

**REQUEST FOR PROPOSALS
FINAL PROJECT EVALUATION: ACCOUNTING
FOR MISSING PERSONS IN IRAQ THROUGH A
SUSTAINABLE DATA-DRIVEN AND RULE-OF-
LAW-BASED APPROACH**

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REQUEST FOR PROPOSALS (RFP)
FINAL PROJECT EVALUATION
ACCOUNTING FOR MISSING PERSONS IN IRAQ THROUGH A SUSTAINABLE DATA-DRIVEN
AND RULE-OF-LAW-BASED APPROACH

The International Commission on Missing Persons (ICMP) is a treaty-based intergovernmental organization with Headquarters in The Hague, the Netherlands. Its mandate is to secure the cooperation of governments and others in locating missing persons from conflict, human rights abuses, disasters, organized crime, irregular migration and other causes and to assist them in doing so. It is the only international organization tasked exclusively to work on the issue of missing persons.

ICMP seeks an evaluator or a team of evaluators (national and international) to undertake a final evaluation of its project, 'Accounting for Missing Persons in Iraq through a Sustainable Data-Driven and Rule-of-Law-based Approach' funded by the US Department of State Bureau of Democracy, Human Rights, and Labor (DRL).

Organization: International Commission on Missing Persons

Donor: US Department of State Bureau of Democracy, Human Rights, and Labor (DRL)

Duration of contract: September to October 2023 (approximately two months)

Deadline for proposals: 22 August 2023

To apply:

1. Please submit a technical and a financial proposal (maximum of 10 pages) with the following:
 - Evaluation methodology and justification;
 - Proposed data collection methods;
 - Proposed approach to field work;
 - Evaluator(s) roles and responsibilities;
 - Timeline for work being undertaken;
 - Issues you would like to flag; and
 - Budget (in USD).

The evaluation criteria for the technical and financial proposals are enclosed in this RFP.

2. CVs of the evaluator(s);
3. A list of relevant evaluations that the evaluator(s) have previously conducted and submission of at least one report from a similar previous evaluation, with an explanation of your role in the evaluation design, implementation, and write-up;
4. For any questions to support the preparation of the proposal, please contact IraqProcurement@icmp.int.

Table of Contents

1.0 Project information 4

2.0 Background information 4

 2.1 About Iraq 4

 2.2 About ICMP Iraq..... 4

 2.3 About the project to be evaluated..... 5

 2.4 ICMP Iraq five-year plan (2022-2027)..... 5

3.0 Scope of the evaluation 6

4.0 Purpose/Objectives/Rationale..... 6

5.0 Intended user(s) and use(s) 7

6.0 Evaluation questions..... 7

7.0 The principles and approach that will guide the evaluation..... 7

8.0 Methodology..... 8

9.0 Roles and responsibilities..... 9

10.0 Evaluator qualifications..... 10

11.0 Proposal evaluation criteria 10

12.0 Reporting requirements..... 11

13.0 Estimation of the cost 11

14.0 Procedures and logistics 11

15.0 Timeline and milestones 12

16.0 Annexes..... 13

 16.1 Indicators 13

 16.2 Conclusions from the high-level policy conference in The Hague held in August/September 2021 (ICMP.GR.IRQ.244.2.doc) 15

 16.3 Stakeholder analysis 16

 16.4 About the project..... 22

1.0 Project information

Title: Accounting for Missing Persons in Iraq through a Sustainable Data-Driven and Rule-of-Law-based Approach

Budget: USD 1 million

Location: Iraq, mainly Baghdad, Erbil, and mass grave sites in Ninawa, Muthanna and Najaf governorates

Project Implementation Period: 30 September 2021 to 31 March 2023

Project number: S-LMAQM-21-GR-3363

Start date: September 2023

The International Commission on Missing Persons (ICMP) is a treaty-based intergovernmental organization with Headquarters in The Hague, the Netherlands. Its mandate is to secure the cooperation of governments and others in locating missing persons from conflict, human rights abuses, disasters, organized crime, irregular migration and other causes and to assist them in doing so. It is the only international organization tasked exclusively to work on the issue of missing persons.

ICMP seeks an evaluator or a team of evaluators (national and international) to undertake a final evaluation of its project, 'Accounting for Missing Persons in Iraq through a Sustainable Data-Driven and Rule-of-Law-based Approach' funded by the US Department of State Bureau of Democracy, Human Rights, and Labor (DRL).

2.0 Background information

2.1 About Iraq

Iraq is affected by a high number of missing persons. Government estimates range from 250,000 to one million missing from decades of conflict and human rights abuses including from the Ba'ath regime, the Iran/Iraq war, the Gulf Wars, and those missing since 2003 including as a result of Da'esh related atrocities. The unresolved cases of hundreds of thousands of missing person cases has significant consequences for society and security in Iraq today. Tens of thousands of families suffer the anguish of uncertainty regarding the fate of their relatives, and communities entertain different and often conflicting accounts of the truth, which undermines the rule of law and reconciliation. Further, many surviving family members are unable to access their rights, due to administrative, political, and legal hurdles.

Despite continuing instability, Iraq has taken steps to address the issue. Iraq is party to the International Convention for the Protection of All Persons from Enforced Disappearances (ICPPED), and it has enacted a Law on Mass Graves Affairs. However, challenges remain in creating a sustainable process to find the high number of missing persons and to secure the human rights of their families.

2.2 About ICMP Iraq

ICMP has been engaged in Iraq since 2005 and established offices in the country in 2008. It works to assist Iraqi authorities in developing a sustainable strategy to account for all missing persons and to secure the rights of all families of the missing.

A factsheet outlining ICMP Iraq's work is available [here](#).

2.3 About the project to be evaluated

In September 2021, DRL awarded ICMP a USD 1 million grant to account for missing persons in Iraq through a sustainable data-driven and rule-of-law-based approach. By implementing the grant, ICMP was able to continue supporting the efforts of the Iraqi authorities, civil society organizations (CSOs) and families as it has been doing since it started working with the Iraqi authorities in 2005. While the grant was awarded in September 2021, ICMP began implementing activities in January 2022. ICMP has informed DRL accordingly of this information and it has been reflected in the signed contract award accordingly.

