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Media Briefing

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Iraq: A deepening refugee crisis - Media Briefing

Amnesty International welcomes the decision of the United Nations High Commissioner for Refugees (UNHCR) to convene an international conference on addressing the humanitarian needs of refugees and internally displaced people in Iraq and the region, in Geneva on 17-18 April. The continuing conflict in Iraq has caused some one and a half million Iraqis to become internally displaced and some two million others to become refugees, raising concern of a burgeoning humanitarian crisis not only in Iraq but also in Syria and Jordan as these countries struggle to meet the challenges posed by major influxes of Iraqi refugees. Many governments, including those of Iraq, Jordan, Syria and other states directly affected, as well as the European Union and the USA, will be represented at the conference, which will also be attended by Amnesty International and other Non-Governmental Organizations (NGOs).

Amnesty International sees the conference as an opportunity for the international community to agree concrete steps to address the needs of Iraqi refugees and internally displaced persons (IDPs). These should include: the provision of effective protection for all refugees from Iraq; financial, technical, and in-kind assistance to the governments of Jordan, Iraq and Syria, and to UNHCR, as well as to national and international humanitarian organizations in order to provide vital services, including healthcare and education, to Iraqis in Jordan and Syria.

Over the past 12 months and more hundreds of thousands of Iraqis have been forced to flee Iraq and seek refuge in neighbouring countries because of the alarming sectarian and other violence that continues to ravage Iraq, and which has intensified further since armed militants bombed the Sh'ia holy shrine in Samarra' in February 2006. Most of the refugees have gone to Syria or Jordan, placing great demands on these two countries' economic and other resources and prompting signs of a growing anti-Iraqi mood among the local population, at least in Jordan. At the same time, around one and a half million other Iraqis have become internally displaced within Iraq.

Between 3 and 14 March 2007 Amnesty International sent a three-person fact finding mission to Jordan to look into the situation of Iraqi refugees in the country. The delegation met with many Iraqi nationals, including asylum seekers, representatives of national and international NGOs and Jordanian government officials, including from the Ministries of Foreign Affairs, the Interior and Education. It was clear that the Jordanian authorities and many local and international non-governmental groups are making significant efforts to respond to the refugees' needs but that these are not sufficient in the face of a continuing large inflow of refugees and the likelihood that this will continue while the security situation in Iraq remains so dire

The numbers of people who have fled Iraq are immense and continue to rise. While there are no official

statistics publicly available regarding the number of Iraqis living in Jordan, UNHCR estimates that there are around 750,000 to one million. In mid-February 2007 the Jordanian Government announced that it would carry out a survey of Iraqis in Jordan, including those with valid residencies and those without. This is expected to be conducted with the assistance of the Norway-based Institute for Applied International Studies (FAFO).

As of March 2007 Iraqi nationals visiting Jordan do not require visas. Amnesty International delegates were told by officials of the Jordanian Ministries of Foreign Affairs and the Interior that the government was considering whether to introduce a visa requirement for Iraqis; however, the government has refuted publicly press reports suggesting that the introduction of such visa requirements is imminent.

In 1998 Jordan and UNHCR signed a Memorandum of Understanding (MOU) which allows UNHCR to process asylum applications. According to the MOU, UNHCR must resettle those recognized as refugees within six months of recognition. In practice, however, some recognized refugees who fled Iraq during the period when the country was ruled by Saddam Hussain have been awaiting resettlement for about seven or eight years. Amnesty International was told by Jordanian officials that by the end of 2006 there were 22,000 people registered with UNHCR, the vast majority of whom are Iraqi nationals, and 1,200 recognized refugees, including about 700 Iraqis, awaiting resettlement in third countries.

Some Iraqis interviewed in March 2007 by Amnesty International delegates in Jordan, alleged that a number of Iraqis had been subjected to forcible return from Jordan to Iraq, mostly individuals who were not registered with UNHCR. In one case, for example a group of six or seven Iraqi Shi'a from Samawa were said to have been forcibly returned through the Iraq/Jordan border (Treibeel border crossing) in December 2006. In Iraq, their vehicle was then reportedly forced to stop near al-Ramadi by insurgents, who then beheaded all but one of the occupants. The beheading was apparently video-taped. The one passenger who was left unharmed apparently lied to the assailants and convinced them that he was from al-Adhamiya, a Sunni district in Baghdad.

Jordanian officials at the Ministry of Interior told Amnesty International that those who have overstayed their visas and who are caught by the police are arrested and required to leave the country. They are given the opportunity to choose the country to which they should be sent. The same officials stated that no Iraqis who were considered to be at risk of serious human rights violations in Iraq had been forcibly returned from Jordan.

