Living in Fear

Protection and Assistance Needs of Iraqi Civilians in Iraq and Jordan

Women's Commission for Refugee Women and Children

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MISSION STATEMENT

The Women's Commission for Refugee Women and Children works to improve the lives and defend the rights of refugee and internally displaced women, children, and adolescents. We advocate for their inclusion and participation in programs of humanitarian assistance and protection. We provide technical expertise and policy advice to donors and organizations that work with refugees and the displaced. We make recommendations to policy makers based on rigorous research and information gathered on fact-finding missions. We join with refugee women, children, and adolescents to ensure that their voices are heard from the community level to the highest levels of governments and international organizations. We do this in the conviction that their empowerment is the surest route to the greater well-being of all forcibly displaced people.

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This report was researched and written by Darla Silva, Washington Liaison, Women's Commission for Refugee Women and Children with contributions from Dr. Henia Dakkak and Melissa Nash. It was edited by Mary Diaz, Megan McKenna, Diana Quick and Wendy Young of the Women's Commission.

Contents

The Women's Commission for Refugee Women and Children conducted two missions to Amman to assess the conditions of Iraqi refugees living in Jordan and obtain current information from recent arrivals on conditions in Iraq. The first mission was in May 2002 and the most recent was in January 2003.

Summary

The Iraqi refugee crisis has already begun. There are over one million internally displaced people within Iraq and hundreds of thousands of Iraqis have already fled to border countries and beyond. Providing protection and assistance to this population, as well as to newly displaced people as a result of a war will pose difficult challenges for the humanitarian community. The people of Iraq have suffered greatly under Saddam Hussein's leadership, but they have also suffered under United Nations sanctions, which have taken a tremendous toll on the civilian population while leaving the Iraqi leadership intact.

Through interviews with Iraqis who had recently arrived in Jordan, the Women's Commission documented protection and assistance needs in Iraq and Jordan that require immediate attention, as well as the need for longer-term strategies in the event of a regime change.

For conditions in Iraq, the Women's Commission documented mobility restrictions imposed by the Iraqi government on the civilian population, with more severe restrictions placed on women. Recent arrivals also reported increased forced military recruitment by Iraqi officials of teen-age boys, as well as young men in anticipation of war with the United States. Many Iraqis in Jordan left behind children and elderly parents. All of the people interviewed with family still in Iraq emphasized the dependence on food rations distributed by the government through the UN Oil for Food program, as well as remittances from family members outside Iraq.

For Iraqis in Jordan, there are very few assistance programs. Of the estimated 305,000 Iraqis in Jordan, a small percentage choose to register with the United Nations High Commissioner for Refugees (UNHCR) office in Amman and apply for refugee status. Iraqis living in Jordan are in constant fear of detention and deportation because many have overstayed the length of time allowed in Jordan or are working illegally to support themselves and their families. Delays in the United States refugee resettlement program are making Iraqis in Jordan more vulnerable and are severely impacting UNHCR's ability to comply with its Memorandum of Understanding (MOU) with the Jordanian government on the processing and resettlement of refugees. The United States' reluctance to accept Iraqi refugees through the resettlement program weakens its voice in discussions with border countries to keep their borders open and host refugee populations. While maintaining security in a post September 11th environment requires vigilance, it cannot result in the abandonment of the United States' commitment to refugees and its leadership on human rights in the global community.

Methodology

Members of the delegation conducted interviews with Iraqis who arrived in Jordan within the last year in Jabal Taj, Jabal Nassar, Jabal Akdar and Joffeh in Amman. A member of the delegation

is an Arabic-speaking woman medical doctor with experience in the region, which allowed the mission greater access to people, particularly women. Some of the people interviewed had arrived within the last few days; others had been in Amman for several months. The delegation also met several times with UNHCR officials in Amman and observed the refugee registration process, as well as a refugee status determination appeal. On the first mission, the Women's Commission accompanied UNHCR staff on home visits with unaccompanied minors and a woman-headed household.

