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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 Angelika Beer, Joost Lagendijk, Raül Romeva i Rueda, Caroline Lucas, Alyn Smith, Jill Evans, Jean Lambert, and Hélène Flautre,

on behalf of the Verts/ALE Group

on the humanitarian situation of refugees from Iraq

European Parliament resolution on the humanitarian situation of 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 Urgent appeal of the High Commissioner for Refugees (UNHCR), António Guterres, of 7 February 2007 to increase international support for those countries hosting refugees fleeing Iraq, as well as the UNHCR's Return Advisory and Position on International Protection Needs of Iraqis outside Iraq, dated 18 December 2006 and the Supplementary Appeal of January 2007,
 - having regard to the Guidelines on the Treatment of Iraqi Asylum seekers and refugees in Europe by the European Council on Refugees and Exiles of March 2006,
 - having regard to Reports by Human Rights Watch on The Perilous Situation of Palestinians in Iraq of July 2006 and the appeal for financial support for Iraqi Refugee Care in Neighbouring States of January 2007, as well as the Amnesty International Appeal of February 2007,
 - 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, according to UNHCR figures, over 1.7 million Iraqis are now internally displaced, including some 500,000 who have become displaced since the bombing of the Shi'a holy shrine in the city of Samarra in February 2006, whereas since 2003 up to two million Iraqis have sought refuge in neighbouring countries and of these some 700,000 currently reside in Jordan and approximately one million in Syria,
- B. whereas between 40.000 and 50.000 people try to leave Iraq every month and whereas, according to the High Commissioner, this is the biggest movement of people in the Middle East since the Palestinians left Israel in 1948,
- C. whereas the neighbouring countries, and particularly Syria and Jordan, have carried the main burden of the refugee influx, as well as Egypt, and would urgently need increased support and burden-sharing from the international community to continue their engagement and whereas the UNHCR has requested an additional \$ 60 million to this

end,

- D. whereas the number of Iraqi refugees abroad who freely choose to return home has been steadily decreasing from 300 000 during the period 2003 to 2005 to around 15 000 in 2006,
- E. whereas the internally displaced are frequently victims of human rights violations originating from ethno-religious differences, or of political and criminal order and whereas most leave their homes without hope of ever being able to return, which has long-term demographic consequences putting at risk any prospects for future national reconciliation as well as the economic and human development of Iraq,
- F. whereas the security of third country nationals, stateless citizens and particularly the approximately 34 000 Palestinian refugees in Iraq has drastically deteriorated after the fall of the Saddam Hussein Government and whereas, despite their refugee status, Iraqi Palestinians have been subjected to new and extremely burdensome registration requirements, whereas, according to reports by independent human rights organisations, elements of the Ministry of Interior have been implicated in the arbitrary detention, torture, killing and "disappearance" of Palestinians,
- G. whereas Jordan has, in the meantime, closed its borders for Palestinian refugees and whereas other neighbouring countries, such as Kuwait, Saudi Arabia and Syria, refuse to admit Palestinian refugees and Israel does not allow them to return to Israel or to the Occupied Territories, with the result that hundreds of Palestinians as well as other displaced are stranded in border camps,
- H. whereas the refugees receive humanitarian assistance from UNHCR and the International Committee of the Red Cross (ICRC) but conditions in the overcrowded camps are increasingly dire, with limited supplies of water, food, fuel and medicines,
- I. whereas countries hosting refugees from Iraq are restricting stay and visa renewal requirements, so that many Iraqis quickly lose their legal status under the temporary protection regime (TPR),
- J. whereas most European countries have been very reluctant to accept Iraqi refugees with the exception of Sweden and whereas Great Britain and Poland have even sent Iraqi refugees back to the war stricken country,
- K. 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,
- L. whereas some European countries do not grant any kind of protection status or other legal status to former Iraqi asylum seekers awaiting return and they are then left in a legal 'limbo', in an irregular situation with few or no rights and without any possibility of receiving material reception conditions or permission to work in order to survive,

- 1. Calls on the EU and the Member States to respond to the UNHCR Appeal in support of

the programmes for Iraqi refugees and internally displaced in Iraq, Syria, Lebanon, Turkey and Iran, as well as Egypt; considers that an important part of the EU budget foreseen for programmes with Iraq could be dedicated to this end;

2. Urges Iraq's bordering countries to abide by their legal duty to admit refugees immediately, particularly those stranded in no-man's land or at their borders and those belonging to specifically targeted minorities, such as stateless Palestinians or Christians;
3. Welcomes 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;
4. Calls on the Commission and the Member States to increase their support for the Iraqi Ministry for Displacement and Migration in its task of coming to the assistance of the internally displaced and the returning population;
5. Asks the Commission and the Member States to support the UNHCR's protection efforts focused at providing minimum protection from 'refoulement', non-detention non-penalisation from illegal entry and access to education, adequate housing, basic health care facilities and other basic services;
6. 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;
7. Encourages the significant number of Member States which have thus far failed to transpose Council 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") to adopt national laws as soon as possible applying its criteria in a broad and flexible manner;
8. 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;
9. Instructs its President to forward this resolution to the Commission, the Council, the UN High Commissioner for Refugees and the governments of Iraq, Syria, Jordan, Lebanon, Israel, Egypt and Turkey.