THE LONG ROAD HOME

ACHIEVING DURABLE SOLUTIONS TO DISPLACEMENT IN IRAQ:
LESSONS FROM RETURNS IN ANBAR

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ACKNOWLEDGEMENTS

The ***Danish Refugee Council (DRC)*** was founded in Denmark in 1956, and has since grown to become an international humanitarian organisation with more than 7,000 staff and 8,000 volunteers. We work in conflict-affected areas, along the migration routes, and in the countries where refugees settle. In cooperation with local communities, we strive for responsible and sustainable solutions. We work toward successful integration and – whenever possible – for the fulfillment of the wish to return home.

The ***International Rescue Committee (IRC)*** responds to the world's worst humanitarian crises, helping to restore health, safety, education, economic wellbeing, and power to people devastated by conflict and disaster. Founded in 1933 at the call of Albert Einstein, the IRC is at work in over 40 countries and 26 U.S. cities helping people to survive, reclaim control of their future and strengthen their communities.

The ***Norwegian Refugee Council (NRC)*** is an independent humanitarian organisation helping people forced to flee. In crises across 31 countries, NRC provides emergency and long-term assistance to millions of people every year. NRC promotes and defends displaced people's rights locally, nationally and on the world stage. NORCAP, NRC's expert deployment capacity, helps improve international and local ability to prevent, prepare for, respond to and recover from crises. NRC also runs the Internal Displacement Monitoring Centre in Geneva, a global leader in reporting on and advocating for people displaced within their own countries.

Cover – Road sign in Anbar near the Kilo 18 displacement camp.
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EXECUTIVE SUMMARY

In December 2017, after three years of conflict which displaced 5.8 million people, Iraqi Prime Minister Haidar Al-Abadi declared victory over the Islamic State group (ISIS). As Coalition-backed Iraqi forces slowly regained territory, many people returned home to start the long process of rebuilding their lives and communities.

By the end of 2017, the number of people returning to the areas from which they had fled surpassed the number of those displaced by the conflict for the first time since it began. Over 3.3 million Iraqis have returned, the majority to areas within Anbar, Ninewa, and Salah al-Din governorates. The remaining 2.5 million are still waiting for a solution to their displacement.[1] Behind these figures, however, lies a complex narrative that tells of the struggles families face as they seek out sustainable solutions to their displacement. From the experience of Danish Refugee Council (DRC), International Rescue Committee (IRC), and Norwegian Refugee Council (NRC) in Anbar, it is clear that many of the returns taking place are premature and do not meet international standards of safety, dignity, and voluntariness.

Lack of information, poor conditions in camps, restrictions on freedom of movement, and the promise of incentives prompt some displaced families to leave camps prematurely despite the risks. Others are not allowed to choose, they have been coerced or forced to return against their will. Some have been blocked from returning, or evicted and displaced once more when they finally return to their areas of origin. These practices may amount to collective punishment perpetrated against people with real or perceived links to ISIS.

The situation is further complicated by the fact that many of these returns are unsustainable, as the security and habitability of some areas retaken by Iraqi authorities are not conducive to a permanent return for all people. As the number of premature returns increases, so too does the number of people pushed into secondary displacement.

The portion of people remaining in displacement who do not intend to return home is growing. A national survey conducted in January 2018 recorded 52% of internally displaced people in camps across Iraq do not currently plan to return.[2] Without alternative solutions for those unable or unwilling to return, these families are likely to remain in protracted displacement.

Key Findings

This report traces the challenges that families face as they attempt to return home. Quantitative and qualitative data collected in Anbar from November 2017 to January 2018, demonstrate that:

- 84% of displaced Iraqis in Amriyat Al-Fallujah (AAF) and Bezabize camps reported feeling safer in their current camp locations than in their area of origin, 62% of them did not think aid would be available back home, and only 1% reported knowing that their houses were available for return, demonstrating the persisting insecurity, destruction, and lack of services in retaken areas.

- 38% of respondents in AAF and Bezabize reported that they were not presently planning on returning home.

- Of the 56% who said they eventually planned to return, 50% cited emotional obligation, 20% cited limited livelihood opportunities in displacement, and 20% cited limited basic services in the camps as motivating factors for their return, indicating some of the push and pull factors encouraging premature returns.

- Coerced and forced returns sharply increased in the final months of 2017. In Habbaniya Tourist City (HTC), AAF, and Kilo 18 camps alone, roughly 8,700 people are estimated to have been evicted and forcibly returned to their areas of origin during November and December.

- 16% of internally displaced persons (IDPs) surveyed reported that their attempts to return to their area of origin had been blocked. This is mirrored by an International Organization for Migration (IOM) survey of IDPs' obstacles to return, which indicated that 23% of displaced Iraqis across the country reported that their attempted returns had been blocked by security actors.

- An estimated one in five of people evicted from Kilo 18 camp in Anbar in December returned to the camp after facing retribution and threats in their areas of origin, indicating the potential caseload of people unable to permanently return. Mosul camp returnee monitoring data provides corroborating evidence, with recent data showing 10% of attempted returnees ending up back in camps and 25% of the remainder in secondary displacement.[33]

Key Recommendations

Based on these findings, the report provides recommendations to prevent premature returns and promote safe, voluntary, dignified, and durable solutions to displacement across Iraq. Among the recommendations are:

Government of Iraq representatives should:

- Ensure Iraq's National Policy on Displacement introduced in 2008 is effectively passed into law and implemented across all governorates.

- Uphold the right of IDPs to remain in their current location of displacement, and ensure actors at all levels of authority implement high-level directives banning coerced, forced, and blocked returns.

- End restrictions that deprive displaced Iraqis and returnees of freedom of movement, including practices such as civil documentation confiscation.

Humanitarian agencies, including the UN and NGOs, should:

- Develop a principled framework to ensure that assistance in retaken areas does not incentivize premature, involuntary, or unsafe returns. Humanitarian leadership should develop a risk mitigation strategy for the provision of minimum assistance packages.

- Scale up multi-sectoral assessments and area-based humanitarian coordination in areas of return to facilitate increased access to assistance and services.

The international community, including donor governments and members of the global coalition against ISIS, should:

- Require the Government of Iraq to establish indicators to operationalize commitments to voluntary and sustainable displacement solutions as a part of bilateral and multilateral assistance commitments.

- Engage with and support the Government of Iraq to determine the number of IDPs who are unable or unwilling to return home and develop a plan to ensure their ability to access durable solutions, in line with Iraq's National Policy on Displacement.

Leila lives in a displacement camp in Baghdad governorate with her husband and six children. She holds a picture of what is left of her home.
© Jess Wanless/IRC

" *I can't return to Ramadi – my house was damaged by ISIS. I am worried about the camp management telling us to leave and return. I heard rumours that they might close the camp – but there is nothing official. Lots of my friends have returned back to Ramadi but I can't go. I can't afford to repair my house. I am waiting to see if there is money that will help me to rebuild because I want to go back.* "

Leila

ANBAR: A CASE STUDY

With major military operations against ISIS concluded and international attention shifting towards reconstruction, Iraq stands at a crossroads. How the national authorities and international community support the 5.8 million Iraqis who were displaced during the conflict will have a profound impact on the future of the country. By the end of 2017, 3.2 million people had returned home and 2.6 million remained displaced.[3] Ensuring that every Iraqi is able to access sustainable solutions to recover and rebuild their lives will produce a strong foundation for a stable and resilient Iraq.

Anbar governorate, which experienced the first waves of displacement and, to date, the greatest number of returns, offers a unique case study to examine the challenges Iraqi families face on their long road home. Anbar was one of the first governorates attacked by ISIS when, in January 2014, Fallujah fell to the group. This was followed by the losses of Al-Rutba, Al-Qaim, and Heet, and the capital, Ramadi in 2015. The military offensive to retake ISIS territory was launched in 2016 and formally concluded in November 2017, with the retaking of Rawa, the last town remaining under ISIS control. ISIS rule, and subsequent military operation to regain control of Anbar, devastated civilian areas and led to widespread destruction of public and private property.

