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## **Iraqi Refugees and Internally Displaced Persons: A Deepening Humanitarian Crisis?**

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# Iraqi Refugees and Internally Displaced Persons: A Deepening Humanitarian Crisis?

## Summary

The humanitarian crisis many feared would take place in March 2003 as a result of the war in Iraq appears to be unfolding. It is estimated that in total (including those displaced prior to the war) there may be two million Iraqi refugees who have fled to Jordan, Syria, and other neighboring states, and approximately two million Iraqis who have been displaced within Iraq itself.

Throughout areas in western and central Iraq, the security situation is deteriorating, and many of Iraq's neighbors fear that they are being overwhelmed by refugees fleeing over Iraq's borders. There are now heightened concerns about the absorptive capacity of neighboring countries, whether they can provide adequately for the populations moving across borders, and the impact of refugee flows on stability in general. Some experts think that the Iraq situation could well begin to outpace other refugee crises worldwide.

This report provides an analysis of the current crisis, including the conditions for those displaced in Iraq and the refugee situations in Syria, Jordan, and elsewhere. It also provides information on the U.S. and international response and examines refugee resettlement options in the United States. Aspects of this crisis that may be of particular interest to the 110<sup>th</sup> Congress include a focus on an immediate response (providing humanitarian relief funding), examining resettlement policies, and developing a strategy to manage the displaced, particularly within Iraq. This report will be updated as events warrant. For more information on Iraq, see CRS Report RL31339, *Iraq: Post-Saddam Governance and Security*, Christopher M. Blanchard, Coordinator, and CRS Report RL33793, *Iraq: Regional Perspectives and U.S. Policy*, by Kenneth Katzman.

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# Iraqi Refugees and Internally Displaced Persons: A Deepening Humanitarian Crisis?

## Overview

The violence and insecurity resulting from the ongoing sectarian strife, terrorism, and insurgency in Iraq has had a marked impact on civilian displacement in different parts of the country. Since the bombing of the Shiite Muslim Al-Askariya shrine in Samarra in February 2006, sectarian violence appears to have accelerated an already developing pattern of population displacement and emigration. In terms of overall figures, including those displaced prior to the 2003 war, the United Nations High Commissioner for Refugees (UNHCR)<sup>1</sup> believes that there may be 2 million refugees who have fled Iraq, mostly to Jordan and Syria, and another 2 million who have fled to other parts of Iraq itself.

The conflict increasingly bears the mark of sectarian polarization and “cleansing” in neighborhoods formerly of mixed religious orientation. Some argue that displacement has become a tool of war and the means for feuding sects to establish territorial control. Overall living standards have declined sharply. Direct personal threats, abductions, assassinations, and death threats are commonplace. Many middle class Iraqis with the means to leave have already done so. Religious belief, political or tribal affiliation, or association with U.S. forces or Iraqi authorities all can make someone a target for violence. Displacement can be the result of sectarian conflict and general armed violence, local criminal activity, coalition military operations, and fighting among militias and insurgents, all of which have contributed to decreased security and an atmosphere of generalized fear for many ordinary Iraqis.

In a November 2006 update on the situation, UNHCR suggested that the humanitarian crisis many feared would take place in March 2003 as a result of the

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<sup>1</sup> UNHCR is the U.N. agency dedicated to the protection of refugees and other populations displaced by conflict, famine, and natural disasters. It provides legal protections, implements long-term solutions, and coordinates emergency humanitarian relief for refugees and other displaced persons. In Iraq, UNHCR is the lead on protection and shelter. “Refugee” as defined under the *1951 United Nations Convention Relating to the Status of Refugees*, is a person who is outside his or her country and who is unable or unwilling to return because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion. “Returnee” is a refugee who returns to his or her home country; and “IDP” is a person who has not crossed an international border but remains displaced inside his or her own country. UNHCR considers all categories part of “Populations of Concern.”

war is happening now. “The massive displacement has emerged quietly and without fanfare but the numbers affected are in excess of what many agencies had predicted in 2003.”<sup>2</sup> Then, as now, there were also concerns about the absorptive capacity of neighboring countries, whether they could provide adequately for the populations moving across borders, and the potential impact of refugee flows on stability in the region. UNHCR estimates that between 40,000 and 50,000 Iraqis are currently displaced each month and some observers speculate the pace of Iraq’s displacement is continuing to increase. Some experts think that the Iraq situation could well begin to outpace other refugee crises worldwide. UNHCR projects that, at this rate, by December 2007 there could be 2.3 to 2.7 million internally displaced persons (IDPs) in addition to more than 2 million refugees scattered throughout the region.<sup>3</sup> On the other hand, U.S. and Iraqi authorities are trying to resettle families in their former homes as part of the Baghdad security plan now under way. What effect this may have remains to be seen.

