

Refugees Profile

Overview:

Iraq is neither party to the 1951 Convention nor its 1967 Protocol. UNHCR has registered some 34,920 refugees¹ in Iraq primarily located in the areas administered by the Kurdistan Regional Government (KRG) and Baghdad, comprised of 12,000 Palestinians; 390 Syrian Arabs; 11,448 Iranian Kurds; 756 Iranian Arabs (Ahwazis) and 10,167 Turks. In addition there are 3,254 asylum-seekers² (Iranian, Syrian and Turkish asylum-seekers). Before the fall of the former regime in April 2003, refugees were either given refugee status under the 1971 *Refugee Act* (No. 51) or were granted 'asylum' by the former regime. While the 1971 *Refugee Act* is still in force, there are no refugee status determination structures in place and, therefore, UNHCR has started to register asylum-seekers and coordinated with the ministry of Interior.

As increasing violence specifically targets some groups of non-Iraqi civilians, the right to life and security is refugees' main protection concern in today's Iraq. Access to assistance and protection remained difficult for the refugees in post 2003 Iraq. Refugees in Iraq have witnessed a marked deterioration in their access to basic services and other humanitarian assistance since the fall of the previous regime. In particular, the security situation and physical safety of Palestinians in Baghdad and Iranian Arabs (Ahwazi) refugees in the South deteriorated significantly after 2003. This is due in part to the perceived favourable treatment that various refugees groups (i.e. Syrians, Palestinians, Ahwazis) received under the previous regime, as well as to the general state of lawlessness which reigns throughout Iraq. Freedom of movement was restricted for some refugees in the KRG region, where ongoing insecurity, the inability to renew ID cards, and administrative procedures limited movement between Governorates. Insecurity, administrative obstacles and a lack of documentation, limited access to public services, PDS, education, health and employment opportunities for large numbers of refugees.

Certain refugee caseloads that UNHCR Iraq works with in Iraq (Palestinians, Syrians and Ahwazis, considered to be especially vulnerable) continue to face protection and security problems in Iraq despite the improved security situation in Iraq as of recent months. In response, UNHCR Iraq has undertaken RSD and resettlement processing for identified refugee groups which are considered to be especially at risk and for whom resettlement to a third country is deemed as the only viable solution. These three groups are essentially considered to be prima facie refugees and are unable to return to their countries of origin.

- **Palestinians:** Palestinian refugees arrived in Iraq in successive waves. The first group originating from the northern part of today's Israel reached Iraq in 1948. They were followed by another group who fled the Occupied Territories, mainly in 1967, as a result of the third Arab-Israeli war and later by a third group who moved from the Gulf countries in the aftermath of the 1991 Gulf war. At the start of the 2003 war in Iraq, around 23,000. Palestinians were registered by UNHCR before the evacuation of the UN staff from Iraq and the interruption of the registration campaign in August 2003.



Al Waleed Camp

¹ Figure as of 31 December 2009 and is being further verified through ongoing re-registration exercise.

² So far registered with UNHCR as of 31 December 2009.

- The Palestinian refugees in Iraq were never recognized formally as refugees by the Iraqi government. However, they were protected by the Iraqi authorities based on pertinent resolutions of the League of Arab States and in particular the 1965 Casablanca Protocol. They enjoyed a relatively high standard of treatment under the previous regime and were granted residence permits, benefited from the right to work, access to social services and were provided with government-owned housing or fixed, subsidized rent in privately-owned dwellings. Iraq could thus be considered as the habitual place of residence of these Palestinians.

- Palestinian refugees in Iraq, being outside UNRWA's area of operations fall within UNHCR's competence by virtue of paragraph 2 of Art.1D of the 1951 Convention relating to the Status of Refugees.³

- Of 34,000 Palestinians in Iraq in 2003, it is believed that only around 12,000 remain in Iraq after repeated targeted attacks in Baghdad, where most reside. Since December 2006, around 1,800 persons have arrived at the Al Waleed Iraqi border area.

Palestinians in Baghdad

- At present, fewer than 15,000 Palestinian refugees remain in Iraq after repeated targeted attacks in Baghdad where most reside.⁴ Targeted persecution of Palestinians in Iraq began in 2003, when hundreds of urban Palestinian families were forcibly displaced. Thousands of others have been arbitrarily arrested, detained, publicly slandered, kidnapped, tortured, attacked and killed. In addition, job loss and depleting financial resources over the past years have impoverished many middle class families, forcing them into the ranks of the poor in need of housing, food, medical, and cash assistance.

