2024 Country Talks: Iraq

Country of Origin Information reports and Country Guidance

6 December 2024

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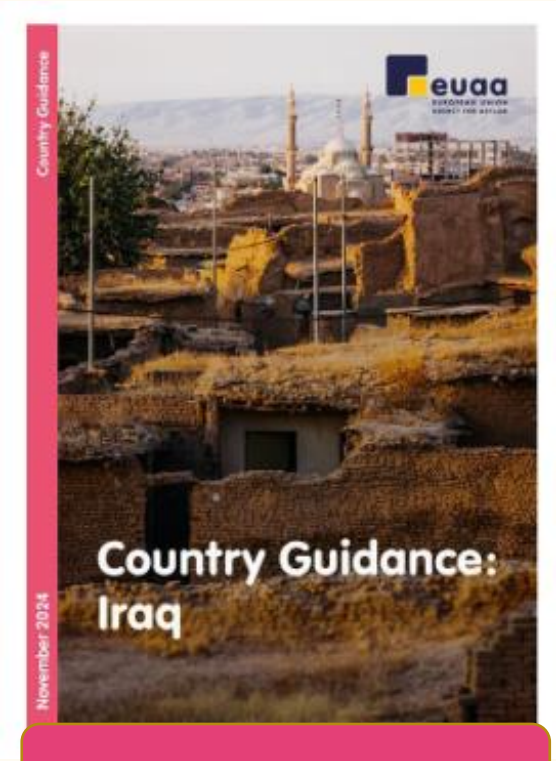
Country of Origin Information and Country Guidance

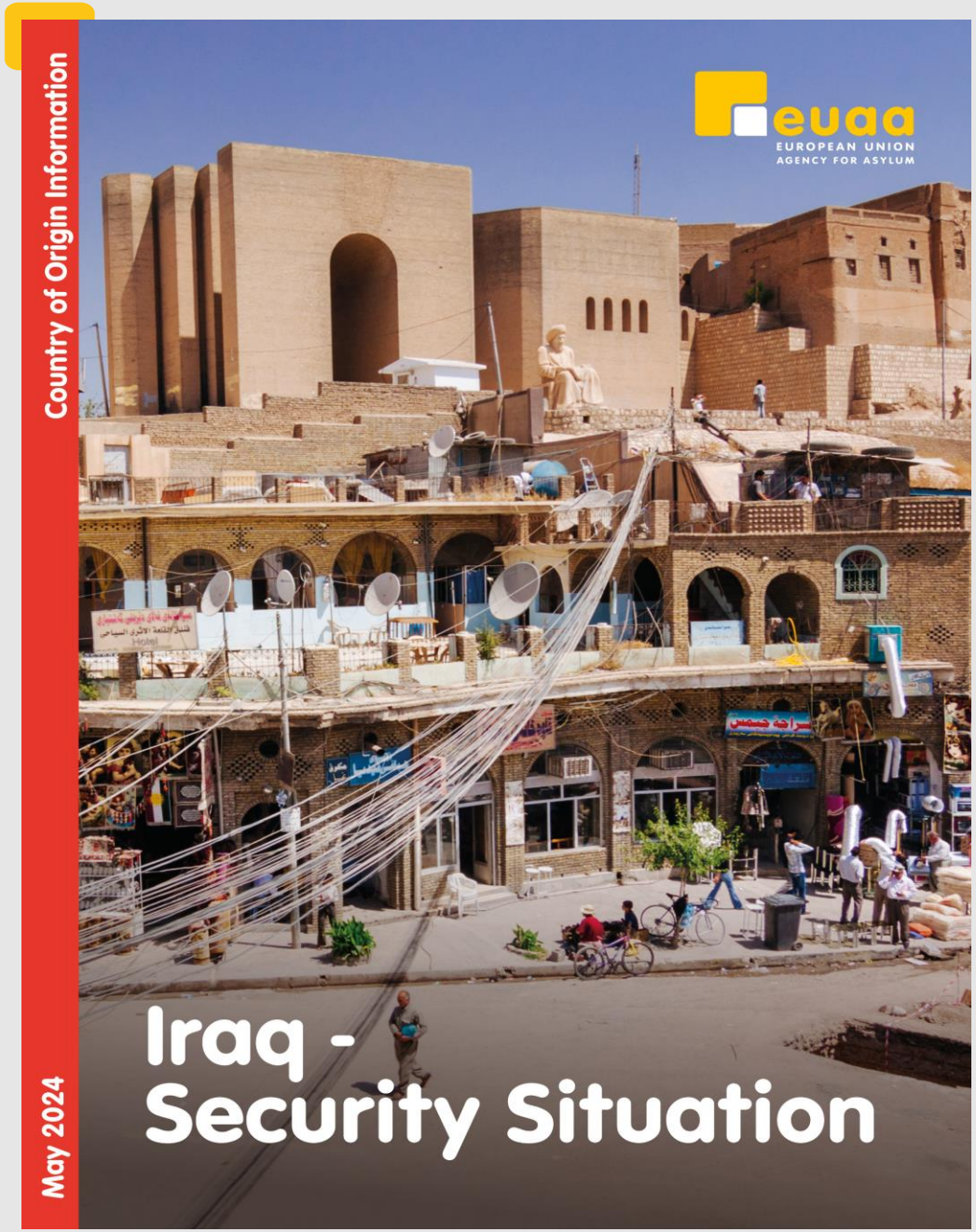
Country of Origin Information

COI is the **factual basis** on which Country Guidance provides an assessment in the form of Common Analysis and Guidance.

In the examination of individual cases, the decision-maker always needs to refer to relevant and up-to-date COI.



Country Guidance



2024 Iraq COI Security Situation

1 February 2023 – 31 March 2024

Topics covered

- Security developments at country and governorate level
- Political developments
- International involvement (Türkiye, Iran, USA)
- Armed actors (ISIL, ISF, PMF, Peshmerga, PKK)
- Impact of security situation on civilians

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2024 Iraq COI Country Focus

Treatment of selected profiles 1 January 2022 – 31 March 2024

- Treatment of selected profiles by State and non-State actors in Federal Iraq and in the KRI
- Targeting of individuals by sectors of society
- 6 main profiles covered

Key socio-economic indicators 1 February 2023 – 31 March 2024

- Socio-economic situation
- Freedom of movement, including accessibility and requirements to settle in a certain area and documents required to access basic services
- Focus on Baghdad and Sulaymaniyah

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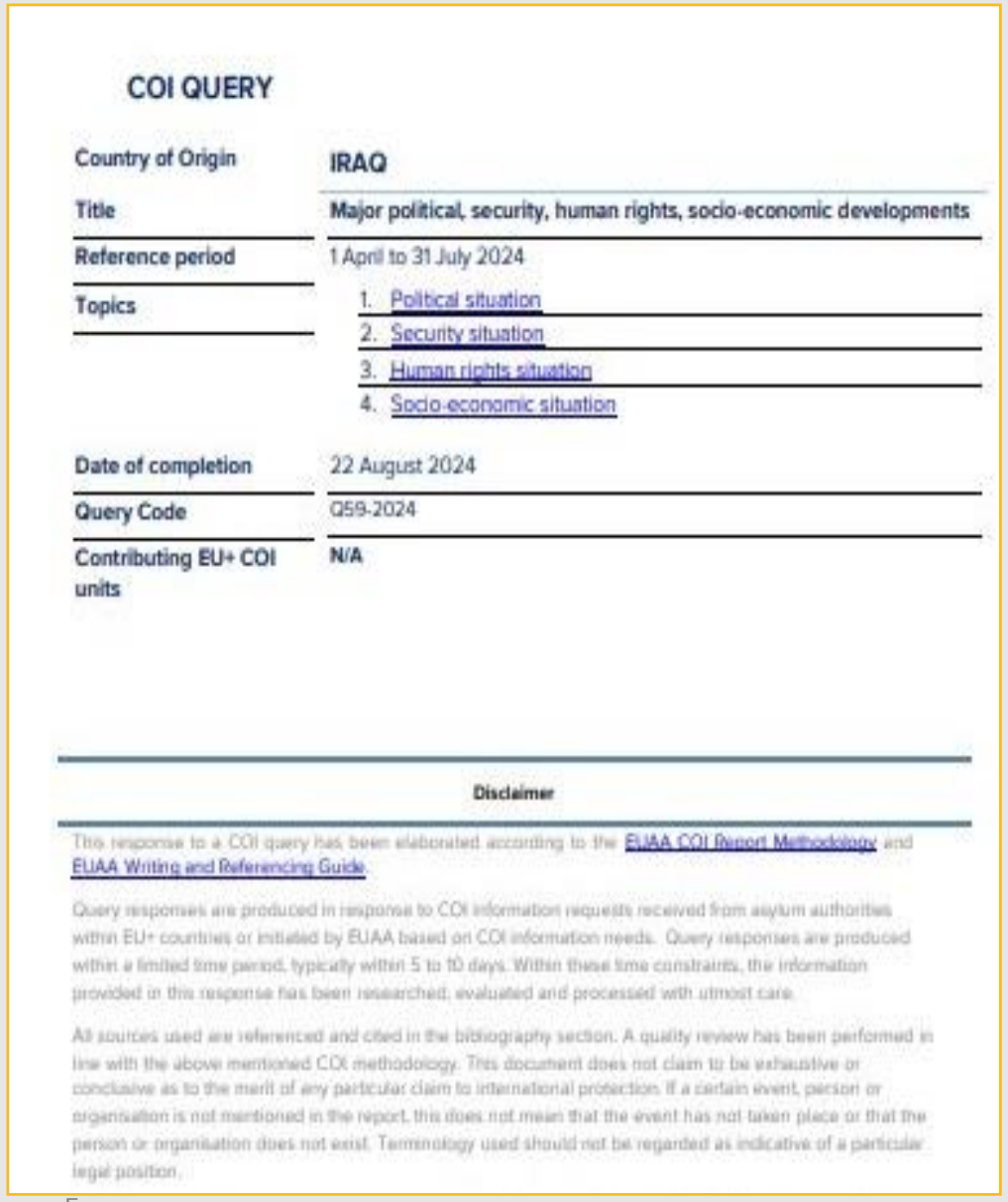

