

# Promises without solutions: Iraqi refugees left in the lurch in Lebanon

by Bashir Osmat, Michael Kagan and Samira Trad

*The US decision to halt refugee resettlement following the 11 September 2001 attacks<sup>1</sup> has left Iraqi refugees in Lebanon in limbo.*

Lebanon has not signed the 1951 Refugee Convention and refugees live in fear of arrest and detention. Refugees in Lebanon have no right to residence or work permits and UNHCR provides only minimal financial assistance. Most survive on the informal economy. Since August 2000 hundreds of Iraqis have been deported from Lebanon to Iraq, including dozens of recognised refugees and asylum seekers.

On paper, Iraqi refugees in Lebanon seem prime candidates for third-country resettlement – one of the three durable solutions for refugees promoted by UNHCR. UNHCR guidelines make a high priority of resettlement from countries that threaten refugees with deportation. Yet, UNHCR's commitment to seek durable solutions does not correspond to an actual right to enjoy one. No country is required to accept resettlement of refugees who first seek protection in another state.

Resettlement programmes for refugees who cannot find protection in the first country they reach are separate from the normal asylum systems operated by many governments for people who arrive directly on their shores. Refugees who arrive in Lebanon hence encounter a kind of parallel protection system with additional hurdles to overcome.

For asylum seekers in Lebanon, the first step along the long and winding road to resettlement is refugee status determination. In 2001 24% of Iraqi asylum seekers were accepted by UNHCR's Beirut office. UNHCR then considers whether to refer refugees for resettlement to third countries. Of the 653 Iraqis resettled by UNHCR in 2001, the majority went to the US.

As with other refugees referred by UNHCR in the Middle East, refugees in Lebanon waited for periodic visits by US asylum officers. Refugees approved by US asylum officers in 2001 received a letter that said, simply, "The Immigration Officer has determined that the case is tentatively approved pending post-interview procedures." Post-interview procedures normally included health and security screening.

Refugee resettlement is optional in international law and governments retain the power to stop the process at any point. After 11 September, the US resettlement process in Lebanon came to a near halt. Though processing from other countries in the Middle East recommenced in spring 2002, by spring 2003 no US asylum officers had returned to Lebanon.

## Broken promises?

In May 2003 the Frontiers Center in Beirut interviewed 20 Iraqi refugees who had been referred to the US, 16 of whom had received tentative approval letters. Almost all had assumed that travel was imminent in 2001 and had made decisions accordingly. This cost them dearly. They resigned from their jobs, sold or gave away their belongings, bought articles for travel and took out loans. Their most common comment was that America had made them a 'promise' and should be required to keep it.

These Iraqis report that, when they approached the UNHCR office in Beirut to ask for information, UNHCR turned them away with vague, incomplete or inaccurate information. Most said that they were only able to speak with the receptionist, a guard or a policeman at the office gate. They complained that UNHCR and the UN

system in general had not adequately represented their interests. They perceived that the US had failed to discharge its obligations to provide assistance or compensation for the unexpected delay in resettlement.

"The US knows very well our suffering", one Iraqi said. The US did not send the Iraqis any correspondence revoking their acceptances. "Because of their promise, they kept me hoping", said another.

As the prospect of war in Iraq rose in early 2003, the Iraqi refugees in Lebanon wondered whether the US would ever accept them. After the war UNHCR announced preliminary plans to repatriate Iraqis and the Lebanese government organised the repatriation of more than 1,000 Iraqis.

Eventually the US did begin allowing previously approved Iraqis to travel from Lebanon but at a snail's pace. In 2002, 27 Iraqi refugees travelled to the US, followed by 59 in the first half of 2003. Yet, in July 2003, 191 Iraqis in Lebanon who were tentatively approved by the US before 11 September 2001 were still awaiting official word on when, or if, they could travel.

The concerns raised by Iraqi refugees in Lebanon highlight the need for reform of the durable solutions system:

- UNHCR and governments must change the way they treat refugees, allowing them to be informed decision makers in the resettlement process.
- UNHCR and countries participating in refugee resettlement should draft and agree to a Code of Refugee Relations governing communication with refugees during resettlement processing.
- Such a code should guarantee that refugees will be provided complete information about the procedures and timetable involved in their resettlement and notified of any changes.

- UNHCR should provide refugees with regular counselling, access to knowledgeable officials and information about the steps the agency is taking to promote a solution.
- The international community must do more to fill the gap between the UN's promise to seek solutions for refugees and governments' willingness to actually deliver solutions.

*Bashir Osmat is Professor of Sociology, Lebanese University (bashiros@hotmail.com).*

*Samira Trad is the director of the Frontiers Center in Beirut (frontierscenter@fastmail.fm).*

*Michael Kagan is a lawyer and consultant with Frontiers Center (mikekagan@fastmail.fm).*

*The Frontiers Center is an independent counselling and research organisation providing professional services to marginalised people.*

1. See FMR15 pp 48-49.