

23 May 2006

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## **Iraq: sectarian violence, military operations spark new displacement, as humanitarian access deteriorates**

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*An estimated 81,000 people were forced to flee their homes in a matter of two months by sectarian violence sparked by an attack on the Al-Ashkari shrine in Samarra in February. These newly-displaced people are in addition to more than one million internally displaced people (IDPs) in Iraq, the majority forced out by conflict and human rights violations under the former regime. Sectarian displacements received much attention in the mainstream world media in April 2006, yet equally large-scale population displacements caused by multiple military operations across the country have been largely unreported. Several hundred thousand people were displaced by military operations during 2005. The security situation is tense and new displacements continued to be reported in early May. The potential for further displacement is high, particularly in Baghdad, and other areas of the country with mixed communities. The provinces that are the most affected by new inflows of displaced people include Baghdad, Anbar, Diyala, Najaf and Karbala.*

*The government, UN and NGOs continue to face great difficulties in assisting IDPs, and at times are unable to access them, or only in an ad hoc manner because of security fears and military-imposed restrictions. The government has set up some camps for the newly-displaced, but the UN has advised against the creation of tented camps, recommending that IDPs stay instead with host families. The quick return of the newly-displaced is perceived as a priority to avoid the consolidation of communities along sectarian lines. Local communities, including extended families and tribal structures, will need support as their capacity to assist IDPs has grown thin, especially in areas which already host significant displaced populations. Thousands of other people displaced by military operations also continue to be vulnerable, and have received inadequate or no compensation assistance at all. NGOs note a decline in donor interest, ironically, at a time when funds to assist the displaced and other persons of concern are the most needed.*

## Background and main causes

Internal displacements in Iraq are commonly divided into two periods: those occurring before and those occurring after the United States-led invasion that brought about the overthrow of Saddam Hussein's regime in March 2003. The majority of IDPs were displaced prior to the March 2003 conflict. While the causes of displacement under the former regime are no longer present, many of these people remain in need of assistance to find durable solutions. Displacement in Iraq has generally had distinctive regional patterns, outlined below (UNCT August 2004).

### *Central and northern Iraq*

Displacement in and around Kirkuk has had particular political sensitivity as the area contains some of Iraq's biggest oil fields and which ethnic group is in the majority there is a key factor in the political bargaining over the relationship between the primarily Kurdish north and the Arab majority of the rest of Iraq. Following the rise of the Ba'ath party in 1968, large-scale internal displacement took place in the centre and north of the country as part of the Iraqi authorities' campaign to neutralise Kurdish aspirations for independence and to strengthen control over some of the world's largest oil reserves. These campaigns involved widespread human rights violations, including the systematic alteration of the ethnic composition of the region.

Until the 1990s, the Iraqi authorities displaced tens of thousands of non-Arabs from Kirkuk and surrounding areas, resettling Arabs in their place under what is referred to as the "Arabisation" cam-

paign. While the Kurds constitute the majority of those displaced, other non-ethnic-Arab Iraqis, including Turkmen and Assyrians, were also forced to flee or to sign a form "correcting their ethnicity" so as to be considered ethnic Arabs (HRW, August 2004). To increase the number of Arabs in the region, incentives, such as free land and houses, many belonging to the evicted Kurds, were offered by the former regime (RI, 21 November 2003; UNCHR, 26 February 1999).

The end of the Iran-Iraq war in 1988 saw an intensification of the atrocities committed against the Kurds. In the course of the "Al-Anfal" campaign, the Iraqi authorities committed mass executions, poisoned entire villages with gas and imposed economic blockades on others (AIJ, December 2002). The genocidal nature of the Anfal campaign differentiates it from the earlier and later Arabisation campaigns (HRW, August 2004). More than 100,000 Kurds are estimated to have been murdered with chemical weapons. During the Anfal campaign the government also deliberately destroyed up to 4,000 Kurdish villages, resulting in massive forced displacements of Kurds. Most were relocated into "collective settlements" within the three northern governorates and some were put into detention camps (USCR 2000, p.187; Dammers 1998, p.181; Fawcett and Tanner, October 2002, pp.8-10; HRW, July 1993).

