



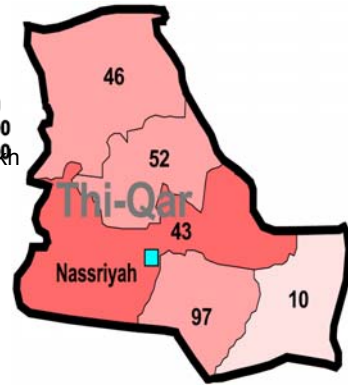
UNHCR

United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

THI-QAR GOVERNORATE ASSESSMENT REPORT



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October 2006

This UNHCR Assessment Report is intended to provide objective information regarding the overall situation in the Governorate in question, detailing the situation faced by persons of concern and their communities. The report has been drafted by UNHCR with its partners (*Intersos, Millennium, and other partners*), and many governmental and non-governmental organizations have been invited to contribute to this report which draws on international sources, reports of district authorities, UNHCR's returnee monitoring activities and consultations with returnees and their communities. Efforts have been made to ensure that only accurate, reliable, factual material, independently confirmed information is reported. This Assessment Report is not intended to be a comprehensive human rights report, nor is the report an expression of political opinion or a statement of UNHCR policy.

While the Assessment Report primarily targets displaced populations and returnees, information in Annexes I to III have been prepared in a format useful for donors and the Iraqi authorities. Therefore, the Assessment Report will be made available to a wide audience, including refugees abroad, IDPs and returnees and their communities, authorities, donors and other agencies.

This report does not take into account events occurring on or after 31 October 2006, unless a later date is specified. UNHCR plans to update the report on a regular basis.

Further information can be found on www.hcriraq.org.

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List of Abbreviations

CPA	Coalition Provisional Authority
CRRPD	Commission for the Resolution of Real Property Disputes (previously the Iraq Property Claims Commission IPCC)
CSO	Civil Society Organization
FAO	Food and Agriculture Organization
ICS	Iraqi Correctional Service
ID	Iraqi Dinar
IECI	Independent Electoral Commission in Iraq
IED	Improvised Explosive Devices
ILCS	Iraq Living Conditions Survey
ING	Iraqi National Guard
IOM	International Organization of Migration
IP	Iraqi Police
IPCC	Iraq Property Claims Commission (now known as the Commission for the Resolution of Real Property Disputes, CRRPD)
IRCS	Iraqi Red Crescent Society
ISF	Iraqi Security Forces
LAIC	Legal Aid and Information Centre
MNF	Multinational Forces
MoE	Ministry of Education
MoLSA	Ministry of Labour and Social Affairs
MoDM	Ministry of Displacement and Migration
MoH	Ministry of Health
MoHR	Ministry of Human Rights
MoI	Ministry of Interior
MoPDC	Ministry of Planning and Development Cooperation
MoT	Ministry of Trade
NGO	Non-Governmental Organization
PDS	Public Distribution System
PHC	Primary Health Centre
RRC	Returnee Reception Centre
SCIRI	Supreme Council for the Islamic Revolution in Iraq
UK	United Kingdom
UNAMI	United Nations Assistance Mission for Iraq
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNIDO	United Nations Industrial Development Organization
US	United States
UXO	Unexploded Ordnance
VRF	Voluntary Repatriation Form
WFP	World Food Programme
WHO	World Health Organization

Exchange Rate

As of 31 October 2006, the exchange rate between the Iraqi Dinar (ID) and the US Dollar (US \$):

1 US \$ = 1,469.20 ID

For simplicity, one may use the approximation:

1 US \$ = 1,500 ID

I. General Information¹

Thi-Qar Governorate covers an area of 13,552 km² and is located in Southern Iraq to the North of Basrah Governorate and shares internal boundaries with the Governorates of Missan, Muthanna, Qadissiya and Wassit. **Nassiriyah City was founded in 1870 by Sheik Nasir Al-Sadoon of the Muntafiq Tribal Confederation.** The 2004 Ministry of Planning and Development Cooperation (MoPDC)/UNDP Iraq Living Conditions Survey (ILCS) projected the population of Thi-Qar Governorate to be 1,472,405,² making it the sixth most populous Governorate in Iraq. 530,000 people are estimated to live in the Governorate's capital Nassiriyah City.

Thi-Qar's geographical landscape is dominated by the Euphrates river basin and the vast Hammar marsh, which covered a third of the Governorate before the former regime's drainage campaign of 1991.

The Governorate of Thi-Qar was deprived of investment in infrastructure by the former regime, which, combined with sanctions, led to an increase in poverty and a decrease in living standards between 1991 and 2003.

The predominant religion in Thi-Qar Governorate is the Shiite branch of Islam, although the Governorate also has a Sunni population and Mandaean, Chaldean and Assyrian Christian communities. Thi-Qar has a deep **tribal ancestry:** many of its tribes descend from the Muntafiq Tribal Confederation and currently include the Beni Asad, Beni Malik, Ibada, Al-Azerj, Al-Khafagi, Al-Abude, Shweilat, Beni Rikaab, Al-Rumaith, Al-Ghuzzi, Al-Bdur, Al-Hacham, Khaigan and Al-Hassan.

Thi-Qar Governorate has five administrative districts: Nassiriyah, Suq Al-Shuyukh, Chibayish, Shatrah and Rafei.³ **The Governorate administration** is organized according to *Qadha* (district) and *Nahiya* (sub-district) Councils and a Governorate Council which has an office in Nassiriyah City. There is also a 17 member Reconstruction Committee, separate from the political council, responsible for planning and facilitating reconstruction and humanitarian activities in the Governorate.⁴

The Governorate of Thi-Qar has experienced several waves of **displacement** due to the Iran-Iraq War (1980-1988), the suppressed Shiite Uprising in the aftermath of the 1991 Gulf War and political and religious persecution by the former regime. The drainage of the marshes during the 1990s destroyed the livelihoods of many Marsh Arabs and forced them to flee the area for neighbouring countries (mainly Iran) or elsewhere in Iraq. Since the fall of the former regime, parts of the marshes have been re-flooded; but the destruction of houses and villages and the dire lack of infrastructure and public services in the area prevent people from returning.⁵ **A regional office of the Ministry of Displacement and Migration (MoDM) was opened in Basrah in April 2004, followed by a branch office in Nassiriyah in August 2004.**

¹ General information sources include: MoPDC and international reports.

² MoPDC/UNDP, *Iraq Living Conditions Survey*, April 2005, <http://www.iq.undp.org/ILCS/PDF/Tabulation%20Report%20-%20English.pdf>.

³ Humanitarian Centre for Iraq, *Iraq Field Atlas*, November 2003, www.hiciraq.org.

⁴ American Chronicle, *Thi Qar province at tipping point*, 15 August 2005, <http://www.americanchronicle.com/articles/viewArticle.asp?articleID=1870>.

⁵ IRIN, *IRAQ: Focus on progress made in marshlands*, 22 August 2005, <http://www.irinnews.org/print.asp?ReportID=48679>.

A. Political Developments⁶

A Governorate Council was elected in Thi-Qar Governorate during elections on 30 January 2005. The 41 seats were allocated amongst the parties as follows: 11 seats to the Supreme Council for Islamic Revolution in Iraq (SCIRI), 11 seats to Hizb Al-Fadheela Al-Islamiyah, 10 seats to Hizb Al-Dawa Al-Islamiyah, two seats to Harakat Al-Wafaq Al-Watani Al-Iraqi (Independence Movement), two seats to Harakat 15 Shaban Al-Islamaya, two seats to the Agriculture Association and one seat each to the Independent League for Democracy and the Communist Party. **Aziz Kadhim Alwain of SCIRI and Ahmed Taha of Al-Dawa were appointed as Governor and Deputy Governor, respectively.**

A referendum on the Permanent Constitution was held on 15 October 2005. In Thi-Qar Governorate, 463,710 people voted and 97.15% voted in favour of the constitution.⁷ Grand Ayatollah Ali Al-Sistani backed the Permanent Constitution and called upon all Shiites to participate in the referendum. It is thought that his backing contributed to the high approval rate in Thi-Qar Governorate.⁸ Under a compromise reached before the referendum, it was agreed that the new Council of Representatives would consider amendments to the constitution within four months (Article 142 of the Constitution), and amendments agreed would have to be approved in a popular referendum. The referendum would be considered successful if it was approved by a majority of the voters and if not rejected by two-thirds of the voters in three or more Governorates. Issues at stake included federalism and the distribution of oil.

Federalism was a key topic of concern to people in Thi-Qar Governorate.⁹ For the majority of Shiites in Southern Iraq, the new Permanent Constitution provides the opportunity to enshrine freedom of religious expression they were denied under the former regime. However, minority groups fear that if the South begins following a strict version of Sharia law, it could lead to the infringement of their civil liberties.

A second round of **National Assembly (Council of Representatives) elections** was held on 15 December 2005. On 10 February 2006, the Independent Electoral Commission of Iraq (IECI) announced the certified results of the election, which showed that the Shiite coalition had again dominated the voting, but is short of a majority, holding 128 of the 275 seats. Kurdish parties won 53 seats and the main Sunni Arab bloc won 44, giving them a much stronger political voice than they had before.¹⁰ These results show that Iraqis again cast their ballots along sectarian or ethnic lines. Turn-out in the Governorate of Thi-Qar was high (around 71%).¹¹ According to the results of the election,¹¹ the ruling Shiite Alliance, the *Unified Iraqi Coalition*, won a large majority in the Governorate (86.74 %, gaining them 11 seats), followed by the secular *National Iraqi List* of former prime Minister Iyad Allawi (5.04%, giving them one seat).¹²

⁶ Political information sources include: IECI, Iraqi Authorities and returnees.

⁷ IECI, *Certification of the Constitutional Referendum Final Results*, 25 October 2005, <http://www.ieciraq.org/final%20cand/20051102%20Certified%20Referendum%20Results%20English.pdf>.

⁸ The Washington Post, *Powerful Cleric Backs Iraq Constitution*, 23 September 2005, <http://www.washingtonpost.com/wp-dyn/content/article/2005/09/22/AR2005092200393.html>.

⁹ The New York Times, *Secular Shiites in Iraq Seek Autonomy in Oil-Rich South*, 30 June 2005, http://www.occupationwatch.org/headlines/archives/2005/06/secular_shiites.html; The Christian Science Monitor, *In the south, a bid to loosen Baghdad's grip*, 28 June 2005, <http://www.csmonitor.com/2005/0628/p01s04-woiq.html>.

¹⁰ IECI, *Certification of the Council of Representatives Elections Final Results*, 10 February 2006, http://www.ieciraq.org/English/Frameset_english.htm.

¹¹ IECI, *Uncertified Partial Results*, 21 December 2005, <http://www.ieciraq.org/final%20cand/20051221%20Partial%20Results%20Turnout.pdf>.

¹² IECI, *Uncertified Results*, 20 January 2006, http://www.ieciraq.org/English/Frameset_english.htm.

The announcement of the certified final results opened the way for coalition talks and the nomination of Iraq's new government. Iraq's President Jalal Talabani called for the new government to include all ethnic, religious and political groups, regardless of the election result.¹³ With the seating of the new government, the Permanent Constitution came into force.

After six months of negotiations a **national unity government** was agreed between the *United Iraqi Alliance*, *Tawafiq Iraqi Front*, *Kurdistan Gathering* and *Iraqi National List*, under the leadership of Prime Minister Nouri Al-Maliki.¹⁴

In both the January and the December 2005 elections, Iraqis living abroad in a number of countries (including Iran, Syria and Jordan) were able to participate through an 'out of country' voting system.

B. Security and Public Order¹⁵

Thi-Qar Governorate has not experienced the same level of insurgent attacks common in other parts of Iraq; however attacks against the Multinational Forces (MNF) and civilians do still occur. Thi-Qar had a history of volatility under the former regime, and opposition movements fought fiercely against former regime forces in Thi-Qar, particularly in the Shiite Uprising in the aftermath of the 1991 Gulf War. The area was also the scene of a fierce battle between MNF and former regime Fedayeen Units during the 2003 intervention in Iraq. Shiite cleric Muqtada Al-Sadr, who led two major military confrontations with the MNF in April/May and August 2004, has a sizeable following in Thi-Qar Governorate. On several occasions, Al-Sadr's followers have shown that they can quickly mobilize large numbers of persons by asserting their presence on the streets of Nassiriyah.

In September 2006, responsibility for security was handed over to Provincial Iraqi Control (PIC) from Multinational Forces operating in the governorate. The transfer of security responsibility marked a significant step forward in the Iraqi authority's ability to manage security, and is a reflection of improving security in the governorate. Thi-Qar is the second governorate to be handed over to PIC, following Muthanna which took place in July 2006. At the handover ceremony in Thi-Qar, the commander of British forces in the region said, 'the provincial government of Thi-Qar has demonstrated that it is ready and capable of taking on responsibility for its security and government.'¹⁶ While MNF will no longer be responsible for security, they will have an 'operational overview', and MNF troops will be on hand to provide emergency assistance if requested by the Iraqi authorities.¹⁷

While the situation is calmer than in previous years, **assassinations, kidnappings, banditry, carjacking and crimes related to terrorism** are still reported in Thi-Qar, posing a risk to civilians.

¹³ BBC, *Sunni bloc rejects Baghdad vote*, 20 December 2005, http://news.bbc.co.uk/2/hi/middle_east/4545148.stm.

¹⁴ For a list of cabinet members see BBC, *Who's who in Iraq's new cabinet*, 22 May 2006, http://news.bbc.co.uk/2/hi/middle_east/5000750.stm.

¹⁵ Security and public order sources of information include: MoI, MNF and media.

¹⁶ BBC, *Power handover in Iraq Province*, 21 September 2006, http://news.bbc.co.uk/2/hi/middle_east/5366270.stm.

¹⁷ Ibid.

a) Chronology of Events

The following security information is taken from UN security reports, and provides a brief summary of events in Thi-Qar from January 2006 (not exhaustive):

October 2006:

- Gunmen shot dead a former Ba'ath Party member in Al Rafei, a town in the north of Thi-Qar.
- A logistics convoy travelling from Tallil Base, the main US logistics base in Southern Iraq, was hit by an IED.

September 2006:

- A massive explosion took place in a building containing a large amount of ammunition in Nassiriyah.
- Gunmen attacked an ISF patrol north of Nassiriyah, two of the attackers were killed.
- (MNF-I) Italian Forces formally hand over responsibility for security to Provincial Iraqi Control in Thi-Qar.
- Iraqi Police released two women who had been kidnapped in Shatrah.

August 2006:

- Gunmen shot dead a former Ba'ath Party member in Nassiriyah.
- The Mayor of Al-Gharaf district in Thi-Qar escaped an assassination attempt when a homemade bomb detonated outside his house. He was slightly injured in the explosion.
- An IED was found by IP in the central market in Nassiriyah.

July 2006

- Gunmen shot dead a former Ba'ath party member in Nassiriyah.

June 2006:

- A significant amount of weapons were discovered across Thi-Qar by ISF through out June.

