

## RETURN AND SECURITY CLEARANCE PROCESS

Focus on returns to Sinjar from Dohuk and Ninewa

- **Rationale**

The IDP agenda has always been a priority for Iraqi governments. The central government of Iraq, local governments (on district and sub district level) and the humanitarian community have been focusing their efforts, for over five years, to facilitate the return of IDPs to areas of origin (AoO). Thus, security clearance is the first step that is taken into consideration for any return movement across the country. IDPs need to obtain approvals from local authorities and security forces in the AoOs to be able to return. The procedures to obtain security clearance vary, depending on the political and security dynamics at the AoO, number of security forces present, time of application, type of IDPs (in-camp or out of camp), and so on. Security clearance may typically be issued in a period ranging from one day to two weeks and may be denied in some cases.

- **Local Context of Sinjar**

Sinjar (also known as Shingal in Kurdish) is one of the districts of Ninewa governorate. It is located between Ba'aj and Tal Afar districts, around 140 km west of Mosul. Sinjar district includes two sub districts, Qayrawan and Al Shimal (Sinuni), which shares a border with Syria. Most of Sinjar's inhabitants are Yazidis but Arabs, Kurds and other ethnicities also live there. In August 2014, ISIL launched a largescale attack on Sinjar, resulting in many casualties, kidnappings and a high level of infrastructure destruction. As a result, the people of Sinjar fled from the area and displaced to several locations, the most prominent location being on Mount Sinjar (Sardashti camp), where hundreds of households (HHs) are still displaced. Others moved further either to IDP camps in KRI, mainly Dohuk, IDP camps in Ninewa or out of camp locations in KRI and Ninewa. Though many IDPs have already returned, thousands of Sinjar IDPs are still in displacement. The top obstacles to return to Sinjar are destruction of housing, security and political problems, social cohesion issues and post-traumatic stress disorder (PTSD).



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- **Background of Sinjar IDPs in Duhok**

Dahuk governorate hosts 319,158 IDPs (DTM June 2020), who mainly live in Sumel, Zakho and Dahuk districts. Ninawa is the top governorate of origin for the IDPs (99%). According to JCC, most of the IDPs in Dahuk are Yazidis from Sinjar and surrounding areas and are in protracted displacement.

Late May saw the start of return movements of several IDP families from Dahuk camps to their areas of origin (AoO) in Sinjar. As of 15 June, 453 IDP individuals returned to Sinjar, mostly from Dahuk. Most of these IDPs decided to return due to the COVID-19 restrictions of movement in Dahuk, as members of IDP families living in Dahuk camps were working outside Dahuk, near their AoOs. Thus, those IDPs were unable to visit their families in the Dahuk camps due to the restrictions and decided to take their families with them to the AoOs. After the return of these IDPs, many other IDP families in Dahuk have expressed an intention to return as well.

- **Historical Background**

Prior to ISIL occupation, Sinjar was a contested area between the Government of Iraq (Gol) and KRI. Since 2003, KRI imposed full control over Sinjar, but Gol has since retrieved control over Sinjar from October 2017. Therefore, the Sinjar context is one of the most complicated political contexts across Iraq. In addition, there is an external conflict between PKK and Turkey, leading to occasional Turkish airstrikes on Sinjar. The unstable political and security situation greatly affected return movements as some IDPs still do not feel it is safe to return. Almost all types of security forces are present in Sinjar, including Iraqi Army, Local Police, NSS, Intelligence Agency, PMF, PKK and YBS. Furthermore, social cohesion issues have prevented IDPs from returning, mainly Arab IDPs of Qayrawan and Markaz Sinjar.

- **Local Authorities**

The engagement of local authorities is crucial to the security clearance process in Sinjar. Once the Gol regained political power, official Mayors of Sinjar, Al Shimal and Qayrawan left the area, heading to KRI. Alternatives were appointed for Sinjar and Al Shimal, with no formal stamps. Their role is mainly to coordinate with various counterparts and to facilitate security procedures due to their strong relationship with the current security actors and political parties. In Qayrawan, the head of the local police acts as the Mayor, in addition to his other duties. He is an influential figure in the political landscape, which strongly contributes to the humanitarian profile and return requirements in Qayrawan. Therefore, it is important to consider the effect of security and political affiliations within the context of Sinjar, and their role in return and displacement.

## Before Return

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### i) Returns from KRI

- Steps in obtaining a return letter:

- In-camp IDPs

IDPs living in Dahuk camps initiate the process of returning (voluntarily) by submitting a request for leaving the camp and obtaining a letter from camp management that expresses their interest to leave the camp and return to the AoO. The letter will be directed to the Mayor's office in the same district.

The Mayor's offices for IDPs affairs, which previously belonged to the Board of Relief and Humanitarian Affairs (BRHA) and now belong to the Joint Crisis Coordination Centre (JCC) are responsible for issuing and providing the **return letters** called **Regapedan** (meaning non-exposure permit) to IDPs.