COI QUERY

Country of Origin	IRAQ
Title	Major political, security, human rights, socio-economic developments
Reference period	1 April to 31 July 2024
Topics	1. Political situation 2. Security situation 3. Human rights situation 4. Socio-economic situation
Date of completion	22 August 2024
Query Code	Q59-2024
Contributing EU+ COI units	N/A

Disclaimer

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2024 COI Query Iraq

1 April 2024 – 31 July 2024

Published on: 22/08/2024

Update on:

- Security situation
- Political situation
- Human rights
- Socio-economic developments

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Country Guidance: Iraq (November 2024)

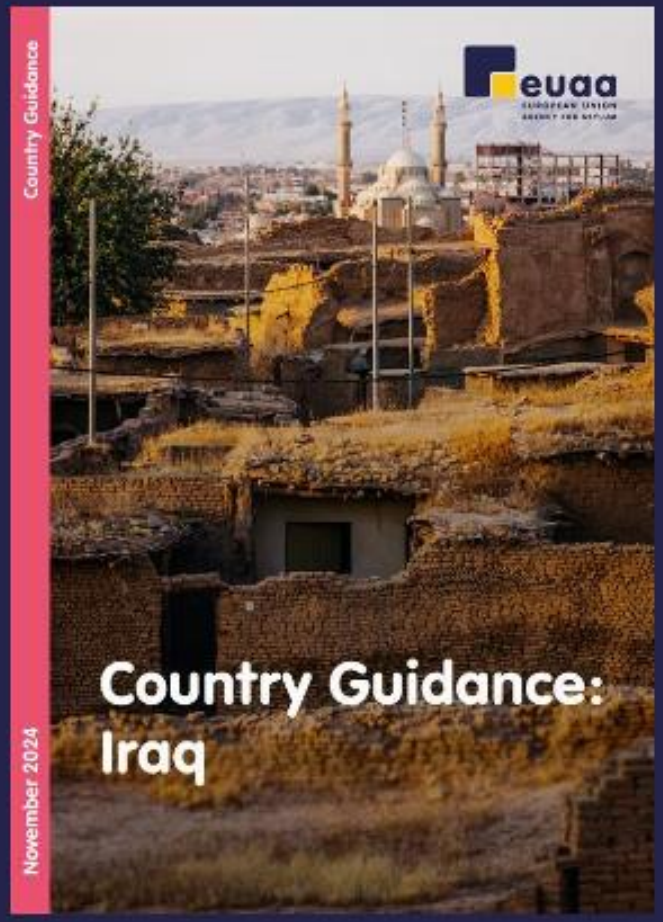
General guidance and methodological remarks

Country Guidance: explained

Outlines the general guidance relied upon in this analysis, as well as the methodological framework, approach and indicators used in CG docs.

New approach

No separate COI summaries. Incorporation of COI in the legal analysis.



Country Guidance: Iraq

Publication date: 14 November 2024

The **'Country Guidance: Iraq'** represents Member States' joint assessment of the situation in the country of origin in relation to the applicable international and EU legislation on international protection. The guidance note, accompanied by the common analysis, was finalised by the Country Guidance Network of senior policy officials in September 2024 and was endorsed by the EUAA Management Board in November 2024.

In addition to this electronic publication, the 'Country Guidance: Iraq' (November 2024) is available in pdf format.

Read more online

Download the PDF

PROFILES

List of commonly encountered profiles of applicants for international protection

Profiles for which a well-founded fear of persecution would **in general be substantiated**:

- Journalists and media workers engaged in critical reporting on controversial political or other sensitive issues or seen as criticising the government officials
- Persons with diverse SOGIESC (also referred to as LGBTIQ persons)
- Individuals with perceived ISIL affiliation (exclusion considerations are particularly relevant for this profile)
- Converts from Islam

List of commonly encountered profiles of applicants for international protection

Further guidance is provided on potential **risk-impacting circumstances** which may affect the probability of granting refugee status to profiles such as:

- Family members of individuals with perceived ISIL affiliation
- Sunni Arabs
- Human rights and political opposition activists, protesters and other perceived critics of the authorities
- Other journalists and media workers
- Individuals perceived to be opposed to ISIL (the threat posed by ISIL has decreased)
- (Perceived) collaborators of Western armed forces, organisations, or companies
- Individuals perceived to transgress moral codes
- Individuals considered to have committed blasphemy and/or apostasy, including converts and atheists (other than converts)
- Religious and ethnic minorities
- Women and girls
- Children
- Persons living with disabilities and/or with severe medical issues (in exceptional cases)
- Persons involved in and affected by blood feuds in the context of tribal conflict

Individuals with perceived affiliation to ISIL

- **Collective punishment** in case of an accusation of affiliation to ISIL resulting in the rejection of all the family
- Challenges in obtaining **civil documentation** to access basic services and the right to freedom of movement, including for children. For women with foreign ISIL-affiliated spouses, birth registration of children is impossible, leading to risk of **statelessness**
- Framework for prosecution under the **Anti-Terrorism Law** is deemed as 'exceptionally broad', both in Federal Iraq and in the KRI
- **Forced confessions** and **torture** reported during arrest and detention. Children are said to be subjected to arbitrary arrests, detention, and enforced disappearance
- Increasing frequency of **arbitrary executions** of prisoners convicted of terrorism-related offences
- **Return of individuals perceived to be ISIL- affiliated** in their areas of origin can be hampered by security actors; by local communities; by the application of tribal law
- Stigmatisation, revenge attacks, violence

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Profiles

3.1. Persons perceived to be affiliated with ISIL

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Two sub-profiles
3.1.1. Individuals with perceived ISIL affiliation
3.1.2. Family members of individuals with perceived ISIL affiliation

Level of risk
Those with perceived ISIL affiliation: a well-founded fear of persecution would in general be substantiated.

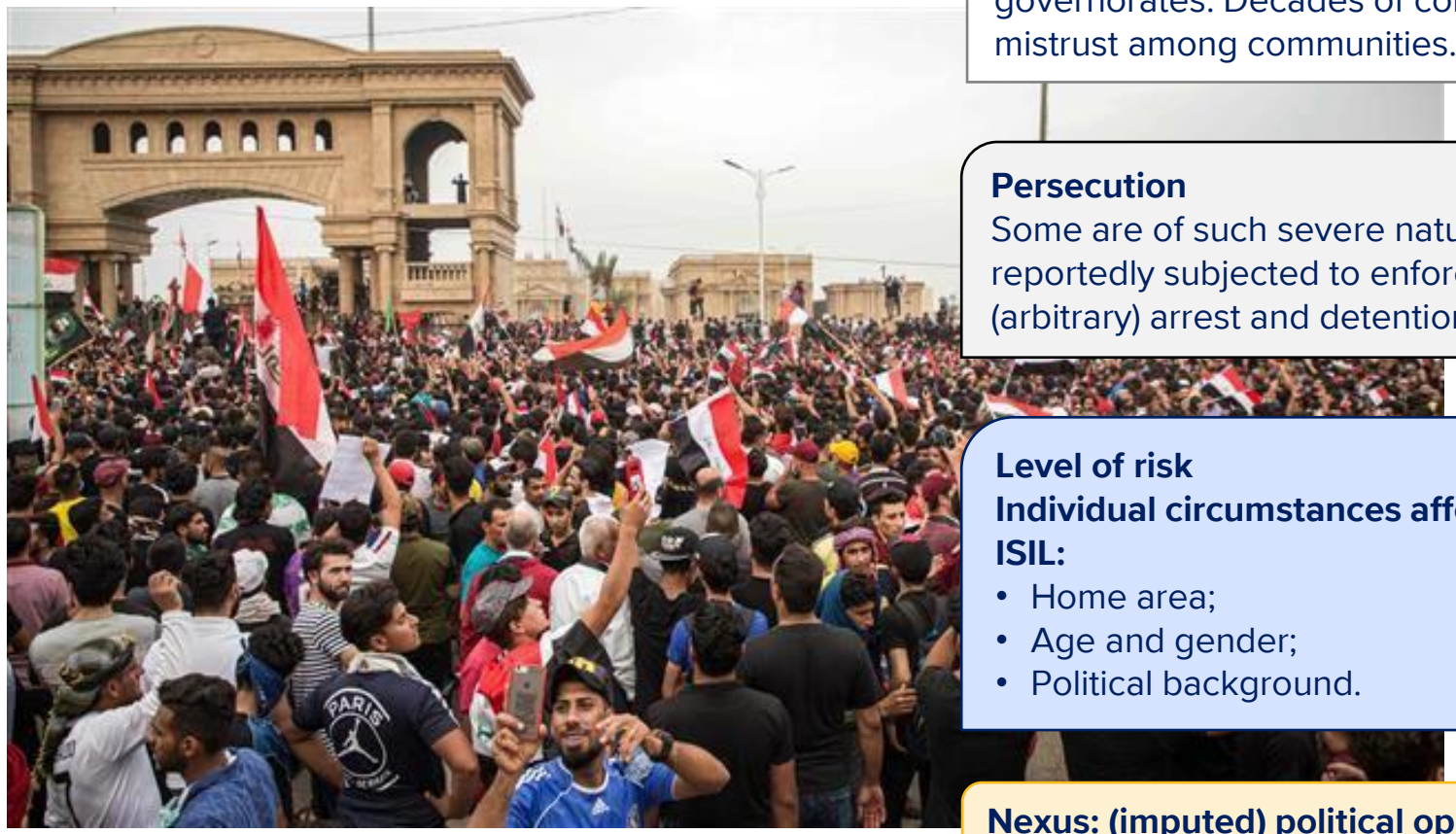
Their family members: risk impacting circumstances to be considered, such as:

