

Public Statement

26 September 2000

AI Index MDE 13/028/2000 - News Service Nr. 183

Iran: Are returning Afghan refugees properly protected?

Afghan refugees in Iran should not be returned to Afghanistan against their will or where they are at risk of human rights abuses, Amnesty International said today.

"The international community is labouring under the illusion that some areas in Afghanistan are safe for the return of Afghan refugees. This ignores the reality that frontlines change quickly and ethnic tension can flare up at short notice," the organization said.

The recent agreement between Iran and the United Nations High Commissioner for Refugees (UNHCR) to extend current screening procedures for undocumented Afghans in Iran for a further three months is undercut by its short time frame and the lack of resources to adequately implement proper screening.

The Government of Iran, as a party to the 1951 UN Convention relating to the Status of Refugees is prohibited from returning any refugee "in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion."

Tens of thousands of civilians have fled their homes during the recent escalation of fighting in Afghanistan, demonstrating the utter disregard by the warring factions for the protection of civilians and international humanitarian law.

A Hazara refugee family who fled to Iran in July reported an incident in Daresuf, near Mazar-e-Sharif, where the Taleban bombarded a village, set fire to all the houses, and killed some of the inhabitants. Two months prior to this attack, family members reported that members of the Taleban cut the throat of one of their nephews in front of the head of the family. At times ethnic tension and political sensitivities along ethnic lines seem to motivate armed attacks against civilian populations.

Many refugees have also expressed their concern that if they return to Taleban controlled areas of Afghanistan, their girl children will not be able to attend school. The Taleban's rigid social code severely restricts women's right to freedom of movement, employment, health care and education.

Men and women who do not conform to the Taleban's edicts are often sentenced to severe lashings. Those convicted of robbery, often in short trials that do not meet international fair trial standards, have a hand or foot amputated.

Other conditions within Afghanistan also make it difficult for returning refugees. The ongoing regional drought has forced many people living within Afghanistan to leave their homes in

search of food and water in urban areas. According to a recent United Nations report, over 8,000 people have come to Herat from surrounding rural areas because of the drought. The World Food Programme has reported that it will only be able to provide 225,000 tonnes of aid, which is less than a tenth of the 2.3 million tonne food deficit Afghanistan faces.

Afghan refugees who wish to claim asylum in Iran must do so within the period of the latest UNHCR-Iran agreement but Amnesty International fears that they may not have adequate access to screening procedures. Aid workers monitoring the repatriation process say that many refugees cite pressure from the Government of Iran as their reason for returning to Afghanistan. This puts into question whether the repatriation process is voluntary. Over 13,000 refugees have reportedly gone through a parallel repatriation process that bypasses the safeguards established by the joint UNHCR-Iranian government program.

Because the movement of people between Afghanistan and Iran has been associated with an increase in violent crime and the drug trade, some government authorities and politicians in Iran favour their return. However, it is unfair to blame the refugee population for the activities of armed criminal gangs. Amnesty International urges the Iranian government to respect its obligation to refrain from returning refugees to a country in which they may face serious human rights abuses.

The international community should ensure that UNHCR, the Government of Iran, and the Government of Pakistan are provided with sufficient resources to properly support the refugee populations under their protection.

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Last updated : September 26