



# Iraqi Displacement: Eight Years Later Durable Solutions Still Out of Reach

The plight of Iraqis who have fled waves of violence since the US invasion in 2003 remains a desperate one with no clear end in sight. A team of International Rescue Committee (IRC) staff investigated the situation in February of 2011<sup>1</sup> and found that despite an improved security situation in Iraq and the development of a new government, few Iraqis are able to go home.

While there have been advancements in the protection environment for Iraqis in neighboring countries since the IRC began reporting on the displacement crisis in 2008<sup>2</sup>, refugees remain in a state of limbo, unable to start a new life in their country of asylum and unable to return to Iraq. The situation of internally displaced Iraqis—particularly those living in squalid informal settlements—remains an emergency that is yet to be properly addressed by the Government of Iraq or the international community.

As the attention and support of donor governments—particularly the US—waned, urgent efforts must be made to develop and implement a meaningful plan to address the displacement crisis and assist those who choose to return. Without such efforts, the lives of millions of Iraqis remain in the balance and the fragile security improvements witnessed over the last year in Iraq and broader stability in the region may be undermined.

IRC findings and recommendations on addressing the displacement crisis in both Iraq and neighboring countries are outlined below.

## Overall Findings:

- Large scale displacements have stopped, but a surge of displacements of Christians has occurred (primarily from Baghdad and Mosul) since a series of church bombings in late 2010.
- Internally Displaced Persons (IDPs) in Iraq—especially those living in squatter camps—live in tenuous circumstances and are frequently unable to access government-sponsored safety net programs.
- Displaced Iraqis increasingly express interest in being integrated into their current location of displacement or a new location entirely as opposed to going back to their area of origin.
- Very few Iraqis are returning from neighboring countries due to security concerns and the lack of basic services and jobs available in the areas from which they have been displaced.

<sup>1</sup> The IRC team visited Iraq (Baghdad, Erbil), Jordan, Lebanon and Turkey

<sup>2</sup> The IRC has issued three reports on the Iraqi Displacement Crisis: *Five Years Later, A Hidden Crisis* (March 2008); *Iraqi Refugees in the United States: In Dire Straits* (June 2009); *A Tough Road Home: Uprooted Iraqis in Jordan, Syria and Iraq* (February 2010)

- Conditions of Iraqi refugees in Jordan have improved, but those gains have been eroded by the rising cost of living and downturn in the economic situation of the host country.
- The willingness of neighboring countries to host Iraqi refugees is a function of the ability of third countries to resettle them and the provision of assistance from donor governments. The protection environment for Iraqis is dependent on this critical balance.
- A growing number of Iraqis are being deported from European countries back to Iraq. These include Iraqis from governorates where they may be at great risk upon return as well as religious and ethnic minorities at risk throughout the country.
- A growing number of Iraqis are being deported from regional countries of asylum, particularly Syria. These deportees are often returned with no refugee status determination and no process of law. In some cases, Iraqis recognized as refugees by UNHCR have been returned.

## **Iraq**

### *Findings*

- Despite an improved security environment and the formation of a government after the 2010 political standoff, returns are not happening at high levels and people still remain displaced in great numbers. An increasing majority of IDPs state that they do not want to return to their home areas.
- IDPs in Iraq are not returning to their place of origin for a variety of reasons, security being the primary one. Other reasons for not returning are lack of basic services and jobs in the area of origin. More and more Iraqis have expressed interest in integrating into the areas to which they have been displaced or resettling in new land allocation sites (if appropriate services and livelihoods opportunities are available).
- IDPs in Iraq have a difficult time accessing basic government services due to a number of bureaucratic hurdles, including not having the proper legal documents to claim benefits. This means that some of the most vulnerable Iraqis are not able to claim social safety benefits like the rations associated with the Public Distribution System (PDS). Even for those able to access services like the PDS, distribution is erratic and infrequent.
- IDPs in squatter settlements are among the poorest and most vulnerable Iraqis. Many of the settlements are not linked to basic service systems (water lines, sanitation services, power grid) and the people there live in squalor.
- The Government of Iraq has yet to meaningfully address the IDP problem: there is no comprehensive or actionable government plan to do so. The Ministry of Displacement and Migration has committed to producing such a plan in a year's time.
- The Government of Iraq has also taken certain actions and adopted policies predicated on the false assumption that IDPs will be returning to their place of origin. These have included the reactivation of Order 440 ordering the eviction of those squatting illegally on government land, ceasing the registration of IDPs in June 2010 and not extending basic services to squatter camps (for fear of

incentivizing IDPs to stay). Recognizing that the IDP issue is ongoing, the Minister of Migration and Displacement recently stated that IDP registration will reopen.

