



MIDDLE EAST

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Gaza Strip and West Bank

The UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) registered 852,626 refugees in the Gaza Strip and 607,770 in the West Bank in 2001. After Jordan, the largest number of UNRWA-registered refugees lived in the Gaza Strip (22 percent), followed by the West Bank (15.7 percent). In the West Bank, only 27 percent of the registered refugees lived in camps. In the Gaza Strip, however, 54 percent of registered Palestinian refugees lived in eight camps. Palestinian refugees comprise about 50 percent of the population in the Occupied Territories.

About 20,000 Palestinians were internally displaced in the Occupied Territories in 2001, some 3,000 of whom were newly displaced during the year. At least 26,000 Palestinians left the Occupied Territories for Jordan and did not return between June 2000 and July 2001.

Failed Negotiations The year began with a last-ditch effort by the Palestine Liberation Organization (PLO) and the Israeli government of Ehud Barak to reach a permanent peace agreement. In the run-up to the February 6 election for Israeli prime minister, Palestinian and Israeli negotiators met in Taba, Egypt to try to resolve the thornier issues in the Palestinian-Israeli conflict, including the status of Jerusalem, refugees, Jewish settlements, final borders, and water rights.

Although Palestinian and Israeli negotiators declared at the end of January that they had never been closer

to reaching a comprehensive agreement, press reports indicated that significant gaps between the two sides remained on the core issues. Without an agreement, the two sides suspended talks on January 28, pending the outcome of the Israeli election, which Barak lost to Likud party leader Ariel Sharon by an overwhelming margin.

Upon taking office in early March, Prime Minister Sharon maintained that his government would not resume negotiations with the Palestinians until all Palestinian violence ceased. Although periodic cease-fire agreements between the two sides resulted in brief lulls in Palestinian-Israeli violence, the cycle of attack and counterattack reemerged throughout the year.

Palestinian-Israeli Conflict Escalates Following the suspension of final-status negotiations and the election of Ariel Sharon, the cycle of bloodletting between Israelis and Palestinians intensified significantly, resulting in hundreds of Palestinian and Israeli deaths and in additional Palestinian displacement. Whereas during 2000 the violence was confined mostly to clashes between Israeli soldiers and Palestinian youths armed with stones and Molotov cocktails, in 2001, the fighting escalated into near-open warfare, pitting Palestinian gunmen against Israeli tanks, helicopters, and fighter aircraft.

Civilians on both sides paid the price. Palestinian suicide bombers and gunmen targeted civilians in Israel and Jewish settlers in the Occupied Territories, resulting in more than 200 Israeli deaths during the year, often in horrific attacks on clearly civilian concentrations. Israel employed live ammunition, missiles, tanks, and aircraft to target Palestinians suspected of masterminding terrorist attacks in Israel; the Israeli strikes killed not only their intended targets, but

also innocent bystanders. By year's end, the Palestinian death toll had climbed to more than 860 since the Palestinian uprising began in September 2000.

Israeli forces also responded to Palestinian fire on Jewish settlements and Israeli soldiers in the Occupied Territories by demolishing scores of Palestinian homes (see *Demolition of Palestinian Homes and Property* below). Israeli curfews and closures further exacerbated the predicament of Palestinians in the West Bank and Gaza Strip. Closures crippled the Palestinian economy, disrupted daily activities such as schooling for children, and at times prevented Palestinians from reaching hospitals for life-saving medical treatment (see *Palestinian Economy* and *Travel Restrictions* below). Palestinian-Israeli violence also appeared to add to the ranks of Palestinians displaced from the Gaza Strip and West Bank in 2001; more than 26,000 Palestinians reportedly left and did not return to the Occupied Territories between June 2000 and July 2001.

Population Zones Israel controlled most land in the West Bank and substantial portions of the Gaza Strip during 2001

and made military incursions into parts of the Occupied Territories it had previously relinquished to Palestinian control, in violation of the 1995 Interim Agreement, known as Oslo II. Nevertheless, at least on paper, the patchwork of jurisdictions in the Occupied Territories created by Oslo II remained in place during the year.

Oslo II established three zones: Zone A, consisting of large Palestinian population centers where the Palestinian Authority (PA) is responsible for security and civil authority; Zone B, consisting of other Palestinian residential areas, mostly villages, where Palestinian police are allowed to operate but where Israel maintains overall control over security; and Zone C, which consists of Israeli settlements, strategic military sites in the Jordan Valley, and large tracts of sparsely populated rural land where the Israeli Defense Forces (IDF) maintain complete authority.

On paper, 39 percent of the West Bank was under full or partial Palestinian control in 2001—nearly 18 percent in Zone A and 21 percent in Zone B. Some 96 percent of the West Bank Palestinian population lived in Zones A and B. In the Gaza Strip, Palestinians fully or partially con-



Palestinian refugees forced to live in tents after the Israeli army demolished their homes in the Khan Younis refugee camp in the Gaza Strip. Between September 2000 and the end of 2001, Israeli army housing demolitions rendered homeless more than 3,300 Palestinians in the Occupied Territories. *Photo: UNRWA*



trolled 88 percent of the land—69 percent in Zone A and 19 percent in Zone B.

At the end of the year, 61 percent of the West Bank and 12 percent of the Gaza Strip were in Zone C, where the IDF maintained complete authority. Rather than receiving contiguous pieces of land, Palestinian territory consisted of more than 200 separate enclaves surrounded by military checkpoints and bisected by a network of bypass roads—350 meters wide for security reasons (1,050 feet)—that connected settlements.

Settlements Since the signing of the 1993 Oslo Agreement, the number of Jewish settlements in the West Bank has increased from about 150 to more than 180. The building of settlements accelerated under the prime ministership of Ehud Barak and continued during the “Al Aqsa Intifada,” the name Palestinians give to the uprising that began in September 2000. Some 380,000 Israeli settlers lived in the Occupied Territories in 2001, of whom about 180,000 lived in the East Jerusalem area.

Over the years, settlers have committed numerous attacks on Palestinians and destroyed Palestinian property, often with impunity, leading to widespread anger and violence among Palestinians. Settlements served as a flashpoint for hostility in 2001; violent acts perpetrated by settlers against Palestinians and by Palestinians against settlers occurred regularly throughout the year.

Although Israel maintains that the status of Jewish settlements is a political issue to be decided in negotiations, the settlements violate the Fourth Geneva Convention, which prohibits an occupying power from transferring segments of its own civilian population into the territory it occupies. In its March 16, 2001 report, the UN Commission on Human Rights (UNCHR) reaffirmed that settlements constitute “a major violation of international humanitarian law” and identified the settlements as a primary cause of conflict in the Gaza Strip and West Bank.

Travel Restrictions In 2001, Israel imposed the most severe restrictions on Palestinian freedom of movement in the Gaza Strip and the West Bank since the Israeli occupation began in 1967. Israel maintained its general closure of the Occupied Territories—in place since 1989 with respect to the Gaza Strip, and 1993 for the West Bank—preventing most Palestinians from traveling into Israel or East Jerusalem without specific travel permits.

In addition to the general closure, Israel imposed varying degrees of “external closure” during the entire year, including 210 days of total external closure (compared with 88 in 2000 and 15 in 1999), completely blocking access to Israeli territory and East Jerusalem from the Gaza Strip and West Bank. During the remaining 155 days of 2001, Israeli authorities imposed varying degrees of partial external closure. During periods of external closure, Israel revokes all Palestinian permits for travel to Israel. In the past, Israel

had instituted external closures during holidays, elections, in the aftermath of terrorist attacks, and in response to changing security conditions.

In addition to its general closure and external closures, Israel also imposed varying degrees of “internal closure” throughout the entire year. In the West Bank, Israel imposed 278 days of severe internal closure (compared with 81 days in 2000), preventing Palestinians from traveling between West Bank villages and towns, including within the areas under PA jurisdiction. Essentially, commerce, higher educational activities, and much health care ceased during internal closure. Israeli authorities also imposed limited internal closures in the West Bank during the remaining 87 days of the year. In the Gaza Strip, Israel imposed a limited internal closure for 361 days in 2001 and a severe internal closure on the remaining four days.

During periods of internal closure in 2001, only Israeli military personnel and Israeli settlers were permitted to use main roads in the West Bank. Israeli forces also regularly blocked north-south travel in the Gaza Strip. Internal closures were often imposed to divert Palestinian traffic away from Israeli settlements.

During the year, Israel also sealed off certain villages and areas in the West Bank and Gaza Strip, in some cases for weeks at a time. Israeli forces also imposed curfews on Palestinians in the areas under its control, only permitting Palestinians to leave their homes for several hours each week. Palestinians in Hebron, for example, were subjected to a curfew for 143 days in 2001, while Israeli settlers in Hebron were free to come and go at will.

During the year, Israel also intermittently closed traffic at border crossings between Jordan and the West Bank and Egypt and the Gaza Strip. Air traffic to and from Gaza International Airport came to a standstill in February, and the airport remained closed for the rest of the year. On October 6, 2000 Israel also closed a free-passage route across Israel that connected the southern West Bank to the Gaza Strip and did not reopen it in 2001.