Another cause of displacement within northern Iraq as well as in areas south of the green line was factional Kurdish infighting.<sup>1</sup> Following the 1991 Gulf War,

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<sup>1</sup> Iraq was de facto divided after 1991 into two areas, northern Iraq (comprising the provinces of

the United States imposed a no-fly zone in the north, which established a de facto autonomous Kurdish region in the northern provinces of Arbil, Sulaymaniyah and Dahuk. Fighting for control of these three governorates between the two main Kurdish parties, the Patriotic Union of Kurdistan (PUK) and the Kurdish Democratic Party (KDP), caused the displacement of hundreds of thousands of people in the early 1990s (UNHCR, August 2004; UNCT, March 2005). Incursions and shelling from neighbouring Turkey and Iran, both countries opposed to the creation of a Kurdish state, also caused internal displacement in the north (UNHCR June 2000; USCR 2001).

The UN estimates around 805,500 individuals (141,200 families) were displaced in the north, the majority between 1974 and 1991 (UNHCR, August 2004; UN Habitat, January 2001). More than 600,000 people are thought to remain displaced in the three northern provinces (IOM/UNOPS, September 2005).

### *Southern Iraq*

The Marsh Arabs constitute the main group of people forcibly displaced in the south during the 1990s owing mainly to the former regime's campaign to drain the marshland areas. A first stage of displacement occurred with the draining of the central marshes to facilitate movement of military units during the Iran-Iraq war in the 1980s. The marshes underwent further drainage during the 1990s, as part of a campaign against Marsh Arabs who were accused by the

authorities of supporting a Shi'a uprising in 1991. The military crushing of the 1991 revolt forced many Shi'ites to flee to the northern protected areas, into Iran, or deeper into the southern marshlands. The campaign included the use of chemical weapons, shelling and burning of villages, assassinations, contamination of water and police raids; large-scale dam projects also displaced many (Fawcett and Tanner, October 2002, p. 28-30; USCR, 2001). In 1992, the government moved some 4,000 Marsh Arabs to houses along the highway between Basra and Al-Qurna (UNCT, March 2005). In the early 1990s, it was believed that 250,000 people lived in the marshes, whereas today it is estimated that the population is less than 20,000 (UNCT, March 2005). The UN estimates that between 100,000 and 200,000 people remain displaced from the marshland areas (UNHCR, August 2004; UNOHCI, 30 June 2003).

Tens of thousands of people were also displaced from their homes on the border with Iran in the south as a result of the Iran-Iraq war in the 1980s. Today it is estimated that at least 80,000 people are still displaced within Basra province (UNCT, August 2004).

Political and religious persecution has been a further cause of displacement of Shi'a political dissidents in the south. Shi'a support for Iran in opposition to the former government was particularly pronounced in the south but also among some Shi'a in the centre (UNHCR, August 2004; IRIN, 21 May 2004). There are no precise estimates of the number of Arab Shi'ites displaced, apart from around 25,000 that the former government admitted to having expelled from

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Dahuk, Arbil and Sulaymaniyah) under Kurdish administrative control separated by the so-called "green line" from the rest of the country, under the control of the central government.

Baghdad in 1998 (Fawcett and Tanner, October 2002, p. 33).