- A growing number of Iraqis are being deported<sup>3</sup> from European countries<sup>4</sup> back to Iraq. These include Iraqis from the five Central Governorates of Baghdad, Diyala, Kirkuk, Ninewa and Salah al-din where UNHCR guidelines indicate they may be at great risk upon return<sup>5</sup>. It also includes religious and ethnic minorities at risk throughout the country.
- Regional countries of asylum, particularly Syria, have been deporting Iraqis at an increasing rate, often with no process to determine refugee status. In some cases, Iraqis recognized as refugees by UNHCR have been deported.

#### *Recommendations*

- The US Government and other donors should continue to work with the Government of Iraq to develop a meaningful and actionable plan to address both the Iraqi internal displacement crisis and to manage safe and voluntary returns of Iraqi refugees.
- The plan should make aid to the most vulnerable IDPs a top priority. This includes increasing access to vital services (shelter, water, sanitation and health services) and increasing livelihood opportunities for IDPs. Legal assistance in obtaining shelter ownership and accessing existing government assistance programs is also needed.
- IDPs, refugees and host communities should be involved in the development of the plan.
- Donors should provide assistance according to this plan—focusing on where the Government of Iraq cannot manage on its own through technical assistance and the provision of resources.
- The Government of Iraq should recognize that the majority of IDPs will not be able to return home in the short-term. As a result, they should prioritize schemes to voluntarily resettle IDPs through land allocation initiatives and turning government property where they are squatting into permanent settlements.
- Models used to address the needs of displaced Iraqis like the Diyala Initiative should be evaluated, improved upon and expanded to Baghdad and other areas.
- The Government of Iraq should commit to a firm and rapid timeline to reopen the registration process for IDPs.
- The Government of Iraq should reinstate a formal stay of Order 440 to prevent the eviction of IDPs from government property.
- The Government of Iraq should take immediate steps to reorient the Public Distribution System (PDS) to provide for the poorest and most vulnerable Iraqis—especially IDPs. Temporary PDS cards should be provided to IDPs whose original cards are not honored in the location to which they have been displaced.

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<sup>3</sup> Eighty-five deportations in the month of April had already occurred by the 22<sup>nd</sup> of the month

<sup>4</sup> The largest deportations have occurred from the Netherlands, Norway, Sweden and the United Kingdom

<sup>5</sup> UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Iraqi Asylum-seekers

- The Government of Iraq should streamline legal processes to allow access to other assistance (returnee assistance package, assistance to widows) to ensure that the people who are intended to benefit from them do not get tangled in bureaucratic red tape.
- European governments should cease deportations of all Iraqis originating from the five Central Governorates of Baghdad, Diayala, Kirkuk, Ninewa and Salah al-din in line with UNHCR recommendations. Governments should cease forced return of Iraqis originating from other governorates who may face serious risk of harm upon return including, in particular, religious and ethnic minorities.
- Regional countries of asylum, including in particular Syria, should cease all deportations of Iraqis without status determination procedures to prevent refoulement<sup>6</sup>. Deportations of recognized refugees should cease immediately.

## **Jordan**

### *Findings*

- Overall, the protection environment for Iraqis in Jordan has improved since 2007-2008. These improvements include:
  - Ability of Iraqis to use the public education and health systems
  - Some categories of work have been opened to them (though skilled levels of labor—which is the level of employment most Iraqis seek—are still “locked” for Jordanians)
- Increasingly high unemployment in Jordan due to the global economic downturn has made it difficult for Iraqis to find meaningful employment.
- This inability to find decent work has combined with rising rent, food and transportation costs to put most Iraqis in a precarious economic situation as they have exhausted the savings they brought with them.
- As a result, many Iraqis are moving further from East Amman to smaller urban areas outside the capital where fewer services are available to assist them.
- Iraqi men are still fearful of working and moving around: as a result, many families rely heavily on the ability of women to work and cobble together assistance from non-governmental and charity organizations.
- This pressure to provide for their families combined with high levels of violence in Iraqi households (men unable to work + locked up in the household all day= high rates of violence against women) has made life particularly difficult for Iraqi refugee women.
- Many of the problems refugees face stem from a lack of employment. However, there is a dearth of international assistance programs focused on expanding meaningful livelihood options and cash transfers for the most vulnerable Iraqis are not enough to cover basic expenses.

