erbil governorate was to destabilize the security of Erbil. The attack resulted in killing a Christian civilian, However, when the terrorists carried out the attack, they did not have information on the identity, religion, or ethnicity of the civilian, and it was possible to happen to anyone who was present there.

In the past few years, similar suicide and terrorist attacks have been carried out by terrorist groups in various cities in the Kurdistan Region, the purpose of which has been to threaten the peace and security of the region, and most of the victims to those attacks were Muslim.

Therefore, we reiterate that the Christian civilian who was killed in the attack was not targeted due to his religion.

Arresting ISIL-affiliate juveniles:

Comments from Ministry of Work and Social Affairs

According to the system in the reformatory center, completing school is one of the conditions for staying in the center. Accordingly, the minors who are willing to continue going to school can stay in the center until they turn 18 years old, otherwise they will not be allowed to stay in the center. When they attend university, they will be given accommodation in the dormitories until they get a job or find a permanent residence.

A system for alternative family was an idea suggested by the British organization, STEP in 2009. STEP, the main office of which is in Sulaymaniyah, has been working in collaboration with Ministry of Labor and Social Affairs (MOLSA) and relevant general directorates in order to finalize a plan for alternative family arrangements. A draft was

presented to the Presidency of the Council of Ministers in 2012, and a memorandum of understanding was signed between MOLSA and the STEP organization.

Comments from the Directorate of Women and Juveniles Reformatory

ISIL attacks in 2014 resulted in the displacement of thousands of people from the areas that were attacked to the Kurdistan Region. Due to the huge influx of IDPs, separating innocent citizens and ISIL affiliates was not an easy task; it was rather very challenging for the Peshmerga and other security forces. This encouraged the security forces to carry out certain security procedures to protect the safety of the civilians and IDPs and prevent ISIL affiliates from infiltrating with the ordinary IDPs.

To explain investigation and trial process, Erbil Asayish Investigation Court sends the cases to Erbil Criminal Court 2 for terror-related cases. Each governorate in the Kurdistan Region has Asayish investigation courts as well as criminal courts relevant to terror cases. Each governorate has 4 criminal courts, one of which is for terror-related cases.

The statistics show that currently 90 people (juveniles and women) who were arrested for being ISIL-affiliates are currently held in the reformatory center. Among the number, 14 boys under 18 are still detained and 50 boys are convicted and serving their sentence. Of the remaining, 26 are women. Others who were arrested are subsequently released and have been sent back to their places of origin.

Investigation has been carried out with most of the detainees who were arrested for ISIL-affiliation. As a result, some were sentenced according to the type of the crime they have committed. Detainees less than 18 years old who were arrested for being ISIL-affiliates are treated as victims rather than criminals. It is expected that the minors who were arrested for ISIL affiliation receive a special treatment by the KRG in coordination with international organizations and the for example, children who do not have parents and come to Kurdistan are treated as orphans and shelter is provided for them.

The General Directorate of the Reformatory Center works to provide the women and juveniles to have a productive stay and to learn different jobs so they can be self-sufficient after they are released. It also works to expedite their legal case as they have equal rights alongside all other detainees, including the right to a lawyer. The government provides them with lawyers in the case they are financially incapable of providing themselves with one. Similarly, UNICEF has assigned a lawyer to follow up with the cases of the detainees in the reformatory center, and recently the lawyer was able to release six detainees.

With regards to the children who live with their mothers in detention, the directorate has worked to return the children to their own homes and families, and otherwise with social monitoring houses. The families are usually not interested in accommodating these

babies. Daycares are provided to take care of the babies, but according to law, the babies are allowed to stay with their mothers until they turn three years old.

Local and international organizations are allowed to visit the reformatory centers according to the rules and regulations, which allows the organizations to pay visits twice a week due to workshop schedules for the detainees. They should give prior notice before a visit so as to keep an organized schedule.

The detainees are allowed to make phone calls to their families at any time except when they are under investigation.

Furthermore, a special program is being designed by the Ministry of Education for the detainees who want to continue their education in Arabic language. The program is scheduled to be active very soon so that the process of the detainees' education is not delayed.