May 2006:

- One US security contractor was killed, and two were injured when a blast hit their convoy in Nassiriyah.

April 2006:

- Two civilians were injured when clashes took place in a Market in Nassiriyah between ISF and militia groups.

March 2006:

- Three armed men were killed when an IED they were planting detonated outside the home of journalist, in Nassiriyah.
- Two guards were injured when an IED exploded near an oil pipeline they were protecting.

February 2006:

- Three people were killed when Gunmen opened fire on a group of Shiite marchers in Nassiriyah.
- Armed gunmen opened fire on a Sunni preacher at a Mosque.

January 2006:

- Around 200 former military personnel demonstrated in Nassiriyah over jobs that they believed were promised to them by the authorities.

- A suicide bomber blew himself up outside a police training centre, killing one and injuring twenty nine people.

b) Security Forces

The former Iraqi Army, Republican Guard, Ministry of Defence as well as other security forces were disbanded by the Coalition Provisional Authority (CPA) in 2003 (CPA Order No. 2) and have been replaced by the new Iraqi Army. Prior to 2003 military service was compulsory for all Iraqi males, whereas Iraq now has an all-volunteer army. The new ISF are paid and increasingly trained, but are still in a preliminary state of development. **The Iraqi National Guard (ING)** was established as a civil protection force which has been merged into the new Iraqi Army.¹⁸ The ING currently has six battalions across Iraq's four Southern Governorates (Basrah, Missan, Thi-Qar and Muthanna).¹⁹

The **Iraqi Police (IP)** has 23 operational police stations located in Nassiriyah City and district towns, 19 of which have been rehabilitated after looting in 2003. A Permanent Joint Operations Centre (P-Joc) has also been established in Nassiriyah to coordinate responses from all emergency services to security incidents or natural disasters in the Governorate.

A **24-hour emergency telephone number 115** is available in Thi-Qar for the public to report criminal acts, terrorism and fire. Calls are responded to by auxiliary police vehicles, which are marked with yellow doors.

The Iraqi Correctional Service (ICS) is responsible for running the prisons in Iraq, under the authority of the Ministry of Justice. The ICS was reformed in 2004 and a new high security prison has been built in the Governorate to service South Iraq.

If a person is arrested by the ISF, he/she has the right to legal counsel and to have the case heard by an investigative judge within 24 hours. The investigative judge can extend the period of detention for up to fifteen days after each review, however the total period of extension cannot exceed six months, after which authorization for further extension has to be obtained from the responsible criminal court. In practice, referrals often occur with delay. Persons arrested by the MNF fall under a different legal regime for arrest and detention depending on the reason for their arrest (whether they are criminal detainees or security detainees).²⁰

If a member of the public wishes to make a complaint against a member of the IP, it should be addressed to the investigative judge or made in writing to the Inspector General for South Iraq based at Thi-Qar IP Headquarters.

Italian Military Forces were based at Tallil Airbase, and prior to the handover of security to Provincial Iraqi Control they provided support to the ISF in Thi-Qar Governorate. Italian troops based in Thi-Qar leave Iraq at the end of 2006, but a small civilian force will remain to assist in reconstruction efforts.²¹ The Italian Brigade's mandate

¹⁸ BBC News, *Iraq to dissolve National Guard*, 29 December 2004, http://news.bbc.co.uk/2/low/middle_east/4133039.stm.

¹⁹ UK Parliament, *Iraq: An Initial Assessment of Post Conflict Operations: Government Response to the Committee's Sixth Report of Session 2004-05*, 27 July 2005, <http://www.parliament.the-stationery-office.co.uk/pa/cm200506/cmselect/cmdfence/436/43602.htm>.

²⁰ For further information see UNHCR, *Country of Origin Information Iraq*, October 2005, <http://www.hcriraq.org/Public/index.html>.

²¹ Voice of America, *Italy to Pull Troops Out of Iraq by End of 2006*, 22 January 2006, <http://www.voanews.com/english/2006-01-22-voa12.cfm>

was to support Security Sector Reform and to assist the ISF to provide security in the region. A MNF Division Headquarters is also located in Basrah Governorate, which provides support to the four southern Governorates. Since June 2003, the MNF's presence in Iraq has been at the request of the Iraqi authorities and authorized by the UN Security Council. As of June 2003, the MNF's presence in Iraq is authorized under Security Council Resolution 1511 and reaffirmed under Resolution 1546. In November 2005, the UN Security Council, upon request of the Iraqi Transitional Government, unanimously extended the **MNF's mandate** for another year until the end of 2006, subject to a review no later than 15 June 2006.²² On 15 June 2006, members of the UN Security Council upon request of Iraq's Government (letter from Foreign Minister Zebari dating 9 June 2006), agreed the continuation of the mandate of the MNF.²³

c) **UXO and Mines**²⁴

The Iraq Landmine Impact Survey, which was undertaken by the MoPDC/National Mine Action Authority through the Vietnam Veterans of America Foundation, has documented over **225 km² of land contaminated with mines and UXO in Thi-Qar Governorate**, mostly around the Marshlands.²⁵

The authority responsible for mines and UXO clearance in Nassiriyah is the Iraqi Civil Defence (the fire service). There is a **Regional Mine Action Centre** located in Basrah City which is coordinated by the National Mine Action Authority.

d) **Freedom of Movement**²⁶

Thi-Qar Governorate has no external border crossing points. The closest border crossing points are Al-Shalamsha, located 30 km east of Basrah City on the border with Iran, and Safwan crossing point located south of Basrah City on the border with Kuwait. Passports or nationality certificates must be shown to cross international borders. Returnees travelling across external borders illegally risk hijacking, arrest by authorities or injury from mines/UXO.

Thi-Qar Governorate has internal boundaries with the Governorates of Basrah, Missan, Muthanna, Wassit and Qadissiya. Identification such as a food ration card must be displayed at Governorate boundary crossing points within Iraq. Returnees and refugees have been refused access at boundary checkpoints for having inaccurate or insufficient documentation, which severely impedes their ability to travel within Iraq.

There are no official curfews in place in Thi-Qar Governorate at present, but residents say that people rarely travel after dark because of safety concerns.

²² UN Security Council, *Resolution 1637 (2005)*, 11 November 2005, http://www.un.org/Docs/sc/unsc_resolutions05.htm.

²³ UN Security Council, *Security Council Press Statement on Review of Multinational Force, Development Fund for Iraq Mandates*, SC/8752 IK/548, 15 June 2006, <http://www.un.org/News/Press/docs/2006/sc8752.doc.htm>.

²⁴ UXO and mines sources of information include: National Mine Authority.

²⁵ MoPDC/UNDP, *Iraq Living Conditions Survey*, April 2005, <http://www.iq.undp.org/ILCS/PDF/Tabulation%20Report%20-%20Engilsh.pdf>.

²⁶ Freedom of movement sources of information include: Implementing partners, Border Authorities, MNF and returnees.

II. Legal Issues²⁷

A. Justice System

The **Main House of Justice** for Thi-Qar Governorate is located in Nassiriyah City and serves as both the district courthouse for Nassiriyah and the Court of Appeals for the entire Governorate of Thi-Qar. It includes the following courts:

- **First Instance Court for Nassiriyah District**
- **Felony Court**
- **Juvenile Court**
- **Personal Status Courts (marriage, divorce, alimony, inheritance etc.)**
- **Appeal Court**
- **Land Registry**
- **Notary Public's Office**
- **Enforcement Office**

District First Instance Courts are located in:

- Shatrah
- Rafei
- Qal'at Sukar
- Suq Al-Shuyukh
- Al-Fajr
- Chibayish

There are at least 45 judges staffing Thi-Qar's Courts. District courts have at least two judges each. District courts mainly carry out hearings for civil court cases and minor criminal offences while the Felony, Juvenile and Appellate proceedings are referred to the Nassiriyah Courts.

The **Thi-Qar Court of Appeal** deals with appeals against decisions from civil or criminal courts. In circumstances of extreme sensitivity, cases can also be referred to the Court of Appeal in Baghdad.

The **Bar Association** in Thi-Qar has been reformed since 2003 and advocates for improved counsel for defence lawyers. Communication with the Council of Judges and the police forces is considered relatively good in the Governorate.²⁸

In rural districts mediation by tribal and religious leaders is a preferred way of resolving disputes and cases tend to be submitted to the courts in situations where local solutions are unable to be sought. There is little oversight of the district courts and police stations and allegations have been filed with regional and national authorities in situations where due process has not been followed. Furthermore, influence from political groups and tribes remain, often affecting the courts' abilities to remain impartial and to provide fair trial. **Ombudsmen**, who would investigate corruption and the outside interference in court affairs, are not currently present in Thi-Qar's courts.

B. Restitution of Property Claims

The Iraq Property Claims Commission (IPCC) was established on 1 July 2004 as a means for dealing with illegal property confiscation that had occurred in Iraq. A revision to the IPCC

²⁷ Legal issues sources of information include: LAIC, Ministry of Justice, Bar Association, University Legal Departments, MoHR, MoI and IPCC/CRRPD.

²⁸ Criminal Justice Conference Southern Iraq, 12 December 2004.

statute was published on 10 March 2006 changing the name of the IPCC to the Commission for the Resolution of Real Property Disputes (CRRPD). The jurisdiction of the CRRPD runs from 17 July 1968 to 9 April 2003 and covers the following types of properties:

- *Properties that were confiscated and seized for political, ethnic reasons or on the basis of religion or religious doctrine or any other events resulting from the policies of the previous regime of ethnic, sectarian and nationalist displacement.*
- *Properties that were seized without consideration or appropriated with manifest injustice or in violation of the legal practices adopted for property acquisition. Exception is made to the properties that were seized pursuant to the law of agricultural reform, the cases of in kind compensation and appropriation for purposes of public use and which were actually utilized for public use.*
- *The State real properties that were allocated to the factions of the previous regime without consideration or for a symbolic amount.*

The CRRPD office moved from the Nassiriyah Court House, and is now based in Al Zeitoun Quarter (near the Women Teacher's Technical Institute), and has been processing property claims in the Governorate since May 2004. **The CRRPD office provides assistance with completion and submission of claims.** It also collects evidence from appropriate real estate registry and government offices, holds hearings and requests additional evidence on aspects of claims that need further clarification.

Between July 2004 and 26 October 2006, **the CRRPD office in Thi-Qar received 4,697 claims of which 1,981 have been processed** (of the 1,981 cases, 1335 withdrew their claim, 504 claims were rejected, 72 decisions returned property, and 67 decisions awarded compensation).²⁹ **Property restitution claims in Thi-Qar take two to three months to process** and poor coordination between government departments often slows down applications. The Thi-Qar CRRPD office is currently staffed by claims administrators, attorneys and office management staff.

To submit a claim to the CRRPD a claimant should submit the following documents to any CRRPD Office,³⁰ preferably to the one nearest to the real property in question:

- A completed CRRPD claim form (in Arabic or Kurdish);³¹
- Originals of supporting documentation;
- Copies of supporting documentation;³²
- A valid identification document (for claimant and/or representative);
- Evidence of representation signed by the claimant (if a representative is submitting the claim).

Claims from persons in Iraq must be filed in person or through a legally authorized representative.

²⁹ CRRPD, *The Weekly General Information Form*, 26 October 2006.

³⁰ A list of CRRPD offices in Iraq and their contacts can be found at, <http://www.ipcciraq.org/en/contactus.php>.

³¹ The claim form is available at any CRRPD Office, Iraqi embassies and consular offices and can be downloaded at <http://www.ipcciraq.org/en/forms05.php>.

³² Examples of supporting documentation include: property registration certificates, land contracts, certificates of the transfer of title, tax documentation and utility bills. Copies of the supporting documentation will be certified and submitted with the claim form after the originals are presented to and verified by CRRPD or Iraqi embassy/consular staff. Originals of documentation should not be submitted.

There is also the possibility to submit property claims from abroad. Out-of-country claimants (or their representative) can file their claims with Iraqi embassies and consular offices as well as any CRRPD office in Iraq.

There is no fee for filing a claim, both for in-country and out-of-country claims.³³

In Thi-Qar Governorate, whole villages were raised to the ground by the former regime and many others lost their homes due to artillery bombardments. Many of these houses were located in rural marshland areas and were not registered on the official land or estates registries. Many returning refugees and IDPs will therefore not qualify for compensation under the current legislation as the CRRPD has currently no jurisdiction for destroyed or damaged properties. Such claims must be processed through the ordinary civil courts.

Where returnees have had their nationality, personal records and assets erased by the former regime, access to entitlements has been very difficult to ascertain (see below *Section C: Reacquisition of Nationality*).

The CRRPD office in Nassiriyah is open from 08.00-15.00, Saturday to Thursday. For additional assistance in completing the forms, claimants and respondents may contact the CRRPD from 8.00-15.00 (Baghdad time) at the following mobile number until further notice: +9647901945767.³⁴

C. Reacquisition of Nationality

There are two documents in Iraq confirming Iraqi nationality:

- **Nationality Certificate.**
- **Civil ID card.**

Persons, whose nationality was withdrawn by the former regime, should apply for these two documents. In the process, their entitlement of citizenship will be checked. UNHCR's Legal Aid and Information Centre's (LAIC) based in Nassiriyah and Chibayish, and the MoDM Branch Office located in Nassiriyah, can assist with reacquisition of nationality by advocating on behalf of individual applicants to the authorities.

Applications to obtain the nationality certificate must be submitted to the Nationality and Travel Directorate/Ministry of Interior in Nassiriyah. An investigation into the reasons for loss of nationality will be carried out by the Nationality and Travel Directorate in Nassiriyah and a request for reacquisition will be sent to the MoI in Baghdad where a final verification is carried out. Accordingly, applicants are required to go to Baghdad in person for the documents to be approved. Final investigations in Baghdad can take anything from a week to several months to process and returnees do not often have the financial means to make the journey to Baghdad, therefore many do not apply. **Applications to obtain the civil ID card** must be submitted to one of the 20 MoI Identity Offices in Thi-Qar. **Delays** of several months are common when applying for nationality documentation in Thi-Qar. This is because of lengthy administrative processes in Baghdad where many of the

³³ For further guidance, see CRRPD, *Procedures for Persons Living Outside of Iraq* <http://www.ipcciraq.org/en/outofcountry.php>.

³⁴ CRRPD, *Contact us*, <http://www.ipcciraq.org/en/contactus.php>.

individual census documents were destroyed during the 2003 bombing of the Central Ministry of Planning building.³⁵

Procedures to reacquire the nationality certificate as well as the civil ID card are described under *Section D. Documentation*.

D. Documentation

This section deals with the issuance/renewal of identity documents, travel documents, passports, visas, birth, death and marriage certificates, social welfare cards, etc.