Estimates of the size of the Iraqi population in Jordan vary, but the figure used by the Jordanian government is 305,000. This is a fluid population and the government figure does not include people who enter or exit the country illegally. Estimates from nongovernmental organizations in the region place the number at over 600,000. Of the Iraqis living in Jordan, a very small percentage register with the UNHCR office in Amman and apply for refugee status. As of January 1, 2002, there were 5,297 pending cases and between January 1, 2002 and September 30, 2002, 1,758 new applications were received.[1]

The majority of the people interviewed for this report are Shiite Muslims from Baghdad, Basra and Nasiriya. Others are Assyrian Christians from Baghdad and Baptist Christians from Baghdad. The Women's Commission spoke to one Sunni Muslim woman from Mosul.

Key Findings

The Situation for Those in Iraq

The Iraqi government is imposing mobility restrictions on the civilian population, with more severe restrictions placed on women.

The Iraqis interviewed outlined a process that requires Iraqi civilians to obtain a permit from the local authority to allow them to leave the country, in addition to a passport. In Baghdad, the city is divided into 18 security zones and if someone wants to leave the country she/he needs a permit from the local authority of the security zone. The local authority is described as a military figure. People were able to obtain this permit through the payment of "fees." Prices varied from U.S.$150–$300 for an individual and U.S.$300–$1500 for a family. Recent arrivals said the price for permits has dropped dramatically, but that the Iraqi regime is no longer issuing new passports. Many people are using false documents to leave the country and paid between $150 and $800 for a fake Iraqi passport. These fees create an extraordinary burden on individuals wishing to flee Iraq, as the average annual income in Iraq as of late 2002 is only $593.[2]

Mobility restrictions on the civilian population affect women more severely than men. According to Iraqi law, women are unable to leave the country alone. Women under the age of 45, must

[1] "Trends in Refugee Status Determination January–September 2002," United Nations High Commissioner for Refugees, Population Data Unit, December 26, 2002.
[2] British Broadcasting Company country profile, October 17, 2002, citing BBC monitoring. The country profile can be located at http://news.bbc.co.uk/1/hi/world/middle_east/country_profiles/791014.stm

have a male relative with them, such as a father, husband, brother or uncle.[3] The only exception is women who are married to an Arab from the Gulf states or other bordering country. As a result of these restrictions, fewer women are able to leave Iraq unaccompanied, and if they do leave, are forced to pay higher prices for documents. Others pay someone to accompany them across the border. For example, one woman told the Women's Commission staff that she paid the brother of a friend of hers $200 to marry her in Iraq and accompany her across the border. He then left for Europe, leaving her alone to support herself in Jordan. It is unclear how she was managing to support herself in Jordan.

The separation of families during flight is also a frequent problem. Several families told the mission about leaving some of their children or their elderly parents behind in Iraq when they came to Jordan. Fathers often come first and work illegally to send remittances back to Iraq or try to get to a European country to request asylum. The mobility restrictions and the separation of families have resulted in a very vulnerable civilian population remaining in Iraq.

The demographic breakdown of the recognized refugee population in Jordan reflects the mobility restrictions on women. The gender breakdown of the refugee population is 55 percent male and 45 percent female.[4] The number of unaccompanied minors in Jordan is also consistent with the mobility restrictions. According to the UNHCR annual protection report for its office in Amman, in 2001, 68 children were registered with UNHCR as unaccompanied minors; 51 were boys and only 17 were girls. The relatively low number of unaccompanied minor girls raises questions about protection problems that girls who remain behind in Iraq may be facing. The importance of keeping gender and age data is crucial for identifying potential protection problems.

The restrictions on mobility and the resulting vulnerable civilian population will require specific strategies for humanitarian responses in the event of an armed conflict. It is important for policy makers to determine immediately how and whether women-headed households access assistance programs that are currently operating in Iraq and make sure that any interruption in services that results from war and a possible regime change is as brief as possible. It also raises issues in a post-Saddam environment where protection strategies must be developed immediately to protect vulnerable populations from retribution, political violence and general lawlessness. The failure to provide such protection could lead to the exodus or slaughter of minority groups and those perceived as collaborators and perpetrators.

The Iraqi government is engaging in forced recruitment of young males including teen-age boys under the age of 18.

Many of the Iraqis interviewed in Jordan spoke of forced recruitment of young men into the "volunteer" army, Al Quds, as well as forced participation in military youth groups such as Ashbal Saddam, "Saddam's Cubs," for younger children and Saddam's Fedayeen for teen-age boys and youth. To avoid forced recruitment, several families withdrew their male teen-age children from school and fled the country.