### **Continued displacement since 2003**

Two causes of new displacement since the fall of the former regime are military campaigns against insurgents by the US-led intervention forces and their Iraqi allies and inter-communal tensions. In March and April 2006, increased levels of sectarian strife caused tens of thousands of people to flee, according to Iraqi authorities and humanitarian agencies. Figures were initially estimated to be as high as 100,000 people (UNHCR, 26 April 2006; IRIN, 1 May 2006). According to figures from 22 May 2006, the Iraqi authorities and the International Organisation for Migration (IOM) estimate that there are approximately 81,000 people displaced, while displacement was reportedly ongoing (IOM, 22 May 2006). The violence – which escalated dramatically following an attack on the Al-Askari shrine in Samarra at the end of February – has however impeded the collection of accurate figures. Fear for their safety prompted some people to move to areas where they constitute a majority and could count on the protection of their own community (UNAMI, 22 March 2006, p.4). Shi'ites fled mainly from the centre (Baghdad, Anbar and Salah al Din) and headed southwards (Najaf, Qadissya and Karabala). Conversely, Sunnis fled the southern provinces for central areas (Baghdad, Diyala and Anbar) (IOM, 26 April 2006). The violence initially seemed to be a retaliation against Sunnis, as Sunni militants have been widely held responsible for the bombing of the shrine, albeit without proof. Other ethnic and

religious minorities were targeted or have felt vulnerable to sectarian attacks. For instance, around 600 Christians (150 families) fled the city of Mosul (Ninewa province) in February 2006 to areas within the province where they constitute a majority (UNAMI, 22 March 2006, p.5). There have also been reports of particular groups of individuals being targeted, including doctors forced to flee the Mosul area after receiving death threats (IRIN, 1 May 2006).

Inter-communal threats and killings in September and October 2005 similarly caused people to flee Baghdad's neighbourhoods although on a smaller scale. Sectarian tensions and targeted violence also reportedly caused displacement during the same period in other cities of the country, including in Tal Afar, Tarmiya, and Basra (UNAMI, 31 October 2005, p.2). Other groups include the Turkmen, who were reported to have fled their places of residence due to fear of attack in 2005 (IRIN, 9 May 2005; AFP, 20 May 2005). In addition, nearly 4,000 Roma, who had been granted special protection by the former regime, faced harassment and were forced off their land by neighbouring communities in April 2003 (IOM, September 2004).

Sectarian displacements received much attention in the mainstream world media in April 2006, yet equally large-scale population displacements caused by multiple military operations across the country have been largely unreported. To date military operations are the main cause of displacement since the fall of the former Iraqi government. The operations, often including aerial bombing, have been led by the US-led Multi-National and Iraqi Forces (MNF/I) with the stated aim of

quelling armed insurgency groups. Several hundred thousand people have been forced to flee their homes. Most have been able to move back when fighting lessens. However, in many cases people have been afraid to go back because of ongoing insecurity, or because they have not received the compensation or reconstruction of their houses necessary to restart their lives. For example, approximately 65,000 people from Fallujah, who were forced to flee the city in November 2004, are still estimated to be displaced (IRIN, 21 March 2006, UNCT, March 2005).

Military operations have caused the most devastation and displacement in western Iraq, in predominantly Sunni areas, where multinational Iraqi forces say the insurgent strongholds are concentrated. During 2005 and early 2006, multinational and Iraqi forces launched regular military offensives in several cities and towns in Anbar province, including Husbaya, Hit, Rawa, Haditha, Fallujah, Ramadi and Al Qa'im. Most of these cities and towns already hosted displaced populations from previous military operations (IRIN, 24 February 2005; UNAMI, 27 February 2005). During the same period, people were displaced because of military operations launched in other parts of the country including in Tal Afar, Karabala, Samarra, Mosul and Kirkuk as well as in areas of Salah al din, Ninewa, Babil and Diyala (UNAMI, 31 August 2005 and 18 May 2005 and 27 February 2005; IRIN, 28 June 2005 and 31 May 2005; ICSC, 13 May 2005; NCCI, 17 May 2006).

