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FORCED MIGRATION POLICY BRIEFING 4

# **Iraq's refugees – beyond 'tolerance'**

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# Forced Migration Policy Briefings

The Refugee Studies Centre's (RSC) Forced Migration Policy Briefings seek to highlight the very best and latest policy-relevant research findings from the fields of forced migration and humanitarian studies. The Policy Briefings are designed to influence a wide audience of policy makers and humanitarian practitioners in a manner that is current, credible and critical. The series provides a unique forum in which academic researchers, humanitarian practitioners, international lawyers and policy makers may share evidence, experience, best practice and innovation on the broad range of critical issues that relate to forced migration and humanitarian intervention. The Refugee Studies Centre invites the submission of policy briefings on all topics of relevance to policy and practice in the fields of forced migration, refugee protection and humanitarian intervention. Further details may be found at the RSC website ([www.rsc.ox.ac.uk](http://www.rsc.ox.ac.uk)). If you have a paper for submission, or a proposal for a Policy Brief that you would like to discuss with the editor, Héloïse Ruaudel, please contact [rscpolicy@qeh.ox.ac.uk](mailto:rscpolicy@qeh.ox.ac.uk)

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# Executive summary

Between November 2002 and March 2003, the humanitarian aid regime prepared for an estimated one million ‘refugees’ to flee Iraq in the aftermath of the Anglo-American invasion – *Operation Iraqi Freedom* – to topple the regime of Saddam Hussein. Six months after the fall of the Iraqi regime, however, few Iraqis had fled their country. The international aid regime had miscalculated and poorly understood the Iraqi peoples’ response. In 2004, the camps were dismantled, and pre-positioned food and other items were removed. Three years later the world was caught off-guard as hundreds of thousands of Iraqis fled their homes in 2006 and 2007, seeking to escape a collapse in security and deadly sectarian violence. Although estimates vary widely, about two million Iraqis fled their homes but did not cross national borders and between one and two million Iraqis travelled to Jordan and Syria, settling largely in the cities of Damascus, Aleppo and Amman. Others moved to Cairo and Istanbul, and many travelled much further. The United Nations High Commissioner for Refugees (UNHCR) and other NGOs raced to set up reception centres and to provide emergency aid and measures for temporary protection.

Today we find that many Iraqi refugees maintain their distance from the UNHCR, for reasons including loss of faith in the willingness of politicians and officials to assist them, and from fear of repatriation and its consequences. This report considers some of the key issues confronting them and those who remain ‘internally’ displaced (within Iraq’s national borders). It suggests that the displacement crisis has reached a critical stage – one in which, as international interest in Iraq declines, refugees will be expected to return and to reintegrate into a society profoundly marked by war and lack of security, civil conflict and economic uncertainty. The report suggests that mass return is unlikely; that very large communities of Iraqis will continue to live under difficult circumstances in a number of Middle Eastern countries; and that continuing displacement within and from Iraq may stimulate further movement of long-distance migrants. It considers briefly the implications for states, refugee agencies and NGOs, recommending careful consideration of policy options in order to avoid errors of judgement like those that contributed to the migration crisis of 2006–2007.

US policy considers the military ‘surge’ of 2007 to have returned stability to Iraq and improved security dramatically. The international aid regime has supported this view and, in April 2009, the UNHCR declared that security had improved to the extent that people originating from most regions of Iraq should no longer be viewed as refugees. These developments raise a series of problems: can displaced Iraqis return to their homes with confidence; is it plausible to expect mass returns; what are the implications for refugees; and are their circumstances likely to change?

The US government holds the position that security in Iraq is now such that US troops may be pulled out and redeployed elsewhere, primarily in Afghanistan. The facts on the ground, however, do not support this picture. In July 2008, the International Crisis Group (ICG 2008) observed that it would be wrong to assume that massive returns are imminent. In the same year, Amnesty International also warned that worldwide media coverage of increased ‘voluntary returns’ and improved security did not alter the true picture – a

worsening refugee crisis exacerbated by the failure of the international community to respond in a meaningful way. Other organisations have warned that problems within Iraq may not only inhibit return but also prompt new displacements. Most important are chronic problems of political tension in Iraq's northern governorates and intensely violent episodes which affected Baghdad and other cities throughout the summer and autumn of 2009. The reality is that the crisis for Iraq's refugees and internally displaced is worsening and will remain a problem requiring international attention for years to come.

The volatile situation in Iraq and the surrounding countries presents UNHCR with a particularly difficult task: to facilitate voluntary return of internally displaced persons (IDPs) and refugees *under appropriate circumstances*. However, is it possible to identify such conditions today? There is compelling evidence to show that very large numbers of IDPs are unable to undertake even short journeys to their original homes. Furthermore, the Iraqi government has done little to assist IDPs or refugees. It is difficult to identify any concrete steps taken by the government on behalf of displaced Iraqis. Even US officials recognise these problems, noting that serious efforts on the part of the government "are all but non-existent" (Department of Defense 2009: 9). A recent UNHCR study (2009c) articulated the deep sense of alienation from the Iraqi state and the sense of abandonment felt by many refugees in Syria, Jordan, and Lebanon.

It is clear that, whatever the size of the refugee population, very few are returning to Iraq. A recent UNHCR report (2009c) indicated that Iraqis in exile had no intention of returning under any circumstances. These findings raise awkward questions for the UNHCR within Iraq, where the agency is still officially preparing for the imminent return of "large numbers". The most striking aspect of this situation is the reluctance of refugees to return despite their difficulties. Most have so far enjoyed basic physical security but face serious problems in relation to income, employment, housing, health and education in the host countries of the Middle East, where they are regarded as temporary guests or visitors.

