

Tim Finch & George Graham

Time-codes

Dialogue

09:43:29:15

Margaret Jay

Good morning, thank you very much both of you for coming. I'm Margaret Jay, I'm Chairing this morning's session of The Iraq Commission. Perhaps I may briefly introduce my colleagues who are with me on the Panel this morning, who'll be talking to you in a minute. There's on my extreme left, Stephen Twigg who is the Director of the Foreign Policy Centre. On my

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immediate left, Professor Brian Brivati of Kingston University where he's Professor of Contemporary History. On my immediate right, Lord Hannay, who was our UK Ambassador to the United Nations for several years and on his right, Sir Patrick Walker, who is an ex Director of the MI5. I believe that George Graham you're going to make a brief opening statement about the

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position in Syria and Jordan.

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George Graham

I just wanted to give you a very quick sense of ISE's perspective on this issue. ISE has got 2 heads if you like. On the one hand we're a humanitarian agency working with refugees and conflict affected people but we also have a large resettlement side in the US which gives us a double headed perspective on this. We've been present in Iraq, or rather we were present in Iraq until

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early 2005, at which point we withdrew because of insecurity but we are now setting up in Jordan, dealing with, or trying to address this refugee crisis. But then on our US side we've also been one of the leading advocating NGOs campaigning for a coherent and comprehensive approach to this issue, including a significant resettlement angle. In terms of points, of our over

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arching point, is the need to acknowledge the sheer scale of the refugee crisis in the Middle East. It's the largest displacement since 1948 and also the need for a comprehensive response addressing both the humanitarian needs in the region but also asylum and also resettlement policies. So, very briefly, our 3 points are, first the urgent need to support the UNHCR call in, appeal rather,

09:45:42:20 in the region and to address the humanitarian needs in Jordan, Syria and other countries surrounding Iraq. Secondly, within Europe a need for a consistent and fair asylum response to Iraqi refugees and finally, we have some thoughts about the possibility of a UK resettlement programme, and in particular there's room for comparison with what the US has proposed and is already doing.

09:46:10:11 **Margaret Jay**

Thank you very much. Sir Patrick Walker, do you want to start on the situation in the Middle East?

09:46:14:21 **Patrick Walker**

Yes. The numbers you've given, which are certainly the ones which we've been receiving in other discussions, are horrendous in terms of the relationship of the refugees to the indigenous population and I think there are signs that Jordan is beginning to close its borders as far as it can and prevent more refugees and in fact try and send them back. What can we do as a

09:46:46:20 United Kingdom to try and resolve this problem because what can we do actually in Syria and Jordan, how is it possible to operate and clearly, what can we do in Iraq to induce people back? Is there anything we can do?

09:47:09:01 **George Graham**

In answer to the first part of your question about supporting Jordan and Syria. There are 2 parts to it. There's a financial humanitarian aspect. There's an urgent need for more money, you know, the Jordanian representative at the UNHCR conference in Geneva said that they were spending a billion dollars a year supporting refugees. Now, you know, how valid that figure is is

09:47:30:02 up for question arguably but the scale in terms of financial demands on these countries is enormous. So there's that side of it but there's also a political question. Obviously these countries are not signatories to the 1951

09:47:54:18 Convention but there's room for both political engagement and also technical support from a country like the UK to look at insuring better practice on the borders. As part of that, we also need to be seen to be making a commitment to supporting asylum seekers and refugees from Iraq. As for the second part of your question about how to reduce push factors from Iraq. You must have addressed this question on numerous occasions during the course of this Commission. There are no easy answers. I mean I certainly can't think of

09:48:18:06 any obvious answers. The insecurity is enormous and increasingly pervasive. Then with, you know, in addition the people who are crossing these borders into Jordan and Syria and other places have, you know, numerous, have got numerous stories of very real persecution, of being, you know, whether it's death threats or whether it's actual attacks. I haven't got an answer about

09:48:40:06 how you stop militias in Iraq from issuing death threats against people from minorities or people who are perceived as being in some way aligned with the coalition forces.

