

FHSMUN XXIX
UNITED NATIONS OFFICE OF THE HIGH COMMISSIONER FOR
REFUGEES

IRAQI REFUGEES

“In the most significant displacement in the Middle East since the dramatic events of 1948, one in eight Iraqis have been driven from their homes. Some 1.9 million Iraqis are currently displaced inside the country and up to 2 million others have fled abroad.”¹

“The enormous scale of the needs, the violence and the difficulties, in reaching the displaced make it a problem that is practically beyond the capacity of humanitarian agencies, including UNHCR. And the longer it goes on, the more difficult it gets as both the internally displaced and their host communities in Iraq run out of resources.”²

Introduction

Wars invariably unleash unintended consequences. Political leaders and parties have been forced from power, economies have collapsed, and almost inevitably, people are forced from their homes. While discussion of the massive humanitarian crisis caused by the ever expanding and deepening refugee exodus is frequently pushed to the margins within the US, it is of vital concern to all of Iraq’s neighbors. The UN System, and most especially the UNHCR, must remain critically involved and continue to administer vital aid to these vulnerable populations.

Scale of the Problem

Iraq has been one of the leading countries in terms of asylum applicants for many years; Saddam Hussein’s brutal reign and violent sectarian policies forced many Shia and Kurds to seek asylum in neighboring countries as well as in Europe. The current war has pushed the numbers of Iraqis seeking asylum back towards their levels of the mid-1990’s, although they are still well below the high point of 52,331 asylum applications filed by Iraqis in 2002.³ Internally displaced Iraqis now number approximately 2 million and the number of Iraqi refugees has also reached this tragic milestone; in fact, roughly 1 in every 7 Iraqis is now either displaced within his/her country or is now a refugee. Syria and Jordan are bearing the overwhelming majority refugees, at least 60%, and “in the case of Jordan, the number of Iraqis being hosted is believed to represent at least 15% of the

¹ Antonio Guterres, “High Commissioner’s Statements” Conference on Addressing the Humanitarian Needs of Refugees and Internally Displaced Persons Inside Iraq and in Neighboring Countries April 17, 2007.

² UNHCR, “The Iraq Situation: Growing Needs Amid Continuing Displacement” 2007. Found at <http://www.unhcr.org/cgi-bin/texis/vtx/iraq?page=intro>

³ UNHCR “Statistics on Displaced Iraqis Around the World” April 2007.

country's total population.”⁴

Refugees are almost by definition always amongst the world's most vulnerable populations and this ever increasing stream of Iraqi refugees is no exception. UNHCR estimates that “at least ten percent of displaced Iraqi families are female-headed, with over 30 percent of the total population having special needs.”⁵ Stephen Glain of *The Nation* notes that “what began as a thin stream of Iraqi mechants and investors seeking a safe place to do business has become a flood of some 2 million refugees-though it could be twice that amount-concentrated largely in Jordan and Syria. Many are destitute, and they place enormous strain on a region that is already highly combustible, both politically and economically.”⁶ The needs of these extremely vulnerable people are truly overwhelming for the host states, many of whom have begun tightening their rules and revising domestic legislation to discourage and/or restrict the number of Iraqis seeking refuge in their countries. The international community, including neighboring states, further needs to realize that huge numbers of Iraqi refugees cannot voluntarily return to their communities as they face imminent threats.

Increasingly unwelcome: Iraqi refugees in Jordan, Lebanon and Syria

The ruling governments and regimes in the host countries are also quite wary of the domestic political consequences that large influxes of refugees can cause. Jordan has long been a country with an enormous refugee population; its Palestinian majority is still largely excluded from economic and political leadership. Syria's ruling regime comes from the minority Alawite Shia community and most of the Iraqi refugees entering the country are Sunni; according to Kenneth Pollack and Daniel Byman, “Iraqi Sunni Muslims waging a long conflict from Syrian soil could again radicalize Syria's own Sunni community.”⁷

Neighboring governments are now rewriting their refugee laws as well as denying large numbers of refugees the opportunity to register for refugee status. Because of the legal frameworks in Lebanon, Jordan and Syria, including the fact that not one of these countries has ratified either the 1951 Convention relating to the Status of Refugees or the 1967 Protocol relating to the Status of Refugees, UNHCR must seek to resettle refugees more frequently than it prefers but even the 20,000 mandated resettlements for 2007 will only reduce the refugee population by approximately 1%. Refugees International, a leading non-governmental organization (NGO), recently reported that “in the face of the growing Iraqi population, Syria started imposing restrictions on Iraqi refugees; it now

⁴ NGO Statement on Regional Consequences of the Humanitarian Crisis In Iraq International Conference on Addressing the Humanitarian Needs of Refugees and Internally Displaced Persons inside Iraq and in Neighboring Countries Geneva April17-18, 2007.

