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PREPARING FOR THE FUTURE:

PROTECTING IRAQI REFUGEES AND INTERNALLY DISPLACED PERSONS

SUMMARY REPORT

OFF-THE-RECORD MEETING TO DISCUSS LONG-TERM PLANNING FOR IRAQI REFUGEES AND INTERNALLY DISPLACED PERSONS

CO-ORGANIZED BY:

THE BROOKINGS INSTITUTION – UNIVERSITY OF BERN PROJECT ON INTERNAL DISPLACEMENT

AND

HUMAN RIGHTS FIRST

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I. Overview

The Brookings Institution and Human Rights First convened an off-the-record meeting to discuss future scenarios for Iraq's 4-million-plus refugees and internally displaced persons. The meeting drew 48 participants from a broad cross-section of the humanitarian and other communities, including academic researchers, humanitarian and human rights non-governmental organizations (NGOs), US government participants from the Departments of Defense and State, UN and other intergovernmental organizations and Iraqi refugees. The meeting began with plenary discussions on possible humanitarian scenarios inside Iraq (attached in the Annex) which were followed by separate working groups on IDPs and on refugees, and a final session drawing the themes together.

There has been considerable discussion of the immediate humanitarian needs of the more than four million Iraqi refugees and internally displaced persons (IDPs); therefore this meeting focused on how to address longer-term challenges.

Participants considered various scenarios for future security developments and their potential impact on both humanitarian action in Iraq and durable solutions for the displaced – in Iraq and throughout the region. It is hoped that this meeting will stimulate thinking – and concrete planning – for the future.

The meeting was held under Chatham House rules and given the wide range of viewpoints, no attempt was made to develop a consensus statement. This paper is thus presented not as a consensus document by participants nor as a comprehensive summary of proceedings. Rather it is intended to stimulate debate about a number of fundamental issues which will need to be addressed to alleviate suffering and manage the impact of Iraq's displacement crisis. Finding solutions for Iraq's displaced people – who currently make up some 20 percent of the country's population – is central to security in the country and the region.

This paper includes some occasionally paraphrased comments from participants. Respecting the off-the-record nature of the meeting, no individual or organization is identified.

Security in Iraq—Necessary but Not Sufficient

Many participants emphasized that security and political developments within Iraq are two critical factors that will influence the duration and extent of the refugee and IDP crisis, the ability of the international community to engage in a humanitarian response and the potential for return as a durable solution. At the same time, other key factors that will shape outcomes for Iraqi refugees and IDPs were also identified, including:

- Willingness of the Iraqi government to recognize the rights of the internally displaced, and the capacity of Iraqi government ministries – at the national and at the local level – to provide immediate and longer-term assistance to IDPs;

- Political demography of the country, i.e. the extent to which ethnic and sectarian separation become permanent, and the ability for some ethnically and confessionally mixed enclaves to exist and to protect themselves;

- Continued, and by no means guaranteed, willingness of the governments of Jordan and Syria to host Iraqi refugees and to allow UNHCR to register, assist, and resettle them;

- Continuation of mutual tolerance between local populations and refugees in Syria, Jordan, and other countries in the region;

- The stability of the governments of Syria, Jordan, Lebanon and Egypt;

- Levels and conditions of funding available for UN agencies, USAID, and local and international NGOs working with refugees and internally displaced Iraqis; and

- Engagement on the part of the international community and governments in the region that are not currently hosting large numbers of Iraqis.

Finally, taken together, the choices made by individual Iraqi families will also shape the future of the displacement crisis. For example, several participants remarked on the strong cultural stigma associated with refugee camps and noted that if they were given the choice, some Iraqis might chose to live under severe threat rather than move to a refugee or IDP camp. One participant cautioned the group to remember that refugees are independent and unpredictable actors, saying that "every Iraqi has a trigger – why they left, why they would return." These triggers vary from person to person; the same threat can produce different responses.

II. Factors That Will Shape the Crisis and Response

Security in Iraq

Even as participants recognized that security in many parts of Iraq has improved, there was no consensus about the country's future direction. Some questioned whether the current improvement in security is sustainable, particularly in light of future US troop drawdowns. Some suggested that clashes are diminishing because people have carved out new enclaves along ethnic or sectarian lines. Some saw the new volunteer fighter groups, including the Anbar "awakening," as evidence of Iraqis' willingness to protect their communities, offering new opportunities for stability. Others saw the groups as dangerous new militias.

