The IRC in Iraq

IRC has been working in Iraq since 2003 and has been providing emergency response to the latest displacement crisis since 2014 in the areas of protection/rule of law, child & youth protection and development, water, sanitation and hygiene, women's protection and empowerment, economic recovery & development, and health.

Situational Snapshot

Conflict in Iraq has led to successive waves of mass displacement and humanitarian crisis. Iraq now has one of the highest populations of internally displaced people (IDPs) in the world, with 2.5 million people having been displaced since January 2014, and over 1 million still displaced from the 2006 – 2008 period of sectarian conflict, out of an overall population of approximately 34 million. Iraq also currently hosts over 250,000 refugees, predominantly from Syria.

Many of the problems that affect humanitarian operations worldwide concerning the ability to assist people according to their vulnerability are particularly starkly demonstrated in Iraq, where refugees, IDPs and poor host community members often live in very close proximity, even as neighbors, but receive different levels of assistance. Further, in Iraq there are marked differences in the levels of assistance received according to which governorate the beneficiary resides in.

Assistance according to legal status

UNHCR was in Iraq before this latest crisis, organizing the humanitarian response for refugees, and they had a system of working groups to coordinate this response. When the much larger IDP crisis hit in 2014, initially UNHCR remained predominantly focused on the refugees. A second coordination system for IDPs – the cluster system – was set up alongside the refugee working group coordination system. At first more attention and funding went to the refugees, and there were parallel systems in place, even though refugees, IDPs and poor host communities were living alongside each other and receiving different levels of attention. This problem has not yet been overcome. Refugee camps are in significantly better condition than IDP camps – partly as a result of the greater attention that has been paid to the refugee community.
Fund according to vulnerability not status

The different funding sources for assistance to refugees and IDPs make it difficult to coordinate a single system. Prior to the 2014 crisis, UNHCR was working in Iraq, with funding specifically for refugees. When the Kingdom of Saudi Arabia provided $500 million for the humanitarian crisis in Iraq, at its request this was directed only to IDPs. ECHO and DfID have declared their commitments to a needs-based rather than status-based system. One of the difficulties that has emerged is that different definitions of vulnerability are being applied by different donors and agencies. For example, different donors have set different vulnerability criteria for cash assistance. There has not been a successful effort yet to harmonize these different criteria, or to monitor if a person has received cash for being in various different vulnerability groups, eg. below a certain income level, living in an unfinished building, a female-headed household etc. In 2014 DfID had different pots of money for refugees and for IDPs. In 2015 DfID has moved to a system of funding that is not dependent on legal status of beneficiaries. ECHO’s Humanitarian Implementation Plan is based on vulnerability of beneficiaries, not status. The US still puts its funding into refugee and IDP streams, following its administrative division between PRM and OFDA. Further, for 2015 UNHCR has its funding appeal for Iraq in the 3RP (Regional Response and Resilience Plan), which is distinct from the UN’s SRP (Strategic Response Plan) for humanitarian assistance in Iraq. We hope that there will be convergence of the appeal processes and that there will not be two different plans for 2016.

One of the key impediments to establishing a system based on vulnerability rather than legal status is UNHCR’s pillar system – with separate pillars of funding for refugees, stateless people, IDPs, and returnees. UNHCR’s implementing partners receive funding under specific pillars, and therefore the funding is directed according to the beneficiaries’ legal status. This creates great difficulties in a situation like that in Iraq, where people in similar need, but with different legal statuses, are living next door to each other in similar conditions but with different eligibilities. For example, there has been some humanitarian assistance provided to urban IDPs, but none provided to urban refugees.

