Introduction

Over the last twenty years, Iraq has faced considerable military and economic turmoil that has significantly affected the refugee problem. Communal tensions between the Sunnis and Shias (two religious sects of Islam) continue to exist, threatening the stability and state of peace in the country. The recent civil war in the neighboring state of Syria has only served to worsen the large-scale refugee crisis faced by the country today. The refugees, who had fled from Iraq during the Iran-Iraq war and the invasion of Iraq by the United States of America, were never rehabilitated effectively. Now, with the influx of Syrian refugees, the refugee camps are overcrowded and services remain inadequate and unsustainable. Recent reports by United Nations Refugee Agency (UNHCR) put the number of refugees in the country at roughly about 1.5 million as of December 2013 and the number has only increased since then.

Among those who are migrating from Syria to Iraq are a large number of Iraqis who had sought refuge in Syria between 2003 and 2011 and the unemployment rate among these Internally Displaced Persons (IDPs) remains high. The vast majority lives in temporary shelters and do not have proper papers of identification—The International Rescue Committee, which is a global humanitarian aid, relief and development non governmental organization, fears a new health emergency in the refugee camps, which do not have access to clean water or sanitation.

On June 10th 2014, the militant group called the ISIS (Islamic State in Iraq and the Levant) strives for an all-Islamic independent state dominated by Sunni Muslims, captured Mosul, a major city in Iraq and a number of towns, military bases and resource rich assets. On the 16th of August 2014 the United States of America conducted an air strike near Irbil, which was a stronghold of the ISIS. With the occurrence of events like this and the continued presence of violence in some form or the other, the prospects of the refugees are bleak.
Definition of Key Terms

Refugee

The 1951 Refugee Convention spells out that a refugee is someone who "owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality, and is unable to, or owing to such fear, is unwilling to avail himself of the protection of that country." ¹

Internally displaced persons (IDPs)

IDPs are those people who have not crossed an international border to find sanctuary but have remained inside their home countries. Even if they have fled for similar reasons as refugees (armed conflict, generalized violence, human rights violations), IDPs legally remain under the protection of their own government – even though that government might be the cause of their flight. As citizens, they retain all of their rights and protection under both human rights and international humanitarian law. ²

ISIS (The Islamic State in Iraq and the Levant)

The Islamic State in Iraq and the Levant (ISIS) is a militant group active in Iraq and Syria. ISIS was formed in April 2013 and grew out of al-Qaeda in Iraq (AQI). It has since been disavowed by al-Qaeda, but become one of the main jihadist groups fighting government forces in Syria and is making military gains in Iraq. ³

Registration

The registration of people, which includes details of the reasons they have sought asylum, is essential for identifying those for whom resettlement or local integration, rather than repatriation, are the most appropriate solutions. Registration, by providing a record of their status, helps protect refugees against


forced return, arbitrary arrest and detention. It can give them access to services or assistance and can foster freedom of movement to make them more independent. Registering children helps prevent military recruitment, keeps families together and assists UNHCR in reuniting separated children with their families. UNHCR advocates that all refugees and asylum seekers be registered individually.  

**Protracted Refugee Crisis**

The United Nations High Commissioner for Refugees (UNHCR) defines a protracted refugee situation as "one in which refugees find themselves in a long-lasting and intractable state of limbo. Their lives may not be at risk, but their basic rights and essential economic, social and psychological needs remain unfulfilled after years in exile."

**Background Information**

**The Wars that contributed to the current refugee crisis**

**Persian-Gulf War**

Iraq invaded Kuwait on the second of August 1990. The ensuing war called the Gulf War produced approximately three million refugees and many of them hailed from Iraq. A large number of the people fleeing the state of Iraq were the Kurds and the Shi’ite Muslims, fleeing from Saddam Hussein. At the time, the Shi’ite Muslims accounted for 55% of the Iraqi population but were excluded from the government by the Sunnis, who dominated the political and economic landscape of the country. However after a failed uprising against the government (headed by Sadam), the number of Shi’ite Muslims leaving the country and seeking refuge in bordering nations like Syria increased. 1.85 million Kurds fled from Iraq to the borders of Turkey and Iran.