[3] See Consular Information Sheet, U.S. Dept. of State, section on "Family Issues," updated November 21, 2002. Located at http://travel.state.gov/iraq.html.
[4] Refugee Caseload in Amman by Age and Gender, UNHCR office in Amman, figures as of February 28, 2002.

Current Iraqi law allows voluntary recruits at age 15, and during war allows conscription of those younger than age 18. According to the Center for Defense Information, approximately 1,000 children are believed to be in the official Iraqi government armed forces.[5]

Several of the families interviewed spoke about military training programs to prepare youths for war with the United States and militarize Iraqi society and culture. Both boys and girls, some as young as 10 years old, participate in these military programs. In these three-week programs for children aged 10 to 15, children are trained to rappel from helicopters, take part in hand-to-hand combat, utilize infantry tactics and handle small arms. Some of these programs are known to last up to 14 hours a day, and according to the State Department's Human Rights Report on Iraq, families that refused to enroll their children in these programs were threatened with the loss of their food ration cards.[6]

One young man told the Women's Commission about his younger brother who spent four weeks in a training camp. The father of this family chose to take part of his family to Jordan and was returning to Iraq to try to get his younger son out of the country and join the rest of the family in Jordan.

Several families spoke of the increased activity of forced recruitment in recent months in anticipation of a war with the United States. The forced recruitment made it more difficult to get young men out of the country. People reported paying more for the necessary permits and passports to get young men out of Iraq and into Jordan.

Although Iraq is a signatory to the Convention on the Rights of the Child, it has failed to meet those obligations by engaging in forced recruitment. In the event of a conflict, demobilization efforts must include programs specifically for children. In addition, even children who are forcibly recruitment will be targets for reprisals. Policy makers must be prepared to protect these individuals from vigilante justice.

One of the coping strategies described by families to avoid forced recruitment was to withdraw their teen-age boys from school. In a post conflict period, remedial education initiatives should be targeted at families who used this coping strategy.

People still living in Iraq are dependent upon food rations from the government and remittances from family members in border countries and abroad.

All of the people interviewed for this report still have family in Iraq who receive food rations from the government through the UN Oil for Food program. Although figures vary on what percentage of the Iraqi population is dependent upon the program for food, a recent needs assessment by the UN placed the figure at 60 percent of the population for a total of 16 million people.

[5] "Children Used As Soldiers in Iraq," Rachel Stohl, Center for Defense Information, November 18, 2002. Available at http://www.cdi.org/terrorism/iraqchildsoldiers.cfm.
[6] Iraq: Country Reports on Human Rights Practices 2001, Released by the Bureaucracy of Democracy, Human Rights and Labor, March 4, 2002. Available at http://www.state.gov/g/drl/rls/hrrpt/2001/nea/8257.htm.

Every Iraqi citizen is entitled to a ration card from the registration center. The ration card covers one calendar year.[7] Each ration card has a number of coupons and each month ration agents collect the coupons. The registration centers establish lists of families by name, age and number of consumers in each household and send the list to a computer center. The computer center sends a copy of each list to retail ration agents and another copy to the food distribution centers. According to reports from the Iraqis in Jordan the rations include a month's worth of flour, sugar, rice, tea, soap, detergent, lentils, chick peas and cooking oil. Recently, the rations have increased to two months of distribution at one time in anticipation of a war. Food rations are distributed three weeks of every month. Approximately one million people are entitled to receive their ration on any given day of distribution. In the event of a conflict, it is very likely there will be at least a temporary suspension of the rationing system. It is imperative that the food distribution network be maintained and restarted under new management as soon as possible.

The Iraqis interviewed reported very little food reserves in the south and central regions. Low income families are the most vulnerable because they reported the smallest amount of reserves. Previously, Iraqi civilians in the south and central regions used the food rations as a form of currency, but recently people are stockpiling as much food as possible. They also supplement their food reserves from the black market, which is very expensive.

The people of Iraq in the center and south of the country will likely face serious food shortages within one to two months. A new, more flexible UN Security Council resolution for the Oil for Food program will be required in the event of a regime change. This resolution should allow for NGO participation and loosen restrictions on dual use items, particularly those used for water treatment and health programs.

