CHAPTER-4

REFUGEE SITUATION AND REHABILITATION IN IRAQ AND LEBANON

INTRODUCTION:

The Republic of Iraq is a country in West Asia spanning most of the northwestern end of the Zagros mountain range, the eastern part of the Syrian Desert and the northern part of the Arabian Desert. Iraq borders Syria to the northwest, Turkey to the north, Iran to the east, Jordan to the southwest and Kuwait and Saudi Arabia to the south. Iraq has a narrow section of coastline measuring 58 km (36 mi) on the northern Persian Gulf. The capital city, Baghdad is in the center-east of the country.

Historically, Iraq was the center of the Abbasid Caliphate. Iraq has been known to the west by the Greek toponym 'Mesopotamia' and has been home to continuous successive civilizations since the 6th millennium BC.

Iraq's present borders were mostly demarcated in 1920 by the League of Nations when the Ottoman Empire was divided by the Treaty of Sèvres. Iraq was placed under the authority of the United Kingdom as the British Mandate of Mesopotamia. A monarchy was established in 1921 and the Kingdom of Iraq gained independence from Britain in 1932. In 1958, the monarchy was overthrown and the Republic of Iraq was created. Iraq was controlled by the Ba'ath Party (Iraqi-led faction) from 1968 until 2003. After an invasion led by American and British forces, the Ba'ath Party was removed from power and Iraq came under a military occupation by a multinational coalition. Sovereignty was transferred to the Iraqi Interim Government in June 2004 which then approved a new constitution and a new Government of Iraq was elected. Foreign troops remained in Iraq after the establishment of a new Government due to an insurgency that developed shortly after the invasion, withdrawing in 2011. Iraq is a country with a Shia majority and a large Sunni minority. The majority of the Iraqi population is Arab.

When it was overthrown by a coup d'etat of the Iraqi Army, known as the 14 July Revolution. The coup brought Brigadier General Abd al-Karim Qasim to power. He withdrew from the Baghdad Pact and established friendly relations with the Soviet

---

1 Benjamin Read Foster, Karen Polinger Foster, Iraq: Princeton University Press, 26-May-2009 – pp 5
2 Ibid pp 12
3 Ibid pp 22
Union, but his Government lasted only until the February 1963 coup, when it was
overthrown by Colonel Abdul Salam Arif. Salam Arif died in 1966 and his brother,
Abdul Rahman Arif, assumed the presidency.

In 1968, Abdul Rahman Arif was overthrown by the Arab Socialist Ba'ath Party
(the party was established in Syria by Michel Aflaq and Salah al-Din al-Bitar with former
followers of Zaki al-Arsuzi). Ahmed Hasan Al-Bakir became the first Ba'ath President of
Iraq but then the movement gradually came under the control of Saddam Hussein, who
acceded to the presidency and control of the Revolutionary Command Council (RCC),
then Iraq's supreme executive body, in July 1979.

Demographics

As of April 2009 the estimate of the total Iraqi population is 31,234,000. Iraq's
population was estimated at only 2 million in 1878. According to the Central Intelligence
Agency, Arabs from 75%–80% of the Iraqi population, followed by 15%–20% Kurds,
and Turkoman, Assyrian, or other make up 5% of the population. Around 20,000 Marsh
Arabs live in southern Iraq. The Iraqi population includes a community of around
30,000 Circassians, 20,000 Armenians, and a community of 2500 Chechens. In southern
Iraq there is a community of Iraqis of African descent, a legacy of the slavery practiced in
the Islamic Caliphate beginning before the Zanj Rebellion of the 9th century, and Basra's
role as a key port.

Arabic and Kurdish are official languages of Iraq. Aramaic and South Azeri are
regional languages. Armenian and Persian are also spoken but to a lesser extent. English
is the most commonly spoken European language. Most of Iraqis predominantly speak
Arabic, while most of the Kurdish Iraqis are bilingual in Kurdish and Arabic. Iraqi
Turkmen speak South Azeri, Iraqi Assyrians speak various Neo-Aramaic varieties, and
the Feyli Kurds speak Feyli, a dialect of Kurdish.

---

5 Mohammad Zaki, Iraq: The People, Crabtree Publishing Company, 15-Jan-2010 – pp 45
GOVERNMENT AND POLITICAL PROCESS

The country was under Arab Socialist Ba'ath Party rule from 1968 to 2003; in 1979 Saddam Hussein took control and remained president until 2003 after which he was unseated by a US–led invasion. On October 15, 2005, more than 63% of eligible Iraqis came out across the country to vote on whether to accept or reject the new constitution. On October 25, the vote was certified and a new constitution was enacted and passed with a 78% overall majority, with the percentage of support varying widely between the country's territories. The new constitution had overwhelming backing among the Shia and Kurdish communities, but was overwhelmingly rejected by Arab Sunnis. Under the constitution, the country conducted fresh nationwide parliamentary elections on December 15 to elect a new Government. The overwhelming majority of all three major ethnic groups in Iraq voted along ethnic lines, turning this vote into more of an ethnic census than a competitive election, and setting the stage for the division of the country along ethnic lines.

Iraqi political parties have been under significant threat by the various factions that have promoted violence as a political weapon. The ongoing violence in Iraq has been incited by an amalgam of religious extremists that believe an Islamic Caliphate should rule, old sectarian regime members that had ruled under Saddam that want back the power they had, and Iraqi nationalists that are fighting the U.S. military presence.

The country’s ethnic minority groups are the Kurds, Assyrians, Mandeans, Iraqi Turkmen, Shabaks and Roma. These groups have not enjoyed equal status with the majority Arab populations throughout Iraq's eighty-five year history. Since the establishment of the "no–fly zones" following the Gulf War of 1990–1991, the situation of the Kurds has changed as they have established their own autonomous region. This has been a source of particular tension with Turkey.

Iraq is one among the corrupt countries in the world, in 2010, according to the Failed States Index; Iraq was the world's seventh most politically unstable country. In 2008, Al Jazeera reported $13 billion of Iraqi oil revenues in U.S. care was improperly accounted for, of which $2.6 billion is totally unaccounted. On November 17, 2008, the

---

7 Robert Kuzumi, Iraq: A Political History from Independence to Occupation, Princeton University Press, 17-Feb-2009 – pp 34
U.S. and Iraq agreed to a Status of Forces Agreement, as part of the broader Strategic Framework Agreement. This agreement states "the Government of Iraq requests" U.S. forces to temporarily remain in Iraq to "maintain security and stability," and that Iraq has jurisdiction over military supplier and US personnel when not on US bases or on–duty.

On 12 February 2009, Iraq officially became the 186th State Party to the Chemical Weapons Convention. Under the provisions of this treaty, Iraq is considered a party with declared stockpiles of chemical weapons. Because of their late accession, Iraq is the only State Party exempt from the existing timeline for destruction of their chemical weapons. Specific criteria are in development to address the unique nature of Iraqi accession.

In 1979, Saddam Hussein took power as Iraqi President after his close friend and the leader of his party (Ahmed Hasan Al-Bakr) resigned from leadership. Shortly after his taking power, the political situation in Iraq's neighbor Iran changed drastically after the success of the Iranian Revolution of Ayatollah Ruhollah Khomeini, which resulted in a Shi'ite Muslim theocratic state being established. This was seen as a dangerous change in the eyes of the Iraqi Government, as Iraq too had a Shi'ite majority and was ruled by Hussein's Government which, apart from having numerous Sunnis occupying leading positions, had a pan-Arab but non-religious ideology.

This left the country's Shiite population split between the members and supporters of the Ba'ath Party, and those who sympathized with the Iranian position. In 1980, Saddam claimed that Iranian forces were trying to topple his Government and declared war on Iran. Saddam Hussein supported the Iranian Islamic socialist organization called the People's Mujahedin of Iran which opposed the Iranian Government. During the Iran–Iraq War Iraqi forces attacked Iranian soldiers and civilians with chemical weapons.

The war ended in stalemate in 1988, largely due to foreign support for Iraq with most weapons coming from the Soviet Union. Between half a million and 1.5 million people from both sides died in the 1980–1988 war.

Saddam's regime was notorious for its human rights abuses with the most large-scale and systematic being the Al-Anfal Campaign, a genocidal campaign that targeted

---


9 Ibid

10 Ibid
the Kurdish population in Iraq. The campaign led by Saddam Hussein's military commander and first cousin, Ali Hassan al-Majid, led to the killing of 50,000 – 100,000 civilians.

The Anfal Campaign began in 1986 and lasted until 1989 and included a series of military operations, abductions, transfers and internal displacements, executions, and chemical weapons use. Attacks were launched against approximately 3000 to 4000 Kurdish villages in areas of northern Iraq and forcibly displaced hundreds of thousands among the country's Kurdish population. The most infamous chemical attack was on the Kurdish town of Halabja, which al-Majid tried to justify as a punishment for elements of Kurdish support of Iran.

The Gulf War

Iraq was faced with economic disaster following the end of the Iran–Iraq War in 1990. Kuwait, its southern neighbor, had increased its production of oil, which kept oil revenues relatively low for Iraq. The Iraqi Government also claimed that Kuwait was illegally slant drilling its oil wells into Iraqi territory, a practice which it demanded be stopped; Kuwait rejected this claim. In August 1990, Iraq followed this by invading Kuwait. The Iraqi military rapidly occupied the country, and Hussein declared that Kuwait had ceased to exist, becoming Iraq's 19th province. This brought heavy objections from many countries and the United Nations11.

Iraq refused the economic sanctions against Iraq made by the UN and the UN also demanded its immediate withdrawal from Kuwait. UN Security Council in 1991 unanimously voted for military action against Iraq. The United Nations Security Council, under Chapter VII of the United Nations Charter, adopted Resolution 678, authorizing U.N. member states to use "all necessary means" to "restore international peace and security in the area."12 The United States, which had enormous vested interests in the oil supplies of the Persian Gulf region, led an international coalition into Kuwait and Iraq.

The coalition forces entered the war with more advanced weaponry than that of Iraq, though Iraq's military was one of the largest armed forces in Western Asia at the time. Despite being a large military force, the Iraqi army was no match for the advanced

11 Heinemann The Gulf Wars With Iraq. -Raintree publications 01-Jan-2012 – pp.43
12 Ibid pp-56
weaponry of the coalition forces and the air superiority that the coalition forces provided. The coalition forces proceeded with a bombing campaign targeting military targets.

Iraq responded to the invasion by launching Scud missile attacks against Israel and Saudi Arabia. Hussein hoped that by attacking Israel, the Israeli military would be drawn into the war, which he believed would rally anti-Israeli sentiment in neighboring Arab countries and cause those countries to support Iraq. However, Hussein's gamble failed, as Israel reluctantly accepted a U.S. demand to remain out of the conflict to avoid inflaming tensions. The Iraqi armed forces were quickly destroyed, and Hussein eventually accepted the inevitable and ordered a withdrawal of Iraqi forces from Kuwait. Before the forces were withdrawn, however, Hussein ordered them to sabotage Kuwait's oil wells, which resulted in hundreds of wells being set ablaze, causing an economic and ecological disaster in Kuwait.

After the decisive military defeat, the agreement to a ceasefire on February 28, and political maneuvering, the UN Security Council continued to press its demands that Hussein accept previous UN Security Council Resolutions, as stated in UNSCR 686. By April, UNSCR 687 recognized Kuwait's sovereignty had been reinstated, and established the United Nations Special Commission (UNSCOM). Two days later, UNSCR 688 added that Iraq must cease violent repression of ethnic and religious minorities.\(^{13}\)

The aftermath of the war saw the Iraqi military, especially its air force, destroyed. In return for peace, Iraq was forced to dismantle all chemical and biological weapons it possessed, and end any attempt to create or purchase nuclear weapons, to be assured by the allowing UN weapons inspectors to evaluate the dismantlement of such weapons. Finally, Iraq would face sanctions if it disobeyed any of the demands.

Shortly after the war ended in 1991, Shia Muslim and Kurdish Iraqis engaged in protests against Hussein's regime, resulting in an intifada. Hussein responded with violent repression against Shia Muslims, and the protests came to an end. It is estimated that as many as 100,000 people were killed. The US, UK, France and Turkey claiming authority under UNSCR 688, established the Iraqi no-fly zones to protect Kurdish and Shiite populations from attacks by the Hussein regime's aircraft.

