Middle East Institute

FONDATION pour la RECHERCHE STRATÉGIQUE

Iraqi Refugees and IDPs: From Humanitarian Intervention to Durable Solutions

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(June 9, 2011)

Contributions on Iraqi refugees and internally displaced persons (IDPs) prepared for this project examine the humanitarian response to internal and external displacement[1] following the removal of Saddam Hussein's regime in April 2003. Humanitarian intervention has more specifically focused on people forced to flee as a result of widespread insecurity and sectarian conflict in Iraq between early 2006 and mid-2007. It is important to mention at the outset that displacement has been a long-term feature of Iraq. Previous episodes of internal displacement resulted from policies of population engineering and repression by the Baathist regime that directly affected as many as one million people.[2] Before April 2003, up to 500,000 Iraqi refugees were hosted in Iran.[3] In the 1990s, Jordan was a transit country for several hundred thousand Iraqis, mostly Arabs from Baghdad and the central region, fleeing the UN-imposed embargo and persecution by the regime.[4] Iraqi Kurds and some Christians used Turkey as a stepping stone to Europe or more distant asylum countries.[5] Syria hosted up to 70,000 Iraqi political opponents and their families, both Kurds and Arabs.[6]

Mass flight and emigration from Iraq attracted little international attention before 2003. But their legacy is still visible today, adding to the complexity of the current displacement crisis. Many of the 250,000 refugees who have returned from Iran after the change of regime continue to face reintegration challenges. The property issues of pre-2003 IDPs are far from being resolved. It is not rare for people to have experienced several displacements, pre- and post-2003. An old refugee case-load is still awaiting third-country resettlement from Middle

[1] In this paper, "displacement" is used to mean any instance of migration under constraint resulting or not in the crossing of international boundaries; IDPs are people displaced inside their country of origin; refugees are displaced across international boundaries.

[2] J. Fawcett and V. Tanner, "The Internally Displaced People of Iraq," Brookings Institution–SAIS Project on Internal Displacement Occasional Paper (2002).

[3] B. Rajaee, "The Politics of Refugee Policy in Post-Revolutionary Iran," *The Middle East Journal*, Vol. 54, No. 1 (2000), pp. 44–63; J. Le Roy, "Statistical Outline of the Situation of the South Iraqi Refugees in Iran, Including the Marsh Dwellers," in P. Clark and S. Magee, eds., *The Iraqi Marshlands. A Human and Environmental Study* (London: The AMAR International Charitable Foundation, 2001), pp. 201–206.

[4] G. Chatelard, "Incentives to Transit: Policy Responses to Influxes of Iraqi Forced Migrants in Jordan," *Working Paper*, No. 50, Robert Schuman Centre for Advanced Studies, European University Institute, Florence (2002).

[5] D. Danis, "Attendre au purgatoire: les réseaux religieux de migrants chrétiens d'Irak en transit à Istanbul," *Revue européenne des migration internationales*, Vol. 22, No. 3 (2004), pp. 109–134; C. Mannaert, "Irregular Migration and Asylum in Turkey," *New Issues in Refugee Research*, No. 89 (Geneva: UNHCR, 2003).

[6] M.K. Dorai, "Le rôle de la Syrie dans l'accueil des réfugiés irakiens depuis 2003: espace de transit, espace d'installation," *Méditerranée*, 113 (2009).

Eastern host states. These host states, particularly Jordan, tested their policies towards Iraqi refugees in the 1990s and have refined them to respond to the more recent influx. Finally, the attitude of the current Iraqi political leadership toward the reintegration of the largely Sunni Arab upper- and middle-class refugees who have left the country after the fall of Saddam Hussein is in part shaped by their own experience of displacement and exile before 2003.

Papers in this series cover both IDPs in Iraq and Iraqi refugees in Syria and Jordan where they are most heavily concentrated. Several non-governmental organization (NGO) practitioners (Harriet Dodd; Chris Skopec, Natalia Valeeva, and Mary Jo Baca; Kate Washington; Martine Zeuthen and Enza Di Iorio) reflect on their experiences struggling with the planning and delivery of assistance to urban refugees in Amman and Damascus within opaque and often unconducive institutional environments. Two staff members of the International Organization for Migration (IOM) focus on internal displacement: Liana Paris analyzes the strategic decision that led IOM to revert to direct assistance to IDPs in the volatile security context of Iraq; and Peter Van der Auweraert contributes his unique insight into the limits of the Iraqi state's capacity to deal with a complex displacement crisis. Two best practice papers take complementary views: one of them, by IOM, discusses the importance of maintaining a needs assessment capacity in the field to respond to emergency displacement during situations of protracted displacement; the other one, by Giorgio Neidhardt, discusses the operations of INTERSOS, an international NGO acting as implementing partner for the United Nations Refugee Agency (UNHCR) to provide access to legal protection and documentation to IDPs, returnees, and broader vulnerable communities. Finally, social scientists Reinoud Leenders and Chantal Berman deal with the macro-policy level in their respective contributions. Berman critically appraises the politics of in-country assistance to Syria and of third-country resettlement. Leenders argues that the real security fall out of the Iraqi refugee crisis has to be found in Iraq, not in the countries hosting the refugees.

1 A "NON-TRADITIONAL" URBAN REFUGEE SITUATION REQUIRING FLEXIBILITY AND ADAPTABILITY

Many in the humanitarian community have deemed the Iraqi refugee situation "non-traditional." This is in large part due to the urban context identified by most contributors as posing specific challenges to humanitarian actors in terms of assistance and protection. But the situation of Iraqi refugees in neighboring countries is unusual in several other respects. The refugees belong in their majority to the middle class, have an urban background, and a high level of education. Coming from a middle-income country, they were used to high levels of public services, albeit gradually declining in the last 20 years. As Dodd notes:"This [is] a refugee influx of a population with first-world aspirations rather than a third-world tolerance of vulnerability."

Leenders reminds us too that, irrespective of sect or ethnicity, academics, medical doctors, and other highly educated professionals predominate among the refugees.[7] Besides Baath Party cadres who fled as early as 2003, and other upper and middle class people and members

[7] I am grateful to Dawn Chatty (Refugee Studies Center, University of Oxford) for bringing to my attention the flight of 200,000 refugees from Hungary during the 1956 revolution and subsequent Soviet invasion. This refugee crisis represents perhaps the situation most comparable to that of Iraqi refugees in that a large proportion of the fleeing Hungarians were highly skilled and well educated. Unlike the Iraqi case, however, almost all of these refugees were resettled to the US, Canada, the UK, and other "Free World" countries in less than one year. See "Where Are They Now? The Hungarian Refugees, 50 Years On," *Refugees Magazine*, Issue 144 (2006).

of small religious minorities who left Iraq between 2004 and 2007, businesspeople, too, joined the ranks of the Iraqi exodus, and became a significant source of foreign investment in both Syria and Jordan. Many among the refugees have opted not to request UNHCR or NGO assistance, either because they are aware that they stand no chance of third-country resettlement (particularly to the US), and/or because they have enough financial means or professional capacities to find their own solutions. Some have integrated in the formal economy of regional host countries, while others have undertaken secondary migration independently.

There has been much speculation about the size of the Iraqi refugee population, with estimates as high as two million. These figures are unmatched by the number of those registered with the UNHCR. In 2009, registrations across the Middle East reached just over 310,000 — with 220,000 in Syria and 52,000 in Jordan, the major hosts. Numbers have been decreasing since. By contrast, the Syrian Government still claims the presence of 1.2 million Iraqis, while the Jordanian authorities use a number of 450,000 Iraqis on their territory particularly in their funding appeals.