The figures on population displacement illustrate the challenges ahead. As the 110<sup>th</sup> Congress considers various policy options toward Iraq, the impact of this level of displacement — which is the largest in the Middle East since 1948 — cannot be underestimated in terms of its impact on regional stability and the potential for humanitarian suffering. Experts suggest that what is badly needed — and quickly — is the development of a robust response on the part of the international community that provides and funds humanitarian relief; conducts a close examination of resettlement policies and options in third countries; develops a strategy to manage the displaced, particularly within Iraq; and implements increased funding to host countries and aid agencies outside Iraq.

## **Assessment of Iraqi Internal Displacement**

### **A History of Displacement**

All internal displacement figures must be taken as estimates due to insufficient data. Monitoring and registration are incomplete because of poor security, a lack of access to some areas, and ongoing movement of possibly thousands of people per day. It also should be noted that there are many patterns of displacement, some that have their origins decades ago, but have now evolved into a new phase. For example, approximately 300,000 refugees who were in Iran before the 2003 war, then returned to Iraq, and now are believed to have been displaced again, this time within Iraq. Others were refugees from other countries in the region who fled to Iraq and are now on the move again within its borders. Saddam Hussein’s brutal regime left

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<sup>2</sup> UNHCR, “Update on the Iraq Situation,” November 2006. See also CRS Report RL31814 *Potential Humanitarian Issues in Post-War Iraq: An Overview for Congress*, by Rhoda Margesson and Joanne Bockman. Also, “Iraq Stands on Brink of Civil War, ‘Violence Seems Out of Control’,” Special Representative Tells Security Council, SC/8895, Dec. 11, 2006. Figures provided are estimates and continue to change,

<sup>3</sup> UNHCR, “Supplementary Appeal Iraq Situation Response: Protection and Assistance to Iraqi Refugees in Neighbouring States and to IDPs and Non-Iraqi Refugees in Iraq,” January 2007.

a legacy of displacement, as his regime forcibly displaced Iraqi Shiites and Kurds in order to control territory, terrorize the population, and fight insurrection. Some experts estimate as many as 1.5 million may have been displaced over the three decades of his regime.

## Current Displacement

Human development indicators — access to health care, social services, education, employment — all have fractured under the current circumstances and affected wider social networks in Iraqi society. Limited reconstruction activities and access by the international community have made implementation of tangible, long-term policy objectives difficult. Within many areas in Iraq, conditions are deteriorating and, for those already displaced, are becoming more permanent problems; many who cannot secure protection or assistance could soon find themselves in the same situation. According to some estimates, Iraq's population is 26.8 million, this means that nearly 13% of the population — or one in eight Iraqis — may be displaced.

**Profile of Displacement.** There have been no reliable census data on Iraq's ethnic and sectarian makeup for decades. Iraq's population represents a number of different ethnic groups and religions. In a recent study, the International Organization for Migration (IOM) found that IDPs tended to be from mixed neighborhoods and displaced to homogenous ones.<sup>4</sup> The movement was predominantly in and between urban areas — with more than 70% fleeing Baghdad. In general throughout Iraq, patterns have shown that Shi'as have moved from the center to the south; Sunnis from the south to the upper center; Christians fled to Ninewah and Kurds ended up within Diyala or Tameem/Kirkuk.<sup>5</sup>

Palestinians in Iraq (who numbered 25,000-30,000 before the war and are mostly Sunni) may be particularly vulnerable to reprisal attacks by Shiites as they received preferential treatment from Saddam Hussein. The United Nations estimates that only 5,000 Palestinians remain in Iraq, many have been killed, and others have been displaced again.

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<sup>4</sup> International Organization for Migration (IOM) "Iraq Displacement 2006 Year in Review," January 2007.

<sup>5</sup> Ibid. In addition, another account of displacement is provided by Al-Khalidid and Tanner, who define several categories of those displaced, including: Sunni Arabs from Shi'a areas; Shi'a from Sunni areas; Arabs (both Shi'a and Sunni) and other minorities from Kurdish areas; and minority groups from both Sunni and Shi'a areas. These include Iraqi Christians, Sabean-Mandean, Shi'a Turkmen, the Roma, Baghdad and Basra Kurds, and third country nationals, including Palestinians and Iranian Kurds. See Ashraf al-Khalidid and Victor Tanner, "Sectarian Violence: Radical Groups Drive Internal Displacement in Iraq," October 2006.

Those Iraqis who have worked with the U.S. government, the new Iraqi government, or international organizations also have been targeted.<sup>6</sup> In addition, there are vulnerable groups within these categories of displaced including the elderly, sick, pregnant women, and children.

There are different types of displacement: Micro and nighttime displacement means that a person is living in his or her home, but sleeping elsewhere to avoid a pattern. Daylight displacement involves shifting routines, routes, activities, again to avoid establishing any predictable pattern. Repeat-displacement, which means moving a second time, or repeatedly, most commonly applies to those displaced by military operations. And fake displacement are those who pretend to be displaced and build homes on government land or the land of locals.<sup>7</sup>

Most of those displaced are moving in with family and friends. When this is not possible they go to public facilities, such as schools and factories (some people are squatting in damaged or abandoned property, such as mosques) and in much smaller numbers, to camps set up by the Iraqi Red Crescent Society or Ministry of Displacement and Migration (MoDM).