\(^{13}\) Ibid 58
Iraqi Refugees

Since the regime of Saddam Hussein and continuing through to 2007, The UN High Commission for Refugees has estimated that nearly two million Iraqis have fled the country after the Multi-National invasion of Iraq in 2003, mostly to Syria and Jordan. The Internal Displacement Monitoring Centre estimates an additional 1.9 million are currently displaced within the country.

The U.N. in 2007 said that about 40% of Iraq's middle class is believed to have fled and that most are fleeing regular persecution and has no desire to return. Refugees are mired in poverty as they are generally banned from working in their host countries. In recent years the diaspora seems to be returning with the increased security; the Iraqi Government claimed that 46,000 refugees have returned to their homes in October 2007 alone. However, more than half of Iraqi Christians have fled to neighboring countries since the start of the war, and few plan to return14.

Throughout the past 30 years, there have been a growing number of refugees fleeing Iraq and settling throughout the world, peaking recently with the latest Iraq War. The Iran-Iraq War from 1980 to 1988, the 1990 Iraqi Invasion of Kuwait15, the first Gulf War and subsequent conflicts all generated hundreds of thousands if not millions of refugees. Iran also provided asylum for 1,400,000 Iraqi refugees who had been uprooted as a result of the Persian Gulf War (1990–91). The United Nations estimates that nearly 2.2 million Iraqis have fled the country since 2003, with nearly 100,000 fleeing to Syria and Jordan each month between 2003 and 2006.

Refugees from Iraq have increased in number since the US-led invasion into Iraq in March 2003. An estimated 1.6-2.0 million people have fled the country. The United Nations High Commissioner for Refugees estimated in a report released in November 2006 that more than 1.6 million Iraqis had left Iraq since March 2003, nearly 7 percent of the total population. The BBC on 22 January 2007 placed the refugee figure at 2 million. By 16 February 2007, António Guterres, the United Nations High Commissioner for Refugees, said that the external refugee number reached 2 million and that within Iraq

14 The Plight of Iraqi Refugees: Hearing Before the Committee on the Judiciary, United States Senate, One Hundred Tenth Congress, First Session United States Congress Senate General Books, 2011 – pp-34-60
15 Ibid 81
there are an estimated 1.7 million internally displaced people. The refugee traffic out of the country has increased since the intensification of civil war\textsuperscript{16}.

As of June 21, 2007, the UNHCR estimated that over 4.2 million Iraqis have been displaced, with 2 million within the Iraq and 2.2 million in neighboring countries\textsuperscript{17}.

Most ventured to Jordan and Syria, creating demographic shifts that has worried both Governments. A fear persisted in both countries, and others hosting sizable Iraqi refugee populations, that sectarian tension would spill over amongst the exiles. These refugees were estimated to have been leaving Iraq at a rate of 3000-per-day by December 2006.

As many as 110,000 Iraqis could be targeted as collaborators because of their work for coalition forces. Roughly 40\% of Iraq's middle class is believed to have fled, the U.N. said. Most are fleeing systematic persecution and have no desire to return. Refugees are mired in poverty as they are generally barred from working in their host countries. In Syria alone an estimated 50,000 Iraqi girls and women, many of them widows, are forced into prostitution just to survive.

**Countries hosting the Iraqi refugees**

**Jordan**

Jordan had taken in roughly 750,000 Iraqi refugees since the war began by December 2006. Jordan had been criticized by human rights organizations for not classifying the newcomers by the title "refugee" and instead labeled them "visitors," disinclining the Jordanian Government from extending to the Iraqis the same benefits enjoyed by 1.5 million Palestinian refugees residing in Jordan\textsuperscript{18}.

Jordanians expressed resentment to the newcomers, built up since the influx of refugees during and following the Persian Gulf War in 1990-1991. Then, affluent Iraqis arrived and invested in the Jordanian economy, sending prices soaring too high for many working class or lower class Jordanians. Following the 2003 war and subsequent reconstruction, the arrival of mostly poor Iraqis compounded problems, increasing demand and applying more pressure on the Jordanian economy.

\textsuperscript{17} Mohammed Sagar, Hussein Kamel Al-Majid, Iraqi Refugees: Iraqi Defectors, Wafaa Bilal, Ran Cohen, Sarmed Al-Samarrai, Munir RedfaGeneral Books LLCGeneral Books, 24-Nov-2010 – pp 34
\textsuperscript{18} Iraqi refugees in Saudi Arabia: facts and evidence Kensal Press, 1993 – pp 120
The Government had also been accused of cracking down on Shiite activities in the country while allowing Sunni Iraqis to carry on their lives without harassment from the Government. The authorities denied any discrimination, claiming it treated any illicit activity by Sunnis or Shiites from Iraq equally.

**Syria**

Syria had taken in roughly a million refugees by December 2006, with it possible as many as half of them were Iraqi Christians. Most of them had settled in and around the city and suburbs of Damascus. The reason for its large refugee population can be attributed to more than just geography. Syria maintained an open-door policy to Iraqis fleeing the war-ravaged country.

Syrian authorities worried that the new influx of refugees would limit the country's resources. Sources like oil, heat, water and electricity were said to be becoming scarcer as demand had gone up.

**Egypt**

Egypt, which does not border Iraq, became a major destination for Iraqi refugees in 2006. As of December, the refugee population was approaching 150,000, 50 percent more than early October. Only 800 refugees were in Egypt in 2003. In 2007, Egypt imposed restrictions on the entry of new refugees into the country.

**Refugee settlement beyond the Middle East**

In early February 2007 the United States and the United Nations developed a plan to settle several thousand refugees in the United States. In an initial step, refugees would apply for applicant status. The UN aims to register 135,000 to 200,000 to determine which people had fled persecution and would thus qualify for refugee status. The US aims to settle at least 5,000 of this group in the US by the end of 2007. Since the 2003 invasion, the US has settled 466 Iraqi refugees. The first group of anticipated

---

19 **Ibid pp 101**

refugees is presently in Turkey, and had fled during the rule of Saddam Hussein. Subsequently, refugees would be accepted from Syria, and then from Jordan.

According to Washington-based Refugees International the U.S. has admitted fewer than 800 Iraqi refugees since the invasion, Sweden had accepted 18,000 and Australia had resettled almost 6,000. More than 2 million refugees have arrived in the U.S. since 1980, including about 1 million from Vietnam, while Australia and Canada accepted more than 250,000 Vietnamese refugees. In 2006, 1.27 million immigrants were granted legal residence in the United States.

Sweden, known for liberal asylum policies, has seen a surge of refugees from war-torn Iraq in the last year. Sweden currently accepts more than half of all asylum applications from Iraqis in Europe. In 2006, more than 9,000 Iraqis fled their country and came to Sweden seeking shelter, a four times increase over 2005. Sweden's immigration authority expects up to 40,000 Iraqis seeking asylum in 2007. An estimated 79,200 Iraqis call Sweden their home. Many Iraqis fled to Sweden during the 90's as well. Current refugees like Sweden because many of their relatives are there and because of the generous refugee policies.

**The need for aid and crucial services**

At the end of July 2007 the NGO Coordinating Committee in Iraq (NCCI) and Oxfam International issued a report, *rising to the humanitarian challenge in Iraq that* said that one-third of the populace was in need of aid. (The NCCI is an alliance of approximately 80 international NGOs and 200 Iraqi NGOs, formed in Baghdad in 2003.) The report, based on survey research of the nation's civilian population, reports that 70 percent of the population lacks proper access to water supplies. Only 20 percent of the population has proper sanitation. Almost 30 percent of children experience malnutrition. About 92 percent of children experience problems learning. These figures represent sharp increases since 2003

**UN sanctions**

While Iraq had agreed to UNSCR 687, the Iraqi Government sometimes worked with inspectors, but ultimately was judged to have failed to comply with disarmament terms. As a result, economic sanctions against Iraq continued. After the war, Iraq was accused of breaking its obligations throughout the 1990s, including the discovery in 1993
of a plan to assassinate former President George H. W. Bush, and the withdrawal of Richard Butler's UNSCOM weapon inspectors in 1998 after the Iraqi Government claimed some inspectors were spies for the U.S. Central Intelligence Agency. On multiple occasions throughout the disarmament crisis, the UN passed further resolutions convincing Iraq to comply with the terms of the ceasefire resolutions.

As a result of these repeated violations, US Secretary of State Madeleine Albright, US Secretary of Defense William Cohen, and US National Security Advisor Sandy Berger held an international town hall meeting to discuss possible war with Iraq, which seemed to have little public support. In October 1998, U.S. President Bill Clinton signed the Iraq Liberation Act, calling for "regime change" in Iraq, and initiated Operation Desert Fox. Following Operation Desert Fox, and end to partial cooperation from Iraq prompted UNSCR 1284, disbanding UNSCOM and replacing it with United Nations Monitoring, Verification and Inspection Commission (UNMOVIC).

In June 2002, Operation Southern Watch transitioned to Operation Southern Focus, bombing sites around Iraq. The first CIA team entered Iraq on July 10, 2002. This team was composed of elite CIA Special Activities Division and the U.S. elite Joint Special Operations Command (JSOC) operators. Together, they prepared the battle space of the entire country for conventional U.S. military forces.

Their efforts also organized the Kurdish Peshmerga to become the northern front of the invasion and eventually defeat Ansar Al-Islam in Northern Iraq before the invasion and Saddam's forces in the north. The battle led to the killing of a substantial number of militants and the uncovering of what was claimed to be a chemical weapons facility at Sargat. In October 2002, the U.S. Congress passed the Joint Resolution to Authorize the Use of United States Armed Forces against Iraq, and in November the UN Security Council passed UNSCR 1441.

The US invasion since 2003–2011

On March 20, 2003, a United States-organized coalition invaded Iraq, with the stated reason that Iraq had failed to abandon its nuclear and chemical weapons development program in violation of U.N. Resolution 687. The United States asserted that because Iraq was in material breach of Resolution 687, the armed forces authorization of Resolution 678 was revived. The United States further justified the
invasion by claiming that Iraq had or was developing weapons of mass destruction and stating a desire to remove an oppressive dictator from power and "bring democracy to Iraq." In his State of the Union address on January 29, 2002, President George W. Bush declared that Iraq was a member of the "Axis of Evil", and that, like North Korea and Iran, Iraq's attempt to acquire weapons of mass destruction posed a serious threat to U.S. national security. These claims were based on documents that were provided to him by the CIA and the Government of the United Kingdom.21

However, according to a wide-ranging U.S. Government report, no weapons of mass destruction have been found. There are accounts of Polish troops obtaining antiquated warheads, dating from the 1980s, two of which contained trace amounts of the nerve gas cyclosarin, but U.S. military tests found that the rounds were so deteriorated that they would "have limited to no impact if used by insurgents against coalition forces. The possible effect upon civilians was not discussed."22

Since its invasion, the United States established the Coalition Provisional Authority to govern Iraq. Government authority was transferred to an Iraqi Interim Government on 28 June 2004, and a permanent Government was elected in October 2005. After the invasion, Al-Qaeda took advantage of the national resistance to entrench itself in the country. On December 30, 2006, Saddam Hussein was hanged. Hussein's half-brother and former intelligence chief Barzan Hassan and former chief judge of the Revolutionary Court Awad Hamed al-Bandar were likewise executed on January 15, 2007; as was Taha Yassin Ramadan, Saddam's former deputy and former vice-president (originally sentenced to life in prison but later to death by hanging), on March 20, 2007. Ramadan was the fourth and last man in the al-Dujail trial to die by hanging for crimes against humanity.

Acts of sectarian violence have led to claims of ethnic cleansing in Iraq, and there have been many attacks on Iraqi minorities such as the Yezidis, Mandeans, Assyrians and others. A U.S. troop surge to deal with increased violence and improve security became a contentious political issue in the United States. The surge in troops was enacted in early 2007; in his September 2007 testimony to Congress, General Petraeus stated that the surge's goals were being met. Iraq also suffered a cholera outbreak in 2007.