Civil ID cards

Civil ID cards are used in order to obtain most official documents, and can be applied for at any of the 20 MoI Identity Offices in Thi-Qar. The procedure to obtain a civil ID card usually takes three days; however in cases where nationality or records have been lost, delays of several weeks or months should be expected. A request should be forwarded to the ID Office with the following documents:

- Iraqi birth certificate. If the applicant is born outside Iraq, a new birth certificate approved by the Personal Status Court is required. In order to obtain a new birth certificate, the applicant needs the parent's marriage certificate or any other document that confirms the parent's marriage (e.g. parent's civil ID card);
- An official letter from the Civil Status Office in the applicant's hometown, listing the members of the family (*Sourat Qaid*);
- Food ration card;
- Letter from the *Mukhtar* confirming the applicant's residency;
- Father's, uncle's or grand-father's nationality certificate; in case none of these documents is available, different procedures will apply involving the Baghdad ID and Nationality office;
- Two personal photographs.

The fees for the issuance of the civil ID card amounts to 1,500 ID.

Nationality certificates

Nationality certificates are needed for most official purposes, and can be applied for at the Directorate of Nationality and Travel. The process normally takes three days after submission of the application. However, delays of several weeks or months can occur in cases where the original records have been lost or destroyed and the application needs to be referred to the Headquarters in Baghdad. Documents required are:

- An official letter from the Civil Status Office in the applicant's hometown, listing the members of the family (*Sourat Qaid*);
- Civil ID card;
- Food ration card;
- Letter from the *Mukhtar* confirming the applicant's residency;
- Two personal photographs.

The fees for the issuance of the nationality certificate amounts to 1,500 ID. Other costs may be involved for transportation, copying and stamps.

³⁵ The New York Times, *Fewer Iraqi Men: Dead or Undercounted?*, 8 August 2003, <http://www.genocidewatch.org/IraqAugust8DeadMen.htm>.

Passports

Passports can be applied for at the Passport and Residence Office in Nassiriyah. Applications usually take about three days to be processed. Passports are valid for two years. The following documents need to be submitted:

- Civil ID card;
- Nationality certificate;
- Food ration card;
- Letter from the *Mukhtar* confirming the applicant's residency;
- Four personal photographs.

The cost for issuance of a Passport is 25,000 ID.

Non-Iraqi spouses of Iraqi returnees should register with the Nationality and Residence Office in Basrah in line with Article 3 of the Foreigner Residence Law. Initial registration is for three months only after which non-Iraqi spouses need to extend their residency every six months. After three years of legal residency, non-Iraqi spouses can apply for the Iraqi nationality certificate. Registration requires the spouse to have a valid passport, visa and proof of entry through an official Iraqi border crossing point. This has caused difficulties for many who have travelled to Iraq outside the official crossing points, particularly in the immediate aftermath of the 2003 conflict. In case non-Iraqi spouses do not register or do not have the necessary documents, their stay in Iraq is considered illegal and they are subjected to detention and deportation.

Marriage certificates

Marriage certificates are issued by the Personal Status Courts, usually the next day, after submitting the following documents:

- Civil ID cards of both spouses;
- Nationality certificate of both spouses;
- Medical report;
- Non-Iraqis need to produce their national passport, visa and proof of official entry.

Two witnesses need to be present. The issuance of a marriage certificate amounts to 2,000 ID.

Birth certificates

Birth Certificates are required for the issuance of a civil ID card, to add children to the food ration card, facilitate registration of children at school and to apply for social welfare benefits. Birth certificates are issued by the Ministry of Health (MoH) Births/Deaths Administrative Offices located in the main public hospitals, usually within 15 days. To apply for a new birth certificate, a citizen is required to go to his/her place of origin. This creates hurdles for returnees and IDPs who may not be able to travel to their place of birth for economic, security or other reasons. The following documents are requested:

- Civil ID cards of both parents.

Birth certificates are issued at a cost of 3,000 ID. Returnee parents applying for Iraqi birth certificates for their children born abroad may also have to get authorisation through the Personal Status Courts which costs 3,000 ID.

Death certificates

Death certificates needed to obtain retirement benefits for a spouse or children as well as for inheritance purposes are issued by the MoH Births/Deaths Administrative Offices located in Public Hospitals. The death certificate is usually issued within three to seven days. Required documents are:

- Medical report;
- Civil ID card of the deceased person;
- Food ration card of the deceased person.

The issuance of a death certificate costs 200 ID.

Returnees with relatives that have deceased while abroad should apply for a death certificate in their host country before returning. In case they do not have a death certificate from the host country, they must get authorisation through the Personal Status Courts which will issue a death certificate. This may involve costs of up to 300,000 ID for legal representation and court fees.

Food Ration Cards (PDS Cards)

Returnees from abroad applying for the PDS food ration card for the first time should provide any MoT Office with the following documents:

- Civil ID card of all family members;
- Residence confirmation letter from the *Mukhtar*.

Applications usually take about thirty days to be processed. The registration is free. A copy of the birth/death certificate has to be sent to the PDS centre in order to include/exclude a newborn/deceased person on the family's food ration card.

Social security applications

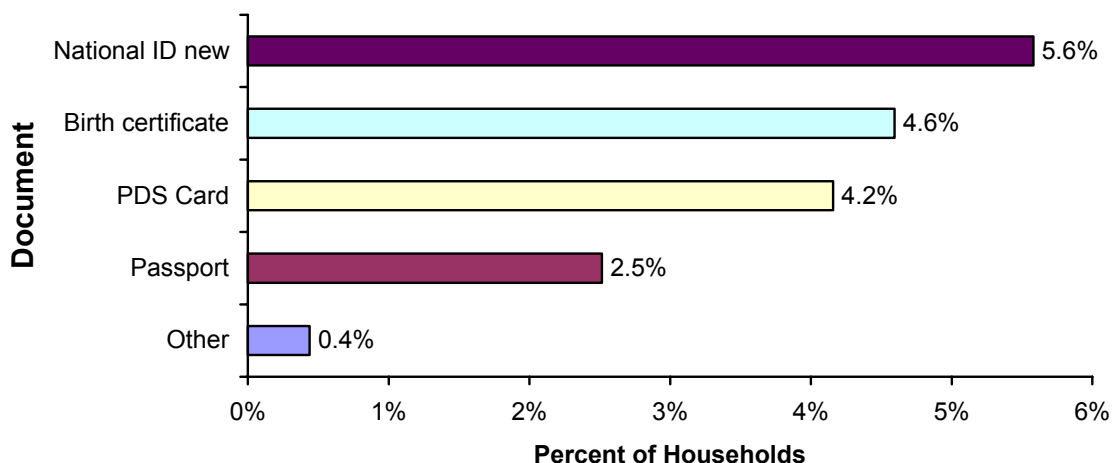
Social security applications are processed through the Ministry of Labour and Social Affairs (MoLSA). For further information, see Section on *Public Services*.

The MoDM Branch Office in Nassiriyah also provides letters of referral to returnees to facilitate the renewal of documentation. The LAIC provides legal representation in Iraqi courts and directorates without any fees imposed on the clients.

Returnees lacking other forms of documentation may need the death certificate or a civil ID card of their father or grandfather to prove their Iraqi identity or property inheritance. Under these circumstances, a search for identity and death certificate records may have to be conducted in the ID office in Baghdad which can result in long delays to applications.

Figure 1: Documents that monitored returnees had trouble renewing

(Sample of 914 households)



E. Human Rights³⁶

Since 2003, a number of Iraqi civil society organisations specialising in the field of human rights have been established in the Governorate of Thi-Qar. A number of these organizations have specialised in upholding the rights of women and children and contributions were sent to the Drafting Committee of the Permanent Constitution, advocating for recognition of the five UN Human Rights Conventions to which Iraq is already a signatory.³⁷

The Ministry of Human Rights (MoHR) has a regional office in Basrah Governorate which also deals with Thi-Qar Governorate. The MoHR catalogues the atrocities of the former regime and works with returnees, political prisoners and victims of human rights abuses. It is also investigating the thousands of missing persons and mass grave sites, a number of which have been found on the outskirts of Nassiriyah, and is gathering evidence regarding the drainage of the Iraqi Marshlands. The MoHR seeks to educate Iraqis on human rights and has been working with schools and authorities, including the ICS and the ISF.

Political organizations, persecuted and banned from operating under the former regime, have established their presence in Thi-Qar since 2003. The Political Prisoners Union has an office in Nassiriyah to advocate on behalf of people imprisoned as political opponents of the former regime.

Minority religious groups have expressed concern that the establishment and growing influence of religious and political groups in Nassiriyah since 2003 has impacted their ability to pursue their traditions, customs and ways of life. A small number of incidents directed at the Sunni community in Thi-Qar have been reported, including the killing of a Sunni cleric following the bombing of the Shiite shrine in Samarra (*See Security and Public Order: Chronology of Events*). Chaldo-Assyrian and Mandaean community members have become victims of persecution and criminality in South Iraq and consider themselves a vulnerable

³⁶ Human rights sources of information include: MoHR and international media.

³⁷ These are *The International Covenant on Civil and Political Rights*, *The International Covenant on Economic, Social and Cultural Rights*, *The International Convention for the Elimination of All Forms of Racial Discrimination*, *The Convention on the Elimination of All Forms of Discrimination against Women*, and *The Convention on the Rights of the Child*.

group because of their limited financial means and tribal links.³⁸ Given the weaknesses of the law enforcement and judicial system, there is currently no protection or redress available.

Minority tribal and ethnic groups are more vulnerable to persecution and criminality because of minimal opportunities to draw on the support and protection of influential powers such as political parties, militias or tribes.

Women's participation in social and political life in Iraq is recognized in the establishment of a National Women's Commission and the inclusion of women in electoral legislation. Yet in Southern Iraq women have reported a deterioration of opportunities for active participation in society, education and employment as well as increased pressure to adhere to conservative traditions, including dress codes.

Women, mainly from rural areas in the South, are at risk of '**honour killings**' which are seen as a way to cleanse a family's honour in cases where women's behaviour is believed to have brought shame on the family. The Iraqi *Penal Code* (Law No. 111 of 1969) contains provisions that allow lenient punishments for 'honour killings' on the grounds of provocation or if the accused had 'honourable motives'. No exact figures on the extent of the practice are available and many cases undoubtedly go unreported, but NGOs believe that in areas in which cultural values and traditions remain strong the tradition may be common. According to the German NGO Wadi, which has conducted assessments on domestic violence in some areas of the South, 'the situation is much worse in the South; it has been completely neglected, and the fact that there is no data on this issue shows that there is no assistance for women suffering there'.³⁹

Other traditions such as forced and/or early marriage are also common, mainly in rural areas. An NGO, who carried out research in Thi-Qar during 2006, **reported a notable increase in forced/early marriage, as well as the exploitation of children**, thought to be connected to the deterioration of social networks in the Governorate.⁴⁰

There is currently an absence of services for women within the judicial or security systems in Thi-Qar Governorate. Police stations rarely have a female staff member, lawyer or health adviser available for women to speak with. Furthermore, there are no institutions providing legal advice, social counselling, mediation programmes or shelter for women at risk of domestic violence, including 'honour killings'.

³⁸ The Assyrian Academic Society, *Chaldo-Assyrians of Iraq and the Iraqi Interim Constitution*, March 2004, <http://www.aina.org/reports/catal.pdf>.

³⁹ IRIN, *IRAQ: Focus on increasing domestic violence*, 14 October 2003, http://www.irinnews.org/report.asp?ReportID=37204&SelectRegion=Middle_East&SelectCountry=IRAQ.

⁴⁰ Warchild, Iraq Reports: http://www.warchild.org.uk/projects_1.asp?LocationID=148.

III. Housing/Land / Employment / Infrastructure / Public Services

A. Housing and Land⁴¹

UNHCR returnee monitoring indicated that housing is a key priority for returnees in the Governorate of Thi-Qar. Constraints in finding suitable housing contribute to the vulnerability of returnees and complicate sustainable reintegration. Increased demand for housing has increased costs of construction materials, and the cost of the purchase and rental of property. UNHCR Returnee Monitoring showed that almost 60% of surveyed returnees live in destroyed or severely damaged housing and 34% live in housing which has sustained moderate damage (see *Figure 2*). Monitoring further indicates that the condition of housing is much worse in rural areas than in urban areas and that most damaged rural housing is concentrated in the marshlands. In Chibayish District, over 60% of families surveyed are living in destroyed or severely damaged housing.

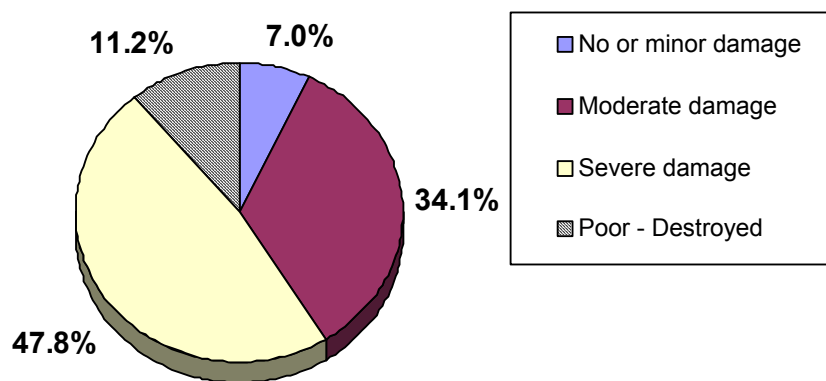
Returnees and IDPs in Thi-Qar face the following constraints to finding adequate housing in the Governorate:

- Misappropriation of property by the former regime;
- A highly inflated property market;
- Destruction of villages and housing by the former regime and looters;
- Tribal boundaries mean that returnees need to stay in districts with those of the same tribal background and are not free to settle in other areas. Accordingly, there are high numbers of returnees that do not intend to settle in their current location.

No housing projects have been completed in Thi-Qar Governorate since 2003.

Figure 2: Condition of housing

(Sample of 986 households)



⁴¹ Housing and land sources of information include: Ministry of Housing and Construction, UN-Habitat and international media.

B. Employment and Economy⁴²

Thi-Qar's economy is currently based on oil refineries and construction. The growth in construction has been partly the result of internationally funded projects in the Governorate. These projects only provide short-term employment opportunities however, rather than developing sustainable livelihoods.

The MoLSA Employment Centre in Nassiriyah City estimates the Governorate unemployment rate to be 61%, and has registered around 71,632 unemployed people in the Governorate.

The public sector is the largest employer and although many public service departments were dissolved after 2003, contributing to the high unemployment figures, there have recently been more positive signs of growth. Ministries and government departments, for example, have been increasingly employing young graduates. Public sector salaries have increased since 2003, but are still lower than in other parts of Iraq. In response to a call from the National Teachers Union on 20 November 2005, teachers in Thi-Qar and a number of other Southern Governorates held a one-hour sit-in to highlight the need to improve the economic situation of teachers. In October 2006, teachers continued their protest by holding a three-day sit-in Thi-Qar, as well as in Wassit, Kerbala and Missan. Newly qualified teachers in Thi-Qar receive a monthly salary of 125,000 ID compared to 300,000 ID received by equivalent teachers in the Northern Governorates administered by the Kurdistan Regional Government.

