



Iran - Researched and compiled by the Refugee Documentation Centre of Ireland on 28 July 2010

**Reports of Afghan asylum seekers currently being deported from Iran.
Treatment of Afghan asylum seekers in Iran.**

A report by the *United States Department of State* under the heading 'Protection of Refugees' states:

"As of December, approximately 980,000 refugees registered by the Bureau for Aliens, Foreigners, and Immigrant Affairs were living in the country; 935,600 were Afghans and 44,400 were Iraqis. Approximately 70 percent of the Afghan and Iraqi refugees in the country had lived there for 20 to 30 years.

The number of registered Afghan refugees opting for voluntary repatriation declined since 2007 due to a combination of factors, including concerns about security in Afghanistan. The government continued to postpone discussions to renew the tripartite repatriation agreement, but at an international conference on resettlement and repatriation held in Kabul in November 2008, the government verbally committed to permit registered Afghan refugees to stay until they voluntarily repatriated or resettled elsewhere.

In addition to the 935,600 registered Afghan refugees, the UNHCR estimated as many as 1.5 million Afghans illegally resided in the country as migrant workers. In March 2008 the government announced it would deport all Afghans who lacked refugee documentation. According to the UNHCR, the government deported 200,000 Afghans in the first six months of the year and more than one million in the last three years. On March 22, the UN Children's Fund (UNICEF) and provincial authorities reported that more than 1,000 children deported to Afghanistan's western province of Herat in 2008 faced poverty and were at risk of abuse" (United States Department of State (11 March 2010) *2009 Human Rights Report: Iran**)

This report continues stating:

"There were reports of some registered refugees included in mass deportations during the last several years, although these reports were not officially documented. According to HRW, many of those deported received no warning that they were being deported, and many were separated from their families or had little time to collect belongings and wages. Other deportees claimed they were beaten, detained, or required to perform forced labor for several days before they were deported. Among the deportees were vulnerable individuals and families who required humanitarian assistance upon arrival in Afghanistan. At the November conference in Kabul, the Iranian delegate stated that Afghan refugees would continue to be treated as "respected guests" and that the two countries were discussing the issuance of

300,000 visas to Afghan workers. No new visa arrangement had been announced by year's end.

Since 2007 authorities maintained approximately 19 "No Go Areas" in the country for Afghan refugees, according to the UNHCR. Refugees were required to register and relocate in areas the government approved; those who did not were considered unregistered and remained subject to deportation. According to the UNHCR, the government's reregistration campaign launched in 2008 to assist male refugees to obtain work permits enabled more refugees to work in the country." (ibid)

A report by the *United States Committee for Refugees and Immigrants* under the heading 'World Refugee Survey 2009 – Iran' states:

"Afghan officials report that Iranian border security forces killed 15-20 individual crossing from Afghanistan and wrongly accused them of being terrorists and smugglers.

Iran deported over 406,000 Afghans in 2008 and over 720,000 over the past two years. Although both the Government and UNHCR characterized the deportees as illegally present economic migrants, in the Chamany Babrak reception camps in Kabul, most could produce refugee documentation. Iranian soldiers also reportedly evicted entire refugee settlements without checking for status. Authorities deported many without warning, separating them from their families, with little time to collect belongings and wages. Others claimed that authorities beat, detained, or required them work unpaid for days before deportation." (United States Committee for Refugees and Immigrants (17 June 2009) *World Refugee Survey 2009 – Iran*)

This report also adds:

"In January, Iran initiated a re-registration exercise of all Afghan refugees and simultaneously required men between the ages of 16 and 60 to apply for work permits and to list an employer as guarantor. The Government also warned up to 1.5 million Afghans without proper documentation that they faced arrest and detention in camps for up to five years. The head of BAFIA described conditions in the camps as "like prisons for punishment of the people who have entered illegally or who have committed a felony." Authorities deported nearly 9,000 Afghans in two weeks, provoking Afghanistan's formal diplomatic protest. Despite promising the Government that it would stop during the winter, Iran deported another 8,000 by mid-February. In the reception camps of Chamany Babrak in Kabul, most deportees had refugee cards. Iranian soldiers reportedly evicted entire refugee settlements without checking for status.

In March, Iran said it intended to expel 1.5 million Afghans it considered to be illegally in the country. A BAFIA official said, "Those who illegally entered Iran have committed crimes: entering illegally, staying illegally and working illegally. .. we will expel them from our country at the first opportunity we encounter them."

In April, Afghan authorities claimed Iranian troops attacked and killed 13 Afghan refugees just over the border in Afghanistan. Pakistani media also reported the incident, claiming 12 Afghans died inside Iranian territory. Iranian

media reported that forces killed a number of drug smugglers in the border region.” (ibid)

In a section titled ‘Detention/Access to Courts’ this report continues:

“Authorities arrest and rapidly deport refugees for irregular entry, lack of documentation, and unauthorized movement outside their province of registration. Afghan deportees are regularly subject to inhumane treatment and beatings during detention.