The displacements occurring in 2005-2006 followed a similar pattern to the previous year. In 2004, military opera-

tions and fighting between US-led military forces and Iraqi insurgents caused displacement in the cities of Fallujah, An Najaf, Kufa, Ramadi, Karabala, Tal' Afar and Samarra (UNSC, 3 September 2004; IRIN, 26 July 2004, 23 August 2004 and 4 January 2005; DPA, 20 August 2004; UNAMI, 25 April 2004; UNCT, August 2004). The biggest displacement occurred in Fallujah, in November 2004, when almost the entire population of the city fled (an estimated 200,000 people), following fierce battles between Coalition troops and insurgents (UNAMI, 13 November 2004; IRIN, 8 November 2004). The November offensive was the second siege of Fallujah, from where 70,000 people had already been forced to flee in April 2004. During the first months of the US invasion in Iraq, thousands of people were also displaced in Anbar, Thi'Qar, Basra and Baghdad by air strikes and urban warfare. Across the country, small numbers of people considered to be living in strategic areas by the military were forcibly displaced by the Coalition Forces (UNCT, August 2004).

## Secondary displacements

The spontaneous return of some displaced groups to their areas of origin has also produced secondary displacement of other groups in Iraq. Two significant return movements of displaced Kurds have taken place from the northern governorates (Dahuk, Arbil and Sulaymaniyah) to their places of origin below the "green line" (Tameem, Diyala, Salah Al Din and Ninewa). One movement followed the collapse of the previous regime in April 2003 and a second population movement was reported in August-September 2004, following rumours of a national census

that would impact political representation in those areas. Most of these returns were spontaneous, although some are believed to have been encouraged by local political parties (IOM/UNOPS, April 2005 and 8 June 2005; UNCT, March 2005). Arabs who had been settled in these provinces by the former regime under the “Arabisation” policy began to flee these areas, either because they were evicted by the returning Kurdish IDPs or out of fear of harassment and attacks (IRIN; 23 September 2004; HRW, August 2004; UN OHCI, 10 October 2003). Reports by international human rights organisations suggest that major population displacement of Arabs by Kurds returning to traditionally Kurdish areas occurred between April and October 2003 (HRW, August 2004). However, some NGOs that have maintained a long-term presence in the country say that this is an exaggeration, and that the majority of the Arabs living in areas below the green line left prior to the 2003 war (Qandil, 17 May 2006). In many of the villages below the green line to which Kurds returned, nomad tribes only used the land for harvesting or temporary settlements (Qandil, 17 May 2006).

Some refugees returning to Iraq have also become internally displaced upon return to Iraq (UNAMI, January 2005, p.3; IRIN, 21 May 2004 and 7 June 2005; UNCHR, 9 June 2004). The UN refugee agency UNHCR estimates that 310,000 Iraqi refugees have returned to the country, as of April 2006 (UNHCR, April 2006). A survey undertaken by the agency in the lower southern provinces found that 65 per cent of 56,700 returning refugees surveyed had returned from their country of asylum to a situation of internal displacement (UNAMI, 13 December

2004). UNHCR has continued to refrain from promoting voluntary repatriation to Iraq and called on host governments not to forcefully return Iraqis to the south and centre for reasons of insecurity; the agency has also emphasised that returns to the North should only take place where appropriate conditions were available (UNHCR, September 2005).

A lack of adequate housing, water, electricity, health services, employment opportunities and education has also prolonged displacement among refugees who returned to their areas of origin since 2003. UNHCR returnee monitoring data shows that about 80 per cent of returnees in north Iraq and 35 per cent in the lower south Iraq end up in internal displacement upon return due to lack of basic conditions (UNHCR, April 2006, p.10).

### **Overall figures**

IOM and the UN estimate that more than one million people remain displaced in Iraq today (UNHCR, April 2006, p.4). The overall figure draws from a 2001 survey by the Human Settlements Programme UN-Habitat. However, this figure should be taken with caution. NGOs working in Iraq note that the Habitat survey is outdated and does not represent the current reality, in particular it does not take into account extensive IDP movements after 2003 including returns of Kurds to their areas of origin prior to and after 2003 (Qandil, 17 May 2006). Today, IOM, UN Office for Project Services (UNOPS), and UNHCR monitor population movements in Iraq, although exact statistics are not available because widespread insecurity and ongoing displacement complicate the monitoring of IDP

movements. Almost half a million IDPs are estimated to have returned to their areas of origin; the largest return movements have been to or within central Iraq, although many may not have reintegrated, especially in areas which have suffered massive destruction by military operations (UNHCR, April 2006, p.4; IOM, April 2005).