Israeli closures had a devastating impact on the economy (see *Palestinian Economy* below), health care, education, and other aspects of life in the Occupied Territories. Restrictions on movement prevented Palestinians from receiving medical care. Israeli forces’ strict enforcement of internal closures reportedly contributed to at least 32 Palestinian deaths during the year by preventing would-be patients from reaching hospitals.

Israeli travel restrictions also hampered UNRWA’s work by seriously curtailing the movement of UNRWA personnel and humanitarian assistance. In December, the agency’s Commissioner General, Peter Hansen, reported that Israel was prohibiting UNRWA trucks from transporting relief supplies into the Gaza Strip. “Palestinians, including UNRWA area staff members,” Hansen charged, “have been humiliated, threatened, and assaulted by members of the

Israeli Defense Forces,” when traveling through military checkpoints.

Palestinians rarely travel abroad for fear of being denied reentry to the Gaza Strip or the West Bank. The Israeli authorities require all Palestinians residing in the areas under Israeli control to obtain permits before traveling to other countries. During 2001, Israel rarely issued permission for Palestinian residents of the Gaza Strip and West Bank to travel abroad through Ben Gurion Airport. Although Palestinians could travel to and from the Occupied Territories via the Allenby Bridge and Rafah crossing points, both border posts were periodically closed during the course of the year.

Demolition of Palestinian Homes and Property Israeli forces demolished more than 460 Palestinian homes between September 2000 and the end of 2001, rendering homeless more than 3,300 Palestinians living in camps in the Gaza Strip, most of them refugees from 1948 and their descendants. Based on various reports, the U.S. Committee for Refugees (USCR) estimates that more than 20,000 Palestinians have been left homeless by Israeli housing demolitions between 1987 and the end of 2001.

During the year, Israel implemented a policy in the Occupied Territories of demolishing homes and other Palestinian property on security grounds in areas near Israeli settlements, along bypass roads that connect settlements, and near Israeli military positions, primarily in the Rafah refugee camp along the Egyptian border. After the Israeli military razed 26 Palestinian homes in Rafah in July (one of several large-scale house demolitions carried out during the year), USCR expressed its concern for those left homeless in a July 23 letter to the Israeli government. USCR urged the Israeli government to stop the demolitions, saying that Israel’s actions violated the Fourth Geneva Convention, which prohibits an occupying power from destroying private property “except where such destruction is rendered absolutely necessary by military operations.”

In response, Israel’s ambassador to the United States, David Ivry, told USCR that Israel razed the homes because of “overriding security concerns.” Echoing other official explanations given for the house demolitions in Rafah and elsewhere in 2001, Ivry said the demolitions were necessary to deny cover to Palestinian gunmen and to prevent arms smuggling through tunnels from Egypt.

However, various human rights and international organizations rejected the Israeli position, arguing that the impact of the demolitions on civilians was unjustifiable and challenging Israel’s contention that overriding security concerns necessitated the demolitions. Based on field research conducted in the Occupied Territories in February, the UN Commission on Human Rights reported that it “found it difficult to believe that such destruction, generally carried out in the middle of the night without advance warning, was justified on grounds of military necessity.”

The Israeli Information Center for Human Rights in the Occupied Territories, known as B’Tselem, argued that even if Israel acted out of military necessity, its destruction of Palestinian property was excessive and disproportionate, a violation of the fundamental principle of proportionality in international humanitarian law. “One of the primary requirements of proportionality,” B’Tselem asserted, “is that actions that will injure civilians may be taken only after alternative acts, whose resultant injury would be less, are considered and rejected because they will not achieve the necessary military advantage. Israel ignores this rule and uses means whose injury to civilians is extremely severe.”

Throughout 2001, Israel also demolished Palestinian homes on the grounds that the owners did not obtain building permits, particularly in East Jerusalem. Although the Israeli government argued that such demolitions were the result of a building policy that is applied equally to Arabs and Jews, Amnesty International and other human rights organizations reported that Israeli officials enforce the rules in a discriminatory manner, strictly denying construction permits for Palestinian homes while allowing the construction of Israeli settlements to proceed.

Refugee Status UN General Assembly resolutions that define the nature of the Palestinian refugee problem and solutions for Palestinian refugees—most adopted prior to the 1951 UN Refugee Convention—create a unique treatment for Palestinian refugees that differs from the approach found in the UN Refugee Convention.

The key General Assembly resolution, Res. 194, provides only two solutions: repatriation for those refugees “wishing to return to their homes and live in peace with their neighbors,” or compensation for those choosing not to return. In Res. 302 (IV), the UN General Assembly created UNRWA and assigned the agency the task of caring for Palestinian refugees. UNRWA defined Palestinian refugees as persons who resided in Palestine two years prior to the outbreak of hostilities in 1948 and who lost their homes and livelihoods as a result of that war.

When the UN adopted the Refugee Convention and established the UN High Commissioner for Refugees, it excluded those falling within the UNRWA mandate from coverage under UNHCR’s mandate. In effect, this has meant that UNHCR does not concern itself with (or count) Palestinian refugees in Jordan, Lebanon, Syria, or the West Bank and Gaza Strip, although the agency assists Palestinian refugees outside the UNRWA-mandate area. Although unintended, the effect has been that Palestinian refugees have enjoyed fewer protections than other refugees because UNRWA only has a mandate to provide Palestinian refugees with humanitarian assistance, and, unlike UNHCR, does not have a specific protection mandate.

Since the current Palestinian uprising began, however, the UN Commission on Human Rights, the Badil Resource Center for Palestinian Residency and Refugee Rights,



and some independent refugee experts have argued that the fact that many Palestinian refugees lack effective protection should trigger the applicability of the UN Refugee Convention to Palestinians in the UNRWA mandate area. These organizations and individuals cite Article 1D of the Refugee Convention, which effectively states that whenever protection or assistance for Palestinian refugees has ceased for any reason before their situation is resolved in accordance with the relevant UN resolutions, they shall “be entitled to the benefits of this Convention.” Proponents of this view contend that UNHCR should have begun to exercise its protection mandate for Palestinian refugees long ago when it became clear that the UN Conciliation Commission for Palestine, which was concerned with protection for Palestinians, was unable to carry out its responsibilities.

While the issue of UNHCR responsibility for Palestinian refugees raises many questions—particularly regarding what durable solutions would apply to Palestinians were UNHCR to become involved—the consequences of lacking an agency dedicated to the protection of Palestinians were evident during 2001 in the Occupied Territories. The UN Commission on Human Rights reported that refugees residing in camps in the Gaza Strip and West Bank endured hardships exceeding those of the general Palestinian population, and that UNRWA staff felt unable to raise issues of a protective nature with the Israeli authorities.

Durable Solutions With Israeli-Palestinian violence escalating into near-open warfare by the end of 2001, the two parties appeared farther apart than ever on any settlement for displaced Palestinians. Even before the Al Aqsa Intifada, the question of solutions for Palestinians displaced from Israel-proper in 1948 and Palestinians displaced from the Occupied Territories during and after the 1967 war was among the most contentious facing negotiators.

With respect to the 1967 displaced, the parties have not been able to agree on who should be considered for return, much less the modalities for their actual return. The gap in the parties’ positions on the 1948 refugees is even wider. Arabs insist on the “right of return” as proclaimed in UN Res. 194, with its choice of either repatriation or compensation for refugees not wishing to repatriate.

While Israeli negotiators from the former Barak government reportedly agreed in the course of negotiations to the return of small numbers of refugees to Israel-proper under the rubric of family reunification, Israel continued to reject UN Res. 194 as a basis for discussion in final-status negotiations, saying that the “right of return” is incompatible with Israel’s right of self-determination. Israel also insists that any discussion of compensation be based on the principle of reciprocity, taking into account Jews who were expelled from Arab countries as a result of the establishment of the state of Israel.

Nevertheless, three UN human rights treaty committees have found key aspects of Israel’s nationality, citizenship, and land legislation—which effectively bar Palestinian refugees from exercising their right of return—to be incompatible with the rights codified in relevant human rights conventions.

Palestinian Economy Studies conducted in 2001 by the UN Special Coordinator in the Occupied Territories (UNSCO), UNCHR, and the World Bank all pointed to the devastating impact of Palestinian-Israeli fighting on the Palestinian economy, mostly resulting from Israeli closures and military conflict.

Beginning in October 2000 and continuing into 2001, Israeli closures of the West Bank and Gaza Strip prevented more than 100,000 Palestinian workers from reaching their jobs in Israel, thereby depriving them of their income, according to UNSCO. The closures instantly raised the unemployment rate from 11 to 30 percent in the Occupied Territories. By the fall of 2001, Palestinian unemployment was estimated at 37 percent (32 percent in the West Bank and 48 percent in the Gaza Strip).

In sum, Israeli closures resulted in a significant increase in economic hardship for Palestinians. The World Bank estimated that poverty rates in the Gaza Strip and West Bank rose by 50 percent between October 2000 and early 2001. UNRWA reported that Israeli closures had a particularly devastating impact on Palestinian refugees; by October 2001, UNRWA estimated that 64 percent of all registered refugees in the Occupied Territories were below the poverty line, a figure that rose to 80 percent in the refugee camps of the Gaza Strip.