1.2 million of the total returns in Iraq have been to districts in Anbar, and about 100,000 Iraqis in Anbar are still living in displacement, more than 96% of whom originated from areas within the governorate.[4] In December 2017, 69,000 of the internally displaced were estimated to still be living in the five formal camps in Anbar: AAF, HTC, Bezabize, Al-Khalidiya, and Kilo 18.[5] Almost 300,000 people from Anbar are still displaced in other governorates (figure 1).[4]

Although the major population centres in Anbar, previously controlled by ISIS, have now been under government control for nearly two years, the road to recovery is long. Despite efforts to rapidly stabilize newly retaken areas through the Funding Facility for Stabilization (FFS) – a funding facility launched in 2015, the United Nations Development Programme (UNDP) has noted, "the needs outweigh the resources, and huge challenges remain. Namely, dismantling legacy [improvised explosive devices] and explosive hazards, reconstructing destroyed homes, and healing wounds between communities."[6]
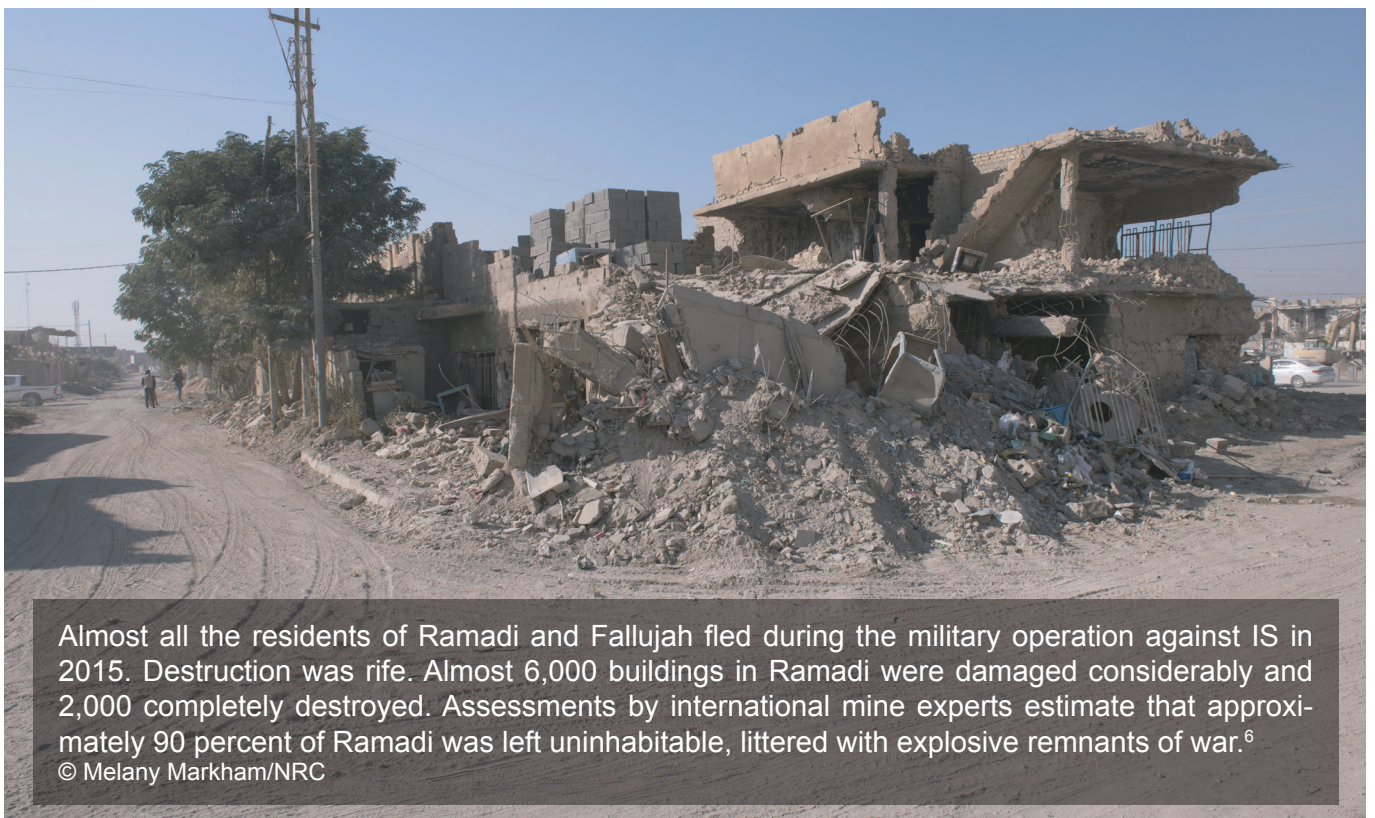
Almost all the residents of Ramadi and Fallujah fled during the military operation against IS in 2015. Destruction was rife. Almost 6,000 buildings in Ramadi were damaged considerably and 2,000 completely destroyed. Assessments by international mine experts estimate that approximately 90 percent of Ramadi was left uninhabitable, littered with explosive remnants of war.[6]
© Melany Markham/NRC

Overview: Anbar returns and displacement (figure 1)

Al-Qaim
0.1%

Ana
0.2%

Haditha
2%

Heet
15%

Ramadi
38%

Fallujah
43%

Al-Rutba
2%
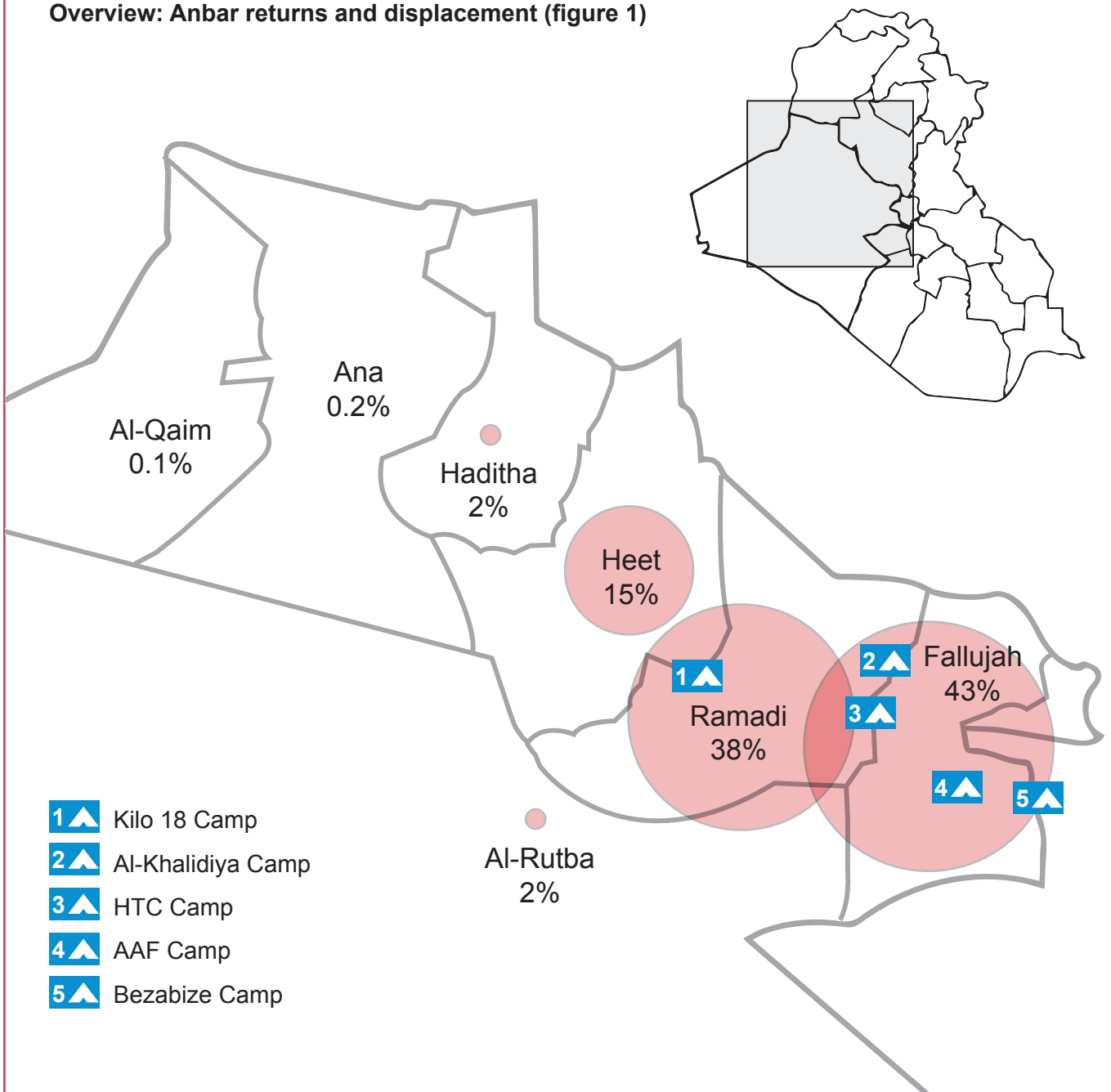
1 ⛺ Kilo 18 Camp
2 ⛺ Al-Khalidiya Camp
3 ⛺ HTC Camp
4 ⛺ AAF Camp
5 ⛺ Bezabize Camp

Displacement

Anbar   **111,042**

Iraq   **2,615,988**

Returns

Anbar   **1,213,476**

Iraq   **3,220,362**
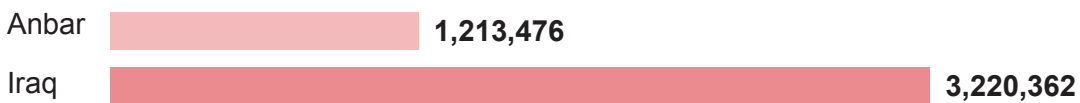
Source: IOM Iraq Mission. Displacement Tracking Matrix. Accessed December 2017.

