

## Refugee Review Tribunal

### AUSTRALIA

#### RRT RESEARCH RESPONSE

**Research Response Number:** IRQ17145  
**Country:** Iraq  
**Date:** 5 January 2005

Keywords: Iraq – Re-entry – Baghdad – Returnees - Transit arrangements

This response was prepared by the Country Research Section of the Refugee Review Tribunal (RRT) after researching publicly accessible information currently available to the RRT 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.

---

#### Questions

1. What means are available to re-enter Iraq for Iraqis returning from Australia?
2. In particular, are there flights landing in Baghdad or anywhere in southern Iraq?
3. If not, has any neighbouring country agreed to allow Iraqis without passports to transit them in order to re-enter Iraq by land routes? If so, please provide details.

#### RESPONSE

1. What means are available to re-enter Iraq for Iraqis returning from Australia?
2. In particular, are there flights landing in Baghdad or anywhere in southern Iraq?
3. If not, has any neighbouring country agreed to allow Iraqis without passports to transit them in order to re-enter Iraq by land routes? If so, please provide details.

Iraqi Airways and Royal Jordanian Airlines operate commercial flights between Baghdad and Amman ('Bomb found on Iraq commercial flight' 2004, China Daily online edition, 23 November [http://www.chinadaily.com.cn/english/doc/2004-11/23/content\\_394124.htm](http://www.chinadaily.com.cn/english/doc/2004-11/23/content_394124.htm) - Accessed 5 January 2004 – Attachment 1).

International carriers do not currently provide a service to southern Iraq. However, a media report, dated 1 January 2005, states that "Iraq's national carrier Iraqi Airways [had] made its first post-Saddam Hussein era flight from Baghdad to...Basra" ('First Iraqi Airways flight from Baghdad to Basra' 2005, *Agence France Presse*, 1 January – Attachment 2).

Other reports indicate that international carriers are, at this stage, scheduled to commence commercial flights to Basra in July 2005 ('Iraq's 2<sup>nd</sup> Airport to open in July' 2004, Airwise News website, 16 December <http://news.airwise.com/stories/2004/12/1103225856.html> -

Accessed 4 January 2004 – Attachment 3; ‘Airport opening considered first step to return of Iraqi tourism’ 2004, Department of Defense Documents, 17 December – Attachment 4).

A recent *Joint British Danish Fact Finding Mission to Baghdad and Amman on Conditions in Iraq* provides comprehensive advice on the possibility of returning to Iraq from abroad. As indicated:

5.29 Sources in the ministry of Displacement and Migration (MoDM) in Baghdad informed the delegation that Iraqis returning from Kuwait or Saudi Arabia were in a more dangerous situation in Iraq compared with other Iraqis. However, there wasn’t any suspicion that these returnees co-operated with authorities in Kuwait or Saudi Arabia.

5.30 A diplomatic source in Amman (2) stated that many thousands of Iraqis have returned to Iraq from Kuwait and Saudi Arabia. The source has not heard of problems for this group as a result of their previous stay abroad.

5.31 UNHCR in Amman confirmed that they also had not heard of any specific security problems for Iraqis returning from Kuwait or Saudi Arabia. They concluded that if any Iraqi had faced problems the reason might be a business quarrel or something similar...

7.8 A diplomatic source in Amman (1) informed the delegation that on the one hand Iraqi authorities required ID papers for nationality for a returnee. However on the other the authorities would accept third country identification that the individual was Iraqi. They would also rely on some presumption that the person was Iraqi. However the source reiterated that nationality would be facilitated with ID papers

7.9 The source added that the Government would not support returnees who had an alternative residence. This was for two reasons 1) the country did not have the capacity to support those that returned, and 2) the security situation did not support return. The source advised that there had been a large number of returnees from Iran however this had diminished in the last few months due to the security situation. Returnees needed family support in the area as housing was short and it took a while to get onto the food distribution list. UNHCR had assisted on economical packages for housing, and UNHCR and IOM had facilitated returns. The amount of returnees varied depending on the part of the country the person was returning to.

7.10 The source added that thousands had returned from Saudi Arabia however they had struggled to get housing, jobs and education.

7.11 The source advised that those returning from the West were more in danger of being a target because they would be identified as being “Westernised”. For example they had acquired skills and language, which gave them a high profile, and a perception of collaborating with Westerners. This perception would put them at risk.

7.12 An IOM staff member in Amman advised that IOM ceased returns in April 2004 because of security, however they soon resumed returns. 800 had recently returned from Beirut. IOM rarely used flights because of a previous CPA agreement. Furthermore only Royal Jordanian flew into Baghdad at that time. IOM used Iraqi buses and there were difficulties with permits and visas. IOM stated that the Jordanian Government was very helpful in allowing Iraqis to transit through Jordan. At the Iraqi border, guards checked the person’s documents, including UK/DK documents, but they also listened to the Iraqi accent as proof

7.13 The source added that in the last 6 months there had been no problems on the Jordan-Baghdad highway. IOM also returned from Syria and there was no difference in the safety along that route either. IOM were looking into using Iraqi planes for returns...

