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IRAQ:

Response still centred on return despite increasing IDP demands for local integration

A profile of the internal displacement situation 10 October, 2011

This Internal Displacement Country Profile is generated from the online IDP database of the Internal Displacement Monitoring Centre (IDMC). It includes an overview and analysis of the internal displacement situation in the country prepared by IDMC. IDMC gathers and analyses data and information from a wide variety of sources. IDMC does not necessarily share the views expressed in the reports cited in this Profile. The Profile is also available online at www.internal-displacement.org.

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.

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CONTENTS

OVERVIEW	5
RESPONSE STILL CENTRED ON RETURN DESPITE INCREASING IDP DEMANDS FOR LOCAL	
INTEGRATION	5
OVERVIEW - ARABIC	13
المحلي بالإندماج النازحين مطالب تزايد رغم العودة على الاستجابة تركييز استمرار :العراق	13
CAUSES AND BACKGROUND	23
BACKGROUND TO THE CONFLICT IN IRAQ	23
BACKGROUND TO THE CONFLICT IN IRAQ	23
SUPPRESSION OF THE KURDISH COMMUNITY	23
SUPPRESSION OF THE SHI'A COMMUNITY	25
MULTINATIONAL FORCES' OCCUPATION OF IRAQ	26
IRAQI POLITICAL DEVELOPMENTS AND ATTEMPTS AT NATIONAL RECONCILIATION	30
NATURAL DISASTER INDUCED DISPLACEMENT	33
FIGURES AND REGISTRATION	34
INTERNALLY DISPLACED POPULATION	34
FOREIGN AND REFUGEE SECONDARY DISPLACEMENT	34
REGISTRATION AND DOCUMENTATION	35
PATTERNS OF DISPLACEMENT	36
PATTERNS OF DISPLACEMENT	36
PHYSICAL SECURITY AND INTEGRITY	37
Division (Opening)	07
PHYSICAL SECURITY	37
PHYSICAL SECURITY	37
FAMILY LINKS AND MISSING PERSONS	38
FAMILY LINKS AND MISSING PERSONS	38
FREEDOM OF MOVEMENT	38
FREEDOM OF MOVEMENT	38
LANDMINES AND UNEXPLODED ORDNANCE	39
LANDMINES AND UNEXPLODED ORDNANCE (UXO)	39
PROTECTION OF SPECIAL CATEGORIES OF IDPS	39
MINORITIES	39
MINORITIES	39
PARTICULAR SOCIAL GROUPS AND PROFESSIONALS	40
PARTICULAR SOCIAL GROUPS AND PROFESSIONALS PARTICULAR SOCIAL GROUPS AND PROFESSIONALS	40
WOMEN	40 41
WOMEN	41
A A OINITIA	71

CHILDREN	41
CHILDREN	
	40
BASIC NECESSITIES OF LIFE	43
BASIC NECESSITIES OF LIFE	43
SHELTER AND HOUSING	43
SHELTER AND HOUSING	44
FOOD	45
FOOD	45
HEALTH AND MEDICAL CARE	45
HEALTH AND MEDICAL CARE	45
WATER, SANITATION AND HYGIENE	46
WATER, SANITATION AND HYGIENE	46
PROPERTY, LIVELIHOODS, EDUCATION AND SOCIO-ECONOMIC RIGHTS	47
EMPLOYMENT AND LIVELIHOOD	47
EMPLOYMENT AND LIVELIHOOD	47
EDUCATION	47
EDUCATION	47 48
LAND AND PROPERTY	
LAND AND PROPERTY	
RESTITUTION FOR PRE-2003 DISPLACEMENT	
RESTITUTION AND COMPENSATION FOR POST-2003 DISPLACEMENT	49
CHALLENGES AND LIMITATIONS	51
DURABLE SOLUTIONS	<u>52</u>
_	52
DURABLE SOLUTIONS	
RETURNS	52
RETURNS	52
LOCAL INTEGRATION AND OTHER SETTLEMENT OPTIONS	54
LOCAL INTEGRATION	54
NATIONAL AND INTERNATIONAL RESPONSES	<u>56</u>
_	
NATIONAL AND INTERNATIONAL RESPONSES	56
HUMANITARIAN ACCESS AND CHALLENGES	56
HUMANITARIAN ACCESS AND CHALLENGES	56
NATIONAL RESPONSE TO DISPLACEMENT	56
NATIONAL RESPONSE TO DISPLACEMENT	56
NTERNATIONAL RESPONSE TO DISPLACEMENT	57
INTERNATIONAL RESPONSE TO DISPLACEMENT	57
LIST OF SOURCES USED	59

OVERVIEW

Response still centred on return despite increasing IDP demands for local integration

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 t 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 continues 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.

Policy recommendations:

The Ministry of Displacement and Migration (MoDM) should ensure that their promotion of returns, in their Comprehensive Plan to Address Displacement in Iraq, is matched by support for local integration.

Displacement stakeholders should take the opportunity offered by improving security to engage more directly with IDPs, to ensure that their concerns inform activities.

International organisations should develop working relationships with local authorities, which have better access to IDPs and have more influence locally than central authorities.

Humanitarian organisations' approach to displacement should be more comprehensive and include all internally displaced groups according to their needs rather than the timing and cause of their displacement.

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 2009 (IOM, Governorate profile, November 2010). 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 2011, over 300,000 fewer than the IOM reported. 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 (IDP WG, November 2008; Brookings, October 2006; IDP WG, March 2008; IDMC interviews, November 2008; UNHCR, January 2011).

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 (IOM, February 2010). 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 Sabean Mandeans.

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.

Violence and displacement since 2007

In 2007 the overall rate of displacement in Iraq started to fall as that year saw a "surge" in the number of American troops deployed, a declaration of a ceasefire by the Shi'a Sadrist militia in March 2007, and some Sunni insurgent groups engaged in the developing democratic processes. Initiatives were taken to relax the stringent rules implemented since 2003, such as the "deba'athification" process, to accommodate Shi'a, Sunni and Kurdish parties (UNSC, March 2007; ICG, April 2008).

However, inter-ethnic and sectarian tensions in the northern disputed territories, fuelled by disputes over governorate borders, continued to cause displacement. Recurrent Turkish military bombardments on Iraq's north-eastern borders with Iran and Turkey have also caused

displacement in the Kurdish governorates. For example, bombardment in June 2010 resulted in the displacement of 945 families in Irbil and Sulaymaniyah (UNHCR, June 2010).

In October 2010, an attack on a catholic church in Baghdad left more than 50 people dead and more than 60 injured. The next month, a series of coordinated bomb and mortar attacks targeted Christian homes across Baghdad, killing at least five and injuring at least 30. Several Christians were shot and killed in Baghdad and Mosul in November and December, and in December ten bomb attacks on Christian homes in Baghdad killed two people and wounded 20 (IOM May 2009; MRG, September 2009; IRIN, July 2008).

According to IOM, almost 1,100 Christian families moved to the KRG-controlled region between November 2010 and January 2011. By the end of February 2010, 720 Christian families (around 4,300 people) had been displaced from Mosul city to the nearby districts of Al Hamdaniyah and Tilkaif in Ninewa governorate. UNHCR also reported increased registration of Iraqi Christians in Syria and Jordan in the last two months of 2010 (USCIRF Annual Report 2011 - Countries of Particular Concern: Iraq; 28 April 2011; Iraq • Displacement in Mosul Situation Report No. 2; 2 March 2011).

Violence and displacement in 2006 and 2007

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 (ICG, February 2008). As a result by December 2007, close to 1.6 million people had been newly displaced.

In Baghdad, militant groups, including several affiliated to political actors and state institutions, sought to establish sectarian boundaries across what had been mixed neighbourhoods, systematically displacing members of opposing sects to consolidate their control (Brookings, August 2008). This also had the effect of heightening insecurity for all residents of these neighbourhoods. Those most affected were Sunnis and Shi'as in locations where they were members of minorities, and mixed Sunni/Shi'a households (HRW, November 2006). Most violence and displacement took place in and around Baghdad, but it was also significant in Ba'quba, Samarra, Mosul and Basra (UNSC, December 2006).

Professionals, intellectuals and those associated with the coalition forces were also forced to flee (UNAMI, January 2007). Refugees, particularly Palestinians, and members of minority groups such as Chaldeans, Assyrians, Yazidis, Shabak, Turkmen, Sabean-Mandean and Roma also faced persecution, and many sought refuge in Kurdish regions. Iraqi Arabs continued to be forcibly displaced from the north: in the second half of 2007 at least 2,000 families fled Kirkuk (UNHCR, January 2007; IRIN, September 2007).

Conflict and displacement between 2003 and 2006

An estimated 190,000 people were displaced between the March 2003 invasion and the end of 2005, particularly in the governorates of Anbar, Dhi-Qar, Basra and Baghdad (Cluster F, 2007; UNCT, August 2004). Operations by the Multi-National Force – Iraq (MNF-I) and the Iraqi Security Forces (ISF) against armed insurgents were the main causes of displacement, particularly in predominantly Sunni western areas. Most displacements were relatively short-term. In November 2004, almost the entire population of Fallujah in the governorate of Anbar was temporarily displaced (Brookings, October 2006). Meanwhile, after the fall of the Ba'athist government, thousands of displaced Kurds, Turkomans and others began returning to Kirkuk and Mosul, while Arabs were forcibly displaced from these areas (RI, November 2003).

Displacement before 2003

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 (RI, November 2003). The end of the Iran-Iraq war in 1988 saw an intensification of atrocities against the Kurds, which caused over 100,000 deaths and the destruction of some 4,000 villages (USCR, 2000; Dammers, 1998; HRW, August 2004). After the 1991 Gulf War, the northern governorates of Dohuk, Irbil and Sulaymaniyah came under Kurdish control, supported by a "no-fly zone", and separated from the rest of the country. Inter-ethnic and sectarian tensions in the northern disputed territories, fuelled bz disputes over governorate borders, continued to cause displacement.

In the predominantly Shi'a southern governorates over 340,000 people were internally displaced. The Ba'athist government gradually drained the marsh land in the catchment area of the Euphrates and the Tigris through unsuccessful agricultural development projects. The government accelerated the drainage process in the 1980s to facilitate the movement of military units during the Iran-Iraq war, and used chemical weapons and burnt villages it considered sympathetic to its enemies. Between 100,000 and 200,000 of the marsh land's estimated population of 250,000 were displaced. Many thousands more were displaced from the border with Iran due to the Iran-Iraq war, of whom 80,000 people were still displaced within Basra province in 2004. Political and religious persecution was a further cause of displacement in the south and also in Baghdad, where it caused the displacement of at least 25,000 people (UNHCR, August 2004; Fawcett and Tanner, October 2002; UNCT, August 2004).

86 per cent of the people internally displaced prior to 2003 sought refuge from the Ba'athist government's forces in areas that became the *no-fly zones*; with about 60 per cent in the Kurdish northern governorates, and almost 30 per cent in the predominantly Shi'a southern governorates.

Protection and assistance needs of IDPs

Security in Iraq has improved since 2007, as GoI has taken responsibility for protecting the population and sectarian groups have gradually rejected violent armed struggle in favour of political processes. However, the continuing threat of both ongoing violence and that which might affect them if they return to their areas of origin, remains the main concern for 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 (IOM, February 2007; Brookings, October 2006).

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 governorates (USCIRF Annual Report 2011 - Countries of Particular Concern: Iraq; 28 April 2011).

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 impunity (Christian Science Monitor, 8 February 2011, «US reports 20 per cent drop in Iraq violence»; 2010 Annual Report on International Religious Freedom, the State Department; November 17, 2010).

Shelter and access to basic 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 Iraq (OCHA, December 2009; Special Inspector General for Iraq Reconstruction Quarterly and Semi-annual Report to the United States Congress, 30 January 2011).

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 (UNHCR, September 2008 and December 2009; IDP WG, November 2008; OCHA, December 2009).

The UN country team (UNCT) has encouraged the GoI to improve the security of tenure and access to adequate housing of all people in Iraq through its legislation. The UNCT has focused on populations living in poor rural areas and urban slums. It plans to assist the GoI to ensure that IDPs who return to their place of origin and others who are allocated land elsewhere are effectively reintegrated into their communities. According to the UN's recent development strategy for Iraq: "Public-private partnerships will be facilitated to undertake pilot programmes, to build low-cost, and environment-friendly housing, especially in underserved areas" (United Nation Development Assistance Framework for Iraq 2011-2014; 11 May 2010).

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.

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(UNHCR, December 2009).

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 (Cluster F, February 2007; IDP WG, November 2008, UNHCR, December 2009; IOM, May 2009, and June 2008; IDP WG, June 2008).

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 redress (2010 *Annual Report on International Religious Freedom*, the State Department; November 17, 2010).

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 (UNHCR, 11 October 2010).

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. A 2010 IOM survey of 1,400 displaced families headed by women found that 74 per cent who had returned to their place of origin were struggling to secure adequate nutrition for their family. 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 labour. Like the rest of the population the most vulnerable have limited access to the formal justice system and little confidence in its workings; in addition they have particularly little chance of getting the necessary documentation or income to resort to the justice system, and they often end up relying on traditional justice mechanisms which are not compliant with national and international human rights standards (United Nation Development Assistance Framework for Iraq 2011-2014; 11 May 2010; ICRC, IOM, IOM, May 2009; UNHCR, December 2009).

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 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.

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. Unregistered IDPs have faced additional barriers to the enjoyment of their rights in their place of displacement; these have also stood in the way of their integration there. Unregistered IDPs have been unable to rent or purchase property, vote, obtain land title or access services including those specific to IDPs (UNHCR, August 2008 and November 2009). 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 (IDMC interview, January 2010; UNHCR, December 2009).

Each governorate has used different requirements for IDPs trying to register. Registration has been tightly restricted in areas with high levels of sectarian violence, such as Kirkuk. In northern governorates, IDPs without sponsorship were reportedly prevented from registering until recently. In 2009, the government issued an order halting further registration of IDPs, and it has not honoured promises to re-open it since (IOM, February and May 2009; IDMC interview, January 2010; UNHCR, 1 October 2010).

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 governorate (IOM, Review of displacement and return in Iraq, February 2011).

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 (USIP, April 2009; Brookings).

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 (Government of Iraq, August 2008). 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 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 (IOM, 3 November 2009).

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 (UNHCR, 19 October 2010; UNHCR, August 2010).

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.

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 plan aims to provide "appropriate security conditions for the return of displaced families [...] through the activation of the committees which were formed under Cabinet Order no. 101 of 2008 and [...] evacuating IDPs houses occupied by squatters and creating the suitable environment for the safe returns". The process uses repressive laws to expel current occupants of housing to encourage other IDPs to return, even though they are increasingly likely to have expressed a desire to integrate in the place of their displacement.

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 Gol'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.

At the core of the challenge in Iraq lies the issue of governance. Iraq ranks 176th out of 180 countries on Transparency International's 2009 international corruption index. It lacks the

systems necessary to ensure state accountability and transparency, including the inclusion of civil society organisations in governance processes (UNAMI April 2010)

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 (UNHCR, 5 April 2011).

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.

Policy recommendations

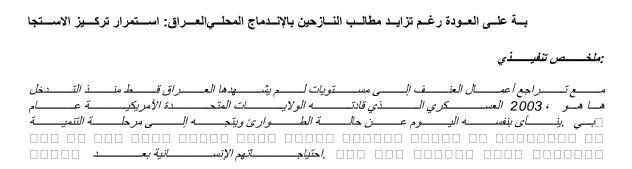
The Ministry of Displacement and Migration (MoDM) should ensure that their promotion of returns, in their Comprehensive Plan to Address Displacement in Iraq, is matched by support for local integration.

Displacement stakeholders should take the opportunity offered by improving security to engage more directly with IDPs, to ensure that their concerns inform activities.

International organisations should develop working relationships with local authorities, which have better access to IDPs and have more influence locally than central authorities.

Humanitarian organisations' approach to displacement should be more comprehensive and include all internally displaced groups according to their needs rather than the timing and cause of their displacement.

