



COI QUERY

Country of Origin	Iraq
Question(s)	Treatment of Arab civilians by Peshmerga forces in the area along the Iraq/Syria border, particularly in the cities of Raabia/Rabia, Shangal/Sinjar, Telskuf/Tel Eskof, Tall Kayf/Tel Kaif/ Tilkaif (period 2014-2015). In particular: <ul style="list-style-type: none">- Information on the destruction of Arab civilians' houses by Peshmerga- Information on limitation of movement of Arab civilians by Peshmerga- Information on summary executions of IS (Daesh) members by Peshmerga
Date of completion	4 June 2018
Query Code	Q78
Contributing EU+ COI units (if applicable)	

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This response to a COI query has been elaborated according to the [Common EU Guidelines for Processing COI](#) and [EASO COI Report Methodology](#).

The information provided in this response has been researched, evaluated and processed with utmost care within a limited time frame. All sources used are referenced. A quality review has been performed in line with the above mentioned methodology. This document does not claim to be exhaustive neither conclusive as to the merit of any particular claim to international protection. If a certain event, person or organisation is not mentioned in the report, this does not mean that the event has not taken place or that the person or organisation does not exist. Terminology used should not be regarded as indicative of a particular legal position.

The information in the response does not necessarily reflect the opinion of EASO and makes no political statement whatsoever.

The target audience is caseworkers, COI researchers, policy makers, and decision making authorities. The answer was finalised on the 4 June 2018. Any event taking place after this date is not included in this answer.



COI QUERY RESPONSE

Treatment of Arab civilians by Peshmerga forces in the area along the Iraq/Syria border, particularly in the cities of Raabia/Rabia, Shangal/Sinjar, Telskuf/Tel Eskof, Tall Kayf/Tel Kaif/Tilkaif (period 2014-2015). In particular: Information on the destruction of Arab civilians' houses by Peshmerga; information on limitation of movement of Arab civilians by Peshmerga; information on summary executions of IS (Daesh) members by Peshmerga

Rabia, Shangal/Sinjar, Telskuf/Tel Eskof, and Tall Kayf/Tel Faif/Tilkaif are all towns located in Nineveh province of Iraq.

Information on the topics for Rabia and Telskuf/Tel Eskof could not be found.

Information on Tall Kayf/Tel Kaif/Tilkaif was extremely limited.

During the EASO COI Practical Cooperation Meeting on Iraq held on 25-26 April 2017, Dr. Gareth Stansfield, a scholar and researcher on Iraq, provided an overview on the recent security situation in the country, including in the Kurdistan Region of Iraq (KRI). According to Dr. Stansfield, the fall of Mosul¹ in the hands of Islamic State (IS) in 2014 represents the starting point for understanding the recent political and security situation of the Kurdistan regions. During this event, the Kurdish forces saw an opportunity to take control over disputed territories. As a result of the confrontations with IS, the Kurdistan Regional Government (KRG) almost collapsed, and its armed forces, the Peshmerga, was decimated. 'However' - Dr. Stansfield notes - 'the Kurds were able to return in force by becoming an important partner of the western forces in the fight against the Islamists'².

A 2016 report by Minority Rights Group International explains that, since the fall of Mosul, thousands of civilians belonging to Iraq's ethnic and religious minorities have been murdered, enslaved and persecuted by IS. The report notes, however, that other forces, including Iraqi Security Forces, Popular Mobilization Units, Kurdish Peshmerga and KRG's intelligence officers, the Asayish, have also committed war crimes prohibited under international law³.

Tall Kayf/Tel Kaif/Tilkaif

In February 2015, Human Rights Watch reported a series of 'apparently discriminatory acts' by the Kurdish forces in several districts of Nineveh and Erbil governorates disputed with the central government during the IS conflict: Sheikhan and Tilkaif districts, Zumar subdistrict, located in Ninewa (or Nineveh) province⁴, and Makhmur district in Erbil province⁵. According to the same source, tens

¹ For more information on the fall of Mosul, see: The Guardian, *Iraq army capitulates to Isis militants in four cities*, 12 June 2014, ([url](#))

² EASO COI Meeting Report – *Iraq, Practical Cooperation Meeting 25-26 April 2017*, 11 July 2017, pp. 9, 15, ([url](#))

³ Minority Rights Group International, *No Way Home: Iraq's minorities on the verge of disappearance*, July 2016, p.18 ([url](#))

⁴ For background information on the situation in Ninewa Province during the period following the fall of Mosul, see: Landinfo (Norway: Country of Origin Information Centre), *Iraq: The situation in Ninewa province*, 17 February 2015, ([url](#))

⁵ Human Rights Watch, *Iraqi Kurdistan: Arabs Displaced, Cordoned Off, Detained*, 26 February 2015, ([url](#))



of thousands of residents fled those districts, including Tilkaif, prior to ISIS' advance and seizure of the territory; residents and Kurdish authorities have accused IS of 'looting and destroying homes' during the advance⁶. The source states that local Kurds told Human Rights Watch that the Kurdish government's forces destroyed 'dozens of Arab homes' in these areas⁷.

During a visit in those areas, the organisation reported that, for months after removing IS from the districts, Peshmerga and Asayish forces had prohibited Arab civilians displaced by fighting to return to their homes. However, they had allowed Kurds to return or to live in houses of Arabs who fled⁸.