The difficulty to estimate numbers of refugees is further compounded by the large numbers of Iraqis who now come on short visits, particularly to Syria, or who circulate between a host country and Iraq. A large part of the political and economic elite active in Iraq has a residence and/or an office in a neighboring country.[8] Many professionals and owners of smaller businesses commute regularly between Iraq and Jordan or Syria.[9] This situation is not unlike that of other refugee crises worldwide after the intensity of conflict decreases.

In short, Iraqi refugees are part of a complex flow of mixed migration. This reality is seldom accounted for when considering the vulnerabilities of the refugees, their opportunity context (particularly their social capital), or the overall impact of the presence of Iraqis on host countries' economies. The relatively favorable "protection space" afforded under-privileged Iraqi refugees by host countries is as much a result of economic and geopolitical calculations by host governments as the effect of humanitarian assistance.

By comparison with many other refugee crises worldwide, the protection environment for Iraqi refugees is rather favorable but also unclear. Neither Syria nor Jordan is a signatory of the 1951 Refugee Convention. Nor has either of these countries adopted a domestic asylum regime. The UNHCR is the largest organization providing assistance to Iraqi refugees, especially through partnerships with local and international NGOs. Yet registration with the refugee agency is not compulsory to access assistance. Host countries have imposed an operational framework upon humanitarian actors whereby no parallel assistance system has been created: the UNHCR and donors have concentrated on reinforcing the capacity of host country infrastructures and public services (particularly health and education); and NGOs deliver assistance to both Iraqis and members of the host communities on the basis of

[8] As shown by the unpublished works of Ane Mannsåker Roald, a PhD candidate at the University of Oslo who has been investigating the role of the Iraqi exile political community in Amman, and of Sihem Djebbi, a PhD candidate at the Paris Institute of Political Studies, who has been exploring the transnational networks of the Iraqi political and economic elite between Iraq, Syria, and Jordan (personal communications).

[9] Author's interviews with Iraqi businesspeople and professionals in Amman and Damascus in 2009–2011. See also G. Chatelard, "Cross-Border Mobility of Iraqi Refugees," *Forced Migration Review*, No. 34 (2010), pp. 60–61.

vulnerabilities. The UNHCR also operates a large third-country resettlement program for Iraqi refugees in coordination with a dozen countries.

Except in rare instances, Syria and Jordan do not deport Iraqis even when they overstay their entry permits or visas; Iraqis can access public school systems and health facilities at no or low fees regardless of their status with the host government or registration with the UNHCR; they are not forced to settle in designated areas; host countries' authorities are lenient on those who work informally, etc. The major impediment for refugees is access to the legal job market, restricted to those with skills in demand or investment capacities. As their situation is becoming protracted, livelihood is particularly problematic for the large number of refugees who have been relying on savings and/or remittances. This is particularly the case in Syria, which hosts a larger number of poor refugees than does Jordan. Failure to access existing services is often related to lack of financial resources and livelihoods opportunities. Dwindling resources may force Iraqis to adopt negative coping mechanisms, such as cutting health and food expenses, removing children from school, or sharing crowded and unhealthy accommodations. Many have felt compelled to return to Iraq to look for an income, at times leaving dependents in the host country.

Several contributors emphasize that the status of those refugees who lack a valid residence permit or have overstayed their entry visas is unclear, a situation that creates anxiety among them. Decisions to register with the UNHCR should be understood in this context: as an insurance policy against a possible shift in the attitude of host governments. Another major reason for Iraqis to seek registration with the UNHCR has been the possibility offered to some to apply for third-country resettlement.

Iraqis have settled in Damascus and Amman and, to a lesser extent, in other urban centers. Settlement patterns are mostly determined by the refugees' financial means or desire to maintain social status, with notable residential mobility in the face of increasing rental prices. In both capital cities, the less well-off Iraqis cluster in a number of neighborhoods or suburban areas among local population s composed of recent migrants from the countryside, previous refugees or internally displaced peoples, and other vulnerable populations. Iraqi residents of these areas, where public services are already less developed or strained, are the most likely to request humanitarian assistance.

Contributors identify the following difficulties in planning and delivering assistance to those refugees in need:

1.1 Ambivalent attitude of host governments and poor data

Conditions placed by host governments on the operation of the UNHCR and international NGOs are contrasted between Syria and Jordan. However, in both cases the humanitarian community has had to operate within a set of institutional and policy obligations stricter than in many other refugee situations where state presence is weak or absent. The papers offer several examples of the ambivalent attitudes of host governments, which have impeded effective assistance planning, coordination, and delivery.

Contributors concur that one of the most immediate challenges for humanitarian actors has been the lack of accuracy or accessibility of data about the refugee population. Dodd and Washington for Jordan, and Di Iorio and Zeuthen for Syria view host states as largely

uncooperative — unwilling rather than unable to provide details about the situation. Donors also failed to make aid allocation conditional on a better numbering and profiling of those needing assistance. The gap between numbers of refugees used by governments and UNHCR registration figures is still very high at the time of writing.

In this context, the decision of the UNHCR to base planning and advocacy on registration figures appeared the only rational one. In its 2011 Regional Response Plan for Iraqi Refugees, the refugee agency highlights the needs of over 190,000 Iraqi refugees registered in the region, the majority living in Syria and Jordan. UNHCR's registration database shows that 40% in Syria and 21% in Jordan have specific needs, including thousands of people with critical health conditions and a significant number of female-headed households.

1.2 Inadequate (high) funding level and mechanisms

Granting initial funding on the basis of very high estimates of the number of refugees had several consequences for the work of humanitarian actors. The first one has been the quest for the "invisible"' refugees assumed to be hiding in the city, unwilling or unable to register with the UNHCR. In 2008, humanitarian actors saw no other possible strategy than outreach efforts to identify refugee and convince them of the benefits of registration. In Syria, the UNHCR was the only agency allowed to send outreach workers to the community (Di Iorio and Zeuthen), whereas most NGOs in Jordan also undertook such initiatives separately and at significant costs (Washington and Skopec *et al*.). Yet, between early 2007 and late 2008, the number of registrations only increased by some 72,500 in both countries, many of them new arrivals. In the course of the exercise, the UNHCR realized that over 90% of the Iraqis needing or willing to receive assistance were already registered with the organization.

In Jordan, Dodd and Washington argue the negative consequences of the disproportionate availability of funds: the rapid expansion of agencies and the resistance to change in approach; competition between NGOs for, and retention of Iraqi beneficiaries; agencies focusing on meeting pre-developed targets rather than on quality and goal of the services (particularly in education); the difficulty to develop a sustainable strategy focused on a realistic number of beneficiaries; and the development of an assistance-seeking behavior in the Iraqi community.

Another recurrent remark in the papers concerns humanitarian funding. By nature short-term and coming in short funding cycles, it was found not to be adapted to the type of situation at hand where there are some doubts that the Iraqi refugee situation has been, except maybe in its very early stage, a humanitarian crisis. Contributors provide ample examples of the shortcomings of yearly-planning in a situation where services to refugees were mostly integrated into host countries' public sectors, and where refugee needs were not of an emergency nature.

