



*Institute of Regional and International Studies (IRIS) &
Civil Development Organization (CDO)*

Roundtable on the IDP Crisis in Sulaimani Governorate: Registration, Protection, and Access to Services

Tuesday, April 28th, 2015
American University of Iraq, Sulaimani (AUIS)

OVERVIEW

The Institute of Regional and International Studies (IRIS) at the American University of Iraq, Sulaimani (AUIS) hosted a roundtable discussion on “The IDP Crisis in Sulaimani Governorate”, focusing on the issue of registration and legal status, as well as its impact on protection and access to services.

This closed roundtable convened representatives from international humanitarian organizations, local and international NGOs, the Central and Kurdistan Regional Government, as well as selected representatives from displaced populations. By bringing together such actors from different sectors, the event captured a robust range of angles and attitudes on the IDP crisis, allowing comprehensive, valuable insight and recommendations on the topics discussed.

This event was planned and organized by Christine van den Toorn, Director, and Zeina Najjar, Coordinator, of the Institute of Regional and International Studies (IRIS) at AUIS, as well as Bakhtyar Ahmad Salih, Project Coordinator, and Shwan Sharey, Senior Data Manager, at CDO. Shwan is also a lecturer at Human Development University (UHD). Erbil-based human rights lawyer Sherizaan Minwalla, who moderated the roundtable, planned the structure and format of the event. This report was written and edited by Zeina Najjar and Shwan Sharey.

EXECUTIVE SUMMARY

Several major problem areas were identified by participants of the roundtable. A large number of IDPs are missing essential documentation, which limits their access to both legal services and basic needs such as food rations, increasing their vulnerability. For IDPs who managed to flee with some of their documents, local security forces often confiscate these citing security concerns. For those who arrived missing essential documents, the process of retrieving them involves travel to Baghdad or other distant provinces as the central government has yet to establish a presence to address this issue in Sulaimani. Such travel is both costly and time-consuming, and is not an option for many members of the IDP community who continue to lack documents and endure the consequences.

Moreover, lack of coordination and information sharing between the central and regional government, as well as between the regional government and NGOs and UN agencies, can lead to gaps in services and inefficiencies in the allocation of much-needed resources. Electricity and water are particularly scarce, especially within Arbat camp, which is not improved due to it being labeled a 'transient' camp. Water and electricity shortages are only expected to worsen as summer approaches, creating additional concerns about sanitation and the spread of epidemics within densely populated camps. Overcrowding and the condition of infrastructure and sanitary facilities within the camp also create protection concerns, as women and girls are made more vulnerable to harassment and health risks.

The outcome of the roundtable discussion is a set of 12 recommendations addressing the above issues listed at the end of this report.

Session 1 – Registration, Security & Legal Status

The first session of the day convened representatives from NGOs and the local and central governments, as well as representatives of several IDP communities within Arbat, Sulaimani's largest camp for displaced persons. All participants are directly involved with relieving the IDP crisis in the Sulaimani Governorate. The session's discussion focused on the challenges connected with the registration and documentation of IDPs, as well as the main concerns faced by local security forces.

Participants

- Sherizaan Minwalla, Moderator
- Bakhtyar Ahmad Salih, CDO
- Osman Mustafa, KRG Bureau of Displacement and Migration (BDM)
- Chia Hussein Fares, Iraqi Ministry of Migration and Displacement (MoMD)
- Moqadam Ghazi Mohammed Hamad, KRG Asayeesh (Security Forces)
- Aziz Mina Sofi, Sulaimani Governorate Emergency Response Cell
- Shwan Sharey, CDO
- Tariq Ahmad Hama, Arbat Camp Manager
- Fatih Mohammad, Representative from the Shabak Community in Arbat Camp
- Shamo Hussain, Representative from the Yezidi Community in Arbat Camp
- Tarek Mahmood, Representative from the Arab Community in Arbat Camp