Overview - Arabic



تمخيض الينزوح في العراق عن العديد من الأسباب المختلفة وظهر في والمحتلفة وظهر والمحتلفة وظهر والمحتلفة وال

في ه العديد د من الدول في الشرق الأوسط المناه المختاط المناه المناه المناه المناه المناه المناه المناه الاجتماع المناه الاجتماع المناه المناه

سنةتو صيات السيا

يتَعي<u>ن على الأطراف المعني</u>ة ب<u>النزوح اغتن</u>ام الفرصة المتاحة أمامهم من عير تحسين الأمن بهدف التفاعل بصورة مباشرة أكثر مع النازحين جهة، وضمان تمحور النشاطات حول مخاوفهم من جهة أخرى

يتَعي<u>ن</u> على المنظمات الدولية تنمية علاقات العمال مع السلطات المحلية المحلية المحلية علاقات العمال مع السلطات المحلية المحلية

يج ب أن تك ون مقارب ة المنظم ات الإنسانية الخاصة بالنزوح أك ثر المنظم الله النبة الخاصة بالنزوح أك ثر المنظم المنظم المنظم المنظم المنطم المن

خلفية النزوح وأنماطه

استمراراً للاعتداءات على 2011و 2010 فقــد شــهد العامــان .إلـــى الأقليـــات 2011تنتمي غالبية النازحين حديثاً خلال عام وأماكنها المقدسة وما ترتّب عنها من نزوح ضحاياها إلى المحافظات الشمالية ذات (بخاصـــة المســيحية منهـــا) الأقليـــــات الدينيــــــة .الغالبيــة الكرديـــة أو حـــتى إلـــى الخـــارج

عراقي داخل 1.660.000 نزح حوالى ،2011 تشرين الثاني/أفادت منظمة الهجرة الدولية أنه، حتى شهر نوفمبر ووصل إجمالي النازحين إلى عام/نازع عن شهر نوفمبر 1.090.000 وأكثر من 2006 الحدود العراقية منذ العام ومع ذلك، يجب .2009 تشرين الثاني عام/نازع عن شهر نوفمبر 2.750.000نازع، مسجلاً تراجعاً بنسبة 2000.2750.000 التعامل مع هذه الأرقام بحذر ذلك أنها تتعارض والأرقام التي قدمتها وزارة النزوح والهجرة العراقية، حكومة ليمية الستي تسيطر على شالات محافظات شمالية أو حتى مفوضية الأمم المتحدة الشؤون كردستان الإق ليمية النائي/وشهر يناير 2006 شخص نزحوا بين عام 1.340.000 اللاجئين التي أفادت بأن حوالى ة تقوم على عددفأرقام المنظمة الدولية 300.000 أي بنسبة تقوم على عددفأرقام المنظمة الدولية 300.000 أي بنسبة .حتى اليوم 2006 وأولئك المسجلين كنازحين منذ العام 2006 تقريبي للذين ما زالوا نازحين منذ قبل العام .حتى اليوم 2006 وأولئك المسجلين كنازحين منذ العام 2006 تقريبي للذين ما زالوا نازحين منذ قبل العام

محافظة في الوسط والشمال فيما قامت حكومة كردستان 15 قامت وزارة النزوح والهجرة بتسجيل النازحين في ية الثلاث دهوك، إربيل والسليمانية، مع العلم بأن التسجيل ما زال الإقليمية من جهتها بتسجيلهم في المحافظات الشمال 2003 هذا وباتت الأرقام القديرية لمن تعرضوا للنزوح قبل العام بطوعياً ومرتبطاً بمستندات لا يملكها النازحون تتنازع على ملكية الأراضي قديمة وموضوع نقاش؛ ففي شمالي العراق بشكل خاص، تم التلاعب بها وفقاً لمصالح الأطراف التي فضلاً عن ذلك، تأثرت دقة عدد النازحين المقيمين في تجمعات غير رسمية بسوء المتابعة والتنسيق بين المنظمات الإنسانية التي تتعاون مع مجموعة العمل) الحكومة العراقية والسلطات المحلية التي تواجه صعوبات بالعمل في ظل إطار عمل غير مركزي مجموعة العمل) الحكومة العراقية والسلطات المحلية التي تواجه مدعوبات بالعمل في ظل إطار عمل غير مركزي ، مجموعة العمل 2006 تشرين الثاني إليان ازحين، نوفم برالمعن 1008 تشرين الثاني إلى مقابلات مركز رصد النزوح الداخلي، نوفم بر 2008 آذار /المعنية بالناز حين، مارس . 2008 تشاير الشاني الشاني الأمم المتحدة لشؤون اللاجئين، يناير

فقد استقر ما يناهز في المئة من النازحين العراقيين 40 أن تستقبل العاصمة بغداد حوالى من المتوقع ،منظمة النجرة الدولية)في بغداد أو ديالى، ثاني أكبر محافظة تأثراً بمشكلة النزوح 2006 نصف النازحين بعد العام منهم من السنة، وما تبقى منهم من في المئة 30 في المئة منهم من الشيعة وحوالى 60 ،(2010 شباط/ف براير الأقليات، بخاصة الشبك، الأشوريين، الكادران، الأرمن، الأكرراد الفيليين، اليزيديين والصائبين والمندانيين

جانس فرّ النازحون بشكل كبير إلى المناطق التي تشكل فيها مجموعتهم الطائفية أو الإثنية الأغلبية الساحقة، الأمر الذي أدى إلى ظهور ت في المنة ممن فروا 95 ف أكثر من ديموغرافي في المحافظات العراقية وزيادة الهوة بين المجتمعات المحلية إلى المحافظات التسيعة، في حين أن من فروا من تلك في المنة من 19 السنيتين فأكثر من أما في محافظتي الأنبار وصلاح الدين الأخيرة هم بأغلبهم من السنة النازحين إليهما هم من السنة

2007 أعمال العنف والنزوح منذ العام

في عدد القوات "زيادة" بدأت نسبة النزوح في العراق بالتراجع بسبب ما شهده هذا العام من 2007 عام وانضمام بعض 2007 آذار /النار في مارس الأمريكية المنتشرة هناك، إعلان ميليشيا الصدر الشيعية وقف إطلاق هذا وتم القيام بمبادرات آيلة إلى التخفيف من صرامة القوانين المطبّقة منذ العام مجموعات المتمردين السنّة إلى العملية الديمقراطية الناشئة آذار لهارس ،مجلس الأمن) كعملية اجتشات حرزب البعث، لتلائم الأحرزاب الشيعية، السنية والكردية ،2003 .

غيير أن التوتسر الإثني والطائفي في المناطق الشمالية المتنازع عليها، أضف إليه الخلافات حول حدود هذا وقد تسبب القصف الستركي المتكرر للحدود العراقية الشمالية المحافظات، ما زال يتسبب بحركة نزوح فقد أدى القصف في شهر تركة مع إيران وتركيا بظهور حركة نزوح في المحافظات الكردية الشرقية المش مفوضية الأمم المتحدة لشؤون) أسرة في إربيال والسليمانية 945مثلاً إلى نزوح 2010 حزيران/يونيو 2010 .

جريحاً 60قتيلاً و 50 كاثوليكية في بغداد أكثر من تسينكى له ءادتعا فكذ 2010 تشرين الأول/وفي شهر أكتوبر وشهد الشهر التالي سلسلة من التفجيرات والاعتداءات بقذائف الهاون استهدفت منازل مسيحيين في أنحاء بغداد أسفرت عما لا يقل عن والقتل في بغداد وفي الإطار عينه، تعرض العديد من المسيحيين لإطالق النار عليهم خمسة قتلى وثلاثين جريحاً

كانون الأول، فيما خلفت عشرة تفجيرات استهدفت منازل مسيحيين/تشرين الثاني وديسمبر/والموصل في شهري نوفمبر وفسبر عمر الموصل في شهري نوفمبر ومنظمة 2009 أيار/منظمة الهجرة الدولية، مايو)جريحاً 20كانون الأول قتيلين و/في بغداد خلال شهر ديسمبر الشهر ديسمبر الشهدية الإقليمية 2009 أيلول/ق حقوق الأقليات، سبتمبر فري 2010 شباط/الهجرة الدولية، فبراير 2008 تموز/المتكاملة للمعلومات، يوليو

أسرة مسيحية إلى المنطقة الواقعة تحت سيطرة حكومة 1.100 وبحسب منظمة الهجرة الدولية، انتقلت حوالى وبحلول نهاية .2011 نيكانون الثارويناير 2010 تشرين الثاني/كردستان الإقليمية بين شهري نوفم بر من مدينة الموصل إلى قضائي (شخص 4.300 أي حوالى) أسرة مسيحية 720 نزحت ،2010 شباط/شهر فبراير هذا وأشارت مفوضية الأمم المتحدة الشؤون اللاجئين إلى .الحمدانية وتلكيف المجاورين في محافظة نينوى 2010 الأردن في الشهرين الأخيرين من العام ارتفاع بنسبة تسجيل المسيحيين العسراقيين في سيوريا و البلاحدان المثيرة للقاصق - 2011 التقرير السنوي للجنة المعنية بالحرية الدينية الدولية عسن العام) أذار المارس 2 التقرير الثاني حول وضع النزوح في الموصل ؛ -؛ العراق 2011 نيسان/أبريل 28 العراق؛

2007و 2006 عسامي أعمسال العنسف والسنزوح خسلال

والسياسات التي اعتمدتها سلطة التحالف المؤقتة والحكومات العراقية المتتالية 2003 أدى غزو العراق عام السياسات التي زيادة الشرخ الطائفي وتعرض السنة للتهميش بفعل فوز الشيعة والأكراد في الانتخابات والدستورى من ذلك، تسبب تفجير مسجد الإمام العسكري الشيعيبالإضافة إلى 2005 الذي تم اعتماده بعد استفتاء عام في سامراء بإطلاق موجة من أعمال العنف الطائفي بين الميليشيات السنية والشيعية التي خلفت كما 2006 شباط/في شهر فبراير نتيجة لذلك، وبحلول شهر (2008 شباط/فريق التنسيق السدولي، فريراير)هائلاً من الخسائر البشرية مليون نازح 1.6 أثيد حوزنا على الوربجان يبنا ددوزهاد ،2007 كانون الأول/برديسم

وفي بغداد، سعت المجموعات المسلحة، ومنها العديد التابع لفاعلين سياسيين ومؤسسات حكومية، إلى إنشاء حدود طائفية داخل ما كان ،بروكنغز) الطائفة الأخرى لتعزيز سيطرة تلك المهيمنة يعرف بالأحياء المختلطة، مما أدى تلقائياً إلى نزوح أفراد من ولم يقتصر الأمر على ذلك، بل كان له تأثير في تعزيز حالة انعدام الأمن لقاطني تلك الأحياء، وقد كان الأكثر .(2008 آب/أغسطس، هيومن رايتس واتش) الشهيعة المناطق التي شكلوا فيها أقلية والأسر المختلطة ال بالإجمال، كان لبغداد الحصة الأكبر من أعمال العنف والنزوح، لكن حصة بعقوبة، سامراء، .(2006 تشرين الثاني/نوفمسبر). .(2006 كانون الأول/مجلس الأمن، ديسمبر)الموصل والبصرة لا يستهان بها أيضاً

بعثة الأمم)ون والمرتبطون بقوات التحالف على الفرار أيضاً وفي السباق عينه، أجبر الاختصاصيون، المفكر وتعرض اللاجئون، بخاصة .(2007 كانون الثاني/المتحدة لتقديم المساعدة إلى العراق، يناير الفلسطينين منهم، وأفراد الأقليات كالكلدان، الأشوريين، اليزيديين، الشبك، التركمان، الصابئين أما العراقيون العرب فاستمر للاضطهاد ولجاء العديد منهم إلى المناطق الكردية المنادنيين وشعب الروما هرب ما لا يقل عن ألفي أسرة من كركوك ،2007 ففي النصف الثاني من عام :نزوجهم القسري من الشمال ؛ الشبكة الإقليمية المتكاملة 2007 كانون الثاني/مفوضية الأمم المتحدة لشؤون اللاجئين، يناير).

2006و 2003 السنزاع والسنزوح بيسن عسامي

،2005 ونهاية عام 2003 آذار/شخص خلال الفترة الممتدة بين غزو العراق في شهر مارس 190.000 نزح ما يناهز 2008 كانون الثاني/منظمة الهجرة الدولية، يناير) بخاصة من محافظات الأنبار، ذي قار، البصرة وبغداد فضلاً عن ذلك، شكلت العمليات التي قامت بها القوة .(2004 آب/؛ فريق الأمم المتحدة القطري، أغسطس 2007 المجموعة العراق وقوات حفظ الأمن العراقية ضد المتمردين المسلحين السبب الرئيسي وراء حركة النزوح التي ظهرت – المتعددة الجنسيات ففي شهر بيد أن معظم حركات النزوح كانت قصيرة الأمد نسبياً .ات الغالبية السنيةخاصة في المناطق الغربية ذ تشرين/بروكنغز، أكتوبر) أتقوم رابذلاً المظاهم عن أبيرقة تحولفا ناكس لك حزد ،2004 تشرين الثاني/نوفمبر د، التركمان وغيرهم في حين أنه، بعد سقوط حكومة البعث، بدأ الألاف من النازوي الأكرا ،(2006 الأول ، الرابطة الدولية للجئين) بالعودة إلى كركوك والموصل، بينما أجبر العرب على النزوح من تلك المناطق .(2003 تشرين الثاني/نوفمبر

2003 السنزوح قبسل عسام

فقـــد قامـــت .أجـــبرت حكومــــة البعـــث ســـكان منـــاطق بكاملهـــا وصـــفتهم بالخصـــوم علــــى الـــنزوح ،2003 قبـــل العـــام في الشمال لوضع حد لطموح الأكراد بالاستقلال وتعزيز سيطرتها على احتياطيات النفط المجاورة لمدينة كركوك "تعريــــب" تبحمـــلا الرابطة) المختلطة إثنياً، كما طردت الأكراد وقدمت منازلهم وأراضيهم إلى العرب التحفيزهم على الانتقال للعيش في تلك المنطقة شباط/؛ مفوضية الأمه المتحدة لشوون اللاجئين، فبراير 2003 ين الثاني تشر/الدولية للاجئين، نوفمبر من حدة الفظائع التي تم ارتكابها بحق الأكراد مخلّفة 1988 العراقية عام وفي الإطار عينه، زادت الحرب الإيرانية. (1999 هيومن رايتس 1998 ،؛ دامرز 2000 ، اللجنة الأمريكية للاجئين القرية مدمّرة 14000 أكر من مئة ألف قتيل و علي تعينا ميلا المنافقة عام 1991 وغداة حرب الخليج عام (2004 آب/واتش، أغسطس على المنافقة على المنافقة في المنافقة المكراد، فرض حظر جوي عليها وفصلت عن باقي المحافظات كما الخلافات حول حدود المحافظات بالتسبب بحركة نزوح الشمالية المتنازع عليها، بالإ

فقد تعمّدت الحكومة تجفيف شخص في المحافظات ذات الغالبية الشيعية 340.000من جهة أخرى، نزح داخلياً أكثر من هذا وسرّعت الحكومة أيضاً الأهوار تدريجياً في منطقة مستجمعات مياه نهري الفرات ودجلة عبر تنفيذ مشاريع تنموية زراعية فاشلة عملية التجفيف في الثمانينيات لتسهيل حركة القوات العسكرية خلال الحرب الإيرانية العراقية، كما نتيجة لذلك، نزح بين استخدمت الأسلحة الكيميائية وأحرقت القرى التي اتهمتها بالتعاطف مع أعدائها نسمة، فضلاً عن نزوح آلاف آخرين من 250.000 الذين يشكلون شخص من سكان منطقة الأهوار 200.000و 100.000 لا يسزالون 2004 منهم كانوا حتى عام 80.000 المناطق الحدودية مع إيران بسبب الحرب مع تلك الأخيرة ما لا وجاء الاضطهاد السياسي والديني ليزيد حركة النزوح اضطراداً في الجنوب وبغداد، حيث نزح نازحين في منطقة البصرة ، فاوست وتانر 2004 آب/مفوضية الأمم المتحدة الشؤون اللاجئين، أغسطس) شخص 25.000 تشرين الأول/أكتوب حزيران/؛ مكتب منسق الأمم المتحدة الشؤون الإنسانية في العراق، يناير 2002 تشرين الأول/أكتوب عندا 2004 أكسطس عند المتحدة القطري، أغسطس 2000 أكسلون المتحدة القطري، أغسطس 2000 أكسلون الأمل المتحدة القطري، أغسطس 2000 ألمت المتحدة الشؤون الإنسانية في العراق، يناير 2000 أكسلون الأملم المتحدة القطري، أغسطس 2000 أكسلون الأول/أكتوب علية على 2004 أكسلون الأملم المتحدة القطري، أغسطس 2000 أكسلون الأمل المتحدة القطري، أغسطس 2000 أكسلون الأملون الأمل المتحدة القطري، أغسطس 2000 أكسلون الأمل المتحدة القطري أكسلون الأمل المتحدة القطري أكسلون الأمل المتحددة القطري أكسلون الأمل المتحددة القطري أكسلون المتحددة القطري أكسلون الأمل المتحددة القطري أكسلون الأمل المتحددة القطري أكسلون الأمل المتحددة القطري أكسلون الأمل المتحدد القطري أكسلون الأمل المتحدد القطري أكسلون الأمل المتحدد القطري المتحدد القطرية المتحدد القطري المتحدد القطرية المتحدد

مناطق من قوات حكومة حزب البعث إلى مناطق تحولت إلى 2003اخلياً قبل العام في المئة ممن نزحوا د 86فر في المئة منهم تقريباً إلى المحافظات الشمالية الكردية وحوالى 60 ؛ لجأحظر جوي المنافظات الشمالية الكردية وحوالى 60 ؛ لجأحظر جوي الجنوبية ذات الغالبية الشيعية

حاجة النازحين داخلياً إلى الحماية والمساعدة

تهديد الحياة، السلامة والأمسن

عة لسيطرة حكومة يمكن وصف غالبية المحافظات الجنوبية ذات الغالبية الشيعية والمحافظات الثلث الخاص بيد أن المناطق الشمالية المختلطة إثنياً ودينياً كنينوى، كركوك، صلاح الدين، ديالي وواسط .2011كردستان الإقليمية بالآمنة نسبياً عام 2011 النقرير السنوي عن العام) متنازع عليها اليوم إذ تطالب حكومة كردستان الإقليمية بضم أجزاء منها 2011 يسان/ابريل 28 العراق؛ :الدول المشيرة للقلق - ة المعنية بالحرية الدينية الدولية الحول باللجن عالم

إذ ،2003 ننم متايوتسمى نذأ ل بسه في المعا ل ل المعا ل المعا ل المعا ل المعا ل المعالم و المنافع المناف