Agriculture has traditionally been the major sector of the economy in Thi-Qar and the Governorate is particularly famous for its production of rice. It is thought that Thi-Qar Governorate alone has the capacity to provide for all of Iraq's rice needs. Since the PDS was established under the Oil-for-Food Programme however, rice and other staples such as wheat have become unprofitable to grow because of the quantity of imported food. This has forced many of Thi-Qar's farmers to diversify into less profitable produce.

The main arable crops in Thi-Qar Governorate are:

- Barley and wheat – grown all over Thi-Qar;
- Corn – grown in Al-Garaf Sub-district;
- Rice – produced in Suq Al-Shuyukh, Al-Dawayah and Rafei;
- Tomatoes – grown in Chibayish, Al-Shatrah, Al-Dawayah and Rafei;
- Vegetables and fodder for animals are also grown around Thi-Qar.

The Governorate also has an estimated 250,000m² of palm groves, which produce dates, another significant export of the area.

Hurdles to agricultural production include:

- Lack of drainage systems;
- Poor living conditions of rural communities;
- Increase in rental costs of farmland and agricultural machinery;
- Lack of access to markets;
- Increase in costs of fertilizers and seeds.

Although agriculture was rated as a major source of income at village level, UNHCR Household Monitoring provides a vastly different picture with only a fraction of monitored households receiving income from this sector. Although returnees and IDPs are

⁴² Employment and economy sources of information include: MoT, MoLSA, Unemployment Registration Offices, Ministry for Municipalities and Public Works and international media.

returning to/residing in arable rural areas, they do not have access to local employment initiatives. This could be a result of skills change while abroad, tribal affiliations or a lack of property rights on return, or it could be related to the high number of returnees/IDPs with additional vulnerabilities who were monitored.

In July 2003, a vulnerability assessment carried out by GOAL estimated the average monthly income for families in Thi-Qar and Muthanna Governorates to be 24,274 ID.⁴³ It is estimated that the monthly income has increased slightly since 2003, but that costs of living have increased at a much faster rate, meaning that the poorest communities are less able to support themselves now compared to in 2003.

A number of initiatives have been implemented in Thi-Qar Governorate to strengthen the skills of vulnerable groups so that they can develop livelihoods. **The Workers Union in Thi-Qar ran training skills courses** for the unemployed, particularly young disadvantaged people, and courses included carpentry, literacy and computer training. The United Nations Industrial Development Organization (UNIDO) and the Food and Agriculture Organization (FAO) have also initiated a joint project to develop small-scale income-generating cottage activities. UNIDO has equipped two vocational training and demonstration centres with dairy, date, fruit, vegetable and cereal pilot processing lines and non-food processing technologies, mechanical workshop equipment, wood work and textile equipment.⁴⁴ UNHCR is also implementing livelihood projects in Thi-Qar.

Women have been found to play an active role in agriculture and other industries in Thi-Qar Governorate, however rural traditions and the high level of unemployment have meant that women have less access to employment than their male counterparts. Women have also been increasingly restricted to service and administrative positions since 2003. Furthermore, women receive lower wages than their male counterparts and their opportunities for promotion are fewer. Lack of kindergartens and child care facilities are thought to be reasons inhibiting opportunities for women to work in Thi-Qar.

MoDM has been working with other local authorities to reappoint returnees who formerly held public sector employment but who were dismissed by the former regime for political reasons.

C. Infrastructure and Communications⁴⁵

The infrastructure of Thi-Qar Governorate has seen severe under investment over the last 30 years.

Slow restoration of infrastructure, reform of service provision, corruption and mismanagement, the need for clarification on roles and legislation, delays to financial budgets and poor security have impacted on public service delivery in Thi-Qar Governorate. Furthermore, the delicate ecosystem of the marshlands has been badly affected by the former regime's drainage programme and will need years of investment to be rehabilitated. Dilapidated infrastructure has come under additional pressure due to large numbers of returns after the fall of the former regime.

⁴³ Goal, *Vulnerability Assessments in Post War Southern Iraq*, May-July 2003.

⁴⁴ FAO, *Promotion of Cottage Industry in Rural and Urban Areas*, November 2005, www.fao.org.

⁴⁵ Infrastructure and Communication sources of information include: UNDP, UNICEF, Ministry of Water and Sanitation, Ministry of Electricity, Ministry of Oil and Fuel.

a) Water and sanitation

The water treatment systems and sewerage networks in Thi-Qar have seen years of neglect in urban areas and are non-existent in many rural districts. Supply of water through water treatment systems is sporadic and not accessible to all. In urban areas, many rely on water tankers and reverse osmosis stations. Rural district towns often rely on water compact units, which only serve for an average of five years and which the Water Directorate does not have the resources to repair or replace. The water in Thi-Qar has a high saline content and derives from two water sources. The main source is salt water from the Euphrates River and the secondary source is sweet water from the Al-Garaf River (a branch of the Tigris River). In the Hammar Marsh area between Chibayish and Suq Al-Shuyukh, people drink water directly from the rivers and marshlands which is often contaminated because of the lack of sanitation systems.

b) Electricity

The Governorate of Thi-Qar has one electricity power station, which also serves Missan and Muthanna Governorates and is connected to the National Electricity Network, controlled in Baghdad. The power station currently produces 550 MW per hour of which 150 MW serve Thi-Qar.

It is estimated that Nassiriyah City receives an average of 18 hours of electricity per day, while rural district centres receive around 16 hours per day. Most isolated rural locations, including the Marsh areas do not have access to electricity.

A plan to increase electricity output by an additional 40 MW was designed by US and Iraqi engineers to enable the power station to better cope with shutdowns to the system, but funding availability and an implementation schedule are as yet unknown.

c) Fuel

The Governorate of Thi-Qar has an oil refinery, an oil distribution company and a gas factory which supply the Governorate with fuel and gas, mainly used for cooking, heating, generators and transport.

The availability of fuel has dropped and prices have increased as trucks from Basrah and Baghdad now travel to Thi-Qar to purchase fuel to cover their needs. In December 2005, the Iraqi government announced a sharp increase in the price of petrol, cooking and heating fuels. Premium gasoline rose by 200 percent while diesel jumped by the same amount. Regular gasoline rose by 150 percent and bottled household gas by 100 percent. The price of a litre of ordinary gasoline is 150 ID, a litre of benzene costs around 250 ID, and a litre of super benzene costs around 350 ID.

d) Telephone/Internet

National Iraqi telephone land lines operate in Nassiriyah City and some district towns, but have limited penetration into rural areas. Lines face frequent disruption because of poor wiring and network connections or wires being cut.

Mobile network coverage in the Governorate of Thi-Qar is mainly provided by two networks, the Atheer network and the Iraqna network.

Internet service providers can install private internet connections in people's homes in Thi-Qar Governorate and there are numerous internet cafes in Nassiriyah City.

e) **Post**

Each district and sub-district has a post office operated by the Ministry of Transportation and Communications. These offices are open from 09.00–14.00, Sunday to Thursday, except public holidays.

Postal Services for sending and receiving ordinary and registered mail are available, but are slow and unreliable. **Current and savings accounts** can also be opened at post offices, but are not widely used.

Post offices are also responsible for distribution of pensions and employment benefits as allocated through MoLSA to former state employees.

f) **Banking and Money Transfers**

The Central Bank of Iraq is the main public bank in Iraq and also oversees the administration of the public Rasheed and Rafidayn Banks, which all have branch offices in Thi-Qar. The Central Bank is run by the Ministry of Finance (MoF).

The Rafidayn Bank has offices in Nassiriyah City, Shatrah, Rafei and Suq Al-Shuyukh. The Rasheed Bank has three branch offices in Nassiriyah City and a branch in Qal’at Sukar. Both banks provide the following services: banking and the withdrawal of money, savings and current accounts, loans, cheques and bank drafts. Bank accounts can be opened with a nationality card and guarantors. **The private Radial Bank** also has a branch in Nassiriyah and specializes in building and construction-related payments.

The state-owned agricultural bank is located in Nassiriyah City and provides services for agricultural payments and loans.

All banks are open 08.30-14.00, Sunday to Thursday, except public holidays.

Credit and loans are available through public and private banks. Credit is most readily available through private money lenders who charge high rates of interest and who are unregulated.

g) **Transport**

Road transport services provide the most frequent form of transport in Thi-Qar Governorate (e.g. taxi, bus, trucks).

Boats are also used between Chibayish and Nassiriyah.

Main roads in Thi-Qar Governorate are in disrepair. Roads in rural areas are predominantly unpaved and maintenance usually falls to local communities or District Councils, who have limited funds for repairs.

The Basra-Baghdad Railway runs through Thi-Qar, stopping at Suq Al-Shuyukh and Nassiriyah, but only runs as far as Hilla because of security. The railway is undergoing repair work but provides freight and passenger services. The security of the railway line against hijackings is uncertain.

D. **Public Services**

While public service delivery is thought to have improved somewhat in the Governorate of Thi-Qar, it still falls dramatically short of the Governorate’s needs and does not

reach most rural communities, many of which are absorbing high numbers of returnees and IDPs.

a) Health⁴⁶

Lack of investment in the health infrastructure of Thi-Qar over the last 30 years combined with extensive looting following the fall of the former regime in April 2003, have led to the deterioration of health care in the Governorate. However, there has been an improvement in health infrastructure in Thi-Qar during 2006, witnessed in both the public health service and also in the private sector. A number of private medical centres have opened in Nassiriyah as well as a new private hospital and a public hospital.

There are nine government hospitals in Thi-Qar Governorate as well as two private hospitals. These are:

- **Nassiriyah General Hospital** (400 beds);
- **Nassiriyah Maternity and Children's Hospital** (286 beds);
- **General Public Hospital** (damaged during 2003 conflict);
- **Bint Al-Huda'a Hospital for Children** (opened in 2006);
- **Al-Haboby Maternity Hospital** (opened in 2006);
- **Rafei District Hospital** (85 beds);
- **Shatrah District Hospital** (85 beds);
- **Suq Al-Shuyukh District Hospital** (73 beds);
- **Chibayish District Hospital** (40 beds);
- **Al-Rabih** private hospital in Nassiriyah (20 beds).
- **Nassiriyah** (private hospital).

The Health Directorate in Thi-Qar Governorate aims to provide primary and preventative health care from Primary Health Centres (PHCs) and PHC Sub-units. There are **38 PHCs in Thi-Qar Governorate**, 14 of which are located in Nassiriyah City. They are open from 08.00 - 15.00 daily for preventative health services and general treatment and from 17.00 - 19.00 for public health services. Services include medical examinations, dental care, vaccinations, health education, laboratory analysis, administration, pharmacy and child care monitoring. Some PHCs once functioned as district hospitals and also have an emergency ward and delivery room. Furthermore, **there are 35 PHC Sub-units in Thi-Qar Governorate**. They are located in remote rural areas and are staffed with a doctor, nurse, health assistant and sometimes a pharmacist or a laboratory technician.

Drug supply is irregular and Thi-Qar has experienced frequent shortages of essential medicines and equipment. Drugs may be available at considerably higher prices at private pharmacies and are sold on the black-market, often without prescription, out of date or for purposes other than their intended use.

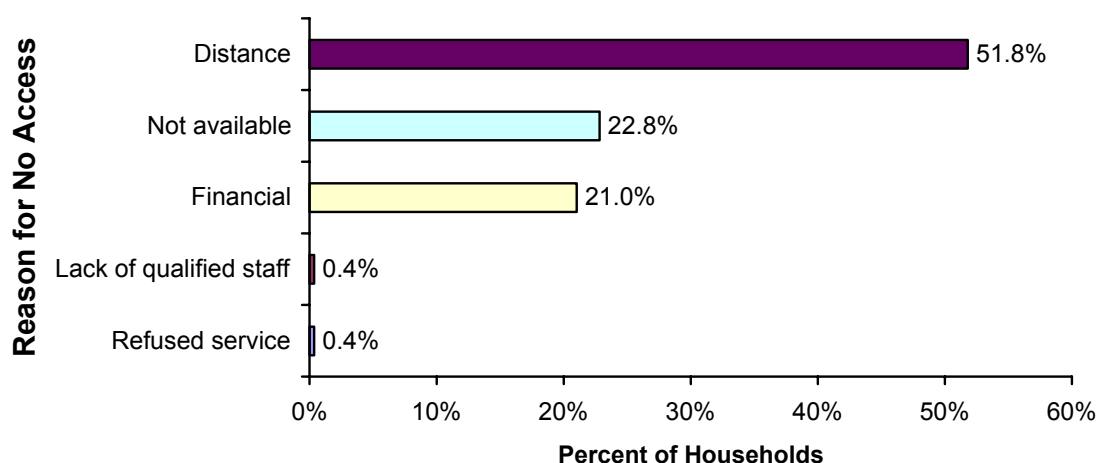
The Paediatric Unit in Nassiriyah hospital reports that 50% of its patients come from rural marsh areas and 90% are suffering from water-borne diseases, including typhoid, chronic diarrhoea, urinary tract infections and intestinal worms. Physicians have noted an increase in infectious diseases since 2003, particularly gastroenteritis in children.

28% or 276 out of 987 monitored households did not have any access to health facilities. The reasons for lack of access are outlined in *Figure 3* below. Almost all of those which gave 'Distance' as the reason for lack of access were living in isolated rural areas. Other main reasons provided were a lack of finances and that health facilities were unavailable.

⁴⁶ Health sources of information include: MoH and WHO.

Figure 3: Reasons for lack of access to health facilities

(Sample of 276 household forms which indicated no access to health facilities)



b) Education⁴⁷

The Ministry of Education (MoE) in Thi-Qar Governorate is responsible for school facilities. They are mainly located in Nassiriyah and the main district towns, meaning that a large part of the rural population has no access to education. All buildings were extensively looted in the aftermath of the fall of the former regime in April 2003. According to the MoE, only minor rehabilitation repairs have been made to date and many of the buildings have received no reconstruction work, however, MoE has plans to construct more schools in the governorate.

Enrolment rates for girls are significantly lower than for male children, in particular at the Secondary School level.

Thi-Qar has one University, which incorporates colleges for Education, Science, Arts, Law, Medicine and Engineering. The University of Thi-Qar is in urgent need of rehabilitation and is very short of resources. There are also two Technical Institutes located in Nassiriyah City and in Shatrah.

There are also pre-school facilities, most of which are located in Nassiriyah City and have been rehabilitated since 2003. However, services are still lacking in outlying districts. IDPs and returnees have been able to access these services in Nassiriyah City, but enrolment figures are unknown.

According to WFP, the Governorate of Thi-Qar has an illiteracy rate of 15.5%, in particular among women and girls (38.2%).⁴⁸

UNHCR Returnee Monitoring in the Governorate of Thi-Qar indicates that returnee children, particularly from the marshlands, have faced language barriers inhibiting their integration into the Iraqi education system. In the District of Chibayish, households monitored had a total of 411 children aged between 5 and 17, yet only 21 of them (all boys) were attending Intermediate or Secondary School. Other reasons for not attending school are

⁴⁷ Education sources of information include: MoE, Ministry of Higher Education and UNICEF.