### **Deteriorating security environment**

A report by the UN Iraq Human Rights Office notes “a marked deterioration in the security environment” in January-February 2006; characterised by widespread killings, torture, abductions, extrajudicial executions, arbitrary arrests, illegal detention, assaults and kidnappings (UNAMI, 22 March 2006, p.2). Abuses are being committed by insurgents but there has also been a rise in abuses committed by armed militias, the Iraqi police and special security forces, who act with impunity (UNSC, 7 June 2005). Violence escalated following the bombing of the Al-Askari shrine in Samarra, in particular in Baghdad but also in other areas with mixed populations.

Hundreds of thousands of Iraqis have also been affected by ongoing military activities, especially in the western province of Anbar and Salah al Din (UNSC, 3 March 2006; NCCI, 17 May 2006). Reports by the UN and international human rights organisations suggest that members of the MNF/I and Iraqi Security Forces have been responsible for serious infringements of human rights and humanitarian law, including war crimes (UNSC, 7 June 2005, p.13; HRW, 2005; ICRC, 17 May 2005). MNF/I military raids have

been accompanied by restrictions on freedom of movement, excessive use of force, mistreatment and theft during raids on private homes, evictions and demolition of houses (UNSC, 3 March 2006, p.11; UNAMI, December 2005, p.5).

An Iraqi Special Tribunal set up in 2003 began the trial of Saddam Hussein in October 2005. It will also try other senior members of the government responsible for genocide and other massive violations and displacements that were part of the Anfal campaign, the repression following the 1991 Shiite revolt and drainage of the marsh areas. However, human rights groups have criticised the court, questioning whether it complies with international standards (UNHCR, October 2005, p.126-127).

### **Protection concerns and gaps in assistance**

The current level of violence and the ongoing military operations affect the ability of all Iraqis, whether displaced or not, to exercise their fundamental human rights. Surveys undertaken among Iraqi households suggest that the Iraqi population at large has dismal living conditions as a result of decades of wars and sanctions and the current conflict (UNDP/MOPDC, 12 May 2005). Three years have passed since the fall of the former regime, yet the provision of basic services, including electricity and water, is irregular and medical supplies are scarce. According to a recent population survey, around 47 per cent of the Iraqi population is dependent on food rations (WFP, September 2004 and NCCI, 17 May 2006). Food shortages have been particularly acute in areas where military

operations have been underway (WFP, May 2005).

Displaced people have limited access to food, health services, education and employment, particularly in areas where there are high numbers of IDPs or remote areas. The UN has identified Baghdad, Anbar, Diyala, Najaf, Karbala, and Salah al Din as among the most affected provinces due to the concentration of new IDP families in these areas. To address the situation of the newly displaced, the government has set up IDP camps in some areas; however, the UN has strongly advocated that the displaced stay with host families and that tented camps only be used as a last resort (UNAMI, 9 May 2006, p.1). Host communities, including families and extended tribes have played an important role in supporting the displaced, including by sharing already limited supplies and infrastructure. However host communities will require support, in particular in areas like Baghdad and Anbar province, where conflict has been acute, exhausting host communities' coping strategies (UNAMI, 9 May 2006, p.1). Tensions between resident communities and IDPs are reported in various areas where frustrations between host and IDP families have grown because of the lack of public and social services (IOM/UNOPS, September 2005).