**Iraq War**

After the US led invasion of Iraq in 2003, the refugee crisis only got worse with more citizens trying to flee the country due to the wide-spread violence. UNHCR estimated that 4.5 million Iraqis had been displaced both before and after the 2003 US invasion — 2.2 million crossing the border and 2.3 million remaining internally displaced within Iraq. In February 2007, UN High Commissioner for Refugees, António Gutteres declared the exodus of Iraqis the largest population shift in the Middle East since the


displacement of Palestinians following the establishment of the state of Israel in 1948. Sadam was sentenced to death by November 2006 but now the country had to deal with the presence of foreign troops on their land and communal tensions. At that point in time, Jordan and Lebanon did not allow Iraqi refugees to work given their entry status (with the exception of a few highly skilled labourers) and some refugees were given the choice of either prison or a forced return to their country.

Current Situation

Crisis in Syria

In less than three years, the Syrian civil war has intensified into an armed rebellion against the ruling government headed by Bashar Al Assad, and has forced well over two million of that country’s citizens to take refuge in other states. Some 200,000 have fled to the Kurdistan region of northern Iraq. These refugees seem likely to remain in exile for a considerable amount of time as the end of the war is not in sight. Even if peace returns to the country quickly – a scenario that seems highly unlikely – the level of destruction in Syria is so great that not all of the refugees will be able to return in a swift manner. The Kurdistan Regional Government has responded well to the sudden refugee influx by doing its level best to provide them with accommodations and the basic needs of food and water, but the situation still requires to be handled with a more long-term approach.

ISIS

UN officials have recorded that 1.2 million Iraqis have fled their homes since the ISIS first started its large-scale seizures and attacks started. The organization has gained full or partial control over 35 cities in Iraq and is setting its sights on more as indicated by the objective of the organization, which is to carve out an all – Sunni state. The militants claim to have killed 1700 Iraqi troops in the past year. As


they go from city to city they destroy areas of worship and carry out mass executions. This development could again affect the direction of flow of refugees. Internally displaced persons could eventually decide to cross the border into Jordan or Turkey and could also result in the change in the direction of refugees coming form Syria to Iraq. The presence of the ISIS poses a threat to the safety of refugees living in the refugee camps.

**Problems faced by the refugees:**

Besides the presence of the ISIS that threatens the security of the refugees in Iraq, the Iraqis who have taken refuge outside the country might face an health emergency. Homes that are hosting Iraqis who are fleeing from violence have become overcrowded and together with the temperatures and unsanitary living conditions, the International Rescue Committee fears an outbreak of disease. There is not enough food for the refugees either. In countries like Jordan, the Iraqi refugees have never been rehabilitated and a whole generation of them face literacy issues. Seven years after the 2007 crisis, identification of refugees and their safe return to Iraq is still underway. And now with the presence of ISIS, those plans have been deterred. As the number of internally displaced people in the country keeps rising at an exponential rate, the Syrian refugees continue to pour into the country and if the issue of rehabilitating the older refugees is not solved there will be no end to this crisis.

**Major Countries and Organizations Involved**

**Iraq**

The war torn country has had to deal with the refugee crisis for several years now. However, as the influx only increases, its resources are threatened, tensions are bound to arise between the locals and the foreigners from the bordering nation. This refugee crisis endangers the stability of the country, which is already being threatened by the presence of the militant group, ISIS. Less than ten per cent of the

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refugees who had fled the country previously had returned by 2010. 10 Education in the refugee camps was of questionable quality even if it was provided. Thus, a large number of the refugees returning home are not employable. A large number of those returning home have just become a part of the IDP population. Iraq has not signed the UN Convention relating to the status of Refugees and the 1967 Protocol. The convention is a United Nations multilateral treaty that defines who is a refugee, and sets out the rights of individuals who are granted asylum and the responsibilities of nations that grant asylum. The Convention also sets out which people do not qualify as refugees, such as war criminals. It provides for some visa-free travel for holders of travel documents issued under the convention. Iraq has welcomed help from various non-governmental organizations to aid in improving the conditions of the refugees. However, by not signing the Convention or the Protocol, it has raised several doubts regarding the priority that an issue as grave as the current refugee crisis is receiving.

**Syria**

The civil war in Syria has resulted in the large-scale migration of Syrian citizens to Iraq in search of refuge. Syria had previously opened its borders to citizens of Iraq who were fleeing from the country during the Iraq war. Many Iraqi refugees remain in Syria to this day. Now however the direction of movement has changed with 200,000 Syrians seeking refuge in Northern Iraq. The problem with these migrations is that Iraq has again become a dangerous place with the presence of the ISIS and dwindling resources will not be able to accommodate such a large increase in the population. Syria is not a signatory of the UN Convention relating to the status of Refugees and the 1967 Protocol.

