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Strategy for the Iraq Situation

Revised, 1 January 2007

I. Summary

1. In recognition of the spiraling violence in Iraq, the likelihood for continued massive internal and external displacement and the growing regional consequences of the conflict, UNHCR has undertaken a comprehensive review of the objectives, activities and allocation of resources in relation to Iraq and has revised its strategy accordingly. The review was facilitated by a Regional Strategic Workshop in Damascus (30-31 October) involving UNHCR representatives from Iraq, Jordan, Syria, Turkey, Egypt, Lebanon, Iran as well as staff from UNHCR Geneva (CASWANAME and DIPS). This meeting followed a Participatory Planning Workshop on Iraq in Amman on 25-26 September, which involved Iraqi Government officials, NGOs working in Iraq, donors and other UN agencies.

II. UNHCR Priorities

2. The security environment in Southern and Central Iraq continues to deteriorate and significant displacement is occurring inside and out of Iraq, UNHCR's hitherto focus on reintegration programmes inside Iraq for returnee Iraqis is no longer sustainable. UNHCR needs to shift the focus of its activities from addressing the needs of returnee Iraqis to addressing critical issues arising out of the massive ongoing displacement while retaining its role in regard to ongoing activities in relation to refugees (non-Iraqis) in the country.

3. In regard to those displaced within Iraq, UNHCR would need to reinforce its cluster coordinating role to deal with the protection of IDPs through advocacy and management "by remote", while in regard to those displaced outside Iraq, focus must be on strengthening UNHCR's capacities to work with governments in neighboring States to reinforce the protection situation for growing numbers of displaced Iraqis. The increasingly precarious situation of various groups of refugees (non-Iraqis) inside Iraq must also be addressed speedily.

4. In the northern Governorates, there remains some scope for more forward-looking activities for refugees and returnees but this too is precarious and must be subject to continuous re-evaluation.

III. The Iraq Situation

5. In respect of Iraqis displaced outside the country, the lack of effective assistance and protection in the neighbouring States of Syria, Jordan, Egypt and Lebanon will impact negatively outside the region. If the genuine concerns of Iraqis in these countries remain

neglected and unaddressed, the onward movement of tens of thousands of Iraqis to Europe and elsewhere will increase further. With regard to those displaced within Iraq, while continuing to perform its role as coordinator within the cluster approach, UNHCR should not raise unrealistic expectations that it can effectively support the provision of protection, given existing security considerations and lack of presence.

6. Exclusively in the north, UNHCR will continue to pursue durable solutions to allow an end of assistance to refugees in camp-like situations. This will include the finalization of local integration projects. In addition, tripartite agreements with Turkey and Iran to guarantee and facilitate voluntary repatriation of Iraqi refugees from these two countries will be pursued.

7. In south and central Iraq, UNHCR will continue to provide care and maintenance assistance to (non-Iraqi) refugees, such as Palestinians, Syrians, Iranians, and Sudanese, all of who remain in a particularly vulnerable situation. In the current environment, local integration inside Iraq for these refugee groups is not considered feasible or viable. Urgent and high level interventions are required to identify resettlement or humanitarian evacuation options to guarantee the safety of these refugees.

8. Although not the ideal means of programme delivery, UNHCR will need to continue to rely on remote management to implement most of its life-saving assistance programmes to such groups. A more detailed paper on durable solutions options for each designated refugee group is currently in preparation.

9. As coordinator for the humanitarian cluster¹ responsible for IDPs, refugees, returnees and stateless persons in Iraq, UNHCR will continue to work with agencies to bring about a coherent and coordinated approach to strengthening advocacy on behalf of internally displaced persons and will continue with targeted, limited and focused interventions in support of this category of persons subject to security consideration and donors support.

10. In 2007, UNHCR will be seeking USD 60 million to support its response to the Iraq Situation. The Supplementary Budget for the Iraq Situation will be implemented in three tranches of USD 25.5 million, USD 13.5 million and USD 21 respectively. The first tranche will include essential protection and assistance programmes focusing on refugees inside Iraq and Iraqis who have fled to neighboring States. Critical programmes to fulfill UNHCR's commitments to IDPs will also be included. Subject to donor support, including the earmarking of funds to support IDPs, the second tranche and third tranches will be activated. The portion of the SB allocated to support UNHCR's activities in neighboring States vis-à-vis UNHCR's operations inside Iraq will increase from some 25 percent in 2006 to over 50 percent in 2007.