22 Ibid pp 58
On June 29, 2009, U.S. troops formally withdrew from Baghdad streets, in accordance with former U.S. President George W. Bush's security pact with Iraq known as the Status of Forces Agreement. The SOFA pact stated, among other things, that U.S. troops will withdraw from Iraq's cities by June 30, 2009, and will leave the country on December 31, 2011\textsuperscript{23}. However, crime and violence initially spiked in the months following the US withdrawal from cities. As Iraqi security forces struggled to suppress the sudden influx of crime, the number of kidnappings, robberies, bomb assaults, and shootings increased dramatically. According to the Associated Press, Iraqi military spokesman Major General Qassim al-Moussawi said investigations found that 60 to 70% of the criminal activity is carried out by former insurgent groups or by gangs affiliated with them — partly explaining the brutality of some of the crimes. United States Secretary of Defense Robert Gates said that the withdrawal caused a change of chemistry with "a real sense of empowerment on the part of the Iraqis." U.S. troops continue to work with Iraqi forces after the pullout. Despite the initial increase in violence, on November 30, 2009, Iraqi Interior Ministry officials reported that the civilian death toll in Iraq fell to its lowest level in November since the 2003 invasion. On August 31, 2010, U.S. forces ended combat missions in Iraq. The war was declared formally over on December 15, 2011. On the morning of December 18, 2011, the final contingent of U.S. troops to be withdrawn ceremonially exited over the border to Kuwait, though the U.S. still maintains two bases and approximately 4,000 troops in the country.

Considerable tensions remain between various political and sectarian factions in Iraq. The majority Shiite Government recognized Asaib Ahl al-Haq, an allegedly Iranian-backed militia, as a legitimate political party, and Iranian influence is growing in other ways; in January 2012, the commander of Iran’s Quds Force reportedly said that Iraq (as well as southern Lebanon) were under Iranian control.

The Iraqi National Movement, reportedly representing the majority of Iraqi Sunnis, boycotted Parliament for several weeks in late 2011 and early 2012, claiming that the Shiite-dominated Government was striving to sideline Sunnis. In January 2012, Vice President Tariq al-Hashimi, a Sunni, fled to the semi-autonomous Kurdish region after the Government accused him of running a sectarian death squad; in February, a panel of

Iraqi judges concluded that "death squads commanded by Mr. Hashimi carried out 150 attacks over six years against religious pilgrims, security officers and political foes".

**HUMANITRAIN MEASURES AND THE ROLE OF THE ICRC**

Iraq has been eternally in the headlines for around thirty years, which would seem to make it the ideal testing ground for a study of armed violence and its consequences for human life. There are indeed not many states in which the succession of various types of divergence such a broad medium-term picture of the many different facets of modern warfare. In such circumstances it is also worthwhile trying to analyse the types of assistance given to the war victims\(^{24}\). This becomes even more apposite when the humanitarian player through which the charitable work is channeled can also be observed over the long term, through the various stages in the history of war in a given state. That the case of the International Committee of the Red Cross (ICRC) with regard to its involvement in Iraq\(^{25}\).

Nearly 60 years, the International Committee of the Red Cross (ICRC) has been doing its best to provide humanitarian assistance to those groups in Iraq that need it most. The humanitarian operations of the ICRC in Iraq since 1950 to the present day, in particular the support it has given to different minorities in the country and its humanitarian responses to the various armed conflicts. It shows that the legal framework that provides the basis for the ICRC’s humanitarian activities also limits its ability to take action in situations beyond the scope of its mandate. In armed conflicts the ICRC faces the risk of being used by Governments for their own ends. The challenge for the ICRC is to strike a balance between meeting its treaty-based obligations and exercising its right of humanitarian initiative, and to avoid selecting the recipients of its aid on the sole basis of opportunities made available by Governments\(^{26}\).

The ICRC has been present in Iraq since the outbreak of the Iran-Iraq war in 1980. Protection activities focus on people detained by the Iraqi Government, the

---

\(^{24}\) Iraq: A Political History from Independence to Occupation A deed Dawisha Princeton University Press, 17-Feb-2009 – pp 48

\(^{25}\) ICRC: Iraq facts and figures 2010, 01-03-2011 Facts and Figures, A round-up of activities carried out by the delegation in Iraq from January to December 2010. The International Committee of the Red Cross Reviews pp 42

\(^{26}\) Ibid pp 45
Kurdistan regional authorities and the US forces in Iraq and on efforts to restore contact between separated relatives with the support of the Iraqi Red Crescent Society. Assistance activities involve helping IDPs and residents restore their livelihoods, with a focus on households headed by women, supporting physical rehabilitation centres and training medical personnel, and repairing and upgrading water, sanitation, health and detention infrastructure. The ICRC continues to promote IHL among weapon bearers.

In 2011, Iraq remained wracked by instability: spikes in violence affected large swathes of the country, especially the central and northern areas disputed by the Iraqi central and Kurdistan regional Governments, with hundreds killed or injured in security incidents every month. Shelling along the border shared with the Islamic Republic of Iran and Turkey displaced hundreds of civilians. Ongoing tensions between various political, religious and ethnic groups weakened the central Government. In spite of the improved economic situation, public services remained poor, particularly in remote and disputed areas. Because of this, many communities and groups of people, including IDPs and households headed by women after male breadwinners had been killed, imprisoned or had gone missing, remained vulnerable. Social tensions also prompted large demonstrations in several cities.

The transfer of the remaining detainees in US custody to the Iraqi authorities took place at the end of the year and the last US military troops left Iraq in December. The Iraqi federal and Kurdish regional authorities were also holding thousands of people, mainly charged with acts of terrorism or offences related to political or sectarian violence, putting pressure on the overburdened judicial and detention systems. There were also tensions throughout the year between residents of Camp Ashraf, home to several thousands of members of the Mojahedin Khalq group, and the Iraqi authorities.

The ICRC in Iraq increased its ability to reach people affected by conflict or violence and respond to their needs. Despite volatile security conditions, the delegation extended its presence in disputed and violence-prone areas and generally implemented its activities as planned, although sometimes with delays. Communication and networking were ongoing with authorities, armed groups and community and religious leaders to foster acceptance of IHL, to obtain guarantees of safe access to populations for the

27 Overview of the ’s operations in 2011,02-12-2010 Report, The International Committee of the Red Cross Reviews
delivery of humanitarian aid and to encourage the implementation of the necessary legislation and services. Such efforts included briefings and other events on IHL-related issues. The delegation also adapted and produced material for regular meetings to encourage national and international media coverage of humanitarian issues. Assistance programmes targeted the most affected people, such asides and households headed by women, in remote and violence ridden areas, often left with poor public services. While responding to the urgent needs of people displaced by violence or natural disaster, the ICRC focused on restoring livelihoods and, through cooperation with relevant local structures, fostered local ownership and long-term sustainability. All activities to ensure safe access to a reliable water supply, for example, involved the local water boards and technical training of their staff. Some 10,500 households, including those headed by women and disabled people, improved their livelihoods by participating in various initiatives such as the setting up of businesses with the help of grants. Work with the authorities and local NGOs resulted in more women receiving direct support in processing their applications to integrate into the State welfare system. Eight primary health care centres in disputed territories and the south received structural and material support, improving access of 235,000 people, women and children in particular, to better healthcare services.

The training of 200 doctors and nurses in trauma care marked the end of the three-year project to strengthen emergency services in Iraq, run with the Iraqi central and Kurdistan regional Governments in two referral hospitals. Physical rehabilitation centre across the country continued to provide necessary services, mobility devices and care for a growing number of disabled people. The ICRC visited over 36,000 detainees held by the Iraqi and Kurdish authorities and US forces. Confidential dialogue continued with the detaining authorities on detainees’ treatment and living conditions. Delegates paid special attention to respect for fundamental judicial guarantees and to post-transfer responsibilities pertaining to detainees handed over from US to Iraqi custody. Infrastructure rehabilitation undertaken in cooperation with the Iraqi authorities led to some 4,800 inmates enjoying better water and sanitation facilities. Prison health services received ICRC technical and material assistance. With the ICRC acting as a neutral

---

28 ICRC: Iraq/Iran: handover of remains brings hope to families of the missing, 05-05-2011, *The International Committee of the Red Cross Reviews pp 11*
29 Ibid 21
intermediary, the parties concerned made progress in clarifying the fate of people missing since the 1980–88 Iran-Iraq war and the 1990–91 Gulf War. The Al-Zubair Centre in Basra received equipment to deal with the large amount of information in its possession on people unaccounted for. The ICRC and the Iraqi Red Crescent Society pursued their operational partnership. Together, they ran family-links services, notably between detainees and family members. With ICRC support, the Iraqi Red Crescent developed its programme to raise awareness of mines and explosive remnants of war and boosted other capacities, particularly in emergency preparedness and response and first aid. The ICRC continued to coordinate with other humanitarian organizations and NGOs operating in Iraq to maximize cooperation and avoid duplication or gaps in services, programmes and aid.

Meetings with the relevant parties and authorities regularly focused on the effects of armed conflict and other situations of violence on the civilian population. Specifically, the ICRC sought respect for rules on the conduct of hostilities following documented casualties resulting from shelling and air strikes in northern Iraq. It engaged the authorities in dialogue on the use of force during and after a confrontation in April between security forces and Camp Ashraf residents and before mass demonstrations in several cities. Other issues of concern, such as the welfare of IDPs and households headed by women, regularly filled the agenda at meetings.

In disputed areas, people affected by outbreaks of violence or natural disasters benefited from emergency assistance, while vulnerable communities received direct support to restore their livelihoods. The 80,445 beneficiaries (13,197 households) of emergency relief (food rations and essential household items) included some 10,000 households in camps and group settlements, mainly in disputed areas, and vulnerable people (orphans and households headed by women in Mosul and Kirkuk), who received one-off winter and Ramadan assistance respectively.30 IDPs that had to move because of violence in Baghdad and Mosul, heavy floods in remote areas of Ninawa and Salah Al-Din or shelling in the northern border area benefited from similar assistance. The farmers from neglected or violence-prone areas who benefited from livelihood support in 2010 reported a 20–30% increase in income, allowing them to cover their basic food needs.

30 Ibid 32
Building on this success, 9,213 additional households (57,433 people, including 16,713 IDPs) in rural areas benefited from 37 new community-based projects, including the construction of drip irrigation systems, the provision of greenhouses, seed and fertilizer and the cleaning of irrigation canals. As the main breadwinners of their households (4,531 people in total), 375 disabled people and 463 women started their own small businesses with the help of grants. They thus increased their income by 40–80%, enhancing their self-sufficiency and restoring their roles in the community. Furthermore, after an assessment concluded at the end of 2010, the approach to assisting vulnerable women to increase their independence was revised to focus on helping them integrate into the State welfare system. This included: coordinating with the Directorate for Women; promoting implementation of the welfare allowance system; collaborating with local NGOs to help women follow up their applications; and providing the women with cash allowances for six months while their cases were being processed. A round-table discussion and several meetings gave all those involved the opportunity to step up their commitments to the process. After the initial implementation of the programme in two areas of Anbar and Baghdad, 453 women heading households (1,812 people) started receiving cash allowances.