1.3 Reaching out to the most vulnerable refugees and introducing new models

Two contributions illustrate how adaptability and flexibility have allowed NGOs to refocus their approaches in unclear operational contexts. Di Iorio and Zeuthen describe the process that led European Refugee Aid (ERA) to revisit traditional vulnerability criteria for the beneficiaries of its community centers in Damascus. ERA also learned to overcome confrontation with the Syrian Arab Red Crescent (SARC), it local partner, so as to build a

productive relationship. Skopec *et al*. share the experience of the International Medical Corps (IMC) in Jordan. IMC adjusted their programs to the health profile of the Iraqi refugees, who were considerably different from that of most refugee populations. IMC also adapted to the urban situation by providing services in neighborhoods with high concentrations of Iraqi residents and by introducing mobile clinics.

One additional aspect touched upon by Skopec *et al*. is the mental health status of Iraqi refugees. Mental health and psychosocial assistance have never been an integrated part of the primary health care model in the Middle East. In Jordan, the presence of international medical organizations was the occasion to introduce this model to meet the needs of many Iraqis — across class, income levels, and legal statuses — who had suffered or witnessed extremely violent acts at home. Syria, on the other hand, continues to look with suspicion at mental health programs.

1.4 Assisting vulnerable refugees without creating tensions with the rest of the urban poor

Integrating new services into existing public or non-governmental structures, and opening specific assistance programs to vulnerable Iraqis and members of the host communities alike are identified by NGO practitioners as the best way of diffusing tensions between refugees and members of the host community, and at promoting the social inclusion of the refugees. For IMC as well as for ERA it has meant making sure that the beneficiaries, together with staff and volunteers working in assistance programs, belong to both communities and interact within the programs or facilities. In Jordan IMC realized that there were few significant differences in the profile of the Iraqi and non-Iraqi families they surveyed as part of their operations. An early modification to IMC's approach involved the inclusion of non-ensured Jordanians and other non-Iraqis in their health program. Crucially, this important adjustment was made possible by the flexibility of IMC's donor, which allowed for up to half of the program beneficiaries to be non-Iraqis. Di Iorio and Zeuthen also point at the positive effects of creating spaces in Damascus where Iraqis and members of the host community could socialize and create ties for mutual respect and support.

Washington, in her examination of educational policies for Iraqi refugee children in Jordan, suggests that the Jordanians who approached agencies offering non-formal and informal education were often much poorer than the Iraqis. Yet, in several cases, the unofficial quotas operated by service providers were quickly filled and Jordanians turned away. Furthermore, some organizations provided only their Iraqi beneficiaries with transportation allowances, which contributed to increased tensions between Iraqi and Jordanian students. In this case, the donor/reporting-led focus on the number of Iraqis accessing services may have exacerbated some of the challenges related to relationships between host and Iraqi communities that programs were seeking to mitigate.

1.5 The politicization of humanitarian assistance

The political cachet of the Iraqi refugee issue has attracted the high interest of donors and resettlement states, and has allowed the UNHCR to mobilize considerable resources (Dodd). However, funding and resettlement efforts have been disproportionately shouldered by the US for evident political reasons. The position of the EU was initially that they were not participating in the war in Iraq (although several member states had sent troops), and therefore should not fund the refugee outcome. Eventually, both the European Commission (EC)

Directorate General for External Relation (DG RELEX) and Humanitarian Aid Department (ECHO) resolved that funds be released on humanitarian grounds for support to refugees. Among UNHCR donors, the EU — including contributions from the EC and member states — has ranked second behind the US, far from reaching its usual first place.[10] Even in Syria, politically estranged from the US, the State Department Bureau of Population, Refugees, and Migration (PRM) is by far the largest source of funds for programs in favor of Iraqi refugees, ahead of ECHO (Di Iorio and Zeuthen).

Yet, the structure of funding to Syria also reflects the strained relations of this country with the US. Successive US Administrations have refused to channel refugee aid directly through the Syrian state, funding instead international organizations and NGOs. By contrast, the EC and European member states fund Iraqi welfare via direct aid to the Syrian state, in addition to their multilateral funding commitments (Berman).

Another aspect of the politicization of aid is uneven allocation between Syria and Jordan. Jordan is the US and EU best ally in the region. Compared to Syria, it hosts a smaller number of Iraqi refugees, and an even smaller proportion of vulnerable ones likely to bear upon the country's infrastructure and public services. Yet, Jordan has received a much larger aid package, particularly from the US, channeled directly to its institutions (Berman). Both the US and the EU have refrained from exerting any serious pressure on the Jordanian Government for more transparency on the number and situation of the refugees, or from putting any conditionality on aid that could have resulted in improved legal and livelihood conditions for the Iraqis (Dodd).

There has also been a lack of common situation analysis between different agencies/departments within the US government and the EC. This was particularly clear as of 2009, when both ECHO and PMR, who maintain contact with the field, realized that the magnitude of the refugee crisis was less than originally believed, that most humanitarian needs were covered, and that the cost/efficiency ratio of programs was a problem.[11] For agencies with a humanitarian mandate and aware of other, much more acute yet underfunded crises worldwide, it has been frustrating to operate in a context where humanitarian aid has been allocated disproportionately to meet the development needs of host governments.[12] Although there is no doubt that these needs were and remain enormous, they should have been better covered by other funding lines and structures. Decisions to channel humanitarian rather than development aid were taken by the US and the EU at the political level, with little consultation with humanitarian agencies in the field. Furthermore, these agencies were not in a position to convince the governments of host countries to introduce measures facilitating the self-reliance and legal stability of Iraqi refugees that would have been commensurate with the volume and real nature of the aid they were allocated.

[10] M. Van Bruaene and D. Deboutte, "Evaluation of the DG ECHO's Action In Response to the IRAQI Crisis (2007–2009)," European Commission, Humanitarian Aid (2010), p. 12.
[11] This analysis is reflected in: United States Government Accountability Office (April 2009) "Iraqi Refugee Assistance: Improvements Needed in Measuring Progress, Assessing Needs, Tracking Funds, and Developing an International Strategic Plan," Report to Congressional Committees.
[12] Author's interviews with ECHO and PRM staff members in Amman.

3 WHAT DURABLE SOLUTIONS FOR THE REFUGEES?

2.1 Restoring the productive capacities of refugees in host countries

The operational context in Syria and Jordan compelled early on humanitarian actors in the field to borrow tools and approaches from the development sector rather than remaining in their "comfort zone," that of emergency assistance. When it does take place in protracted refugee situations, this shift in approaches, recommended by the UNHCR, usually takes place at a later stage. Yet many impediments remain in ensuring that Iraqi refugees can regain the measure of stability, self-confidence, and self-reliance they need to reconstruct their lives and plan for the future, whatever durable solution they may opt for.

The exodus of the Iraqi middle-class has resulted in a massive loss of human and financial capital for Iraq but also for host countries. Too many Iraqis have used their savings to support themselves while waiting for third-country resettlement or the elusive prospect of a return to stability in Iraq that would allow them to go back home. A vast number of working age refugees are employed below their skills, benefit from little legal protection in the job market, and have no prospects to improve their professional situation. Their contribution to host country economies and budgets, particularly through income taxes and fees collected on residence and work permits, remains limited. In all likelihood, the children of the majority of the Iraqis stranded in Syria and Jordan with an unstable status will be less educated than their parents. In the longer term, squandering refugees' productive capacities diminishes their chances of successful reintegration or resettlement whenever they may occur.

Dodd advocates for restoring these productive capacities. She argues that donors and the UNHCR need to embrace registration figures to negotiate trade-offs with host governments. With aid earmarked for Iraqi refugees, donor countries have already largely contributed to improving infrastructures in Jordan and Syria, particularly in the health and education sectors.[13] Additional aid must be made conditional on facilitated access to vocational training, skill development, work and residence permits, and higher education for refugees. The creation of private or home-based businesses must be encouraged legally and through financial incentives. Furthermore, refugees with the relevant professional background — of which there is no lack — must be associated to the planning and implementation of programs that concern their community. Other members of the Iraqi exile communities, particularly businesspeople active in the host countries, also have to be included in the process.

