



**Implementation Report**  
(2021-2022)

Kurdistan Regional Government Action Plan for Human Rights

Office of the Coordinator for International Advocacy  
(OCIA)

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## **List of Abbreviations**

BoI	Board of Investment
BoT	Board of Tourism
CAP	Civilian Activities Police
CSOs	Civil Society Organizations
CJ	Judicial Council
DFI	Department of Foreign Relations
GoI	Government of Iraq
HCWD	High Council for Women and Development
IDPs	Internally Displaced Persons
IOM	International Organization for Migration
IQDs	Iraqi Dinars
ISIS/ISIL	Islamic State of Iraq and the Levant
JCC	Joint Crisis Coordination Center
KEPS	Kurdistan E-Procurement System
KIPA	Kurdistan Institute for Public Administration
KRG	Kurdistan Regional Government
KRI	Kurdistan Region of Iraq
KRSO	Kurdistan Regional Statistics Office
MoAWR	Ministry of Agriculture and Water Resources
MoCH	Ministry of Construction and Housing
MoCY	Ministry of Culture and Youth
MoE	Ministry of Education
MoERA	Ministry of Endowment and Religious Affairs
MoFE	Ministry of Finance and Economy
MoH	Ministry of Health
MoMAA	Ministry of Martyrs and Anfal Affairs
MoHESR	Ministry of Higher Education and Scientific Research
MoI	Ministry of Interior
MoJ	Ministry of Justice
MoLSA	Ministry of Labor and Social Affairs
MoMT	Ministry of Municipalities and Tourism
MoP	Ministry of Planning
MoPA	Ministry of Peshmarga Affairs
MoTC	Ministry of Transportation and Communications
MoTI	Ministry of Trade and Industry
MoU	Memorandum of Understanding
NHRP	National Human Rights Plan
NGOs	Non-Governmental Organizations
OCIA	Office of the Coordinator for International Advocacy
PRS	Poverty Reduction Strategy
RHRP	Regional Human Rights Plan
UNDP	United Nations Development Programme
UPR	Universal Periodic Review
USAID	United States Agency of International Development

## **Introduction**

In order to implement international recommendations presented to the Iraqi Federal government and Kurdistan Regional Government (KRG), including recommendations made during the second cycle of the Universal Periodic Review of the UN Human Rights Council on 23<sup>rd</sup> March 2021, the Iraqi government endorsed the National Plan for Human Rights 2021-2025, prepared by the national committee for the drafting reports under ratified human rights treaties by Iraq and to respond to treaties' related observations and recommendations. The National Plan refers to Kurdistan Region and provides that the Plan shall be implemented in Kurdistan Region through the Office of Coordination of International Advocacy (OCIA).

Parallel to this process at the Federal level, on 8<sup>th</sup> September 2021 the KRG Council of Ministers endorsed the Regional Human Rights Action Plan (RHRP). The endorsement decision tasks OCIA to follow-up implementation of the Regional Plan in coordination with government institutions, legislative and judicial authorities, independent boards and commissions, foreign representations, CSOs and UN agencies. The RHRP comprises of 27 sections covering all thematic areas of human rights. The RHRP defines roles and responsibilities of legislative, executive and judicial institutions.

During the outreach process to introduce the RHRP to the ministries, boards and commission, the action plan was submitted to the institutions. The action plan outlines topics and thematic areas of responsibility of the line ministries and institutions and the recommendations to be implemented by each institution individually or jointly with other institutions.

As the result of follow-ups of implementation of the Regional Action Plan, OCIA submitted implementation mechanism vision to the Council of Ministers. The implementation mechanism strategy includes two parts: part one on legislation and amendment of laws and part two on institutional promotion and development. The report identifies the recommendations implemented and those not implemented with proposed solutions. The report was prepared based on data and information on implementation approaches by the various institutions.

On 12 May 2022, based on the implementation mechanism report, the Council of Ministers issued a memorandum with the list of proposed laws to be enacted by the legislative authority, and procedural and practical steps to be observed by the executive and judicial authorities pursuant to the international recommendations.

This strategy provides a comprehensive assessment of the implementation process of the RHRP based on institutional responsibilities and timelines. The Regional Action Plan includes 389 thematic recommendations. However, implementation rates vary when classified by institutions, for most of the recommendations are subject to joint implementation by more than one institution but addressed to them individually.

Challenges to timely implementation of the recommendations include:

1. A number of recommendations have joint implementation responsibilities and some institutions play secondary (minor) roles in implementation. In other words, these recommendations are not within the mandate of one single institution.
2. Some institutions play major implementation roles for the common recommendations. However, if these institutions fail to play the necessary coordination roles the recommendations would remain unimplemented.
3. Most of the recommendations in the follow-up table remain unaddressed. The Judicial Council has a role in delays in implementation of the recommendations related to delay of court proceedings.
4. None implementation of some of the recommendations is related to not legislating new laws or amending the laws proposed by the government to Kurdistan Parliament. Here joint work of self-alignment with and implementation of the RHRP between the legislative and executive authorities is not effective.
5. International actors are crucial for ensuring legal momentum and prompt implementation of the Plan. However, the international actors, especially the consulates, are not effective in sharing experiences and expertise with the government institutions. It is noticeable that these parties mainly focus on information sharing on violations in the Region without giving due attention to institutional capacity building.
6. More media spotlight should be shed on the RHRP through dissemination of information in various channels of the traditional media as well as social media. Also, KRG's strategies and plans to observe international obligations should be presented in panels, debates and other official activities; with the aim to inform the public about the RHRP.
7. In the follow-up process of implementation of the recommendations, adjustment of the RHRP themes is not incorporated into the action plans of the institutions of the executive, legislative and judicial authorities.
8. Implementation of a number of recommendations falls within the competencies of the Federal Iraqi government within the framework of the National Human Rights Plan. What is observed in this regard is that the relevant authorities in the KRI are not active within the relevant institutions and committees in the Iraqi government and the Iraqi Council of Representatives.

## **Ministry of Justice (MoJ)**

### Property Registration in the Disputed Areas

The MoJ, through the Directorate General for Property Registration, coordinates with the Federal Government to solve this issue of property registration in the disputed areas previously controlled by ISIS (ISIL).

### Child Protection

Child Justice Project is in its final stages. The project implantation phase ensues once UNICEF makes the final evaluation of the MoJ's activities about the project.

Under Personal Status Law separated parents previously had the right to see their children only twice a month, now they can see their children for 24 hours in one week. In addition, parents who think their visitation rights are violated may reclaim custodial rights in courts. It is also recommended to allocate appropriate spaces for visitations, in coordination with the Ministry of Municipalities and Tourism.

### Survivors of Crimes of ISIS terrorists

So far, no law is enacted to find fundamental solutions for the issues of religious or ethnic identities of children born to ISIS fathers and Yazidi mothers.

The MoJ is mandated to monitor children and youths from social, cultural, educational and humanitarian perspectives. Therefor the MoJ shall provide legal services to the Yazidi girls and women survivors rescued from captivity of the ISIS terrorist group.

## **The Office of the Prosecutor General**

### **Combating Human Trafficking**

Number of registered cases in 2021 reached 192, out of which 17 closed, 147 indictments and 28 cases pending investigation.

Number of registered cases in 2022 reached 211, out of which 15 closed, 63 indictments and 73 cases pending investigation.

### **Instructing the Media**

The Office of the Prosecutor General issued an order prohibiting all media outlets and electronic, websites, when covering crime of murder, from disseminating groundless and inaccurate information, making prejudicial analysis or interviewing family members of victims. Otherwise, it would amount to violation of Article 236, Section 1 of the Iraqi Penal Code No. 111 of 1969 (as amended in Kurdistan Region). Office of the Prosecutor General prosecutes any such infringements on the right of the public.

### **Gender-Based Violence**

In relation to combating gender-based violence, especially in cases of underage (child) marriage, forced marriage and temporary marriage (Mut'ah or Sigheh), the Prosecutor General prosecutes anyone considered a threat to the right of the public (public welfare). The office of the Prosecutor General initiated 1960 cases in the Region, conducted follow-up for 2787 incidents and representing the right of the public launched appeals against 67 court rulings.

### **Torture and Degrading Treatment**

In relation to taking legal action against police and security personnel if proven that they inflicted torture or other degrading treatments on detainees, in 2021 ten cases were initiated, four persons received compensations and 4 defendants were convicted for the use of violence.

### **Combating Financial and Administrative Corruption**

In the course of combating financial and administrative corruption a number of cases were initiated. On 1<sup>st</sup> November 2022 the Directorate of Criminal Research and Follow-up was established within the Office of the Prosecutor General. Currently the process of selection of the Board for the administration of the directorate is underway.

### **Combating Domestic Violence**

Until January 2023 in Minarah Office the total number of cases reached 1477, of which 744 are under investigation, 450 cases closed and 283 cases sent to the courts.

In Qalah Office the total number of cases reached 1804, of which 344 are under investigation.

Recommendations:

- ◀ Amending the Law of the Prosecutor General.
- ◀ Designing a monitoring mechanism aiming to eliminate torture or other cruel, inhuman or degrading treatment or punishment in situations of deprivation of liberty from persons with disabilities in mental hospital, reformatories, elderly homes, rehabilitation centers and care facilities.
- ◀ Setting monitoring mechanism of violence against persons with disabilities and redress mechanism for persons with disability to easily resort to when they fall victims of violent crimes.
- ◀ Review of the criminal procedures to ensure that defendants do not have to wait for long time for trial and conclusion of their cases.



## Ministry of Peshmarga Affairs (MoPA)

### Protection of Civilians in peacetime and war

The strategic goal of the Ministry of Peshmarga Affairs (MoPA) in this area is the protection of civilians in peacetime and during armed conflicts. To this end, since 2022 the MoPA integrated the required trainings on protection of civilians into the training curricula. However, the Peshmarga forces need more training on the protection of civilian life and wellbeing during armed conflicts.

### The Law of Compensation of Victims of War Operations and Military Mistakes

Regarding the implementation of the Law on Compensation of Victims of War Operations and Military Mistakes No. 57 of 2015 (amended), The MoPA has a representative in the compensation committee within the Iraqi Federal Council of Ministers, though the committee is not effective. Much work is needed to activate the committee and remove the obstacles.

To carry our reform and provide better services to persons with disabilities, a special taskforce is established with the MoPA. The taskforce interviewed 9578 disabled persons; and following medical examinations by a special medical committee only 4664 persons met the required level of disability, 3384 failed to meet the required level to be considered disabled. Also 1539 persons continue to service within the ranks without any issues. 63 persons did not appear before the taskforce. Also 651 personnel from Unit 70 and 697 from Unit 80 submitted objections.

### Training on the fundamental principles of international humanitarian law and international human rights law

To ensure respect of human rights and fundamental liberties of all inhabitants; and investigating and prosecution of violations of international humanitarian law and international human rights law, the MoPA has 16 international trainers who deliver trainings for all the forces of the MoPA. Each person must receive minimum 12 hours of training to improve their knowledge and skills.

Between 2017 and 2020, in cooperation with CSOs, 4000 male and female officers and Peshmarga members benefited from trainings on human rights, gender and civilian protection. Over 5000 guidebooks on codes of conduct of Peshmarga titled (Peshmarga is a fighter, not killer) in cooperation with Geneva Call, printed and distributed. In addition, the Directorate General of Media and Awareness continue to raise awareness in this area through publications, workshops and seminars. There is a three-year plan to provide training and workshops to disseminate information and raise awareness among the Peshmarga ranks.

### Achieving National Reconciliation

To achieve national reconciliation and transitional justice, the MoPA developed a strategy to combat violations of human rights committed by parties to armed conflicts. The strategy includes establishing 6 coordination centres; 2 main ones in Erbil and Baghdad and the other 4 in Diyala,

Kirkuk, Makhmur and Kasik. In relation to the joint brigades, the Peshmargas are selected and in training, with continued dialogue with the Federal Government to undertake the necessary administrative procedures.

In this regard, continued efforts are necessary to implement Article 140 of the Federal Constitution, which would be crucial for efforts to achieve peaceful coexistence, national reconciliation and stabilization of areas covered by the Article. In addition, it is crucial to tackle unresolved issues in multi-ethnic and multi-religious areas where tensions are high.

#### Stability of the Disputed Areas

Intensifying efforts to stabilize these areas and fill in security gaps to create an enabling climate for voluntary return of the IDPs, in cooperation with international organizations specialised in solving issues of IDPs.

#### Eliminating Child Recruitment

In relation to combating child recruitment and use in armed conflicts, Article 8 of the Law of Peshmarga Service and Retirement No. 38 of 2007 emphasises that anyone recruited into the Peshmarga ranks must not be under the age 18.

## Ministry of Interior (MoI)

### Entering International Treaties

Entering UN treaties on transnational organized crimes and international conventions is among the sole competencies of the Federal government. Directorate for Combating Organized Crimes in the Ministry of Interior (MoI) is a member of the Federal government's joint taskforce. Although the taskforce held only two meetings, the recommendations report was elevated and implemented to enforce Combating Human Trafficking Law and follow-up on cases, combat crimes and rescue survivors.

### Combating Human Trafficking

As stated above the Directorate for Combating Organized Crimes is a member of the Federal government joint taskforce, where joint investigations and exchange of intelligence and information takes place. The Directorate comprises two units; one to combat human trafficking and the other one to investigate money laundering and terrorism financing. The Directorate has 8 offices in Erbil, Duhok, Halabja, Sulaimani, Garmian, Rapareen, Soran and Zakho.

To ensure justice for victims of human trafficking and secure the necessary support, the Directorate for Combating Organized Crimes designated a telephone helpline for the purpose of rescue and support of the victims. Also, the cooperating international organizations operate their own helplines for this purpose.

In addition, a number of joint activities on human trafficking were implemented, namely:

- ◀ Awareness raising seminar in KRI cities and town in partnership with the International Organization for Migration (IOM).
- ◀ Disseminating information through media outlets, especially television channels.
- ◀ The MoI signed an MoU with an international organization (Seed Foundation) in years (2019, 2020, 2021 and 2022) to provide shelters for victims, in their shelter called Steps.
- ◀ Directorate for Combating Organized Crimes coordinated with a number of NGOs, including (Al-Masir) in Baghdad to provide advice and support for victims of human trafficking.

### Activities of Directorate for Combating Organized Crime, 1<sup>st</sup> January 2022 - 30 April 2022

No.	Topic	Number
1	Number of companies visited or inspected	354
2	Number of indicted companied	12
3	Number of companies blacklisted or suspended	
4	Number of shell (ghost) companies closed down	
5	Number of monitored lawyers	37
6	Number of indicted lawyers	2

7	Number of interviewed foreign nationals	1498
8	Number of human trafficking foreign national victims	108
9	Number of foreign nationals referred to shelters	17
10	Number of repatriated foreign nationals	17
11	Number of initiated cases in 2021	169
12	Number of indicted cases in 2021	80
13	Number of closed cases in 2021	8
14	Number of cases under ongoing investigation in 2021	72
15	Number of deported foreign nationals	4
16	Number of training courses in which the staff participated	
17	Meetings of the sub-committee of combating human trafficking	1

### Combating Torture and forced disappearance

No.	Types of human trafficking offences	Number
1	Forced or compulsory labor	17
2	Sex trafficking	9
3	Trafficking in Human organs	33
4	Child trafficking	1
5	Trafficking in persons under 18 years of age	11
6	Human smuggling	7
7	Human trafficking for forced begging	10

According to the international recommendations, one of the necessary steps to be taken by the KRG is to develop a strategy to combat torture. When it comes to taking legal actions, the MoI does not shy away from punishing perpetrators. Whenever a prisoner or detainee make complaint, an investigate board will be established. If medical evidence shows the complainant was subjected torture, legal actions will be taken against the perpetrator(s).

Complainant shall inform the judicial investigator or investigative judge about the torture by the police during investigation. Thus, most of the times the investigative court asks questions to determine if confession was obtained under pressure or duress. In the recent past, 2 torture complaints were submitted, both of which are fully investigated.

### DNA Testing in relation to Forced Disappearance

With respect to DNA testing, the Directorate of Forensic Evidence does not have basic testing equipment. Also, the MoI staff need training on the best international practices on preservation of evidence.

In coordination between The MoI and the Ministry of Higher Education and Scientific Research (MoHESR) it is decided to establish forensic evidence department in Hawler Polytechnic University, with admission priority to be given to the MoI staff. To this end, 25 students were

accepted for the education year of 2021-2022. Graduate of this department will receive diploma in forensic evidence.