The goal of the project was to continue to assist Iraq in its determination to build a sustainable data-driven, unified missing persons process that will support the government in complying with its state obligations. The first objective sought to strengthen the technical capacity of Iraqi authorities to conduct mass grave site excavations, analysis, and identifications. This objective relied on the achievement of two key outcomes. The first outcome focused on continuing ICMP's technical advice and assistance to the Mass Graves Directorate of the Martyrs Foundation (MGD), Medico-Legal Directorate of the Ministry of Health (MLD), and to an extent the Ministry of Martyrs and Anfal Affairs (MoMAA), in excavating suspected mass graves, and the subsequent analysis and identification of remains. The second outcome focused on supporting the MGD and MLD in planning towards the realization of a unified data system in the form of a central record to process missing persons data with increased efficiency, and on assisting the national authorities in collecting DNA reference samples from families.

The second objective sought to advance building confidence and facilitate dialogue between families of the missing and Iraqi authorities. This objective rested on one outcome, which sought to improve communication between families of the missing and Iraqi authorities through supporting civil society organizations trusted by the families of the missing to act as a conduit for information and to represent the views and concerns.

2.4 ICMP Iraq five-year plan (2022-2027)

Between 30 August and 1 September 2021, representatives of key Iraqi government institutions, including from the Kurdistan Regional Government, met in The Hague under the auspices of ICMP to review and agree upon a five-year strategic plan to enhance the process of locating tens of thousands of missing persons and to securing the rights of hundreds of thousands of surviving family members. The meeting concluded with broad agreement among the Iraqi participants on a number of key steps to be taken towards an efficient process to account for the missing in Iraq, including but not limited to striving to create a central mechanism to coordinate the missing persons process, developing a central record of all missing persons, ensuring accountability for perpetrators of crimes linked to missing persons and securing the rights of families of the missing. Additionally, the authorities highlighted the critical importance of data protection and ensuring the active participation of civil society organizations and families of the missing in a national strategy or plan. Please refer to the annex (section 15.2) for the full list of conclusions.

Over the next five years, ICMP will work towards advancing progress against three strategic objectives:

- a) Promote a centrally coordinated approach to accounting for missing persons, through a central mechanism;
- b) Strengthen the capacity of Civil Society Organizations (CSOs) and build bridges with government authorities; and
- c) Advance Iraq's legal framework on missing persons that incorporates international legal standards, including ensuring that the specific rights of women survivors are secured.

Notwithstanding ICMP's focus on delivering against the three strategic objectives, ICMP will continue supporting the authorities for ongoing tasks, namely the Martyrs Foundation's Mass Graves Directorate (MGD), MoH's Medico-Legal Directorate (MLD), the Kurdistan Regional Government's (KRG) Ministry of Martyrs and Anfal Affairs (MoMAA), including but not limited to:

- Conduct forensic archaeological assessments, and anthropological examinations and human identification work, closing cases with legal effect, including facilitating certification of the missing persons process;
- Return the remains of the missing to their families for burial and commemoration;
- Data collection campaigns and providing data systems technologies; and
- Function as the intermediary for financing government work.

ICMP's five-year plan is centered on advancing progress against the 12 conclusions reached by 18 senior Iraqi government representatives during an ICMP-hosted high-level policy conference in The Hague in 2021. ICMP's objective is to help Iraq achieve these goals by the end of 2027. Encouragingly, during 2022, the Iraqi government took significant steps towards the establishment of a central mechanism and central record on missing persons.

3.0 Scope of the evaluation

This final project evaluation will assess the implementation of ICMP's activities funded by the DRL between January 2021 to March 2023. It will include all areas of ICMP's work in Iraq (refer to factsheet). It will cover the entire Iraq, as determined by the stakeholders ICMP engaged with over the course of implementation (see annex for the stakeholder analysis) and the activities undertaken as reported to DRL.

4.0 Purpose/Objectives/Rationale

The purpose of this RFP is to identify an individual independent consultant, team of consultants, or a firm or organization that will conduct a final project evaluation for ICMP's *Accounting for Missing Persons in Iraq through a Sustainable Data-Driven and Rule-of-Law-based Approach* project:

- To assess the project's achievements while evaluating for relevance, coherence, efficiency, effectiveness, and sustainability;
- To allow ICMP to act upon any weaknesses and reflect on lessons learned for implementing future projects, in particular for the implementation of ICMP's five-year plan for Iraq;
- To assess the project's potential for scalability and replicability;
- To assess the extent to which the project integrated women and youth and whether both men and women are equally benefiting from the activities; and,

- To provide meaningful evidence that will highlight how and in what ways ICMP can maximize its contributions given the current and expected contexts surrounding Iraq.

Refer to the annex for the indicator table.

5.0 Intended user(s) and use(s)

The final project evaluation is designed and carried out around the needs of the primary intended users, including the ICMP Iraq program, ICMP management at Headquarters in The Hague, as well as the DRL. ICMP aims to use the evaluation findings to make judgments of merit or worth, facilitate improvements, and generate knowledge. Judgments of merit or worth will involve assessing the project's achievements, while improvements may involve identifying areas where the project could be more effective or efficient. The evaluation will also generate knowledge that can inform the implementation of ICMP's five-year plan and likewise contribute to organizational learning and capacity-building.

