

Kurdistan Regional Government

Presidency of the Council of Ministers

Office of the Coordinator for International Advocacy



**KRG Clarifications on the Findings of the 2021 Country Reports on Human Rights
Practices: Iraq**

June 2022

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List of Abbreviations

- CAT – United Nations Committee against Torture
- DCOC – KRG Ministry of Interior’s Directorate for Combating Organized Crimes
- DoN – KRG Directorate of NGOs
- DoS – U.S. Department of State
- DCVAW – KRG Ministry of Interior’s Directorate for Combating Violence against Women
- FSC –Iraqi Federal Supreme Court
- FGM – Female Genital Mutilation
- GBV – Gender Based Violence
- HCWA – KRG High Council for Women’s Affairs
- ICC – International Criminal Court
- ICRC – International Committee of the Red Cross
- IDP – Internally Displaced People
- IED - improvised explosive device
- KJS – Kurdistan Journalists’ Syndicate
- KRCS – Kurdistan Region’s Security Council
- KRG – Kurdistan Regional Government
- MoE – Ministry of Education
- MoEF – Ministry of Economy and Finance
- MoH – Ministry of Health
- MoI – Ministry of Interior
- MoJ – Ministry of Justice
- MoMT – Ministry of Municipalities and Tourism
- MoP – Ministry of Peshmerga
- MoTI – Ministry of Trade and Industry
- NCC – Iraqi National Coordination Committee
- OHCHR – Office of the High Commissioner for Human Rights
- PKK – Kurdistan Workers’ Party
- PJN – Prisoners’ Justice Network
- PPO – KRG Public Prosecutor’s Office
- UNAMI – United Nations Assistance Mission for Iraq
- UNDP – United Nations Development Programme
- UNITAD – United Nations Investigative Team to Promote Accountability for Crimes Committed by Da’sh
- UNODC – United Nations Office of Drugs and Crimes
- UPR – Universal Periodic Review
- WHO – World Health Organization

Executive Summary

In addition to issuing laws, instructions and practical steps, the Kurdistan Regional Government (KRG)'s Council of Ministers has approved the Kurdistan Regional Plan for Human Rights (2021-2025) in accordance with Decree No 112 (2021) last year. The plan was prepared in consultation with a number of United Nations agencies, local and international civil society organizations, and foreign representations' offices. The plan is a road map for consolidating human rights principles for the next four years and implementing the commitments mainstreamed to the Kurdistan Region primarily through the recommendations of the Universal Periodic Review (UPR) and international treaties and conventions, such as the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Civil and Political Rights, and the Convention on the Rights of the Child, among others.

The report of the Action Plan has also been finalized and its salient points have been circulated across the governmental institutions parallel to the Decision No 6,900 on May 12, 2022 of the Secretariat of the KRG Council of Ministers. The aforementioned decision imposes commitments to accelerate the passing of pending project laws to the parliament, provides a framework to make the required legislative amendments, and urges a swift issuance of the necessary regulations and instructions. The ministries are henceforth obliged to submit seasonal reports that entail their progress in implementation the content of the Action Plan. The Action Plan covers the entire spectrum of human rights, including the areas that are highlighted by the U.S. Department of State (DoS)'s report and, accordingly, maps out the mechanisms of consolidating long-term remedies.

The responsibilities of Kurdistan Region's security apparatus have been organized according to parliamentary laws in 2004 and 2011. The Kurdistan Region Security Council (KRSC) is a part of legitimate and formal regional institutions, and their task is to protect the citizens of Kurdistan from any potential threat. Therefore, the KRSC has, legally and practically, proven that it is a governmental body and it has the responsibility of protecting everyone living in the Region.

KRG's Ministry of Interior (MoI) has legitimate jurisdiction over police forces across the Kurdistan Region. The institutional capacity of MoI is that it enforces the received orders from the judicial authorities.

In terms of the coordination between 70th and 80th units, both units are parts of the Ministry of Peshmerga's (MoP) institutional composition and their enlisted members are promoted through that ministry. In the fight against ISIS, the coordination between all the divisions and brigades were very efficient. The units were invariably subjected to obey commands from the Chief Commander of Peshmerga Forces. Until now, 21 infantry brigades and 2 reinforcement units have been unified under the auspices of the MoP. Among the ministry's reform plans is to

reorganize and unify the remaining units; a plan that has been under an ongoing implementation process.

KRG supports joint coordination between Erbil and Baghdad to resolve the lingering issues in Sinjar within the Shingal Agreement. Meanwhile, it backs policies that reflect the interests of the Yezidi community there. If implemented, the aforementioned agreement will set a decent example to other areas in which the discretionary powers of Erbil and Baghdad overlap. There is not a clear split of jurisdictions between the Federal authorities and regional government subsequent to the October 2017 events. The Federal authorities militarily proceeded to seize further territories, following October 2017, causing security vacuums to arise in some spots in the disputed areas. This, by and large, allowed ISIS militants to operate actively and launch strikes on Peshmerga and other Iraqi forces. KRG supports the existence of a joint task force that represents the line governmental security counterparts, and Peshmerga is an essential force whose participation in this regard is imperative to restore stability. Peshmerga has invariably protected ethnic and religious components in these areas.

The ability of ISIS to carry out hit-and-run and improvised explosive device (IED) attacks, exploit sectarian, political, and security gaps, and recruit vulnerable residents of displaced persons camps remained unchanged, but the lethality of ISIS attacks declined, partly due to limited resources and inexperienced members. More than 283 ISIS terrorist acts were recorded in Iraq from January 2021 to April 2022, which collectively resulted in 399 martyrs, 539 wounded individuals, and 40 abductions. The types of incursions terrorists utilized included affirmative attacks, ambush, suicide bombings, body-trapped vehicle and motorcycle, IED, fake checkpoints, rockets, mortars, and abductions.

After the preliminary results of the Iraqi election – which was held on October 10 – were disclosed, the Kurdish citizens of Kirkuk poured onto the streets to express their joy and celebration for the electoral victory. Some subversives diffused into the peaceful gathering and started to fire bullets into the sky. This ruined the celebrations and, in turn, the security forces twisted it to launch a random arrest campaign in the Kurdish neighborhoods such as Rahimawa, Shurija, Darwaza, Iskan, Azadi, Panja Ali, and Kurdistan. The security personnel deployed extensive forces with heavy weapons and military machineries. The arrests lacked foundational legal basis and merely targeted Kurdish civilians.

The incursions and encounters on the bordering areas have caused mass displacements and instability. Between January 2021 and April 2022, there were 138 airstrikes, 214 artillery shells, and 7 boots-on-the-ground and helicopter operations by the neighboring countries. KRG has requested the Kurdistan Workers Party (PKK) and other armed elements to discontinue their provocations against the neighboring states from the KRG territories. Also, it calls upon neighboring countries to consider that civilians inhabit the border areas, which are currently

exposed to bombardments; hence they are forced to flee their homes and abandon their farming lands.

In its efforts to raise accountability for ill-treatment, KRG takes effective judicial and administrative measures, where the Public Prosecutor Office (PPO) is tasked with investigating all forms of torture in detention and correctional facilities to ensure that detainees and those convicted are not subjected to ill-treatment. In 2021, legal measures were taken against 4 law-enforcement officers for employing violence in dealing with inmates; the measures ranged from warnings, deprivation of allowances for consecutive months, and translocation of their duties to other administrative units.

Investment is the backbone of Kurdistan Region's economic prosperity and the existing peaceful environment. It has played an essential role in actualizing sustainable development, abundant job opportunities, and a routinized maneuver of local and foreign capital. In this respect, the regional government has facilitated investment opportunities for successful entrepreneurs in accordance with law and merit. Towards September 2021, foreign investments constituted %16.93 of the total investments and reached 43 projects with the investment value of \$9,999,740,179; the domestic investments consisted of 926 projects with \$45,350,700,401 investment value and constituted %76.77 of total investment; and the hybrid investments have been 30 with \$3,726,468,298 worth of investments and constituted %6.31 of the total investments.

Health centers and medical teams in prisons operate 24 hours, including laboratory and medicines. Necessary medical examinations are conducted for the detainees while entering the detention and transfer centers, especially the detections of infectious diseases, such as hepatitis, AIDS, tuberculosis, as well as chronic ones, such as diabetes and blood pressure. Special medical files are made for them. KRG has allowed international and local human rights NGOs to visit convicted prisoners and pretrial detainees.

Media freedom is the cornerstone of a well-functioning democracy. KRG is committed to making improvements where they are needed. To take this work forward, KRG has invited the Office of the United Nations High Commissioner for Human Rights (OHCHR), United Nations Assistance Mission for Iraq (UNAMI) and international organizations to support the KRG in improving institutional processes in Kurdistan. And the KRG has been holding consultations with advocacy groups to address concerns regarding media freedoms and rights. The government is also working with the foreign representatives and international counterparts to further train local judges.

The judicial authorities are following up on allegations of torture against journalists, of which number of lawsuits have been filed, and 31 individuals were fined for using violence against journalists, and several cases were investigated for using violence against them.

KRG reiterates its unwavering commitment to bring justice to ISIS victims. To aid the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh (UNITAD) in processing the evidence needed for the prosecutions, KRG agencies have given a wide range of evidence and information on ISIS leadership members and finance sources. UNITAD has also been provided access to all evidentiary archives related to ISIS crimes that have been gathered and retained by the KRG as part of the digitization initiative, which coincides with Iraq's compliance with UN Security Council Resolution No 2379 to prosecute ISIS for international crimes.

For the purpose of recognizing the crimes of ISIS terrorists, the regional government has documented the dossiers of thousands of abductees. So far 5,170 case files are registered, of which more than 2,324 are concluded in the courts, 2,000 are still under investigation and 2,916 are registered as missing. Social and psychological support was provided to more than 2,234 victims. To document ISIS crimes, KRG has cooperated with UNITAD within the framework of the Iraqi National Coordination Committee (NCC), and succeeded in digitally archiving more than 73,912 pages for these crimes.

Internally displaced people (IDPs) and refugees in Kurdistan benefit from access to public services and infrastructure, such as drinking water, electricity, education, health care, roads, irrigation system, etc. KRG's policy in this regard reflects its commitment to safeguard fundamental human rights' principles and human dignity even under pressing circumstances. Moreover, the KRG believes that this policy is paramount to social cohesion, trust and peaceful co-existence. Towards August 2021, Kurdistan Region hosted 926,018 IDPs and refugees. Precisely, 664,237 of them were IDPs and 261,781 were refugees. There are 241,937 Syrian, 8,479 Turkish, 10,548 Iranian, and 736 Palestinian refugees. Contrary to popular perception, the majority of IDPs and refugees live with the host communities in the Region, while only %30 live in 36 camps. About %41 of the total displaced populations live in Erbil, %40 in Duhok, and %19 percent in Sulaimani.

The KRG has taken care of the handicapped and disabled people, and guaranteed their rights through the adoption of the law No 22 (2011). The law stipulates the rights and privileges of persons with disabilities and special needs.

The number of victims of mines and explosives who lost organs and limbs of their body in the Kurdistan region was 10,815 persons with various disabilities, including 90 who work in the field of demining. The latter lost organs, and limbs and suffered from other physical, psychological and socio-economic damages, due to mines and Unexploded ordnance (UXOs). This number is of course included within a larger population number of people living with disabilities. A draft law has been prepared to guarantee the rights of the workers in the minefields, by granting those rights and privileges as a result of their work in the field of

demining and explosives, including salaries, health insurance, study, and retirement. The KRG also provided a monthly grant to mine victims within the government budget.

Preliminary Comments

The United States Department of State (DoS) published the “2021 Annual Human Rights Country Report: Iraq” on April 13, 2022. The report refers to key developments and challenges in sustaining and improving human rights status in the country. As far as Kurdistan Region is concerned, the report comments on freedom of expression and speech, conditions within detention and reformatory facilities, uncertain jurisdiction in the disputed areas, children rights, women empowerment, fair trial, arbitrary arrests, freedom of movement, among other topics.

The KRG Office of the Coordinator for International Advocacy (OCIA) followed up with the relevant governmental institutions and entities on the issues raised in the Department of State’s report. The follow-ups and consultations regarding human rights progress in the Kurdistan Region are embodied within this report.

Section 1: Kurdistan Regional Plan for Human Rights

In addition to issuing laws, instructions and practical steps, the Kurdistan Regional Government (KRG)’s Council of Ministers has approved the Kurdistan Regional Plan for Human Rights (2021-2025) in accordance with Decree No 112 (2021) last year. The plan was prepared in consultation with a number of United Nations agencies, local and international civil society organizations, and foreign representations’ offices. The plan is a road map for consolidating human rights principles for the next four years and implementing the commitments mainstreamed to the Kurdistan Region primarily through the recommendations of the Universal Periodic Review (UPR) and international treaties and conventions, such as the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Civil and Political Rights, and the Convention on the Rights of the Child, among others.

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U.S. Department of State's report and, accordingly, maps out the mechanisms of consolidating long-term solutions.

The plan consists of 27 sections. It is an extensive roadmap that covers almost all the areas of human rights and good governance, including rule of law, fighting corruption, freedom of expression, women's rights, prison management, human trafficking, and religious freedoms, among others. The plan and the implementation mechanism are compatible with the agenda of the Ninth Cabinet of KRG to promote and uphold comprehensive reforms.

Kurdistan Regional Plan for Human Rights aims to implement the program of the Ninth Cabinet of the Kurdistan Regional Government, in addition to ensuring the harmonization of legislation in force in the region with international conventions and treaties related to the protection and promotion of human rights, consolidating the achievements made by the region in this field, in addition to building and strengthening institutional and individual capacities, including the recommendations of the UPR and all other conventions and treaties.

The plan relies on a number of procedures and priorities in implementation that represent a strategic vision, including reviewing legislation and proposing amendments thereto, providing a supportive environment for the independence of the judiciary, and developing training programs for law enforcement personnel in accordance with international standards and, accordingly, to work to ensure full equality and equal opportunities with respect to all rights.

1.1: Workshops

1- On April 10, 2022 OCIA supervised the first workshop to implement the Regional Plan, arranged in cooperation with Heartland Alliances, on human and organ trafficking. Representatives from the UN, diplomatic missions, and NGOs were present.

Senior Asayesh officers, specialized medical doctors from the Ministry of Health, and legal experts from the parliament were present. The discussion focused on finding solutions and raising accountability in the relevant institutions. As a general remark, it was inferred in the meeting that more robust monitoring mechanisms in the hospitals and among the vulnerable communities are required, in addition to legislative amendments.

2- An inclusive meeting took place on Monday, February 28, 2022 between OCIA and INGOs. About 40 representatives from INGOs were present. KRG Coordinator for International Advocacy commenced by stressing the importance of keeping non-governmental agencies and organizations on board. It was emphasized that this mechanism has been propelled since the very start of drafting the plan. Technical assistance from INGOs is imperative to proceed forward, we explained.