Regarding healthcare services, the detainees are sent to hospitals when necessary. Those with chronic diseases are allowed to make their own healthy food, and regular medical checkups are done for the detainees.

Procedures for arresting suspects:

ISIL attacks in 2014 resulted in the displacement of thousands of people from the areas that were attached to the Kurdistan Region. Due to the huge influx of IDPs, separating innocent citizens and ISIL affiliates was not an easy task; it was very challenging for the Peshmerga and security forces. This encouraged the security forces to carry out certain security procedures to protect the safety of the civilians and IDPs while preventing ISIL affiliates from infiltrating the civilian IDPs.

Upon the arrival of refugees and IDPs in the reception centers, the security forces would start checking their identities and gather information on them. If they are suspected to be ISIL-affiliates, they will be transferred to Asayish and special courts. There have been many cases where there has been clear evidence of the suspects' ISIL-affiliation. In some cases, they were even ISIL snipers and they had participated in ISIL military and ideological trainings. The information is gathered from their own confessions and witness testimonial. Prior to liberating their areas, there has also been intelligence information on certain suspects. The security forces confirm the information before they arrest the suspects or put them under investigation.

It is not allowed to arrest anyone without a court order and legal procedures. After their arrest, the detainees have full access to their legal rights according to international principles and laws. Consequently, after their arrest, all the detainees and suspects were

treated according to the amended Iraqi Criminal Procedure Code No. 23 of 1971. The procedures include confirming the person's identity and beginning the investigations.

Whoever is arrested by the security forces is kept for 24 hours for investigation, later will be treated based on the results of the investigations, and afterwards will be sent to the special courts. However, due to the large number of IDPs, sometimes the legal procedures become time-consuming and it takes longer to finalize the cases. To solve that issue and make the process faster, Ministry of Interior monthly sends a list of the names of detainees whose cases are pending to the Court of Appeals in order to carry out the trial process.

Keeping the detainees for extended period of time:

Ministry of Interior

To avoid keeping detainees in detention for a long period of time, Ministry of Interior sends a monthly list of the names of detainees whose cases are pending to the Court of Appeals in order to carry out the trial process. For those who are kept in detention for more than 6 months whose cases are still pending, their names are sent to the Court of Appeals to follow up with their cases.

The Directorate of Asayish

Judicial representatives are present in the Directorate of Asayish when investigating the suspects because after arresting the detainees, the investigation officer must gather evidence on the suspect. Later, with a judicial representative present, he will submit the dossier to the judge.

After being arrested, the detainees stay in Asayish facilities for 15 days following their arrest until their cases are finalized. This duration is extended sometimes for the purpose of collecting more information and evidence on the suspects according to an order and approval of a judge. The decision on the suspect shall be issued within 24 hours and they will either be released or the investigations will continue. The lives of the witnesses are completely protected. Meanwhile, in case of any violation of principles or regulations by Asayish officers, they will be punished.

The government has made sure that the situation in the detention centers is well-kept in the Directorates of Erbil, Duhok and Sulaymaniyah Asayish. All the services like food and drinks, and health services are provided. For this reason, human rights organizations have acknowledged these efforts on several occasions. Organizations such as the International Red Cross Committee and United Nations Assistance Mission to Iraq have been provided access to those detention centers. Detainees have been put in solitary cells

only in exceptional cases such as if the detainee has had a disease, or if they had violated the regulations in the prisons such as causing unrest.

Police investigators in the police stations, offices of crime prevention, and Asayish stations conduct the legal procedures which leads to extended trial processes. However, the decisions are issued by investigation judges. The responsibility of completing the investigation paperwork falls to the investigation judges in the designated time-frame.

Ministry of Work and Social Affairs

The convicted individuals will be transferred to the reformatory centers for adults or women and juveniles centers based on a judge order. According to the rehabilitation system No. 1 of 2008, each convict has the right to request leave every 3 month on the condition that they complete one-third of their sentence (it should not be less than a year). This means that they can ask for leave 4 times in a year, and each time the leave is 5 day excluding the travel days which makes it 7 days in total. This decision does not apply to some heavy crimes such as terror-related crimes, crimes that threaten the region's national security, murder crimes, kidnappings, and participating in a murder. The inmate will be granted leave based on a report by a social advisor that proves the life of the inmate is not threatened outside. Another type of leave is granted for the inmates who have done a great job in services provided in the reformatory or if they achieved great academic performance during their studies in the reformatories.