### Protection of Women

For the purpose of protection of women in Kurdistan Region the Law of Combating Domestic Violence No. 8 of 2011 is in force. However, to adjust the law to the changing circumstance, efforts are underway to amend it. The Directorate General of Combating Violence against Women organized a series of meetings with diverse segments of the society to identify shortcomings of the Law. At the end, a draft amendment was submitted to Kurdistan Parliament for enactment.

The Directorate of Combating Violence against Women works to amend Articles 380 and 398 of the Iraqi Penal Code No. 111 of 1969, to address the potentials for violations of the rights of women and ensure their compatibility with the new reality and the international standards.

### Hotline and Mobile Team

Hotline and mobile team are two units of the Directorate of Combating Violence against Women mandated to respond to emergencies related to domestic violence and sexual violence. These units do not take complaints from anyone else other than the victims of crimes personally.

The Directorate of Combating Violence against Women operates under the rule of law and would not get involved in any cases of violence without appropriate order of a competent judge, except when the case requires rapid response or the victim is not able to make a complaint.

### Equal Access of Women and Men to Citizenship

According to the law granting citizenship is a sole competency of the Federal Government. However, pursuant to Article 5, Section 3 of the Citizenship Law No 26 of 2006, the KRG's MoI issued Decision No 127 on 15<sup>th</sup> January 2000 to support the Faili Kurds to regain their Iraqi citizenship. This decision should remain enforced and no obstacles should be created for the remaining Faili Kurds to equally regain their Iraqi citizenship.

### Administration of Reformatories

Arrest is made only on the order of a judge as stipulated by the law. Rights of persons remanded in custody (pre-trial detainees) shall be respected; including the right to a lawyer, communication with and informing relatives about their whereabouts. Detainees shall be given information about their rights, accommodation (bed), sanitation and health facilities, and food and drinks. Health services are provided for all detainees, including specialized health treatment, with special attention extended to persons with disabilities.

A Special detention center receives only women based on age; only women over 18 years of age are accepted. Women under 18 are detained in Juvenile police centers. Women and children Detainees rights under the international law and standards of human rights are fully observed,

including access to lawyer, informing family of reasons for arrest, right to visitation, call, letters, reading materials and access to television and radio.

### IDPs and Refugees

A National Migration Strategy (NMS) that will serve as a comprehensive framework for migration policy to address the new social and economic dynamics of migration and displacement. The strategy was developed by the Technical Working Group (TWG) with technical support from IOM. The TWG included six ministries of the Federal Government and the KRG, including the Joint Crisis Coordination Center (JCC). The strategy also aims to adopt unified approaches to the administration of the borders, combating human trafficking, improvement of human development and labor movement, monitoring labor market, addressing the issue of climate change and migration in Iraq.

The Minister of Interior established a taskforce to develop special regulations for refugees and asylum seekers. The draft regulations give due considerations to the effective laws as well as the applicable international principles.

KRG shoulders around 80% of the costs of services provided for the IDPs and refugees. Also the local organizations continue to provide generous help and assistant as follows:

- Out of 965 employees of the Barzani Charitable Foundation (BCF) 119 are refugees and 170 are IDPs.
- BCF manages 30 camps, where 672,941 persons benefit from their services.
- Hassan Sham camp hosting 30,000 IDPs, during the hottest seasons had only 4 daily hours of electricity, which was provided by the BCF with the support of other organizations.
- In 2014 more than 460,000 Yazidis were displaced and took refuge in Kurdistan. Until 2016 over 100,000 Yazidis left the country, now this figure is close to 160,000 and may reach 200,000 by 2023. This amount to half of the total Yazidi population in Iraq, a fact that represent a real threat of demographic changes to their original areas.

Previously international organization used to pay the wages of Syrian refugees school teachers and staff. However, since the education year of 2019-2020 the organizations stopped this support and the KRG bears this financial responsibility.

Head of the General Board of Kurdistan Areas Outside the Region participated in negotiation on Sinjar Agreement. The agreement was signed on 1<sup>st</sup> October 2020, under the auspices of the United Nations Assistance Mission for Iraq (UNAMI), between the federal government in Baghdad and the Kurdistan Regional Government (KRG) to reinstall security and stability and normalize Sinjar. The agreement aims to address resident's hardship, facilitate return of the IDPs, reinstall civilian administrations pursuant to the Constitutional and legal principles.

In all the KRG governorates and independent administrations special police units operate to manage IDP and refugee affairs and coordinate with Asaiysh, government institutions and NGOs.

## Compensation of Yazidi Survivors

Yazidi women survivors of ISIS terrorist group in Kurdistan, elsewhere in Iraq or even abroad, may be registered for compensations under the relevant law. Pursuant to the provisions of the law, survivors are granted monthly salary. Registration process started in August 2022 in Duhok, which is managed by a KRG MoLSA affiliated office.

IDP statistics in KRI, 2022

Total number of IDPs	6,652,914
IDPs in the camps	1,579,941
IDPs returned to their original areas	8,091
IDPs reentered the camps after their return	5,632

## The Right to Freedom of Expression and Access to Information

Access to Information Law No. 11 of 2013 is applicable in KRI in relation to citizen access to information. However, implementation regulations need to be issued to address challenges to full enforcement of the Law.

The MoI established Civilian Activities Police (CAP) to protect and organize public gatherings and demonstrations. Civilian Activities Police (CAP) forces are strictly prohibited from using disproportionate force against demonstrators. The police force continuously receives trainings on the best practices in carrying out their mandate. Peaceful demonstrations under the applicable law would be protected by the Civilian Activities Police (CAP) provided the police are given prior information about time, place and route of the demonstrators.

All internal security forces are ordered to protect journalists and human rights activists. Under no circumstances the Civilian Activities Police (CAP) may use lethal weapons against demonstrators.

Upon legal complaints against persons who behave inappropriately against human rights activists, all the necessary legal steps shall be observed, including arrest and indictment.

The MoI continuously provide guidelines and information to staff and officers to increase their legal knowledge and awareness and improve how they conduct their tasks drawing on modern knowledge. The MoI also aims to increase officers' sensitivity and understanding of human rights principles, democratic and civil society as well as the international standards and best practices.

The MoI made the following recommendations on human trafficking:

A number of families of smuggled illegal migrants launched complaints against the smugglers. Therefore, Illegal migrants destined for third countries should be considered trafficked by smugglers and authorities should have legal powers to arrest, indict and convict smugglers under human trafficking law.

- ◀ Introducing forced disappearance as a separate crime under the national laws.

- ◀ The law must recognize smuggled migrants as victims of forced disappearance as a measure to limit illegal migration.
- ◀ Directorate of Migration in JCC should be engaged in any national mechanism developed to address the issue of forced disappearance for this entity worked on the issue in 2015 and has records on missing persons who were smuggled to other countries.
- ◀ Preparing refugee draft law in coordination with the Federal Government and activating the existing MoUs between Directorate of Migration in JCC and the Federal Ministry of Migration and Displacement.

During the workshops on the implementation of the RHRP, where experts and CSOs participated, the following information was presented:

- Human trafficking is an issue in the camps. So far 220 cases of kidney sales were detected mostly by refugees and IDPs.
- IDPs and refugees face problems in courts due to lack of official documentation.



## **Ministry of finance and Economy (MoFE)**

### **Combating Corruption**

In order to combat corruption, the MoFE issued 43 regulations and 30 orders.

In 2022 total of 144 cases were sent to courts in Duhok, 52 cases in Erbil and 69 cases in Sulaimani.

### **Rights of Persons with Disability and Persons with Special Needs**

MoFE issued special regulations on disability levels to determine eligibility and amount of disability allowances (50%) of the basic salary of civil servants with disabilities provided the total does not exceed 100,000 IQDs.

Tasking Department of Information Technology in the Council of Ministers to coordinate with the MoFE and provide technical assistance within the Biometric System for Civil Servants and to gather the relevant statistics and data on persons with disabilities. There is also a designated public service appointment quota for persons with disabilities.

### **Commercial banks**

MoFE states that until 2021 repayment amounts of facilitation loans reached (2,911,705,960) IQDs in the commercial banks and (179,727,517,399) IQDs through specialized banks.

Insurance companies income increased by 25% for private companies operating in the border crossings. This procedure came into effect on 1<sup>st</sup> June 2021.

### **Pension Wages**

Total of 1194 pension cases amended, including positions of advisor, director general, head of district, member of governorate council and judge, saving the government the amount of (976,374,450) IQDs.

### **Electronic System (Digitization)**

The MoFE developed an electronic system in the directorates of customs in Ibrahim Khalil border crossing, Erbil and Sulaimani International Airports and the Regional General Directorate of Customs. Also, the MoFE digitized both incoming and outgoing correspondence as well as civil service personnel files.

Regulations No. 4 on vehicle import was amended in coordination with the MoI, which provides facilitations to citizens and traders and helps to overcome the previously existing challenges. Aiming to reorganize the process of service delivery (catering and cleaning) in hospitals and centers of the General Directorates of Health, financial regulations No. 11 of 2022 was issued that introduce special mechanisms to improve service delivery.

## **Ministry of Natural Resources (MoNR)**

### **The right to live in a clean environment as a Constitutional Right of Individual**

The Ministry of Natural Resources (MoNR) has recently established a Health, Safety and Environment Department (HSED) to assume primary responsibility for the Ministry's regulatory activities in these areas. HSED is the executive authority in relation to protection of the environment and works to preserve individual constitutional right to live in a healthy and clean environment, pursuant to Article 33 of the Iraqi Constitution. To this end, HSED conducts environmental impact assessments.

The HSED's mission is to strive for the development of the Kurdistan Region's hydrocarbon resources in a socially and environmentally responsible manner, to meet the growing needs of the local population. Its activities are aimed at protecting the Region's environment (including its biodiversity, wild habitat and water resources) and promoting safe and environmentally sound practices in the industries regulated by the ministry, while encouraging the optimal exploitation of the Kurdistan's natural resources.

Before the initiation of any oil-related project, the implementing company must submit environmental impact report to the MoNR. The report must cover procedures to protect heritage and biodiversity. The MoNR evaluate these reports within three months and make the necessary follow-up and assessment.

### **Environmental Protection Procedures**

Environmental protection is safeguarded under three laws and documents in the Kurdistan Region: the Law of Environmental Protection and Improvement; the Oil and Gas Law; and the production-sharing contracts. They require companies to conduct environmental impact assessments before starting any commercial or industrial activities, and to compensate land owners for any damages to crops or the surrounding lands.

In order to continue enforcing the special procedures on environmental protection through a special plan on sustainable development, the MoNR works with all the operating oil companies. Also, the directorates of oil and minerals in Erbil, Sulaimani, Duhok, Garmain Administration and the MoNR central laboratory work to enforce and observe the special procedures on environmental protection.

Pursuant to Instruction No. 1 of 2015 (The Environmental Impact Assessment (EIA) of Petroleum Operations) "no Petroleum Operations shall be commenced or carried on unless the Operator: 1. has submitted an EIA Report to the Ministry for those Operations, and 2. Holds a valid Certificate of Acceptance for that Report."

### Company Certifications

The Ministry will review any EIA Report submitted to it and respond to the Operatory issuing a Certificate of Acceptance, a Letter of Rejection or a supplemental information request (SIR).

## **Ministry of Health (MoH)**

### **Purchase and Import of Medicine**

Procurement of medicine is conducted by the departments of health through competitive tendering process. All medicines need to be approved for use by the directorate of quality control of medicines. A project is under development in the Council of Ministers to procure and import medicines centrally through frame agreements and in accordance with the international standards.

Pursuant to the MoH Law No. 1 of 2016, the directorate of quality control of medicines is mandated to issue permits for import of medicines and medical equipment, it is also responsible for tests and assessments of medicines and medical equipment and permit their use.

The MoH initiated the process of automation of medicines management. Now all pharmaceutical companies use online application process.

### **Health Care**

MoH, through the directorates of health protection and their various units for (infectious and noninfectious diseases, health care and nutrition), coordinates with all the directorates of health to apply all the necessary procedures to protect the public health, prevent the spread of various types of diseases and take necessary measures for different unforeseen situations.

MoH has been able to solve up of 80% of issues related to the provision of health services in the districts and sub-districts (rural areas). Physicians from various specialties are now mandated to service minimum of 3 years in the rural areas. Previously this mandatory service only applied to general physicians. This new rule further improves health care in the rural areas and citizens would not be forced to travel to the city for the most basic health care.

The MoH has a specialist unit for monitoring drinking water in all urban centers. The unit monitors water projects for cleanliness, drinkability, rate of chlorine and conduct daily and weekly tests or whenever they are informed about any issues.

### **Child Health Care**

The MoH provides child health care at different life stages and ensures that every child receives all vaccinations. Child development and growth services, including nutrition screening, are provided in the health centers.

### **Persons with Disability and Persons with Special Needs**

In May 2022 the MoH launched the strategic project of physical rehabilitation center in Erbil, which is designed and built according to modern system and to the best quality. The center provides services like prosthetic limbs, physiotherapy, training and health awareness. The budget of the center and its equipping was 6 million USDs provided by the International Committee of the Red Cross (IDRS).

The MoH provides health services free of charge to persons with disabilities through the high board of public and consulting clinics. Marriage counseling is available in most cities and persons with disabilities do not need to queue in the health centers.

### Health Services in the IDP and Refugee Camps

All the camps have health centers run by the MoH in coordination with the NOGs to provide various types of health services. MoH also provides medicines and training on emotional health and gender equality.

Mobile clinics provide health services to the camps including emergency response, ambulance services and provision of psychological consultations. International organizations also contribute to support and facilitation in providing medicines to the IDP and refugee camps.

### Psychological Health

Specialised centres operate in Erbil, Duhok and Soran to offer treatment to victims of sexual violence and exploitation, where psychiatrists, psychologists and social workers are available. All members of the staff go through tailored trainings. In addition, non-resident psychiatrists are available in the health centres within the reformatories.

It is decided to build three psychiatrist hospitals, in coordination with the MoLSA, where the MoH manages the care aspects and MoLSA manages the social aspects.

### Health (Medical) Insurance

The MoH established a health insurance taskforce to develop a draft insurance law that ensures universal health coverage for all segments of the society.

### Costs of Health Services in the Private Sector Hospitals

To reduce the high costs of treatment in the private sector hospitals, the MoH established a taskforce to review the prices, organize and classify price ranges for health services. To help the citizen, fees reduced by 25% in private hospitals. Furthermore, the MoH amended the regulations for licensing and/or renewal of license of private hospitals and centres.

### Maternal and Child Health Care Program

- A premarital test program is one of the most important health programs that offers a crucial health assessment of soon-to-be married couples in which they are tested for genetic, infectious and transmissible diseases to prevent any risk of transmitting any disease to each other and their children.
- Immunization program against tetanus is a wide-reaching program implemented in all health centers and covers women aged 15-45, i.e., at childbearing age. Tetanus vaccination is delivered in five doses to protect girls, mothers and infants.

- Prenatal care program is implemented in health centers and prenatal health services provided to pregnant women. Specific file is kept for each pregnant woman who must visit the center on monthly basis to do the necessary tests. Pregnant women must visit health centers at least four times during pregnancy to receive medical care.
- Family planning program provides postnatal services to women to inform them about the range of contraceptive alternatives and ways to protect health of child and mother, especially for mothers and infants under risks of stunting.
- Emergency childbirth program is available in health clinics with Labor, Delivery and Recovery (LDR) rooms to ensure safe delivery of healthy infants.
- Youth health program with free hotline to serve youth who have health issues or questions.

### Health and Food Safety

Directorate of Protection of Health and Food Safety is responsible of food safety and inspection of all imported food item into Kurdistan Region in the food laboratories that operate at all border crossings applying the Iraqi food standards.

In addition, the relevant staffs in the departments of health carry out regular monitoring and inspections of markets all over the KRI to destroy any expired food and ensure that the applicable rules and regulations are observed.

### Efforts to combat Drugs and Narcotic Substances

The High Committee to Combat Drugs and Narcotic Substances is headed by the Minister of Health; one of its tasks is to establish rehabilitation centres for addicts in most of the cities. However, these centres are not operational yet.

### Recommendations of a Special Workshop on Narcotic Substances

From the legal point of view, the Law of Combating Narcotic Substances No.1 of 2020 required amendment, particularly in regard to:

First: Harsher sentences for drug trafficking. Sentences should reflect the types of substances. For example, Crystal, which is considered the most dangerous substance, is graded at 6 and only prescribed a five-year sentence, while Heroin and Cocaine prescribed sixteen-year sentence.