الملجاً والنفاذ إلى الخدمات الأساسية

كانوا يعيشون حتى 2006في المئة من النازحين داخلياً منذ العام 60 على صعيد آخر، أفادت التقارير بأن أكثر من في المئة منهم مع الأسر المضيفة وأكثر من 15 ،في مساكن مستأجرة 2009 عام وغالباً ما يعاني النازحون المستأجرون من الاكتظاظ مبان حكومية مستوطنات جماعية في خيم، مخيمات عسكرية سابقة و وفي هذا الإطار، من المتوقع ارتفاع معدل حالات الإخلاء مع في مساكن غير مؤهلة وهم معرضين فيها للطرد في أي وقت يم المقومات أعطي النازحون في مخ ،2011 حزيران الفقي شهر يونيو استعادة الأراضي التي يشغلها النازحون مفوضية الأمم المتحدة لشؤون) ساعة لإخلاء المخيم جراء منح السلطة البلدية في بغداد الأرض لموظفيها 72 مفوضية الأمم المتحدة الشؤون) ساعة لإخلاء المخيم جراء منح السلطة البلدية في بغداد الأرض لموظفيها 20 على 2010 شباط/؛ منظمة الهجرة الدولية، فبراير 2009 كانون الأول/وديسمبر 2008 أيلول/اللاجئين، نوفمبر ، مكتسب تنسيق الشيؤون الإنسانية 2008 الثاني تشرين/مجموعة العمل المعنية بالنازحين داخلياً، نوفمبر . (2009 كانون الأول/ديسمبر

شجع الفريق القطري التابع للأمم المتحدة الحكومة العراقية على تحسين ضمان حيازة المسكن والنفاذ إلى هذا وقد ركز الفريق على سكان المناطق الريفية المساكن الملائمة لجميع العراقيين عبر تشريعاتها فهو ينوي مساعدة الحكومة على ضمان إعادة الاندماج الفعالة للنازحين العائدين إلى الفقيرة والأحياء الحضرية الفقيرة وقد جاء في استراتيجية الأمم المتحدة مناطقهم وغيرهم الذين يمنحون أراضٍ في أماكن غير مناطقهم مع المجتمعات المحلية سيتم تسهيل الشراكات بين القطاعين العام والخاص لتنفيذ مشاريع الإنمائية الحديثة في العراق أن إطار عمل الأمم المتحدة) "نموذجية لبناء مساكن متنفية الكلفة وصديقة للبيئة بخاصة في المناطق المحرومة (2010 أيار المايو 11 \$2014 للمساعدة الإنمائية في العراق

(البطاقةة التموينية) شأن العديد من العراقيين، على نظام التوزيع العام يعتمد معظم النازحين داخلياً، شأنهم فقد صرّح الحصول على احتياجاتهم الأساسية من الطعام، لكن الكثير من التحديات تعترض سبيلهم إليه الما 2009 تلث النازحين الذين شملهم استطلاع مفوضية الأمم المتحدة الشؤون اللاجئين في نهاية عام في المئة فقط ممن 15 قتهم التموينية غير صالحة في المحافظة التي يسكنون فيها، في حين أشار بطا يحملون بطاقات صالحة إلى أنهم يتلقون حصتهم الشهرية كاملة

تفادة من سلاا يلع الهتردقير نيئجلالا نووشلا قدحتملا مملأا قيضوفه علاطتسا مهلمش نيذلا أيلخاد نيحزانلا قيلغاً تدافأ ،2009 عام وبحسب المجلس الرعاية الصحية، في حين أشار ربعهم إلى عدم قدرته على تحمل نفقات الرعاية الصحية الصحية السنروجي للاجئين، ثمة قصص كبير بالرقابة الطبية في مستوطنات النازحين حيث أن الخدمات التي وقد تمخض عن ختصة بالحالة تقدمها وزارة الصحة والمنظمات الإنسانية الدولية تقتصر على الخدمات السمحالة من السل سُجلت في مخيم عيسى ابن مريم في منطقة ابو دشير في بغداد خلال النصف الأول من العام 68 :الأوبئية المتفشية المنظمة الهجرة الدولية 2000 كانون الأول/مفوضية الأمم المتحدة لشوون اللاجئين، ديسمبر) 2011 شباط/فيبراير

لــــــمعالقـــا

\$2010قلة ضئيلة من مرتكبي أعمال العنف بحق المسيحيين وغيرهم من الأقليات الدينية في البلد قد عوقبوا على أعمالهم ابتداءً من العام وقد صعّب انعدام الأمن والنظام القضائي غير الفعال ات بعد وقوع أي جريمة أو غيرها من الجرائم بشكل عام نادرة جدافالاعتقال 2010، التقارير الدولي حول الحرية الدينية الدولية عن العام 2010 القنات الأكثر ضعفاً على الحماية ومعاقبة الفاعلين 2010 تشرين الثاني الرنوف 17 ،وزارة الخارجية الأمريكية

في المئة من النازحين الداخليين العائدين 28 أن 2009 وأظهر استطلاع أجري في النصف الثاني من العام كما أظهر وقعوا ضحية تفجيرات، تحرش، خطف وعمليات العسكرية بسبب انتماءاتهم الدينية والسياسية في المئة من 72 حوالي) عائد إلى بغداد 2.400 ل حوالي استطلاع لمفوضية الأمم المتحدة لشؤون اللاجئين شم في المئة من 72 حوالي عائد إلى بغداد 2.400 ل حوالي استطلاع لمفوضية الأمم المتحدة لشؤون اللاجئين شرحوا داخلياً في المئة منهم ندموا على العودة إلى ديارهم وعزا 61 أن (الذين نزحوا داخلياً ...).

تسراوح عدد الأسر المعيشية التي تعيلها المرأة ،2009 صادر عن اللجنة الدولية للصليب الأحمر عام وفقاً لتقرير وقد أفادت اللجنة الدولية للصليب بين مليون وثلاثة ملايين أسرة نتيجة لعقود من الحرب والعنف في العراق عية للأرامل بيد أن العديد منهن لم يتلق إعالته بسبب الفساد، عدمالأحمر بأن السلطات العراقية كانت قد وضعت برنامجاً للرعاية الاجتما 2010 أما استطلاع منظمة الهجرة الدولية عن العام .اطلاع الجهات المستفيدة على البرنامج وعجز الحكومة عن الوصول إليهن ديارهن يعانين مشاكل عديدة لتأمين في المئة ممن عدن إلى 74 أسرة نازحة تعيلها امرأة، فخلص إلى أن 1.400 الذي شمل فغالباً ما اضطرت النساء اللواتي يجلن أسرهم إلى شغل وظائف مهيئة واضطر أولادهن إلى ترك المدرسة .التغذية الملائمة لأسرهن خرى من السكان، وعلى غرار الفئات الأ .للمساعدة على إعالة الأسرة، الأمر الذي جعلهم عرضة للاستغلال الجنسي والعمل القسري لا تتمتع الفئات الأكثر ضعفاً سوى بنفاذ محدود إلى النظام القضائي الرسمي ولا بالثقة بأعماله؛ أضف إلى أن فرصهم بالحصول على لا تتمتع الفئات الضرورية أو الدخل الذي يسمح لهم باللجوء إلى النظام القضائي ضئيلة جداً وغالباً ما ينتهي بهم الأمر بالاعتماد على إطار عمل الأمم المتحدة) تحقيق العدالية التقليدية المناقد التي لا تتسلام ومعايير حقوق الإنسان المحلية والدولية اللبائم المحدر، منظمة الهجرة الدولية الساء المولية المولية المولية المولية، منظمة الهجرة الدولية، ما الأمم المتحدة الأمم المتحدة لشؤون اللاجئين، ديسمبر؛ مفوو2000 أيار/الدولية، منظمة الهجرة الدولية، ما الولية 2009).

مستقبل الحلول المستدامة

بيد أن التدابير تم وضع العديد من الأليات المختلفة للاستجابة إلى حالات النزوح في مختلف الأوقات الصعوبات منذ قد اصطدمت بجدار من 2003 التي وضعت لمعالجة حركة النزوح التي حصلت قبل العام على سبيل المثال، ما من تقييم واضح لاحتياجات تلك المجموعة والتي لم تتم تلبيتها :2006 وضعها عام وقد تلقت هيئة حل منازعات الملكية بشكل كبير من قبل الحكومة العراقية والمجتمع الدولي على حد سواء لافات الملكية الناجمة عن النزوح الذي تسببت بملحل خ 2006 العقارية التي أنشأتها الحكومة العراقية عام طلب، تم تنفيذ 152.000 أكثر من 2009 تشرين الأول/سياسات الحكومة السابقة بحلول شهر أكتوبر فهي لم تعالج مطالب الذين دمّرت ملكيتهم، الأمر الذي ترك العديد من .2009 نيسان/قرار منها بحلول شهر أبريل 1000 السابقة، كعرب الأهوار والمجتمعات الكردية الذين دمّرت قراهم بشكل كامل، بدون أي تعويض ضحايا الحكومة ا

على صعيد آخر، وفي ظل غياب أي اتفاق بين حكومة كردستان الإقليمية والحكومة العراقية حول الأراضي الشمالية المتنازع في المناطق 2003 المتنازع عليها، لم يتم إيجاد أي حل لأوضاع النازحين قبل العام فك لا الطرفين استخدم وضع النازحين والعائدين والعائدين ليعيد تأكيد حقه بكركوك والموصل، بخاصة عند عليها التفاوض حول تفاصيل الإحصاء السكاني الذي تم اقتراحه وتم تأجيله لفترة طويلة

تشريعاً لمساعدة النازحين بسبب نزاع طائفي منذ العام قيقار علا قموكطا ترقاً ،اهتورذ فنعلا لامعاً تايوتسم تغلب امدنع ،2008 عام وأتت .2009على العودة ووضع حداً لعملية التسجيل عام 101 والمرسوم الحكومي رقم 262وقد شجّع المرسوم رقم .2006 المحاولة الأولى الحكومة بإيجاد شكل من أشكال الحلول في فترة شهدت عودة عدد كبير من النازحين بعد فقد سمحت .جيل أعمال العنف أعلى مستوياتها، إلا أنها لم تعكس مخاوف النازحين الدائمة المتعلقة بالأمنتس القوانين للحكومة بالتحرك ضد المستوطنين الرافضين الرحيل في إطار تشريع مكافحة الإرهاب، مصع كية طلبت من الحكومة العراقية العلم بأن مفوضية الأمم المتحدة الشؤون اللاجئين والولايات المتحدة الأمري وفي هذا الوقت، استمرت عملية التسجيل في بعض المحافظات مما لجم عمليات الإخلاء القسري للنازحين .أظهر غياب التنسيق المحلى وزيادة نفوذ السلطات المحلية

ادة وهـم بالتــالي عــاجزون عــن تســجيل\لا يستطيع النازحون غير المسجّلين خارج محافظاتهم الأم الحصول على وثائق زواج أو ول بالإضـــافة إلــــي ذلــك، اعترضـــت ســـبيلهم .أو لادهــم فـــي المــدارس، بعكــس النـــازحين الــذين لــم يغـــادروا محافظـــاتهم

ومنع التسجيل في المناطق التي تشهد مستويات مرتفعة فرضت كل محافظة متطلبات مختلفة على النازحين التسجيل من العنف الطائفي ككركوك، أما في المحافظات الشمالية، فتشير النقارير إلى إنه لم يُسمح للنازحين الذين لا وكيل لهم بالتسجيل حتى فترة منظمة)ف بوعدها بإعادة استثنافه مذّاك تمليهو نيحزانلا ليجسة فاقيابيوضقيا أرما قموكطا تردصا ،2009 وفي العام .قصيرة كانون الثاني/؛ مقابلة مركز رصد النزوح الداخلي، يناير 2009 أيار/شباط ومايو/الهجرة الدولية، فبراير 2010 تشرين الأول/أكتوبر 1 ، ؛ مفوضية الأمم المتحدة لشؤون اللاجئين 2010

حالات العودة

أو ما يقارب) أسرة عائدة 66.000 برصد أكثر من 2011 دانيون مطلع العامقام مراقبو منظمة الهجرة الدولية المي منظمة الهجرة الدولية المي منظمة الهجرة الدولية المسية المنظمة المنظمة

فأبرز تلك الندابير ارتبط .دة، بيد أن هذا الدعم لم يأتِ بفائدة إلا على مالكي الأراضيطبّقت الحكومة عدداً من الندابير لتشجيع العو بالمنازعات على الملكية التي شملت نازحين مسجلين بدون أن تقدم أي تعويض لمن أجبر من العائدين على بيع ملكيته بالإكراه أو من كان .(2010 شــباط/؛ بـــروكنغز، فـــبراير 2009 نيســان/أبريــل ،معهــد الولايــات المتحــدة للســلام)مستأجراً قبل نزوحه

لمساعدة العائدين على التسجيل 2008 بالإضافة إلى ذلك، أنشأت الحكومة العراقية مراكز في بغداد عام أي مليون دينار) دولار أمريكي 850 وبات بإمكان العائدين الحصول على منحة ناهزت والحصول على المساعدة لنازحين المسجلين المقيمين كشاغلين ثانويين التقدم بطلب للحصول على مساعدة وبإمكان ا (عراقي آب/الحكومة العراقية، أغسطس)دولار أمريكي شهرياً لستة أشهر لمساعدتهم على إخلاء ملكيات العائدين 250 بلغت قيمتها في المئة 60 أفاد ،2009 فعام .كان لاستراتيجية الحكومة لتشجيع العودة وتسهيلها نتائج مختلطة .(2008 من النازحين الذي شملهم استطلاع مفوضية الأمم المتحدة الشؤون اللاجئين بأنهم لم يطابوا المساعدة من أي من المؤسسات المعنية بسبب عدم امتلاكهم المستندات المطلوبة، عدم ثقتهم بمؤسسات الدولة، عدم قدرتهم على المؤسسات المعنية من 40 كان ،2009 وبحلول نهاية العام .وف من العقاب تحمل النفقات المترتبة عن الأمر أو المخدر أن المئة منهم على منحة 30 العائدين المستطلعين قد تسجل وتقدم بطلب للحصول على منحة وحصل حزير ان/فقط في شهر يونيو 17.000 تراجع معدل العودة من 2009 حزير ان/فقط في شهر يونيو 17.000 تراجع معدل العودة من 2009 شكر 2009 ومنظمة الهجرة الدولية) 2010

استمرار حالة انعدام الأمن، دمار المنازل والنفاذ 2010 من بين أبرز العوائق التي اعترضت سبيل العودة عام صحيح أن معظم العائدين قد عاد إلى أحياء تقع تحت المحدود إلى سبل العيش والخدمات الأساسية هناك ينتمون إلى مجتمعهم المحلي، إلا أن مفوضية الأمم المتحدة الشؤون اللاجئيين وجدت في استطلاع سيطرة أفراد في المئة من هؤلاء ذكروا انعدام الأمن والسلامة 60 ، في المئة منهم ندموا على العودة إلى الشخصية كأبرز شواغلهم ادوا إلى قضائي كرخ ورصافه في في المئة ممن ع 77 وفي الإطار عينه، عزا حوالى الشخصية كأبرز شواغلهم فقد أعرب بغداد عدم عودتهم إلى أماكن سكنهم الأصلية إلى حالة انعدام الأمن العام أو خشيتهم من الاضطهاد العديد من العائدين المخليين أو غيرهم من المحليدة ملكياتهم من تعرضهم المحن مفوضية الأمم المتحدة) ايقة في حال محاولتهم استعادة ملكياتهم الناؤل/أكتوبر 19 ، الشؤون اللاجئين المحليدين الاجئين المحديدين الأمم المتحدة الأمم المتحدة الشؤون اللاجئين، أغسطس 2010 تشرين الأول/أكتوبر 19 ، الشؤون اللاجئين المدين المدين المتحددة الشؤون اللاجئين، أغسطس 2010 تشرين الأول/أكتوبر 19 ، الشؤون اللاجئين المحديد 2010

الاندماج المحلي والاستيطان في مكان أخرر

في 13المئة من النازحين داخلياً، في حين فضل في 42 عدل ل ضغما ارايخاا قدوعا تلكش 2010 بحلول منتصف العام وقد زادت نسبة النازحين الذين في المئة منهم إعادة الاستيطان في مكان آخر 17المئة منهم الاندماج في مكان نزوحهم و فقد ي الجنوب ذات الغالبية . 2006 في المئة المتي سجلت في العام 30يرغبون بالاندماج محلياً عن نسبة الديمة، تم تفضيل الاندماج على خيار الاستيطان، إذ أظهر استطلاع لمنظمة الهجرة الدولية قامت به في الش في المئة من النازحين يرغبون بالاندماج محلياً في جميع أنحاء المحافظات الجنوبية، في 40 أن أكثر من 2010 شباط عام/فسبر اير

أما في بغداد، فقد في المئة في ذي قار 61ة في البصرة وفي المئ 76 حين وصلت هذه النسبة إلى ذروتها، أي في المئة من النازحين يفضلون الاندماج في المنطقة 80خلص تقييم رصد المخيمات الخاص بالمجلس النروجي للاجئين أن أكثر من السنة من النازحين يفضلون الاجتماعية والتربية وإلى استقرارهم إلى العمالة، الخدمات الاجتماعية والتربية وإلى استقرارهم سنوات من النزوح

وقد حذرت المنظمات غير الحكومية مراراً من مخاطر تشجيع العودة المبكرة مسلطة الضوء على تبعات استبعاد فكرتي الاندماج المحلي أن 2011 عاموفي هذا الإطار، أفادت السفارة الأمريكية في بغداد مطلع ال والاستيطان في مكان أخر في البلد عائلة بدون أن تسفر عن زيادة تُذكر بنسبة عودة النازحين 500 مبادرة اندماج نموذجية في ديالي نجمت بمساعدة

الاستجابات الوطنيسة والدوليسة

هامحاولت 2010 كانون الأول/كررت وزارة النزوح والهجرة العراقية غداة تشكيل الحكومة الجديدة في ديسمبر إقفال ملف النازجين في العراق ومعالجة أشاره السلبية على المعنييان والمجتمع"ب 2008 السابقة العام وهي تهدف إلى تأمين الخدمات المحسنة، بدعم من الحكومة المحلية في إطار خطة رباعية "العراقي بشكل عام ضلاً عن برنامج للمسكن وخدمات أفضل في مستوطنات إلى الأسر العائدة والذين سعوا إلى الاندماج في مكان نزوجهم فغير أن هذه الخطة قدمت مهل زمنية طموحة جداً سيصعب احترامها على الأرجح بخاصة في ظل الفساد الذي يعيث فساداً النازوين.