Emergency Relief As closures and fighting affected growing numbers of Palestinian refugees during 2001, UNRWA stepped up its efforts to fill the gap with emergency relief. Between October 2000 and the end of 2001, UNRWA issued three emergency appeals for the Occupied Territories, totaling \$153.2 million, of which it had received \$106.8 million by the end of 2001. UNRWA used most of the money to provide food aid, medical assistance, and emergency job opportunities. Despite the generous response of donors to UNRWA’s emergency appeals, the agency continued to suffer from budgetary shortfalls for its regular programs during the year.

In 2001, UNRWA provided basic food rations to some 217,000 impoverished refugee families and a small number of nonrefugee families in the West Bank and Gaza Strip. The agency also provided emergency cash assistance to several hundred refugee families who had lost their income or whose homes had been destroyed in Israeli attacks or demolition exercises.

UNRWA also channeled emergency funding to meet burgeoning health-care needs, most connected either directly or indirectly to Palestinian-Israeli fighting. UNRWA health-

care facilities treated hundreds of Palestinians injured in various clashes during the year, while an increasing number of Palestinians who had previously relied on private clinics turned to UNRWA for medical services because Israeli closures prevented them from going elsewhere. UNRWA also reported a substantial increase in refugee patients seeking assistance for psychological trauma caused by the violence, as well as an increase in patients needing rehabilitation from conflict-related injuries.

To ameliorate the effects of income losses to Palestinian refugee families, UNRWA started a job-creation program in 2001. During the year, the agency hired thousands of the poorest refugees, typically to work on construction projects in the refugee camps of the Gaza Strip and West Bank.

UNRWA also used emergency funding to provide trauma counseling for children injured or otherwise affected by fighting and extra schooling for children who missed a significant number of school days because of closures or injuries they suffered. ■

Iran

According to a new government registration of foreigners, Iran hosted more than 2.55 million refugees in 2001, more refugees than any other country in the world. These included about 2,355,000 Afghans and 203,000 Iraqis. Although the Iranian government registered an additional 5,522 foreigners of other nationalities, it was unclear how many were refugees. The new registration figures represent a considerable increase from the previous estimate of 1.4 million registered—and half a million unregistered—Afghans in the country. On the other hand, the number of Iraqis counted in the registration shows a substantial drop from previous estimates of Iraqis in Iran, most of which ranged from 300,000 to 400,000.

More than 1,000 mostly Afghan refugees were resettled from Iran to other countries in 2001, the majority to Canada and Scandinavian countries. After the change of regime in Afghanistan in late 2001, the UN High Commissioner for Refugees (UNHCR) began reviewing the files of Afghan refugees being considered for resettlement whose claims were based upon a fear of persecution by the former Taliban government. Nevertheless, the priority group for resettlement out of Iran at year's end continued to be single Afghan women with children.

No accurate estimates exist of the number of Iranians outside Iran who may fear persecution if returned. Many do not formally apply for asylum, but find work or study abroad, with or without legal status. Some have been permanently resettled in other countries. About 23,700 Iranian refugees were living in Iraq in 2001. Almost 10,000 Iranians sought asylum in Europe in 2001, a significant decrease from the 22,167 who applied the previous year. The

largest number lodged asylum applications in Germany (3,450), the United Kingdom (2,655), and the Netherlands (1,519).

Political Developments Despite the reelection of moderate Mohammad Khatami as president in June 2001 and the election in 2000 of a predominantly reformist parliament, the *Majles*, the Iranian government appeared increasingly intolerant of refugees and immigrants, many of whom have lived in Iran for nearly two decades. Citing high unemployment, the government has set several deadlines in recent years for refugees to leave the country, generally declined to register new arrivals from Afghanistan and Iraq as refugees, attempted to round up and confine refugees to camps, and deported many summarily.

In June 2001, the government began implementing a new policy of fining and imprisoning employers who provided jobs to foreigners without work permits. The new policy came on top of an April 2000 law—Article 48 of the government's five-year development plan—that instructed the Interior Ministry to expel all foreigners without work permits whose lives would not be threatened upon return to their country of origin.

During the year, the Iranian government continued its push to repatriate Afghan refugees, often resorting to force. UNHCR reported the deportation of some 82,000 Afghan men and 8,300 families between January and July alone. During the same period, however, UNHCR reported that between 700 and 1,000 Afghans continued to arrive daily in Iran, despite the authorities' increased border surveillance. Because they lacked documentation, many of these new arrivals were likely among those deported during the year.

The U.S. military campaign in Afghanistan and subsequent fall of the Taliban late in 2001 strengthened Iran's resolve to repatriate Afghans and prevent the entry of Afghan asylum seekers. Citing the burdens posed by an already large refugee population and the minimal assistance Iran had received from the international community, the Iranian government closed its border to new arrivals as the United States and the Northern Alliance began their military campaigns in Afghanistan against the Taliban and Al Qaeda in the fall. Iranian officials said that they would provide assistance to would-be refugees inside Afghanistan instead.

The Iranian government set up two camps—Makaki and Mile 46—on the Afghan side of the border in the southwestern province of Nimroz, where the Iranian Red Crescent assisted about 11,000 internally displaced Afghans in November and December. UNHCR and nongovernmental organizations reported significant protection problems in the camps. Most troublesome was the presence of armed Afghan groups who threatened and intimidated camp residents, particularly in Makaki, initially under Taliban control, where fighting broke out as the Taliban were defeated.



Afghan refugees from the Hazarajat region at the Torbat-e-Jam camp, about 93 miles (150 km) from Mashhad, Iran. Pushbacks of would-be Afghan refugees and deportations occurred throughout the fall and winter as the U.S. and Northern Alliance offensives proceeded in Afghanistan. *Photo: USCR/B. Frellick*

Accommodations in the camp were also inadequate. In a December 10 press release, the U.S. Committee for Refugees (USCR) reported on the plight of some 2,000 Afghans, mostly women and children, whom the Iranian Red Crescent had denied shelter, saying the camps were full.

USCR, UNHCR, and others condemned Iran's decision to close its border, citing the lack of security inside Afghanistan, and called on the Iranian government to reverse its decision. Iran has "responded harshly to Afghan civilians forced to flee their homes," said USCR, "[shutting its border] to refugees, trapping thousands of people in places of danger."

Although UNHCR did not participate with the government in an organized repatriation program for Afghans as it did in 2000, the refugee agency reported the spontaneous repatriation of 143,501 Afghans in 2001, about 111,000 of these returning during the last six months of the year. Pushbacks of would-be refugees and deportations reportedly also continued during the fall and winter as the U.S. and Northern Alliance offensives proceeded in Afghanistan.

Assistance and Accommodations Refugees, registered and unregistered, have long occupied the lowest rung of Iran's socio-economic ladder. In the past, refugees were eligible for education, health services, and food rations on a par with Iranian citizens. By the mid-1990s, however, most refugees had lost those benefits.

Although the government announced during the year that recognized refugees would be required to live in camps, in fact, fewer than 5 percent of Iran's 2.55 million refugees lived in camps during the year. Many of the Afghans moved into camps were placed in them pending their voluntary or involuntary repatriation. Although both Afghan and Iraqi refugees lived throughout Iran, the largest number lived in the provinces bordering their respective countries and in the capital, Tehran.

Iran's accession to the UN Refugee Convention in 1976 included several reservations, including on Article 17, the right to work. Recognized refugees with residence permits must apply for work permits in Iran, which, in most cases, restrict them to jobs involving manual labor. In practice, however, the authorities rarely grant work permits to refugees. Although Iranian officials often ignored their own

labor laws in the past, enabling both documented refugees and undocumented foreigners to support themselves, since 1999 the authorities have enforced labor regulations more strictly, a trend particularly evident in 2001. In June, after introducing sanctions on employers that hire undocumented workers, the government shut down many small businesses that employed Afghans, depriving thousands of refugees of the means to provide for themselves. The government also revoked the work permits of some refugees. Diplomatic sources cite the crackdown on illegal employment as one of the main reasons for the large increase in spontaneous repatriation to Afghanistan during the second half of the year.

Documented refugee children had the right in 2001 to primary education in the Iranian school system. In part because of problems with documentation, however, the Afghan community in the eastern provinces in recent years established about 20 "private" schools for Afghan children. However, local authorities have closed down many of these schools during the past two years. Although President Khatami decreed in 2001 that all Afghan children, including the undocumented, would be allowed to attend school, local authorities in some jurisdictions ignored the presidential order.

Refugee Registration and Legal Status In 2001, the Iranian Bureau for Aliens and Foreign Immigrants Affairs (BAFIA) conducted a major registration exercise for foreigners in the country. In the first phase of the registration, which began in February, the government required registered refugees to report to one of 250 centers throughout the country, submit their documents, answer a variety of biographical and other questions, and have their fingerprints taken.

In April and May, BAFIA repeated the exercise for those who failed to register the first time around. Significantly, BAFIA also permitted undocumented foreigners to register during the second phase of the registration drive. Although registering did not entitle undocumented foreigners to refugee status, observers of the process remarked that undocumented foreigners with registration slips were generally protected against deportation for the remainder of 2001.