Second: Reviewing the provisions of the Law. For example, Article 6 provides for temporary imprisonment (for misdemeanour) as well as life-sentence. While in the older Iraqi Law the punishment is between life-sentence and death penalty.

Third: Restructuring the tables in the Law to root our repetition. For example, Articles 1 and 3 talk about Heroin.

### Recommendations:

- ◀ In relation to obtaining free and informed consent of persons with disabilities before the participation in any scientific research, the MoH needs to amend regulations on medical code of conduct of 1985 and issue special regulations to prohibit participation of persons with disabilities in scientific experiments without informed consent.
- ◀ Making health centres more accessible to persons with disabilities and application of electronic equipment to provide better facilitations for staff and improve services.
- ◀ Designing a monitoring mechanism aiming to eliminate torture or other cruel, inhuman or degrading treatment or punishment in situations of deprivation of liberty from persons with disabilities, including in mental hospital, reformatories, elderly homes, rehabilitation centers and care facilities.
- ◀ Prioritizing the development of a joint plan with the Federal government for the rehabilitation of health infrastructure in the liberated areas and providing the needs for medical staff and medical equipment.
- ◀ Establishing a specialized hospital for rehabilitation of drug addicts.

## **Ministry of Education (MoE)**

### **Provision of Services to Children with Disabilities**

The MoE provides all necessary physical and educational facilitations for children with disabilities, including access to school buildings, preparation of specialized teachers, provision of special services adjusted to growth and development needs of children with disabilities or special needs.

The total number of students with special needs in primary schools in the Kurdistan Region is (10,466) of which (5,828) are male and (4,638) are female. There are also (84) special education teachers distributed on the schools to deal with students with disabilities.

### **Elimination of Discrimination**

The MoE takes all the necessary measures to spread culture of non-discrimination and tolerance, which reflects the principle of citizenship and pluralism. In the KRI education system and schools there is no place for discrimination. The Ministry of Education provides support and facilitations for all ethnic groups to enjoy their constitutional right to education in their respective mother tongue.

The widespread culture of respect of differences reflects the fact that Kurdistan Region is the land of different ethnicities, religions and languages. Everyone has equal rights and opportunities. Topics related to human rights, tolerance and coexistence are taught in subjects like human rights, languages and social skills and values from grade 1 to grade 9. There are 18 Turkmen schools and 49 Syriac schools in the Kurdistan Region.

Duhok education has a special board to supervise the Yazidi religious study subject, since 1999 this subject is taught in the Yazidi areas to grades 1 to 12.

### **Ensuring Education Opportunities for IDPs and Refugees**

At the beginning of the influx of refugees and IDPs into the Kurdistan Region, additional school shifts started to operate in Arabic language to accommodate their educational needs. 58% of the refugees and 91% of the IDPs benefited from the extra shifts in many schools.

IDP and refugee students are enrolled in schools in the KRI, where 138 schools for the IDPs and 54 schools for the refugees provided education to over 33,584 students. In addition to MoE teachers, 1,252 Syrian refugee teachers teach in these schools. For the education year of 2022-2023 the MoE adopted a new policy of integrating the Syrian refugee students into the mainstream school system of the KRI.



### Enrollment of children of all ages and Creating Employment Opportunities

The MoE operates a special program titled (Back to Learning), which so far has enabled over 13,000 students to return to education. For the education year of 2021-2022 over 160,332 students enrolled in grade one of basic education.

### Awareness Raising on Drug and Narcotic Substance Abuse

The MoE devoted two days in each education calendar year for the awareness raising campaign in the schools on various issues including, coexistence, dangers of weapons, drugs and narcotic substances, technology, protection of the environment and water resources.

### Recommendations:

- ◀ Based on the contemporary international standards and best practices, children with disabilities or special needs must be integrated into the mainstream schools.
- ◀ The MoE must focus on creating job opportunities for the youths through improving technical and vocational education and training (TVET).
- ◀ Drug abuse and its impact on health must be integrated into the curricula.
- ◀ Annual awareness raising campaigns, in coordination with international organizations, on issues of drug and substance abuse.

## **Ministry of Construction and Housing (MoCH)**

MoCH plays an important role in the provision of affordable housing units for low-income families in different parts of Kurdistan Region. Pursuant to Law No. 7 of 2008, a number of housing units are constructed but the distribution will be managed by the local authorities pursuant to regulations No. 1 of 2012.

Between 2021 and 2022 the MoCH implemented a number of strategic projects including:

### **Housing Projects**

In 2021 (the third year of the Ninth Cabinet of the KRG) 8 projects were implemented, including provision of services to 540 housing units in different KRI governorates, completion of 1,500 housing unit on (98,728,000,000 IQDs) budget, as shown in Table 1. The ongoing projects include construction of 9,004 fully serviced residential units on (266,997,000,000 IQDs) budget, as shown in Table 4 below.

### **Road Construction and Maintenance**

Pursuant to the Public Roads Law No. 3 of 2012, the MoHC implemented important road construction and maintenance projects, including outer city roads in a form of dual carriageway between the major cities including tunnels and bridges.

In 2012 total of 28 road projects (30,385 kilometre in length) were completed in the governorates of Kurdistan with the total budget of (220,864,000,000 IQDs). In 2022 around 144 projects of road maintenance were completed on operational and capital investment budgets totalling (22,867,194,337 IQDs), as shown in the table below.

The ongoing projects include 132 road construction and maintenance projects on (2,667,129 IQDs) budget. The Kurdistan railroad project is in the feasibility study stage, while the MoHC signed an MoU with the German Deutsche Bahn on design, financing and quality assurance of the project.

### **Services for the IDPs**

MoHC engages in serving the IDP communities and encourages national and international organizations and charities to assist the IDPs in voluntary return and reconstruction of their areas. The MoHC was also involved in the reconstruction of villages and towns and rebuilding of bridges and schools as well as the provision of various services in cooperation with NGOs.

Table 1 Completed Projects in 2021

Budget type	Project Type	No. of projects	Governorate	Unit	Budget (Million IQDs)
Capital Investment	Road	15	Erbil	(184.9) km	62729
Capital Investment	Road	3	Sulaimani	(7.7) km	62843
Capital Investment	Road	4	Duhok	(46.5 ) km	81846
Capital Investment	Road	4	Halabja	(56.65 ) km	1060
Capital Investment	Road	2	Garmian	(8.1 ) km with a bridge	12384
Total		28		303.85 km	220.862
Capital Investment	Housing	1	Erbil	Services for 144 units	292
Capital Investment	Housing	2	Sulaimani	Services for 60 units and 1500 houses	94.396
Capital Investment	Housing	4	Rapareen	Services for 300 units	3.388
Capital Investment	Housing	1	Garmian	Services for 36 units	192
Total		8		Residential units 540 houses 1500	98.268

Table 2 Completed projects 2022

Budget type	Project Type	No. of projects	Governorate	Budget (Million IQDs)
Capital Investment	Road	1	Erbil (2.7) km	286000000
Capital Investment	Road	2	Duhok (11) km	14274000000
Operational	Road	19	Erbil (17.542 ) km with various other projects	1371729737
Operational	Road	7	Soran Independent Administration	774677250
Operational	Road	48	Sulaimani, Garmian, Halabja, Rapareen	2164354050
Revenue	Road	26	Erbil (24.2) km	945164550
Revenue	Road	5	Soran Independent Administration (47) km	100275000

Revenue	Road	33	Sulaimani, Garmian, Halabja, Rapareen	2433333750
Revenue	Road	3	Duhok (60) km	507660000
Total		144		22.857.194.337

Table 3 Ongoing projects

Governorate	No. of Road Projects	Road Projects Total Budget (Million IQDs)	Number of Housing Units	Housing Projects Total Budget (Million IQDs)
Region	3	5870		
Erbil	43	1263537	1356	13495
Sulaimani	42	335574	3876	108000
Halabja	5	93388	192	3863
Rapareen	8	30298	420	9130
Garmian	6	251866	360	9185
Duhok	25	686596	2116	105308
Zakho		0	324	12713
Soran		0	360	5303
Total	132	2.667.129	9004	266.997

The MoHC strategic plan

- Implementing 43 new and proposed road projects on total budget of (1,705,022,000,000 IQDs), including 169.5 km dual carriageway, 90 km single carriageway and 116 km road maintenance.
- Implementing 17 new and proposed construction and housing projects on total budget of (278,867,000,000 IQDs) including the construction of 3,000 serviced residential apartments for low-income and limited-income citizens as well construction of many public buildings.
- Improving the existing weigh stations and building 15 new stations.
- Improving construction materials laboratories through the provision of contemporary and up-to-date testing equipment.
- Improving design and technical skills of MoHC engineers through ongoing trainings and introduction to new technology.

## **Ministry of Municipalities and Tourism (MoMT)**

### **Conservation of Cultural Heritage**

MoMT, through General Directorate of Antiquities and Heritage and its directorates in the cities and towns, prioritize the protection and conservation of antiquities and heritage sites from destruction and conduct scientific research and surveys to documents such sites. It also works to improve and use these sites for scientific and tourism purposes in accordance with the applicable standards.

To increase the preservation efforts of antiquities and heritage sites, the MoMT rescued sites in Shawes town in Erbil, renovated Koya Qishla (garrison) on a budget of 3,500,000 IQDs, rescued and transported artifacts in Rania, Rapareen Independent Administration and Faida in Duhok governorate.

### **Registration of new Sites**

The General Directorate of Antiquities and Archaeology has 9 directorates, 2 departments and 3 centres. In 2022 they implemented 41 archaeological projects to preserve and develop the historical sites.

Despite the financial crisis, the KRG devoted 900 million IQDs for the development and conservation of sites that require immediate excavation or renovation. Around 40% of the KRI is surveyed and 32,000 sites are registered in cooperation with specialised international institutes and universities.

In 2022 around 37 archaeological agreements signed on search and excavation with a number of international universities, institutes and organizations specialised in archaeology. These agreements are effective until 2037.

In 2022, renovation works conducted for 23 sites on the government budget and 19 sites financed by national and international organizations or charitable personalities. The KRG 2023 plan includes development of 49 archaeological sites and 50 historical sites.

### **Penalizing Violators**

In 2022 the total of 111 sites were subjected to violations as the result police and security forces arrested a number of individuals for trading in antiques or during infringement on a protected site. 1,563 searches were carried out, 215 visits were made to place under risk and 31 legal actions were taken against individuals who infringed on archaeological sites. The cases are in the courts, two of which already adjudicated by the courts.

## 2022 Activities

No.	Activities 2022	Number	Note
1	Implementing archeological projects (conservation, renovation, excavation)	70	
2	Granting permission and archeological inspections for public and private sector projects	1,562	
3	Contracting and renovation of archeological sites	12	
4	Taking legal actions and follow-up in the courts	33	Two cases adjudicated by the court
5	Receiving signed declarations from implementing parties of projects	258	
6	Compensating sites declared to be archeological	215	
7	Infringement of archeological sites	111	
8	Conferences, interviews and press releases	94	
9	Meetings with foreign delegations and experts	79	
10	Participation in trainings, seminars and conferences inside and outside the country	35	
11	Public awareness in schools and public places	62	
12	Number of visitors to the museums	31,211	
13	Number of visitors to two archeology libraries in Erbil and Sulaimani	132	
14	Creating job opportunity with the foreign teams	1,000	

**Note:** At the result of ongoing conflict between Turkey and the PKK 79 archeological sites are destroyed in Duhok governorate.

## The Rights of person with Disabilities and Special Needs

The MoMT takes the rights of persons with disabilities and special needs very seriously; to this end the following actions were taken:

- In cooperation with the MoP, Department of Coordination and Follow-up, MoCH and Board of Investment (BoI) developed a number of building codes. One of these codes, Accessibility Code, is submitted by the MoP to the Council of Ministers approval. This may solve most related issues for it covers all the aspects of building permission and implementation must abide by the Code, which ensures the protection of the rights of every person with disabilities and special needs.
- The government-wide circulated Urban Planning Regulations on design and construction of projects, streets and buildings consider the needs of persons with disabilities.
- Allocation of land in appropriate locations for the construction of specialist centers in public institutes to provide facilitations for persons with disabilities.

- Securing and distributing lands for associations of persons with disabilities (Zhin and similar association); and provision of municipality services to the housing units or residential cities built of these lands.

In Tourism Sector the following works have been completed:

- The main program of the Board of Tourism (BoT) is to provide the best reception and information to tourists destined to Kurdistan Region from all parts of the world. The BoT manages awareness raising campaigns on the economic potential of tourism and friendly treatment of tourists by the locals.
- The checkpoints warmly receive tourists and deal with them in the most civilized manner, regardless of age, ethnicity or religion. So far, no case of hostile or racist treatment of tourists is reported and the right and dignity of every tourist is respected.
- In 2021 over 4,189,000 tourists visited Kurdistan Region; 85% of which from middle and south of Iraq and the other 15% from foreign countries. In 2022 over six million tourists visited Kurdistan Region.
- There is a special law for tourism enacted by Kurdistan Parliament, which defines mandate of all the relevant authorities.

## **Ministry of Higher Education and Scientific Research (MoHESR)**

### **Gender Discrimination**

MoHESR pays particular attention to culture of diversity, non-discrimination and tolerance. Courses like Diversity Education are now integrated into the curricula of most of the humanitarian and law colleges. The syllabuses of these courses aim to improve coexistence and multicultural dialogue and ensure that universities are representative of the existing diversity within the wider community. In addition, students from minorities are admitted to Turkmani and Syriac language departments regardless of average grade.

MoHESR operates gender equality centers in the universities and gives them roles in promotion of human rights, gender equality and coexistence.

MoHESR, in coordination with the MoE, integrated Human rights studies to the curricula of schools and universities, which covers issues related to gender equality and the rights of the child.

### **Rights of Persons with Disabilities or Special Needs**

MoHESR persistently attempts to ensure persons with disabilities enjoy equal access to free education and training and secure public and private university places for persons with disabilities. To this end, 100% of applicants with disabilities, including visually impaired persons, get automatic admission to postgraduate studies (Masters and PhD) in the universities in Kurdistan Region, provided they pass the prerequisite scientific tests. So far 6 visually impaired applicants have been admitted.

### **IDPs**

Refugee and IDP students are admitted to universities in Kurdistan Region in the same way as residents of the KRI. Also, refugee and IDP students have equal access to dormitories and services provided to students.

Necessary facilitations are provided for the admission of students from Kirkuk and other Kurdistan areas outside Kurdistan Region, particularly for students who study in Kurdish education schools. For education year 2021-2022 over 1,160 students benefited from these facilitations.

### **Combating Abuse of Narcotic Substances**

Academic Skills course covers topics on impacts of drug abuse and self-protection against this danger. In addition, various individual and group activities are conducted to raise awareness on this, including posters and competitions.

At the level of universities counselling teams are created to assist drug addicts and make referral to treatment aiming to limit the spread of addiction. More awareness raising and educational activities are needed to provide legal and health information about this issue.



## Strategic Plan

The Minister of Higher Education and Scientific Research will soon announce 2023 strategic plan. This year, priority will be given to expansion of TEVET in Kurdistan Region, including preparing the regulatory framework, establishing student advice centres and reviewing the MoHESR policy. In addition, universities will be tasked to conduct market surveys and harmonise study programs with labour market needs.

The MoHESR's strategic priorities include improvement of TEVET and comprehensive reforms of higher education, linking program contents to market demands, developing regulations on admission, examinations, student advice centres, quality assurance of scientific research and organizing scientific conferences on TVET, academic programs, laws, Kurdish language and other topics.

## **Ministry of Planning (MoP)**

### **Public Procurement**

The MoP coordinates with the line ministries to draw on international practices and documents in the preparation of the standard bidding documents for the purchase of medicine and medical equipment as well standard bidding documents for other procurement sectors. The MoP, in coordination with the line ministries, works with a South Korean team on development and operationalizing Kurdistan Electronic Procurement System (KEPS) to digitize all procurement processes of the KRG. The project was initiated in 2018 and started operations on 5<sup>th</sup> December 2022. The line ministries can utilize the system from call for tender stage through evaluation and award stage to the contract signing stage.

Companies can self-register in the system and easily participate in the competitive bidding process, submitting tenders and sign contracts. Project design is completed, servers and equipment are installed in the Department of Information Technology and training on the system is delivered by the South Korean team, starting from the ministries procurement teams.