Humanitarian actors and their traditional donors might not be the best placed to negotiate and operate this transition. Development agencies, on the other hand, appear more relevant actors to take over the finding and planning of long-term assistance in a situation where services to Iraqis has already been largely mainstreamed in host countries' institutions, and where host populations are benefiting from new initiatives initially created to answer the needs of vulnerable Iraqis.

[13] See the breakdown by recipient country and donor provided by Van Bruaene and Deboutte, "Evaluation of the DG ECHO's Action In Response to the IRAQI Crisis."

2.2 Improving third-country resettlement options

In a situation where major host countries do not grant refugee status to Iraqis and have declared from the outset that their efforts at hosting Iraqis are on a temporary basis, there appears to be no prospect of long-term integration for many of the refugees. Even those with a valid residence permit have very little chance of ever being granted citizenship by either Syria or Jordan. Shifts in host government policies towards Iraqi refugees, or changing political and security conditions in host countries, might force many refugees to go back home against their will. In this context, third-country resettlement — adopted, particularly since 2007, as a sign of the willingness of the international community to "share the burden" of Iraqi refugees with regional host countries — remains an important durable solution for the refugees.

Berman compares resettlement efforts by the US and EU countries and contends that Europe, like the US, deploys its refugee aid strategically in order the minimize the scale and control the character of Iraqi refugees making their way out of the Middle East. There is in fact more than one area of convergence in policy between the EU and the US on the Iraqi refugee issue: a general securitization of the refugees, containment via in-country aid and control on secondary movements, and the preference for regional solutions and return to Iraq. Some European countries also display a stated preference for giving priority to minorities in resettlement. More and more European countries are also returning rejected Iraqi asylum-seekers albeit the UNHCR still considers that Iraq is unsafe to promote return.

Berman points at several shortcomings and bottlenecks in the US resettlement process. The US has taken in the vast majority of resettled Iraqis. However the Department of Homeland Security (DHS) continues to spar with PRM over the admissibility of certain Iraqis, extending the average processing period for applicants to ten months.[14] At the time of writing, resettlement to the US seemed all but stalled as a new security clearance procedure was introduced in early 2011. Moreover, the process is not transparent, and rejections come without explanations, making appeals very difficult.

In November 2008, EU member states developed a coordinated response, setting up a target of 10,000 Iraqi refugees to resettle. This constitutes only about 10% of the Iraqis the UNHCR refers for resettlement. One single European country, Sweden, has resettled nearly 90% of applicants. EU countries' limited share in the overall resettlement effort needs to be balanced with the fact that Europe is also the first destination for Iraqi migrants who travel independently from the Middle East and file asylum claims on the territory of EU member states. Iraqis have comprised Europe's largest group of asylum seekers since 2007, accounting for some 40,000 or 17% of all applications launched in-country.

Berman concurs about the failures of coordination between international actors and deficiencies in refugee-processing infrastructure, diminishing the efficacy of third-country resettlement policies. Elizabeth Campbell, in comments she posted on the Refugeecooperation.org website, does indicate one area of coordination: several US NGOs worked closely with European NGOs in Brussels to create the first-ever EU fund for resettlement, which focused on Iraqi refugees. For the first time, member states have been

[14] Human Rights First, "Living in Limbo: Iraqi Refugees and US Resettlement," (Washington, DC: Human Rights First, 2010), p. 21.

able to apply for EU funding to resettle Iraqis, albeit at very small levels. This initiative is remarkable, but still falls short of coordination between the US and European governments.

Over the last two years, the resettlement process has gained momentum and now occupies a large part of the UNHCR staff and budget dedicated to the Iraqi refugee operation. In January 2011, UN Refugee High Commissioner Antonio Guterres stated a number of 60,000 Iraqi refugees having departed to resettlement countries, and another 60,000 still in need of resettlement.[15] In statistical terms, there are at least two contrasting ways of measuring the overall resettlement efforts. One is to look at the ratio of resettled refugees to the numbers of Iraqi refugees used by host governments, which is about 2 million. This would represent 3% of the total estimated refugees already resettled, and another 3% in need of resettlement. The other way is to take as a basis the number of Iraqi refugees registered with the UNHCR throughout the region. If and when the target of 120,000 is met, 40% of the total number of Iraqi refugees registered in 2009, or 46% of those registered in early 2011, will have been resettled. Considering the doubts bearing upon the reliability of the figures used by host governments, and the fact that almost all refugees who wish to do so have registered, the second set of figures is more likely to reflect the size of the efforts and the remaining needs.

The issue of how long it will take to process all the pending resettlement applications. Many refugees have been languishing for months and sometimes years in difficult conditions, leaving them vulnerable to negative coping mechanisms, exploitation, and without adequate resources to provide for their families.[16] Among stranded refugees, there is also a growing sense of injustice and resentment towards the US which they identify as the proximate cause of their sufferings. Refugees who were reasonably well off when they left Iraq have been squandering their resources while waiting for resettlement. They will arrive in the US without capital to start a new life, leaving them and their families entirely dependent on integration grants. A 2009 report by Georgetown University found that the US Refugee Resettlement Program does not adequately promote the long-term self-reliance and integration of Iraqi refugees.[17] Dodd reports credible anecdotal evidence of families returning to Jordan after having been resettled in the US because, socially and financially, the constraint towards rehabilitation were too great.

2.3 How viable is repatriation?

UNHCR is still not encouraging return to Iraq. However, faced with spontaneous returns the refugee agency has partnered with the Iraqi Ministry of Displacement and Refugees (MoDM) to set up a program of assistance for returning refugees. Just over 90,000 Iraqi refugees have undertaken assisted repatriation in the past three years. The rate of return is most probably higher as some refugees prefer not to inform UNHCR or MoDM of their moves to keep their resettlement and assistance files open in host countries. Other returnees might not find the limited assistance package offered very enticing.

But how durable are these returns? Asylum-seekers, including new arrivals, continue to register with UNHCR in neighboring countries. Religious minorities, particularly, continue to

[15] "UN Refugee Agency Chief Appeals for Support for Iraqi Refugees," (January 26, 2011), http://reliefweb.int/node/381994.
[16] Human Rights First "Living in Limbo," p. 21.
[17] Human Rights Action and The Human Rights Institute Georgetown Law, "Refugee Crisis in America: Iraqis and Their Resettlement Experience" (Washington, DC: Georgetown University, 2009).

be the target of attacks in Iraq and have been disproportionately represented among refugees. Reports by humanitarian and development agencies highlight the unstable security environment and the poor economic situation enduring in Iraq as not conducive to large-scale repatriation.[18] If they have not necessarily faced direct violence, returned refugees have had to contend with unemployment, widespread corruption, dysfunctional public services, and a new Islamic and sectarian political and moral order unacceptable and threatening to many.