Several participants raised concerns that current patterns of violence and fighting between factions in Basra (following a drawdown of Coalition forces) could be an indication of the likely future for Iraq as a country when further US military withdrawals take place. In this regard, one participant remarked that few refugees are returning to Basra. Although not discussed in depth, there was recognition that the referendum in Kirkuk could well be a future source of instability.

> *"Should we enshrine or ignore separation? We have created separate but unequal communities. Iraq says it will be undone but this is unlikely."*

There were questions, but no consensus, about the possible effects of a drawdown of Coalition forces on security. "Who will provide the necessary security to prevent further displacement?" one participant asked. "Someone has to do it. Will it be Iraqi troops? Coalition forces? Police forces? Peacekeeping forces?" At the same time, another participant noted that IDPs were not necessarily moving to areas with a greater US security presence.

Participants in the IDP working group also discussed the relationship between the ability of NGOs to carry out programs in Iraq and the US military presence. There was sharp disagreement on this question, with several participants suggesting that NGOs could operate regardless of a US troop drawdown as long as community buy-in was present, and others arguing that a baseline of security was needed for coordination and communication.

Ethnic and Sectarian Demography

As a number of participants noted, general improvements in security may have a minimal impact on some currently displaced populations, due to pervasive targeted persecution that has taken place and the profound sense of threat some individuals continue to feel due to their religious beliefs, political opinions, gender, socio-economic status, association with the US, and other factors.

In the refugee working group, several populations were identified by most participants as unlikely to return, given their past and continued risk of persecution, even if there are significant improvements in security. Iraq's religious minorities were mentioned as a particularly vulnerable group. Some suggested that women at risk and female-headed households would face particular difficulties in returning to Iraq, including vulnerability to exploitation and harassment for those working outside the home, even under conditions of improved stability.

> *"It is of no use saying that Baghdad is going to return back to normal. It is not. It is broken."*

Finally, the IDP working group noted that efforts to find durable solutions for IDPs will have to confront the current reality that communities in Iraq are increasingly separated

along ethnic and sectarian lines. Many participants, while lamenting the impact of this separation on the future of Iraqi society, felt that reversing this trend would be risky and unlikely. Fundamentally, it will be up to individual IDPs to choose whether or not to return to their original communities. But in order for such decisions to be made voluntarily, they must have real alternatives.

Iraqi Government Policy and Capacity

The Iraqi government is responsible for protecting and assisting more than 2.2 million Iraqi IDPs, yet participants noted a lack of both political will and capacity for the government to exercise this responsibility. The engagement of the Iraqi government in IDP issues is particularly pressing because in recent months the Iraqi Prime Minister has taken an active interest in reversing external flight, encouraging Syria to close its borders to fleeing Iraqis and providing incentives for refugees to return from Syria and Jordan.

Policy toward the internally displaced

Participants in the working group on IDPs suggested that the Iraqi government should develop and implement an IDP policy based on the *UN's Guiding Principles on Internal Displacement.* The development of a comprehensive IDP policy has been discussed for some time, but it is urgently needed now. The policy could serve as a reference, for example, in deciding whether to construct permanent housing for IDPs, or how to support communities hosting large numbers of IDPs. The government also needs a clear policy regarding if and when to provide incentives for refugees to return to their communities, and how to balance such incentives with unmet needs of IDPs and host communities. Such a policy would also need to address the issue of IDP freedom of movement, as participants noted that 11 of Iraq's governorates – in general, the more secure and confessionally homogenous governorates – restrict entry to IDPs. This restriction conflicts with Principle 14 of the *Guiding Principles*; however, participants noted that governorates may refuse to reverse this policy.

Given the need of IDPs for food, participants suggested that the Iraqi government should carefully ensure and monitor access by IDPs to the Public Distribution System, which provides basic food rations to Iraqis. Additionally, the issue of IDP voting rights can, perhaps unfortunately, not be postponed to a time when other issues are resolved. One specific suggestion was that the issue of voting rights be de-linked from the Public Distribution System. In other words, a displaced person should be able to receive food rations in the community to which he or she has been displaced while still voting in the home community.