⁴⁸ WFP Iraq Country Office and Central Organization for Statistics & Information Technology, *Food Security and Vulnerability Analysis in Iraq*, 2006, p. 162.

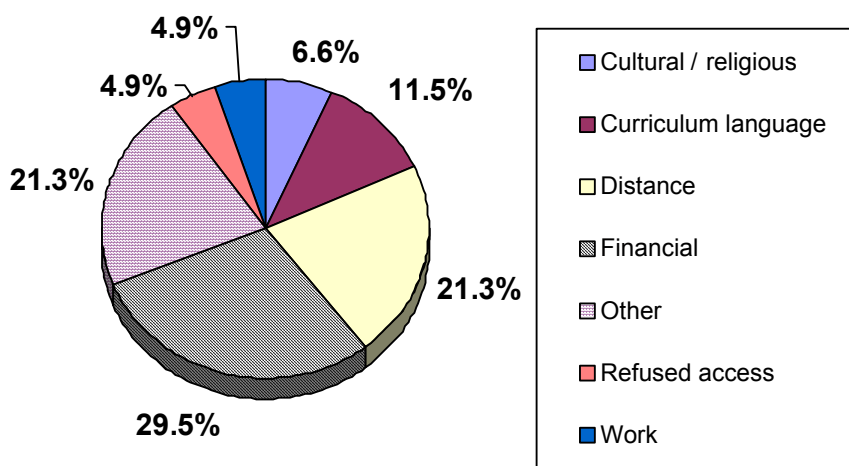
a lack of financial resources, the distance to education facilities, and the need to support the family through child labour (see *Figure 4*).

MoDM, MoE and NGOs in Thi-Qar have worked jointly to facilitate the reintegration and registration of returnee children within the free public education system. Assistance includes supporting families with children to acquire the legal documents needed to register.

In 2006, MoE and NGOs reported problems registering IDP children displaced to Thi-Qar throughout the year. Many, displaced after the February 2006 bombing in Samarra, did not take school certificates with them when they fled their place of residence, making it difficult for MoE to determine the children’s grade. LAICs and NGOs assisted the MoE in Nassiriyah and Chibayish to facilitate this procedure and obtain the necessary documents.

Figure 4: Monitored returnees’ reasons for not attending school

(Sample of 61 returnee households which gave reasons for not attending school)



c) Social Welfare⁴⁹

MoLSA has three main offices in Thi-Qar. The Labour and Unemployment Office and the Social Security Office are located together in central Nassiriyah City, while the Social Welfare Office is located in Al-Thawrah District of Nassiriyah City.

Pensions and social security

Prior to 2003, Iraq had two social security schemes, one for government employees (including military and semi-governmental agencies) and one for private sector employees. Under the *Civil Service Law for Government Employees* (Law No. 24 of 1960), **public-sector employees** are eligible for retirement at the age of 60 if they have served for at least 15 years in the public service; alternatively men can retire at the age of 55 if they have at least a 30-year service record while women can retire at 50 if they have at least a 25-year service record. After the fall of the former regime, the CPA and the Iraqi Ministry of Finance began reforming the existing pension scheme, including the increase of pension payments for pensioners as of 1 January 2004. Under the former regime pensioners received between 15-24,000 ID every three months, in early 2004 pensions were increased to a minimum of 95,000 ID and a maximum of 125,000 ID per quarter.⁵⁰

⁴⁹ Social welfare sources of information include: UNICEF, MoLSA and MoT.

⁵⁰ CPA, *Policy on Payment of Public Sector Pensions and Benefits for the First Quarter 2004*, 23 January 2004, <http://www.iraqcoalition.org/budget/1-4pensions.html>.

Military pension entitlement is allocated to military personnel if they retire at 63 years of age, if they have been injured during military service and their injuries are certified by a MoE medical committee, or if they have over 25 years of active service. If they are killed during active service, their families are eligible to receive their pension entitlement. Families with a relative killed by mines or UXO do not qualify for welfare benefit. Pensions paid to retired military personnel are 130,000-750,000 ID per month depending on the length of active service. Pensions paid to the family of those who have died in active service (a ‘martyr’s family’) is between 90,000 ID-250,000 ID per month. Members of entities dissolved by CPA Order No. 2 such as the Iraqi Army, the security and intelligence apparatus, and the Ministries of Defence, Information and Military Affairs are not entitled to pension payments if they were senior Ba’ath Party members, as is outlined in CPA Order No. 1.⁵¹

A returning refugee who has a public employment record and reached retirement age while abroad may be entitled to a pension on return. An application must be sent to MoLSA to renew pension entitlements. Persons that were stripped of their nationality by the former regime, must reacquire their Iraqi nationality before applying for the renewal of their pension entitlements.

The *Pension and Social Security Law for Workers* (Law No. 39 of 1971) covers **private-sector employees** of enterprises with five or more workers (except for agricultural employees, temporary employees, domestic servants and family labour). It provides for old-age pension at the age of 60 for men and 55 for women after 20 years of contributions, or at any age with 30 years of contributions for men and 25 years of contributions for women. Furthermore, it guarantees a disability pension in case of permanent or long-term loss of at least 35 percent of the working capacity and a survivor pension (if the deceased was a pensioner or met the contribution conditions for the old-age pension). The law also covers sickness, maternity and work injury benefits. These programmes are administered by the Labour and Social Security Institute under the general supervision of MoLSA.⁵²

UNHCR Returnee Monitoring found that returnees face additional constraints accessing pensions and benefits because of lost documentation, time overseas during which they defaulted on pension payments and because the former regime cancelled the benefits of Iraqis and their families who fled Iraq as refugees.

Social welfare benefits

The *Law of Social Welfare* (Law No. 126 of 1980) provides for a monthly salary to poor families, including older persons with no income, widows or divorced women with children, orphans and persons with disabilities. **MoLSA is responsible for welfare benefits**, some of which were cut in 2003 and others of which have strict quotas, meaning that many who would be eligible under the existing criteria are still unable to access the schemes.

Returnees are entitled to apply for welfare benefits, and should approach MoLSA / Social Welfare Office to see if they are eligible for benefits with the following documents:

- Civil ID card of all family members;
- Family’s food ration card;
- Spouse’s nationality certificate;
- Deceased spouse’s death certificate (if the applicant is a widow);

⁵¹ Sections 3.5 and 3.6 of CPA Order No. 2, *Dissolution of Entities with Annex A*, 23 August 2003, http://www.iraqcoalition.org/regulations/20030823_CPAORD_2_Dissolution_of_Entities_with_Annex_A.pdf.

⁵² U.S. Social Security Administration, *Social Security Programs Throughout the World, Iraq*, 2002, <http://www.ssa.gov/policy/docs/progdsc/ssptw/2002-2003/asia/iraq.pdf>.

- Parents' death certificate (if the applicant is an orphan);
- Divorce certificate (if the applicant is a divorced woman);
- Medical report (if the applicant is a disabled person).

The Emergency Social Protection Project will introduce a modern management and information system to help improve targeting and reduce leakages, thereby increasing the benefits that reach the poor.⁵³

In addition, the Iraqi Government decided to use revenues from increased fuel prices to pay monthly stipends (between 50,000-150,000 ID) to some vulnerable families.

Communities in rural areas have limited access to MoLSA services because of security and travel constraints. MoLSA currently has no outreach capacity in Thi-Qar Governorate. Many people travel across the Governorate in hope of finding assistance and crowd outside the MoLSA offices for hours each day, often with no result.

MoLSA's Social Welfare Office has three homes for abandoned children (girls, boys and pre-school age children) and schools for children who are unable to see or hear (Al-Amal School). The office also has responsibility for a Kindergarten and has opened a drop-in centre for children with the support of Warchild, an international NGO. All of these buildings have been rehabilitated although further equipment and staff training are desperately needed.

Food distribution

The **PDS** is the prime source of food for Iraqi families of limited income. A monthly food ration is available to all Iraqi households and food is available at a subsidised price. The PDS is indispensable for many, but its quantity and quality are still considered inadequate for the needs of the population. Returnees should therefore consider the PDS as a supplement rather than a sole source of food. Nevertheless, UNHCR Returnee Monitoring showed that the large majority of returnee families solely rely on the PDS for their food intake (e.g. 90% of monitored returnee households in Rafei District, 94% in Shatrah District).

Despite the PDS, **food insecurity** persists in Iraq. The WFP Baseline Food Security Analysis in Iraq (2006)⁵⁴ established that in the Governorate of Thi-Qar most factors related to malnutrition are above the national average, with the exception of stunting. Among the children in Thi-Qar:

- 23.9% are **stunting** (national average: 25.9%);
- 20.0% are **underweight** (national average: 15.7%);
- 14.4% are **wasting** (national average: 9.0%).

The situation is of particular concern in the District of Shatrah, with the highest proportions of stunting children (35.1%) and underweight children (29.7%) in the Governorate. The District of Suq Al-Shuyukh has a wasting rate that is nearly triple the national average (20.5%).

A small number of returnees monitored in Thi-Qar indicated difficulty in registering with the PDS. Returnees can register at any of the local village MoT distribution centres or at the main distribution centre in Nassiriyah City.

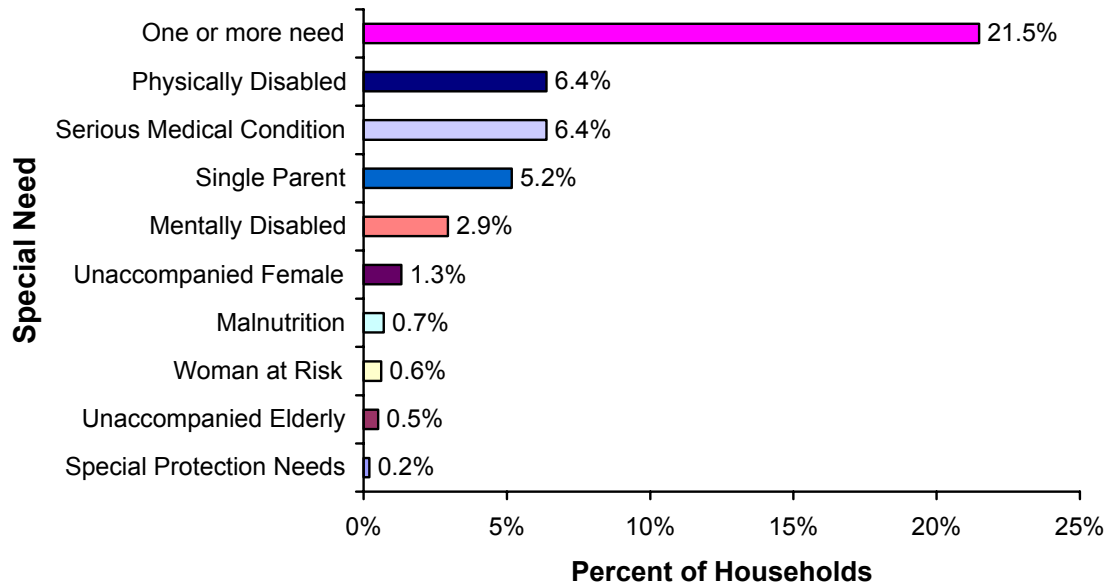
⁵³ World Bank, *The World Bank Iraq Trust Fund Newsletter*, Volume 1 / Issue 7, June 2006, [http://siteresources.worldbank.org/IRFFI/64168382-1092419012421/21008602/ITFNewsletterJune2006\(Final\).pdf#search=%22Social%20protection%20network%20Iraq%20%22](http://siteresources.worldbank.org/IRFFI/64168382-1092419012421/21008602/ITFNewsletterJune2006(Final).pdf#search=%22Social%20protection%20network%20Iraq%20%22).

⁵⁴ WFP Iraq Country Office – Central Organization for Statistics & Information Technology (Ministry of Planning and Development Cooperation, Iraq), *Food Security and Vulnerability Analysis in Iraq*, 2006.

Figure 5 shows a high number of returnees and IDPs in Thi-Qar Governorate and their multiple vulnerabilities.

Figure 5: Special needs of households monitored in Thi-Qar Governorate

(Sample of 987 households)



Despite efforts to reform the pension and welfare systems in Iraq, a large number of needy people continue to live with insufficient or no assistance from the Government, leaving them dependent on family structures and charity.

d) Religious Facilities and Pilgrimage⁵⁵

The Ministry of Religious Affairs was dissolved in 2003 and replaced by two Religious Affairs Endowments Offices (one for Sunnis and one for Shiites), which are responsible for the upkeep of religious buildings and facilities in Iraq. The offices are also an important part of Iraq's social security network and administer funds from *zakat* (funds donated to the poor in Ramadan) and *waqf* (legacies committed for religious works).

The Endowments Offices are also responsible for the organisation of religious occasions and pilgrimages, including *Haj* (the pilgrimage to Mecca). In 2003 and 2004, thousands of pilgrims participated in *Ashoora* and other religious festivals. Pilgrims from across the Middle East crossed through Basrah Governorate to travel to the holy cities of Najaf and Karbala.

In 2005, Iran and Iraq reached an agreement allowing for 1,000 Iranians to visit the shrines of Najaf and Karbala every day beginning in August, although this was subject to postponement for security reasons.⁵⁶ Potential pilgrims should check current procedures for pilgrimage with the authorities in their country of residence to ensure that they have the necessary approvals and documents before travelling. Pilgrims found crossing borders illegally without required documentation may be detained or forcibly returned by the authorities.

⁵⁵ Religious facilities and pilgrimage sources of information include: Endowments Offices, religious leaders and religious minorities.

⁵⁶ Azzaman Newspaper, *Iranian Pilgrims to resume journeys to Iraq in August*, 2005.

Christian and Mandaean religious festivals are recognized in Thi-Qar Governorate. The Mandaean religion (following John the Baptist) is practised openly and includes ceremonies of baptism in the local rivers. Christian services are held in Nassiriyah church, but the ringing of church bells and other overt expressions of religious belief are prevented for fear of reprisals.

E. Cultural and Sporting Activities

The Governorate of Thi-Qar is home to the Zigarrat and archaeological ruins of the ancient cities of Ur and Larsa. The Ministry of Culture also has a museum in Nassiriyah City which contains a collection of Sumerian relics. Thi-Qar's archaeological history is being badly damaged by the looting of historical sites.

The Ministry of Youth and Sport manages centres across Thi-Qar Governorate, providing community services mainly for young people. Thi-Qar Governorate also has a number of sporting federations and a sports stadium in Nassiriyah.

F. Civil Society and Media

Since 2003, civil society organizations (CSOs) and NGOs (Non-Governmental Organizations) have grown in strength and numbers in the Governorate. There are over 100 registered CSOs, as well as a number of umbrella organizations including the Iraqi Commission for Civil Society Organizations. There are also a number of professional associations, trade unions and tribal councils.

