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# Iraq

## Suffering in Silence: Iraqi Refugees in Syria

### 1 INTRODUCTION

Syria hosts more Iraqi refugees than any other state in the world, with hundreds of thousands now living in the country.<sup>1</sup> Many arrived after February 2006, when a bomb attack which devastated al-‘Askari mosque, a Shi’a shrine in the Iraqi town of Samarra provoked a dramatic intensification of sectarian conflict in Iraq. Sunni Muslims comprise the majority of the refugees who have arrived in Syria since then but there are significant numbers of refugees from Iraq’s other religious and ethnic minorities, including Christians and Sabeen-Mandeans, as well as Palestinian refugees who were formerly long term residents in Iraq.<sup>2</sup>

Between 26 February and 6 March 2008, Amnesty International delegates visited Syria to assess the situation of refugees from Iraq.<sup>3</sup> Most of the dozens of refugees that they met had fled after suffering traumatic experiences in Iraq: some had been forced out of their homes and neighbourhoods by armed groups in the context of sectarian violence; some had been physically threatened or kidnapped; some had been tortured; some had escaped armed clashes between armed groups and Iraqi and US forces; some had relatives or friends who had been killed in bomb explosions or suicide attacks. A few women reported that they had been raped or threatened with rape.

Many of the Iraqi refugees interviewed by Amnesty International need rehabilitation and counselling, but such services are in short supply in Syria. Most of the refugees are impoverished, but they are not allowed to work. Those registered with UNHCR, the UN Refugee Agency, may receive food assistance from UN agencies, but many need further financial assistance, in particular for housing

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<sup>1</sup> There has been no official census carried out on the number of Iraqi refugees. The Syrian government has said that 1.6 million Iraqis live in Syria, while UNHCR said there are between 1.2 and 1.4 million. The Iraqi Embassy in Damascus estimates the total number to be between 800,000 and 1 million.

<sup>2</sup> Many of the Palestinians who fled Iraq are stranded in makeshift camps at the Iraq/Syria border. For information on their plight, see: *Iraq: human rights abuses against Palestinian refugees*, AI Index: MDE 14/030/2007, October 2007; *Al-Tanf Camp: Trauma continues for Palestinians fleeing Iraq*, AI Index: MDE 14/012/2008, April 2008.

<sup>3</sup> Amnesty International had already issued public documents on this subject in 2007 – see *Iraq: The situation of Iraqi refugees in Syria*, AI Index: MDE 14/036/2007, July 2007; *Iraq: Millions in flight: the Iraqi refugee crisis*, AI Index: MDE 14/041/2007, September 2007.

costs, which most do not receive. Others have to renew their residence permit monthly. Such instability has a severe impact on the mental state of many refugees.

This briefing summarizes key findings of the assessment conducted by Amnesty International into the situation of refugees from Iraq in Syria. In particular, Amnesty International reviewed the impact of recent developments, including the introduction by Syria of visa requirements for Iraqis, reports of improved security in parts of Iraq, and reports of the return of large numbers of refugees to Iraq. The organisation also looked into the economic conditions of Iraqis living in Syria, their access to services such as education and health, as well as protection concerns, particularly those relating to women and girls.

It calls on the Syrian authorities to:

- ensure that Iraqis needing protection are not denied entry to Syria;
- refrain from forcibly returning Iraqis who would be at risk of extrajudicial execution, torture or other human rights violations in Iraq;
- ease restrictions on international non-governmental organizations (NGOs) that wish to operate in Syria to assist refugees from Iraq.

## 2 *REASONS FOR FLIGHT*

Despite some improvement in security since mid-2007, Iraq remains one of the most dangerous places in the world. Sectarian violence continues, albeit on a lesser scale than before, and civilians continue to pay a heavy price. Thousands of people have been killed, mainly by armed groups, since the US military “surge” operation began in early 2007, and many have been kidnapped and tortured. The victims have been men and women, young and old, Sunni and Shi’a, as well as members of religious and ethnic minorities such as Palestinians, Christians and Sabeen-Mandean. As a result of the violence, some of which was specifically targeted, many families have fled their homes.

Sameer<sup>4</sup>, a 47-year-old Sabeen-Mandean, had a jewellery shop in Baghdad. He told Amnesty International that his brother Eduard was kidnapped on his way to the shop, which he co-owned, by three hooded men in April 2007. He was kidnapped for 24 hours during which he was beaten. He was told that he must leave Iraq because he was not Muslim. Following his release the following day, he

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<sup>4</sup> The real name of this person and others in this report are withheld.

went to his home in al-Sayyidia neighbourhood of Baghdad and told his family what had happened to him. Ten days later armed men burst into the shop, threatened Sameer at gunpoint, and took all the gold and money. A few days later, Sameer found a headless man's body outside the family home in al-Sayyidia. He told Amnesty International that this was how members of sectarian militia scare people.