¹ "Cluster" vocabulary notwithstanding, this authority was established in 2003 and does not currently fall under the IASC mandate. Instead, it encompasses all displaced persons within Iraq, expressly including refugees.

IV. The Legal Status of Iraqis in the Region²

11. Since 19 March 2003, UNHCR has advocated for recognition of the international protection needs of Iraqis outside their country, and hence a suspension of forced returns. In States in the region, this has been affected to date by a general tolerance for Iraqis through limited periods of stay which do not carry specific entitlements or rights and which has been characterised as “temporary protection”.

12. In view of the objective situation of armed conflict and generalized violence in Iraq, Iraqis who are outside their country and are unwilling or unable to return due to the existing circumstances may be presumed to have international protection needs, and are therefore persons of concern to UNHCR. In light of the large numbers involved, individual refugee status determination is not feasible, thus UNHCR considers these persons as refugees on a *prima facie* basis.

13. UNHCR’s strategy vis-à-vis neighboring States must be a pragmatic one that seeks the widest possible protection space for Iraqis by working directly with these States to enhance the quality of protection through intensifying its advocacy based on a regional common set of standards, identifying vulnerable individuals for targeted support and assistance based on regionally harmonized approach to registration, and a strategic approach to resettlement.

V. Registration, RSD, Resettlement

14. UNHCR will register in ProGress all Iraqi applicants approaching UNHCR offices. The registration will be facilitated through the use of a harmonized registration bilingual questionnaire. The registration process will include the encoding of vulnerabilities assessed through the registration interview. On the basis of the registration interviews, all Iraqi refugees will be documented as refugees falling under UNHCR Mandate in accordance with Annex 8-1 of the RSD procedural standards. Besides providing this immediate documentation benefit, the registration will enable UNHCR to determine what other protection/assistance intervention may be required. These interventions may include RSD interviews (full with exclusion review, summarized or none), BID interviews or other interviews by community service staff, short resettlement interviews, etc. The registration will be conducted in a consistent and harmonized manner in all the countries in the region receiving Iraqi refugees.

15. Across the board individual RSD for hundreds of thousands of people is not feasible, unnecessary, and strategically undesirable. The scope of RSD exercises (whether full mandate RSD process or screening only for exclusion cases, etc.) and the resultant staff and financial requirements will depend largely on the results of negotiations with regional host countries as well as the flexibility of resettlement countries in their own resettlement procedural requirements. Iraqis who are not registered with the Office and who are in detention and/or at risk of being deported would be identified through regular monitoring of detention centers, and given access to registration and RSD where appropriate, in order to prevent deportation.

² As of October 2006, there are some 90,000 Iraqis registered with UNHCR offices in the region. This represents a small proportion of the total number of Iraqis in neighbouring states which are estimated from 500,000-700,000 in Jordan (large numbers of whom arrived before the 2003 war), some 500,000 – 1,000,000 in Syria, 20,000 – 100,000 in Egypt, 20,000 – 40,000 in Lebanon, with tens of thousands more in other neighbouring states.

16. While numerically, resettlement will never be the predominant durable solution, it has the potential to be used ever more strategically to help leverage greater protection in the region for non-resettled Iraqis. Further, resettlement is considered, as a primary protection tool to respond to the immediate needs of the Iraqi refugees in countries neighbouring Iraq where the protection space is increasingly limited. Using resettlement strategically will require greater flexibility on the part of resettlement States and UNHCR (including possible use of group methodology resettlement, accelerated family reunification departures) and a willingness of States hosting Iraqis in the region to consider local solutions for those who are not resettled and who may wish to avail of such a possibility. The use of resettlement will be coordinated in the region. The criteria of access to resettlement must be clearly stipulated and articulated to offices in the field. In this present context, resettlement must remain an option primarily to respond to immediate legal and physical protection need, to protect women-at risk and to address specific vulnerabilities of a medical or social nature (family separation, unaccompanied or separated children) that cannot be addressed effectively in countries of asylum in the region. In other words, resettlement cannot be resorted to for reasons of vulnerability due to a lack of material assistance. Instead, UNHCR will need to augment the community support mechanisms for such vulnerable persons in these countries. Similarly, uniform criteria and access to resettlement must be assured throughout the region, to reduce irregular secondary movements of Iraqis solely seeking resettlement opportunities.