In addition to dependence on the food rationing system, the people within Iraq are also dependent upon remittances from family members abroad or in border countries. The sending of remittances from Jordan was described as going through a local dealer called a "hawala" or more informally through drivers who go back and forth across the border. As described, the use of a dealer requires the sender to give cash, plus a small commission, to the dealer's local office in Jordan. The dealer gives the sender a code which the sender gives to the recipient in Iraq. The recipient then goes to the dealer office in Iraq and collects the cash. As long as there are sufficient influxes of cash this system works. The closing of borders will prevent the delivery of some of the remittances and leave the population within Iraq more vulnerable.

The United States and other members of the Security Council must be prepared to take prompt action and maintain the current food pipeline. Another obstacle to providing assistance to the Iraqi civilian population is the licensing requirements administered by the U.S. Department of Treasury's Office of Foreign Assets Control. These restrictions severely hinder the ability of international nongovernmental organizations to do needs assessments and establish and carry out programs.

[7] The operation of the food rationing system is outlined in "Annex III – Distribution Plan for Phase XIII," submitted by Government of Iraq to Security Council in accordance with Memorandum of Understanding of May 20, 1996 and Security Council Resolution 1447 (2002). This document can be found at www.un.org/Depts/oip/dp/dp13/execsummary.pdf

Iraqi families in Jordan said the situation now is very different from the first Gulf War. One man said, "In 1991 everyone had enough food. Now, the sanctions have made life very difficult."

When asked whether family members in Iraq would seek to leave their homes in the event of a military intervention, many people said "maybe." Several people said they remembered people dying in bomb shelters during the Gulf War and said their relatives would rather die at home than in a shelter. Others were concerned about protecting the limited assets they have left or were too afraid of the unknown facing them if they chose to leave.

The Situation of Iraqis in Jordan

Very limited protection and assistance is available to Iraqis in Jordan.

The vast majority of Iraqis living in Jordan receive no assistance. Although there is no visa requirement for Iraqis traveling to Jordan, those entering are granted a two-week stay in the country, which can be extended by going to the local police station. Extensions are routinely granted for three months. However, recent arrivals reported the need to obtain a blood test for HIV/AIDS in order to obtain an extension of their stay in Jordan. It is unclear what happens to those who test positive. If people overstay their extension, then they are required to pay a fine of 1.5 Jordanian dinars (about U.S.$2.20) when they leave the country for every day they overstay.

The burden of maintaining legal status in Jordan is a constant struggle. Iraqis try to maintain their legal status in Jordan by traveling to Syria for a night and then re-entering Jordan for an additional three months. Others told the delegation about going to Saudi Arabia for a pilgrimage during Ramadan and then reentering Jordan for additional time. People live in constant fear of being detained or deported by Jordanian authorities. As a result, they try to keep a very low profile in the country and are reluctant to access even the very limited services that are available. One woman told the delegation, "They can kill me here in Jordan, but I will never go back to Iraq."

The Women's Commission delegation visited neighborhoods in Amman where Iraqi families were living in abandoned houses with no heat. One woman was living in such a home with her three small children. Her husband was a teacher in Iraq and she worked as an architect. They fled Iraq and have been struggling to survive in Jordan for over a year. They chose not to register with UNHCR because they heard that very few people receive refugee status and they were afraid to tell anyone where they were. Her husband works illegally to try and support the family. Recently the owner of the abandoned apartment where they are living approached them about increasing the rent because he knows they are illegal and cannot easily move. The woman has a son who is less than three months old and was born in Jordan. The baby was born at a Jordanian hospital where the family paid cash for the delivery. Although the birth was registered, the boy is stateless. He does not automatically acquire Jordanian citizenship under Jordanian law even though he was born in the country and the family cannot approach the Iraqi Embassy to apply for Iraqi citizenship.

The lack of affordable primary healthcare services for Iraqis in Jordan is particularly hard on women. Unlike refugees in many other situations, Iraqi women are accustomed to giving birth in

a hospital and are unfamiliar with giving birth at home without medical personnel present. Several women told the Women's Commission about going to a hospital and using their cash reserves to pay for an assisted delivery. Despite their desire to keep a low profile in Jordan, they do seek medical care for delivery of a child, even if they exhaust their cash reserves in doing so.

