

- **Meeting Date:** 31 January 2023
- **Meeting Time:** 11:00 am-13:00 pm
- **Location:** IOM Conference Room, Erbil & Remote connection via Teams

**In Attendance:** Mercy Hands, ACTED, Blumont, People In Need, CESVI, Dorcas Aid International, IVY, USAID/BHA, Terre des hommes - Lausanne (Tdh - L), RWG/DSTWG, ICRC, COOPI, UNOCHA, SSORD, Solidarités International, ECHO, IOM, UN-Habitat

**Agenda:**

1. **Introduction and adoption of minutes:** Review of December 2022 minutes
2. **UN-Habitat Presentation:** Yazidis ownership Rights Update
3. **Context Update: DTM Update:** Master List Round 128, Return Index Round 17, Displacement Index Round 5; and CCCM Updates
4. **DSTWG:** DS Updates
5. **IRAQ RWG Presentation:** IRAQ RWG 2022 Review Survey Results
6. **AOB**

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

- No pending action points.
- Endorsement of the previous meeting minutes.

2. **UN-Habitat Presentation: Yazidis ownership Rights Update**

**Goal and Objective: Resolving HLP claims in Sinjar.**

- **Overall Goal:** Contribute to the voluntary, safe, and dignified return, and sustainable reintegration of Yazidis victims of ethnic and religious violence by incremental approach addressing the decades of denial of Housing, Land, and Property Rights.
- **Objectives:**
  - Support the HLP rights and claims of the Yazidi minority returning to areas liberated from ISIL.
  - Enhance local capacities to address HP rights in Iraq (national and local government, IPs, returnees)

**UN-Habitat's approach to support Yazidi's HLP rights: Securing Tenure Rights for Yazidis**

- Social Tenure Domain Model (STDM): STDM is a pro-poor, participatory, and affordable land tool for mapping, registering and capturing people-to-land relationships along the continuum of land rights. STDM is developed by Global Land Tool Network (GLTN)-an alliance of more than 80 organizations around the globe. A system is software that allows for:
  - Creating linkages between land units and data
  - Importing and creating maps and boundaries of land parcels
  - Defining tenure relationship between person, institution and plots
  - Assessing tenure relationship
  - Designing reports and certificates

**Yazid HLP rights are recognized by the government of Iraq.**

- On the 27th of December 2022, the Council of Ministers approved the Legal Decree to grant HP rights to Yazidi minority - ending the 47-years discrimination.
- Meeting between the President and the Prime Minister of Iraq and UN, joined by DSRSG/RC Ghulam Isaccai and the Head of UN-Habitat in Iraq Wael Al-Ashhab, to discuss the issue of the legal decree for recognizing the Yazidis' land and property rights.

**Discussion**

- Question: Regarding the 10-year informal documentation verification process or alternatives? Would you mind providing some examples of this? What did they use? Do they, for example, use the fact that they dug a well, borehole, or paid land rent for some time?
  - UN-Habitat: Basically, utility bills, water bills, power bills, and pictures from when people first started to build their homes were what we started to collect as alternative proof of ownership or any other type of documentation that ties people to the land. In order to ensure that we don't discriminate or avoid any form of non-recognition of land rights, it was agreed with the government and the local authorities that any documentation that shows that this person used to dwell on this property would be considered.
- Question: Concerning the hereditarily/transmutability of the certificates, will they be transferred to kids, and if so, how? under what rules and will they still be recognized after several generations?
  - UN-Habitat: Since SDM is comprehensive and functions like a little cadastral program, UN-Habitat would be able to accomplish this since the required modality, tools, and motu are there in STDM. However, the issue is not whether Habitat must do so; rather, it is whether Habitat is mandated to and if Habitat are allowed to. It is a government mandate, so the government, the local authorities, and the real estate registration office will have to carry out this through the laws that are applicable here in Iraq. Once the titles are issued, everyone will be allowed to, for example, sell the property,

transfer it to other parties, or inherit it. However, UN Habitat will provide guidance to the government on how to conduct certain tasks and utilize software to perform that, adhering to applicable Iraqi laws.