عبر تفعيل الهيئات ...ائمة لعودة الأسرة النازحة الظروف الأمنية المال" تهدف الخطة المنكورة إلى توفير إخلاء منازل النازحين المشغولين من ...و 2008 الصادر عام 101 التي أنشئت بموجب المرسوم الحكومي رقم وفي إطار هذه العملية، تتم الاستعانة ."قبل أفراد يرفضون مغادرتها وخلق البيئة الملائمة لعودتهم الأمنة لطرد القاطنين الحاليين وتشجيع النازحين الأخرين على العودة رغم أنهم على الأرجح قد عبروا عن رغبتهم بالاندماج بقوانين قمعية في مكان نزوجهم

لسم يسسمح غياب المصالحة الوطنية الكاملة وحالة انعدام الأمن المترتبة عنه بتطويسر الحلول المستدامة لمتغشية فضلاً عن التوتر بين النازحين والمجتمعات المضيفة يعيقان حتى اليومفالسياسة الطائفية والحزبية والحزبية الله النازحين والسستجابة الوطنية لمشكلة السنزوح السداخلي ويسؤدي قسرار الحكومة العراقية باعتماد حماية حقوق النازحين والاستجابة الوطنية لمشكلة السنزوح السداخلي انطلاقاً الدعم مقاربات مختلفة مع مجموعات النازحين المتنوعة إلى حرمان النازحين المؤهلين من الحصول على من هذا، من الأهمية بمكان أن تجد الحكومة طرقاً لملاءمة مقاربتها مع مختلف الحالات عبر التركيز على وضع النازح عوضاً عن سبب ومن الصعب كذلك تصور تقدم الاستجابة السنزوح السلخلي في ظل غياب تام للمصالحة و لاتفاق عام .نزوحه مستحيلة في أماكن ما زال الفصل الطائفي فيها واقعاً قائماً فالعودة .حول تشارك السلطة

بلداً 180 بين 176 وفي صلب التحديات العديدة التي يواجهها العراق تكمن مسألة الحوكمة، إذ يحتل المرتبة فهو يفتقر إلى الصاد الدولي عن العام فهو يفتقر إلى الصاد الدولي عن العام إطار) ة المطلوبة لضمان المساءلة والشفافية، منها إشراك منظمات المجتمع المدني في مسارات الحوكمة الأنظم (2010 أيار/مايو 11 2014-2011 عمل الأمم المتحدة للمساعدة الإنمائية للعراق

تجابة الدولية لمسئلة النزوح في قادت منظمة الهجرة الدولية ومفوضية الأمم المتحدة الشؤون اللاجئين الاس كما عملتا العراق عبر إشراك الشركاء إلى حد بعيد كما في حالة مفوضية الأمم المتحدة الشؤون اللاجئين وعليه، دخلت المفوضية بشراكة مع على تعزيز قدرة الحكومة العراقية ووزارة النزوح والهجرة بشكل خاص ،ها الرباعية كما تنوي أن تكون رائدة بمجالات الحماية، إدارة العودة، الملجأوزارة النزوح والهجرة العراقية وخطت ،هذا وتخطط إلى تعزيز زيادة المساعدة المالية، دعم المستندات، النفاذ إلى التربية المياه والصرف الصحي عادة قتح أبوابوبالتعاون مع الحكومة الأمريكية، تحركت المفوضية لإ المرافق الصحية واستعادة الملكية الستى 2008 التسجيل وزيادة الدعم لاستدامة العودة واستخلاص العبر من السياسة الوطنية للنزوح عن العام اجتماع الأمم المتحدة والمنظمات الدولية مع حملا خطات مفوضية الأمم المتحدة الشؤون اللاجئين) باءت بالفشل 5 لنزوح والهجرة العراقية لمعالجة مشكلة النزوح في العراق الحكومة العراقية حول الخطة الشاملة لوزارة ا

، في الوقت الذي تعصف فيه رياح الاضطرابات الاجتماعية السياسية في العديد من بلدان الشرق الأوسط ية الأمم فقد أشارت مفوض ازدادت المخاوف من حؤول نقص التمويل دون تأمين المساعدة الفعالة في العراق مليون دولار 264 إلى تراجع الميزانية من أكثر من 2011 المتحدة الشؤون اللاجئين في ندائها العام عن العام في الوقت الذي لم تتمكن فيه وزارة المنزوح والهجرة 2011 مليون دولار العام 2010 إلى ما يقارب 2010 عام وما زالت مشاريع مليون المتوقعة 400 السامة عوضاً عن المليون دولار أمريكي لخطتها 250 العراقية إلا بتأمين مليون دولار أمريكي من ميزانيتها العامة 80 النازحين تحتل المرتبة الأولى على لائحة ميزانية منظمة الهجرة الدولية إذ أمّنت ولايسات المتحدة الأمريكية وتجدر الإشارة هنا إلى أن ال مليون دولار الإجمالية 250 من الد 2011 للعراق عن العام في المئة من ميزانية تلك الأخيرة 32 ما زالت أكبر جهة مانحة للمنظمة الدولية بتغطيتها أكثر من

ومع انتقال العراق من حالة الأزمة الإنسانية إلى مرحلة التنمية، على المنظمات الإنسانية اغتنام الفرصة شكل مباشر أكثر مع المستفيدين منها والحرص على جعلهم المتاحة أمامهم عبر تحسين الأمن للتفاعل ب ومن شأن التواجد الأوسع للمنظمات الدولية أن يسهل عملها مع السلطات المحلية، الأمر الذي يعد أساسياً محور التخطيط والتنفيذ لمركزية من أعلى الهرم إلى عدم فاعلية المقاربة المركزية من أعلى الهرم إلى عدم فاعلية المقاربة البحراد الحلول المستدامة لمشكلة النزوح الداخلي في العراق

CAUSES AND BACKGROUND

Background to the conflict in Iraq

Background to the conflict in Iraq

Modern Iraq was founded in the aftermath of the dissolution of the defeated Ottoman Empire during World War One. The country was founded and demarcated by French and British colonial powers during the treaty of Sèvres in 1920. The indigenous population was not given any self-rule. Kurdistan was split between Turkey, Syria, Iran and Iraq. The British, who had rescinded on their war commitment of a unified Arab state, installed the Hashemites -- a non-indigenous Sunni minority -- the throne of a predominantly Shi'a country.

Displacement in Iraq is mainly attributed to violence. The most commonly reasons for displacement are direct threats to life (37 per cent) and generalised violence (23 per cent) (IOM, 30 June 2008).

Suppression of the Kurdish community

The central government's strategy to ward off Kurdish aspirations for increased autonomy has caused widespread internal displacement over the years.

The overthrow of the monarchy in 1958 renewed Kurdish nationalistic hopes resulting in series of revolts in the 1960's. In 1970, the Ba'ath party sought support from the Kurdish population following its arrival to power through a coup two years earlier. It offered the Kurds a generous self-rule compared to all of its neighbouring countries through a proposed Kurdistan Autonomous Region. However, the proposal deliberately excluded oil-rich fringes of the Kurdish lands and was rejected by the population.

The rejection notwithstanding, the central government unilaterally imposed the Autonomous region and took control of the oil-rich Kirkuk and Khanaqin regions in 1974. This led to the first massive wave of displacement through the forcible eviction of thousands of Kurds and replacing them with impoverished Arab tribesmen (HRW, 1993; USIP, 17 February 1999).

In response to this 'Arabisation' campaign, a Kurdish revolt led by the Kurdistan Democratic Party (KDP) backed by the Iranian Shah followed. Although the revolt was short-lived, by 1975, fighting between Kurdish militias and between Kurdish militias and the Iraqi government had caused the displacement of further tens of thousands of Kurds. By the late 1970's at least a quarter of a million Kurdish people had been displaced and their village destroyed (HRW, August 2004). The IDPs were subsequently forced to settle in collective sites called *Mujama'at* along the main access roads (Dammers, 1998, pp. 181-182; HRW, 1993).

During the Iran-Iraq war between 1980 and 1988, Saddam Hussein consolidated his rule over Iraq and further marginalised Kurdish opposition groups. In 1986 he launched the *Anfal* campaign against Kurdish civilians and other northern minorities. (Al Anfal refers to a Qur'anic verse describing the battle of Bard between the victorious Muslims and pagans from Mecca.) The governments' tactics included the use of chemical weapons against the civilian population; it amounted to crimes against humanity and genocide. Between 50,000 and 182,000 Iraqi Kurds

were killed and about 500,000 forcibly displaced to *Mujama'at*. In 1998 UN-Habitat estimated that out of three million people in northern Iraq, over one million had been displaced in northern Iraq as result of the Anfal campaign (HRW, 1993, 'Introduction'; NYT, 25 January 2010).

The government used primarily military force and intimidation; it also used legal means invalidating property deeds of the displaced Kurds and nationalizing the agricultural lands. Arab farmers and their families were resettled in the formerly Kurdish areas. The majority of Sunni Arabs from the al-Jazeera desert seem to have moved to the north voluntarily or with minimal coercion. A small number of Shi'a tribes who were moved to the north appear to have been largely forced (Fawcett & Tanner, October 2002).

In the 1990s the Iraqi government focused its Arabisation efforts on the oil-rich city of Kirkuk and its surrounding area. Kurds, Turkmans, and Assyrians came under constant pressure to sign 'ethnic identity correction' forms relinquishing their ethnicity and registering officially as Arabs. Non-Arabs were also required to become members of the Ba'ath party and to serve in paramilitary militias.

In February 1991 - after the cease-fire between Iraqi and Coalition Forces which put an end to the seven months long Gulf War - uprisings in the Kurdish north instigated further counterinsurgency operations by the Iraqi army aided by the Mujahedeen al Khalq (PMOI) an Iranian group opposed to the Islamic republic of Iran. The Iraqi army offensive which aimed to take over the Kurdish autonomous regions from the KDP and the Patriotic Union of Kurdistan (PUK) displaced over 1.5 million Kurds who sought protection along the Turkish border.

The ruthlessness of the Iraqi offensive prompted the Coalition Forces to launch Operation Provide Comfort in April 1991 which consisted of a no-fly zone north of the 36th parallel intended to provide a safe haven for Kurds, limited military action and the provision of humanitarian aid. In July the armed Kurdish fighters, or *Pershmerga*, again took control over Dohuk and Irbil before establishing the KRG there. The *Pershmerga* fought intermittently with the Iraqi army until 1998 when a peace agreement brokered by the US brought the fighting to an end.

After 1997, the Iraqi government forced Kurds, as well as a number of Turkmen and Assyrians, to leave the Kirkuk area as part of its policy of 'Arabisation'. Most of the people expelled from Kirkuk decided to go north; despite government a decree that doing so would cause them to lose their property and food rationing cards. One member of each Kurdish family expelled was often detained and had to sign a note acknowledging moving voluntarily. To prevent the return of displaced persons the government would mine the area, set-up military checkpoints and demolish Kurdish sites (AI, November 2000; AI, 24 November 1999; CHR, 10 March 1998).

A year after the US-led invasion of Iraq of 2003, the KRG was recognised as the lawful government of the regions it had controlled since late 1991 (Al-Jazeera, 10 January 2004). In 2003, Thousands of displaced Kurds and Turkmen most of who were expelled during Saddam Hussein's regime in the 1980s and 1990s began returning to Kirkuk and to reclaim their land and homes. Their return caused the displacement of about 100,000 Arabs how had settled in the region.

Though many IDPs in late 2006 and 2007 have sought refuge in Kurdish regions because of relative safety, hundreds were reported displaced fleeing ethnic tensions and discrimination. (UNHCR, January 2007) Sources note of at least 2,000 Arab Iraqi families having fled Kirkuk in latter half of 2007. (IRIN, 16 September 2007; Brookings Institution, 3 March 2008; RI, November 2003; Refugees International 2008 and 2009).

Suppression of the Shi'a community

The precepts of Ba'athist ideology were rooted in Pan-Arabic nationalism, in Iraq this allowed to overcome differences and united Arab Shi'a, Arab Sunnis and also Arab Christians with a relative degree of harmony. However, despite this alleged ideology Ba'athis rule in Iraq was concentrated in the Sunni clan of al Tikriti with Shi'a religious and the targeting of significant Shi'a clerics. In addition to massive internal forced displacement of Shi'a, tens of thousands of Shi'a who were expelled to Iran in the 1980's.

During the Iran-Iraq war (1980-1988) the marshes, particularly the Al Hawizeh marshes became a front-line combat zone and many of the Marsh Arabs were forced to flee both the encroaching Iranian soldiers and the military operations of their own troops. A large swathe of the central marshes was drained to facilitate the movement of military units during the Iran-Iraq war.

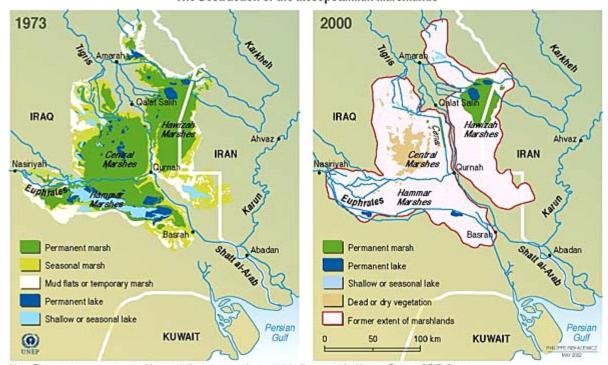
A Shi'a revolt against the Iraqi regime erupted following Iraq's defeat to US-led international forces in Kuwait in February-March 1991. The revolt was led by the Islamic Da'wa party and the Supreme Council for the Islamic Revolution in Iraq (SCIRI). The revolt, which initially had been encouraged by the international forces, spread within days to the cities of Najaf, Karbala, Hilla, Nassiriyah, 'Amarah, al-Kut, Samarah and Diwaniyah.

Some Marsh Arabs joined in an uprising by southern Shi'a against the Iraqi regime. It was brutally suppressed with many villages destroyed and scores killed. Government drained the marshes to regain control of the region and most of an estimated 200,000 'Marsh Arabs' (1993 estimate) have been displaced, or have had to abandon their traditional livelihoods. In 1992, the Iraqi government adopted a compulsory resettlement program for the Marsh Arabs (HRW, January 2003). However, it was soon suppressed by the Republican Forces, the elite force of the Iraqi army. Despite a no-fly zone which was enforced by international forces south of the 33rd parallel in August 1992 to protect Iraqi Shi'a population (AFSC, 2000).

By 1994, the Iraqi government had resumed control over the southern governorates (USCR, 1995, p.116). While in power, Iraqi armed forces conducted deliberate artillery attacks against Shi'a civilians and large-scale burning operations in the southern marshes in 1999 and 2001; 90 per cent of the marshlands were destroyed by May 2000 according to a UNEP study (UNEP, May 2001). The killings were later documented when mass graves were uncovered after the fall of Saddam Hussein's regime in 2003. In 1991, it was believed that some 250,000 people were living in the Marsh area, today it is estimated only 10,000-20,000 remain (UN Cluster 8 on IDPs and Refugees and UNCT August 2004; HRW, January 2003).

Despite UNEP's 2006 report that the marshes have experienced a rate of recovery of more than 50 per cent of 1970s levels, with a remarkable growth of the Hammar and Hawizeh Marshes (UNEP, Iraqi Marshlands: Steady Progress to recovery, 2006) in 2011, the BBC reported that the proportion of the restored marshland had dropped to nearer 30 per cent since its 50 per cent peak in 2007. As a result, the wildlife is under critical threat and the Marsh Arabs who have returned face the prospect of having to leave again, because they cannot rely on the marshes to supply either food or a livelihood (BBC, Restoring Iraq's wetland marshes to the original Eden, 18 January 2011).

From Wetlands to Dry Lands The Destruction of the Mesopotamian Marshlands



Note: These two maps are sourced from satellite images and maps originally created by Hassan Partow, GRID-Geneva.

Source: Hassan Partow, The Mesopotamian Marshlands: Demise of an Ecosystem, United Nations Environment Programme (UNEP), Division of Early Warning and Assessment (DEWA), 2001.