Sameer said that the family was then threatened by graffiti on the house that said: "If you don't leave the house will be blown up". His 13-year-old niece was apparently told at school in June 2007 that she had to convert to Islam or risk being harmed. As a result, the family made her wear Islamic dress for her safety. In September 2007, Eduard, his wife and children fled to Syria, followed two months later by Sameer and his mother.

Zahra' is a 44-year-old Shi'a widow with four children. Her Sunni husband was abducted and killed in May 2007 in Baghdad, reportedly by members of an armed group. Zahra' told Amnesty International that the family lived in Rasheed district of Baghdad where, in early 2007, they and several neighbours received threatening notes believed to have been sent by armed groups. Zahra' said that one of the notes threatened them with death if they did not leave.

On the day Zahra's husband was abducted, she received a phone call from the kidnappers demanding a ransom. Zahra' left about US\$50,000 in a bag that was collected by a group of unmasked men with cars and motor cycles. Although she paid the ransom, her husband was killed. According to the death certificate, he was shot in the head.

Zahra' then moved to a predominantly Shi'a neighbourhood in Karkh district of Baghdad, but she was advised to move as she was known to be the widow of a Sunni. In September 2007, Zahra' fled with her children, mother and sister to Damascus, where they received emergency aid from UNHCR. She told Amnesty International: "I will never return to Iraq where they killed my husband and took our house away. What can I tell my children? That their father was killed because he was a Sunni."

A 36-year-old Shi'a mother of seven lived with her Sunni husband Said, an engineer, in a predominantly Sunni neighbourhood of Baghdad's Rasheed district. One evening in February 2006, after the bombing of the Shi'a shrine in Samarra, Said was called to his garden gate by a group of masked armed men, who threatened him at gun point and told him to divorce his Shi'a wife. The family

quickly moved to a nearby neighbourhood. In April 2006, Said was detained at his office in Rasheed district by members of a special police force. He was held for two weeks at a detention centre where he was beaten and insulted. He was released after a US forces-led inspection of the detention centre. The family escaped to Syria in May 2006.

### 3 *ACCESS TO SYRIA*

Before October 2007 Iraqis travelling to Syria did not need visas.<sup>5</sup> However, faced with the huge increase in the Iraqi refugee population, the lack of support from the international community, and at the request of the Iraqi Prime Minister Nouri al-Maliki, the Syrian government announced in mid-2007 that visa requirements would be introduced from 1 September. These were then delayed until 1 October 2007. The government argued that it was under huge pressure due to the large and growing number of Iraqis being hosted by Syria.

Initially, three-month visas were issued at the Syrian Embassy in al-Mansour district of Baghdad and it took around two weeks to process applications. In subsequent months, Iraqis were also able to obtain visas at the Syrian border. A government decree spelled out the new visa regulations, but the details were only made available to officials concerned with Iraqis travelling to Syria. Once in Syria, Iraqis can apply for a temporary residence permit.

Those who can obtain entry visas include academics and their immediate families; Iraqi students enrolled in Syrian universities and other higher education institutions; children attending schools; truck and passenger drivers operating on the Baghdad-Damascus route; Iraqis who need medical treatment in Syrian hospitals, provided they have relevant official documentation; members of cultural

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<sup>5</sup> Until the end of 2006 Iraqis who entered Syria had their passports stamped at the border and were issued with a three-month visa. This could then be renewed for a further three months at any Syrian Immigration Department office in Damascus or another centre. This changed at the beginning of 2007, when the Syrian authorities reduced the length of the initial visa from three months to one month. The one-month visa is renewable for a further two months at the same office in Damascus or another centre. Once a visa has been extended for two months and is about to expire, Iraqis are then required to leave the country and to obtain a new visa if they wish to re-enter. In practice, this has meant that many Iraqis have had to travel to the border checkpoint in order to exit Syria, so obtaining an exit stamp, and then immediately re-enter, obtaining a new one-month visa (renewable for a further two months).

and sporting delegations visiting or passing through Syria; and traders and business people with commercial interests needing to travel to Syria.

Families with children attending schools in Syria or with family members in need of medical treatment can apply for temporary residence permits, which must be renewed monthly and only for up to a total period of a year. Such permits allow Iraqis to obtain permission from the Syrian authorities to travel to Iraq with an option to return to Syria within three months.

Although not officially mentioned in the new directives, people associated with the former Iraqi Ba'ath party and people opposed to the current Iraqi government are reported generally to be granted residence permits.

Amnesty International was told by Syrian officials that Syrian authorities at the border exercise a large degree of discretion in granting visas. Those Iraqis who do not meet the criteria but are in desperate need of protection are reportedly allowed in. Amnesty International did not, however, meet any individuals who had been permitted entry on this basis.