METHODOLOGY AND LIMITATIONS

Methodology

DRC, IRC, and NRC undertook the following data collection and analysis from November 2017-January 2018:

- 9 key informant interviews with UN, donor, and government of Iraq representatives.

- 6 structured focus groups with community leaders, tribal leaders, sheiks, government officials, and security forces in the return areas of Heet and Ramadi.

- 4 structured focus groups with community leaders, tribal leaders, and sheiks, and government officials in AAF, Bezabize, Al-Khalidiya, and Kilo 18 displace- ment camps.

- 30 semi-structured interviews with internally displaced people and returnees in Anbar.

- An analysis of protection monitoring data spanning January-December 2017, representing a total of 39 community assessments and 1,325 household assessments.

- Multi-agency protection assessments conducted in Al-Khalidiya camp (December 2017) and AAF camp (January 2018).

- Intentions survey conducted in AAF and Bezabize camps targeting 765 households. The sample size gave a 95% confidence level and a 5% margin of error.

- 322 exit surveys conduced in HTC, representing 44% of the departing population from 19-22 November 2017, and 545 subsequent exit surveys in December 2017 and January 2018.

- An analysis of NGO camp eviction tracking data from November 2017-January 2018.

- A literature review of existing documentation and resources.

To mitigate the risk to respondents, some names have been changed, and/or information such as ages, area of displacement, area of origin, or other identifying characteristics have been omitted from this report.

Limitations

- Firsthand data collection was only conducted in Anbar, and the findings may not reflect the experiences of other internally displaced people across Iraq. Where possible, primary data was supplemented with secondary data collected by other actors in different geographical areas.

- In assessing conditions in displacement locations, researchers primarily sourced quantitative data in camp locations rather than out-of-camp displacement settings. Qualitative information regarding conditions in informal displacement settings was gathered through semi-structured interviews with internally displaced people and returnees, but the data presented within is anecdotal and may not be representative of all displacement experiences.

- The intentions survey was conducted in two of the five main camps in Anbar. DRC, IRC, and NRC are collectively present in all five camps, allowing us to draw parallels across settings. Household lists were unavailable for several areas within AAF and Bezabize camps and it was not possible to obtain a statistically relevant sampling.

- Protection monitoring assessments conducted over the course of 2017 are neither comprehensive nor representative of all incidents occurring in any particular month or location. Therefore, the data likely reflects only a small portion of the incidents occurring across the expansive geography and timeframe.

SETTING THE STANDARD

"Every individual has the right to enjoy life, security and liberty. Deprivation or restriction of these rights is prohibited except in accordance with the law and based on a decision issued by a competent judicial authority. "

As the number of internally displaced people has increased globally in recent decades there has been a strengthening of the international framework to protect civilians, support principled returns which are safe, voluntary, and dignified, and uphold their rights to integrate or settle in another part of the country if they desire. Domestic policy prescriptions in Iraq are to a great extent aligned with international standards, however the mechanisms to promote implementation and adherence are lacking. For example, Iraq's internal displacement policy was introduced by the Ministry of Migration and Displacement in 2008, but was never passed into law.

International Framework

The following legal instruments have all been ratified by the Government of Iraq:

- The Geneva Conventions and their Additional Protocols, which form the core of international humanitarian law.[8]

- The International Covenant on Civil and Political Rights, which establishes the freedom to choose one's place of residence.[9]

- The International Covenant on Economic, Social and Cultural Rights, which establishes the right to adequate housing.[10]

Other international frameworks, while not legally binding, provide guidance and standards for the protection of, and durable solutions, for IDPs including:

- UN Guiding Principles on Internal Displacement.[11]

- Pinheiro Principles on Housing and Property Restitution for Refugees and Displaced Persons.[12]

- IASC Framework on Durable Solutions for Internally Displaced Persons, which seeks to provide clarity on what durable solutions entail, guidance on how they can be facilitated, and criteria to determine to what extent a durable solution has been achieved.[13]

National Framework

The international framework and principles are mirrored in Iraq's domestic frameworks, including the:

- 2005 Iraqi Constitution.[14]

- 2008 National Policy on Displacement.[15]

- 2017 National Framework for Reconstruction.[16]

Challenges in Defining Returnee Status

Defining who represents a returnee represented a challenge given the different methods in categorizing returnees. The Iraq Displacement Tracking Matrix (DTM) refers to someone who has returned to their sub-district of origin as a returnee, regardless if they have returned to their habitual home.[4] However, the United Nations High Commission for Refugees (UNHCR) adopts a tighter definition, categorizing returnees as those who have returned to their place of origin or habitual residence.[7]

This distinction is particularly important in Iraq due to the number of internally displaced people who are deemed to have returned, though have not manage to reach their homes. Based on the UNHCR definition, it is clear that many Iraqis categorized as returnees in the widely quoted data, are in fact secondarily displaced.

Further, as emphasized by both the DTM methodology and UNHCR, defining an individual as a returnee does not mean that the person's return was safe, voluntary, dignified or that it is sustainable. Many continue to lack access to basic rights and services and face significant and unique threats to their protection and well-being.

Based on existing frameworks some examples of criteria for a well-managed return process include:

A return is *safe* when:

- Military operations have come to an end in the area of return.
- Return areas are cleared of explosive remnants of war (ERW).
- All parties agree to the return and the returnees' safety is guaranteed by state actors.
- Barriers to accessing civil status and property documentation are lifted.

A return is *voluntary* when:

- Returns are based on free, fully informed and voluntary decisions by IDPs, in the absence of coercion.
- Complete, objective, up-to-date, information is provided to IDPs on conditions in the area of return (including on the issues highlighted in the safety section).
- An IDP's decision to decline returning is not treated as renunciation of their right to return should that choice become desirable later on.

A return is *dignified* when:

- IDPs are consulted and participate in the planning and management of the returns process, including women and children, people with special needs, and those who are potentially marginalized.
- Communities in areas of return are consulted prior to any returnee arrivals.
- IDPs agency in decision-making and their ability to hold duty-bearing authorities accountable for their rights is respected, and actively promoted throughout the return process.
- Returnees do not face specific obstacles to access public and basic services, assistance, or remittances.

Yacob fled ISIS territory in Anbar governorate to save his 14 year-old grandson from being forcefully recruited by ISIS.

Even for those who those who make it back to their homes, threats to their safety prevail.
© Melany Markham/NRC

"*We didn't make it to this place without seeing death with our own eyes a thousand times.*"

Yacob

THE LONG ROAD HOME

Unfortunately Iraqis face a substandard reality to the one set out in the frameworks, and their search for solutions to their displacement remains challenging. Calls by Iraqi authorities and the international community for safe, voluntary, and dignified return of families to their homes have remained aspirational and Iraqis' right to a principled and sustainable return continues to be ignored. The verbal commitments must be followed with concrete action.

Below are terms which describe the varying return scenarios experienced by internally displaced people in Iraq, which will be further explored in this report:

Premature Return: Premature returns are those that occur when conditions in areas of origin are not conducive to receiving returnees. For instance, when a person's safety and access to services would be compromised by returning.

Coerced or Forced Return: Any return that is not fully voluntary can be considered forced. Forced return can most explicitly be a result of eviction and formal transfer to area of origin by the authorities or through coercive measures such as intimidation, threats of eviction, and forcible eviction without facilitated transfers. Insecurity, inadequate services, and limited rights in areas of displacement, or incentives and lack of accurate information about return areas can also act as negative push and pull factors which lead people to go home before they would have decided to otherwise.

Blocked Return: Any practice which prevents a returnee from entering or remaining in their area of origin constitutes a blocked return. These practices can be implemented by security forces, tribal authorities, or community members who bar entry into areas of origin, levy collective punishments, or carry out evictions from return areas.

Unable or Unwilling to Return: Some Iraqis will not be able or willing to return in the short to medium term, resulting in their protracted displacement. For others, return may never be an option, and they will require support to integrate or resettle in other areas of Iraq.

Returning, But Ready?