3- As part of the implementation of the regional plan and in coordination with the Prisoner of Justice Network (PJN), OCIA held a workshop on April 18, 2022 to improve prison conditions. Good exchanges were made to frame robust strategies in advancing the facilities in terms of surveillance and management.

It is obligatory for every security personnel in the prisons to be enrolled in a training program which encompasses the fundamentals of the college of law curriculum, and, in particular, the sections that deal with treatment of inmates parallel to human rights principles. Investigative judges - who are assigned by the Ministry of Justice and the Judicial Council - are present in the correctional facilities to receive the complaints of ill-treatment and to conduct investigations accordingly. Furthermore, the inmates are entitled to perform physical exercises on a daily basis.

4- On May 18, 2022, OCIA and Heartland Alliance organized a meeting on human-trafficking in which representatives from the relevant governmental institutions and UN agencies were present. Mechanisms to disrupt human-trafficking networks and to redress the victims were tabled. In 2021, according to the KRG Directorate of Combating Organized Crimes (DCOC), 8,500 foreign workers arrived in the Kurdistan Region through the Ministry of Labor and Social Affairs (MoLSA). About %97.5 of the workers were female home maids and janitors and %2.5 were male workers who work in construction and cleaning projects. These workers are entitled to social security, medical check-ups, and regular monitoring during their working time.

Fourteen recommendations from the UN Human Rights Council concerning human-trafficking were forwarded to Iraq and the Kurdistan Region. In the workshop, it was highlighted that sexual trafficking is the most widespread form of human-trafficking, followed by labor trafficking and migrant smuggling to the European countries. There are ghost companies who secretly import workers and then transfer them to areas outside KRG jurisdiction. These workers, contrary those who are registered in MoLSA, are susceptible to human-trafficking in all its forms.

KRG DCOC under the MoI that is comprised of two sections: one for human-trafficking and one for money laundering. As far as the former is concerned, it operates 8 offices across the Kurdistan Region. **More elaborations and data in this respect are illustrated in Section 2.1.**

Section 2: MoI and Security Institutions

As far as the intelligence services structure in the Kurdistan Region is concerned, the Kurdistan Region Security Council (KRSC) is a well-established governmental institution, and, while it distributes particular obligations to provinces on the basis of decentralization, it consolidates unified security policies.

KRSC is a prominent institution that enacts and manages the mainstream security policies of the region. While this agency disperses a number of responsibilities from the center to the

governorates, it consolidates cohesive and unified security strategies. In 2004 and 2011, separate parliamentary legislations were passed to structure the roles of Kurdistan security forces. The KRSC has demonstrated that it is an institutional structure with the obligation of safeguarding everyone residing in the Kurdistan Region.

KRSC was established based on Law No 4 (2011). According to the law, this institution has the responsibility for laying out and arranging a unified security policy, and coordinating it with the relevant departments of the government. The purpose of the law is to design the principles of the security of the region and to define all the main security departments in the regional administration, which consist of security agencies, the General Directorate of Military Intelligence, and Protection and Information Agency.

The formation of this council has been effective in planning the Region's strong security strategy to counter any potential threats against it. The KRSC's role is essential, and it is vital in order to strengthen the 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 parliamentary laws in 2004 and 2011. The forces are part of legitimate and official regional institutions, and their task is to protect the people of Kurdistan from any potential danger. Therefore, the KRSC has, legally and practically, proven that it is a governmental body and it has the responsibility of protecting everyone living in the Kurdistan Region.

The KRSC had an essential role in the fight against ISIS, and it was in continuous coordination with the coalition forces in military operations. The KRSC support also had an essential role in Peshmerga forces' victories and liberating ISIS-held areas. KRSC and counter-terrorism force conducted many joint operations in the liberation of ISIS-held areas and the rescue of Yezidi women.

MoI has legitimate jurisdiction over police forces across the Kurdistan Region. The institutional capacity of MoI is that it implements the received orders from the courts. MoI is responsible for protecting the citizens of Kurdistan Region by ensuring security, stability, safeguarding private and public properties, and combating crimes. In 2020, 54 workshops were held for 315 officers and clerks from MoI. In 2021, 70 workshops were held: 22 within the ministry's premise, 46 outside the premise, and 2 outside of Iraq. The ministry oversees several departments and directorates, including the DCOC and the Directorate of Combating Violence against Women (DCVAW). Both of the aforementioned directorates have offices across the Kurdistan Region and they are bureaucratically connected to the MoI Diwan in Erbil.

Section 2.1: Human-Trafficking

TIP has been criminalized in the KR in July 2018, following the enactment of Law No 6 that ratified the Federal Anti-Trafficking Law of 2012. No amendments have been made to the aforementioned law, or other relevant enactments, in 2021. The penalties prescribed in the law include temporary, medium and life sentence, fines ranging from five to twenty-five million Iraqi dinar, and death penalty (it is not executed in the KR unless the crime is heinous). Law No 71 (1987) is executed to protect migrant workers. KRG added supplementary regulations to the law in 2013 and 2015. The government forbids pre-payment employment, and the licensed companies are forced to abide by the regulations of MoLSA. The only exception is reserved for employment solution companies; they can deduct up to %25 of the employee's first salary if they pinched in upon a request.

The foreign workers enjoy the same rights of local workers, as long as the worker is registered in the MoLSA. The employers are fully aware of the government's regulations and instructions with regard to the workers' safety, security, and medical care. Any employer who violates those rules will be punished according to the amended Law No 71 (1987). However, the Ministry is not responsible for the employers whose name and business is not registered; the Ministry of Interior will take the lead in these instances.

An inspection committee frequently visits projects and working sites. In cases where an employer fails to execute its duties as prescribed in the contracts with the workers, they will be warned in the first resort. And if they still fail to comply, they will be referred to the court. The home workers are mostly women, and their conditions are observed by committees administered by three people operating in each governorate. MoI, in coordination with the MoLSA, issued instructions to prohibit private sectors employers from imposing fees, confiscating passports, and exchanging contracts, according to Ministerial Order No. (15240 on 9/21/2016). MoI changed the title of the High Committee to Combat Human Trafficking to DCOC. The new directorate signals the exertion of more concrete efforts to combat the phenomenon. The six offices in each of the governorates and municipalities (Erbil, Dohuk, Sulaimaniyah, Halabja, with Rania and Garmyan administrations) are still in force, but they are now operating under the aforementioned directorate.

Nevertheless, the Covid-19 pandemic posed dismal challenges to the law-enforcement agencies and the judicial process in the past two years, especially in terms of victim identification. A special court to try human trafficking-related cases has not been established yet. According to the Article 7 of the Human Trafficking Law, if a person headed or established a network to conduct TIP or contracted a deal in this respect, he will be jailed for no less than three year and will be fined for an amount that is no less than 10,000,0000 IQD. Comparing to the legal punishments of sexual harassment and rape, the penalties are jail for no less than one year – with a considerable fine – and life imprisonment or death penalty, respectively. Articles 6 and 9 from

the law also stipulates punitive measures in this regard. The cases are initially investigated in the Investigation Court. If the judge decides that the case is related to TIP, he/she will refer it to the Criminal Court. However, if the victim was a juvenile, the case will be referred to the Juvenile Court; and if compensation was needed, the case goes to the Civil Court.

No	Subject	Erbil	Sulaimani	Duhok	Halabja	Garmyan	Raparin	Total
1	Companies Visited/Investigated	240	30	7	-	3	60	340
2	Companies Referred to the Court	26	-	3	-	-	-	29
3	Companies Blacklisted/Suspended	-	-	-	-	-	-	
4	Unlicensed Companies – Closed	-	-	-	-	-	-	
5	Lawyers Investigated for Involvement in TIP	381	86	175	-	-	-	642
6	Lawyers Referred to the Court	3	-	-	-	-	-	3
7	Foreign Nationals Interviewed	1,650	200	70	-	11	95	1,996
8	Victims Identified	59	2	14	-	-	2	77
9	Victims Referred to the Shelters	58	2	4	-	-	8	72
10	Foreign Nationals Transferred to their Countries	20	6	2	-	-	-	28
11	Cases Recorded in 2021	188	31	57	2	5	16	299
12	Cases Closed in 2021	8	4	11	1	1	8	33
13	Cases Settled in 2021	128	4	37	1	2	6	178
14	Pending Cases	52	27	9	1	2	1	92
15	Foreign Nationals Deported	54	-	1	-	-	-	55
16	Training Sessions for Relevant Governmental Cadres	1	1	3	3	2	1	11
17	Meetings of Sub-Committees of Combating Human Trafficking	-	-	2	-	-	-	

There are yet challenges to overcome. The relevant authorities need to dedicate a special hotline to report cases of human trafficking and enable victims to seek protection. Furthermore, awareness and educational campaigns about the dangers of human-trafficking should be carried out by civil society organizations and research centers. More importantly, coordination and cooperation with international organizations and specialized civil society organizations should be

intensified in order to increase the number of shelters and rehabilitate victims of trafficking psychologically and physically and reintegrate them into society. These points are integrated in the Action Report of the Regional Plan for Human Rights and they reflect the unexecuted recommendations enacted by the UN Human Rights Council.

Section 3: Unification of Peshmerga Forces

The report of the DoS makes observations regarding the ongoing institutional reforms in the MoP. Peshmerga fought ISIS for four consecutive years with persistence, valor, and resilience. The battalions and divisions deployed incorporated troops regardless of the units, and they were distributed on the frontlines.

Peshmerga forces suffered heavy casualties during the war against terrorism: 1,810 Peshmerga were martyred, 10,842 were wounded, 596 were physically disabled, and 42 still remain missing.

In terms of the coordination between 70th and 80th units, they - along with other units - are under the jurisdiction of the MoP's institutional composition and their enlisted members are promoted through that ministry. In the fight against ISIS, the coordination between the divisions and brigades were very efficient. The units operated under the commandship of the Chief Commander of the Peshmerga Forces. Among the reform plans for the MoP is a special plan to reorganize and unify the 70th and 80th military units in a way that budgets and salaries are centralized under the abovementioned ministry. Command and control, consolidation, employment, logistics, training, and all other administrative work will fall under that ministry.

There are significant improvements made with regard to the 70th and 80th units' ultimate unification. To this point, as mentioned above, the project addressed integration of the payroll units, and the salary lists of the troops and commanders, retired, and disabled Peshmerga. Furthermore, the inclusive project also aims to establish a centralized approach in distributing the bodyguards on the commanders. The project includes the blueprints of these plans, and it is submitted to the Presidency of the Council of Ministers and the Ministry of Economy and Finance (MoEF) for implementation. Until now, 21 infantry brigades and 2 reinforcement units have been unified under the auspices of the Ministry of Peshmerga.

Section 4: Shingal Agreement

The DoS's report also refers to the Shingal Agreement, which is yet pending implementation. Conflicts and political instability produce everlasting impacts on civilian lives. It is imperative to search for feasible ways to ease the effects of war. And among the most important means is national reconciliation; because it is a fundamental requirement to achieve political and social

stability, to rebuild the demolished houses, and to open a new page for a secure political and social future that embraces all components of the Iraqi people.

The mechanisms of national reconciliation, such as transitional justice, determine the extent of the success or failure of the national reconciliation project, as well as its acceptance. This mechanism gives an opportunity for societies to deal with the situation after the conflict stage and transforms it from a state of chaos and confusion to a state of a pluralistic democratic system so that the new system respects and protects human rights. The regional government is working to restore security and political stability to the disputed areas through the execution of the Sinjar agreement in coordination with the federal government and urges the international community to provide support for the implementation of the aforementioned agreement.

In this respect, KRG strives to give priority to the processes of ensuring the achievement of national reconciliation and transitional justice, by developing a strategy to address human rights violations committed by all parties to armed conflicts; implementing Art 140 of the Federal Constitution, because it is a stepping rock for coexistence, national reconciliation, security and stability; promoting transitional justice measures that enable the realization of the right to truth and compensation for victims as well as accountability for those responsible for violating human rights and international humanitarian law; and taking further steps to promote the full and meaningful participation of women.

In early May 2022, about 701 Yazidi families numbering 4,083 people were displaced from the towns of Sinune and Dugere in their homeland of Shingal, in the wake of two days of intense fighting between the Iraqi army and a militia group affiliated with the Kurdistan Workers' Party (PKK).

If implemented, the Shingal Agreement will set a decent example to other areas in which the discretionary powers of Erbil and Baghdad overlap. There is not a clear split of jurisdictions between the Federal authorities and KRG subsequent to the October 2017 events. The Federal authorities militarily proceeded to seize further territories, following October 2017, causing security vacuums to arise in some spots in the disputed areas. This, by and large, allowed ISIS militants to operate actively and launch strikes on Peshmerga forces and other Iraqi forces.

KRG supports the existence of a joint-task force that represents the line national and regional security counterparts, and Peshmerga is an essential force whose participation in this regard is imperative to restore stability. Peshmerga has invariably protected ethnic and religious components in these areas.

The existence of forces that do not operate solely under the authority of the Iraqi Chief Commander of the Armed Forces made the security situation more volatile, paving the way for

ISIS militants to take this opportunity to conduct terrorist activities that severely damaged the stability in the disputed areas.

KRG and the federal government had cooperated from 2003 until 2017 to manage the security in those areas. KRG has strived to promote democratic and humanitarian principles in these areas, most important of which is the protection of coexistence between ethnic and religious components, and it believes in the implementation of Art 140 of the Iraqi Constitution guarantee these initiatives.

KRG has continuously asked the federal government to execute Art 140 as soon as possible and it displayed its utter commitment for coordination and cooperation in this respect. KRG also asked the international community, prior the war against terrorism, to render self-rule rights for the people residing in the disputed areas, in order to eliminate the existent frictions and conflicts, and to eradicate traces of terrorism.

Committees formed to implement the provisions of Article 140 under the successive governments after 2003, and the Iraqi Federal Court, as the highest judicial authority in the country, resolved an Iraqi political and legal debate over Article 140 of the Iraqi Constitution, and acknowledged that this Article is still in effect until the full implementation of its requirements for restoring the status quo in the disputed Iraqi areas to the way they were before the demographic changes, especially in the Kirkuk governorate. Furthermore, Law No 75 (2015) was enacted, which sets a framework for the compensation of the victims of the armed conflicts and terrorist acts. Additionally, six joint coordination centers were also established in Kirkuk, Makhmour, Kasak and Khanaqin, in addition to the two main centers in Erbil and Baghdad. Work is underway to form two joint brigades from the Peshmerga and the Iraqi army to fill the security gaps and eliminate terrorist cells.

Nevertheless, halting the implementation of the Shingal Agreement presented huge challenges for appeasing the security conditions in the disputed areas. KRG has suggested a number of steps to restore stability in the disputed areas within the Action Plan for Human Rights: Cooperation and coordination between the executive authorities in the federal government, the regional government, the United Nations and the international community to carry out their duties in order to implement the Shingal Agreement; compensation for all those affected by the attacks of terrorist groups; working on the reconstruction of the stricken and damaged areas and allocate an adequate budget for the extent of the damages inflicted on those areas; delivering the necessary daily services in preparation for the return of the displaced to their areas; removing the remaining mines and explosives in some areas to enable the return of their people; and working to implement what is stated in Art 140.

