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LAND CONFISCATION AND POPULATION TRANSFER - APPEAL CASE IRAN: THE CASE OF THE AHWAZI ARABS

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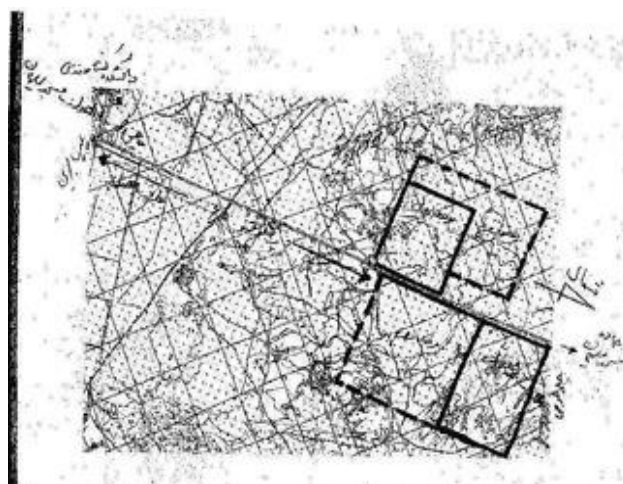
Much of the Arab minority in Iran lives in the strategically-important oil-producing Khuzestan province in southern Iran (known as Ahwaz by the Arab community) which adjoins Iraq and this Arab minority is believed to constitute between 3 and 8 per cent of the total population of Iran. Historically, the Arab community has been marginalized and discriminated against in various ways including through restrictions on access to employment, to adequate housing, social services, and education, and denials of their right to equal participation in cultural activities.

Expropriation of land belonging to or occupied by members of the Arab minority is reportedly so widespread that it appears to amount to an unofficial policy aimed at dispossessing Arabs of their lands. This is linked to measures such as zero interest loans for land, not available to Arabs, which encourage or facilitate the relocation of non-Arabs to Khuzestan.

According to an open letter, dated 26 April 2005, addressed to former President Khatami by Jasem Shadidzadeh, a former member of the Majles (Iran's parliament) for Khuzestan province who was banned from standing in the 2004 elections, alleged that more than 120,000 hectares of Arab lands had been confiscated for use in the government's "Sugar Cane Development Plan", established in the 1990s. In addition, around 47,000 hectares of Arab farmland in the Jofir region has reportedly been confiscated under the Isargaran Agricultural Development Plan and given to non-Arabs, including the families of members of the security forces. The Shilat Corporation (a state-owned fisheries company) has reportedly received a further 25,000 hectares, and 6,000 hectares were reportedly confiscated under directives from the Ministry of Agriculture and the Revolutionary Guard Corps in order to resettle non-Arab veterans of the Iran-Iraq war. Much or all of this land has reportedly been expropriated without consultation or adequate compensation and as such amounts to forced eviction which is prohibited under international

human rights law.

Many of those displaced have ended up in overcrowded shanty towns in Ahvaz city, without adequate access to sanitation or clean water. Over 15,000 other Arabs reportedly dispossessed from their farmlands by the military during the Iran-Iraq war have been resettled in an area known as "Martyr Beheshti" near Mashhad in the north-eastern province of Khorassan and have not been able to return since. However, in September 2004, the government began a large project to resettle Iranians from other provinces into Khuzestan province. New towns established under this scheme include the Ramin-2 Township to the south and Shirinshah to the north of Ahvaz city which are planned to take 550,000 settlers between them. These schemes are not available



to the local Arab population, nor are the zero or low-interest loans which are offered to non-Arab Iranians as an incentive to move there.

An official announcement believed to date from January 2006 by the Iranian authorities states: *"The new company that oversees the new city of Ramin (outside Ahwaz) in accordance with the article 2 of the law cited below, and other laws pertaining to the purchase and confiscation of lands for building cities and other military and civilian developments, (Law No. 1358/11/117), ... is planning to expand the first phase of the new*

city of Ramin, and needs to take over and possess parts of the area of Sanicheh and Jali'ah, Plot Nos. 29 and 42 of Zone 5 of Ahwaz, in accordance with the attached layout [pictured].

"Therefore, this announcement will be published only twice in one month, to inform the owners of the said properties, who must respond within 15 days from the publication of this announcement, with their ownership documents, to this location, for the submittal (relinquishment) of their properties to us. Attend the office of this company located in Kianpars corner of Sixth Street West, 2nd floor.

"If owners do not visit the office, the expropriation and confiscation will continue to take place according to the law."

In an interview following his visit to Iran in July 2005, the UN Special Rapporteur on the Right to Adequate Housing highlighted his concern over the effects of these large development projects, which were leading to "the displacement of entire villages - with thousands of people not consulted on the projects, informed of the impending displacement, nor offered adequate resettlement and compensation". He also questioned the government's policy of bringing in people from other provinces and asked why the jobs and houses allocated for them could not be allocated to the local population.