- UNHCR acknowledges that there has been an improvement in the general security situation in Iraq since 2006-2007, when most of the Palestinians in the border camps fled. However, the continuing insecurity in Baghdad as evidenced by the recent increase in large-scale coordinated bombings, the lack of a clear legal status of Palestinians as well as the general hostility and resentment of segments of the Iraqi population towards Palestinians suggest that the situation in Iraq still does not meet minimal benchmarks for physical, legal and material safety for Palestinians. The general decrease in violence must be examined in the context of the particular situation of Palestinians, a marginalized minority group whose status as a community has declined since 2003 thus exposing them to continuing high levels of security threat. There is evidence of a widening gap of intolerance and resentment between Iraqis and Palestinians in Iraq, which has only worsened since 2006-2007. As a marginalized minority group, Palestinians do not benefit from adequate levels of protection in Iraq.

- UNHCR Iraq continues to provide basic needs support to Palestinian refugees in Baghdad through rental subsidies, establishment, staffing and supply of primary health clinics and mobile medical team visits, provision of life-essential items, vocational support for the out-of-work, education access and support to orphaned children.

- Despite a somewhat improved security situation in Baghdad in recent months, the Palestinian community continues to face protection and security problems stemming from entrenched discrimination, lack of documentation and restricted freedom of movement and access to employment. Palestinian refugees still continue to face serious physical protection issues.

³ See paragraph 8 of "Revised Note on the Applicability of Article 1D of the 1951 Convention relating to the Status of Refugees to Palestinian refugees"; UNHCR, 21 October 2009.

⁴ In recent months, an updated registration of Palestinians in Baghdad was conducted by the Ministry of Interior with technical assistance provided by UNHCR. Approximately 12,000 Palestinians were registered.



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Al Waleed camp

• Currently about 1,184 Palestinians are marooned at the Al Waleed site inside Iraq, near the Syrian border. Conditions there are terrible with extreme temperatures (+50 C to sub zero). Refugees in Al Waleed suffer from limited freedom of movement, harsh and inadequate living conditions, physical insecurity and uncertain legal status. Rain and snow storms periodically cause flooding and destruction of tents which remain in the open and unprotected desert camp. The camp lacks adequate health and psycho-social services for refugees who suffer from urgent medical needs and who have been physically and psychologically traumatized by violence in Iraq.

• UNHCR continues to seek durable solutions for this camp population, for whom return to Iraq is not an option. In late 2008 and early 2009, UNHCR Iraq undertook measures to significantly expand capacity to process resettlement submissions from Al Waleed. Advocacy efforts on the part of UNHCR and others resulted in a marked increase in commitments from resettlement countries in 2008 to provide sustainable solutions for Palestinian refugees in the camp.



Despite the desert hardships, children try to live a normal life

• Since January 2009, UNHCR has referred the majority of the Palestinian population at Al Waleed to the USA for resettlement consideration, with a significant number having already been accepted for resettlement after completing interviews with large numbers already departing.

• **Iranian Kurds:** There are around 9,500 – 10,000 Iranian Kurdish refugees in Iraq; a longstanding refugee caseload. The vast majority of Iranian Kurds are now located in northern Iraq. Conditions in the Kurdistan Region (KR) area are considered conducive to local integration. However, since May 2005, there has been a group of around 182 Iranian Kurds who had been encamping in No-Man's Land between Iraq and Jordan since 2005, who remained at this location until July 2009. The groups have now been moved to Al Waleed refugee camp where consideration will be given to the most effective durable solutions for this group – including the potential for integration with other Kurds in the KR and resettlement for vulnerable medical cases.

• **Iranian Arabs (Ahwazis):** The Ahwazi community in Iraq is approximately 2,500 persons. The Ahwazis face various protection challenges. Given the ongoing tensions of the Ahwazi community with the Iranian government, the growing link between the Iranian government and the Shia militias poses an especial risk to the Ahwazi community in Iraq, considering the current levels of lawlessness that exist. This is compounded by the resentment the local community has for the Ahwazi community for their perceived privileged status under the former regime. This has forced many members of the community to go into hiding or adopt a low profile, further marginalizing the community with economic hardships. The bulk of the Ahwazi communities lives in the Basrah area in rural enclaves.

• Ahwazi Arabs were expelled from their region in Khuzestan, and many fled to Iraq due to the 1979 Iranian Revolution and the 1980 Iran-Iraq war. About 8,000 Ahwazi refugees were hosted in Iraq during the former regime's era and lived in local settlements throughout the governorates in Southern Iraq. An estimated 5,500 Ahwazi refugees spontaneously

repatriated to Iran in the weeks before and after the 2003 war, and some 2,500 stayed in Iraq, mainly in the South. UNHCR has registered 1,667 individuals and provided with NFI's and UNHCR Refugee Certificates.