Before the introduction of the visa requirements, Iraqis in Syria used to go to the border to obtain a new three-month visa. Now, people who are allowed to enter must apply for a residence permit at the Syrian Immigration and Passports Department in Damascus. As a result, many people whose visas have expired are staying in Syria irregularly because they are afraid to register with the Syrian authorities. They also do not want to cross into Iraq because they would have to apply to return to Syria under the new requirements. A further impediment is that al-Mansour district, where the Syrian Embassy is located, is one of the most dangerous places in Baghdad.

After the new visa system was introduced the number of Iraqis going to Syria fell. However, since early 2008 the number has been gradually increasing.

#### 4 *UNHCR REGISTRATION*

Most Iraqis in Syria are not in a secure position. The Syrian authorities do not officially consider them as refugees.<sup>6</sup> Some Iraqis register with UNHCR, but this does not protect them against *refoulement*. Some have been granted temporary residence, but it is not clear what may happen to them once their residence permit has run out.

As of early March 2008, about 170,000 Iraqis had registered with UNHCR, 45 per cent of them women and girls. The number of those registered had almost doubled since mid-June 2007 when 90,000 Iraqis were registered. At the beginning of May 2008 UNHCR stated that to date the agency had registered over 194,273 Iraqi refugees (52% male, 48% female).<sup>7</sup> UNHCR officials told Amnesty International that they expected to register 300,000 Iraqis by the end of 2008.

Until the end of March 2007, Iraqis who registered with UNHCR received temporary protection letters from the agency that were valid for six months and then renewable. However, since April 2007 UNHCR recognizes all Iraqis from the central and southern areas of Iraq as refugees on a *prima facie* basis, although they are still interviewed by UNHCR protection officers in order to establish that they are from these regions. Despite the best efforts of UNHCR, the letters are not sufficient to protect individuals against the threat of *refoulement*.

Normally, the registration process takes a few months, although there are fast track procedures in cases involving people deemed to be in especially vulnerable groups.

The number of Iraqis approaching UNHCR for registration keeps increasing apparently because more and more Iraqis see the benefits of registration. Many Iraqis who have lived for years in Syria without registering are now going to UNHCR because they have run out of money, need medical care or wish to be resettled in another country.

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<sup>6</sup> Syria has not ratified the 1951 UN Refugee Convention. According to Syrian officials, Iraqis in Syria are considered as “brothers” and not refugees.

<sup>7</sup> UNHCR Syria Update May 2008. According to UNHCR, among the 194, 273 Iraqis who registered 113, 238 (56%) were Sunni Muslims, 34,506 (20%) Shi'a Muslims, 28,997 (20%) Christians and 8,562 (4.2%) Sabean-Mandean.

Amnesty International also met individuals who did not see the benefits of registration due to the limited protection that is sometimes possible, a lack of trust as a result of forced returns that UNHCR has been unable to stop, or UNHCR's limited resources, which prevents it giving financial help to many families.

UNHCR registration takes place in the Douma district of Damascus for the first registration and the Kafar Soussa district for renewals and updates. A mobile unit provides registration services for those unable to go to these two districts.

## **5 ECONOMIC CONDITIONS**

Many Iraqis in Syria are desperately poor. Some even risk brief dangerous visits to Iraq to collect pensions and food rations so that they can survive in Syria.

Iraqis are not allowed to work in Syria, although some work illegally for very low wages. As a result, they struggle to pay for accommodation as rents are high and often end up sharing flats or even rooms. Many of the Iraqis who returned to Iraq from Syria in late 2007 did so apparently because they had exhausted their savings.

Abbas and Alla' (see Chapter 7) have both been forced to work illegally in Syria in order to survive. Abbas, formerly a taxi driver, works as a street seller. Alla' found a job in a sweet factory, where she earns about US\$100 a month which covers her rent.

UNHCR provides financial help currently to some 17,900 Iraqi refugees. The agency aims to increase the number to 50,000 by the end of 2008, although this will require additional international funding to be made available.

Fatima, aged 40 from al-Dura neighbourhood in Baghdad, is married and has a two-year-old son. Her husband spends most of his time in Baghdad with another wife, although he does send her some money. Fatima arrived in Syria with her husband and child on 25 May 2007. In July that year she went to UNHCR and registered. She was first interviewed on 10 February 2008 and subsequently received a one-year protection letter. She has still not received food or financial assistance. She lives with her child in a small apartment and spends about US\$150 a month on rent. Fatima is Shi'a and her husband is Sunni.

UNHCR and the World Food Programme (WFP), through the Syrian Arab Red Crescent, have started distributing food to Iraqis. As of March 2008, 46,000 Iraqis were receiving food from the WFP. Each family receives food rations once every two months. Amnesty International was told that the target is to provide food to 300,000 Iraqis by the end of the year. A WFP official told Amnesty International that 90 per cent of Iraqis currently registered with UNHCR receive food assistance. The food includes rice, cooking oil, lentils, sugar, tea and tomato paste. Those registered also receive non-food items such as mattresses and blankets.