Multinational Forces' occupation of Iraq

The Multinational Forces' invasion of Iraq triggered two popular movements, a nationalistic insurrection against the US-led invasion and a resurgence of the previously suppressed sectarian tensions. Both conflicts caused large-scale displacement.

In March 2003, the United States and the United Kingdom led the invasion of Iraq based on controversial allegations that the Iraqi government had weapons of mass destruction (WMD) and thus presented an imminent threat to them and their allies in the region.

The prognosis for the risks of displacement as result of the US led invasion of Iraq was initially quite high. From March to May 2003, the governorates of Al-Anbar, Thi-Qar and Basra witnessed displacement due to the threat of air strikes and urban warfare. Military operations in 2004, particularly in Fallujah, Najaf, Kufa, Karbala and Samarrah caused some displacement. In November 2004, over 200,000 people had surprisingly been displaced from Fallujah as result of MNF-I's second siege and fierce fighting in the city a significant proportion if not the majority of the city was destroyed by MNF-I operations. Earlier that year, operations had led to 70,000 displaced from Fallujah. The numbers displaced due to military operations in 2003 to 2004 was estimated not to have exceeded 150,000.

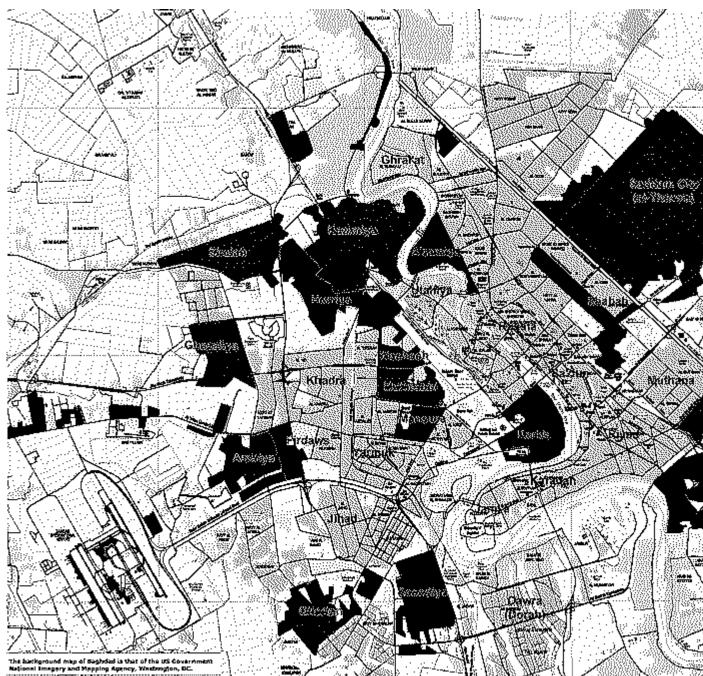
In 2005, thousands of people were displaced by military raids conducted by the multinational and Iraqi forces, including in al-Qaim, Karabilah, Haditha, Ramadi, Mosul and Kirkuk which continue to be monitored by the UN. In March 2007, some 22,400 people were estimated to have remained displaced from military operations and fighting. Between February and November 2006, an estimated 15,420 were displaced as result of military operations. In 2008 following two years

of sectarian violence implementation of US 'surge strategy' with realignment of Sunni insurgent militias and the ceasefire of the Mahdi militias had resulted in reduction in the nature of the violence faced. Large scale operations continued in 2008 to cause temporary displacement namely in Basra, Sadr City area of Baghdad, 'Amarah, and Mosul and other parts of Ninawa Province. Operations in Sadr City in April and May 2008 lead to the displacement of approximately 4,700 families.

Foreign intervention by Turkey and Iran has also entailed displacement in coordinated effort between Iran and Turkey to disrupt the activities of Kurdish rebel bases (Guardian, 18 August 2006). Iran is bound by treaty with Turkey to fight the outlawed PKK, and in return, Turkey has pledged to fight the Iranian armed opposition group, the Iraq-based People's Mujahedeen (PMOI) (AFP, 1 May 2006). Turkish and Iranian military forces have repeatedly since 2006 attacked bases of Turkish-Kurdish rebels in KRG. In October 2007, the Turkish parliament authorized the military to strike at the rebels across the border, it was renewed in 2009. In December 2007, more than 300 to 700 families fled their homes in Sulaymaniyah and Erbil Governorate (IRIN, 29 February 2008). However, relations between the KRG and the Turkish authorities have improved since 2009 with several joint economic projects and investments developed in 2009 and 2010 (DW, 3 June 2010). In August 2007, an upsurge in fighting between Kurdish guerrillas and Iranian Government forces in north-east of Iraq lead to the destruction of property and livestock and the displacement of about 1,000 people from their homes (Guardian, 20 August 2007). Thousands of persons were temporarily displaced after shelling by Iranian and Turkish forces since 2006 (IRIN, 2 May 2006).

The two maps below demonstrate the flagrant sectarian divide of Baghdad and in particular the domination of the capital by the Shi'a community.

Colombia University, ethnic map of Baghdad, 2003



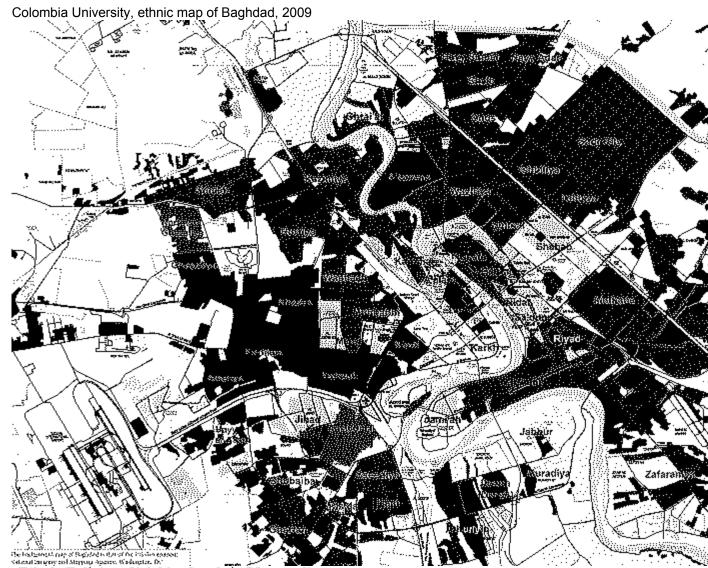
Ethnic-Religious Neighborhoods in Metropolitan
Baghdad

Shi'a Majority (mostly Arabic-speaking)

Sunni Majority (nearly all Arabic-speaking)

Christians (of various sects and languages)

Areas in State of Transition © M. Izady, 2020



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It is estimated that 60 per cent of Iraqis displaced originate from Baghdad. The struggle for Baghdad has been one of the factors that have resulted in significant changes in the political landscape of Iraq with the Shi'a militias controlling at least three-quarters of Baghdad leading to the realignment of anti-US Sunni insurgency switching sides.

In February 2007, a US military "surge" coincided with the realignment of some Sunni insurgent groups with the government under the auspices of a coalition of Sunni tribal sheikhs called the "Awakening Councils". In March 2007, Muqtada al Sadr's Shi'a militia declared a ceasefire. These developments resulted in a significant decline in violence (UNSC, March 2007; ICG, April 2008).

However, Iraq had been fragmented along sectarian lines, and several hundreds of civilians were being killed and displaced each month. Military operations continued in Sadr City in Baghdad from 2006 until well into 2008, temporarily displacing thousands of inhabitants. Some sought shelter in the Baghdad stadium.

These developments took place as the burgeoning national Iraqi Security Forces (ISF) tried to take an increasing responsibility in handling security through 2008 to 2010. In November 2008, the Status of Force Agreement (SFA) was drafted between the United States and Iraqi Governments and approved by the Iraqi Parliament. According to SFA, all US forces are to withdraw from Iraq by the end of 2011. The presence of the MNF-I had been prior to that authorized by the Security Council at the request of the Government of Iraq, and, as stated in resolutions 1546 (2004), 1637 (2005) 1723 (2006), and 1770 (2007).

Iraqi Political developments and attempts at national reconciliation

After defeating the Iraqi army, the US led occupation powers vested the Coalition Provisional Authority (CPA) with executive, legislative and judicial authority over Iraq. An interim constitution was agreed upon by the IGC, the Law of Administration for the State of Iraq for the Transitional Period. In June 2004, the provisional constitution came into effect replacing the CPA with an appointed interim government. Subsequently, the UN Security Council adopted Resolution 1546 which declared that the occupation of Iraq had ended. However, 150,000 troops of the US-led Multinational Forces in Iraq (MNF-I) continued to exercise control over security matters and other related issues.

In January 2005, the general elections were held in which a Kurd was sworn in as President of Iraq and a Shi'a and a Sunni as Vice Presidents enshrining sectarian repartition in the political system. The Transitional National Assembly (TNA) was formally inaugurated on 16 March 2005, and Iraqis adopted a new constitution by referendum in October in accordance with the timetable set by UN Security Council Resolution 1546 (2004). The TNA served until elections took place in 31 December 2005. The process failed to ensure an adequate and legitimate representation of Arab Sunnis, a majority of whom did not participate in the elections (UNSC, 3 March 2006, pp.1-3).

The 2005 elections underscored the marginalisation and alienation of the Sunni Community and the victory of parties representing the far larger Shi'a community, leaving Iraq's formerly dominant Sunni minority with the prospect of being excluded from power.

To address growing sectarian violence and insecurity, Iraq's new ministers of justice and human rights announced emergency security laws in July 2005. These measures notwithstanding, civil war erupted on 22 February 2006 following the bombing of the Shi'a Askari Shrine by Sunni insurgents.

The sectarian violence is the main cause of displacement for the majority of IDPs post-2003. The peak of displacement was between June and September 2006 but rate of displacement on sectarian grounds declined after October 2007 and diminished to isolated instances after 2009.

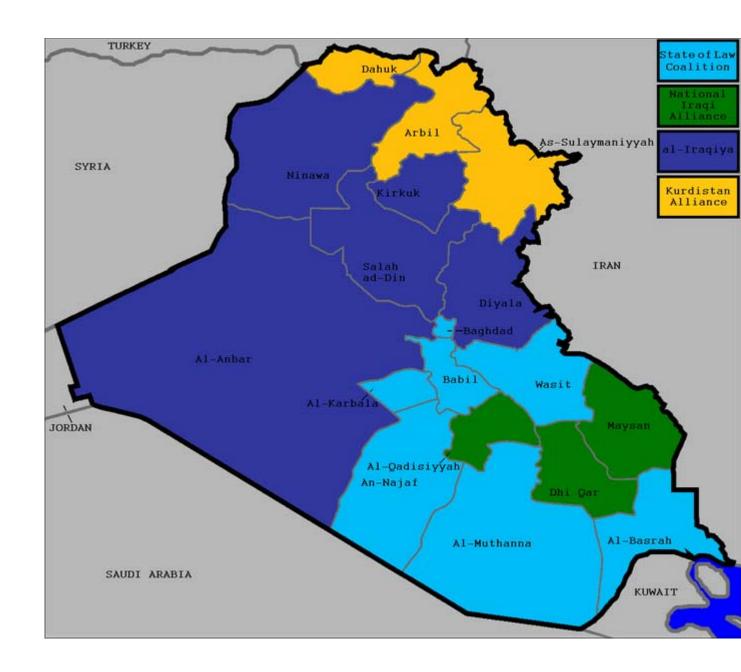
The majority of IDPs assessed by IOM reported leaving their homes because of direct threats to their lives, generalised violence, and forced displacement from property. Among those assessed, 37 per cent cited direct threats to life as a reasons for displacement after 2006 are and 23 per cent cited generalised violence, 85 per cent of those assessed attributed targeting to their sectarian identity (IOM 30 June 2008 & 3 November 2009).

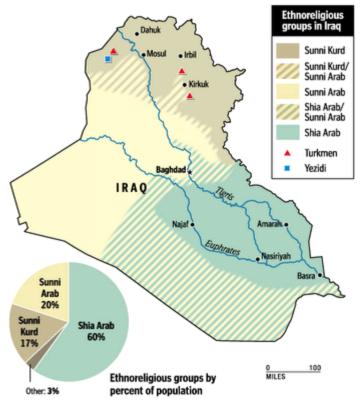
58 per cent of the displaced are Shi'a Arab, followed by Sunni Arab about 30 per cent, along with small but significant numbers of Sunni Kurds, Assyrian Christians, Chaldean Christians, Turkmen, and others such as professional groups, as doctors and academics. Refugees, in particular the Palestinians have faced attacks, causing them to flee their homes (IOM, 30 June 2008). Estimates suggest that women and children make in excess of 70 per cent of the displaced in Iraq (See Section on Physical Security: Vulnerable groups for further information).

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-el-Din, over 95 per cent of IDPs are Sunnis.

An amnesty law was voted in 2007 and, modifications made to the de-Ba'athification law of 2003, in an attempt at integrating Sunni Arabs into the state's political and security structures. However, it had mixed results the Sunni parties had suffered from internal competition and divisions (ICG, 27 February 2006; Independent, 22 January 2006).

The March 2010 elections were crucial in light of Sunni Arab boycotts of the 2005 elections in which violence and intimidation led to skewed results. The stakes in these elections were quite high for both the conciliatory Shi'a Islamic Supreme Council of Iraq (ISCI) which stood to lose in front of the radical Sadrists. It took place amid heated debate on the banning of key Sunni candidates on grounds of former membership to Ba'athist government. The political deadlock that ensued demonstrated that the political struggle continued to be raven by sectarianism and factional infighting. It took nearly one year to form a government. The clear regional affiliation of each party further confirmed the cemented sectarian divisions within the country.





Kermashahi, 2010 electoral map map

CIA, 1992 Iraq Ethnographic

The electoral process has to date not ensured reconciliation, but has given some space for the sectarian struggle to take place by other means than through war. Other minorities have continued to be displaced by sectarian violence though. By the end of 2010, IOM reported that 1354 Christian families had been displaced from Baghdad and Mosul particularly after the violent attack on the Saidat-Al-Najat church on the 31 October 2010. OCHA reported that 720 Christian families had already been displaced due to violence in Ninawa by March 2010 (OCHA, sitrep N2, 2 March 2010).

Other initiatives to address reconciliation including the creation of a National Reconciliation Plan, the Mecca Declaration of November 2006 and the 2008 amnesty to insurgents have not been fruitful whatsoever. These efforts at national reconciliation have been criticised as means to accommodate the US withdrawal plans as opposed to genuine national reconciliation. The lack of reconciliation and the sectarian infiltration of the public services explain the continued feeling of insecurity at the heart of IDPs increasing desire to locally integrate rather than return, despite the decrease in monthly deaths (United States Institute for Peace, September 2008; Al Arabiya, 5 July 2011; Al Sumaria, 24 February 2011).

Natural disaster induced displacement

Flash floods have repeatedly caused displacement in Iraq. In November 2009, flash flooding would lead to the displacement of hundreds of families. More than 5,000 people were displaced in March 2004 by flooding in the marshlands area. Around 100 families were displaced by floods in January 2006 and around 36,000 people (6,000 families) displaced due to flooding in the south in February 2006. In April 2011 continuous heavy rains in different areas in Iraq caused floods and

severe damages to several governorates. Many houses were destroyed due to poor infrastructure according to the IFRC (IFRC, 23 May 2011).

There has also been drought induced displacement in various parts in northern Iraq following two years of consecutive drought. In November 2009, UN reported an estimated 4,250 families were displaced mostly in Kirkuk, Ninawa and Salah-el-Din and drought related displacement has also been reported in Missan and Basra (IOM, October 2009; OCHA, November 2009; IRIN, September 2009). Drought-affected displaced are not registered by the local authorities, nor addressed systematically by humanitarian community. The last three years of consecutive drought has entailed rural-urban displacement from affected areas. These new arrivals though corresponding to small percentage of overall displacement place additional pressure on already depleted urban housing and stretches public service availability.

Figures and registration

Internally displaced population

The total numbers of IDPs are between 2,040,000 and 2,750,000. In November 2010, the International Organization for Migration (IOM) reported that 2,750,000 IDPs lived in Iraq, out of which 1,660,000 people had been displaced since 2006. This figure is 300,000 higher than the figures estimated by UNHCR for the same period and the figures reported by the MoDM and the KRG (IOM 2010 and 2011; UNHCR 2010).

The difference may derive from various factors related to the registration process. Figures for post 2006 refer only to registered IDPs. Under-registration has taken place because IDP's registration after 2006 has been voluntary and contingent on documentation which IDPs often lacked. But multiple registrations have also taken place on some instances. Additionally, 'deregistration' is also voluntary. Some of the people who lived in displacement but who sustainably returned home - some 400,000 according to IOM and 840,000 according to UNHCR – have not deregistered while some IDPs who remain in displacement have done so to obtain return-packages (IRCS, 2008; IOM February 2011; UNHCR January 2011).

People who were displaced before 2003 were not registered and estimates of displacement up to 2003 have been difficult to validate. While IOM reported that some 1,090,000 people were displaced before 2003. In the late 1990s, observers have suggested that figures on displaced populations in northern Iraq were manipulated to suit political parties' claims to disputed border territories. In southern Iraq, access restrictions during the 1990s made reliable calculations tricky, reflected in disparate estimations ranging from 40,000 to 1,000,000. It is still unclear whether the people who were displaced from the marshlands have integrated locally or whether they still live in a situation of displacement (IOM 2010; USCR 2000, 2001).

