



282

U.S. Committee for Refugees World Refugee Survey 2002 – Iran

June 2002

According to a new government registration of foreigners, Iran hosted more than 2.55 million refugees in 2001, more refugees than any other country in the world. These included about 2,355,000 Afghans and 203,000 Iraqis. Although the Iranian government registered an additional 5,522 foreigners of other nationalities, it was unclear how many were refugees. The new registration figures represent a considerable increase from the previous estimate of 1.4 million registered – and half a million unregistered – Afghans in the country. On the other hand, the number of Iraqis counted in the registration shows a substantial drop from previous estimates of Iraqis in Iran, most of which ranged from 300,000 to 400,000.

More than 1,000 mostly Afghan refugees were resettled from Iran to other countries in 2001, the majority to Canada and Scandinavian countries. After the change of regime in Afghanistan in late 2001, the UN High Commissioner for Refugees (UNHCR) began reviewing the files of Afghan refugees being considered for resettlement whose claims were based upon a fear of persecution by the former Taliban government. Nevertheless, the priority group for resettlement out of Iran at year's end continued to be single Afghan women with children.

No accurate estimates exist of the number of Iranians outside Iran who may fear persecution if returned. Many do not formally apply for asylum, but find work or study abroad, with or without legal status. Some have been permanently resettled in other countries. About 23,700 Iranian refugees were living in Iraq in 2001. Almost 10,000 Iranians sought asylum in Europe in 2001, a significant decrease from the 22,167 who applied the previous year. The largest number lodged asylum applications in Germany (3,450), the United Kingdom (2,655), and the Netherlands (1,519).

Political Developments

Despite the reelection of moderate Mohammad Khatami as president in June 2001 and the election in 2000 of a predominantly reformist parliament, the *Majles*, the Iranian government appeared increasingly intolerant of refugees and immigrants, many of whom have lived in Iran for nearly two decades. Citing high unemployment, the government has set several deadlines in recent years for refugees to leave the country, generally declined to register new arrivals from Afghanistan and Iraq as refugees, attempted to round up and confine refugees to camps, and deported many summarily.

In June 2001, the government began implementing a new policy of fining and imprisoning employers who provided jobs to foreigners without work permits. The new policy came on top of an April 2000 law – Article 48 of the government's five-year development plan – that instructed the Interior Ministry to expel all foreigners without work permits whose lives would not be threatened upon return to their country of origin.

During the year, the Iranian government continued its push to repatriate

Afghan refugees, often resorting to force. UNHCR reported the deportation of some 82,000 Afghan men and 8,300 families between January and July alone. During the same period, however, UNHCR reported that between 700 and 1,000 Afghans continued to arrive daily in Iran, despite the authorities' increased border surveillance. Because they lacked documentation, many of these new arrivals were likely among those deported during the year.

The U.S. military campaign in Afghanistan and subsequent fall of the Taliban late in 2001 strengthened Iran's resolve to repatriate Afghans and prevent the entry of Afghan asylum seekers. Citing the burdens posed by an already large refugee population and the minimal assistance Iran had received from the international community, the Iranian government closed its border to new arrivals as the United States and the Northern Alliance began their military campaigns in Afghanistan against the Taliban and Al Qaeda in the fall. Iranian officials said that they would provide assistance to would-be refugees inside Afghanistan instead.

The Iranian government set up two camps – Makaki and Mile 46 – on the Afghan side of the border in the southwestern province of Nimroz, where the Iranian Red Crescent assisted about 11,000 internally displaced Afghans in November and December. UNHCR and nongovernmental organizations reported significant protection problems in the camps. Most troublesome was the presence of armed Afghan groups who threatened and intimidated camp residents, particularly in Makaki, initially under Taliban control, where fighting broke out as the Taliban were defeated.

Accommodations in the camp were also inadequate.

In a December 10 press release, the U.S. Committee for Refugees (USCR) reported on the plight of some 2,000 Afghans, mostly women and children, whom the Iranian Red Crescent had denied shelter, saying the camps were full.

USCR, UNHCR, and others condemned Iran's decision to close its border, citing the lack of security inside Afghanistan, and called on the Iranian government to reverse its decision. Iran has "responded harshly to Afghan civilians forced to flee their homes," said USCR, "[shutting its border] to refugees, trapping thousands of people in places of danger."