**Immediate Consequences of Displacement.** There are many consequences to displacement. In the short term, the IOM report examines the deterioration of basic humanitarian needs and services, not only from displacement itself, but due to lack of employment and a huge economic decline throughout the country. Needs expressed by displaced Iraqis include food, water and sanitation, fuel and electricity, shelter, and health care. As displacement continues to increase, so does competition for limited resources and the impact on host communities. This is beginning to impact communities that have reached their saturation point.<sup>8</sup>

### Inside Iraq: Profile of Estimated Populations of Concern

Refugees in Iraq (Palestinian, Syrian, Iranian, Turkish, Sudanese, many further displaced in Iraq)	50,000 +
Returnees (mainly from Iran; many further displaced in Iraq)	300,000
Stateless (Bedouins, etc.)	130,000

**Source:** Data from UNHCR, "Update on the Iraq Situation," November 2006 and Iraq Support Unit, "Iraq Update," November 3, 2006.

<sup>6</sup> Brookings-Bern Project on Internal Displacement, "Humanitarian Issues and Politics in Iraq," Feb. 14, 2007.

<sup>7</sup> Al-Khalidid and Tanner.

<sup>8</sup> International Organization for Migration, "Iraq Displacement 2006 Year in Review," January 2007.

### Inside Iraq: Estimated Displacement Totals Over Time

IDPs (old caseload, prior to 2003)	1,200,000
IDPs (2003-2005)	approx. 200,000
IDPs (since Feb 2006)	730,000
Total	2,130,000

### Assistance to IDPs

Government ministries providing assistance to the displaced within Iraq include the MoDM, the Ministry of Trade, which is in charge of the allocation of food rations, the Ministry of Interior, which provides documentation for services, such as registration for food rations, and the Ministry of Education, which is in charge of registering school children, many of whom have been displaced and need to be enrolled in local schools. Support of the displaced in the provinces is usually handled by a committee and is considered more effective. There are also informal committees set up in local communities and in mosques. As a national aid agency that is largely viewed as non-sectarian, the Iraqi Red Crescent assists the displaced throughout the country.<sup>9</sup>

Experts believe that the sectarian groups have tried not only to consolidate territory, but also to fill the gap as “protector and provider” in the provision of services the government cannot fulfill for the displaced.<sup>10</sup> Few international humanitarian organizations are working in Iraq due to the unstable security situation. Those that are there keep a very low profile.

In coordination with the MoDM, UNHCR is the focal point for the United Nations in providing assistance to refugees and IDPs, finding durable solutions, and preventing new displacement. The International Organization for Migration (IOM) is the deputy coordinator. In addition to working with the United Nations Assistance Missions for Iraq (UNAMI), other partners include U.N. Operations (UNOPS), United Nations Children’s Fund (UNICEF), U.N. Habitat, and the World Health Organization (WHO). In neighboring countries, UNHCR works with the U.N. country teams.

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<sup>9</sup> Al-Khalidi and Tanner, p. 3.

<sup>10</sup> Ibid., p. 1



## Iraqi Refugees in Syria and Jordan<sup>11</sup>

### Overview

UNHCR estimates that since 2003, nearly two million Iraqi refugees have fled to Iraq's neighboring states. The bulk of these refugees (est. 1.8 million) are currently living in Jordan and Syria with several hundred thousand residing elsewhere in the region (Egypt, Lebanon, Turkey, and Iran). Analysts note that neither Jordan nor Syria has sufficient resources to sustain their respective refugee populations over the long term. Although the plight of many Iraqis refugees is difficult but not dire, there is much concern that the situation could deteriorate over time if new waves of refugees flood Iraq's neighbors.

### Iraqi Refugees in Neighboring Countries

Country	Refugee Estimates
Syria	1,000,000
Jordan	800,000
Egypt	100,000
Iran	54,000
Lebanon	25,000 - 40,000
<b>Total</b>	<b>2,000,000 (est.)*</b>

**Source:** UNHCR

\* Refugee figures should be considered estimates. UNHCR has been short of funding, staff and resources, and therefore unable to process all refugee documentation and adequately monitor borders. It is relying on host governments to record refugee inflows.

Of those who have fled Iraq, various reports indicate that many refugees were from Iraq's now decimated middle class. Numerous interviews of Iraqi refugees conducted outside Iraq have revealed that Iraqi professionals who fled the country were the least sectarian elements in society, and many fled to escape both the general threat of sectarian violence and the specific threat of kidnapping, which has become a common criminal enterprise conducted by insurgents and organized gangs.