Human Rights Watch also collected testimonies from Arab residents stating that KRG forces detained 70 local Arab men for 'long periods without charge'. The organisation does not mention Tal Kaif specifically, however, HRW made the following observation on its visit to Makhmur in Nineveh:

'Scores of Arab homes have been destroyed in villages, towns, and cities under Peshmerga control in Makhmur district and Zumar sub-district. During visits to eight of these communities in December, some of which had not been resettled, Human Rights Watch saw homes that had been torched, bulldozed, or demolished with explosives, as well as others that appeared to have been destroyed by shelling. Walls near some destroyed homes were spray-painted with anti-Arab and pro-Kurdish slogans'⁹.

Human Rights Watch observes, however, that there were conflicting accounts of how the Arab homes were destroyed. Local authorities, as well as Asayish and the Peshmerga, claimed that it was IS that 'demolished the homes as it retreated or that homes were damaged during armed clashes or coalition airstrikes, or booby-trapped by ISIS and destroyed when Peshmerga, civilians, or de-mining teams entered them'¹⁰.

Sinjar region

The US Department of State (US DoS) report on religious freedom for the year 2015 claims that during 2015, in the areas of the Ninewa province contested between the KRG and the central government, Yazidi, Christian, and Sunni continued to report harassment and abuses by KRG Peshmerga and Asayish forces¹¹.

Following a field investigation to 13 villages in three governorates (Nineveh, Kirkuk, Diyala), Amnesty International (AI) published a report, in 2016, documenting that Peshmerga from KRG and Kurdish militias prevented displaced residents of Arab villages and Arab residents of mixed Arab-Kurdish towns from returning to their homes¹². Amnesty International claims that in these three regions, Peshmerga and Kurdish forces have been accused of forced displacement of Arab residents and destruction of civilian homes and properties. According to AI such abuses were committed 'in

⁶ Human Rights Watch, *Iraqi Kurdistan: Arabs Displaced, Cordoned Off, Detained*, 26 February 2015, ([url](#))

⁷ Human Rights Watch, *Iraqi Kurdistan: Arabs Displaced, Cordoned Off, Detained*, 26 February 2015, ([url](#))

⁸ Human Rights Watch, *Iraqi Kurdistan: Arabs Displaced, Cordoned Off, Detained*, 26 February 2015, ([url](#))

⁹ Human Rights Watch, *Iraqi Kurdistan: Arabs Displaced, Cordoned Off, Detained*, 26 February 2015, ([url](#))

¹⁰ Human Rights Watch, *Iraqi Kurdistan: Arabs Displaced, Cordoned Off, Detained*, 26 February 2015, ([url](#))

¹¹ US DoS, *2015 Report on International Religious Freedom – Iraq*, 10 August 2016, p. 9, ([url](#))

¹² Amnesty International, *Banished and dispossessed – Forced displacement and deliberate destruction in northern Iraq*, 20 January 2016, pp. 9, 42 ([url](#))



retaliation for residents' family ties to or suspected support for members of IS or other armed groups'.¹³

'While some homes and properties of displaced Arab residents may have been damaged or destroyed in the fighting, in many cases they were looted, intentionally burned down, bulldozed or blown up after the fighting had ended and Peshmerga forces were in control of the areas. In five Arab villages (Umm Khabari, Jiri, Sibaya, Al-Sayir and Khazuka) north-east of Sinjar, houses were first ransacked and burned down by members of a Yezidi militia in January 2015, a month after the Peshmerga had recaptured the area from IS. Months later, the villages were attacked again and largely destroyed; houses which had previously been burned but were still standing and cultivated fields around the village were bulldozed'¹⁴.

In addition, AI reports that the displaced Arab communities in those areas were subject to restrictions on their movements imposed by the KRG authorities, which severely limited their ability to work, study and access medical care. According to Amnesty International, Iraqi citizens who are not permanent residents of the Kurdistan Region of Iraq need permits to access and move freely within the KRI. Most of the displaced civilians living in areas controlled by the KRG cannot obtain such permits. AI states that KRG officials offered various explanations of why residents were banned from returning to their villages. Some of the reasons given included security issues: 'because the areas are not yet safe; because Arab residents of these areas cooperated or may cooperate with IS or that residents have gone to IS-controlled areas and will not return'¹⁵.

A report by the UN Assistance Mission for Iraq (UNAMI) states that, in November 2015, at least 156 Sunni Arab families from the Sinjar district villages of al-Golat, Aeiashat, and Neainee'a were displaced by military operations conducted by Kurdish security forces to liberate Sinjar district. The families were stopped by Peshmerga while they were attempting to access safe areas. Information obtained by UNAMI/OHCHR indicates that a number of those families were captured by IS members¹⁶.

Among all sources consulted and within the timeframe allocated to respond to this query, no information could be found on summary executions of IS (Daesh) members by Peshmerga in areas of northern Iraq during the period 2014-2015.

¹³ Amnesty International, *Banished and dispossessed – Forced displacement and deliberate destruction in northern Iraq*, 20 January 2016, p. 42 ([url](#))

¹⁴ Amnesty International, *Banished and dispossessed – Forced displacement and deliberate destruction in northern Iraq*, 20 January 2016, p. 6, ([url](#))

¹⁵ Amnesty International, *Banished and dispossessed – Forced displacement and deliberate destruction in northern Iraq*, 20 January 2016, p. 5, ([url](#))

¹⁶ UNAMI, *Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016*, 30 December 2016, p. 35, 36 ([url](#))



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