

Universal Periodic Review of Human Rights
UPR
Iraq experiment 2010
IDPs present rights and situations according to the UN IDPs guiding
principles
24th August 2009

Background:

Despite the fact that the number of internally displaced persons (IDPs) worldwide has far exceeded that of refugees, with the IDP figure in 2002 standing at between 20 to 25 million people, compared to that of 10.6 million refugees,¹ paradoxically, a legal framework and a special institution exist for refugees whereas none exist for IDPs.² In this context, Iraq too has seen its fair share of IDPs. As a result of Saddam Hussein's Arabization policies millions of Iraqis, particularly members of religious or ethnic minorities, over the years were forcibly displaced from their homes in furtherance of these policies. The recent Iraq war has been no exception in this regard and according to UNHCR figures approximately 2 million Iraqis are now outside the country with another 2.2 million internally displaced.³ This paper will concentrate on some of the problems faced by Assyrian IDPs within Iraq set against the backdrop of both Iraq's and the international community's legal obligations towards them. Naturally, this should in no way be construed as downplaying the problems faced by all Iraqi IDPs.

Despite decreased violence, slowing displacement rates, and limited returns in 2007 and 2008 population displacement within and from Iraq remains one of the largest and most serious humanitarian crises in the world. Over two million Iraqis are refugees, most of them in neighboring Syria and Jordan. An additional 2.4 million Iraqis are Internally Displaced People (IDPs) within their own country.

Iraq has a long history of displacement due to wars and the policies of the former regime. Many IDP populations from the 1980s and 90s still remain in displacement. Following the 2003 conflict, an estimated 400,000 Iraqis were internally displaced due to military operations and general insecurity.⁴

On 22 February 2006, the bombing of the Al-Askari Mosque in Samarra triggered escalating sectarian violence that drastically changed the cause and scale of displacement. Although military operations, crime, and general insecurity remained factors, sectarian violence became the primary driver for population displacement. Since February 2006, almost 1,204,000 Iraqis have been displaced.⁵ Of these, IOM's assessments cover 142,000 families throughout Iraq (an estimated 852,000 individuals).⁶

Background on National Policy

¹ Phuong, C, *The International Protection of Internally Displaced Persons*, (Cambridge: Cambridge University Press, 2004), p. 1

² Weiss, T.G., 'Whither International Efforts for Internally Displaced Persons?', *Journal of Peace Research*, vol. 36, no. 3, 1999, p. 363

³ Amnesty International, 'Millions in Flight: The Iraqi Refugee Crisis', September 2007, p. 1.

⁴ <http://www.assyriacouncil.eu/resources/Millions+in+Flight%2C+The+Iraqi+Refugee+Crisis.pdf>. (Accessed: 6th June 2008)

⁵ This figure includes 200,000 displaced by military operations in Fallujah during November 2004. Most of these IDPs have since returned. www.iomiraq.net/library.html#IDP

⁶ AS PER THE 24 DECEMBER 2007 MODM REPORT, "SUMMARY RESULTS IDP REGISTRATION – FEBRUARY 2006 TO DECEMBER 2007" AND THE 21

NOVEMBER 2007 CLUSTER F UPDATE ON INTERNALLY DISPLACED PERSONS IN IRAQ. WWW.IOMIRAQ.NET/LIBRARY.HTML#IDP

6 FOR INFORMATION ON IOM'S MONITORING METHODOLOGY, SEE "IOM MONITORING NEEDS ASSESSMENTS METHODOLOGY" AVAILABLE AT WWW.IOMIRAQ.NET/LIBRARY.HTML#IDP

UNHCR worked with Iraqi government and International NGOs and its Implementer Partners.⁷ Gathering and analyzing data at grassroots level are the first steps of the process for the development of the Iraqi National Policy on Displacement Challenges and Durable Solutions, as envisaged in the concept paper drafted by MoDM and KRG⁸. This approach foresees the collection of two sets of data, one quantitative, the other qualitative. The IDPs' intentions survey is providing quantitative data, consultations with IDPs communities and other groups affected by displacement are supplying qualitative data.

The grassroots consultations with IDP and host communities and with other civil society actors are on-going since December 2005 in 16 Governorates (all Iraqi governorates but Muthanna and Wassit). Final results will be available at the end of July 2006.

