

Iraq Humanitarian Country Team
Protection Strategy
2019-2021

“Responding to the key protection needs of affected people is a priority for the humanitarian community and will be enhanced through strategic leadership, coordination, advocacy, programming, capacity-building and monitoring across all sectors and clusters.”

Iraq 2019 Humanitarian Response Plan, Part 1: Centrality of Protection

Introduction

The Inter-Agency Standing Committee (IASC), in its *Policy on Protection in Humanitarian Action*, “has committed to a system-wide and comprehensive response to conflicts and disasters” and affirms that this “response is driven by the needs and perspectives of affected persons, with protection at its core.”¹ The policy complements the UN Human Rights Up Front initiative, which places human rights at the centre of humanitarian policy making.²

In accordance with this policy, the Iraq Humanitarian Country Team (HCT) affirms the Centrality of Protection³ and *IASC Commitments on Accountability to Affected People and Protection from Sexual Exploitation and Abuse*⁴ in the humanitarian response to Iraq’s complex post-conflict and transition context, and acknowledges that “the HCT is ultimately accountable to the people in need.”⁵

Accordingly, the HCT, under the leadership of the Humanitarian Coordinator (HC), has developed a post-conflict Protection Strategy for the Iraq context, which reflects the current operational landscape, as articulated in the 2019 Humanitarian Needs Overview (HNO) and 2019 Humanitarian Response Plan (HRP). The purpose of the Protection Strategy, and companion Action Plan, is to support the HC/HCT and Inter-Cluster Coordination Group (ICCG) to practically address key protection challenges.

The HCT Protection Strategy 2019-2021:

- Is informed by the 2019 HNO and HRP, and consultations with humanitarian actors;⁶
- Has one overarching goal and three specific objectives, including analysis of the operational context, existing interventions and their limitations, as well as proposed interventions;
- Has an accompanying Action Plan⁷ that consolidates the proposed interventions under each specific objective, to be operationalized by the HC/HCT and ICCG primarily, with

¹ IASC, *Policy on Protection in Humanitarian Action*, 2016.

² UNSG, *Rights Up Front*, May 2014.

³ IASC Principals, “The Centrality of Protection in Humanitarian Action,” statement endorsed on 17 December 2013.

⁴ In 2011, the IASC principals agreed to five Commitments on Accountability to Affected Populations as part of a framework for engagement with communities. The revised version, which was developed and endorsed by the IASC Principals on the 20 November 2017, reflects the work done by the IASC on inter-agency community-based complaints mechanisms including PSEA.

⁵ IASC, *Standard Terms of Reference for Humanitarian Country Teams*, 2017.

⁶ Annex 2: List of Consultations.

⁷ Annex 1: Action Plan.

technical/analytical support from the National Protection Cluster (NPC) as needed, including timelines and progress indicators;⁸

- Proposes a follow-up mechanism, involving semi-annual stock-taking exercises, to be implemented over the two-year duration of the HCT Protection Strategy.

Overarching Goal: *People affected by recent armed conflicts in Iraq enjoy their fundamental rights, are free from discrimination, and are supported in the transition to durable solutions, in accordance with applicable international legal standards and protection principles, as well as domestic legal and policy frameworks.*

Six million people were displaced during the conflict against the Islamic State in Iraq and the Levant (ISIL) from 2014 to 2017. While more than four million people have returned to their communities as of August 2019, approximately 1.6 million Iraqis remain displaced within the country. The conflict generated extreme violence, arbitrary arrests, detentions and disappearances, psychosocial trauma and distress, gender-based violence (GBV), grave violations of children's rights, destruction of housing, land and property (HLP), and public infrastructure, and extensive explosive hazard contamination. Tensions within and between communities caused by the conflict are ongoing, creating conditions conducive to fresh protection threats.

Although large-scale military operations against ISIL concluded in December 2017, security and other dynamics remains unpredictable throughout the country, preventing conflict-affected people from enjoying their fundamental rights and achieving durable solutions. These include, *inter alia*:

- Ongoing insecurity and challenges within the security sector;
- Lack of livelihoods opportunities and related socio-economic vulnerability, and the subsequent adoption of negative coping strategies;
- Lack of, and barriers to, accessing essential public services, infrastructure, and reconstruction investment;
- Wide-spread corruption and lack of reliable public planning and information;
- Community-level exclusionary attitudes and practices and unresolved tribal disputes, coupled with insufficient social cohesion and reconciliation efforts.