The perception among some Syrians is that Iraqis are wealthy. In reality, only a minority are rich. Unfortunately, anti-Iraqi feeling appears to be growing, with Iraqis widely blamed for the sharp increase in the cost of living in Syria in recent years.

## **6 WOMEN AND GIRLS**

Many women heads of households and single women are among the large Iraqi refugee population in Syria. The majority left Iraq on their own or with only their children because they were divorced or widows. Some fled to Syria with their husband, but the husband subsequently returned to Iraq or went elsewhere to find work. Despair and poverty have pushed some families into sending their daughters to work in nightclubs or even selling them into prostitution.

Sewar, aged 61, from Samarra, fled to Syria with her two children on 27 January 2008. She was divorced in 1991. Her 24-year-old son and 21-year-old daughter are both physically disabled and cannot walk. Sewar brought them to Damascus for treatment. In February 2008 she and her two children were registered with UNHCR and given protection letters. They were told that from April 2008 they would receive food rations and financial assistance. Sewar told Amnesty International that her money had almost run out and she was worried about how they would cope until the assistance from UNHCR begins. Her two children cannot leave the home because of their disabilities and she has problems walking because of a long-term injury to one of her knees.

UNHCR has identified through its outreach work many women and girls at risk, including some who have been tricked or forced into prostitution. However, this vital outreach work is at risk because of a lack of funding.

A shelter has been established by UNHCR outside Damascus that can house up to 100 women. There is also a safe house and shelter in Sayyida Zaynab neighbourhood in Damascus for women victims of domestic violence and others at particular risk. UNHCR is trying to increase the number of safe houses. Amnesty International was told by a UNHCR official that a significant number of women are subject to violence by their husbands. A growing number of women and girls have reported to UNHCR and others that they have been raped in Iraq or Syria. In 2007 UNHCR identified about 400 cases of Iraqi women refugees who had survived sexual or gender-based violence, including rape, in Iraq. Since January 2008 at least 200 survivors of SGBV have been identified by UNHCR.<sup>8</sup>

Amnesty International spoke to several women who had suffered such crimes. Mariyam, a 48-year-old Sabeen-Mandean woman from Basra, was abducted in Iraq by two men on 6 July 2005. Throughout the three days of her abduction, she was beaten by three men. On the first day she was denied food, water and access to a toilet. On the second and third days she was raped by all three men. On the third day her captors blindfolded her, put her in a car and left her in a street after threatening to kill her and her family if she reported the kidnapping. She took a taxi and went home. When she entered the house her husband immediately started beating her.

Three days after her release Mariyam went to the police to report the incident in a bid to convince her husband of what had happened. A week after the attack a woman came to her house and told her she knew she had been to the police and now all her family would be killed. Mariyam then fled with her family to Syria.

Since arriving in Syria her husband has cut ties with her and she has seen one of her attackers in Damascus. She is severely traumatized and afraid to leave her house. She is surviving solely because of the support of her sister.

UNHCR works with a number of UN agencies, including UNIFEM, the International Organization for Migration (IOM), UNFPA (the UN Population Fund), as well as some Syrian and Iraqi women's organizations, on domestic violence and sexual and gender-based violence. They focus on women who live on their own, normally using volunteers in community centres, although their work is impeded

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<sup>8</sup> UNHCR Syria Update, May 2008.

and threatened by severe shortages in funding. In a few cases UNHCR has helped women by sending them to a shelter managed by a small local NGO.

Forced prostitution among young girls under the age of marriage continues to be reported. Cases of trafficking have also been reported. As of early March 2008 there were nine Iraqi girls under the age of 16 held in the Juveniles' Centre in Damascus. Most had been charged with prostitution. One, a nine-year-old girl, was said to have been forced into marriage by her parents in Iraq. Her husband then took her to Syria and forced her into prostitution. She was apparently arrested in a flat used as a brothel.

Some girls are brought to Syria by Iraqi women on the promise that they will marry rich men from the Gulf, but end up being forced into prostitution. Some of these girls have no family in Syria and have forged passports or no passport at all. Amnesty International was told that a number of girls arrested for prostitution and then released return to prostitution and the same pimp because they do not have anywhere else to go.

The IOM has been helping the Syrian government to draft legislation to outlaw human trafficking. The new law, details of which have not yet been seen by Amnesty International, is apparently awaiting ratification by the Syrian parliament.

UNHCR has access to Iraqi women detained in a women's prison in Douma – around 50 women were being held there in early March 2008. They are held for activities deemed to be criminal, such as prostitution, use of forged documents or for not having any documents. One woman was held on suspicion of murder.

