



National Protection Cluster

Minutes of Meeting (13 June 2019)

Locations: UNHCR Baghdad, NCCI Erbil, plus Webex

Chaired by: Claudia Nicoletti (NPC Co-Coordinator) and Mohammed Khan (NPC Coordinator)

1. Review of Action Points from 16 May meeting

2. Strategic & Thematic Updates:

- a. Strategic Update from Ninewa / KR-I PWGs (10 mins)
- b. Strategic Update from C/S PWG (10 mins)
- c. Thematic Update from GBV Sub-Cluster (10 mins)
- d. Thematic Update from Child Protection Sub-Cluster (10 mins)
- e. Thematic Update from Mine Action Sub-Cluster (10 mins)
- f. Thematic Update from HLP Sub-Cluster (10 mins)
- g. Strategic Update from CwC Task Force (10 mins)
- h. Update from NPC – Update on Sinjar guidance note, Update on new HNO/HRP formats, Update on HCT Protection Strategy (15 mins)
- i. Update from RPA mechanism (10 mins)

3. AOB (5 mins)

1. Review of Action Points from 16 May meeting

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Minutes adopted without amendments.

2a. Strategic Update from KRI & Ninewa PWG

- **KRI:** MoI Pilot Project on Civil Documentation – the Ministry of Interior (MoI), with the support of UNHCR and Qandil, and in coordination with KRG authorities implemented a pilot civil documentation project for IDPs from Ninewa settled in Baharka and Harshem IDP Camps (Erbil). The project consisted of mobile missions processing legal cases of IDPs missing Civil IDs and Nationality Cards. Protection actors identified and prepared physical files for 2,128 applications for both Civil IDs and Nationality Certificates. Of those, about 60% of applications were approved at first instance. Of the 40% pending further processes, are mainly due to: lack of supporting documents (50% of unapproved cases), absence of applicant at the time of the mission (40% of unapproved) – impacting particularly students and workers, and restricted time during which the mobile teams operated, not allowing all cases present to be processed fully (remaining 10%). Civil ID had a higher number of approvals in the first instance and challenges related to the approval of Nationality Certificates related mostly to the lack of supporting documents. Stakeholders involved in the project are now discussing ways to improve the process and next stages. Similar activities will be carried out in Mosul East Camps (Khazer, Hassansahm U2 and U3) and Debaga, as well as in camps in Dohuk and Sulaymaniyah but is aimed at expanding to other governorates (as appropriate) and out-of-camp areas.
- **Ninewa:** Continued reports of violations of the civilian and humanitarian character of camps – several of them involving detention without proper information to family members or display of arrest warrants. Ad hoc screening in sectors of camps, as well as requests by governmental authorities for list of beneficiaries have also taken place in recent month. NPWG recall actors the importance of data protection considerations, including securing data in safe locations, of protection monitoring and protection by presence whenever possible, as well as of flagging incidents to the Protection Cluster for appropriate advocacy and response as relevant. IDPs also continue to report movement restrictions (particularly self-imposed) due to lack of documentation, previous or related experiences in check points (including harassment). Lack of civil documentation has also been reported as impacting the ability to receive humanitarian assistance, with recent cases related to food and health. A study conducted by Handicap International (HI) in Hammam Al Alil 2, Jed’ah 4 and 5 IDP camps in Ninewa governorate documented a high number of persons with disabilities (PWD); unmet needs with respect to physical rehabilitation, prosthesis and orthosis and access to assistive devices; and challenges in access to specialized and mainstream services. According to the study: 14.3% of the surveyed camp populations are living with a disability; 40.6% of total households participating in the survey include at least one person with a

disability; and 71% of surveyed PWD are living with more than one disability. While the study provides important evidence on the situation of PWD in the three surveyed camps, a full understanding of the situation outside the camps is limited. The main specialized humanitarian actor discontinued activities outside camp areas due to funding shortages. Despite the lack of data and in-depth analysis, anecdotal information suggests comparable needs in non-camp settings in Ninewa governorate. In addition, there are currently no reliable national statistics on the number of PWD, including conflict-affected PWD.