09:48:54:08 **Patrick Walker**
Sorry, a very short bit. So basically, what all the UK can do in that area is to provide more money?

09:49:05:19 **George Graham**
To the neighbouring countries but also I think my point about

09:49:08:17 **Patrick Walker**
I mean to the UNHCR of course.

09:49:11:17 **George Graham**
Yeah, but and also I think my point about technical support. I think that is useful. I think support on asylum, on establishing fair asylum processes. But there's also the sort of the moral issue of burden sharing and I think if that can

09:49:36:16 be, if the UK can be seen to be acknowledging the need to share this burden and whether we choose to share that through pumping money into Syria and Jordan or through taking resettled or asylum seekers, resettled refugees or asylum seekers, ourselves here, either way that statement, I think, could have a strong affect on the response of Jordan and Syria.

09:49:50:01 **Margaret Jay**
Brian Brivati?

09:49:51:00 **Brian Brivati**
Let's pick up that point about the UK policy cos we're making recommendations to UK government. You say that in 2005, 1,675 out of 1,835 asylum requests were rejected by the UK government.

09:50:06:01 **George Graham**
Mmhum.

09:50:07:06 **Brian Brivati**
And that there have been forced returns, ok. Now, and you say what you want to see is a fair asylum process. So could you say why you think so many of those asylum requests were turned down, on what grounds and what grounds should be changed for what you describe as a fair asylum process to be put in place, what status Iraqi refugees should be given on a temporary basis and how many more Iraqi refugees we should take as part of the resettlement programme?

09:50:31:03
09:50:36:06 **Margaret Jay**
this is probably something for the Refugee Council as well.

09:50:38:09 **Tim Finch**

Maybe I'll pick up on that because obviously we share that view. That is a very difficult question to answer because obviously each individual will have a different and largely we think it's right that you judge asylum claims individually. Our concern is that the recognition rate for Iraqi asylum seekers is so low in the UK by comparison with other countries. It's a very

09:51:03:17 picture across Europe but, for instance, in Sweden the recognition rate is 91 percent. In Austria it's 73 percent. In Britain it's just 12 percent and that's down on the situation of a few years ago where it was nearer 50 percent. So there is an issue about whether our system is just too harsh, that people who need protection here are denied by the system because something in the

09:51:27:07 system is about disbelieving people's stories and the issue is all about numbers. There's a wider point though as well which you could have a situation, we did at one stage, where you effectively suspend looking at asylum claims and say, the situation is so bad in the country these people have come from, there's no question of returning them at all and so you

09:51:50:06 could give them some form of temporary status on that basis and certainly it's our view that the Iraqi situation is that bad now and that whether people are getting full refugee status, or some form of subsidiary protection, they should be allowed to stay in this country and not the situation you have at the moment where the vast majority of Iraqi asylum seekers, those who arrived

09:52:11:10 before the conflict and since, are in this situation where they've been denied any form of protection, so they have no status, which is very grim for them cos it means they have no state support, they're not entitle to any sort of housing, they're not allowed to work so they are destitute effectively and they live with the threat, and it's a very real threat, of enforced return if they don't take up

09:52:34:17 voluntary return and although there's been very small numbers of people with enforced return, that spreads fear through the whole community. So for us, protection is the important issue. Most of it will be in the region but we could be doing more to meet the protection needs of the Iraqi asylum seekers who are here.

- 09:52:51:15 **Brian Brivati**
Can I push on a couple of things then? So the explanation for the difference between different countries is that we're just harsher in how we listen to people's stories?
- 09:53:00:18 **Tim Finch**
Well, I don't know exactly what the difference would be between us and say the Swedish system.
- 09:53:07:17 **Brian Brivati**
It can't be that the Swedes are just nicer, so there must be something in the system that means we are harsher?
- 09:53:12:16 **Tim Finch**
Well, yes, in that sense, yes. We feel that the current system of judging asylum claims, not just from Iraq and I must make that point, we don't in a sense think Iraq is a special case in this sense. We think our system of making decisions about asylum claims for people from situations of conflict and persecution around the world is very tough and I don't want to get too
- 09:53:35:07 deeply into this but we think there are some political imperatives which are driving that.
- 09:53:38:18 **Brian Brivati**
Ok, I understand, but is there a specific policy change? There's a big leap from saying, you go from having a system that's too harsh to having a system where we temporarily do away with this and let everybody stay. So, we might go to propose that, I don't know, we'll have to discuss it. But is there something on the road to that, specifically, that we could propose? And I
- 09:53:59:18 accept the point necessary that it won't be exclusively for Iraqi refugees but