⁵ UNHCR “Iraq Situation Response: Update on revised activities under the January 2007 Supplementary Appeal” July 2007 p. 3.

⁶ Stephen Glain, “Exodus: The Flight of Millions From Iraq Threatens the Entire Region” *The Nation* June 11, 2007 p. 11.

⁷ Kenneth M. Pollack & Daniel L. Byman, “Iraqi Refugees: Carriers of Conflict” *The Atlantic Monthly* November 2006.

charges for healthcare that used to be free.”⁸ These refugees are now also being granted only 3-month visas and must undertake expensive and dangerous trips out of Syria in order to attempt to return and renew these visas. Jordan is, in many cases, granting only 2-day transit visas to Iraqi refugees. Furthermore, “unlike in Syria, Iraqis [in Jordan] have to pay for all services and live in constant fear of deportation.”⁹ Lebanon has taken an even harsher stance against Iraqi refugees, going so far as to close off its border to Iraqis entirely and imprison many who have entered the country illegally. Lebanon has also begun immediately sending refugees back into Iraq, and is likely guilty of the crime of refoulement¹⁰, sending unwanted refugees into areas where they face imminent danger. Without greater international assistance and pressure, as well as a comprehensive regional settlement on the status of Iraqi refugees, it is unlikely that Lebanon will have to reverse this policy of refoulement of Iraqi refugees.

Beyond the very real possibilities of long-term radicalization of the neighboring communities, refugees are frequently scapegoated for problems within their new host societies. Stephen Glain asserts that “once welcome as fellow Arabs in distress, they are increasingly blamed for a scorching rise in inflation, crime, and prostitution.”¹¹ Iraqi refugees are also seen by many of the local communities as exhausting needed resources. Responding to the very real needs of the Iraqi refugees and the countries that are hosting them will require sustained multilateral action. Refugees International notes that “in host countries, school systems, medical services, water supplies, sanitation infrastructure, and housing stock are now stretched to the limit.”¹²

Addressing the needs of the refugees

As critical as these concerns about domestic and regional stability are, it is equally critical that the particular situations of the refugees be addressed systematically. “Thousands of Iraqis approaching UNHCR are the victims of torture, sexual and gender-based violence, car bombings, or other violent attacks and are in urgent need of medical care. The majority of Iraqi children are not attending school – in fact, throughout the region, only 60,000 displaced Iraqi children are attending school.”¹³ UNHCR and UNICEF have launched a joint appeal for approximately \$130 million USD to build and rehabilitate schools, purchase supplies, hire teachers, and help Iraqi children enter classrooms in host countries. Syria and Jordan are registering an increasing number of Iraqi children for school and these nascent promising changes must be sustained and expanded.

Attending to the medical needs of the refugees, including needed counseling and mental health services, will cost hundreds of millions of dollars more and at a recent donors conference, Jordan estimated that it would require over \$1 billion in aid for

⁸ Refugees International, “Bulletin” December 5, 2006.

⁹ Refugees International, “Bulletin” December 5, 2006.

¹⁰ *Convention relating to the status of refugees*, April 2, 1954, Article 33.

¹¹ Stephen Glain, *The Nation* June 11, 2007 p. 11.

¹² Refugees International, “Iraqi Refugees: Donor Governments Must Provide Bilateral Assistance to Host Countries” July 16, 2007.

¹³ UNHCR “Iraq Situation Response” p. 3.

infrastructure and security to attend to the needs of the Iraqi refugees and Syria estimated its needs at over \$250 million.¹⁴ These appeals for aid are still not being met with swift and sustained funding responses and the situation for the refugees will become increasingly desperate as this disparity between the on-the-ground needs and the available funds grows ever wider.

We've been here before: Iraqi refugees and the UNHCR

In the immediate aftermath of the 1991 Gulf War, both Kurdish and Shiite populations in the north and south of Iraq, respectively, attempted armed rebellion against Saddam Hussein's regime. While the international coalition that had forced Saddam's forces from Kuwait achieved their aims quickly and at relatively little cost in terms of casualties, the coalition did not attempt to remove Saddam from power nor to destroy his military. When the Kurds and Shiites began their respective rebellions against Saddam, he ordered his Republican Guard units to suppress these rebellions and they did so, unleashing a truly vicious round of brutality on these populations. Thousands of Kurds fled north to the mountains along the Turkish border where they faced very desperate circumstances. The UN Security Council authorized "no-fly" zones in both the north and south of Iraq to prevent Saddam from using helicopter gunships and other elements of his air force to kill large numbers of displaced people within Iraq. After the "no-fly" zones were established, UNHCR began working with the Kurdish refugees who had fled into southern Turkey.