6.0 Evaluation questions

1. Were the project objectives and activities clearly linked to the needs and priorities of the families of the missing? (Relevance)
2. Did the project foster partnerships and collaboration between different stakeholders, including the government, civil society, and families of the missing? (Coherence)
3. How well did ICMP implement the project and adapt as needed? (Effectiveness)
4. Did the project produce the intended results? If so, how valuable were the results to ICMP Iraq's key government interlocutors, CSOs and families of the missing? (Effectiveness)
5. To what extent did the project represent the best possible use of available resources to achieve results of the greatest possible value to participants and the community? (Efficiency)
6. Are any positive results likely to be sustained, especially to inform the implementation of ICMP Iraq's five-year plan? In what circumstances? (Sustainability)

7.0 The principles and approach that will guide the evaluation

The following safeguarding and ethical standards are to be guaranteed at every stage of the evaluation:

- Informed consent: Respondents will be fully informed of the purpose of collecting the data, what data is to be collected, how the information/findings will be used, any potential adverse impacts of participation and who will have access to the findings;
- Voluntary participation: Respondents will not be forced/pressured to participate but will be made aware that their participation is voluntary and are free to participate or withdraw at any point of the data collection process without fear of retaliation;
- The anonymity of respondents: The evaluation will maintain anonymity and will not disclose the full identity of respondents in data collection and management. In cases where quotes are to be

- used in the report, the respondents' permission will be sought first;
- Confidentiality: ICMP and the evaluator/s will ensure that the information provided by respondents is kept secure and will not be made available to unauthorized individuals;
 - Do no harm: ICMP and the evaluator/s will ensure that there is no negative impact of the assessment process on the respondents, beneficiaries, and the enumerators in terms of any physical, psychological, or political consequences (stress, pain, anxiety, diminishing self-esteem or an invasion of privacy). The data collection process will make sure that the enumerators do not make any promises, whether material or in any other form, to respondents or any other individuals.

8.0 Methodology

This evaluation will be a transparent and participatory process involving relevant ICMP staff at program and HQ level and external stakeholders. It will employ a mixed methods and theory-based approach that is trauma-informed. It will seek to draw on existing knowledge of how to evaluate rule-of-law programs, projects, and policies, especially those targeting victims and survivors. Methods to assess cost-effectiveness and other innovative methodologies will be integrated where possible and appropriate, including specifically. Field visits to selected sites will be a core element of the methodology.

The overall evaluation process will be organized around five key phases:

1. ICMP will be responsible for the planning phase of the evaluation. This involves gathering and analyzing programme data, initial portfolio analysis, conducting internal scoping interviews, conceptualizing the evaluation approach and methodology, preparing the TOR, recruitment of evaluator/s, and development of a communications and dissemination plan.
2. The Inception phase is the responsibility of the ICMP and the evaluator/s jointly. Consultations between ICMP and the evaluator/s; more robust portfolio review, stakeholder mapping, inception meetings with ICMP team members, review of the logic model for the project and reconstruction of theory of change if needed; finalization of evaluation methodology and inception report.
3. The Data Collection Phase is primarily the responsibility of the evaluator/s, with involvement and support from ICMP staff. This will involve in-depth desk research, face to face and online interviews, staff and partner survey/s, briefing notes.
4. The Analysis and Synthesis stage is the responsibility of the evaluator/s, with involvement and support of ICMP staff during the review: analysis of data and interpretation of findings, preliminary findings report; and drafting of an evaluation report and other communication products.
5. ICMP has the primary responsibility for the dissemination and follow-up of the evaluation, with involvement and support of the evaluator/s. This includes the development of a robust Management Response, publishing of the evaluation report and associated products, preparing the executive summary, and production of knowledge products and learning events for communicating findings.

9.0 Roles and responsibilities

Evaluator/s responsibilities:

- Review all key documentation;
- Develop inception report which includes the evaluation matrix to guide the planning and conduct of data collection;
- Develop and adapt data collection instruments (survey, questionnaire, FGD protocols, etc). Data collection will be conducted in-person and remotely;
- Conduct key informant interviews, in-depth interviews, and focus groups;
- Develop evaluation report and presentation in compliance with ICMP templates;
- Present and disseminate preliminary findings and recommendations to ICMP management;
- Share all cleaned, translated, and recorded data in the appropriate formats;
- Identify areas that went well and corrective actions during the preparation, conduct and closeout of the evaluation, in cooperation with ICMP staff.

DRL responsibilities

- Comment on the TOR/RFP;
- Participate in data collection/stakeholder call with the selected evaluator;
- Serve as a key informant, review the evaluation report for accuracy and clarity, and approve the evaluation.

ICMP HQ staff responsibilities, specifically the Global MEAL Officer, with supervision from the Head of Operations and in coordination with the Head of Program Coordination and Impact:

- Manage the evaluation contract and serve as a liaison with the evaluator(s);
- Provide oversight of the final evaluation;
- Provide feedback on inception report, data collection tools, and written report;
- Organize draft report discussion meeting and comments to provide additional context and feedback for the preparation of the final evaluation report;
- Ensure that the final evaluation report conforms to ICMP standard templates;
- Coordinate the review and approval of the final evaluation report;
- Facilitate use and uptake of evaluation recommendations and preparation of management response.

ICMP Iraq staff responsibilities, specifically the MEAL Officer, with supervision from the Head of Program and in coordination with the Global MEAL Officer:

- Provide administrative and logistics support to the evaluation team;
- Ensure effective coordination of the evaluation team, scheduling appointments with the stakeholders to facilitate the consultants in undertaking their assignment;
- Provide consultants with background documents such as grant documents, quarterly reports, internal monitoring (bimonthly reports), performance indicator and tracking tables (PITT), ICMP Iraq general documents such as the factsheet, organization-wide documents such as the program and budget, and other relevant data;

- Participate in key informant interviews/focus group discussions for data collection, as needed.

10.0 Evaluator qualifications

The independent evaluator should be a suitably qualified and experienced consultant or team of consultants. Interested evaluators may be based anywhere, provided they demonstrate the capacity to collect information in Iraq. The evaluator profile should include:

Evaluation

- Evaluation specialist with a minimum of seven years' experience in program/project evaluation in an international development context;
- Experience in results-based monitoring and evaluation;
- Ability to design and plan evaluation approaches and research methodologies, including quantitative and qualitative research methods;
- Ability to manage a complex evaluation and research process in a conflict-prone setting;
- Ability to design, manage and implement primary research in challenging, unstable, environments, including previous experience in Iraq / Middle East;
- Ability to use relevant data analysis software.