Table 4.1: Coalition Forces' Aerial Activities to Combat ISIS Terrorists (2014 to 2022)

Date	Airstrikes	Terrorists Killed	Heavy Weaponries Destroyed	Terrorists' Transportation Means Destroyed	Buildings and Frontlines Targets
12/8/2014 – 31/4/2022	9,331	12,053	2,604	2,299	7,256

More than 283 ISIS terrorist acts were recorded in the disputed areas from January 2021 to April 2022, which collectively resulted in 399 martyrs, 539 wounded individuals, and 40 abductions. The types of incursions terrorists utilized included affirmative attacks, ambush, suicide bombings, body-trapped vehicle and motorcycle, IED (improvised explosive device), fake checkpoints, rockets, mortars, and abductions."

4.1: October 2021 Elections

On May 27, 2021, the Secretary - General submitted a report to the Security Council on the electoral process in Iraq. This special report comes in line with the Security Council Resolution 2576 (2021), in which the Council has requested that the Secretary General provides a report on the electoral process and the assistance provided by UNAMI in the process.

The report had indicated that the Independent High Electoral Commission (IHEC) accredited a total of 1,891 international observers (including national support staff), 160,148 domestic observers and 495,733 political party representatives.

Regarding technical electoral assistance, UNAMI in coordination with the United Nations Development Programme (UNDP) developed a project entitled "Support to Iraq's electoral process". The project consisted of two phases where phase I focused on capacity-building of the IHEC and phase II provided direct technical support in preparation for the elections in Iraq. A total contribution of 32.4 million dollars from 11 donors was made to UNAMI to implement the project.

During the voting day, United Nations experts visited 79 polling stations in 25 polling centers. No major irregularities were reported.

The report further indicates that the preliminary election results suggest that there will be a historic number of women in the Council of Representatives, surpassing the 25 per cent quota.

After the preliminary results of the Iraqi election – which was held on October 10 – were disclosed, the Kurdish citizens of Kirkuk poured onto the streets to express their joy and celebration for the electoral victory. Some subversives diffused into the peaceful gathering and started to fire bullets into the sky. This ruined the celebrations and, in turn, the security forces twisted it to launch a random arrest campaign in the Kurdish neighborhoods such as Rahimawa, Shurija, Darwaza, Iskan, Azadi, Panja Ali, and Kurdistan. The security personnel deployed extensive forces with heavy weapons and military machineries. The arrests lacked foundational legal basis and merely targeted Kurdish civilians.

The security forces there believed that the subversives were supporters of the Kurdish parties, and consequently arrested a number of the peaceful celebrators. Hours later, a number of video clips surfaced, showing that in the wake of the riots, people affiliated to the Kurdistan Workers Party (PKK), PMF and others were among the celebrators waving flags and chanting. Hence, the security forces were convinced that the celebrations were purposefully tossed off their normal course.

On the night of 13-14 October in the neighborhoods of Shurja and Rahimawa, about 80 Kurdish citizens were arrested by the security forces, fifty of whom were charged with violating Article 222 of the Iraqi Penal Code. But without any thorough investigation about the actual numbers, the Kirkuk police chief stated that only 36 people were arrested.

The youths were arrested without a court order; but pursuant to the order of the Joint Operations Command of Kirkuk. The city has been under military rule since October 16, 2017. About ten volunteer lawyers decided to provide legal defense to the youths, and reported that they were charged with the violation of Article 222 of the Iraqi Penal Code.

Those arrested on the first night were subjected to torture, and physical abuse was reported. Traces of beating and electric cables were apparent on their bodies.

Section 5: Border Bombardments

Ever since the clashes and bombardments commenced, civilian impacts culminated in mass displacement, colossal proprietary damages, and the victimization of innocent civilians. Neither the Iraqi government nor the authorities from neighboring countries stepped in to reach an equitable outcome for the civilians who have had their houses demolished, their farming lands destroyed and their lives endangered.

The incursions and encounters have caused mass displacements and instability. Between January 2021 and April 2022, there were 138 airstrikes, 214 artillery shells, and 7 boots-on-the-ground and helicopter operations by the neighboring countries.

The stance of the KRG with regard to the continuation of these bombardments has been clear. These attacks endanger the lives of Kurdistan citizens, destroy their properties, annihilate the villagers’ agrarian lands, impairs civilian infrastructure and damages the forests. Moreover, these actions have imposed displacement on many of the villagers, and killed civilians along with dozens of casualties. Additionally, due to the resuming clashes, more than 800 villages remain without inhabitation, reconstruction, and services.

KRG has requested the PKK and other armed elements to discontinue their provocations against the neighboring states from the KRG territories. Also, it calls upon neighboring countries to consider that civilians inhabit the border areas, which are currently exposed to bombardments; hence they are forced to flee their homes and abandon their farming lands.

Table 5.1: Latest Data of Border Bombardments (January 2021 to April 2022)

Date	Airstrikes	Artilleries	Boots-on-the-Ground	Total
1/1/2021 – 31/4/2022	138	214	7	359

Section 6: Guaranteed Liberties

6.1: Protection from Torture

To combat torture, the Kurdistan Regional Government takes effective judicial and administrative measures, where the PPO is tasked with investigating all forms of torture in detention and correctional facilities to ensure that detainees and those convicted are not subjected to ill-treatment. Legal measures are taken against the security personnel who are involved in perpetrating torture or facilitating its occurrence. In this respect, cases that allegedly involve torture have been tackled and the legal proceedings have already taken course. The legal proceedings include the approval of an equitable compensation for persons who remained in pre-trial detention for a longer-than-usual period.

On April 25 and 26, 2022, the KRG Coordinator for International Advocacy led a KRG delegation to the Human Rights Council in Geneva, where they illustrated the regional government’s commitment in this respect to the Committee against Torture (CAT). They explained that in 2021 legal measures were taken against 4 law-enforcement officers for

employing violence in dealing with inmates; the measures ranged from warnings, deprivation of allowances for consecutive months, and translocation of their duties to other administrative units. Additionally, the Detention and Prison Regulations No 1 (2008) remain in force, in which a set of rights are consolidated for inmates, the most important of which are education, visits, health care and the right to home leave.

Prior to conviction, the detainees are entitled to full and inalienable rights. The reasons underlying a person's arrest are elucidated in line with the pressed charges against him; moreover, his family will be promptly informed of the place of his arrest. Aside from these basic rights, the court will appoint a lawyer to accompany the suspect throughout the investigation and trial phases, if the latter could not afford hiring one. In this regard, in 2021, the costs of appointing lawyers to the regional government amounted to more than IQD 1,700,000,000 (one billion and seven hundred million Iraqi dinars). If the court upholds the innocence of the suspect, he will be compensated according to Law No15 (2010), which stipulates compensating detainees and convicted persons in the region.

The law reserves detention and arrest warrants issuance in the hands of the judiciary, which means stripping any other party of the right to detention, whether it is an administrative or security agency.

To preserve the rights of the suspect or the accused during the arrest stage in the police stations, the Kurdistan Region's Judicial Council has coordinated with the PPO, and the Presidency of the Court of Appeal and its affiliated departments to oblige all police stations to appoint lawyers for the suspects.

In order to maintain the transparency of the investigation process, the Judicial Council has prepared a form to verify allegations of torture. The investigation judge, the Public Prosecutor and the lawyer in question are required to sign the form after the accused signs. This form is to verify whether the suspect faced ill-treatment during the investigation process.

Medical examinations of the accused are also conducted to investigate allegations of torture. If the accused was subjected to torture by police officers, this must be reported at the time of the investigation to be recorded in the testimonies. In this regard, in order to protect the rights of the accused, several committees were formed in the MoI to take the necessary measures if it was proven that the detainee had been subjected to torture or ill-treatment.

As far as prison management is concerned, local and international counterparts have an unfettered access to detention facilities in order to monitor the adherence to human rights principles. In 2021, 85 visits were carried out to the detention facilities under the jurisdiction of the KRG Ministry of Interior. Local civil society organizations, PPO, the Independent

Commission of Human Rights, UNAMI, and the International Committee of the Red Cross (ICRC) paid regular visits.

KRG devoted a section in the Action Report of the Regional Plan for Human Rights on the subjects of ill-treatment and forced disappearance. Among the plans, it has been suggested to develop special instructions that include a procedural guide to facilitate the process of resolving complaints about allegations of torture; providing training for all levels, including employees of psychiatric hospitals and mental health institutions, on the rights of persons with disabilities and the rights of persons with psychosocial disabilities; ensuring the provision of an effective system for conducting independent medical examinations for persons with disabilities suspected of being subjected to violence; coordinating with the Ministry of Justice and the Permanent National Committee for International Humanitarian Law in the federal government and the development of comprehensive programs and mechanisms to deal with the file of missing persons at the national and international levels; preparing and submitting a draft law on the right-to-know-the-truth for victims of missing persons; preparing and submitting a draft law on the National Commission for the Missing Persons; launching national awareness, education, and capacity-building programs for workers in relevant state institutions regarding mechanisms for accessing truth and revealing the fate of the missing, by launching a media campaign to educate the right-to-know-the-truth; and incorporating the right to know the truth in educational curricula and academic studies, strengthening cooperation with international and national organizations in the field of training and developing capacities for families of missing victims and those working on this file.

Section 7: Economic Development

7.1: Investment

The 9th cabinet of KRG has made unprecedented progress in terms of investments, embarking on reviving the sectors of agriculture, industry, tourism, health and other aspects of public sectors; thus, stepping into efficient diversification of economic resources despite the Covid-19 pandemic and the dire economic crisis the region went through in 2020.

Investment is the backbone of Kurdistan Region's economic prosperity and the existing peaceful environment. It has played an essential role in actualizing sustainable development, abundant job opportunities, and a routinized maneuver of local and foreign capital. In this respect, KRG has facilitated investment opportunities for successful entrepreneurs in accordance with law and merit. Since its establishment on August 1st, 2006 towards November 16, 2021, the Investment Board licensed more than a thousand projects; its vast majority produced remarkable investments. The total investment value throughout the aforementioned period was \$59,076,908,879 billion.

Since its establishment on August 1, 2006 towards the end of 2020, the Investment Board licensed 1,085 projects, among which 940 licenses produced remarkable investments while 145 licenses were terminated due to failure in compliance with the law and the instructions of the Investment Board.

Table 7.1: Investment Projects' Distribution on the Basis of Type, Invested Capital and Capital Percentage

Governorate	Number of Investment Projects	Type	Invested Capital	Capital Percentage
Erbil	402	Domestic	\$25,191,691,054	%41.25
Sulaimani	265	Domestic	\$14,843,809,755	%32
Duhok	259	Domestic	\$5,315,199,593	%22.71
Erbil	33	Foreign	\$9,394,727,720	%15.09
Duhok	9	Foreign	\$605,012,459	%1.02
Erbil	14	Hybrid	\$679,254,503	%1.15
Sulaimani	8	Hybrid	\$2,450,853,782	%4.15
Duhok	8	Hybrid	\$596,360,013	%1.01
	998	Domestic, foreign,	\$59,076,908,878	%100

		and Hybrid		
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The foreign investment constituted %16.93 of the total investments and reached 43 projects with the investment value of \$9,999,740,179; the domestic investments consisted of 926 projects with \$45,350,700,401 investment value and constituted %76.77 of total investment; and the hybrid investments have been 30 with \$3,726,468,298 worth of investments and constituted %6.31 of the total investments.

Precisely 238 projects were conducted in the industrial sector with the value of \$18,508,000,000; hence industry is ranked first in the KRG investment index. Towards September 2021, 184 projects were carried out in the residential sector, 162 in tourism, 163 in trade, 59 in health, 32 in agriculture, 4 in banks, 44 in education, 4 in communication, 14 in services, 3 in transportation, among others. Between 2007 and 2018, 1929 custom exemption documents were issued by the Investment Board in order to incentivize investments and prosperity.

To promote efforts in preventing the waste of public funds, the Investment Board terminated the license of 145 pending projects that collectively seized 17,737 acres of lands but did not initiate investments. About 1,182 non-implemented projects were rejected due to noncompliance with the integrity calibers. The latter category had 9,160 acres. Hence, the total lands reposessed to the public equals 26,898 acres. The licenses were reallocated to other investors to commence the projects as soon as possible.

The unprecedented progress in investment is accompanied by transparency, equality of opportunity, competitive business environment, coherent and integral policies, and facilitations. The Kurdistan Region is a safe haven for b usinesses to grow and prosper. The consolidated safety and stability attracted foreign countries to heavily invest in the local markets. Meanwhile, domestic investments are rapidly increasing.

Section 8: Reformatory Centers

8.1: Health Conditions in Prisons

Health centers and medical teams in prisons operate 24 hours. Laboratories and medical supplies are provided for the inmates. Necessary medical examinations are conducted for the detainees while entering the reformatory centers, especially the detections of infectious diseases, such as hepatitis, AIDS, tuberculosis, as well as chronic ones, such as diabetes and blood pressure. Special medical files are made for them.

There were 11 deaths in the reformatory and detention facilities in the past two years and the first four months of 2022. Precisely, 7 inmates died in 2020, 2 deaths in 2021 and 2 others in 2022. The Ministry of Health (MoH) observes the causes of deaths in correctional facilities. In 2022, for example, the forensic report revealed that one of the deaths was due to complications of intracerebral hemorrhage and the other was attributed to atherosclerosis and cirrhosis.

There is a health center for every reformatory center in the region. There is a physician accompanied with health cadres of no less than 2 on a permanent basis, and adequate health services are provided to treat the inmates. In the event of an emergency or if they are not able to be treated inside the reformatory, they are referred to hospitals based on a doctor's referral. As for juvenile correctional facilities, the doctor is present for 24 hours a day. A psychiatrist visits correctional centers twice a week. Furthermore, a comprehensive vaccination campaign took place last year against Covid-19 across the correctional facilities. There were about 150 inmates who tested positive for Covid-19; prompt medical care was provided for them.

8.2: Prison Population

The minimum age for legal responsibility in the Kurdistan Region is eleven. There are 6 reformatory facilities in the Kurdistan Region: 3 for male adults and 3 for women and juveniles. The prison population, according to the latest data collected in March 2022, is 4,922, among which there is 181 juveniles (57 males and 124 females) and 4,741 adults (4,276 males and 312 females, in addition to 153 female juveniles admitted in adult reformatory facilities).

A draft law on reform directorates in the Kurdistan Region has been prepared by MoLSA and is currently in the process of studying in the Council of Ministers to ascertain the extent to which the draft law is compatible with international standards on the rights of prisoners. Furthermore, the Social Reform Department Regulation No 1 (2008) was issued to regulate the conditions of inmates in correctional facilities. Finally, in terms of legislations, a draft law on alternative penalties was prepared by MoLSA, which has become alternatives to freedom-depriving penalties and has proven successful in many countries of the world in terms of addressing overcrowding, not putting perpetrators of unintentional crimes in prisons, reducing expenditures on the government, in addition to protecting the family from disintegration.