### **Institutional Capacity Building and Creating Job opportunities**

To implement the necessary reforms for institutional capacity development in light of the KRG Vision 2030, the Kurdistan Regional Statistics Office (KRSO) implemented Micro, Small and Medium Enterprise (MSMEs) survey for the private sector. The survey was conducted by KRSO in collaboration with the United Nations Development Program (UNDP) and funded by the United States Agency for International Development (USAID). The survey findings provide crucial indicators to direct policies and strategies with the aim of finding ways towards sustainable livelihoods, especially through the development of MSMEs. The survey also provides a wider picture of economic activities, challenges and women participation rate in the economy and company ownership.

The MoP, supported by international consultants, prepared the first draft of KRG Vision 2030. The consultative preparation process included a number of workshops with the relevant parties to discuss the draft and get input to improve the first draft.

The MoP affiliated Kurdistan Institute for Public Administration (KIPA) provides various trainings on public administration, budget, international relations, computer skills, public procurement and others. Since 2020 (47) different courses were provided to over 859 civil servants.

### **Poverty Reduction Strategy (PRS) 2018-2022**

The Poverty Reduction Strategy (PRS) and The National Development Plan (NDP) 2018-2022 aim to improve livelihood of Iraqi residents, achieve sustainable development goals and reduce poverty. The KRG MoP, through the World Bank funded Social Fund for Development (SFD), works with the Iraqi MoP to implement these strategies and plans with particular focus on sustainable development of the rural areas.

After identifying the poorest areas in the governorates of the KRI, the poor households receive financial support, funded by the World Bank, to implement small businesses. In 2019 the project, in addition to a number of Iraqi governorates, covered Duhok governorate in the KRI; and in 2020 a number of projects were implemented in Sulaimani and in 2021 in Erbil.

#### Private Sector Development and Investment

The MoP adopts the policy of private sector development aiming to increase private investment through improvement of the overall business climate. The MoP, in coordination with the line ministries, works on the development of the draft Economic Reform Plan 2021-2023 in the KRI. The MoP also prepared a number of reports and studies on revenue diversification, job creation, private sector's role in sustainable development and improving export potentials of industrial products.

The MoP, in cooperation with MoLSA and International Labour Organization (ILO), prepared two draft laws: Private Sector Social Insurance and Pension Law and Labour Law. These laws, when legislated, may contribute to reducing unemployment rates and provides services and support to workers as well protection of their rights in the private sector in the same way as the public sector.

#### Recommendation for the implementation of Poverty Reduction Strategy

- ◀ Aiming to ensure the highest level of growth and welfare.
- ◀ Improving the situation of the IDPs and increasing sources and types of assistance for the IDPs. Prioritizing issues within the social care programs.

## **Ministry of Labor and Social Affairs (MoLSA)**

### **Entering International Treaties**

Entering international treaties is a federal government prerogative. Treaties relevant to MoLSA include: ILO treaties (Iraq is still not yet party to these treaties): the Optional Protocol to the Convention on the Rights of Persons with Disabilities, Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled, International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; ILO's Convention on Domestic Workers (formally the Convention concerning Decent Work for Domestic Workers) 2011, Workers with Family Responsibilities Convention, 1981, developed by ILO to improve equality between men and women workers with responsibilities in relation to their dependent children, where such responsibilities restrict their possibilities of preparing for, entering, participating in or advancing in economic activity.

### **Rights of Persons with Disabilities and Special Needs**

#### **First: Education:**

In law and in practice there are no constraints on access to education of children with disabilities postsecondary schools and into universities. Also integrated universal education in primary and secondary education is applied.

Law No. 22 of 2011 (as amended) deals with access to free education and non-discrimination against persons with disabilities at different stages of education. MoLSA has signed an MoU with the MoE, and coordinates with UNICEF and UNESCO on these issues. So far around 80 workshops and training courses jointly delivered, however, more needs to be done in this regard.

Amending the MoU between MoLSA and MoE on accepting graduates of Hiwa Institute of persons with hearing impairment and Runaki Institute for persons with visual impairment into the vocational institutes and both computer and fine art institutes. The MoU attempts to address issues and challenges of sign language interpretation for person with hearing impairment within the society and media, where they face lack of communication and difficulties in conducting their daily affairs.

#### **Second: Providing Sign Language Interpretation**

MoLSA, supported by the German Consulate General in Erbil, implements a special project on sign language interpretation for persons with hearing impairment. The project is funded by the German Federal Foreign Office in a number of stages. The stages include preparation and training of 20 sign language interpreters for 4 days a week over 14 weeks, to enable them to support persons with hearing impairment in running their formal affairs; recording and disseminating the lessons online for people to benefit from; attempts to convince television channels to at least assign language sign interpretation to their major programs so that persons with hearing impairment are not denied access to news and entertainment.

### Third: Job Opportunities and Housing

The draft labour law was prepared by MoLSA and it is now in the final stages of legislation in Kurdistan Parliament. The draft is comprehensive and covers many labour related topics such as minimum working age and youth working conditions.

In the government sector there are close to 13,249 civil servants with disabilities. However, the private sector needs regulations on employment and the share of budget allocated to employment of persons with disabilities.

Within all vocational trainings provided by the directorate of vocational training a specific share is reserved for persons with disabilities, including women with disabilities, this contributes to improving their chances and employability.

Article 6 of Law No. 8 of 2021, the first amendment of rights and entitlements of persons with disabilities including dwarfs, provides that company owners must apply a share of employment of persons with disabilities, persons with special needs and dwarfs and provide necessary training and rehabilitation, while the government cover half of their monthly salaries for 3 years. MoLSA also requested to allocate shares of housing units to persons with disabilities.

### Fourth: Political Participation

Law No. 22 of 2011 (as amended) secure political rights of persons with disabilities. There are no constraints on political rights of persons with disabilities. Article 22/first stipulates guarantying rights and basic liberties; Article Sixteen stipulates the levels of rights that persons with disabilities must enjoy.

In practice facilitations must be provided to persons with disabilities regarding their participation in elections and removing all constraints and obstacles in their ways, including the provision of wheelchair, access and other utility in the elections days so that they can vote freely and easily, or a special polling station shall be designated while taking all their physical needs and other attributes into consideration.

### Child Protection

MoLSA submitted a draft child protection law to the Council of Ministers. The draft law comprises 82 articles, including guides on establishing a specialised board to develop child protection strategies, plans and policies.

### Women Shelters and Accommodations

There are 4 shelters in KRI to accommodate women under threat, in addition to one specific shelter for victims of human trafficking. In respect to the recommendation on increasing the number of shelter and rehabilitation and community reintegration centres, in early 2023 the KRI Prime Minister approved the construction of residential project to accommodate women who are rejected by their families after solving their problems. In the meantime, sex trafficking is criminalised and perpetrators get prosecuted under human trafficking law. In 2021 six individuals were convicted for this crime.

The Council of Ministers approved allocating a share of the 20 thousand residential units built for low-income families to MoLSA. These residential units would be used for two purposes, first for housing children reaching 18 to be housed to the age of 24, when they find job and build a new life and family. Second, for accommodating women who faced violence but their families reject them following the conclusion of their cases. This is important to ensure that these women don't get destitute, most of whom are accompanied by children.

### Administration of Reformatories and Detention Centres

MoLSA prepared and submitted a draft law of administration of reformatories to the Council of Ministers. This needs to be addressed in a timely manner and ensure that the draft is in full compliance with international treaties and standards.

### Reformatories Statistics

Total number of incoming – released detainees in KRI reformatories

No.	Directorate	No. of incoming detainees	No. of released detainees
1	Directorate of Adult Reformatory / Erbil	1283	1290
2	Directorate of Adult Reformatory / Sulaimani	1156	920
3	Directorate of Adult Reformatory / Duhok	1918	1872
4	Directorate of Women and Children Reformatory / Erbil	1714	1774
5	Directorate of Women and Children Reformatory / Sulaimani	720	694
6	Directorate of Women and Children Reformatory / Duhok	1030	1021
Total		7821	7571

### Conditional Release

No.	Directorate	No. of incoming detainees
1	Directorate of Adult Reformatory / Erbil	447
2	Directorate of Adult Reformatory / Sulaimani	209
3	Directorate of Adult Reformatory / Duhok	461
4	Directorate of Women and Children Reformatory / Erbil	36
5	Directorate of Women and Children Reformatory / Sulaimani	23
6	Directorate of Women and Children Reformatory / Duhok	16
Total		1192

### Health services for inmates

No.	Directorate	Treatment in Reformatory health center	Treatment outside reformatory health center	Total
1	Directorate of Adult Reformatory / Erbil	6634	229	6863
2	Directorate of Adult Reformatory / Sulaimani	9711	823	10534
3	Directorate of Adult Reformatory / Duhok	2960	761	3031
4	Directorate of Women and Children Reformatory / Erbil	2531	483	3014
5	Directorate of Women and Children Reformatory / Sulaimani	666	102	768
6	Directorate of Women and Children Reformatory / Duhok	1264	35	1299
Total		23766	2433	26199

### Library visits

No.	Directorate	Number of library visits
1	Directorate of Adult Reformatory / Erbil	12807
2	Directorate of Adult Reformatory / Sulaimani	15492
3	Directorate of Adult Reformatory / Duhok	18717
4	Directorate of Women and Children Reformatory / Erbil	495
5	Directorate of Women and Children Reformatory / Sulaimani	1020
6	Directorate of Women and Children Reformatory / Duhok	220
Total		48751

Sports activities, chess, music, computer, languages, vocational courses like hairdressing, sawing, welding, handcrafts

No.	Directorate	No. of courses	Number of beneficiaries
1	Directorate of Adult Reformatory / Erbil	7	638
2	Directorate of Adult Reformatory / Sulaimani	4	139
3	Directorate of Adult Reformatory / Duhok	5	289
4	Directorate of Women and Children Reformatory / Erbil	17	386
5	Directorate of Women and Children Reformatory / Sulaimani	4	83
6	Directorate of Women and Children Reformatory / Duhok	7	116
Total		44	1651

### Seminars and workshops (inmates and staff)

No	Directorate	No. of seminars	Number of beneficiaries		Total
			Staff	Inmate	
1	Directorate of Adult Reformatory / Erbil	9	59	100	159
2	Directorate of Adult Reformatory / Sulaimani	8	-	298	298
3	Directorate of Adult Reformatory / Duhok	17	65	1044	1109
4	Directorate of Women and Children Reformatory / Erbil	55	135	675	810
5	Directorate of Women and Children Reformatory / Sulaimani	14	5	202	207
6	Directorate of Women and Children Reformatory / Duhok	36	19	566	585
Total		139	283	2885	3116

### School statistics

No	Directorate	Number of Students			Total
		Basic	Secondary	University	
1	Directorate of Adult Reformatory / Erbil	89	33	23	145
2	Directorate of Adult Reformatory / Sulaimani	50	31	2	73
3	Directorate of Adult Reformatory / Duhok	66	11	2	79
4	Directorate of Women and Children Reformatory / Erbil	28	4	1	33
5	Directorate of Women and Children Reformatory / Sulaimani	21	-	-	21
6	Directorate of Women and Children Reformatory / Duhok	49	2	-	51
Total		303	81	28	412



### Home leave

No.	Directorate	No. of beneficiaries
1	Directorate of Adult Reformatory / Erbil	76
2	Directorate of Adult Reformatory / Sulaimani	80
3	Directorate of Adult Reformatory / Duhok	88
4	Directorate of Women and Children Reformatory / Erbil	-
5	Directorate of Women and Children Reformatory / Sulaimani	-
6	Directorate of Women and Children Reformatory / Duhok	-
Total		244

### Inmates working inside reformatories

No.	Directorate	Type of workshop	No. of beneficiaries
1	Directorate of Adult Reformatory / Erbil	Sawing, ironing, laundry, music, handcrafts, English language, welding, hairdressing, gardening, vending, library, catering, bakery, cleaning	60
2	Directorate of Adult Reformatory / Sulaimani	Sawing, knitting, laundry and ironing, welding, mechanics, cleaning, library, hairdressing	61
3	Directorate of Adult Reformatory / Duhok	Carpentry, air-condition repair, repair shop, car repair, car wash, carpet making, sports, plantation, welding, library, music, sawing, laundry, catering, computer repair, cleaning, bakery and handcrafts	148
4	Directorate of Women and Children Reformatory / Erbil	Handcrafts (painting and drawing), body building, table tennis, football, beauty salon, sawing, welding, catering, services	7 boys + 24 women
5	Directorate of Women and Children Reformatory / Sulaimani	Music, handcraft, knitting, welding, sports, sawing	21 boys + 23 women
6	Directorate of Women and Children Reformatory / Duhok	Hairdressing, arts, computer, carpentry, sports	21 boys + 32 women
Total			344 inmates

### Victims of Narcotic Substances

Victims of narcotics substances are not offered rehabilitation services and they do not get separated from other offenders. Pursuant to Law of Narcotic Substances No. 1 of 2020, a treatment center should be established to provide specialized services to addicts.

### Creating job opportunities

KRG focuses on providing all the necessary facilitations for the youths to find job opportunities in the private sector. The agenda of the Ninth Cabinet of the KRG emphasizes on the government support for job creation initiatives and giving various incentives to employers. The KRG also imposed the condition of employing minimum 70% from the local labor force. Otherwise, companies face legal consequences. Also, special mechanisms should be in place for training and development of market entrants and employment centers must be created in all the cities and towns to serve job-seekers and employers.

### Data on Persons with disabilities and special needs:

- ◀ 70,981 persons with disabilities do not receive any kind of disability allowances (salaries).
- ◀ 6,666 persons with disabilities receive disability allowances (salaries).
- ◀ Total number of persons with disabilities: 77,647
- ◀ Civil servants with disabilities receive (100,000 IQDs) disability allowance (additional to their employment salary).
- ◀ Unemployed person with disabilities received monthly allowance of 150,000 IQDs.

### Number of applicants for disability allowances until December 2022

- ◀ Reviewed by committee: 8,202 persons
- ◀ Not reviewed by committee: 6,971 persons
- ◀ Total: 15,173 persons

### Recommendations

- ◀ Developing a draft for social care and rehabilitation fund and a draft for granting leave to persons with disability.
- ◀ Training and workshops on improving political and civic participation of persons with disabilities.
- ◀ Improving sign language services.
- ◀ Obligating housing developers to designate a share for persons with disabilities, in coordination with the relevant stakeholders.

## **Ministry of Culture and Youth (MoCY)**

### **Regulation**

MoCY issued a number of regulations on television and radio frequencies, radio operation permits, regulating digital media and commercial advertisements. The regulations cover principles of coexistence, none discrimination and combating hate speeches. MoCY issued administrative order No. 546 on 22<sup>nd</sup> June 2020 for all television stations, which includes the following guidelines:

1. Child face should not be shown during charitable programs even with parental consent.
2. Protecting the dignity of victims and avoid stigmatization. Identities of victims or recipients of charity should not be revealed.
3. Only the first name of recipient can be revealed.
4. Bank account should be opened for recipient of charity.
5. No amount of money intended for charity should be kept by the television channels.
6. Television channel with charity program must publish the bank account details in writing on the screen and in audio.

### **Using sign language**

In order to implement a special recommendation on the use of sign language, the MoYC issued memorandum No. 2 on 2<sup>nd</sup> January 2023 addressed to all media channels and stating (on the recommendation of OCIA in the Council of Ministers, we would like to instruct you to use sign language interpretation when reading the news.)

**MoYC also published the following information and guidelines:**

- All television stations must respect human rights and give due considerations to the emotional status of different types of audience.
- All television stations need to assign sign language interpreters for at least one hour during daily broadcast.
- Not airing the kind of advertisement that may have negative psychological impact, may harm family and community ties or considered offensive to women.
- Respecting the rights of the child and family dignity pursuant to child rights conventions and UNICEF principles.
- Not showing violence, murder or giving extra attention to social issues. Not showing perpetrators and taking their statements before court rulings.
- Television and radio stations should contribute to youth awareness raising on abuse of communication tools.
- Not showing female victims of violence or murder.
- Not violating the right to privacy, including detainees and inmates in the reformatories.
- Not showing abandoned children for it is contrary to juvenile care law.
- Not airing programs that are considered contrary to public decency or harm the family and community.

## **Ministry of Martyrs and Anfal Affairs (MoMAA)**

### **Rights and Entitlements**

MoMAA is mandated to provide equitable services to families and successors of martyrs and Anfalized persons. The wide-ranging services include payment of salaries, education, housing, marriage gifts for sons and daughters of martyrs and social care. MoMAA provides any other necessary facilitations and support to families of martyrs and Anfalized, though some of the services are hindered by the financial crisis.

