

Afghanistan (1)

7/8-00

Notits vedrørende telefonsamtale den 15. marts 2000 med UNHCR om tvangsmæssig udsendelse af afghanere, der opholder sig i Pakistan

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I brev af den 25. februar 2000 fra ministeriet er missionen anmodet om at undersøge rigtigheden af oplysninger fra den iranske radiostation "Voice of the Islamic Republic of Iran" om, at de pakistanske myndigheder har planer om tvangsmæssigt at tilbage-sende afghanske flygtninge fra Pakistan til Afghanistan. I den forbindelse har jeg været i telefonisk kontakt med UNHCR, Europe Bureau, Senior Legal Officer, Stina Ljungdell, der efter at have drøftet dette forhold med det relevante områdekantor, kunne oplyse følgende:

UNHCR kan ikke bekræfte, at der fra pakistansk side er planer om tvangsmæssig udsendelse af Afghanske flygtninge. De pakistanske myndigheder har derimod i den komité, hvor UNHCR, Pakistans og Talibans myndigheder jævnligt mødes, udtrykt ønske om i samarbejde med UNHCR at vedtage og implementere et frivilligt repatrieringsprogram svarende til det, der i februar dette år er vedtaget mellem UNHCR og Iran. På den anden side vil UNHCR dog ikke udelukke, at der uden UNHCRs viden i et vist mindre omfang sker tvangsmæssig udsendelse af afghanere til Afghanistan.



Henrik Ankerstjerne

FN-missionen i Genève, den 17. marts 2000

EP

J.nr. 17.C.1
1 bilag
Gpt.:

Den 22. marts 2000

N O T A T

Repatriering af afghanske flygtninge fra Pakistan.

Undertegnede deltog den 15. marts 2000 i en briefing afholdt af herværende UNHCR-mission. I briefinggen deltog også UNHCR repræsentant fra Afghanistan hr. Ahmed S. Farah, der indledte mødet. Hr. Farah lagde vægt på mødets vigtighed p.g.a. de store problemer med afghanske flygtninge der efterhånden hobe sig op i både Iran og Pakistan. Problemer der havde store omkostninger for begge lande i form af arbejdsløshed i grænseområderne og pres på en i forvejen trængt administration. Især hospitalssektoren der måtte stå for med mange fødsler. Forsyninger af mad og vand var også et problem. De to lande modtog ca. 3,2 millioner afghanske flygtninge tilsammen. Pakistan var den største aftager med ca. 1,8 millioner. 1,2 millioner i lejre i og omkring Peshawar og 600.000 udenfor.

Hr. Farah pegede på, at det fremover kunne være hensigtsmæssigt at afholde lignede briefinger om situationen noget oftere end den ene gang om året som hidtil. Han foreslog 2-3 gange årligt skiftevis i Islamabad og Peshawar.

UNHCR's herværende repræsentant hr. Hasim Utkan anførte, at man virkelig arbejdede på at få så mange afghanske flygtninge så muligt til at rejse tilbage til Afghanistan ad frivillighedens vej. Bestræbelserne på at få lige så mange familier til at rejse hjem i år som sidste år, havde i årets første måneder ikke rigtig båret frugt. Sidste år havde gennemsnittet ligget på ca. 1.800 familier pr. måned, og i år var man for januar helt nede på ca. 350 familier.

Utkan nævnte, at for at få flere til at rejse tilbage til Afghanistan, havde UNHCR opstillet informationscentre, hvor man ved vejledning prøvede at få så mange som muligt til at returnere til Afghanistan frivilligt. I den forbindelse kunne UNHCR tilbyde et kontantbeløb, transport til hjemstedet m.m.

Der var afsat 14 millioner US-dollars til dette projekt.

En repræsentant fra UNHCR Ms. K. Klumpp gav en orientering om et " Joint programme for the Voluntary Repatriation of Afghan Refugees " der allerede kørte mellem den iranske regering og UNHCR. Der henvises til indholdet af denne aftale, der vedlægges.

Beklageligvis var man ikke kommet så langt med problemet i Pakistan.