Furthermore, the number of detainees in the detention facilities, again, according to the latest data recorded in March 2022, is 284, among which there are 96 males and 188 females.

With regards to the overcrowding of adult reformatories, the MoLSA has a plan to construct a building that will house 5,000 adult male inmates. As for the reformatory for women and children, work is ongoing to construct a special building for them, and 26% the project has been so far completed.

Categorical classification of convicts and detainees in prisons and detention centers is implemented. Classifications are done on the basis of types of convictions, age, sex, legal status, criminal risk, health and even social conditions, as these procedures are instrumental in the process of developing rehabilitation programs for individuals.

It is also worthy to note that KRG is keen to provide the inmates the opportunity to complete their studies at all levels. The total number of students in all educational stages reached 135: 113 students from basic to preparatory school and 22 undergraduate students. Thirty teachers have been appointed for them, and the government is now working to allow them to complete higher studies.

Table 8.2.1: Number of Convicted Inmates in the Correctional Facilities (March 2022)

(The total number of the inmates is 4,922)

Age Range	Male	Female	Total
11 to 18	57	124	181
18 and above	4,274	312 adults and 153 juveniles	4,741

Table 8.2.2: Number of Convicted Inmates in Detention Facilities (March 2022)

Male	Female	Total
96	188	284

Section 9: Impartiality of the Judicial Process

One of the most important guarantees to take into account human rights is the existence of an independent judicial system that works with professionalism and impartiality, a body that Kurdistan Region proudly embraces, and which underpins laws that do justice to all victims, the accused, and society as a whole.

In the Kurdistan Region, the judicial branch oversees professional security services that work to uncover crimes and bring them to justice. There is also an independent, professional and

impartial PPO, whose mission is to apply the law and monitor the legality of all state agencies in ultimate transparency and independence, in accordance with the provisions of the laws in force. KRG guarantees a fair execution of domestic laws, and the consolidation of international norms as far as the judiciary is concerned.

KRG stresses that there is a clear split between the jurisdiction of the court and of the government. KRG respects the independence of the judiciary, committed to a coherent check-and-balance system, and cannot interfere in the judicial process.

The judicial authority in the region operates in accordance with Law No 23 (2007). It is independent from the Ministry of Justice, and works independently from the rest of the authorities and there is no institutional authority over it. It painstakingly works to provide justice to members of the community in the region. It also emphasizes the role of the Public Prosecution Office in implementing its role of monitoring the proper application of laws and adherence to the principles contained in the Bangalore Treaty on Judicial Conduct.

Section 10: Freedom of Expression

There are 8,000 journalists registered in the Kurdistan Journalist Syndicate (KJS). There are at least 1,000 individuals who are practicing journalism without membership of the syndicate.

In the past 20 year, 1,259 digital and press media obtained license: 50 websites, 138 radio stations, 958 newspapers and magazines, 31 satellite channels, and 85 local broadcast stations. Taking this figure into consideration, we can infer that out of every 778 citizens of the Kurdistan Region, one of them is a journalist. Moreover, every group of 4,901 citizens is equivalent to one electronic or press media.

To enable the citizens of the Kurdistan Region to exercise their right to obtain information with public and private institutions and to support transparency and participation to consolidate the democratic process, the Parliament of the Kurdistan Region issued the Access to Information Law No 11 (2013). Journalists and media outlets are invariably entitled to request and access data that is available to public scrutiny.

The judicial authorities are following up on allegations of torture against journalists, of which number of lawsuits have been filed, and 31 individuals were fined for using violence against journalists, and several cases were investigated for using violence against them.

Thirty-one allegations of violations were recorded by the KJS. However, more than ten of the allegations in the first half of 2021 are pertinent to outside the territories that fall under the jurisdiction of KRG. For example, on June 24, according to the Syndicate, the office of Kurdistan 24 was closed by the security personnel in North-Eastern Syria. Furthermore, on January 10, a team of NRT in Kirkuk was detained for a few hours on the basis of their coverage

of the lack of adequate public services in the city. The NRT team faced a similar detention by unknown militants in Mosul during the Pope's visit in early March. Rudaw, Speda, Payam, and some other media outlets faced persecutions or suffered from coverage restrictions in the disputed areas, according to the Kurdistan Journalists Syndicate.

The Metro Center, which monitors and campaigns for journalists' rights in Iraq recently reported that allegations of violations against journalists in Kurdistan had fallen by more than half in the first-five months of 2021 when compared to 2020.

There has been no censorship on internet access in 2021.

10.1: Investigation and Trial Procedure

The annual report of the U.S. Department of State underlines a number of court cases and, as far as these cases are concerned, raises questions about due process of law, admissibility of evidence provided by the plaintiff, and treatment of the defendants during detention.

Procedural safeguards were provided for the individuals in question throughout the detention period. The right to defense was upheld in the early phases of investigations and familial visits were properly arranged despite the restrictions imposed due to the Covid-19 pandemic. The judicially issued warrants were based on the applicable laws in the Kurdistan Region and Iraq. It is worthy to note that the pressed charges have had nothing to do with journalism and activism. Throughout the investigations, criminal offenses surfaced in relation to a number of the individuals.

The case files were invariably passed through a credible and transparent legal process. Furthermore, all the individuals have been tried in transparent and impartial court hearings, and with the presence of local and international monitors. In the arraignments for all the individuals in question, the offenses were stated by the judge in clear and precise terms. On her side, the representative of the PPS presented admissible and corroborated evidence to the judge. Plainly, the defendants and their lawyers, throughout all the hearings, have had the opportunity to illustrate their pieces of evidence and to reject the criminal offenses by which they were charged.

KRG retains legitimate privileges in suspending, amending, enforcing, or revoking domestic laws and legislations as long as these actions are compatible with the constitution. Enforcing Article 222 from the Iraqi Penal Code is parallel to this constitutional privilege. There are about fifteen articles from the Iraqi Penal Code which are pertinent to internal and external security threats and are only suspended in the Kurdistan Region (Articles 156, 157, 189, 190, 195, 198, 219, 223, 224, 225, 227, 228), in addition to revoking or suspending other articles that justify violence against women and undermine their societal role (41, 409, 128, 130, 131, 377, and 380, among others).

Some comments are also surfaced regarding the recourse to torture and long periods of solitary confinements. These claims are not backed by corroborated evidence. Torture and abuse are utterly prohibited in the Kurdistan Region and they are not compatible with the values that KRG advocates for. In the transparent and fair hearings of the five individuals, the defendants were asked by the judge and the representative of the Public Prosecutor to reveal to the court any trace of abuse or ill-treatment, but they denied that they were tortured. Besides, the lawyers did not submit any request to the court to conduct extra medical examinations.

According to Article 47 (2) from the Iraqi Criminal Procedure Code (1971), the court is required to conceal the names of secret informants in the hearings and to refrain from mentioning the informants' identity in the investigation papers, of course following a request from the informant.

The individuals who were tried in February 2021 were charged and sentenced based on Article 1 from Law 21 (2003) and the ruling of the Erbil Criminal Court was upheld in two appeal stages. The sentence was six years each. But, on February 21, 2022, their sentence was reduced by 60% following a presidential decree from the Presidency of the Kurdistan Region.

The case against them had nothing to do with their stated occupations. The men were not convicted for activity related to journalism or activism. They were found guilty of gathering classified and sensitive information and passing it covertly to an outlawed militant group - PKK. As you may recall, the PKK has been responsible for the assassination of a foreign diplomat and senior security officials in Kurdistan in the last two years. The information the men passed to the PKK directly put at risk the lives of senior KRG and foreign officials in Kurdistan. In the face of the overwhelming evidence against them, the men have confessed. What they otherwise did for a living is irrelevant.

KRG emphasizes that there is a clear split between the jurisdiction of the court and of the government. KRG respects the independence of the judiciary, committed to a coherent check-and-balance system, and cannot interfere in the judicial process. The KRG continues to work with UNAMI, OHCHR, some consular offices and NGOs on media freedom, both in terms of wider policy and legislative changes as well as specific situations.

The Regional Plan for Human Rights identifies several challenges in this regard and pushes for eliminating them. The challenges identified by the regional plan are as follows: trust deficit between media activists and the government; legislative gaps in setting legitimate and credible boundaries to freedom of expression; insufficient press professionalism practiced by journalists; lack of legal awareness with regards to the right to freedom of expression; inciting violence, spreading hate, and causing defamation under the guise of having the right to freely express opinions; classifying journalists and media activists as political affiliates when they tackle

controversial topics; and augmenting or digressing a specific case by journalists, often to appealing to the sentiments of public opinion

10.2: A Workshop with UNAMI on Freedom of Expression

UNAMI in collaboration with OCIA offered a two-day workshop in September 2021 to representatives of relevant governmental bodies, civil societies and journalists on the 'Right to Freedom of Expression'.

The workshop covered the international and domestic standards relating to the right to freedom of expression, challenges in the KRI to fully implement this right and suggestions on the way forward. Worthy to note, this event offered a unique opportunity for representatives of UNAMI Human Rights Office, representatives of KRG relevant authorities and representatives of civil societies and journalists to express their assessments, shedding light on the gaps, and proposing recommendations to further enhance the right to freedom of expression.

Participants from the relevant government authorities included the following: representatives of Asayish, police, MoI, Zeravani, Peshmerga, Judicial Council, Public Prosecutor's Office, Ministry of Culture and Youth, Presidency of the Region, among others.

Participants in the workshop who represented civil societies indicated that this workshop offered a unique opportunity for them to meet and sit down with the representatives of the relevant governmental authorities to express their opinions, concerns and recommendations in person. This provided an equal opportunity for the relevant governmental authorities to share their responses and recommendations to civil societies on the right to freedom of expression in order to reach a common ground of understanding.

Section 11: Civil Procedures and Remedies

Procedures No 8 and No 9 were issued in 2020 to precisely identify the rights and privileges of the political prisoners, and the families of Anfal and the martyrs respectively. Furthermore, two instructions have been issued in 2021 in this regard. On January 6, 2021, the Ministerial Decision No 48 was issued to terminate the grants of 13,282 ghost or unqualified custodians of Anfal victims. Their share on the government's payroll was 996,150,000 IQD on a monthly basis.

Moreover, an authorized ministerial committee was formed on April 16, 2020 to corroborate the documents presented by people who acquired the status of political prisoners. A political prisoner in the Kurdistan Region refers to people who were intimidated and persecuted under the previous Iraqi regimes due to their political affiliations and national sentiments. Political prisoners and their families are entitled to salaries, government sponsorships for studies in

private institutions, lands and properties, among others. There are 23,769 citizens who are recognized as political prisoners. The above-mentioned committee currently investigates this process and strives to exclude the unqualified persons on the payroll.

Section 12: Yezidis as Victims of ISIS Atrocities

The DoS report refers to the statistics disclosed by the KRG Office for Rescuing Kidnapped Yezidis (ORKY). Moreover, it highlights that as of August 2021, 30% of the IDPs fled to Kurdistan Region were Yezidis. There is also a reference to the services provided to Yezidis by KRG: formation of a committee to document ISIS crimes; coordination with the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh (UNITAD) to try ISIS for core crimes under international law; dedication of a directorate in the Ministry of Endowment to Yezidi affairs; establishing a genocide center in Duhok to rehabilitate female survivors; and forming mobile and fixed teams in camps to provide psychological and physical services.

12.1: A Glimpse on the Atrocities that the Yezidi Community Experienced

In the onset of seizing swathes in Iraq, ISIS terrorists launched a fierce attack on a number of areas of the Kurdistan Region, in addition to the areas inhabited by the Yazidis in Shingal. The terrorists, during their brutal raids, transcended all human norms and human rights principles towards the innocent populations of the region from killing and demolishing their homes until they reached the point of kidnapping women and children and their families and selling them in both Mosul and Syria.

In retrospect, other horrendous mass killings of specific ethnic and religious groups have taken place in Iraq. As far as the Kurds are concerned, 8,000 Barzanis were rounded up and taken to southern Iraq to be killed and buried alive; around 182,000 Kurds were massacred in the heinous Anfal campaigns between 1986 and 1988; and 5,000 were killed by chemical bombardments in Halabja in 1988.

12.2: Statistics about the Yazidis

- The number of Yazidis in Iraq is around 550,000 people
- The number of displaced people as a result of the ISIS invasion was 360,000
- The number of those who returned to Sinjar district is 150,000
- The number of martyrs in the first days of the invasion is 1,293 martyrs
- The number of war orphans is 2,745
- The number of mass graves discovered in Shingal so far is 82 mass graves, in addition to dozens of individual graves

- Number of religious shrines and shrines that were blown up by ISIS is 68
- The number of those who migrated outside the country is 10,000
- The number of abductees is 6,417: 3,548 females and 2,869 males
- Number of female survivors from the grip of ISIS is 3,552: 1,207 women, 339 men, 1,050 female children, and 956 male children
- The number of kidnapped people who were martyred at the hands of ISIS and whose bodies were found is 146
- The number of the rest is 2,719: 1,274 females and 1,445 males

12.3: KRG's Efforts in Redressing the Agonies

KRG reiterates its unwavering commitment to bring justice to ISIS victims. To aid UNITAD in processing the evidence needed for the prosecutions, KRG agencies have given a wide range of evidence and information on ISIS leadership members and finance sources. UNITAD has also been provided access to all evidentiary archives related to ISIS crimes that have been gathered and retained by the KRG as part of the digitization initiative, which coincides with Iraq's compliance with UN Security Council Resolution No 2379 to prosecute ISIS for international crimes.

On April 13, 2022, a meeting was held in Berlin, Germany, to investigate the financial aspects of core international crimes and their definition in the legal framework, with the participation of the representative of the KRG Prime Minister, the Special Advisor of UNITAD, representatives from the Iraqi National Coordination Committee (NCC) and the German Federal Foreign Office.

KRG has conducted substantial research since 2014 to identify the mainstream financial sources of ISIS. The terrorists kidnapped citizens, including Yezidis, members of the army and police, and asked for money from the families of the kidnapped through intermediaries, and they used the phones of the kidnapped to report and request the ransom. ISIS also used the phones obtained from the citizens they kidnapped and received the funds through exchange offices from inside and outside Iraq. ISIS deliberately laundered the money it was receiving and made financial transfers of this money to finance its armed operations and its sleeper cells throughout Iraq as well as neighboring countries

Furthermore, ISIS terrorist activities overwhelmingly relied on financial inputs from oil smuggling, theft and sale of antiquities, extortion and embezzlement, the money they stole from the banks, kidnappings, human trafficking of the sex slaves, and imposition of zakat - a form of almsgiving in Islam. ISIS sold the antiquities that it seized, and was making huge fortunes from selling looted antiquities, ranging between 150 and 200 million dollars annually. About 100,000 cultural items of global importance, including 4500 archaeological sites under the control of ISIS in Syria and Iraq, were seized by ISIS or located in places under their temporary rule.