VI. Assistance

17. Various reports from UNHCR offices, NGOs and governmental entities highlight the appalling conditions of large numbers of Iraqis in the region. While there may be a high-profile and wealthy elite in exile, large numbers of Iraqis are poor and reside in low-income areas. There are reports of women and young girls forced to resort to prostitution/survival sex and children forced into labor or other forms of exploitation in order to survive. A joint UN assessment in Syria³ indicated that some 30 percent of Iraqi children were not attending school (and where they were attending, the schools had few resources such as textbooks, chairs and stationery), four percent of all Iraqis were disabled and over 10 percent of Iraqi families were headed by women. This situation is likely to deteriorate further as the violence escalates in Iraq, refugee flight continues and the coping mechanisms for Iraqis and the communities that host them are depleted. Given the urban rather than camp nature of the Iraqi displacement in neighboring States, assistance will need to be individual, community and institution-based, with a priority on the latter two elements.

18. The challenge of assisting vulnerable refugees in the region should not be resolved through direct cash assistance. Assistance to Iraqis in the region should be delivered to host community networks, such as national social agencies and civil society. This methodology will allow UNHCR to simultaneously reach more beneficiaries, provide UNHCR more leverage with host country authorities to advocate for more effective protection standards, as well as support the local infrastructures in coping with the impact of the presence of large Iraqi populations in their territories. Significantly, UNHCR's support in 2007 to this social network will also have a positive spillover effect upon host communities and the most vulnerable within. Some of the funding may also be utilized in the area of institutional capacity-building, such as training and technical support. These initiatives, when

³ Assessment of the Situation of Iraqi Refugees in Syria. March 2006 UNHCR, UNICEF, and WFP.

implemented, will also leave behind a network of local first response resources to assist effective reaction to future displacement crises in the region.

VII. Advocacy and Strategic Partnerships

19. Within Iraq, UNHCR as the coordinator for the refugee/IDP cluster in Iraq has a specific responsibility to advocate and coordinate the response to the displaced inside Iraq, whether refugee or IDPs. In neighboring States, UNHCR's authority derives from its traditional mandated role in assisting governments to provide international protection to refugees and other persons of concern. Regardless of the foundation of its protection voice, whether inside or outside Iraq, UNHCR will embark on a high-profile and multi-pronged campaign, engaging governments, local institutions, people and Arab media of the region. This could be done through a series of preparatory contacts – both with individual governments and regional groupings such as the Arab League, the Organization of the Islamic Conference and the Gulf Cooperation Council – leading to a high-level demarche by the High Commissioner. It will be important to acknowledge the primary concerns of each State (i.e., security, increasing unemployment, inflation, competition for scarce resources) with regard to the situation in Iraq and the impact of the influx of Iraqis into their respective States. This could also lead to the support from Gulf States to address the Iraqi displacement situation – if for no other reason than as a possible means to minimize the movement of Iraqis across their respective frontiers.

20. Within each country, UNHCR should continue to engage with those government agencies responsible for emergency response, border control/security, and humanitarian assistance. This is not only to more effectively respond to the current influx but to cement relationships in preparation for a more a potentially more complex emergency. Strategic partnerships should also be initiated or strengthened with the respective Red Crescent societies and with key UN and IO partners such as UNRWA, UNICEF, WFP, ICRC/IFRC, WHO and IOM.