Even with the Security Council passing Resolution 688 on April 5, 1991 (S/RES/688) and the United States, under then President George H.W. Bush, announcing that the international coalition would establish camps for displaced Kurds in northern Iraq, the stream of refugees widened into a flood. Former UN High Commissioner for Refugees Sadako Ogata notes that "by mid-May [1991] 1.3 million Kurds had fled to Iran and more than 450,000 towards Turkey. In this period 500 to 2,000 Kurds were reported to have perished daily."¹⁵ While Iran responded to the crisis quickly, Turkey was very reluctant to admit thousands of Iraqi Kurds as it was already engaged in conflict with its own Kurdish population in southern Turkey. In part because of Turkey's objections to large numbers of Iraqi Kurdish refugees as well as mounting international pressure to protect the Iraqi Kurds, UNHCR, after intensive internal debates, decided to move into assisting Iraqi Kurds who were technically not refugees since they had not left their country of origin. UNHCR's partnering with the international coalition's forces as well as relevant non-governmental organizations (NGO's) saved thousands of Kurds from starvation and death and set a crucial longer-term precedent. Ogata writes that "the concept of safe haven in northern Iraq established a precedent for intervening in conflict situations on behalf of ethnically specific groups of victimized civilians."¹⁶

¹⁴ Hassan M. Fattah, "Meeting on Aiding 2 Million Iraqi Refugees Highlights Divisions" *The New York Times* July 27, 2007.

¹⁵ Sadako Ogata, *The Turbulent Decade: Confronting the Refugee Crises of the 1990's* W.W. Norton & Company New York 2005 p. 28.

¹⁶ Ogata, *The Turbulent Decade* pp. 38-39.

UN System Partnerships

UNHCR's crucial work in assisting Iraqi refugees is already being augmented through its vital partnerships with related UN bodies and Specialized Agencies including UNICEF and the UN Office for the Coordination of Humanitarian Affairs. The UN Assistance Mission to Iraq (UNAMI) was authorized by the Security Council in Resolution 1500 (S/RES/1500) and is continuing to play a crucial role in providing assistance to Iraqis within and outside of the country. The World Food Programme (WFP) and related UN agencies are striving to provide emergency food aid to the refugees under increasingly difficult conditions. Recent UNAMI and WFP data indicates that "at least 47 percent of the displaced have no access to official food distribution channels."¹⁷ In April 2007, UNHCR hosted the International Conference on Addressing the Humanitarian Needs of Refugees and Internally Displaced Persons Inside Iraq and Neighboring Countries in Geneva, where governments, including the government of Iraq, pledged to increase their financial contributions to UNHCR and related UN System bodies to improve the situation of the Iraqi refugees and internally displaced Iraqis.¹⁸ While the UN System is striving to assist both internally displaced Iraqis and Iraqi refugees, the whole UN System remains very cognizant of the tremendous dangers of working in Iraq, particularly in light of the horrific August 2003 attacks on the UN's headquarters in Baghdad.¹⁹

Obligations to help?

As 50,000 Iraqis leave their country monthly, the burden imposed on various countries around the region and around the world is only likely to grow. Syria and Jorda have consistently called for other countries to shoulder more of the burden, especially wealthier Western countries in Europe and North America, especially the United Kingdom and the United States. While Sweden and Denmark have been amongst the most generous countries in terms of accepting Iraqi refugees and considering asylum applications, the United States accepted a total of 202 Iraqi immigrants in 2006.²⁰ The US Congress is promising to accept up to 7,000 Iraqi refugees in 2007 but progress remains slow. Rachel Swarns of *The New York Times* notes that "translators who assisted the military ... currently face a six-year waiting list for a visa designated for them."²¹

Sweden's established generosity in accepting refugees and those seeking asylum has made Sweden the preferred destination for Iraqi asylum seekers within the European Union (EU). According to the British Broadcasting Corporation (BBC), Sweden received almost 9,000 asylum applications from Iraqis in 2006, accounting for nearly half of all

¹⁷ Patrick Cockburn, "UN warns of five million refugees" *The Independent* June 10, 2007.