> " *To force people to return before they are ready and feel safe to do so risks their safety and well-being, and could result in their renewed displacement. Provincial and federal authorities should ensure all returns are safe and voluntary.* "

US Embassy in Baghdad
"Statement: Support for Safe, Dignified, and Voluntary IDP Returns," 27 November 2017

Premature Returns

As indicated by the high number of returnees to date across Iraq, most displaced Iraqis want to return home. In November 2017 survey results capturing the intentions of those internally displaced in AAF and Bezabize displacement camps[17], over half of IDP respondents (56%) said they planned to return to their areas of origin.[17]

In many retaken areas, however, these returns are premature. Families face ongoing insecurity and violence, and the uphill struggle to rebuild their homes, lives, and livelihoods - all conditions which threaten their safety and well-being and jeopardize the sustainability of their return.

Returned but not safe

" We decided to close all IDP camps and send families back to their homes because the security is now good. "

General Hadi Rizej Kessar

"Iraq's Anbar eyes political battle as displaced return," Al-Monitor, 14 January 2018

For those who return, the risk of violence, injury, and death still looms over people's efforts to rebuild their lives. In fact, 84% of internally displaced people surveyed in AAF and Bezabize reported feeling safer in the camp compared to their area of origin.[17] Threats to personal safety persist from ERWs, attacks on property, personal violence, and freedom of movement restrictions (figure 2).

Explosive remnants of war: Not all areas retaken from ISIS had been declared cleared of explosive remnants of war before people started returning. For the areas that have been declared clear to date, this often only applies to the public spaces and much of the residential areas and agricultural lands remain contaminated. In 2017, there were multiple instances of farmers working or children playing in open fields killed by ERWs, as well as people triggering booby traps left behind in abandoned houses.[18] One family evicted from AAF in late 2017 were forced to return to a partially damaged house, only to have a family member killed after an explosive device went off in the room where they tried to shelter.[19] Reservations about the ability of authorities to sufficiently decontaminate areas are common, and further, some families have reported being asked for significant sums of money for their houses to be cleared. In one area of Fallujah, families reported that an armed actor charged a sum of 300USD to clear their houses.[20]

Risk of ISIS attacks: Beyond the risk of lingering impact from the previous military offensives, the threats to people's lives from ongoing ISIS attacks and sporadic clashes continue. In June 2017, a bomb affixed to a bicycle exploded near the gate of the public garden in Fallujah city, where many returnees gathered, injuring five men and two women.[18] In another case, a group of returnee boys playing football were attacked with grenades and two suicide attacks followed, targeting the first responders, resulting in the death of eight people.[18] In May, ISIS fighters reportedly took advantage of a sandstorm and infiltrated a Baghdad sub-district disguised as police. Ensuing clashes resulted in one returnee killed and three others injured.[18]

Incidents compromising the protection and safety of returnees in retaken areas of Anbar, 2017 (figure 2)

55	UXO injury or death
6	Property destruction
20	Injury or death from clashes, ISIS attacks, etc.
24	Injury or death from collective punishment attacks
3	Freedom of movement restrictions
8	Incidents of forced recruitment
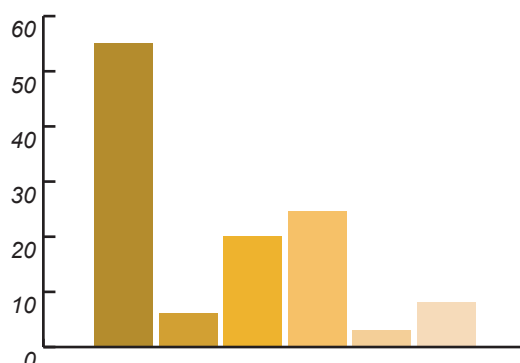
Source: NGO Community and Household Assessments.

Collective punishment: Perhaps the most common and persistent threat to returnees' safety and well-being is the proliferation of violence and retributive acts perpetrated against returnees for their perceived links with ISIS. Incidents of burning down houses, vandalizing property, individual attacks, and slander are common.

In February 2017, for example, a family in Ramadi was attacked with grenades in the middle of the night, forcing them to flee.[18] When speaking with the local security forces in Heet about challenges for returnees, they noted, "Some families who have security issues also cannot return because they are not being accepted by the tribes and the martyrs of the Iraqi Security Forces (ISF)."[21]

These acts are reportedly sometimes accompanied by bribery or extortion, with community members and tribal leaders threatening to report returnees as ISIS members or supporters to the authorities unless they pay large sums of money. When the victims cannot pay, false charges are levied against them resulting in arrests, detentions, and evictions.

In Anbar, the tribal dynamics and proliferation of military and civilian authorities with shifting control and mandates continues to compromise the safety and protection of vulnerable Iraqis. Ahmed, an internally displaced adolescent from Heet highlighted the challenges with this anecdote: "Two of my uncles have been arrested by ISF because the Mukhtar (community leader) also charged them with fake charges. All because they tried to clear their names directly with their contacts in the security forces instead of going to the Mukhtar. He then got angry because they didn't respect the tribal hierarchy. In fact, the Mukhtar's own son was affiliated with [ISIS] but he is protected because his father is powerful in the tribe."[22]

Collective Punishment

"*Of particular great concern is the rising popular sentiment in favour of collective punishment of families perceived to be associated with Da'esh. Countrywide, Iraqis perceived to have links with Da'esh are being increasingly subjected to evictions, confiscation of homes and other retribution and revenge measures.*"

Ján Kubiš, UN Special Representative of the Secretary General for Iraq

"Briefing to the Security Council by SRSG for Iraq Ján Kubiš," UNAMI, New York, 17 July 2017

Defining Collective Punishment

Collective punishment involves group determinations of guilt, in which individuals whose actions did not affirmatively contribute to the crime are indiscriminately penalized for the crimes of other group members. Collective punishment can be carried out through formal mechanisms or unofficial actions taken by individuals or communities. These take the form of:

- Forced displacement and denial of right to return home.
- Detention and restricted movement.
- Physical violence or threats of violence.
- Gender based violence; crimes against children.
- Destruction of property, assets, and livelihood.
- Monetary penalties, and/or civil documentation confiscation.[23]

Domestic and International Legal Frameworks

While some tribal decrees such as the Anbar Covenant (July 2016) and West Anbar Tribes Agreement (June 2014) have stipulated various forms of collective punishment for families of individuals perceived to have links with extremists, including blocked return, national legislation prohibits these practices.[24] National law holds that a person guilty of a crime will be held responsible individually, and Iraqi customary law also forbids reprisals, which it defines as "a reaction from one party to the adverse party which undertook an act that led to damages thereto with the aim of revenge and deterrence".[25] Collective punishment is also prohibited under international treaties and customary international law. For example, Article 50 of the Hague Convention establishes that "No general penalty, pecuniary or otherwise, can be inflicted upon a population on account of the acts of individuals for which they cannot be regarded as jointly and severally responsible."[26]

Returned but struggling to recover

For those who return, making it back to one's sub-district or neighbourhood does not always mean a return to their original home or access to the support they need.
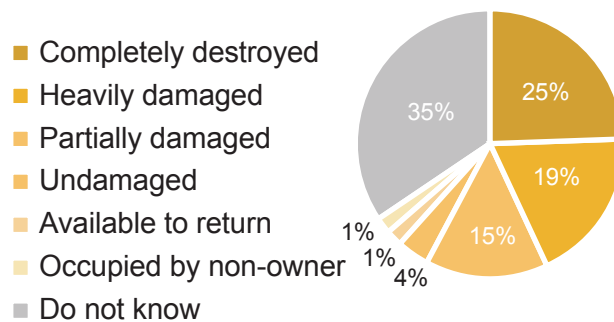
Many of their houses remain destroyed, contaminated, or secondarily occupied making it difficult for people to achieve a durable solution. 25% of the surveyed internally displaced in AAF and Bezabize camps reported that their house was completely destroyed in the conflict, with only 1% reporting that they knew their houses were available for return (figure 3).[17]

Of those who have returned in Anbar, the IOM's October 2017 integrated location assessment noted an increase in the number of people returning even when they could not go back to their original residence, with 14% of Iraqis not returning to their habitual residences.[27]

Rebuilding a house and supporting other expens-es can be an insurmountable task after families have exhausted their savings and survived for years without a steady income. Returnees have had to resort to living in tents on their property in front of their destroyed houses, living in damaged houses, staying with family, or sheltering in unfinished buildings.

Reported housing damage in areas of origin (figure 3)

- ■ Completely destroyed
- ■ Heavily damaged
- ■ Partially damaged
- ■ Undamaged
- ■ Available to return
- ■ Occupied by non-owner
- ■ Do not know

25%, 19%, 15%, 4%, 1%, 1%, 35%

Source: IDP Intentions Survey in Bezabize and AAF camps.