Sanitation and health care improve in rural areas

With emphasis on remote areas where the population’s needs were most acute, ICRC-led rehabilitation of water treatment and distribution facilities and sewage pumping stations made 6.8 million people, including IDPs within host communities, less vulnerable to disease. Some 14,000 living in camps or group settlements and in Sadr City had clean water trucked in, although more sustainable solutions were under discussion. All projects involved the authorities and local communities so that facilities could be managed autonomously. This entailed training 195 technicians and working with maintenance teams, including those in hospitals. An estimated 235,000 inhabitants, including IDPs, accessed improved health care services as a result of ICRC support in strengthening professional capacities and management in eight Ministry of Health-run primary health care centres. Women and children, especially, had better access to remedial care following improvements in sanitation and safety precautions, drug

management and the treatment and transfer of emergency cases. Significant structural upgrades were made to four of the centers.32

**Linking the Families**

With the ICRC acting as a neutral mediator, the parties concerned made progress in clarifying the fate of persons missing since the 1980–88 Iran-Iraq war and the 1990–91 Gulf War. Joint exhumation operations were carried out to identify and repatriate recovered human remains. As a result of joint Ministry of Human Rights and ICRC support, the Al-Zubair Centre in Basra improved its capacity to manage data on people unaccounted for from the aforementioned conflicts. Defining a related legal framework, however, needed more work. The Baghdad Medico-Legal Institute had its second autopsy room upgraded, while 27 staff members strengthened their skills during a forensic anthropology course and 19 specialists attended training in exhumation. People restored links with family members and received news, notably from detained relatives and those affected by the Libyan armed conflict, through Iraqi Red Crescent/ICRC RCM services. Under ICRC auspices, Iraqis made a third annual visit to relatives detained since 1991 in Kuwait. Ten Iranian nationals from Camp Ashraf had their voluntary repatriation facilitated by the ICRC, while two resettled in a third country. In coordination with the authorities concerned, 65 people received ICRC travel documents allowing them to move to third countries. In view of the many migrants in the Najaf-Kerbala region, the Iraqi Red Crescent and the ICRC launched an assessment of their family-links needs.

**DEPRIVED PEOPLE**

People in the protection of the Iraqi central Government, the Kurdistan regional Government and the US Forces-Iraq continued to receive visits from the ICRC, conducted according to its standard procedures. Specific attention was paid to the situation and judicial rights of detainees being transferred to Iraqi custody before and following the closure of the last US detention facilities in November. Overall, some 36,000 detainees held in 98 facilities were visited and 1,392 of them were monitored

32 ICRC: Overview of the ICRC's operations in 2011, 02-12-2010 Report, The International Committee of the Red Cross Reviews, pp 45
33 ICRC: Iraq facts and figures 2010, 01-03-2011 Facts and Figures, A round-up of activities carried out by the delegation in Iraq from January to December 2010. The International Committee of the Red Cross Reviews, pp 23
individually. After the visits, the relevant authorities received confidential feedback on the detainees’ treatment and living conditions. They were reminded of internationally recognized standards and laws relating to detention, such as the right to have detainees’ families informed of their whereabouts and to communicate with them, to be protected against ill-treatment and to have their judicial guarantees respected. The extent to which individuals were accorded such guarantees was assessed and findings were discussed with local and central judicial authorities. The ICRC did this without passing judgment on the specific reasons for the arrest. The detaining authorities received advice on issues such as overcrowding, access to open spaces and construction and rehabilitation projects.

Through direct support, the living conditions of some 4,800 inmates improved following rehabilitation of infrastructure in seven detention facilities. This included the installation of water purification units and the repair of a prison clinic. Some 11,298 detainees also received blankets, mattresses, clothes and books. Prison health services received ICRC technical and material assistance in providing health care for detainees, including disabled inmates. More work was needed to improve cooperation between detaining and health authorities and to ensure that more juveniles and women had access to educational and vocational activities. Detainees were also able to maintain and restore contact with relatives through Iraqi Red Crescent/ICRC RCM services. Foreign detainees received better assistance from their consular representatives and, after their release, from the Iraqi Government, while 12 of them were voluntarily repatriated to their home countries under ICRC auspices. Former detainees/internees received ICRC detention certificates enabling them to apply for social welfare benefits and to undertake various administrative procedures.

AUTHORITIES

Networking and contact with the national authorities increased significantly after the formation of the Iraqi Government in December 2010. Dialogue established with the parliament and legal advisers from various ministries focused on IHL implementation and the creation of a national IHL committee. In an effort to increase acceptance and

---

security of ICRC operations, regular meetings with and briefings of authorities and other political actors took place at the central, regional and local levels. They focused on the ICRC mandate, activities, working methods and particularly on the protection of people deprived of their freedom and on assistance programmes, such as help for women heading households. Such meetings also served to raise support for efforts to encourage parliament to ratify an agreement formalizing the ICRC’s presence in Iraq. Regular bilateral and multilateral meetings with humanitarian organizations strengthened coordination in fields of common interest. These organizations, as well as the diplomatic community in Iraq, received regular briefings and information on ICRC activities in the country.

Central and local armed and security forces of the Iraqi central Government and the Kurdistan regional Government maintained constructive dialogue with the ICRC on IHL, international human rights law and the ICRC’s operations in Iraq, focusing particularly on the organization’s work for people deprived of their freedom and its standard visiting procedures. Some 1,400 members of the Iraqi security forces, including those in disputed areas, attended dissemination sessions, while three police officers (from the federal and Kurdistan forces) attended IHL training in San Remo. Dialogue also developed on the integration of IHL into the doctrines, training programmes and sanctions systems of the various forces. Overall, 37 Iraqi Army officers were able to conduct their own IHL sessions following a train-the-trainer workshop and 17 legal advisers and 30 senior members of the Ministry of Defence better understood how to integrate IHL into military operations after attending seminars on the topic. Information and training sessions also helped the newly formed Kurdistan military committee start its work. Networking with direct and indirect representatives of armed groups also deepened acceptance of the ICRC and enabled it to advocate for the protection due to civilians and medical services. Dialogue with the US Forces-Iraq continued both in Iraq and in the United States of America, focusing on the transfer of detainees to Iraqi jurisdiction and the rule of law.

35 International Review of the Red Cross, 2011 - No. 882 – Understanding armed groups and the applicable law. The International Review of the Red Cross is a quarterly published by the International Committee of the Red Cross.
CIVIL SOCIETY

Spiritual and tribal leaders increased their understanding of the ICRC’s mandate and activities through constant dialogue. Workshops with prominent Sunni and Shiite religious leaders held in Khanaqin, Kirkuk and Najaf, with the support of an ICRC Islamic law adviser, helped expand access to strife-affected areas. International and local media reported on ICRC activities on the basis of regular briefings and material found on the organization’s Arabic-language website. Specific events (such as a press conference in Baghdad and fast-breaking evening meals with influential figures in Kirkuk and Najaf) strengthened media coverage and understanding of ICRC operations and humanitarian concerns. Journalism students learnt more about humanitarian issues at a seminar held at Dohuk Technical College, while academics and students from all over Iraq became acquainted with the ICRC during series of lectures. Several NGOs, particularly those working for women, reinforced their cooperation with the ICRC. Over 4,000 current and potential beneficiaries of ICRC assistance and rehabilitation activities attended information sessions on the organization’s work, specifically in Kirkuk and northern and central Iraq.

RED CROSS AND RED CRESCENT MOVEMENT

The affiliation agreement signed in 2011, with the Iraqi Red Crescent and the ICRC strengthened their operational support, whereby the National Society received support in encourage its visual identity and enhance its capacities in emergency awareness and response, first aid, restoring family links and mine-risk education. After initial joint assessments of its existing capacities in first aid and emergency preparedness, the National Society started developing an internal first-aid policy and discussing with national and local authorities its role in providing first aid. Branches strengthened their first-aid services through the training and equipping of volunteers. Six staff members achieved instructor status through train-the-trainer courses. Twenty heads of disaster management sections consolidated their knowledge during an assessment training course; four of them were selected as regional trainers and two as training coordinators. Communication staff attended two workshops to develop skills enabling them to conduct dissemination and communication activities autonomously. The National Society also expanded its high-frequency radio network to connect all branches and headquarters,
making communications easier. The Iraqi Red Crescent continued to receive institutional support and guidance from the ICRC and the International Federation to reinforce its legal and statutory base.

Hence to conclude the last sixty years of its history, Iraq has encapsulated all the different types of modern warfare. From civil war to international conflict via internal unrest or the struggle against “terrorism”, the macabre list nonetheless constitutes a remarkable basis for the observation of the humanitarian response that an organization such as the ICRC is able to offer over a lengthy period. The first thing that needs to be said is that, irrespective of the conflict context, for legal and/or political reasons the action taken by the ICRC focused for a long time on a single group of victims at a time. In other words, it was not until the early 1990s that it was able to carry out a global action for a majority of Iraqi citizens. While that situation is largely due to the attitude of the Iraqi authorities, which were opposed to any humanitarian initiative that went beyond the strict framework of the international conventions that it had signed, the ICRC nonetheless bears some of the responsibility in that it subjected itself to a degree of “self-censorship” with regard to its potential scope for action, by not choosing to be more insistent and firmer in its demands (particularly in the case of the Kurds) for fear of upsetting the Baghdad Government. The stance taken by the ICRC was the result of a choice which tended to minimize the risks and maximize the chances of actually being able to do something for the victims of violence. It was thus constantly torn between the right to act and the duty to do so. Moreover, that calculation was made in a hostile environment, in the face of Governments that were ready to seize on the slightest wrong move by the ICRC and turn it to their advantage, especially if it ventured to tackle issues relating to internal policy. In those conditions it is not surprising that when the Iraqi authorities demonstrated greater open-mindedness and addressed the wishes of the ICRC, those gestures concerned only members of minority groups (as in the case of the Iraqi Jews, in particular) – in other words, with regard to people wrongly or rightly considered to be “aliens” or on the fringe of “true” Iraqi society. Moreover, the conciliatory attitude of Baghdad at the time was not without an ulterior motive, as was the case during the Iran–

---

36 That self-censorship did not necessarily have only negative consequences for the ICRC. For example, the hypothesis could be put forward that its limited commitment to the Jewish minority in Iraq – which it attempted to justify as an act of impartiality – allowed the ICRC in return to maintain a certain image and position in the Middle East, which was at the time largely hostile to Israel
Iraq war, when the aim of the regime of Saddam Hussein was to clean up its image by showing the international community that it was willing to work together with a humanitarian organization based in its country and consequently to respect in advance that organization’s precepts and recommendations. Ultimately, it was therefore a mixture of weighing up ICRC interests and striking a balance between treaties based obligation and humanitarian initiative, along with the real opportunities for intervention made available by the Iraqi Government which determined the selection of the victims, and, as an immediate corollary, caused certain categories of victim to be neglected. It was only because of external circumstances – in this case the invasion of Iraq by the Coalition troops during the second Gulf war, followed by the disturbances in the north and south of the country – that the ICRC finally managed to provide actual relief to a wider group of Iraqi citizens. Whereas relief for the Kurds and the Shiites was carried out without any real consent by Baghdad, because protected areas had been set up the Iraqi Government came to terms with the ICRC’s presence in the territories still under its control – but again essentially for propaganda purposes and for reasons relating to internal stability. To conclude are a few words on the situation after March 2003, when one of those mysterious reversals in history was observed. After more than fifty years of friction with the Iraqi Government, regardless of whether it was monarchist or “republican”, at the very moment when a more “democratic” state – one that was therefore in a better position to really work with the ICRC – gradually began to be established, the ICRC considered itself obliged to leave Baghdad because of the armed violence directed against it and to move its delegation so that it could operate partly out of neighbouring Jordan.

However, the history of the ICRC in Iraq shows that, over the long term, humanitarian action does not work like that. Rather, it proceeds in stages, with ups and downs depending on the internal and external circumstances. In particular, the circumstances must be understood as including the very evolution of the violence; in the case of Iraq, the violence gradually took on the most extreme forms. However, that must not be allowed to exonerate the ICRC, particularly with regard to its decisions to help or not to help one group of Victims or another. The relevant question in that case is whether, throughout the many years of its experience in Iraq, the ICRC always chose the victims that needed it the most.
The section on ICRC and Iraq may be concluded by asserting that while it is true that the U.S. military's occupation of Iraq has ended, but the country continues to face large scale displacement and pressing humanitarian needs. Millions of Iraqis have fled their homes – either for safer locations within Iraq or to other countries in the region – and are living in increasingly desperate circumstances. Iraq’s future will only be secure and prosperous if the needs of the displaced are also considered in all current and future policies and planning.

The Aljazeera and other news media have observed extreme vulnerabilities among the hundreds of thousands of Iraqi refugees living in Syria, Jordan, and other parts of the region, as well as the millions of internally displaced persons (IDPs) within Iraq, over 500,000 of whom live as squatters in slum areas with no assistance or legal right to the properties they occupy. Currently the Government of Iraq lacks both the capacity and the political will to use its resources to address humanitarian needs. At the same time, the continued lack of security makes it nearly impossible for UN international staff to access the populations in most need of assistance. Local NGOs often have the best connections and access but are not directly funded by international donors.