Another mandate of the MoMAA is memorialization and remembrance of special dates and events related to martyrs and victims and survivors of the Anfal genocide. This includes collecting, documenting and archiving documents on martyrs and Anfal and introducing the new generations to the genocidal campaign of Anfal designed to annihilate the Kurdish people.

MoMAA uses various communication channels to introduce Anfal genocide and other crimes committed against the Kurdish people to the world and get international recognition for Anfal as a crime of genocide. To this end, pursuant to Council of Ministers' Memorandum No 1718, MoMAA issued a ministerial order No 320 on 2<sup>nd</sup> July 2022 to establish Board of Genocide Affairs within MoMAA to introduce and follow-up the genocide crime committed against the people of Kurdistan and work on issues of reparation, redress and compensation of the victims and survivors.

### **Mass Graves**

The fall of the Baathist regime in Iraq led to discovery of a number of mass graves in the middle and southern Iraq. The KRG, through MoMAA and other relevant authorities, has been taking different steps to return remains of martyrs to Kurdistan Region. Below is a highlight of some of the information and data on the mass graves.

#### **First: Number of mass graves, remains and burial sites:**

- ◀ In 2004 the first mass grave was excavated in (Basiyah) desert in Samawah, Al-Muthanna governorate.
- ◀ So far 62 mass graves have been excavated, 3,565 remains brought back to Kurdistan and buried in special ceremonies.
- ◀ Four other mass graves are marked in Samawah, only one of which excavated where 117 remains uncovered. These remains are examined in Baghdad medical forensic institute. We are in communication with the Iraqi Council of Ministers to facilitate bringing back these remains for proper burial in Kurdistan.
- ◀ The number of burial sites in Kurdistan is 6: (Debna in Rizgari sub-district in Garmian, Barzan site in Mergasur district, Askar site in Chamchamal district, Anafal Monument in Chamchamal, Sorya site in Zakho, and Anafal Monument in Dukan district).

### Second: Information about excavation and Exhumation of mass graves:

Kurdistan Region does not have a special law for excavation and exhumation of mass graves and applies the Iraqi Law No. 5 of 2006. Pursuant to the Law, MoMAA is a member in the special taskforce for excavation and preservation of mass graves.

- ◀ Excavation of mass graves is managed by a national team headed by a judge with members from the Iraqi Federal Ministry of Human rights, the Office of the Prosecutor General, Iraqi MoI, Iraqi Martyrs Foundation, medical forensic institute in the Federal MoH, MoMAA from the KRG and a number of other relevant authorities. The team closely coordinates with the International Commission on Missing Persons (ICMP).
- ◀ The MoMAA brought back some uncovered belongings and evidence from the mass graves to Kurdistan. These artifacts are now on display in Anfal Monument in Chamchamal, Barzan Monument and Amna Suaraka Monument in Sulaimani. Some of the evidentiary documents remain in the Documentation and Research Center of the Martyrs Foundation in Baghdad.

### Third: Information on Bone and blood samples (DNA profiling):

- ◀ Bone samples taken from 2,915 remains are preserved in Medical Forensics in Baghdad.
- ◀ Bone samples not taken from 650 remains, who were buried in Anfal Monument in Dukan (187 remains) and 503 in Barzan burial site.

### Fourth: Returning remains from the mass graves:

- ◀ The return process is managed in two ways: first the remains are placed in coffins in Baghdad then returned to Kurdistan Region for burial in a ceremony. Second, they are placed in special boxes in Baghdad, then in Kurdistan Region put in coffins for burial.
- ◀ Remains are given unique codes containing information, placed inside glass (bottles) buried with the remains.

### Fifth: Yazidi Mass Graves

- ◀ Since 14<sup>th</sup> March 2019 to date 21 mass graves containing 348 remains are discovered and buried in Kujo, Sinjar.
- ◀ A special taskforce, headed by the KRG Minister of Interior, is formed to introduce and gain international recognition for the Yazidi genocide.

### Sixth: Needs

- ◀ Establishing a national monument in Erbil to store and preserve the uncovered artifacts from the mass graves. The aim is to scientifically safeguard these important historical proofs of the sufferings of the Kurdish people. This can also serve as a reminder to the world and the visiting diplomats that the Kurds were also subjected to a genocidal campaign.
- ◀ Allocating annual budget for preservation and renovation of burial sites and gravestones.

- ◀ Survivors and families of victims of genocides constantly ask for identification of their missing loved ones. This requires budget and coordination among a number of authorities. We requested to take blood sample of family members of missing persons, but so far, the Council of Ministers has not approved our request.

#### Missing Persons:

- ◀ MoMAA makes efforts to establish a central registry for missing persons.
- ◀ MoMAA, in coordination with the administration of Halabja governorate, keeps a list of (missing children of Halabja). These children, over 100, went missing in Iran following the chemical attack on Halabja in 1988. Except for that list no other accurate records exist because the ministry only works on missing persons of genocide.

#### Article 33, Second Paragraph of Peshmarga Service and Retirement Law states that the following missing persons shall be considered martyrs:

- ◀ After determination that the person is deceased;
- ◀ Two years following disappearance or arrest and after determination that the person is deceased;
- ◀ Persons covered by sub-paragraphs (a and b) of this Article shall be considered martyrs and registered as such in the MoMAA.

The Presidency of the Council of Ministers prepared a draft law of missing persons. The draft is presented to MoMAA for review. The results of the review process will soon be sent back to the Council of Ministers.

#### Services:

Pursuant to the Rights and Entitlements of Martyrs and Anfalized Law No. 9 of 2007, the MoMAA issued financial regulation No. 23 of 2009 to regulate the provision of the following services to families of martyrs and Anfalized.

Monthly salary for legal heirs of Martyrs, Anfalized, political prisoner and survivors of chemical attacks, at the following basic salary levels:

- ◀ Trench martyr starts at 500,000 IQDs adding grade, family and children allowances.
- ◀ Genocide martyr starts at 450,000 IQDs up to three martyrs per family, over three becomes 900,000 IQDs.
- ◀ Civilian martyr (citizen martyr) receives only 250,000 IQDs.
- ◀ Lone survivors of genocide similar to sons/daughters of martyrs can benefit from free education in public and private universities and institutes. Deceased lone survivors get trench martyrs privileges paid to their heirs.
- ◀ MoMAA coordinates with the MoH to facilitate the provision of health services to families of martyrs and Anfalized. Also, survivors of chemical attacks get special health card to receive free health treatments.
- ◀ A plot of land or a residential unit for heirs of martyrs and political prisoners.

- ◀ Housing loan for heirs of martyrs and political prisoners.
- ◀ Spouse and children's allowances for families of martyrs.
- ◀ Adding imprisonment period to years of service for civil servants.

### Health services for families of martyrs and Anfalized

Members of families of martyrs receive 100% free health services in public hospitals and get 50% discount at private hospitals. This is based on the Council of Ministers order. The MoMAA and MoH coordinate to provide free health services.

### Genocide

The MoMAA prioritizes the cases of genocide against the people of Kurdistan. To this end, the MoMAA established the Board of Genocide Affairs, headed by the Minister to works on issues related to the crimes of genocide, including attempts to gain international recognition for Yazidi genocide and other international crimes committed against other ethnic and religious groups.

### Proposal:

- To hold ISIS terrorists and other perpetrators accountable for the crimes they committed against the Yazidi Kurds and the other ethnic and religious groups, including the crime of genocide, especially at the international level, four legal venues are proposed to the Taskforce:

First: Iraq must join the International Criminal Court (ICC)

Second: Iraq may be convinced to consent to the court's jurisdiction to investigate only in this case, without interference in any other cases.

Third: Suing (filing cases) against individual perpetrators who are ICC State Party nationals.

Fourth: the crimes can be referred to the ICC Prosecutor by the United Nations Security Council (UNSC) pursuant to a resolution adopted under chapter VII of the UN charter.

- The KRG must ask the international community, particularly the permanent members of the UNSC, to refer these crimes to the ICC Prosecutor.
- Utilizing the efforts of fact-finding missions.
- Contracting international law experts and lawyers to work on these cases.

## Recommendations

- Coordinating genocide related efforts of the government institutions to ensure gathering, documenting and presenting data and evidences to the ICC.
- Lobbying the Iraqi authority to join the ICC and ratify the Rome Statute.
- Strengthening the capacity of health institutions in KRI to gain the ability to conduct DNA testing for the victims of genocide in coordination with the relevant authorities.
- Continuous cooperation with the Iraqi Federal government to prepare the ground for full implementation of Article 140 of the Iraqi Constitution, which provides for reparation and compensation of victims of the former successive Iraqi regimes.



## **Ministry of Agriculture and Water Resources (MoAWR)**

### **Improving the Role of Women and Increase Women Participation Rates**

The total number of employees of the Ministry of Agriculture and Water Resources (MoAWR) is (10,021) employees; 7,382 male and 2,693 female. The female staff makes 36% of the total number of employees of the MoAWR.

The MoAWR takes every effort to utilize knowledge and skills of graduates, particularly female graduates, in implementing its various projects. Pursuant to Law No. 20 of 2021 and Regulation No. 4 on employment of agricultural supervisors, the MoAWR published the application form, in response to which 1,123 applicants submitted forms, out of which 7,857 (or 76%) were female.

On 27<sup>th</sup> November the MoAWR signed an MoU with Alqurtas Islamic Bank to provide agricultural loans, from 15 million to 100 million IQDs for 5-year term. The beneficiaries of the project include women entrepreneurs and women agribusiness owners.

The gender equality unit is directly linked to the Minister's Office to ensure that women projects are given priority. The unit also coordinates with local and international organization and submits proposals and recommendations on how to strengthen the role of women and enable them to participate in the economy.

### **Strategy to Revitalize Agriculture and Improve Food Security 2018-2022**

MoAWR contributes to strengthening monitoring and quality control of imported food items on the borders. The Ministry coordinates with the relevant authorities to establish mechanisms and equipment for inspection and testing of agricultural products and ensure the protection of public health.

The MoAWR worked on establishing and operating quarantines on the border ports to test animals and control the spread of diseases; establishing advanced laboratories for agricultural items in the wholesale greengrocers, 20% of the profit of which goes to the MoAWR; establishing seeds testing laboratory in the Directorate of Production and Approval of Seeds, which greatly contributes to improvements of seeds, plants and crop types. MoAWR also established central veterinary laboratory, marketing center for agricultural products supported by the Netherlands, which includes greenhouse development for fruits and vegetables, advanced laboratory for testing fruits and vegetables.

### **Livestock and poultry projects**

Annually 93 tonnes of surplus chicken meat get exported to outside KRI, where self-sufficiency is achieved in chicken meat production and the surplus get exported to the middle and south of Iraq.

During the terms of the Ninth Cabinet of the KRG, poultry projects witnessed 20% increase in comparison to the preceding years. The number of projects now reached 1,840 projects, with

increased production capacity reaching (30,286,229) chicks, an increase of 42% in comparison to the previous years.

Also, cattle fattening projects increased in the KRI, only during the terms of the Ninth Cabinet 39 new projects established raising the total number of projects to 98. Also, dairy projects increased to 84 projects from 76. Thus, cattle related projects increased by 76% in comparison to the previous years. In general, there were 1,864 livestock and poultry projects in KRI. This number went up to 2,261 during the terms of the Ninth Cabinet.

Following the new plan of the MoAWR within the Ninth Cabinet, egg production also surpassed self-sufficiency level. These developments are crucial cornerstones for ensuring food security and healthy products for the citizens. In addition, they are important sources of employment and revenue generation. Currently KRI exports 919,800,000 eggs to areas outside KRI, which is 50% more than the local need. Previously there were 11 egg production projects with production capacity of 1,345,180,000, as shown below:

- Erbil 8 projects
- Duhok 2 projects
- Garmian 1 project
- Sulaimani 0 project

Now the number of projects increased to 33 projects, 200% increase, with production capacity of 2,918,577,100 eggs.

- Erbil 15 projects
- Sulaimnai 11 projects
- Duhok 5 projects
- Garmian 2 projects

Marketing the produced wheat by KRI farmers

- ◀ Number of benefiting farmer 38,948 at the KRI level
- ◀ Areas of cultivated land 2,599,580 Dunams
- ◀ Marketing wheat in the Silos 1,189,102 tonnes
- ◀ Marketing in the private market 850,000 tonnes
- ◀ Total marketed wheat 1,272,102

## Fish projects

Governorate	Erbil		Sulaimani		Duhok		Garmian		Total	
Type of Project	No	Annual Capacity Tons	No	Annual Capacity Tons	No	Annual Capacity Tons	No	Annual Capacity Tons	No	Annual Capacity Tons
Earth pond	177	329.63	76	270.79	43	109.02	68	292.22	364	1001.66
Concrete pond	4	138.16	9	766.58	4	413.17	0	0	17	1,317.91
Cages	1	18	12	606.82	11	129.74	2	28.4	26	782.92
Closed pond	3	192.01	1	10.8	0	0	0	0	4	202.81
<b>Total</b>	<b>185</b>	<b>677.8</b>	<b>98</b>	<b>1643.07</b>	<b>58</b>	<b>651.93</b>	<b>70</b>	<b>320.62</b>	<b>411</b>	<b>3305.34</b>
Fish breeds	0	0	1	1,000,000	0	0	0	0	1	1,000,000

## Permits and Licenses for fish farming projects

Primary permit		
Governorate	No	Pond type
Erbil	2	Land
Duhok	1	Land
Sulaimani	3	1 Concrete, cage, 1 closed
Garmian	1	Land
<b>Total</b>	<b>7</b>	<b>, 1 concrete, 1 closed</b>

License		
Governorate	No	Pond type
Erbil	1	Land
Duhok	1	Cage
Sulaimani	4	2 Land, 1 concrete, 1 cage
Garmian	1	Land
<b>Total</b>	<b>7</b>	<b>4 Lands, 1 concrete, 2 cage</b>

## Total of fish farming projects

Project	old projects	New projects	Total
Fish farming	391	20	411

Fruit and vegetable production in KRI until 30 Sep 2022

Governorate/Year	Erbil/Tons	Duhok/Tons	Sulaimani/ Tons	Garmian/ Tons	Total/ Tons
2019	86,795	135,307	157,405	17,363	396,870
2020	234,483	50,986	149,332	41,464	476,264
2021	135,711	40,030	154,399	15,185	345,325
2022	114,247	56,581	115,284	18,503	304,615

Open and covered (packed) vegetable until 30 Sep 2022

Governorate/Year	Erbil / Tons	Duhok/ Tons	Sulaimani / Tons	Garmian / Tons	Total / Tons
2019	271,304	368,404	364,970	45,734	1,050,412
2020	597,707	161,043	378,783	62,962	1,200,495
2021	238,323	115,904	343,556	20,834	718,617
2022	276,834	161,338	271,827	32,382	742,381

Number of Greenhouses in KRI until 2022

No.	Governorate	No. of farmers	No. of greenhouses	Area / m2	Area / Dunams	%	Jobs
1	Erbil	665	3,248	1,475,493	590	10.8 %	1,624
2	Sulaimani	1,940	22,103	10,244,740	4,098	74 %	11,050
3	Duhok	976	3,259	1,466,555	587	11 %	1,630
4	Halabja	30	467	210,250	84	1.6 %	234

5	Garmian	202	784	363,384	145	2.6 %	392
Total		3,813	29,861	13,760,42 2	5,504	100 %	14,930

### Potato Production

Potato production reaches self-sufficiency level in 2022, with the total production close to half a million tonnes. The MoAWR contracted the purchase of industrial and consumption potato with 10 chips (crisps) producing factories and companies.

### Corn production

For the first time in the KRI corn production recorded the highest level of the last 20 years, estimated at 400,000 tonnes on an area of 100,000 dunams. The MoAWR plans to produce the best type of corn seed and has contracts with 8 specialised companies to purchase directly from farmers at subsidised prices. Also 38 animal feed companies use domestic corn production in their manufacturing.

The MoAWR is a member in the Iraqi High Committee for Food Security. To this end, the Ministry works with FAO to develop food security strategy and review and assess the Iraqi strategic plan on food security, with due considerations to the situation in the KRI.

### Environmental Protections Procedures

The MoAWR is a member in the High Council for Environmental Protection and Improvement and plays a major role in expanding green areas, planting more trees and addressing the impacts of heat, drought and water scarcity. The MoAWR continues to develop plantations and distribution of plants on farmers and project owners aiming to protect the natural and human-made forests.