These results are being organized in a database. This will enable the management and analysis of the data and will be summarized in the form of reports. Reports will form the basis for the work of the core group in MoDM drafting the Components of the National Policy on Displacement Challenges and Durable Solutions in the form of Working Papers.

In the meanwhile, basing the analysis on partial data, it is possible to give an overview of issues identified and reported by the facilitators working with UNHCR implementing partners.

Issues vary, according to the background of the group, the reason for displacement, the time and the length of their displacement, the conditions left in the place of origin and the knowledge the group has of these conditions.

Often one issue is identified by more than one group as an impediment to the settlement of their condition of displaced persons. It is clear, though, that each group has a different approach to the same issue due to the fact that each group looks at the topic from a specific perspective. Subsequently, different groups propose different and tailored solutions to similar issues.

This list does not intend to be exhaustive or to provide a comprehensive analysis. It is intended as an overview of the issues highlighted in the consultations and reflects the findings, in no way the stand point or opinion of UNHCR.

United Nations

Guiding Principles on Internal Displacement

INTRODUCTION: SCOPE AND PURPOSE

1. These Guiding Principles address the specific needs of internally displaced persons worldwide. They identify rights and guarantees relevant to the protection of persons from forced displacement and to their protection and assistance during displacement as well as during return or resettlement and reintegration.

2. For the purposes of these Principles, internally displaced persons are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.

3. These Principles reflect and are consistent with international human rights law and international humanitarian law. They provide guidance to:

- a) The Representative of the Secretary-General on internally displaced persons in carrying out his mandate;*
- b) States when faced with the phenomenon of internal displacement;*
- c) All other authorities, groups and persons in their relations with internally displaced persons; and*

⁷ UNHCR IDP Nation Policy www.unhcr.org

⁸ MINISTRY OF DISPLACEMENT AND MIGRATION AND KURDISTAN REGIONAL GOVERNMENT with the support of the WORKING GROUP ON INTERNALLY DISPLACED PERSONS AND DURABLE SOLUTIONS and THE UN CLUSTER F, Iraqi National Policy on Displacement and Durable Solutions – An Inclusive and Consensus-Based Approach to its Conceptualization and Implementation, Baghdad-Erbil-Amman, 14 March 2006.

- d) Intergovernmental and non-governmental organizations when addressing internal displacement.
4. These Guiding Principles should be disseminated and applied as widely as possible

U.N. Guiding Principles on Internal Displacement (IDP)

SECTION I - GENERAL PRINCIPLES

Principle 1

1. Internally displaced have right for enjoy, in full equality, freedoms under international and domestic law as do other persons in their country. No discrimination for the rights above mentioned.

Internally displaced persons' right in Iraq is violated in regards of equality; because the security situation is not stable which leads to violation human right and created discrimination between ethnic groups and religions and this lead to discrimination against the enjoyment of any rights and freedoms. Property rights (movable and immovable), employment and employment transferring, retirement, food, freedom of movement, access for passport, access for driving license, right of vote. 9.

Principle2

1. These Principles shall be observed by all authorities, groups and persons irrespective of their legal status and shall not be interpreted as restricting, modifying or impairing the provisions of any international human rights or international humanitarian law.

Because there is no domestic law about IDPs national Policy there for all authorities, groups and persons not aware about the United Nations Guiding Principles on Internal Displacement and these principles are not translated to domestic law therefore IDPs are treated according to the governments policy and the majority of times the governments policy make violation to human rights and especially to rights of IDPs.

Principle3

1. National authorities have to provide protection and humanitarian assistance to internally displaced.

As previously mentioned In Iraq there is no National policy about the Displaced People. Thus, the government makes decisions according to its policy towards the IDPs needs and concerns. For instance, Iraqi prime minister decided to compensate the IDPs by paying the amount of 900,000 ID and 100,000 as feast present. According to the DDM's report, however only the half of IDP families received half of the amount (450,000 ID) and the others are still waiting on the central government to send them money.¹⁰

Principle 4

1. No discrimination of any kind, such as race, color, sex, language, religion or belief, political or other opinion, national, ethnic or social origin, legal or social status, age, disability, property, birth, or on any other similar criteria.

