

**Statement
Of
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On
FY 2010 Refugee Admissions
Iraqi and Iranian Refugees
To
Bureau of Population, Refugees and Migration
U.S. Department of State**

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I would like to start by thanking the Bureau of Population, Refugees and Migration for calling this public hearing. I will focus my remarks primarily on the situation of Iraqi and Iranian refugees. My name is Pary Karadaghi, president of Kurdish Human Rights Watch, (KHRW).

Iraqi Refugees:

According to the United Nations High Commissioner for Refugees and the International Organization for Migration in 2007 and 2008, almost 5 million Iraqis had been displaced by violence; the vast majority has fled since 2003. Over 2.7 million have vacated their homes for safer areas within Iraq. Up to 1.5 million were living in Syria, and over 1 million refugees were spread across Jordan, Iran, Egypt, Lebanon, Turkey and the Gulf States. It is estimated that at least 1.2 million to 1.5 million Iraqis have in the past 4 years fled Iraq and sought refuge in the neighboring country of Syria and an additional 750,000 Iraqis in Jordan as a result of the US invasion, almost two-thirds of the post-invasion Diaspora. The estimated number of displaced since February 2006 is almost 1,504,000 individuals. This figure, combined with the estimated 1,200,000 individuals who were internally displaced before February 2006, results in a total of more than 2.7¹ million individuals displaced within Iraq to date. Iraqis have come to Syria and Jordan because of geographic proximity, access to services and the presence of an Iraqi community. The largest portion of the Iraqi displaced population resides in Damascus, Syria and Amman, Jordan. These refugees generally reside in poor neighborhoods.

The Iraqi refugees in Syria and Jordan primarily live in rented accommodations and they are increasingly sharing accommodations with other families in order to manage the higher cost of living. The vast majority of Iraqis displaced in Jordan are Sunni Muslims (68%), Shiia Muslims make up 17% and Christians account for 12%. Most of them come from Baghdad. Due to their illegal status, Iraqis are not allowed to work. When they manage to find a job, it is usually illegal and underpaid. It is also reported that 20% of the households are female-headed and are often from the poorest segment of the population.

The situation of the Iraqi refugees in those countries continues to be problematic and desperate. We understand that these governments have reassured UNHCR that they will not pursue the policy of forcibly returning Iraqi refugees. However, there is no system in place to monitor the situation of these returnees. We urge the US government to continue advocating with these governments, UNHCR and the Iraqi government for a comprehensive solution to the situation of Iraqi refugees in Middle East.

KHRW's work in partnership (through subagreement with IOM and UNHCR) with IDPs inside Iraq and with Iraqi refugees in neighboring countries has observed extreme vulnerabilities among the approximately over 1.7 million Iraqi refugees living in Syria, Jordan and other neighbors of Iraq, as well as over the 2.7 million internally displaced persons within Iraq. Most are unable to access their food rations and are often unemployed; they live in dire living conditions, have run out of resources and find it extremely difficult to access basic services.

¹ IOM Emergency Needs Assessment, Post February 2006 Displacement- 2009, Bi-Weekly Report

The Government of Iraq has large sums of funds from oil revenues, but it lacks both the capacity and the political will to use its resources to address the humanitarian needs of IDPs and Iraqi refugees. Due to the failure of the Iraqi government, militias of all denominations are assuming a major role in providing social services in the neighborhoods and towns they control in Iraq. The grip of these Sunni and Shiite militias has significantly grown they now not only have control over large-scale delivery of food, oil, electricity, health services and money, but many civilians, out of necessity, self-preservation and need are joining these militia groups including IDPs.

Some IDPs and refugees who have returned home have found their homes occupied or destroyed, their neighborhoods plagued with violence and divided into sectarian areas. Refugee returns to Iraq are estimated at 6,800 as of May 15, 2009. While KHRW assists Iraqis return to their homes, the necessary conditions for safe returns to their original places of residence in dignity does not exist. KHRW believes that returns are dangerous and should not be encouraged until the violence subsides and the Iraq police and government provide returning IDPs with adequate assistance and protection. Refugees International conducted a recent visit in June 2009 to Iraq, Syria and Jordan, RI, reports that 39% of IDPs told IOM they were individually targeted and had no intention of ever returning to their home areas.

Due to the lack of infrastructure, teachers and the lack of official school documentation from Iraq, many Iraqi children are not enrolled in schools. Moreover, the deteriorating economic situation of Iraqi families is forcing many of the youth to leave school and look for jobs. Health care is expensive and a large number of the Iraqi refugees have chronic illnesses that require medical care and medication.

