



Canadian Council for Refugees

Canada urged to respond to Iraqi refugees Backgrounder

Humanitarian crisis in Iraq and situation of refugees

In a recently released report, *Iraq: civilians without protection*, the International Committee of the Red Cross describes the humanitarian situation in Iraq as “steadily worsening” and one that “is affecting, directly or indirectly, all Iraqis.”

“Shootings, bombings, abductions, murders, military operations and other forms of violence are forcing thousands of people to flee their homes and seek safety elsewhere in Iraq or in neighbouring countries.”

- o International Committee of the Red Cross (ICRC), *Iraq: civilians without protection, The ever-worsening humanitarian crisis in Iraq*, 11 April 2007. Available at <http://www.icrc.org/web/eng/siteeng0.nsf/html/iraq-report-110407>.

In December 2006, the UNHCR published a revised “Return Advisory and Position on International Protection Needs of Iraqis Outside Iraq”. The UNHCR reported that “[o]verall, the situation could be characterised as one of generalised violence and one in which massive targeted violations of human rights are prevalent.” [para. 3] They also noted that “civilians as well as individuals of certain profiles are being targeted by terrorist groups and militias on a daily basis through intimidation and acts of terror aimed at uprooting and expelling individuals from their areas of residence on ethnic, religious, political or mere criminal grounds (this includes intellectuals, wealthy people, women and girls and minority groups).” [para 2]

According to the advisory, “Iraqi asylum-seekers from Southern and Central Iraq should be favourably considered as refugees under the 1951 Convention relating to the Status of Refugees, given the high prevalence of serious human rights violations related to the grounds of the 1951 Convention.” [para. 5]

- o United Nations High Commissioner for Refugees (UNHCR), *Return Advisory and Position on International Protection Needs of Iraqis Outside Iraq*. 18 December 2006. Available at <http://www.unhcr.org/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=SUBSITES&id=45a252d92>

Some stories of Iraqi refugees

The following are a few of the many stories of Iraqi refugees who appeal for help to Iraqi Canadian community members and private sponsorship groups, hoping that Canada will offer them permanent protection.

- ▶ Shukriya Abdul-Redha is a former schoolteacher and resident of the Al-Jameea district of Baghdad. She has seen the violence of both Saddam Hussein’s regime and the Iraq of today. Her brother was hanged because he spoke out against Saddam Hussein’s rule and the rest of

the family was viewed with suspicion, leading to her being forced out of her job as a teacher. Saddam Hussein's overthrow did not improve the situation as his forces are still around and remember their old enemies. One of Shukriya's sons worked as an engineer for a private company building roads for the government: he received threats to his life and was lucky to survive the bombing of a convoy of cars going to the asphalt factory. He fled to the United Arab Emirates. Shukriya's daughter and her husband, both telecommunications engineers, ran as candidates in the elections. Despite receiving threats, they persisted in their election campaign: the husband was killed. Shukriya's youngest son, a student in his last year at university, was kidnapped in front of his house. Alarmed, Shukriya repeatedly called his cell phone until someone answered and told her to pay a ransom or her son's head would be thrown into the backyard.

However, Shukriya's son, who had been blindfolded and beaten until he lost consciousness, managed to escape his kidnappers and fled to Syria. The kidnappers then threatened to kill the whole family, so Shukriya, her husband, her daughter and her daughter's baby also fled to Syria. They are there on a short-term visa, renting an apartment with no furniture. They have no right to work and little money. They applied to the UNHCR and have been told to come for an interview on 2 May. They are counting on this interview to provide them with some solution to their predicament, by protecting them from expulsion from Syria or offering them some means to support themselves.

- ▶ Ban and her family have been in Jordan since 2002. They fled Saddam Hussein's regime, but his overthrow did not make it possible for them to return to Iraq: the same people who threatened them earlier are still around. Ban and her husband do not have the legal right to live or work in Jordan, meaning that they could at any time be arrested and expelled from the country. They survive on money sent to them by Ban's brother in Canada. Ban has three daughter, aged 15, 12 and 6. Last year, the Jordanian government changed its policy on access to schooling, meaning that the three girls are no longer able to go to school. Instead, they are going to an informal school run by a church, so that they are not completely deprived of all education.