To issue this letter, the IDPs must visit the Mayor's office (JCC) and hand the letter given by the camp management along with their Iraqi identification documents and submit a request for obtaining the Non-exposure permit letter for return.

JCC prepares a letter to Asayish with the personal details of the IDP requesting to return (full name, age, address or camp name, photo, and a copy of all Iraqi identity documents), which the IDP will personally take to the Asayish office. Asayish conducts a security check by searching the names on the Asayish database to confirm that they are clear. The security check only applies to the period that the IDP was in displacement in KRI and excludes the period prior to that, as all IDPs had been screened by the Asayish as soon as they entered Dahuk.

Once the Asayish completes the check, the Mayor's office will provide the IDPs with the Non-exposure permit letter (return letter), which includes the result of the security check. IDPs must leave the camp within a window of 15 days after receiving the return letter.

- Out of camp IDPs:

For out of camps IDPs, the same process is applied except the first step, which is obtaining a letter from camp management. Thus, out of camp IDPs may begin the process directly from the Mayor's office in Dahuk or Zakho.

- Security clearance in Dahuk:

In Dahuk, IDPs are required to visit Asayish to conduct the security checks on the Asayish database. This process is similar to that of any local person who moves from one district or governorate to another within KRI, in which Asayish checking and approval are required to complete the movement.

Returning families must obtain two return authorization letters, one written in Kurdish from the Mayor of the relevant Dahuk district and the other in Arabic from the Mayor of Sinjar in Faydaa district. This will cost additional time and fees for IDP families. Each letter essentially confirms that the local authorities permit the return of the requesting IDPs, with names of household members and car details provided (see Annex 1 and 2).

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- Time frame for obtaining the Non-exposure permit letter (return letter):

The time frame of obtaining the return letter from the Mayor's office depends on the district of displacement and how occupied the JCC office is. Security checks can be a source of discouragement for IDPs who wish to return, due to the nature of the security questions and procedures, which can take up to 10 days.

- Positive and negative decision about security check and return letter:

According to the key informants interviewed, there has so far been no decision to reject the request of any IDP to return. The decisions are communicated to IDPs through the same channels that they have applied to, which are the Mayor's offices. Once the IDPs submit their request to return, the Mayor's office will set an appointment for collecting their return letter. Once the return letter is issued, a copy of the letter will be sent to JCC Dahuk and the MoMD office in Dahuk. Dahuk authorities have not eased the procedures for return, as IDPs are required to visit several offices (Mayor, Asayish etc.) to complete the process.

- Additional information:

IDPs phones and IDs are not confiscated at any level of the process. Those who fail to obtain security clearance can reach out to camp management to obtain further information about the reasons behind rejecting their request (no cases have been reported though). Usually, it is easier for Yazidis to obtain security clearance due to their clear security background in general. Some Yazidi political bodies, religious figures, relatives and friends (in case they are familiar with the relevant entity) may intervene and assist to facilitate the security clearance process if needed. Additionally, the Mayor of Sinjar has a good level of communication with camp managements and authorities in KRI, so he can also support if needed. Female headed households face further difficulties in KRI, especially for widows, because they must provide additional governmental documents (such as death certificates, divorce certificates etc.) in order to prove their husbands are dead, missing or, at least, their security background is clear. Whereas in Sinjar, female headed households receive special treatment when following up with local authorities.

## ii) Returns from Ninewa

### o In-Camp IDPs

Sinjar in-camp IDPs are mainly found in Al Salamiya camp, most of whom originate from Qayrawan or Markaz Sinjar. Should they want to return, they approach camp management and inform them about their intention to return. Camp management closely coordinates with the MOMD Mosul office. MOMD have a high level of coordination with security actors of Mosul, as well as the Coexistence Peace Community Committee (CPCC), Sinjar office. The three actors then work together to facilitate the security clearance procedures, first by sending security forces into the camp to conduct the necessary security checks. If IDPs have no security issues, their return application is approved and they may follow up with MOMD to complete the next phase (registering return, transportation etc.). In some cases, the IDP family will be denied clearance and handled according to the nature of their issue. In addition to facilitating security clearance

procedures, MOMD supports returnees with transportation, especially if the number of households returning is high. Security actors may escort returnees to the exact AoO to make sure they arrive safely.

- Out of Camp

Many IDPs from Sinjar are displaced in out of camp locations, mainly in Mosul City. Their return process is not that different from in-camp IDPs, except that they need to handle the process themselves. Once they are interested in returning, IDPs must approach the Mayor's office at the area of displacement, whether it is Mosul or another district. Local authorities coordinate with MOMD and the Intelligence Agency to facilitate security clearance procedures and provide any additional assistance required because, in the end, all governmental entities are interested in return movements. The procedures followed are almost the same for in-camp IDPs, and security forces may also escort returnees to AoOs, depending on the number of households returning.