In June, BAFIA issued certificates to registered foreigners that superseded all previously issued documents, which became null and void. Prior to the 2001 registration, refugees received a range of statuses, most without the rights and benefits normally accorded to refugees under the UN Refugee Convention. Most were denied the right to move freely within the country and faced other restrictions in the areas of employment, education, documentation, and foreign travel. Although it was unclear at year's end what status, or statuses, the new registration documents accorded to their recipients, UNHCR reported that the data collected from the registration would serve as the basis for implementing Article 48 of Iran's five-year development plan, which

calls for the repatriation of all foreigners in the country without work permits whose lives would not be threatened upon return.

Afghan Refugees Afghan refugees are concentrated in two eastern provinces bordering Afghanistan—Khorasan, with an estimated 390,000 refugees, and Sistan-Baluchistan, with about 400,000. Afghans can also be found throughout Iran, in urban centers, as well as in the poor rural areas in eastern Iran.

With the passage of Article 48 in April 2000, UNHCR agreed to participate with the Iranian government in a joint repatriation program for Afghan refugees. The program represented an attempt by UNHCR to introduce order and refugee-status screening to a process that in recent years had become increasingly arbitrary and coercive. Under this program, Afghans in Iran, regardless of their status or time of arrival, were invited to come forward either to benefit from material assistance to repatriate voluntarily or to present their claims for the need for protection from return.

Observers noted problems with the government screening criteria, which tended to deter or exclude uneducated applicants from agricultural backgrounds whose claims of persecution were based on religion (being Shi'a) or ethnicity (Hazaras). During 2000, some 80,000 asylum seekers were recognized as refugees under the joint program and granted three-month temporary residence permits. It was unclear how many of the 150,000 Afghans rejected in the screening procedure during 2000 had either voluntarily departed or been deported from Iran by the end of 2001.

Separate from the refugee-screening procedure, BAFIA and UNHCR established a voluntary repatriation program, which facilitated the return of 133,612 Afghans in 2000. Although UNHCR did not continue its participation in the voluntary repatriation program in 2001, the Iranian government facilitated the "spontaneous return" of 143,501 Afghans during the year, of whom some 111,000 returned during the second half of the year. Although these returns were deemed voluntary, diplomatic sources said that the Iranian government's crackdown on illegal employment in 2001 had left many Afghans with little choice but to repatriate.

UNHCR was also unable to screen Afghans slated for deportation in 2001. Although the refugee agency appeared to have reached an agreement with the government early in the year that would have allowed UNHCR staff to conduct refugee-status determinations in detention centers, the Ministry of the Interior ultimately rejected the plan. UNHCR border monitors reported that the Iranian authorities deported 82,000 single Afghan men and 8,300 families during the first six months of the year; most were undocumented and many had been in Iran for less than one year. Iranian authorities reportedly continued to deport, and push back, Afghans during the second half of the year, despite



deteriorating security in Afghanistan resulting from the U.S. and Northern Alliance military offensives. Based on reports from UNHCR and others, USCR conservatively estimates that Iran deported at least 120,000 Afghans in 2001.

With the change of regime in Afghanistan late in the year, UNHCR anticipated a large-scale repatriation of Afghans in the spring of 2002, citing 400,000 as its planning figure.

Refugees from Iraq Iraqi refugees, like Afghans, are dispersed throughout the country, although they, too, are concentrated in areas bordering their homeland. Most have been in Iran since the 1980s, and many were expelled from Iraq purportedly for being of Iranian ancestry. Iraqi Shi'a Arabs congregate along Iran's southwestern border, while Iraqi Kurds are mostly in the northwest.

Iraqis did not have the same opportunity as Afghans in 2000 to submit applications for refugee screening, and no formal procedure existed for undocumented or newly arrived Iraqi asylum seekers to lodge an asylum claim with the Iranian authorities.

During 2001, the governments of Iraq and Iran signed an agreement to facilitate the voluntary repatriation of refugees in both countries. At year's end, it was unclear how the agreement would affect Iraqi refugees in Iran. Some 1,727 Iraqi Arabs repatriated from Iran in 2001, a modest increase from the 1,360 who repatriated in 2000. UNHCR did not promote these repatriations, however, telling would-be returnees that the agency could not monitor or guarantee their safety upon return. Although UNHCR's office in Iraq reported a breakthrough in negotiations with the Iraqi government at the end of 2001 whereby the government agreed to allow the agency to monitor repatriations, the safety of returning Iraqi refugees—and by extension the prudence of promoting returns—remained in doubt at year's end.

An estimated 18,000 Iraqi Kurds returned spontaneously to northern Iraq in 1999 without UNHCR assistance and without passing through government controls. In 2000 and 2001, spontaneous repatriations of Iraqi Kurds to northern Iraq slowed considerably; only 2,277 were known to have returned in 2000, while in 2001 the number dropped once again, to 1,389.

Iranian Rights The ascendancy of political moderates in parliamentary elections in February 2000 sparked a backlash by hard-liners that continued into 2001, resulting in a crackdown on freedom of expression and other human rights abuses, particularly directed against members of the reformist media, women, and minorities. The backlash continued to dissuade many Iranian expatriates from returning and convinced many Iranians to leave.

Religious minorities, whose numbers have dwindled, remained particularly vulnerable. Members of the Baha'i community continued to be denied the right to

participate in religious gatherings and faced official discrimination in education, employment, travel, and housing. According to the UN Human Rights Commission's special representative on Iran, seven Baha'is remained in jail in Iran during the year, including two facing death sentences. Although Iran officially recognizes Jews as a religious minority, some Iranian Jews faced discrimination in education and employment, while others suffered persecution. In August, the UN Human Rights Commission's special representative on Iran reported that the number of individuals belonging to ethnic and religious minorities emigrating from Iran was estimated to be in the tens of thousands annually.■

Iraq

There were more than 128,100 refugees and about 700,000 internally displaced persons in Iraq in 2001. The refugees included about 23,700 from Iran and 13,100 from Turkey (in both cases, mostly Kurds), about 90,000 Palestinians, and about 1,300 refugees of other nationalities, including Eritreans (573), Somalis (313), Sudanese (224) and Syrians (101).

The estimated 600,000 internally displaced persons in the three northern governorates of Dohuk, Erbil, and Suleymaniya included not only long-term internally displaced persons and persons displaced by Kurdish factional infighting, but also at least 100,000 persons, mostly Kurds, Assyrians, and Turkomans, more recently expelled from central-government-controlled Kirkuk and surrounding districts in the oil-rich region bordering the Kurdish-controlled north. At least another 100,000 persons were internally displaced elsewhere in Iraq, mostly in the southeastern marshlands.

Between 1 and 2 million Iraqis estimated to be living outside Iraq were believed to have a well-founded fear of persecution if they returned, although only about 300,000 had any formal recognition as refugees or asylum seekers in 2001. Some 203,000 Iraqi refugees were living in Iran, while 5,100 Iraqi refugees remained in the Rafha camp in Saudi Arabia at year's end. During the year, some 41,238 Iraqis applied for asylum in Western industrialized countries, mostly in Europe. The largest number, 17,708, applied for asylum in Germany, followed by the United Kingdom (6,805), and Sweden (6,206). Many, such as the 250,000 to 300,000 Iraqis in Jordan and about 40,000 Iraqis in Syria, remained undocumented and were not formally recognized—or protected—as refugees.

During the year, the UN High Commissioner for Refugees (UNHCR) assisted in the resettlement of 646 Iranian refugees from Iraq to other countries.

General Conditions The international community maintained increasingly leaky economic sanctions against Iraq for a twelfth year. Although surreptitious violations of the

sanctions and humanitarian exceptions through the oil-for-food program improved Iraq's economic situation during the year, vulnerable elements of Iraqi society continued to suffer disproportionately the effects of the sanctions.

During the year, Russia and other members of the UN Security Council blocked an attempt by the United Kingdom and the United States to amend the sanctions regime; the draft resolution would have allowed Iraq to increase its imports of civilian goods, but also would have tightened controls on imports that could be used for military purposes.

A May-June 2000 report jointly issued by the UN Food and Agriculture Organization (FAO), the World Food Program (WFP), and the World Health Organization (WHO) found that about 800,000 children under the age of five were chronically malnourished and that ten percent of children under age five in Baghdad, Kerbala, and Diyala indicated "wasting" (low weight for height). In contrast, the three Kurdish-controlled northern governorates appeared to be enjoying relative prosperity, both as a result of receiving a UN-mandated 13 percent of all oil-for-food revenues and "taxes" the Kurds impose on the lucrative smuggling operations across the Turkish and Iranian borders.

Internal Displacement in Central Iraq In 2001, Baghdad continued its systematic efforts to "Arabize" the predominantly Kurdish districts of Kirkuk, Khanaqin, and Sinjar at the edge of government-controlled Iraq near the Kurdish-controlled zone. To solidify control of this strategically and economically vital oil-rich region, the government expelled Kurds, Assyrians, and Turkomans—at times, entire communities—from these cities and surrounding areas. At the same time, the government offered financial and housing incentives to Sunni Arabs to persuade them to move to Kirkuk, Mosul, and other cities targeted for Arabization. New Arab settlements were constructed on expropriated Kurdish land holdings.

