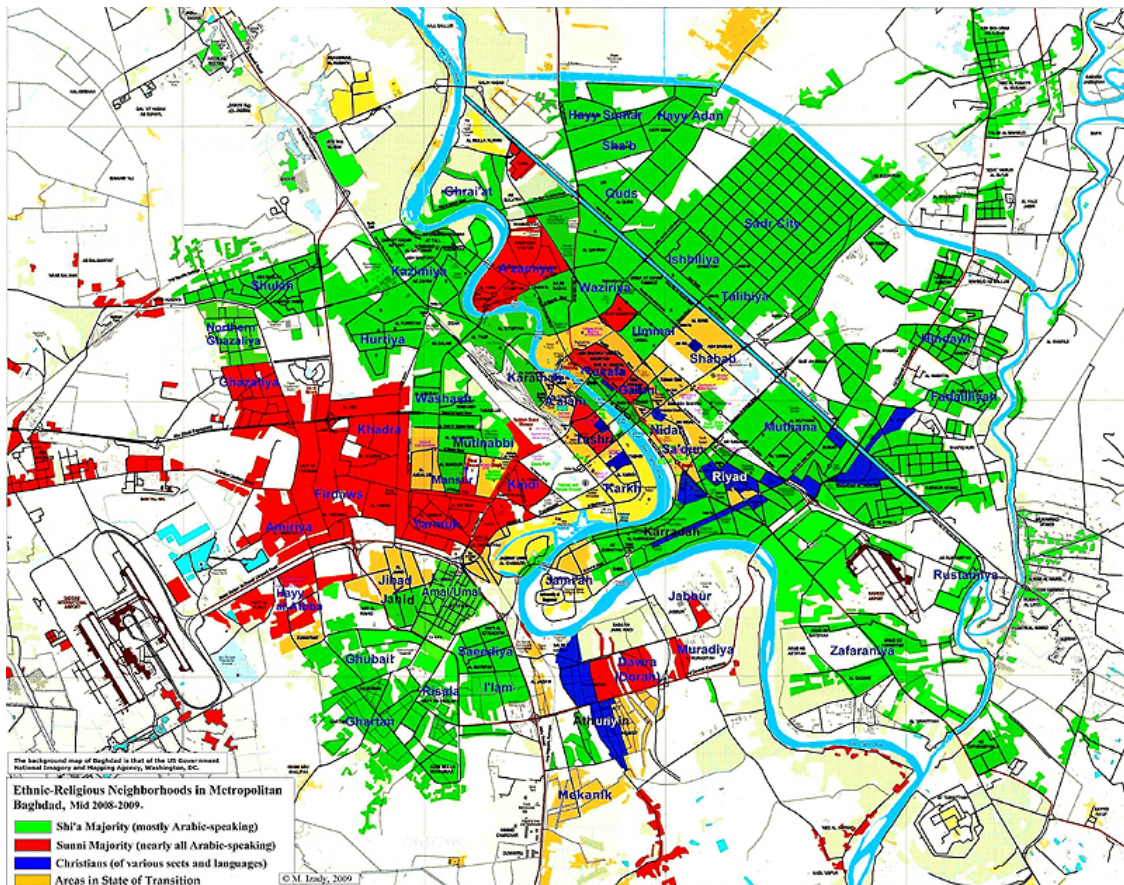


Iraq: IDPs and their prospects for durable solutions

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Ethno-religious neighbourhoods in metropolitan Baghdad (Map courtesy of Columbia University, 2008).

1. Introduction

With the level of violence declining to levels unseen since the American-led intervention in 2003, Iraq is in 2011 moving away from an emergency situation to a development phase. However, new displacement still occurs and a large number of people have unmet humanitarian needs. The new government of Iraq (GoI) formed at the beginning of 2011 quickly launched a plan to address the displacement situation. The international community, led by the United Nations Country Team (UNCT) has developed a Development Assistance Framework (UNDAF) to coordinate the delivery of UN assistance from 2011 to 2014.

This new phase ushers in numerous challenges. As development plans are being drafted, the Iraqi state is still struggling with a political system which is neither inclusive nor transparent, and a centralised and inefficient public sector. Rule of law remains weak, massive corruption is pervasive and human rights violations persist. Humanitarian organisations have only a partial view of the situation and needs of most Iraqis, and little opportunity to ensure beneficiaries participate in policy-making, due to security rules which have dramatically curtailed their presence outside limited areas.