we're talking about, we would be talking about Iraqi refugees. Could you also just give an idea of how big the resettlement programme, compared to the American one, you'd be proposing for the UK to do?

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Tim Finch

Ok, the first point. I think if you've got people newly arriving and making asylum claims, and the numbers are very low, just in terms of comparison of numbers, the whole number of people who came and made an asylum claim in the UK last year is around the same as is arriving in Syria every day, so that's a sign of scale. But those people who are newly arriving or going

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through the process, will be going through what's called the new asylum model which it has good and bad bits to it. One of the good bits about it is it has an end to end casework and we're hoping that will increase recognition rates. Those case workers are actually people who are better trained and have better information. So hopefully that might see more people being

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recognised. The vast majority though of Iraqi asylum seekers are actually at the end of the process, they have been refused. In that situation we think that because of the dire situation in region, those people should be given some form of temporary status in recognition that return is impossible.

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Brian Brivati

I'm sorry, I didn't understand that before. Now I see what you mean.

09:55:12:22

Margaret Jay

Can I just ask you, following really what the point that Brian Brivati's made, what is the position about people who have been specifically working for the UK within Iraq? Because we've been told by other witnesses that they are not as well treated as they are, for example, by the United States, is that true?

09:55:29:22

Tim Finch

Well I don't know the answer to the comparison with the United States. Our point about resettlement, picking up Professor Brivati's point and yours, is that we strongly agree with the UNHCR approach on resettlement, which is you do it according to vulnerability so people who've worked for the British forces and who may be suffering persecution and not be able to have protection needs met in region may be among those people who would qualify for that but to give you an idea of scale, 130,000 people have registered with the UNHCR for resettlement. The UNHCR is trying, I understand, to get 20,000 of them resettled around the world. So far, I think the Americans have offered to resettle 7,000 and that's about it. What we know our government is doing is, to use the language they've said, is exploring options with UNHCR within the Gateway Protection Programme, which is a wonderful programme but the numbers are small and it's slow. So we would like to see at least, as it were, Gateway plus or Gateway fast, to deal with the Iraqi situation and I should add, we don't want just the big Iraqis cos there are lots of other people who need this protection too.

09:56:48:04 **Margaret Jay**
Stephen Twigg?

09:56:49:15 **Stephen Twigg**
I'm very sympathetic to what you've said both on the resettlement issue and on burden sharing. Can I just sort of probe though a couple of things in your submissions? Is there any pattern to the 12 percent who do, who are allowed to stay? Is it about where they are from Iraq or what jobs they do in Iraq or is there no pattern that you're aware of to who these people are?

09:57:12:11 **Tim Finch**
Well I guess I'm going to have to ... honestly cannot answer that question

09:57:16:04 **Stephen Twigg**

Fine.

09:57:17:06 **Tim Finch**

We don't have that information. It has to be said, we think the pattern of recognition and who gets a positive initial decision or a decision on appeal can look like a bit of a lottery, can be a bit arbitrary. So why one Iraqi asylum seeker would get refugee status and another would not is something that we're just not in a position to analyse.

09:57:39:11 **Stephen Twigg**

And you both say in your submissions that we should effectively have a moratorium, including on sending people back to the Kurdish area. Can I just probe that a little bit cos I think a case could be made that there is a distinction between sending someone back to the Kurdish part of Iraq compared to sending someone back to Baghdad or some of the other parts of

09:58:02:02 Iraq. Could you just say a little bit more as to why you believe that the Kurdish region should be treated in the same way?