Unlike other refugee crises in war-torn areas, the status of Iraqi refugees in neighboring states is more difficult to discern. At present, there are no makeshift tent cities for the homeless and destitute, though aid agencies did construct such facilities in 2003 in anticipation of a refugee crisis that did not materialize. While Iraqis refugees are far from being assimilated into their host country, they have blended into

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<sup>11</sup> This section was written by Jeremy Sharp, Middle East Policy Analyst, Foreign Affairs, Defense, and Trade Division.

urban areas, settling into cities like Amman and Damascus. Many Iraqis who fled the country before/after the U.S. invasion had some temporary means of supporting themselves either through their personal savings or remittances from relatives abroad. Wealthy Baath party members and supporters of the Saddam Hussein regime who fled to Jordan in 2003 were dubbed “Mercedes refugees” by the diplomatic community and the press.<sup>12</sup> Nevertheless, aid workers assert that the newer waves of Iraqis streaming over the border are progressively poorer than their predecessors. As the number of refugees increases, prioritizing those most in need of assistance has become more critical. Aid workers note that because the Iraqi refugee population has blended into urban areas, they are harder to identify, document, and assist.

There are many challenges that face Iraqi refugees living abroad. Aside from the social isolation that accompanies their separation from family and tribe, Iraqis may face discrimination and disdain from citizens who view them as competition for jobs and access to strained social welfare services. Unemployment was already high in Syria and Jordan before the Iraqis’ arrival, and both countries bar them from legally working during their stay. Moreover, Syria, Jordan, and Lebanon are not state parties to the 1951 United Nations Convention relating to the Status of Refugees and/or its 1967 Protocol, which makes UNHCR’s role more difficult, as the term “refugee” and the protection mandates recognized under international law are not formally recognized in these countries. UNHCR currently operates in Jordan, Syria, and Lebanon under a Memorandum of Understanding that binds UNHCR to resettle every person it determines is a refugee.

## Syria

Syria has long considered itself to be the vanguard of a pan-Arab identity, a stance that has led it to maintain a liberal immigration policy toward Arab visitors. The Syrian government does not typically require visas for Arab visitors, a policy that, according to many U.S. officials, has made Syria an ideal launching pad for foreign fighters attempting to enter Iraq and join the insurgency. Syria has been open to accepting Iraqis fleeing their country, and it has been the primary destination for many displaced Iraqi Christians and Shiites.<sup>13</sup> Syrian officials estimate that as many as a million Iraqi refugees have settled at least temporarily in Damascus and its suburbs, changing the character of entire neighborhoods and creating strains on the Syrian economy in the form of rising rents, housing demands,<sup>14</sup> and impending water and electricity shortages. So far, Syrian authorities have kept an open door policy regarding these new arrivals; however, there are increasing concerns that the

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<sup>12</sup> U.S. policymakers assert that some senior ex-Baath party members residing in Syria have provided material and logistic support to the Sunni-led insurgency in Iraq.

<sup>13</sup> Currently, Iraqi refugees receive a one-month permit on arrival in Syria. Iraqis must then apply for a three-month permit that can be renewed by leaving Syria and returning again as early as the same day. In February 2007, Syria tightened its immigration rules, but then reversed its actions after vocal protests from the international community, the Iraqi government, and Iraqis living in Syria.

<sup>14</sup> In order to control rising housing prices, the Syrian government passed a law in 2005 that prohibits Iraqis from investing in real estate.

ethnic/sectarian and political factional disputes among Iraqis could be transferred to the Iraqi refugee communities in Syria as well.

The Syrian government has sought assistance from the international community in dealing with the Iraqi refugee issue. In March 2007, Ellen R. Sauerbrey, U.S. Assistant Secretary of State for Population, Refugees and Migration, met with Syrian Deputy Foreign Minister Faisal Meqdad in Damascus reportedly to discuss refugee issues.<sup>15</sup> Syria claims that because it provides public subsidies for common household necessities such as bread and fuel, the rising demand for such benefits due to the influx of Iraqis is straining the national budget.

## Jordan

Iraqis have perceived Jordan as an escape from violence, as some foreign officials estimate that 800,000 Iraqis have fled to Jordan over the last three years.<sup>16</sup> For a small, relatively poor country such as Jordan, this population influx is creating profound changes in Jordan's economy and society. Jordan's banking and real estate sectors are soaring with the increased demand for housing and the influx of capital from middle class expatriate Iraqis. On the other hand, inflation is rapidly rising, and there have been anecdotal reports of increased tension between Jordanian citizens and Iraqi refugees due to the strains placed on social services by a near 20% increase in the country's population in a short period of time. Some reports indicate that Sunni-Shiite tensions may be simmering below the surface in Jordan, an overwhelming Sunni Arab state whose East Bank inhabitants have strong tribal ties to Sunni Iraqis. At this time, it is unclear whether displaced Iraqis will become a permanent fixture in Jordan or will return to Iraq if, or when, violence subsides. According to a U.S. State Department-conducted survey of Iraqi refugees in Jordan, "Nearly all [Iraqi] participants say they would return to Iraq if the security situation alone improved — even with continued problems in basic services or lack of job opportunities."<sup>17</sup> Other Iraqis may be using Jordan as a gateway for obtaining residency/asylum in the West.