Government spending

The most urgent needs for IDPs, one participant remarked, are for food, shelter and jobs. Several participants believed that the Iraqi government could

> *"We're not dealing with an impoverished government in Iraq, but with an unwilling government. The leverage is in the US.".*

easily devote much more substantial resources from its budget to meet the needs of the displaced.

Some participants felt that the Iraqi government could also do more to support its citizens living in other countries by making PDS rations or pensions available to them. Alternatively, the Iraqi government could make the PDS funds which would have been spent on Iraqis living in Iraq available to the governments that are now hosting them. However, it should also be noted that the governments of Syria and Jordan may be reluctant to accept funds directly from the Iraqi government, and that host countries and even refugees themselves may be disinclined to accept the extension of Iraqi government institutions or authority.

Capacity of the Iraqi government to meet overwhelming IDP needs

There was considerable discussion about the capacity of the Iraqi government, particularly the Ministry of Displacement and Migration (MoDM), to meet the needs of Iraqi IDPs and to oversee the possible return of refugees from outside Iraq. Some participants expressed little confidence in the Ministry, while others noted recent improvements, and still others affirmed the important work being carried out by the US government and by international organizations to increase the Ministry's capacity. The need for improved interagency coordination seemed to be a widely held view among participants

> *"We should not make assumptions about the Government of Iraq's capacity to handle tasks or provide functioning infrastructures. It's a problem."*

While it is the responsibility of the Iraqi government to develop mechanisms for resolving property disputes and providing compensation to those unable to return to their homes, there was recognition that this is a huge undertaking – at a time when the government is already unable to carry out some of its commitments. The current property commission in Iraq deals only with property issues resulting from displacement that took place during the Saddam Hussein regime; there is as yet no mechanism for property restitution or compensation for those displaced since April 2003.

Given the weak capacity of the central government structures, participants suggested that efforts be made to build up capacity at the local and provincial levels. In a worst-case scenario of the collapse of the central government, there would thus still be capacity at the local level to respond to IDPs and other humanitarian needs.

> *"What measures is the Iraqi government making to prepare for large-scale refugee returns?"*

The Iraqi government and the Iraqi Security Forces – credible actors?

Participants noted that it was clearly the responsibility of the Iraqi government to develop a comprehensive IDP policy, but some individuals expressed serious concern about levels of corruption, infiltration of Iraqi Security Forces and government ministries by militias, and government complicity in human rights violations, persecution, and displacement. Few solutions or suggestions were offered to address these problems. One participant suggested that a combination of human rights training and improved action on the part of the Iraqi Human Rights Ministry could resolve some of the difficulties. Another individual suggested that Iraqi Security Forces should be trained in human rights and displacement issues; however the impact of such training would most likely be limited by the level of violent political conflict and uncertainty present in Iraq today.

Maintaining "Protection" in the Region

Perhaps one of the most striking themes of this meeting was the extremely precarious and limited protection situation for some 2.2 million Iraqi refugees living in the Middle East, primarily in Syria and Jordan, but also in Egypt, Lebanon, and Turkey. Although some governments in the region initially allowed fleeing Iraqis to enter their territories, the trend over the past three years has been one of increasing restrictions. The borders of several of these countries are now largely closed to newly arriving asylum-seekers, in violation of various *non-refoulement* obligations. Iraqis in flight from harm have essentially lost the ability to seek asylum in neighboring countries.

> *"I find it troubling that we're giving up on other governments. Surely the international community can find incentives that will induce other governments in the region to accept Iraqis. For example, we should explore with Egypt, Yemen and the Gulf states what it would take for them to host Iraqis."*

Some participants believed that there was little chance of securing compliance with *non-refoulement* obligations or otherwise expanding protection in the neighboring states that are hosting the bulk of Iraq's refugees. There was also significant concern about how to maintain the limited and precarious "protection space" for those Iraqis who are already in those states. However, some participants were concerned that the international community should not abandon efforts to preserve first asylum. The refugee working group participants discussed the potential that a significant increase in humanitarian aid and a substantially increased resettlement effort could encourage Iraq's neighbors to at least maintain – and potentially expand – the limited protection that currently exists for Iraqi refugees.

Several participants noted that Syria, Jordan and other states were hosting large numbers of refugees and were currently allowing UNHCR to operate and to assist Iraqi refugees. Both Syria and Jordan have emphasized the burden that they are bearing in hosting large numbers of Iraqis and have appealed to the international community for more assistance.