- Ahwazis face acute protection challenges. UNHCR has received reports of seventy killings, and this list is known to be incomplete. Given the targeting of individuals among this group, compounded by popular resentment based on perceptions of past privilege, many have been forced into hiding or to adopt a low profile, further marginalizing and subjecting them to economic hardship.
- The Ahwazi's fear remaining in Iraq due to the fact that they at one time had close political affiliations and worked for the Ahwazi Liberation Arabic Front (ALAF) prior to the fall of the former regime - they believe that the Iraqi Government is either unwilling or unable to protect them from targeted harm by Iranian agents operating in Iraq.
- In January 2007, the first group of 8 Ahwazi families (39 individuals) fled to the Trebil at the Iraq/Jordan border area. In August another 28 individuals arrived at Trebil (all Mandaeans) and again in September a group of 31 persons/8families came to the border area. The Iraqi authorities have communicated their frustration with the current situation and are not pleased to have the refugees in the border area. UNHCR Iraq conducted RSD interviews for all the majority of persons at the border area. So far resettlement has been submitted for the majority of the cases based on protection needs. More recently in July 2009, the Ahwazi groups was relocated to the Al Waleed refugee camp where UNHCR Iraq will look into resettlement as the primary durable solutions of this small groups and other durable solutions, such as local integration, for the bulk of the population in the south of Iraq around Basrah.
- In December 2009, UNHCR undertook a comprehensive re-registration exercise in coordination with the Iraqi authorities for the Awazi caseload in the South. This process is expected to conclude in February. The outcome of the re-registration exercise is hoped to have a positive impact on the protection and assistance needs of the caseload including issuance of new Iraqi refugee ID.

- **Turkish Kurds:** The Turkish Kurd refugees primarily reside in the Makhmour refugee settlement (some 11,000) near Erbil Governorate, and in the Dohuk Governorate (4,000). While the refugees have expressed the wish to return to Turkey in the past, this cannot be realized before the finalization of a Voluntary Repatriation Agreement. This has been a long political process and while UNHCR has been actively pursuing this possibility, it is expected that a significant residual caseload will remain in Northern Iraq, afraid to return to Turkey (also because of the absence of an amnesty clause in the draft Tripartite Agreement). Given the concerns around the civilian character of the camp, the potential for protection cases is a strong possibility (especially cases who may have refused to join the PKK), in addition to medical and family reunion cases.



Makhmour Settlement

- **PMOI:** The people's Mujahedin of Iran (PMOI) is the largest and most active Iranian opposition group operating outside Iran. Upon arrival, US military forces encountered PMOI members who wished to leave the organization. After a short period the US created a separate closed location at a distance from the PMOI camp called Ashraf Refugee Camp (ARC). An initial 188 ARC residents were admitted to the refugee status determination process (HQ processed) and later in July 2007, an additional 27 cases were interviewed by UNHCR in person.



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- Resettlement is seen as a preferred durable solution for the majority of these refugees due to the lack of security in their current situation and in their country of origin. The group, However, is difficult to resettle. All of the 188 initial cases processed by HQ and a number of those processed by IOUA have been rejected by resettlement countries. Around 28 former ARC refugee currently reside in northern Iraq, where they have temporary residency. However, the KR authorities expect them to eventually leave the region as they are not welcome to permanent stay or residency.
- Around 18 new ex-PMOI asylum seekers who had defected from the ex-PMOI camp near to Baghdad, Camp Ahsraf, have recently undergone RSD interviews to determine their eligibility for refugee status, with the bulk of these expected to be granted refugee status. Resettlement as durable solutions will be the preferred actions considered for this new group of ex-PMOIs.
- There is a high degree of vulnerability among this group of refugees including medical and psycho-social health concerns. All have been subjected to indoctrination including heavy psychological pressure, enforced isolation and detention-like circumstances.
- **Syrians:** It is estimated that approximately 60 Syrian Arab families still remain in Baghdad in addition to up to 37 families in Mosul. The vast majority of the Syrian refugee caseload came to Iraq in the early and mid 1970s and was given refugee status by the former government. The group consists of highly educated individuals. While many Syrian refugees have already returned to Syria or departed for other countries on their own, a number of them, allegedly condemned to death in Syria, cannot return.
- In order to assess further and identify vulnerable Syrian cases in Baghdad, and later in Mosul, who would be targeted for assistance and resettlement consideration mainly because of protection concerns, the protection staff prepared a questionnaire for Islamic Relief, the IP working with the Syrian refugees in Baghdad. It is expected that following the assessment more cases suitable for resettlement would be identified and processed. Approximately additional 15 cases are anticipated to be RSD and submitted for resettlement.
- Syrians will continue to need physical protection in Baghdad. A group of identified vulnerable families, mainly as a result of unemployment, are continuing to depend on cash, medical and other forms of assistance from UNHCR, NGOs and Syrian charity associations.

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