The approach of the international community, especially states that have participated in Iraq’s occupation, has been equally troubling. Western nations have been happy to let host countries cope with the refugee challenge, less than generous in their financial support, and outright resistant to the notion of resettlement in their midst. Although it has contributed more than most, the U.S., whose policies unleashed the chaos that spawned the outflow, has clearly failed in its own responsibilities: downplaying the issue, providing far less assistance to host countries than needed and admitting to its own shores merely a trickle of refugees and only after unprecedented security checks to which asylum seekers from other nations are not subjected.

It would be reckless to encourage Iraqis to return before genuine and sustained improvement takes place. For the vast majority of refugees, returning home is the only viable solution, but that will not happen soon. In the meantime, the international community especially countries that bear responsibility for the war and the post-war chaos has an obligation to do more both to assist refugees in host countries and to welcome additional Iraqis on their own soil. Further the Members of the International Community, including the European Union (EU) and wealthy Arab States should Offer
financial support to host countries and the ICRC should make such assistance transparent and monitor program implementation, express readiness to accept resettlement of significant numbers of Iraqis.

The organisations such as UNHCR, WFP, the UN Assistance Mission in Iraq (UNAMI) and International Organization for Migration (IOM) should earmark UN Trust Fund for Iraq monies to ICRC for aid to Iraqi refugees, and facilitate the Iraq’s Public Distribution System, and provide Iraqis with basic facilities. Further the Iraq Government should assume its responsibilities toward citizens turned refugees by assisting them through direct or indirect (through the UN mechanisms or host countries) financial support; cooperation with UN agencies providing food and health assistance; and aid to host countries and humanitarian organisations. The need is to design a mechanism to support refugees willing to return and ensure that Iraqi embassies provide up-to-date and objective security assessments on specific areas, along with advice as to whether conditions are favourable for their return.

THE STATE OF REFUGEES AND REHABILITATION IN LEBANON

Lebanon is a Republican country in the East Mediterranean. It is bordered by Syria to the north and east and Israel to the south. Lebanon's location at the crossroads of the Mediterranean Basin and the Arabian hinterland has dictated its rich history and shaped a cultural identity of religious and ethnic mixture.

The earliest evidence of civilization in Lebanon dates back more than seven thousand years, predating recorded history. Lebanon was the home of the Phoenicians, a maritime culture that flourished for over a thousand years (c.1550–539 BC). The region, like the rest of Syria, came under the rule of the Roman Empire, and eventually one of the Empire's leading centers of Christianity. In the Mount Lebanon range a monastic tradition known as the Maronite Church was established. As the Arab Muslims conquered the region, the Maronites held onto their religion and identity. However, a new religious group, the Druze, established themselves in Mount Lebanon as well, a religious divide that would last for centuries. During the Crusades the Maronites established strong ties with the Roman Catholic invaders, ties that influenced the region into the modern era37.

The region eventually came under the rule of the Ottoman Empire, a situation that lasted for centuries. Following the collapse of the Empire after World War I, the five provinces that constitute modern Lebanon were mandated to France. The French expanded the borders of Mount Lebanon, which was mostly populated by Maronites and Druze, to include more Muslims. Lebanon gained independence in 1943, establishing a unique political system – "confessionalism" – that is a power-sharing mechanism based on religious communities. Bechara El Khoury (independent Lebanon's first President) and Riad El-Solh (Lebanon's first Prime Minister) are considered the founders of the modern Republic of Lebanon and are national heroes for having led the country's independence. French troops withdrew from Lebanon in 1946.

Before the Lebanese Civil War (1975–1990), the country experienced a period of relative calm and prosperity, driven by tourism, agriculture, and banking. Because of its financial power and diversity, Lebanon was known in its heyday as the "Switzerland of the East". It attracted large numbers of tourists, such that the capital Beirut was referred to as "Paris of the Middle East." At the end of the war, there were extensive efforts to revive the economy and rebuild national infrastructure.

Lebanon is a parliamentary democracy, which implements a special system known as confessionalism. This system is intended to deter sectarian conflict and attempts to fairly represent the demographic distribution of the 18 recognized religious groups in Government. High-ranking offices are reserved for members of specific religious groups. The President, for example, has to be a Maronite Christian, the Prime Minister a Sunni Muslim, the Speaker of the Parliament a Shi’a Muslim, the Deputy Prime Minister and the Deputy Speaker of Parliament Greek Orthodox.

Lebanon's national legislature is the unicameral Parliament of Lebanon. Its 128 seats are divided equally between Christians and Muslims, proportionately between the 18 different denominations and proportionately between its 26 regions. Prior to 1990, the ratio stood at 6:5 in favor of Christians; however, the Taif Accord, which put an end to the 1975–1990 civil war, adjusted the ratio to grant equal representation to followers of the two religions. The Parliament is elected for a four-year term by popular vote on the basis of sectarian proportional representation.

---

38 Ibid pp 58-60.
39 Ibid 23
40 Ibid 25
The executive branch consists of the President, the head of state, and the Prime Minister, the head of Government. The parliament elects the president for a non-renewable six-year term by a two-third majority. The president appoints the Prime Minister, following consultations with the parliament. The President and the Prime Minister form the Cabinet, which must also adhere to the sectarian distribution set out by confessionalism.

Demographics

The population of Lebanon was estimated to be 4,125,247 in July 2010; however no official census has been taken since 1932 due to the sensitive confessional political balance between Lebanon's various religious groups. Identifying all Lebanese as ethnically Arab is a widely employed example of panethnicity since in reality, the Lebanese “are descended from many different peoples who have occupied, invaded, or settled this corner of the world,” making Lebanon, “a mosaic of closely interrelated cultures”. While at first glance, this ethnic, linguistic, religious and denominational diversity might seem to cause civil and political unrest, “for much of Lebanon’s history this multitudinous diversity of religious communities has coexisted with little conflict”\textsuperscript{41}. Millions of people of Lebanese descent are spread throughout the world, mostly Christians, especially in Latin America. Brazil has the largest expatriate population. Large numbers of Lebanese migrated to West Africa, particularly to the Ivory Coast (home to over 100,000 Lebanese) and Senegal (roughly 30,000 Lebanese). Australia is home to over 270,000 Lebanese (1999)\textsuperscript{42}.

As of 2012, Lebanon was host to over 460,000 refugees and asylum seekers: 405,425 Palestinians, 50,000–60,000 from Iraq, over 80,000 from Syria, and 4,500 from Sudan. Their primary sources of income are UNRWA aid and menial labor sought in competition with about 300,000 Syrian guest workers.

In the last three decades, lengthy and destructive armed conflicts have ravaged the country. The majority of Lebanese have been affected by armed conflict; those with direct personal experience include 75% of the population, and most others report

\textsuperscript{42} Ibid pp-35
suffering a range of hardships. In total, almost the entire population (96%) has been affected in some way – either personally or because of the wider consequences of armed conflict.

**Israel-Lebanon conflict - 2006**

On 12 July 2006, Hezbollah fired rockets at Israeli border towns as a diversion for an anti-tank missile attack on two armored Humvees patrolling the Israeli side of the border fence. Of the seven Israeli soldiers in the two jeeps, two were wounded, three were killed, and two were captured and taken to Lebanon. Five more were killed in a failed Israeli rescue attempt. In response, Israeli air strikes caused serious damage to Lebanon's civil infrastructure (including Beirut's airport), and were followed by Israel's ground forces moving into areas of Lebanon militarily controlled by Hezbollah fighters. Israel rained as many as 4.6 million cluster sub-munitions across southern Lebanon in at least 962 separate strikes, the vast majority over the final three days of the war when Israel knew a settlement was imminent. In Israel, 3,970 Hezbollah rockets landed on northern Israel, many in urban areas. The month-long conflict caused a significant loss of life; some 1,200 Lebanese—mostly civilians—and nearly 160 Israelis—mostly soldiers—were killed in the conflict. The conflict officially ended on 14 August 2006, when the United Nations Security Council issued resolution 1701 ordering a ceasefire between Hezbollah and Israel.

**Nahr al-Bared conflict**

Nahr al-Bared is a Palestinian refugee camp in northern Lebanon, 16 km from the city of Tripoli. 30,000 displaced Palestinians and their descendants live in and around the camp. The camp was established in December 1949 by the League of Red Cross Societies in order to accommodate the Palestinian refugees suffering from the difficult winter conditions in the Beqaa Valley and the suburbs of Tripoli. The Lebanese Army is banned from entering all Palestinian camps under the 1969 Cairo Agreement.

Late in the night of Saturday May 19, 2007, a building was surrounded by Lebanese Internal Security Forces (ISF) in which a group of Fatah al-Islam militants

---

43 Human Rights Watch."Israel’s Use of Cluster Bombs Shows Need for Global Ban". February 17, 2008
44 UN - Security Council, "Security Council calls for end to hostilities between Hizbollah, Israel". Department of Public Information. August 11, 2006
accused of taking part in a bank robbery earlier that day were hiding. The ISF attacked the building early on Sunday May 20, 2007, unleashing a day long battle between the ISF and Fatah al-Islam militants. As a response, members of Fatah al-Islam in Nahr al-Bared Camp attacked an army checkpoint, killing several soldiers in their sleep. The army immediately responded by shelling the camp.

The camp became the center of the fighting between the Lebanese Army and Fatah al-Islam. It sustained heavy shelling while under siege. UNRWA estimates the battle between the army and Islamic militant group Fatah al-Islam destroyed or rendered uninhabitable as much as 85 percent of homes in the camp and ruined infrastructure. The camp’s up to 40,000 residents were forced to flee, many of them sheltering in the already overcrowded Beddawi camp, 10 km south.

At least 169 soldiers, 287 insurgents and 47 civilians were killed in the army’s battle with the al-Qaeda-inspired militants. Funds for the reconstruction of the area have been slow to materialize, and life for the displaced refugees is difficult.46

**Internal Strife since-2008**

When Emile Lahoud's presidential term ended in October 2007, the opposition refused to vote for a successor unless a power-sharing deal was reached, leaving Lebanon without a president. On 9 May 2008, Hezbollah and Amal forces, sparked by a Government declaration that Hezbollah’s communications network was illegal, seized western Beirut in Lebanon's worst internal violence since the 1975-90 civil war. Moreover, the violence, decried by the Lebanese Government as an attempted coup,47 threatened to escalate into another civil war.48 At least 62 people died in the resulting clashes between pro-Government and opposition militias.49

On 21 May 2008, after five days of negotiation under Arab League mediation in Qatar, all major parties signed the Doha Agreement, which ended the fighting.50 Under the accord, both sides agreed to elect former army head Michel Suleiman president and establish a national unity Government with a veto share for the opposition. This ended 18

---

46 **USA TODAY** "Lebanese army battles into outskirts of Palestinian camp". The Associated Press. 2007
47 Martínez, Beatriz; Francesco Volpicella. "Walking the tight wire - Conversations on Lebanese crisis". Transnational Institute. 2008
48 Abdallah, Hussein. "Lebanese rivals set to elect president after historic accord". 2008
49 Worth, Robert; Nada Bakri. "Feuding Political Camps in Lebanon Agree to Talk to End Impasse".2008
50 Ruff, Abdul "Lebanon back to Normalcy?". Global Politican. 2008
months of political paralysis. The agreement was a victory for opposition forces, who received concessions regarding the composition of the cabinet, Hezbollah's telecommunications network, and the airport security chief, increasing their political clout.

Post-independence

Lebanon go its independence in 1943, while France was occupied by Germany. General Henri Dentz, the Vichy High Commissioner for Syria and Lebanon, played a major role in the independence of the nation. The Vichy authorities in 1941 allowed Germany to move aircraft and supplies through Syria to Iraq where they were used against British forces. The United Kingdom, fearing that Nazi Germany would gain full control of Lebanon and Syria by pressure on the weak Vichy Government, sent its army into Syria and Lebanon.