2b. Strategic Update from C/S PWG

- **Baghdad/Anbar: Security:** security incidents took place during the reporting period in Rutba. A military search operation was conducted in Anah village, and an IED exploded against pro-government armed groups leaving many casualties in Al-Karabla in Al-Qaim district. The security incidents in the area resulted in increased security measures, which have been impacting IDPs' intentions to return to their areas of origin, and they also raise concerns related to possible instances of collective punishments against families with perceived affiliation to extremist groups.
- **Returns:** On 13 May, during a meeting at Al-Qaim municipality, the local authority announced that the ISF will arrest anyone who engages in blackmailing of returnees in exchange of release of security coupons or request for money. The head of the Security Committee of Al-Qaim Mayor's Office confirmed that the discussion is still ongoing with a pro-government armed group commanders in Karbala governorate in relation to the eviction of IDP houses occupied by group in the past (this would allow IDPs to return to their areas of origin). The head of MoMD Branch in Rawa district confirmed that approximately 1,200 IDP families have returned to the district. The number of returnees to Rawa is expected to increase after the end of the school year.
- MoMD branch of Al-Qaim confirmed the voluntary return of 129 IDPs to Al-Qaim from HTC & AAF camps. MoMD and the ISF provided busses and facilitated the return movement. Community leaders of Al-Shihabi village of Karma town reported a lack of livelihood opportunities in the village, which creates additional burden on the returnee families (mainly female HHs). Similar concern was raised by families of Hay Al-Bakir in Heet town, which hosts large number of femal HHs. The Mayor of Rawa confirmed that the Minister of Labour and Social Affairs (MoLSA) approved the social protection payments for families of missing and detained individuals in Al-Qaim and Rawa.
- Rawa District Council requested the tribes to establish a Committee of Conflict Resolution and Shura village in Rawah district to deal with cases of people with perceived affiliation in order to facilitate the return of IDPs. The Committee may be established in a week. It is unclear what the Committee will be focusing on.
- The Local Council of Anah district requested representative of the Government of Iraq to solve access challenges for the population in Western Anbar districts with respect to replacing/issuing documentations (at the moment, individuals living in western Anbar need to reach public offices in the East to replace/obtain civil IDs). The Local Council requested the government to establish branch offices in western Anbar districts to reduce the burden of transportation costs, long distance, and frequent visits required to follow up on the process.
- Families of Al-Khaldiya city reported lack of livelihood opportunities in the district. This issue is burdening many of the returnees, mainly FHHs. Some of the vulnerable families are relying on assistance and charity support provided by the community.
- **Salah al-Din: Returns:** During the reporting period, ten families returned to Baiji and 75 Families to Seniya. To date, the total number of returnee families to Seniya is approximately 500. In Balad, approximately 68 families have returned to different areas.
Access: Partners have been experiencing increased access challenges to Samarra and West Baiji; more advocacy is needed with the actors manning the checkpoints with the support of the Access Working Group colleagues.
Security and protection instances: Extremist groups continue to carry out attacks in retaken areas in Salah al-Din, jeopardizing the safety of returnees and affecting the sustainability of returns. During the reporting period, hundreds of acres of wheat and barley crops were burned in north of Shirqat, Qayaara, Al Alam, Al Duluiyah and some areas of Balad. The return families accused some security actors and extremist groups of burning the crops and affecting their livelihood. About ten casualties from the returnee families were reported; in addition, four IDPs (farmers) were killed. **Evictions updates:** Rumors about the potential eviction of Al Qadissya complex and other informal sites in Tikrit city are ongoing; partners have not confirmed any action from the security actors, and have agreed that any eviction or closure of complexes has to be discussed at the SAD GRC.
- **Kirkuk: Conflict and displacement in Amirli:** According to MoDM representative in Tuz, due to the recent conflict between two clans of Al-Tay tribe (Al-Abushli and Al-Krimli) in Amirli town (in Salah al-Din), between 75 - 100 families displaced; the majority of the displaced families went to Kerbala governorate where they own houses, while the rest are scattered between Kirkuk and Tuz cities.

- Land ownership disputes between Kurdish and Arab families, Palkana village - On May 14, Kurdish residents of Palkana village reported that hundreds of Sunni Arabs from the Shamar tribe forcefully stormed the village and asked them to leave. Both sides claim ownership of agricultural lands in the area. The Iraqi army later prevented clashes between both sides. On 22 May, the representatives of the Kurdish and Arab farmers reached an agreement during a meeting with *acting* Kirkuk Governor and other local officials. The agreement stipulates that the Kurdish farmers can harvest their crops for this year (2019), after which both sides agreed to wait for the court's decisions on the land dispute.
- A number of students are prevented from accessing education, due to the lack of IDs and documentation. A large number of those cases seems to be located in Klesa village (Daquq Governorate). Legal aid actors are planning to conduct additional assessments on the matter for IDPs in remaining camps in Kirkuk.