The Government of Iraq's (GoI) efforts to manage security risks at times generate rights violations. The often discriminatory and unlawful application of the security clearance regime is primarily concerned with addressing the former actions, and ongoing presence, of ISIL. It frequently results in restrictions on movement, or in accessing essential public services, and creates obstacles to safe, voluntary and dignified returns,⁹ particularly for people with perceived affiliation to ISIL, including those who are unable to prove their identities. This has a demonstrated causal link to increases in sexual exploitation and abuse and other forms of GBV towards vulnerable men, women, boys and girls. Further, the desire to exact revenge against particular individuals and groups – evident through, for instance, retaliatory attacks, collective punishment, and obstructed returns – has also generated serious human rights

⁸ Senior Transformative Agenda Implementation Team (STAIT) model suggested different and complementary levels for protection actions: HCT (advocacy for centrality of protection), ICCG (AAP, Protection Mainstreaming and Gender), NPC (protection analysis and standalone protection activities).

violations that represent an obstacle to durable solutions for internally displaced persons (IDPs) and returnees, to social cohesion within and between communities, and to recovery and long-term stability. In sum, vulnerable individuals and families continue to face immense challenges.

Acts of GBV against men, women, boys and girls, including sexual violence, continue to threaten the physical and mental health of survivors. Due to widespread social stigma there is significant under-reporting of GBV (particularly Conflict-Related Sexual Violence (CRSV)) to GBV actors, and data collection through the GBV Information Management System (GBV IMS). Instances of GBV perpetrated against IDPs and returnees, including people with perceived affiliation, and particularly women and girls, are addressed through preventative and responsive activities of GBV partners, coordinated through the GBV Sub-Cluster. This includes safety audits by GBV partners in camps and informal sites. UNAMI's Monitoring, Analysis and Reporting Arrangements Working Group (MARA WG) on Conflict-Related Sexual Violence (CRSV) supports the GoI with implementation of key interventions outlined in the 2016 Joint Communiqué on Prevention and Response to Conflict-Related Sexual Violence. The GBV IMS includes information-sharing protocols between the GBV Sub-Cluster and MARA WG. An inter-cluster network of GBV focal points was created to develop and implement action plans, including facilitation of GBV mainstreaming training across Iraq.

As such, the GBV Sub-Cluster will compile information through GBV safety audits and governorate-level GBV working groups on camps and informal sites in which CRSV incidents have been anecdotally reported to GBV partners, and share such information with the MARA WG in accordance with their agreed Information Sharing Protocol. If appropriate and necessary, the MARA WG will conduct monitoring missions to such camps/sites to gather information on CRSV risks, after consultation with NPC and CCCM Cluster on risk assessment and mitigation measures. The MARA monitoring mission reports will be submitted on a quarterly basis to the HC/HCT to inform advocacy and strategic outreach. The GBV Sub-Cluster will develop and implement follow-up action plans for scaling up of GBV prevention and response interventions in camps / sites where CRSV risks are assessed to be high.

In order to secure the enjoyment of fundamental rights and advance the attainment of durable solutions in the post-conflict and transition context in Iraq, the HCT and broader humanitarian community must continue to adopt a rights-based and solutions-oriented engagement with civilian authorities, and military and security actors. This should include institutional support and evidence-based advocacy, including for the strengthening of domestic legal and policy frameworks. In parallel, it should continue to provide direct humanitarian assistance to vulnerable conflict-affected people through principled and needs-based programming.

The Centrality of Protection was elevated to a Strategic Objective in the 2019 HRP. In practical terms, this will be accomplished through:

- Prioritization of protection and assistance for people with perceived affiliation to extremists;
- Engagement with authorities, including Governorate Returns Committees (GRCs), to collectively plan for camp consolidation and closure, and to advocate principled returns;
- GBV prevention and risk mitigation across all sectors;
- Revitalization of the Prevention of Sexual Exploitation and Abuse (PSEA) Network;
- Strengthening of Accountability to Affected People (AAP) mechanisms.