This year the MoAWR launched a region-wide campaign under the slogan “fence it with trees” and provided one million plants and trees, of 35 varieties, to farmers, project owners and government institutions. The project was launched simultaneously in all the governorates and independent administration to expand the green areas through fencing farms and projects with rings of trees.

The MoAWR participated in Sharm Al-Shekh international climate conference, where the delegation presented the MoAWR plan to address the challenges of climate change, environmental degradations and the impacts of drought and water scarcity.

## Water and Irrigation

The MoAWR has taken many important steps to address various issues, particularly issues related to surface and ground water.

- Kurdistan Parliament legislated Law of Water Conservation and Strategic Management No. 4 of 2022.
- Kurdistan Parliament issued the Regulations on construction of ponds and irrigation projects No. 5 of 2022.
- In addition to the three existing strategic dams (Dukan, Darbandikhan and Duhok), construction of 13 new dams are approved, some of which are nearing completion with high storage capacity.
- Between 2019 and 2022 the Ninth Cabinet of the KRG approved the construction of 41 ponds and irrigation projects, while previously only 118 ponds were constructed. Total number of ponds and irrigation projects is 155 on areas of 479,364 dunams with total water storage capacity of 22,613,215 cubic meters.
- Some farmers on their lands and villages built ponds for water storage in appropriate locations. In this regard the general directorate of water resources provides the necessary facilitations and advice to farmers.
- The MoAWR has a high committee and an operation room to develop plans, programs and make recommendations on addressing drought and water scarcity. These teams have prepared three detailed reports for the Council of Ministers and other relevant authorities review and consideration.
- The MoAWR aims to utilize Public Private Partnership (PPP) to encourage national and international private sector participation and investment in agricultural and water projects. For the design and construction of 9 strategic dams more than 60 companies from various countries submitted proposals, which are under review and assessment by the high committee in the Council of Ministers.
- MoAWR signed an MoU with Power China for the construction of 4 strategic dams in the KRI.
- MoAWR signed an MoU with the Federal Ministry of Water Resources on strategic management of water and water security of KRI and Iraq.

## Demining Agricultural Lands

The MoAWR coordinates with the Mine Action Agency on demining efforts of farms and grazing lands in the mountainous areas then hand them over to the farmers. The MoAWR aims to clean more agricultural lands from mine and explosives and protect live of farmers and villages from dangers of mines.

1	Decontaminated area in square meters	1,698,392
2	Decontaminated areas from LED bombs	618,404
	Total decontaminated area	2,326,404

### Returning expired commodities to countries of origin

Pursuant to Law No. 68 of 1937 on Animal Diseases and Law No. 17 of 1966 on Agricultural quarantine and its amendments in Law No. 76 of 2012, with the established mechanisms to inspect quality of imported good on the border ports, the MoAWR continues to monitor and return expired items to countries of origin. Now all the KRI border ports have agricultural quarantines to inspect every food item or livestock imported into the KRI.

### Amending laws and regulation related to agricultural sectors

Pursuant to the Environmental Protection Law No. 8 of 2008 and Forest Protection Law No. 10 of 2012, the MoAWR is member in the specialised taskforce to develop protections of animal and bird's species in Kurdistan. The MoAWR, in 2021 and half of 2022, managed to get 3 laws enacted, 1 more amended and issued 11 regulations and prepared 8 draft laws as follows:

#### 2021:

- Regulations No. 1 of 2021 amending Regulations on establishment and permission of fish projects No. 1 of 2013.
- Regulations No. 4 of 2021 amending Regulation No. 8 of 2013.
- Regulations No. 5 on Permission for orchards.
- Regulations No. 6 amending Regulation No. 1 of 2019.
- Regulations No. 7 on Permission for charcoal production.
- Decision No. 1 of 2021 on regulating import of livestock for fattening and slaughter purposes.
- Regulations No. 9 of 2021 on Permission to fish projects.
- Regulations No. 8 of 2021 on permission to animal and poultry projects.

#### 2022:

- Regulations No. 1 of 2022 on importing medicine, vaccine and veterinary needs.
- Regulation No. 2 of 2022 on veterinary approvals to meat product preparation factories.
- Regulation No. 3 of 2022 on permission to greenhouses.
- Regulation No. 4 of 2022 on implementation of the Law of Agricultural Supervisors in the Private Sector.
- Decision No. 3 of 2022 to extend Decision No. 611 on correcting surveying errors.

### Laws need to be enacted:

- Preparing a draft law on low-interest microfinance for rural women to support their agricultural projects.
- Preparing a draft law on women quota in government subsidised or supported agricultural projects.

- Preparing a draft law on agricultural loans and giving preferences to rural women.

### Water Resources

The MoAWR continues to work on water conservation and the introduction of new irrigation technologies. To this end, the KRI enacted the Law of Water Conservation and Strategic Management No. 4 of 2022. In addition, the Ministry provides instructions and guidelines to farmers on water conservation and utilization as well as proper water storage and irrigation techniques.

The MoAWR, under the leadership of the Council of Ministers, started using PPP method of project implementation, in which large international companies and investors participate in implementation of dam construction projects. The MoAWR has an operation room to develop plans, programs and make recommendations on addressing drought and water scarcity. They are constantly coordinating with the Federal Ministry of Water Resources to ensure inclusion of the KRG in all plans and programs related to irrigation projects and construction of dams.

In the interest of farmers and to improve agriculture and irrigation the following steps are crucial:

- Ensuring the rights of Kurdish farmers in areas outside KRI who face violations of their land rights.
- Export and marketing of KRI farmers' products is constrained in other parts of Iraq, resulting in great harm to the KRI farmers and agricultural sector.
- Neighbouring countries, especially Iran and Turkey, must reciprocate mutual respect and neighbourly approach to Iraq's water shares.
- Addressing the issue of denying the KRI farmers from various types of support extended to farmers in other parts of Iraq.



## **Ministry of Trade and Industry (MoTI)**

### Services:

The Ministry of Trade and Industry (MoTI) is one of the service ministries of the KRG and plays an important role in achieving economic growth, welfare and market stability. MoTI is mandated to receive annual grain production of farmers, which in 2022 reached 35 thousand tonnes.

Statistics for 2018, 2019, 2020 and 2021 of the industry sector show that Iraq does not have a strong industrial infrastructure, however, in comparison the KRI industrial infrastructure performs better than that of Iraq. The KRG's economic policy entails transforming the Kurdistan society from a consumer society to a productive one.

- 4,138 factories established in the KRI with the total investment of 2.200 billion USDs.
- 43,398 jobs created by these factories.
- 3,375 factories registered; 90% of which are national and 10% foreign.

The MoTI contributes to the food security of the population, through the construction of grain silos and food storages. KRI storage capacity is around 585,000 tonnes of grains and the bunkers have storage capacity of 411,000 tonnes. Within the next three years, 3 more silos will be added to the existing storage facilities.

The MoTI attempts to achieve short-term as well as long term comprehensive and equitable economic development in Kurdistan Region, through improving industrial outputs and regulating trade activities. This in turn will have direct impact on improving individual income levels and gross domestic products as well as creating more and better jobs. Eventually these steps will lead to increased export opportunities and achieve a sound balance between import and export and protect KRI's economic performance indicators.

The MoTI works on 14 ongoing projects, including construction of silos and industrial areas and construction and renovation of different laboratories. The Ministry plans for 2022-2024 to implement 19 medium and large projects, including building five silos in Kifri, Halabja, Harir, Zakho and Duhok, building four industrial areas (zones) in Sulaimani and Duhok, building storages and establishing training centres and laboratories.

### Amending laws and regulations relevant to trade and industry

#### Amended Laws:

- Domestic Product Protection Law No. 2 of 2021.
- Industrial Development Law No. 14 of 1993, amended by Law No 13 of 2021.
- Ministry of Trade and Industry Law No. 10 of 2010, amended by Law No. 14 of 2021.
- Iraqi Trade Law No. 30 of 1984, enacted into KRI law by Law No 15 of 2021.

#### Draft Laws to be enacted:

- Organized Industrial Cities and Areas
- Free Economic Areas
- Quality Control
- Food and Medicine Institute
- Amendment Law of Commercial Power of Attorney
- Enforcing Bylaws of Foreign Company Branch
- Export and Import Law
- Financial Subsidization of Industrial and Trade projects
- Establishment of Business Information Centre to contribute to job creation and reduction of unemployment.

## **Ministry of Transportation and Communications (MoTC)**

### **Special services for Children with Disabilities**

Provision of special services to children with disabilities is one of the ways to facilitate transportation and access of children with disabilities to school buildings. Transportation companies licensed by the MoTC should be given clear guidelines on transportation needs of children with disabilities, including special seats and discounted fees.

MoTC designed City Bus project with due considerations given to the needs of persons with disabilities.

MoTC issued Ministerial Order No 12 on 3<sup>rd</sup> February 2022 to provide all the necessary facilitations to persons with special needs, including autism, as well as their families in the airports.

### **Sign Language**

A special strategy is needed to ensure the availability of physical sign language services as well as in mobile and ITC technologies. MoLSA has the mandate on this and the MoTC aims to provide any necessary assistance in this regard.

### **Secured direct lines (hotlines)**

Whenever a public authority wants to provide a secured hotline for reporting cases of violence against persons with disabilities, the MoTC provides the short code and the necessary facilitation. The MoTC submits a request to the Iraqi Communication and Media Commission (CMC) to secure the short code.

### **Misuse of Electronic Devices**

To take the necessary legal actions against persons misusing or abusing electronic devices, the KRI passed Law of Misuse of Electronic Devices No. 6 of 2008. The Law prescribes all the offences and corresponding punishments. Pursuant to Article 2 of the Law the MoTC plays coordination role with the relevant authorities on revealing the IP addresses of suspects through telecommunication companies whenever there is a potential threat, abuse or defamation.

### **Prohibiting Sale of unregistered SIM cards**

Readily available unregistered SIM cards in the markets causes many problems for individuals and families and poses a threat to social cohesion and national security. The MoI, in coordination with the MoTC, issued Regulation No. 8 of 2021, to conduct regular monitoring of enforcement of the applicable regulations. A Special taskforce is formed from all the relevant national and local authorities to monitor the enforcement of the regulations. Recently 995 unregistered SIM cards were confiscated by the taskforce, which continuously monitors the markets.

### Revealing IP information of Suspects

To coordinate information sharing on suspects and detect any electronic threats, the MoTC established Directorate of social media and Cyber Security. The newly formed directorate coordinates with the MoI and other relevant authorities on information sharing in this regard.

To protect individuals and the public and preserve public morality from dangers posed by internet.

MoTC obligates internet providers to offer family package with filtering and blocking the followings:

1. Offending any religion or religious symbols.
2. Undermining public peace and security, harmony and coexistence or promoting ethnic or religious hatred and violence.
3. Pornography
4. Buying and selling weapons and ammunitions.
5. All types of gambling (electronic or otherwise)
6. All types of cryptocurrencies
7. Promotion and advertisement for tobacco and alcoholic drinks
8. All types of narcotics
9. Promoting domestic violence of any kind, including child abuse
10. Violence against animals (animal cruelty)

Companies that offer family package internet:

- Tarin Net
- Fastlink
- Noortel
- Tisknet
- Seven Net Laser

Laws needed to be legislated

Combating electronic terrorism and crimes.

## **Ministry of Endowments and Religious Affairs (MoERA)**

### Cultural Awareness of Different Ethnic Groups

Ministry of Endowments and Religious Affairs (MoERA) enforces Law No. 5 of 2015 regarding freedom of thought, conscience and religion. As Constitutional legal right, different religious groups and denominations are extended freedom of choice in relation to the provisions of personal status law. The MoERA currently works on a draft law to regulate personal status of the Yazidis. The Patriarchy of the Assyrian Church of the East moved back to Erbil.

The MoERA prepared and elevated a draft law to the Council of Ministers to be sent to the Parliament for enactment. This draft law attempts to further strengthen the existing harmonious and peaceful coexistence of different religions and to promote the rights of various religious groups.

### Religious Issue of ISIS Children

The Iraqi Federal government must take all the necessary measures to find an ultimate solution for the issue of children born to ISIS fathers and Yazidi mothers. The Federal government must provide the necessary facilitation for the registration of these children under the chosen religion by their guardians. This is a problematic and complicated issue because under the Iraqi law they can only be registered as Muslims.

### Promotion of tolerance, respect and non-discrimination culture

MoERA works of promotion of culture of non-discrimination, respect and toleration of the other, through the development of different educational programs. The Ministry focuses on religious speeches in the Mosques in Kurdistan. The specialised board, established during the terms of the Ninth Cabinet, plays a significant role in setting the guidelines and directions towards moderate speeches and acceptance of difference.

On 22<sup>nd</sup> May 2022 the MoERA commemorated the International Day of Diversity and highlighted the importance of interreligious dialogue in Kurdistan Region. Annually on 27<sup>th</sup> October the international day of religious freedom is celebrated and commemorated.

MoERA printed a book, in Kurdish, Arabic and English, on religious coexistence in Kurdistan Region to highlight coexistence in KRI, a copy of which was presented to His Holiness the Pope during his historic visit to KRI.

The MoERA also coordinates with the MoI to hold to accountable anyone who commits shameful and irreligious crimes under the semblance of religion.

## Religion and Culture of the Yazidis

To protect the cultural heritage of the Yazidis, the MoERA gained official recognition as public holidays for four Yazidi days and the New Year Day. Yazidi religious subject is a recognised education subject in schools in the Yazidi areas. The two general directorates of Christian and Yazidi affairs coordinate with the MoI and the Judicial Council to provide the necessary facilitation for documentation efforts. Representations of other religions in the MoERA coordinate the affairs of each respective religious group.

Lalish Cultural and Social Centre receives continuous moral support. The efforts continue to renovate Lalish and Qub Shrine in Shekhan, construction of dual carriage way to Lalish Shrine, construction of water storage facility, and construction of traditional styled olive oil factory for the purpose of religious ceremonies.

On 12<sup>th</sup> December 2022 a conference in Erbil titled Minority in the Mind of the Majority: The Yazidis Case, was organized by the directorate general for Yazidi affairs. The Yazidis frankly highlighted different aspects of their religion and the wide public perceptions and misconceptions about their religion. The conference concluded with making a number of recommendations for necessary future actions.

Thirteen other projects are planned for renovation of other holy sites of the Yazidis in areas like Derabun, Shekham Shekhka, Khankin, and Baadre. With the support of charitable persons four site already renovated in Faida sub-district. Also, the KRG appointed a Yazidi citizen as head of one of the sub-districts of Duhok governorate. The KRG also provided support to 321 religious leaders, including preachers and organizers of religious ceremonies and servants of the holy sites.

## Ministry of Electricity

### Services

The Ministry of Electricity in the new KRG cabinet considers electricity as a crucial requirement for many aspects of live of individual and the society at large. With increasing demands on electricity, the Ministry tries to provide the needs while at the same time control consumption, from technical and non-technical perspectives.

In 2021, in comparison to 2018, production is increased by 709 megawatts and hourly provision of electricity went up by 03.23 hours. The Ministry implemented 469 projects with the total budget of 56 billion IQDs. Over 547,000 smart meters installed and over one billion IQDs of fines imposed for various violations. Through the review of electricity production contracts, the Ministry was successful in saving annual 300 million USDs for the government.

### Technical and Environmental Aspects

Through cooperation and coordination with the Ministry of Natural Resources (MoNR), the process of increasing production of liquid gas successfully started, which results in decreasing gasoline production. Now only 50 to 60 percent of electricity produced using gasoline, which is a qualitative improvement from environmental as well as economic perspectives. In addition, a station is built in Garmian using flare gas, which was previously flared into the air and caused environmental pollution.

### Human Aspects

Despite the dire economic situation, financial crisis, war against ISIS terrorists and the influx of over one million IDPs, the Ministry of Electricity was able to continue production and provision of electricity to the population including residents of the camps.

### Serving Areas of Article 140

The KRG feels a strong sense of responsibility to the residents of areas outside the KRI. Hence, the Ministry of Electricity provides uninterrupted electricity services, including provision of electricity power, installing mobile stations, maintenance operation in areas like Alqush, Shekhan, Tal Adas, Makhmur and Qarahanjir.

### Fuel availability challenge

In recent times and over a number of stages production of natural gas increased. Though the Ministry of Electricity still needs over 1,000 cubic feet, the available level is around 600 cubic feet. Alternative fuel (gasoline) is expensive and financially burdens the KRG, thus the fuel challenge is ongoing.