IDPs are heavily dependent on the public food distribution system and assistance from local authorities and relatives, and may be forced to resort more frequently to child labour. A survey of IDPs in Erbil province found that around 60 per cent of IDPs had a regular income, with a family member employed in casual work like driving taxis. In the governorate of Sulaymaniya, only 36 per cent of IDPs had

a source of regular income, the remaining 64 per cent being dependent on the public distribution system (UNHCR, October 2005, p.110). In addition, displaced people have had difficulties accessing the public distribution system because of insecurity, especially in the wake of military operations, and because the registration card to access food rations is linked to the place of origin. Some families have been left without food for months because the system is slow to transfer the registration, and because of food shortages and backlogs (UNHCR, October 2005, p.133; UNSC, 7 Sept 2005, p.9; IRIN, 22 August 2005; NCCI, 17 May 2006).

UN and IOM monitoring of IDP communities identifies housing as a primary need for the displaced, and underlines the need for a national shelter programme. Iraq is short of some 1-1.5 million housing units apart from damaged and illegally occupied property (UNHCR, October 2005, p.2). Many IDPs who returned in April 2003 to areas below the green line, Kirkuk in particular, did not own property and they therefore remain displaced upon return, living in public buildings, including schools and police stations and other makeshift accommodation (UNOPS, May 2003; MoDM, September 2004). In the northern governorates 6,000 families (around 36,000 people) are believed to live in public buildings (UNCT, December 2005). In Baghdad alone, 60,000 people are estimated to live in public buildings (UNCT, December 2005). Statistics for numbers of displaced people living in public buildings in the south are not readily available, but it is estimated that they are higher, particularly in Basra and Thi Qar (UNCT, December 2005). Living

conditions in public buildings are extremely harsh, overcrowded and unsanitary and often without electricity (UNHCR, August 2004, 9 March 2004 and 22 October 2003; IOM, September 2004; IRIN, 21 May 2004). Public buildings are also reported to contain landmines and unexploded ordinance (IOM/UNOPS, September 2005).

Displaced people also remain at risk of being evicted from public buildings without the authorities providing them with alternative accommodation. Evictions continue to be reported as the public authorities regain use of public buildings. For instance, displaced families temporarily located in schools and other public buildings were evicted from areas including Tal Afar and western Anbar and Diyala (UNAMI, August 2005). Evicted displaced people end up moving to other public buildings, often in worse conditions than the ones they left because of the shortage of alternative accommodation (UNCT, March 2005).

Clean water for drinking, proper sanitation and basic services present another immediate need, in particular for IDPs living in public buildings and IDP settlements (IOM, September 2004). In some areas, IDP sites are located far from water sources or rely on water from rivers and lakes which makes them vulnerable to water-borne and infectious diseases including typhoid fever, cholera and gastro-intestinal diseases (IOM, April 2005; UNAMI, 13 December 2004). The vulnerability of IDPs to health risks is increased by poorly-built latrines, lack of garbage disposal and overcrowded conditions (IOM, April 2005). Displaced people sheltering in public buildings and camps/settlements have inadequate or no

sanitation facilities (UNHCR, October 2005, p.95).

IDPs living in settlements or camps are often far away from health centres. In the area of Huwair in Basra, for instance, more than 2,000 IDP families have to walk for more than 40 minutes to reach the nearest health facility (UNHCR, October 2005, p. 105).

School attendance is reported to be low among IDPs, particularly for girls. There are many reasons, including insecurity, overcrowding, the lack of water and sanitation facilities in schools, the occupation of schools by military forces, the use of schools as temporary shelters for displaced people, the destruction of school structures and child labour (UNAMI, July 2005; IRIN, 3 April 2006). Also, most IDPs living in camps do not have access to schools (IOM/UNOPS, September 2005).

## **Property and land**

The Iraq Property Claims Commission (IPCC), established in January 2004, was initially mandated to address disputes resulting from the wrongful confiscation and reallocation of properties under the former government between 17 July 1968 and 9 April 2003 (UNHCR, September 2004 and August 2004). Following a revision of the statute in June 2004, Arab settlers who lost the properties allocated to them by the former regime as a result of the return of the previous owners after 18 March 2003 were also enabled to submit claims to the IPCC by 30 June 2005 (IPCC, June 2005; Deutschlander, June 2005). The 30 June 2005 deadline for filing property claims was extended to

30 June 2007, to ensure that all displaced people as well as Iraqis outside the country are able to file a property claim.