The case of Niyaz Aziz Salih:

Contrary to what the USSD report has claimed concerning a random arrest, Niyaz Aziz was arrested by the Directorate of Counter-terrorism based on Article No. 21 of 2003 of the Kurdistan Parliament, the law replacing mutual articles 47, 48 and 49 of the amended Iraqi Penal Code. His case was later transferred to court and the administrative procedures were duly carried out.

The trial was delayed several times due to the motives that were identified in the minutes. During his designated trial process, Niyaz Aziz had admitted that he has committed to leaking and exposing political information from one political party to another in a verbal and written manner. Niyaz Aziz later denied the accusations, yet he had previously confessed of his acts before the investigation court. With full evidence on regarding the criminal act, Niyaz Aziz was convicted under Article 437 replacing articles 47, 48 and 49 as the information he has leaked was to another political party rather than to a government institution. Therefore, the court decided to convict and punish him. This decision was buttressed by Article 182-Section A in the amended Principles of Criminal Trial eligible for appeal in December 15, 2014. The conviction entailed two years imprisonment including his detention period from January 9, 2012 to December 14, 2014 based on Article 437 and replacing the similar Articles 47, 48, and 49 of the amended

Iraqi Penal Code. After the conviction period, he will be released if he is not accused of any other crimes.

Niyaz Aziz Salih was arrested on January 5, 2012 by an order from Erbil Asayish Investigation Court with charges of spying and espionage. He was arrested according to Article 1 of Law (No. 21 of 2003) and Criminal Court convicted of two years imprisonment according to Article 437 of the Iraqi Penal Code. The reason why he was not released as he was wanted for other crimes according to articles 289 and 298 from the Iraqi Penal Code concerning forgery. The judges who issued his verdict were Judge Dhahir Muhammad Mustafa, Judge Tahsin Taha, Judge Zitar Mahmood Miradkhan.

Three lawyers have defended his case since the beginning of his arrest, and they continue until now. The lawyers are Kareem Sofy, Suhayb Arif Abdullah, and Kardo Raza Majeed. He had full rights of access to family visits like all other prisoners and access to the detention facility's health services. Mr. Niyaz does not have any health issues and has not been tortured. There must be evidence of on the torture to prove this allegation. He had the right to report this before court in case he had been tortured. He was eventually released on August 17, 2017.

Legal Procedures regarding the detainees:

Comments from Ministry of Interior

There are three types of detention places in the Kurdistan Region: arrest and conviction offices, reformatory centers, and juvenile and women reformatory centers. The arrested criminals and suspects are dealt with based on the amended Law No. 23 of 1971 which is a Principles of Criminal Trial. The procedures include verifying the suspect's identity and starting an initial investigation. Should a crime be proved, the detainee has the right to have a lawyer, and if he is unable, the court must provide him with a lawyer and their families are informed about their arrest in the police station. Consequently, the case will be sent to a special court to be finalized.

If an individual attacks other people using their official uniform and a governmental ID, he will be punished by Article 289 of the amended Iraqi Penal Code of 1969. The punishment is imprisonment that is not less than 15 years.

Ministry of Peshmerga

Peshmerga forces temporarily take hostages only during war for a few hours. After conducting a primary investigation, they will be handed over to other security forces (Asayish). The Ministry of Peshmerga does not have any war hostage prisons or other detainees.

General Directorate of Asayish

Members of the General Prosecutor do not have an office within the building of Erbil General Asayish. However, a judicial investigator from Ministry of Interior has an office in the General Asayish building and members of general prosecutors office use this office to carry out their work. Torturing detainees is prohibited under all conditions, and no torture cases have been recorded.

Torturing ISIL juvenile detainees and secret detention centers:

Torturing detainees for forced confession is completely and utterly prohibited by the KRG. According to Article 333 of the amended Iraqi Penal Code (No. 111 of 1969), the defendants have the absolute right to file a complaint. The reason why no committees have been formed to investigate the reported cases of torture is because no complaints have been issued by the detainees.