Although mass return is unlikely to occur voluntarily, recent studies suggest that third country resettlement is emerging as a durable solution. For most Iraqi refugees, settlement in the Arab states is not an option. Most refugees in Arab host countries feel they are marooned, faced by the prospect of long-term exile (some refer to becoming 'Palestinised') and declining interest from governments and support networks. In 2008, some 17,800 Iraqis were settled in third countries on programmes supported by UNHCR; the pace of resettlement has since accelerated, with significant numbers of Iraqis admitted to the US. In October 2009, UNHCR estimated that some 500,000 Iraqis refugees were in need of resettlement. However, in the current climate of opinion *vis-à-vis* Iraq, resettlement options are most likely to diminish unless the international humanitarian aid regime reconsiders the way forward.

This brief report identifies key principles for consideration by policy makers – in government, in migration agencies and in the humanitarian networks. It does not promote policy in detail, for this requires careful elaboration in each state in which Iraqis have sought

security. It suggests, however, that unless certain principles underpin policy in general, governments and agencies will shortly be confronted with new and unwelcome emergencies.

1. It is essential to recognise formally the scale and seriousness of displacement within and from Iraq, and the possibility of further mass movements related to profound problems of insecurity, especially in the country's northern regions.
2. False expectations of return may induce IDPs and refugees to make impractical or even dangerous journeys to inhospitable locations. There must be no attempts at forced repatriation.
3. Any realistic prospect of mass return can only be associated with sustained efforts by the government in Iraq to support displaced people – by tackling problems of access to land and property, employment, income and general welfare.
4. Robust arrangements for protection of Iraqis in exile are essential: local 'tolerance' is at best a short-term measure. Relevant agencies should consider how to liaise with governments of the Middle East to produce an integrated approach.
5. Notwithstanding the reluctance of some states to accept Iraqis, resettlement programmes are essential if refugees are not to be isolated and marginalised in the Middle East, leading more to enter irregular migration networks, with all their associated dangers.

Much more research is needed to discover the scale of current displacement, the changing circumstances and patterns of movement of Iraqis, and the implications for governments and NGOs within and beyond the Middle East. This should address current realities with full seriousness, avoiding partial or partisan approaches and the temptation to 'distort' or to ignore unwelcome realities.

# 1 Introduction

In November 2002, the United Nations Security Council voted unanimously to back an Anglo-American Resolution (No. 144) requiring Iraq to reinstate UN weapons inspectors. This measure marked a key step in the race towards a war which began five months later when US air strikes launched 'Operation Iraqi Freedom'. Between November 2002 and March 2003, a series of assessments from the humanitarian aid regime suggested that military action might displace more than a million people within Iraq and across its borders. The UNHCR and numerous NGOs made preparations to receive refugees in Jordan, Syria and Iran. They negotiated the establishment of reception centres and camps, stockpiled food and pre-positioned non-food items, and prepared for transfer of further materials through ports in Jordan and Turkey. Six months after the invasion and the fall of the Iraqi regime, however, few Iraqis had fled their country. None had fled to Iran, a few hundred had registered in Syria and some 2,000 had arrived in Jordan. Had the international aid community been mistaken? Camps were dismantled, pre-positioned food and other items were removed and the international aid regime sat back.<sup>1</sup>

Three years later, governments and agencies were caught off guard as hundreds of thousands of Iraqis fled their homes, seeking to escape a collapse in security and deadly sectarian violence. Although estimates vary widely, between one and two million Iraqis travelled to Jordan and Syria, settling largely in the cities of Damascus, Aleppo and Amman. Others moved to Cairo and Istanbul, and many travelled much further. By 2007 the number of Iraqi applicants for asylum in the industrialised countries was significantly more than from any other state, and more than the total of applications from both the second- and third-largest states of origin (China and the Russian Federation) combined (UNHCR 2008b: 14). UNHCR and other NGOs raced to set up reception centres and to provide emergency aid and measures for temporary protection.

Today many Iraqi refugees maintain their distance from the UNHCR for reasons including loss of faith in the willingness of politicians and officials to assist them, and from fear of repatriation and its consequences. This report considers some of the key issues confronting them and those who remain 'internally' displaced. It suggests that the displacement crisis has reached a critical stage – one in which, as international interest in Iraq declines, refugees will be expected to return and to reintegrate into a society profoundly marked by war, civil conflict and economic uncertainty. The report suggests that mass return is unlikely; that very large communities of Iraqis will continue to live under difficult circumstances in a series of Middle Eastern countries; and that continuing displacement within and from Iraq may stimulate further movement of long-distance migrants. It considers briefly the implications for states, refugee agencies and NGOs, recommending careful consideration of policy options in order to avoid errors of judgement like those that contributed to the migration crisis of 2006–2008.<sup>2</sup>

## 2 Crisis and return

For military leaders, senior politicians and officials in the United States, Iraq enjoys newfound stability. The ‘surge’ in military activity initiated by US military strategists in 2007 is said to have improved security dramatically, reducing opposition to American forces and to the Iraqi government. Formal transfer of authority in urban areas to Iraqi forces, undertaken in June 2009, is believed to have marked a key moment of transition to national security and to the prospect of stability and prosperity.<sup>3</sup> In this scenario, reconstruction can be accelerated and millions of Iraqis displaced both before and after the events of 2003 should be encouraged to return. In June 2009, UNHCR issued a new strategic plan, *Facilitating the Transition from Asylum to Return and Reintegration in Iraq*. This asserted that “conditions throughout the country are on a positive trajectory”, with violence “calming down to the 2003 level” (UNHCR 2009b: 2). Many refugees and IDPs were moving to their former homes, it suggested, and UNHCR was “preparing for the return of large numbers” (ibid). The agency announced a return and reintegration programme, budgeted at \$97 million, with capacities to process 500,000 people during 2009 (UNHCR 2009b: 10).