Human Rights and Rule of Law

- Relevant subject matter knowledge and experience in evaluating development programs concerning human rights and rule of law, to ensure the evaluation design and research methods are as relevant and meaningful as possible.

Communication and Facilitation

- Excellent analytical, facilitation and communications skills; ability to negotiate with a wide range of stakeholders and demonstrate cultural sensitivity;
- Ability to convey complex and sensitive issues in a balanced and constructive manner;
- Strong writing skills and experience in drafting concise evaluation reports with actionable recommendations;
- Ability to substantively support the dissemination and communication strategy of the evaluation results;
- Ability to meet strict/tight deadlines;
- English and Arabic language fluency, Kurdish preferred.

11.0 Proposal evaluation criteria

The technical proposal will be assessed against the following criteria with the corresponding weights:

Criteria	Weight
Understanding of the project requirements	20
Clarity and coherence of the proposed approach	30

Criteria	Weight
Demonstrated expertise and experience	25
Innovativeness and creativity	15
Timeline and work plan	10
Total	100%

The financial proposal will be assessed against the following criteria with the corresponding weights:

Criteria	Weight
Clarity and completeness of the budget	25
Reasonableness of cost estimates	30
Cost-effectiveness of the proposed budget	25
Alignment with the technical proposal	20
Total	100%

12.0 Reporting requirements

The main reporting requirements from the evaluation are as follows:

1. Inception report with finalized data collection tools and methodology (maximum 15 pages, excluding annexes);
2. 1-1.5-hour oral virtual presentation of the preliminary report findings and recommendations to the project team, ICMP management, and other key stakeholders;
3. Submission of the draft evaluation report with recommendations to the project team for comments (maximum 15 pages, excluding annexes);
4. Submission of the final evaluation report with recommendations addressing stakeholders' comments (maximum 15 pages, excluding annexes).

All reports should be electronically delivered to ICMP.

13.0 Estimation of the cost

The payments will be made in three installments as detailed below and upon completion of all work to the evaluation:

- 20% of the agreed sum upon submission of invoice and approval of inception report by mid-September 2023;
- 55% of the agreed sum upon submission of invoice and presentation of the draft evaluation report by late September 2023;
- 25% of the agreed sum upon submission of invoice and approval of final evaluation report by late October 2023.

14.0 Procedures and logistics

- The evaluator(s) will be expected to collaborate in the ICMP online document repository;
- The evaluator(s) are expected to have a home office with a computer and other equipment including access to a reliable internet connection;
- The evaluator(s) are expected to be available to work in-person in Iraq, as well as remotely within the CET/MENA region time zone;
- ICMP would not be able to arrange secure transportation for the evaluator(s) to travel within Iraq. ICMP expects the evaluator(s) to estimate travel costs accordingly in the financial proposal.

15.0 Timeline and milestones

The table below outlines the key activities and deliverables and their corresponding deadlines.

Activity or deliverable	Date (tentative)
Deadline for proposals	22 August 2023
Evaluator(s) appointed	29 August 2023
Evaluation kick-off call	4 September 2023
Develop inception report	11 September 2023
Draft report submitted to ICMP	25 September 2023
ICMP feedback provided to evaluator(s)	5 October 2023
Presentation of preliminary findings	11 October 2023
Deadline for final report (15 pages maximum) submitted to ICMP	18 October 2023
Final payment	31 October 2023

16.0 Annexes

16.1 Indicators

No	Type	Indicator	Definition and Rationale	Data Method / Source	Disaggregation	Frequency	Target
Goal: To help Iraq build a sustainable data-driven, unified missing persons process that is based on the rule of law							
Objective 1: Iraqi authorities' technical capacity to respond to the needs of families of the missing is strengthened							
1	Outcome	Percentage of training participants that have utilized what they learned in the training in their workplace	ICMP evaluates the extent to which participants apply what they have learned from the training. In the form of a survey or semi-structured interview administered to training participants three to four months after receiving the training, ICMP measures the extent to which the trainees apply the expected learning outcomes (ELO) from the training in the workplace. This helps ICMP in planning for and improving future training courses.	Training effectiveness surveys, semi-structured interviews	Institution and department, i.e., Mass Graves Directorate (MGD) of the Martyrs Foundation and the Medico-Legal Directorate (MGD) of the Ministry of Health, Ministry of Martyrs and Anfal Affairs (MoMAA) anthropology and DNA laboratories	Semi-annually	75%
2	Output	Average learning (post) assessment score of participants in training initiatives related to missing persons investigations	ICMP requests participants to respond to training assessments to gauge their knowledge after having received ICMP's training courses in terms the learning outcomes and applicability to their work. Assessment results are incorporated in training reports that ICMP uses to tailor and improve delivery of future training courses.	Training assessment	Institution and department, i.e., MGD, MLD, MoMAA anthropology and DNA laboratories	Semi-annually	70%
3	Outcome	Number of ICMP-assisted publications or abstracts submitted by MLD	Apart from capacity building activities like delivering training courses, ICMP also plans to support the continued professional development of MLD staff through working towards submitting in peer-reviewed journals or abstracts in international conferences.	Data exchange between MLD and ICMP	ICMP	Semi-annually	1
Objective 2: A centrally coordinated approach to accounting for missing persons based on domestic legislation promotes increased cooperation between authorities and families of the missing							