Jordan fails to provide work authorization to Iraqi asylum seekers. In order to obtain work authorization in Jordan, foreigners must comply with local labor laws. It is very difficult for people to receive work authorization and many choose to work illegally to support themselves. Working illegally increases the chances of Iraqis being detained or deported. Without work authorization, people are more vulnerable to workplace abuses such as nonpayment of salary or abusive working conditions.

Iraqis who have registered with UNHCR as asylum seekers or even those who have been granted refugee status are not automatically given work authorization. They still must comply with local labor laws and are rarely granted such authorization. UNHCR assistance is limited and the delays in processing have resulted in longer stays in Amman with fewer families able to receive direct assistance.

Recently, the United States funded an expansion of a program operated by CARITAS to help Iraqis in Jordan. Iraqis visiting the CARITAS program are able to receive primary health care and some help with education fees and books. However, the program is limited in the number of people it can serve and more programs are needed to meet the needs of this growing population.

Even in Jordan many Iraqis do not feel safe and do not trust government officials or members of the international community. Several families expressed frustration and anger about the abandoning of Shiite opposition members in Basra in 1991 when they were encouraged to rebel against the regime and then suffered greatly when the uprising was stopped by Iraqi forces from Baghdad. Several families told the delegation about family members who were imprisoned after the 1991 uprising and how they were forced to pay to get them out of prison. One woman told the delegation about how she had to give her family business to the regime in exchange for getting her husband out of prison. A man told the delegation of his repeated detentions and the gradual loss of all of his assets to pay to local officials to keep him out of prison. He also spoke about extensive surveillance of him and his family members by government officials. This man did not feel safe from the Iraqi regime and continues to maintain a very low profile in Jordan. Given the experience in 1991, many families will not return to Iraq until they are assured of a secure environment and the installation of a civilian government. Several Iraqis told the delegation they fear other members of the Baath party just as much or more than they fear Saddam Hussein.

Many Iraqis in Jordan are reluctant to approach the UNHCR offices and apply for refugees status.

There are no UNHCR-administered refugee camps in Jordan. The urban refugee population is served by the UNHCR offices in Amman. Refugees must approach the office on an individual basis for a refugee status determination.

Although Jordan is not a signatory to the 1951 UN Refugee Convention, the Jordanian government signed a memorandum of understanding with UNHCR in April, 1998 concerning the treatment of asylum seekers and refugees. According to the memorandum, Jordan agrees to admit asylum seekers and respect UNHCR's refugee status determinations. Once a refugee is recognized by UNHCR, he/she must leave Jordan for third country resettlement within six months. The memorandum also adopts the refugee definition contained in the UN Refugee Convention and prohibits the *refoulement* – forced return of refugees and asylum seekers.

The vast majority of refugees under UNHCR protection in Jordan are Iraqis (88%).[8] The next largest group is Chechens with Russian nationality (7%), then Somalis (2%) and Sudanese (1%).

Many Iraqis expressed concern about the presence of Iraqi intelligence officers monitoring who was going to the UNHCR offices seeking protection. The UNHCR office is open for registration two days a week. On those days, people line up outside the building. There are apartment and office building across the street from the offices with non-reflective glass that prevents people from seeing into the building. Some of the Iraqis interviewed were convinced that people are monitoring the UNHCR office from those surrounding buildings. Iraqis who do go to the UNHCR office said they wear hats and sunglasses to try and hide their identity. Some are reluctant to approach the office because of fear of retribution against family members remaining in Iraq.

As part of the registration process, UNHCR staff do an initial questioning of people just inside the gate of the compound where they check passports and ask why they are seeking protection. If a person can articulate specific protection concerns, they are allowed to proceed into the courtyard for a more thorough interview. If the person cannot articulate specific protection concerns or claims economic hardship because of the sanctions, they are not allowed to register.

Some Iraqis interviewed by the Women's Commission said they did not approach UNHCR because they were not confident that the office would help them. People said they heard that most people are denied refugee status and even for those who are granted refugee status it takes a very long time for them to get out of the country. Many people said they would rather try and join relatives in European countries or in Canada or Australia rather than pursuing refugee status with UNHCR.