KRG continues to coordinate with UNITAD, especially in the process of archiving and documenting the crimes of ISIS, exhuming the mass graves, returning of the remains, and rescuing the kidnapped. The regional government is currently working on a project to investigate the use of mobile network information and to identify criminals through their mobile phones, which will greatly facilitate the identification of the channels through which ISIS received and transferred money through the exchange offices in Iraq and the neighboring countries.

For the purpose of recognizing the crimes of ISIS terrorists, the regional government has documented the dossiers of thousands of abductees. So far 5,170 case files are registered, of which more than 2,324 are concluded in the courts, 2,000 are still under investigation and 2,916 are registered as missing. Social and psychological support was provided to more than 2,234 victims. To document ISIS crimes, KRG has cooperated with UNITAD within the framework of the NCC, and succeeded in digitally archiving more than 73,912 pages for these crimes.

The regional government made unrelenting efforts to liberate the kidnapped persons, so it set up a committee to collect information and conduct follow up on the kidnapped' dossier and earmarked a budget for this purpose. As of February 22, 2022, 3,552 people have been rescued: of whom 1,207 are women, 339 are men, and 2,719 people are still missing.

The Regional Plan for Human Rights urges the intensification of coordination between the Ministry of Peshmerga, the Yezidi Rescue Office and the other relevant counterparts to rescue the remaining Yezidis in ISIS's captivity. Moreover, it sets the framework for the preparation of a new project law that addresses and redresses the agonies of the Yezidis and the other components' survivors, parallel to Law No 8 (2021) of the federal government.

12.4: KRG Project Law to Prosecute ISIS for Core Crimes under International Law

In the KRG project law, it has been indicated that the court will benefit from international expertise. Moreover, KRG works in line with UNITAD's proposed instructions. The inclusion of the three-bedrock jus cogens crimes (genocide, war crimes and crimes against humanity) in the draft law and the ongoing endeavors to cross-out the death penalty are international calibers that UNITAD champions for, and partly constitute the prerequisites for their team to resume their technical and judicial support. Still, the advisory opinion of the Federal Supreme Court (FSC) in July 2021- clearly and not tacitly - claims that Iraq is not a state party to the International Criminal Court (ICC) and did not ratify the Rome Statute, therefore it is not obliged to incorporate the jus cogens crimes.

On 10 May 2021, during his final speech at the UN Security Council, Karim Khan stated, "I applaud directly the leadership of the Prime Minister and the President of the KRG, last week the Prime Minister signed a bill that has been presented to the KRG parliament that will allow the KRG to prosecute acts of Daesh as genocide, war crimes and crimes against humanity. If it is

passed and the various changes that have been promised are enacted, it will provide a very real and usable doorway for UNITAD to work with our partners in the KRG."

The sixth report of the Special Advisor that was submitted to the UNSC also highlighted KRG's efforts to establish a special criminal court. The report partly contends that "In April, the Council of Ministers of the Kurdistan Regional Government announced its approval of legislation establishing a new criminal court to address such cases. This legislation is presently being considered by the Parliament of the Kurdistan Region."

KRG project law is ready, but it has been halted by the FSC. UNITAD has been supportive and we are resuming our coordination with them. Furthermore, KRG strives to find a path to prosecute ISIS in collaboration with the Federal government.

Nevertheless, there are several reasons which indicate that the decision of the Federal Supreme Court turned was politicized. First, The KRG project law was turned down before it was finalized. There were yet essential provisions to be incorporated to the law and patchy parts to be removed. Therefore, the Federal Supreme Court has actually commented on a rough draft. While the project law that KRG underpinned was under tremendous discussions, which invariably involve consultations with victim groups, and NGOs, with the superintending of the legal establishments and UNITAD, the Federal Supreme Court leaped towards commenting on its unconcluded stipulations. Second, the party that requested the Federal Supreme Court to pitch in at the moment is not institutionally competent. The advisory opinion identifies a certain department under the auspices of the Iraqi Foreign Ministry to have tackled the issue and whose raised concerns are drawn upon information from journalistic sources, as the FSC states. In fact, the Iraqi Foreign Minister is not informed about that. Besides, the Federal Council of Ministers should have been the party to put this decisive subject in motion. KRG, on the other side, should have been officially informed.

Third, whereas the document is supposedly advisory, it is indicated in several spots that it is a 'decree'; or implying that the Federal Supreme Court 'rules' concerning the points rose. Nevertheless, assuming it is issued as a decree, it slides into irrelevancy; because there is not a clearly identified defendant and applicant to begin with. Finally, The FSC, as a legal establishment, comes under the Federal Judicial Council, in which the Head of the KR Judicial Council is a member. There is coherent cooperation between both councils in order to materialize a federal system underpinned by firm legal foundation. This has been resembled in the transfer of ISIL detainees in the past years, among other areas of cooperation. As far as the KR law is concerned, similarly, KRG must have been informed about potential discrepancies between the patterns of the central and regional governments in drafting the law, or any other legal remedies to be contributed with the aim of elevating the law into another level. But the Federal authorities looped around the KRG and issued the advisory opinion unilaterally. In

essence, the last draft submitted to the Iraqi Council of Representatives does not refer to the KRG as a regional authority that enjoys constitutionally enshrined rights and the ISIL detainees it holds; there is merely reference to Baghdad and Iraqi governorates.

12.5: ISIS Prisoners

The number of ISIS criminals detained in the Asayish until April 2022 reached 1,225 detainees, of whom 920 were handed over to the Federal government as follows: 101 to the Ministry of Interior; 810 to Rasafa Investigation Court in Baghdad; 6 Intelligence Directorate / Counter-Terrorism Service; and 3 to the Anti-Terrorism Directorate.

In addition to handing over the above-mentioned numbers, 229 terrorists were handed over to other governorates as follows: 226 to the Nineveh Investigation Court, which is specialized in terrorism cases; one terrorist to the Anbar Investigation Court; and 2 terrorists to the Asayish Directorate in Kirkuk.

Furthermore, a special committee was formed to collect information and follow up the file of the kidnapers who were subjected to many barbaric acts far from human norms, such as selling and buying, physical and psychological torturing, and forceful conversion of religion. A budget was allocated for their liberation by the KRG Prime Minister Office on 25/11/2014, after their liberation, the government provided all the requirements to shelter and rehabilitates them.

The Council of Ministers of the Kurdistan Region issued Resolution No (5170) on 21/8/2014 to form a higher committee to define the crimes that the Yazidis were subjected to as a crime of genocide. Over the past years, the committee worked on documenting these crimes and internationalizing the case for adoption by the International Criminal Court. For the purpose of documenting the crimes of ISIS terrorists against the Yazidis and other components and liberating the Yazidis, the regional government has documented the files of thousands of abductees - as illustrated above.

As for those suspected of being involved in terrorism cases and have not reached the age of eighteen, they are treated as victims and not as ISIS members. Law No 14 of 2001 issued by the Parliament of the Region sets the age of legal responsibility at 11. The minimum penalty for them is a warning; if the crime is not related to terrorism. As for the maximum penalty, it is to send them to school for a period of five years. But in the event of an intention to join terrorist groups and the so-called (initiation) from a legal point of view, the penalty will be determined according to the discretionary authority of the judge.

In 2020, the number of women and juveniles arrested on charges of terrorism was 52. Between 2015 and 2020, the number of women arrested in Erbil was 9, in addition to 1,139 children, of whom 1,089 were convicted and 59 were released.

Section 13: Government Attitude towards Civil Society Organizations

Regarding the civil society organizations, DoS emphasizes that there are few restrictions on NGOs, and that NGOs registered in Baghdad can operate freely in the KR, whereas Baghdad and other southern cities deter the activities of NGOs registered in the KR.

By 2021, 5,476 NGOs were registered in the Directorate of NGOs (DoN). According to Art 3 from Law No 1 (2011) of the Directorate of NGOs, non-governmental organizations are permitted to engage in activities outside of Kurdistan Region and Iraq.

The local NGOs are complaining for the limited funds provided by INGOs and international agencies, burdensome procedures in registering their entities in Baghdad (some NGOs have applied for registration about three years ago and still their applications have not been approved), and the prerequisite of registering in the Directorate of NGOs in Baghdad before applying for a bank account in KRI and other parts of Iraq.

According to Art 19 from the Law of Directorate of NGOs, the government has to devote a portion of the national budget to fund the NGOs, but the funds have been suspended since 2015 due to the dismal economic challenges that faced Kurdistan Region due to budget-cutting from Baghdad.

Section 14: IDPs and Refugees

The U.S. Department of State's report significantly recognizes KRG's efforts in dealing with IDPs: providing lands for camp construction, basic needs, security, education, etc. to a million IDPs and refugees regardless of ethnicity and religion. Furthermore, the report mentions that KRG kept the camps open, unlike the Federal government. "The KRG hosted 25 of the 27 IDP camps in the country and committed not to close them until the IDPs returned to their area of origin voluntarily." There is also a reference that KRG has undertaken burdensome responsibilities to accommodate the refugees and IDP amid the dire economic crisis, and with the slightest support of the central government.

The Regional Plan for Human Rights notes the accomplished recommendations with respect to IDPs and refugees. First, to enhance access to education, the Ministry of Education (MoE) has designed a plan for all refugees for a period of three years. The plan to integrate refugees will take five years, starting from the next academic year. Therefore, workshops and meetings are to

be held in order to determine the appropriate mechanisms for implementing strategies and programs. Second, the Ministry of Municipalities and Tourism (MoMT) worked on designing camps, building roads and providing safe drinking water for the displaced. The government, in cooperation with local NGOs, provided the construction of health centers for them. Third, based on the existing instructions and understandings between the Ministry of Trade and Industry (MoTI) in the regional government and the concerned authorities in the federal government, joint committees were formed in cooperation with international organizations to care for the displaced, and humanitarian aid was provided to the internally displaced as a result of the wars that led to the displacement of thousands of families from the crisis areas. Forth, the KRG MoTI, in cooperation with the Ministry of Trade in the federal government, provided the necessary foodstuffs to the displaced, as the names of individuals and families were registered in special lists of agents who were distributed according to the camps.

Nevertheless, the plan identifies several challenges and strives to remove them; since the areas have not been reconstructed or have not been permanently liberated from terrorist groups, therefore, cooperation and coordination with international and regional organizations specialized in the affairs of the IDPs should be sought to find a solution urgently; the necessity of working on the educational inclusion policy; and working and coordinating with international organizations and United Nations bodies to conduct training for teachers, school administrators and students, as well as education departments at ministerial levels, governorates and directorates in various fields, especially in crisis management methods.

14.1: Return of the IDPs to their Places of Origin

The regional government has accommodated the citizens of all national, religious and sectarian components without discrimination during and after ISIS attacks, especially the citizens fled from the Nineveh Plain areas. On this basis, no one is forcibly returned to the liberated areas even after ISIS's control of those areas is ended. Regarding the return, KRG policy is clear: to support, encourage and facilitate the voluntary return of all displaced persons without exception to their original areas and in this context KRG has facilitated the return process for more than 700,000 people since 2016 to the liberated areas.

Towards August 2021, Kurdistan Region hosted 926,018 IDPs and refugees. Precisely, 664,237 of them were IDPs and 261,781 were refugees. There are 241,937 Syrian, 8,479 Turkish, 10,548 Iranian, and 736 Palestinian refugees. Contrary to popular perception, the majority of IDPs and refugees live with the host communities in the Region, while only %30 live in 36 camps. About %41 of the total displaced populations live in Erbil, %40 in Duhok, and %19 percent in Sulaimani.

KRG needs a considerable amount of funds and resources yearly to provide the basic services for displaced persons (IDPs) and Syrian refugees in the Kurdistan Region of Iraq. KRG has always sought to abide by the stipulations of the UN and other international bodies and conventions. This has been a firmly consistent policy. KRG ultimately deplors forced displacement and repatriation of IDPs and refugees.

On the other hand, the deteriorating security situation, instability, the presence of mines and explosive devices in those areas, and their lack of necessary daily services such as potable water, first aid, schools and electricity, has obstructed their return at the present time. Moreover, there is a large number of ISIS sleeper cells present in those areas and they pose a formidable threat to the security and stability of the liberated areas.

The regional government has prepared all facilities for the return of the IDPs to safe and prepared areas where basic daily services are available, but despite this, the IDPs were given the choice between returning to their areas and staying in the camps.

The number of refugees and displaced persons who returned to their homes during the year 2020 reached 7,757 families and 37,139 individuals as follows: 6,423 families and 31,776 individuals from the IDPs; and 1,133 families and 5,363 individuals from refugees.

As of 2021, about a million IDPs and refugees resided in the IKR, with around 30% residing in camps and 70% outside camps. The KRG hosted 25 of the country's 27 IDP camps and promised not to shut them until the IDPs willingly returned to their homes. According to the MoI's Joint Crises Coordination (JCC), 40 percent of IDPs in the IKR were Sunni Arabs, %30 were Yezidis, %13 were Kurds (of various religious affiliations), and %7 were Christians as of August. The remaining %10 was made up of other religious minorities. Despite the region's severe economic circumstances and security problems, KRG asserts that human rights are a priority.

The Peshmerga forces and the security forces of the Kurdistan Regional Government made huge sacrifices in defending and liberating these areas, amounting to more than 1,800 martyrs, 10,369 wounded and 47 missing combatants. Despite that, the conditions of these areas are still pending, because the agreement Sinjar between the regional government and the Federal government has not been implemented, and non-Iraqi armed groups are present in those areas, which created a wide security vacuum that terrorists exploited to carry out terrorist acts.

IDP children, regardless of whether they dwell inside or outside the camps, are invariably benefiting from education in the Kurdistan Region, parallel to the curriculum and education system of the Iraqi government. KRG, through its representation office in Baghdad, has made the necessary arrangements to facilitate education for the IDP children. Furthermore, local and international organizations and agencies have been contributive in providing guidance and school requirements to the children.

14.2: Freedom of Movement for IDPs and Refugees

The KRG authorities have not placed any restrictions on the movement of displaced persons and refugees within the Kurdistan Region, but there are some legal procedures implemented by the security authorities during the entry of IDPs to safe areas, especially in areas exposed to the threat of terrorists.

The KRG does not restrict the movement of goods; but certain security measures are followed to protect the liberated areas and to avoid the infiltration of terrorists into them. This mechanism is applied to all residents of the area without any distinction between components.

The Kurdistan Regional Government has implemented a policy to give the displaced and resident refugees job opportunities. According to official statistics, %63.5 of the displaced people and %87.9 of the Syrian refugees are working and are entitled to enter and leave the camps easily.

Refugees and IDPs enjoy the ultimate freedom of movement within the territories of the Kurdistan Region. IDPs are not required to apply for residency cards. The refugees, however, need to carry residency cards to facilitate their movement across the Kurdistan Region.