The Jordanian government classifies displaced Iraqis living in Jordan as "visitors" or "guests," not refugees, as Jordan does not have a domestic refugee law, nor is it a party to the 1951 UN refugees' convention.<sup>18</sup> Iraqis who are able to deposit \$150,000 in Amman banks are granted residency almost instantly, while the vast majority of Iraqis in Jordan have become illegal aliens due to the expiration of their

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<sup>15</sup> "U.S. Vetting Iraqi Refugees for Resettlement," *Washington Times*, Mar. 14, 2007.

<sup>16</sup> The Jordanian government recently contracted with a Norwegian organization (the Applied Science Institute) to carry out a census of Iraqis living in Jordan.

<sup>17</sup> "Iraqi Refugees in Jordan Await Stability before Returning," Office of Research, *Opinion Analysis*, U.S. Department of State, Feb. 28, 2007.

<sup>18</sup> According to the UNHCR's representative in Jordan, Robert Breen, "The term 'refugee' has political implications for the government and Iraqis because of the Palestinian question.... Most Iraqis, who represent a very diverse group here, don't view themselves as refugees." See, "Uncertain Future for Jordan's 'Guests,'" *Financial Times*, Mar. 12, 2007.

visitor visas.<sup>19</sup> According to a recent *Human Rights Watch* report on Iraqi refugees in Jordan, “Jordan has not enforced immigration laws against overstayers in a consistent manner. Yet, none of the Iraqis interviewed complained of police irregularities, and many Iraqis even praised the police as treating them humanely and without discrimination even though they are working and residing illegally.”<sup>20</sup>

In February 2007, Jordan tightened its immigration laws, requiring that all Iraqis entering Jordan possess the newly-issued G-Series passports, a costly and difficult item to obtain from the Iraqi government. Most Iraqis possess older passports and many entered Jordan after obtaining forged documents. In addition to concerns over absorbing more Iraqis, the Jordanian government may be treating the steady inflow of Iraqi refugees as a national security issue. On November 9, 2005, near-simultaneous explosions at three Western-owned hotels in Amman killed 58 persons and seriously wounded approximately 100 others. Al Qaeda in Iraq claimed responsibility for the attacks.

## U.S. and International Assistance

### International Response

UNHCR’s Iraq budget in 2003 was approximately \$150 million to deal with possibly 600,000 refugees. In 2006, its Iraq budget was \$29 million (although not fully funded) until January 31, 2007, when it submitted its 2007 supplementary appeal for \$60 million.

An international conference on Iraqi displacement is scheduled to take place in Geneva, Switzerland on April 17-18, 2007. Donor contributions from other governments and intergovernmental entities have also been forthcoming, particularly towards the emergency U.N. and other humanitarian appeals.

Resettlement applications from Iraqi refugees are up in Europe by almost 100 percent in two years. Sweden has seen a fourfold increase in applications in the past year. As countries determine their resettlement policies with regard to Iraqi refugees, it will be possible to compare these with the U.S. limit.

### U.S. Response

**Bureau for Population, Refugees, and Migration.** The State Department’s Bureau for Population, Refugees, and Migration (PRM) at the State Department is providing assistance to refugees and IDPs mostly through implementing partners, including UNHCR and the International Committee of the Red Cross (ICRC). Small groups displaced at the border are also considered

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<sup>19</sup> Many Iraqis in Jordan lack valid residency permits or visas altogether. “Uneasy Havens Await Those Who Flee Iraq,” *New York Times*, Dec. 8, 2006.

<sup>20</sup> “‘The Silent Treatment,’ Fleeing Iraq, Surviving in Jordan,” *Human Rights Watch*, Volume 18, No.10 (E), November 2006.

refugees. So far, \$50 million in needs that have been identified as follows: \$20 million has been appropriated in the FY2007 Continuing Resolution, with another \$15 million requested in the FY2007 Emergency Supplemental. PRM has identified another \$15 million that is required and for which it is currently seeking alternate sources of funds.

In March 2007 Assistant Secretary Sauerbrey undertook a mission to the region to expand assistance and protection (including resettlement in the United States) for vulnerable Iraqis. Field assessments by the U.S. government to survey the situation are also underway. It is unclear what percentage of Iraq's displaced are in need of international assistance. There are also different interpretations of what qualifies a person for IDP status. Furthermore, many IDPs and refugees have thus far made it on their own, particularly those who have been displaced for some time. It is expected that newer refugees, and those reaching the limits of their options inside Iraq, will require support first.