After the fighting ended in Lebanon, General Charles de Gaulle visited the area. Under political pressure from both inside and outside Lebanon, de Gaulle recognized the independence of Lebanon. On 26 November 1941 General Georges Catroux announced that Lebanon would become independent under the authority of the Free French Government. Elections were held in 1943 and on 8 November 1943 the new Lebanese Government unilaterally abolished the mandate. The French reacted by throwing the new Government into prison. In the face of international pressure, the French released the Government officials on 22 November 1943 and recognized the independence of Lebanon.

The allies kept the region under control until the end of World War II. The last French troops withdrew in 1946. Lebanon's unwritten National Pact of 1943 required that its president be Maronite Christian, its speaker of the parliament to be a Shiite Muslim, its prime minister be Sunni Muslim, and the Deputy Speaker of Parliament and the Deputy Prime Minister be Greek Orthodox.

Lebanon's history since independence has been marked by alternating periods of political stability and turmoil (including a civil conflict in 1958) interspersed with prosperity built on Beirut's position as a regional center for finance and trade.

---

51 Abdallah, Hussein. "Lebanese rivals set to elect president after historic accord". 2008
In May 1948, Lebanon supported neighbouring Arab countries against Israel. While some irregular forces crossed the border and carried out minor skirmishes against Israel, it was without the support of the Lebanese Government, and Lebanese troops did not officially invade. Lebanon agreed to support the forces with covering artillery fire, armored cars, volunteers and logistical support. On 5–6 June 1948, the Lebanese army captured Al-Malkiyya. This was Lebanon's only success in the war.

During the war, some 100,000 Palestinians fled to Lebanon, while Israel did not permit their return at the end of hostilities. Palestinians, previously prevented from working at all due to denial of citizenship, are now forbidden to work in some 20 professions after liberalization laws. Today, more than 400,000 refugees remain in limbo, about half in camps.

With the defeat of PLO in Jordan, many Palestinian militants relocated to Lebanon, increasing their Armed resistance against the occupation in Israel. The relocation of Palestinian bases also led to increasing sectarian tensions between Palestinians vs. the Maronites and other Lebanese factions.

Civil war

In 1975, following increasing sectarian tensions, a full scale civil war broke out in Lebanon. The Lebanese Civil War lasted fifteen years, devastating the country's economy, and resulting in massive loss of human life and property. It is estimated that 150,000 people were killed and another 200,000 wounded. Some 900,000 people, representing one-fifth of the pre-war population, were displaced from their homes. The war ended in 1990 with the signing of the Taif Agreement and parts of Lebanon were left in ruins53.

Following the civil war, the Syrian occupation of Lebanon continued until 2005, while Israel remained in control of Southern Lebanon until 2000, when Israeli Prime Minister Ehud Barak led its full withdrawal driven by a belief that the violence would diminish and dissolve without the Israeli presence in Lebanon. Hezbollah, however declared that it would not stop its operations against Israel until this area was liberated.

The internal political situation in Lebanon significantly changed in early 2000s. After the Israeli withdrawal from southern Lebanon and the death of Hafez Al-Assad in 2000, the Syrian military presence faced criticism and resistance from the Lebanese population.

On 14 February 2005, former Prime Minister Rafik Hariri was assassinated in a car bomb explosion. Leaders of the March 14 Alliance accused Syria of the attack, while the March 8 Alliance and Syrian officials claimed that the Mossad was behind the assassination. The UNSC Resolution 1595 called for an investigation into the assassination. The UN International Independent Investigation Commission published its preliminary findings on 20 October 2005 in the Mehlis report, which cited indications that high-ranking members of the Syrian and Lebanese Governments were involved in the assassination.

The assassination triggered the Cedar Revolution, a series of demonstrations which demanded the withdrawal of Syrian troops from Lebanon and the establishment of an international commission to investigate the assassination. Under pressure from the West, Syria began withdrawing, and by 26 April 2005 all Syrian soldiers had returned to Syria. The Hariri assassination marked the beginning of a series of assassinations that resulted in the death of many prominent Lebanese figures.

On 12 July 2006, Hezbollah launched a series of rocket attacks and raids into Israeli territory, where they killed three Israeli soldiers and captured a further two. Israel responded with airstrikes and artillery fire on targets in Lebanon, and a ground invasion of southern Lebanon, resulting in the 2006 Lebanon War. The conflict was officially ended by the UNSC Resolution 1701 on 14 August 2006, which ordered a ceasefire. Some 1,191 Lebanese and 160 Israelis were killed in the conflict. Beirut's southern suburb was heavily damaged by Israeli airstrikes where Hezbollah military infrastructure was deeply embedded among the civilian population.

In 2007, the Nahr al-Bared refugee camp became the center of the 2007 Lebanon conflict between the Lebanese Army and Fatah al-Islam. At least 169 soldiers, 287 insurgents and 47 civilians were killed in the battle. Funds for the reconstruction of the area have been slow to materialize.

---

54 Kevin McCullough, Larry Meyers, Lebanon County Data Book Pennsylvania State Data Center, 2011 pp. 23
Between 2006 and 2008, a series of protests led by groups opposed to the pro-Western Prime Minister Fouad Siniora demanded the creation of a national unity Government, over which the mostly Shia opposition groups would have veto power. When Emile Lahoud's presidential term ended in October 2007, the opposition refused to vote for a successor unless a power-sharing deal was reached, leaving Lebanon without a president.

On 9 May 2008, Hezbollah and Amal forces, sparked by a Government declaration that Hezbollah's communications network was illegal, seized western Beirut, leading to the 2008 conflict in Lebanon. The Lebanese Government denounced the violence as a coup attempt. At least 62 people died in the resulting clashes between pro-Government and opposition militias. On 21 May 2008, the signing of the Doha Agreement ended the fighting. As part of the accord, which ended 18 months of political paralysis, Michel Suleiman became president and a national unity Government was established, granting a veto to the opposition. The agreement was a victory for opposition forces, as the Government caved in to all their main demands.

In early January 2011, the national unity Government collapsed due to growing tensions stemming from the Special Tribunal for Lebanon, which was expected to indict Hezbollah members for the Hariri assassination. The parliament elected Najib Mikati, the candidate for the Hezbollah-led March 8 Alliance, Prime Minister of Lebanon, making him responsible for forming a new Government. Hezbollah leader Hassan Nasrallah insisted that Israel was responsible for the assassination of Hariri. A report leaked by the Al-Akhbar newspaper in November 2010 stated that Hezbollah has drafted plans for a takeover of the country in the case an indictment against its members is issued by the Special Tribunal for Lebanon.

**HUMANITRAIAN ACTIONS AND THE ROLE OF THE ICRC**

The ICRC has been present in Lebanon since the 1967 Arab-Israeli war. It gives priority to providing protection and assistance to civilians affected by armed conflict, in close cooperation with the Lebanese Red Cross Society. It promotes compliance with IHL among the Government and armed groups present in the country. The ICRC visits detainees held by the Lebanese authorities to monitor their living conditions and
treatment. Restoring and maintaining links between separated family members is also a key activity.\(^{55}\)

Lebanon was plunged into political crisis, when the national unity Government collapsed over differences regarding the UN Special Tribunal for Lebanon investigating the 2005 assassination of former Prime Minister Rafik Hariri. The new opposition backed Prime Minister, Najib Mikati, needed five months to form a cabinet, which was dominated by ministers from pro-Syrian parties. Although four Hezbollah suspects in the Hariri case were later indicted, no arrests followed and feared violence did not materialize. Lebanon itself avoided the large-scale popular unrest sweeping the region, but violence in the Syrian Arab Republic had significant repercussions on the country, notably through an influx of refugees into northern Lebanon and the Bekaa Valley. The situation increased friction between pro- and anti-Syrian blocs within Lebanon, while tension was also heightened by alleged breaches of Lebanese sovereignty by Syrian troops and a number of fatal incidents involving Lebanese civilians. Furthermore, there were demonstrations by Palestinians on the border with Israel that reportedly resulted in fatalities and sporadic clashes between various Palestinian factions in refugee camps. Serious riots broke out in Lebanese prisons reflecting discontent among detainees with some aspects of prison life and the judicial system. Thousands of unresolved cases of people unaccounted for in relation to past conflicts in Lebanon continued to be a source of deep anguish for the families concerned. In Lebanon, The ICRC seeks to provide protection by ensuring respect for international humanitarian law (IHL). It endeavors to minimize the dangers to which people are exposed, prevent or put a stop to violations committed against them, and make their voices heard.

**Visiting detainees**

Since March 2007, the ICRC has the consent of the Lebanese authorities to visit detainees in Lebanon to monitor their living conditions, the manner in which they are treated and respect for their fundamental judicial guarantees. The ICRC puts a special

\(^{55}\) *Field Newsletter: Activities in Lebanon for the year 2010, An overview of activities in Lebanon during, published by the delegation in Beyrouth. 2010*
emphasis on:

- monitoring the treatment of people arrested in connection with armed conflicts or other forms of armed violence;
- allowing foreign detainees to maintain contact with their families through the exchange of Red Cross messages;
- Providing assistance to prisons when necessary based on the needs of detainees.

The ICRC Rehabilitates the IDP’s by

- enabling people in Lebanon to maintain contact with family members in Israel or the occupied Palestinian territories through Red Cross messages;
- repatriating Lebanese nationals released from prison in Israel, or living in that country, but who wish to return home;
- supporting Lebanese or Palestinian families who want to repatriate the remains of relatives who died in Israel;
- offering technical support to the Lebanese authorities in resolving the issue of people missing in relation to the civil war and its aftermath; extending support to committees of families of the missing.

THE OUTCOME OF ICRC’S ACTIONS

The ICRC closely supervises the situation of Syrian refugees arriving in northern Lebanon, reminding the authorities of their obligations under relevant laws and standards, particularly the principle of non-refoulement. Conducting joint missions with the National Society, it found immediate assistance needs adequately met by the Lebanese authorities and other actors. However, emergency treatment of the wounded and their medical evacuation to health facilities in northern Lebanon fell increasingly on the National Society, supported by the ICRC in its role as neutral intermediary. The ICRC also donated emergency medical supplies and equipment to the National Society and other actors and made follow-up visits to Syrians to monitor their care. Detainees across

---

56 Internal displacement: the ‘s work in 2010, 12-07-2011 Operational Update: Working with National Red Cross and Red Crescent Societies, they provided humanitarian assistance to 4.3 million internally displaced people in 32 countries during 2010, all of whom had been driven from their homes by armed conflict or violence. The organization devoted 200 million Swiss francs to IDPs, which corresponds to 20% of the ‘s operations budget for 2010.
Lebanon continued to receive visits conducted according to standard ICRC procedures, with delegates’ findings and recommendations shared confidentially with the authorities. Ongoing discussions carried out in the framework of the 2007 agreement between the Lebanese authorities and the ICRC, notably regarding timely access to security detainees and their conditions of detention, were supported by written reports. At the same time, the ICRC completed a project to increase the water supply at Roumieh central prison, by far the country’s largest. In the aftermath of rioting at Roumieh, the ICRC donated materials to treat the injured, while in the absence of progress on devising a nationwide model for prison health-care services; it intensified its structural support to the prison dispensary. It also organized a roundtable for those involved in providing health care to detainees, which recommended improvements to the referral system. Following the completion in 2010 of a three-year programme to upgrade medical equipment and improve health staff training, the ICRC gave regular on-site maintenance support to five Palestinian hospitals providing care for refugees. Community volunteers and weapon bearers in refugee camps received further first-aid training, while the construction of a community health clinic in NahrEl Bared refugee camp was completed and handed over to the Palestine Red Crescent Society. The ICRC also provided ongoing financial, technical and material assistance to the emergency medical services (EMS) of the Lebanese Red Cross. The ICRC concluded its five-year involvement in projects to enhance the water supply of communities in urban and rural areas, upgrading infrastructure benefiting some 164,000 people in 2011. All projects included a training element for the local water authorities to ensure long-term sustainability. Families, detainees and migrants in Lebanon used the ICRC family links service to exchange news with relatives detained/interned abroad or living in countries disrupted by conflict or natural disaster. A needs assessment of the families of the missing and a mapping of existing services and programmes was well advanced by year-end and aimed to serve as a basis for recommendations to the authorities in 2012. Meanwhile, family associations involved in clarifying the fate of persons missing in relation to the 1975–90 conflict assumed responsibility for coordinating the entry of information into a single database after training provided by the ICRC. Following similar support, the Lebanese Armed Forces (LAF) and the Internal Security Forces (ISF) were also using the same system. The national IHL committee, created in 2010, was put on a solid footing with the
finalization of its internal statutes and procedures, while its members attended regional training courses and seminars to strengthen their understanding of relevant issues. LAF and ISF personnel, including senior officers, attended regular briefings to familiarize themselves with IHL and the ICRC’s activities. Humanitarian actors, including Movement partners, met regularly to coordinate their activities.