Some of the detained women had been separated from their husbands who allegedly had their passports. The women cannot obtain new passports without documents that prove they are Iraqi nationals. Some of the women were said to have been tortured or otherwise ill-treated in Syrian police stations immediately following arrest. According to an Iraqi embassy official who had visited the prison twice in early 2008, the majority of the women had not been to court and did not have lawyers because they could not afford to hire one. Some of the women were detained with their children, including babies born in the prison.

Some Iraqi women convicted of criminal offences, especially prostitution, have served their sentence and then been forcibly returned to Iraq.

## 7 ACCESS TO EDUCATION

Abbas aged 33, and Alla' aged 34, a Shi'a couple with three children, fled their home in Babel governorate, south of Baghdad, in September or October 2006, following several killings in their neighbourhood. The family lived for about a year in a camp for internally displaced people in Salah al-Din governorate along with around 50 other families, all of them Shi'a.

In September 2007, a few months after Abbas's father was killed by an armed group in Iraq, Abbas, Alla' and their children fled to Syria. Their 15-year-old daughter and 13-year-old son were not able to register in Syrian schools because they could not provide sufficient documentation about their schooling in Iraq. The son was briefly employed at a sweet factory where he earned US\$50 a month for a 10-hour shift six days a week. When he insisted on taking leave for a Shi'a religious holiday in February 2008, he was sacked.

Even though there are no official restrictions preventing Iraqi children from enrolling in schools in Syria, only a relatively small proportion of them are attending school. As of March 2008, there were 46,642 Iraqis in primary and secondary education in Syria.<sup>9</sup> In one neighbourhood of Damascus, half of the Iraqi families contacted by UNHCR were not sending their children to school.

Several factors explain the low attendance. Limited school capacity means children are not accepted because of overcrowded classrooms. Many Iraqi families are so poor that children need to earn money. Some families are fearful of the long journeys their children would have to undertake on buses to attend schools in distant neighbourhoods. Some Iraqi children drop out of school because they find it hard to cope with the different curriculum.

UNHCR has a joint programme with the Syrian government to build schools and assist with rehabilitation. Both UNHCR and the Syrian authorities have an ambitious plan to increase the number of school attendees to 100,000 by the next academic year. However, this number seems highly ambitious.

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<sup>9</sup> Of these, 41,440 were in "fundamental" educational establishments, 4,786 in general secondary education and 416 in vocational secondary education. The vast majority of these students were in Damascus (11,111) and Greater Damascus (22,956). There are a total of 5.1 million students in Syria's schools.

Outside the official education system, six Iraqi community centres in Damascus run by UNHCR and the Syrian Arab Red Crescent have been providing Arabic language classes for Iraqis, as well as social and legal counselling.

## **8 ACCESS TO HEALTH CARE**

Large numbers of Iraqis go to Syria for medical treatment because the health system in Iraq is near collapse and access to public health services for Iraqis in Syria has improved since 2007. The need for medical care among Iraqis is higher than normal because of the trauma many have suffered as a result of years of conflict and war.

An agreement between UNHCR and the Syrian Ministry of Health means that Iraqis registered with UNHCR who are seriously ill can receive treatment, including surgical operations, at clinics run by the Syrian Arab Red Crescent. In such cases, UNHCR meets 80 per cent of the cost and the patient is responsible for the rest. The same applies to medicine: UNHCR pays 80 per cent and the patient 20 per cent. In some exceptional circumstances UNHCR pays the full cost of treatment. UNHCR has a team of social carers who visit people who are sick to see whether the families can afford treatment or not.

As highlighted above, most Iraqi refugees in Syria are not registered with UNHCR and so are not covered by this arrangement. In any case, even for those who are registered, meeting 20 per cent of the cost of treatment or medicine is difficult if not impossible for many.

According to UNHCR officials, UNHCR provides treatment for Iraqis who are not registered but are ill, and then registers them. Amnesty International was told that in emergency situations any Iraqi could go to a hospital for an operation and UNHCR would pay the bill. The problem is that many Iraqi refugees who are not registered do not know that UNHCR may be prepared to assist them and so do not seek medical care if ill and poor.

Since 2007 there have been about 300,000 subsidized consultations and medical care from UNHCR's health partners for refugees from Iraq,<sup>10</sup> many of whom were suffering from serious illnesses, including cancer, the genetic blood

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<sup>10</sup> UNHCR Syria Update, May 2008.

disorder thalassemia and heart disease. Many Iraqi children have cancer or birth defects. UNHCR also told Amnesty International that it sends Syrian doctors to prisons and detention centres to treat imprisoned Iraqi refugees.

The Syrian Arab Red Crescent has signed contracts with a number of private clinics. It usually refers Iraqis suffering from cancer or heart disease who are registered with UNHCR to one of these clinics for treatment. If treatment is not available in Syria then UNHCR transfers the patient's medical dossier to the agency's resettlement department with a view to fast tracking resettlement.