Slutteligt blev tørkesituationen i det sydlige Pakistan/Afghanistan berørt ved Chris Kaye. Her havde det som bekendt ikke regnet i lang tid. Udsigt til regn før aug/sep 2000 var yderst ringe. Pt. var 60 % af normal opdyrket agerjord udtøret, og situationen var begyndt at gå ud over kreaturerne.

Grundvandet i de berørte områder sank en meter pr. måned.

Islamabad den 22. marts 2000

Ebbe Petersen

Joint Programme

for the

Voluntary Repatriation of Afghan Refugees

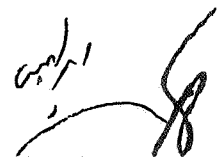
between

the Government of the Islamic Republic of Iran

and

the United Nations High Commissioner for Refugees

Tehran - February 2000

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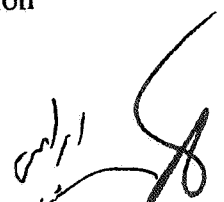
1- Guiding Principles:

- 1.1 Considering that voluntary repatriation is the most desirable durable solution to the plight of refugees, the Government of the Islamic Republic of Iran hereinafter called the "Government" and the United Nations High Commissioner for Refugees hereinafter called "UNHCR" hereby express their wish to implement a voluntary repatriation programme for Afghan refugees within the framework of the laws and regulations of the Islamic Republic of Iran and the 1951 Convention Relating to the Status of Refugees.
- 1.2 The Government and UNHCR concur that many Afghan refugees who have sought and enjoyed asylum in the Islamic Republic of Iran for many years can now return without fear to their country, but that certain Afghan refugees who are unable to return to Afghanistan can continue to benefit from the protection of the Islamic Republic of Iran. In addition, among them those who are not self-reliant can be admitted to areas determined by the Government. UNHCR will extend its assistance programme to the needy refugees in these areas in accordance with its criteria.
- 1.3 The Government, with the active support of UNHCR and other responsible organizations, will facilitate the voluntary repatriation to Afghanistan.
- 1.4 UNHCR will endeavor to ensure that the international community increases its focus on activities contributing to the rehabilitation and reintegration of returnees in Afghanistan.

2- Voluntary Repatriation:

Through their joint Working Group on Afghan voluntary repatriation, the Government and UNHCR will jointly plan and implement coordinated programmes for the voluntary repatriation of Afghan refugees taking the following points into consideration:

- 2.1 The Government and UNHCR agree to initially equip and make use of transit centers in the provinces of Tehran, Khorasan and Sistan-Baluchestan with a view to facilitating the timely return of the refugees from the Islamic Republic of Iran. Moreover, voluntary repatriation from other provinces will continue with UNHCR's support as before. The initial target figure for the repatriation programme will be at least 3000 persons a week and this figure will be increased depending on circumstances.
- 2.2 UNHCR will provide an assistance package at least composed of the following items:
 - A Rials cash grant equivalent to US\$ 40 per person for repatriation
 - plastic sheeting for vulnerable cases, mainly families.



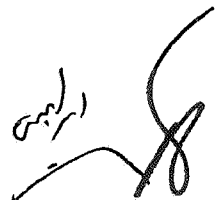
- 2.3 The Government and UNHCR will request WFP to provide the intended food assistance to the returnees from Iran.
- 2.4 Transport facilities from the three designated transit and collection centers and, as required, from other locations throughout the country to the border exit stations will be provided to Afghans volunteering to return. UNHCR, in cooperation with IOM, will be responsible for the transport of those volunteering to return and their belongings from the said centers to the border exit stations.
- 2.5 To facilitate and promote voluntary repatriation, the Government will take all necessary actions to facilitate and expedite customs and other formalities of return at border exit points, including the provision of transport facilities to the border zero point and stationing customs officials at all border exit stations.
- 2.6 The government will facilitate coordination between UNHCR staff (international and local) cooperating on either side of the border according to laws and regulations of the Islamic Republic of Iran.
- 2.7 The Government will ensure UNHCR's access to sites relevant to the operation including border crossing points and ensure that UNHCR can interview candidates for voluntary return.
- 2.8 The Government and UNHCR will develop an appropriate mechanism to ensure that beneficiaries do not return to Iran following their voluntary departure for the sole reason of benefiting once more from repatriation assistance.