Syria, with the largest Iraqi refugee population, needs bilateral assistance to support its infrastructure, schools, health system, and public services. Participants discussed the need for additional aid from the United States, given its responsibility to respond to this crisis, as well as from Arab and European states. This assistance would not only assist Iraqi refugees, but could encourage Syria and Jordan to continue to allow Iraqi refugees who are currently living in these countries to remain. Participants expressed concern about the potential consequences for the refugees if the international community does not provide the necessary support to these host countries.

Some participants expressed concern that Syria is increasing the pressure on Iraqi refugees to return through increased detention and deportations and by making it almost impossible for Iraqis to renew their visas. As the refugee crisis continues, many participants believed it was likely that host governments would increase the pressure on Iraqi refugees to leave through measures such as visa regimes, increased *mukhabarat* scrutiny and detentions, and tighter enforcement of labor restrictions.

> *"What could influence Syria to provide protection? Deny protection? Who has any influence with the Syrian government?"*

Financial survival

Participants noted that current levels of assistance reaching Iraqis in Jordan and Syria are inadequate. They ease neither the burden on host governments nor the burden on Iraqi families themselves. Some were dismissive of the current levels of aid. One participant called assistance "very momentary," while another commented that present efforts were merely delaying destitution for a few months.

Financial pressure on both Iraqis and host countries could have far-reaching negative consequences. For example, if the Syrian government reduces its subsidies on basic foodstuffs, this will increase hardship on the Iraqis (and may convince them to decide to return to take their chances in Iraq) and is also likely to lead to increased resentment among Syrians toward their Iraqi "guests."

> *"The coping mechanisms of Iraqis in Syria are stretched to the limit. Prostitution is increasing. International assistance is able to meet only a fraction of the needs. The situation of refugee women is particularly dire."*

Most fundamentally, there was widespread concern that continued financial pressure on refugee families and the lack of ongoing legal work authorization for many Iraqis in host countries of first asylum will effectively force many Iraqis to return to Iraq out of desperation, whether or not they judge it to be safe to do so.

Difficult for UNHCR to operate, maintain current levels of protection

Participants also noted that the attitudes of Syria and Jordan toward UNHCR constrained the agency's ability to effectively protect and assist Iraqi refugees. The refugee working group discussed the possibility that UNHCR could be asked to cease operations in Jordan – as happened last year – or in Syria. Several considered this a real possibility. Although a number of NGOs working with refugees in the region are not UNHCR implementing partners and thus could potentially continue operating, a suspension of UNHCR efforts would leave Iraqi refugees in an even more dire protection situation.

> *"It is not a given that they – Syria and other countries in the region – want UNHCR. It's not in their national security interests to offer protection and to otherwise help people they don't want."*

Security and stability in countries in the region

Large-scale expulsion of refugees currently living in Jordan and Syria was also discussed as a possibility – perhaps as a result of a security incident in the region or some other trigger. Not only would such returns violate international law, but they would also have a significant impact on security and stability in Iraq. As participants noted, UNHCR surveys have shown that the majority (70 percent) of returnees so far have not returned to their home communities, but rather have joined the ranks of the internally displaced. In some cases, Iraqi refugees who did return to their homes have since disappeared. Large numbers of premature returns could easily further destabilize Iraq. Thus, both Iraq and the international community have strong vested interests in ensuring that the Iraqis now living in the region are adequately assisted and that they not be forced to return. .

The refugee working group discussed the need for a response to address the potential of a large-scale deportation scenario. A number of participants argued strongly that a combination of robust assistance to the host governments in the region and an active resettlement program could help decrease the potential for increased deportation, maintain UNHCR's ability to operate, and perhaps even improve the "protection space" for Iraqis in the region. But the host governments must be able to actually see Iraqis depart through resettlement; the present low number of departures has a clear impact on the willingness of governments in the region to continue to host refugees.

Capacities and Donors

Several participants affirmed that international NGOs have the capacity to increase their operations inside Iraq by working through Iraqi organizations. They can provide useful umbrellas for civil society and a means of covering and collating needs. However, donors need to demonstrate flexibility in their support of NGO

> *"Humanitarian organizations associated with the US military are not perceived by Iraqis as neutral."*

operations in Iraq, recognizing that normal standards of monitoring and evaluation may need to be relaxed. Participants commented that both European and Gulf governments should be encouraged to increase their support for humanitarian work in the region.