Andrew Harper, head of UNHCR’s Iraq Support Unit, has suggested that Iraq is increasingly safe and that many people are ready to return. In a comment widely quoted within Iraqi refugee networks, he told an American newspaper that, “[t]he Iraqis are keeping their options open and their passports handy”.<sup>4</sup> This perspective is coupled with a revised approach by UNHCR towards the status of Iraqi refugees. In April 2009, the agency declared that security had improved to the extent that people originating from most regions of Iraq should no longer be viewed as refugees on a *prima facie* basis, as proposed in December 2006 during the height of the displacement crisis. New ‘Eligibility Guidelines’ for Iraqis seeking asylum should now be applied, UNHCR proposed, treating as individual cases all applicants originating in governorates other than the five named as sites of continuing problems: Baghdad, Diyala, Kirkuk, Ninewah and Salah al-Din (UNHCR 2009a).

These developments raise a series of questions:

- Can displaced Iraqis return to their homes with confidence?
- Is it plausible to expect mass returns?
- What are the implications for refugees?
- Are their circumstances likely to change?



### 3 Security

In March 2009, the US Department of Defense reported to Congress on security in Iraq, making a confident assessment of recent developments:

*The overall security situation continues to slowly improve, with security incidents remaining at the same low levels as experienced in early 2004. In much of the country, a sense of normalcy is returning to everyday life, and citizens are increasingly focused on economic issues and the delivery of essential services. With more Iraqis now describing their neighborhoods as calm, the environment is slowly growing more conducive to economic and infrastructure development* (Department of Defense 2009a: 6).

In July 2009, Robert Gates, Secretary for Defense, asserted that security in Iraq was “amazingly different” from three years previously, confirming that all American troops were to leave the country by the end of 2011 (Bumiller 2009a). US officials have since made clear that their military resources are to be redeployed, with Afghanistan the destination for much of the Multi National Force (MNF). According to General David H. Petraeus, there has been “an intellectual shift” from Iraq towards Afghanistan (Bumiller 2009b). In the new scenario, the US will withdraw its forces from a country supposedly restored to full self-rule and ready for return of its displaced citizens. The facts on the ground, however, do not support this rosy picture.

Elizabeth Ferris of the Brookings Institution observes that, “[t]oday discussion of Iraq displacement focuses almost exclusively upon returns” (2009: 4). She notes an expectation among key decision-makers “that security will continue to improve, elections will bring about political stability, that the vast majority of the refugees and internally displaced will return home in large numbers and that the displacement problem will be over” (Ferris 2009: 5). Large-scale voluntary return is unlikely, however, principally because security remains a pressing problem for many Iraqis.

In July 2008, the International Crisis Group (ICG) observed that security improvements “could lead some to lower their interest in the refugee question on the assumption that massive returns are imminent” (ICG 2008: ii). This would be wrong, ICG suggested, as “[t] here is no indication that large numbers of refugees have returned because of a positive reassessment of security conditions” (ibid). Amnesty International (2008) warned of the difference between “rhetoric and reality” in assessing security. It declared:

*Governments have tried to promote a brighter interpretation of the situation in Iraq and the displacement crisis to justify their lack of response. Rhetoric, however, does not change reality. Reports of increased “voluntary returns” and of marginally improved security in Iraq have received worldwide media coverage, but this does not alter the true picture – a worsening refugee crisis exacerbated by the failure of the international community to respond in a meaningful way. The reality is that the crisis for Iraq’s refugees and internally displaced is worsening and will remain a problem requiring international attention for years to come.*

The organisation concluded: “the time is not right for returns of any kind to Iraq, whether they are explicitly forcible or effectively forcible but disguised as ‘voluntary’” (Amnesty International 2008).

In its 2009 report on Iraq, Amnesty International comments that, although there have been reductions in violence, all sides involved in the conflict continue to commit gross human rights abuses. It cites evidence that thousands of civilians, including children, have been killed or injured by armed groups opposed to the government, by the MNF and by Iraqi government forces (Amnesty International 2009). The MNF and Iraqi authorities, says Amnesty, hold thousands of detainees – most without charge or trial. Government security forces, including prison guards, are reported to have committed torture, including rape, and to have been responsible for unlawful killings (ibid). Amnesty describes the humanitarian situation as “alarming” (ibid).

American officials accept that, although they can demonstrate a sharp fall in the number of violent incidents across the country, this is not matched by increased confidence about security among the population. In April 2009, says the Department of Defense, 90 per cent of Iraqis questioned on behalf of the MNF agreed that the situation in their neighbourhood was “calm”; 60 per cent believed that their governorate was calm but only 31 per cent thought the situation nationally was calm (Department of Defense 2009b: 31–32). Only 42 per cent of those questioned felt safe travelling outside their immediate neighbourhoods; in two-thirds of governorates, most people thought such travel to be unsafe (ibid). These figures cannot be independently verified;<sup>5</sup> they do, however, reinforce observations from other sources suggesting that a fall in incidence of violence is not sufficient to persuade displaced people that it is safe to undertake journeys to their former homes.

In 2008, the ICG commented that, “[e]ven under today’s circumstances [of improved security], returning can be extremely perilous” (ICG 2008: ii). It warned of intense difficulties for IDPs and refugees:

*[S]afety remains uncertain, public services inadequate, and many houses have been seized by others, destroyed or are located in neighbourhoods or villages now dominated by militias of a different sect. There is no indication that large numbers of refugees have returned because of a positive reassessment of security conditions.... It would be reckless to encourage Iraqis to return before genuine and sustained improvement takes place. (ibid)*

UNHCR (2009d) says that it does not currently encourage refugee repatriation, as “conditions inside Iraq are not yet conducive to safe and dignified mass returns”. Its policy for 2009–2010 nonetheless aims at ‘transition’ to return, anticipating that many displaced people will move back to their original homes.

## 4 'Trigger Line'

Other organisations warn of problems which may not only inhibit return but also prompt new displacements. Most important are chronic problems of political tension in Iraq's northern governorates and intensely violent episodes which affected Baghdad and other cities throughout the summer and autumn of 2009.