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<sup>6</sup> According to the Encyclopedic Dictionary of International Law, refoulement is the expulsion or return of a refugee from one state to another where his/her life or liberty would be threatened

*Recommendations*

- International donors should emphasize assistance programs designed to expand livelihood options for Iraqi refugees and increase their self-reliance. This is a way to address multiple problems at once and particularly important in light of diminishing international assistance levels.
- Cash assistance programs for the most vulnerable families (female-headed households, the disabled, the elderly) should be continued and expanded.
- The Government of Jordan should consider opening up “locked” professions to Iraqis.
- The US and other refugee-receiving governments should continue an aggressive resettlement program for Iraqis in the region and recognize the government of Jordan for its willingness (along with Syria) to receive Iraqis. Despite problems, they deserve credit for their actions.

**Lebanon and Turkey***Findings (Lebanon)*

- There is no policy framework to deal with refugees: Lebanon is not nor will become a country of asylum for Iraqis. This situation has been exacerbated by the absence of a government since January of this year.
- Iraqi refugees are dealt with in the same way that Lebanon would deal with illegal immigrant workers. UNHCR refugee certificates do not offer them any unique protections and they are not allowed to work.
- This leaves Iraqis living in the shadows and in a precarious economic situation. Men are particularly fearful of leaving their homes to work and move around as they are more likely to be stopped and asked for identification.
- Iraqis have been arrested for committing minor infractions and have been kept in detention centers well after completing their sentences. While the problem has improved (650 detainees in 2007 to 50-80 currently), it has contributed to the climate of fear among Iraqis in Lebanon.
- Lebanon’s willingness to host Iraqis is entirely a function of the ability of UNHCR to resettle them to a third country. Any reduction in the numbers of Iraqis being resettled or delay in the processing time could have a detrimental effect on the government’s willingness to allow Iraqis a “grace period” in Lebanon while they await resettlement.
- There are a growing number of Iraqis in Lebanon who cannot be resettled and cannot return to Iraq. They are in a particularly tenuous situation as they will also not be able to stay permanently in Lebanon.

*Findings (Turkey)*

- While Turkey is a signatory to the 1951 Refugee Convention, it was signed with a “Geographic Exclusion” which limits the provision of asylum to refugees from Europe. This does not afford meaningful protection or a durable solution to refugees from Iraq, as well as those entering Turkey from Iran or other countries.
- Refugee status in Turkey does not convey the right to work, afford financial support, freedom of movement or other basic rights.

- Those refugees who are registered in Turkey are required to move to 25 "satellite cities" (soon to be expanded to 50) where they are mandated to register frequently with local government offices (sometimes daily) and have limited or no access to basic services or support.
- As in Lebanon, government tolerance of refugees is predicated on a functioning resettlement program, under which the majority of refugees are resettled to a third country, almost always the United States.
- While there had been a decline in refugee arrivals from Iraq to Turkey in the early part of 2010, as is the case elsewhere in the region, this changed during the last quarter of 2010, when escalating violence in Iraq and church bombings resulted in a significant increase in refugee movements. Approximately 50% of the registered Iraqi refugees in Turkey are Christian. This population profile continues to be reflected in the makeup of the new arrivals.
- As in Lebanon, there is a growing backlog of refugees awaiting resettlement as well as a residual pool of individuals who have not qualified for admission to a resettlement country. This places the system, and the refugees in further jeopardy - and at risk of detention or deportation back to Iraq.
- There is no meaningful oversight of the Turkish asylum system by an independent body. Individuals interviewed indicated that the official registered refugee population is likely the "tip of the iceberg" and that there are in fact many more Iraqis in Turkey than is officially acknowledged. It is unknown how many Iraqis are held in detention by the Turkish government or are forcibly returned to Iraq when apprehended at borders and airports, but this is also believed by some to be a significant number.

#### *Recommendations for Lebanon and Turkey*

- Donor governments should work with the Governments of Lebanon and Turkey to encourage the development of a refugee policy that will allow Iraqis to live in decent conditions while they wait to be resettled to a third country. This includes honoring their refugee certificates and allowing them to work.
- The US government and other countries of asylum should ensure that processing for resettlement occurs on as quick of a timeframe as possible. These countries should take responsibility for communicating with the governments of Lebanon and Turkey to ensure that delays in processing—including those resulting from additional layers of security checks—do not result a worsening in the protection environment for Iraqis.
- Special attention should be given to finding durable solutions for Iraqis in Lebanon and Turkey who cannot be resettled and who cannot return to Iraq. These people are in a particularly dire situation.

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