14.3: Caring for Displaced Women with Disabilities and Special Needs

The regional government shelters women with disabilities and special needs, displaced and refugee women without any discrimination in terms of nationality, religion or language. Shelters are dedicated in all provinces to accommodate women with special needs among IDPs and refugees. Their numbers are as follows: 17 IDPs in Sulaymaniyah; 10 IDPs and 8 refugees from various nationalities; and 15 IDPs in Dohuk, of whom 14 are treated and only one woman with special needs is left in the shelter.

14.4: A Glimpse to the Services Provided for Yezidi IDPs

The regional government formed mobile field teams in the camps to report crimes of violence and harassment against women and girls. Furthermore, KRG opened a center for the treatment, support and rehabilitation of women surviving from the grip of ISIS in Dohuk, which benefited approximately 163 women, in addition to opening 50 centers to raise awareness and provide health and psychological services inside the camps. Moreover, psychological, social and legal treatment was provided for more than 1,278 people in the counseling center in Dohuk through the psychosocial treatment unit by the Commission for International Justice and Accountability (CIJA).

14.5: Health Services in Refugee and IDP Camps

Several necessary health services are provided to the displaced and refugees in the camps, such as a mobile or fixed health center in the camp with the presence of a medical team to examine and provide first aid. If the patient is not treated in the camp, s/he is transferred to the nearest hospital, as well as conducting vaccination campaigns for children according to the seasons and ages specified for them, and except for this, other health services are provided to care for pregnant women and newborn children.

In the field of health awareness, several awareness campaigns have been conducted to protect against breast cancer for women, by designating specialized doctors for this purpose. With the exception of the health and physical aspects, the Kurdistan Regional Government paid attention to the psychological and social aspects. For this reason, an orphanage was established in Hassan Sham camp to care for children who lost their parents as a result of the war with ISIS. Several different activities were established for children, such as musical activities and other games, and many health centers were allocated to receive vulnerable women to violence.

14.6: Health Services for the Displaced during the Pandemic Period

The first recorded case of COVID-19 in Iraq was on February 24, 2020 in the city of Najaf. The Kurdistan Regional Government closed all schools and universities. At the same time, two thousand people in KRI who had returned from Iran were quarantined.

ON March 1st, 2020, the number of recorded cases in Iraq reached 13 with no recorded cases in Kurdistan Region. Iraqi citizens returning to KR-I from Iran are required to undergo a 14-day mandatory quarantine. Security actors in KR-I warn of reports that some people are seeking to be smuggled across the border in order to avoid the two-week isolation period.

As of March 5, 2020, five cases have been recorded in the KR-I. All five cases were in Sulaimaniyah governorate. Duhok authorities unilaterally restricted the movement of people between Duhok and Turkey. The Government of Iraq and the Kurdistan Regional Government have both established COVID-19 crisis management committees, with whom World Health Organization (WHO) is in regular contact.

Between February 24 and March 26, 5144 people were moved to the quarantines. On March 27, the figure was decreased to 1651: 700 in Erbil, 275 in Sulaimani, 39 in Garmian, 566 in Duhok, 42 in Halabja, and 20 in Koya. The sum of the infected people until March 29 was 128, the number of conducted tests was 4774, the number of deaths was 2, and the number of the recovered was 39.

From March 1 towards April 21, the number of samples taken was 23,727. The number of the cases that confirmed positive was 337, from which 41 patients remained under medical supervision, and 292 have been recovered and returned home. The number of deaths is 4.

MoH provided the necessary services to the displaced and refugees during the Covid-19 period, including conducting smears, providing the necessary treatments during injury, and providing vaccinations, similar to the rest of the region's citizens.

In November 2021, by a decision of the MoH in cooperation with United Nations International Children's Emergency Fund (UNICEF), 6 teams were formed to vaccinate against Covid-19 in the IDP and refugee camps: four of them in the IDP camps and two in refugee camps. This is a temporary solution, until the opening of centers inside the camps for vaccination.

Thousands of displaced people and refugees received the first, second and third doses of vaccination. Additionally, those who live outside the camps can obtain vaccinations in the centers designated by the government, without exception or discrimination.

Section 15: Corruption and Transparency

According to the DoS report, there were 277 corruption cases underway and 445 under criminal investigation, with 58 individuals convicted, and 54 awaiting a final trial decision. The convictions came from across the Kurdistan Region, including Erbil (12), Duhok (41), and Sulaymaniyah (5).

The regional plan sets a decent framework to enhance the efforts in combating corruption: coordination and cooperation with the Judicial Council and relevant authorities to work on classifying levels of corruption and prioritizing according to its level of threat to national security; the establishment of a special court to prosecute corruption cases; dedication of a larger budget; employment of more experts and investigative judges; and approving the amendments submitted to the parliament by the Integrity Commission in 2019.

15.1: Law of the Integrity Commission

The endeavor of fighting corruption and improving transparency is stipulated in the amended Law of the Integrity Commission No 3 (2011), and the Regulation No 2 (2016) peculiar to the financial disclosure. Art 5 of Law No 3 and Art (2) of Regulations No 2, sequentially subject senior public and military officials into filling out a form with the properties they own along with their families' financial assets. Accordingly, the Commission starts to evaluate the authenticity of the answers, and investigate illicit enrichment, bribery, misuse of public funds, nepotism, among others. The targeted officials include the President and the Prime Minister-along with their

deputies-ministers and their deputies, head of security departments, general directors, military officials, among others. Once an act of corruption is verified, the Commission maintains the rights to publicly announce it, and submit the collected evidence to the judiciary to initiate legal proceedings.

According to Art 5/Paragraph 8/3 from the Law of the Integrity Commission of the Kurdistan Region No 3 (2011), the following governmental positions are subjected to financial disclosure:

- 1- The President of the Kurdistan Region and his/her deputy
- 2- The Prime Minister of the Kurdistan Region and his/her deputy
- 3- The Parliament Speaker of the Kurdistan Region and his/her deputy
- 4- Ministers and Deputy Ministers (including those who are retired)
- 5- The Head of the Integrity Commission and his/her deputy, in addition to other senior members of the commission
- 6- The general directors and their deputies
- 7- Judges and the members of the Judicial Council and the Public Prosecution Office
- 8- Senior ranking military and security personnel
- 9- The governors and the head of municipalities
- 10- Any other person who holds a high public position

According to Art 19 from the Integrity Commission Law, any official who (1) fails to fill and submit financial disclosure documents within three months, (2) demonstrates flawed and incorrect data about his or her financial assets, (3) and don't display the wealth held by his or her spouse, children, and/or first-degree relatives, will be subjected to at least three months imprisonment and fined an amount between three million to one-hundred million Iraqi Dinars.

The Commission of Integrity in the Kurdistan Region adopts four-year strategies to combat corruption. On February 10, 2020, a committee was formed to revise and adjust the strategy for the next four years. Following the preparation of the first draft, the strategy was submitted to the KRG Council of Ministers, UNDP and the United Nations Office on Drugs and Crime (UNODC) for comments and observations.

The Commission of Integrity signed a memorandum of understanding with UNDP on December 5, 2019 for technical assistance and expertise. The first meeting was held on September 1, 2020,

to consolidate an inclusive and everlasting project that promotes transparency and accountability. The European Union (EU) is also a party to the project.

15.2: Data Regarding Corruption Cases

In the longer narrative, the Commission of Integrity divides the investigation phases into three: collecting information; preliminary corroboration; and the criminal investigation which is carried out by the Investigation Department under the auspices of the Commission of Integrity’s Investigation Court. By 2021, 804 cases are in the phases of corroboration and investigation. Towards the end last year, 445 legal requests had been presented to the Integrity Commission. In total, 136 corruption cases have been referred to the court and in 2021, 94 cases reached the final phases in the judicial process.

15.3: Reform Law

In early January 2020, the Kurdistan Parliament unanimously passed the Reform Law, submitted by the KRG’s ninth cabinet as its program lays out an ambitious reform plan. The law is intended to reform public salaries, pensions, and allowances.

In this respect, the Integrity Commission formed a committee in July 2020 to follow-up on the implementation of the Reform Law on a regular basis. The committee is comprised of 7 teams and each team is dispatched to pursue the execution of the law in various domains of governance.

Table 15.3.1: The Salaries of the Retired Judges after Reform (2021)

General Directorate of Pensions	Number of the Retired Judges	Previous Salaries on the Payroll (IQD)	Current Salaries on the Payroll (IQD)	Difference in Salaries (IQD)
Directorate of Pensions – Erbil (2)	53	263,325,000	218,241,000	46,084,000
Directorate of Pensions - Sulaimani	43	198,530,000	167,977,000	25,533,000

Directorate of Pensions - Duhok	14	72,800,000	58,584,000	14,216,000
Directorate of Pensions - Soran	1	5,400,000	4,725,000	675,000
Directorate of Pensions - Garmian	2	7,800,000	6,825,000	975,000
Total	113	548,855,000	456,372,000	87,473,000

Table 15.3.2: List of the Reformed Salaries of the Retired General Directorates, Head of Municipalities and Members of Governorates' Councils (2021)

General Directorate of Pensions	Number of the Retired Judges	Previous Salaries on the Payroll (IQD)	Current Salaries on the Payroll (IQD)	Difference in Salaries (IQD)
Directorate of Pensions – Erbil (1)	7	17,811,000	16,296,000	1,515,000
Directorate of Pensions – Erbil (2)	70	187,026,000	136,365,000	50,661,000
Directorate of Pensions - Duhok	53	128,798,850	85,405,000	43,393,850
Directorate of Pensions -	1	3,064,000	2,390,000	647,000

Raparin				
Directorate of Pensions - Zaxo	3	7,200,000	4,938,000	2,262,000
Directorate of Pensions - Soran	1	2,998,000	1,555,000	1,443,000
Directorate of Pensions – Koya	1	3,263,000	2,545,000	718,000
Total	136	350,163,850	249,494,000	100,639,850

Table 15.3.3: List of the Reformed Salaries of Advisors and Experts on the Government's Payroll (2021)

General Directorate of Pensions	Number of the Retired Judges	Previous Salaries on the Payroll (IQD)	Current Salaries on the Payroll (IQD)	Difference in Salaries (IQD)
Directorate of Pensions – Erbil (1)	57	93,157,000	58,424,000	34,733,000
Directorate of Pensions – Erbil (2)	269	496,888,000	237,350,000	259,538,000
Directorate of Pensions – Sulaimani	72	111,558,000	61,730,000	43,558,000
Directorate of Pensions -	80	129,187,200	73,936,000	55,251,200

Duhok				
Directorate of Pensions - Raparin	2	2,337,000	1,900,000	437,000
Directorate of Pensions - Chamchamal	1	1,217,000	618,000	599,000
Directorate of Pensions - Zaxo	7	11,448,000	5,451,000	5,977,000
Directorate of Pensions - Soran	4	4,541,000	2,501,000	2,040,000
Directorate of Pensions - Akre	3	4,656,000	3,042,000	1,614,000
Directorate of Pensions – Koya	1	1,614,000	1,014,000	600,000
Total	494	856,603,200	443,465,000	410,478,200

Table 15.3.4: List of Revised Dossiers of the General Directorate of Martyrs and Anfal (2021)

Type of Dossier	Number of Dossiers	Revised	Clean Dossiers	Suspicious	unqualified
Political Prisoners	23,769	1,029	760	269	0

Affected by Chemical Weapons	9,202	203	50	187	4
Genocide Survivors	361	361	295	14	52
Complaints	1,041	1,041	0	0	0
Employees	1,359	1,359	1,155	204	0

Table 15.3.5: List of the Revised Public Service and Official Ranking by Institution (2021)

No.	Name of the Institution	Number of Dossiers	Number of Revised Dossiers	Number of Unnecessary Promotions	Number of Unnecessary Bounces
1	Presidency of Kurdistan Region	598	103	183	258
2	Kurdistan Parliament	620	620	53	36
3	Council of Ministers	-	-	-	-
4	Ministry of Peshmerga	-	-	-	-
5	Ministry of Interior	-	-	-	-

5 (A)	Asayesh Forces	38,312	37,312	122	103
5 (B)	Civil Servants	5,405	5,226	117	25
6	Judicial Council	170	170	16	115
7	Ministry of Trade and Industry	3,249	3,249	40	139
8	Ministry of Electricity	14,107	14,107	179	28
9	Ministry of Planning	1,034	1,034	20	52
10	Ministry of Endowment and Religious Affairs	12,510	12,510	113	225
11	Mine Agency	238	238	30	173
12	Divan of Financial Monitoring - Erbil	389	389	-	-
13	Divan of Financial Monitoring - Sulaimani	185	185	9	-
14	Board of	497	497	79	39

	Investment				
15	Ministry of Construction and Housing	5,175	5,175	200	159
16	Commission of the Kurdish Areas Outside KRG's Jurisdiction	151	148	14	34
17	Ministry of Culture and Youth	6,856	5,970	831	672
18	Ministry of Anfal and Martyrs	1,359	1,359	168	46
19	Ministry of Natural Resources	1,875	1,875	56	23
20	Ministry of Municipalities and Tourism	24,382	17,527	721	1,754
21	Ministry of Higher Education and Scientific Research	30,716	24,460	6,256	375
22	Ministry of Communication	4,912	4,912	317	746

	and Transport				
23	Ministry of Labor and Social Affairs	5,790	4,840	86	332
24	Independent Commission of Human Rights	296	296	22	111
25	Commission of Environment	367	333	28	-
26	Ministry of Finance and Economy	14,437	14,103	872	1,379
27	Independent Commission of Elections and Referendums	534	534	5	1
28	Integrity Commission	201	201	10	7

Table 15.3.5: List of the Retrieved Governmental Loans Provided by the General Directorate of Commercial Banks (2020)

Governorate	Total Loans (IQD)	Total Interest (IQD)	Total Retrieved Loans (IQD)	Total Balance (IQD)
Erbil	346,933,567,763	374,234,616,613	1,075,093,985	814,682,490,391

Sulaimani	78,378,743,755	33,957,109,819	109,749,800	112,226,103,774
Duhok	1,000,000,000	855,218,000	-	1,855,218,000
Total	426,312,311,518	409,046,944,432	1,184,843,785	928,763,812,165

Section 16: Women's Rights

DoS's report commends the role of KRG in elevating the political participation of women and raising accountability for gender-based violence (GBV). The report underscores several areas in which KRG has put efforts to elevate the status of women and prevent GBV: dedication of a 24/7 hotline by the MoI; operating shelters for the women who escaped violence; redressing and rehabilitation of Yezidi women; and providing more robust legal protections.

The Regional Plan for Human Rights furnishes more improvements in terms of women's rights: with regard to ensuring the implementation of the national strategy to eliminate violence against women, it is proposed to set up a workshop for women in rural areas on agricultural production; launching awareness campaigns for women by the High Council for Women's Affairs (HCWA) to combat violence, especially sexual exploitation and slavery; adopting a law on sexual harassment in workplaces and public places, and allocating a chapter on sexual exploitation and sexual slavery conducting advocacy campaigns in social media such as Facebook, Instagram and Twitter to achieve the recommendation to encourage women to report these cases: establishing an accurate electronic and paper database showing the activities of the parties that carry out such criminal acts against women in order to enact informed policies on an organized scientific basis; setting annual evaluations by the MoI to show the impact of the measures taken against this phenomenon and to identify the factors affecting the increase of this phenomenon and the challenges it faces and to suggest solutions; and preparing a draft amendment law to abolish Article 398 of the Iraqi Penal Code, which encourages violence and toughens the punishment for the perpetrators of these crimes.