Foreign and refugee secondary displacement

In January 2011, UNHCR estimated that there were some 40,000 refugees in Iraq; mainly from Iran, Palestine and Turkey. A number of these refugees were displaced within the country since 2003 as a result of the violence; UNHCR was still running 13 camps in 2010 throughout the country.

There are no further figures on these communities in Iraq. But protection concerns have been reported from the Palestinian community which resided in Baghdad and in some refugee camps, including Al Makhmour camp which was housing Turkish refugees. On 31 October 2010 UNHCR and the Ministry of interior Permanent Committee for Refugees Affairs conducted a registration process bestowing a five year refugee residence card entitling beneficiaries to several benefits including freedom of travel within Iraq, access to medical care, education and the right to work.

Palestinian residents under the previous government benefited from subsidised housing and were faced with evictions and intimidation in the aftermath of the conflict. In 2008, physical security and meeting basic survival needs were the primordial concerns of the Palestinian community in Baghdad and in the camps of Al Waleed, and Al Tanf located near Iraqi Syrian border (Al, April 2008; UNHCR, September 2008). Palestinian refugees in Al Tanf were living in appalling conditions in 'no-man's land' on the Iraq-Syria border since 2004. UNHCR had considered Palestinians, especially those at al-Tanf, to be among the most vulnerable among the two million refugees who have fled Iraq (Al, April 2008). In February 2010, UNHCR closed Al Tanf camp and resettled or relocated the last of Palestinian refugees. Out of the 1,300 Palestinian refugees who had lived at different times in the camp, more than 1,000 were relocated to third countries. In 2011, Al Waleed camp in Anbar still housed over 400 refugees of whom about 240 were Palestinians, over 180 Iranian Kurds, and about 40 Ahwazis (UNHCR, May 2010 & February 2010 & May 2011).

Al Ashraf camp located in Diyala has been housing Iranian militants of the People's Mujahedeen of Iran (PMOI or MEK), a Marxist-Islamic organisation advocating for the overthrow of the Islamic Republic of Iran. The semi-autarkic and militarised camp was established by Saddam Hussein. By virtue of their continued militancy the PMOI inhabitants of camp did not fall under the 1951 refugee convention. The government attempted several times to disarm and relocate the fighters. These attempts have sometimes turned violent. On 8th of April 2011 fighting resulted in 34 PMOI deaths (Today's Zaman, November 2009; UNHCR Iraqi Monthly Highlights October 2010; OHCHR, 15 April 2011).

Registration and documentation

Available documentation remains central to the exercise of rights. Among the most important legal documents are the civil status identification document and the Iraqi nationality certificate.

These documents are mandatory to obtain passports, to access food assistance through the Public Distribution System (PDS), to access health care, employment, education, housing and other public services (UNHCR August 2008; UNHCR, December 2009). However, in 2009, many IDPs and returnees lacked documentation to access these services.

Lack of documentation also restricted freedom of movement, and exposure IDPs to harassment or arbitrary arrest and detention. During the government of Saddam Hussein, up to half a million Iraqis (including Fa'ili Kurds and Arab Shi'a) were stripped of their nationality by the previous government. Some of them were expelled to Iran.

Procedures to obtain documentation remained lengthy, complex and costly (UNHCR August 2008; UNHCR, August 2004; Géraldine Chatelard, 9 June 2011). IDP registration at the governorate level was restricted in 2009 and eventually stopped in June 2010.

There are several reasons why some IDPs have avoided registration. For example, MoDM's offices at the governorate level have been staffed with members of local political parties and -- fearing sectarian, tribal, or political discrimination -- IDPs have preferred not to approach them.

Lastly, MoDM has encouraged people to return to their place of origin and has therefore given preference to de-registration rather than registration in the place of displacement to adequately address local integration or resettlement in another area.

Patterns of displacement

Patterns of displacement

Fifty-three per cent of those displaced prior to 2006 can be found in three northern governorates, 33 per cent live in southern governorates with the remaining 14 per cent located in the centre (IDP WG, June 2008).

Fifty eight per cent of those displaced after 2006 were displaced in the central Governorates while 27 per cent of the IDPs live in the south and 15 per cent in the northern governorates. By far the majority of IDPs were displaced from or within Baghdad and to a lesser extent Diyala (IDP WG, June 2008).

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-el-Din, over 95 per cent of IDPs are Sunnis. Mixed families have been vulnerable because they had been unable to seek protection in homogenised governorates and neighbourhoods.

An estimated 40 per cent of displaced people after 2006 were children according to UNHCR (UNHCR, 2009). There are no information available as to the proportion of displaced children resulting from displacement prior to 2006 and 2003.

Members of minority groups have fled in large numbers. By 2007, the Iraqi Ministry for Migration and Displacement estimated that nearly half of the minority community had left the country making up approximately 30 per cent of the 1,8 million Iraqi refugees in neighbouring countries.

Because of their alleged ties with the predominantly western multinational forces in Iraq, Christians have been particularly at risk of displacement (IRIN 3 July 2008). According to IOM, almost 1,100 Christian families fled attacks against Christians' homes and churches in Baghdad late 2010 to seek protection in the KRG-controlled region (IOM May 2009; IOM 31 January 2011; MRG, September 2009; IRIN, July 2008). 4,300 Christians fled Mosul city to the nearby districts of Al Hamdaniyah and Tilkaif in Ninawa governorate because of their alleged role in the banned alcohol industry (USCIRF 2011).

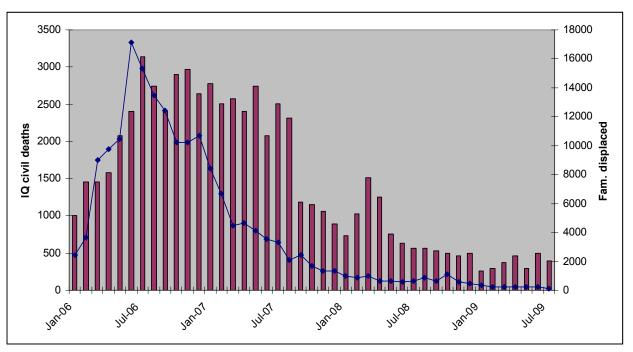
Sunni and Shi'a communities are being persecuted in areas where they are a minority. IDPs have overwhelmingly fled to areas where their own sectarian or ethnic group was dominant, leading to a demographic homogenisation of the country's governorates and greater segregation of communities.

PHYSICAL SECURITY AND INTEGRITY

Physical Security

Physical Security

Insecurity as a result of generalised violence and military operations predominated in 2003-2004, before leading to sectarian violence in 2005-2007. Most violence centred on Baghdad, Anbar and Diyala governorates. Large movements of populations have occurred within these areas. 2008 saw a decline in violence which was also largely attributed to the general homogenisation on sectarian basis of the country the MNF-I's "Surge strategy" established pro-government Sunni armed militias called Awakening Councils (*Majaless al Sahwa*) and a ceasefire announced by Mogtada Al Sadr militias (ICG, April 2008).



IDMC 2011, based on IOM 2011 and Iraq Body Count 2010

Until 2011, figures published on civilian casualties had ranged from 601,027 deaths reported by the medical publication Lancet in 2006 to about 110,000 by the Iraq Body Count, although the latter recognized that up to 15,000 deaths were unaccounted for after the publication of the War Logs by Wikileaks in October 2010 (Iraq Body Count 2011).

Though the level of sectarian violence had abated, the level of insecurity in 2011 remained high. An average of 300 deaths were still reported every month and the majority of Iraqis remained unconvinced that security had improved. The majority-Shi'a southern governorates and the three KRG-controlled governorates were relatively safe, but the mixed northern areas of Ninawa and Kirkuk remained disputed, with the KRG calling for the annexation of parts of these governorates (USCIRF Annual Report 2011; ICRC October 2008; AI, March 2008; OCHA, December 2009; Christian Science Monitor, 8 February 2011; State Department; 17 November 2010).

A staggering thirty per cent of IDPs and IDP returnees reported missing family members including children due to various factors including kidnapping, abduction, and detention (UNHCR December 2009). In 2009, a UNHCR survey found that 11 per cent of IDPs and 28 per cent of IDP returnees were targeted due to their religious and political affiliation, and six per cent had been targeted simply because they were IDPs (UNHCR December 2009).

Family links and missing persons

Family links and missing persons

The continuous violence since the 70's and the sectarian nature of the conflict have profoundly affected the ethnic, sectarian and social structure of Iraqi society (Middle East Institute, July 2008). According to Iraqi Ministry of Human Rights, one million are believed to have disappeared during the former government.

Violence since 2003 has lead to further disappearances as well as hundreds of thousands widows, orphans, and single headed families. Amongst the displaced, households headed by older people, women without male relatives and orphans are acutely vulnerable (UNHCR, December 2009).

UNHCR surveys in 2009 estimated that 20 per cent of internally displaced families had one or more children missing. The social fragmentation particularly affected the aforementioned vulnerable groups.

Freedom of movement

Freedom of movement

Following 2003, most legal restrictions to freedom of movement disappeared as a result of the fall of the former regime but de facto freedom of movement became severely restricted in all parts of Iraq.

IDPs have faced harassment limiting their freedom of movements and registration affecting access to basic services. By 2007, restrictions were gradually imposed in northern governorates as the security conditions in south and central Iraq progressively worsened. For people displaced between governorates, provincial authorities saw IDPs as a threat to the ethnic, sectarian, tribal, or political homogeneity of their area. They sometimes took measures to prevent 'unwanted' IDPs to access the PDS, effectively depriving them of rights and entitlements and further impoverishing them. Various restrictions were affecting Dahuk, Sulaymaniyah, Erbil, Kerbala, Najaf, Qadissiya, Wassit, Babylon, Thi-Qar, Basrah, and Muthanna governorates (UNHCR, August 2008).

Today, the freedom of movement for IDPs in and around Baghdad continues to be impaired by a number of security measures, including frequent checkpoints and security fences or walls. Freedom of movement is also impacted by checks at governorate borders, some reportedly resulting in arrests, and in the Kurdistan Region. In that region, Arabs are particularly affected, due to their lack of proper identity papers or due to mistaken identity (Human Rights Council, 16 February 2011).

Landmines and unexploded ordnance

Landmines and unexploded ordnance (UXO)

Iraq is among the countries worst affected by most unexploded-ordnance (UXO) in the world (UNHCR, October 2005). A 2006 Handicap International report indicated that at least 55 million cluster bombs had been dropped, which would make Iraq the world's most contaminated country. Land mines and unexploded ordinance killed or injured an average of two Iraqis every week in 2009. Eighty percent of them were young men, aged 15 to 29 years. Landmines and unexploded ordinances have caused between 48,000 and 68,000 Iraqis to undergo amputations (MAG, March-April 2011; Marine Corps Times, 5 April 2011; IRIN, 6 April 2011).

A landmine survey conducted by the Iraqi authorities in June 2005 found a higher prevalence of contaminated areas in the North but more landmine victims in the South. In the north many were planted in the 1960's and 1970's when the Iraqi military tried to quell the Kurdish rebellion. In the south vast areas were contaminated during the Iran-Iraq war of the 1980's, during the Gulf War of 1991 and the US-led invasion of 2003. New mines were planted in areas of during the Coalition Forces intervention, particularly in populated urban areas. The use of mines by the insurgency and sectarian groups has further increased the prevalence of mines in urban areas, including residences abandoned by IDPs (UNHCR, October 2005; Mine Action Group (MAG), Programme Update, May 2005 and March-April 2011; Marine Corps Times, Iraq plagued by unexploded land mines, 5 April 2011).

While Iraq acceded to the Mine Ban Treaty on 15 August 2007 and Iraq's National Mine Action Authority (NMAA) declared in early 2008 plans for demining and 751,248 square meters were cleared by April 2011 (CITE) the absence of maps complicate mine clearance. According to U.N. figures an estimated 1,730 square kilometres are still contaminated affecting about 1.6 million people.

Though few returnee families have been affected, UXO are pose powerful deterrent to other IDPs wishing to return. Spontaneous returnees are particularly vulnerable because they are unaware of recently laid mines. Displaced people often find shelter in public buildings where UXOs are left. Mines and unexploded ordnance had been reported as a major problem to return to Fallujah (January 2005). There was a lack of rehabilitation and reintegration of persons with disabilities and shortage of rehabilitation equipment.

PROTECTION OF SPECIAL CATEGORIES OF IDPS

Minorities

Minorities

With about 62 per cent of the population Shi'a Muslims are the majority in Iraq. With about 17 per cent each, Arab Sunni Muslims and Kurds represent the largest minorities. The remaining various minorities do not exceed four per cent. All but the Turkmen are of a different faith than Islam. They include the Fa'ili Kurds, Shabaks, Armenian, Syriac, Chaldo-Assyrian Christians, Baha'i,

Jews, Mandaeans, and Yazidis. Most of these minority groups have a long history in Iraq. During the government of Saddam Hussein, they generally enjoyed a degree of protection (Brooking Institute, December 2008; UNHCR, December 2009; IDP WG, June 2008; CIA the World Fact Book, 2011).

Whereas there are significant differences among the smaller minority groups, they all suffer from forced assimilation, political marginalisation, persecution and other forms of the post-2003 violence. According to the Minority Rights Group, Christians reported the highest incidence of restrictions on their freedom of movement along with Armenians and Chaldo-Assyrians but 75 per cent of Shabak, 58 per cent of Turkmen and 30 per cent of Fa'ili Kurds also indicated ongoing personal freedom limitations (Minority Rights Groups International, 10 June 2010 *and* 24 September 2009).

Members of the Yazidi community in Ninawa were allegedly forced to collect their food aid in neighbouring Dohuk, 'therefore reducing the statistical presence of Yazidis in the area', since local population statistics are based on the registration of food ration cards. Turkmen were also on several occasions denied the right to self-identification by being refused to use their own language.

In Ninawa, where the status of the territory remains undetermined, some minorities have come under substantial pressure to identify either as Arabs or Kurds, or pledge their support to a particular political party. The political leadership of Yazidis or Chaldo-Assyrians who support Kurdish control over parts of Ninawa (largely because they feel they will be better protected from attacks by Sunni Arab extremists) and who fail to submit to Kurdish demands face threats of arrest and assassination. The Shabak community and its leadership have experienced similar pressure (Minority Rights Groups international, 10 June 2010 and 24 September 2009).

The future of minorities in Iraq depends, first and foremost, on security. In this regard, the decision to reduce minority representation in provincial governments is not encouraging minorities to return, especially since those that did return to mixed areas have faced threats and killings by those of the dominant sect.

Particular social groups and professionals

Particular social groups and professionals

From the onset of the conflict in 2003, sectarian based militias, such as Mahdi militia, have targeted people who did not adhere to their conservative norms. Attacks on homosexual men, or men suspected of being homosexuals have grown more pronounced with the impunity and failure of the Iraqi authorities investigating such killings (HRW, August 2009). Women who work outside their home, those who wear make-up or pants, or women walking on the streets unveiled have also been attacked and have left their areas of origin as a result.

Since 2003, professionals, academics, judges and journalists have been specifically targeted by radical Islamic militants. There has been a mass departure of professionals from areas of conflict to more peaceful areas or abroad.

Their return will be important for the reconstruction process. Measures were being undertaken to seek their return through financial and other incentives (IRIN, January 2010). The return process has however been negligible in 2011 with rates of return remain low.

Women

Women

Displaced women face serious protection issues in Iraq including exposure to domestic violence, sexual gender based violence including 'honour crimes', prostitution and trafficking (UNHCR December 2009; RI, July 2009; IOM, 11 January 2008). Fifty five per cent of the women surveyed by Oxfam in 2009 had experienced violence since 2003.

Some groups of women are more vulnerable than others. Single women, including divorcees and widows of men killed during armed conflict, represent up to two out of 8.5 million women aged between 15 and 80 and are more vulnerable than married women (Reuters, 31 January 2008; ICRC, 2011). Displaced women in camp or camp-like situations are more likely to be exposed to sexual assault and abductions than other displaced women (IOM, 11 January 2008). Displaced minority women were particularly at risk of rape, and lacked access to justice. (This was particularly the case where religious 'extremists' cited that rape of an 'unbeliever' is not unlawful.)

The continued threat of violence has seriously restricted minority women's freedom of movement and, in some cases, their right to express their religious and ethnic identity through the way they dress. The threat to and violation of displaced women's right to non-discrimination poses a systematic protection challenge for Iraqi IDPs.

NGOs have emphasised that displaced women resist returning to their place of origin if there is no focus on securing their rights as women. Reducing support to displaced families, say the NGOs, could force returns to insecure areas without adequate provision of basic services and thus trigger new protection concerns. (RI, July 2009; HRW September 2009).

Limitations on women's freedom of movement further restrict women's access to health services, education and employment. Female-headed displaced households -- which account for ten per cent of the total IDP household -- struggle to access health care and other services (IOM, February 2011). Twenty five per cent of these families live in squatter camps, public buildings or vacated homes.

Children

Children

Children face a number of protection issues in Iraq. In 2010, at least 194 children were killed during conflict -- primarily in Baghdad, Diyala and Ninawa governorates – down from 376 children killed in conflict in 2008. Explosive remnants of war posed a high threat to children. They continued to claim lives and cause injury long after combat operations (UNSC Report of the Secretary-General on children and armed conflict in Iraq 15 June 2011). A UNHCR report from 2009 revealed that children had been separated from their families in 20 per cent of internally displaced families.

