



## **Iraq - Researched and compiled by the Refugee Documentation Centre of Ireland on 19 April 2011**

### **Information on treatment of failed asylum seekers**

The *United States Department of State* in April 2011, reviewing events of 2010, note:

“The government generally cooperated with the UNHCR, the International Organization for Migration, and other humanitarian organizations in providing protection and assistance to IDPs, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern, although effective systems to assist these individuals were not fully established by year's end.” (United States Department of State (8 April 2011) *2010 Human Rights Report: Iraq*, Section 2d ‘Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons’)

In February 2011 *IRIN News* reports:

“According to the Washington-based Centre for Strategic and International Studies, Iraqi IDPs and refugees are unwilling to return to their places of origin because of continued real or perceived threats of violence: Their homes were either destroyed or occupied by others; and they lacked employment opportunities and access to essential services.” (IRIN News (28 February 2011) *Iraq: Funding shortfall hits plans for IDPs, returnees*)

A *UNHCR* report from December 2010 states:

“UNHCR strongly reiterates its call on countries to refrain from deporting Iraqis who originate from the most perilous parts of the country.” (UNHCR (17 December 2010) *UNHCR reports increase in flight of Iraqi Christians; reiterates advice on protection needs*)

This document also notes:

“UNHCR reiterates its position that asylum seekers who originate from Iraq's governorates of Baghdad, Diyala, Ninewa and Salah-al-Din, as well as from Kirkuk province, should not be returned and should benefit from international protection, whether in the form of refugee status under the 1951 Refugee Convention or a complementary form of protection. In addition, of course, the merits of the claims of all other Iraqi applicants need to be considered carefully, including those who are religious minorities. Our position reflects the volatile security situation and the still high level of violence, security incidents, and human rights violations taking place in parts of Iraq. UNHCR considers that serious - including indiscriminate - threats to life, physical integrity or freedom resulting from violence or events seriously disturbing public order are valid reasons for international protection.” (ibid)

In November 2010 *Amnesty International* reports:

"Amnesty International calls on European governments to immediately stop forcible returns to the Iraq provinces of Ninewa (Mosul), Kirkuk, Diyala, Salah al-Din, Baghdad, and to other particularly dangerous areas such as parts of Al Anbar province." (Amnesty International (10 November 2010) *European states must stop forced returns to Iraq*)

An *IRIN News* story in September 2010 states:

"The UN Refugee Agency (UNHCR) has expressed concern about the growing number of deportations of Iraqi asylum-seekers from Western Europe in the last two months. Special charter flights to take failed asylum-seekers home have increased in frequency, and Iraqis are being returned to parts of the country which are still unsafe, in contravention of UNHCR guidelines for the handling of Iraqi asylum applications, it says." (IRIN News (29 September 2010) *Refugees: UNHCR concerned over Iraqi deportations*)

A paper published in July 2010 by the *UNHCR* states:

"The situation in Iraq is still evolving. UNHCR will continue to monitor developments in the country and will update the April 2009 UNHCR Guidelines once it judges that the situation is sufficiently changed. In the interim, UNHCR advises those involved in the adjudication of international protection claims lodged by asylum-seekers from Iraq and those responsible for establishing government policy in relation to this population continue to rely on the April 2009 UNHCR Guidelines. Accordingly, the current UNHCR position on returns to Iraq also remains unchanged." (UNHCR (28 July 2010) *Note on the Continued Applicability of the April 2009 UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Iraqi Asylum-Seekers*, p.5)

In July 2010 a publication by *HJT Research* states:

"A number of failed asylum seekers deported to Iraq from the UK were detained at Baghdad airport for over a week, BBC News reported on June 26th. BBC News reported that at least 11 of the 42 Iraqis flown back to Baghdad on 16th June were still being held in detention." (HJT Research (22 July 2010) *News media reports on the fate of failed Iraqi asylum seekers deported from the UK*)

*BBC News* in July 2010 states:

"The United Nations High Commissioner for Refugees (UNHCR) has been monitoring a number of the deportees from the UK to form a broader picture of the kind of environment they have been returned to in Iraq. Suleymaniyeh, like most of Kurdistan, is much safer than the rest of Iraq "Many of them have said they have difficulty finding work, finding their families, and in accessing medical care," says Carolyn Ennis, a senior protection officer for UNHCR in Baghdad. "Some say they are afraid of being targeted, while others mention the general security situation." (BBC News (19 July 2010) *Iraqi deported from UK talks about his struggle*)

A paper issued by the *UNHCR* in April 2009 states:

"In view of the serious human rights violations and ongoing security incidents which are continuing in the country, most predominantly in the five Central Governorates of Baghdad, Diyala, Kirkuk, Ninewa and Salah Al-Din, UNHCR continues to consider all Iraqi asylum seekers from these five Central Governorates to be in need of

international protection.” (UNHCR (April 2009) *UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Iraqi Asylum-Seekers*, p.18)

## References

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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

### **Sources Consulted**

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