Right of Property (movable and immovable): The majority of IDPs in the current place of displacement (Kurdistan Region) are deprived from the right of possessing any kind of properties whether movable or immovable in spite of their Iraqi nationality. According to the permanent Iraqi constitution all Iraqis have full right to have the right to possess any kind of properties, but in reality an IDP must go through a long procedure and an extremely difficult process in order to exercise this right.¹¹

SECTION II - PRINCIPLES RELATING TO PROTECTION FROM DISPLACEMENT

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⁹ Public Aid Organization / Protection Assistance Center in Erbil funded by UNHCR pacerbil@gmail.com

¹⁰ Public Aid Organization / Protection Assistance Center in Erbil funded by UNHCR pacerbil@gmail.com,

¹¹ Public Aid Organization / Protection Assistance Center in Erbil funded by UNHCR pacerbil@gmail.com,

b) Adequate measures shall be taken to guarantee to those to be displaced full information on the reasons and procedures for their displacement and, where applicable, on compensation and relocation;

As previously mentioned, Iraq does not have a National policy concerning Displaced People. Therefore, the government makes decisions according to IDPs concerns and needs. The government's decision making based on the needs of IDPs has proven to be ineffective and short-sighted. Many IDPs do not benefit from the compensation policy. The small amount of compensation received by about half of the IDPs is inadequate and does not address the core issues and therefore is not a solution¹²

c) The free and informed consent of those to be displaced shall be sought;
d) The authorities concerned shall endeavour to involve those affected, particularly women, in the planning and management of their relocation;

Displacement presents particular challenges for women, children, elderly, and the ill. Specialized health care (such as surgery or gynecology) is difficult to obtain in Iraq. Female-headed households are an extremely vulnerable group: many of these families were displaced after their husbands were violently killed. In many areas it is especially difficult for women to find employment and protect their families. Some IDP women and girls reported discomfort with the conservative customs they encountered in their place of displacement, restricting their dress and in some cases preventing girls from attending school.¹³

Principle 8

Displacement shall not be carried out in a manner that violates the rights to life, dignity, liberty and security of those affected.

Overall violence in Iraq appears to have declined during 2007. Security however continues to be unstable, particularly in Basrah, Diyala, Kirkuk, Ninewa, Qadissiya, and Salah Al-Din. In Baghdad and Anbar, governorates, the implementation of security plans in cooperation with local “awakening” movements reduced violence, although certain areas continue to be unstable. In addition fighting between Multi-National Forces in Iraq and Iraqi Forces (MNF-I/IF), militias, insurgents, and other armed groups, 2007 also saw continued attacks on infrastructure, government buildings, religious sites, and civilians generally.¹⁴

SECTION III - PRINCIPLES RELATING TO PROTECTION DURING DISPLACEMENT

Principle 10

2. Prohibited attacks or other acts of violence against internally displaced persons who do not or no longer participate in hostilities and should protect IDPs against threats and incitement to commit any of the foregoing acts shall be prohibited.

PAC Erbil has received many IDP cases in which people have been displaced for the second time due to direct threats on their life.¹⁵

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Principle 12

¹² Public Aid Organization / Protection Assistance Center in Erbil funded by UNHCR pacerbil@gmail.com,

¹³ IOM IRAQ DISPLACEMENT 2007 YEAR IN REVIEW
(http://www.iom.int/jahia/webdav/shared/shared/mainsite/media/docs/reports/2007_year_in_review.pdf)

¹⁴ IOM IRAQ DISPLACEMENT 2007 YEAR IN REVIEW
(http://www.iom.int/jahia/webdav/shared/shared/mainsite/media/docs/reports/2007_year_in_review.pdf)

¹⁵ Public Aid Organization / Protection Assistance Center in Erbil funded by UNHCR pacerbil@gmail.com

1. Every human being has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention and IDPs should be protected from discriminatory arrest and detention and they should be taken hostage.

The risks that surveyed IDPs face are more varying than other caseloads. IDPs indicated that they face general violence (Governorates of Baghdad, Diyala, Missan, Najaf, Salah Al-Din and Wassit), general criminality, detentions, kidnappings, murder/killings, large explosions, military operations as well as inter-ethnic/religious fighting (Governorates of Kirkuk and Ninewa). It was reported that IDPs are enduring forced recruitment by some armed groups (Muthanna Governorate). Others are reportedly subjected to abuse and harassment (Al-Anbar, Baghdad, Kirkuk, Najaf and Salah Al-Din Governorates). The three Northern Governorates also experience occasional cross-border attacks from Turkey and Iran, which has caused minor displacement.¹⁶

Principle

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1. In no circumstances shall displaced children be recruited nor be required or permitted to take part in hostilities.