Multiple actors contribute to the overarching goal of the HCT Protection Strategy. It is imperative for human rights, recovery and development partners – including civil society

organizations – as well as Member States, to support the GoI to progressively strengthen governance in sectors such as security, rule of law, access to justice and socio-economic protection, and crucially, to ensure non-discriminatory access to public services. Ultimately, protection requires a collective, whole-of-system approach.

Specific Objective 1: Protect the rights of, and promote solutions for, people with perceived affiliation to extremists.

People with Perceived Affiliation: Many Iraqi IDPs, returnees and host community members have been subject to allegations by civilian authorities, military and security actors, religious and tribal leaders, and community members that they, or one or more of their family members, were or are affiliated with extremist groups. Often these allegations are made without formal criminal charges or evidence. As a result of such allegations, affected individuals and frequently their relatives have been subject to:

- Discriminatory denial of humanitarian assistance;
- Denial of security clearances and consequent movement restrictions;
- Institutionalized barriers in access to government services linked to security clearance, including civil documentation and birth registration for children, courts, compensation for damaged/destroyed property, and government social protection mechanisms;
- Deprivation of liberty in closed camps, or segregation within camp sectors;
- Widespread social discrimination;
- Obstructed returns to their areas of origin.

They have also faced harassment, extortion and physical violence; GBV, including SEA and the exposure to risk of harm from survival sex; confiscation of identity documents; forced evictions or coerced movements (from IDP camps and settlements, often leading to secondary displacement, and from areas of origin); as well as unlawful expropriation and targeted destruction of housing, land or property. Some individuals who feel stigmatized due to perceptions of affiliation to ISIL may isolate themselves due to fears of harassment, thereby not availing themselves of assistance and services afforded to other Iraqis. In some instances, entire communities have been labelled as affiliated with extremists. Such treatment of individuals, families and communities with perceived affiliation amounts to collective punishment, and contributes to heightened vulnerability.

Iraqi citizens suspected of crimes should be criminally charged and prosecuted through procedures established by law. Without charge, they should be treated as free citizens. Accordingly, the humanitarian community recognizes that these individuals have the right to full enjoyment of their fundamental rights in accordance with the GoI's constitutional, international human rights and international humanitarian law obligations, particularly those related to non-discrimination,¹⁰ right to a fair trial and due process guarantees,¹¹ right to

¹⁰ See Articles 14 & 16 of the Iraqi Constitution (2005); Articles 2(1) & 26 of the ICCPR; and Article 2(1) of the ICESCR.

¹¹ See Article 19 of the Iraqi Constitution (2005); and Article 14 of the ICCPR.

liberty,¹² security of the person,¹³ freedom of movement and residence,¹⁴ the right to a legal identity,¹⁵ HLP rights,¹⁶ and the prohibition of collective punishment.¹⁷

In order to respond to the protection threats that these individuals and their families face, the NPC prepared a position paper titled *Recommendations for the Way Forward: Protection Concerns and Proposed Solutions for Iraqi Citizens with Perceived Affiliation*, which was endorsed by the HCT in October 2018. In addition, in 2019, clusters/working groups reflected on the unique needs and vulnerabilities of people with perceived affiliation in the HNO, and proposed sector-specific interventions to address identified needs and/or mitigate protection risks in the HRP.

In January 2019, an HCT-level Task Force on Protection and Solutions for People with Perceived Affiliation was convened to provide strategic direction on priority protection issues¹⁸ including access to civil documentation, access to legal assistance, freedom of movement, security clearances and denial of humanitarian assistance.¹⁹ The Task Force meets quarterly, at the Head of Agency level, to determine engagement and advocacy with relevant partners on protection and solutions for people with perceived affiliation, including GoI, the Coalition and donors.

Many of the rights violations to which people with perceived affiliation and IDPs in general have been subjected to involve military/security actors. There is a need for continuous engagement, capacity building, and high-level advocacy with such actors.²⁰ An HCT-level Task Force on Civil-Military Coordination for Protection Issues will be convened to provide strategic direction on priority issues, including: progressive dismantling of security clearance mechanisms, or at minimum, disassociation of security clearance from access to public goods and services, including civil documentation, courts, HLP compensation; lifting of movement restrictions, particularly in camps and informal settlements; respect for civilian and humanitarian character of camps (in accordance with the Prime Ministerial Directive of 3 April 2017); prevention of arbitrary arrest/detention,²¹ and provision of timely information to detainees and/or their family members on the reasons for and location of detention; prevention of and accountability for sexual exploitation and abuse by military/security actors; protection of humanitarian data; and operational independence of humanitarian actors. The Task Force will comprise humanitarian, human rights and security sector reform actors at the Head of Agency level, and will meet quarterly to determine engagement and advocacy with relevant partners on these issues, including GoI, the Coalition, Iraqi Security Forces and donors.

