

**UNHCR**

United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

60
YEARS • ANS

**Camp New Iraq (formerly Camp Ashraf) residents
and the determination of their refugee status claims***

- UNHCR has recently received a significant number of individual requests for the determination of refugee status from residents in Camp New Iraq (formerly Camp Ashraf). In the absence of a national system of adjudication in Iraq, UNHCR is putting in place a process to consider these requests on an individual basis in a fair and efficient procedure.
- Camp residents who have submitted requests are accordingly now formally asylum-seekers under international law whose claims require adjudication. International law requires that they must be able to benefit from basic protection of their security and well-being. This includes protection against any expulsion or return to the frontiers of territories where their lives or freedom would be threatened (the *non-refoulement* principle).
- UNHCR has requested the Government of Iraq to consider extending the deadline for the closure of the Camp and to provide the necessary facilities so that these requests for refugee status can be heard in a timely and proper manner.
- Individual interviews will need to take place in a safe, neutral and confidential location. It is our current assessment that it would be difficult to meet those conditions within the Camp. UNHCR will work together with the Government of Iraq and the United Nations Assistance Mission in Iraq (UNAMI) and other concerned actors to identify a location that ensures the safety and respects the rights of all individual applicants.
- There is no formal requirement for individuals to disassociate themselves from the PMOI/MEK in order to apply for refugee status. Each individual case will be judged on its merits and in accordance with international law.
- UNHCR does not consider the conferral of refugee status on a prima facie or group basis upon the entire population of the Camp to be appropriate. It would be inconsistent with current guidelines, doctrine and practice. UNHCR guidelines require individual status determination in situations involving members of associations or groups that have any history of armed activities. Such individual determinations must review both the reasons for considering that individuals merit refugee status, as well as any serious reasons for considering that acts or crimes have been committed that would exclude individuals from refugee status under Article 1F of the 1951 Convention relating to the Status of Refugees.
- UNHCR is committed to playing its proper role, together with the Government of Iraq, UNAMI and other concerned actors, to find a solution to this long-standing problem.

UNHCR
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* This document will be updated as needed.