2. No discriminatory practices of recruitment into any armed forces or groups as a result of their displacement..

- Female heads of household's income comes from employment, relatives/friends, charities and children working. A significant number of women have no income whatsoever, making them extremely vulnerable.¹⁷ Many IDP children are reported to be working in order to support themselves or their families.¹⁸
- In all Governorates, indications of economic and social vulnerability in relation to children were found, e.g. children working or begging, street children, children not attending school, child heads of households and early marriages.¹⁹
- It has also been reported that stress related to economic hardship has resulted in high physical and mental abuse of children. This economic hardship can be linked to the high rate of unemployment throughout the governorates. Girls appear to be more at risk of domestic violence than boys.²⁰
- The often precarious security situation in some of the governorates (for example Baghdad, Basrah and Thi Qar) has had an adverse impact upon the percentage of boys and girls attending school. A considerable number of IDPs report that their primary school-aged children do not attend school. Among groups assessed, 31% of

¹⁶ UNHCR monitoring and NGO reports, February – August 2008. ([http://www.internal-displacement.org/8025708F004CE90B/\(httpDocuments\)/D877BC914C6A92B3C125750D004BBF6B/\\$file/IDP+WG+Update+on+IDPs_returnees_Sep08.pdf](http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/D877BC914C6A92B3C125750D004BBF6B/$file/IDP+WG+Update+on+IDPs_returnees_Sep08.pdf))

¹⁷ UNHCR monitoring and NGO reports, February - August 2008. ([http://www.internal-displacement.org/8025708F004CE90B/\(httpDocuments\)/D877BC914C6A92B3C125750D004BBF6B/\\$file/IDP+WG+Update+on+IDPs_returnees_Sep08.pdf](http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/D877BC914C6A92B3C125750D004BBF6B/$file/IDP+WG+Update+on+IDPs_returnees_Sep08.pdf))

¹⁸ UNHCR monitoring and NGO reports, February - August 2008. ([http://www.internal-displacement.org/8025708F004CE90B/\(httpDocuments\)/D877BC914C6A92B3C125750D004BBF6B/\\$file/IDP+WG+Update+on+IDPs_returnees_Sep08.pdf](http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/D877BC914C6A92B3C125750D004BBF6B/$file/IDP+WG+Update+on+IDPs_returnees_Sep08.pdf))

¹⁹ UNHCR monitoring and NGO reports, February - August 2008. ([http://www.internal-displacement.org/8025708F004CE90B/\(httpDocuments\)/D877BC914C6A92B3C125750D004BBF6B/\\$file/IDP+WG+Update+on+IDPs_returnees_Sep08.pdf](http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/D877BC914C6A92B3C125750D004BBF6B/$file/IDP+WG+Update+on+IDPs_returnees_Sep08.pdf))

²⁰ UNHCR monitoring and NGO reports, February - August 2008. ([http://www.internal-displacement.org/8025708F004CE90B/\(httpDocuments\)/D877BC914C6A92B3C125750D004BBF6B/\\$file/IDP+WG+Update+on+IDPs_returnees_Sep08.pdf](http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/D877BC914C6A92B3C125750D004BBF6B/$file/IDP+WG+Update+on+IDPs_returnees_Sep08.pdf))

the boys and 40% of the girls are not attending primary school.²¹ The women's main vulnerability is their lack of financial support.

Principle 14

1. Right to liberty of movement and freedom to choose his or her residence. The right to move freely in and out of camps or other settlements.

Freedom of movement: there is restriction on IDPs movement inside Iraq; all restrictions are justified by security conditions by the government. The Kurdistan Regional Government imposes restrictions on IDP movement through the use of checkpoints. The IDP is forced to obtain an information card from the nearest police station in the current place of living in order to have access of movement. This is a clear violation of the IDPs right to movement as outlined by the permanent Iraqi constitution law and UN Guiding principle of internal displacement.²²

Principle 15

Internally displaced persons have the right to: seek safety in another part of the country; to leave their country; to seek asylum in another country; and to be protected against forcible return to or resettlement in any place where their life, safety, liberty and/or health would be at risk.