¹² See Articles 15 & 19(2) of the Iraqi Constitution (2005); and Articles 9 & 10 of the ICCPR.

¹³ See Articles 29(4) & 37(1)(c) of Iraqi Constitution (2005); Articles 9(1) & 7 of ICCPR; and Convention Against Torture.

¹⁴ See Article 44 of the Iraqi Constitution (2005); and Article 12(1) of ICCPR.

¹⁵ See Article 18 of the Iraqi Constitution (2005) deals with the right to an Iraqi nationality; and Article 16 of ICCPR.

¹⁶ See Article 23 of the Iraqi Constitution (2005); the Law of Estate Lease (1979); and Iraqi Civil Code (1951).

¹⁷ Article 19(8) of the Iraqi Constitution (2005) states that, "Punishment is personal." Collective punishment can constitute a war crime and breaches the GoI's international humanitarian law obligations.

¹⁸ Per the HCT-endorsed position paper *Recommendations for the Way Forward: Protection Concerns and Proposed Solutions for Iraqi Citizens with Perceived Affiliations*.

¹⁹ The Task Force requested the NPC and Camp Coordination & Camp Management (CCCM) clusters to compile data on these prioritized protection issues, in order to inform evidence-based advocacy by the HC/HCT.

²⁰ The Human Rights Due Diligence Policy (HRDDP), adopted in July 2011, requires all United Nations entities to be diligent in ensuring that support to non-UN security forces is provided in a manner that is consistent with the purposes and principles set out in the Charter of the United Nations, and is compliant with, and promotes respect for, international humanitarian, human rights and refugee law. This requires UN entities, including peacekeeping missions, to: a) assess and evaluate risks and benefits involved in the provision or withholding of support; b) engage transparently with the receiving entities about the UN's legal obligations and core principles governing the provision of support; and c) develop an effective implementation framework.

²¹ Including prioritization of the prevention of rearrest of individuals already processed by Federal Iraq or KRI criminal justice systems should they cross from one territory to another, and prevention of ill-treatment and torture through sustained monitoring of detention facilities and trials by human rights actors.

Humanitarian Principles: Local authorities have repeatedly denied permission to humanitarians to assist individuals and families with perceived affiliation, under threat of suspension of their activities. Also, community members and/or leaders have opposed the delivery of humanitarian assistance to individuals or families with perceived affiliation. Humanitarian partners have also been obstructed from accessing areas wherein entire communities are perceived by civilian, military or security actors to be affiliated with extremists. As such, it is proposed for OCHA and clusters/working groups to more actively promote non-discriminatory access to humanitarian assistance through awareness raising on humanitarian principles – targeting civilian authorities, military/security actors, and community leaders – with a particular emphasis on impartiality and need-based targeting.²² To support this effort, it is proposed that clusters and working groups establish clear targeting criteria for inclusion in IEC materials for communicating with communities.

Humanitarian partners will continue to provide the HC and HCT with timely protection-related information on rights violations faced by people with perceived affiliation. These are listed in the Action Plan.

***Specific Objective 2:** Strengthen accountability to affected populations through streamlined and revitalized coordination, and collective ownership across all sectors.*

Accountability to Affected Populations (AAP): Humanitarian partners presently engage with conflict-affected populations in different phases of the humanitarian programme cycle, to ensure that humanitarian programming is informed by their inputs. Affected populations are consulted during the needs identification (HNO) and strategic planning (HRP) processes. The HCT requires each project included in the HRP to identify how it will promote AAP, including activities that involve beneficiaries in the design, implementation, and monitoring and evaluation of activities, and through functional complaint and feedback mechanisms. Additionally, through adoption of the IASC Gender and Age Marker, humanitarian partners working under the HRP have committed to gender- and age-responsive programming, including incorporation of sex and age disaggregated data, to ensure inclusive participation and equitable access to assistance.