## **Board of Environmental Protection and Improvement**

### **Legal Framework for Environmental Protection**

Kurdistan Region has the Strategy of Forest Protection, pursuant to which the Kurdistan Parliament enacted the Law of Forests No. 10 of 2012. The Law prescribes the cooperative relationship between Mine Action Agency and the Board of Environmental Protection and Improvement as follows:

1. Making efforts to demine the mine contaminated forests because these mines impose continuous danger to lives and cause wildfires.
2. Demining efforts should be coordinated with all the relevant authorities, including forests and grazing authority, board of environment and forest police, to ensure the least harm is caused to the forests, especially during burning process of grass.

### **Mandate of the Board and Finding Job opportunities for Graduates of Environmental Studies**

In the Ninth Cabinet, the Board of Environmental Protection and Improvement created employment opportunities for number graduates of environmental studies departments. As the result these graduates are now employed and work as environmental monitors in companies, factories and industrial sites. In addition, the Board managed the following tasks:

- Reorganizing personnel based on the reform plan and the needs of each unit.
- Reducing bureaucracy pursuant to laws and regulations.
- Decentralizing powers to the units and offices in the cities.
- Restructuring and improving Environmental Impact Assessment reporting.
- Establishing Halabja Environmental Department.
- Forming Environmental Protection and Improvement Councils at the governorate and independent administration level.
- Ongoing coordination with the Iraqi Federal Ministry of Environment as well as foreign diplomatic representations in Kurdistan.

### **Granting Permits to Projects, Environmental Requirements and Strategic Plan**

The Board of Environmental Protection and Improvement granted permits to 1,329 projects in 2020 and in 2,876 projects in 2021 with 19 projects denied permits for not meeting environmental requirements. Over 5,249 projects were monitored and 76,646,000 IQDs of fines imposed on violations of environmental protection procedures. Environmental approval granted to 5,226 projects, 9,823 projects were monitored and inspected and 4,624 media and awareness campaigns implemented in the last three years.

Boards of environmental organizations are formed in all the governorates and independent administrations, covering 221 environmental organizations. Environmental guidelines issued for



schools, where science teachers play the role of environmental guide. To this end, the Board of Environmental Protection and Improvement printed a special book for teachers to use.

### Strategic Plan and Preventing Air Pollution

The Forest Protection Strategy 2022-2030 is developed. Although in 2021 the Air Quality Regulations was amended, no further steps are taken regarding air decontamination.

### Issuing Regulations

Various Regulations are issued for: slaughter houses, hunting, air protection and improvement, compensations for environmental damages caused by project implementation.

### 2020 Statistics of the Board of Environmental Protection and Improvement

First: Approving investment, industrial, services, residential, commercial, agricultural, and health projects, as follows:

1. Erbil 1,145 projects
2. Sulaimani 981 projects
3. Duhok 290 projects
4. Garmian 313 projects
5. Rapareen 147 projects

Total: 2876 projects

Second: denying permits to projects not meeting environmental requirement, as follows:

- Erbil 20 projects
- 2. Sulaimani 16 projects
- 3. Duhok 3 projects
- 4. Garmian 1 projects
- 5. Rapareen 8 projects
- Total: 48 projects

Third: Legal cases

### Erbil

- Court cases 48
- Warnings 20
- Penalties and fines 36
- Signed declarations 478

### Sulaimani

- Court cases 356
- Warnings 197
- Penalties and fines 151
- Signed declarations 1059

### Duhok

- Court cases 0
- Warnings 20
- Penalties and fines 73
- Signed declarations 647

### Garmian

- Court cases 8

### Rapareen

- Court cases 2
- Signed declarations 133

### Fourth: Monitoring, follow-up and inspection of projects granted environmental approval to ensure enforcement of environmental requirements and regulations.

- Erbil 1,249
- Sulaimani 1,965
- Duhok 1,741
- Garmian 106
- Rapareen 188
- Total: 5,249

### Fifth: Testing in laboratories of the Board:

#### Erbil Environmental Laboratory

- Number of samples: 705
- Number of tests: 8,227

#### Sulaimani Environmental Laboratory

- Number of samples: 819
- Number of tests: 5,982

#### Duhok Environmental Laboratory

- Number of samples: 4,018
- Number of tests: 11,922

Total number of samples: 5,542

Total number of tests: 26,131

#### Sixth: Awareness Campaigns and informing the public

- Board headquarters (Didwan) / Department of Awareness: 1,566
- Erbil: 90
- Sulaimani: 80
- Duhok: 291
- Garmian: 46
- Rapareen: 342
- Total: 2,315 activities

#### Seventh: Revenues of the Board:

1. Erbil: 158,572,000 IQDs

2. Sulaimani: 86,708,000 IQDs

3. Duhok: 60,796,000 IQDs

4. Garmian: 18,005,000 IQDs

5. Rapareen: 8,585,000 IQDs

Total: 332,666,000 IQDs

Eighth: total area of projects that were established prior to the enactment of the Law of Board of Environment No. 8 of 2008 or not granted environmental approval for whatever reasons is around 636624 square meters = 255 Dunams.

## **Board of Investment (BoI)**

### **Investment Project Licensing**

With the start of the terms of the Ninth Cabinet until the end of 2022, close to 250 investment permits were granted, some of which are now operational and no projects failed. Only in 2022 (89) investment permits were granted to investors, an increase of 15% in comparison with 2021. In the meantime, 429 projects approved throughout KRI to be given permits in 2023.

### **Construction of 20,000 residential units for low-income families and people living in rented housing**

In KRI over 200 thousand residential units are granted investment permits. Mostly low-income and middle-income people benefit from these residential units. However, there are many more people who need residential units. The Prime Minister announced an initiative to build 20 thousand residential units throughout KRI for low-income people, which is under implementation. The project will go beyond building 20 thousand, it will continue for years to come to benefit the low-income families who live in rented properties.

These units must be completed within two years and handed over to eligible beneficiaries on one advance payment and long-term repayment plan of 165 years. In addition, the MoCH will soon hand over 9 thousand flats and 4 housing projects, most of which are nearing completion.

### **Projects lacking essential services**

The new projects must include standard services, including schools. The MoE, in coordination with the BoI, obligates companies who have not met the requirements to build schools inside the residential projects. The upcoming projects, including the 20 thousand units, must include schools and other essential services necessary for decent life.

### **Mapping Investment Projects in Tourism**

In 2023 we completely changed the investment plans and adopted a new approach of sector-based categorization. We first started with the Board of Tourism to map all the tourism projects. These are all feasible projects without any issues and potential investors will be granted permits in a timely manner.

We are in cooperation with the Ministries of Agriculture and Water Resources and Trade and Industry to develop investment maps for their respective sectors in 2023.

We plan to increase investment by 30-50 percent, to this end, new departments, work stations and personnel are prepared. It is also planned to open 8 new departments of investment services in the KRI.

#### Attracting Investors to Services Sector

Parallel to investment projects in various sectors of the economy, projects in services sector continues to receive attention, most importantly connection of KRI together through railroads. A number of KRG Ministries coordinate in this regard and aim to achieve the necessary advances from planning and design to approval and implementation.

In the coming years, the KRG aims to implement other projects to serve the population, including projects in the banking sector, water and sanitation, household gas and projects in agricultural sector such as water supply for farms, etc.

## **Mine Action Agency (MAA)**

### **Demining lands**

Mine Action Agency (MAA) implements 29 land demining projects in various areas of Kurdistan Region to return live to those areas. Until 2022 MAA, in partnership with relevant organizations, demined 2,316,756 square meters of contaminated lands with mines and other explosives remnant of war (ERW). In the process of decontamination of 54 fields and battlegrounds around 4,236 personal mines, 11 antitank mines, and 34,190 pieces ERW were removed and destroyed.

### **Coordination with the relevant national authorities**

MAA coordinates with the directorate for mine affairs in the Iraqi Federal Ministry of Health and the Federal Ministry of Environment. In the first six month of 2022, eleven meetings, workshops and courses were organized inside Iraq and abroad, in which 142 persons participated. These activities covered issues such surveying, developing strategic plan and victim assistance.

### **Awareness campaigns**

Awareness raising teams conducted many activities in 2022 to inform people and raise awareness on dangers of mine in the villages, towns and IDP camps. In total 88,686 persons benefited from these activities. The teams also distributed 195,869 posters, guidebooks, awareness booklets, leaflets and contact information cards, especially on resident of areas facing the dangers of mine.

### **Compensation and Services**

36 persons died during demining processes. They are considered trench martyrs, while 78 persons were handicapped during demining processes, who now receive Peshmarga disability salary.

## **Commission of Integrity (CoI)**

### **Efforts to Combat Administrative and Financial Corruption**

The Commission of Integrity (CoI) continues to investigate corruption cases. In 2021 (493) judicial orders were issued for appearance and arrest, 337 of which were enforced. In the meantime 404 persons were formally accused of corruption, including directors general, company owners and businesspersons. Also, in 2021 the cost of corruption estimated at around 26,400,874,872 IQDs, of which 25,909,629,400 IQDs recovered. Also 102 cases were concluded in the courts and 46 persons were convicted.

### **Anti-Corruption Strategy**

Parallel to the Ninth Cabinet's reforms and attempts to face corruption, the government endorsed the CoI's Anti-Corruption Strategy 2021-2025. The Strategy is a comprehensive document covering all thematic issues. The Strategy is divided into three parts: legislative authority, executive authority and private sector, media and political entities. External experts from the World Bank, UN agencies and other organizations expressed willingness to support implementation of the Strategy.

Each ministry is assigned a program on how to reform and improve performance, address gaps and identify the necessary amendments or new regulations. The process will take four years, but eventually support the implementation of the reform law in general.

On 20<sup>th</sup> June 2022 a conference was organized by the CoI, in partnership with the UNDP, to introduce the national anti-corruption strategy. Minister of Interior, governors, deputy governors and heads of independent administrations attended the conference.

## **High Council for Women and Development (HCWD)**

### **Entering International Treaties**

Entering international treaties is a federal government prerogative. Since 1986 Iraq is a signatory to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Iraq also ratified the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. Iraq's reservation on one of the Convention's paragraphs related to legislation based on Islamic Sharia should be withdrawn.

### **Alignment of Local Laws with International Standards**

To align the Iraqi Penal Code No. 111 of 1969 with the international standards, Articles (156, 157, 189, 190, 195, 198, 219, 223, 224, 225, 227, 228, 204, 41, 409, 128, 130, 131 and 377) of the Law are either suspended or amended in the KRI. In addition, Articles 128, 130 and 131 of the Law on honour killing are suspended and not enforced.

To amend the Iraqi Penal Code and hold perpetrators accountable for violence and sexual abuse, the KRI enacted domestic violence laws to cover these offences.

Repealing Article 398 of the Law on marriage of victim with rapist; is not implemented so far. However, other provisions on forced marriage, permitted beating of wife and children, eliminating religious or ethnic discrimination against women, are either amended or repealed.

The provisions relevant to fundamental principles of justice are not amended yet, including Personal Status Law No. 188 of 1969. This needs to be aligned with the international treaties and conventions on women and children. In 2008 (25) provisions of the law were amended, but ever since no other provisions are amended.

Discriminatory legal exceptions on girl's minimum age of marriage in the Personal Status Law must be repealed. According to the Law, a judge may allow marriage of 16 years old girl under certain circumstances, but so far it is not enforced. Article 7 of Personal Status Law on mental maturity as a precondition for marriage requires amendment because according to the international standards this amount to discrimination against persons with disabilities.

### **Early Marriage and Female Genital Mutilation**

In March 2021 the HCWD launched a wide campaign to end harmful social practices, including honour killing, child marriage, and female genital mutilation (FGM). Although FGM is criminalised under Law No. 8 of 2011, it is reported that still practiced secretly. Thus, it is dangers should be highlighted and punish those who practice it. Enactment of laws on early marriage, combating sexual abuse and treatment of Yazidi survivors, in addition to Law No. 8 of 2021, is among the best ways to address these issues. HCWD also calls for establishment of a special court for violence offences.



### Postponing execution of death penalty for pregnant women

Article 278 of the Criminal Procedure Law needs to be amended.

### Attempts to Rescue Yazidi Women from ISIS captivity

A special law needs to be enacted for Yazidi women survivors, similar to the Federal Iraqi Law No. 8 of 2021, or the Federal Law can be enacted by Kurdistan Parliament. The relevant recommendations emphasis on designing a special program for women and children's survivors of ISIS, the HCWD works to get moral and financial compensations for these survivors.

The recommendations also emphasise on support to women survivors of sexual violence and punish perpetrators, including criminalizing sex trafficking. The HCWD placed these recommended changes in the draft domestic violence law, which is now in the Parliament. The HCWD ensures that survivors receive the necessary and ongoing health, social and –psychosocial support.

### Implementation of UNSC Resolution 1325

The HCWD developed its ten-year plan 2017-2027 and now coordinates with Parliament to amend the relevant laws. The KRG developed an action plan to implement Resolution 1320 of the UN Security Council (UNSC) on Women, Peace and Security (S/RES/1325). The action plan comprises three pillars: protection, participation, prevention.

The KRG prioritized the Protection Pillar in the implementation of survivor-centred projects. To this end, a board is established for implementation of 1325 Resolution, headed by the Minister of Interior with representation of the KRG institutions, civil society, international community and UN Women. HCWD is also member in the coordination taskforce made up of HCWD representing the KRG, Department of Women Empowerment representing Federal Iraq and head of UN Women in Iraq and Yaman.

### Promoting Culture of Non-discrimination against Women, especially Women with Disabilities

The HCWD works with the MoE to promote non-discrimination policies and culture. HCWD annually organizes 16 days of activities to commemorate 8<sup>th</sup> March. HCWD also organizes research, meetings and conferences to limit harmful traditions and discriminatory practices against women. HCWD emphasises on engaging women, children and persons with disability in programs related to the environment. HCDW makes efforts to enable Yazidi women survivors from ISIS captivity, participate in public affair and get high official positions. HCDW focuses on enabling political, social and economic participation of minority women to gradually achieve gender equality and end early marriage, sexual abuse and exploitation.

### Developing Skills of Rural Women

The HCWD coordinates to make some achievements in this regard.

## **Kurdistan Region Security Agency (Asaiysh)**

### **Erbil Directorate of Asaiysh**

The Asaiysh detention facilities have health centers for the treatment of any health issues among the detainees. Additionally, ambulances are available for transporting detainees to external hospitals. If a detainee requires surgical operations, their family will be informed and allowed to visit.

- Solitary confinement is strictly prohibited in Asaiysh prisons.
- Torture and cruel treatment are not allowed, anyone who tortures detainees would face legal consequences as determined by the Director General of Asaiysh.
- Several prisoners have been released through a committee established by the Prime Minister, which has contributed to alleviating overcrowding in prisons and has brought solace to the families of the prisoners.
- Asaiysh agency continuously coordinates with national and international organization, parliamentary committees and independent human rights commissions which aims to support them in their monitoring and follow-up efforts.
- Detainees have weekly family visit and may communicate through telephone and social media applications.
- Investigations need to be conducted promptly and submitted to the investigative judge for decision.
- In 2022, more than 7,985 individuals were arrested, with 4,992 of them subsequently released, while the remaining cases are still ongoing.
- Directorate of Asaiysh has a number of full-time judicial investigators who administer the court cases.
- In 2022, nearly 160 convicts wanted by the Iraqi government, following official submission of their arrest warrants to Asaiysh, they were transferred to the custody of Mosul police. Our cooperation with the federal Iraqi law enforcement authorities is good.
- CCTV camera installed in all prison hallways to monitor detainees and use them whenever necessary for investigations.
- There are rare claims of torture or coerced confession in the courts.
- Lawyers can make daily visits to their clients to follow-up their cases, and upon judicial orders, lawyers can read cases under supervision of an officer, however, sometimes all details of the cases many not be shared to protect secrecy of the case.

### **Rescuing Yazidi Women and Children**

The Asaiysh Agency endeavors to gather information on individuals who are still in captivity by ISIS and provides this information to the Office for the Rescue of Abducted Yazidis to facilitate its essential work. The office is directly linked to the office of the President of the Kurdistan Region of Iraq (KRI). So far, 7 billion IQDs have been allocated for the rescue efforts of abducted Yazidis

by ISIS. Most of the abducted individuals are located in Al-Hol camp in Syria or in areas of Iraq controlled by ISIS in 2014.

