



RETURNS WORKING GROUP- IRAQ

- ❖ **Meeting Date:** 29 January 2019
- ❖ **Meeting Time:** 14:00-15:30 hrs
- ❖ **Location:** Erbil (IOM Conference Room, Gulan Rd.) via bluejeans to Baghdad, UNHCR Meeting room

In Attendance: DFID, Social Inquiry, US Embassy/OFDA and PRM, EURLO, Australian Embassy, Samaritan's Purse, USAID, CwC, Shelter Cluster, UNHCR, OCHA, REACH, WVI, CRS, USIP, Sanad, Nonviolent Peaceforce, GIZ, PRM/ US Consulate, Mercy Hands, MSF, UNDP, IRC, HRW, NCCI, Protection Cluster, CCCM Cluster, UN-Habitat, UNMAS, IOM, HLP Sub-cluster, WHO, UNICEF

Agenda Items:

- 1) **Introduction and adoption of minutes:** Review of previous minutes; Follow up on action points from previous meeting
- 2) **Returns Update:** Update on return figures from RWG/DTM dashboard and geographical analysis of the Return Index
- 3) **Governorate Return Committees (GRC):** Update from OCHA on the developments of the Governorate Return Committees (GRCs)
- 4) **Property Compensation Guidelines:** Presentation by the HLP sub- cluster on the property compensation guidelines
- 5) **Government update on returns:** Presentation by MOMD on 2019 plans
- 6) **Return Index Thematic Series:** Discussion on the physical and social dimensions of housing in conflict affected areas
- 7) **AOB**

Key Discussion Points/ Action:

- 1) **Introduction and adoption of minutes:** Review of previous minutes; Follow up on action points from previous meeting
-

- The Chair gave an overview of the previous meeting after the introductions, as well as a review of the agenda items. She also mentioned that the MOMD was not able to attend due to a last-minute emergency.

2) Returns Update: Update on return figures from RWG/DTM dashboard and geographical analysis of the Return Index

(Presentation attached for more details)

Main points:

i) Return Update

- As of 31 December 2018, the total no. of returnees was at 4,165,320. This was an increase of 51,696 returnees compared to the previous round in October.
- In 2018, DTM recorded 944,958 new returnees.
- Ninewa still remains the highest governorate witnessing returns, followed by Anbar and Salah al-Din.
- 3% of returnees (132,774) are living in the most vulnerable conditions in critical shelters, an increase in the figure from 130,350 recorded in October.
- Of those living in critical shelters, 85% are in three governorates: 43% in Ninewa, 23% in Salah al-Din and 19% in Diyala. The top three districts hosting returnees living in a critical shelter are Mosul, Tikrit and Ramadi.
- 50% of all IDPs come from just five districts in two governorates. Of these, the top four districts are all in Ninewa Governorate: Mosul (17%), Sinjar (17%), Telafar (6%) and Al Ba'aj (6%) while the fifth district Ramadi is in Anbar (85,860, 5%).

ii) Return Index Report no. 2

- Results show that 401,166 returnees (10%) are living in 232 locations with Very High/High severity conditions, the majority of which are located in Ninewa. As reference, Round 1 (from September) had 442,434 returnees living in VH and High severity conditions.
- Residential destruction is one of the most critical issues affecting all neighbourhoods. There are still reportedly few functioning private sector businesses and little market functionality. There is also a general deterioration in safety concerns.
- All locations report concerns about ethno-religious tension compared with 20% in the previous round. Residents are also now more concerned about perceived threats from ISIL-related attacks in all but one location. Similarly, there are three new locations where there are now concerns over clashes between armed groups. Finally, issues associated with the illegal occupation of houses remain present in 73% of locations.
- Data collection ended 31 December 2018. The report is currently being re-designed, and every indicator is being re-weighted. New questions have been added (one of them being about blocked returns). The report will be available soon.