**Office of Foreign Disaster Assistance.** The Office of Foreign Disaster Assistance (OFDA) at the U.S. Agency for International Development (USAID) is providing assistance focused on IDPs and the host communities inside Iraq. Since March 2003, OFDA has continued its aid program at various levels. The total spent to date is approximately \$196 million.

OFDA has five implementing partners that work mostly with local agencies, in part because of the security situation and limited access in Iraq. OFDA's total funding needs for Iraq total \$65 million — \$20 million will come from reprogrammed FY2007 funding and \$45 million has been requested in the FY2007 Emergency Supplemental. With the number of new IDPs now exceeding 730,000 (since February 2006) these funding numbers may have to be adjusted.

OFDA is continuing its work with host communities, a number of which are feeling the strain and finding it hard to cope with the extra burden of the increasing numbers. OFDA's strategy has been to support the host to help meet their needs and so they in turn can maintain their capacity for helping IDPs.

There are a wide range of skills and capacities in the NGO community. The NGO Coordinating Committee in Iraq is reportedly made up of mostly European NGOs, but it does not interact with the U.S. government. Interaction, the U.S.-based umbrella organization for American NGOs, also has an Iraq working group.

**Congressional Action.** Congress has held hearings pertaining to the Iraqi Refugee situation. Legislation before the 110<sup>th</sup> Congress with a section or more focused on Iraqi refugees includes:

H.R. 663, the *New Direction for Iraq Act of 2007* (Blumenauer). Introduced and referred to the House Foreign Affairs Committee and House Armed Services Committee on January 24, 2007.

H.R. 1591, *Making Emergency Supplemental Appropriations for the Fiscal Year Ending September 30, 2007* (Obey). Introduced and referred to the House Appropriations Committee.

## U.S. Refugee Program and Iraqi Refugees<sup>21</sup>

The admission of refugees to the United States and their resettlement here are authorized by the Immigration and Nationality Act (INA), as amended.<sup>22</sup> Under the INA, a *refugee* is typically a person who is outside his or her country and who is unable or unwilling to return because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion. Refugees are processed and admitted to the United States from abroad. The Department of State (DOS) handles overseas processing of refugees, which is conducted through a system of three priorities for admission. Priority One (P-1) covers compelling protection cases and individuals for whom no durable solution exists, who are referred to the U.S. refugee program by the United Nations High Commissioner for Refugees (UNHCR), a U.S. embassy, or a designated nongovernmental organization (NGO). Iraqis, like all nationalities, are eligible for P-1 processing. Priority Two (P-2) covers groups of special humanitarian concern to the United States. It includes specific groups within certain nationalities, clans, or ethnic groups, such as Iranian religious minorities. Priority Three (P-3) comprises family reunification cases involving spouses, unmarried children under age 21, and parents of persons who were admitted to the United States as refugees or granted asylum. Iraqis are among the 17 nationalities eligible for P-3 processing in FY2007.

All refugee applicants are checked through DOS's Consular Lookout and Support System (CLASS).<sup>23</sup> In addition, DOS must obtain a Security Advisory Opinion (SAO) from the Federal Bureau of Investigation on certain applicants. In the SAO process, additional databases are checked for information on the individual. Individuals who are preliminarily determined to qualify for a processing priority are presented to the Department of Homeland Security's U.S. Citizenship and Immigration Services (DHS/USCIS) for an in-person interview. USCIS makes determinations about whether individuals are eligible for refugee status and are otherwise admissible to the United States.

Each year, the President submits a report to Congress, known as the *consultation document*, which contains the Administration's proposed refugee ceiling and regional allocations for the upcoming fiscal year. Following congressional consultations on the Administration's proposal, the President issues a Presidential Determination setting the refugee numbers for that year. Since FY2002, the annual U.S. worldwide refugee ceiling has been 70,000. During this period, the allocation for the Near East/South Asia region, which includes Iraq, has ranged from a high of 15,000 in

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<sup>21</sup> This section was written by Andorra Bruno, Specialist in Social Legislation, Domestic Social Policy Division.

<sup>22</sup> Act of June 27, 1952, ch. 477; 8 U.S.C. 1101 *et seq.* The Refugee Act (P.L. 96-212, Mar. 17, 1980) amended the INA to establish procedures for the admission of refugees to the United States. For additional information on the U.S. refugee program, see CRS Report RL31269, *Refugee Admissions and Resettlement Policy*, by Andorra Bruno.

<sup>23</sup> CLASS contains records on people ineligible to receive visas, including individuals who are suspected or known terrorists and their associates or who are associated with suspected or known terrorist organizations.

