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## MOTION FOR A RESOLUTION

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 115 of the Rules of Procedure

by Marco Cappato, Baroness Nicholson of Winterbourne, Marios Matsakis,

on behalf of the ALDE Group

on the humanitarian situation of the refugees from Iraq

**European Parliament resolution on the humanitarian situation of the refugees from Iraq**

*The European Parliament,*

- having regard to its previous resolutions on the right of refugees to international protection,
  - having regard to the United Nations Convention Relating to the Status of Refugees (Refugee Convention) and to the 1967 Protocol Relating to the Status of Refugees,
  - having regard to the UNHCR's Return Advisory and Position on International Protection Needs of Iraqis outside Iraq, dated 18 December 2006,
  - having regard to the UN Guiding Principles on Internal Displacement,
  - having regard to Directive 2004/83/EC of 29 April 2004, on minimum standards for the qualification and status of third-country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted ("Qualification Directive"),
  - having regard to Rule 115(5) of its Rules of Procedure,
- A. whereas violence in Iraq is displacing hundreds of thousands of people within the country and abroad,
- B. whereas the United Nations estimates that 1.8 million people are displaced within Iraq and up to 2 million Iraqis have fled the country,
- C. whereas 50.000 people try to leave Iraq every month and whereas the neighbouring countries have restricted access for refugees seeking asylum,
- D. whereas the refugees receive humanitarian assistance from UNHCR and the International Committee of the Red Cross (ICRC) but conditions for refugees and other displaced Iraqis are increasingly dire, with limited supplies of water, food, fuel and medicines, and whereas humanitarian organizations are appealing for adequate funding to respond to the increased needs inside Iraq and in neighbouring countries,
- E. whereas most countries hosting Iraqi people are restricting entry and imposing restrictive stay and visa renewal requirements, so that many Iraqis quickly lose their legal status under the temporary protection regime (TPR),
- F. whereas the response of European Member States and other major European powers to Iraqi refugees has been even more restrictive, with the exception of Sweden,

- G. whereas, under customary international law, there is a legal obligation not to return refugees to persecution or serious harm and to allow asylum seekers fleeing widespread human rights abuses and generalized violence to enter the relevant country to be considered for refugee or other forms of protected status,
1. Calls on the EU and other international donors to recognise the humanitarian crisis inside Iraq and to react accordingly;
  2. Asks the Commission and the Member States to support the UNHCR's protection efforts focused at providing minimum protection from 'refoulement', non-detention and non-penalisation for illegal entry and access to education, adequate housing, basic health care facilities and other basic services;
  3. Calls on EU Member States to determine, swiftly and fairly, the claims of Iraqi asylum-seekers, in accordance with UNHCR's Return Advisory and Position on International Protection Needs of Iraqis outside Iraq of 18 December 2006 and to fulfil their international and *acquis* obligations to grant refugee status or subsidiary protection to those who are at risk of persecution or serious harm;
  4. Recognises the approach taken by the Swedish Government, which granted protection to a significant number of Iraqi asylum-seekers in 2006, and invites other Member States to take this country as the example to be followed;
  5. Welcomes the international conference scheduled for 17 April 2007 on addressing the humanitarian needs of Iraqis and internally displaced persons inside Iraq and in neighbouring countries;
  6. Asks the EU Member States and the international community, as a demonstration of international burden-sharing, to contribute to the resettlement of Iraqi refugees and stateless persons from Iraq;
  7. Calls on all governments inside and outside the region to share the human burden by providing both temporary and permanent asylum, as appropriate, to Iraqi and other refugees fleeing conflict and persecution in Iraq in order to prevent 'refoulement' and maintain at least temporary asylum in the neighbouring countries that may struggle to cope with the influx of refugees of Iraq and to support the democratically elected Government of Iraq;
  8. Calls on the EU Presidency to address the humanitarian situation of the refugees from Iraq at the current UN General Assembly;
  9. Instructs its President to forward this resolution to the Commission, the Council, the UN High Commissioner for Refugees and the Secretary General of the Arab league.