Under the Arabization program, known as "nationality correction," the government forces ethnic minority civil servants to sign a form "correcting" their nationality. Persons who refuse to sign the forms—for example, a Kurd who declines to "correct" his nationality and list himself as an Arab rather than a Kurd—are subject to expulsion to northern Iraq or the no-fly zone in the south. During the year, Kurdish and Turkoman families in Mosul and Kirkuk were reportedly expelled to northern Iraq for failure to sign the forms.

Various reports indicate that more than 100,000 persons were expelled from Kirkuk and surrounding areas between 1991 and the end of 2001. In June, the Patriotic Union of Kurdistan (PUK), one of two Kurdish political parties that control the semi-autonomous Kurdish zone of northern Iraq, estimated the number of persons displaced from government-controlled areas to the Kurdish zone to be closer to 200,000, although this figure could not be independently confirmed.

In September, the UN special rapporteur on Iraq reported that forced deportations of non-Arab families living in the Kirkuk area were continuing, but offered no details on the scale of expulsions. Various press reports also indicated that the Iraqi government was pressing forward with its "Arabization" campaign in 2001, but provided little information on the number of people actually displaced during the year.

Most expellees moved north to the Kurdish-controlled governorates where they had relatives and the support of persons sharing their language and culture. However, they paid a price: those going north could not take their belongings. Few victims of internal deportation could sell their properties and belongings or receive a fair price for them in the brief time before expulsion. Kurds were forbidden to sell their homes to other Kurds or non-Arabs. The few who opted to move to predominantly Shi'a southern Iraq were permitted to take their belongings. In 2001, some were reportedly expelled to the western desert of Anbar governorate.

Northern Iraq Many residents of northern Iraq have been displaced multiple times. In October 2000, the UN Center for Human Settlements (UN-Habitat) estimated that 805,000 people remained internally displaced in the north, although this estimate too could not be verified. No accurate estimates exist for the number of people who remained internally displaced at the end of 2001. Many continued to live in tents or with other families, but it was also clear that returns within northern Iraq were occurring, and that some of the 4,500 Kurdish villages destroyed by Baghdad forces during the "Anfal" campaign of the late 1980s were being rebuilt and reoccupied.

Based on conservative estimates, approximately 100,000 of the displaced in the north are former residents of the government-controlled regions of Kirkuk, Khanaqin, and Sinjar who have been expelled into the north in recent years, including in 2001. Roughly another half-million Kurds whose original homes either were in northern Iraq—many of which were destroyed during the "Anfal" campaign—or who fled to the north in 1991 remained displaced during the year. Some were unable to return to their original homes in the north because of the impasse between the Kurdish political parties, while others were deterred by poor security along the border areas and lack of resources to rebuild destroyed homes and villages. The U.S. Committee for Refugees (USCR) estimates the number still displaced in northern Iraq at approximately 600,000. During the year, many of the displaced reportedly were still living in tents or in open, unheated public buildings and remained dependent on humanitarian assistance.

The economy in northern Iraq continued to improve in 2001, and the Kurdish population appeared to be faring better economically than the Iraqis to the south. Health and nutrition in the northern governorates showed



improvement, with the UN Children's Fund (UNICEF) reporting that malnutrition rates among children under age 5 dropped from 18.3 percent in 1999 to 14.5 percent in 2000.

A 1998 peace agreement signed between the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK), formally ending four years of factional fighting, held through 2001, although northern Iraq remained essentially split between the two parties. The KDP controlled Erbil and Dohuk governorates, while the PUK controlled Suleymaniya. Nevertheless, relations between the two parties improved somewhat during the year, allowing for increased trade and movement of persons between the areas under each party's control. The PUK and KDP also began implementation of an October 1999 agreement that called for the return of displaced people within northern Iraq to their places of origin; between June and October, some 1,300 families reportedly returned to their homes in Erbil, Dohuk, and Suleymaniya.

Despite relative calm between the two main Kurdish factions, northern Iraq remained volatile in 2001, as the Iraqi government became increasingly active in the north and each Kurdish faction battled other parties. The Iraqi military reportedly reinforced its troops south of Erbil in June, and, according to the KDP, subjected some 30 villages just inside the border of the Kurdish-controlled zone to repeated artillery bombardment, resulting in the displacement of village residents. Fighting between government troops and the PUK broke out in September, and in October, government troops reportedly moved into the Kurdish zone, occupying a village southwest of Erbil. Several bomb blasts targeting buildings used by international and nongovernmental organizations in the north also were attributed to Iraqi government agents.

In September and October, Human Rights Watch (HRW) reported that clashes between the PUK and *Jund al-Islam* (Soldiers of God)—a militant Islamic group based in northeastern Iraq that in September declared a holy war on northern Iraqi secular political parties—resulted in at least 200 deaths, mostly of combatants. The PUK and KDP also battled the Kurdish Workers Party (PKK), a Kurdish opposition group in Turkey with bases in PUK territory in northern Iraq. Turkish armed forces, which reportedly waged incursions into northern Iraq in pursuit of the PKK during 2000 and 2001, further complicated the security situation.

Southern Iraq The Iraqi government has long been openly hostile to the Marsh Arabs, or *Maadan*, people living in the marshlands between the Tigris and Euphrates rivers in a triangle-shaped region formed by the cities of Amarah, Basra, and Nasiriyah. Following the suppression of the 1991 Shi'a uprising in southern Iraq, many opponents of the Baghdad regime fled to the marshes, and the Iraqi government inten-

sified a pacification campaign it had been directing toward the *Maadan* since 1989.

Since 1991, government forces have burned and shelled villages, and built dams to divert water from the marshes to depopulate the area. Although there are no reliable estimates of the number of displaced people in southern Iraq, USCR conservatively estimates that about 100,000 are internally displaced from and within the southern region.

Following the February 1999 assassination of Ayatollah Muhammad Sadiq al Sadr, the spiritual leader of Iraq's Shi'a population and a vocal critic of the central government, there were reports of widespread rioting, as well as allegations of summary executions and arrests. At the time, the Iraqi authorities also reportedly burned houses as collective punishment against rebellious villages and neighborhoods. According to reports by the UN special rapporteur and Amnesty International, repression of Shi'a clergy and their followers continued in 2001.

Very little information was available in 2001 regarding displacement of Shi'a villagers in southern Iraq, as a news blackout was imposed on the region.

Refugees from Turkey About 13,100 Kurdish refugees from Turkey, most of whom arrived in 1994, remained in Iraq in 2001. After the 1997 closure of the Atrush camp, the camp's occupants split into two groups. The larger faction, numbering 9,300, moved to the Makhmour camp in Iraqi government-controlled territory. Another 3,800 Kurdish refugees from Turkey were living in five local settlements in Dohuk governorate and one settlement in Erbil on land provided by the KDP.

In 2001, 38 refugees voluntarily returned to Turkey with UNHCR assistance. Since 1997, about 2,200 have repatriated. Assisted by UNHCR, the refugees pass through the Habur border gate and stay temporarily in tents near the border until they can be returned to their places of origin.

Iranian Refugees in Government-Controlled Iraq Some 19,000 Iranian refugees resided in government-controlled Iraq in 2001. Most of the Iranians (12,150) lived in the Al-Tash camp in western Iraq, about 70 miles (110 km) from Baghdad.

UNHCR reported that the governments of Iran and Iraq signed a bilateral voluntary repatriation agreement in 2001, paving the way for the return of Iranian refugees in Iraq. Although no Iranian refugees repatriated during the year, several thousand reportedly expressed their wish to UNHCR to repatriate and were expected to do so in 2002.

During the year, UNHCR assisted in the resettlement of refugees from government-controlled Iraq, focusing on refugees in the Al-Tash camp. During the year, 646 refugees, mostly Iranians, were resettled in Sweden, Finland, Canada, and New Zealand.



A young Iraqi asylum seeker living in a suburb of Amman, Jordan. The U.S. Committee for Refugees estimated that between 1 million and 2 million Iraqis, many with a well-founded fear of persecution, were living abroad in 2001.

Photo: USCR/S. Edminster

In Al-Tash, described as a slum, refugees were not permitted to work, and their movement was restricted. All of the refugees at Al-Tash are Iranians and most are Kurds, although the camp also includes a mix of Persians and Arabs from Ahwaz Province. While the great majority of camp residents are Sunni Muslim, more than 1,000 camp residents belong to the Ahl-e-Haq religious minority. Another 7,000 Iranian Ahwazi refugees who fled southern Iran during the Iran-Iraq war of the 1980s lived in Misan, Kumeit, and Basra Governorates in southern Iraq.

Iranian Refugees in Northern Iraq About 4,700 Iranian Kurdish refugees resided in northern Iraq in 2001. The majority were believed to be *ex-peshmergas* (guerrillas) of the Kurdish Democratic Party of Iran.

Conditions in northern Iraq remained uncertain for Iranian refugees in 2001. Although no killings were reported during the year, unknown assailants have assassinated about 300 Iranians in recent years prior to 2001. The refugees claim that agents of the Iranian regime in northern Iraq are responsible for the killings.

