

Statement by Roberta Cohen on Protracted Refugee Situations: Case Study Iraq
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In looking at protracted refugee situations, my focus will be on Iraq from where some 2 million refugees fled for Jordan, Syria and other Middle Eastern countries beginning in 2006. My main purpose, however, will be to explore the options open to refugees in order to see whether the Iraq situation or ones similar to it can be addressed and prevented from becoming long lasting.

The exodus from Iraq was the largest one in the Middle East, larger even than the original Palestinian exodus. But unlike most Palestinians, the Iraqis are able to reside in urban areas, not camps. However, they have no legal rights in neighboring Arab states and it is now five years since they fled to Jordan and Syria. What are their prospects?

To begin with, let's examine the cause of their exodus because the reasons often influence whether returns are possible or desirable. Some 2 million fled Iraq in 2006 and 2007 because of intense sectarian violence following the US invasion and overthrow of Saddam Hussein. Under Hussein, the Sunnis had been in a dominant position whereas thereafter the majority Shia came into ascendance. The inability of the two groups to work out power sharing peacefully, combined with the absence of an effective government, resulted in violence and forced displacement. Shia and Sunni militias, sparked by the bombing of a major Shia shrine, systematically and purposefully began to persecute, kill and expel members of the opposite group from their home areas in Baghdad and other cities. And the brutality used – beheading of people for example -- was intended to ensure that those expelled would not seek to return to their home areas. And to date it has succeeded. Most of those who fled to Jordan and Syria do not want to return to their original homes, according to the United Nations. And of those who have returned, many prefer to stay in areas where they are in the majority rather than return to their original homes. This pattern may be similar to what happened in Bosnia and Herzegovina after the ethnic cleansing. Although substantial numbers did eventually return, at least a million did not, and most of those who did return did not go back to their homes of origin but to areas where their ethnic group was in the majority. The point being that persons deliberately targeted on ethnic and religious grounds have a different experience from those trapped in generalized violence and for that reason may be more wary about returning to or wanting to return to their original homes.

Another important factor to look at in considering a protracted situation is the extent to which the country of origin wants the refugees to come back and to that end, encourages and facilitates returns. In the case of Iraq, some argue that the government does not want the refugees to return because many of them are Sunnis and Christian. But there are large

numbers of Shia as well. To its credit, Iraq has offered free transportation and start-up money to returning refugee families, but the government has not always made good on its pledge. The State Department's latest human rights report observes that Iraq promised to provide essential services to support returnees in Baghdad and Diyala provinces but "delivery on these promises has remained largely unfulfilled." Nor has the government effectively implemented its 2008 National Policy to Address Displacement. The policy commits the government to protect returnees and mobilize resources and strengthen government offices to help them find housing and jobs. But many of those who return have trouble gaining access to basic services, struggle to find jobs, face threats and violence when they try to reclaim their homes, or become internally displaced.

The plight of the internally displaced in the country is a good barometer for Iraqi refugees in deciding whether to return. There are some 2 million IDPs in the country, more than half of whom were uprooted following the 2006 sectarian violence. Hundreds of thousands occupy public buildings, or live in tents or settlements with limited water, electricity and sanitation. Others rent homes at high cost or live with families or friends. Many have problems accessing basic services.

Nor has the government been vigorous in protecting Christian, Yazidis and other minorities. In 2010, targeted attacks and threats against Christians in Baghdad, Mosul, and other cities forced more than 5,000 Christians to flee to the Kurdish North and Ninewa Plains. Given this and earlier violence, it is not surprising that since 2003, more than half of Iraq's Christian population left the country and is disproportionately represented in the Iraqi refugee population in Syria and Jordan.

To date, most of the refugees do not want to return. In 2008 and 2009, some 80,000 returned, but the number took a steep decline in 2010. According to the UN, the ones who went back primarily did so because they ran out of resources or visas. Last year UNHCR did a survey of 2,300 refugees who returned to Baghdad in the past four years and reported that 61 percent regretted their return because of insecurity and terrorism, while 87 percent regretted their return because their income couldn't cover their family's needs. Returning refugees also expressed concerns about insufficient health care, poor educational opportunities, and housing shortages. 77 percent of those who returned could not go back to their original residences because of insecurity or fear of being targeted. Others did not do so because their homes were damaged or occupied by others and found the processes for restitution of property and evictions slow moving and difficult to navigate. The Representative of the UN Secretary-General on the Human Rights of Internally Displaced Persons, Walter Kaelin, urged the Iraqi government in 2010 to develop a workable plan to resolve Iraqi displacement.