Comments from Ministry of Interior

Forced confession and torturing detainees and prisoners by police and security officers is completely and utterly prohibited. According to the Iraqi Constitution Article 9/3, the detainees have the right to file a complaint to the relevant entities to the Ministry of Interior, General Prosecutors Office, Ministry of Justice, and Ministry of Human Rights. We have not received any complaints regarding this issue yet.

Comments from the General Directorate of Asayish/ Comments from the General Prosecutors Office

Forced confession and torturing detainees and prisoners by police and security officers is completely and utterly prohibited. We are ready to follow up with legal procedures for any cases that are reported to us and hold the offenders accountable and punished in this regard.

Representatives of the General Prosecutor's Office are present in the reformatory and detention centers, and in cases of any complaints from the detainees regarding torture, the general prosecutor's office will be immediately informed.

Freedom of Expression and Media:

Demonstration law in the Kurdistan Region

Kurdistan Parliament Act No. 11 of 2010 allows for organizing protests in the Kurdistan Region. According to the Act, people are constitutionally and legally allowed to protest. People are permitted to express their views and deliver their demands as long as they remain legally bounded and follow some procedures in the benefit of common good and avoid violence and vandalism.

Law No. 11 organizes the demonstrations according to the international standards and carefully identifies elements like time, type and the demands of the protesters. This is preserving the safety and security of the people and the protestors. Therefore, any intended protest must have official permission from governmental entities. Similarly, the right to protest is not prohibited by the government.

The number of the members of a protest's organizing committee must be a minimum of three persons and maximum of five persons, and they must be legally capable. The request must include the time, duration, and location of the protest. The protest shall happen following receiving approval from the relevant entities. If for any reason the request for conducting the protest was denied by the minister and/or the head of the appropriate administrative unit, the organizing committee has the right to appeal against the denial in the Court of Appellate within three days of the decision and the court has to finalize the appeal in 48 hours.

According to the laws on demonstration in the KR region, it is the full responsibility of the security forces of the region to maintain peace and to not allow the escalation of aggression by the protesters. The security forces must prevent chaos and vandalism that might threaten the lives, property, or resources of the citizens. In case of violations against the law, such as violence or extension of the designated protest duration, security forces are legally obliged to intervene and end the protests in a civil manner for the interest and security of the protestors and the public to reduce threats on human lives and public property. Similarly, the relevant laws prohibit the security forces from abusing its authority and using force against the protestors.

The KRG follows democratic principles in media and treatment with journalists. Request for approval is not required when issuing newspapers and magazines. The only measure required is to be registered with the Kurdistan Journalists Syndicate. There are 8,000 journalists in the Kurdistan Region, although many of those are not professional or experts in journalism. According to Law No. 40 of 2004, if the editor is even illiterate, he/she will be considered a journalist.

Due to the legislation in the Kurdistan Region that is favorable to freedom of expression, many protests and demonstrations have taken place in the Kurdistan Region for various purposes where violence has rarely occurred, and the KRG security forces protected the security of the protestors despite the fact that sometimes the rights of some governmental entities were violated.

In case any police and Asayish officers violate the terms of law and use force against the protestors, legal measures will be carried out against them according to the law. The

KRG is committed to recompensing those whose rights are violated as a result of security forces reaction.

To protect human rights and humanitarian principles, and to protect our national security, people from all levels of the government must work together to construct a strong front against terrorism and terrorists. Therefore, the journalists must help the security forces to protect Kurdistan's security. Due to their non-expertise, journalists that engage in defamation of certain individuals and groups of people may get sued for similar charges by the victims.

Judicial Council

The court takes impartial legal measures in case any journalists file any complaints against anyone.

Department of Media in the Council of Ministers

There are certain security and entrance procedures in place for media participation in the Prime Minister's press conferences. The Department of Media in the Council of Ministers notifies the media network prior to any press conference, so that they confirm their attendance and go through equipment security measures to enter. This must be done on time, and if they did not go through the process, they will not be allowed to enter the building. Therefore, it is a matter of logistics and prior confirmation of attendance.

