

RETURNS WORKING GROUP- IRAQ

- ❖ **Meeting Date:** 29 January 2020
- ❖ **Meeting Time:** 10:00-11:30 hrs
- ❖ **Location:** Erbil (IOM Conference Room, Gulan Rd.) via bluejeans to Baghdad, UNDP Meeting room

In Attendance: PRM/US Consulate, Chemonics, Mercy Hands, CRS, OCHA, Samaritan's Purse, IQCM, Swedo, UNFPA, World Vision, MERI, PWJ, TGH, COOPI, PUI, INTERSOS, Handicap International, REACH, NP, DRC, ACTED, PAO, Social Inquiry, SEDO, UNHCR, Solidarites International, Food Security Cluster, Shelter Cluster, Dary Human, NRC, IHO, UIMS, IRCS, UNAMI/JAU, ICRC, UNICEF, UNDP, IOM

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
- 3) **Iraq Humanitarian Response Plan (HRP) 2020:** Presentation by OCHA on the 2020 HRP and priorities for the affected population in 2020
- 4) **Governorate Returns Committees (GRCs):** Update on GRC developments in Anbar, Ninewa, Diyala and Baghdad
- 5) **Experiences applying to compensation:** Presentation by IOM on access to durable solutions among IDPs in Iraq and their experiences with the compensation process

Action Points to follow up by next meeting:

| Action | By who |
|---|-----------------|
| Try to engage with development actors to discuss developments in the housing sector, as well as with peace and social cohesion actors as a lack of security is a major obstacle | RWG |
| GRC Anbar update, following GRC meeting on 29 Jan | OCHA |
| GRC Diyala update, following GRC meeting on 12 Feb | OCHA |
| Follow up on merging of JCC and BRHA | RWG |
| Briefing on new compensation law | HLP Sub-cluster |

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.

2) Returns Update: Update on return figures from RWG/DTM dashboard

(Presentation attached for more details)

Main points:

i) Return Update

- Total no. of returnees (as of December 2019): 4,596,450 individuals. Total no. of IDPs: 1,414,632 individuals
- 68% of IDPs live in private settings, 24% in camps, and 8% in critical shelter.
- 95% of returnees live in their habitual residence, while 3% of returnees live in critical shelter.
- Throughout 2019, an additional 431,130 returnees were recorded, which is a significantly lower figure than the 944,948 returnees reported for 2018.

ii) Return Index round 7

- Data collected during November and December 2019
- Out of the 1,754 return locations assessed, 293 present severe conditions hosting 12% of the returnee population (522,090 individuals).
- Salah al-Din and Ninewa remain the governorates hosting the highest number of returnees living in severe conditions, with 198,450 and 173,724 individuals respectively.
- Salah al-Din also presents the highest intra-governorate proportion of returnees living in severe conditions (29%), along with Diyala (18%).
- The highest increase in the numbers of returnees living in severe conditions was witnessed in Anbar (15,060 individuals), Salah al-Din (14,130) and Ninewa (7,224).
- Throughout 2019, the improvement of scale 1 is more notable than the worsening of scale 2.

Discussion:

- **Action point for RWG: try to engage with development actors to discuss developments in the housing sector, as well as with peace and social cohesion actors as a lack of security is a major obstacle.**
- Shelter Cluster mentioned that it is important to understand why new displacement is happening in order to better address it.
 - DTM explained that reasons for new displacement are also collected as part of the data (including where IDPs come from) and can provide more details if it is of interest. While the overall reasons and locations are known, the question remains on how it can be actioned.
- An inquiry was made on what the gaps are in social cohesion and reconciliation that have resulted in the deterioration of Scale 2 indicators.
 - DTM explained that it would be difficult to pinpoint a reason due to the difficulty of collecting information on a key informant level, especially as social cohesion is a complex and tricky issue. This would be better understood if social cohesion data was collected at the location level. Key factors that have contributed to this deterioration is the change in security actors and reports of attacks by militant groups.
- DTM mentioned as a separate point that the definition of returnees may need to be re-explored, i.e. are returnees in critical shelter really returnees or should they be in their habitual residence to be considered returnees? Perhaps the time has come to discuss a 4th category (in addition to in-camp IDPs, out of camp IDPs, returnees) of population.