Several initiatives contribute to AAP in Iraq. These include: (i) Iraq Information Centre (IIC) – managed by UNOPS;²³ (ii) PSEA Network – co-chaired by UNFPA and UNHCR; (iii) GBV hotline – managed by UNFPA; (iv) Community Resource Centres (CRC) – led by IOM and a rotating NGO co-chair; (v) Communication with Communities Task Force (CwC TF) – under the NPC, (vi) IDP camp-based feedback structures; and (vii) cluster/working group-specific feedback mechanisms.

Despite the multiplicity of AAP platforms in Iraq, these initiatives require consistent participation of all sectors, streamlining and coordination. For example, greater participation by all clusters in the CRC Steering Committee would strengthen CRCs' ability to serve as information and referral hubs for community members to access information and referral on available humanitarian services in areas of return.

Therefore, it is proposed to deactivate the CwC TF, and to establish an amalgamated ICCG AAP/CwC Working Group under the ICCG, to be co-chaired by OCHA and UNHCR, in order

²² Awareness-raising is as a preventative measure supporting aforementioned HCT-led advocacy efforts to address rights violations of people with perceived affiliation, including denial of humanitarian assistance.

²³ IIC is a common service.

to increase participation and collective ownership by all sectors, coordinate inter-sectoral initiatives, and share information on best practices, lessons learned, and existing resources/tools. Moreover, the AAP/CwC Working Group can pool partner resources for development and dissemination of IEC materials, and serve as a repository of IEC materials accessible by all clusters. A streamlined coordination mechanism will also ensure joined-up progress reporting against Core Humanitarian Standard and Grand Bargain commitments related to strengthening AAP.

The IIC is one of the most utilized complaints and feedback mechanism serving IDPs, returnees and host communities throughout Iraq. Approximately 90 per cent of calls are resolved on the first call. However, resolution rates for calls requiring referral to clusters were at 29 per cent across all clusters between January and June 2019. Therefore, it is proposed that clusters improve resolution rates for calls requiring IIC referral by at least 10 per cent annually. To enable measurement of progress, it is proposed that the IIC provide quarterly reports to the ICCG on resolution rates per cluster, and for clusters/working groups to share up-to-date service mapping and key messages with the IIC at least semi-annually. Finally, the IIC should increase awareness about its services across Iraq, particularly in governorates or districts with lower call rates from affected populations.

Protection from Sexual Exploitation and Abuse: The PSEA Network was established in Iraq in 2016 to coordinate and support the implementation of the UN's strategy to combat sexual exploitation and abuse. The Network receives complaints of SEA perpetrated by humanitarian actors – primarily through the IIC – and follows up through investigation of allegations, while referring affected individuals to specialist GBV partners for assistance and support. The Network also conducts awareness-raising on PSEA, and on reporting procedures. The Network requires strong and effective coordination in order to support humanitarian agencies, managers and other personnel to prevent and respond to SEA incidents. Under the leadership of the HC, the PSEA Network must operate at full capacity, requiring financial investment by members, in support of the Secretary-General's Bulletin on 'Special Measures for Protection from Sexual Exploitation and Sexual Abuse' (ST/SGB/2003/13). In practical terms this should include: (i) review and update of its ToR, including expansion of membership beyond UN agencies to include NGOs; (ii) establishment of an annual work plan, including an increase in awareness-raising activities, and strengthening of referral pathways; and (iii) preparation of trends analysis for the ICCG and HC/HCT.

In addition, in light of a number of SEA allegations and complaints made about government, security, police and military actors, the PSEA Network will share information about any such complaints received in its quarterly dashboards, although investigation of these complaints goes beyond the Terms of Reference of the PSEA Network.

Protection Mainstreaming (including GBV and Child Protection): AAP is a core element of protection mainstreaming and system-wide AAP, more broadly, has protection considerations. The NPC, GBV Sub-Cluster and Child Protection Sub-Cluster will continue to provide support and capacity development on protection, GBV and Child Protection mainstreaming. This national training program for partners and other stakeholders will support all protection mainstreaming learning outcomes, including strengthened protection-related AAP across all clusters and working groups.