Journalism Law in the Kurdistan Region

Practicing journalism in the Kurdistan Region is organized by law. According to Law No. 35 of 2007, a journalist can be held in custody only by a court order in parallel with an approval from the Kurdistan Journalists Syndicate. According to the above legislation, security forces do not directly deal with the journalists in acts of abuse, and enforcement of law only occurs when the court determines the action to be taken. In cases of defamation, spreading violence, distortion of properties, Iraqi Penal Code No. 111 of 1969 will be implemented.

March 2018 protests:

Many protests took place in the end of March 2018 by the teachers to request their rights and demand for annulling the salary saving system. The security forces carried out their responsibility of protecting the protesters and the public and preventing violence and unwanted incidents.

No one from the media or journalists raised any complaints against the security forces accusing them of using violence, and in case there are any complaints, they will be dealt with according to the law. What was observed from the protests was that some media

agencies attempted to hijack the protests and use it for other means and purposes and in some instances encouraged the protesters to engage in violence.

The media agencies must not work as opposed to the applicable laws and legislation, and they must deliver the truths to the public and to respond to the public's demands rather than inciting people to engage in violence.

Erbil protests

In the protests that took place in Erbil by the teachers to demand their rights, some political groups attempted to hijack it from its real purpose to achieve their own political ends. Some infiltrated the protests to provoke the security forces by using inappropriate language. It was unfortunate that even a number of armed parliament members were present in the protests. They identified themselves the representatives of the teachers but they were chanting slogans that encouraged violence. As the protests led to violence, the security forces were compelled to use tear gas to prevent further violence from the violators. These measures are legally allowed in such emergency situations.

The protesters were also against such acts from the parliament members and they stated that the MPs must defend their rights by legislation in the parliament rather than using the protests for their political interests and encouraging violence. Despite this inappropriate behavior, the security forces dealt with the situation normally so as to avoid any unwanted incidents.

It is worth noting that, for certain logistical reasons, these protests were not permitted initially. Some of the violent protesters were temporarily arrested for committing violence during the protests. A protester attacked a police officer and knifed him; the police officer filed a complaint against the attacker. It was later found out the person who encouraged the attacker had different political affiliation than the police officer. Many of them were also carrying melee weapons and many civil police officers were injured with them. A judicial file has been opened for them according to protest law No. 10, and they were released after investigation. On another note, no one has filed any lawsuits against the security forces. In case there is any, higher executive authorities are ready investigate any violations committed against the protesters, and punish the perpetrators from the security forces.

Certain people with no logos and signs on their cameras, which is against the regulations, were filming and taking pictures. The security forces were unable to identify them from the protesters and they were arrested; after investigation, it appeared that they were journalists and thus were released. For example, a Payam TV Channel reporter was arrested for a few hours as he was seen encouraging violence among the protestors. The protesters that were arrested according to law had engaged in violent acts and the destruction of public property, and they were released upon the end of the protests.

Institutionalizing security agencies:

The USSD report has stated that sometimes Asayish refuses to admit that there are certain detainees in the Asayish detention facilities so as to prevent the INGOs from meeting them. For instance, there was a claim two people have been arrested with charges of drug dealing and there was sufficient evidence that these two persons were arrested, but Asayish denied that. Erbil General Prosecutor rejected such claims and said that such a case has not been recorded.

General Prosecutor's office

The General Prosecutor's office rejects the allegations that the Peshmerga and Asayish forces have tortured people and have conducted inhumane treatment against people. The allegations that say that forces torture people when they arrest them, especially Sunni Arabs, is untrue. No detainee has complained about mistreatment. In line with special regulations in the General Prosecutor's office or courts, the detainees must be treated humanely.

KRI Security Council Law

The Security Council was established based on Law No. 4 of 2011. The Law was discussed in parliament session No. 11 on May 2, 2011. Following its approval, the law is active now. According to the law, the Security Council has the responsibility for laying out and arranging a unified security policy, and coordinating it with all the relevant departments of the government. The purpose of the law is designing the principles of the security of the region and defining all the main departments in the government which consist of regional security agencies, the General Directorate of Military Intelligence, and Protection and Information Agency. Therefore, Kurdistan Security Council is completely a political.