Internal displacement in Iraq has followed many diverse causes, in a variety of locations and periods. Those displaced by the previous Ba'ath regime were principally from the rural Kurdish north and Shi'a south, whereas the sectarian violence which broke out following the bombing of the Askari mosque in February 2006 has mainly displaced people from the urban centres of Baghdad, Ninewa, and Diyala. The longer-term internally displaced people (IDPs) have often been perceived as victims requiring redress for past injustices, and those more recently displaced as vulnerable people in need of assistance.

At a time when several countries in the Middle East have been rocked by socio-political upheaval, there are concerns that funding shortfalls could prevent the delivery of effective assistance in Iraq. Yet violence in Iraq remains comparatively high and continue to force people from their homes. Overall, only a very small fraction of all IDPs have returned to their homes or achieved durable solutions elsewhere.

2. Background and patterns of displacement

Most of the people newly displaced in 2011 have been members of minority communities. Attacks against religious minorities (in particular Christians) and their sacred sites continued in 2010 and 2011, with most of the victims being displaced to the predominantly Kurdish northern governorates or abroad.

As of November 2010, the International Organization for Migration (IOM) reported that almost 1,660,000 people had been displaced within Iraq since 2006 and over 1,090,000 people had been displaced prior to that. The total of 2,750,000 IDPs is less than 20,000 fewer than in November 2009¹. However, these figures should be approached with caution, and do not concur with figures provided by the Iraqi Ministry of Displacement and Migration (MoDM), the Kurdistan Regional Government (KRG) which controls three northern governorates, or UNHCR which estimated that some 1,340,000 people were displaced from 2006 to January

¹ IOM, Governorate profile, November 2010.

2011, over 300,000 fewer than the IOM reported². IOM's figures are based on an estimate of the number still displaced from before 2006, and the number of people who registered as internally displaced from 2006 onwards.

MoDM has registered displaced people in 15 central and southern governorates, and KRG in the three northern governorates of Dohuk, Irbil and Sulaymaniyah. Registration has remained voluntary and contingent on documentation which IDPs may lack. The estimates of the number of people displaced before 2003 are outdated and contested; particularly in northern Iraq, they have been subject to manipulation according to interested parties' claims over disputed territories. The accuracy of estimates of the number of IDPs living in informal settlements has also been affected by a lack of consistency and coordination between humanitarian organisations working with the GoI and local authorities struggling to operate within a decentralised framework.

It is estimated that the capital Baghdad hosts nearly 40 per cent of IDPs in Iraq. About half of the total displaced population after 2006 was either in Baghdad or Diyala, the second most-affected governorate. Nearly 60 per cent of IDPs were Shi'a and about 30 per cent were Sunni. The rest were from minority populations, notably Shabaks, Assyrians, Chaldeans, Armenians, Faeeli Kurds, Yazidis and Sabeen Mandeans.

Prior to 2003, the Ba'athist government forcibly displaced entire populations it labelled as opponents. The government carried out "Arabisation" campaigns in the north to thwart Kurdish aspirations to independence and strengthen its control over oil reserves adjacent to the ethnically diverse city of Kirkuk. It evicted Kurds and offered their land and houses to Arabs as incentives to move there. The end of the Iran-Iraq war in 1988 saw an intensification of atrocities against the Kurds. Inter-ethnic and sectarian tensions in the northern disputed territories, fuelled by disputes over governorate borders, continued to cause displacement.

In the predominantly Shi'a southern governorates the Ba'athist government displaced much of the population of the marsh land in the catchment area of the Euphrates and the Tigris. Many thousands more were displaced from the border with Iran during the Iran-Iraq war. Political and religious persecution caused further displacement in the south and also in Baghdad.

The 2003 invasion and the policies pursued by the Coalition Provisional Authority and subsequent Iraqi governments deepened sectarian divisions, and the Sunni community was marginalised by Shi'a and Kurdish gains in elections and by the constitution adopted by referendum in 2005. The bombing in February 2006 of the Al Askari Shi'a shrine in Samarra set off a wave of sectarian violence between Sunni and Shi'a militias which led to massive civilian casualties

IDPs have overwhelmingly fled to areas where their own sectarian or ethnic group was dominant, leading to a demographic homogenisation of the country's governorates and greater segregation of communities. Over 95 per cent of the people fleeing to the nine predominantly Shi'a governorates of the south were themselves Shi'as, while those that left them were overwhelmingly Sunnis. In the Sunni governorates of Anbar and Salah-al-Din, over 95 per cent of IDPs are Sunnis.