3) Iraq Humanitarian Response Plan (HRP) 2020: Presentation by OCHA on the 2020 HRP and priorities for the affected population in 2020

(Presentation attached for more details)

Key points:

- No. of people in need (individuals): 4.10 million
- People in acute need: 1.77 million
- Protection remains the overarching humanitarian priority for 2020
- No. of in-camp IDPs (indiv.) targeted: 196,810
- No. of out-of-camp IDPs (indiv.) targeted: 428,940
- No. of returnees targeted (indiv.): 1.18 million
- Host community not included in the HRP, but hopes are they will benefit from the services provided
- Link to HRP 2020 attached in the presentation



- It was also noted that assistance to returnees in the HRP 2020 is only limited to life- saving humanitarian assistance, and does not go beyond/ cover early recovery and durable solutions.

Discussion:

- An inquiry was made on how IDPs out of camp will be reached.
 - OCHA explained that targeting would depend on how clusters use the available data to improve their targeting of IDPs. DTM data has helped in terms of tracking out-of-camp IDPs. This question is even more relevant now as out-of-camp IDPs were not covered very well in 2018 and 2019.
 - Protection Cluster added that out of camp reach is based on each cluster's geographical priorities of interventions, which aligns with inter-cluster analysis. The HRP intervention is strategically limited in this case as there should be other funding streams and modalities coming to play (e.g. community resource centers and the government).
 - The RWG chair added that CRCs have beefed up their response in certain areas to reach more out-of-camp IDPs. Furthermore, the government allocated 320 billion IQD to Anbar, Ninewa, Kirkuk and Salah al-Din for development, with the goal of attracting returns.

4) Governorate Return Committees (GRCs): Update on GRC developments in Anbar, Ninewa, Diyala and Baghdad

1. Baghdad

- While the Baghdad GRC had been dysfunctional for the past 12-18 months, it has now requested OCHA support in identifying partners with a view to restarting its work.

2. Anbar

- GRC members agreed to have development partners attend GRC meetings.
- Discussions on consolidation and closure of Habbaniya Tourist City (HTC) and AAF were ongoing, with no agreed timeline as partners were working to find solutions for IDPs still in camps.
- From early 2020, partners would be focusing on removal of obstacles to durable solutions. Durable Solutions workshop planned for February.
- Anbar Operations Command was reportedly looking at moving about 800 IDP households from Falluja to Al-Owisat, a community at the border between Anbar and Babil Governorates to which no returns had so far taken place.
- The next GRC meeting was scheduled for 29 January, with a preparatory ICCG meeting on 26 January. Cluster coordinators were invited to inform their partners to engage with OCHA on any access challenges as OCHA missions have been taking place.



3. Ninewa

- Meetings had been put on hold pending resolution of issues surrounding the change of Governor.
- April and June timelines for the closures of Hamam Al Alil and Salamiyah camps had been reaffirmed.
- It was noted that advocacy was still required around camp consolidation and closures vis-a-vis coordination with other governorates specifically in relation to return of IDPs from other governorates.

4. Diyala

- Discussions were ongoing over the planned closure of Sa'ad camp due to concerns over previous unsustainable returns when people were allowed to return to areas identified as "no return areas"
- Members were also liaising with the government on the added value of the GRC.
- The next GRC meeting was scheduled to take place on 12 February. Road closures continued to affect the work, but efforts were underway with assessment colleagues to better understand the number of people and their intentions.

5. Duhok

- Some analysis was being undertaken on the number of returnees to Sinjar and number of people moving to camps. With the lack of intentions to return to areas of origin, it appeared that lack of services in out-of-camp areas served as a push factor for some out-of-camp populations to move to in-camp settings.
- JCC had informed that BRHA would be dissolved and some of its staff absorbed by the JCC, BRHA understood the reorganization differently, as moving towards the creation of a new entity, encompassing MoMD, JCC and BRHA. It was hoped that the reorganization would lead to a more uniform approach to returns across the KRI.

6. Kirkuk

- Main developments included the closure of Laylan 2.
- The Deputy Governor met with NGOs, promising interventions to facilitate access.

7. OCHA noted that the upcoming national ICCG workshop on ICCG ToRs and work planning would provide an opportunity to discuss a framework for ICCG conduits of engagement with GRC and development partners.