09:58:08:10 **George Graham**

Well, our feeling is that the insecurity in Iraq is a nationwide problem. There are obviously degrees and the situation in Baghdad is, on the whole, worse than in the Kurdish areas. But it's worth noting that some of the Kurdish governorates have already starting putting restrictions on internal migration into that region so that's a very clear bit of evidence that, on their side, there

09:58:34:15 are either capacity issues or there are issues to do with integrating huge numbers of people.

09:58:41:21 **Stephen Twigg**

I understand that but let me, in your evidence you say, the UK has sent back

the highest number of Iraqis, all of them came from, and were returned to the Kurdish area. Now that, there's a difference, isn't there, between someone who is from the Kurdish part of Iraq going back to the Kurdish part of Iraq and someone internally displaced from another part of Iraq, or is there not?

09:59:04:20 **George Graham**

Our answer to that is simply, as I said before, our feeling is that the context in Iraq at the moment is not sufficiently secure to be able to say that the Kurdish regions offer the sort of protection that needs to be guaranteed in order to return people.

09:59:25:06 **Stephen Twigg**

Thank you. And just the final point and question. Clearly, from both your evidence, the largest number of asylum seekers from Iraq fall into that middle category, i.e. they're not the ones being sent back to the Kurdish region, they're not the 12 percent who are winning the lottery, they're here in the circumstances that you've described, often destitute because of their lack of

09:59:48:07 any sort of official status, is that correct just so we're clear?

09:59:51:16 **Tim Finch**

Yes, it's a large number. I mean it's hard to know exactly how many but it could be 20,000 odd and this is a wider point than just Iraq. We feel strongly that if you are, while you are in the country, even if you've been refused asylum, you shouldn't be in a situation where you are completely destitute because although these people may be right, that in some cases they need to return, return as we all know is a difficult and sometimes quite a time consuming business.

10:00:13:10 **Stephen Twigg**

Absolutely agree with you.

10:00:19:16 **Margaret Jay**
Lord Hannay?

10:00:20:19 **David Hannay**

Could I just check that I've got both of you right in feeling that the major part of the handling the refugee flow, which is colossal and you've made a very strong case for more funds and more technical support for the refugees in Syria and Jordan, but am I right in thinking that you are not contesting the view that the vast majority of refugees need to be persuaded to stay in

10:00:50:07 reasonable proximity to Iraq so that it's easier for them to go back if the situation stabilises and improves and that we're not in a situation where we should be asking for a massive increase, and indeed encouraging an increase and moves out to countries further away from Iraq than that? I just want to be sure, I think that was what you were saying but I want to be sure because of

10:01:14:16 course when you look at the figures, there is a really very small figure of those who are trying to come to Western countries compared with these very, very large numbers in the proximity to Iraq. And could I just press you again on the point that Stephen Twigg made? Don't you think that the argument that everywhere in Iraq is too dangerous to send people back is a little bit

10:01:40:18 contrary to the evidence that's there and available? The Kurdish areas are not suffering in the way that others are. You could say even that the south east is not suffering in the way that Baghdad is. Is there not going to have to be every country receiving asylum Chris is not going to have exercise some judgement about that rather than saying, in a blanket sort of way, you can't

10:02:03:13 send anyone back to anywhere in Iraq?

10:02:07:13 **George Graham**

In answer to your first question, we're not offering a prescription for the exact balance between resettlement and asylum in non-neighbouring countries and

10:02:38:11 settling, however temporary, in neighbouring countries. I think it's fair to say that, inevitably, the burden is very much geared towards the neighbouring countries. What we're calling for is a comprehensive strategic approach to the whole problems. So that means identifying the numbers and then also the capacity of those neighbouring countries to handle the caseloads that they're currently handling. You know, we're not talking about encouraging Iraqis to look one way or the other but it's a hugely complex problem. I mean there are other dimensions that we haven't touched on yet, as for example , religious