Print Media has proliferated in Thi-Qar since the fall of the former regime. National newspapers are most widely read and include Al-Sabah, Azzaman, Al-Baina, Al-Adala and Tareeq Al-Sha'ab. A wide range of local newspapers were established in 2003, but many have stopped publishing because of lack of funding. Local newspapers are less trusted as a source of information.

Thi-Qar has access to satellite **TV stations** including Al-Iraqiyah, Al-Sharqiyah, Al-Hurrah Iraq and Al-Arabiyah.

IV. Repatriation / Relocation / Return⁵⁷

A. Spontaneous Repatriation Procedures (without UNHCR facilitation)

Any person travelling across Iraq's borders, including returning refugees, is required by Iraqi law to register his/her arrival with the Passport and Customs Authorities. Returnees that do not register at the border can register with the Passport and Residence Office in Thi-Qar. However, many do not register because they are afraid of incurring penalties for crossing the border illegally.

Almost 80% of monitored households returned to Thi-Qar Governorate during 2003, before official border crossings and procedures were established, and therefore they do not have official stamps or border crossing registration. This inhibits their re-acquisition of documentation and citizenship and access to basic services as well as affecting their freedom of movement.

Returnees that did not register at the border can register with the Passport and Residence Office in Thi-Qar and should do so immediately on arrival, explaining their reasons for delayed registration. **In May 2003, Iraqi Law No. 102 (1999) was reactivated in Thi-Qar** Governorate, under which fines of ID 120,000 (US \$80) may be charged for delayed registration with border authorities. In order to avoid penalties, returnees should check current registration and border crossing procedures with local authorities and abide by them.

Returnees should bring any documentation they possess back to Iraq with them, even if it is outdated. This includes civil ID cards, nationality certificates, military service cards, property documents and birth/death certificates of deceased relatives which could assist in obtaining new documentation, proving Iraqi citizenship or regaining property.

Returnees should apply for **Iraqi visas for non-Iraqi spouses or children** before approaching the border. Iraqi Visas for persons of other nationalities must be applied for at an Iraqi Embassy before crossing the Iraqi border. The documents required for such a visa are:

- Spouse/parent's Iraqi nationality certificate (copy or original);
- Spouse/parent's valid national passport (alternate to above document if in copy);
- Couple's marriage certificate / child's birth certificate;
- Two personal photographs of applicant;
- Applicant's valid national passport.

Returnees are currently exempted from customs charges (previously up to US \$20 or 30,000 ID) for the transit of personal luggage through the border crossing point. Returnees should note that border crossing charges are subject to change and returnees should check current charges with local authorities. Returnees should be aware that customs authorities routinely check persons crossing the borders for prohibited items (e.g. firearms and drugs) and that prosecution could result in imprisonment.

Returnees are advised to register with the MoDM branch office in Thi-Qar, which can also facilitate their reacquisition of documentation and basic citizenship entitlements.

⁵⁷ Spontaneous repatriation sources of information include: Border Authorities and UNHCR.

B. Voluntary Repatriation Procedures (with UNHCR facilitation)⁵⁸

Refugees interested in voluntarily returning to Iraq should register their interest with UNHCR offices in their host country. Assisted voluntary return convoys are operated from Iran but have not taken place since January 2006 due to the security situation. Return convoys are no longer operating from Saudi Arabia. Once refugees have completed the application procedures, they will be informed of opportunities for return on a repatriation convoy.

Once a returnee family has expressed their wish to return voluntarily, they will be requested to fill in a manifest at a UNHCR office, giving their families details and intended travel dates. UNHCR will then transfer these details to MoI in Iraq, who will check the names and clear their entry. If the returnee family have appropriate travel documents, they can travel on their own without assistance. However, if there are large groups of people returning, the Iraqi authorities need to be informed.

After crossing into Iraq, the return convoys travel to the Returnee Reception Centre (RRC) at Maqal Port in Basrah City, where returnees register with border authorities and complete immigration procedures.

Returnees should be aware that, in addition to the travel time of convoys, the border procedures can take up to three hours and registration at the RRC up to four hours, depending on the size of the returnee group. Returnees can arrange for friends or relatives to collect them from the RRC but they must wait until registration has been completed for the entire convoy before family members are allowed to be reunited with returnees.

Each returnee will be given US \$20 to cover onward travel costs and initial reintegration expenses. Returnees will receive mine awareness training at the Reception Centre and medical facilities are available for those with health conditions.

Onward transport from the RRC in Basrah to a central point in Thi-Qar Governorate, usually Nassiriyah or Chibayish is provided for returnees. However, transport within Thi-Qar Governorate must be arranged by the returnees themselves. Returnees should be aware that all furniture and belongings must be transferred onto new transport for onward journeys from the RRC.

MoDM encourages persons returning to the Governorate of Thi-Qar via UNHCR facilitated returns process to also register with the MoDM Branch Office in Nassiriyah City (see Section A: Spontaneous Repatriation Procedures).

⁵⁸ Voluntary repatriation sources of information include: Shalamsha Passport and Customs offices, UNHCR.

V. Organizations Providing Humanitarian and Development Assistance

The following organizations provide services in areas of return in Thi-Qar Governorate. It is important that returnees are aware of the limitations of these services, which are often over-stretched and under-resourced. Some of the organizations listed below do not have the capacity to receive individual returnees. Returnees should seek assistance from local authorities in the first instance. Contacting any of the organizations listed below does not guarantee assistance and returnees should not hold such organizations' staff accountable if they are unable to assist in a particular situation.

A. International Agencies

- **UNHCR** - (www.hcriraq.org) – In Thi-Qar Governorate, UNHCR is providing community assistance, individual assistance and protection assistance to returnees through, health, livelihoods and water projects, mainly in rural areas. UNHCR is also facilitating voluntary repatriation to Thi-Qar (dependant on security), monitoring the situation of returnees/selective IDP locations in the Governorate, supporting two LAICs, and has distributed NFIs to IDPs in Thi-Qar.
- **UNAMI** – (www.uniraq.org) – The United Nations Assistance Mission for Iraq is coordinating UN activities in Iraq.
- **UNDP** – (www.iq.undp.org) – UNDP is currently implementing the Iraq Reconstruction and Employment Programme.
- **UNICEF** – (www.unicef.org) – UNICEF is supporting a drop-in centre for street children in Nassiriyah as well as providing water and education projects.
- **FAO** - (http://www.fao.org/reliefoperations/en/news/89449/highlight_42207.html) – FAO is working on agricultural and livelihood programmes in Thi-Qar Governorate.
- **UNEP** – (<http://marshlands.unep.or.jp/>) – UNEP is working on biodiversity and marsh restoration projects in Thi-Qar Governorate.
- **IOM** – (www.iom-iraq.net) – IOM is working on health and migration initiatives in Thi-Qar Governorate, carried out monitoring activities of IDPs and has distributed non-food items to IDPs.

B. Government Development Agencies

- **DFID** – (www.dfid.gov.uk) – DFID is supporting the PRT (Provincial Reconstruction Team) which is based in Basrah but working in all Governorates in Southern Iraq, as well as infrastructure reconstruction in water, electricity and essential service sectors.
- **USAID** – (www.usaid.gov/iraq) – In Thi-Qar Governorate, USAID is funding community action programmes, education, water, governance and civil society projects.

C. International Non-Governmental Organizations

- **INTERSOS** – (<http://www.intersos.org/IRAQENG.HTM>) – Intersos is providing medical and mine awareness support to refugees returning via UNHCR-facilitated returns. Intersos is also implementing quick-impact projects and is operating two LAICs in Thi-Qar Governorate.

- IMC – (imcworldwide.org/programs/iraq.html) – Is implementing health and water projects in Thi-Qar Governorate.

D. Iraqi Non-Governmental Organizations

- Iraqi Red Crescent Society – IRCS has an office in Basrah and is providing health assistance in Thi-Qar.
- Rafha Organization – This organization is representing and advocating the needs of the returnee community to local authorities and development organizations. Rafha has also implemented community projects in Basrah.

Other Iraqi NGOs – Current estimates put the number of Iraqi NGOs working in Thi-Qar Governorate at over 150.

E. Government Offices/Other Institutions

Governorate Directorates are open from 8.00 to 15.00, except on holidays and Fridays.

- Governorate Building
Government Administration Building, Al-Nehar Street, Al-Jazeera Quarter, Nassiriyah City.
- House of Justice
Government Administration Building, close to Al-Nasear Bridge, Nassiriyah city.
- CRPPD Thi-Qar Office
Local Administration Building, next to Female Teachers Preparatory Institute, Area No. (111), Zuqaq No (8), Nassiriyah City.
- LAIC
Local Administration Building, close the Female Teachers Preparatory Institute, Al-Eda'ara EL-Mehalya Area, Al-Jazeera Quarter, Nassiriyah city.
- Maternity and Children's Hospital
Close to the Complex of Housing Units, Al-Shamia Quarter, Nassiriyah city.
- MoDM Branch Office
Al-Eda'ara El-Mehalya Area, Al-Jazeera Quarter, Nassiriyah city.
- MoE Directorate
Al-Haboby Street, downtown, Al-Jazeera Quarter, Nassiriyah city.
- MoH Directorate
Al-Haboby Street, downtown, in front of MoE, Al-Jazeera Quarter, Nassiriyah city.
- MoH, Births/Deaths Administrative Offices
Al-Haboby Street, downtown, close to Al-Huda Primary School, Al-Jazeera Quarter, Nassiriyah city.
- MoI, Identity Offices - Nassiriyah
In front of Nassiriyah General Hospital, Al-Jazeera Quarter, Nassiriyah city.

(MoI, Nationality and Travel Directorate, and the Passport and Residence Office are based in the same government administration building)

- Al-Islah
- Ur
- Al-Batha
- Sayeed Dakhil
- Suq Al-Shuyukh
- Al-Fadhliyah
- Al-Garmah
- Al-Tar
- Rafai
- Qalat Sukar
- Al-Fajur
- Al-Chibayish
- Al-Fuhood
- Al-Hammar
- Al-Dawayah
- Shatrah
- Al-Nasur
- Al-Gharaf
- Al-Ekekah

- MoI, Nationality and Travel Directorate
In front of Nassiriyah General Hospital, Al- Jazeera Quarter, Nassiriyah city.
- MoI, Passport and Residence Office
In front of Nassiriyah General Hospital, Al- Jazeera Quarter, Nassiriyah city.
- MoLSA, Labour and Unemployment Office
Administration Building, Al-Nehar Street, Al- Jazeera Quarter, Nassiriyah city.
- MoLSA, Social Security Office
Administration Building, close to Nassiriyah Post Office, Al- Jazeera Quarter, Nassiriyah city.
- MoLSA, Social Welfare Office
Administration Building, close to Thi-Qar Police Directorate, Al-Shamia Quarter, Nassiriyah city.
- MoT, main Food Ration Centre
Government Administration Building, Al-Neal Street, Al- Jazeera Quarter, Nassiriyah City.
- University of Thi-Qar
Governmental Administration Building, close to Nassiriyah Stadium, Al-Shamia Quarter, Nassiriyah City

ANNEX I: Summary of Returnee Monitoring Findings and Recommendations

A. UNHCR Returnee Monitoring in Thi-Qar Governorate

UNHCR has been monitoring returnees in Thi-Qar Governorate since October 2003 in order to determine to what degree Iraqi refugees can return in safety and dignity. As of 31 January 2006, 442 village surveys, 12 group surveys and 987 household surveys had been performed and entered into a central database. Note that village surveys describe the overall situation within the village, group surveys provide information on groups of returnees and IDPs, while household surveys focus on the situation of individual returnee families.

Figure 6: Returnee Monitoring in Thi-Qar Governorate

	Monitored villages, households and returnees	Comments
Monitored Villages	442	Districts of Nassiriyah, Suq Al-Shuyukh, Chibayish, Rafei and Shatrah
Monitored Groups	12	Suq Al-Shuyukh
Monitored Households	987	Districts of Nassiriyah, Suq Al-Shuyukh, Chibayish, Rafei and Shatrah
Estimated returnee population	205,890	Estimated returnee population from village surveys

The figures in this report are based on 987 household surveys. The sample size in each figure refers to the number of households which provided an answer to the relevant question.

B. Employment

Issue: Unemployment in Thi-Qar Governorate has been a critical issue for the entire population since the collapse of the former regime. A major reason for this was the dissolution of the Iraqi Army in 2003, which used to be a major employer in the Governorate. Nassiriyah has seen economic growth since 2003, based mainly on construction. Agriculture could provide sustainable livelihoods for many of the Governorate's rural poor if it was developed, but the sector has seen little growth and investment. Households monitored in Thi-Qar rated agriculture low as a source of income, although it was rated highly by village leaders in returnee-receiving communities, suggesting that returnees and IDPs lack access to employment opportunities in this sector.

Recommendation: UNHCR and MoDM to continue developing rural livelihoods approaches through implementing partners.

C. Shelter

Issue: Shelter is a key priority of monitored households in Thi-Qar Governorate as a result of villages destroyed by the former regime and the drainage of the Hammar Marshland. At the end of October 2006, the CRRPD in Thi-Qar has received 4,697

applications of which only 1,275 have been dealt with, leaving a sizeable backlog of cases.⁵⁹ An additional obstacle to reclaiming properties is that prior to their displacement, many returnees were living in housing that was not registered with the land registry office and therefore they are unable to place claims through the CRRPD. Property that was destroyed or damaged also falls outside the jurisdiction of the CRPPD.

Recommendation: CRRPD and MoDM to explore opportunities to provide compensation to families who have lost property not registered with the land registries and to clear the backlog of cases. UNHCR and MoDM should work with the Directorate of Housing to seek shelter strategies in Thi-Qar for the rural and the urban displaced.

D. Public Services

Issue: Access to public services is considered a priority in rural areas, including in Chibayish and Suq Al-Shuyukh as well as in poor urban districts of Nassiriyah City. A high number of returnees monitored said that health and education are simply not ‘available’ to them.

Recommendation: Advocacy is needed to ensure that public services can be accessed by all, including those living in rural isolated areas that are absorbing a high number of returnees and IDPs. Extra resources are needed to ensure that Iraqis living in these areas are given the same access to services as other Iraqis.

E. Water

Issue: The rapid increase in gastroenteritis, dysentery and water-borne diseases in children is a major concern in Thi-Qar Governorate. This problem is particularly acute in the rural marsh areas, where sanitation channels often run into rivers and contaminate sources of water collected for drinking.

Recommendation: Advocate with the Ministry of Water Resources and Sanitation and the Ministry of Health to **increase the reach and availability of water and sanitation services in Thi-Qar Governorate**

F. Health

Issue: Over 50% of rural villages monitored do not have health care centres. Distance and financial constraints further inhibit monitored households from travelling to town centres to seek health assistance.

Recommendation: Advocate with WHO and the Ministry of Health for improved health services, health and hygiene education and infant and maternal health care in rural areas.