- Family status and gender
- Tribal affiliation
- Home area

Nexus: (imputed) political opinion.

Exclusion considerations are **particularly** relevant to this profile, as persons actually affiliated with ISIL may have been involved in excludable acts.

3.2. Sunni Arabs



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Background: Sunni Arabs are a minority in Iraq but form a majority in the central governorates. Decades of conflict and violence intensified sectarian divisions and mistrust among communities.

Persecution
Some are of such severe nature that they amount to persecution. Sunni Arabs are reportedly subjected to enforced disappearances, killings by militia, torture during (arbitrary) arrest and detention.

Level of risk
Individual circumstances affecting the perceived affiliation of Sunni Arabs with ISIL:

- Home area;
- Age and gender;
- Political background.

Nexus: (imputed) political opinion, religion, race/ethnicity (in individual cases)

Journalists, activists and critical voices

- Tightening on online activists: launch of Ballegh platform
- Many reports on suppression of dissent and critical voices by using vaguely worded laws
- In 2022, introduction of a draft law on Cybercrime foreseeing penalties for anyone using cyberspace ‘with the intention to undermine religious, family or social values and principles’
- Violence towards political opponents by unidentified armed actors, Iran-backed militias, and groups linked to Popular Mobilisation Forces (PMF)

Profiles

3.3. Human rights and political opposition activists, protesters and other perceived critics of the authorities

Persecution
Some acts are of such severe nature that they would amount to persecution (e.g. arbitrary arrests, charges of defamation, violent repression, kidnapping, disappearances, killings)

Level of risk

Risk-impacting circumstances should be taken into account:

- Visibility, including being known to the authorities;
- Nature of activities;
- Political and/or sectarian background;
- Gender.

Nexus: (imputed) political opinion

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LGBTIQ

- Escalation of anti-LGBTIQ sentiments
- Draft amendment to Iraq's Anti-Prostitution Law passed by the Iraqi parliament on 27 April 2024
- Criminalises consensual same sex relations
  - originally foreseeing death penalty or life imprisonment
  - 'promoting homosexuality' punished minimum seven years in prison and a fine
  - 'imitating women' up to three-year sentence
- Harassment, abuse and violence by family members or state actors met with impunity

Profiles

3.7. Persons with diverse SOGIESC (also referred to as LGBTIQ persons)

Scope
This profile refers to persons who are perceived as not conforming to social and religious norms because of their sexual orientation (SO) and/or gender identity and expression (GIE), and sex characteristics (SC), including the treatment of lesbian, gay, bi-sexual or trans-gender, intersex and queer individuals.

Persecution: Some acts are of such severe nature that they would amount to persecution.

Level of risk: A well-founded fear of persecution would in general be substantiated.

Nexus: Membership of a particular social group (MPSG)

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Individuals perceived as transgressing social and religious norms

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- Some behaviours perceived as transgressing moral codes can lead to honour-based violence
- Abuses and killings within the Iraqi society occur on grounds of 'the wash of shame'
- Mostly women are subjected to honour-based killings for allegedly transgressing cultural, social, or religious norms and bringing shame to their families
- Tribal actors committing honour-based violence are reportedly allowed to act with impunity in Iraq

Attacks against individuals perceived to violate these norms have been reported, due to, for example:

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- Being LGBTIQ individuals
- Belonging to religious minority groups
- Social behaviours
- Dress
- Supporting secular views, atheists, selling/consuming alcohol
- Entering in an inter-sect/inter-faith marriage
- Conversion
- Posting videos of music or comedy skits and sarcastic social commentary
- Posting dance moves deemed provocative, language deemed obscene, sensitive social issues such as gender-related topics

Profiles

3.8. Individuals perceived to transgress moral codes

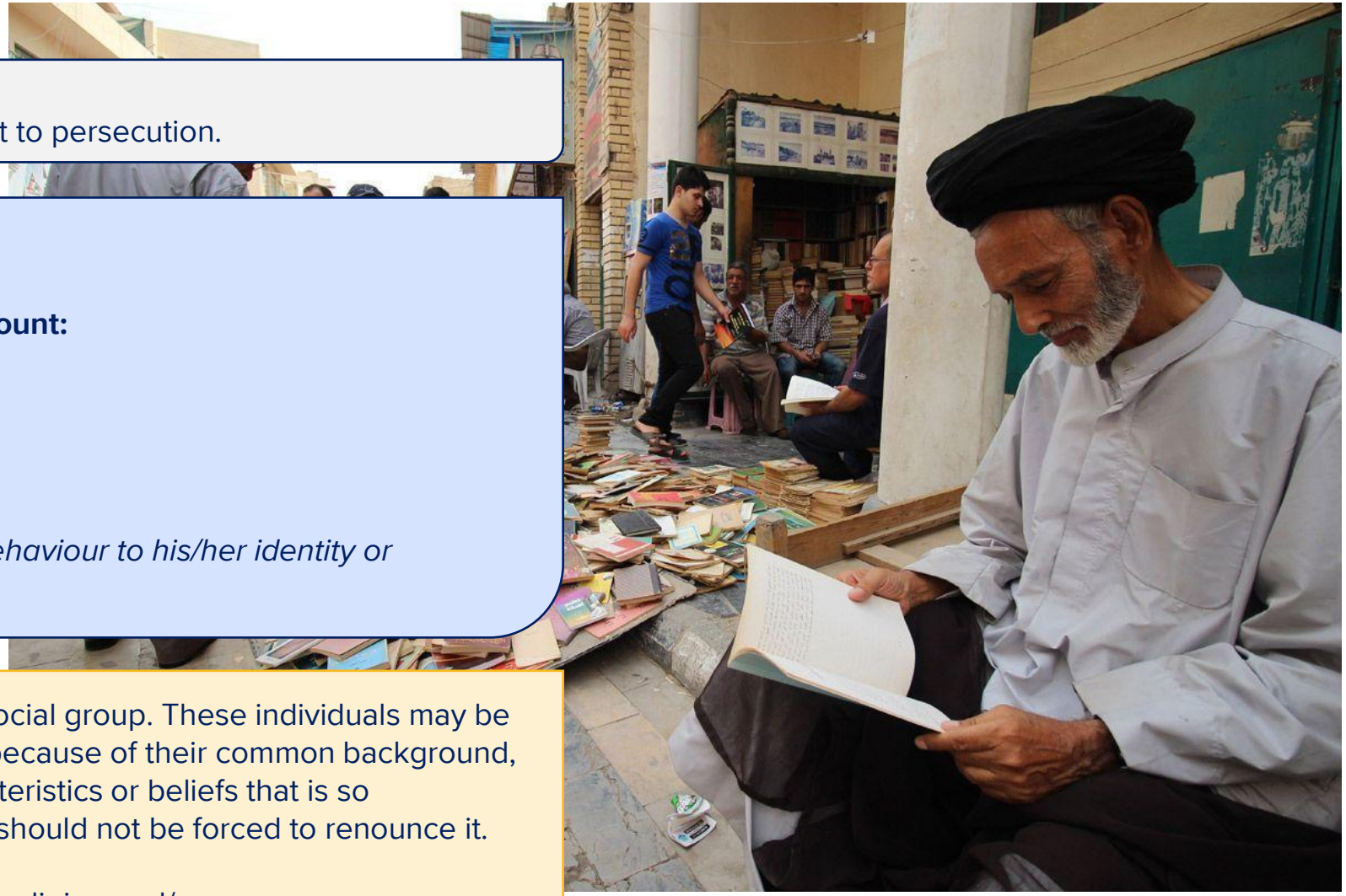
Persecution
Some are of such severe nature that they amount to persecution.