Although UNHCR did not participate with the government in an organized repatriation program for Afghans as it did in 2000, the refugee agency reported the spontaneous repatriation of 143,501 Afghans in 2001, about 111,000 of these returning during the last six months of the year. Pushbacks of would-be refugees and deportations reportedly also continued during the fall and winter as the U.S. and Northern Alliance offensives proceeded in Afghanistan.

Assistance and Accommodations

Refugees, registered and unregistered, have long occupied the lowest rung of Iran's socio-economic ladder. In the past, refugees were eligible for education, health services, and food rations on a par with Iranian citizens. By the mid-1990s, however, most refugees had lost those benefits.

Although the government announced during the year that recognized refugees would be required to live in camps, in fact, fewer than 5 percent

of Iran's 2.55 million refugees lived in camps during the year. Many of the Afghans moved into camps were placed in them pending their voluntary or involuntary repatriation. Although both Afghan and Iraqi refugees lived throughout Iran, the largest number lived in the provinces bordering their respective countries and in the capital, Tehran.

Iran's accession to the UN Refugee Convention in 1976 included several reservations, including on Article 17, the right to work. Recognized refugees with residence permits must apply for work permits in Iran, which, in most cases, restrict them to jobs involving manual labor. In practice, however, the authorities rarely grant work permits to refugees. Although Iranian officials often ignored their own labor laws in the past, enabling both documented refugees and undocumented foreigners to support themselves, since 1999 the authorities have enforced labor regulations more strictly, a trend particularly evident in 2001. In June, after introducing sanctions on employers that hire undocumented workers, the government shut down many small businesses that employed Afghans, depriving thousands of refugees of the means to provide for themselves. The government also revoked the work permits of some refugees. Diplomatic sources cite the crackdown on illegal employment as one of the main reasons for the large increase in spontaneous repatriation to Afghanistan during the second half of the year.

Documented refugee children had the right in 2001 to primary education in the Iranian school system. In part because of problems with documentation, however, the Afghan community in the eastern provinces in recent years established about 20 "private" schools for Afghan children. However, local authorities have closed down many of these schools during the past two years. Although President Khatami decreed in 2001 that all Afghan children, including the undocumented, would be allowed to attend school, local authorities in some jurisdictions ignored the presidential order.

Refugee Registration and Legal Status

In 2001, the Iranian Bureau for Aliens and Foreign Immigrants Affairs (BAFIA) conducted a major registration exercise for foreigners in the country. In the first phase of the registration, which began in February, the government required registered refugees to report to one of 250 centers throughout the country, submit their documents, answer a variety of biographical and other questions, and have their fingerprints taken.

In April and May, BAFIA repeated the exercise for those who failed to register the first time around. Significantly, BAFIA also permitted undocumented foreigners to register during the second phase of the registration drive. Although registering did not entitle undocumented foreigners to refugee status, observers of the process remarked that undocumented foreigners with registration slips were generally protected against deportation for the remainder of 2001.

In June, BAFIA issued certificates to registered foreigners that superseded all previously issued documents, which became null and void. Prior to the 2001 registration, refugees received a range of statuses, most without the rights and benefits normally accorded to refugees under the UN Refugee Convention. Most were denied the right to move freely within the country and faced other restrictions in the areas of employment, education, documentation, and foreign travel. Although it was unclear at year's end what status, or statuses, the new registration

documents accorded to their recipients, UNHCR reported that the data collected from the registration would serve as the basis for implementing Article 48 of Iran's five-year development plan, which calls for the repatriation of all foreigners in the country without work permits whose lives would not be threatened upon return.

Afghan Refugees

Afghan refugees are concentrated in two eastern provinces bordering Afghanistan – Khorasan, with an estimated 390,000 refugees, and Sistan-Baluchistan, with about 400,000. Afghans can also be found throughout Iran, in urban centers, as well as in the poor rural areas in eastern Iran.

With the passage of Article 48 in April 2000, UNHCR agreed to participate with the Iranian government in a joint repatriation program for Afghan refugees. The program represented an attempt by UNHCR to introduce order and refugee-status screening to a process that in recent years had become increasingly arbitrary and coercive. Under this program, Afghans in Iran, regardless of their status or time of arrival, were invited to come forward either to benefit from material assistance to repatriate voluntarily or to present their claims for the need for protection from return.