UNHCR has also signed a contract with a Syrian medical centre specializing in the rehabilitation of disabled people. The agency supports, in collaboration with UNICEF, counselling at specialized centres for some Iraqis who suffer from trauma, including victims of sexual and gender-based violence and torture victims.

However, there is insufficient capacity in Syria for so many traumatized people. UNHCR surveyed 754 Iraqis in late 2007. All said they had experienced at least one traumatic event in Iraq. About 77 per cent said they had been affected by air bombardments and shelling; 80 per cent had seen a shooting; 68 per cent had been interrogated, harassed or threatened by armed groups; 72 per cent had witnessed a car bombing; 75 per cent knew someone who had been killed; and 16 per cent said they had been tortured.<sup>11</sup> The torture cited included beatings, electric shocks, objects being placed under fingernails, burns and rape.<sup>12</sup>

UNHCR acknowledges that providing support for so many traumatized refugees is challenging because Syria, like most countries in the region, does not have many psychologists, psychiatrists and mental health support mechanisms.<sup>13</sup>

## **9 RESETTLEMENT OPPORTUNITIES**

Over the past year UNHCR has been processing the cases of a large number of people and referring them to resettlement countries, especially to the USA which has pledged to take 12,000 Iraqi refugees by September 2008. UNHCR expects to submit between 8,000 and 10,000 refugees from Iraq in Syria for resettlement to all resettlement countries in 2008.<sup>14</sup>

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<sup>11</sup> UNHCR Briefing Notes – Trauma survey in Syria, 22 January 2008.

<sup>12</sup> Ibid.

<sup>13</sup> Ibid.

<sup>14</sup> UNHCR Syria Update, May 2008.

People considered under UNHCR criteria to be the most vulnerable are being considered for resettlement. These include traumatized individuals, members of certain religious and ethnic minority groups, survivors of torture, and women heads of households. Of these, highest priority is being given to individuals who could be at serious risk if deported to Iraq. Many of the women interviewed by Amnesty International fit a number of these categories.

Certain recipient countries use the IOM to help with the resettlement process. Iraqis who have been accepted by UNHCR and chosen as candidates for resettlement in the USA are interviewed by the IOM. The cases are then adjudicated by US officers from the Department of Homeland Security (DHS), who normally undertake security checks. Between 16 January-2 March 2008, the IOM processed 700 cases involving 1,800 people.

One of the groups eligible for resettlement in the US are those who have worked with the US military in Iraq, such as translators, drivers and security guards. Amnesty International met a few Iraqi refugees who had worked with the US military: some have been accepted for resettlement, others have not.

Amnesty International also met Iraqis who had worked for the British military in southern Iraq, including translators, who had fled to Syria from Basra after they were threatened by militia. For example, Jafar, aged 25, escaped to Damascus on 16 March 2007. For a year up until November 2005 he had worked as an interpreter and driver for several military and civilian companies contracted to the British military in Basra. He told Amnesty International that he stopped working because of threats he received from Iraqi militia. In January 2006 he began working for a US civilian company as a courier and then as an interpreter until July 2006. On 27 February 2007 he was kidnapped and held for 36 hours. He recalled:

*“At 8pm, eight armed men with pistols broke the front door of the house. They were wearing police uniforms and they had hoods on their heads. They put a hood on my head, tied my hands behind my back and they forced me into a car. They drove for about 15 minutes then stopped. They led me into a house. Once inside they started beating me and kicking me on different parts of the body... they knew that I had worked for the British because they said one of my neighbours told them. They wanted a ransom of \$US50,000. I gave them the telephone number of my family...”*

Jafar's brother had already informed the police, so when the kidnappers took Jafar to the place where he was supposed to be exchanged for the ransom, the police intervened and fought the kidnappers.

The following day Jafar moved to a relative's house fearing that the kidnappers would be back. He stayed there until 15 March 2007 then travelled to Amman and on to Damascus. Jafar went to the British Embassy in Damascus in November 2007, told officials his story and applied for a visa. About 20 days later he said he received an SMS message stating that his application had been rejected. Shortly afterwards he received another SMS message asking him to apply again, which he did. As of 2 March 2008, he had not heard from the British Embassy. In the meantime, he registered with UNHCR.

## **10 'VOLUNTARY' RETURNS**

Towards the end of 2007 the Iraqi government started to urge Iraqis resident in neighbouring countries to return to Iraq. It asserted that security conditions had improved considerably as a result of the US "surge" operation, and ran commercials on state-owned television encouraging people to tell friends and relatives to return.