As of November 2022, out of the total of 6,417 missing Yazidi men, women, and children, 3,562 have been rescued, leaving 2,600 men and women still missing. Additionally, over 5,000 Yazidis were killed, and there are currently 2,745 unaccompanied Yazidi children. Furthermore, approximately 120,000 Yazidis have fled the country.

#### Recommendations:

- Addressing the issue of over-crowdedness in detention facilities and reformatories, as it is a form of torture that requires solutions by the government.
- Provision of the essential medicines for the health centers by the MoH; provision of ambulance for Erbil Directorate of Asaiysh for no ambulance is available right now to transfer detainees to hospitals and provision of on-call medical staff for detentions facilities.
- To address the backlog of cases and expedite their transfer to the courts, it is essential to provide narcotics testing equipment. Currently, there is a quality control equipment known as BC Mass that has not been utilized for over a year. This situation requires urgent attention to accelerate the proceedings of these cases.
- Separating drug users from general prison population. This needs to be taken seriously by the KRG to keep people away from exposure to narcotics and limit the spread of drug abuse, however, it is evident that their prevalence is increasing on a daily basis.
- Transferring all convicted inmates to the reformatories for pursuant to the law incarceration of convicted offenders is the mandate of MoLSA. However, a great number of convicted offenders remain in Asaiysh custody and not taken by the reformatories. Erbil reformatory has not opened Section C because the section is not fully equipped, something that can be easily addressed.
- Provision of more medicines and visits by specialist doctors.
- Lack of advanced equipment and delays in return of fingerprint results from Criminal Forensics Evidence department, resulting in delays of legal proceedings.
- Delays sometimes caused by courts because of backlog of cases and long queue on court docket, some cases get adjourned for 2-3 months at a time and then other 2-3 months delay in appeal court. The Judicial Council (CJ) needs to address these delay issues through increasing judicial staff, investigative judges and additional criminal courts.

#### Sulaimani Asaiysh Agency

#### Practical Steps:

**First:** Opening a large detention facility in Sulaimani governorate to keep detainees according to the international standards and practices of protection of human rights. All aspects of safety and protection of human rights of detainees are taken into consideration as follows:

- a. Total of 15 hall each with intake capacity of 30 detainees.
- b. Special building for solitary confinement (isolation) comprises 65 rooms.
- c. Special building for investigation with observation cameras.
- d. Special visitation area built and managed according to the international standards.

**Second:** Asaiysh agency is entitled to inspect all Asaiysh detention facilities. If there is any issue, the head of Asaiysh agency will be notified to address the problem and hold negligent parties accountable.

**Third:** One officer and several employees were brought to court for violating the law. These procedures are based on the provisions outlined in the Law of Internal Security (Asaiysh) No. 14 of 2008 and the Law of Criminal Procedures No. 17 of 2008.

### **Action Plan**

1. Currently two buildings at the Sulaimani Asaiysh Directorate are under construction to improve detention and investigation facilities.
2. Two training courses provided by Asaiysh Academy to Asaiysh officers, covering human rights to sensitise offices and inform them about the Regional Human Rights Plan and the importance to adhere to human rights principles enshrined in the international human rights treaties.
3. Enforcing Article 51 of Criminal Procedures Law No. 23 of 1971 as amended for all Asaiysh investigators.
4. Availability of complaints box inside all Asaiysh detentions, limiting access to the box to the director and head of human rights unit.
5. Limiting cases handled by Asaiysh to offences prescribed by Law of Asaiysh Agency in Kurdistan Region – Iraq No. 5 of 2011.
6. Assign judges and prosecutors general to Asaiysh detention facilities and directorates to ensure safety and integrity of investigation procedures and protection of detainees and documents.
7. Coordination with governmental institutions, national, international organizations, and non-governmental organizations to build capacity and raise awareness of investigation units, with due considerations given to confidentiality of investigators and investigations.
8. Affixing posters for raising awareness of Asaiysh personnel.

### **Specific Challenges of Narcotics**

1. Lack of advanced equipment and limited number of K9s in checkpoints and even in some of the directorates.

2. Lack of coordination between security forces and border guards.
3. Lack of financial and incorporeal support from international partners in relation to combating narcotics.
4. Lack of training for judges and investigators on international standards and practices of combating narcotics and ways to enforce the relevant laws.

#### Other Challenges

1. Lack of technical capacities such as the ability to identify the locations of missing persons or offenders.
2. Lack of legal remedies for persons who have been harmed as the result of confrontation between the security forces and armed criminals. Members of Asaiysh should not be criminally liable for execution of their duties.

## **General Directorate of Counterterrorism**

### Effective counterterrorism laws

There are two judicial investigators, affiliated to the Judicial Council, stationed in the directorate general of counterterrorism. Pursuant to the effective laws of the KRI and under the instructions of Asaiysh investigate judge and prosecutor general; the judicial investigators manage cases from start to end.

Within a year we received 393 detainees, whose fates were determined pursuant to the law by the court as follows:

- 199 released or transferred.
- 194 remain in custody.
- 142 pending investigations.
- 38 cases are in Erbil Second Criminal Court
- 14 convicted and sentenced.

### Combating cyber terrorism

The KRI does not have cyber terrorism law, which poses a legal challenge. However, we continuously try to indict cyber terrorists pursuant to the Iraqi Penal Code No. 111 of 1969 (as amended).

## **Kurdistan National Assembly (Parliament)**

### Human Trafficking

The Kurdistan Parliament has incorporated the Iraqi Human Trafficking Law No. 8 of 2021 into the laws of the KRI, and it is now in effect. However, it is recommended that the KRI should develop its own context-specific legislation addressing human trafficking.

### Countering Torture

Between 2014 and 2021 most of the local and international reports on human rights in the KRI made reference to torture. There is no timeline for the allowed duration of investigation, trial and judicial ruling for suspects. One suspect was held for 11 years, but later sentenced to only 1 year. Close to 80% of the investigations are conducted by the MoI and Asaiysh. Some suspects were subjected to torture during investigations.

Lack of appropriate spaces in the reformatory is a major issue. For example, some reformatories have intake capacity for 500 persons, yet its population goes beyond 800 individuals, according to the international human rights principles this amounts to torture. Torture claims get to the medical examiner very late, when physical signs of torture disappear, especially in cases of rape. In the meantime, the numbers of complaints raise serious doubts when the number of complaints is only 6 of 6000 detainees! Claims of torturers are not taken seriously, for example, there is an unsolved claim from 2007.

A fundamental solution would require a comprehensive review of applicable laws, in particular the Iraqi Criminal Procedures Law, which does not specify a timeline of completing investigations. In addition, the Parliament needs to speed up legislating draft laws related to prohibiting torture in line with the provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and amendment of counterterrorism law, particularly Article 13 to ensure that forced confessions would be considered invalid in the courts of law.

Enacting a law on administration of reformatories (prison administration) to better regulate reformatories and protect the rights of detainees and convicted inmates. Administration of reformatories should be mandated to the MoJ and have specialist in-house doctors, emergency and maternity units instead of a mere health clinic.

Counterterrorism law needs to be aligned with the international standards, including prohibition of the use of torture in cases of terrorism.

### Countering forced disappearance

Although most dimensions of forced disappearance are addressed in the Law of Mass Killings of People of Kurdistan No. 3 of 1991, precise laws and regulations are needed to deal with the issue of missing persons and compensation. Pursuant to Article 132 of the Iraqi Constitution this issue

is the responsibility of the Federal government and the Parliament reiterated this in Decision No. 11 of 2019.

The Law on Compensation of Victims of War Operations and Military Mistakes No. 57 of 2015 (amended) is not enacted into the KRI law by the Kurdistan Parliament and thus not enforceable in the KRI. The Federal government has not allocated any budget to its implementation in the KRI governorate while residents of other Iraqi governorates receive compensations under the Law.

### Cyber Terrorism Law

Cyber terrorism and crimes are dealt with under the effective Law of Misuse of Electronic Devices.

### Assisting Victims of Terrorism

No law is enacted for compensation of victims of ISIS terrorism and not legal venue exists to register ISIS children under matrilineal patronym.

A draft law is prepared stipulating utilization of international expertise, legal instruments and recommendations of the Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (UNITAD). The KRI draft law covers the crime of genocide, war crimes and crimes against humanity and aims to remove death penalty in the possible sentences within the law. Because of the nature of these three international crimes and the UNITAD's requirement for cooperation, the KRG aims to meet this requirement. However, the Iraqi Federal Court states that Iraq is not a member to the International Criminal Court and not obligated to apply these recommendations. This would create problems for the recognition of these crimes as international crimes.

Even though Iraq is not a state party to the ICC Statute, the Federal Government requested the UNSC for assistance in the ISIS trails. Since UNITA is established by the UNSC, it is mandated to provide assistance with the approval of Iraq.

On numerous occasions the UNITA team and Q.C. Karim Khan, the former head of the team, expressed support and appreciation for the KRG efforts to enact a law and establish a special court.

### Health Insurance

The Parliament prepared health insurance law, but it was rejected by the government citing lack of financial resources.



### Domestic violence

The amendment of the existing domestic violence law is obstructed by the Union of Islamic Scholars (Imams).

### Women and Agriculture

Microfinance for rural women is not offered and there is no law prescribing women quota in government subsidies or supports offered to agricultural projects. Also there is no law to combat poverty.

### Labour Law

Kurdistan Parliament needs to speed up the legislation process of the new labour law, which regulates the relations between employer and employees, and the new law of pension and social security. These two laws, once enacted, will provide a modern legal framework to protect the workers' rights and entitlements.

### The Prosecutor General Law

An American organization helped to prepare a draft law of the office of the prosecutor general to give more powers to the office of the prosecutor general and to be able to play its intended role. The opinion of judges and prosecutors general were taken into consideration during the preparation of the draft, though the draft is not formal.

### Human Organ Trafficking

Law No. 6 of 2018 on transplant and donation of human organs requires amendments. In 2022 the OCIA organized a number of roundtables and meetings with the national and international stakeholders on amendment of the Law in a way to reflect the status quo and situations of victims of human organ trafficking. Below are the findings and recommendations:

- The approval of MoERA and the Union of Islamic Scholars needed on donation of organs of deceased persons.
- Article 11 of the Law is not enforced on preparing a list of donors and recipients, anyone with financial means can have organ transplant.
- Article 26 on establishing a centre to store human organs and linking it to the international banks is not enforced, which is crucial for combating human organ trafficking.
- Few cases reach the courts, for example recently 3 cases in Duhok and 2 cases in Erbil reached the courts, while 17 cases in Erbil and 3 in Duhok are not finalized.
- The Law prohibits donors from profiting from donation, the physicians thought that this is wrong and donors need to benefit from donation and this needs to be regulated by law.

- There are one public and four private specialised hospitals in Erbil, and one public and one private specialised hospital in each of Sulaimani and Duhok.
- There is no procedure in place to organize voluntary organ donations after death.
- In 2021 around 439 organ transactions (buying and selling) took place: 339 with consent, 40 without consent and went to Asaiysh (security forces), 28 transactions were fraudulent and 14 went into troubles and never concluded.
- Donors and recipients are mostly from other parts of Iraq, yet the Iraqi government has not issued any regulations in this regard.

#### The Law of Persons with Disabilities and Special needs

Both Article 105 and 495 are amended. Sometimes parents handover their psychologically unstable children to the police, who can only hold them temporarily. Because no offence is committed, the police hand them back to their parents who have to sign declarations.

The Iraqi civil law is not amended. The law of inheritance is not discriminatory against persons with disability. In the last year's amendments the prescribed financial punishment is harsher for appropriation of the property rights of persons with disabilities. Discriminatory articles within the Civil Status Law are not amended, but the rights of persons with disabilities are guaranteed in the Law of Disabilities.

## **Judicial Council (JC)**

### **Death Penalty**

In the KRI the scope of execution of death penalty is very limited. In 2022 (439) inmates sentenced to death were in the KRI reformatories, among them 11 foreigners. In 2022 (14) convicts were sentenced to death penalty, 3 of these sentences were reduced to life sentence. In the last five years no execution is carried out.

### **Trails of ISIS Terrorists**

The trails of ISIS terrorists proceed in an orderly manner. The specialized investigative court administers investigations and special criminal court adjudicates the cases. Pursuant to the Criminal Procedure Law, suspects' rights to fair trail and access to lawyer are guaranteed and the government pays lawyers expenses. 157 cases in 2021 and 122 cases in 2022 were adjudicated.

In relation to extradition of foreign suspects, there are two groups of suspects. Those who committed crimes in the KRI, if Iraq has judicial agreements, suspects get reciprocal treatments as their countries of nationality. Those who committed crimes outside the KRI or Iraq but arrested in the KRI, courts deal with them under Article 357 and 368 of the Criminal Procedures Law.

Because Iraq is not a state party to the ICC and the obstacles created by the Federal government, the KRI courts are not able to indict for the three major international crimes, namely genocide, crimes against humanity and war crimes. Efforts continue to find a solution in cooperation with the UNITAD.

### **Judicial Independence**

The Iraqi Constitution of 2005 clearly separates executive, legislative and judicial authorities. Based on the same principle of separation of powers, the KRI enacted the Judicial Authority Law No. 23 of 2007, to fully separate the judiciary from the executive authority. Therefore, the judiciary is an independent power under law that impartially manages the judicial process. The four chambers (presidencies) of the courts of appeal are financially and administratively linked to the Judicial Council but independent in their rulings pursuant to the effective laws of the KRI.

### **Adjudication process**

In the KRI courts, defendants enjoy their rights in accordance with the international standards. These rights include access to lawyer paid by the state if the defendant could not afford one. In the last three years the cost of public lawyers on the KRG reached 700 million IQDs.

The Criminal Procedures Law No. 23 of 1971 and the Civil Procedures Law No. 83 of 1969 reiterates on timely conclusion of cases and specify that the time should not exceed six months. Delays are caused by great number of cases investigated by the police, limited resources and limited number of judges and judicial staff. Other times delays are caused by adjournments. In

general 75-80% of registered cases get concluded with a year and cases facing delays beyond that are not significant in comparison to the total number of cases.

### Repealing Discriminatory Articles against Women

Article 377 of the Iraqi Penal Code is suspended in the KRI, and works continue to suspend Article 380 of the same Law (both Articles discriminate against women). Also works need to be done to suspend or repeal Article 398 (reduced sentence for rapist if he marries the victim).

The KRI misdemeanour courts received 585 cases in 2021 and 374 cases in 2022 related to violence offences. The total number of cases of violence in all KRI courts is 2204 cases in 2021 and 1627 in 2022, including two cases of murder.

### Persons with Disabilities

The Iraqi Constitution mandates the state to provide care for persons with disabilities and in the KRI the effective Law No. 22 of 2011 on persons with disabilities gives certain entitlements to persons with disabilities. However, there are missing legal provisions such as full and equal access to health care for children, youths and elderly, gender considerations during treatment and health insurance and compensations.

In relation to Law No. 22 of 2011 and Law No. 8 of 2013 on mental health, coordination is important between the MoH, MoE and MoLSA and support is needed from UN agencies to ensure full implementation of the recommendations. Law No. 22 of 2011 needs to be aligned with the Convention on the Rights of Persons with Disabilities. The Iraqi Law No. 22 of 2020 on health insurance is enacted to cover the population at large, but the KRI does not have a similar law, we therefore recommend either this law to be enacted into the KRI law or enact a new law.

There are no legal discriminations against persons with disabilities and MoLSA attempts to promote political and civil participation of persons with disabilities, as suggested by Third Recommendation. To this end, MoLSA organized 40 training courses and workshops but more needs to be done to secure these rights.

### Judges and judicial trainings

Training courses provided to 46 judges in 2021 and 67 judges in 2022 by the UN agencies and European countries and the USA. The courses covered wide ranging legal topics including terrorism, money laundering, narcotics, human rights, violence against women, and human trafficking. Recommendation 21 is implemented and details presented on Recommendation 5.

Appointment of judges is subject to the provisions of Law of Judicial Authority No. 23 of 2007, prescribing the method of appointment of judges and requirements for applicants to judgeship. Also the Law of Judicial Institute (Academy) No. 7 of 2009 details judges appointment following completion of judicial courses in the Judicial Institute; it also describes the required academic and

practical courses and passing threshold. In the KRI courts of appeal there are 232 judges, 48 of whom are women.

### Judicial Integrity

Following the enactment of the Law of Commission of Integrity No. 23 of 2011, the judicial authority established a specialized integrity court for investigation in corruption cases. The court investigates cases then either makes referral to court of misdemeanor court or criminal court or closes those cases that lack sufficient evidence for indictment. However, cases are not classified according to types of corruption.