21. In developing a long-term strategy to address the needs of displaced Iraqis, UNHCR recognizes the continuing concern of the Arab world with the plight of millions of Palestinians who are hosted by Arab States in the region.. In light of the deteriorating situation of Palestinians in Iraq, UNHCR has reviewed its approach and strategy in regard to the protection of Palestinians inside the country, as well as outside in neighboring countries and who remain in a precarious situation. UNHCR has articulated its position in an Aide-Memoire as part of its advocacy efforts with Arab States in the region. The Office will also step up, at all levels, the frequency and substantive content of its inter-agency dialogue with UNRWA.

VIII. Staff Presence and Staff Resources

22. While staff may travel to Baghdad on brief missions, the security environment does not currently permit the long-term positioning of UNHCR international staff in Baghdad or in other locations outside the KRG. This restriction will be further reviewed in February 2007 through a planned joint field safety assessment to be undertaken by the Iraq Support Unit and the Field Staff Safety Section. UNHCR will however enhance its capacity to provide protection and assistance in the three northern governorates by adding a second international

staff member to Erbil. National staff continuing to work in Iraq at great risk should benefit from additional training in programme management, protection and security.

23. UNHCR's increased engagement with Iraqis in States in the region necessitates a significant scaling up of UNHCR staff resources within each of the existing UNHCR offices in these countries. In order to ensure a harmonized and consistent approach, in terms of the provision of protection and assistance the Iraq Supplementary Budget will reinforce staff and resources in neighboring States that are being saturated by the steady influx of Iraqis. In 2007, the Iraq SB will incorporate programmes in Syria, Jordan, Lebanon, Turkey, Egypt as well as Iraq. A number of senior staff (programme, administration, external affairs) whose responsibilities had previously been limited to Iraq will now assume regional responsibilities. Registration, resettlement, community services and other protection staff in neighboring States will be reinforced and, where practical, will have regional responsibilities within their terms of reference.

IX. Promoting Greater International Attention, including a Regional Conference on Displacement

24. A central pillar of UNHCR's advocacy strategy would be an international conference on Iraqi displacement to be convened within the first half of 2007 (possibly in collaboration with the Arab League and/or Organization of Islamic Conference). UNHCR should also initiate, prior to such a conference, additional independent and inter-agency assessments as well as sponsor strategic research reports with regional institutes. Such reports could include a collaborative effort with the Brookings Institution's Iraq project which is co-chaired by the SRSG for IDPs. The Brookings Institution has expressed a desire to work with UNHCR to prepare a joint report on internal and external displacement. Such a Conference will not only highlight the needs of the displaced Iraqis, but would provide an opportunity to commend the hospitality of regional governments, (and challenge them to strengthen this hospitality including keeping their borders open), explore practical options to share the burden of the Iraqi displacement, facilitate dialogue between western governments and the region, while enhancing UNHCR's leadership role with respect to displaced Iraqis.

X. Contingency Planning

25. Contingency plans that had been developed in preparation for a mass influx in 2003 need to be significantly revised to respond to the current "low profile" but significant exodus from Iraq, while taking into account the potential for high profile massive displacement. UNHCR will also urgently reinforce the Iraq Situation stockpile (located outside of Amman) to a capacity of 200,000 beneficiaries. In order to gain from economies of scale and minimize risks, UNHCR will continue to close a number of exposed warehouses inside Iraq as well as its warehouse in Aqaba, Jordan. While UNHCR should continue to proactively drive the development of operational and contingency plans, this must ultimately be undertaken as part of a wider inter-agency effort, involving both government and non-government stakeholders.

XI. Conclusion

26. Large parts of Iraq are facing grave and escalating violence which is causing massive displacement inside the country and out of it.. The political, social and financial impact on Iraq, the region and the rest of the world from the current and impending crisis will be felt for many years. The displacement of Iraqis has to be addressed in the context of a long-term challenge; how effectively it is addressed will not only impact on the level of protection provided to the individuals concerned, but also on stability in the region and the reputation of this Organisation in the region and beyond. There is no other strong advocate and actor for the protection of displaced Iraqis. UNHCR is obliged under its mandate to assume this role, through reinforced activities aimed at identifying and categorising the population, and through credible, forceful campaigning on their behalf. A successful implementation of this revised Strategy depends on renewed commitment on the part of all actors concerned.