Level of risk

Risk-impacting circumstances to take into account:

- Moral and/or societal norm transgressed;
- Gender;
- Home area;
- Family, tribe and social environment.

Furthermore, how fundamental is someone's behaviour to his/her identity or conscience should also be considered

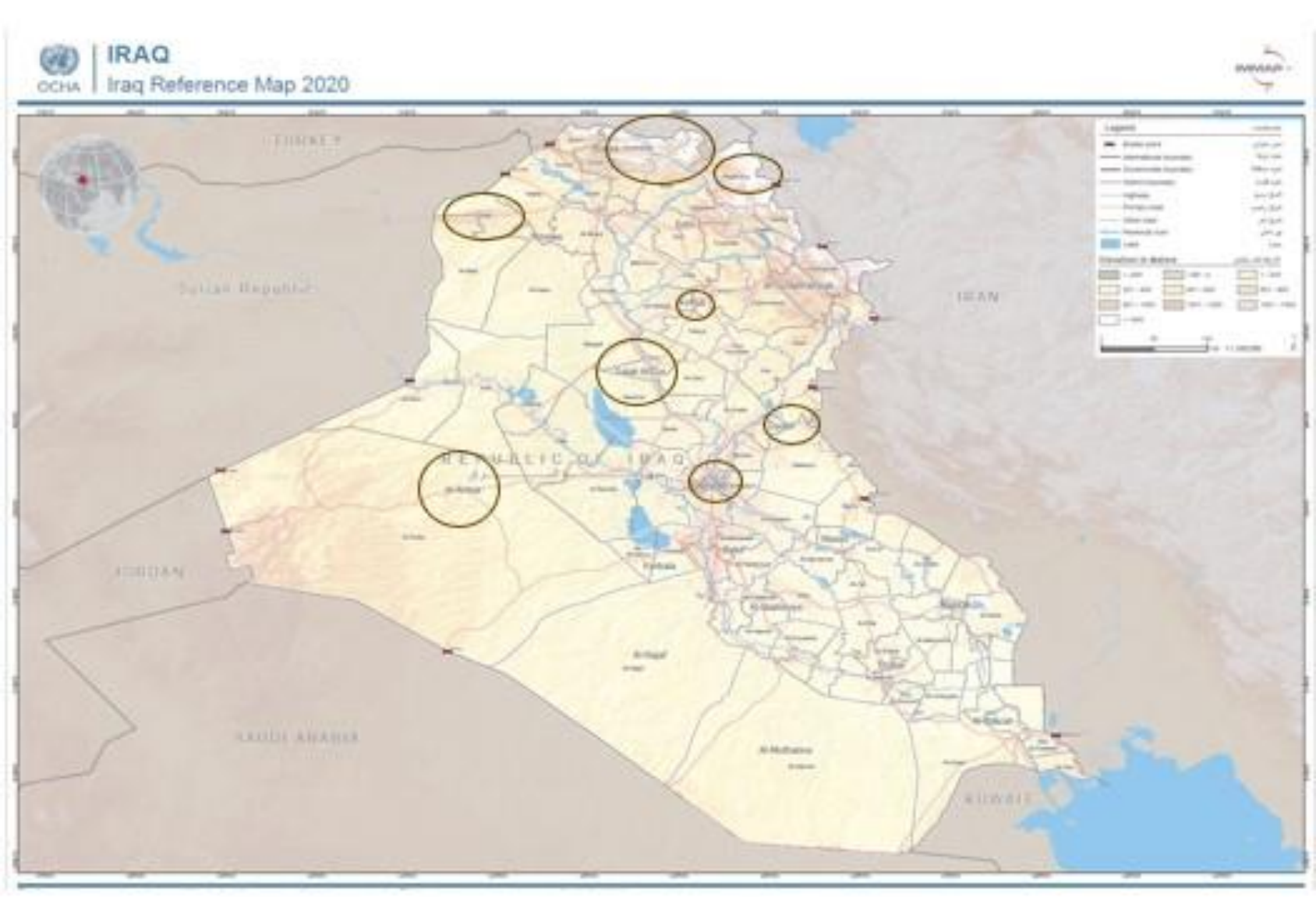


Nexus: May be for membership of a particular social group. These individuals may be perceived different by the surrounding society because of their common background, which cannot be changed and/or shared characteristics or beliefs that is so fundamental to identity or conscience that they should not be forced to renounce it.

In some cases, the nexus may be for reasons of religion and/or race.

SECURITY SITUATION

Conflict hotspots/Drivers of violence



Türkiye/PKK conflict

⇩

Northern Iraq

ISIL

⇩

Baghdad, Salah Al Din, Diyala, Kirkuk and Ninewa

Iran-backed militias and US

⇩

mainly ANBAR and ERBIL

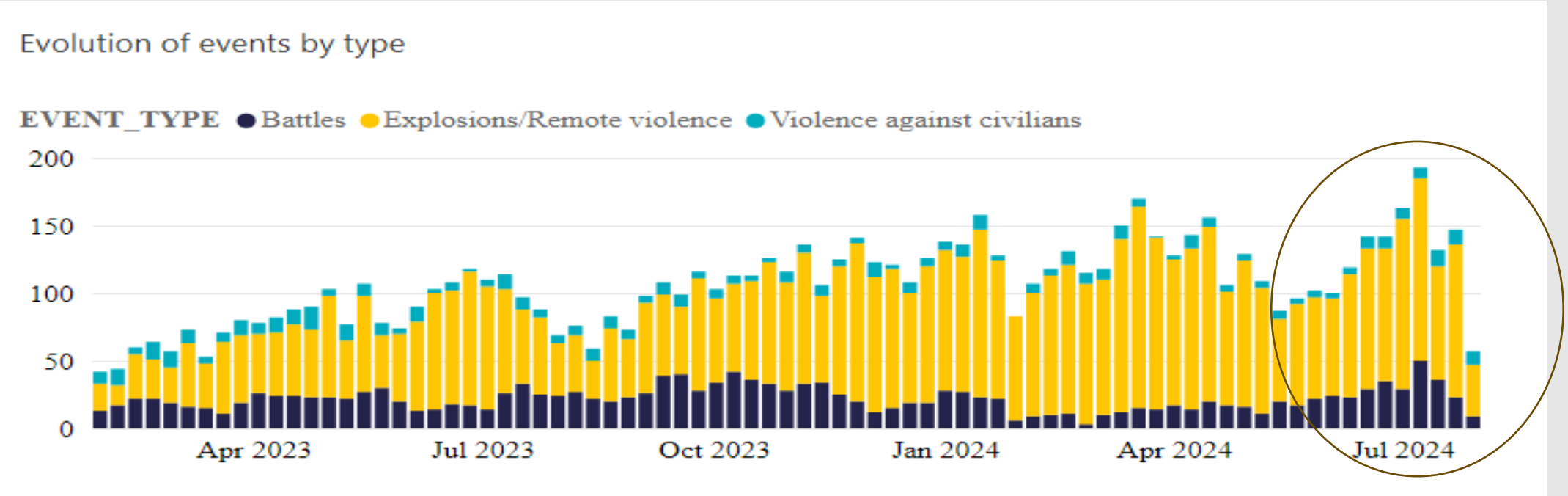
Main security trends

- Number of asymmetric attacks by ISIL declined but persisted
- Military operations due to the conflict in Northern Iraq between Türkiye and the Kurdistan Worker's Party (PKK)
- Rising US-Iran tensions due to resurgence of Israel-Hamas conflict
- Multiple security actors with different objectives and affiliations
- PMF integration process in the Iraqi security apparatus is considered slow
- Increased territorial presence of militias

Key findings - Query update (information up to 31/07/2024)

