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U.S. Committee for Refugees and Immigrants World Refugee Survey 2005 - Iraq

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Iraq

Refugees and Asylum Seekers:	96,600
Former Palestine:	70,000
Turkey:	13,600
Iran:	11,900

New Refugees and Asylum Seekers:	1,500
Involuntary:	130
Voluntary Departures:	200
Iraq as Source:	366,100
IDPs:	1 million
New IDPs:	300,000-800,000

1951 Convention: No
 Protocol: No
 ExCom Member: No

Population: 25.9 million
 GNI: N/A

Refoulement/Asylum There were no reports of *refoulement* of refugees or asylum seekers in 2004, although in October, Iranian state television reported the repatriation of 130 Iranians who had been detained in Iraq for illegal entry. Iraq did not have any laws on asylum or refugees, beyond protection against *refoulement*. The American-led Coalition Provisional Authority (CPA) handed over sovereignty to the Iraqi Interim Government at the end of June, whereupon the "Law of Administration for the State of Iraq for the Transitional Period" (TAL) entered into effect pending enactment of a permanent constitution. The TAL provided that "Non-Iraqis within Iraq shall enjoy all human rights not inconsistent with their status as non-citizens."

Iraq continued to host three significant groups of refugees: Palestinians (for more than 35 years); Iranians (mostly Kurds, since the Iran-Iraq War from 1980 to 1988), and Kurds from Turkey (since the first Gulf War from 1990 to 1991). The law establishing the Ministry of Displacement and Migration (MoDM) created a separate section within the Ministry dedicated to Palestinian affairs.

Detention Some Palestinian and Syrian refugees were detained and severely mistreated in prison. Iranian officials estimated that some 400 of their nationals were detained in Iraq, most on charges of illegal entry. In October, the Iraqi National Guard arrested 73 Afghans, many of whom were women and children, for illegal entry. The TAL promised transparency in detention and court procedures, but the judicial system for all residents of Iraq remained a work in progress. Groups threatened Palestinians, Syrian Baathists, and Iranian Ahwazi refugees to whom they suspected the previous regime had given privileged treatment.

Right to Earn a Livelihood There were no legal impediments to refugees or asylum seekers working, practicing professions, running businesses, or owning property. Continuing insecurity, however, constrained employment options for refugees and Iraqis alike. Most refugees worked in the informal sector.

Freedom of Movement and Residence Iraqi landlords evicted nearly 400 Palestinian families whose rents the previous regime had controlled. The interim prime minister imposed a 60-day state of emergency around Fallujah and Ramadi in November, which restricted movement for all residents. The siege of Fallujah also prompted Iranian Kurd refugees to flee from the nearby al-Tash camp. In January 2005, more than 100 headed toward the Jordanian border, where about 650 others lived in a camp in no man's land between the two countries since Jordan refused them entry in 2003. Jordan, however, restricted access to the border zone for the newly displaced, trapping them on the Iraqi side of the border and subjecting them to harsh climatic conditions with little physical protection.

Public Relief and Education The Office of the UN High Commissioner for Refugees (UNHCR), through its implementing partners, assisted evicted and/or detained Palestinian and Syrian refugees with rental subsidies, goods, and legal representation. Ongoing violence between American-led coalition forces and armed opponents kept UNHCR, nongovernmental organizations (NGOs), and most others from operating in the country, especially in and around Baghdad. In October, an unknown group kidnapped British-born Iraqi Margaret Hassan, CARE International's Head of Operations, executing her and leaving her body near Fallujah almost a month later. The humanitarian organization recalled its staff and ceased operations in the country the day after her kidnapping. Some NGOs continued to help refugees, and various development organizations worked to restore housing, electricity, water

supply, and other public services for the displaced and refugees alike. NGOs were most active in the relatively secure north of the country. Refugee children had access to schools where NGOs operated. Some NGOs provided transportation, school supplies, and other necessities to needy refugee families.

Internally Displaced Persons (IDPs) According to sources compiled by the Global IDP Project, there were more than one million IDPs in Iraq. Displacement continued throughout the country due to ongoing fighting and insecurity. Chain displacement occurred when returnees reclaimed property or residences lost under the previous regime. Housing shortages exacerbated tensions as the displaced vied for space and demographic representation in contested areas of the country.

About 208,000 of Fallujah's 300,000 residents fled following the April siege on the city that destroyed several thousand homes. Fighting continued throughout the year. By year's end, electricity and water supply remained sporadic, and few residents had permanently returned. UNHCR, leading the UN's inter-agency taskforce for Iraqi IDPs, worked with MoDM to provide blankets, mattresses, cooking stoves, and heaters to those wishing to return home, but also noted that a significant number of families had already purchased land in their new areas of residence.

Returning Kurds, displaced by the Arabization policies of the former regime, themselves displaced thousands of Arabs who then took refuge in military bases in the hotly contested city of Kirkuk. Kurdish political factions reportedly distributed property titles to Kurds over other ethnic groups to promote Kurdish claims to the oil-rich area. This circumvented the newly-formed Iraqi Property Claims Commission established in January to resolve claims resulting from the Arabization policies. Coalition forces aggressively searched, detained without charge, and accused newly displaced Arabs in the central towns of Tameem, Ninewa, and Diyala of association with the former regime or terrorists.

The TAL declared that the "Iraqi Transitional Government shall take effective steps to end the vestiges of the oppressive acts of the previous regime arising from forced displacement, deprivation of citizenship, expropriation of financial assets and property, and dismissal from government employment for political, racial, or sectarian reasons." CPA Order 50 established MoDM in January to "manage the displaced and migrants' affairs and to improve their conditions ... [and] to provide means for a decent living for [IDPs

and migrants]." Its basic functions included restoring citizenship to those Iraqis stripped of it under the previous regime and providing legal opinions and advice regarding IDP claims and complaints.

UNHCR issued a return advisory in September against repatriating Iraqi refugees and asylum seekers, citing general insecurity and irregular access to basic services throughout Iraq. Nevertheless, tens of thousands of Iraqis spontaneously returned from Iran and surrounding countries, prompting UNHCR to help some return convoys. Nearly 300 Iraqi refugees returned from Rafha camp in the Saudi Arabian desert. Some 400 remained.

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