Stopping assistance, PDS card transfers, employment transfers, and denial of access to Arabic language schools are all indicators that the KRG area is encouraging return.²³

Principle 18

1. All internally displaced persons have the right to an adequate standard of living. And ensure safe access to essential food and potable water;

All IDPs in the current place of residence had no access to food ration services because they are displaced from their original homes. Furthermore, they were not allowed to go back to their home areas to receive the monthly food rations. They also could not renew the address on the form due to 'security conditions.' Based on PAC lobbying and advocacy, however the Kurdistan Regional Government decided to give the IDPs temporary food ration cards. PDS cards were handed out from Oct. 2006 and currently 1600 IDP families and 7000 individuals are receiving food items based on PDS cards. Recently, however the KRG stopped giving PDS cards to IDPs and this leaves IDPs in an increased position of vulnerability.²⁴

(b) Basic shelter and housing;

The majority of IDPs in the KRG area are scattered between host communities. They live in rented houses in poor areas that lack basic services. IDPs often times pay more for rent in these mal-serviced areas than the locals do. A small number of IDPs are living with close relatives, but are still living in terrible conditions due to the difficulties of finding employment to sustain themselves and their families.

c) Appropriate clothing;

Based on the collected figures and numbers of IDPs in each district and sub-district through PAC Teams (Need Assessment and Monitoring Mobile Team and Protection Mobile Team),

²¹ UNHCR monitoring and NGO reports, February - August 2008. ([http://www.internal-displacement.org/8025708F004CE90B/\(httpDocuments\)/D877BC914C6A92B3C125750D004BBF6B/\\$file/IDP+WG+Update+on+IDPs_returnees_Sep08.pdf](http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/D877BC914C6A92B3C125750D004BBF6B/$file/IDP+WG+Update+on+IDPs_returnees_Sep08.pdf))

²² Public Aid Organization / Protection Assistance Center in Erbil funded by UNHCR pacerbil@gmail.com

²³ Public Aid Organization / Protection Assistance Center in Erbil funded by UNHCR pacerbil@gmail.com

²⁴ Public Aid Organization / Protection Assistance Center in Erbil funded by UNHCR pacerbil@gmail.com

the majority of IDPs are scattered and spread between the host community according to the living condition of each places.

d) Essential medical services and sanitation.

According to the need assessments conducted by PACs, there is still a lack of medical and sanitation services especially in place of IDP residencies.²⁵

3. Special efforts should be made to ensure the full participation of women in the planning and distribution of these basic supplies.

PAC began working on GBV and specifically on SGBV by holding group meetings with women IDPs. Beginning in June 2008, PAC hosted community meetings in four different areas with the highest amount of IDPs. The purpose of holding these group meetings is to document the problems encountered by women and to also raise awareness on their plight. PAC then attempts to provide solutions to their problems through the Team of Protection, which consists of three lawyers and a female social advisor. PAC is the first organization to take on this type of task because the government and other organizations have thus far been negligent.²⁶

Principle 20

3. Women and men shall have equal rights to obtain such necessary documents and shall have the right to have such documentation issued in their own names.

A passport for women in Iraq including KRG are given under the condition that a woman has not reached the age of 30 and has approval from the head of her family or her husband. Recently in KRG the council of minister decided to remove this condition because it is regarded as violation against women's. Following this decision, PAC staff followed up with the general directorate of nationality and passport. PAC was informed that the decision is not applicable because decision making regarding passports is related to the central government. Once KRG gains further autonomy, PAC was informed, the decision will be upheld without the consent of the central government. The decision taken by the minister was due to the pressure applied by unions of women and civil society organizations.²⁷

Principle 21

1. No one shall be arbitrarily deprived of property and possessions.

While previously squatters were given a time limit of 72 hours to vacate occupied property, they are currently only given a 24 hour-notice. As of 20 October, the Al-Resafa Property Committee received 227 claims for return of property, of which 208 cases were sent to Al-Resafa Commandment Center for their implementation. In 116 cases, squatters were evicted from the properties without any casualties. At that time, the Committee has not received any claims for the payment of six months' rent following an eviction.²⁸

2. The property and possessions of internally displaced persons shall in all circumstances be protected,

Right of Property (movable and immovable): The majority of IDPs in the current place of displacement (Kurdistan Region) are deprived from the right of possessing any kind of properties whether movable or immovable in spite of their Iraqi nationality. According to the permanent Iraqi constitution all Iraqis have full right to have access to possess any kind

²⁵Public Aid Organization / Protection Assistance Center in Erbil funded by UNHCR pacerbil@gmail.com