2c. Thematic Update from GBV Sub-Cluster

- GBV service mappings and referral pathways are being updated by the GBV Working Group across the different governorates.
- Women centers continue to be closed especially in Anbar and SAD due to lack of funding.
- UIMS GBV center Nimrud camp is now closed but the camp will be covered by a mobile team from Salamya 1 center for 2 days/week.
- NCA will start their new GBV program which includes GBV CM, PSS and awareness raising in Airstrip camp soon.
- MSI will start their new GBV program in Shikhan district soon, details will be shared.
- Lack of GBV service providers in Nimrud and Airstrip camps and Telafar.
- GBVIMS tools: Following the workshop of April 2019, the GBVIMS tools, notably the Information Sharing Protocol (ISP), the Intake Form, the Incident Recorder and the MARA addendum have been revised accordingly. The revised Information Sharing Protocol for 1st June 2019 to 1st June 2020 was endorsed during the national GBVIMS TF meeting of 29th May. The Data Gathering Organizations (DGO's) will transition to the revised tools from July 2019. Assessment of the DGOs and bilateral meetings are planned for June, in order to identify the gaps, the needs and the support required if any. The outcome of the assessment and bilateral meetings will inform the GBVIMS Action Plan for July to December 2019. The quarterly and annual data analysis sessions will be convened as per the ISP. Data analysis of quarter 1 data was held on 22nd May. As pre-approved actor, the GBVIMS Task Force will share the key trends and emerging issues from the GBVIMS reports with the GBV Sub Cluster from July 2019 meeting in order to inform programming and advocacy.
- The GBV SC coordination team participated at the **GBV Risk Mitigation Stocktaking Workshop**, Bangkok, May 15th – 17th 2019. The workshop was jointly hosted by the International Organization for Migration (IOM) and UNICEF in collaboration with the global Gender-based Violence Guidelines Implementation Support Team and the GBV Area of Responsibility (AoR). Participants included representatives from Camp Coordination and Camp Management (CCCM), GBV, Shelter and WASH (sub) clusters. The Objective was to unpack the various efforts and actions of different sectors in integrating GBV risk mitigation within their programming, through the Safe from the Start initiative and the rollout of the IASC GBV Guidelines; for participants to share lessons learned, identify common challenges and successes and brainstorm on inter-sectoral strategies to integrate GBV essential actions to ensure good programming. Iraq Country team (CCCM, WASH, Shelter, GBV clusters representatives) drafted a joint action plan to overcome the challenges around GBV risk mitigation.
- The GBV SC coordination team participated at the **GBVAOR/GPC annual Conference May 20th – 24th**. Localization was at the center of discussion throughout the 5 days. While there is broad consensus on the need of localization, the analysis of current practice reveals the extent of localization for humanitarian coordination and programming is still little. Unless, national/local partners are given opportunity and forum, they will never be able to grow.
- **Oslo Conference May 23th-24th**: The Governments of Norway, Iraq, Somalia and the United Arab Emirates, OCHA, UNFPA and ICRC, with invaluable support from Norwegian Church Aid, hosted the international conference "Ending Sexual and Gender-Based Violence in Humanitarian Crises". The conference brought together SGBV survivors and specialists, members of 167 national and 76 international civil society organizations, the International Red Cross and Red Crescent Movement, representatives from 100 nations, global leaders and regional and international organizations. Some 50 States, UN agencies, NGOs and others submitted written political, policy and best practice commitments. Several hundred commitments were made related to standards and legal frameworks, operational support, SGBV prevention and response services, leadership and coordination, and others which are specific to country contexts and areas of work. Particular focus was given to implementation of legal frameworks and strategies, as well as an increase in operational support to ensure that survivor-centered services, care and protection are available in all crises. Twenty one donors committed US\$363 million for 2019 and 2020 and beyond, including \$226.2 million for 2019 only. In

addition, generous un earmarked and core funding to humanitarian partners working to prevent and respond to SGBV, as well as funding to the Central Emergency Response Fund and country-based pool funds, was announced.