According to a UN Security Council report covering the period from January 2008 to December 2010, Iraqi children have been recruited by armed groups to fight, spy and scout, transport military supplies and equipment, and plant explosives. An IDP working group assessment found that displaced children were at high risk of recruitment (IDP WG, March 2008). They have also

been used as suicide bombers because they aroused less suspicion and easily moved through security checkpoints.

Schools and health centres have been destroyed by the warring parties, both intentionally and due to collateral damage. Many of the 220,000 school-aged internally displaced children had their education interrupted, adding to the estimated 760,000 children out of primary school in 2006. In November 2009, UNHCR research indicated a high percentage of school absenteeism among displaced children, and that the prevalence of IDP children working and domestic violence among displaced families were high. (UNHCR December 2009).

Many displaced children lived in unsanitary conditions in camps; minors heads of household and orphans were among the most vulnerable. Child (under 5) mortality has noticeably improved, in 2009 it was at 44 per 1000 when in 2005 it stood at 15 per 1000 and in 1990 it was at 53 per 1000 (UNICEF, 2010).

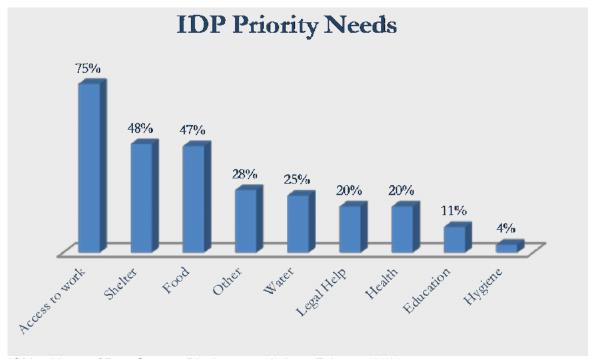
The main challenge for the Government of Iraq is to bring the country inline with its international obligations such as article 38 of the UN Convention on the Rights of the Child (CRC) and the Guiding Principle 4 and 13 on internally displaced children. Just to achieve UN's Millennium Goals, over 400,000 undernourished Iraqi children would have to receive adequate food, while three million need decent sanitation (IRIN, 14 August 2007; IRIN, 15 June 2011, Al-Jazeera, 3 July 2011).

BASIC NECESSITIES OF LIFE

Basic Necessities of Life

Successive internal and international conflicts and UN imposed sanctions have resulted in a dramatic reduction in the standard of living of all Iraqis (UNDP, 12 May 2005). In March 2007, the UN finally recognised the situation in Iraq as a humanitarian crisis and highlighted significant needs in various sectors through its consolidated appeal launched in February 2008 and the regional consolidated appeal of December 2008 (UNOCHA, February 2008; UNOCHA December 2008). From 2009 to 2011, the main needs reported by IDPs were shelter (48 per cent), food (47 per cent) and employment (75 per cent).

The needs of displaced families depend on the amount of time they have been in displacement. For example, a family that has spent an extended period of time in displacement is more likely to have found a mean of providing food.



IOM, 5 Years of Post-Samara Displacement in Iraq, February 2011.

The Guiding Principle No 18 sets minimum standards for the provision of basic necessities for IDPs Iraqi authorities. While most governorates have allowed IDPs to enter, obstacles to registration have limited their access to services and capacity to rent or purchase property. This problem was further accentuated once registration was halted in February 2009 (Human Rights Council, 16 February 2011).

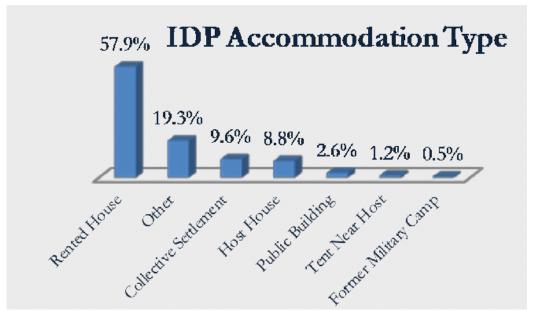
Shelter and housing

Shelter and housing

Shelter has remained a high priority for all Iraqis. Decades of wars, neglect and sanctions have left Iraq with a shortage of up to two million dwellings, an acute lack of constructible land and an erratic regulatory system. Many dwellings are extremely dilapidated, overcrowded, and structurally unsafe (UNHABITAT, October 2010; OCHA, December 2009).

In 2008 and 2009 nearly 20 to 25 per cent of the IDPs had reported that their property had been destroyed, almost 26 per cent said that their property had been occupied, controlled, or claimed by private citizens, and another 40 per cent did not know the status of their property (IOM, 30 June 2008; November 2009).

Displacement has also resulted in the development of informal housing settlement including squatting and make-shift dwellings which historically had not existed in Iraq. While 58 per cent of IDPs are thought to live in rented housing and some nine per cent with host families, nearly 14 per cent live in public or military buildings and close to 20 per cent live in self-made dwellings. IDP tenants often endure overcrowded conditions in substandard dwellings. Public buildings and settlements are often overcrowded and lack sanitation services, drinkable water, and electricity (IOM, February 2011; August 2008).



IOM, 5 Years of Post-Samara Displacement in Iraq, February 2011.

Threats of eviction of displaced families are endemic. During the civil war, forceful evictions were a strategy of sectarian cleansing. In 2008, once the conflict abated, evictions from State lands and properties have been carried out pursuant to Council of Ministers Decision 440.

The Decision 440 provides that notice should first be given to persons squatting on state-owned property, and that legal action will not be taken against persons who vacate the premises within a period of sixty days. A compensation of between one and five million Iraqi dinars should be provided to those who were forced to leave. Decision 440 was suspended in May 2009 pursuant to Cabinet Order 157; but since 2010 large numbers of eviction orders were reported to UNHCR across Iraq and the order was inconsistently implemented. In some cases families were evicted with little prior warning which often forced them into secondary displacement. While an order

which suspended the demolition of informal settlements was approved by the Iraqi Parliament on the 21st of December 2010, evictions continued in 2011.

The latest Iraq National Housing Policy for 2011 to 2014 supported by UNHABITAT recommends that informal settlements are assessed on a case-by-case basis with a choice of either up-grading them - thus improving the infrastructure and regularising land tenure - or to demolish the informal settlement to make way for more high-yield land uses and higher densities buildings.

While it is important for local authorities to enforce laws regarding land ownership, it is important that it upholds an effective and humane approach to evictions. Without plans for their future shelter, provision of services and access to economic opportunities, evicting families from public and buildings will simply move the problem elsewhere (UNHCR, May 2011; UNHABITAT, October 2010; IOM February 2011).

Food

Food

Iraq was self-sufficient in cereal production until the late 1970s, but dependency on imported cereals reached 69 percent in 2008. Agricultural production has been affected by insecurity in productive areas, severe drought during 2007, 2008 and 2009, declining yields of major crops, inefficient irrigation, a restrictive regulatory and policy environment.

The food security situation in Iraq improved between 2005 and 2011, although many are still food insecure. Both IDP and returnee families cite food as one of their priority needs (IOM, February 2011).

Public food assistance (or PDS for Public Distribution Services) which provides half of daily food calorie requirements, is fundamental to many IDPs' and returnees' food intake. PDS rations were complete for 15 per cent of IDPs, 20 per cent of IDP returnees and 15 per cent of refugee returnees and in the majority of the cases distributed on a monthly basis (OCHA, February 2008).

However, only some 60-80 per cent of IDPs and returnees hold a card which entitles them to access to PDS (OCHA, February 2008). In 2011, IOM field assessments indicate that 67 per cent of returnee families regularly access PDS, 30 per cent receive rations on an irregular basis and three per cent receive none at all. This is a noticeable improvement from 2008 when only 47 per cent of the IDPs accessed PDS (Interagency Food Sub-Group). WFP's post-distribution monitoring indicated that IDPs experiencing food insecurity and poor diet decreased during 2008 from 38 percent to two percent as a result of WFP assistance.

Health and medical care

Health and medical care

Health care in Iraq deteriorated greatly over the last decades as result of repeated armed conflict, exodus of qualified professionals, severe shortages of medication and equipment resulting from international sanctions, and damage to medical facilities (IDP Working Group, 27 June 2008).

Access to adequate health care has been a reoccurring problem for IDPs, particularly in conflict areas where insecurity has prevented NGOs and Ministry of Health from delivering aid. Additionally, because many IDPs live in poor rural neighbourhoods access to adequate health care has been particularly difficult. Health care centres often lacked necessary equipment or medicine – 30 per cent of the IDPs could not access the needed medication according to one study – and one-forth of the displacement population complained that they could not afford health care fees (IOM, 30 June 2008)

The stress of long periods of displacement, substandard living conditions, insufficient diet, and poor sanitation are all sources of health complications, but some groups are more affected than others. Some 20 per cent of the IDPs reported that health is a priority for them. Health problems are reportedly more common among women and children than among men and elderly. Health coverage for IDPs also varies from one governorate to another (IOM, February 2011).

Psychosocial trauma is also common among Iraqi displaced children (UN OCHA December 2009). In 2007, 70 per cent of displaced mothers consulted by the International Medical Corps (IMC) reported that their children suffered from psycho-social distress (IOM, 30 June 2008; IMC, January 2007).

Water, sanitation and hygiene

Water, sanitation and hygiene

Years of neglect infrastructure has resulted in an advanced state of deterioration of sanitary services affecting large segments of the displaced population have had either inadequate or no access to safe water (OCHA, February 2008 and December 2009; UNDP, 12 May 2005). In 2009, 66 per cent of IDPs and 77 per cent IDP returnees had insufficient access to water. Access to sanitation facilities was reported as insufficient by 25 per cent of IDPs, 26 per cent of returnees.

Two years later water was still considered a priority by 25 per cent of the IDPs and 44 per cent of returnees (IOM, February 2011). In 2011, IOM's field monitors noted that displaced families had less access to water than returnee families. Twelve per cent of the IDPs relied largely on open water sources or broken water pipes; an additional six per cent relied on water delivered by trucks.

PROPERTY, LIVELIHOODS, EDUCATION AND SOCIO-ECONOMIC RIGHTS

Employment and livelihood

Employment and livelihood

IDPs have been more affected by unemployment than the rest of the population: they left behind their sources of income and moved to areas where their skills might not be marketable. In 2009, 66 percent of IDP families had no family member employed in comparison to the overall unemployment rate which was estimated at 28 per cent. Not surprisingly, access to work was listed as the top priority for 75 per cent of IDPs in 2011.

There are great regional disparities with unemployment being particularly acute for IDPs in governorates such as Dohuk and Diyala. Rising costs of fuel, rent, and food and high levels of unemployment are causing deteriorating conditions for IDPs (and host communities). Attaining employment is even more difficult for women and widows, especially in conservative areas and in areas where the customs are different from their area of origin. In the three northern governorates, for example, employees are usually required to speak Kurdish (IOM, May 2009 & 30 June 2008 & February 2011; IDP Working Group, 27 June 2008; IAU, Iraq, January 2009 Labour Force Analysis 2003-2008).

Some people displaced by conflict had been recent migrants from rural areas who fled to urban environments. Extremely deprived economically, lacking land, properties, and documentation, these groups of destitute people have experiences successive displacement and are likely to continue to be disenfranchised and easily radicalized (Géraldine Chatelard, June 9th, 2011).

Education

Education

Attacks against schools and school personnel have severely affected education in Iraq. Many schools have been closed, damaged or destroyed as a result of violence. In 2004, a dramatic 89 per cent of school buildings had sustained some war related damage. In 2008, the Ministry of Education documented 417 attacks on educational institutions since November 2005. Teachers and professors were particularly targeted by the violence. According to the Ministry of Education, over 300 teachers and other employees of the Ministry were killed and more than 1,000 wounded.

Access to education has also been hampered by insecure school routes and other factors. For instance, displaced parents in Anbar, Diyala and Baghdad did not send their children to school for several years because it was too dangerous. Sectarian disputes posed particular difficulties to students and teachers who were registered in schools in areas dominated by the opposing sect (IMC, January 2007).

Illiteracy rates among IDPs are particularly high. In the Governorate of Thi-Qar for example, illiteracy rates among IDPs was 50 per cent in 2005 in contrast to a 25 per cent illiteracy rate overall (UNHCR, January 2005).

IOM reported in 2008 that internally displaced children were more absent from school than other children due to economic difficulties, travel distance to school, other family responsibilities, lack of proper documents and other difficulties related to the registration process. Only one- third of the assessed families reported that all of their boys were in school, and only 22 per cent reported that all of their girls were in school (IOM, 30 June 2008; August 2008).

The IDP children who do attend school often have difficulties resolving social and cultural differences, such as the move from urban to rural or moderate to conservative areas. (IOM, 30 June 2008). Language was also a barrier for some displaced children. IDPs in the north have encountered difficulties finding Arabic-language schools (IDP WG, March 2008 and November 2008).

Capacity is another limit to education for internally displaced children; overcrowded schools are reluctant to admit returnee and IDP children. Schools are also being used as temporary shelters by IDPs (2004 UNICEF/MOE Survey).

The United Nations have provided support to the Iraqi government to rebuild schools; UNICEF has assisted the Ministry of Education in improving access to education for school drop-outs through the implementation of accelerated learning programmes. From 2008 to 2010, 70 schools were rehabilitated or constructed, water and sanitation facilities were repaired in 174 schools, and prefabricated classrooms were installed in 13 schools, benefiting a total of over 168,400 children, some 51 per cent girls(UNSC Report of the Secretary-General on children and armed conflict in Iraq, 15 June 2011).

Land and property

Land and property

A number of property disputes are today related to internal displacement. UNHCR estimated that there were 230,000 IDPs squatted public properties throughout Iraq. While, MoDM figures reported that over 3,491 families illegally occupied properties. In late 2009, 50 per cent of IDPs assessed by UNHCR stated living in rented houses, 24 per cent owned property and 20 per cent in public buildings, and close to eight per cent lived in informal camps. UNHCR reported over 450,000 in informal settlements — it is unclear whether this is in private or public property (UNHCR, December 2009).

While pre-2003 property disputes often involved the Iraqi government, post-2003 property issues include the occupation of land and property by other displaced persons, squatters, armed groups, as well as property destruction and looting. There were also reports of forced and fraudulent sales affecting properties of the displaced. A separate category of problems is the occupation of public buildings and unauthorized construction of informal settlements on state and private land (Brookings, February 2010).

Restitution for pre-2003 displacement

A considerable number of unresolved HLP issues are related to displacement which took place prior to 2003.

During the government's Arabisation campaign between 1974 and 1991 in Northern Iraq, land and houses belonging to an estimated 800,000 evicted Kurds were taken by government officials and sold at reduced costs to poor Arab migrants (UNHCR, August 2004; UN HABITAT, January 2001; I, 21 November 2003; USDOS, 26 February 1999).

After the ouster of Saddam Hussein, many Kurds returned to their homes spontaneously or encouraged by the KRG in order to e re-establish Kurdish rule in the region of Kirkuk and Mosul. But in many cases the returning Kurds found their homes occupied by Arabs who had resettled there from southern and central Iraq. Those Kurds that could not reclaim their homes remained displaced inside Kirkuk governorate, waiting for the day when they would be able to recover their lost property (Brookings Institute, Minorities, displacement and Iraq's future, December 2008)...

Significant property and housing issues are also linked to the displacements of Shi'a in southern governorates (Cluster F, 11 February 2007). In 2008, IOM indicated that 24 per cent of these IDPs reported that their property was being occupied by squatters, 16 per cent said their property had been destroyed, and five per cent of the IDPs claimed that their properties were used by the military (IOM, 2 February, 2008).

Some efforts to settle property disputes have been put in place by the government. The Commission for the Resolution of Real Property Disputes (CRPPD), replaced the Iraqi Property Claims Commission (IPCC) in March 2006 The CRRPD competencies include (1) confiscation for political, religious or ethnic reasons, e.g. 'Arabisation policies', (2) unlawful appropriation of property and (3) state property allocated to the members of the previous regime.

But the CRPPD was not mandated to cover the bulk of land disputes. It was limited temporarily to events from the 17 July 1968 to 9 April 2003 and was not mandated to address the Anfal Champaign in the North or the drainage of the marshes in the South on the grounds that property restitution in these areas would generate renewed ethnic tension in those areas (Van der Auweraert, 7 September 2007; CRRPD, June 2007).

In addition to criticisms regarding its narrow scope, the CRRPD had been criticised for its lengthy procedures, and delay in enforcement of decisions taken, by October 2009 it had adjudged less then 43,000 case out the 152,000 claims it had received (CRRPD, October 2008). There had also been concerns regarding the lack of adequate compensation guidelines, the financial viability of the process, appeal process varied significantly in different regions, and the lack of mechanisms which would ensure that property restitution did not entail new displacement (Van der Auweraert, 7 September 2007),

In early 2010 two new laws were aimed at widening the CRRPD's mandate and improve its efficiency. The Real Property Claims Commission (RPCC) – which took over the mandate and structure of the CRRPD –should also be managing a compensation programme for movable and immovable property which has been damaged or expropriated. While there are concerns that the RPCC may be unable to effectively and resolve property disputes in a timely fashion.

Restitution and compensation for post-2003 displacement

Land and property issues since 2003 can be grouped into two phases: displacement due to military operations in the aftermath of the fall of the former government (2003-2005) and displacement resulting from the sectarian civil war (2005-2007) onwards.