Ban and her family were sponsored to come to Canada as refugees. They were interviewed in 2003. Their application was rejected: the visa office told them that since Saddam Hussein was gone it would be safe for them to return.

- ▶ An Iraqi refugee currently in Damascus described the events that forced him to leave Iraq as follows: "While I was in my shop to earn [money] and support my family, two cars stopped and six armed men came with weapons; two approached me in the shop." He was forced into one of the cars with guns to his stomach. "I was blindfolded and taken to a house, tied hand and foot with iron chains. They called my mother and asked for \$500,000 US. My family could not pay that amount and the kidnappers tortured me with electric shock so my family could hear it over the phone." The ransom was finally reduced to \$50,000 US. His father paid the ransom, having sold everything the family owned. "I was set free and given some Iraqi dinars to reach home. Please note that thousands suffered the same and paid a ransom without getting anything, because they either see their son killed in the street or in the forensic medicine department; however, God is merciful and was mercy on my father, mother, wife and children who waited for me, after losing hope of my return. After that I was unable to live in my country which is full of destruction ..." He is hoping to be sponsored to come to Canada.

Refusals of Iraqis applying for resettlement to Canada

About half of Iraqis sponsored by a private group in Canada have their applications refused by a Canadian visa officer. The reasons for refusal are usually very brief and difficult to understand, especially given the applicants' individual experiences and the reports from UNHCR and others of the prevalence of violence in Iraq.

- ▶ A parent described the reasons for his family's flight. "In February 2005 my daughter was kidnapped from in front of our house in Baghdad as she was playing. We went to the police station and filed a report about that. [...] As we waited for a call for a ransom, fearing the worst, I received a phone call that my daughter is dead that she was killed and her body dumped at _____. Her body was taken to _____ and a medical report and death certificate were issued."

The family's refugee application was refused by a Canadian visa officer, who wrote: "You said that you left Iraq because of fear you felt after the kidnapping and murder of your daughter in the first week of [date]. You said that you and your family left Iraq five months later as a result of that fear but then returned for a month in order to prepare the documents necessary in order to make this application. Therefore, I am not satisfied that you have a well-founded fear of persecution for one of the prescribed reasons nor that you have been and continue to be seriously and personally affected by civil war, armed conflict or massive violations of human rights." Among the documents that the family submitted as part of the application was the death certificate of their four-year old daughter.

- ▶ Dr T. survived a kidnapping after a ransom was paid for him. He fled to Damascus. His application for resettlement to Canada was refused in March 2007. In the refusal letter, the visa officer states, "You mentioned that the attempts to extort money from you were based on the assumption that you were rich and were not motivated by religious or political reasons. You do not appear to have had any problems different from others in Iraq." Less than a month after this refusal letter was written, the ICRC reported that "[m]edical professionals are fleeing the country in large numbers following the murder or abduction of colleagues." (*Iraq: civilians without protection*, see reference above.)
- ▶ Arham used to run a car dealership in Baghdad. As a businessman and a member of a religious minority, he received demands for money and threats to his life. He fled with his family to Syria and a Canadian organization applied to sponsor them. While waiting for this application to be processed, the family had no means of supporting themselves. Because he hates to depend on others, Arham decided, despite the risks, to return to Iraq to sell his house. However, he was threatened again and was unable to sell the house. When the family finally had their interview with the Canadian government, their refugee application was refused, partly on the basis that Arham had returned to Iraq. After this rejection, the family decided it would be better to go back to Iraq, since they had no prospects outside the country. The same people who had been threatening them previously stole all the family's gold and shot Arham in the leg. The family now depends on friends and relatives for food to survive: Arham cannot work, because of the danger and because he cannot walk following the injury to his leg.

Further information about refusals of Iraqi refugees can be found in a CCR document, "Analysis of a small number of Iraqi private sponsorship applications refused at Damascus" (December 2006), available at <http://www.ccrweb.ca/IraqiPSRrefusals.pdf>.