## The Return Process

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- **Transportation**

It is normally IDPs who initiate return, and they may use either MoDM buses, private cars, taxis or buses to return to their AoOs. While moving to their AoOs, IDPs need to provide the return form, personal IDs and camp departure form (in case they were displaced in a formal camp) at checkpoints (CPs) to ensure passage. The CP that IDPs pass through depends on the area of displacement and may be manned by the Peshmerga (until the last KRG-controlled CP), Iraqi Army, Police, PMF or YBS. Moreover, some CPs have more than one security actor, especially when they include the NSS and Intelligence Agency, who do not usually man CPs independently. IDPs may also bring their belongings with them such as NFIs, clothes and other personal items.

According to the MoDM focal point in Dahuk, MOMD is prepared to provide transportation in coordination with the Ministry of Transportation to groups of IDPs, which includes buses for IDPs and trucks for transporting their belongings. However, none of the IDPs who returned have reportedly used MOMD transportation, and instead used private or rented vehicles. This was mainly due to the availability of private vehicles and IDPs returning individually rather than as groups, which provides more flexibility than the transportation dates set by MOMD.

- **Return information and further facilitation**

IDPs may receive information about the AoO from camp management, MOMD and local authorities but most information is received through informal sources such as relatives, community members and friends. IDPs normally inquire on the security situation, basic services, transportation and cost of return. Most IDPs have visited their AoOs or have been informed by others about the state of their houses and properties in the AoOs. Female headed households can also move back easily, provided that all the required documents and approvals are in place. All actors involved encourage returns to Sinjar and try to facilitate procedures as much as possible, as it is important for them to have people back and rehabilitate their own accommodation. Cases have been reported where returnees have faced problems or have been blocked by security forces at both KRI and Iraqi controlled checkpoints. According to the key informants (KI), IDPs are informed by the authorities that after they leave the camps, they are not allowed to return to the camps.

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## After Return

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- **Registration with Local Government**

Upon arrival to the AoO, returnees must document their return with local security forces (Local police, NSS and Intelligence Agency). To do so, they must fill in a new form<sup>1</sup> containing personal details about the family members who have returned, date of return, area of displacement, and so on. In some areas, returnees can approach the local mukhtar to document the return. The mukhtar, in turn, communicates with the local police and NSS to update them and obtain their formal stamps, meaning that the return has been formally approved by the security forces of the AoO. In other areas, returnees can directly approach police stations and NSS offices and document their return themselves. Returnees may also directly visit the Sinjar Mayor's office to fill in the form and document their return. There are four offices allocated for conducting security clearance in Markaz Sinjar and its sub districts<sup>2</sup>. Follow up procedures<sup>3</sup> with local authorities and security forces upon arrival to the area of origin are more or less straight forward and take no more than one working day.

- **Closure of IDPs Profile**

MOMD handles the closure of displacement profile for the returned family. It is optional for IDPs to close their file with MOMD, which can be done either prior to departure or after returning to the AoO, as there are MOMD offices in Dahuk and in the AoOs. MOMD offices in Dohuk and Ninewa have a direct of line communication with camp managements at the areas of displacement and with security forces and local authorities of Sinjar. After an IDP registers their return, MOMD follows up with the relevant entity at the area of displacement to confirm that the return process has been completed successfully, and the displacement file is finally closed. This means that all assistance related to displacement IDPs, which IDPs had been receiving in the area of displacement, will be stopped. However, they will also be entitled to receive a one-time return grant of 1,500,000 IQD from MOMD.

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<sup>1</sup> This form is obtained from the security actors- local police, NSS and Intelligence Agency.

<sup>2</sup> To note, MOMD does not have an office in Sinjar, and thus cover Sinjar issues from Tel Afar.

<sup>3</sup> Upon arrival, returnees need to follow with local security forces and local authorities to document their arrival, inform security forces of their AoO of their return and register themselves with MoMD and local authorities to receive the return grant and any additional assistance/ compensation form the government.

## Annex 1: Sample authorization letter, Mayor of Shekhan (KRI)

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Kurdistan Regional Government

Dahuk governorate

Shekhan District

IDPs committee

Date: 13/5/2020

To whom it may concern

Subject: Permission

Following letter no. 283 on 13/05/2020 of Esiyan camp management, we confirm that citizen [full name inserted] originally from Sinjar district was displaced since 03/08/2014 and had settled in Shekhan district/ Esiyan camp. From our side, there is no objection to his request to move his household to his area of origin.

For your information and taking the necessary action.

With regards,

Mayor of Shekhan

13/05/2020

Copy to:

- Asayish of Shekhan for information
- Representative of MoMD-Dahuk for information and taking the necessary action