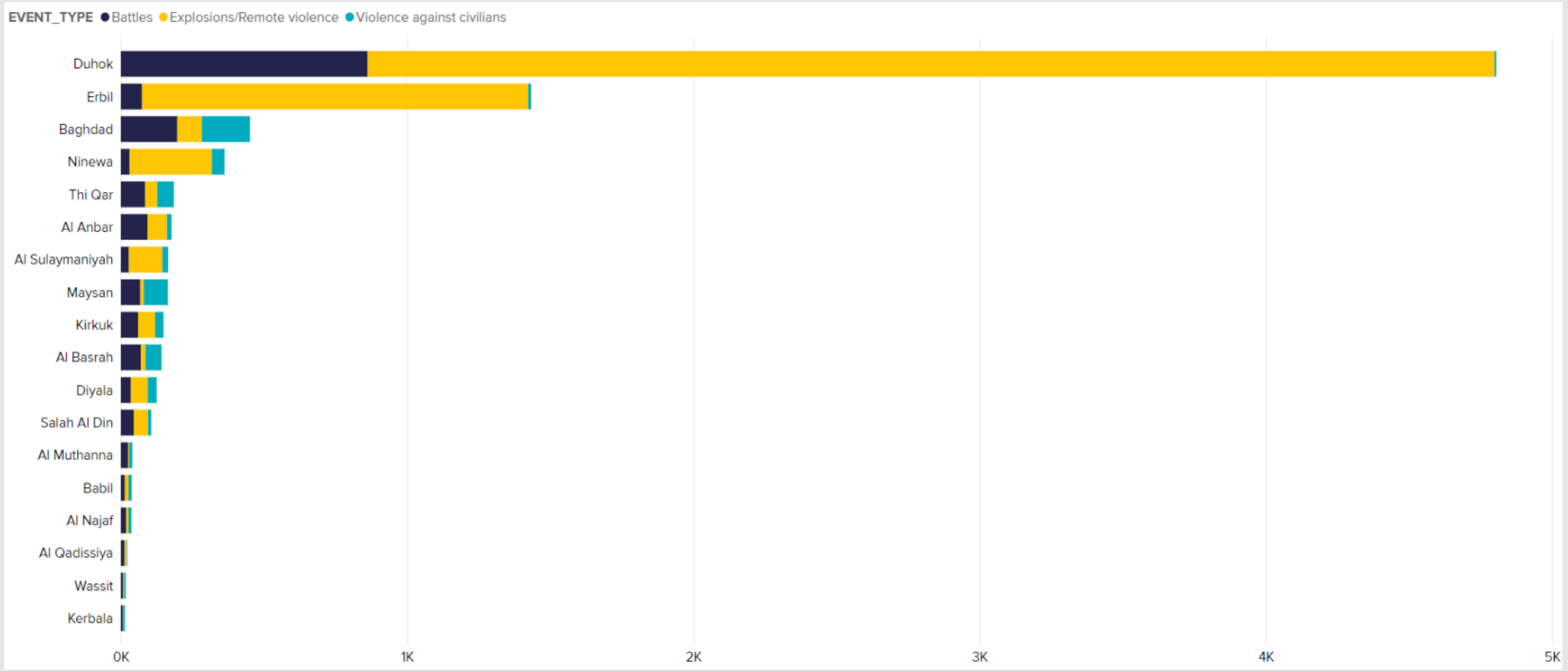
- Talks between Iraqi and US administration have resumed about US presence in the country
- New elections in the KRG held on 20/10/2024
- Turkish President Erdogan met with the President and Prime Minister of Iraq. Erdogan also met with the Kurdish President and Prime Minister
- Iran-backed militias resumed attacks against US forces in Iraq since February
- Extension of Türkiye's military operations in northern Iraq against PKK
- ISIL resurgence

Evolution of security incidents at country-level (1 February 2023 – 31 July 2024). ACLED data



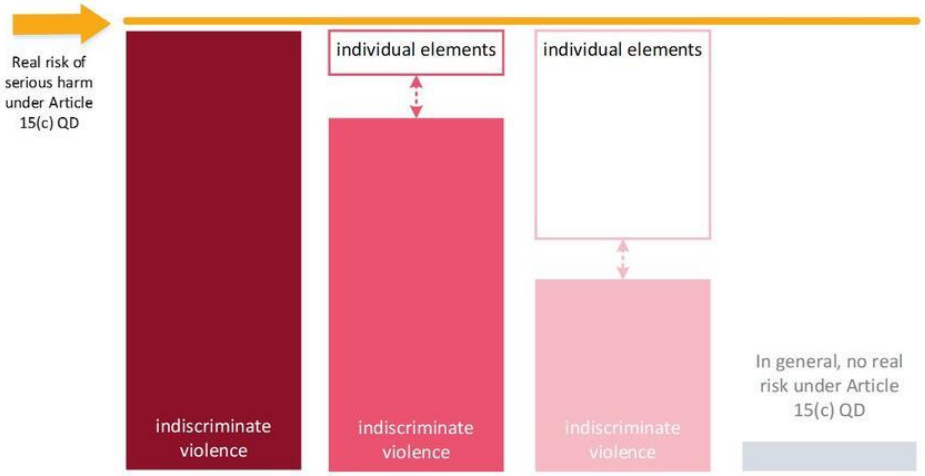
*Weekly evolution of security events coded as battles, explosions/remote violence and violence against civilians in Iraq between 1 February 2023 and 31 July 2024, based on ACLED data

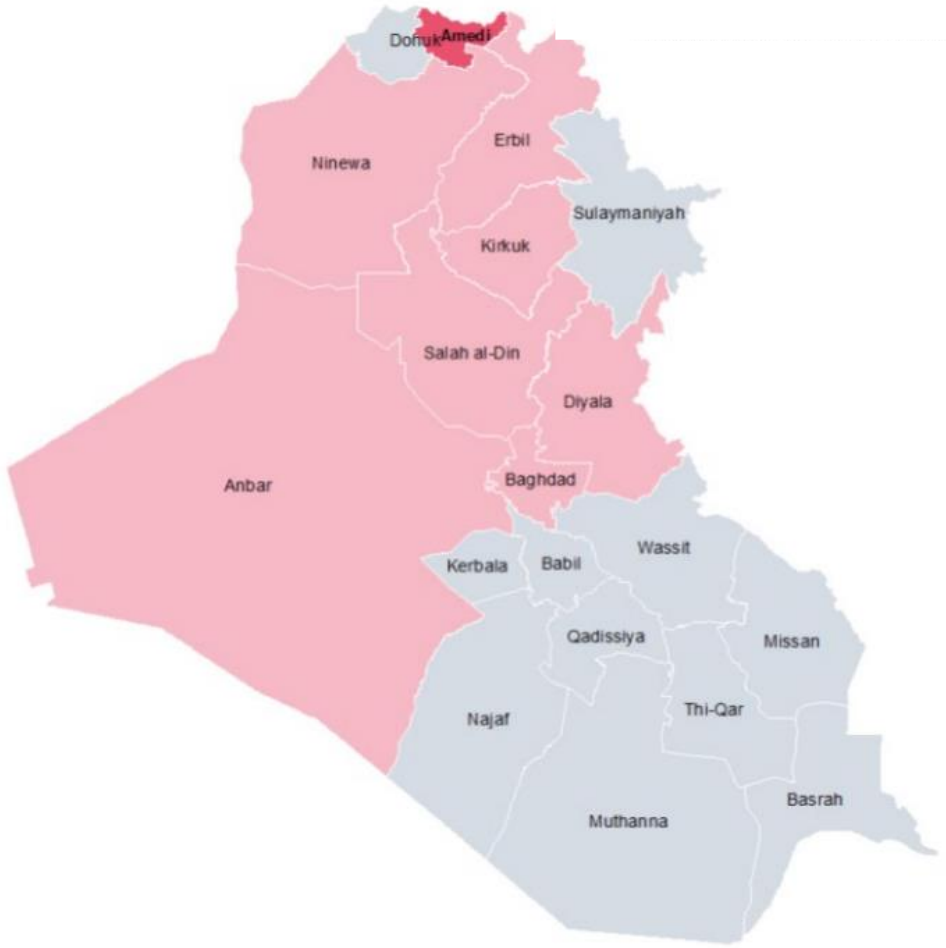
Evolution of security incidents at governorate-level (1 February 2023 – 31 July 2024). ACLED data



Article 15(c) QD/QR: indiscriminate violence

Holistic assessment of the level of indiscriminate violence by governorate





Indicators for assessment:

- Presence and control of actors
- Methods and tactics
- Number of incidents
- Number of civilian casualties
- Geographical scope
- Displacement
- Further impact on civilians

In view of the **fluidity** of the ongoing conflicts, the most recent available COI should always be taken in consideration.

*General reference period: 1 February 2023 – 31 July 2024

Article 15(c) QD/QR: Serious and Individual Threat

Factors particular to one's personal circumstances

In the context of the 'sliding scale', each case should be assessed individually, taking into account the nature and intensity of the violence in the area, along with the combination of personal circumstances present in the applicant's case.

It is not feasible to provide exhaustive guidance about what the relevant personal circumstances could be and how those should be assessed.