**Jordan and Lebanon**

Iraqi refugees began arriving in Jordan in large numbers in 2003, and the government estimates that 450,000 may be in the country. The UNHCR, meanwhile, has only registered 32,000. As in Lebanon, the UNHCR provides services so that Iraqi refugees can survive, but Iraqis generally cannot obtain legal status in Jordan, nor can they return to Iraq safely. Their most likely prospect for a long-term solution is resettlement – usually a long and slow process. Both Jordan and Lebanon are not signatories of the UN Convention relating to the status of Refugees and the 1967 Protocol. Jordan hosts Palestinian, Iraqi, and Syrian refugees. According to a Memorandum of Understanding (MOU) signed in 1998 between the UNHCR and the Jordanian government, asylum seekers can remain in Jordan for six months after recognition, during which time the UNHCR has to find a resettlement country for them. According to the


<http://www.jamestown.org/single/?no_cache=1&tx_ttnews[tt_news]=36089#.U8o_VICSyH0>.
UNHCR only 30% of the Iraqi refugees were granted residence permits. Without these permits they cannot automatically acquire rights to residence, employment, public education and health care.

**United States of America (U.S.A)**

When the country invaded Iraq, on the pretext of defeating Sadam Hussein who had been accused of several crimes against his own people and those from other countries, a large-scale refugee crisis broke out in Iraq. People were displaced and many fled from their homes to escape the violence. The President George W. Bush announced the invasion in 2003 but the last of the troops left Iraq only in 2011. For almost a decade, the citizens had to cope with the presence of foreign troops. However, in February 2007 the Secretary of State for the United States of America, Condoleezza Rice announced the formation of the Iraq Refugee and Internationally Displaced Task Force to address the refugee crisis.

In August 2014 however, the United States of America broke its silence regarding the ISIS presence and the President cleared an air strike near Irbil. The U.S Central Command said the strikes were aimed at supporting humanitarian efforts in Iraq and protecting U.S. personnel and facilities there.

**UN**

The UNHCR, which is a body within the framework of the UN, works with the Government, humanitarian stakeholders and donors in Iraq to provide protection and durable solutions for people of concern. Priority areas are advocacy, legal and protection interventions, basic assistance and support to IDPs in newly and protracted displacement situations, as well as capacity building of governmental and national non-governmental organization (NGO) partners.

The UNHRC is also the official organization to provide demographical statistics on the issue: i.e the number of refugees, IDPs etc.

**Timeline of Events**

<table>
<thead>
<tr>
<th>Date</th>
<th>Description of event</th>
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<tbody>
<tr>
<td>August 1990</td>
<td>Iraq invades Kuwait initiating the Persian gulf war</td>
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</tbody>
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<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
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<tbody>
<tr>
<td>March 2003</td>
<td>George W. Bush (Then the president of the United States of America) announces the start of combat in Iraq.</td>
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<tr>
<td>February 22, 2006</td>
<td>The bombing of a Shi’ite Mosque in Samara gives rise to new levels of communal tension which in turn initiates the exodus of Iraqis to Jordan, Syria and other neighbouring nations</td>
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<td>November 2006</td>
<td>The U.N High Commissioner for Refugees reports that one hundred thousand Iraqis are fleeing every month. Refugee populations are estimated at 1 million in Syria, 750,000 in Jordan and 150,000 in Egypt. More than 2 million are displaced inside Iraq.</td>
</tr>
<tr>
<td>December 2006</td>
<td>Jordan closes its borders to most Iraqis</td>
</tr>
<tr>
<td>February, 2007</td>
<td>Condoleezza Rice, Secretary of State for the United States of America at that point in time announces the formation of the Iraq Refugee and Internationally Displaced Task Force to address the refugee crisis</td>
</tr>
<tr>
<td>Early 2011</td>
<td>Syrian Crisis starts.</td>
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<tr>
<td>December 2011</td>
<td>American troop withdrawal completed.</td>
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<tr>
<td>July 2013</td>
<td>Another resolution on the situation in Iraq is passed by the UN Security Council</td>
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<tr>
<td>August 2013</td>
<td>Spike in the arrivals of Syrian Refugees in Northern Iraq, including almost 50,000 in a two week period</td>
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<tr>
<td>January 2014</td>
<td>In January 2014, the ISIS capitalized on growing tension between Iraq's Sunni minority and Shia-led government by taking control of the predominantly Sunni city of Fallujah, in the western province of Anbar. 12</td>
</tr>
<tr>
<td>July 2014</td>
<td>UN officials have recorded that 1.2 million Iraqis have fled their homes since the Combat commences</td>
</tr>
<tr>
<td>August 2014</td>
<td>The United States of America conducts airstrike in Irbil, near Mosul dam.</td>
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**Relevant UN Treaties and Events**