² UNHCR, Country Operation Profile – Iraq, in Global Appeal 2011.

3. Protection and assistance needs of IDPs

Internal displacement has profoundly marked the country. Neighbourhoods that once were mixed are now visibly dominated by one sectarian group, their territory marked with flags, sectarian pictures and graffiti; all of which were associated with abductions and assassinations which had triggered the initial displacements.

Threats to life, safety and security

In 2011, the majority-Shi'a southern governorates and the three KRG-controlled governorates are relatively safe, but the ethnically and religiously mixed northern areas of Nineveh, Kirkuk, Salah al-Din, Diyala, and Waset are disputed, with the KRG calling for the annexation of parts of these governorates³.

In February 2011, the US Force – Iraq reported that the rate of violence was at its lowest in Iraq since 2003, causing only about ten per cent of the 3,000 deaths per month of 2006 and 2007. Nonetheless, this still made for an average of 300 deaths a month and the majority of Iraqis remained unconvinced that security had improved. They still faced disruption to their daily lives; and they had no way of holding government officials to account for actions driven by nepotism and sectarian interest. Government security institutions were also under sectarian control; meanwhile sectarian violence was continuing and perpetrators enjoyed impunity⁴.

Shelter and access to basic necessities and services

Shelter remains an urgent priority for many Iraqis. The government has reported a deficit of some two million housing units. Many dwellings are dilapidated, unsafe and overcrowded. In 2009, 57 per cent of the urban population lacked access to clean water, sanitation or secure tenure. The US office overseeing the use of reconstruction and rehabilitation funds has listed the lack of basic services such as water, sewage and electricity, in all governorates, as the greatest source of potential instability in Iraq⁵.

Over 60 per cent of people internally displaced since 2006 were in 2009 reportedly living in rented housing, 15 per cent with host families and over 20 per cent in collective settlements in tents, former military camps and public buildings. Internally displaced tenants often endured overcrowded conditions in inadequate dwellings where they remained at risk of eviction. There is a possibility that the rate of eviction cases will increase as the value of land occupied by IDPs recovers. In June 2011, IDPs in Al Muqawamat camp were given 72 hours to vacate their camp, after the Baghdad municipal authority allocated the land to house staff.

Most IDPs, like many other Iraqis, rely on the Public Distribution System (PDS) for basic food, but they face considerable obstacles accessing it. A third of IDPs interviewed in a late-2009 UNHCR survey did not have a PDS card valid in their governorate of residence, and only 15 per cent of those with a card reported receiving their full monthly entitlement.

³ USCIRF, Annual Report 2011 - Countries of Particular Concern: Iraq, 28 April 2011.

⁴ Christian Science Monitor, US reports 20 per cent drop in Iraq violence, 8 February 2011; US Department of State, 2010 Annual Report on International Religious Freedom, 17 November 2010.

⁵ UN OCHA, December 2009; Special Inspector General for Iraq Reconstruction Quarterly and Semi-annual Report to the United States Congress, 30 January 2011.

In 2009 the majority of IDPs surveyed by UNHCR reported being able to obtain health care, but a quarter could not afford health care fees. According to NRC, there is a critical lack of medical oversight in IDP settlements and the Ministry of Health and international humanitarian organisations are only providing ad-hoc services. Epidemics have resulted: 68 cases of tuberculosis were recorded in Issa Bin Mariam camp in Abu Dessir sub-district of Baghdad during the first half of 2011.

Employment

Unemployment has continued to affect most IDPs in Iraq. Many have been forced to flee to areas where employment opportunities are limited and public services overstretched or non-existent. Over 70 per cent of internally displaced families have no members employed, and the access to work of internally displaced women has been particularly limited. Host communities have increasingly struggled to share limited resources. While the Kurdish regions have sustained a higher economic growth rate, many IDPs there have had to learn Kurdish in order to enter the job market.

Particularly vulnerable internally displaced groups

Very few of the perpetrators of violence committed against Christians and other religious minorities in the country had been punished as of 2010; arrests following a murder or other crimes in general were rare. Insecurity and an ineffective justice system have made it harder for the most vulnerable to seek protection and redress⁶.