iii) Protracted Displacement

- Using the latest available DTM dataset, it was found that 80% of all out-of-camp IDPs can be found in the top 20 districts of displacement, and 90% in the top 32 districts. Each of them is being analyzed to provide factsheets presenting:
 1. Main, Medium and Low Recipient Districts
 2. Stationary vs Dynamic Districts
 3. Homogeneous vs Heterogeneous Districts
 4. IDPs profiling: Conditions in displacement, Intentions, Socio-demographic profile, Vulnerabilities, etc.
 - The next steps in the protracted displacement involve producing a similar analysis for districts of origin, using return index and other existing data.
 - Missing pieces will also be collected, such as ranking of reasons for non-return, reasons that are necessary vs optional, intentions vs decision making/ planning.
- Discussion:
- The Chair noted that the number of returnees has not increased significantly over the past year, hence the introduction of the protracted displacement study.
 - GIZ asked what the security category encompassed (in the protracted displacement study).
 - The Chair explained that security concerns was broken down further into subcategories, including presence of armed actors, social tensions and presence of IEDs. The DTM Coordinator added that this category, as well as all other categories, is explained further in the report, including the percentage of people living in each category.

3) **Governorate Return Committees (GRC):** Update from OCHA on the developments of the Governorate Return Committees (GRCs)

(Presentation attached for more details)

Key points:

- There are 3 active GRCs: Kirkuk, Anbar and Salah al-Din.
- Diyala GRC is not active but there seems to be no issues as IDPs in Diyala are generally treated well and are consulted before any movements are made.
- The chance to convene a Baghdad GRC has been missed due to the closure of all camps without GRC knowledge or input. However, the number of IDPs that had stayed in Baghdad camps was not large. The only camps that remain open are the ones hosting Christian minorities.
- Kirkuk GRC:

- The GRC is unsure whether it's the driving force behind Kirkuk, as it has little say due to the political climate there (i.e. working with a Kirkuk governorate that hardly agrees with the federal government itself). Other parties included in the GRC are JCMC, a government representative and a governorate representative.
- Nazrawa camp was supposed to close in January but an intentions survey will be held before that happens. Security clearances will then be issued, and a decision will be made on where families can go. Once the camp is consolidated, the families will either be moved to their areas of origin (AoO) or to Laylan 1 and 2 camps. IOM will handle transportation between camps.
- Salah al-Din (SAD) GRC:
 - The remaining families in Sh'hama camp have been relocated to other camps in Kirkuk, Anbar and Salah al din on 22nd January.
 - DRC asked if the government would accept new arrivals to the camps in the governorate, Deputy governor Ammar explained that the Governorate is no longer ready to welcome new arrivals whose Area of Origin are outside of Salah al Din to the camps while IDPs from Salah Al Din in other provinces can return to the camps inside the governorate. The governorate has been sending non-SAD IDPs to Anbar and Kirkuk against the IDPs' will.
 - Ammar informed the partners that the government wants to close all camps by end of June 2019, but nothing official from the Government so far.
 - Ammar asked for a committee from JCMC and partners to visit Al-Alam camp and assess the capacity and ability of consolidating Sector 2 to Sector 1 at soonest.
- Anbar GRC:
 - Anbar Governorate IDP Advisor assured partners that all returns were voluntary, an indication of the principled returns process, is the fact that all returns had now been stopped until after the half year exams. Humanitarian members emphasized that forced returns include any coercion to return or limiting relocation options to one camp or return to the HH's area of origin, the Anbar representative agreed to allow those who are not willing to be relocated/return to stay in the camp, however it has to be clarified to those that wish to stay that there will no longer be upgrades to the camp and that services would be limited, (it would be determined as an informal site) as part of the consolidation process.
 - Anbar Governorate is planning to support the return of the families with perceived affiliation to and solve their outstanding issues to avoid a new generation that has been marginalised.
 - Consolidation of formal Bezebz will not commence until early February and can be reviewed and revisited to give IDPs notice and as much information as possible to make an informed choice.