Resettlement from northern Iraq remained limited

in 2001. UNHCR assisted in the resettlement of 107 Iranian refugees from northern Iraq during the year, a marked decline from the 632 Iranian refugees resettled from northern Iraq in 1999, but slightly more than the 41 resettled in 2000. In 1999, the Iraqi government announced that it did not regard Iranians in northern Iraq as refugees and called upon UNHCR to suspend resettlement. Difficulties in obtaining exit clearances for Iranians in northern Iraq has accounted, in part, for the drop in resettlement during the past two years.

Because of poor security and the lack of resettlement opportunities for Iranian refugees in northern Iraq, between 800 and 900 left for Turkey in 2000 and 2001, where they applied for refugee status with UNHCR in the hope of resettling to third countries.

Other Groups Some 91,300 refugees of other nationalities were in Iraq in 2001, about 90,000 of whom were Palestinians. Information on their living conditions was not available. UNHCR had also registered 573 Eritreans, 313 Somalis, and 224 Sudanese. During the year, 84 Syrians, 18 Afghans, and 4 Sudanese applied for refugee status with UNHCR in Iraq.



Iraqi Refugees Outside Iraq According to a leaked, unpublished Iraqi government report published by a London-based Arabic newspaper in March 2000, the government estimated that 1.5 million Iraqis sought asylum outside Iraq in the preceding decade. The largest recognized group, some 203,000, lived in Iran; another 5,084 were living in the Rafha camp in Saudi Arabia.

In June 1999, Iraq announced an amnesty for certain Iraqis who had been expelled for specific periods of time or who had departed the country illegally, including university teachers who had left the country without exit permission, or who had not returned home after representing Iraq in official delegations. In November 1999, the government announced a new law that imposes prison terms of up to ten years on persons attempting to leave the country illegally.

UNHCR recorded 1,727 voluntary repatriations of Iraqi refugees to government-controlled Iraq from Iran and 240 returns from Saudi Arabia in 2001. UNHCR did not promote these repatriations, however, telling would-be returnees that the agency could not monitor or guarantee their safety upon return. Although UNHCR reported a breakthrough in negotiations with the Iraqi government at the end of 2001 whereby the government agreed to allow the agency to monitor repatriations, the safety of returning Iraqi refugees—and by extension the prudence of promoting returns—remained in doubt at year's end. In 2001 and past years, USCR has received reports of the arrests, disappearances, and deaths under mysterious circumstances of some returnees, although these reports could not be independently confirmed. ■

Israel

At the end of 2001, Israel hosted about 4,700 refugees and asylum seekers in need of protection. These included 3,909 refugees from Lebanon, 107 refugees from Sierra Leone, 62 refugees from other countries, and 563 asylum seekers pending status determinations. An estimated 200,000 to 250,000 Palestinians with Israeli citizenship remained internally displaced at year's end.

Jews are eligible to immigrate and become Israeli citizens under the Law of Return. This welcome applies regardless of their reasons for leaving their countries of origin, and Israel declines to categorize any Jewish immigrants as refugees.

Palestinian Refugees At the time of Israel's creation in 1948, an estimated 725,000 to 810,000 Palestinians fled their homes in Palestine. By the end of 2001, the number of Palestinian refugees and their descendents had surpassed 4.1 million. UN General Assembly Resolution 194 upholds the right of Palestinian refugees to return to Israel and, for those not wishing to return, the right to receive compensation for their losses.

Israel rejects Resolution 194, saying that the resolution is nonbinding and therefore does not establish any "right" of return. In a January 17, 2002 letter to the U.S. Committee for Refugees (USCR), the Israeli government said that it "considers Resolution 194 not to be relevant to the realities of the Middle East, where the potential return of millions of Palestinian refugees could undermine the existence of the State of Israel. Thus, the change of circumstances over the past 53 years has made the return of Palestinian refugees no longer feasible and practicable."

Notwithstanding the Israeli position, three UN human rights treaty committees have found key aspects of Israel's nationality, citizenship, and land legislation—which effectively bar Palestinian refugees from returning to their former homes in what is now Israel—to be incompatible with the rights codified in relevant human rights conventions. (For more on Palestinian refugees, see reports on the *Gaza Strip and West Bank, Jordan, Kuwait, Lebanon, and Syria.*)

Asylum Israel is a signatory to the UN Refugee Convention. During 2001, Israel took steps to establish an agency for adjudicating asylum claims, the National Status Granting Body (NSGB), which will begin functioning in January 2002. The Israeli government also established basic guidelines to regulate the asylum procedure during the year; the NSGB will review asylum applications and make recommendations to the Ministry of Interior, which will have the ultimate authority either to approve or deny cases. Denied applicants will have several possibilities to file administrative and judicial appeals under the guidelines.

However, because the NSGB was not operating in 2001, the UN High Commissioner for Refugees (UNHCR) continued to determine the status of asylum seekers in the country. During the year, 469 asylum seekers submitted applications for refugee status with UNHCR, almost half of whom came from Ethiopia (201), followed by applicants from Eritrea (57), Liberia (48), and Sierra Leone (46). UNHCR issued 277 merits decisions during the year, granting refugee status to 78 applicants, a 28 percent approval rate. Ethiopians accounted for most of the cases decided (210) and also had a 28 percent approval rate. UNHCR also granted refugee status to a small number of applicants from Colombia, Iran, Liberia, Sudan, Eritrea, and Egypt.

The Israeli authorities reportedly honor UNHCR identification documents issued to asylum seekers and notify the agency of individuals in detention who wish to apply for asylum. UNHCR reported that it expedited refugee status determinations for such applicants. Between 10 and 20 persons apply for asylum from detention annually, according to UNHCR.

In 2001, the Ministry of Interior began granting work visas to asylum seekers awaiting decisions on their

cases. During the year, Israel recognized as refugees those approved by UNHCR. The Israeli government grants recognized refugees the full range of rights afforded by the UN Refugee Convention, except for those from countries with which Israel has hostile relations.

In accordance with the Law Against Infiltration, Israel detains asylum seekers (along with other foreigners) from “enemy countries” attempting to enter Israel clandestinely. During the 1990s, UNHCR recorded the entry into Israel of about 60 non-Jewish asylum seekers and refugees from Egypt, Iran, Iraq, Sudan, and Syria to whom the law applied. On November 24, 1999, Israel’s Supreme Court ordered the release from detention of ten refugees from Iraq, Iran, and Syria on the condition that they live on *kibbutzim* (communal agricultural settlements). In 2001, UNHCR recognized seven refugees from enemy countries, four from Iran and three from Sudan, who lived on *kibbutzim* along with another 12 refugees from Iraq, Iran, and Egypt.

In August, Israel summarily deported to Lebanon a group of 42 Iraqi asylum seekers of Kurdish origin. In response to wire service press reports on August 9 indicating the asylum seekers’ imminent deportation, USCR called upon the Israeli government not to deport the group and to allow them to approach UNHCR’s office in Israel to have their asylum claims heard. The Israeli government did not respond. At year’s end, the group remained in southern Lebanon in an area controlled by the UN Interim Force in Lebanon (UNIFIL).

UNHCR pursues resettlement to other countries for refugees from enemy countries because Israel does not permit them to remain permanently. Six refugees resettled to third countries from Israel in 2001.

Lebanese Militiamen When Israel withdrew from its proclaimed “security zone” in southern Lebanon in May 2000, its surrogate, the South Lebanese Army (SLA), disintegrated, and more than 6,000 of its members and their families fled to Israel, fearing retribution from Hizballah guerrillas and Lebanese forces for collaborating with Israel.

Although Israel provided former SLA members and their families with accommodation, permission to work, health insurance, access to education, and other benefits, many SLA members complained that they were not treated well enough, given their lengthy cooperation with the Israeli military. During 2001, many demanded that the Israeli government grant them citizenship, pensions, and other benefits at the same level as retired Israeli military officers, as well as compensation for their losses in Lebanon. SLA members reportedly faced problems integrating into Israeli society during the year, neither comfortable with Jewish Israelis nor with Arabs, who tended to view them as traitors for collaborating with the Israeli government.

Since their arrival in Israel in May 2000, some former SLA members have left Israel permanently, traveling on to other countries. Others have returned to Lebanon, despite the threat of arrest and trial for treason upon return. UNHCR reported 3,909 refugees from Lebanon in Israel at the end of 2001.

Internal Displacement At more than 1 million, Israel’s Arabs represent about 20 percent of the country’s population. Of these, as many as 250,000 long-term displaced Palestinians resided in Israel in 2001, according to the National Committee for the Rights of the Internally Displaced Palestinians in Israel, created in 1992 to raise awareness and advocate on behalf of displaced Palestinians. Most of this population was displaced in 1948 (or are descendents of persons displaced at that time), but remain within Israel-proper. The National Committee called on the Israeli government to respect the right of the displaced to return to their former homes, asserting that a final status agreement between Israel and the Palestinians will not bring a just peace if it does not respect this right.■

Jordan

At the end of 2001, Jordan hosted more than 1.64 million refugees in need of protection. These included 1,639,718 Palestinian refugees registered with the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), 990 refugees registered with the UN High Commissioner for Refugees, and 3,217 asylum seekers awaiting a UNHCR refugee status determination at year’s end. In addition, the Jordanian government estimated that another 800,000 Palestinian “displaced persons” were residing in the country. Palestinians constitute more than half of Jordan’s total population. Although an estimated 250,000 Iraqis lived in Jordan during 2001, it was unclear how many were refugees.