In a survey in the second half of 2009, 28 per cent of returned IDPs reported being targeted by bombings, harassment, kidnapping and military operations due to their religious and political affiliation. A UNHCR survey of almost 2,400 returnees to Baghdad (about 72 per cent of whom had been internally displaced) found that 61 per cent of them regretted going home and 60 per cent of those cited security concerns as the reason.

According to an ICRC report in 2009, between one and three million households were headed by women as a result of the decades of war and violence in Iraq. According to ICRC, the Iraqi authorities had developed a social welfare programme for widows but many did not receive their allowance because of corruption, beneficiaries' lack of awareness of the programme and the lack of government capacity to reach them. Women heads of household often had to seek menial jobs and their children often had to leave school to help provide for the household, leaving them vulnerable to sexual exploitation and forced labour⁷.

4. Prospects for durable solutions

Different mechanisms have been set up to respond to the situations of the populations displaced in the various periods. Measures to address pre-2003 displacement have been fraught with particular difficulties since their inception in 2006: for instance there has been no clear assessment of the needs of this group, which have been largely unaddressed by the Iraqi government as well as the international humanitarian community. The Commission for the Resolution of Real Property Disputes (CRRPD), established by the GoI in 2006 to settle property disputes arising from displacement caused by the former government's policies, had

⁶ US Department of State, *ibid.*

⁷ ICRC, *Women at war* report, March 2009.

by October 2009 received over 152,000 claims but as of April 2009 only 1,000 decisions had been enforced. The CRRPD has not addressed the claims of people whose property has been destroyed, leaving without redress many victims of the former government such as Marsh Arab and Kurdish communities whose villages had been completely destroyed.

There has been no resolution of the situations of the people displaced before 2003 in contested northern areas in the absence of agreement between the KRG and the GoI over disputed territories. Both have both cited the situation of IDPs and returnees to assert their claims over Kirkuk and Mosul, particularly in negotiating the details of a proposed but long-delayed population census.

In 2008, when rates of violence were still high, the GoI passed legislation to assist those displaced by sectarian conflict since 2006. Decree 262 and Cabinet Order 101 encouraged returns and ended the process of registration in 2009. This first GoI attempt to facilitate a form of settlement coincided with a period when a significant number of spontaneous returns followed the peak of the violence, but failed to reflect IDPs' continuing concerns with security. The laws enabled the government to act against squatters who refused to leave within the framework of anti-terrorism legislation. UNHCR and the US government advocated with the GoI to show restraint against the forcible eviction of squatters. Meanwhile, the registration process continued in some governorates, underlining the lack of national coordination and the rise in influence of local authorities.

IDPs may not have registered because of bureaucratic delays, their lack of documentation, because they did not perceive any associated benefit, or were afraid of being identified by the authorities. Unlike IDPs who remained within the same governorate, unregistered IDPs outside their governorate of origin are unable to obtain marriage or birth certificates and as such cannot register their children in school.

Returns

In early 2011, over 66,000 returnee families (or around 400,000 individuals) had been identified across the country by IOM field monitors, around half of them in Baghdad governorate⁸.

The GoI has implemented a number of measures to encourage returns but this support has only been of benefit to landowners. The main measures only relate to property disputes involving registered IDPs; they exclude claims regarding businesses and other non-residential property, and do not provide redress for returnees who have been forced to sell property under duress or who were tenants prior to displacement.

The GoI established centres in Baghdad in 2008 to help returnees register and receive assistance. Returnees could receive a grant of around \$850 (one million ID) and registered IDPs residing as secondary occupants could apply for rental assistance worth around \$250 per month for six months to help them vacate returnees' properties.

The government's strategy to promote and facilitate returns has had mixed results. In 2009, approximately 60 per cent of IDPs surveyed by UNHCR said they had not sought assistance

⁸ IOM, Review of displacement and return in Iraq, February 2011

from relevant institutions as they lacked required documents, did not trust state institutions, could not afford the fees required, or feared retribution. By the end of 2009, only 40 per cent of surveyed returnees had registered and applied for a grant, and only 30 per cent of those who applied had actually received one. The rate of return declined from a high of 17,000 IDPs per month in July 2009 to 9,000 in June 2010.