Government Compensation

Throughout the conflict, many people have been injured, had their family members killed, or had their property destroyed. A key element of supporting people to recover is compensating them accordingly for these losses.

In Iraq, the 2009 'Compensation for Those Affected by War & Military Operations' Law No. 20 regulates government compensation payments to victims of terror attacks, combat operations, and military errors. Although IRC and NRC provide people with legal assistance to file compensation claims, of the 429 successful court cases we processed in Anbar in 2017, none have been paid. Many people report to staff that they are waiting for government compensation to rebuild their houses before they attempt to return. Some of them may be waiting for help that will never come.

Courts in Anbar are also overwhelmed and unable to respond to the number of compensation claims, which creates a risk that due process will not be afforded, or that decisions will be made in error. Combined with the Iraqi government's lack of strategy or resources to fulfil the compensation claims, these risks undermine trust in the legal system and government while also compromising recovery efforts.

According to Returns Monitoring Analysis data from across Iraq during December 2017- January 2018:[28]

- 40-47% of returnees reported living in a residential residence that they owned.

- 20-27% said they were living in a rented residential accommodation.

- 11% reported living in tents.

- 13% reported being hosted by family or friends.

Limited access to services, particularly education and health services, and livelihood opportunities pose obstacles to people's ability to rebuild their lives. Of the internally displaced people surveyed in AAF and Bezabize camps:[17]

- 69% reported that they had no livelihood opportunities to return back home.

- 62% did not think that aid would be available to them in their area of origin if they returned.

IOM reports that 80% of returnees in Anbar reported access to employment as their most important need. 55% of returnee households reported that they rely on informal commerce or day labour for income, and in 43% of assessed locations across Anbar, most returnees were unemployed.[27]

Further, over half of all returnees reported access to health services (60%) as a critical need. With many returnees also identifying the outstanding need for drinking water (43%), access to education (38%), food (31%), and housing (29%).[27]

A local council member in Heet said, "[p]eople need basic services, especially water and electricity through increasing the operating hours of the water pumps, electricity grids, and health services."[21] Tribal leaders also emphasized that ongoing support is needed from the government and the international community, saying, returnees need "work opportunities and to secure PDS[i] (Public Distribution System) items so they will be able to meet their essential needs."[21]

Denied the Right to Choose

Coerced and Forced Returns

Regardless of people's wishes, for many their ability to determine if, when, and how they leave displacement is taken from them, fundamentally compromising the prospect of a voluntary, safe, and dignified return.

"*Humanitarians are deeply worried about incidents of collective punishment, restrictions on free movement, evictions, forced returns and sexual exploitation and violence, including in emergency sites and camps.* "

Lise Grande, Humanitarian Coordinator

"The UN remains deeply concerned for the safety of civilian populations," OCHA, 9 October 2017

For those that remain displaced, contemplating the right time to return is a complicated decision. Conditions such as safety, access to services, shelter, and livelihoods in areas of displacement and return are the driving factors that influence their decision.[29] Yet, as outlined in the previous section, many families have gone back to retaken areas before conditions are safe or suitable. These premature returns are often triggered by coercive measures influencing their decision or a result of force.

Pull and push factors contributing to premature returns

Pull factors

Despite poor conditions in return areas, a lack of reliable and up to date information about conditions in areas of origin can result in premature returns:

- 31% of survey respondents in AAF and Bizabize said that they received no information about conditions back home, including the state of their property.

- Of the 52% who reported receiving information on their areas of origin, only 1% reported receiving it from government authorities.[17]

Without formal information channels, families are forced to rely on word of mouth, or undertake exploratory visits back home if allowed to leave camps by security actors and camp managers. Even when the internally displaced are aware of the conditions in return areas, other factors can influence their return. For example, of the respondents who indicated a desire to leave their camp, 50% said their decision would be influenced by an emotional obligation to go back home (figure 4b).[17] This indicates that tribal, familial, and religious links may be a strong motivating factor for families to return even if their safety or well-being will be compromised if they return.

There is the added potential that internally displaced people could be incentivized to return prematurely if offered assistance packages in exchange for their willingness to return, or if promised access to government pensions or salaries conditioned upon return. In 2016, IOM reported that 5% of IDPs indicated that incentives and support were a key driver in returning home. By 2017 this figure had jumped to 22%.[27]

[i] Government-provided food and basic asssistance.

Push factors

Poor conditions in areas of displacement can also act as a negative push factors prompting people to leave areas of displacement prematurely. Included among these are:

- Insecurity, and lack of safety and protection.

- Limited freedom of movement and inability to reunify with family members.

- Gaps in services, creating a lack of dignity in camps.

For example, about 20% of respondents in AAF and Bezabize noted limited livelihood opportunities in displacement as a reason for their return. Another 20% also cited limited services and access such as health facilities, water, and non-food items as motivating factors for return (figure 4b).[17]

These findings are supported by data submitted to the Camp Coordination and Camp Management Cluster (CCCM) in November 2017, which found for 70 displacement sites in Anbar, over half had high to very high levels of service gaps in waste removal (63%), livelihoods (60%), and protection (51%), with additional critical gaps in education (36%), water (34%), and health (20%).[31]

Beyond poor conditions in the camps, restricted freedom of movement also contributes to reduced quality of life, dignity, and access to services in displacement. For example, inside Al-Khalidiya camp there is only one small shop and families report that the prices are double the normal market rates, but because of restrictions on movement the occupants of the camp have no other options for shopping.[32]

In camps across Iraq, individuals need permission from camp management to obtain a 'security coupon' (*kasassa*) every time they want to leave the camp, including to access health facilities.

These can be hard to obtain for many displaced Iraqis, particularly for men, individuals with perceived or alleged links to ISIS, and their family members. One family in Kilo 18 camp decried the delays it took to access health care facilities in Ramadi, due to the requirement for a military escort to and from the hospital. They were made to wait for days at the hospital before being able to return and described the experience as 'being treated like a prisoner'.[22] For some, the restrictions have more serious consequences. Another family lamented the case of a girl who died after a delay in getting permission to go a hospital from the camp after suffering burns from a fire.[22]
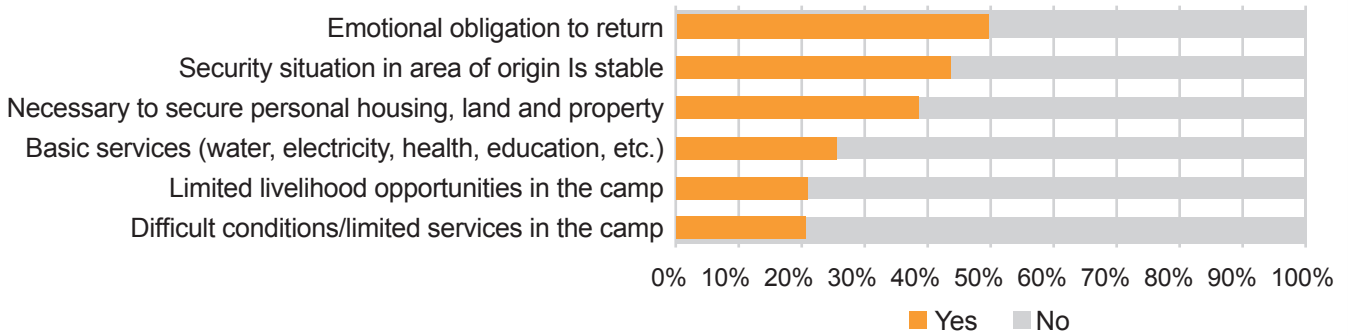
Intention to return (figure 4a)

Are you currently planning to return to your area of origin?

- Yes 56%
- No 38%
- Don't know 6%
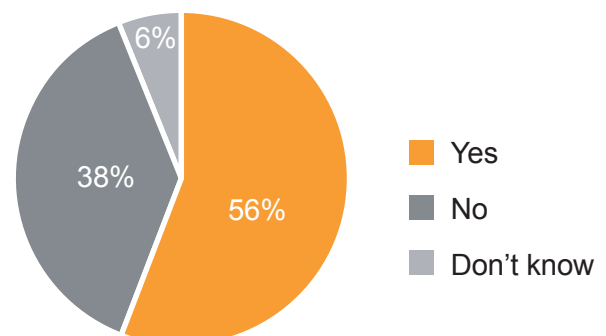
Source: IDP Intentions Survey, Bezabize & AAF camps.

IDP respondents' reported reasons for planned return to area of origin (figure 4b)

Reason	Yes	No
Emotional obligation to return		
Security situation in area of origin Is stable		
Necessary to secure personal housing, land and property		
Basic services (water, electricity, health, education, etc.)		
Limited livelihood opportunities in the camp		
Difficult conditions/limited services in the camp		

0% 10% 20% 30% 40% 50% 60% 70% 80% 90% 100%

■ Yes ■ No

Source: IDP Intentions Survey, Bezabize & AAF camps.