KEY POINTS

- According to data collected by UNHCR and CDO, there are approximately 47,000 internally displaced families in Sulaimani Governorate. The Kurdistan Regional Government's (KRG) Bureau of Migration and Displacement (BDM) places this figure closer to 55,000 families, only 5-6% of whom reside in official camps.
- Many of these families suffer from missing legal documentation, especially those from Sinjar and Mosul who had to flee under exceptionally difficult circumstances. Birth and death certificates are particularly hard to obtain because they are issued by the central government.
- IDP registration in Sulaimani is conducted through cooperation between UNHCR and CDO and has been relatively successful so far, despite mistakes that occur. However, due to a lack of funding, UNHCR might be forced to end its registration activities soon.

- Although some coordination exists between the MoMD and BDM, the central government has established little to no presence in the KRG to help IDPs recover documents, and most cannot make the trip to Baghdad or their area of origin to follow-up with the relevant authorities themselves. Kurdish security forces, or Asayeesh, also confiscate the documents of many IDPs who were able to flee with their papers, citing security reasons.
- NGOs are the main actors helping IDPs with legal issues, as the regional and central governments do not have lawyers who have volunteered to do so. The governorate and regional government's focus is more on emergency response and the supply of basic needs and services; no comprehensive program for catering to the legal needs of IDPs has yet to be developed.
- The registration and documentation of IDPs from Sinjar and Mosul has been a special challenge. The situation is slightly better for those from Mosul, many of whom were in possession of their documents, allowing for the recovery of their identity cards. In Sinjar, however, most arrived with nothing. The Iraqi government is now working to create special documents for these groups specifically.
- The current situation remains dire. For example, approximately 25% of Yezidis who have the right to receive a sum of 1 million IQD from the Iraqi government have yet to do so due to incomplete documentation. IDPs with little to no money must incur the high cost of traveling to other cities such as Dohuk in order to complete the process.
- Representatives of both BDM and MoMD identified the lack of data sharing between their offices, especially with regard to registration, as a major problem area impairing the response to the IDP crisis.
- While MoMD does not currently accept data from BDM as valid, the two offices are in talks to arrive at a solution. MoMD also suffers from a lack of coordination and cooperation with local security forces, which is an issue that has yet to be resolved.
- A major security concern of the Asayeesh is that some of those arriving in Sulaimani without documentation may be fleeing charges or convictions in their areas of origin and providing local authorities with a different name, making it impossible for them to identify criminals. This concern dictates certain measures taken by security forces in Sulaimani.

- The Asayeesh are also bound by their duty to respond to the needs of the local community, which in some instances submits complaints when Arab families move into certain neighbourhoods or compounds.
- Despite its limited presence and support to the KRG, the central government has been active by providing social welfare to a number of IDP families, and allocating a budget of 20 million IQD to Sulaimani Governorate for the provision of healthcare and education. This money has been used to help construct or develop camps in Arbat (3000 families), Ashty (1048 families), Khoratu (1000 families), Sitek (64 families), Zrgwez (50 families), and Barznja (154 families).
- The governorate of Sulaimani continues to suffer from a severe lack of funding, exacerbated by the continued rise in the number of IDPs and the current financial crisis. Sulaimani's emergency response cell expects matters to get worse with the approach of summer and resulting increase in the need for water and sanitation services.
- In view of the regional and local government's limited capacity to fund IDP camps, United Nations organizations and various international and local NGOs are extremely active in trying to meet remaining basic and non-basic needs.
- In Arbat and other camps labelled 'transient', certain necessary improvements are not being made because the camps are deemed temporary. Plans to relieve the load on existing camps by relocating families to better-equipped, more permanent camps are underway but have yet to be implemented.
- The governorate, in coordination with UNHCR, will be selecting certain families for relocation as soon as possible, with priority given to families with special needs such as pregnancies, disabilities, etc. No answer was given as to when this move would take place.