On 27 November 2007 the Iraqi embassy in Damascus organized a convoy of 17 coaches for around 800 Iraqis to return to Iraq. Families were reportedly given US\$1,000 per family as an incentive. However, this kind of organized return has not been tried since. Many of those who went back found themselves homeless as their homes had been occupied, others that their homes had been ransacked. In Baghdad, returnees were confronted by a maze of security checkpoints and concrete walls separating neighbourhoods which had been built by US and Iraqi forces as part of their efforts to contain and reduce sectarian violence.

Jeryes a 46-year-old Iraqi Assyrian Christian, and his wife Sara, a 40-year-old Syrian Orthodox Christian, fled with their two daughters to Syria in December 2006 after the family was threatened because Jeryes worked as a kitchen manager for a British security company. In January 2008, after the family had exhausted their savings and they heard that the security situation in Iraq had improved, Jeryes returned to Baghdad. After a week working as a taxi driver, he was abducted by two armed men, threatened with a gun and beaten. When Amnesty International spoke

to Sara in March, Jeryes was still in Baghdad waiting for medical treatment and unable to work.

Ameer, aged 67, a Shi'a Muslim and a former judge during the Ba'athist administration of Saaddam Hussein, fled with his family to Syria in November 2006 after they had been repeatedly attacked and threatened. A year later, having run out of money, they returned to Baghdad. After about a week, however, Ameer was threatened by a man who identified him as a former judge under the former Ba'athist administration. The family fled once again to Syria in January 2008 and obtained a visa on the grounds that Ameer required medical treatment in Syria.

According to estimates by UNHCR in November 2007, 1,500 Iraqis were leaving Syria for Iraq every day and only 500 Iraqis were arriving in Syria from Iraq.<sup>15</sup> The Iraqi Red Crescent Society stated in January 2008 that 20,000 Iraqi refugees had returned to Iraq in December 2007 and that between mid-September and 27 December 2007, 45,913 Iraqis went back to Iraq, mostly to Baghdad.<sup>16</sup>

Syrian officials informed Amnesty International that between early October 2007 and early March 2008 about 200,000 Iraqis had entered Syria and about 300,000 Iraqis left Syria for Iraq and other countries during the same period. Also, according to senior officials at the Immigration and Passports Department, as of early March 2008 between 600,000 and 700,000 Iraqis had applied for one-year residence permits, which can be renewed annually. Amnesty International was not provided with any documented evidence about the number of Iraqis applying for residence.

UNHCR has warned that it would be premature for Iraqis to return to Iraq due to the continuing high level of conflict and insecurity and it has not, therefore, been promoting such returns.

## **11 FORCED RETURNS**

In February 2008 the UN High Commissioner for Refugees visited Syria and met Syrian President Bashar al-Assad. He received assurances from the President that no Iraqis would be sent back to Iraq against their will.

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<sup>15</sup> UNHCR Briefing Notes, 23 November 2007.

<sup>16</sup> Agence France Presse, 4 January 2008.

Syrian government officials also told Amnesty International that no Iraqis needing protection would be forcibly returned to Iraq unless they had committed a crime. Any serious criminal activity - such as forming a gang and possessing weapons, armed robbery, kidnapping, fraud, stealing intentionally, and forging documents - results in the immediate deportation of those responsible.

Despite such assurances, forcible returns of women and men, including of refugees registered with UNHCR, are occurring in breach of international law. Several women were reportedly deported after spending some time in prison on charges relating to prostitution. If UNHCR staff find out about such cases they attempt to halt the deportation through legal avenues; in some cases they succeed, in others they do not.

Ayob, a 40-year-old Sunni imam from Baghdad, married with four children, was deported from Syria to Iraq on 28 February 2008. Ayob was raised as a Shi'a and converted to Sunni Islam as a teenager; his wife was also raised as a Shi'a and later became an adherent of Sunni Islam. This had, they felt, put them at such risk during the conflict in Iraq that they had moved to a different neighbourhood in Baghdad and then fled to Syria in September 2007, where they registered with UNHCR.

In February 2008, Ayob prepared to go on a brief trip to Baghdad where, among other things, he wanted to collect the school and medical records of his eldest son. However, when he went to the Syrian Immigration and Passports Department to seek prior permission to re-enter Syria, he was detained. He was not charged but was threatened with deportation. Although UNHCR was informed on the day of his detention, Ayob was deported two days later.

Amnesty International delegates met Ayob's wife a day after her husband had been deported to Iraq. She took out the UNHCR-issued refugee certificate of her husband saying: "This is referred to as a protection document, but it is not providing any protection". By mid-April 2008, Ayob had still not been able to re-enter Syria.

Syrian officials at the Syrian Immigration and Passports Department told Amnesty International that foreigners, including Iraqis, who have been involved in criminal activities in Syria can only be deported on the basis of a judicial decision. However, Amnesty International knows of Iraqis who have been deported without

being charged. In some such cases mere allegations of having started a fight or for being in possession of forged residence documents have been the reason for the deportation.