FY2002 to a low of 3,000 in FY2004. The Near East/South Asia allocation for FY2007 is 5,500 and, according to the FY2007 consultation document, includes primarily vulnerable Iraqis, Afghans, and Iranian religious and ethnic minorities. Since FY2003, the worldwide ceiling has included a significant unallocated reserve of refugee numbers, which can be used if, and where, a need develops for refugee slots in excess of the regional allocations. According to DOS's Bureau of Population, Refugees, and Migration (PRM), a total of 687 Iraqi refugees were admitted to the United States between April 1, 2003, and February 28, 2007.<sup>24</sup> Included in this total are 198 admissions in FY2005, 202 admissions in FY2006, and 60 admissions in FY 2007 through February 28, 2007.

In February 2007, DOS established the Iraq Refugee and Internally Displaced Persons Task Force to coordinate refugee and internally displaced persons (IDP) assistance to the region and refugee resettlement. Led by Under Secretary of State for Democracy and Global Affairs Paula Dobriansky, the task force includes officials from DOS, USAID and DHS. It is charged with "focus[ing] the State Department's coordination with other USG [U.S. government] agencies, the UN [United Nations], and other stakeholders."<sup>25</sup> At a February 14 DOS briefing, Under Secretary Dobriansky described the task force's work, as follows:

Our key immediate objectives are to assist internally displaced Iraqis and Iraqi refugees by building up the capacities of UN agencies and NGOs. This includes increasing opportunities for permanent resettlement for the most vulnerable Iraqis, to establish specialized programs to assist Iraqis who are at risk because of their employment or close association with the United States Government, to work diplomatically with regional governments through bilateral and multilateral channels to uphold the principle of first asylum.<sup>26</sup>

At the briefing, Under Secretary Dobriansky also discussed the Bush Administration's plans to accept additional Iraqi refugees for U.S. resettlement, as part of a larger effort by UNHCR to increase Iraqi referrals worldwide. She stated:

We are expanding our capacity to receive referrals from UNHCR and plan to process expeditiously some 7,000 Iraqi refugee referrals in the near term.<sup>27</sup>

In addition to these UNHCR referrals, Iraqi refugee referrals may also come from the U.S. Embassy in Baghdad. Referrals to the U.S. refugee program are expected to consist primarily of vulnerable Iraqis and Iraqis who are at risk because they have worked for, or been closely associated with, the U.S. government, including the U.S.

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<sup>24</sup> Telephone conversation with PRM, Mar. 21, 2007.

<sup>25</sup> U.S. Department of State, "Secretary of State Establishes New Iraq Refugee and Internally Displaced Persons Task Force," press statement, Feb. 5, 2007, at [<http://www.state.gov/r/pa/prs/ps/2007/february/80090.htm>].

<sup>26</sup> U.S. Department of State, "Briefing with United Nations High Commissioner for Refugees Antonio Guterres, and Assistant Secretary for Population, Refugees, and Migration Ellen Sauerbrey," Feb. 14, 2007, at [<http://www.state.gov/g/rls/rm/80532.htm>].

<sup>27</sup> Ibid.

military. PRM estimates that 2,000 to 3,000 Iraqi refugees will arrive in the United States by the end of FY2007.<sup>28</sup>

Beyond the formal refugee program, other immigration mechanisms have been established or, as Under Secretary Dobriansky noted in her remarks on the task force's work, are under consideration to facilitate the admission to the United States of Iraqis who have worked for or been closely associated with the U.S. government, including the U.S. military. Provisions enacted in 2006 as part of the National Defense Authorization Act for FY2006.<sup>29</sup> authorize DHS to grant legal permanent resident status as *special immigrants* to certain nationals of Iraq and Afghanistan who worked with the U.S. Armed Forces as translators, and their spouses and children. This program is capped at 50 aliens (excluding spouses and children) annually.<sup>30</sup> With respect to other possible options, Under Secretary Dobriansky stated the following at the February 2007 DOS briefing:

We are also developing in cooperation with other agencies of the U.S. Government proposed legislation to provide additional immigration mechanisms for Iraqis in need of protection due to their employment or close association with our government.

In response to questions at the briefing, Under Secretary Dobriansky and Assistant Secretary Sauerbrey mentioned two possible mechanisms to assist Iraqis at risk because of their association with the United States: special immigrant status, like that authorized for certain translators and parole<sup>31</sup> with refugee-like benefits. As of this writing, other possible mechanisms are still under discussion.<sup>32</sup>

## Issues for Congress

### Increased International Funding

UNHCR and other experts say that more international aid in the form of contributions and program development is required for host countries, domestic NGOs, and for organizations providing assistance, such as UNHCR. It is often difficult for international NGOs to register in these countries, and greater access needs to be negotiated. UNHCR is short of funds and cannot provide adequate assistance or protection to Iraqi refugees.

In its findings, the Iraq Study Group (ISG) refers specifically to the dramatic increase in population displacement that could cause further destabilization both in

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<sup>28</sup> Telephone conversation with PRM, Mar. 21, 2007.

<sup>29</sup> P.L. 109-163, §1059, Jan. 6, 2006.

<sup>30</sup> P.L. 109-163, §1059, Jan. 6, 2006.