Humanitarian agencies have found themselves in a position in which donors are offering funding for only refugees, or only IDPs, when the needs they aim to address are found in both groups as well as in host communities; they cannot assist only one group without creating greater difficulties. For example, some funding has been allocated for NGOs to assist IDPs living in unfinished buildings. But in many cases the unfinished building that they aim to renovate is housing refugees, IDPs and poor host community members. NGOs cannot just provide assistance to and renovate the homes of certain families in the building, ignoring the others who are living in exactly the same circumstances, without creating resentment and exacerbating tensions. In these circumstances some humanitarian agencies have understandably felt obliged to refuse such status-based funding to avoid these difficulties. The result is that no assistance gets through at all.

In April 2014 at a global level UNHCR and OCHA reached agreement on how to coordinate humanitarian operations in “mixed” (both refugee and IDP) settings. The “Joint UNHCR OCHA Note on mixed situations: Coordination” and UNHCR’s “Refugee Coordination Model” aimed to avoid duplication of systems in leadership, coordination and response. The 2014 Iraq crisis was the first big test of this agreement, though its application has not worked well at the outset of the crisis. Iraq proved to be a particularly challenging place to agree on coordination modalities with different coordination bodies in different areas of the country. Cluster leads were often unclear about which areas of the country their respective clusters were mandated to serve. Different coordination meetings were held - for KRI, for central south, and for national – as well as separate meetings for refugees and IDPs. In the KRI there were also governorate-level coordination meetings. There was a lack of clarity about where the disputed areas (disputed by KRG and central government) fit into these arrangements, and they were often not covered by any coordination systems at all. After some months, for most clusters the separate refugee and IDP coordination meetings were scheduled back-to-back. Whilst this saved some time, it did not address the problem that separate meetings cannot result in a comprehensive overview of the needs of all people affected by the crisis; and as a result needs went unmet.

In Iraq the UN has recently reviewed its coordination model and agreed that there should be one coordination system for the entire humanitarian response. While this is a positive step in the right direction, it has yet to be implemented. Some humanitarian actors argue that separate coordination systems are needed because the different groups have different legal statuses, and (with regard to camps at least) they are living in different places. It is true that the different legal statuses of the different groups do require some differences in approach, but this can be accommodated within one
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coordination system with separate agenda items. The current system of dividing coordination meetings into refugee discussions and IDP discussions means that there is no effective way to obtain an overview of the issues affecting all crisis-affected people that could lead to a re-structuring of the response. This is particularly relevant for IDPs and refugees living outside of camps, as well as the communities hosting them who are affected by their presence.

Recommendations:

- The humanitarian operation should be organized according to need, not status of beneficiaries. There should be one humanitarian coordination system, not different systems for refugee response and IDP response in Iraq, where the IDP crisis is currently significantly larger than the refugee crisis and where the different populations are residing in the same areas.
- Donors should provide funding on the basis of need, not status, and - together with UN agencies - should agree on common vulnerability criteria.
- The appeals planning process for 2016 for Iraq should avoid the creation of two different plans (for refugees and for the rest of the conflict-affected community).

Area-based programming needed – coordination is different outside of camps

In the KRI there is too much focus on camps for IDPs and refugees – the plethora of coordination meetings devote disproportionate time to the camps, given the much larger numbers of displaced people living outside camps. More attention and resources should be directed to non-camp IDPs and refugees, as well as to hosting communities, and to support alternatives to camps. In the KRI, the government favored an encampment policy for refugees and IDPs. The government is particularly concerned that the influx of Arab IDPs could potentially change the demographics of the KRI, and believes that camps will make the displacement situation less permanent (despite evidence from around the world that camps usually become long-term and the long-term problems caused by camps create a culture of dependence). Together with the UN Humanitarian Country Team (HCT), UNHCR initially objected to the government’s insistence on camps, but not sufficiently forcefully and the encampment policy was adopted. Despite the HCT’s assertion that camps should only be used as a last resort, in the KRI they tend to be turned to by the authorities and the humanitarian community as the first resort. And yet in practice only around 10% of IDPs are living in camps. If support is given to IDPs and refugees outside of camps (eg. supporting hosting arrangements, improving unfinished buildings they are living in) then they will have alternatives; many are now facing eviction. For example, refugees in camps in Iraq receive food vouchers, but there is no such assistance provided for refugees living outside of camps. Growing numbers of refugees and IDPs asking to move into camps, despite the poor condition of the IDP camps, because of economic difficulties. There is even a waiting list to enter Baharka IDP Camp in Erbil – a camp that is in extremely poor condition. Others prefer to stay in unfinished buildings, even in appalling conditions, rather than go to camps, because they have better access to jobs, a greater feeling of privacy, and don’t feel confined and controlled.