2d. Thematic Update from Child Protection Sub-Cluster

- **PSS TF** had the lessons learned meeting on 15 May (one year after the establishment that concluded with the endorsement of five PSS structured modules). During the past one year, a total of 10 Trainings of Trainers were conducted (135 staff were trained from 42 agencies). Members of the TF also reviewed the evaluation results which were derived from the common evaluation tools. Generally, there are positive improvements observed; however, in order to ensure a robust evaluation, the members agreed to use the academically validated evaluation tools for all age group.
- A **Child Safeguarding specialist**, Hannah Cattermole, joined the CP Sub-Cluster on 20 May; she will be in Iraq for the next 6 months. The position is contributed by TdH Italy, with UNICEF funding, to support the CP Sub-Cluster to have an inter-agency code of conduct/CP policy, as well as train partners on how to implement such policy. CPSC Strategic Advisory Group agreed to have CP policy compliance as a membership criteria for the Sub-Cluster; as a measure of capacity building for partners who do not have strong child safeguarding measures internally.
- The **Quarterly Juvenile Justice meeting** will be held during the case management WG meeting on 25 June 2019. TdH Lausanne plans to present their work on the review of Federal Iraq legislative framework.
- CPSC expects a number of projects to end in June/July 2019; hence, gaps in major priority geographic areas, such as camps in Dohuk and Ninewa governorates, are expected. The Cluster coordination team will map out the gaps/areas, and work on a service continuity plan, where necessary.
- From CPSC Response monitoring analysis, the civil documentation indicators are significantly underachieved (23% of the total target, as of end of May 2019). After consultations with major actors/partners, it seems the reason behind this is that there is a need to have more actors/partners working on difficult cases, as each case takes a longer period of time to be solved. CPSC would like to call for partners providing legal assistance to children to come together and join forces in addressing the issue.

AP: CPSC, NPC and key legal protection partners to meet to discuss underachievement of legal documentation indicators and the way forward.

2e. Thematic Update from Mine Action Sub-Cluster

Coordinators couldn't attend.

2f. Thematic Update from HLP Sub-Cluster

- HLP SC together with HLP partners are working in an initiative to set up a regular (quarterly) consultation-coordination meeting between central and governorate compensation committees. This initiative is as result of findings in the HLP SC Advocacy Note on Property Compensation and the need to harmonize procedures and practices which aim to improve services related to property compensation legal services.
- HLP partners in coordination with HLP SC were working closely with governorate compensation sub-committees to install a monitors-light board in each governorate compensation office to publish compensation procedures and flowcharts for all interested claimants to better understand the procedures and what documents are needed to file compensation claims. These monitors-light boards have option also to download this information into USB stick to be used for personal use.
- HLP SC and its partners are working together with stakeholders to review the ownership legal framework and the procedures to establish the proof of ownership in Iraq. At this stage, partners are doing legal analysis, looking at potential amendments to the legal framework, as well as providing recommendations, bringing best practices and improving access to property rights related services.
- It has been reported that an NGO started to work in Sinuni sub-district and offers its services to file compensating for the damages of their properties. However, the NGO is requesting 3,000 IQDs only to provide beneficiaries with the claim form and then another 13,000 were asked for initial assessment for property damages without providing evidence/receipt. (It should be mentioned that Court has a list (roster) of specialized and sworn experts who are authorized to do the evaluation and expertise related to property damages). HLP SC asked a partner who operates in the area to visit Mayor Office in Sinjar district and inform the office; the mayor convened a meeting with the NGO in question, and it turned out that the NGO does not have the permission from the local Operations Command to operate in the area. The mayor asked them to go through appropriate procedures and register the NGO.

2g. Strategic Update from CwC Task Force

- **Awareness Raising Materials** - Awareness raising materials about child labour, safety in hot weather, and antifraud were made available (in soft copy) for humanitarian partners, clusters, and working groups (eg. CCCM and CWG).
- **Capacity Building** - No capacity building activities took place during the reporting period.
- **Coordination** - The taskforce in liaising with WASH for the distribution of Summer Information Package. NPC, CCCM, CRC, and CwC are working together on disseminating the Know before You Go messaging in camps and urban settings.