In July 2009, ICG identified "a new and... destructive political conflict" involving disputes between the federal government and Kurdish regional authorities over territory in northern and eastern Iraq which includes Iraq's most important oil fields and a number of key cities (ICG 2009a: 3). The largest cities, Kirkuk and Mosul, have been described as the 'Sarajevos' of Iraq. Here, complex ethno-religious relations, together with the agendas of rival communalist organisations, have produced high tension and repeated local conflict. With US influence in Iraq on the wane, ICG suggests, the conflict could quickly 'regionalise', with implications for the country as a whole. Of special concern, it believes, is the 'disappearing Green Line' – the *de facto* border which, between 1991 and 2003, separated Kurdish areas from those under central government authority. After the American-led invasion of 1991 – and with US support – Kurdish forces crossed the line, integrating into territories under their control large areas identified as 'majority-Kurdish' in character. A key issue is the presence in these territories of people of Arab origin placed by the Ba'thist regime in towns and villages from which Kurds had been evicted in the 1980s – and of Kurds expelled from their homes, forcibly resettled by the regime and subjected, say Kurdish officials, to "Arabisation" (ICG 2009a: 11).

In May 2009, a senior Kurdish official declared: "The Green Line is an imaginary line from Saddam's time. We don't believe in the Green Line and never have. It doesn't determine what the boundary of Kurdistan is."<sup>6</sup> The line has been replaced by what US military officials call a "Trigger Line", extending from the border zone with Syria to the frontier with Iran, and passing through eight Iraqi governorates. History suggests that among the first casualties of further conflict in this region will be those compelled to move because of their ethnic identity. In June 2009, a suicide attack in the predominantly Turkmen Shi'a town of Taza, near Kirkuk, claimed at least 85 dead – then the most destructive single attack in Iraq in over a year. Al Khalidi and Tanner (2006: 22) observe that "the more mixed an area is [in Iraq], the more sectarian violence there is likely to be". Given the ethno-religious make-up of the disputed areas, and the history of repeated population movements, it is possible – even likely – that there will further major displacements.

In the Ninewah governorate, the ICG reports "large-scale, horrific attacks" on minority communities during August and September 2009 (ICG 2009b: i). Conflict between Kurdish forces and predominantly Sunni parties and militias in the city of Mosul and in neighbouring towns and village has affected a host of minority groups including Christians, Yazidis, Turkomans and Shabaks<sup>7</sup> – "pawns in a contest that often sees them as little more than fodder" (ICG 2009b: ii). These communities have developed complex alliances with Kurdish authorities and with Sunni parties, leaving them particularly vulnerable to changing political allegiances in the region. Meanwhile, Sunni and Kurdish

populations living in areas in which they constitute minorities are also subject to increasing threat.

Ninewah is witnessing an extension of communalist rivalries that have a *national* dimension, making this region “the focal point of the [national] ethnic battle”:

*Arabs and Kurds are locked in a political deadlock. The bloodshed and institutional paralysis are symptoms of the country’s shifting battle lines: from an essentially Sunni versus Shiite sectarian struggle, mainly centred in the capital, to a predominantly Arab against Kurdish ethnic fight playing out along an extended axis of friction. It will be near-impossible to resolve the crisis without tackling outstanding nationwide political issues (ICG 2009b: i).*

Official optimism about security in Iraq’s main cities has also been thrown into question by a series of bomb attacks across the north and centre of the country during the second half of 2009. In July, explosions struck Sinjar and Khaznar near Mosul; in August, there were massive explosions in Mosul, in central Baghdad and in the city’s eastern and western suburbs; in September, there were further attacks in Ramadi and Baquba; in October, the most destructive explosions in Iraq since 2007 claimed over 150 fatalities when car bombs destroyed three key government buildings in central Baghdad, for which Vice President Tariq al-Hashimi blamed “catastrophic gaps and breaches in security forces” (Leland 2009). In the days that followed there were further attacks across the country, resulting in a dozen deaths in areas of predominantly Sunni and predominantly Shi’a population, including the cities of Hilla, Karbala, Ramadi and Mosul.

Joost Hilterman, ICG’s deputy programme director for North Africa and the Middle East, comments that renewed violence indicates a failure by the government to forge agreements on critical national issues: “There will be violence as long as there is no political agreement at the top about the fundamental issues that divide Iraqis today: over oil, territory and power – how it should be divided and shared” (Maher 2009).

## 5 IDPs under pressure

This volatile situation presents policy makers and NGOs with intense difficulties. As the lead organisation on issues of displacement, UNHCR has a particularly difficult task: it aims to facilitate voluntary return of IDPs and refugees *under appropriate circumstances*. Is it possible to identify such conditions today? Do efforts to undertake 'transition' from asylum stimulate unrealistic expectations of return? Do they induce IDPs and refugees to undertake journeys which may be unsuccessful or even dangerous?

There is compelling evidence to show that very large numbers of IDPs are unable to undertake even short journeys to their original homes. In 2008, the Internal Displacement Monitoring Group (IDMC) estimated that there were 2.8 million IDPs, among whom 1.6 million had been displaced since 2003 (IDMC 2008). In May 2009, the International Organization for Migration (IOM) counted 49,464 returnee families (296,598 individuals); 89 per cent were IDPs, 11 per cent having returned from abroad (IOM 2009: 1). The IOM has monitored internal displacement continuously since 2006. Its numerous reports from each of the Iraqi governorates give evidence of greatly improved conditions for IDPs in some areas, notably in the west and south, but also of severe problems in others, especially in the centre and the east. In mid-2009, some 60 per cent of IDPs questioned by IOM indicated a wish to return to their original homes: 31 per cent, however, wished to remain in their current locations or to move on to other destinations (ibid). This strikingly high figure is associated with multiple problems of return and reintegration, including: security issues in IDPs' original areas of residence; dangers of travel; loss of jobs and serious problems of employment in places of origin; difficulties in access to health care, education and rations; and seizure and occupation of IDPs' properties (IOM 2009: 1). Over 40 per cent of IDPs questioned said they believed their homes to have been occupied or destroyed; 38 per cent of returnees said that they arrived home to find properties destroyed or seriously damaged (IOM 2009: 7).