In 2010 the leading obstacles to return included the continuing insecurity, the destruction of their houses, and the limited access to livelihoods and basic services there. Most returnees have gone back to neighbourhoods under the control of members of their community; nonetheless a UNHCR survey of returning refugees found that 61 per cent regretted returning to Iraq, with 60 per cent of this group citing insecurity and personal safety concerns. Around 77 per cent of those that returned to the two Baghdad districts of Karkh and Resafa said they did not return to their original place of residence either due to the general insecurity or because they still feared direct persecution. Many returnees whose property was being occupied illegally by militias, local residents or other IDPs feared harassment should they attempt to reclaim property.

Local integration and settlement elsewhere

By mid-2010, return was the preferred option of only 42 per cent of IDPs, while 37 per cent preferred to integrate in their place of displacement and 17 per cent to resettle elsewhere. The percentage of IDPs wishing to integrate locally had increased from 30 per cent since 2006. In the uniformly Shi'a south, integration was the favoured settlement option. An IOM survey in February 2010 found that over 40 per cent of IDPs wished to integrate locally across the southern governorates, with peaks at 76 per cent in Basra and 61 per cent in Dhi-Qar. In Baghdad, an NRC camp monitoring assessment found that over 80 per cent of IDPs would prefer to integrate in the local area as it would be easier for them to access employment, social services, education, and have established themselves to some various degree after years of displacement.

NGOs have repeatedly warned of the dangers of encouraging premature returns, and have drawn attention to the consequences of failing to consider local integration or settlement elsewhere in the country. The US embassy in Baghdad reported in early 2011 that a pilot integration initiative in Diyala had successfully aided 500 families but had not resulted in a significant increase in IDP returns.

5. National and international responses

Government of Iraq

Following the formation of the new government in December 2010, the MoDM renewed its previous 2008 attempt to “close the IDP file in Iraq and deal with all its negative impacts on the persons of concern and the Iraqi society in general” within a four-year plan. It aims to provide improved services for returning families and those who have sought to integrate in the place of their displacement with local government support, as well as a housing programme and better services in IDP settlements. However, the plan presents very ambitious deadlines which are likely to be difficult to meet, especially in the light of Iraq's pervasive corruption and the lack of coordination between ministries and local authorities.

The lack of genuine national reconciliation and the resulting insecurity have not allowed for the development of durable solutions for IDPs. The protection of IDPs' rights and the national

response to internal displacement continue to be severely impaired by sectarian and partisan politics, as well as by tensions between IDPs and host communities. The GoI's decision to take different approaches to different internally displaced groups means IDPs who should be eligible are denied support. It is key that the government finds ways to harmonise its approach to the different caseloads by focusing on their IDP condition rather than their cause of displacement. It is also difficult to see how the response to internal displacement can move forward without some level of reconciliation and an overall agreement about power sharing in place. Returns cannot take place in areas where sectarian segregation is still a reality.

International response

IOM and UNHCR have led the international response to displacement in Iraq, in the case of UNHCR to a large extent through implementing partners. They have also worked to enhance the capacity of the GoI and MoDM in particular. As such, UNHCR is engaged in partnership with MoDM and its four-year plan. UNHCR plans to take the lead in the areas of protection, return management, shelter, water and sanitation. It plans to promote an increased financial assistance, support documentation, access to education and health facilities, and restitution of property. UNHCR together with the US government has also been advocating for the reopening of registration and also for greater support to make returns sustainable, drawing lessons from the unsuccessful National Policy on Displacement of 2008.

At a time when several countries in the Middle East have been rocked by socio-political upheaval, there are concerns that funding shortfalls could prevent the delivery of effective assistance in Iraq. UNHCR's 2011 global appeal reported a budget fall from over \$264 million in 2010 to little over \$210 million for 2011 at a time when MoDM itself only secured \$250 million after forecasting over \$400 million for their comprehensive plan. IDP programmes have remained at the top of IOM's 2011 budget, covering \$80 million of its overall Iraq 2011 budget of \$250 million. The USA remained the most significant donor with over 32 per cent of the IOM budget.

As Iraq moves from a situation of humanitarian crisis to a development phase, humanitarian organisations should take the opportunity offered by improving security to engage more directly with their beneficiaries and ensure they are at the centre of their planning and implementation. The wider presence of international organisations would also facilitate their work with local authorities. This is essential as the failure of coordination between national and local authorities suggests that a top-down centralised approach is unlikely to be the best way to enable durable solutions to internal displacement in Iraq.

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