Given the range of mainstreaming initiatives operating in Iraq, and in order to ensure the systematic implementation of mainstreaming across all sectors, it is proposed for each cluster and working group to articulate its protection/GBV/CP mainstreaming action plans, including meaningful AAP activities, which can be technically supported by the NPC, GBV and CP sub-clusters. Particular attention should be paid to age, gender and disability inclusion, and the

promotion of non-discriminatory access to assistance. Progress reporting on implementation of the action plans should follow.

Specific Objective 3: Integrate the centrality of protection in the post-conflict transition towards durable solutions.

Although the GoI announced the official end of major military operations against ISIL in December 2017, significant humanitarian needs remain among vulnerable IDPs, returnees and host community members. However, consultations with donors as part of the development of this HCT Protection Strategy revealed that funding for the humanitarian response beyond 2019 is likely to decrease. While clusters and working groups are required to articulate sector-specific exit strategies in the HRP, some donors have expressed a desire for humanitarian actors to prioritize longer-term transition activities including strengthening public services, operationalizing the humanitarian-development nexus (including with respect to social cohesion issues), and progressing towards durable solutions.

Public Service Provision and Operationalization of the Humanitarian-Development Nexus: The “post-conflict transition towards durable solutions” is one of three HRP Strategic Objectives set by the humanitarian community in 2019. In practical terms, this means that humanitarian partners will, *inter alia*, support strengthening of, and access to, public services provided by the GoI in areas of displacement and origin, and coordinate with recovery and development partners to ensure responsible transition and complementarity in accordance with the principles of the New Way of Working.²⁴

For example, GBV and Child Protection actors should continue to work with the Ministry of Labour and Social Affairs (MoLSA), the Directorate of Labour and Social Affairs, and the Directorate for Combatting Violence Against Women in the Kurdistan Region of Iraq (KRI), to train social workers to integrate IDPs into regional social care services. Additionally, the Shelter/NFI Cluster and UN-Habitat’s GIS-based data portal contains information on shelter rehabilitation initiatives, which feeds into the Ministry of Planning’s Main National Platform for Construction and Development.²⁵ The HCT, on advice from the Shelter/NFI Cluster and HLP Sub-Cluster, advocates HLP compensation mechanisms and timely disbursement of compensation rewards to be provided by the GoI. In addition, the Cash Working Group (CWG) works with MoLSA on joint planning for transition of Multi-Purpose Cash Assistance (MPCA) beneficiaries to MoLSA social welfare benefits.

In order to support transition to public services, the HCT and UNCT should prepare a joint advocacy strategy and action plan to encourage the GoI to assume greater responsibility for basic services provision in areas of displacement and origin and to ensure that adequate budgetary allocation and appropriate administrative mechanisms are in place for priority services (e.g. MoLSA social welfare benefits, HLP compensation, return grants).

In addition, it is proposed that the HC/RC convene a dialogue between humanitarian, stabilization, recovery and development actors on operationalization of the humanitarian-development nexus, in accordance with the principles of the New Way of Working. The focus of such dialogue should be on establishing mechanisms for coordination, information-sharing, operational linkages and complementary approaches between existing frameworks, in order to ensure a responsible transition toward solutions.

²⁴ https://www.unocha.org/sites/unocha/files/NWOW%20Booklet%20low%20res.002_0.pdf

²⁵ <https://mnpd.gov.iq/en/>

Social Cohesion and Reconciliation: Serious pre-existing and exacerbated tensions between social, religious, ethnic and tribal groups are major obstacles to return or local integration of IDPs and returnees. In recent years, this has included social discrimination towards people with perceived affiliation to extremists. This has been documented in several assessments, including intentions surveys, several Rapid Protection Assessments, an analysis of protracted displacement and quality of returns, and reports by human rights organizations. The impact of such tensions in a post-conflict environment cannot be underestimated. Under the 2019 HRP, some NPC partners are implementing limited ‘peaceful co-existence’ programmes to address social cohesion issues in areas of displacement. For social cohesion issues in areas of origin, it is critical for humanitarian partners to be able to systematically refer such issues to recovery and development actors engaged in medium-term social cohesion interventions, and/or to the GoI-led longer-term reconciliation initiatives.