Leenders argues that a paradox lies at the heart of refugee repatriation. Iraqi refugees are part of the, largely Arab Sunni, expatriate middle-class increasingly detached from Iraq's politics and abandoned by their government. Yet their exodus mortgages the stability in their country of origin by depriving the country from much opportunity and human resources to help moderate its politics and initiate meaningful reconstruction. The economic space left behind by Iraq's exiled middle classes has been filled by what Leenders are others deem a business mafia. Public service positions left vacant have been reallocated on the basis of political patronage and are not available to most returning refugees. The political space, too, has been filled by a new ruling class composed of Shiites and Kurds who were refugees in Iran, Syria and elsewhere before 2003. Many of them believe that Arab Sunni refugees and members of small minorities deserve their fate for having supported or benefited from the previous regime. This is at least the perception of those refugees who do not feel welcome in the "New Iraq" and are unlikely to return short of a comprehensive process of national reconciliation involving all components of the diaspora.

There is, of course, a variety of individual situations that may convince or compel people to return durably to Iraq. However, the more likely scenario is that those refugees who do not have the economic or professional capacities, and/or the political or social connections to stabilize their stays in a regional host country will continue to seek third-country resettlement. Many who are less economically and legally vulnerable are also looking at resettlement as the only viable future now that they are alienated from the political process at home. A worrying perspective is that recent political instability in the region may force some refugees to go back to Iraq, as has already happened or is currently happening, albeit in very small numbers, from Egypt, Libya, Yemen and Syria.[19]

4 IDPS AND RETURNEES: A COMPLEX AND HIGHLY POLITICIZED PROTRACTED SITUATION

Van der Auweraert identifies several waves of displacement and return since the fall of Saddam Hussein's regime, with returns leading to new displacements in a situation where displacement and population engineering dating from the Baathist era still impacts on current population movements.

Displacement inside Iraq is more complex and somehow more protracted than the situation of refugees. It is also very politicized at the domestic level, with much less leverage afforded

[18] See, in particular, World Bank, "Confronting Poverty in Iraq" (Washington, DC: World Bank, 2010).

[19] Interestingly, the UNHCR Iraq, in its most recent Weekly Border Monitoring Update (last consulted June 5, 2011), does not report change in the volume and direction of the flow of Iraqis crossing between Syria and Iraq. Iraqis going from Iraq to Syria, on visits or residing in Syria and returning from visits to Iraq, remain a higher number than those travelling from Syria to Iraq. 26% of the latter mention concerns about unrest in Syria as a reason for going to Iraq, but none expressed a personal safety problem.

international actors to plea for a durable resolution of the crisis in as much as IDPs are first and foremost the responsibility of the Iraqi Government, not the international community.

The Iraqi Ministry of Migration and Displacement (MoDM) is the main governmental body addressing internal displacement. Registered IDPs and returnees are entitled to a number of rights and benefits, such as renting or purchasing property, voting, obtaining land title, and accessing specific services in the governorate where they are registered. But the system is discriminatory. Only post-2006 IDPs are allowed to register, leaving out those who fled as a result of the April 2003 change of regime. Moreover, beginning in 2009, IDP registration at the governorate level was restricted and eventually stopped,[20] although not all people displaced post-2006 had been able to register. There are several reasons why IDPs may not to want or be able to register. MoDM's offices at the governorate levels are staffed with members or clients of local political parties. Fearing sectarian, tribal, or political discrimination, IDPs prefer not to approach them. Lack of documentation is another reason preventing registration. Another bias in the system is that MoDM's benefits are geared towards enticing return and hence deregistration rather than adequately addressing local integration or resettlement in another area. This is why the figure of 1.3 million IDPs registered with MoDM in April 2011 has to be taken as a mere indication of the scale of the problem. IDPs live both in urban and rural areas but Baghdad hosts the largest number with some 358,457 currently registered.

IOM and UNHCR, working through implementing partners, are the leading displacement response organizations and also help enhance MoDM's capacity. UNHCR has also sought to build the capacity of over a hundred national NGOs. However, among the thousands of NGOs established after 2003, a vast majority are too politicized to be considered impartial,[21] and there is little guarantee that all of UNHCR's partners are completely unbiased.

Van der Auweraert quotes the findings of a recent World Bank report: the overall percentage of internally displaced families in Iraq that are poor is lower than the national average. The report explains this by the fact that post-2006 displacement disproportionately affected the urban areas, where most of the violence took place (poverty is higher in the rural areas) as well as the fact the poor generally have less resources to move even if they experience the same levels of violence.[22] Another reason for this difference might be that people displaced within their governorate of origin, such as those who have relocated between areas in Baghdad, do not need to register with the local authorities to access such benefits as the public food distribution system (PDS), government-run schools, the social protection net, or exert their voting rights.

Things have been different for people displaced between governorates, and also for those already economically vulnerable. In several cases, provincial authorities have seen IDPs as a threat to the ethnic, sectarian, tribal, or political homogeneity of their area. They have expressed reluctance or even taken measures to prevent unwanted IDPs to access the PDS, effectively depriving them of rights and entitlements and further impoverishing them.

[20] Since March 2010, MoDM has resumed the registration of unregistered Iraqis who had been displaced between January 1, 2006 and January 1, 2008. However, the registration is processed solely for statistical purposes and does no open the right to any benefits (Neidhardt).
[21] See NCCI, "Iraq's Civil Society in Perspective," (Amman: NGO Coordination Committee for Iraq, 2011).
[22] See World Bank, "Confronting Poverty in Iraq."

An increasing number of IDPs, particularly originating from rural areas, are dwelling in self-made "settlements" or already present collective settlements known as "complexes" located at the periphery of large cities where other vulnerable populations also live. There employment is scarce, and public services limited or non-existent. Regardless of their registration as IDPs, people living in settlements face very harsh living conditions and are at threat of eviction at any moment by the authorities as they are illegally occupying land. Those living in public buildings have even more limited or no access to decent housing structures, water and sanitation, electricity, nor to clinics or hospitals.

Although vulnerable IDPs face a specific set of challenges, their plight has to be seen in the context of a general housing deficit of some two million units, with 57% of the urban population lacking access to clean water, sanitation or secure tenure. Another aggravating factor is poor access to employment and income, a problem throughout Iraq[23] (particularly for youth) that affects IDPs disproportionally.

Specific issues that affect IDPs across economic and social fault lines are those of property restitution and documentation. Displacement resulted in the loss or destruction of personal documentation and registries. Neidhardt writes that lack of documentation and other means to prove one's identity have had serious consequences for individuals and communities, including restricted freedom of movement, limited access to life-saving assistance and services, exposure to harassment or arbitrary arrest and detention, and the risk of statelessness. The vulnerability of stateless people to displacement in Iraq and the Middle East more generally cannot be overstated.[24] Dodd gives the example of the 2,000 stateless Palestinian and Iranian Kurds who fled from Iraq to Jordan where they had to wait for five years in appalling conditions in a camp near the border before being resettled outside the region. Two similar camps were created at the border between Syria and Iraq to host temporarily about 3,000, refugees, mostly stateless Palestinians, fleeing Iraq.

Van der Auweraert has dealt extensively elsewhere with the question of property restitution.[25] He shows that the Iraqi Government has taken steps to facilitate property restitution but its mechanisms are fraught with difficulties and discrimination. Property-recovery policies draw a distinction between those who were displaced in the Baathist period and those who were displaced post-April 2003, making it more difficult for the former to receive their properties. Even for those displaced post-April 2003, the government measures exclude businesses and other non-residential property, and do not assist returnees who have been forced to sell property under duress or who were tenants prior to displacement. Nor do they include compensation for those who do not wish to return but would prefer to integrate in their place of displacement.

