



Nowhere to Flee

The Perilous Situation of Palestinians in Iraq

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I lived in Baghdad for fifty-eight years. This is the first time I ever left. Leaving Iraq is like tearing my roots from Iraq. All of my children were born there. I brought all of them out—my sixteen children and grandchildren. After my wife's nephew was strangled, we couldn't go out on the street. It was impossible to live there any longer. I left behind my house, all my furniture. I didn't leave behind my car because it was already stolen a year ago. We didn't know where we were going, we just wanted to get out to save ourselves and our children.

—Palestinian refugee, Trebil camp on the Iraqi border, April 30, 2006

I. Executive Summary

The security of the approximately 34,000 Palestinian refugees in Iraq has drastically deteriorated since the fall of the Saddam Hussein government in April 2003. Militant groups, mostly Shi'a, have targeted this predominantly Sunni minority community, attacking their communal buildings, committing several dozen murders, and threatening harm unless they immediately leave Iraq. Amidst the widespread politically motivated and criminal violence in Iraq, Palestinians have been targeted more than other minorities because of resentment of the privileges Palestinians received during Saddam Hussein's rule, and suspicions that they are supporting the insurgency.

The Iraqi government bears considerable responsibility for the plight of the country's Palestinians. Elements of the Ministry of Interior have been implicated in the arbitrary detention, torture, killing, and "disappearance" of Palestinians. Despite their status as refugees, Iraqi Palestinians have been subjected to new and extremely burdensome registration requirements, providing a venue for bureaucratic hostility. And unlike Iraqi citizens at risk, who are largely able to find refuge abroad, Palestinians have nowhere to flee: countries in the region (with rare, temporary exceptions) have kept their borders firmly closed to fleeing Iraqi Palestinians. And the international community has done little to help ease their plight.

Palestinian refugees in Iraq became a target for violence, harassment, and eviction from their homes soon after the Iraqi government fell to U.S.-led forces in 2003. Unknown assailants fired upon Palestinian housing projects with assault weapons and mortar rounds, and threw bombs into Palestinian homes. A particular point of contention had been the government's provision to Palestinians of subsidized housing, often at the expense of mostly Shi'a landlords who were paid a pittance in rent by the Iraqi government. Immediately after the fall of the Saddam government, Shi'a landlords forcibly evicted their Palestinian tenants.

Since then, conditions for Palestinian refugees in Iraq continue to worsen. The February 22, 2006 bombing that destroyed one of Shi'ism's holiest shrines, al-`Askariyya mosque in Samarra, led to a wave of sectarian killings that continues to date. Alleged Shi'a militants attacked Palestinian housing projects in Baghdad and killed at least ten Palestinians, among them the two brothers of the former Palestinian attaché in Baghdad, who were kidnapped from their father's home on February 23 and found dead at a morgue two days later, their bodies mutilated. On the evening of the Samarra bombing, unidentified persons murdered Samir Khalid al-Jayyab, a fifty-year-old Palestinian, hitting him over the head with a sword and shooting him some twenty times. On March 16, unidentified armed men strangled to death Muhammad Hussain Sadiq, a twenty-seven-year-old Palestinian barber, together with two Sunni Iraqis in the Shu`la neighborhood of Baghdad.

In mid-March, a militant group calling itself the "Judgment Day Brigades" distributed leaflets in Palestinian neighborhoods, accusing the Palestinians of collaborating with the insurgents, and stating, "We warn that we will eliminate you all if you do not leave this area for good within ten days." The killings and death threats put the Palestinian community in a "state of shock," according to the United Nations High Commissioner for Refugees (UNHCR), and led Palestinian National Authority President Mahmud Abbas and the High Commissioner for Refugees António Guterres to each call upon Iraqi President Jalal Talabani to intervene to stop the killings of Palestinians. Fear continues to grip Palestinian communities in Baghdad, and thousands more Palestinians in Iraq are eager to leave the country. And the killings continue: UNHCR reported at least six more killings of Iraqi Palestinians in Baghdad and renewed death threats against Iraqi Palestinians in the last two weeks of May.

The post-Saddam Iraqi governments have done little to protect the Iraqi Palestinians – a community whose members were given the same rights as citizens, minus the actual citizenship and the right to own property – and some elements within government have actively contributed to this community's insecurity. Notably, in October 2005 the minister of displacement and migration called on the government to expel all Palestinian refugees to Gaza, accusing Palestinians of involvement in terrorism. Iraqi Palestinians consistently told Human Rights Watch that Ministry of Interior authorities frequently harass and discriminate against Palestinian refugees in Iraq, singling them out for arrest and falsely accusing them of terrorism. One Palestinian who had been detained at the Kut military base southeast of Baghdad for sixty-eight days described torture he believes he suffered simply for being Palestinian: the guards would enter the detention room and ask for "the Palestinian," and gave him regular beatings and attached live electrodes to his penis. A lawyer for a group of four Palestinians arrested on terrorism charges in May 2005 said his clients had suffered beatings with chains, electric shocks, cigarette burns on

their faces, and being placed in a room with standing water carrying live electric current. Iraqi National Guard troops arrested a seventy-five-year-old Palestinian man in April 2005, and he remains “disappeared,” with the suspicion that they killed him in custody.

Where previously Palestinian refugees in Iraq had little trouble obtaining and maintaining their residency status, the Ministry of Interior ordered Palestinian refugees to obtain short-term residency permits, treating them as non-resident foreigners instead of as recognized refugees. The residency requirements are onerous, requiring Palestinian refugees to bring all members of their families to Ministry of Interior offices to renew the permits, which can take days or even weeks, and the new permits are only valid for one to two months.