Observers noted problems with the government screening criteria, which tended to deter or exclude uneducated applicants from agricultural backgrounds whose claims of persecution were based on religion (being Shi'a) or ethnicity (Hazaras). During 2000, some 80,000 asylum seekers were recognized as refugees under the joint program and granted three-month temporary residence permits. It was unclear how many of the 150,000 Afghans rejected in the screening procedure during 2000 had either voluntarily departed or been deported from Iran by the end of 2001.

Separate from the refugee-screening procedure, BAFIA and UNHCR established a voluntary repatriation program, which facilitated the return of 133,612 Afghans in 2000. Although UNHCR did not continue its participation in the voluntary repatriation program in 2001, the Iranian government facilitated the "spontaneous return" of 143,501 Afghans during the year, of whom some 111,000 returned during the second half of the year. Although these returns were deemed voluntary, diplomatic sources said that the Iranian government's crackdown on illegal employment in 2001 had left many Afghans with little choice but to repatriate.

UNHCR was also unable to screen Afghans slated for deportation in 2001. Although the refugee agency appeared to have reached an agreement with the government early in the year that would have allowed UNHCR staff to conduct refugee-status determinations in detention centers, the Ministry of the Interior ultimately rejected the plan. UNHCR border monitors reported that the Iranian authorities deported 82,000 single Afghan men and 8,300 families during the first six months of the year; most were undocumented and many had been in Iran for less than one year. Iranian authorities reportedly continued to deport, and push back, Afghans during the second half of the year, despite deteriorating security in Afghanistan resulting from the U.S. and Northern Alliance military offensives. Based on reports from UNHCR and others, USCR conservatively estimates that Iran deported at least 120,000 Afghans in 2001.

With the change of regime in Afghanistan late in the year, UNHCR anticipated a large-scale repatriation of Afghans in the spring of 2002, citing 400,000 as its planning figure.

Refugees from Iraq

Iraqi refugees, like Afghans, are dispersed throughout the country, although they, too, are concentrated in areas bordering their homeland. Most have been in Iran since the 1980s, and many were expelled from Iraq purportedly for being of Iranian ancestry. Iraqi Shi'a Arabs congregate along Iran's southwestern border, while Iraqi Kurds are mostly in the northwest.

Iraqis did not have the same opportunity as Afghans in 2000 to submit applications for refugee screening, and no formal procedure existed for undocumented or newly arrived Iraqi asylum seekers to lodge an asylum claim with the Iranian authorities.

During 2001, the governments of Iraq and Iran signed an agreement to facilitate the voluntary repatriation of refugees in both countries. At year's end, it was unclear how the agreement would affect Iraqi refugees in Iran. Some 1,727 Iraqi Arabs repatriated from Iran in 2001, a modest increase from the 1,360 who repatriated in 2000. UNHCR did not promote these repatriations, however, telling would-be returnees that the agency could not monitor or guarantee their safety upon return. Although UNHCR's office in Iraq reported a breakthrough in negotiations with the Iraqi government at the end of 2001 whereby the government agreed to allow the agency to monitor repatriations, the safety of returning Iraqi refugees – and by extension the prudence of promoting returns – remained in doubt at year's end.

An estimated 18,000 Iraqi Kurds returned spontaneously to northern Iraq in 1999 without UNHCR assistance and without passing through government controls. In 2000 and 2001, spontaneous repatriations of Iraqi Kurds to northern Iraq slowed considerably; only 2,277 were known to have returned in 2000, while in 2001 the number dropped once again, to 1,389.

Iranian Rights

The ascendancy of political moderates in parliamentary elections in February 2000 sparked a backlash by hard-liners that continued into 2001, resulting in a crackdown on freedom of expression and other human rights abuses, particularly directed against members of the reformist media, women, and minorities. The backlash continued to dissuade many Iranian expatriates from returning and convinced many Iranians to leave.

Religious minorities, whose numbers have dwindled, remained particularly vulnerable. Members of the Baha'i community continued to be denied the right to participate in religious gatherings and faced official discrimination in education, employment, travel, and housing. According to the UN Human Rights Commission's special representative on Iran, seven Baha'is remained in jail in Iran during the year, including two facing death sentences. Although Iran officially recognizes Jews as a religious minority, some Iranian Jews faced discrimination in education and employment, while others suffered persecution. In August, the UN Human Rights Commission's special representative on Iran reported that

the number of individuals belonging to ethnic and religious minorities emigrating from Iran was estimated to be in the tens of thousands annually.