Until 2010, there was a debate inside the humanitarian community about how best to approach the issue of IDPs in Iraq. The UNHCR has argued that IDPs, regardless of other

[23] *Ibid*.
[24] See L. van Waas, "The Situation of Stateless Persons in the Middle East and North Africa," UNHCR (2010), p. 4.
[25] P. Van der Auweraert, "Land and Property Issues in Iraq: Present Challenges and Future Solutions," in The Brookings Institution–University of Bern Project on Internal Displacement, *Resolving Iraqi Displacement: Humanitarian and Development Perspectives* (Washington, DC: Brookings Institution, 2009), p. 27–39; D. Isser and P. Van der Auweraert, "Land, Property and the Challenge of Return for Iraqi's Displaced" (Washington, DC: US Institute of Peace, 2009).

characteristics, face a particular set of vulnerabilities that require specific protection and assistance measures. Other UN organizations, particularly the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), have advocated for a localized approach that targets "pockets of vulnerabilities" with humanitarian assistance without discriminating between those displaced and other Iraqis.[26]

However, both these approaches have been abandoned in the recent UN Iraqi Development Assistance Framework 2011–2014, in line with what has been the view of a number of humanitarian actors since 2009, i.e. that despite acute humanitarian needs remaining unmet, there is no overall humanitarian crisis in Iraq. Current efforts by aid actors should rather be seen in the framework of conflict prevention and linking relief, rehabilitation, and development (LRRD). Within this approach, IDPs and returnees will be mainstreamed into development program as one of several vulnerable groups rather than be treated as a specific area of intervention.

At present, MoDM, in partnership with UNHCR, is working on a four-year national strategy to resolve displacement meant to address all pending issues related to displacement in a comprehensive manner. The plan, still in its draft stage, identifies a number of areas requiring intervention. These include return to security, improved services and housing availability, information dissemination, legal and integration measures, etc.

At a time when the UNHCR and the Iraqi Government have agreed to take a concerted step to close the displacement file, lessons learnt by practitioners in the field might be of particular relevance. The views and experiences of contributors to this project tend to support the integration of IDPs in development programs while maintaining specific actions and funding mechanisms to address acute vulnerabilities and needs particular to IDPs.

3.1 Humanitarian access in an insecure environment

Access to population of concern in a particularly difficult security environment has been a challenge for international organizations, NGOs, and the Iraqi Government alike.

Paris remarks that, in the days shortly after the 2003 invasion, NGOs and the United Nations Country Team (UNCT) members were able to work in Iraq relatively unhindered, meeting with counterparts and visiting many areas where they were providing assistance. However, following the August 2003 attack on the UN Headquarters in Baghdad, the international community retreated into large compound accommodations with multiple rings of security. The United Nations Assistance Mission for Iraq (UNAMI) depended on the Multi-National Force-Iraq (MNF-I) for security, while a number of NGOs relied on private security companies. Many NGOs and UN organizations also moved their operation basis outside Iraq in neighboring countries and started subcontracting program implementation to Iraqi partners to the detriment of coordination and monitoring. Van der Auweraert further notes that, especially between the period between early 2006 and mid-2007, Iraqi state institutions also found it near impossible to carry-out their functions and access vulnerable population for assistance, particularly IDPs .

[26] See the UN Iraq 2010 Humanitarian Action Plan.

Neidhardt describes the work of INTERSOS, an Italian NGO partnering with the UNHCR to provide legal and material assistance to IDPs through Protection and Assistance Centers (PACs) in the south of the country. Expatriate staff has been limited in its movement by security constraints. To mitigate the negative effects of remote management, INTERSOS has built the capacities of the local staff throughout the many years of activity. Most other NGOs running programs in Iraq have adopted a similar *modus operandis*, with so far only few instances of direct implementation.

Whereas subcontracting is still the norm for the UN today, Paris details the various phases leading IOM to move to direct implementation since 2008. She sees multiple benefits in this shift: the organization has been able to train and build the capacity of local staff, develop relations with local authorities and suppliers, better coordinate with them, reduce risks of corruption, improve delivery and information management, reap cost savings (thereby allowing more beneficiaries to be served), and be more accountable to donors and beneficiaries.

Another example of direct operation is that of the International Committee of the Red Cross (ICRC), the EC's main partner in Iraq, particularly for assistance to IDPs. The ICRC has kept direct control of its operations and has maintained a long-standing presence and capacity of dialogue with all parties.

3.2 The poor capacity of Iraqi institutions

Van der Auweraert takes an in-depth look at the capacity of Iraqi public institutions to respond to internal displacement particularly as of 2006. Even before displacement took place on a large scale, structural weaknesses were affecting all aspects of governmental institutions. Mass displacement put enormous strains on the already struggling institutions responsible for the provision of basic services such as health, water and sanitation, electricity, housing, public food distribution and education. A number of national policies with direct or indirect relevance for resolving internal displacement in Iraq have been adopted by the Government or the relevant line ministries, however Van der Auweraert reports a broad sense that (much) more needs to be done to durably address the internal displacement file in Iraq. He recommends an integrated national and international strategy for the reintegration of displaced persons in Iraq. The national strategy currently in preparation may be seen as a step in this direction.

Yet, the same author also warns that a single approach to displacement may be thwarted by regional diversity. Large-scale return movements that occurred in the period immediately after the fall of the previous regime predominantly affected the northern and southern parts of Iraq, whereas 60% of all post-2006 displacement took place in Baghdad. The socioeconomic and political contexts vary from governorate to governorate. The security situation is also distinct from one place to another significantly influencing possibilities and preferences for return or local integration. Van der Auweraert sees the overall picture as one of a centralized system that takes decisions with only limited consideration for the strong local differences on the ground when it comes to displacement and return. Progress towards decentralization is being made, however, and the integrated approach to resolving displacement in the Diyala Governorate (see below) is a most promising example.

Finally, Van Der Auweraert questions the relevance of creating new state institutions to respond to internal displacement, offering insight of import to other displacement crises.

3.3 Taking a holistic approach to vulnerabilities and maintaining outreach capacity

Much like in the refugee file, authors focusing on the response to internal displacement note that vulnerabilities span different categories of people: registered and non-registered IDPs or returnees, but also displaced and non-displaced persons. Hence, the importance for humanitarian agencies to provide assistance based on needs rather than statuses, and adopt outreach and monitoring measures.

What Van Der Auweraert sees as the "slicing up" of the displaced and returning families into different categories with different entitlements (or none at all) increases the risk of some families falling outside any assistance because they do not neatly fall into one of the official categories. INTERSOS was also concerned with risks associated with emphasizing internal displacement by providing legal aid exclusively to IDPs, which could result in the stigmatization of this group, if not in an element of negative discrimination.

As with the refugees, outreach efforts have been a main component of agencies' operations to deal with urban settings and to take a holistic approach to vulnerabilities (Neidhardt). IOM identifies monitoring and rapid assessment as key to the organization's capacity to provide assistance to newly displaced Christian families in late 2010. In both cases, agencies have relied on local staff (either directly or through implementing partners), permanent presence in the field, and continuous interaction between staff, other humanitarian actors in the areas, local authorities, and community leaders.

Paris, although not dealing directly with outreach, underlines some of the difficulties faced by agency staff on the ground: access to neighboring areas restricted for certain staff members due to ethnic or religious identity, and the choice of some IOM staff not to share any information about their employer. Most other humanitarian agencies have had to face similar issues in their outreach and monitoring efforts.