2h. Update from NPC

- **Update on Sinjar guidance note** – Following the incursion of extremist groups to Sinjar District (Ninewa governorate) in 2014, an estimated 10,000 individuals fled from other parts of the district to Sinjar Mountain. In December 2015, an inter-agency assessment mission to the location found that the population living on the mountain, was composed of IDPs and host communities, whose relatives were members of different armed groups. Based on observations from the inter-agency mission, the NPC produced a Guidance Note which, among other things, recommended “not to prioritize [this population] for material assistance” in line with the principle of impartiality and “to avoid giving material assistance that could be used to further military goals”.
- Since the issuance of the note, the security context in the area has changed and humanitarian aid provided in response to evolving needs. An inter-cluster mission was carried out in February 2019 and consultations with humanitarian partners to assess the change in the context and adjust recommendations vis-à-vis guidance to humanitarian actors operating in the area.
- The process identified a reduction of armed groups’ presence on the mountain, although the remaining actors (often perceived as a unit) continue to influence aspect of the civilian life. The influence of some of these groups and complexity of security environment are also reported going beyond the Mountain, including areas of Sinjar District. Several interventions by humanitarian partners were noted, although better coordination and comprehensive approaches may be looked at by partners to ensure accountability to affected populations. The community seems to clearly differentiate between humanitarian actors and political/armed actors. While humanitarian interventions have been heavily based on identified needs, governmental and or donor requirements have often influenced programmatic decision on engagement in the area.
- Based on the above, particularly on the similarities between the context in the mountain and other areas with complex security environment in Iraq, the participants of the Inter-Cluster mission recommend:
 - The Protection Cluster should **reiterate the general principles included in the 2016 Protection Cluster Guidance Note** as expanded it to cover all areas where the presence of armed actors may pose a threat to humanitarian principles.
 - Clusters opting to proactively engage in assistance in the area should ask operational partners (and by extension donors) to answer all the questions presented in the note. **Partners’ analysis should be accompanied by the identification and articulation of clear mitigation measures that address the risks of operating in a politicized and militarized context, and the organisation’s** strategic programmatic decisions around prioritization of interventions in other geographical locations with similar humanitarian needs.
 - OCHA and Clusters to continue to emphasize that prioritization of funding and programming especially to these types of contexts needs to be non-partisan to specific population groups and **needs based** which might also require a higher level of planning and advocacy by partners with donors.
 - The CCCM Cluster should recirculate MoMD’s position on the categorization of the settlements, as partners continue to misrepresent the site and the role of some actors operating therein.
- **Update on new HNO/HRP formats** – In 2020, there will be new templates for the HNO and HRP; OCHA requested all Clusters to provide feedback/comments on the documents to see how they could be contextualized to the Iraq operation. The general comment from the NPC is that the docs require some significant changes in business processes and the suggestion was to have a thorough briefing from OCHA Global office for Clusters to discuss the possible business processes changes. The new HNO/HRP templates require to develop one big integrated project proposal with causality analysis and log-frame, which is different from traditional cluster-based response plans. The NPC will share more information with partners in due course, since the change in formats might affect the way they will have to submit project proposals to the Project Module system.
- **Update on HCT Protection Strategy** – The HCT Protection Strategy was developed on the basis of the following core elements: Informed by the HNO and HRP 2019, and through consultations with humanitarian actors; Articulated around one overarching goal and three specific objectives, including analysis of the operational

context, existing interventions and their limitations, as well as proposed interventions for the way forward; An accompanying Action Plan that consolidates the proposed interventions under each specific objective, to be operationalized by the HC/HCT and ICCG primarily, with technical/analytical support from the NPC as needed, including concrete timelines and progress indicators; A proposed follow-up mechanism, involving semi-annual stock-taking exercises, to be implemented over the two-year duration of the HCT Protection Strategy. The Strategy is now with the ICCG for comments/feedback and once finalized will be presented for endorsement at the HCT meeting in July.

2i. Updates from RPA mechanism

Two RPAs conducted in the last month:

- **Kafrij village, Wana sub-district, Ninewa governorate:**

The main protection concerns for the community of Kafrij include the barriers to impartial aid and humanitarian assistance; legal protection and barriers to return for families with perceived affiliation to extremist groups and; lack of basic services in the area. The lack of education opportunities and inability to access basic medical treatment were of huge concern to all community members that were spoken with.

- **Qula Bash village, Ayadiyah sub-district, Ninewa governorate:**

The main protection concerns facing the returned population include the coerced and premature nature of their return; access constraints and associated lack of basic services; housing, land and property issues, as well as contamination. The lack of education opportunities and inability to access basic medical treatment easily were of huge concern to the returned families of Qula Bash.

- RPA team attempted to reach Ba'aj, but it was unsuccessful.
- RPA team attempted to reach other villages in Tel Afar district, but the area is highly contaminated.

- **Upcoming RPAs:**

- Ninewa - Ba'aj
- Anbar
- Diyala

3. AOB

- The next NPC meeting will be on 11 July from 11am to 1pm.