No	Type	Indicator	Definition and Rationale	Data Method / Source	Disaggregation	Frequency	Target
4	Outcome	Average likelihood of the establishment central coordination body on missing persons according to Iraqi institutions and CSOs	The indicator will be measured through interviews with representatives from Iraqi institutions of CSOs that are politically informed and track a broad range of policy issues, i.e., they will be randomly selected from consultees from ICMP's recent policy consultations, policy conference and awareness-raising events. This indicator will be used to understand the perception of the interviewees with respect to the likelihood of enacting the law on the central coordination body of missing persons in Iraq.	Bellwether interview questionnaire	Government or CSO	Annually	40%
5	Output	Number of workshops held with Iraqi national institutions on data centralization and protection	Outside the key Iraqi interlocutors chiefly responsible for the missing persons process (MGD, MLD, ICMP also intends to support other Iraqi national institutions handling missing persons files in broadening their understanding of data centralization and protection and how it relates to harmonizing missing persons files of national institutions across Iraq.	Actual conduct of workshop, ICMP press release	No disaggregation	Quarterly	1
6	Output	Number of ICMP-supported data and reference sample collection campaigns conducted	ICMP will continue to support the Iraqi national team to conduct data and reference sample collection campaigns from families of the missing. This indicator is used to count the extent to which ICMP has supported the national team, based on the latter's activity plans, if available.	Data and reference sample collection report	Regime of disappearance (Da'esh, Baa'th, etc.)	Semi-annually	1

No	Type	Indicator	Definition and Rationale	Data Method / Source	Disaggregation	Frequency	Target
7	DRL F-indicator (Output)	DR.3.1-3: Number of consensus building forums (multi-party, civil/security sector, and/or civil /political) held with USG Assistance	As applied to ICMP and aligned with the DRL definition (refer to next tab), this indicator is used to count the extent to which ICMP has supported advancing domestic legislation in the context of missing persons issue in group-level settings. This will also serve to count activities ICMP-supported activities with civil society.	Roundtable notes, attendance sheets	Demography (Federal Iraq, Kurdistan Region of Iraq)	Semi-annually	2

16.2 Conclusions from the high-level policy conference in The Hague held in August/September 2021 (ICMP.GR.IRQ.244.2.doc)

INTERNATIONAL COMMISSION ON MISSING PERSONS MISSING PERSONS IN IRAQ: THE WAY FORWARD CONFERENCE

THE HAGUE - THE NETHERLANDS

30 AUGUST TO 1 SEPTEMBER 2021

I. CONCLUSIONS

Between 30 August and 1 September 2021, representatives of key Iraqi government institutions, including from the Kurdistan Regional Government, met in The Hague under the auspices of the International Commission on Missing Persons, a treaty-based intergovernmental organization, to review and agree upon a five-year strategic plan to enhance the process of locating tens of thousands of missing persons and to securing the rights of hundreds of thousands of surviving family members. The first day of the conference, 30 August, marked the International Day of the Victims of Enforced Disappearance.

Participants reached a broad consensus on the way forward and jointly concluded to:

1. Strive to create a central mechanism to coordinate the missing persons process;
2. Enhance planning at all levels, including through the adoption of a national plan or strategy;
3. Ensure that the activities of a central mechanism are inclusive across Iraq, working in coordination with the Kurdistan Regional Government;
4. Continue and enhance funding from the State to the relevant national institutions and encourage continued participation and support of the international community;

5. Improve data management, including through a central record that would be established through law or executive decision as required*;
6. Acknowledge the critical importance of data protection and the need to protect data with respect to the relevant national law and international conventions ratified by Iraq, including the right to privacy of the families of the missing;
7. Ensure the participation of civil society and the families of the missing, as this is central to finding all missing persons;
8. Strengthen the capacity of civil society organizations in their work with families of the missing and in building bridges with government authorities;
9. Acknowledge the adoption of the Yazidi Female Survivors Law or any other law that might replace it, thereby ensuring that the specific rights of women survivors are secured, given that the majority of the missing are men, which leaves a disproportionate number of female survivors, many of whom become heads of household;
10. Enhance efforts to bring perpetrators to account in accordance with Iraqi law and to enhance cooperation with judicial authorities in other countries, so that justice can be achieved and the rights of victims are secured *;
11. Strive to ensure that Iraq accedes to the ICMP Treaty;
12. Ensure a high-level meeting with relevant institutions in Iraq within the next six months.

** Reservation expressed by the representative of the Ministry of Martyrs and Anfal Affairs*

16.3 Stakeholder analysis

#	STAKEHOLDER		CATEGORY	INTEREST	PARTICIPATION / ROLE		
1	Government Institutions	Prime Minister's Office	Key Iraqi government reached broad consensus on striving to create a sustainable missing persons process through a centrally coordinated approach.	Decision makers/ legislator	High Interest	Participate in coordinated government effort of creating a central mechanism, including a central record of missing persons	
		State Council		Decision makers/ legislator			
		Parliament		Decision makers/ legislator			
		Supreme Judicial Council		The Supreme Judicial Council of Iraq is the supreme administrative authority responsible for the affairs of the judiciary in Iraq			Decision makers/ legislator
		Martyrs Foundation		Main subunit: Mass Grave Directorate (MGD) A commission within the Office of the Prime Minister that deals with the search, location and recovery of human remains and associated evidence			Decision makers/ Collecting and processing of data
		Martyrs Foundation		Main subunit: Directorate for Compensating Victims of Military Mistakes, Military Operations and Terrorist Operations Responsible for providing compensation to persons			Decision makers/ Collecting and processing of data

#	STAKEHOLDER		CATEGORY	INTEREST	PARTICIPATION / ROLE
		<p>martyred as a result of the war operations, military mistakes and terrorist operations and determine the damages, their gravity, standards for compensation and means of claiming</p>			
	Ministry of Health	<p>Main subunit: Medico-Legal Directorate (MLD)</p> <p>Responsible for the technical oversight of all medical legal facilities in the country, which includes the treatment of unidentified remains</p>		Decision makers/ Collecting and processing of data	
	Ministry of Labor and Social Affairs	<p>Main subunit: Directorate for Survivors Affairs</p> <p>The directorate has responsibility for providing support long-overdue relief to Yazidi women and other survivors through mandating financial support for survivors, measures for their rehabilitation, the provision of land, housing, and education</p>		Decision makers/ Collecting data and providing compensations	
	Ministry of Justice (MoJ)			Decision makers/ legislators/ Collecting data	