The formation of this council has been effective in planning KRI's strong security strategy to counter any potential threats against the Kurdistan Region. Having this council is a necessity in the current times, and it is vital that it operates under the flag of the Kurdistan Region as it will lead to guaranteeing and strengthening safety and security of the region in a way that is compatible with the principles of democracy and human rights.

The responsibilities of Kurdistan security forces have been organized according to special Kurdistan Parliamentary laws in 2004 and 2011. The forces are part of legitimate and official KR institutions, and their job is to protect the people of Kurdistan from any potential danger. Therefore, the Security Council has, legally and practically proven that

it is a governmental body and it has the responsibility of protecting everyone living in the Kurdistan Region. Unfortunately, the events in the 1990s affected the status of many institutions in the KR. However, the KRSC has stayed in a governmental and institutional framework.

The KR Security Council had an essential role in the fight against ISIL, and it was in continuous coordination with the coalition forces in military operations. KRSC efforts also had the main role in Peshmerga forces' victories and liberating ISIL-held areas. KRSC and counter-terrorism forces had an essential role in defeating ISIL in coordination with coalition forces, and they conducted many joint operations in the liberation of ISIL-held areas and the rescue of Yezidi women. Despite the label used by international reports, the Kurdish forces cannot be considered a militia, since it is an organized force that has worked in official coordination with international coalition forces.

Ministry of Peshmerga

Ministry of Peshmerga reforms are underway in cooperation with US, UK, and German military advisors. Out of 35 reform projects, 13 projects are underway, and they have already seen huge progress.

Fourteen brigades are organized and operate under the Ministry of Peshmerga, and some special regiments for ethnic and religious minorities are also organized under this ministry such Yezidi, Kakaii, Shabak, and Christian regiments.

In terms of the coordination between 70th and 80th units, both units are members of Ministry of Peshmerga High Commission and they their ranks get promoted through the Ministry of Peshmerga. In the fight against ISIL, the coordination between the two units was very efficient. Among the reform plans for the Ministry of Peshmerga is a special plan to reorganize and unify 70th and 80th military units in a way that budgets and salaries are centralized under the Ministry of Peshmerga. Command, control, employment, logistics, trainings, and all other administrative work will fall under the Ministry of Peshmerga.

The U.S.A. plays a great role in supporting the Ministry of Peshmerga in terms of providing equipment for them as part of the U.S.A.'s debts for Iraq, FMF 2016 and FMF 2017. This is in addition to U.S.A.'s aid in providing a budget for the Ministry of Peshmerga's needs and the monthly salaries of some of the ministry's staff.

The coalition forces continue trainings and play an advisory role with the Ministry of Peshmerga. A special center has been established named the Kurdistan Training Coordination Center (KTCC) where six European countries (Italy, Germany, Holland Britain, Hungary, and Finland) provide trainings for the Peshmerga forces in three

training fields in Bnaslawa, Menela, and Atroush. U.S.A, Britain and Germany provide trainings for the Peshmerga forces and staff in their countries.

Procedures carried out in the checkpoints:

The main purpose of the terrorists is to destabilize the security and stability of the Kurdistan Region and they do everything possible to achieve this goal. There are certain procedures that Asayish and Peshmerga forces take in the checkpoints to protect the safety and security of the people of the Kurdistan Region from all backgrounds.

Ministry of Peshmerga

The security procedures that are carried out in the checkpoints are common, and similar measures exist everywhere around the world for safety reasons. The checkpoints in the Kurdistan Region follow these security procedures in order to verify the IDPs' and refugees' identity according to a list of terrorism suspects and similar information held by the security forces. These security and screening procedures are in place to protect all people living in the Kurdistan Region including IDPs and refugees. Such procedures are not in place only for IDPs and refugees, but rather for whoever passes through them. Processing and safeguarding the huge number of IDPs and refugees has not been an easy task for the Peshmerga forces, and despite that, the Peshmerga forces have worked hard to make sure that humanitarian aid is delivered to the refugee and IDP camps.

IDPs have the full freedom of movement. However, there are certain security procedures in place to protect their lives during their movement across the region . As a result of IDPs flow in the Kurdistan Region, a huge number of ISIL families have infiltrated into the Kurdistan Region and have been arrested by the security forces in the checkpoints and frontlines. In some instances the suspects were armed. Therefore, these security procedures are common and they must be strengthened in order to protect the lives of IDPs and refugees.