Developments in 2001 During the first half of June, the Jordanian government barred Palestinian residents of the West Bank with Jordanian travel documents from entering the country, reportedly out of concern about a possible mass expulsion of West Bank Palestinians by the Israeli army. However, Jordan rescinded the restriction on June 20 in response to official and popular Palestinian protest. Jordanian media reported a net influx of more than 26,000 Palestinians from the West Bank and Gaza Strip between August 2000 and June 2001.

The Jordanian government denied charges reported in the local press in July 2001 that it had stripped thousands of Jordanians of Palestinian descent of their citizenship. However, human rights activists claimed that the government had refused to renew the passports of



about 350 Jordanians of Palestinian origin who remained outside Jordan during 2001.

Palestinians Palestinian refugees in Jordan, who represented 42 percent of all UNRWA-registered refugees in 2001, appeared the most secure economically and legally of any of the Palestinian refugees in the areas of UNRWA operation. The agency's budgetary difficulties, however, continued to result in a deterioration of health and educational services. On the positive side, hardship cases represented only 2.6 percent of the UNRWA-registered refugees in Jordan, the lowest percentage of any of the areas of UNRWA operation. Jordan also boasted the lowest percentage of Palestinian refugees living in camps. Although the government maintained ten camps that sheltered 287,951 refugees during the year, 82 percent of the registered refugees in Jordan lived outside camps.

In addition, the Jordanian government unofficially estimates that it hosts 800,000 Palestinians displaced because of the 1967 war. The government calls the 1967 arrivals "displaced persons" rather than refugees because, at that time, Jordan claimed sovereignty on both the east and west banks of the Jordan River.

Legal Status Palestinian refugees in Jordan have a unique legal position. Unlike the other states hosting Palestinians within the UNRWA mandate area, many Palestinians in Jordan have full citizenship rights, including the right to vote. UNRWA defines Palestinian refugees as persons who resided in Palestine two years prior to the outbreak of hostilities in 1948, and lost their homes and livelihoods as a result of the conflict, as well as persons descended from the original refugees. UN General Assembly Resolution 194 recognizes only repatriation or compensation as permanent solutions to the Palestinian refugee problem. Citizenship in another country, therefore, does not terminate refugee status as it would for other refugee groups covered by the UN Refugee Convention and Protocol. The UN Refugee Convention excludes Palestinians who were already under UNRWA's mandate in 1951. In effect, this means that UNHCR does not concern itself with (or count) Palestinian refugees in Jordan, Lebanon, Syria, or the West Bank and Gaza Strip, although it may assist Palestinian refugees outside the UNRWA mandate area.

UNRWA does not specifically track the number of refugees in Jordan who have

Jordanian citizenship, which it considers irrelevant to its mandate. In general, Palestinian refugees with Jordanian citizenship have the same rights as other Jordanian citizens. Nevertheless, Palestinians remain significantly underrepresented in the Jordanian legislature, despite their forming an outright majority of the total Jordanian population. They also continue to suffer discrimination in appointments to government and military positions, as well as in admission to universities and access to university scholarships.

Jordan does not offer citizenship to Palestinians who originated in the Gaza Strip (about 150,000 people), over which Jordan never claimed sovereignty. Instead, Jordan issues them two-year passports carrying a stamp indicating that the holder is originally from Gaza and entered Jordan in 1967. Holders of two-year passports are not allowed to vote or hold public-sector jobs. Jordan issues five-year passports to Palestinians who reside in the West Bank,



An Iraqi asylum seeker with his nephew in their apartment in Amman, Jordan. Photo: USCR/S. Edminster

although Jordan maintains that these passports are for travel purposes only and do not confer nationality.

Relief and Development UNRWA's weakened financial state improved little in 2001, continuing to strain the agency's ability to assist refugees in Jordan during the year.

In Jordan, UNRWA's financial difficulties had the greatest impact on education and health. Although the number of students enrolled in UNRWA schools declined for the seventh straight year (by 1.7 percent during the 2000-2001 reporting year), UNRWA schools continued to suffer from overcrowding, inferior facilities, and lack of extracurricular activities for students. Almost all UNRWA schools in Jordan operated on double shifts. The decline in enrollment resulted, in part, from students transferring from UNRWA schools to Jordanian government schools, which generally had more experienced teachers, smaller student-teacher ratios, shorter school weeks, and better facilities.

UNRWA remained particularly concerned with the poor condition of many of its school buildings in Jordan in 2001. One-quarter of the agency's 190 school buildings needed to be renovated or replaced, UNRWA reported.

UNRWA health care was similarly strained. Budget constraints forced the agency to end individual subsidies for treatment at private hospitals in 1996, a measure that remained in place in 2001. UNRWA referred patients to government hospitals for secondary care during 2001, but was only able to cover a portion of the costs, leaving the remainder to be assumed by the individual refugees in need of treatment. During 2001, however, UNRWA was able to continue its funding for women with high-risk pregnancies. More generally, UNRWA's weakened financial state prevented the agency from keeping pace with the demand for refugee health services.

In part because of UNRWA's severe and prolonged budget deficit, the Jordanian government has increased its share of the costs of caring for refugees in recent years. During UNRWA's 2000-2001 reporting year, Jordan spent \$392.1 million on behalf of Palestinian refugees and displaced persons, five times more than UNRWA spent on refugee services in Jordan during 2001.

Non-Palestinian Refugees At year's end, 990 UNHCR-recognized refugees were in Jordan, 868 of whom came from Iraq. During the year, 4,605 asylum seekers filed claims with UNHCR, the overwhelming majority, 4,095, from Iraq. Small numbers of Sudanese, Syrians, and Sri Lankans also applied for refugee status in Jordan during the year.

During 2001, UNHCR decided the cases of 3,105 refugee applicants (including appeals), granting refugee status to 703 refugees, an approval rate of 22.6 percent.

Iraqi nationals—accounting for 89 percent of all decisions taken by UNHCR-Amman—had an approval rate of 24.6 percent.

Although Jordan is not a signatory to the UN Refugee Convention, the 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, including undocumented entrants, and respect UNHCR's refugee status determinations. The memorandum also adopts the refugee definition contained in the UN Refugee Convention and forbids the *refoulement*—forced return—of refugees and asylum seekers.

Although no confirmed incidents of *refoulement* occurred during 2001, reports emerged that the Jordanian authorities deported hundreds of Iraqi nationals residing illegally in Jordan. It was unclear if any of the deportees were refugees or had claims pending with UNHCR.

Neither the Jordanian government nor UNHCR considers Jordan to be a permanent country of asylum. Therefore, resettlement outside the region is the only durable solution for the overwhelming majority of UNHCR-recognized refugees in Jordan. Although it normally takes 10 to 12 months to resettle refugees from the time UNHCR approves their applications, the Jordanian government limits to six months the period that refugees may legally remain in Jordan and does not renew identification documents after the first six months have elapsed. The government generally tolerates the presence of refugees after their documents lapse; however, refugees without valid identification tended to be more vulnerable to a variety of protection problems during the year. Iraqi government agents reportedly operate in Jordan, contributing to a climate of insecurity and unease for many Iraqis.

Iraqis Estimates of the number of Iraqis living in Jordan range from 200,000 to 350,000. It is unclear how many are refugees. Many Iraqis who fear persecution in Iraq are believed to slip across the border into Jordan, where they remain without status or seek to move on to other countries. Others enter Jordan legally on Iraqi passports, which even individuals with a well-founded fear of persecution can procure if they have enough money to pay the requisite bribes. The government generally allows Iraqis, documented or not, to remain in Jordan for up to six months, after which they must either return to Iraq or depart to a third country in order to renew their visa.

While UNHCR provides modest assistance to Iraqis and others whom the agency recognizes as refugees, the broader population of Iraqis receives little to no assistance. During a November 2001 site visit to Jordan, the U.S. Committee for Refugees (USCR) found that many Iraqis are among the poorest in Jordanian society, eking out meager existences in jobs such as street vendors while living in overcrowded and sometimes unsanitary conditions.■



Kuwait

More than 50,000 refugees were living in Kuwait in 2001, including an estimated 35,000 Palestinians, 15,000 Iraqis, and small numbers of refugees from Afghanistan, Somalia, and other countries. Refugee figures can only be roughly estimated, however, because Kuwait does not recognize refugees, instead tolerating the presence of some foreigners as part of its expatriate labor force. Kuwaiti tolerance, however, generally does not extend to citizens of Iraq because of Iraq's invasion of Kuwait in 1991. About 120,000 stateless Arabs, known as *Bidoon*, also lived in Kuwait during the year.