#	STAKEHOLDER		CATEGORY	INTEREST	PARTICIPATION / ROLE
	Ministry of Foreign Affairs			Decision makers/ legislators/ Collecting data	
	Ministry of Interior (MoI)	The MoI is involved with registering missing persons, including those not related to mass graves. Ante-mortem blood collection is carried out by the relevant forensic medical department (provincial and main facilities).		Decision makers/ legislators/ Collecting data	
	Ministry of Defense (MoD)	MoD in Federal Iraq and Ministry of Peshmerga Affairs (MoP) in the KRI deal with those missing in action (MIA), a portfolio that covers the gulf wars, Iran – Iraq war and recent conflict with Da’esh.		Decision makers/ legislators/ Collecting data	
	KRG Ministry of Health			Decision makers/ legislators/ Collecting data	
	KRG Ministry of Martyrs and Anfal Affairs (MoMAA)	Provides material and moral care to the heirs and families of the martyrs and victims of Anfal. The Mass Graves Department within the MoMAA is, in effect, the Kurdish counterpart of the MGD.		Decision makers/ legislators/ Collecting data	

#	STAKEHOLDER		CATEGORY	INTEREST	PARTICIPATION / ROLE		
		KRG Office of the Implementation of International Recommendations	The Office is responsible to communicate and consult with related national and global entities, in order to provide KRG's in-depth policy clarifications and responses in the main human rights forums.		Decision makers/ legislators/ Collecting data		
2	Civil Society Organizations/ Families of the missing	More than 50 CSOs		CSO capacity will be strengthened to play a larger role in bridging the relationship between families of the missing and the government	Beneficiaries/ Rights holders	High Interest	Participate and represent the families during discussions of the central mechanism, in particular with regard to the envisioned role of families of the missing within the central mechanism
3	Embassies in Iraq	The diplomatic community in support of the accounting of the issue of the missing persons in Iraq		Support the sustainability of the process of accounting for missing persons	Supporters	Medium Interest	Support ICMP to conclude an ICMP status agreement Support having a consistent message regarding the importance of addressing missing persons
4	International Organizations	UN Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (UNITAD) UN Assistance Mission for Iraq (UNAMI)		The international community and the UN agencies working on the issue of the missing are supporting the efforts of ICMP to work toward a sustainable missing persons process in Iraq. ICMP	Supporters	Medium Interest	Coordinate and support the work of ICMP

#	STAKEHOLDER		CATEGORY	INTEREST	PARTICIPATION / ROLE
	International Committee of the Red Cross (ICRC)		will continue its coordination through cluster meetings with the ICRC and UNITAD.		
	Other International organizations in Iraq				

16.4 About the project

Introduction

1. According to Iraqi government sources, the number of missing persons in Iraq as a consequence of conflict, human rights violations and atrocities ranges from about 250,000 to more than one million. The estimate includes persons missing from the Ba'ath regime, the Iran-Iraq war, and the Gulf Wars, as well as those who have disappeared since 2003, including as a consequence of atrocities committed by Da'esh. Ensuring state responsibility in Iraq for locating and identifying large numbers of missing persons in line with the rule of law depends on a number of elements working in concert. These include data-driven, high-throughput DNA testing and matching, effective coordination among relevant domestic institutions, adherence to relevant international and domestic legislation, and support from families of the missing. Following intensive learning and development programs over the last decade, Iraqi institutions have made progress in conducting effective recovery operations at mass and clandestine gravesites.
2. However, political instability and other factors impact the pace of progress, and the complex process required to find such a large number of missing persons rests on a fragile foundation.
3. Nonetheless, several significant steps were made, and limited but promising progress on the part of the national authorities observed.
4. While 2020 was a challenging year to implement face-to-face activities, ICMP made headway in advancing an Iraqi central coordination body for missing persons. In 2020, ICMP launched a remote policy consultation process on the establishment of a central coordination body for missing persons with relevant national authorities.¹ The consulted partners provided ICMP with recommendations, as well as synergies with new stakeholders that will be acted upon in policy roundtables included in this proposal.
5. In February 2021, ICMP's key national partners, the Mass Graves Directorate (MGD) of the Martyrs Foundation and the Medico-Legal Directorate (MLD) of the Ministry of Health signed an end-user license authorization (EULA) on the use of the Identification Data Management System (iDMS), a specialized software solution purpose built by ICMP for managing large scale data from missing persons programs. This marks important progress for the Iraqi government to take steps toward establishing a central record that includes information on all persons missing in Iraq and their families. ICMP proposes to continue its endeavor to fully implement iDMS in the MGD and MLD's premises and adapt it to their needs.
6. February 2021 also saw the return of 104 Yazidi remains to Sinjar (<https://www.icmp.int/press-releases/icmp-statement-at-end-of-mourning-period-for-104-yezidi-victims-efforts-to-account-for-all-of-iraqs-missing-must-continue/>). ICMP has supported the Iraqi national authorities, namely, the Mass Graves Directorate of the Martyrs Foundation (MGD), Medico-Legal Directorate of the Ministry of Health (MLD), and the Ministry of Martyrs and Anfal Affairs (MoMAA), in locating,

¹The consulted partners included, but are not limited to, representatives from the Mass Graves Directorate of the Martyrs Foundation (MGD), Medico-Legal Directorate of the Ministry of Health (MLD), Ministry of Martyrs and Anfal Affairs (MoMAA), Iraqi Parliament, Offices of the Iraqi Prime Minister and Iraqi President, and the Supreme Judicial Council.

recovering, and identifying remains in this area, and will continue to provide targeted support in other sites as part of this proposal, in cooperation with other organizations such as the UNITAD.