One principal concern with the commission has been the delays in provision of compensation. As of 30 April 2006, the commission had received over 132,000 claims and adjudicated on fewer than 22,000 (IOM, 17 May 2006). Some compensation has been paid, yet delays are reported in payments and the amounts are insufficient (UNAMI, 29 March 2006; IRIN, 24 May 2005; BBC, 25 April 2005). The commission has faced challenges in carrying out its mandate, including technical and operational obstacles, and threats of violence. In central and northern Iraq, local authorities have in some cases bypassed the commission and allocated land to returnees, but because this has been done on an ad hoc basis there is concern that it could create further tensions and problems in the restitution of property and land to displaced people (IOM/UNOPS, September 2005).

Property claims which lie outside the scope of the commission's statute are also a concern. The current statute does not cover property disputes resulting from the expropriation of land for national or regional projects (IOM, April 2005). A further criticism is that the multinational forces are immune from the jurisdiction of Iraqi courts in matters of liability for housing and land violations (HIC, 16 June 2005). However, in certain cases special compensation mechanisms have been created, for example the Iraqi Central Committee for the Compensation of the People of Fallujah. It is also unclear whether the former regime's destruction of the wetlands, caused by

damming and draining, would fall under the mandate of the property commission (IOM, 20 February 2006). Around 50 per cent of the marshlands have been re-flooded since April 2003 and no government plan has yet been put together for the restoration, return or resettlement of the Marsh Arabs who formerly lived there (IRIN, 22 August 2005).

It is commonly suggested that the main obstacle to durable solutions for the displaced in the Kirkuk area is linked to property disputes caused by hundreds of thousands of Kurds returning to the area and reclaiming property under control of the Arabs settled in their place by the former regime. However, recent research indicates that disputes between Kurds and Arabs over property rights may not be at the crux of ongoing displacement in Kirkuk (Sacco, 19 May 2006). Most displaced families living in camps and public buildings in Kirkuk appear not to have owned properties before displacement. Most of the claims in Kirkuk are related to government confiscation of land for public works. The study also found that most Arabs never made attempts to legally claim land in the area. These findings challenge the assumption that tensions over property are the main obstacle to return of IDPs in Kirkuk. The international community has been largely unwilling to support the return process in Kirkuk, in fear that assisting returnees would exacerbate ethnic tensions. The study may indicate a need to revise this approach (Sacco, 19 May 2006).

In March 2006, a new law came into force replacing the IPCC with the Commission for Resolution of Real Property Disputes (CRRPD). Two important changes are introduced by the new law

(1) good faith secondary occupants now have a right to compensation from the government if the property they currently live in is restituted to the original owner  
(2) compensation amounts will now be calculated with reference to the value of the property on the date on which the claim was filed rather than the date of the wrongful taking by the former regime, a change which will often result in higher levels of compensation (IOM, 17 May 2006).

### **Response limited by insecurity, lack of funds**

The Iraqi Ministry of Displacement and Migration bears the responsibility to provide protection and assistance to IDPs (CPA, 8 March 2004). The ministry, with the support of the UN, began the process of developing a national policy on displacement, a process which includes consultations with IDPs, host communities and local authorities. The UN Iraq office endorsed a “Strategic Plan on Assistance and Durable Solutions for IDPs in Iraq” in December 2005, to ensure that all development activities in Iraq take into account the IDP situation (UNAMI, 6 March 2006, p.3).