Kurdistan Region Prime Minister Masrour Barzani reiterated government's commitment to protecting women's rights and combating gender-based violence during a speech marking International Women's Day on March 8, 2022. He pointed out that women are participating more in various fields, especially in government and other top institutions. The prime minister also noted that the number of women in leadership positions dramatically increased in his cabinet. Addressing the issues of violence and discrimination against women, Barzani said solving this problem requires collective efforts from all parts of society, not just the government. "We shall

also work to eliminate all forms of gender discrimination by creating a stable and suitable environment for all the society's individuals," he said. "Women shall have their dignified positions to play their role in accordance with their abilities."

On May 26, 2021, the Deputy Prime Minister Qubad Talabani chaired a special meeting with relevant ministries and parties to address the worrying upward trend of violence against women, crime, and mental health crisis in the Kurdistan Region.

During the meeting, the Deputy Prime Minister stressed the need to implement immediate measures to support and protect the society's most vulnerable communities. He discussed the importance of raising awareness with families and providing guidance toward resources and platforms to address these social issues.

Deputy Prime Minister Talabani called on authorities to prosecute cases of violence against women, and urged for more gender sensitivity and equality training for officers and officials.

As a short-term solution, the Kurdistan Regional Government placed a moratorium on shelters refusing or releasing victims until a consultation with centers to provide legal support, financial resources, and adequate housing is concluded.

The Kurdistan Regional Government tasked the High Council of Women with putting together a comprehensive strategy to tackle the issue of violence against women, and conduct roundtable consultations with ministries and relevant stakeholders to provide recommendations to the government. An advisory board will be formed to guide media and civil society organizations on best practices when dealing with cases of gender-based violence and mental health issues to protect victims.

The Kurdistan Regional Government also asked religious figures to play a role in supporting the fight to end violence against women and tackle the stigma around mental health and gender equality. It highlighted the importance of listening to experts in the fields of psychology and sociology, as well as human rights activists, to help raise awareness in the community and create social networks to support those in need.

The Kurdistan Regional Government will continue to work to provide more resources, protection, and support to victims and their loved ones, and encourage an honest conversation around the issue of mental health and violence against women.

16.1: High Council of Women's Affairs (HCWA)

HCWA is an official body of the KRG and falls under the auspices of the Council of Ministers. HCWA oversees the implementation of Resolution No 1325, and it already coordinated the governmental agencies to advance it consistently with a devoted budget.

The Kurdistan Regional Government through the HCWA and the United Nations agencies established the National Strategy to Combat Violence against Women in the region; this was approved in accordance with the decision No (8) Of the Council of Ministers of the region on (19/9/2012) and lasted for five years (2012-2016).

After that, the strategy was updated in 2017 so that it works in accordance with its objectives, principles and plans for a period of 10 years (from 2017 to 2027) and consists of four areas and general objectives as follows:

- First: the legal field (general purpose): Eliminate all types of legal discrimination against women and provide legal protection for women.
- Second: the field of prevention (general purpose): Raising community awareness of the causes and effects of violence against women on the family and society.
- Third: The field of protection (general purpose): To support and advocate victims of violence and to protect women from all forms of violence.
- Fourth: the field of care (general objective): To improve services provided to women survivors of violence.

16.2: Directorate for Combatting Violence against Women (DCVAW)

DCVAW is comprised of six sub-directorates, twenty-seven offices, and five sub-offices. It is responsible for providing mental, legal and physical protections for women who have faced familial violence. Moreover, each directorate has a consultation center that mediates and settles familial frictions in accordance with the Law of Combating Family Violence No 8 (2011).

The directorate in question, throughout 2021, has provided workshops and seminars to its law-enforcement officers, presented visual programs across media as a preventative approach, launched social awareness campaigns, enacting rules and regulations to combat violence, and printed books and announcements about the implications of familial violence on individuals and society. There is also a 24/7 hotline - 119 - to receive reports of violence, which, on average, receives 11,000 calls annually.

Furthermore, DCVAW in coordination with UNFPA, are developing an app that facilitates the reach to the hotline, creates an interactive network for the potential victims to communicate, and provides access to live consultations with psychologists and psychiatrists, among other services.

16.3: Honor killings

KRG deals with honor-killing as a crime that is not mitigatable by any excuse. The Parliament of Kurdistan issued Law No 3 (2015) suspending the provisions of Art 40 of the Iraqi Penal Code, which is to reduce the penalty for whoever kills his wife or one of his female relatives or assaults them if they are surprised by adultery or bedding.

Contrary to the Iraqi legislations - which are lenient on the men who commit murder under the pretext of cleaning their honor - the laws in place in the Kurdistan Region identify honor-killings as deliberate murder and, hence, heavy punitive measures i.e. life sentence is imposed on the perpetrators.

Throughout 2021, according to DCVAW, %85 of the men who committed honor-killings are arrested and punished by law. The rest include those who fled the country or hid in unknown locations, but arrest warrants have invariably been issued and they will be arrested accordingly.

16.4: Laws and Legislations to Consolidate Women Rights in the Kurdistan Region

- The Parliament of the Kurdistan Region has enacted the Anti-Domestic Violence Law No (8) for the year 2011 that guarantees women's rights in all respects, along with many other laws and amendments that serve women in general. Work is currently underway to amend the aforementioned law in Parliament in line with the requirements of the current stage.
- Law No 7 (2001) (excluding the wife from the provisions of paragraph (1) of Art 41 of the Iraqi Penal Code amended (111) for the year 1969).
- Law No 8 (2001) (unjust divorce): If a man divorced his wife and it proved to the court that this divorce is unfair and the wife had been hurt, then the court shall rule on the husband a provision appropriate to his material conditions and the degree of injustice and assess all the damages, all the expenses should be covered by the husband for a minimum of two years and not exceeding three years.
- Law No 14 (2002): The commission of the crime against women under the pretext of honorary motives is not considered a mitigated legal excuse for the purposes of applying the provisions of Articles (128,130,131) of the Iraqi Penal Code No (111) of (1969) as amended. Law No 23 (2003) (the salaries and allowances are given in full, for women taking maternity leave).

- Law No 7 (2009): Law of the Institute of Justice in the Kurdistan Region - Iraq: The issuance of this decision allows women to be a judge of justice, and accordingly there are a huge number of women holding the position of governor of justice. The Parliament issued a law (No 2 of 2009) on the elections of the Parliament of the Region, where the percentage of women representation was set at least (30%) of the number of seats in the Parliament.
- Law No 4 of (2009) on the elections of the provincial councils in the region was established. Determining the percentage of women representation by no less than (30%) of the number of members of the council of each province of the region.
- Law No 23 (2003): (payment of the full salaries and allowances, for women enjoying maternity leave during the period of their vacation).
- Law No 14 (2002): The commitment of crimes against women under the pretext of honorary motives is not considered a mitigated legal excuse.
- Law No 3 (2015): Law amending the application of the Iraqi Penal Code No (111) for the year 1969 amended in the region.
- Law No 7 (2001): (exempt the wife from the provisions of paragraph (1) of Article (41) of the Iraqi Penal Code amended (111) for the year 1969).
- Law No 8 (2001) (unjust divorce): If the man divorced his wife and it was proved to the court that this divorce is unjust and has caused damage to the wife, the court shall rule on the husband a provision appropriate to his financial conditions and the degree of injustice along with the damage that has been caused.
- Law on the prevention of misuse of telecommunications equipment No 6 (2008) in the Kurdistan Region of Iraq. Personal Status Law No 188 (2011) as amended.
- Personal Status Law No 15 (2008): Law implementing the amendment of the Iraqi Personal Status Law, which includes (25) articles in the interest of women.

16.5: Divorce cases and Reports of Domestic Violence for the Year 2021

Divorce cases in the Kurdistan Region amounted to nearly 11,000, and the number of reports of violence reached nearly 14,449. Recently, the number of complaints has increased compared to murder and suicide, which has begun to decline and this, is due to the increased awareness of women about their rights.

16.5.1: Domestic Violence Statistics for the Years (2021, 2020 and 2019)

- 2019: 155 cases
- 2020: 125 cases
- 2021: 69 cases
- Grand total: 349 cases

16.5.2: Complaints Statistics for the Years (2021, 2020 and 2019)

- 2019: 11,907 complaints
- 2020: 10,370 complaints
- 2021: 6,426 complaints
- The total: 28,703 complaints

16.6: Workshops and Special Procedures to raise Awareness of Women's Rights

1) The bodies concerned with women's rights held workshops in cooperation with international organizations, such as NFPA, WHO, UNHCR, UNCIEF, IRC, UNAMI, UNDP, UNWOMEN

2) KRG is working continuously to hold meetings and discussions with local authorities, ministries, and civil society organizations concerned with women's rights, such as members of the Kurdistan Parliament, the Judicial Council, the PPO, the Ministry of Justice (MoJ), the MoH, the MoI, the KJS, and the relevant NGOs

3) Holding more than 40 workshops in cooperation with the Ministry of Justice on women's rights.

4) Holding courses and workshops between 2017 and 2019 in schools and universities, the number of which reached 2,096 on educating girls and women about sexual violence and how to protect them when they are exposed violence and threats

5) Within the framework of joint action with United Nations agencies and civil society organizations, a number of awareness-raising workshops and courses were implemented in the camps, the number of beneficiaries of which reached more than 12,000 people, and included an explanation of the contents of the Domestic Violence Law in the Kurdistan Region

6) Printing and distributing thousands of books and brochures on how to combat sexual violence against children, sexual harassment and sexual violence against women

7) Educating women about the law to prevent the misuse of communications equipment in the Kurdistan Region No (6) of 2008 and the rights contained in this law

8) Launching the national strategy to combat violence against women and develop women's capabilities in the Kurdistan Region (2017-2027)

9) Opening the Gender Equality Unit in several ministries

10) Opening equality centers in the region's public and private universities

11) Implementation of the decision to protect women from sexual violence during conflicts

16.7: Punishment for Rape

Article 393 of the Iraqi Penal Code No 111 of 1969 regulates the crime of rape and specifies a penalty for life or temporary imprisonment, i.e. the penalty (5-15) years or 20 years. The law stressed in some of the cases mentioned in the second paragraph of the aforementioned article (Noting that the application of aggravating circumstances is a permissive matter based on Article /136 of the same law), but in the case of applying them, the penalty can be aggravated according to what is stipulated in Art 136 of the said law.

Article 398 of the Iraqi Penal Code considers the conclusion of the marriage contract between the offender and the victim as a mitigating excuse for the purpose of applying Articles 130 and 131 related to extenuating excuses. Here mitigation is an obligatory matter and not a permissive one. But if the marriage ended within three years without a legitimate reason or divorce and the court ruled it for reasons related to the husband's mistake or misbehavior, the penalty shall be reviewed to intensify it at the request of the PPO, the victim, or any interested party.

16.8: Combating FGM, Forced, Temporary and Early Marriages

HCWA conducted two scientific researches on early marriage and female genital mutilation (FGM). A behavioral change plan was prepared and implemented to reduce underage marriage in cooperation with the concerned ministries. Meetings were held with each ministry separately to start implementing the plan. One of the steps was the establishment of campaigns to prevent these phenomena. This project has been implemented by the relevant stakeholders since 2016 and is still ongoing in all governorates, districts and sub-districts, in addition to camps for displaced people and refugees.

In 2019, the regional government, in cooperation with UNFPA, developed a plan to combat FGM once and for all, with the participation of the relevant ministries.

Recently, the number of complaints has increased compared to murder and suicide, which has begun to decline. This is due to the increased awareness among the people of the community through the concerned authorities in the regional government carrying out multiple campaigns to spread awareness by opening courses, seminars, workshops and publishing brochures in all parts of the Kurdistan Region to inform them of the Personal Status Law and the negative and everlasting effects of early marriage.

Also, mobile teams were formed consisting of three people (an officer, a legal expert, a psychological expert) inside the refugee and IDP camps because the majority of underage marriages occur inside the camps. When informed by any person of the existence of such a case, the concerned authorities take the necessary measures and investigate a matter to prevent marriage and take legal measures against those responsible for this marriage.

DCVAW has offices in cities, districts, and sub-districts, with the opening of a hotline (119) to help victims and deliver their complaints, whether for financial or social reasons, sexual harassment, misuse of social media sites and electronic devices.

16.9: Female Circumcision Penalty

Article 6 of the law stipulates penalties for practicing FGM, as it is one of the most dangerous forms of domestic violence.

1- A fine of one million to five million Iraqi dinars shall be imposed on anyone who incites to perform the operation of female circumcision. Any person who performs or participates in his capacity as an actor with others, or an accomplice by agreement or assistance in the process of female circumcision, shall be punished by imprisonment from six months to two years and a fine of between two million and five million dinars, or by one of these two penalties.

2- The law toughens the punishment for FGM due to two personal circumstances: one of them relates to the victim and the other relates to the offender. If the victim was a minor, the person who performed the circumcision or participated in it shall be punished by imprisonment for a period of no less than one year and not for three years and a fine of five million to ten million Iraqi dinars; or one of these two penalties. If the offender is a doctor, pharmacist, chemist, midwife or one of their assistants, s/he shall be punished with the penalties prescribed for his crime, and the court shall, in addition to the prescribed penalty, order to prevent him from practicing his profession or work for a period not exceeding three years. The emphasis here is due to the character of the accused, and it is represented in determining a complementary and obligatory penalty, which is the prohibition from practicing the profession or job for the period specified by the law.

16.10: Institutions to Empower Women

- More than 150 civil society organizations
- Shelter centers for women exposed to violence in the governorates of (Erbil, Sulaymaniyah, Dohuk, Kalar District) and a center for victims of human trafficking.
- General Directorate of Social Reform
- General Directorate of Welfare and Social Development
- The General Directorate of Combating Domestic Violence
- The Musawah Foundation: It was established in the fourth ministerial cabinet and was affiliated with the Council of Ministers' Divan
- The Supreme Council for the Development of Women

16.11: Shelters

KRG continues to operate four shelters for women who escaped family violence.

Table: 16.11.1: Data from Shelters Accommodating Women (2021)

City/Town	KR Citizens	Foreigners	Total
Erbil	47	9	56
Duhok	17	-	17
Sulaimani	4	22	26
Garmian	6	-	6
Total	92	13	105

Shelters throughout the region have received about 2,000 cases since their establishment, the majority of which have been resolved in cooperation with the advisory center of the Directorate of Combating Violence against Women.