CIVILIANS

Thousands of Syrians crossing the border to escape violence received visits by the ICRC and the Lebanese Red Cross to assess their humanitarian situation. With most needs met by the Lebanese authorities and other actors, the ICRC and the National Society focused on the treatment of dozens of injured and their medical evacuation to health facilities in northern Lebanon. The ICRC reminded the authorities of their obligations under relevant laws and standards, in particular the principle of non-refoulement. Some people approached ICRC delegates for helping locating relatives believed arrested in the Syrian Arab Republic. These requests were passed on to the ICRC delegation in Damascus, which pursued efforts to ascertain individuals’ whereabouts. Other people reported incidents during protests in which several people were allegedly killed by the Israel Defense Forces. Delegates documented these allegations as the basis for discussions with the relevant authorities. In relation to one episode, the LAF and the UN Interim Force in Lebanon (UNIFIL) also engaged in discussions with the ICRC on measures to improve border security.

Civilians gain better access to sanitation

In rural areas of the Bekaa Valley and in areas of north and south Lebanon, a total of 164,100 people enhanced sanitation after the completion of several projects to repair deep-well pumps, rehabilitate pumping stations and improved distribution and supply networks. All projects included training of local staff to ensure their ability to manage the installed systems, including the geographic information system (GIS) data bank centralizing information on the state of existing water infrastructure in northern Lebanon.

---

57 Overview of the ICRC’s operations in 2012, 08-12-2011 Report - This document presents the ICRC’s worldwide operational priorities for 2012. It is based on the internal analysis and planning exercise conducted every year, primarily by the ICRC’s 80 delegations and missions in the field.

58 The ICRC in Lebanon, 14-08-2012 Overview, Lebanon: activities, February 2008,25-03-2008 Operational Update, activities in Lebanon from January 2009 to April 2010 pp 43
established with ICRC support in 2010. Improvements in the general situation and strengthened capacities among local water authorities to address remaining problems resulted in the ICRC winding down its five-year involvement in this domain by year-end.

**Linking families**

Families in Lebanon, including migrants from countries experiencing armed conflict or natural disaster, exchanged news and official documents with relatives detained or living abroad, mainly in Iraq and Israel, through ICRC family-links services. Four Lebanese civilians, and the remains of another five deceased, were repatriated from Israel under ICRC auspices. People wishing to officially register in Lebanon the births or deaths of Lebanese civilians in Israel were able to do so after the ICRC translated the relevant Hebrew-language documents issued in Israel into Arabic and issued notifications of such births/deaths on this basis.

To help thousands of families still awaiting news of relatives missing in relation to the 1975–90 armed conflict, as well as in relation to subsequent armed conflicts and other situations of violence, family members participated in face-to-face interviews with delegates as part of an ICRC assessment to determine their needs. By mapping existing programmes and services in parallel, the ICRC aimed to identify gaps and recommend improvements to the authorities in 2012. Dialogue with all political authorities, including the prime minister and other stakeholders, built comprehensive support for the assessment, as well as for future plans to offer support in the collection and storage of DNA samples belonging to family members and to the establishment of a mechanism to facilitate the identification of human remains. Although no forensic training took place during the year, two forensic doctors conducted an assessment of the scientific laboratory of the ISF Judicial Police in December with a view to strengthening its capacities to process DNA samples from the families of missing persons. Family associations and NGOs received further training in managing data related to missing persons. In an important step forward, all family associations concerned appointed an ICRC-trained focal point to ensure the consolidated entry of information from various sources into a single database containing around 5,000 cases. Furthermore, under the terms of a new agreement, and having undergone similar training in recent years, the LAF and the ISF

---

59 *Ibid* 45
began using the same software. Efforts to identify remains from the 2007 armed confrontation in the Nahr El Bared Palestinian refugee camp were ongoing, with eight cases pending receipt of DNA samples from Syrian and Tunisian families.

PERSONS DEPRIVED OF FREEDOM

Over 6,500 captives in prisons and interrogation centres received ICRC visits to assess their treatment and living conditions, with a particular focus on security detainees. The authorities were urged to ensure delegates’ timely and unrestricted access to all security detainees in accordance with the agreement concluded with the Lebanese Government in 2007. People visited and registered included Syrians arrested by Lebanese security forces. As for other foreign detainees, the authorities were reminded of the principle of non-refoulement in relation to these individuals. Following visits, delegates discussed the findings and recommendations confidentially with the authorities, including in two reports concerning security detainees and another on respect for the judicial guarantees of detainees sentenced to death. Serious rioting at Roumieh central prison, the country’s largest, underlined the importance of the ICRC’s work in trying to enhance conditions of detention, including access to improved health care. In the immediate aftermath of the violence, injured inmates were treated with ICRC-donated medical materials. With the Prison Health Commission tasked with designing a nationwide model for prison health care falling victim to the political paralysis, and as the transfer of responsibility for prisons from the Ministry of the Interior to the Ministry of Justice had not taken place, the ICRC began to offer more consistent structural support to Roumieh’s medical centre. Inmates accessed better care thanks to the provision of materials and equipment to the centre and following training of prison staff and external health providers. Furthermore, the head of the medical centre learn from the experiences of counterparts, while sharing his own, during a presentation at an ICRC-organized seminar on health in detention in Geneva, Switzerland. In addition, health providers both within and outside the prison system attended an ICRC organized round-table to discuss some of the most protracted challenges, prompting concrete recommendations on improving coordination in relation to detainee referrals. The prison administration was again reminded of the benefits of screening all newly arrived detainees for the successful management of individual and environmental health in prisons. As a preventive measure,
particularly vulnerable detainees received hygiene items. Planned fumigation campaigns were not required as hygiene conditions were deemed adequate. Inmates at Roumieh (some 4,000) saw their supply of water increase (by almost 50%) following the drilling of an additional borehole and its connection to the centralized water network installed in 2010. This superseded the need for a planned water treatment unit. Detainees exchanged news with their families through RCMs, while two foreign detainees received ICRC-facilitated visits from their families in Jordan and the Syrian Arab Republic. Some 101 foreign detainees used ICRC services – RCMs or phone calls made by delegates – to inform their families abroad of their whereabouts, while another 211 informed their embassies of their detention. Released detainees or their families were issued with ICRC detention certificates.

CASUALITIES

Dozens of wounded Syrians crossing the border relied mainly on Lebanese Red Cross ambulances for medical evacuation to hospitals and other public health-care facilities. Acting as a neutral intermediary, the ICRC facilitated the National Society’s work by engaging in dialogue with border communities, the Lebanese authorities and other actors present, such as UNHCR and local NGOs, to ensure the timely and safe evacuation of the wounded. Medical supplies, dressing materials and other equipment donated to first-aid posts increased the likelihood of the seriously injured receiving emergency treatment to stabilize their condition before being moved. Furthermore, patients were followed up by ICRC delegates to monitor their surgical and post-operative care.

Palestinian refugees continued to rely on services provided by volunteers in the camps and by Palestine Red Crescent hospitals. To improve services in the Beddawi, Bourj El Barajneh and Ein El Helweh camps, 165 community volunteers and weapon bearers received basic first-aid training to improve emergency response services and were briefed on the importance of respecting medical personnel and ensuring access to health care for the wounded and sick. A further 124 received training to refresh their knowledge, while others participated in a mass-casualty simulation exercise in Ein El Helweh. Building on the completion in 2010 of a comprehensive programme to upgrade staff skills and essential medical equipment in five Palestine Red Crescent hospitals,
Palestinian refugees further benefited from measures taken to reinforce the Palestine Red Crescent’s maintenance capacities. An ICRC biomedical engineer carried out frequent visits to the hospitals to support the creation of a medical equipment management database to improve patient safety and medical efficiency. In parallel, the ICRC supervised a thorough assessment of each hospital’s power supply system. The operating theatre in Haifa Hospital in Bourj El Barajneh camp underwent renovation to improve conditions for patients and staff. Unfortunately, however, the training of doctors and other staff at the Palestine Red Crescent hospitals and at the Human Call Hospital in Ein El Helweh refugee camp – to improve their trauma management and their contingency planning skills – was cancelled owing to organizational difficulties. Refugees in the Nahr El Bared camp obtained better access to health services following the construction of a community health clinic to replace one destroyed in the 2007 armed conflict. The clinic was handed over to the Palestine Red Crescent in December.

Other health facilities regularly responding to emergencies received materials and medical supplies. More than 50 staff of the five main ambulance operators benefited from an ICRC-organized first-aid workshop. The Lebanese Red Cross EMS drew on significant ICRC financial, technical and material support to review its five-year strategy, maintain and upgrade stations and ambulances, and purchase medical consumables and equipment. Staff skills were reinforced; for example, over 100 new first-aid instructors were trained.

INTEGRATION WITH THE IHL

Meetings with the authorities and association with the main political, religious and secular groups and Palestinian factions aimed to build support for and understanding of IHL. The authorities concerned engaged in dialogue with the ICRC regarding incidents on Lebanon’s borders and were reminded of their obligations under IHL and relevant law and standards. Although the fall of the Government hindered all work to integrate IHL into national legislation, members of the national IHL committee, established in 2010, made steady progress in strengthen the new body. Through bilateral meetings with ICRC experts and by participating in two round-tables, members

---

60 The International Humanitarian Laws
strengthened their understanding of their role and, by year-end, had finalized the committee’s statutes and procedures. Officials from the committee and from various Government ministries joined around 40 counterparts from 19 countries to learn more about IHL at the Arab Regional Training Course, co-organized by the Arable ague’s Beirut-based Centre for Legal and Judicial Studies and the ICRC. The diplomatic community, UN agencies and other international bodies were regularly briefed on ICRC activities in Lebanon and the region.

Although it had completed the integration of IHL into its training prospectus and was generally autonomous in terms of IHL teaching, the LAF, along with its national office tasked with IHL integration, continued to draw on ICRC support to ensure widespread knowledge of that law among troops. For example, high-ranking officers, including the deputy chief of staff, participated in a roundtable discussion on IHL and the ICRC’s activities in the region and in the Arab Regional Training Course (above). Meanwhile, more than 100 officers followed advanced training at the LAF’s Command and Staff College and around 2,700 troops attended IHL briefings. The LAF library received IHL reference materials. The ISF also maintained regular contact with the ICRC. The head of the Human Rights Division attended the Arab Regional Training Course, while 1,100 ISF personnel, along with 110 military police officers and 30 officers responsible for security detainees, strengthened their understanding of standards applicable to their work at ICRC events. Members of various Palestinian factions attended presentations on IHL, the protection due to medical services, and the ICRC, wholesome also followed first-aid training. A Fatah library in south Lebanon received relevant IHL documentation. Prior to their deployment, a total of 375 officers from UNIFI were briefed on the ICRC’s mandate and activities.

National media covered issues of humanitarian concern, including the respect due to medical personnel and infrastructure, based partly on ICRC/National Society-issued press releases, newsletters and brochures. Dialogue continued integrate IHL into university law faculties. Seventeen lecturers from 14 countries, including Lebanon, learnt more about IHL teaching methods at a regional event co-organized with the Arab League. Students at the American University and St Joseph University in Beirut attended

---

61 Lebanese Armed Forces
62 Field Newsletter. Activities in Lebanon for the year 2010, An overview of activities in Lebanon during, published by the delegation in Beyrouth. 2010
presentation on IHL, while the delegation hosted one of the winners of the ICRC’s Young Reporter Competition, who covered issues related to Palestinian youth. Local NGOs drew on ICRC expertise at their own events, and an influential think-tank received an IHL reference library.