BAFIA officials at detention centres and some camps sometimes obtain the release of registered Afghan refugees and give them Laissez-Passers to return to their place of residence. Authorities generally do not permit UNHCR or any nongovernmental organization (NGO) to monitor detention centers. On only one occasion in 2008, authorities permitted UNHCR access to a detention centre in Sistan and Balouchistan province. UNHCR is, however, able to hire lawyers for registered refugees.” (ibid)

Under the heading ‘Right to Earn a Livelihood’, this report also states:

“The Government increasing fines or imprisons employers of undocumented foreigners, including registered Afghan refugees although they were more lenient with Iraqis. Authorities required all Afghan refugee men to apply for temporary work permits during the 2008 re-registration exercise and allowed women to do so. Since Fall 2008, they issue them in Tehran province on a test basis but sometimes fails to do so, effectively precluding the refugees from health insurance” (ibid)

It also notes:

“Foreigners cannot engage in business without appropriate visas and work permits. Registered Afghan refugees had to abandon their refugee status, return to Afghanistan, obtain a passport and an Iranian visa, and apply for a specific permit in order to engage in business.

The 1963 Regulations provided refugees the right to acquire movable and immovable property generally on par with other foreigners, but conditioned real estate ownership on reciprocity of the foreigner's government. They also allow the Government to bar foreigners from purchasing land near borders and in other areas. 2005 regulations restrict Afghan refugees' rights to obtain mortgages, to rent and own property, and to open bank accounts. Iraqi refugees can open bank accounts but Afghans may not unless they have SIDs.” (ibid)

A report by the *UN Human Rights Council* under the heading ‘Right to education and to participate in the cultural life of the community’ states:

“The United Nations Association of Iran (UNA-IRAN) noted that Afghan children were entitled to education from elementary to high school but must pay annual education fees which, in spite of supportive laws with regard to cost reductions for the more deprived refugees, a substantial number of families could not afford. As a result, children were deprived of education.” (UN Human Rights Council (30 November 2009) *Summary prepared by the Office of the High Commissioner for Human Rights, in accordance with*

paragraph 15(c) of the Annex to Human Rights Council Resolution 5/1 - Islamic Republic of Iran – pg. 10)

In a section titled 'Migrants, refugees and asylum-seekers' this report continues:

"The Iranian Life Quality Improvement Association (ILIA) noted that Afghan refugee children in Iran were among those constantly subject to domestic violence and grave violation of rights, due to poverty and their parents' unemployment.

According to UNA-IRAN, Afghan refugees with specific ailments could benefit from medical insurance services, but these services did not include all other refugees. The majority of refugees, due to financial problems, refrained from going to hospitals, resulting in the gradual spread of chronic diseases.

UNA-IRAN noted the issuance of work permits for Afghan refugees aged 18 to 60 in some professions in 2009. Although this measure was seen as a positive step towards refugee rights, these people did not benefit from rights such as social insurance and unemployment benefits, which Iranian nationals benefit from." (ibid, p.11)

A report by *Human Rights Watch* under the heading 'Iran: Halt Mass Deportation of Afghans' notes:

"(London) - Iran should immediately halt the mass deportations of Afghan nationals and investigate allegations that its authorities have abused numerous deportees, Human Rights Watch said today. Iran should also ensure that Afghans faced with deportation are given the individual opportunity to seek protection based on conditions in Afghanistan that would threaten their lives or freedom, Human Rights Watch said.

Since late April, the Iranian government has forcibly deported back to Afghanistan nearly 100,000 registered and unregistered Afghans living and working in Iran. The Iranian government says the mass deportation is aimed at reducing the number of illegal immigrants in the country, but Iranian officials have also expelled Afghans who have been registered with the authorities, many of whom have been regarded as refugees (*panahandegan*) for many years. Iran announced in 2006 that it would "voluntarily repatriate" all of the more than 1 million Afghans remaining in Iran by March 2008, saying that none of those people are refugees." (Human Rights Watch (19 June 2007) *Iran: Halt Mass Deportation of Afghans*)

This report also states:

"Iran can deport people who are there illegally, but it has to give them the chance to contest their deportation or to seek asylum," said Brad Adams, Asia director at Human Rights Watch. "It's against international law to expel people arbitrarily based on their national origin."

In February 2007, the Iranian government told the Afghan government and the United Nations that it intended to regularize foreign migrants on its soil, and that it would deport en masse undocumented Afghans starting on April 21, 2007. On April 23, 2007, the Iranian authorities made good on their

announcement when they deported more than 4,000 Afghans through border crossings with western Afghanistan. However, the Iranian authorities did not give advance notice to many of the nearly 100,000 Afghans deported in the past 50 days that they would be expelled from Iran.” (ibid)

References:

Human Rights Watch (19 June 2007) *Iran: Halt Mass Deportation of Afghans*
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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

Sources Consulted:

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Freedom House
IRIN News
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United States Committee for Refugees and Immigrants
United States Department of State