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Iraq: US/UK forces must protect refugees

Amnesty International calls on the US/UK coalition forces to urgently address the situation of refugees, asylum-seekers and third country nationals in Iraq. The US and UK should guarantee their protection against attacks, arbitrary arrest and from being returned to countries where they might be at risk of human rights abuses.

"It is vital that protection of refugees and other third country nationals is high on the agenda of the coalition forces," Amnesty International said today.

"As the occupying powers the US and UK are responsible under international humanitarian law to protect all civilians from human rights abuses, and particular attention must be paid to the situation of vulnerable groups such as refugees and other foreign nationals."

"Refugee protection must be civilian and humanitarian in nature. People living in refugee camps must be protected from any form of attack, and there is an obligation on the occupying powers to ensure that they are provided with adequate humanitarian assistance and protection as a matter of urgency."

"UN agencies such as the United Nations High Commissioner for Refugees (UNHCR) are key to finding durable solutions to these people's plight, and these agencies must be able to freely access these vulnerable populations in Iraq. There must be public guarantees and a real commitment on the ground to ensuring that these Iraqi individuals will be protected."

Over the past weeks, the numbers of people seeking protection in neighbouring states have increased. Currently, up to 1,000 individuals, including hundreds of women and children, are being forced by the Jordanian authorities to remain in the 'neutral zone' between Iraq and Jordan's al-Karama border crossing. Significant numbers of asylum seekers have been stranded in the 'neutral zone' for at least a week and reports indicate that a number of them are demonstrating at the border in order to draw attention to their plight.

The 1,000 individuals reportedly include around 800 Iranian refugees who left the UNHCR administered al-Tash Camp, which is located around 120 kilometres west of Baghdad, in the al-Anbar governorate of Iraq. The refugees themselves have allegedly cited fears of looting, attacks and a dire humanitarian situation as reasons for their leaving the camp. UNHCR withdrew all international staff from Iraq before the outbreak of the war.

Amassing at the Syrian border, there is an unknown number of Syrian and other nationals who have fled their homes after the fall of Saddam Hussein's government. Many are believed to fear persecution as a result of being perceived as affiliated with the previous government. Some of them have been living as refugees under the protection of Iraq for decades, now they are being refused entry to Syria.

"These people are caught between a rock and a hard place. The reason behind their flight is the volatile situation in most of Iraq, but going back might mean a return to persecution. At least 7 Syrian nationals have already been arrested after their return," Amnesty International said.

Jamal Mahmud al-Wafa'i was arrested at the border checkpoint near Hosaiba on 18 April. He had gone into exile in Iraq in the early 1980s. Six other returning exiles affiliated to the Muslim Brotherhood were also arrested at the Syrian-Iraqi border: Fayzah 'Ali Shihab, Maha Ahmad Qarah Qash, Mayyadah Muhammad Ghassan Benqasli, Fathiyyah Rajab Damur, Muhammad 'Adnan Ahmad Madlaj and Muhammad Ahmad Qashush. It is unclear whether these six people were arrested after being allowed entry into Syria or at a border check-point.

Amnesty International fears that the detained returnees may be tortured or ill-treated, given their opposition to the Syrian government through the unauthorized Muslim Brotherhood Organization, whose armed faction was involved in violent confrontations with the Syrian security forces in the late 1970s and 1980s. Syrian opposition figures returning home voluntarily or after being forcibly returned by other governments are especially in danger of arrest, torture or ill-treatment. In 2002, a former member of the unauthorized Muslim Brotherhood Organization who voluntarily returned from exile to Syria died in custody.

"Many of the foreigners living in Iraq may not have been formally given status as refugees in Iraq, but there is no doubt that many of them would be at risk of serious human rights violations if they were deported from Iraq to their country of origin, or found themselves with no other option but to return their," Amnesty International concluded.

Background

Prior to the conflict, Iraq was host to more than 128,000 refugees from other countries including around 23,000 refugees from Iran. Around 19,000 resided in the government-controlled areas of Iraq. Around 4,000 Iranian Kurds were living in areas of northern Iraq under the control of the two Kurdish political parties, but reportedly around 1,000 have fled to Turkey since early 2001.

There is also a large Palestinian refugee population in Iraq, some estimates say over 90,000. Iraq also hosts smaller number of refugees from other countries, including Sudan, Eritrea and Somalia and is host to tens of thousands of Egyptians.

Around 60 of those in the 'neutral zone' between Iraq and Jordan, have been recognized in other third countries in Europe or North America as refugees or have been granted another residential status. Many of them are reportedly affiliated to the People's Mojahedin of Iran (PMOI).

Amnesty International has called on the Jordanian authorities to allow all those waiting at the border, entry into the country in order that their entitlement to international protection be ascertained or to ensure their safe transfer to their countries of residence.

For further information on Amnesty International's concerns and recommendations about the crisis in Iraq please visit: <http://www.amnesty.org/go/iraq>

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