3.4 Catering for emergency and long-term needs

At the macro level, violence has subsided in Iraq since 2008, a trend that tends to shift the attention away from new displacement towards the long-term needs of protracted IDPs. However, there is still a considerable potential for violence in Iraq, particularly in the region around Kirkuk and the so-called "disputed areas" where ethnic groups vie for control, and in Mosul which has become the al-Qaida stronghold in the country. In Baghdad, Najaf, Basra, and Diyala violence still erupts sporadically. As recently as October 2010, an attack on a Baghdad church left nearly 60 people dead and inaugurated a renewed campaign of violence against Christians, displacing over 1,300 families. IOM's case-study of its emergency response to this displacement provides an illustration of the importance to maintain capacity on the field level to differentiate between and cater for the different needs of protracted IDPs, and those newly displaced.

Conversely, both IOM and Neidhardt warn that there is also a danger in Iraq that an emergency displacement will distract donors and aid organizations from the broad, long-term displacement of over 1 million Iraqis. In order to prevent financial resources from dictating

who is considered an IDP, with displacement "ending" when funding does, stable assistance from donors is of paramount importance, and so are the capacity-building efforts of humanitarian agencies in favor of Iraqi governmental and non-governmental partners.

6 RETURN, INTEGRATION, AND BEYOND

Government initiatives to promote or facilitate return have had mixed results and are limited to registered IDPs displaced between 2006 and January 2008. Return has also been emphasized over other solutions, in part, it seems because of international pressure, particularly from the US side eager to close the displacement file and claim that Iraqi has returned to peace.[27] The Diyala initiative has received much publicity for taking a comprehensive approach to return and recovery in an area that witnessed the displacement of more than 260,000 individuals between 2006 and 2007, over half of them returning since July 2008. To assist and facilitate sustainable and durable return, a Higher Committee was created in July 2009. The initiative associates a vast array of governmental bodies from the local and national levels, and UN and other international agencies supported particularly by US Government funds. It has focused its interventions on water, electricity, agriculture, shelter and infrastructure reconstruction, and job creation.

The integrated Diyala initiative is a constructive effort to resolve displacement problems, and is due to be duplicated elsewhere in Iraq, starting with one area of Baghdad. However, it also has several shortcomings. Compensation for lost property has proceeded at a very slow pace, and the creation of 20,000 short-term jobs is still a far cry from meeting local needs. More typically in the Iraqi context, there has been limited transparency at various stages of planning with respect to the targeted beneficiaries. The initiative has focused on communities favored by political groups in the City Council and some marginalized tribal groups have been left aside, their villages not included in reconstruction and recovery efforts to this day.[28] Unsurprisingly in Iraq, the project has faced serious accusations of corruption that have yet to be investigated.

In many other areas, returnees are concerned about lack of protection, inadequate state support, bureaucratic procedures, and sectarian or other bias. Generally, the wish to return to their areas of origin has steadily decreased among IDPs since 2006, reaching 35% in October 2010. The preferred option, which is likely to increase with time, is local integration. This is particularly the case in the South (Neidhardt). However, here, too, the lack of services and employment and the negative attitudes of local authorities have spurred the internal migration of IDPs.

The ongoing struggle for power and territorial control between political parties and their militias, and/or between tribal groups, impacts directly on displaced people. Politics has penetrated local governments and most Iraqi NGOs. Neither can be considered neutral actors. Ethnic, sectarian and tribal affiliations prevent many to go back home and force local integration upon them. An additional impediment to return is that houses or properties have

[27] For an example of this position, see US Government Accountability Office, "Displaced Iraqis: Integrated International Strategy Needed to Reintegrate Iraq's Internally Displaced and Returning Refugees," Report to Congressional Committees (December 2009).
[28] Author's interviews with informants from Diyala.

been destroyed or damaged. Even those who returned to their region or city of origin did not necessarily reintegrate their former homes or neighborhoods and face multiple hardships.

There are, in fact, continuous population moevements in Iraq, particularly from rural to urban areas, due to water scarcity and severe unemployment — increasingly blurring the boundaries between displacement and migration. In many cases, people displaced by the conflict had been recent migrants from rural areas who were forced to go back to their areas of origin. Others, particularly from the Marshes in the South, had been displaced to the slums of large cities by the policies of the previous regime. They and their children were forced to flee again back to the South by the post-Samarra violence.[29] Extremely deprived economically, lacking land, properties, and documentation, this group of destitute people has experiences successive displacement and will likely continue to be disenfranchised and easily radicalized.

According to Van der Auweraert, most of the obstacles hindering the response to displacement are unlikely to be removed in the near future. This is especially the case for the structural issues affecting state institutions and governance more broadly. He also points to the plethora of other challenges: uncertainty about continued political stability; the daunting task of bringing basic service delivery back up to an acceptable standard and dramatically increasing quality in education and health care; overhauling the existing, outdated approach to social welfare and poverty alleviation; and establishing the conditions for rapid economic growth and, especially, employment generation.

It is clear that, under international pressure, the Iraqi Government is eager to see the number of IDPs diminish and call an end to the crisis. It is also certain that there is a need for the right mix of humanitarian assistance for vulnerable persons, IDPs included, and development assistance helping economic recovery for all. But there are severe risks that the national strategy to resolve displacement under development will only be cosmetic, resulting in large numbers of IDPs renouncing their status to benefit from reintegration measures whereas deregistration should come at the conclusion of a process of reintegration, not as a prerequisite.

Mainstreaming vulnerable IDPs and returnees in programs of reconstruction and economic recovery will not provide durable solutions to the current displacement situation, not will they guarantee against new episodes of eviction or other forms of involuntary migration. Nothing short of genuine peace-building and reconciliation efforts will create the conditions for the closure of the displacement file the US Administration and the UNHCR have been pleading for. It is doubtful that either the MoDM or the UNHCR are the bodies capable of influencing any progress on that stage. The displacement file needs to be embraced by the highest echelons of the political leadership, and form part of the political agenda of discussions between all political parties at the national and regional levels, with incentive and facilitation from major international actors who have a stake in Iraq. This is the only relevant arena where to address power sharing, reconciliation, recognition of and redress for wrongs, and the complex and far-ranging measures needed to ensure that the displaced are fully reintegrated into the national community.

[29] Author's interviews with staff of humanitarian organizations.

7 CONCLUSIONS AND RECOMMENDATIONS

7.1 Resettlement, development, and diplomacy needed for refugees

By UNHCR's definitions,[30] the Iraqi refugee situation has already entered its protracted phase: refugees' lives are not at risk, but their basic rights and essential economic, social, and psychological needs remain unfulfilled after years of exile. This is particularly true for a group of refugees who are still dependent on external assistance through cash and subsidies to meet their basic needs (education, heath, food, rents, etc.).

In the specific case under review, the protracted situation wastes lives by creating, rather than perpetuating, the three dimensions of poverty noted by the World Bank.[31] many refugees have exhausted their resources because they are not given access to the work market and/or because the resettlement process is taking too long; their unstable legal status places them are in no position to voice their concerns and expectations in the institutions of the host-state or with international agencies; they also have limited capacity to influence the policy of the Iraqi Government towards its citizens who are also refugees; they are vulnerable to shocks and may be forced to make decisions detrimental to them, such as returning to Iraq for lack of resources and/or because of changing political and security circumstances in the host country.

The official policy of Syria and Jordan is that there is "no local integration" for Iraqis refugees. How to approach this when reality in the field shows that there is a degree of *de facto* integration?

In the Iraqi refugee crisis, the UNHCR, an international body, is the one charged with defining who is a refugee. The UNHCR works under Memoranda of Understanding with host governments that bind the agency to resettle the refugees it recognizes. In fact, for Iraqi refugees, the possibility of third-country resettlement has been the main benefit attached to the granting of the refugee status. In this context, it is the international community that should take up the responsibility of finding a durable solution via third-country resettlement for those granted such a status under international law.