- Question: To what extent would this program assist in return?
  - UN-Habitat: When the project began, there were a lot of uninhabited villages and collected townships. UN Habitat informed local government officials and community leaders that a registration and mapping claims process would be in place, it is extremely astonishing to witness that many families returned as they genuinely saw and hoped for a way to prove and document their ownership of the land. Protecting land rights is crucial for the Yazidi minority in terms of their heritage and culture. Also, there's a lengthy history between his ancestry and the area where they formerly resided. Thus, they view it as a sort of rare opportunity to come, prove, and register the claim. Additionally, each and every assessment that has been conducted by the REACH in 2000, and by DSTWG, and ABCs around 2021-2022, indicated that security housing, land, and property are constantly at the top of the list of concerns for return.
- Question: Is it possible to access these documents through social media? Also, maybe there will be additional owners after these lands that are returned to their rightful owners. For instance, there were numerous other minorities that had lived in Sinjar for hundreds of years and left Iraq due to the conflicts, leaving behind lands that the Yazidi have now coopted. Thus, these minorities, therefore, own some of the lands in these regions. In light of this, how can we tell whether or not these lands belong to these people? Is it possible to obtain these documents in any way?
  - UN-Habitat: Referring to personal documentation, and supporting documents for certain beneficiaries, then the answer to your question about access to documentation is no. Additionally, Habitat were firmly implementing, donor guidelines as well as the international principles for data protection.
  - Regarding the process for recognition of HLP rights for other minorities or for other groups. Although Yazidis are frequently mentioned, the project's main goal wasn't to focus just on Yazidis; rather, it was to benefit everyone who lives in Mujama'at. Any minority group, including Turkmen, Shabaks, and the Arab population who resided in the Mujama'at (collective townships), had the opportunity to complete the registration process, map, or submit a claim for their land. Therefore, when it comes to, everyone who is alive had access to that.
  - It is noteworthy that there are 14,500 Claims with certifications. Because of the extraordinarily strict process used for validating and verifying claims, as well as the data and the claiming process, not a single dispute arose during the process.
- Question: What about mapping Sinjar's public lands, Is UN Habitat committed to dealing with schools and other public lands?
  - UN-Habitat: No, Habitat is primarily mapping and opposing private ownership of land rights and claims. Habitat is not permitted or authorized to deal with public or state land since the government is responsible, and the government is the one who must take action to deal with such rights.
- Question: Essentially, UN-Habitat is targeting people who reside in Mujama'at or complexes created by the regime at the time, as well as those who can offer property outside of Mujama'at. Whether they have the ownership certificate or not, they confront the same issue.
  - UN-Habitat: Given its history, Habitat has been focusing on Mujama'at. However, the project has been running for about five years, and Habitat has been receiving complaints from the community, from households living outside of Mujama'at, about why the project did not include them, and many people are interested in filing a claim, pressing the government to allow UN-Habitat to do so. However, when Habitat agreed with the government, we committed to cover all of these small details, and now that the legal decree has been approved, the entire community in Sinjar districts and informal sites is exerting pressure. And now Habitat is working with the government, negotiating, and hoping to get some good news soon that they'll be included in this project as well.
- Questions: Are you also working on agricultural property, and if so, do you have any information or documents that you may share with us later?
  - UN-Habitat: The Mujama'at is currently state land that has been allocated for residential compounds. If it comes to agricultural land, then it moves on to a different issue, which will be resolved quickly by a law that, let's hope, the government will approve. Therefore, Habitat is unable to discuss that since it is really delicate, and I believe it is too early for us to talk about supporting them in this initiative.
- Question: How long has UN-Habitat been attempting to offer this help?
  - UN-Habitat: As long as Habitat can and as long as Habitat has the funds, that is. However, Habitat won't give up and Habitat'll try to make every effort because, in our opinion, this is a top priority for the government, and the Community, and, you know, Habitat wants to truly complete this file in the best way possible.
- Question: Due to the mandate of UN-Habitat, which includes registering private ownership rights, it is not providing a legal document. So, specifically after receiving a decree, what precisely is the government going to do to convert that registration into a local legal ownership certificate at some point? Additionally, I believe e such articles will be included in the decree. What will you do in terms of advocating with the government, for example?
  - UN-Habitat: Realizing that the legal decree was just the beginning of recognition. The government will set up a commission to work on formalizing land rights for Yazidis who filed a claim with UN-Habitat, as is stated in the document with great clarity. In addition, Habitat are currently collaborating with the government to create a road map that basically outlines the procedures to follow for the final, let's say formalization, as well as a plan for how Habitat can work together moving forward to complete the second phase of the process. The legal process is complete; now all that is left to do is implement and carry out the plan. Moreover, the document isn't an official document or a legal document, but it's regarded as a sort of semi-legal document because it states very clearly that it is based on the occupancy certificate that your habitat has granted. Habitat has been debating the possibility of, say, converting these documents into full title deeds, and Habitat is now considering some possibilities.