Situation for Iraqi refugees in Syria and Jordan

The situation in Syria and Jordan has become increasingly difficult for Iraqi refugees. As the number of Iraqis arriving have increased, the governments of these countries have tightened regulations. And as the months go past, Iraqis who arrived with a certain amount of money are increasingly without means to support themselves. It is harder for Iraqis to get temporary permission to remain in Syria or Jordan, particularly if they are not very wealthy. If they are unable to renew their temporary status, Iraqis can be arrested and deported. It is often difficult or impossible for Iraqis to get work permits. There are reports of destitute families sending their 13- to 16-year-old girls out as prostitutes as the only source of income.

Human Rights Watch reported in November 2006 on the hardships faced by Iraqi refugees in Jordan:

- o Human Rights Watch, *The Silent Treatment: Fleeing Iraq, Surviving in Jordan*, HRW Index No.: E1810, 28 November 2006, available at:
<http://www.hrw.org/reports/2006/jordan1106/jordan1106web.pdf>

UN Conference on Iraqi displaced persons

The UNHCR is convening the International Conference on Addressing the Humanitarian Needs of Refugees and Internally Displaced Persons inside Iraq and in Neighbouring Countries, to take place 17-18 April 2007 in Geneva. Information is available at:
<http://www.unhcr.org/events/45e44a562.html>

Canada's response

The Canadian government usually announces early each calendar year the targets, by visa post, for government-assisted and privately sponsored refugees. The targets give an indication of which refugee populations the government intends to resettle. However, no such targets have been announced for 2007.

In 2006, the target for government-assisted refugees for the Damascus visa post (which covers Syria, Jordan and Lebanon) was 500. These would not be all or even necessarily mostly Iraqis, since there are refugees of other nationalities in need of resettlement in the region. The 2006 target for privately sponsored refugees for Damascus was 380, but year-end numbers were well below this target, in large part because of the high refusal rate for privately sponsored Iraqis.

The global targets for 2007 are between 7,300 and 7,500 government-assisted refugees and between 3,000 and 4,500 privately sponsored refugees:
http://www.cic.gc.ca/english/pub/annual-report2006/section1.html#table_1

While in the past, Canada has often joined, and played a leading role, in resettlement efforts to respond to refugee crises, the government has given no indication of a willingness to make any commitments towards Iraqi refugees.

The UNHCR plans to refer for resettlement 20,000 Iraqi refugees from neighbouring countries in 2007. In 2006, Canada resettled only 90 Iraqi refugees referred by the UNHCR. (UNHCR, Statistics on Displaced Iraqis around the World, April 2007, <http://www.unhcr.org/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=SUBSITES&id=461f7cb92>).

The US has undertaken to resettle 7,000 Iraqi refugees this year. (UNHCR, Guterres welcomes U.S. support for Iraqi refugees, 15 February 2007, <http://www.unhcr.org/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=SUBSITES&id=461f7cb92><http://www.unhcr.org/cgi-bin/texis/vtx/iraq?page=news&id=45d426702>).

Iraqi refugee claimants in Canada

The very few Iraqi refugees who manage to reach Canada to make a claim here face long waits for a refugee hearing, like other claimants. This is particularly difficult for refugees who have family at risk back in Iraq.

- ▶ S. arrived in Canada from Iraq ten months ago and made a refugee claim. He is still waiting to be told when his refugee hearing will take place. His wife and one-year-old daughter are in central Baghdad. Every time they leave the house, they put their lives at risk.

The growing delays in the refugee claim process are caused by the failure of the government to appoint members to the Immigration and Refugee Board. See CCR media release, “Government appointment failures hurt refugees”, 21 September 2007, available at <http://www.ccrweb.ca/releaseIRBapptsept06.html>.

In 2006, there was an 86% acceptance rate for Iraqis whose refugee claim was finalized by the Immigration and Refugee Board.

Even after a refugee is accepted by the Immigration and Refugee Board, they often have to wait many months if not years more to be reunited with their family. See CCR report, “More than a Nightmare: Delays in Refugee Family Reunification”, November 2004, <http://www.ccrweb.ca/nightmare.pdf>.

Iraqis in Canada whose refugee claim is refused are protected against removal by Canada’s temporary suspension, or moratorium, on removals to Iraq, but they may remain in indefinite limbo. The CCR recently published a series of profiles of people in such limbo, including an Iraqi family that is still without permanent status after more than eleven years in Canada. See *Profiles: The faces behind humanitarian and compassionate applications*, March 2007, <http://www.ccrweb.ca/profiles.pdf>

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