There was some concern that the returns in fall 2007 of some 60,000 refugees from Syria to Iraq made it more difficult to raise funds for the 2.5 million refugees who were still living in host countries. "The perception is that the problem is being resolved," one participant said, "when the reality is that the situation is getting worse for refugees."

III. Evaluating Durable Solutions

Returns

Returns were the most-discussed durable solution for a range of reasons. In part, this was because of the lack of other options – such as resettlement or local integration – given the current policies of the concerned governments. Although security has improved in many parts of Iraq and there have been some returns, there was a widespread view that the circumstances are not appropriate to promote large-scale returns.

Returns, it was noted, were being prompted by the lack of protection and adequate assistance in host countries. People simply cannot survive, one participant remarked. Participants referred to surveys demonstrating that Iraqi refugees had returned because they had been unable to support their families in exile and/or they feared deportation. Others reminded the group that migration across the Iraqi-Syrian border had always been fluid, and people went back and forth for a variety of reasons. In fact, it was noted that the net flow of Iraqis has shifted again; now more Iraqis entering Syria than leaving the country.

What is needed for return?

Security and safety. Participants felt that, above all, people need to feel safe before they will return. "It's not just about security in the country," one participant remarked, "it's about threats to individuals. Security can improve, but if people feel threatened, they will remain displaced."

Economic opportunities. Given the high rates of unemployment, it was suggested that people will not return in large numbers until there are possibilities for employment and survival. Some participants saw this not only as an economic issue, but also as a security issue. One participant remarked, "Without jobs, returning IDPs become fodder for Al Qaeda recruitment." There is no evidence that IDPs are currently being recruited by Al Qaeda, but there was clear concern about the security implications of both returning refugees and IDPs if they are not able to support themselves.

Property restitution/compensation. The discussions underscored that in order for returns to be sustainable, people have to be able to recover their property – their homes, land and

belongings. And if there is no possibility for restitution, a means of compensation needs to be developed. There was some discussion about who could oversee this difficult, conflictual, and time-consuming process, and there were no ready answers. Few felt that the Iraqi Ministry of Displacement and Migration could take it on, or the Coalition military forces, or the IOM-supported Iraq Property Claims Commission (IPCC) working on property restitution during the Saddam Hussein era. Rather this was a clearly identified need without an obvious response to the question of who could do it.

Voluntary decisions. In order for refugee returns to be voluntary and to meet international standards, it was noted that refugees must have accurate information, be able to make a free and informed choices among real alternatives, and feel that they will be safe if they return. Yet the longer they remain in exile, the more likely host governments are to pressure them to leave. This raises questions about the voluntariness of decisions to return.

Other options? Most participants felt that voluntary return is the only long-term solution for most of the refugees and internally displaced, but participants emphasized that there are not other viable options. At the same time, some urged that plans should be made for the likelihood that some Iraqis will be unable or unwilling to return – even if security continues to improve. For example, given the particular vulnerability of minority communities, and the fact that many have already left, religious and ethnic minorities may well be in need of solutions other than return to Iraq. Others noted the probability that many returning refugees will not be able to return to their homes or communities of origin, and the government and the humanitarian community must be prepared to find safe places within the country for returning refugees.

Third-country Resettlement

Though resettlement is not a likely durable solution for most Iraqi refugees, many participants believed that resettlement is an important durable solution for some Iraqi refugees. And, more broadly, resettlement is an essential element, together with significantly increased humanitarian aid, for preserving and potentially expanding the current level of protection for Iraqi refugees in the region.

Areas of discussion

Resettlement of vulnerable groups. Several participants affirmed the need to ensure resettlement for a range of vulnerable groups, noting that UNHCR has developed such criteria and that the US government is resettling refugees from these various groups. One participant also noted that a perception that US resettlement is only for those with US ties has undermined the resettlement effort.

Follow-through – increased departures. If actual departures continue to lag far behind UNHCR referrals for resettlement, the governments hosting refugees will likely perceive this as a lack of willingness on the part of the international community to share the responsibility of assisting the refugees. On the other hand, if departures increase

significantly, this will demonstrate the commitment of the international community and encourage Iraq's neighbors to cooperate on refugee matters.

Greater commitment from the international community. Most participants in the refugee working group agreed that if more than 100,000, or even 200,000, refugees were resettled, it would go a long way toward demonstrating good will toward the region, relieving pressure on Syria and Jordan, and perhaps opening up more "protection space" for those who remained.