Local NGOs and national staff play an important role in providing aid to displaced people since the bombing of the UN headquarters, which prompted the UN and other international organisations to pull out the majority of their staff in August 2003. The UN Assistance Mission in Iraq (UNAMI) operates from Amman, and has also opened liaison offices in Baghdad and in Basra and Erbil (UNSC, 7 June 2005; UNAMI, 4 April 2005). The UN response in Iraq is coor-

ordinated by inter-agency thematic clusters, of which Cluster F (formerly Cluster 8) is responsible for all issues relating to IDPs. Cluster F coordinates the provision of protection and assistance to IDPs and other activities for IDPs, like shelter-building programmes, income-generating activities and legal advice (UNAMI, 1 March 2005). The Cluster also provides technical support to the government for dealing with humanitarian assistance, protection, and property issues (UNHCR, 19 December 2003; UNCT, August 2004). There is an emergency working group and an IDP working group coordinated by the UN as well as an emergency working group led by the NGO Coordination Committee in Iraq, an umbrella network of NGOs working in Iraq.

IDP assistance and monitoring mechanisms are still weak because of security constraints and impeded access (NCCI, 18 May 2006). Following some MNF/I and Iraqi Security Forces military operations, humanitarian organisations have been unable to reach displaced communities or have provided only sporadic assistance to IDPs, in particular in Anbar, Ninewa and Salah al Din (UNAMI, July-November 2005 and 31 October 2005; NCCI, 18 May 2006). Similarly, security and military forces have prevented humanitarian organisations from accessing displaced and other vulnerable populations in Fallujah, Al Qa'im and Samarra (IRIN, 22 March 2006, UNSC, 7 June 2005; IOM, April 2005; UNAMI, 18 January 2005 and 19 December 2004). There are also reports that humanitarian workers have been detained or imprisoned while attempting to carry out their work. For instance, doctors were detained and medical facilities occupied by armed forces during military operations in An-

bar province in October 2005 (UNAMI, 31 October 2005, p.2).

Yet, the humanitarian response has also been inadequate because of mismanagement of funds and declining donor interest. A report by the UK's Guardian newspaper points to the mishandling and embezzlement of up to \$23 billion allotted for reconstruction activities in Iraq given to the US Coalition authorities by the UN (The Guardian, 20 March 2006). In addition, the NGO Coordination Committee in Iraq notes the lack of neutral funding not linked to one of the parties in the conflict. The withdrawal of some donors and the limited funds allocated for humanitarian preparedness has also had a negative impact on the ability of humanitarian agencies to respond efficiently (NCCI, 18 May 2006). NGOs have made repeated calls for support to assist IDPs, particularly those affected by military operations living in remote areas. In December 2005, 400 people demonstrated in Baghdad calling for aid for IDPs in western Anbar governorate (IRIN, 21 December 2005). While NGOs recognise the value of mechanisms such as the property commission to provide durable solutions for IDPs in the long-term; they also underline that a national policy should provide more immediate solutions. NGOs have called for improved coordination of humanitarian activities and for a special emergency fund to be able to access funds at short notice (NCCI, 18 May 2006).

*Note: This is a summary of the Global IDP Project's country profile of the situation of internal displacement in Iraq. The full country profile is available online [here](#).*

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## About the Internal Displacement Monitoring Centre

The Internal Displacement Monitoring Centre, established in 1998 by the Norwegian Refugee Council, is the leading international body monitoring conflict-induced internal displacement worldwide.

Through its work, the Centre contributes to improving national and international capacities to protect and assist the millions of people around the globe who have been displaced within their own country as a result of conflicts or human rights violations.

At the request of the United Nations, the Geneva-based Centre runs an online database providing comprehensive information and analysis on internal displacement in some 50 countries.

Based on its monitoring and data collection activities, the Centre advocates for durable solutions to the plight of the internally displaced in line with international standards.

The Internal Displacement Monitoring Centre also carries out training activities to enhance the capacity of local actors to respond to the needs of internally displaced people. In its work, the Centre cooperates with and provides support to local and national civil society initiatives.

For more information, visit the Internal Displacement Monitoring Centre website and the database at [www.internal-displacement.org](http://www.internal-displacement.org).

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