Evictions from areas of displacement

" *Unlawful acts like forced evictions, without any evidence that the individuals subjected to eviction orders committed any crime or wrongdoing, are in clear contravention of the Constitution of Iraq and Iraq's obligations under international law.* "

Ján Kubiš, UN Special Representative of the Secretary General for Iraq

"Briefing to the Security Council by SRSG for Iraq Ján Kubiš," UNAMI, New York, 17 July 2017
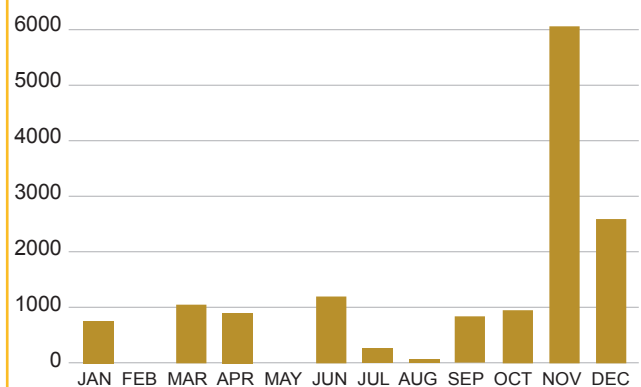
Both the UN Guiding Principles on Internal Displacement and the Government of Iraq's Constitution (2005) and policy on displacement (2008) prohibit the eviction of internally displaced people from their place of refuge. Despite this, those living in camps are increasingly coerced or forced to leave prematurely through threats, evictions, and forcible returns.

This drive to return displaced Iraqis to their areas of origin is taking place within the context of the upcoming national and provincial elections in May 2018. Numerous reports and statements from officials have alluded to the desire to close camps and see people moved back to retaken areas to vote in the elections, as it is not currently possible to vote in displacement camps.

According to 2017 data from the Iraq IDP Call Center, evictions and forced returns were reported by displaced Iraqis in Anbar as a top concern in April, March, June, September, and November that year.[33] Based on IOM data collected in March through May of 2017, 7% of IDPs and 29% of returnees in Anbar reported being forcibly evicted at some point during their displacement, the highest percentage in Iraq.[27]

First hand assessments conducted by our organisations in Anbar show a similar trend in threats of eviction and forced returns with a sharp increase in the final months of 2017 (figure 5):

Estimated eviction and threatened evictions from area of displacement, Anbar 2017 (figure 5)

Month	Value
JAN	~700
FEB	0
MAR	~1000
APR	~900
MAY	0
JUN	~1150
JUL	~250
AUG	~80
SEP	~800
OCT	~950
NOV	~6000
DEC	~2550

Source: NGO eviction tracking data and community and household assessments.

November

- 725 households[ii] (roughly 4,350 individuals) were evicted from HTC camps and surrounding areas.

- 279 households (1,674 individuals) were evicted from AAF camps.

December

- 257 more households (1,542 individuals) were evicted from AAF.

- 189 households (1,134 individuals) were evicted from Kilo 18.[18, 34]

In these three camps alone, our organizations estimate that roughly 8,700 people were evicted and forcibly returned to their areas of origin during the last 6 weeks in 2017.[34]

During this wave of evictions, the humanitarian community advocated at the highest levels of the Government of Iraq against these practices, resulting in a directive from the Prime Minister's office to local authorities to cease evictions.[35] However, after a brief pause, evictions resumed[iii], and 74 families in Kilo 18 and 155 families in AAF were forced back to their homes in the first half of January 2018.[34]

While Iraqi officials have denied coerced or forced returns are taking place, at one point requesting INGO employees in the camps to sign a document agreeing returns were voluntary, statements saying that Iraqi civilians "have to go home" and recurrent intimidation campaigns fundamentally undermine the voluntary nature of the returns.[36] During the evictions in late November, exit surveys were conducted in HTC camps with each household prior to departure in order to establish the voluntary nature of those departures. Despite assurance that there were no forced or coerced returns, 100% of respondents indicated the departure was 'not their choice', and specifically that they were evicted.[37] While it was only possible to carry out exit surveys for 44% of those departing due to the sensitivities of collecting this information, the data captured provides evidence of both forced return, and restriction of humanitarian space.

One displaced family begged camp officials not to be sent back to their area of origin due to fears that they would not be accepted back into the community and because they lacked the financial means to restart their lives. But their pleas were denied and they were forced to leave. The family was prevented from taking any of their belongings with them and when they arrived back to the camp, after having their return blocked, they had to borrow mattresses and food from other camp residents.[38]

These coerced and forced returns often result in secondary displacement of civilians who find that conditions in their areas are not conducive to secure living and are forced to return to their original camp, seek refuge in other camps, or remain displaced within areas of origin without the ability to return to their habitual residences. During an assessment in AAF camp in January 2018, several families from western Anbar, Fallujah, and Ramadi had returned back to the camp after being evicted but unable to return.[39]
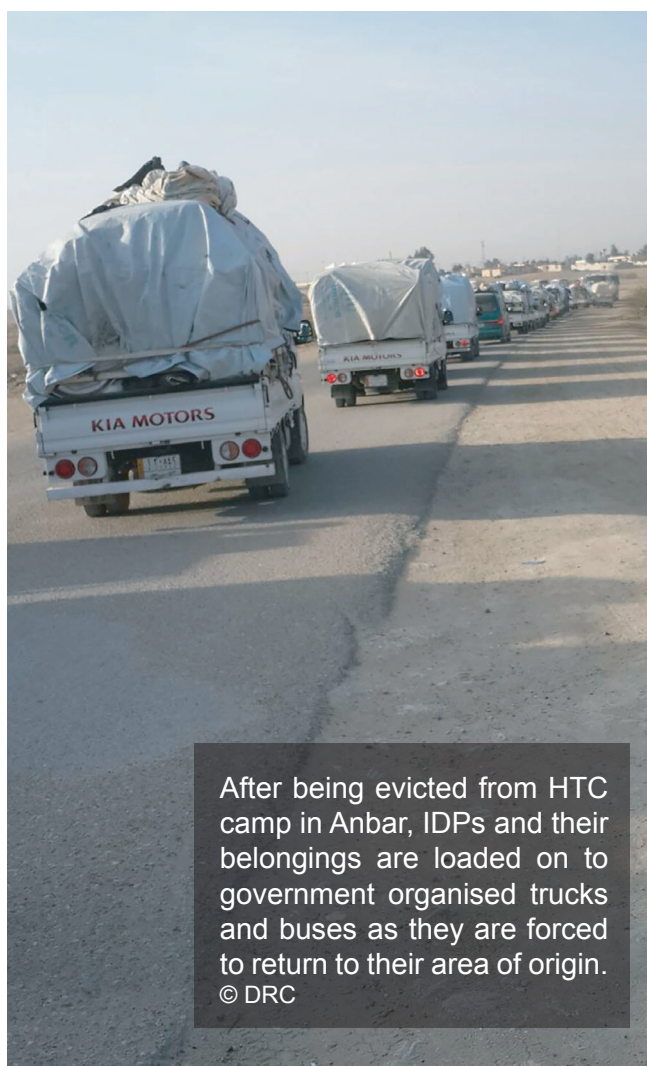
After being evicted from HTC camp in Anbar, IDPs and their belongings are loaded on to government organised trucks and buses as they are forced to return to their area of origin.
© DRC

[ii] Estimated 6 persons per household.

[iii] Multiple pauses to evictions have been agreed over the course of 2017, but none have brought a permanent end to these practices.

Blocked Returns

"The [European Union] will also continue to support the Iraqi authorities in catering to families and individuals who have been prevented from returning to their areas of origin and have been subject to secondary or protracted displacement as a result of inter-community conflict."

European Commission
"Joint Communication to the European Parliament and the Council: Elements for an EU strategy for Iraq"

For those who do wish to return, many have been prevented from doing so. 16% of the internally displaced in AAF and Bezabize reported attempting to return but being blocked.[17] Some of them are not allowed to leave camps, and others are stopped by security forces at checkpoints or blocked by community members. Still more are evicted from return areas.

Trapped in displacement

A person's ability to move from or within many camps in Anbar and across Iraq is governed by security actors and camp management officials. For families who want to return, these movement restrictions prevent them from doing so, and are sometimes implemented explicitly to stop their return.

Under international law, authorities may restrict citizens' freedom of movement in a state of emergency,[40] however, this condition has not been invoked in Iraq at any point in the current crisis.[iv] In all cases, such practices must be in line with domestic law, limited to achieving a specific objective, non-discriminatory and temporary in nature, and should further be reasonable and proportionate for the intended purpose.