<sup>31</sup> Parole is the discretionary authority of the Secretary of DHS to allow an alien to enter the United States temporarily (but not to be formally admitted) for urgent humanitarian reasons or when the entry is determined to be for significant public benefit.

<sup>32</sup> Telephone conversation with PRM, Mar. 21, 2007.



Iraq and the region and contribute to a humanitarian crisis. Specifically the ISG suggests that the United States should “take the lead in funding assistance requests from the UNHCR, and other humanitarian agencies.” (Recommendation 66).<sup>33</sup> Some argue that bringing pressure to bear on other donors to participate in these relief efforts, either by funding UNHCR’s 2007 supplemental appeal for Iraqi refugees or by providing bilateral funding to host countries with specific allocations to Iraqi refugees, could make a measurable difference in the humanitarian situation developing on the ground.

## **U.S. Humanitarian Response in Iraq**

Determining the immediate steps the United States can take with regard to Iraqi IDPs in particular (and in a more general sense to the Iraqi refugees) and how other international partners could be involved may prove to be critical in the next phase of the U.S. Iraq strategy. Iraq’s internal population displacement appears to be accelerating into a humanitarian crisis that is well beyond the current capacity on the ground. Difficult decisions lie ahead including identifying who should be in charge of any comprehensive relief effort, bringing together key players, and working out a coordination strategy. Whether or not the MoDM has the resources and competence to be effective remains to be seen in the long term, but in the immediate circumstance, it is reportedly overwhelmed. It is not clear what role the U.S. military might play in the humanitarian response on a local level in Iraq and whether the Provincial Reconstruction Teams (PRTs) may be an immediate resource to consider.

## **Competing Aid and Budget Priorities**

Amid efforts to tackle rising budget deficits by, among other measures, slowing or reducing discretionary spending or finding the resources to sustain U.S. aid pledges may be difficult. When disasters require immediate emergency relief, the Administration may fund pledges by depleting most worldwide disaster contingency accounts. In order to respond to future humanitarian crises, however, these resources would need to be replenished. If not replenished, U.S. capacity to respond to other emergencies could be curtailed. In the case of Iraq, with a humanitarian crisis looming, the question of whether or not sufficient funds have been requested by the Administration for a potential crisis remains. Moreover, some believe the United States has greater responsibility to lead the way on committing funds to address the needs of Iraqi refugees and IDPs. For broader political reasons, finding a balance on burdensharing with the international community may be unique in the Iraq context. Donor fatigue is also an issue, with some experts concerned about funding priorities and the ongoing need for resources for other disaster areas.

## **Links to Broader Iraq Policy**

With respect to the possible repatriation of Iraqi refugees, the refugee admissions report to Congress states “It is hoped that significant numbers of Iraqi refugees located throughout the Middle East and Europe will soon be able to return home, although the security situation will remain an important consideration in

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<sup>33</sup> The Iraq Study Group Report, p. 58.

repatriation.”<sup>34</sup> It is not clear whether there are policy implications for refugee resettlement at present, and whether, when viewed as a temporary situation, the obligation by the United States to resettle Iraqi refugees becomes less pressing. In addition, there is some concern that if, among those determined to be most vulnerable and in need, proportionally more Christian Iraqis are resettled in the United States than Muslim Iraqis, this could contribute to the perception of preference granted to groups of one religion over another.

The question of granting preference to vulnerable Iraqis and Iraqis who are at risk because they have worked for, or been closely associated with, the U.S. government, including the U.S. military, may also have unforeseen consequences. Some have questioned whether it may create resentment among Iraqis seeking resettling who do not qualify for preferential treatment. Others have asked whether Iraqis will see “collaboration” with the United States as a means to resettle in the United States and therefore will be eager to take advantage of any opportunity to do so.

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<sup>34</sup> *Proposed Refugee Admissions for Fiscal Year 2007: Report to the Congress*, p. 40.

## Appendix<sup>35</sup>

Refugees in Iraq (old caseload, prior to 2003) — Total more than 51,000. Many are now targeted, some displaced again, within Iraq.

Country of Origin	Number
Palestinians	up to 22,500
Iranian Ahwazi	2,460
Sudanese	142
Syrian Arabs	681
Iranian	10,606
Turkish	15,000
Total	51,389

Returnees (those who were refugees) — (2002 - 2006, mainly from Iran to Southern Iraq) Total nearly 300,000. The majority of returnees are now believed to be displaced within Iraq.

Year	Number
2002	1,142
2003	50,524
2004	191,645
2005	55,267
2006	401
Total	298,979

Internally Displaced Persons (IDPs) — An old caseload of approximately 1,200,000 IDPs existed before 2006. Since February 2006 730,000 are thought to have been displaced.

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<sup>35</sup> Data from UNHCR, "Update on the Iraq Situation," November 2006 and telephone conversation with USAID, OFDA, Mar. 21, 2007.