Palestinian refugees seeking to flee Iraq face far greater obstacles than do Iraqi citizens, including other minority communities under threat, such as Mandaeans and Chaldeans. Neighboring countries like Jordan, Kuwait, Saudi Arabia, and Syria refuse to admit them. Israel in general does not allow Palestinian refugees to return to Israel or the Occupied Palestinian Territories. And resettlement options in other countries have been largely unavailable to them.

The attacks in 2003 on Palestinian refugees led to the internal displacement of thousands of Palestinian refugees, and the flight of hundreds to neighboring Jordan. Jordan initially blocked the border for Iraqi Palestinians, then allowed a few hundred into the barren, isolated al-Ruwaishid refugee camp eighty-five kilometers inside Jordan from the Iraqi border. Other Iraqi Palestinians remained at the equally barren Karama camp located inside the no-man’s land (NML) at the Iraqi-Jordanian border for more than two years, until the Jordanian authorities closed the camp in 2005 and relocated them to al-Ruwaishid camp. For the past three years, several hundred Palestinian refugees have remained virtual prisoners in al-Ruwaishid camp. Some 250 of them elected to return to the dangerous conditions in Iraq rather than remain in the camp with no solution to their plight in prospect.

From March to May 2006, a group of nearly 200 Iraqi Palestinians was stuck on the Iraqi side of the Jordanian border, after Jordan refused them entry and armed Iraqi border guards forcibly pushed them back into Iraq. Following a request from the Palestinian Authority’s foreign minister, Syria allowed these Palestinians into Syria, but again closed its borders to Palestinian refugees immediately afterwards.

Human Rights Watch calls upon the states bordering Iraq to open their borders to Palestinian refugees from Iraq and to afford them the same opportunities to flee

persecution and generalized violence that they accord to Iraqis. The current Palestinian refugee crisis in Iraq needs a regional approach, and all countries in the region – including Israel and the Gulf States – should participate in sharing the burden of accepting and housing the Palestinian refugees fleeing Iraq. The broader international community should also assist governments in the region by sharing the burden, either through providing financial assistance or through third-country resettlement.

II. Recommendations

To the Iraqi Authorities, including the Ministry of Interior and Ministry of Displacement and Migration

- Publicly affirm Iraq's commitment to hosting Palestinian refugees in secure and humane conditions, and that abuses against Iraqi Palestinian refugees will not be tolerated and will be investigated and prosecuted;
- Provide specifically detailed security in neighborhoods and camps where Iraqi Palestinians reside;
- Take all appropriate measures to end torture, "disappearances," summary killings, and other abuses by Iraqi security forces, and investigate and punish such abuses. Investigate whether Iraqi Palestinians are being targeted for abuse and take appropriate action against the perpetrators;
- Ensure that Iraqi Palestinians are officially treated in a way appropriate to their status as recognized refugees, and cancel burdensome registration requirements imposed on them by the Ministry of Interior's Department of Residency.

To the United States and the U.S.-led Multinational Forces in Iraq

- Assist the Iraqi government with providing security to Iraqi Palestinian refugees in Iraq, and monitor the treatment of Iraqi Palestinians by Iraqi forces. Ensure that abuses committed against Iraqi Palestinians by Iraqi forces are investigated and punished by the appropriate authorities.

To the Governments of Jordan, Syria, and Other Countries in the Region

- Recognize that Iraqi Palestinians are a particularly vulnerable population in Iraq, and keep borders open to Iraqi Palestinians fleeing Iraq;
- Ensure that no Iraqi Palestinian refugee is subjected to *refoulement*, either at the border (by refusing to grant access) or after entering the host country;
- Ensure that government agencies treat Iraqi Palestinian refugees within your borders with dignity and respect for their human rights, including their right to freedom of movement within the host country;
- Provide protection and assistance to all Iraqi Palestinians within your border, with the cooperation and financial assistance of the international community;

- Countries in the region not hosting Iraqi Palestinian refugee populations should engage in burden-sharing with the host countries through humanitarian assistance and financial contributions;
- Permit Iraqi Palestinian men married to women from countries in the region to enter their spouse's home country with their families.

To the Government of Israel

- In the absence of a resolution of the broader Palestinian refugee issue, permit Iraqi Palestinian refugees with direct ties to Gaza to return to areas now administered by the Palestinian National Authority.

To the Office of the United Nations High Commissioner For Refugees

- In coordination with the United Nations Assistance Mission for Iraq (UNAMI), closely monitor and report on attacks and abuses against Palestinians in Iraq, and their access to asylum and other aspects of their treatment within the region;
- Continue to advocate for a regional commitment from neighboring countries to allow Iraqi Palestinian refugees to enter their territories and to treat Iraqi Palestinian refugees in conformity with international standards;
- Secure resettlement places in countries outside the region, with the active cooperation of the international community, particularly the governments of the United States and the United Kingdom. Afford those Iraqi Palestinian refugees who are unable to integrate locally in the region, to return to their place of origin, or to return to Iraq, resettlement places in third countries;
- Insist that the relevant authorities in Iraq, including the Iraqi security forces and the U.S.-led Multinational Forces, take the necessary steps to ensure the safety of Iraqi Palestinian refugees and protection of their rights.

To Donors and the International Community

- Urge governments of neighboring states to keep their borders open to Iraqi Palestinians fleeing persecution and violence in Iraq, and insist that Iraqi Palestinians fleeing Iraq are treated in accordance with international standards;
- Donor states should uphold their legal and humanitarian obligations to share responsibility for refugees by providing financial and humanitarian support to protection and assistance activities for Iraqi Palestinians fleeing Iraq;

- The international community should provide third-country resettlement possibilities for Iraqi Palestinians who are unable or unwilling to return to Iraq or to their place of origin, and who cannot safely remain with a secure refugee status in countries in the region.