The confiscation of civil documentation, cancellation of sponsorship programs, wherein IDPs can be vouched for by a relative or resident in order to move more freely,[v] and subjection to conditions of de facto detention in camps are practices that erode the protective and humanitarian environment for displaced Iraqis and inhibit their ability to pursue a solution to their displacement. Often, these practices may amount to collective punishment perpetrated against family members of individuals with perceived or alleged links to ISIS.

In one example from an interview we conducted, all the male members of a family that fled western Anbar in March 2017 were prevented from leaving Kilo 18. The family described the camp as a prison, complaining that no one from western Anbar was able to get a security coupon that would allow them some freedom of movement.[22] Similar restrictions were placed on a family from Heet. One member of the family remarked, "[a]ll of us who have been marked with being affiliated with ISIS aren't allowed to leave the camp. We asked the security forces when we would be able to go back home. He told us, 'the camp is your home.' Living under ISIS was better than life in this camp."[22]

Turned away from areas of origin

If cleared to return by security actors in the camp, many internally displaced people face numerous rounds of screening by different elements at checkpoints along their journey home. These screenings result in long delays, document confiscation, family separation, and arbitrary detention. For example, in July 2017, Human Rights Watch reported that roughly 5,000 families were held at a Suqur checkpoint between Anbar and Baghdad for up to 12 days without reason from the security forces.[41] Often, these security checks are allegedly meant to identify people with ties to ISIS, however the accusations are regularly based on poor evidence. For example, having a family member with a name similar to one in the database of wanted persons can lead to allegations of such ties.

When a family makes it through the multiple checkpoints, they may not make it over the last hurdle: entrance into the area of origin. IDPs in AAF and Bezabize camps cited this as a main determining factor in their decision to return, with

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[iv] In 2014, then Prime Minister Nour Al-Maliki issued a decree calling for martial law in Iraq, but was not approved by the Parliament https://www.al-monitor.com/pulse/en/originals/2014/04/iraq-government-emergency-powers-bill-elections.html

[v] In some areas sponsorship programs have been cancelled by local security forces or are only granted based on personal connections with the issuing authority. While sponsorship schemes are not ideal and do not afford the full rights to freedom of movement, limitations on even this option further hamper the ability for IDPs to return or to move to other areas of their choosing.

Yadar (left) has been confined to Kilo 18, a displacement camp near Ramadi for over a year, along with fifteen other family members including his grandson, Khatab (right). At 14 years old, Khatab is in the second grade of secondary school, but only primary education is provided in the camp. Even in the primary school, his mother, says, "They have no school books, so the children cannot attend school."
© Melany Markham/NRC

An uncle was a member of ISIS. He is dead now, but we still cannot return home.

Yadar

We are stuck in here like sheep

Khatab

11% noting that local security forces prohibit the respondent or a family member from ever returning at all and 33% noting that they were prohibited for the time being.[17]

Families have reported being denied entry to their home areas by armed actors who sometimes demand bribes to allow passage. Purportedly some security actors have demanded up to 3,000 US dollars in order to be allowed to return. While some families were able to acquiesce to extortion, others did not have the means to pay and were turned back.[20]

These cases are indicative of a trend that is taking place across the country. In IOM's survey of obstacles to return for the internally displaced, 23% of displaced Iraqis across the country reported that their attempted returns had been blocked, primarily by various security actors including militias, Asayish, ISF, and Peshmerga. Delays in authorities processing documentation required to return (64%), hold ups at checkpoints (19%), and security blacklisting (5%) were the main impediments to their effort.[29]

Community members or armed actors operating in return areas can also influence whether a family can return home and stay there. 18 families who were evicted from Al-Khalidiya camp in November 2017 arrived in their area of origin only to be denied, reportedly, by another tribe who accused them of links with ISIS.[18] Clashes ensued between both groups forcing ISF to bring the families back to the camp. In December of 2017, 35 families who were evicted from Al-Khalidiya camp to their areas of origin in Fallujah district were forced to flee to Kilo 18 camp after facing death threats.[18] For others, the desire for actors to block someone's return can have tragic consequences. In late 2017, a father and his two sons were reportedly murdered upon arriving back to their area of origin in western Anbar.[18]

These examples are snapshots of the real and pervasive threats that many people face upon being encouraged or forced to return to their home areas in an environment where social discord is prominent and trust among the community is weak.

Evictions from areas of return

After returning to their areas of origin, some continue to face impediments to their sustainable return due to post-return threats of eviction. While no comprehensive data for returnee evictions is available, assessments conducted across Anbar provide the following indicative case studies:

In one instance in Heet district, the male members of 19 families were given eviction notices due to accusations of affiliations with ISIS, while the remaining family members were given the option to stay and settle with other relatives. The evicted males left for an unknown location.[18]

In early 2017, hundreds of people in Fallujah district were verbally notified of the need to leave their homes within two days. In the end, just over 100 people were evicted, displaced towards HTC camp. Of these, two families' houses were demolished after they were evicted, further diminishing the chances they will ever be able to return home.[38]

Another family from western Anbar was evicted a full year after returning home, because an estranged son had joined ISIS years before. Despite the head of the household denouncing his son to the local authorities, the eviction went ahead. The head of the household commented, "170 people were listed by the security forces to be evicted, but only 15 families were made to leave. The day they came to our house, my wife objected, she didn't want to leave, but the soldier drew out his gun and said if you open your mouth again I will shoot you."[22]

PROMOTING SUSTAINABLE RETURNS AND ALTERNATIVE SOLUTIONS

"Guideline 5: Ensuring sustainable solutions including voluntary repatriation, prevention of demographic change, guaranteeing the right of return and secure living for liberated areas, local integration based on long-term safety and security requirements, restoration and exercise of freedoms and rights guaranteed by the Iraqi Constitution in 2005, providing effective remedies and access to justice and participation in public affairs."

Section 3.1.2, Government of Iraq Reconstruction and Development Plan 2017

Ensuring that returnees and those who remain are safe and have adequate access to services in retaken areas is critical for contributing to their sustainable return. Without the tools and resources to provide for their families and participate meaningfully in a peaceful community, people may be forced into another cycle of displacement, compromising their well-being and potentially undermining the long-term recovery of Iraq.

Creating home in community

"Community reconciliation is a necessity which should be activated by civil society, local authorities and the federal government."

Local Council Member
Heet, Anbar, 2017

Enhancing social cohesion, promoting the rule of law, and fostering reconciliation in retaken areas is critical for creating an inclusive post-return environment. This requires both national level leadership and community level investment in reconciliation. Many local leaders are well aware of this. For example, authorities in Heet called on the need to "provide community reconciliation through national reconciliation to avoid the conflicts among the community."[21] This was also echoed by sheikhs in Ramadi who said that peace could be achieved by "acquiring communal reconciliation through organized reconciliation symposiums in the society."[21]

Past investments in reconciliation in Iraq have failed to yield substantial gains in national unity and stability.[vi] But the current momentum in Iraq provides a unique opportunity for reinvestment in reconciliation. As UNDP notes, "The unity of purpose which has developed in the fight against ISIL provided the hope to enhance the national reconciliation which, for the first time, is led by the real concerns of citizens across the country; and at the same time, be responsibly balanced with the inalienable right of victims to accountability and redress."[42] As emphasized by the community leaders interviewed for this report, ensuring reconciliation processes are adequately invested in at all levels of society, from the national to the community level, and that they are inclusive of all members of society, is critical at this juncture.

After being displaced multiple times, Muhamed, a community elder from Heet now lives in Kilo 18 camp after being evicted from his home.

"Some of the young men in our families have been killed by ISF for being affiliated with ISIS. We did our best to prevent them from getting involved … but we weren't able to stop them all. We lived under ISIS for three years … so we fled to the villages far outside of the city. When it was safe to come back, we returned to the city center … but there was graffiti on our houses that said we were ISIS. After Heet was retaken by security forces, the tribal leaders met together and decided to evict all the families like us. But families who paid bribes to the security forces were allowed to stay. After they paid, the security forces removed the graffiti from their houses. We couldn't afford to do that. It was thousands of dollars. All of the others who didn't pay and didn't leave were attacked with grenades."[22]

© Melany Markham/NRC

Kilo 18 Old Camp

Finding home elsewhere

For some displaced Iraqis, the conditions and means for them to return to their homes voluntarily, in safety, and with dignity may never be achieved. Others, after the trauma and indignities they have faced, may never desire to return, wishing instead to start anew, building a home in a place free from the memories of violence and crisis.