Session 2 – Access to Needs and Services, Protection

The second session of the day convened representatives from local and international NGOs, as well as various UN agencies, all of which are dedicated to protection and the provision of basic needs and services to IDPs in Sulaimani. Representatives of the IDP community in Arbat camp were also present. The session's discussion picked up where the previous one left off, further exploring issues faced by IDPs with regard to documentation and access to legal services. The session then went on to focus on related challenges with the provision of basic needs and services such as nutrition, shelter, education, and health care to IDPs, as well as protection for women and children.

Participants

- Sherizaan Miwalla, Moderator
- Salah Sedeeq Said, USAID Iraq Access to Justice Program (A2J)
- Salman Safdar, United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA)
- Fawad Aamir, United Nations High Commissioner for Refugees (UNHCR)
- Umesh Kattel, United Nations Children's Fund (UNICEF)
- Kandice Arwood, Heartland Alliance
- Devin Morrow, ACTED
- Neiaz Ibrahim, World Food Programme (WFP)
- Baxan Sadiq, CDO
- Fatih Mohammad, Representative from the Shabak Community in Arbat Camp
- Shamo Hussain, Representative from the Yezidi Community in Arbat Camp
- Tarek Mahmood, Representative from the Arab Community in Arbat Camp

KEY POINTS

• According to data collected by the USAID Iraq Access to Justice Program (A2J), 45% of displaced families in Iraq have at least one member missing their civil status identity card (*jinsiyya*) and marriage registration documents, approximately 50% lack ration cards as well as passports, and 22% are missing birth certificates.

• Approximately 29,000 IDPs in Sulaimani have had their primary identification document (*tathkarah*) confiscated by local security forces, mostly as part of the second wave of IDPs that did not leave immediately after the ISIS takeover. Thus, the minority of IDPs who did manage to flee with documentation often have it confiscated by KRG authorities.

- This has created significant barriers for IDPs both in terms of freedom of movement outside the camps and, as a result, access to courts and civil documentation, making these populations more vulnerable still. The retrieval of such documentation from security offices in Sulaimani is both difficult and time consuming, with no guarantee of a positive outcome for IDPs who attempt to do so.
- The access of IDPs to courts in the KRG is an issue of particular note. To relieve some of the burden on Erbil's Civil Court, there are concrete plans underway to establish a court specialized in legal issues for IDPs in the Ain Kawa neighborhood of Erbil. A2J also plans to open specialized courts in Sulaimani down the line.
- These specialized courts are important because certain IDP communities abide by their own legal traditions, which are unrecognized by courts in the KRG. For example, the Yezidi community does not register marriages in a manner recognized by courts in the Kurdistan region, complicating the receipt of aid for some. Until such courts are established, however, the only solution is for IDPs to travel long distances to seek the legal support they require.
- The connection of civil documentation with access to protection and basic services can be a negative cycle. One example is that IDPs who are not in possession of a residency card cannot obtain their food rations card (known as a PDS card, given to all Iraqis under the Oil-for-Food Program) restored.
- The World Food Program currently distributes food parcels to approximately 31,000 families both in and outside camps in Sulaimani and requires only that ration cards be presented, helping to mitigate somewhat against the issue of missing forms of identification aside from residency cards.
- Non-camp IDPs residing in informal settlements and those residing within official camps are provided with similar services. However, international NGOs must rely on distribution lists compiled by local mukhtars (community leaders or representatives) and the Asayeesh, which they cannot verify themselves. Discrepancies in these lists are a big hindrance to successful interventions in non-camp settings.
- Because IDPs are not in possession of UNHCR ID cards similar to those given to refugees, international NGOs can only verify information regarding displaced populations by checking with municipal authorities, which offer needs assessments that are not always reflective of the situation on the ground.