### **3. Context Update: DTM Update: Master List Round 128, Return Index Round 17, Displacement Index Round 5**

*(Please refer to the full presentation link for further details)*

#### **Displacement and Returns Update: Recent movement trends.**

- 6,246 new IDP movements were observed during Round 128 (0.5% of caseload); Including:
  - 276 individuals displaced for the first time.
  - 5,970 individuals were pushed into secondary displacement.
- 1,454 failed returns; Due to:
  - lack of public services

- o Lack of job opportunities

#### DTM data on Babylon: Babylon – RET

- 2 locations witnessed returns in the Al-Iskandaria sub-district - Al-Musayab district.
- Shelter types:
  - o 77.5% Habitual residence - good condition
  - o 22.5% Habitual residence – damaged/destroyed.
- The majority are working in agriculture and livestock.
- Main need: infrastructure.

#### Discussion

- Question: There were a few new movements in Suli. From whence are those families arriving? Are all of these failed returns? Is it correct to assume that Salahaddin is the source of the majority of them?
  - o IOM DTM: It is most likely from Baghdad. Frequently, DTM is able to spot certain Suli arrivals. Sometimes we see some individuals as a failure to return from Mosul itself to Suli. There have been several moves over the past six months between Baghdad and Suli, but some who own land or homes are selling them in order to purchase two or three homes in Suli, therefore, DTM developed a new tracking system for households who are moving to monitor closely; The reasons are either renting, getting jobs, or owning two houses.

#### CCCM: Informal site and Jeddah 5 Updates

##### **East Anbar Informal Sites:**

- In Early January, heavy rainfall caused small-scale floods in the AAF site that damaged a lot of individual tents including other humanitarian infrastructure. Finding from a post-rain assessment conducted by the CCCM team showed that almost 100 tents were badly damaged and require immediate replacement or repair. Due to the limited stock of tents, IOM was only able to replace 10 tents while the team is working on repairing the rest with extra tent covers/plastic sheets that were procured. Also, in response to support affected families, civil society distributed NFIs (blankets and mattresses) and food rations to all HHs on the site.
- On 12 January, UNICEF-supported WASH partner SSORD stopped their WASH services in the AAF site due to a funding shortfall. In a follow-up meeting called by CCCM, UNICEF declared that WASH services will be handed over to the government in agreement with the WASH cluster as part of the national wide strategy implemented by UNICEF. UNICEF also mentioned that the actual handover of assets will be completed soon following an official letter directed to local authorities. Meanwhile, SSORD continues to maintain the service on the site on a voluntary basis for another month based on available resources.
- CCCM is moving ahead with the planned shift from static to mobile response team and is coordinating with partners to make sure this change in response modality will not affect service continuity on the site.