Syrian officials also told Amnesty International that anyone who overstays the period of their residency permit and is apprehended by the police is at risk of being referred to the judicial authorities. The usual verdict is a fine of about US\$10 and an order to leave the country. In most cases the order is not immediately enforced but a date is given by which the person has to leave.

UNHCR said that Iraqis most at risk of deportation are those who have been arrested, have destroyed their documents, have entered Syria illegally, or have committed any type of crime.<sup>17</sup> Although Syrian authorities generally have not deported Iraqis who have overstayed their visa or residence permit, many Iraqis without legal status live in fear of deportation.

Iraqi Palestinians who have entered Syria on forged travel documents are frequently deported to the Syrian-Iraqi border where hundreds are living in al-Tanf camp, where living conditions are extremely harsh.<sup>18</sup>

## **12 NEED FOR INTERNATIONAL SUPPORT**

Syrian officials told Amnesty International that it is costing Syria billions of dollars to host so many refugees from Iraq and that the cost is continuing to rise. In addition to the strain placed on education and health infrastructures, the number of refugees is said also to have had a large impact on water resources, garbage disposal and other aspects. The Syrian government subsidizes key items such as petrol, flour, gas and electricity, which both Syrians and refugees then buy at reduced cost.

Despite the large number of Iraqi refugees in Syria and despite pledges made by the international community at the Geneva conference in April 2007 to support Iraqi refugees, Syria has received little bilateral financial assistance, with other governments choosing to make financial assistance available to assist Iraqi refugees through UNHCR and other international agencies. So far, only two countries have provided direct contributions to the Syrian government towards assisting refugees. On 28 February 2008 the Iraqi government donated US\$15

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<sup>17</sup> UNHCR Syria Update on Iraqi Refugees, February 2008.

<sup>18</sup> See Amnesty International, *Al-Tanf Camp: Trauma continues for Palestinians fleeing Iraq*, AI Index: MDE 14/012/2008, April 2008.

million to the Syrian government as a contribution towards the cost of hosting Iraqi refugees.<sup>19</sup> The United Arab Emirates government donated US\$10 million.

Syrian authorities confirmed to Amnesty International that some countries had provided assistance through UN agencies. Officials at the Ministry of Health told Amnesty International that UNHCR provided US\$1million to the Health Ministry for renovation and upgrading of 50 hospitals and medical centres, while UNICEF had provided US\$2 million for upgrading 20 medical centres and for training medical staff. Seventeen new hospitals will reportedly be built in rural areas with funding (100 million Euros) promised by the European Investment Bank.

In many other places that have experienced major refugee crises, international non-governmental organizations (NGOs) have complemented the work and assistance offered by UN agencies. In Syria, however, only a few international NGOs are operating due to a high level of official bureaucracy and the government's unwillingness to permit such organizations to operate with sufficient independence. Any international NGO wishing to operate in Syria has to sign a legal memorandum of agreement with the government which sets out in detail the basis on which it can function. Two such organisations have done so, the International Medical Corps (IMC) and Première Urgence. The memorandum imposes strict conditions including joint signature (with the Syrian Arab Red Crescent) on all accounts, approval by the Syrian government of staff appointed by the NGO, and prior authorization by the government before any senior official from the NGO's headquarters abroad can visit Syria.

## ***RECOMMENDATIONS***

Amnesty International is calling on the Syrian government to:

- ensure that Iraqis needing protection are not denied entry to the country;
- stop forcibly returning Iraqis at risk of human rights abuses in Iraq;
- lift restrictions on international NGOs that want to operate in Syria to assist refugees from Iraq;

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<sup>19</sup> At the April 2007 international conference on Iraqi refugees organized by UNHCR in Geneva, the Iraqi government promised that it would donate US\$25 million to Syria, Jordan and Lebanon for hosting Iraqi refugees.

- stop returning those accused of minor crimes, including those that arise directly from their position as refugees (such as not being in possession of the correct documents, or prostitution or other offences arising from undertaking paid work illegally);
- take steps to require law enforcement officials to uphold their duty to ensure the rights of trafficked women, including their rights to be free from discrimination and to equal treatment under the law, to ensure that all women and children who may be victims of trafficking are identified, and that their rights are respected and that they are protected.

Amnesty International is calling on the international community, in particular the governments of the US, European Union and other states that have the resources and capacity, to:

- urgently provide financial, technical and in-kind assistance to the government of Syria, as well as to UN agencies and international non-governmental organizations that are assisting Iraqi refugees;
- share the responsibility by resettling Iraqi refugees from Syria, giving priority to the most vulnerable cases recognising that many refugees fled Iraq because they faced persecution because of their religion or their membership of a particular social group and that gender-related persecution remains under-reported and under-recognised.