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²⁸ IDP Working Group Internal ly Displaced Persons in Iraq –Update (September 2008) [http://www.internaldisplacement.org/8025708F004CE90B/\(httpDocuments\)/D877BC914C6A92B3C125750D004BBF6B/\\$file/IDP+WG+Update+on+IDPs_returnees_Sep08.pdf](http://www.internaldisplacement.org/8025708F004CE90B/(httpDocuments)/D877BC914C6A92B3C125750D004BBF6B/$file/IDP+WG+Update+on+IDPs_returnees_Sep08.pdf)

of properties, but IDPs must go through long and sometimes impossible procedures in order to exercise this right. 29

Shelter re-mains a high priority for all Iraqis with many existing structures extremely dilapidated, structurally unsafe and without access to basic services; conservative figures estimate that over 1.27 million housing units are needed (OCHA, 13 February 2008).

62 per cent of IDPs live in rented housing, 15 per cent with host families, 18 per cent in collective town settlements, tents or former military camps, and 5 per cent in public buildings. Those renting accommodation often endure overcrowded conditions in substandard rental property, but with the substantial increase in rents and a lack of regular income or savings many face eviction and secondary displacement. IDPs in public buildings or on public land live under the threat of eviction by local authorities (IDP WG, 27 June 2008 and November 2008). OCHA estimated in February 2008 that 14,000 internally displaced families were living in public buildings and a further 45,000 in “camp-like settlements” with inadequate access to basic services (OCHA, 13 February 2008); while according to UNHCR’s calculations based on various sources, up to 250,000 individuals were living on public property in September (UNHCR, September 2008). 30

Principle 23

1. Every human being has the right to education.

Many students have no access to school because of language barriers and distances. Their current place of residence does not have Arabic schools. The nearest one is too far for them to commute everyday; daily travel expenses would become too overwhelming. Some places in the KRG area and specifically in Khabat district of the Erbil governorate have more than 150 student that have no access to school. Similarly, in the Drabandikhan district of the Sulaymaniyah governorate currently has 76 students who have no access to school.³¹

3. Special efforts should be made to ensure the full and equal participation of women and girls in educational programmes.

The collapse of security has led the internal displacement of 2.7 million people (UNHCR figures April 2008) who continue to be in need of everything from food, water, housing, medical care and education for their children. The Iraqi Red Crescent Society estimates that 38 percent of IDPs are women and children. Education rates are falling according to UNICEF, prior to the Gulf War 92 % of all school age children attended school. By the start of 2008, this number had dropped to 67.2 %. Almost 1 in 4 children (or an estimated 800.000 children) no longer get an education. The majority of youth that are not receiving any education are girls (31%), while 17.5 % are boys. Note that this percentage is from who are not receiving any education.³²

4. Education and training facilities shall be made available to internally displaced persons, in particular adolescents and women, whether or not living in camps, as soon as conditions permit.

²⁹Public Aid Organization / Protection Assistance Center in Erbil funded by UNHCR pacerbil@gmail.com

³⁰ Challenges of forced displacement within Iraq”[http://www.internal-displacement.org/8025708F004BE3B1/\(httpInfoFiles\)/07A9E0C588CD5FECC12575240047DB82/\\$file/Iraq_Overview_Dec08.pdf](http://www.internal-displacement.org/8025708F004BE3B1/(httpInfoFiles)/07A9E0C588CD5FECC12575240047DB82/$file/Iraq_Overview_Dec08.pdf) ⁴⁹

³¹ Public Aid Organization / Protection Assistance Center in Erbil funded by UNHCR pacerbil@gmail.com, Civilization Development Organization Protection Assistance Center in Erbil funded by UNHCR pac_cdo@yahoo.com.

³² Assistance to Iraqi IDPs and Refugees – MEIQ81 (Revision 2)
[http://www.reliefweb.int/rw/RWFFiles2009.nsf/FilesByRWDocUnidFilename/CJAL-7PSN28-full_report.pdf/\\$File/full_report.pdf](http://www.reliefweb.int/rw/RWFFiles2009.nsf/FilesByRWDocUnidFilename/CJAL-7PSN28-full_report.pdf/$File/full_report.pdf)

No National Policy exists and subsequently no specific laws are in place in regards to the IDPs. As a result of such, only a minority have IDPs have had schools built to suite the language of the people.

SECTION V - PRINCIPLES RELATING TO RETURN, RESE1TLEMENT AND REINTEGRATION

Principle 28

2. Special efforts should be made to ensure the full participation of internally displaced persons in the planning and management of their return or resettlement and reintegration.