Over a fifth of IDPs live in makeshift housing, many in conditions of extreme poverty. Areas of informal housing have appeared on the outskirts of many towns; here displaced people are marooned far from their homes and without immediate prospects of return. As 'outsiders' they are unwelcome to local authorities: by 2007, 11 of Iraq's 18 governorates had closed their borders to IDPs – moves which were not resisted by central government. In February 2009, the Ministry of Displacement and Migration (MODM) issued an order terminating new registration of IDPs, greatly increasing pressure on the migrants, as access to benefits for displaced families is contingent on registration. Informal settlements of IDPs provide inviting targets for militias, political parties, and local and central government forces which wish to assert their authority publicly. In some areas, especially in the Kurdish border regions, IDPs have been attacked repeatedly; those who shelter or otherwise assist them have also been abused.<sup>8</sup> The fact that so many people continue to live under such circumstances is an index of the extreme difficulty of return to their former homes.

Many IDPs explore possibilities of return. They attempt to visit former homes, or at least their original neighbourhoods, and to assess security, job opportunities, healthcare and

schooling. Some attempt to collect key documents (notably their PDS ration cards),<sup>9</sup> rents or pensions. Many discover not only that their properties have been seized but that neighbourhoods are unrecognisable from the areas they left only two or three years ago. Ethnic cleansing has changed the socio-cultural character of extensive areas in some cities, notably Baghdad and its suburbs, so that 'return' would require efforts to integrate into a new and potentially inhospitable environment. According to UNHCR, during the first six months of 2009, some 79,000 IDPs voluntarily returned to their original places of residence. As this represents less than three per cent of the total of IDPs listed by UNHCR, it is a modest development given expectations of mass return (UNHCR 2009f). Some IDPs attempt to move on within Iraq; some cross borders, becoming putative refugees. Rafiq Tschannen, chief of mission of the International Organization for Migration in Amman, says that there is still movement into Jordan: "An interesting trend is that there are still new arrivals from Iraq", he notes (Prushner 2009).

## 6 Alienation

The Iraqi government has done little to assist IDPs or refugees. Migration matters are handled in principle by the MODM, created by the Coalition Provisional Authority (CPA) in 2003 primarily to address anticipated return to Iraq of refugees from the Ba’thist era. Abdel Al-Samed Rahman Sultan, Minister of Displacement and Migration, describes its extensive brief:

*Undertaking needs assessments; distribution of emergency relief; ensuring the provision of social security; remedying the impact of unjust laws which removed nationality from citizens; liaising with the Iraqi Property Dispute Authority; working with the Ministry of Human Rights to uphold the rights of displaced people; informing relatives as mass graves or those murdered by the previous regime are uncovered (Sultan 2007: 16).*

Sassoon observes, however, that it is difficult to identify *any* concrete steps taken by the ministry on behalf of potential beneficiaries (Sassoon 2009: 29). The minister himself points to a chronic lack of resources: the organisation, he says, is in urgent need of expertise, information and financial backing: “without this – and the commitment of the government – the ministry will be unable to adequate [sic] discharge its duties” (Sultan 2007: 16). Even US officials recognise these problems, noting the discouraging impact for displaced people of “a bleak budget picture, high unemployment, low private sector growth, a severe housing shortage, poor government services” (Department of Defense 2009: 9). In the case of potential returnees from abroad, they observe baldly that serious efforts on the part the government “are all but non-existent” (ibid). Among refugees in Syria, Jordan and Lebanon questioned in a recent survey by UNHCR’s Policy Development and Evaluation Service (PDES), many expressed “a deep sense of alienation from the Iraqi state, which they felt had abandoned them since they left the country” (UNHCR 2009c: 54). The current offer to returnee families – of a million dinars (about \$850) and free travel to and within Iraq – is widely viewed as grossly inadequate. In 2008, Iraqi officials failed to fill aircraft they had chartered to take refugees from Cairo to Baghdad, despite the offer of free seats (Minnick and Nashaat 2008: 3).

## 7 Problem of numbers

UNHCR presents two sets of statistics as “planning figures” for Iraqi refugees living in neighbouring states: those provided by governments in the region and those registered with the agency. It continues to identify the former as a key reference point for policy; at the same time, UNHCR researchers suggest that the agency’s own figures – which show much smaller populations – provide a more accurate count and that these should be the basis for strategic planning (UNHCR 2009c: 57).

Since the latest phase of mass displacement began in 2006, the scale of refugee movements has been a contentious issue. UNHCR gives a headline figure of almost two million refugees; it also suggests more cautiously that “a total of some one–two million” Iraqis live in neighbouring countries and notes that “more than 300,000” are registered with the agency (UNHCR 2009d). In a recent evaluation of its operations in relation to Iraqis in Syria, Jordan and Lebanon, PDES researchers note official estimates of 1.1 million refugees in Syria, 450,000 in Jordan and 50,000 in Lebanon (UNCHR 2009c). They also note much smaller totals of Iraqis who have registered at UNHCR offices: 206,000 in Syria, 52,000 in Jordan and 10,000 in Lebanon (*ibid.*). (In addition, there are significant numbers of Iraqi refugees in Egypt and Turkey – see table).<sup>10</sup>