Host states do however allow a degree of local integrations to Iraqis not as refugees but within migration or other legal regimes. For those refugees who will not or cannot benefit from third-country resettlement, and who cannot go back to Iraq, the only durable solution is to be able to move from the unstable category of "guests" or "Arab brothers" into a legal regime for aliens in the host country that will allow them access to stability and rights, particularly the right to work.

It is time to acknowledge the that Iraqi refugee situation is not a humanitarian crisis, although there may remain some humanitarian needs, and to shift approaches and funding mechanisms towards meeting the mid- to long-term needs of the refugees and their host populations.

How this can be achieved without jeopardizing the mid- to long-term security of the refugees is a challenge the UNHCR cannot take up alone. The UNHCR admits that "Protracted refugee

[30] See Executive Committee of the High Commissioner's Programme, "Protracted Refugee Situation" UNHCR, Geneva (June 10, 2004), p. 1.
[31] *Ibid*., p. 3.

situations stem from political impasses. They are not inevitable, but are rather the result of political action and inaction, both in the country of origin (the persecution or violence that led to flight) and in the country of asylum."[32] It is also time to seek long-term solutions to the plight of Iraqi refugees in the political arena, including with Syria, which continues to host the largest number of vulnerable Iraqi refugees.

International donors must sustain their engagement with host countries by clearly shifting funding from humanitarian to development agendas.

They must use diplomacy to suggest that aid allocated to economic growth and job creation should benefit equitably the Iraqi resident population through the granting of work and residence permits, facilitated access to business creation, training, and higher education opportunities.

Syria needs renewed efforts in terms of development aid, including from the US, at least once the current situation of instability subsides — whatever political configuration may emerge from the ongoing revolt.

Refugees have to be better inserted into the peace-building and recovery agenda in Iraq. Many Iraqi exiles in neighboring countries have never ceased to be actively engaged with politics at home, and several political actors in Iraq have sought support and votes among the refugees, particularly during the last parliamentary election. International actors have to build on these initiatives and exert more pressure than they do at present on the Iraqi Government to engage with Iraqi refugees and exiles, and with the governments of the countries hosting them.

International diplomacy is needed to make sure that the process of national reconciliation in Iraq is an inclusive one that does not further marginalize the refugees. This would help convince the Iraqi Government to advocate proactively for an improvement in the situation of its exile citizens. This could take place in the framework of bilateral agreements with Syria and Jordan, for example through regional migration solutions tied to economic agendas, particularly Iraqi investments in host countries and the provision of oil.

7.2 Political commitments and attention to specific vulnerabilities needed for IDPs

Aid to IDPs has been minimal compared to the overall assistance granted to the refugee file. The US Government has been the single biggest contributor of humanitarian assistance to displaced Iraqis since 2003, but its contribution was not exempt from considerable cuts. In early 2011, the US Government was proposing to cut about 40% from Migration and Refugees Assistance.[33] Similarly, the contribution of the Iraqi Government has been significantly dwindling. In 2011 out of a budget of $86.2 billion, only $250 million were allocated for the displaced whereas MoDM said that $416–500 million are needed to fully implement its plans. Funding shortfalls have also affected the work of international organizations. In its 2011 Global Appeal, UNHCR said its 2011 Iraq budget was about $210.6 million, representing a 20–40% funding shortfall.

[32] *Ibid*., p. 2.
[33] E. Campbell, "Iraq's Displaced: A Stable Region Requires Stable Assistance" (Washington, DC: Refugees International, February 2011).

These funding trends reflect the common shift in 2009 by the Iraqi Government and main donors away from short-term emergency reconstruction projects, towards a long-term development plan with medium-term- to long-term funding cycles. Iraq,[34] the United Nations,[35] the World Bank,[36] and the European Union[37] all embarked upon preparation of their medium- to long-term development cooperation strategies. The overall objectives are coherent and based on the most urgent Iraqi priorities, namely, good governance, sustainable economic growth, and investment in human capital. Bilateral donors are willing to invest in strengthening the Iraqi state capacity, and helping the country mobilize its own resources to improve the welfare of the Iraqi people and rebuild its infrastructure.

Mainstreaming vulnerable IDPs and returnees into development program might have positive outcomes as long as this change in approach does not serve political agendas that would like to see the IDP issue vanish quickly from international attention. At present there are serious risks that this may not be the case.

Deregistration as IDP should come at the conclusion of a process of reintegration, not as a prerequisite. Furthermore, return should not be forced upon those who prefer local integration or resettlement in another area.

Additionally, although the IDPs do not form a coherent group, some among them are still particularly vulnerable and suffer from chronic deprivation and marginalization. These IDPs, scattered across the Iraqi territory with concentrations at the periphery of urban areas, exhibit characteristics similar to those of protracted refugees in underdeveloped countries: they lack income and assets; undocumented, they are *de facto* in a situation of statelessness, which makes them voiceless and powerless before state or local authorities; and their situation can serve as an incubator for future problems, particularly recruitment into radicalized political and armed groups.

Vulnerable IDPs should be the focus of particular attention so that not only the needs they share with other vulnerable groups are met, but also needs specific to them: documentation, property recovery or compensation, and access to PDS.

As Van der Auweraert eloquently shows, there are many uncertainties about the ability and willingness of the Iraqi Government to continue providing assistance to the IDPs. A specialized body like MoDM is still not able to perform its stated role and will need much better cooperation than there is at present with line ministries so as to lead the implementation of the national strategy to resolve displacement. Furthermore, local authorities must be allowed some flexibility and autonomy in addressing the needs of IDPs at the governorate level. Van der Auweraert recommends the creation of an interim National Displacement Fund that would allow local governments to obtain direct funding for projects intended to address displacement- and return-related problems in their governorates.

In collaboration with the Iraqi Government, the US and the EU should consider contributing to and managing jointly a National Displacement Fund. At a time when

[34] "Iraqi National Development Plan 2010–2014."
[35] "UN Development Assistance Framework in Iraq 2011–2014."
[36] World Bank, "Confronting Poverty in Iraq."
[37] "Cooperation between the European Union and Iraq–Joint Strategy Paper 2011–2013."

there is little donor coordination in Iraq, this joint initiative would balance the current emphasis on bilateral aid in an area where multilateral action is needed to support integrated initiatives in favor of the IDPs that involve large number of actors (the Iraqi Government, ministries and local authorities, UN agencies, and local and international NGOs).

The fate of the IDPs depends primarily on the Iraqi Government. Unlike in the case of the refugees, the capacity of the international community to positively affect the situation of the IDPs remains limited. Yet, in the Iraqi context where there is a high degree of international involvement, efforts to find durable solutions to the protracted IDP situation must include actions by the international community to engage the Iraqi Government and resolve underlying political conflicts.

Renewed political engagement from the international community is needed to create the conditions for the return and reintegration of those who wish to go back home, and the integration of those who prefer to remain where they have moved or settle elsewhere. This engagement must support genuine peace-building and reconciliation efforts that will allow IDPs to be reintegrated a full-fledged members of the national community.

Finally, there are still risks of renewed conflict in Iraq, particularly along the disputed Kurdish-Arab boundary, which might lead to new displacement. The fate of Iraq's small minorities also remains uncertain. The volatile security situation is at risk of worsening with the imminent departure of the remaining US troops.

Main donors and international agencies need to take into account the unpredictability of political and security developments in Iraq, provide for a degree of flexibility in their programs and funding mechanisms, and allow humanitarian actors to maintain an emergency response capacity.