7.20 A diplomatic source in Amman (2) did not consider the general situation in Iraq as suited to accept an influx of Iraqi refugees from Western Europe. The spontaneous return of more than 100,000 Iraqis from the neighbouring countries had put a strain on Iraqi society. The lack of houses was one of the problems.

7.21 The source added that returning Iraqis had access to the food-package system and to schools and health system, although it could take time to become registered. Every Iraqi who wanted to return would be permitted re-admission to Iraq. A passport was not necessary to cross the border into Iraq. An ID card or just that the returnee spoke with an Iraqi accent was sufficient proof of Iraqi nationality. Iraqis returning from abroad were not targets of the violence. However, Iraqis who were in contact with foreigners in Iraq were in bigger danger than other Iraqis. Coming back from the West could, in some areas of Iraq, for example in Sadr-city of Baghdad, be perceived as having some sympathy for the West.

7.22 UN sources in Amman (1) stated that every Iraqi citizen could enter Jordan and stay in Jordan indefinitely as long as they pay 1 Jordanian dinar (USD 1.3) per day to the Jordanian authorities. With regard to security there was no difference between the situation for an Iraqi returning from abroad and an Iraqi who had stayed in Iraq all the time. The critical point was whether you work with the foreigners or not (UK Home Office, 2004, *Joint British Danish Fact Finding Mission to Baghdad and Amman on Conditions in Iraq, 1-8<sup>th</sup> September 2004*, October – Attachment 5).

Attachments 6 7 & 8 provide reports on the return of Iraqis to Basra from Kuwait and Iran in 2003 and 2004 (Department for International Development 2004, DFIAD Iraq Update, No. 86, 13 May <http://www.dfid.gov.uk/news/files/pr-iraqupdate86.pdf> - Accessed 5 January 2005 – Attachment 6; ‘Iran: Iraqi refugees use new border crossing’ 2004, IRIN News website, 5 July [http://www.irinnews.org/report.asp?ReportID=42014&SelectRegion=Iraq\\_Crisis&SelectCountry=IRAN](http://www.irinnews.org/report.asp?ReportID=42014&SelectRegion=Iraq_Crisis&SelectCountry=IRAN) – Accessed 5 January 2005 – Attachment 7; ‘UNHCR briefing notes: Ethiopia, Palestinians in Jordan, Liberia, Iraq’ 2003, Relief Web website, sourced from the UN High Commissioner for Refugees, 16 December <http://www.reliefweb.int/w/rwb.nsf/0/31ab52777f8c9532c1256dfe004d6bcb?OpenDocument> – Accessed 5 January 2005 – Attachment 8).

## List of Sources Consulted

### Internet Sources:

Google search engine

UNHCR      *REFWORLD*      UNHCR Refugee Information Online

### Databases:

Public	<i>FACTIVA</i>	Reuters Business Briefing
DIMIA	<i>BACIS</i>	Country Information
	<i>REFINFO</i>	IRBDC Research Responses (Canada)
RRT	<i>ISYS</i>	RRT Country Research database, including Amnesty International, Human Rights Watch, US Department of State <i>Country Reports on Human Rights Practices</i> .
RRT Library	<i>FIRST</i>	RRT Library Catalogue

## List of Attachments

1. 'Bomb found on Iraq commercial flight' 2004, China Daily online edition, 23 November. ([http://www.chinadaily.com.cn/english/doc/2004-11/23/content\\_394124.htm](http://www.chinadaily.com.cn/english/doc/2004-11/23/content_394124.htm) - Accessed 5 January 2004)
2. 'First Iraqi Airways flight from Baghdad to Basra' 2005, *Agence France Presse*, 1 January. (FACTIVA)
3. 'Iraq's 2<sup>nd</sup> Airport to open in July' 2004, Airwise News website, 16 December. (<http://news.airwise.com/stories/2004/12/1103225856.html> - Accessed 4 January 2004)
4. 'Airport opening considered first step to return of Iraqi tourism' 2004, Department of Defense Documents, 17 December. (FACTIVA)
5. UK Home Office, 2004, *Joint British Danish Fact Finding Mission to Baghdad and Amman on Conditions in Iraq, 1-8<sup>th</sup> September 2004*, October.
6. Department for International Development 2004, *DFIAD Iraq Update*, No. 86, 13 May. (<http://www.dfid.gov.uk/news/files/pr-iraqupdate86.pdf> - Accessed 5 January 2005)
7. 'Iran: Iraqi refugees use new border crossing' 2004, IRIN News website, 5 July. ([http://www.irinnews.org/report.asp?ReportID=42014&SelectRegion=Iraq\\_Crisis&SelectCountry=IRAN](http://www.irinnews.org/report.asp?ReportID=42014&SelectRegion=Iraq_Crisis&SelectCountry=IRAN) – Accessed 5 January 2005)
8. 'UNHCR briefing notes: Ethiopia, Palestinians in Jordan, Liberia, Iraq' 2003, Relief Web website, sourced from the UN High Commissioner for Refugees, 16 December. (<http://www.reliefweb.int/w/rwb.nsf/0/31ab52777f8c9532c1256dfe004d6bcb?OpenDocument> – Accessed 5 January 2005)