The pattern of refugee movements and the size and composition of communities abroad is complicated by a long record of multiple journeys by Iraqis across states of the Arab East. In a series of innovative analyses, Chaletard (2002a, 2002b, 2002c, 2005a, 2002b, 2009) has shown that over many generations Iraqis have migrated as business people, workers, professionals, students, pilgrims and as refugees, some settling in cities such as Amman and Damascus and maintaining links with Iraq which have shaped further complex movements. The question of whom among such communities should be counted as a ‘refugee’ is made more complex by the approach of governments in the region. None of the main destination states – Syria, Jordan and Lebanon – is a signatory to the 1951 Convention or the 1967 Protocol. None operates processes of refugee status determination; each has variously and inconsistently accepted Iraqis as ‘guests’ or ‘visitors’, with the result that there is no official count of Iraqis who might under other circumstances be formally considered as refugees.<sup>11</sup> Statistics for ‘Iraqi residents’ of these states include people who, during recent phases of mass displacement, have undertaken repeated cross-border journeys and who are recorded by immigration services as unique individuals on the occasion of each entry; in addition, at some borders all Iraqis are counted on entry but only family units are counted on exit. Figures provided by the authorities for the stock of Iraqi migrants in each state must therefore be treated with caution.

Further difficulty is added by the outcomes of recent surveys conducted by NGOs, research consultancies and government agencies. In the case of Jordan, the Norwegian research institute Fafo – working closely with the government in Amman – undertook an extensive survey in 2007. It observed that, “[m]any conjectures have been put forward as to how many Iraqis there currently are in Jordan... figures as high as one million or about 18 per cent of the total population have been aired” (Fafo 2007: 1). In fact, suggested Fafo, Jordan accommodated about half of this number, some 450,000–500,000 Iraqi residents.<sup>12</sup> In Egypt,



**Table 1. Iraqi refugees in neighbouring countries  
UNHCR planning figures January 2009**

<b>Country</b>	<b>Total in country</b>	<b>Of whom assisted by UNHCR</b>
Jordan	450,000	65,000
Syria	1,200,000	236,000
Lebanon	50,000	12,000
Egypt	40,000	15,000
Turkey	7,000	7,000
Islamic Republic of Iran	58,000	58,000
Gulf States	150,000	2,700
<b>Total</b>	<b>1,955,000</b>	<b>395,700</b>

Source: UNHCR 2009d

the Ministry of Foreign Affairs suggested in April 2008 that there were between 70,000 and 150,000 Iraqi refugees (*Ahram Weekly* 2008). Six months later, a survey conducted by the American University in Cairo in co-ordination with the government's Information and Decision Support Center (IDSC), found that there were 16, 853 Iraqis in Egypt – a figure between six and nine times lower than the earlier estimates (AUC 2008: 25).

These surveys suggest that official government figures are indeed over-estimates. UNHCR's recent PDES report comments:

*In the early days of the [Iraqi refugee] operation, when UNHCR was eager to publicize the crisis, UNHCR (as well as the media and many other members of the refugee and human rights advocacy communities) readily endorsed the estimates provided by the government [sic] of Jordan, Lebanon and Syria. But as the UNHCR outreach campaign accelerated, it became clear the number of refugees registered by the organisation was significantly lower... and yet... UNHCR has continued to cite the much higher official estimates (UNHCR 2009c: 48).*

Certain ‘headline’ figures may have been seen as of instrumental value in winning aid and political support: recent calculations, however, may also be *under-estimates*. It is extraordinarily difficult to enumerate accurately ‘self-settled’ refugees living in urban settings. Many refugees from Iraq are widely dispersed across very large cities; some do not wish to be identified, living in fear of their government, of hostile political factions, of the host government and of an international aid system they believe may compel them to return to insecurity and greater danger. In the case of Egypt, leading refugee organisations believe that many Iraqis conceal their presence because of fears over legal status or concern that a specific ethno-religious affiliation may bring unfavourable treatment.<sup>13</sup> Recent surveys may also fail to account for people on the move between cities of the region and/or who make repeated journeys back and forth to Iraq. In Syria and Jordan, where restrictions on entry mean that a journey to Iraq may officially be ‘one-way’ only, those who visit Iraq may re-enter neighbouring states as undocumented migrants who are, in effect, invisible to the authorities. In addition, refugees who do not wish to enter resettlement schemes (which are often perceived as an outcome of registration with UNHCR) may conceal their presence.<sup>14</sup> In the case of Lebanon, the very large number of undocumented immigrants raises questions about all estimates of the Iraqi population.

The question of numbers remains a fraught and difficult matter. It is clear, however, that whatever the size of refugee populations, very few are returning to Iraq. UNHCR’s PDES notes that the number of independent returnees (those travelling from all locations to Iraq without formal support) almost halved between 2007 and 2008, falling to some 25,000 (UNHCR 2009c: 33, 54). A survey conducted by IPSOS in Syria in April 2008 found that of almost 1,000 refugees questioned, only four per cent were planning to return; 6.5 per cent did not know if they would return, and 89.5 per cent had no plans to return (UNHCR 2008: 3). In the case of Egypt, researchers in Cairo found that only eight per cent of refugees wished to leave Egypt and that a fraction of this number intended to repatriate (Fargues et al. 2008: 48). After extensive surveys in Jordan, Syria and Lebanon in the early months of 2009, when conditions in Iraq were widely believed to be more favourable for return, PDES researchers reported that a significant number of refugees said they had no intention of returning “under any circumstances” (UNHCR 2009c: 1). These findings raise awkward questions for the UNHCR within Iraq, where the agency is still officially preparing for the imminent return of “large numbers” (UNHCR 2009b: 2).

## 8 Protection and welfare

The most striking aspect of this situation is the reluctance of refugees to return *despite their difficulties*. Most have so far enjoyed basic physical security but face serious problems in relation to income, employment, housing, health and education.