- The informal sites are not part of the consolidation process. The people from Jurf al Sakhar have an open invitation to remain as they cannot return to their AoO due to the presence of PMF.
 - GRC members (including Governorate rep) agreed that going forward, any Governorate action related to closure or consolidation of camps in Anbar will be done in full consultation with the GRC members.
- Discussion:
- . DFID asked for an update on the Ninewa GRC.
 - OCHA explained that the Ninewa GRC still exists but is currently waiting on a breakthrough. The problem is due to the attendance of several undesigned people – who claimed to be from the PM's office but were in fact intelligence officers – in the last GRC meeting. The intelligence officers laid several accusations against NGOs, particularly NRC, claiming that they were hosting a camp that looks after ISIL cells. This issue was taken to JCMC and the PM's office, where it remains to be seen if the appropriate stakeholders will be confirmed to attend the GRC. There has been no push to close any camps in Ninewa. The only concern is that federal police in Haji Ali camp are taking names to look for any ISIL affiliation.
 - An inquiry was made by IOM on how the return process would take place should IDPs in Anbar decide to return to their AoO (i.e. security clearance, assistance provided etc), as well as how to deal with cases where people may not return due to specific issues (e.g. Jurf al Sakhar) and may be at risk of secondary displacement.
 - OCHA mentioned that the Anbar GRC meeting held was to fill the gaps, including this issue. The process is currently under discussion and the details will be provided once decided (including people from Western Anbar in Bzebz who cannot return). IDPs will definitely be given three options: to stay where they are and integrate, return to AoO, or move to other camps. Relocation to other parts of the country is also being explored, but that would take time. Regarding IDPs from Jurf al Sakhar, it is difficult to tackle this issue as the government does not want these IDPs to return (with Jurf al Sakhar being on the pilgrimage route) and it would be easier not to confront PMF. Therefore, the easiest option is for them to remain where they are. A second meeting with the IDP advisor will take place to decide on the finer details regarding IDPs from western Anbar who cannot return.
 - An inquiry was made on whether the option to integrate was only given to all IDPs or just those in informal sites.

- OCHA confirmed that this option was given to all IDPs, though initially it had only applied to those at informal sites.
- Protection Cluster stressed that Bzebz is one key element of the local integration aspect and can be replicated in other areas where conditions are conducive.
- It was inquired whether GRC could facilitate “go and see” visits so that IDPs can understand the situation of their AoO.
 - OCHA mentioned that this has happened in Diyala before, but it all depends on the local government in each governorate (e.g. it’s not possible in SAD). The GRC is advocating on this issue.
- The Chair noted that were 283 cases of secondary displacement in Ninewa last week (to Qayyarah camp), so it’s important that advocacy on this matter continues.
- OCHA mentioned as a point to note that IDPs from Jurf al Sakhar and Owaisat are different from other IDPs who are not allowed to return. Jurf al Sakhr and Owaisat IDPs already have security clearance and are not suspected of ISIL affiliation, hence why they are welcomed to stay with their current host community.

4) Property Compensation Guidelines: Presentation by the HLP sub- cluster on the property compensation guidelines

(Presentation attached for more details)

Key points:

- Approximately 138,051 residential buildings are impacted by war; half of them destroyed beyond repair. Overall damages incurred in the 7 impacted governorates is \$45.7 billion.
- Compensation is based on Iraqi Law 20 of 2009 and Law 57 of 2015 (first amendment).
- A Central Compensation Committee in Baghdad and the Compensation Sub-committees are tasked with handling claims. The subcommittees receive requests, assess the damage level to properties, notify claimants and decide on compensation claims not related to property.
- Categories eligible for compensation: martyrdom, missing in action, kidnapping or injury; full or partial disability; damaged property; disadvantages related to job or education; injuries and cases that require temporary treatment.
- 6 sub-categories for property compensation: houses, shops, companies, farming lands, vehicles, furniture.
- Time it takes to file a claim by governorate:
Anbar – 30 days; Diyala – 3-12 months; Kirkuk – 2 months; Ninewa – 6-12 months; SAD – 30 days.