7. ICMP will continue working in cooperation with UNITAD on Da'esh sites following a previously defined cooperation agreement finalized in 2019. ICMP and UNITAD have an agreed-upon implementation procedure, which outlines how ICMP and UNITAD complement each other in their endeavor to support Iraqi authorities. ICMP's rule of law, human rights, and institution-building mandate complements UNITAD's prosecutorial-focused objectives related to this specific category of missing person cases. Similarly, ICMP will cooperate and coordinate with the UNITAD on the sites within their specific mandate, while endeavoring to broaden the MGD, MLD and MoMAA's scope of work to ensure some equity between various regions, timeframes, and ethnic groups. ICMP's broad mandate will enable it to support prioritizing excavation of legitimate project sites (i.e., those with human remains) regardless of the perpetrator, and where identifications based on DNA analysis can be expected to yield significant positive results. With DRL support, ICMP will deploy with and provide technical advice and material support to the MGD, MLD and MoMAA's focused on but not exclusive to non- Da'esh sites.
8. Therefore, the goal of this program proposal is to continue to help Iraq build a sustainable data-driven, unified missing persons process in Iraq that is based on the rule of law. This will require, 1) Strengthening the technical capacity of Iraqi authorities to respond to the needs of families of the missing; and 2) Advancing trust of families of the missing towards the Iraqi authorities, as supported by a centralized institutional structure legislative framework.

Objectives, Outcomes and Activities

GOAL: To help Iraq build a sustainable data-driven, unified missing persons process that is based on the rule of law

- ❖ **Objective 1: To strengthen the technical capacity of Iraqi authorities in mass grave excavation, analysis, and identification**

➤ **Outcome 1.1: MLD's technical capacity to handle DNA-based identifications is improved**

9. The Medico Legal Directorate (MLD) DNA laboratory in the Baghdad Ministry of Health handles Iraq's largest portfolio of DNA-based identification testing of missing persons. ICMP has supported MLD since 2010, and as a result, the MLD DNA lab now has the capacity to implement ICMP's bone DNA extraction methods. This capacity formed the basis for recent identifications made by the MLD of remains exhumed from mass graves in Sinjar. However, in order for the process of identifications to be sustainable and to accommodate Iraq's very high number of missing persons, ICMP will work with the MLD and other institutions to lay the groundwork for a data-driven, high-throughput DNA laboratory system capability. The MLD laboratory management has asked ICMP to continue its partnership, specifically by providing additional staff training, assisting in the establishment of a Quality Management System (QMS) for international accreditation, and developing much-needed DNA database matching capabilities allowing MLD to find and report DNA identification reports on a large scale.

- **Activity 1.1.1: Provide training and mentoring towards QMS development**

10. The MLD laboratory has made great progress in the DNA testing of bone samples to generate DNA profiles. Comparison of DNA profiles from unidentified human remains to profiles families has permitted identifications to be made. However, the MLD has not instituted an effective system for large-scale computerized matching at a database level, and this is a function that is provided by the ICMP's iDMS system. Accordingly, this activity will emphasize training in the area of computational DNA matching, the statistical genetics of kinship calculations, and issuing DNA match reports. Additionally, ICMP will continue coordination with the MLD on the development of their Quality Management System, as part of a long-term progressive process of protocol development and documentation needed for eventual accreditation.

- **Activity 1.1.2: Assist national authorities to excavate suspected mass grave sites and other sites of forensic interest**

11. ICMP will support Iraqi authorities, specifically the MGD, MLD and MoMAA in the Kurdistan Region of Iraq (KRI) (collectively the 'Iraqi national team'), to select mass grave sites where a high probability of DNA-based identification can be achieved. Specifically, ICMP will support prioritizing excavation of legitimate project sites (i.e., those with human remains) regardless of the perpetrator, and where identifications based on DNA analysis can be expected to yield significant positive results.

12. With DRL support, ICMP will deploy and provide material support to the national team, especially focused on but not exclusive to non- Da'esh sites. Similarly, ICMP will continue to coordinate² with the UN Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (UNITAD) on sites within their specific mandate, while endeavoring to broaden the national team's scope of work to ensure some equity between various regions, timeframes, and ethnic groups. Periodic review and monitoring and mentoring activities will ensure that fieldwork is carried out to international best practice standards that minimize the degradation of evidence and is conducted in a manner that maintains relevant contextual information. In addition, ICMP and UNITAD have agreed on terms of reference of an implementation procedure, which outlines how ICMP and UNITAD complement each other in them strive to support Iraqi authorities. ICMP's rule of law, human rights, and institution-building mandate complements UNITAD's prosecutorial-focused objectives related to this specific category of missing person cases. To this end, site assessment and excavation data will be entered into a centralized data repository system (see Activity 1.2.1). Under an existing term of references, intended to implement the 2019 UNITAD-ICMP cooperation agreement, meetings will be arranged between the two organizations to review the progress of the agreed activities.

- **Activity 1.1.3: Support the conduct of mortuary-based anthropological analysis**

13. ICMP will provide technical and material support to enable the MLD to conduct mortuary-based anthropological analyses that support identification and evidence-gathering efforts in accordance with international norms and standards. The increased throughput of the fieldwork on mass graves throughout Iraq have correspondingly increased the scope of work for mortuary operations. At

² On the basis of a cooperation agreement finalized in 2019

present, the MLD does not receive important information on scene documentation and interpretation that could facilitate documentation of evidentiary associations critical for human identification and anthropological analysis. ICMP will endeavor to improve this through facilitating interagency cooperation through regular coordination meetings and training. Specifically, ICMP will improve MLD staff's capacity in the forensic analysis of remains from a variety of age groups of both males and females as well as mentoring initiatives focused on developing advanced competency in the interpretation of trauma. ICMP has assessed these skill sets to be currently lacking in MLD mortuary facilities. ICMP aims that its technical assistance and training in mortuary operations – promoting best practices for the analysis and documentation of evidence and maintaining evidentiary standards and documentation – are used by the MLD for future testimony. Likewise, ICMP will assist in the continued professional development of staff, including working towards publishing in peer reviewed journals and obtaining invitations to international scientific conferences.

