



International Rescue Committee

Submission to Iraq Commission

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Summary

Any recommendations regarding Britain's role in Iraq need to take account of the 2 million Iraqis who have fled the country, as well as the hundreds of thousands displaced within the country's borders. The UK has a particular responsibility to provide support to the neighbouring states hosting tens of thousands of refugees, as well as to promote fair and accountable asylum policies within the UK and Europe.

Background

1. With the situation in Iraq showing no sign of improvement, tens of thousands of Iraqis are continuing to flee ongoing violence and exploitation every month. These movements imply huge humanitarian challenges, both in Iraq and in neighbouring countries.
2. The IRC conducted an assessment mission to Jordan and Syria in February 2007 and is currently setting up programmes in Jordan.

Refugees in neighbouring countries

3. There are estimated to be 1,200,000 Iraqi refugees in Syria, 750,000 in Jordan and tens of thousands more throughout the region.
4. Neither Jordan nor Syria is a signatory of the 1951 Refugee Convention or its 1967 Protocol, and neither has any national provisions on issues related to asylum.
5. Neither Jordan nor Syria currently offers a possibility of durable local absorption; Iraqis cannot legally become permanent residents.
6. The capacity of each of these countries to support these populations is severely strained and the humanitarian needs are enormous.
7. The UK has pledged £10m to support displaced Iraqis in 2007. Of this, only £1.5 million has been allocated to the UNHCR's \$60 million appeal, with a

further £500,000 to help the Office for the Coordination of Humanitarian Affairs (OCHA) set up in Amman.

Refugees in Europe

8. With a total of 22,200 claims, Iraqis ranked first in the number of asylum applications lodged in the world's industrialised countries during 2006, 77% more than in 2005.
9. Throughout Europe, the treatment of Iraqis seeking international protection continues to vary considerably. A few European countries have increased the protection afforded to Iraqi nationals, while some have withdrawn protection from Iraqi refugees and others are simply not granting any status to Iraqis. UNHCR has put the overall approval rate for Iraqi asylum claims at just 10%.
10. While Sweden approved more than 80% of the 9,065 Iraqi asylum requests during 2006, the UK rejected 1,675 out of 1,835 requests from Iraq in 2005. In the UK only a very small number of Iraqi asylum seekers receive subsidiary protection and many fewer receive refugee status.
11. Amongst European states, the UK has sent back the highest number of Iraqis. All of them came from and were returned to the Kurdish Regional Government-controlled area of northern Iraq, which the UK Government regards as sufficiently stable. Forced returns to the KRG-

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controlled area risk destabilising the fragile political situation there, as well as adding to the strain on resources.

12. Large variances between European countries are also observed with regards to resettlement policy. Only six EU states offer resettlement, namely the UK, Sweden, Finland, Denmark, Ireland and the Netherlands, together providing a very low overall number of places. In 2006, only 3,032 refugees from around the world were resettled in the EU.

Recommendations

1. A much greater UK and international commitment is required to meet the critical needs of Iraqis fleeing violence, whether displaced within the country or refugees stranded in the Middle East and elsewhere. Given the scale of the crisis and the particular responsibilities of the UK as an active party in Iraq, DFID should increase its support to UNHCR's appeal and to other agencies working in support of Iraqi refugee populations
2. The UK should also work with Jordan, Syria and other refugee-hosting countries to ensure that the principle of *non-refoulement* is strictly respected. This should include financial and technical support, as well as diplomatic engagement. The UK should also push this as a priority within the EU.
3. Greater efforts are required to ensure consistency of response to Iraqi asylum claims among European member states. In particular, European countries should take due account of all persecution, including that stemming from non-state actors, when assessing Iraqi asylum claims, and should desist from transferring Iraqi asylum-seekers to EU countries where there are protection concerns with respect to the treatment of Iraqi asylum claims.
4. Given the evident insecurity throughout Iraq and the inability of the Iraqi government to provide adequate and sustainable protection, the UK should not make use of the

Internal Protection Alternative (IPA) principle in the consideration of claims from Iraqi asylum-seekers. Individuals returned to areas from where they do not originate are likely to have the security jeopardised. In light of the alarming numbers of existing IDPs, their return would also place an unacceptable strain on Iraq's limited absorption capacity.

5. Forced and mandatory return of Iraqis to any part of the country, including northern Iraq, should be suspended. The country is demonstrably unsafe, including parts of northern Iraq, with many groups continuing to suffer persecution. No returns should therefore be undertaken until there is an effective and sustainable infrastructure in Iraq to uphold the rule of law and respect human rights.
6. The UK should grant Iraqis who do not qualify for protection status, a legal status (temporary or permanent depending on their circumstances) up to the time of their actual departure from the host country. This status should afford them their human rights and a dignified standard of living in the host country, including rights to housing, health, employment and education.
7. The international community must dramatically increase the number of refugees allowed to resettle in other countries. The UK bears a special responsibility in this regard. The highest priority for resettlement must be given to the most vulnerable, particularly women and children, those with relatives already in third countries, and those at special risk because of association in Iraq with coalition forces or the coalition's civilian partners.

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