ANNUAL HLP INCIDENTS ASSESSMENT IN
CONFLICT - AFFECTED AREAS IN IRAQ
2016

BACKGROUND
The information used in this assessment was gathered
from reports done by the Returns Task Force.¹
The documented HLP incidents fall under five main
types of violations related to the Pinheiro Principles:

a. Destruction: the actual physical damage or
destruction of housing, land and property as a result
of the conflict (Principle 2.1 on 'the right to housing
and property restitution').

b. Eviction from origin or from place of displacement
as a denial of basic right to adequate housing
property (Principle 5 on 'the right to be protected
from displacement').

c. Confiscation or the expropriation of land, housing
or property (Principle 5 on 'the right to be protected
from displacement').

d. Lack of compensation related to the right to full
and effective compensation as an integral component
of the restitution process (Principle 2.1 and 2.2 on
'the right to housing and property restitution', and
especially Principle 21 on 'compensation').

The assessment covers HLP violations reported in the
five main governorates; namely:
Anbar, Diyala, Kirkuk, Nineveh, and Salah Aldin.¹

HLP CONTEXT IN IRAQ
The current conflict in northern and central Iraq has
resulted in the displacement of millions of individuals,
each of whom have reported one or more HLP
incidents.

Definition of five main types of violations is as follows:

Destruction
In areas affected by conflict, unlawful destruction of
properties, burning of land, and the systematic looting
of homes and properties constitute a violation of HLP
rights.

Eviction from Origin/Denied Returns
Communities that have experienced high levels of
violence tend to have discriminatory trends against
those who do not share the same religious/sectarian/
social backgrounds on the ground that they are/
were enemy sympathizers. These trends could be
of two kinds relating to eviction. On one hand, local
communities make it clear that certain families are not
welcomed in the village/city, and force unwelcomed
residents to leave there houses and properties and
seek new areas to live in order to "cleanse" their
area from the said sympathizers. On the other hand,
residents of an area are denied return to their area
of origin and access to their properties on the ground
that they are/were enemy sympathizers.

Eviction from area of displacement-
Forced Relocation
Most IDPs live in urban, out of camp settlements,
while others reside in camps set up by the government
or humanitarian actors. As the conflict expands,
and the number of newly liberated areas increases,
authorities in host communities tend to pressure
people to relocate, either back to their areas of origin,
or to other areas of displacement.

Compensation /Confiscation
Property restitution and confiscation are often
interlinked in newly liberated areas. The absence of
property restitution makes it difficult for suspected
sympathizing families to return to their homes due to
the fact that victims of the hostilities do not believe
that justice has been served. In other words, certain
local groups would begin to confiscate the properties
of the suspected sympathizers, and provide them as
compensation for victims of the hostilities. Although
there is a direct link between the two, compensation
and confiscation are not necessarily interlinked.

¹ These reports is a compilation of information received from var-
ious UN partners, UNAMI’s Office of Political Affairs, UN-Habitat,
IOM, OCHA, UNDP, UNFPA, UNHCR, UNICEF, WFP and WHO.
HLP INCIDENTS LOCATIONS IN FIVE AFFECTED GOVERNORATES IN 2016

# Of Reported Incidents (2016) Per Governorate

- Anbar
- Babil
- Diyala
- Kirkuk
- Karbela
- Nineveh
- KR-I

# Of Reported Incidents (2016) Per Week

1. Destruction
2. Eviction from origin
3. Forced relocation
4. Property compensation
5. Property confiscation

Reported Cases (2016) Per Type

- Destruction: 48%
- Eviction from origin: 14%
- Forced relocation: 3%
- Property compensation: 30%
- Property confiscation: 5%