



20 October 2019 (revised version)

SEVERITY SCALE OF RECENT MOVEMENTS FROM ██████████ IDPs CAMPS (as from 23 August 2019)

This framework has been developed jointly by the Protection, CCCM and Shelter/NFI Clusters based on the Iraq Principled Returns Framework as a tool for describing and classifying the voluntariness of IDP movements in Iraq and the severity of the violation of the right to voluntary, safe, informed, dignified and sustainable IDP movements. Not all elements included under each description will necessarily be present in a particular movement. However, the framework and descriptions contained therein provide language to describe and classify movements, such as those seen ██████████ since 23 August 2019, based on the factors listed and an overall contextual analysis of the movement. The referenced ██████████ movements have been considered and classified below as examples according to the different categories of movement.

Severity	Category	Description of the Conditions
1	Voluntary, Safe, Informed, Dignified, and Sustainable¹ Movements	<ul style="list-style-type: none"> • Voluntariness of Movement: IDPs’ decision-making on whether, where and when to move is free and informed (see below), and is devoid of any form of coercion or influence. IDPs are not induced to move through withholding of, or reduction in, humanitarian assistance, rapid or unannounced closing of IDP camps and sites, ID confiscation, arbitrary arrest/detention or presence of armed actors in camps. <ul style="list-style-type: none"> ○ Under certain circumstances, movements within or closures of formal camps can be decided by government and/or humanitarian actors, such as in the case of camp consolidation. Such movements may still be classified as voluntary if they are safe, well informed, dignified, and sustainable, as outlined below. ○ In some cases, voluntary movements may be incentivized by return grants or other benefits. This framework will not seek to define a specific line between incentivization and coercion. However, undue influence or over-incentivization, especially in cases where movements do not fully meet safe, informed, dignified, and sustainable criteria, can lead to a movement being classified as involuntary. • Safety of Movement: Movements are to areas where the physical², legal³ and material safety⁴ of IDPs are not at risk. Movements themselves are conducted with proper coordination and security approvals. • Information Shared During Process: Adequate information⁵ to IDPs prior to the movements to a specific area is provided, including notice of the movement (e.g. minimum of one month), info on the conditions in AoO or the area of relocation (e.g. security situation, status of infrastructure, availability of services, explosive hazard contamination), the overall return or relocation plan (e.g. date of return movement, availability of public transport, any assistance provided upon arrival, etc), and return/relocation procedures (e.g. security clearances prior to departure and upon arrival, any registration required, etc). <ul style="list-style-type: none"> ○ Under limited circumstances, movements where shorter notice periods are observed (minimum of one week) can be considered sufficient notice to move, if adequate additional information is shared with IDPs. • Dignity of Process: Movements are well-organized, without undue hardship on vulnerable individuals. IDPs are free to choose from a range of movement options or solutions to their displacement. In case of relocations of IDPs related to camp closures, IDPs are provided with assistance to transport all of their possessions to their next location. <ul style="list-style-type: none"> ○ For a movement to maintain sufficient dignity of process, IDPs must be given a minimum number of genuine choices for relocation. Conditions in the areas where IDPs have the option move to should be comparable to or better than those in their current location of displacement. Movements must be organized, without undue hardship on IDPs. IDPs should not be forced to leave critical possessions behind. • Sustainability of Movement: Every effort should be made by the GoI to ensure that families are enabled to achieve a durable solution to their displacement, but any movements within camps or between camps (where a durable solution is not possible) should provide stable, although temporary accommodation, and protection from forced eviction.⁶

¹ The Iraq Principled Returns Framework makes reference to “Durable Solutions”, but given that this draft guidance refers to movements within camps and transfers between camps, the term “Sustainable Solutions” has been used to encompass the range of voluntary, safe, informed and dignified movements described within this proposed category.

² The GoI has responsibility to ensure places of return are safe, i.e. free from military activities and risk of attacks on civilians, free of explosive hazard contamination, and physical safety of the IDPs is provided for by civilian security forces.

³ The GoI has the responsibility to remove legal and administrative barriers to return and ensure domestic legal systems comply with international human rights standards to enable returning individuals to exercise their basic civil, political and economic rights without prejudice. IDPs should be able to register their return and access civil status and property documentation. They should be afforded compensation for damaged or destroyed property. They should also be supported in recovering their property and possessions that have been unlawfully expropriated, or where this is not possible, obtaining appropriate compensation or other just reparation.