In addition to the citizens of the region, the shelters receive displaced women and refugees, as well as foreign women residing in the region, especially those with disabilities and special needs, without any discrimination in terms of nationality, religion or language. Since the establishment of the shells, the number of displaced women and refugees has reached as follows:

- Sulaymaniyah: 17 IDPs

- Erbil: 10 IDPs and 18 female refugees of different nationalities
- Dohuk: 15 were IDPs, and the cases of 14 of them were resolved

16.12: Political Participation of Women

· The constitution of the Kurdistan Region of Iraq within the second paragraph of Article 41, stipulates that over (30%) of the seats should represent women in the parliament. The second paragraph of Article 106 which concerns municipal councils, stipulates “The law on the election of municipal councils should aim at achieving a representation of women not less than (30%) of the number of its members.”

· The Parliament issued Law No 2 (2009) on the elections of the Parliament of the Region, where the percentage of women representation was set at least 30% of the number of seats in the Parliament.

· Law No 4 (2009) on the elections of the provincial councils in the region was established to determine the percentage of women representation by no less than (30%) of the number of members of the council of each province of the region.

· With regard to the current 9th government cabinet: women have received three ministerial positions: labor and social affairs, agriculture and water resources and the ministry of the region.

· The parliament issued its new rules of procedure on July 17, 2018 which stipulated in its articles that the presidential body of the parliament should include among its three members (the president and the two deputies) at least one woman. The Parliament on February 18, 2019 elected the first female speaker of the Kurdistan Region Parliament. Another female parliamentarian from the Turkmen component was elected for the post of second deputy speaker.

16.13: Women in judicial authority

Within the framework of increasing the role of women in the judicial authority and in accordance with the principle of equality, an increase was made in the percentage of women in the judicial and the public prosecution service. As a result, the number of women judges in the region is increasing and there are now a huge number of female judges and prosecutors working in the courts of the region as follows:

- 30 Female judges out of 233 judges
- 56 Female judges working in the Public Prosecution Sector out of 202 judges
- Out of 41 graduates of the Judicial Institute in 2014, (13) of the graduates were females

- 12 Female judges and prosecutors graduated in 2015 out of 35 graduates.
- In 2018, 28 women were admitted to the Judicial Institute out of 60 admitted students
- 31 Female judges have been appointed in the courts of appeal in addition to appointing 94 judicial investigators in the region
- 89 assistant judicial investigators

Section 17: Children Rights

The U.S. Department of State's report explains that KRG has criminalized domestic violence, sets marriage age at 18 minimum, and prohibits forced marriage. Nevertheless, it contains some observations regarding the treatment of sexually abused juveniles as criminals, allowing for 16-years-old marriages, in addition to recording several cases of child abuse through the reporting period.

The Action Report of the regional plan sets outstanding solutions in this respect and imposes their implementation across the relevant institutions: coordination with international organizations working in the field of child affairs in cooperation with the Ministry of Education, the Ministry of Interior and MoLSA to develop the design and implementation of training programs for teachers, school principals, supervisors and social researchers; coordination with local non-governmental organizations specialized in child protection in the Kurdistan Region and the Kurdistan Child Protection Organization in coordination with the ministries concerned with children's affairs to protect children's rights and awareness of sexual exploitation and violence, increase their educational, psychological and cultural level, improve their behavior in society, and raise their awareness of life matters; providing material, scientific and human support from international and local organizations in cooperation and coordination with the relevant ministries in the field of child protection to provide education and vocational training for children in addition to improving and developing professional studies; and with regard to providing psychological care to victims of sexual violence against children and ensuring their physical and psychological recovery and reintegration, the regional plan asserts that training should be provided to health workers and doctors on how to deal with victims of sexual violence and provide them with treatment, and the need to develop guidelines for the treatment of child victims of sexual violence.

Law of Combating Family Violence No 8 (2011) sets outstanding limits for the violence incurred on children by their families and relatives. Accordingly, the perpetrators are severely punished on the basis of Art 398 and 393 from the Iraqi Penal Code.

Marriage for the under-age citizens, refugees, and IDPs is prohibited in the KR-I. Articles 1 and 2 from the Domestic Violence Law No 8 (2011) set the legal punishments for this practice. Furthermore, KRG assigned police officers and the offices of combating domestic violence in the camps to deter parents from forcing their children into marriages. Other teams from the MOI and civil society organizations are constantly conducting awareness campaigns in the camps concerning under-age marriages and sexual violence.

There are exceptions, however, to arrange the necessary legal documents for people of 16 years old under special circumstances. These exceptions are enshrined in the amended Law No 188 of (1959), which stipulates that “Iraqis are free in their commitment to their personal status according to their religions, sects, beliefs or choices, and this shall be regulated by law.” And it is further explained in Article 5 of the Law No 15 (2008) of the Kurdistan Parliament: “if a 16-year-old person asks to be married, the judge can authorize the marriage if the eligibility of the person in question has been established and approval received from the guardian. If the guardian abstains from responding, the judge calls upon them to state their agreement during a determined period. If the guardian does not object or if s/he submits an objection that is unworthy of consideration, the judge shall allow the marriage.”

Moreover, Article 2 of the law on Domestic Violence No 8 (2011) defines child marriage as an act of domestic violence. Art 6 of the law imposes a penalty on whoever marries an underage or forces one into marriage: an imprisonment for a period of between 2 to 5 years if s/he is a first degree relative, but if the offender is not of those, the imprisonment period will stretch from three to ten years.

The MOI, through the JCC, continues to repel the humanitarian crisis in the Kurdistan Region by enforcing the relevant laws and conducting awareness campaigns in this regard. These actions primarily target women issues, especially: combating physical and sexual violence through establishing a national agenda to further enforce United Nations Security Council Resolution No 1325, opening offices to combat domestic violence in all the refugee and IDP camps in the Region, creating 14 teams to assist the victims of sexual violence, establishing a committee to collect the evidences of ISIS crimes, striving to liberate the women abducted by ISIS and supporting the international organizations and agencies that are collaborative in this respect.

There are 16 specialized centers to raise awareness about marriage and conduct all necessary tests before marriage to ensure the health of new couples such as: tests for hepatitis, thalassemia, tuberculosis, anemia and AIDS where 233 cases of thalassemia were discovered in 2017 while in 2018, 342 cases were discovered.

17.1: Prohibition of Child Recruitment in the Ministry of Peshmerga

To combat the recruitment of children and ensure their non-participation in armed conflicts, and to ensure legal prosecution of anyone who is proven to have encouraged their participation, the Peshmerga Service and Retirement Law No 38 of 2007 was issued; in addition to a draft of law which is currently in the process of being reviewed by the Shura Council, where it was confirmed that children under the age of eighteen should not be recruited into the Peshmerga forces. It was also mentioned in articles 3 and 8 from the aforementioned law that the rank of lieutenant under the age of twenty should not be granted and that people under 18 of age must not participate in armed conflicts as volunteers.

17.2: Prohibition of Child Labor and Minimum Age for Employment

Due to the huge influx of refugees and IDPs, lack of social awareness, economic crisis, and rising unemployment rates, child labor has been widely spread across the KR. According to the KRG Independent Commission of Human Rights, 921 people was arrested in 2019 for begging, and 445 of them were below 18. The investigations inferred that some interconnected bands were behind this awful act. The security forces began collecting evidence to arrest the perpetrators. Assuredly, the under-age persons are dealt with as victims and they do not bear criminal liability.

Concerning child labor, it is prohibited for children below 15 of age to work. And those who are above 15 and below 18 are legally protected to be engaged only in jobs that require constrained exertion.

The Law of Combating Family Violence No 2 (2008) encompasses verbal and physical damages inflicted on women and children, and stipulates the punishments accordingly.

The Child Protection Law is already in the final phases of drafting. The draft has been prepared by legal and social experts from both inter and intra governmental counterparts. It has been submitted to UNICEF's regional headquarter in Amman for revision and evaluations. The law is composed of 6 sections, 8 paragraphs, and 45 articles. It is inclusive enough to address the children's issues in their entirety.

MoLSA issued Regulation No 1 (2017) that validates tutelage for guardians who want to take custody of an abandoned child or whose parents are deceased. The child or toddler age limit is 4, and the guardians are legally subjected to raise the child decently. Thirty-five parents have hitherto been granted guardianship. The accommodation of the children and providing them with guardianship has been a great initiative to reduce begging, abuse, and child labor.

17.3: Important Steps in Protecting and Enhancing Children's Rights

- A draft law on the protection of children's rights was submitted by MoLSA, and it is now under study in the Kurdistan Region's Shura Council
- The Ministry of Education appointed educational researchers in schools, and there is a special directorate for these researchers, whose competence is to protect the child from psychological and physical violence
- The Ministry of Education has worked on a program that aims to support girls and boys affected by crisis, including adolescents, to increase and maintain access to comprehensive safe protection. The duration of this project is three years and it is extendable
- With regard to allocating the necessary human, technical and financial resources to rehabilitate them and provide mental health services, safe places, education and vocational training, the Barzani Charitable Foundation and the Rawanga Organization cooperate with the Ministry of Education to achieve them.

Section 18: Persons with Disabilities

The report of the U.S. Department of State raises makes some observations regarding the rights of the persons with disabilities, including the lack of access to public places and low monthly stipends.

A special section is devoted in the regional plan to address this subject. The regional plan partly urges the followings: strengthening the capacities of sign language experts in sufficient numbers to provide translation services for people with hearing disabilities in the media, in courts and judicial departments, at a rate of three sessions for 200 beneficiaries; providing applications on phones, tablets and laptops, and free software for people with disabilities to use, which are easy to acquire at affordable prices; the need to work on establishing complaints mechanisms in line with the guarantees of their rights in psychiatric hospitals, correctional facilities, nursing homes, and rehabilitation centers; allowing the import of special cars for the use of people with special needs; preparing a plan with the help of international organizations by activating direct communication to report cases of domestic violence for people with special needs; providing training for employees in psychiatric hospitals and mental health institutions on the rights of people with disabilities, including the rights of people with psychosocial disabilities, in coordination with the Secretariat of the Convention on the Rights of Persons with Disabilities (CRPD), WHO and other international organizations specialized in this field; and ensuring an effective system for conducting medical examinations for persons with special needs suspected of being subjected to violence.

The KRG has taken care of the handicapped and disabled people and guaranteed their rights through the adoption of the law number 22 (2011) – (the rights and privileges of persons with disabilities and special needs) via its constant implementation, despite the difficult administrative and security conditions experienced by the region issued a regional government Kurdistan has many instructions that include the fields (health, social, education, work, professional, cultural and sports).

Article 10, paragraph 3, of the abovementioned Law states that at least 5% of persons with disabilities and special needs must be appointed in public sector institutions, trained and rehabilitated in the professional and functional fields. The number of disabled employees after the review of the medical committee reached (12,068) employees in government departments and institutions.

The unique case of war-related disabilities is attentively tackled as well: 10,815 persons out of the larger population number of people living with disabilities, lost organs and limbs and suffered from other physical, psychological and socio-economic damages, due to mines and unexploded ordnance (UXOs). This human tragedy has been sensitively dealt with through a double-headed strategy: A draft law has been prepared to guarantee the rights of the workers in the minefields (1) A monthly support is granted to mine victims within the government budget (2) Educational curricula have been constantly adapted to accommodate students with disabilities and increase awareness within the future adults in the Kurdish society as for the special needs of the people living with disabilities.

The special study was provided for students with disabilities and special needs according to the curriculum of the institutes for the care of the disabled Law No 5 (1991), and was amended in 2002. The Regional Government also provided study and physical and psychological preparation for children with special needs (blind, deaf and mute, physically and mentally handicapped) at the autism center, teachers and special programs have been established in the above mentioned fields.

The above-mentioned law has been largely altered in 2020 by issuing new regulations, especially with regard to the wages the handicapped persons receive based on their physical or mental incapacities. The new regulations-which are in force at present - invalidates the previous medical evaluations and stipulate opening new centers to conduct more compelling ones. Currently, there are 89,547 handicapped persons registered in the KRG payrolls: 100,000 IQD to government employees and 150,000 IQD is given to those who are not governmental employees. According to the newly amended law, each person will receive salaries based on the proportion of his or her disabilities.

18.1: Important steps in Protecting and Enhancing the Rights of Persons with Disabilities

- The Rights and Privileges of Persons with Disabilities and Special Needs Law No 22 of 2011 were issued to protect their rights and prevent them from being subjected to torture.
- With regard to allocating the human, technical and financial resources necessary for their rehabilitation, instructions were issued in the areas of designing buildings for use by people with special needs, including entrances and elevators, inquiries designated to receive people with special needs and implemented in most public departments. Instructions were also issued to prepare certified sign language translators to work in courts and special procedures were implemented for Noor Computer Center to train the blind on special programs to use the computer normally
- Places have been allocated to facilitate the access of people with special needs by the Ministry of Transport and Communications at Erbil International Airport
- MoLSA and MoE have developed a comprehensive plan to integrate people with disabilities and special needs into society
- MoE established a special educational system and formed a joint committee between the Ministry of Education, Labor and Social Affairs, Health, Culture and Youth. The rights of people with special needs were also mentioned in the school curricula
- The Kurdistan Regional Government monitored the behavior of all government service providers in schools, institutes, and health institutions that provide social services in their application of human rights standards and the prevention of cases of torture or neglect
- Special phones have been allocated for the deaf and the blind, and training for male and female teachers in government schools is being prepared in this field.

Conclusion

Since its establishment, the regional government has embarked on a mission to consolidate a well-functioning democratic system, and to flourish with standardized calibers of human rights and good governance. The regional government has sought to turn inward in building a firm economic and public infrastructure accompanied with resourceful domestic human capacity, which is established and enhanced through inclusive campaigns to eradicate illiteracy and furnish a healthy education system.

Meanwhile, Kurdistan Region has opened its markets to private and foreign investments to further improve the sectors of health, education, energy, and agriculture, in addition to promoting economic accountability and transparency. Also, the cohesive patterns of communal cohabitation and coexistence, gender justice, accommodative policies towards IDPs and refugees, institutional integrity, rule of law, among others, indicate that KRG has underpinned a decent ground for a consolidated democracy, and that it is determined to resume the process of social development in line with human rights principles.

The international counterparts have been contributive in making these progresses. The evaluations put forward in the DoS report on human rights practices commends KRG efforts in embracing effective approaches to enhance and sustain human rights' status. Meanwhile, it illustrates a series of observations across the spectrum of human rights. KRG takes these observations seriously and heeds the findings of the report. The regional government has an open dialogue with the U.S. Consulate General in Erbil; it strives to broaden this dialogue to influence further improvements. The Regional Plan for Human Rights, as it has been demonstrated throughout the report, is a good initiative to cement the necessary improvements.

OCIA followed-up with the relevant institutions, and invested detailed clarifications for the points raised in the report.

KRG embraces observations from its international counterparts, chief among them the United States. As KRG has exhibited the embodiment of the crucial democratic values and has exemplified the consolidation of pillar of good governance, further inquiries on the observations posed by the DoS's report will be carried out, and KRG acknowledges State Department's continuous efforts in addressing the human rights concerns in the Kurdistan Region. KRG welcomes similar sincere recommendations from its multinational counterparts to strengthen the democratic principles by which it governs.