The attitude of the country of asylum is another major feature of a protracted situation that must be looked at. In 2006 and 2007, Syria most generously took in more than one million refugees (although some say the figure is more in the hundreds of thousands) and Jordan some 500,000. And they have not forced them back (although there have been some deportations). Neither government, however, has ratified the 1951 Refugee Convention, so the Iraqis have no legal status and can not officially work in these

countries. As a result, the situation for many has become precarious. To be sure, some highly qualified Iraqi professionals have managed to get work permits and some have acquired property and businesses and made investments, but the majority can only find work in the informal sector as manual laborers or guards, or are unemployed and struggle to survive. Were Jordan and Syria to allow the refugees to work, it could well benefit the local economy. A good number of the Iraqis are professionals. Some 40 percent of Iraq's professional class left the country since 2003, including many teachers, many with managerial and administrative backgrounds and many medical doctors. Nearly 20 percent of Iraqi refugees in Syria have advanced degrees, including doctorates. What the host governments fear is that the refugees will become permanent. But without integration into the local economy, Iraqi refugee families will become increasingly impoverished; indeed there are more and more reports of exhausted resources, inability to pay for medical care and other basic services, women and girls resorting to prostitution, and increasing numbers of children working instead of going to school so that families can survive.

Resettlement to third countries is another solution for refugees, but this has proved only a partial one for Iraqis. At the end of 2010, 100,000 Iraqi refugees from neighboring Middle Eastern states have been resettled abroad but the number is small. The country most directly involved, the US, has taken in only 40,000 since 2007, making some observers call for more dramatic solutions like the massive resettlement program that brought hundreds of thousands of Vietnamese to the United States. But security considerations and the view that the Iraqi refugees should return home and build up their own country are paramount.

How then can we move forward to try to prevent this refugee situation from becoming more protracted and going on decade after decade?

To begin with, international organizations and governments, especially the US, should work with the government of Iraq to help create conditions conducive to return. Plans and resources are needed to ensure safe and sustainable returns that include dealing with housing, jobs, health care, education and property issues and protecting personal security. Although the Iraqi government has announced intentions to facilitate returns, including opening an office in Syria, its long-term planning and capacity to support returns are not sufficiently developed. Both resources and expertise are needed. This year, the government announced a four year plan but soon thereafter said that of Iraq's \$82.6 billion budget, only \$250 million (twice that is needed) would be allocated for returnees. Clearly the priority needs to be higher, and the US, the UN and other countries have to impress that on Iraq.

Second, support should be given, including from development funds, to help integrate Iraqi refugees into Jordan and Syria on an interim basis. Of course in the case of Syria, one has to be mindful about events unfolding in the country right now* but let me pursue the idea nonetheless. Both Jordan and Syria are countries fearful of taking in more long

* Iraqi refugees might well choose to return to Iraq or move to other Arab countries if violence and conflict expand in Syria; resettlement countries might accept more Iraqis under such circumstances as well.

term residents, having borne the brunt of Palestinian refugee flows for decades. But the fact is that they are both hosting large numbers of Iraqi refugees at this time – whether or not they call them refugees -- and solutions are needed. One obvious one is to allow the Iraqis to work so that their economic situation does not continue to deteriorate to the point where they become vulnerable to exploitation and crime. Surely that would be harmful to both Jordan and Syria. UNHCR's Executive Committee in the past has urged *all* states hosting refugees, whether or not they have ratified the Refugee Convention (and Jordan and Syria have not), to facilitate refugee employment and to reform national laws and practices to encourage refugees' ability to work. The granting of temporary work permits or temporary legal status need not undermine the refugees' eventual return to Iraq or their resettlement in a third country. What it would accomplish would be to allow the refugees to get on with their lives and also contribute to the economy of their host countries. At present, the Iraqi refugees are increasingly being blamed for rising prices, increased crime, strained basic services, and deteriorating economic conditions. Why not build on their considerable capacities and enable them to contribute to the economy?

To accomplish interim integration, national laws and policies may be needed, as well as development oriented projects to benefit both the refugees and the local communities hosting them and to cushion the impact on local employment in these countries. Indeed, humanitarian and development agencies should be thinking creatively about how best to help the refugees live more normal lives, not just through humanitarian assistance but through development projects that involve training, strengthening of local infrastructure and finding jobs in host communities. The 2010 Regional Response Plan in which UN agencies, host states and NGOs participated is a good beginning. It called for \$230 million for operations in Syria and some \$100 million for Jordan although the amounts received thus far fall short and the program is less development oriented than one would hope. A recent study done for the Middle East Institute in Washington recommends moving from emergency response to long term development assistance, inclusive of directly aiding the Syrian government, a politically difficult choice for the US, especially at this time.

Third and this is a more far reaching suggestion, albeit controversial. Discussions should begin with the governments of Syria and Jordan about their providing citizenship to those Iraqis who cannot return -- for example, persons who have suffered trauma or witnessed extreme violence, and other special categories. Although a great deal of attention is paid to repatriation and resettlement as solutions, interim and permanent integration in host countries merit further examination.

Fourth, increased resettlement in third countries is needed. In the US and Europe, resettlement has been largely dominated by security concerns but in my opinion, the US has a responsibility to help bring in more Iraqis to this country and streamline the Department of Homeland Security's process for doing so. Those who have benefited so far include women at risk, religious minorities, Iraqis associated with the US military, and those who suffered extreme violence. Increased resettlement would enhance international burden sharing and might encourage Jordan and Syria from restricting entry to additional Iraqis, as they have begun to do.

Addressing the Iraqi refugee situation requires a comprehensive approach in which the country of origin, countries of asylum, countries of resettlement and international agencies work together to promote the best solutions. We shouldn't allow this situation to drift into yet another protracted refugee situation.