Some localized social cohesion initiatives exist, including the Ninewa Peace and Reconciliation Working Group. The Development Coordination Office manages the Social Cohesion and Reconciliation Working Group, part of the Recovery and Resilience Plan (RRP). The GoI manages the Implementation and Follow-Up Committee on National Reconciliation and the Peace Committees under the Prime Minister’s Office, which both deal with long-term tribal reconciliation issues. Individual and systemic issues identified by humanitarian partners and referred to appropriate development and recovery partners should be urgently addressed by those partners, and a system of linked accountabilities must be developed. Social tensions make durable solutions impossible, and expose donor investments to extremely high risk.

Hence, it is proposed for clusters/working groups to report cases of social tensions and inter-communal disputes to the NPC for presentation to the HCT via the Critical Protection Notes, a standing item at HCT meetings. The HC/HCT should advocate scaling up of social cohesion interventions by recovery and/or development actors, and reconciliation initiatives by the GoI. It is also proposed that OCHA – on behalf of the HC/HCT – report back to the ICCG on interventions undertaken by relevant stakeholders.

Durable Solutions: In 2018, GRCs were established in Al-Anbar, Diyala, Kirkuk, Salah Al-Din and Ninewa. The GRCs are chaired by the Deputy Governors, with participation of at least two UN agencies and two NGOs, to enable consultative and principled decision-making on camp consolidation and closure, and principled return of IDPs to their areas of origin. To that end, Prime Ministerial instructions were issued in April 2018, ordering the establishment of the GRCs and endorsing their ToRs. In September 2018 a Principled Returns Framework – which sets out minimum standards in order to ensure that returns are voluntary, safe, informed, dignified and durable²⁶ – was endorsed by the GoI. However, throughout 2018 and in 2019 partners reported persistent challenges with the GRCs, including unilateral decision-making by civilian and military/security actors on camp consolidation/closure (outside the ambit of GRCs), and widespread enforcement of forced or coerced returns, particularly in Al-Anbar, Baghdad and Salah Al-Din.

Principled operationalization of existing frameworks remains a key priority. As such, it is proposed for the HC/HCT, ICCG and other stakeholders (i.e. UN and NGO members of GRCs) to sustain engagement with civilian authorities and military/security actors on camp consolidation/closure and principled returns through GRCs, and to advocate the development of governorate-level joint action plans to operationalize the GRC ToRs, CCCM Cluster’s camp consolidation and closure operational guidance, the HCT-endorsed Principled Returns Framework and the draft Returns Working Group (RWG) framework on protracted

²⁶ In accordance with the IASC Framework on Durable Solutions for Internally Displaced Persons (2010).

displacement.²⁷ If needed, the membership of the GRCs can be expanded to include military/security actors, local authorities, and development actors. To signal to governorate-level and national authorities that the GRCs must remain the principal forum for consultative and principled decision-making on camp consolidation/closure and returns, and that they enjoy the full support of the humanitarian leadership, it is proposed for the HC to periodically chair the GRC meetings in each governorate, as was done in Al-Anbar Governorate in January 2019. It is proposed that OCHA provide dedicated secretariat support to the GRCs, including convening meetings, setting meeting agendas, taking minutes, following up on agreed action items, and providing regular updates to the ICCG and HCT.

As highlighted in intentions surveys and humanitarian partner reports, many IDPs do not intend to return in the short-term due to challenges in their areas of origin, including limited livelihoods opportunities, non-restoration of basic services, HLP damage/destruction, explosive hazard contamination, ongoing insecurity and tribal/sectarian disputes, and the risk of rearrest at the hands of military/security forces. These challenges have resulted in secondary displacement for newly returned families, including re-entering IDP camps or moving to unsuitable out-of-camp locations in urban areas. For IDPs with perceived affiliation to extremists, return prospects are severely limited, as it is difficult for them to obtain security clearances, and in many cases community/tribal leaders and individuals affected by extremist violence are unwilling to accept them, especially without social cohesion and reconciliation.

For IDPs who are unable or unwilling to return to their areas of origin in the long-term, the humanitarian community will continue to provide assistance where the most severe humanitarian needs remain unmet, while the HCT/UNCT and the GoI will need to facilitate access to solutions other than return, namely: local integration or relocation to another part of the country. There are legitimate concerns about whether conditions are possible in some parts of Iraq for the initiation of discussions on local integration and relocation options. However, in some locations, progress towards clear and coherent implementation of the full spectrum of durable solutions is more advanced than others, thanks to continued dialogue with local authorities. It will be imperative to build on this momentum, and it is recommended that lessons learned are drawn from the locations and cases where local integration has been implemented or naturally occurred.