According to figures from the UNHCR population data unit, the refugee recognition rate for all nationalities in the UNHCR office in Amman is 14 percent. In contrast, recognition rates from other refugee host countries in the region include: Egypt 38 percent, Iran 76 percent, Syria 11 percent and Turkey 54 percent.[9]

There are several explanations articulated for the relatively low recognition rate of Iraqis in the UNHCR office in Amman. Many Iraqis are perceived to be fleeing the impact of the UN sanctions, thus making them economic migrants, rather than fleeing persecution based on race,

[8] Figures from UNHCR office in Amman as of 2/28/2002.
[9] Figures from "Trends in Refugee Status Determination January–September 2002," UNHCR Population Data Unit, December 26, 2002.

religion, nationality, political opinion or membership in a particular social group, which would render them eligible for refugee status under the 1951 refugee convention.

Also influencing the status determination process is the fact that resettlement is the only available durable solution for the recognized refugee population in Amman. There is tremendous pressure on the UNHCR office to get the recognized refugee population out of Jordan within the six-month time period outlined in the MOU with the Jordanian government. In the post September 11th environment, this is not an easy task. The United States is by far the largest resettlement country in the world. However, after September 11th, the U.S. resettlement system was suspended for several months; once it resumed, it proceeded at a much slower pace, largely due to enhanced security procedures that have generated a significant backlog of cases worldwide. As a result, in fiscal year 2002, only 27,000 refugees were admitted instead of the target of 70,000. In fiscal year 2003, it appears that admissions may be even lower. While the pressure to recognize only as many refugees as can be accommodated through resettlement was never articulated as a reason for a low recognition rate, the dynamics of the situation cannot be ignored. Other countries that accepted refugees from Jordan include Australia, New Zealand, Canada and several Nordic countries.

Another problem contributing to refugees' reluctance to approach the UNHCR office is the length of time needed to process a claim. The people interviewed spoke about approaching the office to register and then waiting months to be interviewed. During that time, their registration card provides them with limited protection if they are detained by Jordanian authorities. For example, if a registered asylum seeker is picked up by the Jordanian authorities, the Jordanian authorities will contact the UNHCR office for an immediate determination of the person's refugee claim. Such a determination is done on an expedited basis with a very limited appeal process. If the person is found not to be a refugee by UNHCR, she/he is deported.

The Women's Commission interviewed a man who had been through this process. This man, "Ali," applied for refugee status within two weeks of arriving in Jordan. He was given a date for an interview several months later. After his interview, he came back to the UNHCR office several months later and was told that his application was denied. He then filed an appeal and while he was waiting for his appointment, he tried to leave Jordan to go to Syria and then reenter Jordan for an additional three months. He was detained at the border and the Jordanian authorities contacted UNHCR. A representative from UNHCR was sent to the border to interview him, but his refugee appeal was denied. He was then deported back to Iraq. He was detained in Trebil and transferred to Baghdad. He spent 42 days in a jail in Baghdad before a family friend, who is well known in the Baath party, came to the prison to guarantee that he would not leave again. He was released, but his life in Baghdad became more difficult because of surveillance. He then paid $800 for a false passport and left Iraq for Syria. He spent several days in Syria and came to Jordan in late October, 2002. Despite his fear of persecution if he was discovered and returned to Iraq, he will not go to the UNHCR office. Based on his prior experience, he does not believe they will help him.

Many families expressed similar frustration about the delays in interviews and frequently reported incidents of appearing for scheduled interviews only to be told that the interviews on that day were cancelled and rescheduled several months later. Moreover, the location of the

UNHCR office is not easily accessible to members of the Iraqi community who live in different areas of Amman and are forced to pay for taxis to the office. Many asylum seekers have infants and small children and are forced to line up outside the building waiting for appointments or in a small courtyard inside the UNHCR compound. When the weather is cold, the wait is much harder. After paying the cab fare and waiting for several hours only to be told to come back several months later, feelings of frustration and anger are inevitable.

Many of the Iraqis interviewed who chose to apply for refugee status with UNHCR had a very vague understanding of the application process and the standards used to evaluate a refugee claim. They also expressed fear about revealing everything that happened to them because they were concerned about the consequences if they were forced to return to Iraq. A factor that feeds into their reluctance to be forthcoming is the configuration of the rooms where interviews are conducted. Because of limited space, there are no separate conference rooms to conduct interviews. Instead interviews are conducted in individual attorney offices. People must walk through these offices in order to access their own offices. For someone who is nervous and talking about issues that are very difficult, it is extremely unnerving to have someone walk through the room. Ensuring that the UNHCR office has the resources to solve this office configuration problem should be a priority in order to give asylum seekers more privacy.