➤ Discussion:



- The CRC Chair noted that this could serve as an opportunity for the Community Resource Centers to help with sharing information with the community regarding compensation.
- WHO asked how the criteria are set regarding people with disabilities, as well as the procedures, and if there is any information on this point.
 - The HLP SC Coordinator mentioned that there are two documents that provide information on this topic: 1) Iraqi Law 57 and 2) a guidebook issued by COMSEC and Central Compensation Committee. The guidebook is currently available only in Arabic. Both documents give a good overview of the procedures.

He also added that the Sub-cluster has primarily focused on property damage so far.
- GIZ had two questions, first asking what the responsible institution from the Iraqi government is in processing compensations, and secondly, why there is such a duration difference between each governorate in filing claims.
 - Regarding the first question, the HLP Coordinator mentioned that the responsible institutions are COMSEC (Council of Ministers) and Ministry of Finance (MoF), as MoF involvement is necessary in deciding the money allocation.
 - Regarding the difference in time frames for filing claims, the HLP coordinator explained that this depends on how each governorate is organized (offices available, no. of staff, the number of cases received etc). In some places such as Ninewa, there have been cases where property ownership documents have been destroyed and would need to be re-issued, hence delaying the process even further. He also added that the HLP SC will receive by the end of February the number of cases from 2018 that have been approved by the Compensation Committee. However, the category of the compensation claims is not mentioned, i.e. it is not known whether these cases are related to property or other categories.
- The HLP Coordinator mentioned that \$85 million has been allocated for compensation (approved in the last few days), but the category is still unknown.
- The Chair inquired whether cases from 2006-2007 have been addressed.
 - HLP Coordinator explained that this information is not mentioned in the data provided by the Committee, asking that partners advocate for more information to strengthen HLP SC's case.

5) Government update on returns: Presentation by MOMD on 2019 plans

MOMD absent due to a last-minute emergency.

6) Return Index Thematic Series: Discussion on the physical and social dimensions of housing in conflict affected areas plans

(Presentation attached for more details)

Key points:

- The physical and social dimensions of housing are the two most significant indicators within the return index. The two indicators are: 1) levels of house destruction and severe damage and 2) Presence of illegal house occupation.
- In 66 locations, more than 50% of houses were severely damaged or destroyed.
- The areas with the most house destruction are also those that have historically had high levels of poverty.
- 1 out of 4 locations with some degree of house destruction is located within ethno-religiously diverse sub-districts, hinting that targeted house destruction may be a consequence of pre-existing low cohesion as well as the source of ongoing social problems.
- The indicator linked to HLP issues in the Return Index focuses specifically on illegal occupation of housing that took place during or after the recent conflict. Geographical hotspots of illegal occupation are mainly in Ninewa and Salah al-Din.
- While the Return Index does not capture information on who specifically is occupying housing, additional follow-up with key informants in these locations indicates that they are **mainly used as offices and barracks by security forces**. These residences usually belong to people who are still displaced. In some cases, these people are not allowed to return and in others, this occupation is the reason they continue to be displaced.

➤ Discussion:

- An inquiry was made as to whether there are any plans to work on social cohesion in those affected areas.
 - The Chair explained that social cohesion is a long-term process, and that recovery and development actors and the government are looking at this issue. Part of this process is the reconciliation efforts by the government, tribal groups and other sides.
 - UNDP added that they have begun development work in western Anbar.
 - UN-Habitat also has a project with a component focusing on social cohesion.
 - Protection Cluster mentioned that humanitarian actors should be focusing on peaceful coexistence activities, noting that using the term social cohesion should be avoided as that is a medium to long-term intervention. Protection also advised that humanitarian partners submit their projects using the term “peaceful coexistence” rather than “social cohesion”.



7) AOB

- DFID asked if the return grant has been allocated.
 - The Chair explained that the grant is not yet available. However, in the last field visit to Diyala, returnees claimed to have received a grant of \$1000 from the government, which is not consistent with the information provided previously (stating that returnees have not yet received any return grants). This missing information will be clarified with MOMD soon.
 - OCHA mentioned that there are proposals to compensate affected people by land where necessary, and not just financially.
 - HLP Coordinator clarified that property compensations will only be financial.