The HC should lead the development of a comprehensive Strategy for Durable Solutions for Displaced People, as per the Secretary-General's Decision on Durable Solutions. This strategy should identify and analyse barriers to return, and must encompass humanitarian, stabilization, recovery and development interventions, and align with GoI's National Vision 2030.²⁸ The HC/RC has recruited a Durable Solutions expert to lead the consultation and strategy development process in Iraq.

Collectively, these interventions will contribute to integration of the centrality of protection in the post-conflict transition to durable solutions.

In addition, the RWG has been working to address issues related to protracted displacement, and this has involved consultations with key stakeholders, including humanitarian and

²⁷ The RWG is drafting an operational framework on protracted displacement, which, once endorsed by the ICCG/HCT, may be used to guide coordinated multi-sectoral interventions for IDPs in protracted displacement

²⁸ The UN Secretary-General's Policy Committee issued a decision in 2011 which recognizes durable solutions as a core responsibility of Resident Coordinators/Humanitarian Coordinators and requires them to lead the joint development of a strategy for durable solutions for IDPs and returning refugees. In 2017, the Global Cluster for Early Recovery Technical Working Group on Durable Solutions issued the Durable Solutions in Practice handbook to support the development of multi-partner durable solutions strategies. http://earlyrecovery.global/sites/default/files/durable_solutions_in_practice_-_handbook_sept_2017.pdf

development actors, donors and the government, to develop a framework to address protracted displacement in Iraq. This exercise was informed by the IOM, RWG and Social Inquiry research in October 2018, that elucidated the key obstacles to IDPs returns, which include housing, livelihoods, social cohesion, basic services (utilities, schooling, health care), security-related concerns, mental health, and the known or assumed presence of UXO. The operationalization of the protracted displacement framework will include pilot projects in select areas for IDPs who intend to return. These pilots are a joint initiative between humanitarian and development actors in the areas of origin, as well as local government. The framework also seeks to address alternative solutions for IDPs who are not able to return, which involves extensive engagement with authorities to identify alternative solutions for these populations.

Accompanying Action Plan:

On the basis of the overarching goal and specific objectives presented above, an Action Plan identifying concrete outputs required to operationalize the HCT Protection Strategy has been developed. Actions have been formulated and assigned at different levels of the humanitarian coordination architecture and the Protection Pyramid, i.e.: HC/HCT, ICCG (clusters/working groups), the NPC and the protection sub-clusters. In addition, some actions involve other key stakeholders, such as human rights, stabilization, recovery and development actors, and a Durable Solutions expert. The Action Plan is annexed to the HCT Protection Strategy (see Annex 1).

Follow-Up Mechanism:

The HCT Protection Strategy will be rolled out over a two-year period from August 2019 to August 2021.

A follow up mechanism will be organized through semi-annual stock-taking exercises:

- After six months to measure progress against agreed indicators, including by HC/HCT (with OCHA support), ICCG (with OCHA support), NPC co-lead agencies, lead agencies of relevant sub-clusters and RWG;
- After one year to assess the need for revision of the Strategy, as needed, particularly with respect to Specific Objective 3 on durable solutions, in order to ensure alignment with the yet-to-be-formulated UNSDCF and the 2020 HRP, including including by HC/HCT (with OCHA support), ICCG (with OCHA support), NPC co-lead agencies, lead agencies of relevant sub-clusters and RWG;
- After 18 months to measure progress against agreed indicators by HC/HCT (with OCHA support), ICCG (with OCHA support), NPC co-lead agencies, lead agencies of relevant sub-clusters and RWG;
- At the end of the two-year timeframe of the Strategy, to measure progress, challenges and lessons learnt, including by HC/HCT (with OCHA support), ICCG (with OCHA support), NPC co-lead agencies, lead agencies of relevant sub-clusters and RWG.

The IASC Protection Capacity Project (ProCap), which supported the development of the HCT Protection Strategy, maintains a roster of protection personnel able to support the operationalization of the strategy.

Marta Ruedas, Humanitarian Coordinator/Resident Coordinator for Iraq,

On behalf of the Humanitarian Country Team Iraq

Baghdad,

Date