Resettlement states – the US and others: The participants discussed the need for the US to significantly increase its commitment to resettling Iraqis, and various participants had differing views on whether, when, and to what extent, the US might do so. One participant recommended a regional resettlement scheme with financial incentives offered to some states in the region (e.g., Egypt and Yemen) to resettle Iraqi refugees; other participants questioned this approach. Another participant suggested that if the US did indeed increase its resettlement commitment, other states (European, Arab, and others) might also be encouraged to commit, or to commit more, to their own resettlement efforts.

Access. In order to improve resettlement, participants noted that it was essential for host countries – in particular Syria and Jordan – to allow UNHCR and other international organizations to expand their capacities. US government agencies also need steady access in order to ensure resettlement.

Local Integration/Regional Resettlement

Most participants believed it was extremely unlikely that either Syria or Jordan would be willing to consider long-term integration of Iraqi refugees, or even extend them some further rights. Indeed, several participants believed that even raising these issues with current host governments would have serious negative consequences. A few participants saw some grounds for believing that there might be a future possibility of some local integration.

> *"No country in the region wants Iraqi refugees."*

Others suggested that given work shortages in the Gulf States and the need for skilled professionals in other parts of the region, finding work opportunities for Iraqi refugees in other countries in the region might be possible, particularly if employing and resettling Iraqis was heavily incentivized by the international community.

> *"Youth are not particularly nationalistic or country-bound in their identities, so young Iraqis and Jordanians and Syrians can work and live side by side."*

IV. Important Actors

The United States

Several participants felt that the US government is uniquely placed to press the Iraqi government to acknowledge the scale and severity of the displacement problem, to develop appropriate policies, and to use its considerable resources to support refugees and IDPs – who are, after all, Iraqi citizens. However, given difficulties in pressing the Iraqi government to adopt other needed political decisions (à la the "benchmarks"), some noted that there are limits to US influence in practice. Several participants remarked that the important work being carried out by Provincial Reconstruction Teams (PRTs) with displaced communities is an example of the kind of direct assistance which the US government can provide in support of IDPs.

Many participants felt that the US government also has a responsibility – and an interest – in supporting governments in the region that are hosting large numbers of Iraqis. Jordan and Syria need increased humanitarian aid, and many felt that the US should contribute more generously to multilateral assistance programs, particularly UNHCR appeals. Many also remarked that the US government needs to continue to work with the governments of Jordan and Syria to allow the UN, the US government, and NGOs to expand their presence in those countries. In particular, negotiations should be intensified with Syrian officials to allow for swifter resettlement processing. As noted elsewhere in this paper, many participants felt that the US should dramatically expand resettlement opportunities for Iraqi refugees.

Several of the participants noted a need for both robust interagency dialogue and for broader, ongoing discussion with the US government and US military. Specific suggestions were made to convene regular meetings with NGOs and international organizations. The suggestion was also made to organize such meetings in the region.

Other States

Various participants noted the need to increase the engagement of states other than the US – specifically the EU, European states, and Arab states – on the issues of humanitarian aid and resettlement.

The United Nations

The United Nations faces particular difficulties in working in the region and re-establishing its presence in Iraq, given its 12-year history of sanctions, the (alleged) Oil-for-Food scandals, and its lack of a presence on the ground. In order to successfully recover its role in the country, it was felt that the UN needs to demonstrate its capacity to deliver concrete assistance and protection. It is particularly important for the UN to talk with all parties to try to recover the perception that it is a neutral actor. The UN, and particularly the Office for the Coordination of Humanitarian Affairs, has a particularly

important role to play in coordinating humanitarian work inside Iraq and in mapping organizational activities by region and by sector.

V. A Window of Opportunity

Several participants noted that the reduction in violence in Baghdad and many of Iraq's governorates over the past six months provides breathing room for USAID and NGOs to expand humanitarian operations on the ground, and for these groups and the Iraqi government to prepare policies to address longer-term needs of the internally displaced.

Some noted that measures can be adopted now to address immediate humanitarian needs and to prepare for a number of contingencies, including the possible return to Iraq of refugees and IDPs. It is important to identify who has the capacity to effectively put these measures into place. But there is challenge in that there seems to be a lack of urgency in planning for the future, and few seem to be taking advantage of this window. Discussions highlighted the need to balance emergency response with capacity-building and longer-term development strategies.