14. ICMP also completed an assessment of 13 out of 19 mortuaries throughout Iraq and have identified the need to build further capacity for the MLD to establish standard operating procedures to be used across the mortuary systems. ICMP proposes to support the establishment a formal Quality Management System (QMS) for mortuary analysis that would facilitate reliable and consistent interpretations of evidence, promote transparency in the analytical process, and provide credibility to reports and testimony used for various justice mechanisms. In addition, ICMP will design and deliver advanced training and capacity building to support the development of expertise required in expert witness reporting. This activity will be supported by ICMP experts embedded within the MLD, working in collaboration with other international organizations, such as the International Committee of the Red Cross (ICRC) and UNITAD.

➤ **Outcome 1.2: Data collected from families are stored in a centralized data system**

15. At present, a significant obstacle to achieving large-scale identifications is the absence of an effective system for matching DNA profiles extracted from remains found in mass graves to a large and growing database of DNA profiles extracted from samples provided by families of the missing. Creating a much-needed shared central data repository that would hold all missing persons data from all relevant Iraqi institutions remains a challenge for Iraqi institutions. In February 2021, the MGD and MLD and the agreed to use ICMP's data system to help Iraq create its own central record of missing persons.

- **Activity 1.2.1: Facilitate the establishment of a unified system to manage and analyze all forms of missing persons data with MGD and MLD**

16. At present, the MGD and MLD use different and incompatible databases and other archiving systems to collect, manage and analyze missing persons data. In February 2021, MGD and MLD signed an end-user license authorization (EULA) on the use of the Integrated Data Management System (iDMS), a specialized software solution built by ICMP for managing large scale data from missing persons programs. This marks important progress for the Iraqi government to take steps toward establishing a central record that includes information on all persons missing in Iraq and their families. In coordination with the MLD DNA laboratory, ICMP will lay the groundwork for a laboratory information management system and matching application to the iDMS, to allow them to manage DNA samples and improve laboratory productivity.

17. With DRL support, ICMP will conduct roundtables and training to further the national team's awareness of the importance of data centralization and protection and encourage other institutions in Iraq that also deal with the missing persons issue to adopt the iDMS. Similarly, ICMP will support the national team with training to deploy the Online Inquiry Center (OIC), a user-friendly online application that enables families to report or obtain information on their missing relative/s. The OIC will complement existing reporting procedures and will allow families, especially outside Iraq, or remote areas, the opportunity to report their missing relative/s.

- **Activity 1.2.2: Support Iraqi authorities to conduct country-wide data and reference sample collection**

18. Data collection in Iraq is centralized and predominantly reliant on national staff that are based in Baghdad. ICMP will continue supporting the national team to provide families with an active role in accounting for their missing relatives. Specifically, ICMP will support the national team during blood collection campaigns, where family members can provide genetic data and contribute DNA samples that can eventually be used for DNA matching and the identification of missing persons. ICMP will work with the national team from select communities for these campaigns where a high rate of identification can be made possible. As such, progress against this activity is linked to Activities 1.2.1 and 1.2.2. ICMP's work with the Iraqi authorities and families of the missing has highlighted a disconnect between the scientific needs of the process of genetic sample collection, in particular the selection of reference sample donors to establish DNA-based identifications, and families' understanding of the process. This has resulted in insufficient and/or incompatible donors providing reference samples, which has had a negative impact on delivering timely and effective DNA-based identifications. Ensuring that the purpose of reference sample collection and the process involved is fully explained to families will begin to address this deficiency.

- ❖ **Objective 2: To improve the trust of families of the missing in Iraqi authorities working in the missing persons issue**

- **Outcome 2.1: Opportunities for collaboration of authorities with families of the missing are increased**

19. Objective 2 focuses on addressing the immediate information needs and interests of families of the missing. This outcome will be implemented through dialogue with Iraqi authorities and support to the organization of families of the missing and affected communities and initiatives such as commemoration and visibility of the issue of the missing. This outcome also aims to advance legislation on a centralized coordination body on missing persons through convening policy roundtables jointly with key Iraqi interlocutors, including the Iraqi Parliament.

- **Activity 2.1.1 Support civil society's role in promoting trust and collaboration of authorities with families of the missing**

20. Under this activity, ICMP will work with its Iraqi partners to identify key interlocutors, trusted by families of the missing, who can both represent families and contribute to efforts to develop their understanding of their rights and responsibilities. The precise nature of these key interlocutors will

vary from community to community but would typically include both formal and traditional structure, including local authority figures, civil society organizations, community, and religious leaders. ICMP will work to develop the capacity of key interlocutors to convey information to families of the missing, to act as a conduit between them and the authorities, and to coordinate collective efforts such as visits to mass gravesites, memorialization, and public events such as commemorations to acknowledge and recognize the survivors of atrocities. Building community capacity in this way will strengthen ties both within and across affected groups.

- **Activity 2.1.2 Advance legislation supporting a central coordination body on missing persons**

21. During policy consultations ICMP convened beginning mid-2020, national partners recognized that the establishment of the central coordination body will require resources which the current Iraqi budget cannot accommodate. As a result, they proposed an intermediary solution to draw up on existing resources and establish a coordination body consisting of representatives of existing institutions already involved in the missing person's process. The intermediary solutions included an inclusive mandate to address all missing persons cases in Iraq, including that of the former regime and Da'esh crimes, as well as from natural and made-made disasters and kidnappings. It was further proposed that the central coordination body be headquartered in Baghdad, with satellite offices in the governorates. Among the functions suggested including acceptance of missing persons reports, coordination with relevant entities, and provision of psychosocial support and reparations. Under this proposal, ICMP will continue to convene policy roundtables jointly with its Iraqi partners to advance a strategy to account for all missing and disappeared persons – from the regime of Saddam Hussein to Da'esh crimes – and from the recent past to current cases, as supported by legislation on a centralized coordination body on missing persons.