- **Age and gender**
- **Health condition**
- **Economic situation**
- **Knowledge of the area**
- **Occupation and/or place of residence**

ACTORS OF PROTECTION

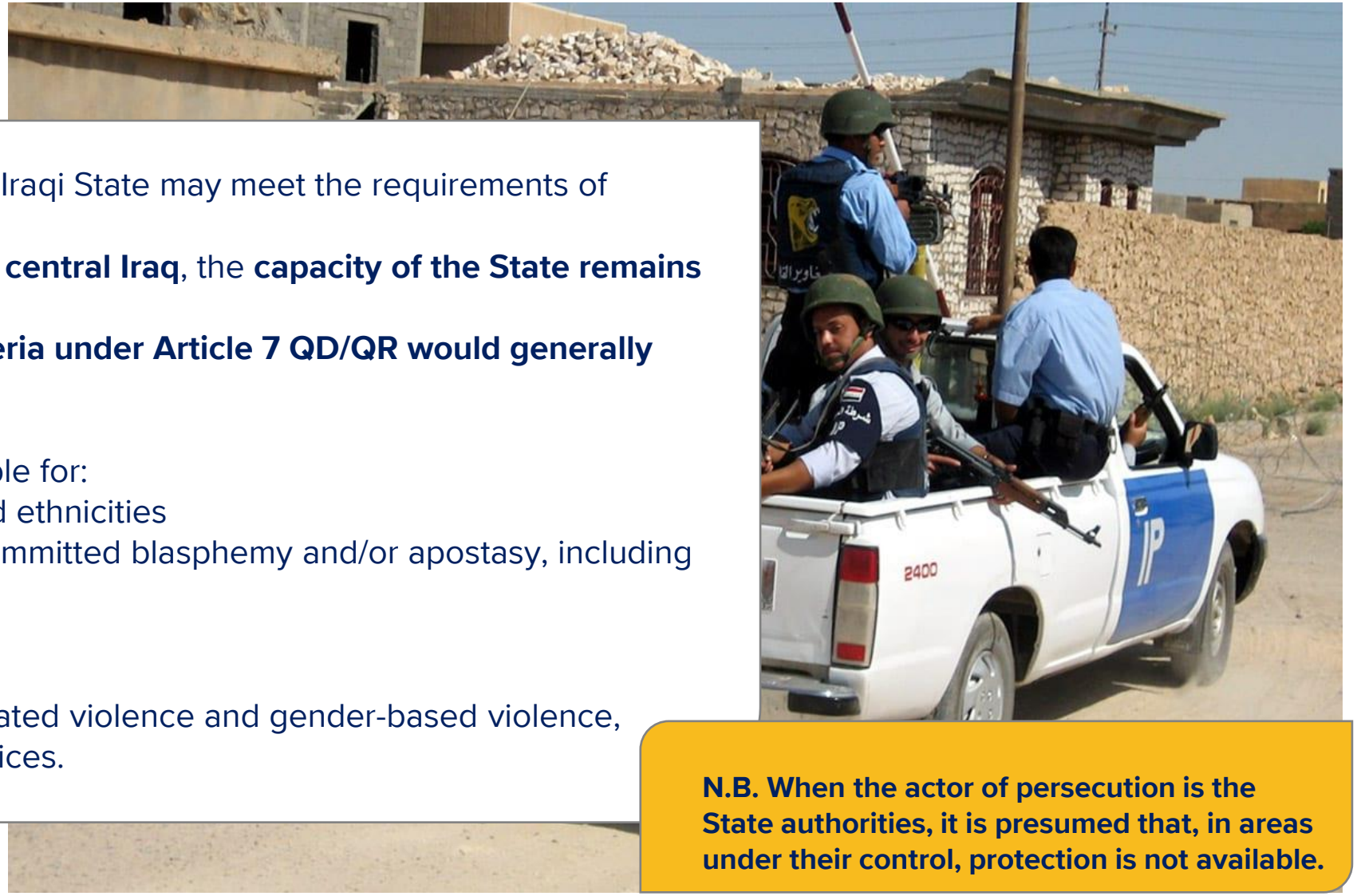
Actors of protection

The Iraqi State

In **Baghdad** and **southern Iraq**, the Iraqi State may meet the requirements of Article 7 QD/QR.
In most other parts of **northern** and **central Iraq**, the **capacity of the State remains limited**.
In the disputed territories, the criteria under Article 7 QD/QR would generally not be met.

Protection is not considered available for:

- Members of minority religions and ethnicities
- Individuals considered to have committed blasphemy and/or apostasy, including converts and atheists;
- Palestinians;
- Persons with diverse SOGIESC;
- Victims of domestic or honour-related violence and gender-based violence, including harmful traditional practices.



N.B. When the actor of persecution is the State authorities, it is presumed that, in areas under their control, protection is not available.

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Actors of protection

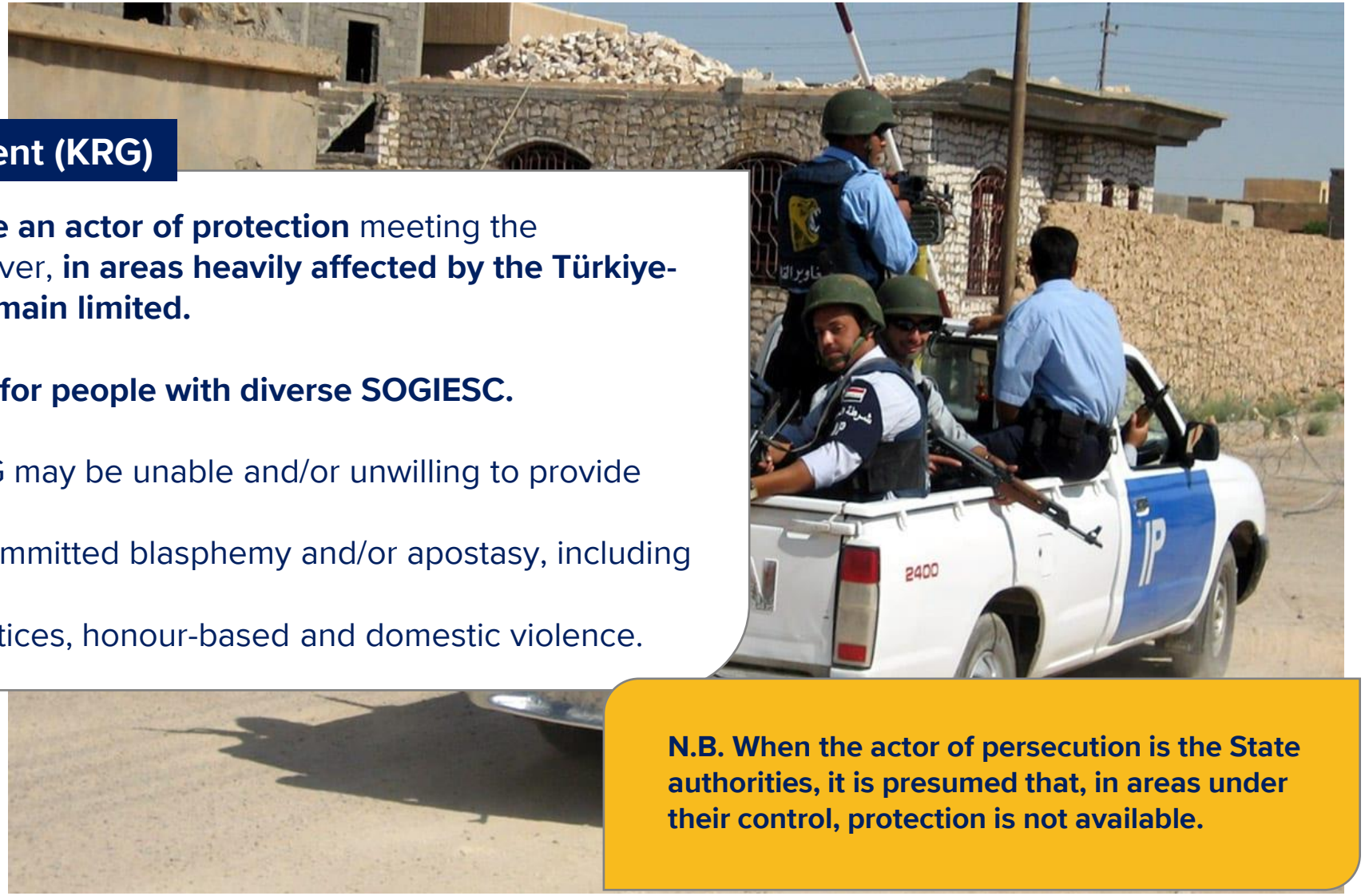
Kurdistan Regional Government (KRG)

The **KRG is in general considered to be an actor of protection** meeting the requirements of Article 7 QD/QR. However, **in areas heavily affected by the Türkiye-PKK conflict, KRG protection would remain limited.**

Protection is not considered available for people with diverse SOGIESC.

In certain individual circumstances, KRG may be unable and/or unwilling to provide protection for, notably for:

- Individuals considered to have committed blasphemy and/or apostasy, including converts and atheists;
- Victims of harmful traditional practices, honour-based and domestic violence.