If there were a greater focus on displaced people living outside of camps, particularly on cash transfer programming, the displaced would have real alternatives. Donors have a very important role to play on this issue.

While camps have been more utilized in the KRI than in other governorates, this phenomenon is not limited to the KRI. For example, the Baghdad authorities are currently building a new IDP camp near Kerbala (South-Central) to accommodate more than 6,000 IDPs. These people are currently living in hotels in Kerbala and are facing the risk of eviction by the hotel owners. For the time being the government is paying the hotel rent for these IDPs. In the near future it intends to complete the camps and then move IDPs into them. While this shows the government taking action to avoid possible eviction, it again highlights the use of encampment as a first resort.

The Camp Coordination and Camp Management (CCCM) cluster in Iraq currently focuses predominantly on camps. But globally the CCCM cluster has been engaged in work on alternatives to camps. At a country-level, apart from its camp-

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related responsibilities, the CCCM cluster could be charged with producing strategies for assistance to the displaced living outside of camps. They could approach a geographical area in the way they currently approach the provision of services and monitoring and advocacy concerning the situation in the camps – ensuring that the most vulnerable people are identified in that area, ensuring that agencies direct their services to that area in a coordinated way without duplication or gaps, monitoring the implementation of these services and the problems in the area, and advocating for necessary resources, policy changes etc. Technological innovations for analysis and mapping could be helpful for this. Initiatives such as GIS-based mapping could be used to support evidence-based decision-making about where to implement programs based on needs and vulnerability, as well as identifying existing services delivered through local government. Services should be provided to the whole area in a manner that improves the infrastructure and overall living conditions to benefit all inhabitants equally. This will avoid the current gross discrepancies in assistance to people living in the same context and with similar needs, and also improve the capacity of the host community for long-term support to the displaced. An approach that adopts ‘area’ as its unit of analysis and entry point for programming and service delivery is necessarily integrated and multi-sectoral, and builds on existing capacities, only using direct service provision where there are gaps. This supports a shift away from camps, reduces risks of social tensions between host communities and displaced populations, connects humanitarian assistance to development needs, and creates long-term solutions through the improved ability of an area to absorb displaced populations. Such area-based responses should be pursued to support areas affected by displacement rather than prioritizing specific groups according to status.

Recommendations:

- Donors and the humanitarian community, led by the UN, should promote area-based approaches to assistance. They should encourage the development of strategies for assisting refugees and IDPs living outside of camps, as well as poor host communities.
- Donors and the UN should encourage the development of strategies for transitioning out of existing camps, particularly for those camps where residents are unable to develop livelihoods.
- Donors and the UN should dedicate greater attention and resources to cash transfer programming.

Assistance according to where you are in the country

The humanitarian operation has been too focused on easy-to-access areas, particularly the KRI, and more attention and resources are needed for harder-to-reach areas where many conflict-affected people are being neglected. This is part of the whole-of-Iraq approach that IRC supports. In order to facilitate humanitarian access, the humanitarian operation must be kept totally separate from military, political, or stabilization initiatives and humanitarian agencies must be enabled to negotiate with whoever is in charge of territory in order to gain access to people in need. It is not only armed groups that are blocking humanitarian access; both KRG and GoI are setting up checkpoints and blocking humanitarian access to areas where they do not want assistance to go, eg. Anbar. IDPs from previous waves of displacement (more than 1 million people) should not be overlooked due to the current wave of IDPs.