3- Examination of Cases Requesting Protection:

- 3.1 The Government will formulate a procedure to examine claims to protection which individual Afghans who do not possess legal residence may lodge. Claims would be examined on the basis of the laws and regulations of the Islamic Republic of Iran and the 1951 Convention Relating to the Status of Refugees, as well as humanitarian concerns.

- 3.2 Individuals from the following categories would have access to the above procedures:

- candidates for the voluntary repatriation programme who decide to withdraw their registration for return due to valid reasons;
- new arrivals crossing the border to seek asylum in Iran, and without delay presenting themselves to the relevant officials upon arrival; and,
- those Afghans who for valid reasons fear persecution upon return and consider themselves in need of international protection
- Unaccompanied children, women and elderly
- Family members of prisoners
- Patients and the injured



- University students

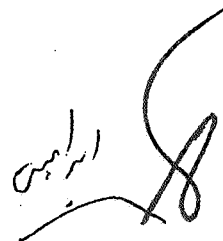
- 3.3 All undocumented Afghans will have to leave Iran within a period of six months from 08 April 2000 when this operation will be launched. During that period, Afghan nationals whether documented or undocumented who wish to avail themselves of the programme of support to voluntary repatriation may contact the transit centers where UNHCR will assist in the voluntary repatriation to Afghanistan. At the same time, it will be possible for those undocumented Afghans who fear they cannot return to Afghanistan under the present circumstances and who wish to receive protection in Iran to present their well documented and well reasoned claims to the screening centers in Tehran, Khorasan, Sistan/Baluchestan, Isfahan, Semnan, Fars, Kerman, Central and Yazd provinces to determine their needs for protection. UNHCR will contribute towards the costs of establishing these centers. The claimants, at the time of submission of the claims for protection to the centers, will initially complete special forms prepared for this purpose whereupon the Government and UNHCR representatives will begin the examination process.

Those Afghans who as result of their screening are considered to be in need of protection, will be permitted to remain temporarily in the provinces determined by the Government until the time that the situation is conducive to their repatriation. UNHCR will contribute towards the required cost.

Should an applicant's claim be rejected within the framework of this procedure, s/he may submit an appeal claim to BAFIA Offices in the said provinces within ten days from the date of the receipt of notification of the decision in order to be re-examined by a separate committee composed of the Government and UNHCR.

4. Information Campaign:

- 4.1 The Government and UNHCR, emphasizing the need for a joint information campaign, will develop a strategy to inform Afghans in the Islamic Republic of Iran of the benefits of the programme, and the principles and the procedures under which the programme operates. The Government and UNHCR will develop joint initiatives vis-a-vis donors, NGOs and the media to inform them about the programme and foster support for it.
- 4.2 In order to prepare this information campaign and formulate any required information communiqué, a committee composed of UNHCR and the Government will be established. This committee will prepare the intended plan and launch the information campaign by 20 February 2000. The Government and UNHCR will implement the information campaign in full cooperation and coordination.

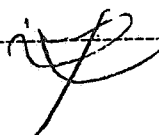


5. Other Considerations:

- 5.1 In line with the objective of a dignified and safe return of the Afghan refugees to their country, the Government and UNHCR will lay stress on the need for a full resumption of the presence of the UN and NGOs international staff and assistance in Afghanistan to support returnees.
- 5.2 Both the Government and UNHCR consider that all elements mentioned above must be implemented simultaneously and with no delay to ensure the successful progress of the programme. They also concur that measures must be continued to support refugees during their stay, particularly through innovative projects attracting international funding, reducing the dependency of refugees on the host country and laying the basis for the self-sufficiency and reintegration of the returnees in Afghanistan.

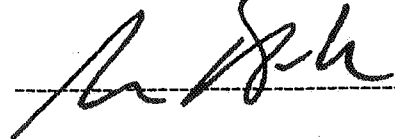
Signed on 14/02/00

for the Government
of the Islamic Republic of Iran,



HassanAli Ebrahimi
Advisor to the Minister of Interior and
Director General of the Bureau for Aliens
and Foreign Immigrants' Affairs

for the United Nations
High Commissioner for Refugees



Carrol Faubert
Chief of Mission