10:03:03:15 issues, you know, there's the tendency for Sunnis to go Jordan and for Shiite to go to Syria and Christians to seek asylum elsewhere again. These sorts of issues have their own consequences and complications so it's probably not for us now to say this is how we think it should all be arranged but what is required is the international community really to put their heads together and

10:03:27:15 to suss out exactly how they're going to manage this global caseload, global refugee crisis. As to your second question, I think another point we would make, I mean it relates to the sort of issue of a comprehensive response, is that we have to think about allocations of resources. I don't think it's appropriate, given the scale of the crisis, for the British government to invest

10:03:56:00 large sums of money in returning small numbers of people to northern Iraq when there are these enormous needs across the board. I take your point that, you know, that there are issues to do with being perceived to offer a carte blanche and there's the integrity of an asylum system that needs to be maintained but it is a question of allocating resources I think. And I think that

10:04:18:17 it's not hugely appropriate to be worrying about sending back, you know, a handful, dozens, of people to Kurdistan when there are 50,000 people fleeing the border every day, every month rather.

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Margaret Jay

We are specifically, as I think we said earlier, looking at things which are recommendations to the UK government, particularly obviously the new Prime

10:04:53:02 Minister. You said in response to Sir Patrick Walker, and he emphasised the point to you, that it would be best really if most of the work that the UK government was doing in this area was channelled through the UNHCR. Is that something that you feel is appropriate as a multilateral solution or would you prefer us to go on doing much more bilateral work?

10:05:03:04 **George Graham**

I think we would be broadly supportive of working through the UNHCR. The whole crisis, as I've said, needs to be addressed from a multilateral collaborative perspective. UNHCR is well placed to support that. Obviously, the UK has a unique bilateral, if you like, relationship with what's happening in Iraq at the moment and I think with that perhaps comes additional responsibilities, but in answer to your question, yeah, we're broadly supportive of the idea of the UK supporting the UNHCR.

10:05:40:22 **Tom Finch**

I think the other thing about the UNHCR is that that's appropriate because we must think about this always as an international response. We're not in favour of Britain just taking the lead for the sake of it. We think it's because we're an important player in the international community and if you use UNHCR as the main vehicle, one, to answer Lord Hannay's point, I think it is clear. You don't need to encourage people I think actually to seek protection in the neighbouring countries, they most likely want to do that and as you probably ... this is not a refugee crisis of tented camps or, as an UNHCR person put it to me, it's not a plastic sheets and water bottles type situation. Most of the displaced people actually have friends or relatives or someone they can go to and then initially they had money and they were able to survive but it's becoming more difficult as the crisis goes on. So most people will want to be supported in those areas and it's about us encouraging Syria and Jordan to keep their borders open and allow, as they have been doing very

10:06:49:08 generously to people, to come into their cities. But the other side of it is us showing that we're prepared to do our bit and that's where I think not sending the very few asylum seekers from Iraq back, to any part at the moment, is important but also resettlement and we haven't touched on it yet but I think the issue of how many is a very difficult one. Certainly, if the UNHCR says it should be 20,000 in this year, it should be, and we should be playing a

10:07:12:19 substantial part to meet that number and, as I say, I know the government is discussing it, and that is very good and we want to encourage them, but we want, in a sense, to encourage them to get on with it and I was just looking back at, they're not exact parallels, but at the Kosovo programme, which you all remember, the humanitarian evacuation programme from Kosovo in 1999,

10:07:32:21 I don't want to over stress the parallels cos I don't think they're exact by any means but what was striking about that was the speed with which that was done. The Home Secretary announced on 5th April that they were going to be taking thousands of Kosovos from Albania and Macedonia. Within 20 days, 164 had already arrived, and within a matter of a couple of months, 4,500 people had come over. So, where there's the will, there is the way. So, I'm

10:07:57:19 not suggesting that we can just dust off that plan and reapply it to Iraq but we can certainly draw inspiration from that if we want to get a resettlement programme going.

10:08:08:11 **Margaret Jay**

Thank you very much, that's extremely helpful. Thank you for coming.