Participants also discussed the need to plan not only for developments that are viewed as optimal or more likely, but also for other potential developments. For instance, participants discussed the need to plan for the potential of sudden large-scale forced returns, further displacement or refugee flows if conditions in Iraq deteriorate, and the impact of a possible long-term Iraqi refugee/displacement crisis on the region.

Although the meeting didn't come to any consensus about future directions, there was a clear recognition that more long-term planning – and increased communication among the various UN agencies, non-governmental organizations and governments – is needed about what is certain to be a major humanitarian, security and political problem for Iraq and for the region.

ANNEX

Scenarios

Introduction

Iraq has proved to be a complex and unpredictable environment. Conditions in the country vary greatly in different governorates, and short-term trends do not always accurately predict long-term change. The seeds of the Sadrist movement, sectarian violence, and the Anbar awakening have all been present for quite some time, but no one anticipated how each of these trends would emerge and evolve. Significant refugee flows that were anticipated in 2003 did not develop until 2006, provoked in part by the bombing of the Al Askaria Mosque.

In light of the degree of uncertainty with regards to the situation in Iraq, we believe it will be helpful to consider a range of possible scenarios for the future.

Each scenario below describes the general political, economic, and security context in Iraq, noting a few details that may be particularly relevant to displaced persons. This is in part because scholars and authors writing about Iraq's future have made few concrete observations about refugee and IDP flows. Our hope is that conference attendees will begin their discussion by identifying the characteristics and scope of displacements that might result from each scenario.

Scenarios (2-3 year timeframe)[1]

1. Slow reduction in violence and political compromise

US draws down by five combat brigades by summer 2008. Troops are maintained at roughly this level. Volunteer fighter groups and the Iraqi army prove reasonably capable of maintaining local security in Baghdad and large parts of central and western Iraq, and they refrain from extensive participation in sectarian violence. Violent civilian deaths stabilize at a level comparable to 2004. Sunni tribal leaders participate in provincial

[1] Draft scenarios were written based on the following sources:

Schwartz, Alan. *Scenarios for the Insurgency in Iraq*. United States Institute of Peace Special Report N° 174. October 2006.

Pollack, Kenneth. "Apres-Surge: The Next Iraq Debates." Brookings Institution/ The New Republic. December. January 2008.

Al Rahim Francke, Rend. *Political Progress During the Surge*. USIP Special Report N° 196. December 2007.

International Crisis Group. Where Is Iraq Heading? Lessons from Basra. Middle East Report N°67. June 2007

elections, increasing Sunni representation and thus negotiating power in parliament. With the help of pressure from the Arab League and neighboring states concerned about further refugee outflows, a political compromise is reached on key issues including the hydrocarbons law and power sharing. Sectarian tensions remain, but the parties find common ground in opposing violent extremists and avoiding the fragmentation of Iraq. A positive feedback loop is created as UNAMI re-engages and the international community offers substantive assistance and debt relief. Currently operational international NGOs and USAID implementing partners continue to operate, primarily through partnerships with local NGOs. A number of NGOs that had previously left Iraq due to the security situation are able to return. Kirkuk remains a center of ethnic and sectarian tension and violence, and Basra remains a center of militia operations and criminal and tribal violence. Facing difficulty surviving in Syria and Jordan, increasing numbers of Iraqi refugees begin to return to Iraq, and some view this as a good short-term option. Most returnees are unwilling to return to neighborhoods in which they will be in the ethnic or sectarian minority, and add to the population of IDPs.