5) Experiences applying to compensation: Presentation by IOM on access to durable solutions among IDPs in Iraq and their experiences with the compensation process

(Presentation attached for more details)

Key points and findings:

- Longitudinal survey tracking the same people over time: 3,854 Iraqi non-camp IDP families displaced by the ISIL crisis between January 2014 and December 2015.
- Objective: To delve into self-reported levels of damage to housing and property among IDPs and sampled returnees and their experiences with the compensation process.
- 60% of IDPs owned property prior to displacement in their governorate of origin
 - 70% of those can access it
 - 90% report damage (60% heavily damaged/destroyed)
- IDPs with heavily damaged or destroyed property are more likely to apply for compensation
 - 68% of IDPs who applied reported heavy damage/destruction
 - 22% of IDPs who applied reported partial damage
- IDPs' knowledge of the compensation claims process has increased fivefold since March 2016.
- Fewer than 2% of IDPs applied for the other four categories: 1) Missing or deceased family members 2) Partial or complete disability 3) Temporary disability 4) Disruptions to education or career paths
- 93% believe the process is somewhat or very complicated.
- IDPs mostly get their information from relatives and neighbors (60%).
- No IDPs in this study have received compensation. Only 1% of claims have been accepted, while 97% are still pending.
- Returnees believe the process to be somewhat or very complicated.
- A majority of sampled returnee households have not received responses, with 5.4% of claims accepted.
- Link to report included in the presentation slides.

Discussion:

- A question was asked on whether the study covered the IDPs' level of satisfaction with the compensation itself.
 - IOM mentioned that this information is not included in the report.
 - The RWG Chair added that an appeal process is in place if the claimant is not happy with the amount received.
- An inquiry was made on whether there is a governorate-level analysis of the findings.



- IOM explained that a governorate-level graph is included only for returnees, while the rest of the data is available in the dataset.
- OCHA asked if the study included an analysis of the challenges faced by female- or child-headed households.
 - IOM explained that this specific data is not included in the report but is available in the dataset.
- DTM asked whether humanitarian and government actors have a mechanism for informing IDPs about compensation schemes.
 - Protection Cluster mentioned that compensation and HLP-related information is included as part of awareness programs outside of camps.
 - The RWG Chair explained that including compensation guidelines as part of Communication with Communities (CwC) materials has been discussed with the HLP Sub-cluster. The only document available is the HLP compensation guidelines, which IDPs and returnees don't have access to.
- RWG centre south sub- national coordinator raised a comment on compensation allocation per governorate, and that some governorates complain that other governorates have had more compensation claims approved than others.
 - The RWG Chair mentioned that each governorate has a different timeframe for processing compensation claims, as explained in the guidelines published by the HLP Sub-cluster.
- It was mentioned that discussions are underway to open central governorate-level compensation committee, i.e. final decisions regarding compensation are to be made on a governorate level rather than refer them to Baghdad (which is the current method). So far, these plans cover Ninewa, Anbar, Salah al-Din and Diyala.
 - It was further noted that in Ninewa for instance, the threshold for applying and processing compensation had a threshold of up to 30 million IQD, and anything above that had to be referred to Baghdad.
- A question was made on whether families could still apply for compensation if missing documentation, and whether this was factored/ considered in the new law.
 - The Protection Cluster mentioned that the national ID is the bottleneck, i.e. it is the most important document when applying for compensation, and that claims cannot proceed without it.
 - The RWG Coordinator mentioned that in some governorates like Diyala, there is a process in place at least for applying for compensation for damaged shelter, whereby families who do not have documentation need to bring two witnesses from the neighbours to prove ownership of the house, as well as the Mukhtar and a religious leader, swear by the Quran then can file for compensation. It was further added that this



process of using witnesses does not work in Ninewa anymore, and that it is necessary for claimants to obtain an ownership title (tapoo) issued in 2019 or 2020 to proceed with the claims.

- An inquiry was further made whether families with perceived affiliation could apply for compensation.
 - UNHCR mentioned that the process of families with perceived affiliation to disown their family members who were ISIL affiliated allows them to return to their areas of origin, thus can apply for compensation, The RWG coordinator added that there was the possibility of applying for the compensation, but does not mean the compensation claims will be accepted,
 - UNAMI Human Rights Office mentioned that the process of tabrea (disownment) does not work in every governorate (for ISIL-affiliated families), also adding that it would be a good idea to involve the Iraq Information Center (IIC) in providing compensation information. The Protection Cluster explained that a new CwC/AAP Working Group has been created, of which IIC is a member. This point concerning messaging can be raised at the next meeting in February.
- UNHCR mentioned that they are currently finalizing a translation of the Iraqi compensation law amendment.
- A comment was made on if a claim does not match the compensation awarded the families had no way of getting the actual amount compensated,
 - The RWG chair mentioned that in the HLP guidelines for compensation, there is a process where families can appeal if the compensation does not match the claim amount.
 - The RWG Chair further mentioned that the HLP sub cluster Coordinator will brief on the new compensation law at the next meeting, as well as clarify the points raised above.