Military operations

While the precise scale of housing and property damage and destruction due to the 2003 conflict is not known, it is apparent that a large number of civilian homes were damaged or destroyed by MNF-I during the war and in subsequent military operations.

In Fallujah alone, where 70,000 and 220,000 people were displaced in 2004 and 2007 respectively, over 30,000 homes were estimated damaged. The Iraqi Central Committee for the Compensation of the People of Fallujah (CCCPF) for example was created by the Iraqi government to ensure the compensation of those whose homes and/or businesses damaged during the US led Coalition Forces offensive on the city in November 2004. Reports would make note of insufficiency in allocations for compensation per families, and reconstruction estimated at 500 million in light of depth of destruction. Payments amounted to 2,000 US per family.

A comprehensive database of Iraqi claims for war damage compensation is not available for US or Iraqi military operations. The United States Foreign Claims Act stipulates American military compensation to local civilians for losses not related to combat operations. The US military has offered payments for war damage to alleviate tension between soldiers and Iraqi communities seeking redress. In 2007, 2,896 out of 7,103 claims received US\$13,074,660 in compensation (Time, 21 January 2008; IHT, 12 April 2008). Critics complain of the lack of consistency in compensation and transparency, and of the lack of information regarding the processes where US military forces are investigated (Time, 21 January 2008; IHT, 12 April 2008).

Civil war

In 2008, several executive orders were put in place to address property concerns as result of displacement from 2006 to 2008. Those orders were expanded in 2009. In September 2008, Prime Minister's Order 101 and the accompanying Council of Ministers' Order 262 were issued to address restitution of private property for people who were registered as IDPs between 2006 and January 2008 (USIP, 2009). Neither businesses and other non-residential property nor returnees who were forced to sell property under threat are covered by the above orders (Brookings Bern February 2010). IDPs who do not wish to return but prefer integration in their place of displacement are also excluded from redress trough these mechanisms.

Returnees can receive around \$850 after returning to their place of origin and renouncing IDP status; In Baghdad and Diyala, returnees are also reportedly provided additional protection by local authorities. Registered IDPs in Baghdad who agree to vacate premises of returnees they have illegally occupied can apply for rental assistance worth around \$250 per month for six months. Those who refuse to leave risk prosecution under anti-terrorism legislation (GoI, July 2008).

In about two years since 2009, two MoDM centres in Baghdad processed over 3,000 property restitution cases. Almost 1,900 cases were reportedly restored while 1,100 claims were rejected (IDMC interview, January 2010; IRIN January 2010).

In September 2009, the Iraqi government under Order 54 issued in July 2009 extended measures adopted in Baghdad to Diyala, one of the worst-affected governorates during the 2006-07 sectarian violence. It allocated some \$78 million for reconstruction and facilitation of sustainable returns of 27,500 families (UNHCR, October 2009). Priority is being given to 400 villages with high returnee populations many of which are ethnically heterogeneous. There are plans to expand the Diyala model in late 2010 to three key return areas in Baghdad (Mada'en, Doura and Sabalbour) and subsequently to the governorates of Salah-el-Din, Ninawa and Anbar.

Challenges and limitations

A number of national policies for resolving internal displacement have been adopted including the National Policy on Displacement, the Iraq National Housing Policy and the Iraq National Development Plan for 2010-2014. Despite this ongoing engagement and policy initiatives, there is a broad sense that more needs to be done to durable address the internal displacement file in Iraq. While criticism is in part about policy gaps and inadequate legislation the main challenges lie first with the structural decline of the state institutions that are unable to provide social services, second with the convoluted approaches developed to address each historical displacement wave. As a result identification has been complicated leaving many outside the scope of assistance rather than coordinate approaches to displacement.

DURABLE SOLUTIONS

Durable solutions

In 2011, return, was the preferred option of an estimated 35 per cent of IDPs a drop from 60 per cent in 2008, while those wishing to integrate locally increased from 21 per cent in 2008 to 44 per cent in 2010.

Returns

Returns

Return of people displaced before 2006

During 2003-2005, 470,000 IDPs returned to their place of origin according to UNHCR. The organisation – basing its estimations on IOM and UNOPS' data – reported that the largest IDP return movements took place in central northern Irag (UNHCR, April 2006).

Returns do not necessarily lead to a durable solution to the problem of displacement. For example, Returns by displaced Kurds to Kirkuk and surrounding areas sometimes forced non-Kurdish communities to flee (UNHCR 12 August 2004; UNHCR, April 2006). Eighty per cent of returnees in the North and 35 per cent of returnees in the south ended up internally displaced upon return to their place of origin. Many lacked adequate documentation to access housing and other properties as well as basic service. Out of the total population which fled Fallujah between November 2004 and January 2005, 80 per cent of IDPs had returned by May 2005. However, basic facilities including sewage systems, electricity and water supplies were still collapsed. UXOs continued to affect on the population and IDPs have been subjected to curfews and intensive ID and search systems (UNAMI, November 2005).

Eighty thousand persons were estimated to have returned to the Southern Marshlands in 2008 but access to livelihoods remained limited. Only 10 to 12 percent of the marshland area was covered by water due to the continuing draught, and the lack of water sharing agreements with neighbouring countries and pollution exacerbated the problem (IRIN, November 2009). Additionally, the region has been affected by insecurity and poor infrastructure and limited access to basic services. While Marsh Arabs relied on fishing, agriculture, livestock and crafts prior to displacement, they currently lack supplies and the poor quality of the land reduces their output and living standard (OCHA, 3 June 2003).

On a different note, the KRG - a safe haven during sectarian conflict from 2003 to 2005 - has actively encouraged displaced people to return to the northern border area to reverse policies of Arabisation in the 1970s-1980s. Since 2003, it has taken significant steps in reconstructing villages that were destroyed by the former regime. The reconstruction efforts have facilitated returns.

Return of people displaced before after 2006

As of late 2009, an estimated 10 per cent of the people displaced after 2006 had returned according to the UN and the IOM. The majority (58 per cent) returned to Baghdad, Diyala and Anbar. While only 36 per cent of the IDPs were displaced to another place in the same governorate, they are overrepresented among the returnees (65 per cent). Some 24 per cent

have returned from a different governorate, and 11 per cent have returned from abroad, mostly from Jordan and Turkey (UNHCR, 1 February 2008; IDP Working Group, 27 June 2008).

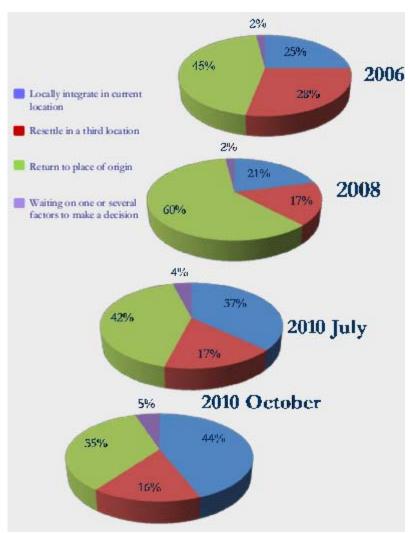
Among assessed returnees in November 2009, 61 per cent reported feeling safe, whereas 38 per cent reported not always feeling safe compared to 40 per cent in 2008 (IOM, August 2008; November 2009). Over 34 per cent of returnees found their homes damaged or completely destroyed, and 50 per cent had movable property lost or stolen (IOM, November 2009).

The national government has since 2008 implemented a number of measures aimed at encouraging the return of IDPs and refugees Prime Minister Order 101 and Council of Ministers Decree 262 required that all squatters should vacate the houses of IDP and refugees in Baghdad or face prosecution under Iraqi anti-terrorism legislation. The executive acts also established return facilitation centres in Baghdad, Diyala, Anbar and, Salah-el-Din to assist returnees to register and to resolve property issues (IOM, October 2008; IDMC interview, January 2010). Returnees can receive some \$850 after returning to their place of origin and registered IDPs in Baghdad who agree to vacate premises of returnees they have illegally occupied can apply for rental assistance worth around \$250 per month for six months (GoI, July 2008).

In September 2009, Order 54 extended measures adopted in Baghdad to Diyala, one of the worst-affected governorates during the 2006-07 sectarian violence. The Diyala initiative was the first integrated initiative of its kind providing assistance to returnees as well as rehabilitation and reconstruction efforts. The program was launched in September 2009 and involved various UN agencies and Ministries of the Iraqi government. It allocated some \$78 million for reconstruction and facilitation of sustainable returns of 27,500 families (UNHCR, October 2009). Priority was given to 400 villages with a high returnee population many of which were ethnically heterogeneous. Despite continuing insecurity and forces who work against national reconciliation there are plans to expand the Diyala model to other areas (UNHCR, October 2009;IOM, February 2011).

Return has, according to humanitarian organisations, been regarded as a barometer of security and stability in Iraq and is therefore politically motivated. NGOs have repeatedly called on the Iraqi government and international community to ensure that returns are sustainable and that alternatives are available. In 2008, over 100 NGOs alleged that the prevailing insecurity and lack of basic services entailed that the situation was still not conducive to a sustainable return of refugees and internally displaced families (Relief International et al., 8 August 2008). Though there have been some security improvements, NGOs continued to question the sustainability of returns in 2011.

Addressing past crimes and effective accountability mechanisms to fight impunity are the basis for national reconciliation efforts (Van der Auweraert, September 2007) and Iraq lacks adequate transitional justice mechanisms. Though there have only been a few attacks reported in 2008 where returnee families were harmed, these incidents have been powerful deterrents to other IDPs considering return.



IOM, 5 Years of Post-Samara Displacement in Iraq, February 2011.

Local integration and other settlement options

Local integration

The question of alternative durable solutions other than return has largely been unaddressed in Iraq. Few surveys have addressed questions of local integration or resettlement.

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 – up from 30 per cent in 2006 -- and 17 per cent to resettle elsewhere.

In Baghdad, the majority of IDPs were displaced from elsewhere within the governorate, and the majority (80 percent) intends to return to their place of origin. The figure is reversed in Basra where 84 percent intend to locally integrate in their current location (Brookings-Bern, June 2009).

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.

NATIONAL AND INTERNATIONAL RESPONSES

National and International Responses

The extent to which humanitarian assistance has adequately responded to displacement is difficult to attest. Figures from 2008 indicated that 38 per cent of IDPs did not receive any form of assistance while 62 per cent did receive assistance. Roughly 32 per cent received it from MoDM, host communities, and other government bodies, 25 per cent from religious groups, 25 per cent from Iraqi Red Crescent Society and 18 per cent from NGOs (IDP WG, November 2008).

Humanitarian access and challenges

Humanitarian access and challenges

The UN's presence and its ability to operate effectively in Iraq have been severely constrained by the security environment. In November 2003, the UN and the ICRC pulled out their staff following the bombing of their respective Baghdad headquarters. The UN has since operated through INGOs and NGOs as implementing partners countrywide (RI, April 2009; UNSC, 7 June 2005).

Since 2007, the UN has gradually re-established a minimum presence in the country (IDMC interview, October 2008; December 2009) but the United Nations Assistance Mission to Iraq (UNAMI) remains severely restricted by the UN Department of Safety and Security (UNDSS)(RI, April 2009). Moreover, UNAMI's reliance on MNF-I and later USF-I for security and movement, has restricted UN's access to Iraqi communities and also rendered the UN partly inaccessible to humanitarian agencies. While this collaboration between on one hand the humanitarian actors and the other hand the international forces and the Iraqi Government may have facilitated their collaboration, this collusion and the gaps resulting from their lack of access has been filled by non-state actors and militants (Brookings, 2008; RI April 2009).

At present there are more than 60 INGOs operating through various modalities in Iraq with close to hundred or more national NGOs considered credible operational partners by UN or INGOs. They face numerous challenges including entry into highly unpredictable environments, an ill-defined humanitarian space with competing and politicised actors and the redefinition of Civil-Military guidelines.

NGOs have often delivered assistance to IDPs at considerable risk to staff, and continue to face ongoing challenges. Since 2003, over 98 aid workers, mostly national, have been killed including several humanitarian workers targeted in Baghdad in January 2010 (RI, April 2009; IWPR, January 2010; NRC, August 2009; NCCI January 2010).

National response to displacement

National response to displacement

The primary duty to provide humanitarian assistance lies with national authorities (GP25). The Iraqi government's ability to provide for the welfare of its population, let alone those forcibly displaced, is limited by insecurity, lack of institutional capacity, pervasive corruption, and politicisation of key ministries (RI, April 2008; Brookings, August 2008). In preceding years the Government has been accused of being negligent in addressing displacement, its security forces to have failed to prevent displacement and sometimes caused displacement themselves (RI, April 2008).

More recently, MoDM has been mandated to address IDP and refugee issues in conjunction with other ministries including Trade, Interior, Health and Education. MoDM has played a crucial role in developing a National Policy on Displacement adopted in July 2008. This policy comprises various mechanisms to address property issues for displaced people (i.e. Prime Ministerial Order 101. Council of Ministries Decree 262, and Order 54).

Following the formation of the new government in December 2010, the MoDM prepared a new four-year strategy to resolve internal displacement in Iraq. Its aim was to improve service-provision; staff, corruption, insecurity and partisan influence in the ministries including housing programmes, for returning families and those who have sought to integrate in the place of displacement.

However, the plan seems overly ambitious. It presents unrealistic deadlines in the light of Iraq's pervasive corruption and continues to over-emphasize returns to the detriment of other settlement options. Limitations in assistance provision to displaced people and returnees and the absence of national reconciliation continues to reduce their impact. There continues to be concerns over the lack of experienced (Brookings, August 2008).

Despite the significant steps undertaken, critics note that responses to needs persist to be inconsistent and ad hoc and call for a clear mapping of needs and adequate response to very diversified situations of displacement including evictions and secondary displacement, continuing sectarian bias in the government response as well as the need to develop policies for local integration and resettlement

International response to displacement

International response to displacement

International responsiveness to IDPs and lifesaving assistance and protection work in Iraq has gone through several phases since 2003.

Donor responses

Following the invasion, funding for major humanitarian programs included a U.N. Flash Appeal for \$2.2 billion in April 2003; donors encouraged agencies to expand their presence in the country (FIC, July 2007). However, the extent of politicisation in donor behaviour was a recurring complaint of operational humanitarian agencies. Important sources of funding detached from the security and state-building objectives fell off sharply in mid-2005.

The US government has been the single biggest contributor of aid to displaced Iraqis since 2003, funding multilateral organisations (e.g. through CAP 2009) and Iraqi government. US military has also engaged directly in relief and reconstruction intended to support US' counterinsurgency objectives (Brookings, August 2008). The European Commission was slow to provide large

amounts of humanitarian assistance for Iraqi refugees and IDPs (Brookings, August 2008; NCCI, January 2008).

UNSC Resolution 1770 (2007), recognised the humanitarian crisis in Iraq and broadened the responsibilities of UNAMI. The resolution authorised the head of UNAMI to "advise, support and assist" the Iraqi Government in advancing an "inclusive, national dialogue and political reconciliation" (RI, April 2008). Subsequently, in early 2008, the first Consolidated Appeals Process was launched at \$209 million and funded. Another \$547 million was raised that year, revealing UN's attention to the situation (RI, April 2008; Brookings August 2008).

Donor response to the humanitarian situation in Iraq has decreased over the past three years, but donors are currently asked to respond to three priorities: maintain rapid response capacity to sudden onset crises; area-based response in 26 priority districts in Iraq; cross-sectoral countrywide themes and humanitarian needs.

Operational responses

Following the destruction of the Canal Hotel in 2003, the U.N. withdrew staff from Iraq (FIC, July 2007) while searching for indirect ways of providing assistance to displacement affected communities and other people in need. UNICEF and UNHCR made efforts to operate through local networks and partner organisations. IOM eventually opted for direct implementation through local staff (FIC, July 2007).

UNHCR and IOM have played key roles in addressing displacement in Iraq. UNHCR Protection Assistance Centres (PACs) include 14 centres and 35 mobile teams which monitor IDPs' protection needs and provide legal counselling and support. Moreover, in 2009, 16 Return, Integration and Community Centres (RICCs) were established with the purpose of assisting returnees. UNHCR has also developed a large network of over 100 national NGOs to support IDPs and other groups which are considered of UNHCR's concern. (These centres are distinct from MoDM's return assistance centres - RACs.).

UNHCR and IOM, along with other agencies, provide capacity building and assistance to MoDM. In 2009, the Diyala initiative launched under Order 54 (July 2009) represented the first joint interagency and Iraqi ministerial project to address IDP return. International NGOs have been significantly impaired in their operational capacity. From 2003 to 2005, nearly all international humanitarian organisations had their senior staff based in Amman, Kuwait, or Erbil. Increasing violence in 2006-2007 further restricted mobility and many Iraqi NGOs also engaged in remote programming. Though remote programming options have kept the aid pipeline into Iraq open, it has been criticised and recognised as increasingly inefficient way to work.

There also existed a divide between NGOs which wanted to distance themselves from MNF-I/USF-I and private contractors which operated with US grants and security support (FIC, July 2007; NRC, August 2009). From 2003 onwards the civil-military contingents of MNF-I/USF-I have had several billion dollars for reconstruction and humanitarian assistance. While the civil-military contingents did not coordinate with humanitarian agencies, they have been criticized for blurring humanitarian and military activities and limiting humanitarian space. They have further been slated for lack of transparency, and non-adherence to humanitarian principles.

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