• UN Convention relating to the status of Refugees

• 1967 Protocol

• UN Security Council Resolution on the situation in Iraq (S/RES/2110/2013)

• Political Refugee Law of 1971

Previous Attempts to solve the Issue

Attempts made by the Iraqi government

To facilitate the voluntary return of internally displaced persons to their places of origin, the Iraqi Council of Ministers issued Decree 262 of 2008, which authorizes the Ministry of Displacement and Migration to provide monetary awards to Iraqis who were forced to leave their homes because of sectarian violence.13

With respect to benefits offered to foreign refugees the government formed Ministerial Resolution 202-2001, which provides Palestinian refugees with all the benefits to which Iraqi nationals are entitled. Another commendable step was the right given to Syrian Refugees in the Kurdish region to enroll in public schools and work. This region has opened its borders but the problem of management and resource distribution has now risen.14

Attempts made by the UN and other international bodies and countries

The UNHCR has taken the lead in handling the Iraqi refugee crisis. For starters, it has registered a large number of refugees and has aided in the process of rehabilitation.


In 2007, the UN finally accepted that the situation in Iraq was a humanitarian crisis. Through Security Council Resolutions, the United Nations eased its political mandate on the country and provided more space for humanitarian purposes.

UNHCR reviews the international protection needs of residents who were transferred from Camp New Iraq (formerly Ashraf) to Hurriya in Baghdad within the framework of the memorandum of understanding signed on 25 December 2011 between the Government of Iraq and UNAMI, assists the Government in finding a durable solution for those in need of international protection.

As mentioned above, The United States of America did initiate the formation of a task force to control the refugee crisis system but it can be seen from the statistics that it failed in its mission.

**Possible Solutions**

As seen above, the borders of Iraq are porous, with some citizens leaving the state, while others return along with citizens of neighbouring countries seeking refuge. It is safe to say that the borders have been overcome by chaos. Everyday, the lives of the refugees are threatened either by disease or physical violence inflicted by man.

- The first step to addressing this refugee crisis would then probably be the protection of the rights of these refugees and the status that they deserve. All four of the major countries involved in this crisis have not signed the UN Convention relating to the status of Refugees or the 1967 Protocol. They should do so as soon as possible so as to erase any doubt harboured the international community regarding their sincerity to the cause.

- The sudden influx of refugees will pose a threat to the economy of the country. Resources will have to be shared amongst many more people than usual. Giving fair opportunities to the refugees to earn a livelihood and learn to sustain themselves would certainly be beneficial to the refugees, as it would also promote rehabilitation. This starts with providing the same facilities like cheaper public education etc.

- Iraq is a country characterized by communal tensions. Keeping the incoming refugees in mind, delegates should address the topic of increasing communal tolerance in the country through government agendas or any other forums.

- Coming up with and implementing a health plan is of utmost importance. Diseases can spread in refugee camps at an alarming rate due to unsanitary conditions etc. and to protect the refugees, awareness camps and vaccination camps could be held and refugees could be provided easy access to health care facilities.

- A major issue faced by all refugees is security. With the ISIS gaining control of cities at an exponential rate, the security of all refugees is threatened. Delegates should think of ways to promote security in the refugee camps either by using government personnel or any other. Conducting annual check ups in the
refugee camps to ensure the implementation of welfare plans and the security at these camps could also be a possibility.

Bibliography


**Appendix or Appendices**


  [http://ijrl.oxfordjournals.org/content/early/2013/03/13/ijrl.eet001.full](http://ijrl.oxfordjournals.org/content/early/2013/03/13/ijrl.eet001.full).