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Socio-economic indicators and Internal protection alternative

Key socio-economic indicators

- High level of unemployment and poverty
- Fifth most vulnerable country to climate change
- Insufficient access to clean water, electricity, healthcare and education
- Entry/residency requirements, including sponsorship and other security clearance are not regulated by law nor are they officially announced
- Security screenings remain in place at governorate, district, and city entrance checkpoints
- To enter, most governorates/districts do not impose requirements. Valid documents are required at checkpoints
- To permanently settle in a certain area a set of requirements are needed (e.g. Housing Card, sponsors, letter by mukhtar)

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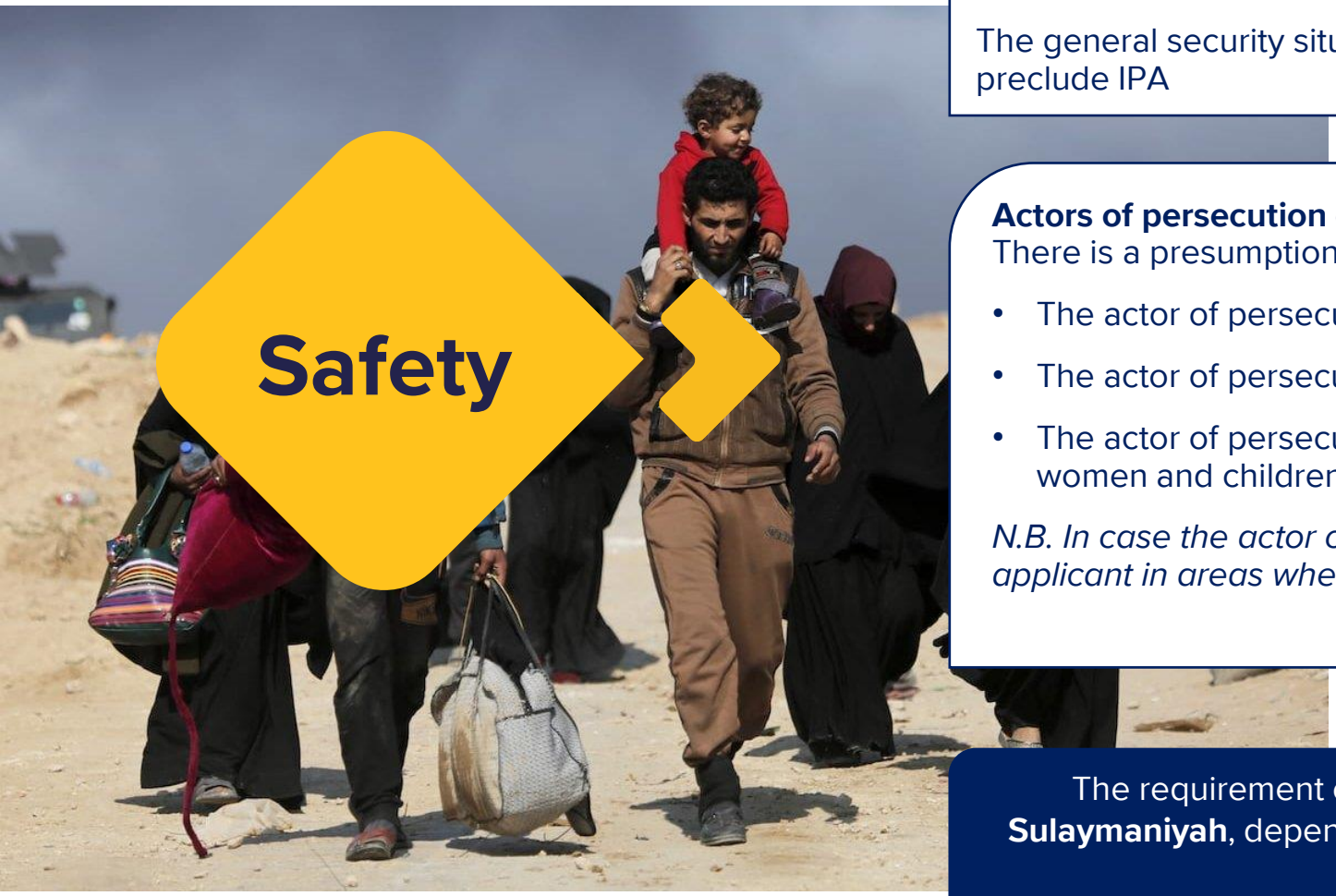
Internal protection alternative



General security situation

The general security situation in the cities of Baghdad and Sulaymaniyah does not preclude IPA

Actors of persecution or serious harm
There is a presumption that IPA would not be available if:

- The actor of persecution is a State actor;
- The actor of persecution is the Iraqi society at large;
- The actor of persecution is the (extended) family, tribe or community (in case of women and children applicants)

N.B. In case the actor of persecution is ISIL, it would not be safe to relocate the applicant in areas where the group operates.

The requirement of safety may be satisfied in the cities of **Baghdad** and **Sulaymaniyah**, depending on the profile and the individual circumstances of the applicant.

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Internal protection alternative

Travel and admittance

Safe travel – although some incidents have been recorded in Baghdad and Sulaymaniyah (including close to airports), **safety of travel is not precluded in general.**

Legal travel – there are no legal restrictions for Iraqi to travel in Iraq. **The requirement of the legality of travel is thus met in general.**

Gain admittance - The existence and/or possibility to issue relevant documentation, such as ID, security clearance, housing card etc. **is a crucial factor**.

Baghdad –
Individual circumstances to take into account

- Existing social ties and potential sponsor;
- Holding a security clearance and/or a housing card;
- Holding other documentation (ID documents etc.).

Sulaymaniyah -
Individual circumstances to take into account

- Area of origin;
- Ethnic origin and family status;
- Identification documents;
- Holding a security clearance and and/or a housing card.

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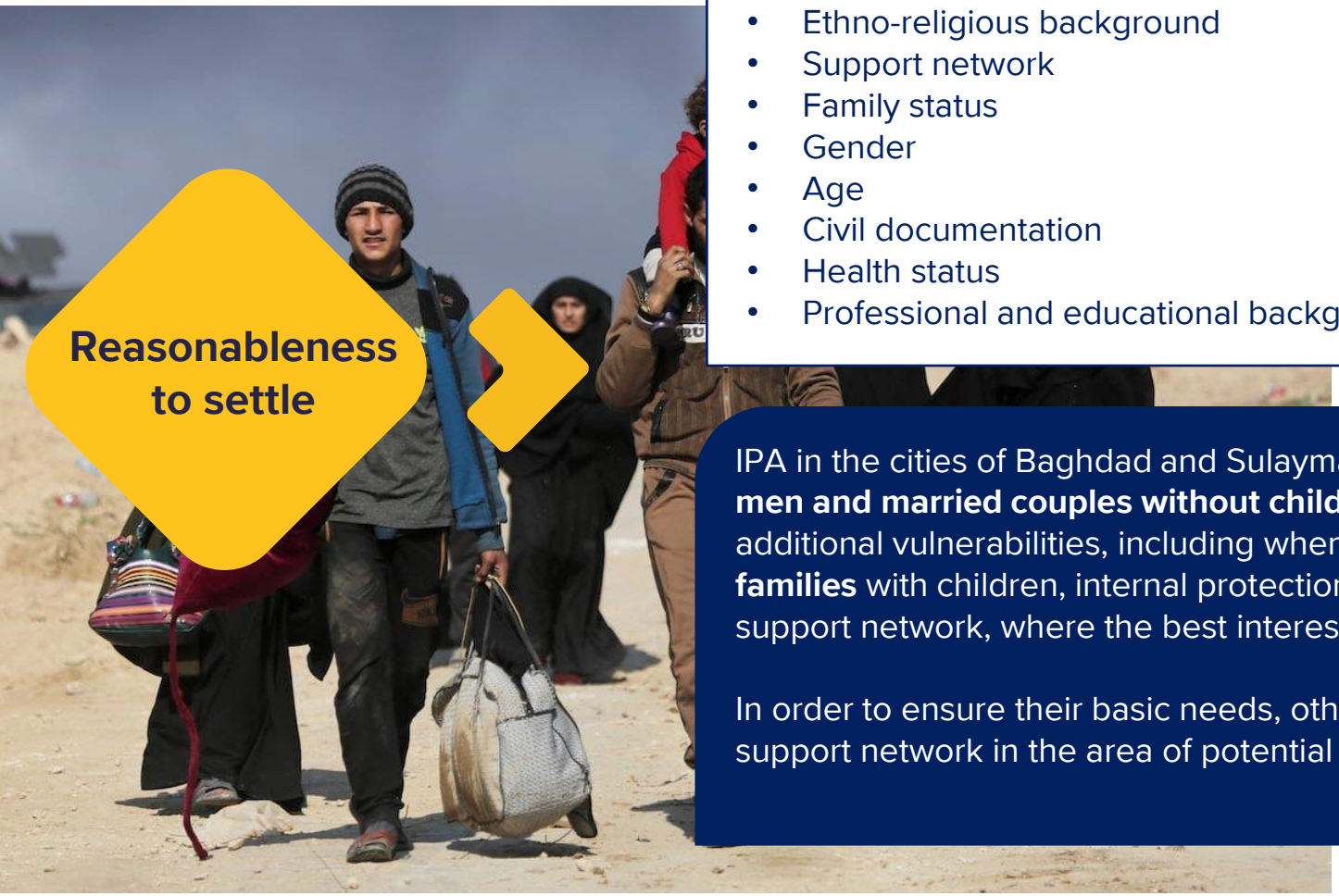
Internal protection alternative



Reasonableness to settle

Individual circumstances

- Ethno-religious background
- Support network
- Family status
- Gender
- Age
- Civil documentation
- Health status
- Professional and educational background, financial means

IPA in the cities of Baghdad and Sulaymaniyah would be reasonable **for single able-bodied men and married couples without children**, who have identification documents and have no additional vulnerabilities, including when they do not have a support network. **In the case of families** with children, internal protection alternative may be reasonable, including without a support network, where the best interests of the child have been duly assessed.