¹⁸ The government of Iraq pledged \$25 million USD in contributions at the conference.

¹⁹ Ban Ki-moon, "Secretary-General's press encounter following adoption of Security Council Resolution 1770 on extension of UN Mission in Iraq (UNAMI)" August 10, 2007.
Found at: <http://www.un.org/apps/sg/offthecuff.asp?nid=1057>

²⁰ *The Economist* "Hollowing out" March 26, 2007.

²¹ Rachel L. Swarns, "Against Odds, Iraqi Refugees Reach US" *The New York Times* March 11, 2007.

the Iraqi asylum applications received by EU countries in 2006.²² Iraqis also choose Sweden because there is already a well-established community of Iraqi asylees in the country; the 80,000 Iraqis already living in the country form the second-largest foreign community in Sweden, after only Finns. Sweden's government estimates that it will receive 20,000 Iraqi asylum applications this year and is urging the EU to adopt a more uniform policy to distribute the Iraqi refugees and asylum seekers more evenly. In the British newspaper, *The Guardian*, "Britain approves just 12% of Iraqi asylum claims, compared with a 91% approval rate in Sweden, which has suspended forcible refugee returns."²³ Leading human rights non-governmental organizations (NGO's), including Human Rights Watch, Amnesty International, Refugees International, and the Refugee Council, have all called upon the United States, the United Kingdom, and other leading members of the "multinational forces" in Iraq to provide more relief in terms of admitting refugees, accepting asylees, and increasing their financial contributions.

Worst case scenarios

As tragic and nightmarish as the situation in Iraq currently is, there are very real and legitimate fears that the conflict could get even worse. While military leaders, politicians, and pundits debate about whether the situation in Iraq is already a civil war or is best characterized as sectarian violence, few are asserting that the levels of violence are likely to substantially abate in the coming months. Iraq's neighbors are terrified that if the current levels of violence do not subside soon or in fact reach new heights the flood of refugees will overwhelm not only Syria and Jordan but also Lebanon, Saudi Arabia, and possibly Iran. While Saudi Arabia and Iran have thus far accepted much smaller numbers of Iraqi refugees, 20,000 and 50,000 respectively, large inflows of Iraqi refugees could trigger major problems within these 2 countries as well. Saudi Arabia is particularly concerned about the influx of both Shia Muslims who might join their brothers in the oil-rich eastern areas of the Kingdom as well as of radical Sunnis who wish to overthrow the al-Saud monarchy. Saudi Arabia's concerns about refugee influxes are not new. Approximately one week before the war began in March 2003, the Saudi Arabian Foreign Minister, Prince Saud al-Faisal, "warned that there was a real danger a conflict would result in the disintegration of Iraq and said his government had made preparations to deal with up to 100,000 refugees."²⁴ Iraq's northern neighbor, Turkey, has long waged a brutal war against Kurdish separatists in the south, denouncing them as terrorists and even threatening to invade northern Iraq/Kurdistan to root out PKK enclaves.

Conclusion

Neglecting the Iraqi refugee crisis is not an option for the UN System nor the wider international community. Neighboring countries fear further radicalization of their own populations because of Iraqi refugee influxes as well as the exhaustion of already scarce resources. The UN System, non-governmental organizations (NGO's), relief agencies, and interested civil society partners must be concerned with the burgeoning

²² *BBC News*, "Sweden urges EU to take in Iraqis" February 12, 2007.

²³ Ian Black, "Take more Iraqi refugees, UN tells Britain" *The Guardian* April 17, 2007.

²⁴ *BBC News*, "US castigates France over Iraq" March 13, 2003.

humanitarian consequences of this Iraqi refugee crisis. The UNHCR must enhance the current multi-stakeholder dialogue with its UN System and international partners, including the governments of the region, to ensure that the current humanitarian crises of displaced Iraqis and Iraqi refugees is resolved in a comprehensive manner.

Guiding Questions:

How is your country impacted by the Iraqi refugee crisis? How has your country offered to help ameliorate or resolve the crisis? How much financial assistance has your country provided to the UN System and the region to assist in meeting both the short-term and long-term needs of the Iraqi refugees?

What are the obligations of the Iraqi government to resolve this crisis? What contributions towards resolution has the Iraqi government undertaken and what further steps need to be taken immediately to save thousands of refugees from starvation and disease?

What relevant treaties and related components of international law need to be followed to effectively address the needs of the Iraqi refugees? How can governments that are not parties to the 1951 Convention relating to the Status of Refugees be persuaded to honor the treaty even if they have not signed or ratified it?