Neither Jordan nor Syria is a signatory of the 1951 UN Convention on Refugees which guarantees refugees certain minimal rights. Neither government refers to the Iraqis in their country as “refugees,” but rather as “guests.” Syria has been more flexible in accommodating Iraqis than Jordan, which probably accounts in part for the larger number of refugees in Syria. This could change since Syria has now instated a visa requirement for Iraqis traveling to Syria

Most Iraqis are determined to be resettled to Europe or North America², and few consider return to Iraq an option. Iraqis have no legal work options in most host countries and are increasingly desperate and in need of humanitarian assistance. They face challenges in finding housing, obtaining food, and have trouble accessing host countries’ health and education systems. Their resources depleted, small numbers of Iraqis have returned to Iraq in the past few months, but Iraq’s struggling government has continuously warned that it can’t accommodate large numbers of returns. Most of those who returned were subsequently displaced again.

We know that women and girls in war are among the most vulnerable groups in the world. It’s seen in many occasions that women and girls are targeted for sexual violence, abuse and exploitation. An increasing problem is the growing practice of prostitution by Iraqi refugee

² Iraqi refugees: improve UN outreach in Syria, Refugee International

women and girls. Given the deteriorating economic situation of those refugees, a United Nations report found last year, that many Iraqi women in “severe need” for funds and food are resorting to prostitution, in secret, or even with the knowledge or involvement of family members. KHRW staff and other aid workers confirm that thousands of Iraqi women work as prostitutes in Jordan and Syria and point out that as violence in Iraq increases, more female-headed households and unaccompanied women will leave Iraq to neighboring countries.

One of the obstacles confronting the U.S. Resettlement Program has been the “material support” and related bars of inadmissibility. There has been some progress on this issue. Refugees and asylees have been granted “material support” group waivers and have thus been admitted to the U.S. However, the “waiver” authority remains discretionary and is very limited. In addition these waivers if approved are extremely slow, time consuming and bureaucratic. Tier III voluntary cases are still all on hold until the government comes up with a process to adjudicate them. Only legislatively, can this be addressed effectively otherwise “material support” will continue to plague the U.S. Resettlement Program. We urge the Administration to offer strong leadership in seeking Congressional action aimed at revising the overly broad definition of “terrorist activity.”

Iranian Refugees

Iranian refugees remain faced with obstacles and hardships. The continuous shelling of villages on the Iran-Iraq border by the government of Iran, arrests of political opponents in Iran has led many to leave their homes and become refugees, especially Iranian ethnic and religious minorities. We are grateful to the US Refugee Admissions Program and the Government of Austria for providing Iranian religious minorities with a route to freedom through Vienna to the United States. We urge the United States to urgently pursue additional venues for the OPE to process cases in order to alleviate that backlog and to allow Iranian ethnic minorities such as Kurds, Balochis, Ahwazi Arabs, Azeris and other persecuted minorities to apply in Vienna, Austria to the US refugee admissions program.

Iranian Refugees on the Iraqi-Jordanian border (no man land)

Out of the thousands of Iranian Kurdish refugees that were previously in Al-Tash camp were resettled to the Kurdistan area only a small group of 196 refugees remain. The majority of these refugees are women and children. They are in Camp Al-Karama in the no-man land on the border between Iraq and Jordan. They are suffering from draught, lack of drinking water, and food items. They are in dire needs of assistance and finding a safe place to call home. These refugees do not wish to be locally resettled in Iraq. We urge the Department of State BPRM to consider the case of Iranian Kurdish refugees (former Al-Tash camp refugees) for resettlement in the US. Many have family and friends who are in the US.

Resettlement Recommendations:

1. We support the resettlement expansion of Iraqi refugees in FY09 to 25,000 Iraqis. Some possible groups for consideration include:

- Those who were employed by the United States Government, United States companies and contractors, media, and nongovernmental organizations
 - Iraqis with ties to US citizens, refugees, asylees, and Special Immigrant Visa (SIV) holders
 - Iraqis who are members of particularly vulnerable refugee populations, including Iraqis from ethnically mixed families and Iraqis who are members of religious or other minority groups, including Chaldo Assyrian Christians, Sabian/Mandaens, Yazidis, Jews, and Baha'is;
 - Women heads of household or/and victims of SGBV and sex trafficking
2. Resettlement through the OPE in Vienna, Austria of ethnically persecuted Iranian refugees currently in Turkey and elsewhere.
 3. Lastly we recommend that the US refugee program interviews the Iranian refugees in camp Al-Karama on the Iraq-Jordan border for admissions to the US.