The Ministry of Peshmerga reiterates that if anyone files a complaint against the Peshmerga forces and they have evidence that their rights have been violated, the legal department in the ministry will conduct an investigation into the matter and the perpetrators so that the right of the victim is ensured.

General Directorate of Asayish

The measures that the checkpoints follow is indiscriminate and for everyone so as to protect the safety and security of the Kurdistan Region, and they are conducted everywhere, especially in the conflict areas. Often the terrorism affiliates attempt to infiltrate into the Kurdistan Region through those areas. Many of those people have been

arrested for ISIL-affiliation charges as a result of effective role of the checkpoints. Following investigations, depending on the findings of the investigation, some of them are released and the ones who get arrested are guaranteed full rights.

The situation of detainees in Kurdistan detention centers:

There is a clearly defined arrest procedure by which individuals are brought into custody. The process of arresting the ISIL suspects begins by getting information from an informant that is given to the security forces. The security forces make sure to verify the information, and they do not fully rely on false information. Therefore, the condition for relying on the informant is for them to take an oath with what they believe in, and they have to hold an ID card, food ration, and citizenship of Kirkuk, which makes it a very dangerous job. The information is subsequently relayed to a judge who chooses whether or not to issue an arrest warrant for that designated individual or individuals. If the court decides to issue an arrest warrant, the Asayish security forces are then permitted to conduct the arrest. The detainees stay in investigation in the security forces for 24 hours.

After arresting the suspects, a file will be opened for them and it will be sent to an investigation court, and they will be under investigation for about 72 hours, and all their legal rights will be protected such as the right to having access to a lawyer. However, if the suspect was not proven guilty of terrorism affiliation, he/she will be released. The cases for those who were proven guilty will be transferred to a criminal court.

Legal adaptation pprocess and trial date will be set in the court according to the applied laws. Nobody gets arrested without a court order, and the arrested persons have the right to a lawyer upon arrest until are found guilty or innocent. The Ministry of Interior is the implementing authority of the courts' decisions and orders.

According to the amended Iraqi Penal Code No. 11 of 1969, after the issuance of a court arrest order, the criminal will be arrested and go through all the legal procedures according to the amended Principles of Criminal Trial No. 23 of 1971, which is an indication that the Ministry of Interior does not have the authority to arrest or release detainees unless the court decides.

After the detainee is convicted, he/she will be sent to the Ministry of Work and Social Affairs facilities to serve his/her sentence according to the existing regulations.

The trial process for terror related crimes is carried out in the investigation and criminal courts in the Kurdistan Region and the charges are applied according to Counter-Terrorism Act No. 3 of 2006, which was valid until July 16, 2016. The other laws that are currently implemented are Kurdistan Parliaments Act No. 21 of 2003 and the amended Iraqi Penal Code No. 111 of 1969.

Counter-terrorism Law No. 3 of 2006 was issued for the duration of two years as the KR was under the threat of terrorism attacks. For that reason, the law was being renewed every two years until 2014. Due to the ISIL attacks in 2014, it was necessary to renew the law again, thus, it was renewed again until June 16, 2016. Since the KR Parliament was closed at the time, the KR Advisory Board decided to replace the counter-terrorism law by The Penal Code Law. However, Erbil Criminal Court 2 was looking at the terror cases using KR Counter-terrorism Law No. 3 of 2005 by the virtue that ISIS crimes occurred in the beginning of 2014 and the law can be re-implemented that way.

The extension of counter-terrorism law:

Kurdistan Parliament passed the draft project in its July 1, 2018 meeting extending the counter-terrorism law with a majority vote. Beforehand it was required that the law gets amended every two years, but in the July 1, 2018 meeting, it was amended for good.

In the past few years, 2,652 people have been arrested in Hawler, Sulaymaniyah, Duhok and Kirkuk with the accusation of being ISIL-affiliates. The accusations have been proven on 1,110 of them, and the punishments ranged from three years of imprisonment to lifetime imprisonment. 870 people have been proven innocent and were released and 672 are still under investigation.