A rights awareness project with materials in Arabic and available on the Internet would be useful to helping asylum seekers understand the refugee process. Amman has many Internet cafes that people use to access information and asylum seekers may feel more comfortable accessing information in this manner because it is more anonymous. In addition, there are a few local human rights nongovernmental organizations that could be given the resources to provide rights awareness. Mizan, a local human rights NGO, is working with UNHCR to provide legal assistance to refugees who are detained by the Jordanian government. It has a small staff of local lawyers, including women who are fluent in Arabic and English. Organizations like Mizan could be used to create a Refugee Center to provide legal assistance to refugees and asylum seekers.

Delays in the U.S. resettlement program are making Iraqi refugees in Jordan more vulnerable.

Prior to September 11th, the Immigration and Naturalization Service (INS) would make quarterly circuit rides to Amman to evaluate cases presented by UNHCR for resettlement to the United States. At each circuit ride, the UNHCR office would present approximately 40 cases. The vast majority of the cases presented to the INS were accepted. Even before September 11th, it was very difficult for UNHCR to meet the six-month deadline outlined in the UNHCR MOU for finding third country resettlement for recognized refugees. Since September 11th, the INS has made just one circuit ride to Amman. The lack of INS circuit rides has resulted in extensive delays.

For refugees leaving Jordan in 2001, the length of time from recognition to travel was 11 months, almost twice the allowable time in the MOU. For refugees leaving Jordan in 2002, the time from recognition to travel for third country resettlement was 16 months, almost three times the time period outlined in the MOU. Given the current delay in resettlement, it is likely that the time from recognition to travel will be even longer in 2003. This delay hurts UNHCR's stature

with the Jordanian government and will impact its ability to negotiate future agreements. The delay also creates protection problems for refugees in Jordan. Refugees who remain in Jordan beyond the six month time frame are technically out of status and UNHCR has worked to prevent deportations.

In the fall of 2002, there was a spike in detentions of recognized refugees, but they were soon released after questioning. Despite their release, they face continued protection concerns in Amman as they wait for resettlement. In fact, the UNHCR office in Amman is beginning to double submit cases for resettlement to other countries.

While maintaining security in a post September 11th environment requires vigilance, it cannot result in the abandonment of the United States' commitment to refugees and its leadership on human rights in the global community. Perhaps no other U.S. government program has been more negatively impacted than the refugee resettlement program since September 11th. A willingness on the part of the United States to accept people fleeing persecution from a government that the United States is actively trying to change is a sound policy decision and will demonstrate good will.

Conclusion

The Iraqi refugee crisis has already begun. Not only are there at least 305,000 Iraqis in Jordan, there are one million internally displaced people within Iraq. Providing assistance to this population in the event of a conflict will pose difficult challenges for the humanitarian community. Simply ensuring access from the leaders of various border countries when the conflict is opposed by the majority of its population will be a delicate issue requiring constant attention. Other challenges include providing protection and assistance to a population that is highly dependent on the current government for food assistance and in an environment when the risk of retributive violence in a post-conflict setting is very high.

If the United States — with or without coalition forces — initiates a military intervention, it will have a responsibility to protect civilian populations pursuant to international law. To comply with Geneva Convention requirements during the conflict and particularly in a post-conflict environment, policy makers must develop a strategy before the conflict begins. The following recommendations are divided into recommendations for the status quo environment and for a potential regime change whether it be through military force or other means.

Short-term Recommendations

The United States and other donor countries must respond immediately and favorably to United Nations appeals for funding to conduct essential contingency planning and to fully implement its programs in UN offices in the region.

The United Nations issued a request to donors for $37 million in December 2002 to do contingency planning. It is essential that this request be fully funded in order to save the lives of Iraqi civilians in the event of a conflict. UNHCR issued an appeal for $60 million to preposition

supplies in the region and prepare for a possible crisis. The donor countries must also respond to specific country appeals. The UNHCR office in Jordan was recently forced to cut back on staff because of budget shortfalls. While there is room for improvement in the operation of the UNHCR office in Amman, it is crucial that it have the resources to meet its protection mandate.