⁴ Returning IDPs should have access to basic services and available public utilities (such as potable water, electricity, health services and education) without discrimination. Facilitation of voluntary return should take into consideration absorption capacity in return areas, to avoid potential competition for scarce resources among returnees or between returnees and the non-displaced community.

⁵ Adequate information refers to timely information sharing, including clear indication of camps of destination; information on freedom of movement in the destination camp; whether HHs can retain their civil documentation upon arrival or when they will receive their document again if it is confiscated on arrival; or whether a sponsorship system is in place.

2	Coerced Movements & Coerced Departures from camps	<ul style="list-style-type: none"> • Voluntariness of Movement: IDPs are induced to move through withholding of, or reduction in, humanitarian assistance, rapid or unannounced closing of IDP camps and sites, ID confiscation, or arbitrary arrest/detention, presence of armed actors in camps; • IDPs are repeatedly threatened by the authorities that they need to leave the camps; • Safety of Movement: Movements are to areas where the physical, legal and material safety of IDPs are potentially at risk. Movements themselves are potentially unsafe (e.g. transportation of IDPs in open-bed trucks, transportation to potentially unsafe locations). • Dignity of Process: IDPs are provided limited options for movements and it unclear both to IDPs and other stakeholders where they will be relocated to (e.g. either to camps, districts of origin, or ended up in secondary displacement to other areas, etc.). IDPs are not provided with assistance to move their possessions and may be forced to leave some or all of their possessions behind for camp-to-camp transfers, which can also force IDPs to select departure over transfer so as to not risk the loss of assets. • Information Shared during Process: IDPs are given <i>insufficient notice to move</i> (e.g. less than one week) and are provided with inadequate information (little information shared on destination location) to IDPs prior to the movements to another camp and/or specific area is provided (including due to rushed and unilateral decisions to close/consolidate camps). • Durability of Movement: Movements to locations with conditions which are significantly inferior to those in the current area of displacement are often not durable. This could apply to the formal camp(s) where IDPs will be relocated to or conditions in areas of return or secondary displacement where departing IDPs end up as a result of the movement. Additionally, movements to locations where IDPs will only be allowed or able to remain temporarily are not durable, except in certain emergency situations where the use of transit locations is required. • Movements falling under this category can be organized by authorities or IDPs may depart using their own means in response to the above described conditions and coercion.
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3	Forced Relocation to camps & Forced Returns to districts/AoO	<ul style="list-style-type: none"> • Voluntariness of Movement: IDPs are pushed to leave the camp by military and/or civilian actors (as they are given no other option to remain or move elsewhere) and are moved to another camp. IDPs might additionally be pushed to move through withholding of, or reduction, humanitarian assistance, rapid or unannounced closing of IDP camps and sites, ID confiscation, or arbitrary arrest/detention, presence of armed actors in camps. • Safety of Movement: IDPs are relocated to camps despite concerns about consequences of movements, including blocked returns to their AoO, concerns to physical safety and threat to life related to perceived affiliation to extremist groups and tribal disputes, as well as voiced threats from host community members via phone calls, social media and organised protests upon arrival at destination camps. • Information Shared During Process: IDPs are not given information about the conditions and/or situation (e.g. lack of health care, no freedom of movement) of the new location prior to the movements to another camp (including due to rushed and non-agreed decisions to close/consolidate camps). • Dignity of Process: IDPs may experience decreased freedoms (e.g. movement restrictions, segregation from other populations) in the new camp. Service provision in the new location may be lesser than in the camp IDPs were obliged to leave (e.g. inadequate health, education, protection services). IDPs may not be provided with basic services (e.g. shelter, WASH, food) equal to those they were receiving in the camp from which they were moved. IDPs may be prevented from taking some or all of their possessions to the next camp. Lack of information also contributes to the undignified nature of such movements. • Movements falling under this category take place in convoys organized by the authorities.
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⁶ Forced eviction is “the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection”. Source: Committee on Economic, Social and Cultural Rights, General comment No. 7 (1997) on the right to adequate housing: forced evictions.