Most Iraqi refugees live in Syria and Jordan – states which are not signatories to the 1951 Convention, in which there is little experience of dealing with refugees other than Palestinians, where there is no legislation in relation to asylum, and in which the state itself has an authoritarian and strongly interventionist character. Despite these problems, refugees have benefited from what UNHCR sees as effective expansion of ‘protection space’. This notion, borrowed from the idea of ‘humanitarian space’, has been applied specifically to the circumstances of the Iraqis. According to Barnes, it describes “an environment which enables the delivery of protection activities and within which the prospect of providing protection is optimized... protection space is fluid and expands and retracts, thus requiring a variety of efforts to ensure its continued existence and expansion” (Barnes 2009: 12).

What is the character of this space in the sense of protection as assured access to territory and to physical security? Syria and Jordan were, at first, particularly accommodating to Iraqi refugees. In 2006, however, Jordan introduced restrictions on entry for Iraqi males between 17 and 35 years old, and in 2007, Syria implemented a visa requirement and associated controls. In both cases, restrictions are said to have been introduced at the behest of the Iraqi government, with the implication that it wished to inhibit exit of its citizens.<sup>15</sup> In Egypt, Iraqis were initially able to enter on tourist visas that could be extended for further periods; in late 2006, it became increasingly difficult to obtain such visas. In Lebanon, there have been more serious problems, with Iraqis jailed and even deported as over-stayers (with some relaxation of controls in 2008).

Notwithstanding these various and changing regimes, most Iraqi refugees have enjoyed basic security. UNHCR comments that policies have been “surprisingly positive”; it also observes that its own efforts to expand “protection space” have been largely successful (UNHCR 2009c: 13). The PDES report of July 2009 proposes that such space has expanded primarily as a result of sustained activity by the agency, which has produced impressive results: *refoulement* has been limited; Iraqis have been relatively free to cross borders; refugees have had access to employment opportunities and to health and education services; local authorities have recognised UNHCR monitoring and support services; and there has been co-operation with schemes for resettlement. One outcome, PDES suggests, is less frequent media attention to the plight of Iraqi refugees: “further support to the notion... that protection space... has been expanded” (UNHCR 2009c: 15–16).

These observations are important but not necessarily because they confirm successful interventions by UNHCR; rather, they underline major problems which continue to confront policy makers and those engaged in refugee support. References to media coverage emphasise the difficulties of the present situation, for coverage of *all* aspects of the Iraq crisis has declined greatly as media interest has shifted (alongside American

foreign policy priorities) towards Afghanistan. There is an assumption that the refugee crisis as such is over and that mass returns are imminent: in this situation refugees can quickly drift out of the field of vision, becoming a peripheral problem or, if they do not behave as anticipated, a population that requires special remedial attention.<sup>16</sup>

Arrangements under which most Iraqi refugees now find protection are informal and unstable. There is no regional policy, nor sign of such a policy. Provision is ad hoc – based on ‘understandings’ between UNHCR and the authorities – what one UNHCR officer calls a “‘tolerance’ regime” (UNHCR 2009c: 5 & 18). Although UNHCR can take credit for negotiating working relations in each state, the situation remains uncertain and in urgent need of more formal, co-ordinated and resilient approaches.

## 9 Resettlement

Refugees' circumstances are complicated by the limited scale of programmes for resettlement. Of all refugees worldwide, only one per cent benefit from resettlement (UNHCR 2009e: 12). In 2008, some 17,800 Iraqis were settled in third countries on programmes supported by UNHCR (ibid). The pace of resettlement has since accelerated, with significant numbers of Iraqis admitted to the US – some 10,000 during the first seven months of 2009 (IRC 2009: 7).<sup>17</sup> It is possible that, together with resettlement to European states, these admissions mean that Iraqis are being resettled at a faster pace than most displaced groups. The total resettled is modest, however, and cannot match demand.<sup>18</sup> Some governments have indicated that they have already reached the limit on admissions; others, such as Germany, have chosen to discriminate over which Iraqis are to be accepted, favouring particular ethnic minorities which make up a fraction of the total refugee population.<sup>19</sup>

In October 2009, UNHCR estimated that some 500,000 Iraqis refugees were in need of resettlement (UNHCR 2009g). At this point the agency had referred 82,500 cases to authorities in states prepared to accept Iraqis: it expressed concern that only 40 per cent had been accepted and called for speedier processes to facilitate movement of those most at risk (ibid). It is likely that in the current climate of opinion *vis-à-vis* Iraq, resettlement options will diminish; meanwhile some European states have initiated programmes of involuntary return. In October 2009, Britain attempted to repatriate scores of Iraqi men by force, many being returned by the Iraqi authorities (August 2009). Denmark and Sweden have also attempted forced repatriation.

For most Iraqi refugees, settlement in the Arab states is not an option as the host governments have made clear that secure residency rights are not on offer. Most refugees are therefore marooned, faced by the prospect of long-term exile (some refer to becoming 'Palestinised') and declining interest from governments and support networks. At the same time, they face pressing circumstances. This report cannot examine in detail problems associated with employment, income, housing and welfare, but there is compelling evidence that these are becoming increasingly serious. Many refugees face acute financial problems, having consumed their savings, often obtained by selling family homes in Iraq. Over half of the refugees interviewed in Cairo reported that they sold their property before leaving, making it difficult to return and, without income, difficult to survive in Egypt (Fargues et al. 2008: 44). In all Arab states, Iraqi refugees face serious problems in relation to employment: most do not have the right to work and are compelled to enter the informal sector, with all the attendant problems of exploitation and sometimes of abuse, which are especially severe in the case of women and female-headed households. Many refugee families receive remittances from relatives in Iraq – in the case of Egypt, researchers identify increasing reliance upon this income (Fargues et al. 2008: 8). Access to education and healthcare varies: in some cases UNHCR, working with local and international NGOs, has assisted with provision, but in some states Iraqis are effectively excluded from public services. Researchers in Cairo comment that "[I]n the end, their situation remains in limbo until they make the challenging decision to return or are accepted for resettlement" (Fargues et al. 2008: 8). It is in these circumstances that more and more desperate people enter irregular channels of migration in the hope of security in desired countries of asylum.<sup>20</sup>

## 10 Where next?

In 2008, Amnesty International produced a highly critical assessment of responses to events in Iraq, concluding that the international community had failed to respond adequately: “Rather, governments have tended to ignore the crisis or distort reality for political reasons – for example, to try and back up claims of military ‘successes’ or to distance themselves from the issue” (Amnesty International 2008). Although there have since been more focused efforts at resettlement the central problem remains, with governments – including that in Iraq – denying and/or misrepresenting the seriousness of the crisis. The problem has indeed intensified as the US administration prepares to leave Iraq, highlighting the need for action before Iraq slips further down the international agenda.