G. Social Insurance

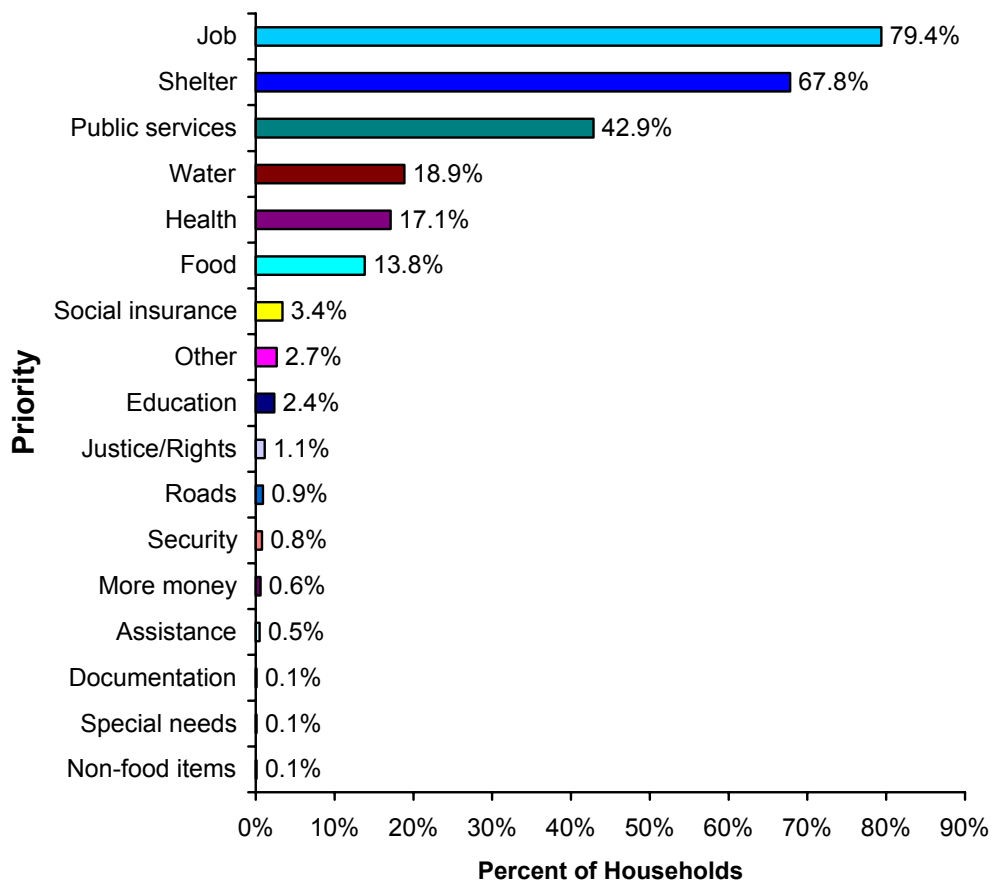
Issue: Over 21% of monitored households in Thi-Qar Governorate have a family member with a vulnerability. Furthermore, the large number of men killed or injured in the Iran-Iraq War, the 1991 Gulf War and the 1991 Uprising have left a high number of families without a male head of household.

⁵⁹ CRRPD, *The Weekly General Information Form*, 26 October 2006.

Recommendation: Develop programmes which assist vulnerable persons to develop sustainable livelihoods. MoDM to advocate with MoLSA to increase the current ceiling of persons receiving welfare benefits in Thi-Qar Governorate and to develop outreach services to rural communities.

Figure 7: Top three priorities of returnee households monitored in Thi-Qar Governorate

(Sample of 975 households which indicated their top three priorities. The values do not add up to 100% because households listed up to three priorities for assistance)



ANNEX II: Overview of Displacement and Return Situation

A. Displacement from the Governorate of Thi-Qar

Following Iraq's occupation of Kuwait in August 1990 a US-led Coalition fought against the former regime, penetrating Iraq as far as Nassiriyah, the capital of Thi-Qar Governorate. Following the US withdrawal from Iraq in March 1991, the Shiites of Thi-Qar and neighbouring Governorates rebelled against the former regime in what would be known as the 'Shiite or *Shabayna* Uprising'.

To suppress the uprising, the former regime retaliated with a brutal campaign during which it destroyed villages by aerial bombardment and bulldozing, killing and displacing thousands. The Chibayish District of Thi-Qar was particularly targeted. Human Rights Watch reported that 2,500 villagers, including women and children, were rounded up together with captured fighters and taken to an army camp in Northern Iraq, where they were allegedly executed over a two week period.⁶⁰

The suppression of the Shiite population in Southern Iraq included a drainage programme for the marshlands, on which the predominantly rural population depended on for their livelihoods and sustenance. The Hammar Marsh, one of the largest expanses of marshland in Iraq and running from Nassiriyah to Chibayish, was severely damaged, turning much of the area to desert and having a devastating impact on the whole Governorate.

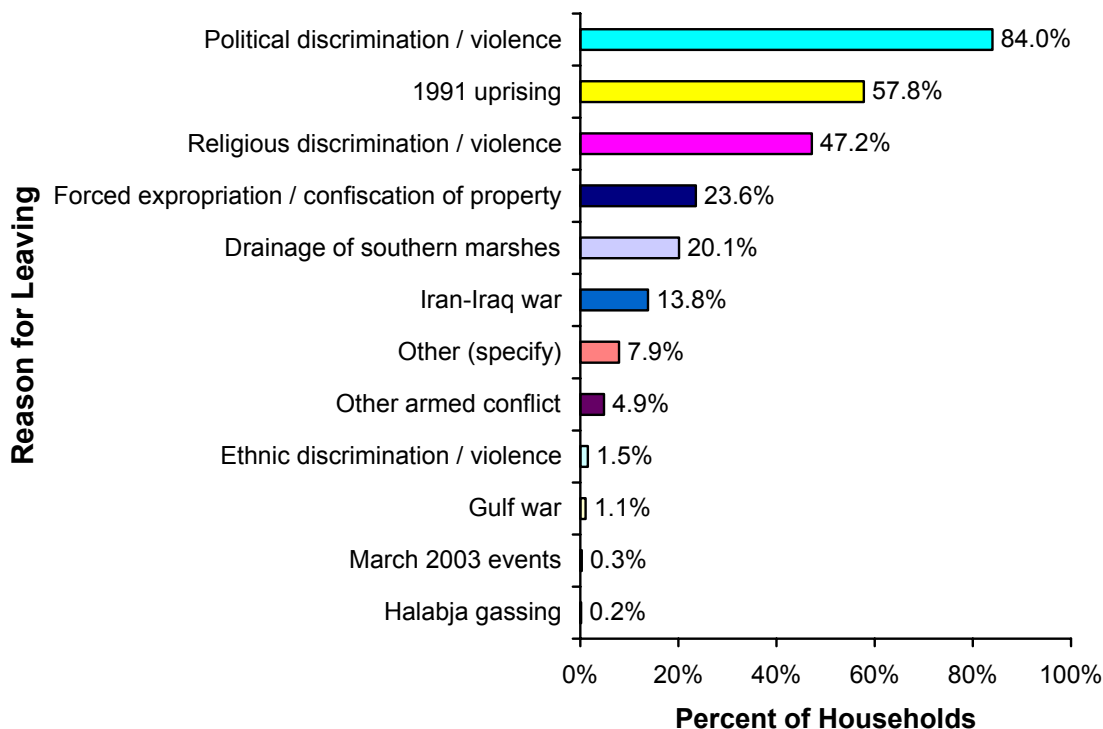
In the years to come, the drainage campaign was implemented to make the area more accessible to the former regime as it was known to harbour members of the opposition. By draining the marshes, thousands of people were displaced and their traditional ways of life and environmental habitat were destroyed. The repercussions of the drainage are still being felt today and secondary displacement is occurring as poorly managed re-flooding programmes continue to destroy houses and settlements.

Accordingly, political and religious persecution, and in particular the suppression of the 1991 Uprising, have been named as the major reasons for displacement from the Governorate of Thi-Qar (see *Figure 8*).

⁶⁰ Human Rights Watch, *The Iraqi Government Assault on the Marsh Arabs*, January 2003, <http://www.hrw.org/mideast/iraq.php>.

Figure 8: Reasons for leaving Iraq

(Sample of 987 households. The values do not add up to 100% because households listed up to three reasons)



As of December 2005, IOM accounted for an estimated 7,042 IDP families (pre-2003, post-2003 and returnees). Of those, the greatest numbers of IDPs were displaced after the 2003 conflict, mainly due to military operations. The pre-2003 conflict IDPs are mainly Shiite Arabs, who fled from their homes in the Districts of Nassiriyah, Suq Al-Shuyukh, Shatrah and Rafei in the aftermath of the 1991 Shiite Uprising. IOM also monitored Shiite Marsh Arabs, who have been displaced due to the former regime's drainage of the marshes and which are mostly concentrated in Nassiriyah City.

In addition, there is a caseload of Shiite Arab and Marsh Arab IDPs that decided to return to their places of origin in Thi-Qar after the fall of the former regime. Many of them returned to a situation of continued displacement as their original homes have been either destroyed or occupied. The monitoring revealed that the majority of IDPs in Thi-Qar Governorate wish to return to their place of origin. However, unresolved property issues and the need for ecological recovery of the marshes are two major obstacles for their sustainable return and reintegration.

Since the February 2006 Samarra bombing and consequent escalation of sectarian violence, more than 400,000 persons (as of October 2006) have been displaced in Iraq. According to MoDM, 3,100 IDP families have been registered in the Governorate of Thi-Qar since February 2006. Most of them originate from areas around Baghdad, in particular the areas of Abu Ghraib, Doura and Mahmoudiyah.⁶¹

⁶¹ MoDM, *Number of IDPs from Areas of Tension in all Iraqi Governorates* (translated from Arabic), 22 October, 2006.

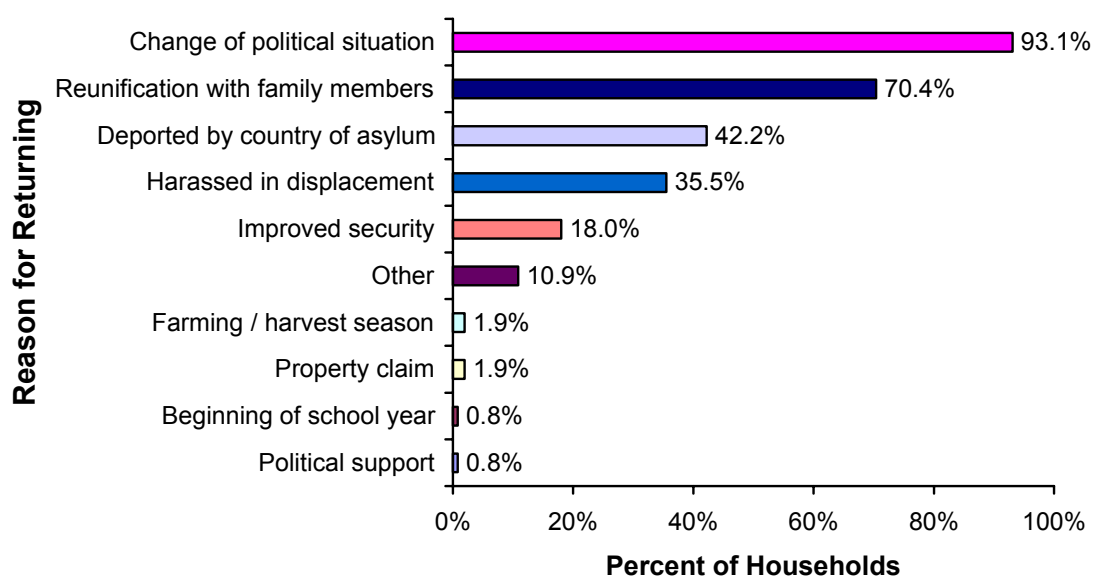
B. Return to the Governorate of Thi-Qar

For many Iraqi refugees, the fall of the former regime in April 2003 meant the end of the political and religious persecution from which they had fled. Enthusiasm to return home combined with optimism about the future resulted in the spontaneous return of an estimated 220,382 Iraqis to Southern Iraq between June 2003 and September 2006.⁶² **Accordingly, more than 90% of the returnees monitored mentioned that the change of the political situation in 2003 was the reason for their return (see Figure 9).**

Since the fall of the former regime host governments have increasingly put pressure on refugees to return home, despite the unstable security situation and limited reintegration opportunities. Over 77% of returnees said that they were either deported by their host country to Iraq or harassed while in displacement. Most were returning from either Rafha camp in Saudi Arabia or refugee camps in Iran. UNHCR continues to advocate with governments that returns must be truly voluntarily as the situation in Iraq is not yet considered conducive to return.

Figure 9: Reasons for return to Iraq

(Sample of 987 households. The values do not add up to 100% because households listed up to three reasons)



UNHCR estimates that 41,857 persons returned to Thi-Qar Governorate between 2003 and September 2006 (based on MoT registrations of returnees for the monthly food ration).

Political parties, including SCIRI and the Badr Organization, also assisted refugees to return by organizing transport across the border from Iran.

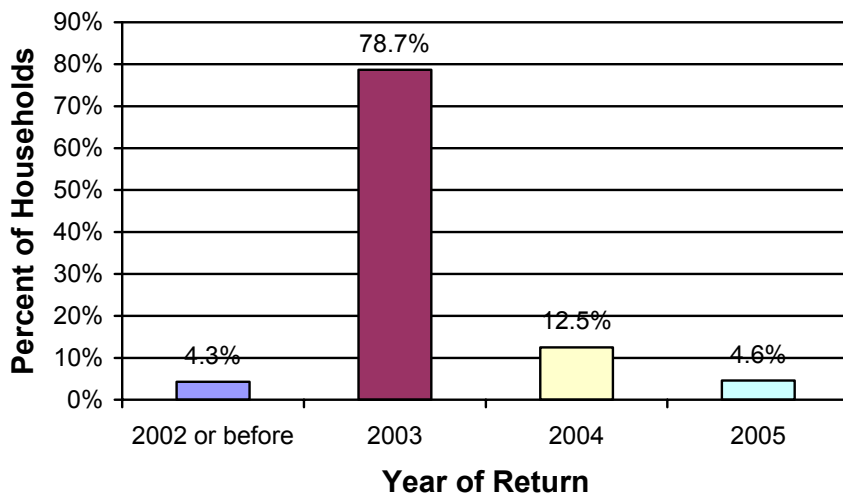
In October 2003, UNHCR established a **voluntary repatriation process** to facilitate the return of Iraqi refugees mainly in Saudi Arabia and Iran to their places of origin. Through this facilitated return process **2,204 persons returned to the Governorate of Thi-Qar out of a total of 25,061 Iraqis returning to Iraq with assistance from UNHCR between August 2003 and 31 October 2006.** Most returnees to Thi-Qar Governorate came from Iran

⁶² Ministry of Trade, September 2006.

