

UA 350/00

Forcible return of refugees

14 November 2000

PAKISTAN/TAJIKISTAN/IRAN Refugees from Afghanistan

Pakistan, Iran and Tajikistan have closed their borders to refugees fleeing northern Afghanistan, in violation of international law. Almost 80,000 people are fleeing the fighting in the region, and a serious drought has put the population at risk of starvation.

Fighting in Afghanistan's northern Takhar Province has intensified recently, as the Taleban and anti-Taleban alliance fight for control of territory. Civilians are believed to have been targeted in Takhar, causing many more refugees to flee and leaving many others internally displaced. These border closures could have disastrous consequences for Afghans fleeing the fighting and drought affecting this region of the country.

Pakistan closed its North West Frontier Province (NWFP) and Balochistan border to Afghan refugees without valid travel documents late last week. Afghan refugees, who almost never have travel documents, have recently been fleeing to the NWFP in increasing numbers, according to the UN, with almost 30,000 crossing since early September. Over 1.2 million Afghan refugees are now estimated to be living in Pakistan.

Taleban guards are reportedly stopping Afghan refugees at checkpoints on the road from Jalalabad to the Torkham border crossing with Pakistan, reportedly beating many of them. Those without written permission to cross from both Taleban and Pakistani officials are being turned back. Restrictions are particularly applied to families travelling with women.

The Tajik government reportedly closed its border with Afghanistan in mid-September. In early November, Russian-led border guards in Tajikistan reportedly turned back over 100 refugees fleeing the fighting in Afghanistan. Some 3,000 Afghan refugees were reportedly camped on the border at the time, apparently hoping to flee to Tajikistan.

In May, the Iranian parliament voted to close, in principle, its border with Afghanistan, supposedly to prevent drug-smuggling. Iran has repatriated over 60,000 Afghan refugees since 8 April, under a voluntary program, jointly implemented with the UN High Commissioner for Refugees (UNHCR). Amnesty International has called on the Iranian government to ensure that all returns are indeed voluntary and properly screened. Over 1.4 million Afghans are estimated to be living in Iran.

BACKGROUND INFORMATION

The Taleban, who now reportedly control over 90% of Afghanistan, are fighting for control of the rest of the country with the anti-Taleban alliance, which is composed of former Mujahideen, the Islamic guerillas who fought the occupying Soviet army from 1979 to 1989.

More than a fifth of Afghanistan's population - over six million people - have been forced to flee the country since 1979. Many returned in anticipation of peace in 1992, when the pro-Soviet government collapsed, but with the continuing armed conflict and the deteriorating human rights situation in the country many have chosen not to return. Numbering over two million, Afghans are the largest single refugee group in the world.

Under international law, Pakistan, Iran and Tajikistan are obliged not to forcibly return anyone to a country where they would be at risk of serious human rights violations. Such forcible return is also a violation of the principle of *non-refoulement*, which is binding on all states. Under this principle, countries are obliged to keep their borders open and afford protection to refugees, even when refugees are entering in large numbers.

Amnesty International notes that the governments of Pakistan, Iran and Tajikistan have provided assistance to large Afghan refugee populations for many years, often at great cost. For the past few years the international community has not provided enough economic assistance to support the refugee populations in host countries and those at risk of displacement within Afghanistan. In October, the World Food Programme announced that it had received only half of the food aid it needs from donor countries to continue its life-saving activities for the three million Afghans most affected by drought.

Amnesty International has repeatedly called on the international community to fulfil their obligation to give host countries the economic assistance they need to support and protect the large and growing Afghan refugee populations.

RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in English or your own language:

- urging the governments of Pakistan, Iran and Tajikistan to uphold their responsibilities under international law not to turn back or forcibly return refugees to Afghanistan, where they would be at risk of serious human rights abuses;
- urging these governments not to close their borders to Afghan refugees, whom they are obliged to admit under international law;
- calling on the director of the Federal Border Guard Service of the Russian Federation to ensure that the Russian border guards stationed in Tajikistan do not stop or forcibly return refugees attempting to seek protection in Tajikistan.

APPEALS TO:

A. SATTAR
Minister of Foreign Affairs
Ministry of Foreign Affairs
Constitution Avenue
Islamabad
PAKISTAN

Telegram: Foreign Minister, Islamabad, Pakistan
Fax: + 92 51 9207217 (It is often very difficult to send faxes to Pakistan, and may take several attempts)

Salutation: Dear Minister

Imamali Sharipovich RAKHMONOV
President of the Republic of Tajikistan
Respublika Tajikistan
g. Dushanbe
pr. Rudaki 80
Apparat Prezidenta Respubliki Tajikistan
Prezidentu RAKHMONOVU I.Sh.
TAJIKISTAN

Fax: + 992 372 21 25 20 (This number is very difficult to obtain)

Salutation: Dear President Rakhmonov

Col. Gen. Konstantin TOTSKIY
Director of the Federal Border Guard Service of the Russian Federation
Rossiyskaya Federatsiya
101000 g. Moskva
ul. Lubyanka, 3
Federalnaya pogrannichnaya sluzhaba Rossiyskoy Federatsii
Direktoru TOTSKOMU K.
RUSSIAN FEDERATION

Salutation: Dear Colonel General

Hojjatoleslam Abdolvahed Musavi-Lari
Minister of the Interior
Ministry of the Interior
Dr. Fatemi Avenue
Tehran, Islamic Republic of Iran
Telegrams: Interior Minister, Tehran, Iran
Salutation: Dear Minister

COPIES TO: diplomatic representatives of Pakistan, Tajikistan and Iran
accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 25 December 2000.