One woman from Ramadi we interviewed who was nearly killed by ISIS for being a police officer, lost her home during the military operation, and was then falsely accused of being an ISIS supporter by her local Mukhtar. She was subsequently evicted by the local authorities, and ended up in Kilo 18 camp. When asked about her plans for the future, she responded, "I don't even want to go back home. I hate that city. I just want out of here. I'll go wherever. I'll do whatever it takes."[22]

In a recent national survey of IDPs in 61 camps across Iraq, over half of respondents said they did not currently plan to return home (52%). When asked where they planned to go instead, 93% said they intended to stay and integrate in their current location of displacement.[2]

Return is only one potential solution to displacement and, in line with international and national standards, Iraqis must also be guaranteed the right to integrate locally or settle in other areas of their choosing. However, some families have had even this option taken from them. For example, in July, a group of families were blocked from returning to their area of origin. When they tried instead to start a life in a different area of the governorate, they were prevented from settling in the town by the security forces, and forced into displacement once again.[18]

Durable solutions are achieved when internally displaced people "no longer have any specific assistance and protection needs that are linked to their displacement and can enjoy their human rights without discrimination on account of their displacement."[11] This must be the goal and metric by which we measure success in Iraq, not simply the quantity of returns.

Estimating the Number of Those Unable or Unwilling to Return

DRC, IRC, and NRC have witnessed many cases of blocked returns and secondary displacement in displacement camps, informal settlements, and return areas across Anbar governorate. However, while it is increasingly clear that a sustainable return in not possible for some in the short-term and may never be possible for others, the actual number of IDPs who are unable or unwilling to return is unknown.

More evidence is needed to identify the full scope of the caseload, but anecdotal estimates indicate that a proportion of IDPs will need support to either integrate or resettle in another area of Iraq:

During late December and early January, about one in five of the estimated 240 families that were evicted returned to Kilo 18 after facing retribution and threats in their areas of origin.[34] Complementary evidence from the Mosul camps Returns Monitoring Data for December 20- January 2, shows that roughly 10% of attempted returnees ended up going back into camps.[33] And while around three-quarters of the remainder made it back to their areas of origin, nearly 25% were living in other areas besides their home governorates.[33]

CONCLUSION & RECOMMENDATIONS

Failing to address the conditions which compromise the safety and dignity of Iraqis significantly undermines efforts to ensure that any return of displaced Iraqis to their homes are sustainable and meet international and national standards. It also ignores the reality for those who may not be willing or able to return home, waiting for support to return or find a new home. As the national and provincial elections approach in May, and pressure mounts for IDPs to return, it is imperative that the safety and dignity of the Iraqi people are kept at the heart of policies and resources.

Based on our findings in Anbar, DRC, IRC, and NRC offer the following recommendations for how the Government of Iraq, humanitarian agencies, and the international community can support Iraqis to achieve a durable solution to their displacement:

Government of Iraq representatives should:

The Prime Minister, Council of Ministers, and national authorities, including Members of Parliament:

• Ensure Iraq's National Policy on Displacement introduced in 2008 is effectively passed into law and implemented across all governorates.

• Ensure actors at all levels of authority implement high-level directives banning coerced, forced, and blocked returns.

• Ensure that civilian law enforcement authorities assume full control of security affairs, that all basic services and critical infrastructure are restored and consistently available, and that residential areas are cleared of explosive remnants of war (ERW) to promote the safety and dignity of IDP returnees.

• Facilitate expedited registration of NGOs and visas of humanitarian personnel in federal Iraq to allow organizations to meet critical gaps in the delivery of assistance in Anbar and across Iraq. Place emphasis on facilitating the registration of mine action organizations to support in the clearance of contaminated areas.

• Take measures to expedite and prevent discrimination in the current process for issuing civil documentation; this should include allowing Iraqis to apply via the civil directorate in their current area of residency rather than requiring them to return to their area of origin.

• Introduce a speedy and consolidated screening process, controlled by formal state actors with a single clearance process.

• Ensure all compensation mechanisms, including property restoration claims, are effectively implemented in line with Iraqi law. This should include dedicating sufficient staff capacity to process claims during the coming years.

• Facilitate inclusive reconciliation efforts to ensure that families of individuals with perceived links to ISIS are permitted to return, and are supported to reintegrate back into their communities.

Local authorities, including governors, security forces, and camp management actors:

• End restrictions that deprive displaced Iraqis and returnees of freedom of movement, including practices such as civil documentation confiscation, in line with Iraqi law and the National Policy on Displacement.

• Uphold the right of IDPs to remain in their current location of displacement. In cases where camps are slated to be consolidated or closed, authorities should solicit humanitarian guidance and adhere to international standards and best practices.

• Ensure that individuals suspected of criminal or terrorism-related offences are afforded due process, including the right to legal representation, in accordance with international standards and domestic legislation.

• Provide IDPs with accurate information on conditions in return areas, including security and availability of assistance and services, to promote informed decision-making.

• For IDPs who are unwilling or unable to return, uphold the right for families to seek alternate solutions to their displacement, including by facilitating their integration or resettlement in another area of Iraq.

• Establish governorate-level compensation committees, inclusive of humanitarian partners, to identify impartial eligibility criteria, application procedures, evidentiary requirements, payment mechanisms and appeals processes based on national criteria.

• Strengthen localized reconciliation mechanisms and ensure they are fully inclusive of marginalized community members and vulnerable groups such as women and youth.

Humanitarian agencies, including the UN and NGOs, should:

• Develop a principled framework to ensure assistance in retaken areas does not incentivize premature returns. Humanitarian leadership, in particular, should develop a risk mitigation strategy for the provision of minimum assistance packages.

• Scale up multi-sectoral assessments and area-based humanitarian coordination in areas of return to facilitate increased access to assistance and services.

• Establish humanitarian referral mechanisms for cases of coerced, forced, and blocked returns to ensure a robust protection response for affected populations.

• Scale up direct advocacy with national and local Iraqi authorities, tribal leadership, and security forces to promote greater adherence to the Guiding Principles on Internal Displacement and the Durable Solutions Framework.

• Assess and publicly report data on the number of IDPs who are unable or unwilling to return to support the government in facilitating their access to alternative durable solutions.

• Recommend and contribute to systematic training on the topics of principled returns for local authorities via governorate-level returns committees.

• Select Iraq as a pilot country to roll out the G20 national stakeholder-focused strategy to advance protection, prevention and solutions for IDPs, commemorating the 20th anniversary of the Guiding Principles on Internal Displacement.

The international community, including donor governments and members of the global coalition against ISIS, should:

• Support the Government of Iraq to develop an implementation plan for achieving alternative durable solutions for IDPs who are unable or unwilling to return, in line with Iraq's National Policy on Displacement.

• Require the Government of Iraq to establish indicators to operationalize commitments to voluntary and sustainable displacement solutions as a part of bilateral and multilateral assistance commitments.

• Fully fund the 2018 Humanitarian Response Plan and other funding mechanisms intended to support conflict-affected Iraqi families, such as the Recovery and Resilience Plan. Ensure all funding mechanisms are directly accessible to international and local NGOs.

• Engage with and support the Government of Iraq to establish an adequately resourced compensation fund for Iraqi civilians to receive restitution for injuries, loss of life, or property damage resulting from actions by all parties to the conflict.

• Invest as early as possible in early recovery activities, particularly livelihoods, legal assistance, education, and peacebuilding and conflict resolution activities, including through the provision of direct funding to local civil society organizations.

• Scale up protection-focused advocacy with Iraqi authorities, including bilateral engagement with local and national security actors.

• Continue funding robust humanitarian assistance to displaced Iraqis in and out of camps to ensure suspension of services do not push people to return home prematurely.

• Dedicate resources explicitly for the clearance of ERWs in residential property and homes in retaken areas and work with the Iraqi authorities to facilitate the registration and work of mine action organizations in Iraq.

LIST OF ACRONYMS

AAF	**Amriyat Al-Fallujah displacement camp**
CCCM	**Camp Coordination and Camp Management**
DRC	**Danish Refugee Council**
DTM	**Displacement Tracking Matrix**
EU	**European Union**
ERW	**Explosive Remnants of War**
FFS	**Funding Facility for Stabilization**
HRP	**Humanitarian Response Plan**
HTC	**Habbaniya Tourist City displacement camp**
IDP	**Internally Displaced Person**
IOM	**International Organisation for Migration**
IRC	**International Rescue Committee**
ISIS	**Islamic State group**
ISF	**Iraqi Security Forces**
NGO	**Non-Governmental Organisation**
NRC	**Norwegian Refugee Council**
UN	**United Nations**
UNDP	**United Nations Development Program**
UNHCR	**United Nations High Commissioner for Refugees**
UN SRSG	**Special Representative for the United Nations Secretary General**

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