##### **HTC informal site:**

- HTC informal site in the Habbaniya district in Anbar has been supported through CCCM partner DRC since 2016.
- The site was reclassified from a formal camp to an informal site in Oct-2020. Following the reclassification families who were security cleared returned to their AoO, while families from Al-Awesat (blocked area) relocated to low-cost houses in Dec-2020.
- Current site population stands at 52 HHs, the majority of which are from Fallujah (Fallujah and Qaim -Akashat), and their main barriers to return are:
  - o HHs from Fallujah have security concerns that block them from returning to their AoO; while.
  - o HHs from Qaim (Akashat district) can't return as their AoO is blocked and occupied by Melishia groups.
- On 24 Jan, the Police Officer - in charge of the police station in the HTC informal site - informed the site representative and IDP families that they will have to leave the site with three-day notice without flexibility (without indicating the motive behind the eviction). Police officers informed families that they can go live in Falluja, AAF informal site including other informal settlements, or return to their areas of origin. DRC engaged with OCHA and the latter contacted the MoMD manager who said that IDP families will not be allowed to relocate to AAF informal site based on the instruction from MoMD Minister as a result OCHA is working on the advocacy to push back on the eviction.
- On 27 Jan, members of the Police informed IDPs whose children are enrolled in the school can stay in the camp until Tuesday 31/Jan until they finish their exams while those who do not have children attending school should leave by Saturday 28 Jan. Also, the police forced small grocery shops to close and blocked the entry of food items into the site.
- On 29 Jan, police came with a truck to the site and informed 4 families originally from Garma to leave immediately and return to their AoO. The families asked for some time as they have children attending exams as a result the police agreed to postpone the eviction of these 4 families to Tuesday. OCHA requested a meeting with the Governor on Tuesday 31 Jan to discuss the issue with one advocacy message to stop the eviction till the government finds alternative and durable solutions for IDPs.

##### **Sinjar Mountain Informal Sites:**

- Business as usual, CCCM continues to address the humanitarian needs of IDPs in the mountain.
- Another round of departure for registered families is planned towards the mid of February, numbers are yet to be confirmed based on intention calls.

##### **Kirkuk Informal Sites:**

- In January, CCCM mobile team carried out a needs and intention mapping in 4 sites in Hay Al Jamia/ Wahed Huzairan informal IDP settlement. The team will be working with Shelter and NFI in an integrated response to address the urgent humanitarian needs of the targeted population.

##### **Salah Al Din Informal Sites:**

- In Samarra, 16 HHs/90 individuals living in Alfidaws and Atwar Bahjat schools received eviction notices to leave the schools as the local authorities have a plan for rehabilitation. While 3 families indicated moving to live with other family members in the area the rest remain uncertain about alternative sheltering options and they are against a local government proposal of moving to Al Hadidiyah school because the place is not in a good shape to receive people.

#### Jeddah 5 Formal IDP Camp:

- Current site population is 770 HHs/3,656 individuals.
- Still no clear plan from the government on the closure timeline. CCCM is discussing with MoMD a site consolidation plan to reduce J5 sectors from 4 into 2 sectors, making maximum continued use of existing infrastructure, and moving whatever infrastructure possible to ensure its use and maintenance.

#### 4. DS Updates: DSTWG, and ABC Updates

*(Please refer to the full presentation link for further details)*

##### DS Updates

- Joint meeting of the DSTF and PWG on 19 Jan 2023 (Mosul ABC FP endorsed).
- Humanitarian Transition Strategy (final draft, Option 2) will be published on the relief web by Feb 1st, 2023, in English (followed by Kurdish & Arabic versions)
- Joint Gov-hum-dev transition roadmap (Option 6 paper) in progress
  - consultant Lisa Monaghan shared nil draft with DSRSG for feedback.
- DS Subgroups
  - Sustainable Livelihoods had its first meeting on 30 Jan 2023.
  - Social cohesion events: Mosul Civil society consultation 17 Jan, Conflict Sensitivity Workshop 24 Jan

#### 5. IRAQ RWG: IRAQ RWG 2022 Review survey

*(Please refer to the full presentation link for further details)*

##### Key recommendations

- Provide further information on the Durable Solution strategies.
- Further encouraging RWG members to share relevant information (reports, assessments, research, etc.) through the RWG and having a platform where all this information is organized, centralized, and accessible.

#### 6. AOB

- Peer Workshops and Specialized sessions on Negotiating Returns & Other Durable Solutions for Iraqis, will be organized by the Centre of Competence on Humanitarian Negotiation (CCHN) together with IOM in Erbil, from 27 Feb. – 2 Mar. 2023. The aim is to support humanitarian professionals in planning and conducting negotiations in humanitarian. Registration for this event is required by Feb. 12, 2023, using [the registration link here](#). For further details, kindly reach out to Mohammad Thaer Allaw, [mallaw@frontline-negotiations.org](mailto:mallaw@frontline-negotiations.org)
- Next RWG meeting is scheduled for February 28, 2023.