Amnesty International was told by Iraqis who had recently arrived in Jordan via Amman Airport that most of the other Iraqi passengers who had travelled on the same flights from Baghdad to Amman were denied entry to Jordan and sent back to Iraq by Jordanian officials, although it appeared that they were in possession of proper documentation. Amnesty International was not able to obtain names or other details of those concerned, nor to ascertain what became of them on their return to Iraq, but the organization fears that some of these Iraqis may well have sought to leave Iraq because of well-founded fears for their safety and that their forcible return may have put them at serious risk of human rights abuses by armed groups or others. If so, then their forcible return would constitute a serious breach of Jordan's international human rights obligations, most particularly, the principle of non-refoulement..

Most Iraqis are in an irregular situation in Jordan. Amnesty International was told that many Iraqis have been arrested by Jordanian police and security forces for overstaying and, sometimes, for working illegally. Those so arrested, often are then forcibly returned to Iraq; in most cases, they are returned to Iraq by land, which is the most dangerous way to travel and places them at risk.

Iraqis' access to education and health in Jordan is restricted. Foreign students in the country are allowed to attend public and private schools if they are legally resident in the country. However, Iraqis are partly exempted from this regulation; while they are not allowed to attend public schools they can enrol in private schools even if they are not resident. In September 2006 there were about 40,000 foreign students in primary and secondary education in Jordan, out of a total of 1.6 million students in the whole country in

both public and private schools. Iraqis made up a quarter of the total number of foreign students, with 7,203 in private schools and 2,662 in public schools. The vast majority of Iraqi families in Jordan are unable to send their children to school because they cannot afford private education. They are also unable to send their children to public schools because they do not have valid residency permits. As a result, a whole generation of Iraqis is being denied a fundamental human right, the right to education.

There are two public hospitals in Amman and around 20 private hospitals. Anyone who wants treatment in the public hospitals has to have residency in the country. Amnesty International was told that Iraqis have access to emergency healthcare regardless of their legal status.

There are health centres that provide care in return for little or no money. Caritas provide health care to Iraqis registered with UNHCR, including those recognized as refugees and are awaiting resettlement. Other NGOs that assist Iraqis in Jordan include the Jordanian Red Crescent Society and Care International.

In meetings with Amnesty International, Jordanian officials expressed concern that the presence of such a large number of Iraqis in Jordan could have serious, destabilising effects. In particular, they were worried that the sectarian violence between Sunni Muslims and Shi'a Muslims in Iraq could yet spill over into Jordan. They indicated too that the Jordanian authorities are concerned that the Iraqi refugees should not remain permanently in Jordan, but that efforts were needed to bring about a political settlement in Iraq which would enable the refugees to return, not remain in Jordan. They said they favoured the establishment of "safe havens" inside Iraq, rather than encourage Iraqis to try to flee to neighbouring countries. This "safe havens" proposition is one that Amnesty International fully opposes. The creation of such "safe havens" would almost inevitably involve mass scale violations of the principle of non-refoulement and, anyway, is not practicable due to the dire security situation prevailing in Iraq. Further, the Jordanian authorities oppose any local integration of Iraqis in Jordan. For these reasons, they appear to reject any actions that could lead to a long-term settlement of Iraqis in Jordan. However, Amnesty International received some indications that Jordan may accept international assistance under certain conditions, which may include providing more wide-ranging economic assistance to Jordan.

Amnesty International is calling on the international community, in particular the United States (US), the European Union (EU), and other states that have the capacity to do so, to share the responsibility by resettling Iraqis from Jordan and Syria, giving priority to the most vulnerable cases in accordance with UNHCR guidelines on the resettlement of Iraqi refugees. Such resettlement programmes should go far beyond token numbers and should constitute a significant part of the solution to the current crisis. Further, these and other countries must not forcibly return rejected Iraqi asylum seekers to any part of Iraq presently because of the endemic violence in the country.

These countries should also provide financial, technical, and in-kind assistance to the governments of Jordan, Iraq and Syria, and to UNHCR, as well as to national and international humanitarian organizations, in order to provide vital services, including healthcare and education, to Iraqis in Jordan and Syria. Such assistance should be provided as part of an inclusive package that benefits Jordanian and Syrian as well as Iraqi communities to avoid resentment among the populations of Jordan and Syria.

While Amnesty International recognizes that the presence of up to two million Iraqis has placed great demands on Syria's and Jordan's resources, the organization, urges the Jordanian and Syrian governments to halt all forcible deportations of Iraqis to Iraq, including those who have not registered with UNHCR, to keep open their borders with Iraq and to desist from turning away any Iraqis fleeing the violence.

Both Jordan and Syria should, at the forthcoming conference, articulate their needs in dealing with the current crisis and inform the international community, especially the US, UK, EU and other states that have the capacity to assist, of such needs. In addition, the Jordanian government should publish as soon as possible the results of the census of the Iraqi population that it has undertaken lately with the

assistance of a Norway-based organization.

Public Document

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