This brief report identifies key principles for consideration by policy makers – in government, in migration agencies and in the humanitarian networks. It does not promote policy in detail, for this requires careful elaboration in each state in which Iraqis have sought security. It suggests, however, that unless certain principles underpin policy in general, governments and agencies will shortly be confronted with new and unwelcome emergencies.

1. It is essential to recognise formally the scale and seriousness of displacement within and from Iraq, and the possibility of further mass movements related to profound problems of insecurity, especially in the country’s northern regions.
2. False expectations of return may induce IDPs and refugees to make impractical or even dangerous journeys to inhospitable locations. There must be no attempts at forced repatriation.
3. Any realistic prospect of mass return can only be associated with sustained efforts by the government in Iraq to support displaced people – by tackling problems of access to land and property, employment, income and general welfare.
4. Robust arrangements for protection of Iraqis in exile are essential: local ‘tolerance’ is at best a short-term measure. Relevant agencies should consider how to liaise with governments of the Middle East to produce an integrated approach.
5. Notwithstanding the reluctance of some states to accept Iraqis, resettlement programmes are essential if refugees are not to be isolated and marginalised in the Middle East, leading more to enter irregular migration networks, with all their associated dangers.

Much more research is needed to discover the scale of current displacement; the changing circumstances and patterns of movement of Iraqis; and the implications for governments and NGOs within and beyond the Middle East. This should address current realities with full seriousness, avoiding partial or partisan approaches and the temptation to ‘distort’ or ignore unwelcome realities.

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All websites accessed 6 November 2009.

# Endnotes

1. For more detail, see Chatty (2003).
2. For an analysis of responses to crises of forced migration after the invasion of 2003, see Marfleet (2007a).
3. See the statements of US President Barack Obama and Iraqi President Nuri al-Maliki in Washington, July 2009. See White House (2009).
4. Harper, quoted in a May 2009 interview with the Californian newspaper *The Modesto Bee*, which serves communities in the US where many Iraqi refugees live (see Ashton 2009). The article, in which Harper also calls for special protection for Iraq's ethnic and religious minorities, has been reproduced on Iraqi refugee websites; see, for example, Christians of Iraq, at: <http://www.christiansofiraq.com/un-refugee-guidelines.html>
5. Department of Defense reports on Iraqi perceptions of security do not supply information on questions asked or on polling techniques. They note, cryptically: "For security reasons, to protect the integrity of the data and the anonymity of the individuals involved with the polling data and their association with the U.S. Government, the survey questions and supporting data can be found in the classified annex to this report." See Department of Defense (2009: n7, p.70).
6. Masrour Barzani, head of the Kurdish Democratic Party's intelligence and security agencies, quoted in ICG (2009a: 16).
7. The Yazidis are a relatively large group, usually estimated at some 500,000, with highly syncretic religious traditions which draw upon Islam, Christianity, Judaism, Gnosticism and Manichaeism. Most live in the northernmost areas of Iraq. The Shabaks are a smaller religious minority of some 50,000 people whose traditions have been shaped by Sufi, Shi'a and Yazidi influences. Most are landless peasants also living in the north. Under the Ba'thist regime, many Shabak families were forcibly displaced into Kurdish areas.
8. For an analysis of the relationship between IDPs, the state and non-state actors in Iraq, see Marfleet (forthcoming 2010).
9. The Public Distribution Service (PDS) issues cards that entitle Iraqis to certain subsidised basic foods. Cards are issued in registered places of residence, leaving many IDPs without access to rations.
10. See also figures provided by Barnes, a UNHCR officer in Damascus: "approximately two million Iraqi refugees in the region... Syria hosts 1.2 to 1.4 million Iraqis, Jordan 500,000 to 600,000 and Lebanon 20,000 to 30,000" (Barnes 2009: 1).
11. At an early stage in recent displacements, the borders of both Syria and Jordan were, in effect, open for Iraqis seeking sanctuary.
12. The survey was funded by the Norwegian government and by the United Nations population fund, UNFPA.
13. Interviews with refugee support groups, Cairo, November 2008 and October 2009.
14. See UNHCR researchers' current concerns about this problem – UNHCR (2009c: 28).
15. In the case of Syria, the introduction of strict visa regulations in 2007 followed a visit to Damascus by Iraqi Prime Minister Nouri al-Maliki, who requested closure of the border. Amnesty International suggests that the request appeared to be aimed at limiting the negative press coverage spurred by continuing mass exodus from Iraq. See Amnesty International (2008).
16. This was long the view of key policy makers addressing the issue of urban refugees. See Marfleet (2007b).
17. The US has increased numbers for settlement from 202 in 2006 and 17,000 in fiscal year 2009. See IRC (2009: 7).
18. As attested by refugee support groups in Cairo, who observe that pressure upon resettlement programmes is intense, especially from Iraqis who have worked with the CPA and the MNF (interviews with refugee support workers, Cairo November 2008).
19. Germany is to accept a total of 2,500 Iraqi refugees. Most of the first group of 400, who arrived in March 2009, were Christians selected on the basis of criteria established by the German government and the EU. See Boyd (2009).
20. Refugee support workers in Egypt believe that more Iraqis are entering irregular migration networks, making high-risk journeys, mostly to Europe (interviews with support workers, Cairo, October 2009).



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