2. Sectarian and other violence continues, power slowly devolves to local groups, militias.

US draws down by five combat brigades in Iraq by summer 2008. The Iraqi government fails to broker an effective compromise on a hydrocarbons law. The government remains unable to deliver services on a national basis, or indeed on any uniform basis, and control over security and resources tends to devolve to the local governorates. At the local level, governance is extremely uneven, depending on the capacity of local administrators and the interests of militias. In western Iraq, Kurdistan, and some other parts of the country, consolidated volunteer fighter groups/police forces are able to maintain security and order. Fierce competition between rival Shia factions in the south periodically disrupts oil and electricity production, generating a steady stream of IDPs. In Baghdad, neighborhoods remain walled off and essentially segregated by sect, and local security is predominantly provided by neighborhood militias, who openly challenge the Iraqi police. There is a 1990s Beirut-like quality to the city. Gangs supplement militias in enforcing the boundaries. Steady displacement of minority and secular groups from Baghdad, Ninewa, Diyala, Basra and Kirkuk continues. The US and its troops continue to gradually draw down, receding to remote bases and increasingly acquiescing in the separation of the major ethnic and sectarian groups. The health care, food distribution, and education systems continue to erode, with sectarian groups affiliated with militias partially filling the gap. The IDP population grows rapidly as Iraqis attempt to move from areas of insecurity and poverty to more stable regions where basic services still function. Some international NGOs continue to operate, primarily through local implementing partners. Many Iraqi NGOs are only able to operate with the blessing of regional militias, and the UN faces extreme difficulties establishing a significant presence in Iraq.

3. Central government collapses and militias backed by regional powers struggle for control

US draws down by five combat brigades by summer 2008. The Iraqi government fails to achieve compromise on any key issue. Moqtada al Sadr lifts the ban on Jayash al Mahdi activity. Resentment over the de-Baathification law, increasing concern over Sadr, Iranian, and Saudi influence in Iraq, and tensions caused by the arming of the volunteer fighter groups lead to a rapid increase in sectarian violence in Iraq. A Samarra-like event drives the Iraqi police and Shia militias into open clashes with the volunteer fighters and with one another. US troops, under heavy attack and lacking reliable local partners, are forced to significantly reduce their role in providing local security.

Sunni countries in the region provide financial support and weapons to Sunni militias. The central government essentially collapses, and the US Embassy and Regional Embassy Offices are evacuated. Most US troops quickly retreat to remote bases and to Kurdistan. All remaining minority populations attempt to flee Baghdad in large numbers. Unable to enter most of Iraq's governorates, the internally displaced increasingly congregate on the outskirts of Baghdad and other urban centers, in camps, and in border areas. Pervasive insecurity makes it increasingly difficult for any kind of aid to reach the Iraqi population, and access to basic services – electricity, clean water, education, health – becomes a major challenge in most parts of the country. Fierce competition among rival Shia factions in the south periodically disrupts oil and electricity production, and Iran increasingly serves as a power broker between rival Shia groups.

Key background information on Iraqi refugees in Syria and Jordan

Each scenario focuses on the evolving situation in Iraq – which will have implications for both refugees and the internally displaced. This is because events in Jordan and Syria, while evolving, are somewhat more stable and predictable at the moment. However, it is important to consider some of the elements currently shaping the situation in Syria and Jordan as well.

UNHCR, relying on government figures, estimates that 1.2 to 1.4 million Iraqi refugees reside in Syria, with roughly 500,000 in Jordan. Several hundred thousand Iraqi refugees live in the Gulf States, Egypt, Lebanon, Turkey, and Iran. Egypt, Iran and Yemen are the only Middle Eastern countries that have ratified the 1951 Refugee Convention, which means that the overwhelming majority of Iraqis in the region are not recognized by their host countries as refugees.

Legal status and deportation

Some of the wealthiest refugees in Jordan have been granted temporary legal status and access to livelihood, but most Iraqis have no legal status and are not allowed work. Many refugee experts believe that in the short- to mid-term future, Jordan will be unwilling to grant status to Iraqi refugees, given the already-large Palestinian population in Jordan.

The situation in Syria is similar, although policies toward the Iraqis are applied inconsistently, sometimes to their advantage. Both countries have, for the most part, closed their borders to Iraqis in the past year.

Neither country has engaged in mass deportations of Iraqi refugees, and given the likely US military position on mass deportations it seems unlikely that this will happen. Individual deportations do take place periodically. However, tensions between refugees and the host populations, political instability, security problems, and changes in the US policy in the Middle East could all affect host countries' willingness to refrain from refouling greater numbers of their Iraqi refugee populations.

Refugees and host populations

To date, refugees have not proven to be active "carriers of conflict," and sectarian tensions present in Iraq have been markedly absent from the refugee populations in Syria and Jordan. However, host governments and host populations often view Iraqi refugee populations through the lens of their own internal sectarian demographics and in the light of concerns about shifting power in the region. NGOs operating in the region believe it is crucial to provide equal access to assistance for both refugees and host populations living in poverty to avoid creating further resentment.