Iraqis living in Jordan should be given temporary legal status to prevent their detention and deportation to Iraq.

Many of the Iraqis living in Jordan are in constant fear of detention and deportation. This fear limits their mobility and takes a heavy toll on their psychological well-being. Their lack of legal status makes them more vulnerable to exploitation by employers and landlords, as well as at risk of persecution if they are returned to Iraq.

The United States should provide more assistance to Iraqis in Jordan through international nongovernmental organizations, as well as the Jordanian government.

Although there are no refugee camps in Jordan, there is a very large Iraqi urban refugee community. Given the threat of war and the poor humanitarian and human rights conditions in Iraq, the Iraqis living in Jordan cannot return to Iraq. The United States should support more assistance to Iraqis already living in Jordan. It should also support an expedited NGO registration process in border countries such as Jordan and Turkey.

The United States should revise Office of Foreign Assets Control restrictions for Iraq that hinder nongovernmental organizations' ability to conduct needs assessments and provide programming in Iraq.

The Office of Foreign Assets Control in the U.S. Treasury Department, in conjunction with the State Department, issues licenses to organizations to allow them to operate in Iraq. License applications can take months to process and there are no time limits for processing them. An expedited process is needed, as well as an easing of restrictions to allow Americans to travel to Iraq.

Reports of forced recruitment of youth into "volunteer" armies such as Al Quds and forced participation of children in Ashbal Saddam and Saddam's Fedayeen should be investigated by UN agencies in Iraq.

Although UN presence inside Iraq, particularly in the south and central regions, is limited, reports of forced recruitment should be investigated. UN presence in the country should be as aggressive as possible. This information will also be helpful in developing strategies for demobilization and identifying populations that may be at risk for reprisals.

The United States must resolve the delays in the refugee resettlement program.

Delays in processing because of new security protocols have made refugees more vulnerable and have weakened the United States voice in encouraging other countries to keep their borders open and host refugee populations. The U.S. government should take steps to strengthen the U.S.

resettlement program by the FBI prioritizing security advisory opinions for refugees over those required for other visa applicants. In addition, the INS should do more circuit rides to the UNHCR office in Amman.

Recommendations for a Post-Saddam Iraq

The Women's Commission continues to press for a diplomatic solution to the crisis in Iraq, but in the event of a military intervention, actions to protect vulnerable members of the civilian population in Iraq in the event of a security vacuum and those that have fled to neighboring countries must be taken immediately.

The United States and other members of the United Nations Security Council should be prepared to act promptly on a new, more flexible UN Security Council resolution to administer the Oil for Food Program.

Termination or suspension of the UN oil for food program will occur in the event of a regime change. Because food stocks, particularly in the south, are low and people will experience food shortages within one to two months, the Security Council must be prepared to act on a new resolution that is tailored to the new working environment and incorporates NGO involvement.

United States and coalition forces must be prepared to provide protection and assistance to the Iraqi civilians pursuant to the Fourth Geneva Conventions as an occupying power.

The likelihood that the United Nations or any other civilian body will be able to provide protection of civilians within the first few months of a conflict are slim. Although military planners may perceive policing as a civilian function, they must be prepared to identify vulnerable populations and provide protection. To accomplish this task they must be familiar with the location of ethnic neighborhoods such as Baghdad, Tikrit and Kirkuk. They also must be prepared to quickly approach local leaders and engage them directly to foster a stable environment.

Establishing a system of administering justice must be a top priority in a post-conflict Iraq.

If police or courts are not functioning, the entire security system is jeopardized. In other post-conflict situations where a security vacuum exists, the ruthless warlords become influential and humanitarian assistance is diverted. Lack of security will also hinder reconstruction efforts. Policy makers must be prepared to respond to questions such as what law will apply in the event of a regime change and who will be responsible for administering it.

Securing of public records is crucial to ensure an orderly return of assets to refugees and internally displaced people.

In the event of a regime change, the outgoing officials may try to destroy land title records and other public documents that will make orderly return of assets more difficult. It is crucial for U.S./coalition forces to secure these repositories to protect the rights of people who have fled

voluntarily or who have been forcibly relocated to other areas of the country. The orderly return of assets will be a crucial test to any post Saddam government.

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