The IDPs have no representatives in most locations and therefore they do not participated and are not involved in the process.³³

Principle 30

All authorities concerned shall grant and facilitate for international humanitarian organizations and other appropriate actors to assist in their return or resettlement and reintegration.

The authorities have no grant and no policy to assist any organizations that assisting the IDPs³⁴

Recommendations:

- To assist Iraqi government to adapt the IDPs National policy and to produce domestics laws that protect the human rights of IDPs
- UN to push Iraqi government to sign all UN human right conventions for human rights protects such as SIDAW and UN IDPs Guiding Principles
- Improving Access for IDPs and Returnees to Acceptable Shelter Solutions
- Improve the ability of NGOs to respond in a neutral and impartial manner, donors and UN agencies need to provide greater, more readily accessible, long-term, flexible emergency humanitarian funds.
- The necessary mechanisms must be put in place to ensure that NGOs, including Iraqi NGOs, can receive funds in a timely manner, building on discussions underway to better operationalize remote programming mechanisms for monitoring and evaluation.
- The primary responsibility to assist IDPs lies with the Iraqi authorities. There is a need to support the capacities of the Government of Iraq to enable them to make funds, goods, and facilities available to NGOs, facilitate the movement of aid workers, and ensure the delivery of humanitarian aid.
- International donors have to give more generously so that the needs of the IDP population for temporary housing that offers protection from cold and heat, water and sanitation, and temporary schools for IDP children can be adequately addressed. To meet these needs it will be essential to cooperate with Iraqi national and local NGOs. At the same time, involving Iraqi NGOs and building upon their capacities will contribute to a strong civil society in the future.
- The UN, NGOs, and other humanitarian actors on the ground need to illustrate that despite the challenging situation, it is still possible to address humanitarian needs

³³ Public Aid Organization / Protection Assistance Center in Erbil funded by UNHCR pacerbil@gmail.com, Civilization Development Organization Protection Assistance Center in Erbil funded by UNHCR pac_cdo@yahoo.com.

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inside Iraq, if the necessary resources are made available, by increasing their communication and exchanges of information with other humanitarian actors. The UN particularly needs to revisit the way in which it is working in Iraq by overhauling its security procedures. NGOs are able to work with international staff in many parts of Iraq. It is time for the UN humanitarian agencies to find similar means of working in the country to respond to humanitarian needs. The UN needs to play a greater role in protection, coordination, and information-sharing through a significantly increased presence throughout Iraq.

- UN agencies, governments, international donors and international, national and local NGOs must cooperate to develop innovative approaches that make it possible to work even in the most adverse security environment
- KRG government stopped distribution money on the IDPs; last year Directorate of Displacement and Migration (DDM) started distributing amount of one million ID (900,000ID as compensation and 100,000ID as feast present) this was allocated by central government as compensation for IDPs, a first DDM decided to distribute half of the amount to cover as more number as possible they covered more than half of the registered IDP families in their database, but they stopped when the first payment by the central government finished. That is why numbers of IDP families did not even receive half the payment. IDPs persistently complain about the lack of aid. It is recommend that UNHCR talk to the decision makers in the Center to send the other payment.
- The retirement salary for IDP families; there are problems between KRG and Central Government about the transferring of the retirement salary. The biggest problem is that the central bank doesn't agree to send money to KRG for the distribution of funds to the IDPs. It is recommended to work on this issue because large numbers of IDPs are in need of the funds and the only way to receive them is to push the Iraqi Central Government to release the money to KRG.
- KRG currently stopped transferring PDS Cards. This creates a problem for IDPs because they don't have any source of income and they are in need of food items. It is recommended to force KRG government and central government to solve this problem.
- Kerosene, food required, providing health treatment, provide summer and winter home needs and requirements according to the seasons.
- And to consider plans to provide the transportation arrangements for Arab students from the locations outside Erbil to the Erbil city due to non availability of Arabic schools in such places and/or provide Arabic schools in all the places that have Arabic language IDP students.

Report completed with the collaboration of below members in the IDPs Rights

Network:

- Public Aid Organization/Protection Assistance Center.
- Iraqi center for support the role youth.
- Democracy and Human Rights Development Centre.
- Civil Development Organization/Protection Assistance Center.
- Aaile_al Furat for Relief and Development.
- Kurdish Human Rights watch--Protection Assistance Center.