According to the applicable laws in Iraq and the Kurdistan Region, especially in regards to terror cases, the crime location details are not considered since terrorism does not consider the border between one province to another and one place to another. The main responsibility of counter-terrorism agencies is comprehensive in treating terrorism crimes and all the terror suspects are equally treated with no exceptions or discriminations.

Legally, if the crime has been done before June 16, 2016, Counter-terrorism law will be implemented, but if it is conducted after that date, Iraqi Penal Code will be implemented.

The formation of the High committee to Coordinate the Implementation of a Strategy of the Prevention of Corruption in the Kurdistan Region:

Following the approval of the draft of the strategy of the prevention of corruption in KRI in May 2, 2017, which was drafted by the Commission of Integrity and with the participation of other departments and support from Westminster Foundation for Democracy (WFD), the Head of the Commission of Integrity and the Council of Minister's Secretary proposed the formation of a high committee, which went into effect in December 17, 2017. The Integrity Commission carried out many procedures for preventing corruption and special courts issued many orders, reflected in the following:

Table 1.2: The statistics for arresting and investigation for 2018

Judicial orders/decisions	Total	Implemented decisions	Non-implemented decisions
Decisions for appearing before court	140	82	58
Arrest orders	54	29	28
Total number of the judicial orders	194	111	86

KRI Presidency

On February 10, 2016 the Kurdistan Region president issued some important points regarding reform projects in the Kurdistan Region. In March 2016, President Barzani conducted a series of meetings with KRI institutions and the roadmap for working was presented. In the initial stage of the process, the KRI Presidency submitted around 100 cases for investigation to the Integrity Commission and they were distributed according to the relevant judicial specialty area. By a presidential order, three committees were formed including the committee for violation on public property, the committee for medicine and medical equipment, and the committee for the Ministry of Peshmerga and military field. The members of those committees were assigned from all areas in the KRI based on the level of their integrity and without considering political affiliation.

Table 1.3: The total number of corruption cases in the criminal special courts in 2018 in the Kurdistan Region:

Province	Criminal Court		In court	Solved/Settled	Returned	Total
Erbil	49	27	53	15	8	76
Sulaymaniyah	35	19	44	2	8	54
Duhok	18	22	20	16	4	40
Total	102	68	117	33	20	170

Table 1.4: The finalized cases in the criminal court in the Kurdistan Region in 2018

Province	Convicted	Released	Total number of the finalized cases
Erbil	1	14	15
Sulaymaniyah	2	0	2

Duhok	10	6	16
Total	13	20	33

Integrity Committee:

To further advance measures against corruption, there must be a special corruption court similar to the one in Baghdad for a speedy finalization of the cases and sentencing of corrupt individuals. Having a court will prevent external interventions, as the integrity commission can better monitor the court. One of the biggest challenges of the integrity commission is the lack of the number of integrity investigators. The commission only has 13 investigators for 800,000 public sector employees and there is no investigator in Halabja, Gernyan administration, Rapareen, and Soran.

Table 1.5: The amount of the returned money to the investigation departments from 01/01/2018 to 25/12/2018

Directorate	The estimated corruption amount	The amount of money that was taken over	The returned amount of money
Erbil	274,842,885,200 IQD	-----	3 billion IQD monthly 36 billion IQD-annually
Sulaymaniyah	22,735,401,094 IQD	17,045,000 IQD	2,381,082,500
Duhok	885,198,557 IQD	-----	-----
Total	275,720,819,252 IQD	17,045,000 IQD	5,381,082,500

Conclusion:

KRG reiterates commitment to the international standards for human rights and expresses its readiness to carry out investigations on breaches of law in any relevant matters, if legally reported with sufficient and reliable evidence by any international entity.

KRG puts into practice an open approach to all members of the international community while being in the center of fight against global terrorism in and around its borders. Observations and monitoring of our governance standards and human rights practices by numerous international monitoring groups has always been critical to KRG and shall continue to be in a democratic governing system. We shall remain open to adapting to new standards and practices in execution of our policies and encourage an open dialogue discussion with our fellow government counterparts to ensure transparency and an open line of communication.

You can reach out to our office through the following email:

Email: **international.advocacy@gov.krd**