**RED CROSS AND RED CRESCENT MOVEMENT**

The Lebanese Red Cross and the ICRC sustained to work together to reinforce capacities, reviewing their joint emergency preparedness and response plan and finalizing standard operating actions in the framework of the National Society’s five-year strategy. The plan was tested during the influx of Syrian refugees. The Lebanese Red Cross continued to receive ICRC support for items, including for a nationwide volunteer training programme signed in cooperation with Geneva University Hospital. In terms of logistics, the National Society used ICRC advice to streamline the procurement of EMS equipment and consumables. The Lebanese Red Cross undertook a partial reform of its statutes, paving the way for a more comprehensive review in 2012, while terms of reference for a review of fundraising were also approved. Young volunteers of the Lebanese Red Cross trained as IHL instructors and received advice and support on how to spread knowledge of IHL, including the respect due to medical personnel and infrastructure, among the general public. Meanwhile, the Palestine Red Crescent also drew on ICRC support, including for staff training, but efforts to draft a communication strategy aimed at emphasize the Palestine Red Crescent’s visibility made little headway.

**Visiting detainees**

The ICRC has been visiting detainees in Lebanon since March 2007- when the authorities answered positively to its offer of services. In line with the organization’s strictly humanitarian mandate, ICRC delegates assess the detainees’ treatment, living conditions and respect of their fundamental judicial guarantees, including during the interrogation period. They also provide detainees with a mean to stay in contact with their families, through the regular exchange of Red Cross Messages and transmission of oral

---

63 International Review of the Red Cross, 2011 - No. 883 – Engaging armed groups, The International Review of the Red Cross is a quarterly published by the International Committee of the Red Cross and Cambridge University Press.
greetings. The ICRC puts a special emphasis on persons arrested in connection with armed conflict or state security, in accordance with its international mandate aimed at protecting and assisting people affected by war and internal violence. These persons are followed closely and individually throughout their detention term. During the visits, the delegates share and discuss their findings, observations and recommendations with the detaining authorities. Oral and written confidential reports are subsequently addressed in a bilateral way to the concerned authority within the Lebanese Armed Forces and the Internal Security Forces, in addition to the highest judicial authorities. In parallel to its regular detention visits, the ICRC worked on a comprehensive assessment of health care in prisons to help the authorities deliver better health services for inmates. Works are also ongoing to rehabilitate the water system in Roumieh Central Prison, the country’s largest detention facility housing more than 4,000 detainees. Upon its completion, the project will considerably improve the water quantity, quality and distribution inside the prison. In-kind assistance was also delivered in 2009 to smaller prisons, such as the installation of bunk beds in Zahle prison and the fixing of water-heating solar panels to improve shower facilities in Tebnine prison.

**Restoring family links**

Continuing to fulfill its role as a neutral intermediary between the Israeli and Lebanese authorities, the ICRC repatriated 17 Lebanese nationals living in Israel who wished to return home and repatriated the human remains of another seven Lebanese civilians during the past year and a half. The ICRC also facilitated contact between families in Lebanon and their relatives in Israel and the Occupied Palestinian Territories, via Red Cross Messages.

In parallel, the ICRC provided the associations of families of the missing, the Internal Security Forces and the Lebanese Armed Forces with the necessary training and equipment that would enable them to consolidate their compilation of data on the missing.

---


The ICRC sponsored training for two members of the «scientific laboratory» of the Internal Security Forces forensic department on the use of DNA for identification purposes, through a tailor-made course at Preston University in the UK in 2009.

In 2010, ICRC provided 15 Lebanese forensic doctors appointed by the Ministry of Justice with a training module on exhumation and identification of human remains.

Joint efforts with the concerned authorities led to the identification and confirmation of death of several persons who went missing during the Nahr el Bared conflict in 2007. The ICRC subsequently informed the concerned families and helped them obtain attestations of death.

Sanitation for vulnerable communities

As a outcome of many years of conflict, access to clean water remained inadequate in many parts of the country. The ICRC continues to assist the local authorities in restore water infrastructure and services in both rural and urban areas and in places of detention.

For the past year and a half, around 253,000 civilians benefited from improved access to clean water following the completion of 26 water projects achieved with ICRC support. Beneficiaries were living in neglected and marginalized areas where water facilities were inadequate, non-existent, or had collapsed due to lack of maintenance.

Among the several water projects ICRC carried out in 2009 was the reconstruction of a 500-cubic-meter water reservoir in Kfarabou, North Lebanon, benefiting 4,000 residents. The reservoir had been damaged by an armed conflict in 2000.

In the remote villages of Hariqa and Fissani in the disadvantaged Hermel area of north Bekaa, running water was only available during the rainy season, and in insufficient amounts. In 2009, the ICRC equipped two wells of 400 meters depth with pumps which allowed the 3,000 inhabitants of those villages to have access to clean water throughout the year.

The ICRC carried out other similar emergency repairs for collapsed water schemes, including the rehabilitation of pumping stations and reservoirs and the laying of pipelines, targeting remote communities in the north and the Bekaa. As part of its cooperation with the water authorities, the ICRC helped put in place a mapping and data collection system of existing water infrastructure in North Lebanon. The project
essentially consisted of localizing the resources, including wells, reservoirs, springs, pumping stations and primary water networks, and creating a data bank of relevant information. It will allow the authorities to more efficiently manage their water resources.

**Mutual with the Lebanese Red Cross**

Since early 2007, the ICRC has been committed to providing regular support aimed at strengthening the response capacities of the Lebanese Red Cross Emergency Medical Services (EMS) and consolidating its sustainability. For the last three years, the ICRC constructed and rehabilitated more than 11 EMS facilities in different parts of Lebanon.

Support was also provided to establish a staffed and well-functioning logistics department ready to offer its services to all the local branches and departments of the Lebanese Red Cross, especially during emergencies. In particular, the ICRC assisted the national society to rent a central warehouse and to establish a procurement department and a fleet management function.

Cooperation with national partners is a standing policy of the ICRC, which continues to closely collaborate with the Lebanese Red Cross in dealing with existing challenges, assessing achievements and planning for development. Such partnership is made in various domains, including operations and management. In 2010, the two joined hands in the international effort to assist the victims of the earthquake in Haiti by channelling public donations to the disaster-hit island through a bank account. The ICRC also continues to train the Youth department of the Lebanese Red Cross on carrying out assessments and relief distribution in the event of an emergency.

**Endorsing respect for International Humanitarian Law (IHL)**

The ICRC has maintained dialogue with the Lebanese military and Government authorities, as well as actors of the civil society, to promote knowledge and awareness about International Humanitarian Law (IHL) and ICRC mandate.

In that regard, it regularly briefed the Lebanese Army, the Internal Security Forces and the United Nations Interim Forces in Lebanon (UNIFIL) on IHL and ICRC’s

---

66 Overview of the ICRC’s operations in 2012, 08-12-2011 Report.
67 Emergency Medical Services- Lebanese Red Cross
activities in Lebanon and the region during sessions organized for both their troops and high-ranking officers.

Dissemination sessions of basic rules of IHL were also carried out for Palestinian factions inside Ein el-Helweh camp. In the meantime, the ICRC continued to support the implementation of IHL in the national legislation by sponsoring the participation of six Lebanese legal experts in a regional seminar on IHL, jointly organized by the ICRC and the League of Arab States.

The section dealing with ICRC and Lebanon may be concluded by saying that while Lebanon has suffered through a long civil war and severe sectarian tensions, to which the Palestinians were inextricably linked. Regional upheavals have had a destabilizing effect in Lebanon, leading to political polarization among the various factions in the country, and sometimes hindering the functioning of the executive and legislative branches of Government. Armed clashes and shelling hamper access to these areas, obstructing delivery of humanitarian programmes.

The Lebanese Government is not fulfilling several of its duties towards the Lebanese people and this includes the basic facilities, their needs an organized Arab plan for helping Lebanese refugees. Lebanon also needs direct support and not one offered through an inefficient Government that keeps procrastinating and delaying. Western aid is also urgently needed and Western countries need to coordinate with Arab countries so that this aid reaches its destination fast through an independent relief agency that is known for its integrity. Lebanon needs help to deal with the burden of the Lebanese crisis and to help Syrian refugees who are currently living in deplorable humanitarian conditions.

The UNHCR protects the refugees under its own statute. In conjunction with local NGOs, particularly the Middle East Council of Churches (MECC), meanwhile the ICRC also promotes asylum through refugee law seminars and workshops. Lebanon allows refugees, recognized by UNHCR, to stay in Lebanon, but only on a temporary basis without any prospects of integration. Since Lebanese authorities deny refugees the access to employment, UNHCR meets their most basic and immediate needs. Further the UNHCR appointed a regional coordinator for the Lebanese refugees and presented a regional Action Plan, in coordination with seven UN agencies, twenty seven national and
international NGOs and the receiving countries. This plan is based on estimations according to which assistance will be needed for about 100,000 persons in Turkey, Jordan, Lebanon and Iraq. The aim of this Plan is to guarantee that refugees fleeing Lebanon will have access to the neighbouring states and to international protection, that their basic needs will be met and so as to consider the measures to be taken in case of massive flows of people. A call for 84 million dollars was launched on 23 March 2012 to fund this plan.

Europe has a crucial role to play, not only in finding a solution to the political situation, but also in supporting the refugees, an issue from which it tends to disengage. The financial aid to the receiving countries is currently a priority. The decision to raise EU aid for the victims of the humanitarian crisis in Lebanon from 3 to 10 million euros is a positive step. But it seems already insufficient as events have overtaken it. This aid aims at funding those people who have been wounded or constrained to flee the violence in the country, and will transit through the European Commission’s humanitarian partners, notably the ICRC and UNHCR.

Although the Lebanese Government has adopted a protection- and humanitarian-oriented response, the absence of a legal or administrative framework leaves the Lebanon refugees vulnerable to arrest, detention and deportation from the host countries. Improving the protection climate for refugees and other displaced people in Lebanon is therefore a priority for UNHCR and the ICRC, and a more predictable operational understanding is being sought with the Government. Hence a national legal framework is to be developed and a new operational framework is to be planned for signature between UNHCR, ICRC and humanitarian organisations and the Government of Lebanon. The ICRC believes that providing protection and finding solutions for refugees and others of concern in Lebanon can best be done through a close partnership with the Government, Parliament, the judiciary, the UN Country Team, local NGOs and other partners.

In the light of this, ICRC will continue to advocate with the Government for an administrative framework for the protection of persons of concern in Lebanon. The Office will continue to seek a Memorandum of Understanding with the Government that sets out areas of agreement related to reception, status determination, temporary permits, durable solutions, regular information exchange, joint training and the strengthening of response capacities. Strengthening its engagement with the Prime Minister’s Office and
relevant Government counterparts to allow the ICRC to aim for overall legal protection for Lebanese refugees, access to public education for children, the wider availability of health assistance and the strengthening of social development centers is the need of the hour.

In addition, ICRC should continue to lead inter-agency coordination to ensure information sharing, programme coordination and planning and better coverage of refugees' needs. It should also continue to work with UN, Governmental and NGO partners on a strategy to reduce and prevent statelessness in Lebanon. Further the ICRC should also provide health assistance, including primary, hospital, mental and psychological care, to all refugees and asylum-seekers in need. Education grants should be provided for children; remedial classes and vocational training should be conducted; and measures should be taken to address high dropout rates. Non-formal education classes should also be supported through vocational skills training, music classes, sports activities and drama therapy for the benefit of young refugees. Furthermore, detention monitoring, legal aid and activities to address gender-based violence will help ensure protection and security from such violence and exploitation. Hence it is necessary that positive working relations should be established with the High Relief Commission and the Ministry of Social Affairs, which will benefit refugees and hosting communities. A wide range of partners should be mobilized to respond to the Lebanese refugee influx, enabling coordinated responses based on the expertise of each organization. The ICRC should also meet the other UN agencies through regular UN Country Team meetings to suitably address the problems of the refugees.