NGOs have some ad-hoc access into areas held by armed groups, including areas held by ISIS, but there has been insufficient attention paid to situation analysis and how to extend humanitarian access, where negotiations with armed groups is possible, where national groups could be supported to extend areas of access etc. Areas under control of ISIS and other armed groups are not homogenous, and there are possibilities for negotiating access in some. The UN has been unclear at times concerning its stance on this. Prior to the 2014 crisis OCHA was not present in Iraq, only beginning to send staff in June 2014, and it has taken them time to build up a consistent staffing presence in the country, delaying work on this vital issue. OCHA is now setting up a Humanitarian Access Unit – which must play a crucial role in facilitating greater access. However, this process has been slow and is at present unclear in its specific aims and objectives. No concrete ToRs have been shared publicly. NGOs have not been consulted during this process nor been given an opportunity to contribute to the design.
The ability to extend humanitarian access further is currently constrained by the limits on freedom of movement on Arabs, since it means that NGOs' staff are often prevented from accessing areas where people are in need of assistance (and often denied visas to enter the KRI), and it is these Arab staff who are in the best position to gain access to and operate in harder-to-reach areas.

Donors should be supporting UN and NGOs to get humanitarian access to hard-to-reach areas. Most donors, eg. US, UK, are not doing enough to ensure that their funding gets beyond government-held areas and providing only a tiny fraction of their funding for disputed areas and areas held by armed groups, despite funding aid into areas held by such groups in Syria. For example, from June – September 2014 available funding per IDP in Sulaymaniya was $106, while it was $3 per IDP in Anbar. Whilst there are of course some obstacles to getting aid into these areas, donors should be working with humanitarian agencies to overcome these. We should be supporting equitable aid provision on the basis of need. The lack of equitable assistance fuels the conflict and adds to the sense of abandonment felt by the Sunni Arab community.

Donors should not create further barriers through counter-terrorism regulations that have inadvertent negative effects on humanitarian operations. Although the US has a waiver process that allows humanitarian exceptions to its counter-terrorism laws, many NGOs are reluctant to push the boundaries and test out the rules. There is also fear of reprisal from the Iraq government and KRG if they view humanitarian actors as supporting armed groups simply by virtue of negotiating access and providing assistance in areas under their control. The humanitarian community must show that it will maintain principled assistance and fulfill due diligence requirements to ensure it is not assisting armed groups, and must emphasize to the governments that humanitarian needs must be met regardless of politics.

The UN relocated most of its staff from Baghdad to Erbil in mid-2014 for security reasons, and this led to an even greater emphasis on the KRI and greater neglect of other areas of the country. Many NGOs also relocated their international staff for security reasons. There is now the start of a move back towards Baghdad, with an intention to move national cluster coordinators there, which should increase engagement with the national government and may help to re-balance attention and resources. The new Humanitarian Coordinator is also setting up a system, with the necessary air transport, to enable clusters based in the KRI to travel to Baghdad regularly for meetings with relevant line ministries, which should improve coordination efforts. It is important to be aware that the next security incident may result in withdrawal of staff again. Therefore, the humanitarian operation must find a way to retain its focus on all of Iraq, with or without physical presence of international staff across the country.

Recommendations:

Humanitarian agencies should be enabled to gain access to areas where people are in need. Donors and the UN should work to remove such blockages to humanitarian access over which they have control or leverage:

- ensuring that humanitarian assistance is kept totally separate - and is presented as totally separate - from political, military and stabilization objectives
- ensuring that the humanitarian community is provided with ongoing high-quality situation analysis
- pushing for removal of bureaucratic impediments to access, such as refusals of visas and freedom of movement to humanitarian staff
- ensuring that funding for assistance is available across the country on the basis of need
- ensuring that counter-terrorism regulations are clear and do not hamper humanitarian operations

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