(1,382 persons), Saudi Arabia (629), Lebanon (145) and Jordan (40) while few returned from other countries. UNHCR does not have figures as to how many Iraqis returned spontaneously to the Governorate of Thi-Qar, but estimates range from 150-200,000 returnees (both refugees and IDPs).

Most facilitated returns occurred immediately after the fall of the former regime and throughout the remainder of 2003 (see *Figure 10*). While returns continued in 2004 and 2005, UNHCR monitoring showed that a more cautious approach to the planning of return has been applied given the uncertainty over Iraq's political future combined with rising national insecurity. It is therefore expected that return movements will continue, but more gradually and with lower numbers than those seen in 2003.

Figure 10: Year of return to Iraq for households monitored in Thi-Qar Governorate
(Sample of 987 households)

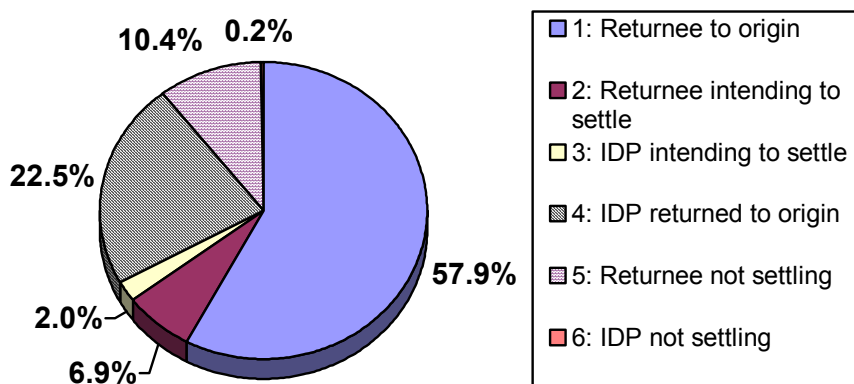


Return into a Situation of Displacement

In Thi-Qar Governorate, 80% of the monitored returnee households were able to return to their places of origin (see *Figure 11*, categories 1 and 4). Nearly 20% of the monitored households indicated that they had returned into continued displacement (categories 2, 3, 5 and 6).

Figure 11: Type of returnee / IDP

(Sample of 987 households)



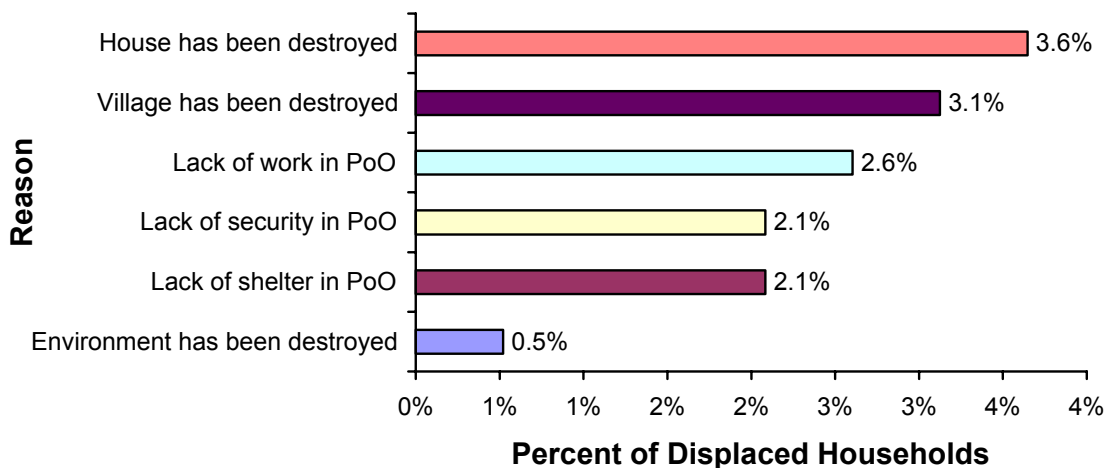
Note:

1. Returnee from outside of Iraq to place of origin;
2. Returnee from outside of Iraq, not in place of origin, but intending to settle in current location;
3. IDP from within Iraq, not in place of origin, but intending to settle in current location.
4. IDP from within Iraq, returned to place of origin;
5. Returnee from outside of Iraq, not in place of origin and not intending to settle in current location;
6. IDP from within Iraq, not in place of origin and not intending to settle in current location.

Destruction of houses/villages, lack of employment opportunities, insecurity and lack of shelter were indicated as major reasons for not being able to return to the place of origin (see *Figure 12*).

Figure 12: Reasons for not returning to place of origin

(Sample of 192 households who have not returned to place of origin and indicated the reason for not returning)



Many Marsh Arabs have been forced to either settle on the outskirts of the main urban centres or on lands neighbouring the marshes.

C. Obstacles to Reintegration

Reintegration has been more difficult than many anticipated. In part, this is because of the legal ambiguity over nationality and the erasing of the assets and citizenship status of refugees by the former regime. Returnees have found that problems with documentation and assets are inhibiting them from proving their legal entitlements in Iraq.

The areas to which most former refugees are returning in Thi-Qar Governorate are some of the most impoverished in Iraq, including the Districts of Suq Al-Shuyukh, Chibayish and Shatrah, all of which are lacking essential service infrastructure and alternative means of earning a livelihood. A growing number of returnees have moved to Nassiriyah City as a result of rural isolation.

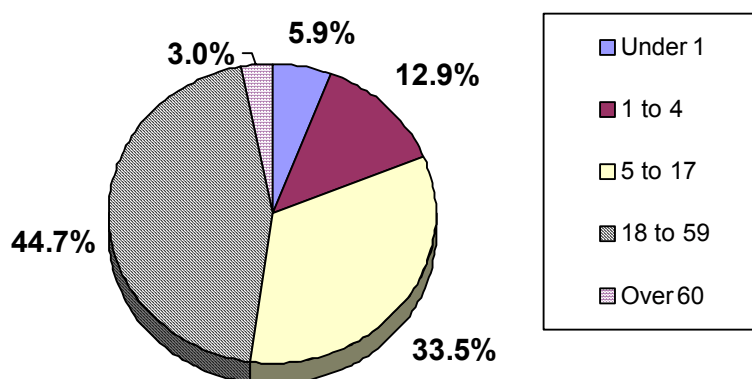
Returnee households monitored in Thi-Qar Governorate by UNHCR recalled the horrors of their displacement, the killing of family members by the former regime and the desperate situation they found on return: their places of origin devoid of public services and large parts of the villages that they left behind destroyed.

D. Profile of Returnees

Over 50% of the monitored returnees to Thi-Qar Governorate are under 18 years of age. Children reintegrating into an unfamiliar school system and young people searching for scarce employment opportunities are particularly vulnerable. Most returnees to Thi-Qar fled from Iraq more than ten years ago and therefore young people are less likely than their elders to have the social connections and links in Iraq that would help them reintegrate easily.

Figure 13: Age range of monitored households

(Sample of 987 households)



Additional Notes

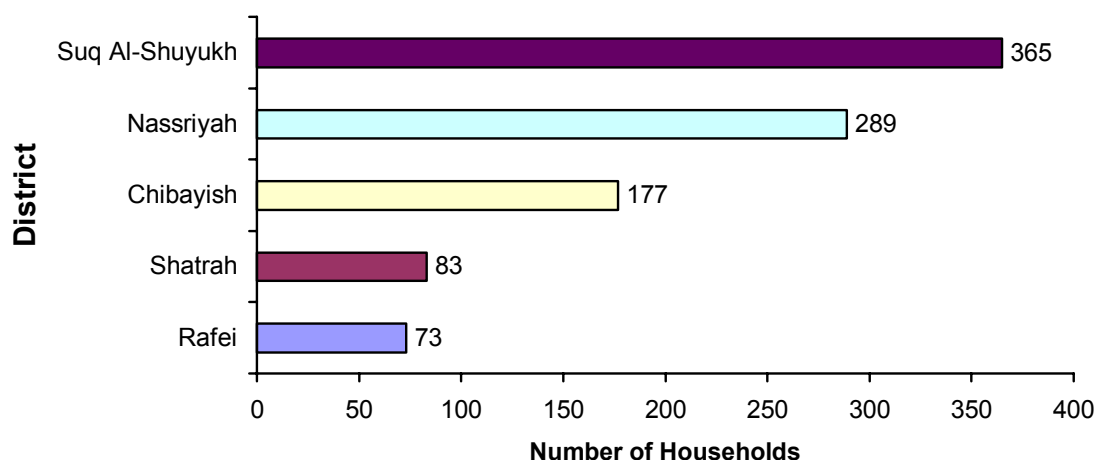
The ILCS sampling is referenced in this report but may show differing results to the findings of the UNHCR Returnee Monitoring. The ILCS is based on the 1997 census and therefore excludes ‘areas that became inhabited after the 1997 census, such as marsh areas in the South where the original inhabitants moved in after the recent war. Returnees and IDPs have therefore only been covered ‘to the extent that they reside in housing that existed in the 1997 census or newly built housing within the 1997 census enumeration areas’. As most of the returnees are living in rural areas outside the initial 1997 census areas, UNHCR Monitoring in Basrah Governorate is mostly carried out in the very areas that were not covered by the ILCS.

ANNEX III: Summary of District Profiles

Note: The following district profile summaries and charts of returnee monitoring data included in this report are provided as an overview of the patterns highlighted and the issues raised during returnee monitoring in Thi-Qar Governorate. They should be considered an indication of the issues faced by returnees in each district of concern (e.g. for guiding further evaluation) rather than as a definitive picture of the return situation (e.g. for policy-making). District profile analysis of returnee monitoring data was started by UNHCR in September 2005, and this section will be upgraded as the analysis develops further. More detailed district profiles will be made available on www.hcriraq.org.

Figure 14: Returnee households monitored by district

(Sample of 987 households)



A. IDP and Refugee Returnees in Suq Al-Shuyukh District

(Sample of 365 households: 35% IDP returnees, 34% refugee returnees from Iran, 26% refugee returnees from Saudi Arabia, 5% Other)

- 15% returned into a situation of continued displacement;
- Political and religious persecution and the 1991 Uprising were the main reasons for leaving Thi-Qar Governorate;
- There has been displacement from Suq Al-Shuyukh District throughout the 1980s and 1990s. A major peak was observed in 1991 (Shiite Uprising), when 62% of the monitored households were displaced;
- Change of political situation and family reunification were the main reasons for return;
- 87% returned in 2003, 7% in 2004 and 4% in 2005;
- 30% are renting accommodation on return, 30% are living with relatives, 32% own houses, 3% are living in public buildings and 5% in 'other' accommodation (such as mud houses or illegal buildings);
- 52% of accommodation is severely damaged and 9% is destroyed;
- 26% have no access to health care due to lack of availability, distance and financial constraints;
- 24% of monitored households have additional vulnerabilities.

B. Refugee returnees in Nassiriyah District

(Sample of 289 monitored households: 47% refugee returnees from Iran, 37% refugee returnees from Saudi Arabia, 8% refugee returnees from other Arab countries)

- Over 76% of the returnees to Nassiriyah City are returning to their places of origin;
- 98% of households monitored in Nassiriyah are refugee returnees, 2% are IDPs;
- There has been displacement from Nassiriyah District throughout the 1980s and 1990s. A major peak was observed in 1991 (Shiite Uprising), when 58% of the monitored households were displaced;
- 77% returned in 2003, much less returned in 2004 (12%) and 2005 (3%). The other 8% returned prior to 2003;
- Upon return, 36% live in rented accommodation, 31% live with relatives, 20 own their house and 4% live in public buildings; the other 9% indicated 'other' accommodation (e.g. illegally-built shelter on someone else's land);
- 96% have access to health facilities;
- 7% of families with school-age children said that children were not attending school.

C. Refugee and IDP Returnees in Chibayish District

(Sample of 177 households: 44% refugee returnees from Iran, 44% IDP returnees, 10% Other)

- While 78% returned to their places of origin, 22% returned into a situation of displacement. The majority of the latter do not wish to settle in their current location;
- 6% said that the destruction of their village was the reason for not returning to their place of origin;
- 57% are under the age of 18;
- Political and discrimination, the 1991 Uprising, confiscation of property and the drainage of the marshes were the top four reasons given for leaving;
- Change of political situation and reunification with family members were main reasons for return;
- 20% of the monitored families are living in poor/destroyed accommodation;
- In some cases, people are living in a shelter with less than 1m² of space per person;
- 75% have no access to health facilities as they are not available in rural areas, too far away or too expensive for them to afford;
- 90% have no regular income;
- 49% gave 'Other' as source of income specifying 'No income' at all.

D. Refugee and IDP Returnees in Shatrah District

(Sample of 83 households: 91% refugee returnees [46% from Iran, 30% from Saudi-Arabia, 8.5% from Syria, 6% from Jordan] and 9% IDP returnees)

- While 79% returned to their places of origin in Shatrah District, 21% returned into a situation of displacement. Almost 12% indicated that the destruction of their village was the reason for not returning to their place of origin;
- Political and religious discrimination and violence, the 1991 Uprising as well as the Iraq-Iran War were the top three reasons for leaving;
- Change of political situation and reunification with family members were main reasons to return. Many also indicated that deportation by the country of asylum as well as harassment in displacement were reasons to return;
- 37% of the returnees own or rented a house and 29% stay with relatives. 26% live in public buildings;
- 82% indicated that their housing had suffered severe damage and 3.6% live in destroyed housing;

- Only about one third of the returnees have access to drinkable water in the village. The main reason for lack of access is the distance;
- Half of the returnees are below the age of 18;
- 77% of the households with school-age children have access to education. At the primary school level, two-thirds of the children going to school are male, one-third female while at the intermediate level 80% are male and 20% female. There are no girls attending secondary school;
- The top three priorities indicated by the returnee households are shelter, employment and access to public services.

E. Returnees to Rafei District

(Sample of 73 households: 64% refugee returnees [44% from Iran, 12% from Saudi-Arabia, 8% from other countries] and 36% IDP returnees)

- While 85% returned to their places of origin in Rafei District, 15% returned into a situation of displacement;
- Political and religious discrimination and violence as well as forced expropriation / confiscation of property were the top three reasons for leaving;
- Change of political situation and reunification with family members were main reasons to return. Many also indicated that deportation by the country of asylum as well as harassment in displacement were reasons to return;
- Almost half of the returnee households live in owned or rented accommodation; 12% live with relatives, 20% live in public buildings and 18% in 'other' accommodation (mostly mud houses);
- Almost 70% live in accommodation that has suffered moderate or severe damage; 26% live in destroyed accommodation;
- Among those 34 households that owned a house before being displaced, only five were able to recover it upon return, mostly because it had been occupied during their absence;
- Only half of the returnees have access to drinkable water in the village. The main reason for lack of access is the distance;
- 35% have no access to health facilities, either because it is not available or due to lack of finance or distance;
- More than 50% of the returnees are below the age of 18;
- The top three priorities indicated by the returnee households are shelter, employment and access to public services.