- In coordination with several protection clusters, UNHCR has created a system to better organize the referral of cases (related to food, sanitation, and legal issues, among others) to improve interaction between humanitarian actors. UNHCR will also be placing more of its focus for 2015 on non-camp settlements, which are harder to identify and catered to less than camps.
- Water scarcity and lack of sanitation are large problem areas at Arbat camp, particularly in newly established sections. Many widowed, disabled, and pregnant women are forced to walk long distances to collect water, and this issue is only expected to worsen as summer approaches.
- There is a lack of coordination between local governments and international NGOs who conduct WASH (water, sanitation, and hygiene) interventions such as building latrines, showers, and water tanks in non-camps settlements, only to find out that transient populations they were built for have since been evicted by local property owners or forced to move by local authorities, leaving the facilities unused.
- In the past several months, many instances of violence against women have been recorded in Arbat camp. This is thought to be the case in non-camp settlements as well, making the problem even more difficult to identify and help remedy. Across Sulaimani, there is little to no psychosocial support offered to female victims of trauma and abuse.
- Overcrowding in tents and the condition of public facilities make female members of the IDP community more vulnerable to harassment. For instance, due to a lack of funding, many latrine doors have locks that do not function, making women feel unsafe or afraid to visit them. This, in turn, can lead to medical complications such as urinary tract infections.
- While educational services are offered inside Arbat camp, families have been known to pull their daughters from school or bar them from attending classes due to the perception that the atmosphere was 'unsuitable or inappropriate'. This could be explained by the fact that certain classes are mixed.
- The approximately 3,000 IDP families (or 18,000 individuals) living in Arbat camp share a single health clinic. IDPs frequently have to wait for an entire day to be seen, only to be asked to return the following day. Due to overpopulation and lack of sanitation, skin and liver diseases have begun to spread throughout the camp and are expected to worsen as temperatures rise.

- The advent of summer also raises serious concerns about the lack of electricity inside the camp, with ten entire sectors of the camp currently having no access to power. This is a serious concern for inhabitants of these sections who fear being unable to cool down during the scorching summer months.
- The provision of shelter is another area of concern for IDPs who, unlike Syrian refugees, are given tents to live in and prohibited from constructing semi-permanent shelters. Each IDP family is assigned one tent, regardless of the number of its members. Moreover, many IDP families currently live with friends or relatives in their tents, and have yet to be provided with tents of their own.

RECOMMENDATIONS

1. Establish a joint-committee between the central and regional government to centralize and facilitate the reissuing and retrieval of IDP documentation.
2. Establish a larger central government presence inside Sulaimani governorate to assist with the documentation needs of IDPs, either through an office in the city or mobile units that visit various camp and IDP settlement sites.
3. In the interim, increase the number of 'creative' solutions to missing documentation through agreed-upon substitute or temporary documentation issued by the relevant local legal and governmental bodies.
4. (i) Create legal clinics with the relevant bureaus or ministries to assist IDPs with their legal needs and inform them of required procedures in the short-term. (ii) Establish specialized courts to meet the legal needs of various IDP communities in the longer-term.
5. Increase data sharing and standardize procedures between the Ministry of Migration of Displacement (MoMD) in Baghdad and the Bureau of Displacement and Migration (BDM) in the KRG.
6. Improve the quality of mapping and needs assessments amongst non-camp sites to better serve both host communities as well as displaced populations.
7. Increase information sharing between NGOs and local government to ensure that resources are not spent on conducting interventions in locations from which IDPs will be moved shortly.
8. Incorporate government entities into the system created by UNHCR for the referral of cases (legal or other) to better coordinate with the relevant humanitarian organization and help address gaps in services to displaced persons outside camp settings.
9. Accelerate the relocation of families to better equipped, non-transient camps or prioritize the improvement of conditions within Arbat and other camps themselves.

10. Whenever possible, place female NGO or government workers in charge of speaking with other female IDPs about their needs and concerns, in order to ensure that the latter feel as comfortable and secure as possible.
 11. Establish women's councils or designated point persons inside IDP camps tasked with specifically communicating/directly representing the needs and grievances of female members of their communities to camp management and NGOs active with women's issues inside the camp.
 12. Incorporate gender-specific needs (e.g. lighting roads to latrines after dark) into the design of current and future camps. Taking into consideration the impact on women and girls of this and other design elements can help to mitigate protection risks.
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