Refugee Law and Procedure Kuwait is not a signatory to the UN Refugee Convention and has no domestic law relating to refugees or any procedure for adjudicating refugee claims. In August 1996, however, the Kuwaiti national assembly ratified an agreement the government signed with the UN High Commissioner for Refugees that recognized UNHCR's mandate to protect refugees.

In practice, the government allows UNHCR to adjudicate refugee claims. The agency conducts refugee determination interviews and allows asylum seekers to appeal negative decisions. The Ministry of Interior signs and stamps UNHCR protection letters. In 2001, persons carrying such letters were generally able to avoid arrest, detention, and *refoulement* (forced return).

At year's end, 2,776 refugees were registered with UNHCR, including 1,261 Palestinians, 1,200 Iraqis, 145 Somalis, 92 Afghans, and 78 refugees of other nationalities. UNHCR assists refugees based on individual needs assessments and cooperates with the Kuwaiti Red Crescent and Zakat House, a humanitarian agency, which also provides assistance.

Very few refugees arrived in Kuwait during 2001, in part because it is considerably harder for undocumented asylum seekers to cross the border and remain in Kuwait than it is to enter and remain in other countries in the region, such as Turkey, Jordan, and Syria. In fact, most refugees in Kuwait are long-term residents who only sought UNHCR's protection after Kuwaiti authorities refused to renew their residence permits, leaving them vulnerable to detention and deportation.

Many of the remaining Iraqis in Kuwait, for example, are habitual residents, with few or no ties to Iraq. Most cannot safely repatriate because Iraq regards them as traitors. At the same time, they are not welcome in Kuwait, where they are often suspected of collaboration with the Iraqi occupation during the Gulf War. Similarly, many of the remaining Palestinians in Kuwait, a substantial number originally from Gaza who carry expired Egyptian travel documents, have no country of citizenship to return to and must also contend with the Kuwaiti perception that they were collaborators with Iraq.

Despite the popular animus against Iraqis and Pal-

estinians, UNHCR primarily pursues local integration as a durable solution for these and other refugee groups. UNHCR reported that it has often successfully negotiated with the Kuwaiti authorities to obtain temporary residency and working rights for Iraqi, Palestinian, and other refugees.

In some cases, however, Kuwait denies the option of temporary settlement, usually citing a threat to security. When a refugee is unable to secure a residence and work permit and faces other difficulties, such as detention and deportation, UNHCR seeks to resettle the individual in a third country. Although UNHCR occasionally works to reunify Palestinian refugees in Kuwait with family members in other Middle Eastern countries, the agency generally does not resettle Palestinians outside the region.

In 2001, UNHCR assisted 117 refugees, mostly Iraqis, in resettlement to the United States and various Western European countries.

Detention and Deportation Under its 1996 agreement with UNHCR, Kuwait grants the agency access to persons within the UNHCR mandate, including persons held in detention or deportation facilities. The government, however, reserves the authority to deport foreigners without trial, including stateless persons born in Kuwait and other habitual residents of Kuwait. No judicial review of deportation orders is permitted, and Kuwait often deports foreigners for security reasons or for expired work permits.

At the end of 2001, Kuwait held about 250 foreigners and *Bidoon* in its detention facilities, some pending deportation. However, the Kuwaiti government generally does not forcibly repatriate those slated for deportation, allowing those who do not want to return to their countries of origin to remain in detention. This policy reportedly has led to the prolonged detention of certain foreigners, particularly Iraqi asylum seekers and refugees and *Bidoon* who have no country of citizenship to return to.

During 2001, Kuwait intercepted and detained the few Iraqis who crossed the demilitarized zone dividing Iraq and Kuwait. The Kuwaiti government considers all Iraqis crossing the border, including asylum seekers, as "infiltrators" and detains them for security reasons. The UN Iraq-Kuwait Observer Mission (UNIKOM) informs UNHCR of any asylum seekers crossing the demilitarized zone into Kuwait. UNHCR reported that it is able to visit such asylum seekers in detention to assess refugee claims and to exercise its protection mandate.

Kuwait maintains a 124-mile (200-km) electrified border fence and 128-mile (207 km) trench along the demilitarized zone.

Bidoon Kuwait made limited progress toward solving the long-standing issue of stateless Arabs, or *Bidoon*, in 2001. Many *Bidoon* have lived in Kuwait their entire lives, but are not recognized as citizens. Kuwait reserves full citizenship rights for those who established residence in the country

prior to 1920. Children born to Kuwaiti women are not generally accorded citizenship if their fathers are *Bidoon* or foreigners, although the government agreed in 2001 to grant citizenship to children of Kuwaiti widows or divorcees previously married to *Bidoon* men.

Since 1991, Kuwait has reduced the number of *Bidoon* residents by more than half, down from a pre-war population of 250,000 to an estimated 120,000 in 2001. Kuwait deported many *Bidoon*, often without a hearing, most commonly for alleged collaboration with the Iraqi occupying forces during the war. *Bidoon* with strong ties to Kuwait who left the country have not been allowed to return, and remain stateless in Iraq and other countries. As a result of the war, Kuwait also fired *Bidoon* from government jobs many had held before the war, restricted *Bidoon* to overcrowded slum areas, and barred *Bidoon* children from Kuwaiti schools.

In May 2000, Kuwait's parliament voted to ease the citizenship requirements of *Bidoon* registered in the 1965 population census, who numbered some 36,000. At the same time, the government announced that the remaining *Bidoon* would not be eligible for citizenship and were required to regularize their status with the authorities by June 27, 2000 or face prosecution and deportation.

By the end of 2001, the government reportedly had registered some 80,000 *Bidoon* cases. These included the 36,000 registered in the 1965 population census and an additional 8,000 registered in June 2000 who were eligible to apply for citizenship. The government considers the remaining 36,000 registered *Bidoon* to be illegal aliens, maintaining that many are in fact citizens of other countries and are concealing their nationality in order to obtain Kuwaiti citizenship. Persons in this group may apply for a status short of full citizenship that accords them five-year residence permits and other benefits, but must come forward and admit their "true" nationality to do so. During the year, thousands of *Bidoon* came forward, documenting themselves as citizens of other countries, although significant numbers reportedly purchased counterfeit documents in order to adjust their status.

Acquiring citizenship proved difficult even for many *Bidoon* who were eligible because they were counted in the 1965 census. Even as the Kuwaiti parliament voted to consider this group for citizenship, it also voted to limit to 2,000 the number of adult *Bidoon* who could naturalize annually. However, even fewer—only 500 to 600—were granted citizenship in 2001. ■

Lebanon

Lebanon hosted about 389,500 refugees and asylum seekers in need of protection in 2001. These included 382,973 Palestinian refugees registered with the UN Relief and Works Agency for Palestine Refugees (UNRWA), 2,815 other refu-

gees recognized by the UN High Commissioner for Refugees, and 3,680 asylum seekers awaiting a UNHCR decision on their refugee claims.

In addition to UNRWA-registered refugees, another 42,000 unregistered Palestinians live in Lebanon. Because about 22,000 of these trace their exile to the 1967 war, they fall outside the UNRWA definition. Another 20,000 are considered to be of Lebanese origin, but identify themselves as Palestinians.

Conditions for Palestinians in Lebanon remained poor in 2001, as did their relations with their reluctant Lebanese hosts. Infighting between Palestinians aligned with Yassir Arafat's Fatah movement and other Palestinian factions, particularly in Sidon's Ain El-Hilweh refugee camp, also triggered sporadic violence during the year.

Lebanon made slow progress during 2001 in returning an estimated 250,000 to 300,000 long-term internally displaced people to their homes. Although significant numbers of internally displaced Lebanese originated from parts of southern Lebanon from which Israeli forces withdrew in May 2000, few had returned to reclaim their homes in the formerly occupied zone by the end of 2001.

Some 3,900 South Lebanese Army (SLA) militia men and their families who fled southern Lebanon following the Israeli army's withdrawal from the area in May 2000 remained in Israel at the end of 2001. Several hundred more were in other countries.

Palestinian Rights and Legal Status The overwhelming majority of Lebanese citizens remained steadfastly opposed in 2001 to the permanent integration of Palestinian refugees in Lebanon. Lebanese frequently argue that naturalizing Palestinians, who amount to as much as 10 percent of Lebanon's total population and are mostly Sunni Muslim, would disrupt Lebanon's delicate political balance, which is based on power sharing along sectarian lines. Others blame Palestinians for their role in the protracted civil war of the 1970s and 1980s.

Lebanon's constitution explicitly forbids the permanent integration of Palestinians in the country. The rejection of permanent settlement has led Lebanon's government to oppose all policies and actions that could be construed as accepting or facilitating Palestinian integration.

Since the early 1990s, Lebanon has imposed a host of draconian restrictions on resident Palestinians to prevent their integration and to signal to the international community that it considers Palestinian refugees to be an international, not a Lebanese, problem. While Lebanese government officials have insisted to the U.S. Committee for Refugees (USCR) that Palestinians are treated the same as other foreigners, Palestinian refugees and various observers whom USCR interviewed during site visits to Lebanon, most recently in November 2001, reported widespread discrimination against Palestinians. The most recent manifestation of this was the passage of a law in March that bans Palestin