In order to ensure their basic needs, other profiles of applicants would in general need a support network in the area of potential IPA.

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QUESTION
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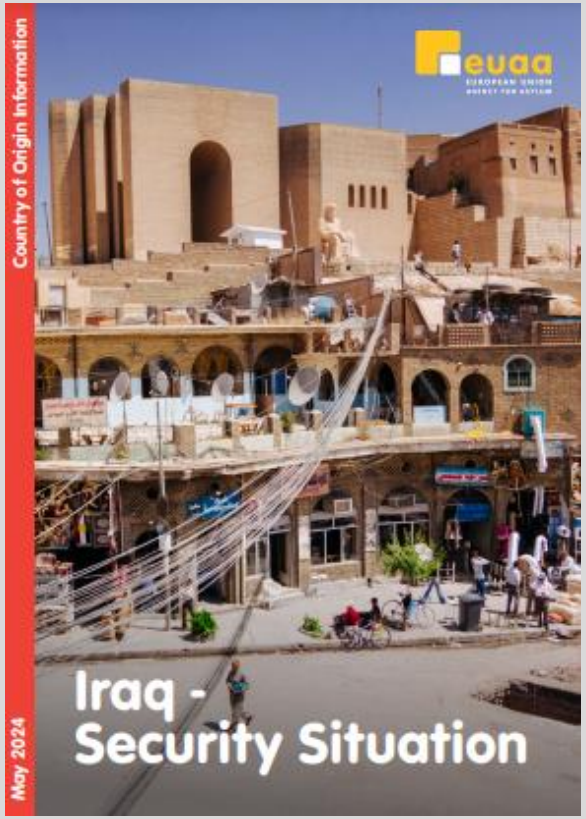
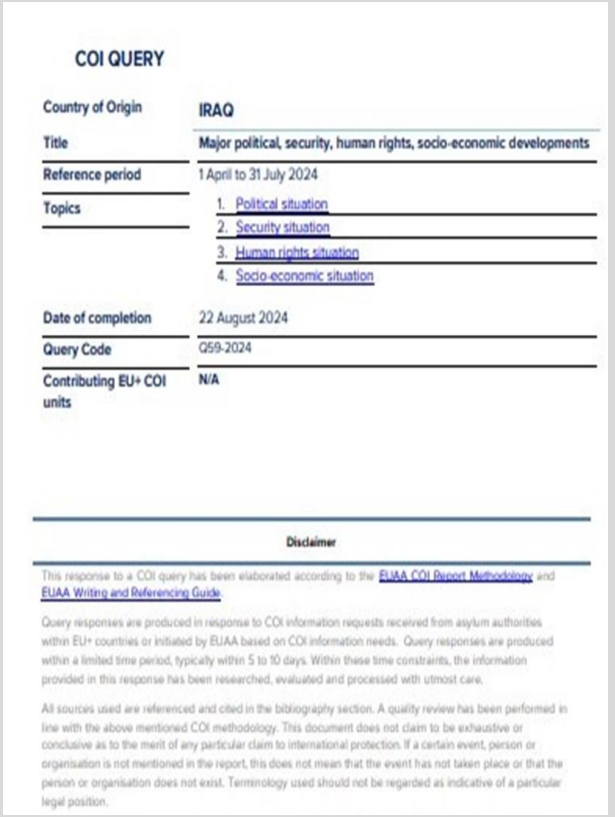
Where to find EUAA COI reports and CG?

Country of Origin Information online





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COI Iraq – Country Focus: Link

COI Iraq – Security Situation: Link

COI Query Iraq: Link

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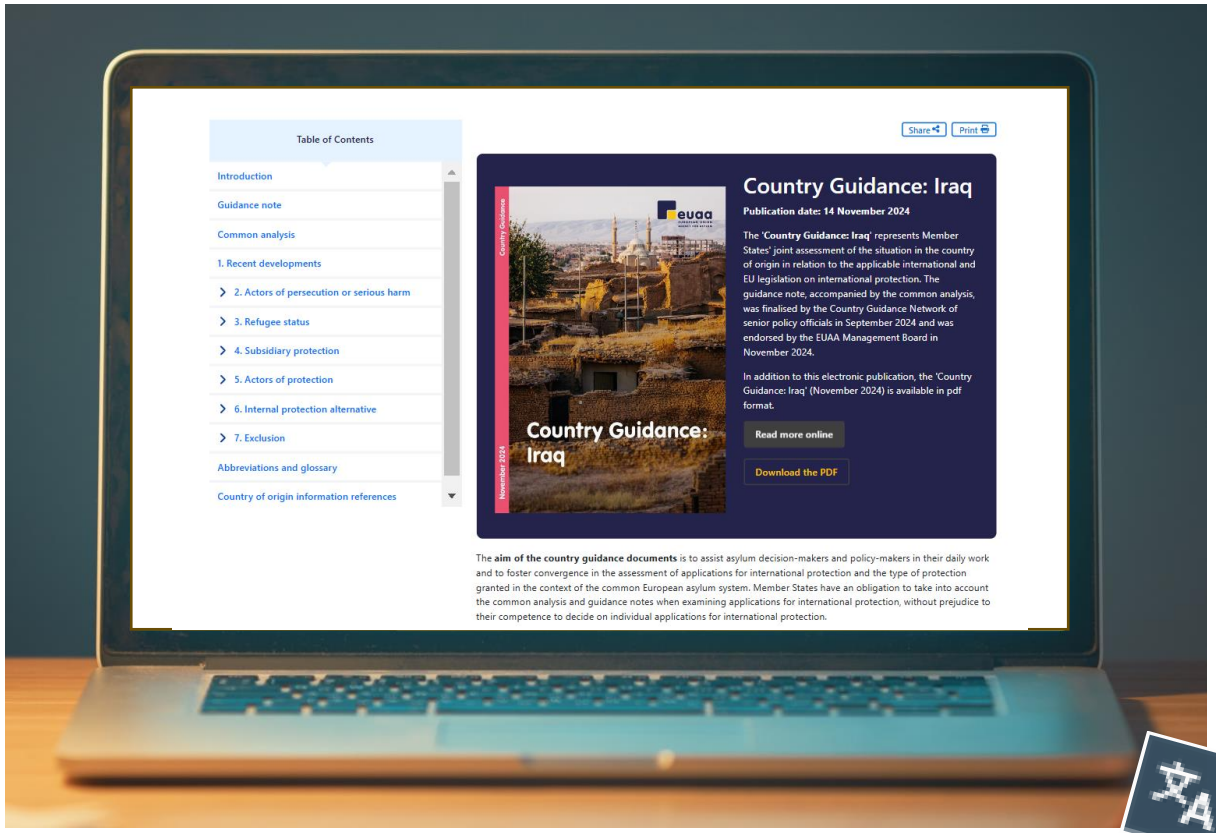

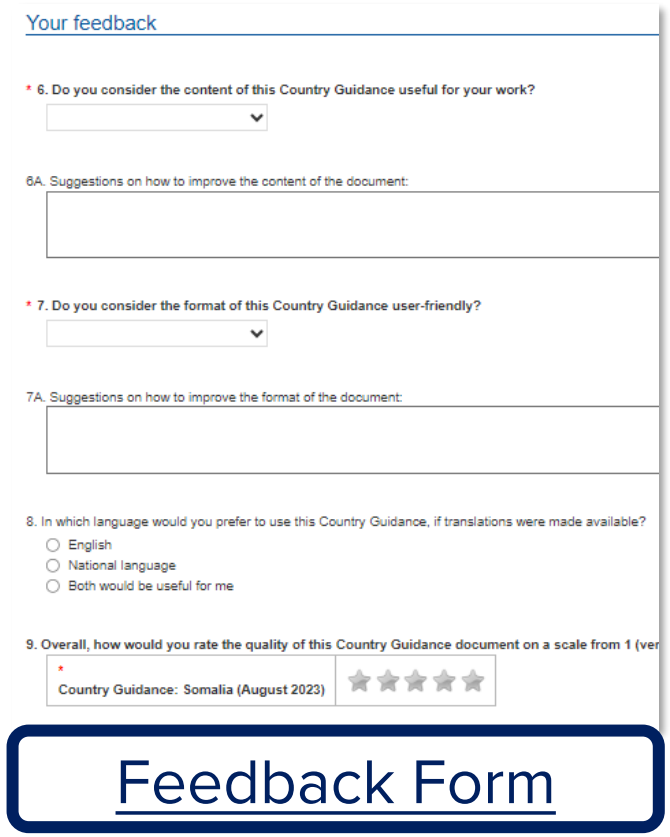

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