In October 2005, a letter came to light, dated 9 July 2005, in which the Arvand Free Trade Zone Organization outlined plans for the confiscation of 155 km², including Arab land and villages, to provide for the establishment of the Arvand Free Trade Zone between Abadan and the Iraqi border. All those living within this area will have their land confiscated. Thousands of Arabs living on this land will be affected.

As illustrated by the case of the Ramin-2 township referred to above, under Iranian law, no challenge can be made to such confiscations, only to the amount of compensation offered, which in some schemes is reported to have been as little as one fortieth of the market value.

In January 2006 Naser Kermani, the director of Iran's Customs Service, reportedly told the Khuzestani newspaper *Hamsayeha* (which has subsequently been closed down by the authorities) that the Arvand Free Trade Zone could be physically separated from the rest of Iran in order to prevent people and goods from entering the area, and announced that a bill had been submitted to the *Majles* to this effect.

Background

Tension has mounted among the Arab population since April 2005, when scores of Iranian Arabs were killed, hundreds were injured and hundreds more detained during and following demonstrations. The demonstrations were undertaken in protest at a letter which came to light allegedly written in 1999 by a presidential adviser, who denied its authenticity. This appeared to set out policies for the reduction of the Arab population of Khuzestan, including resettling Arabs in other regions of Iran, resettling non-Arabs in the province, and replacing Arabic place names with Persian ones. The text, with an English translation, can be found at <http://www.ahwaz.org.uk/images/ahwaz-khuzestan.pdf>; The reputed author's denial that he wrote the letter, along with an explanation of the contents, can be found (in Persian) at <http://www.webneveshteha.com/>.

The security forces appear to have used excessive force in stopping the demonstration resulting in unlawful killings, including possible extra-judicial executions. Following the unrest, 180 members of the *Majles* (Iran's Parliament) wrote to the then President, Mohammad Khatami, urging the release of detainees who were found not to have committed any crime and criticizing officials who had not taken sufficient measures to address the socio-political problems of Khuzestan. They also called for civil rights to be respected.

Since then, the cycle of violence has intensified in the province. Scores of Arabs were arrested following four pre-election bomb blasts in Ahvaz and two others in Tehran which killed up to 10 and injured at least 90 people. Other bombs in October 2005 and January 2006 killed at least 12 people and were followed by waves of arrests. Arrests have also followed demonstrations on significant occasions such as the Muslim festivals of 'Id al-Fitr and 'Id al-Adha. Amnesty International has received the names of around 500 Iranian Arabs detained since April 2005, some repeatedly, although the true number of detainees is likely to be much higher. Two men, Mehdi Nawaseri and Ali Awdeh Afrawi, were executed in public on 2 March 2006 after they were convicted of involvement in the October bombings. Their executions followed unfair trials before a Revolutionary Court during which they are believed to have been denied access to lawyers, and their "confessions" were broadcast on television. Others are also feared to be at risk of execution.

Amnesty International recognizes that there have been acts of violence in Khuzestan province which

have led to injuries and deaths among the civilian population and it recognizes that the Iranian government has a responsibility to bring to justice those who commit crimes; when doing so, however, the Iranian authorities must abide by relevant international human rights law and standards.

International Standards

Iran is a state party to the International Covenant on Economic, Social and Cultural Rights (ICESCR), as well as to the International Convention on the Elimination of Racial Discrimination (ICERD), which require the immediate prohibition, and steps towards the elimination, of discrimination based on race, in the realization of economic, social and cultural rights.

Forced eviction, that is the “*permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection*” has been declared a gross violation of a range of human rights, including the right to adequate housing by the UN Commission on Human Rights (resolution 1993/77). The Committee on Economic, Social and Cultural Rights has stated in relation to Article 11(1) of the ICESCR, which provides the right to adequate housing, that forced evictions from a place of habitual residence without consultation, due process or assurance of adequate alternative accommodation are prohibited.

RECOMMENDED ACTION

Please send faxes/ e-mail letters in Persian, Arabic, English or French:

- calling on the Iranian authorities to cease any practice of forced evictions: that is evicting people from land or housing without consultation, due process of law, and assurances of adequate alternative accommodation. Any evictions or land expropriation must be in conformity with international law;
- calling on the Iranian authorities to immediately end any policy with the purpose or effect of coercing members of Arab or other minorities to become internally displaced;
- reminding the Iranian authorities of their obligations under the ICESCR and the ICERD to respect and protect the housing rights of the whole population, including persons belonging to minorities, and to prohibit and take steps towards the elimination of discrimination against minorities, and the achievement of equality in the realization of human rights.

PLEASE SEND YOUR APPEALS TO:

Leader of the Islamic Republic

His Excellency Ayatollah Sayed 'Ali Khamenei,
The Office of the Supreme Leader
Shoahada Street, Qom, Islamic Republic of Iran

Email: info@leader.ir

istiftaa@wilayah.org

Salutation: Your Excellency

President

His Excellency Mahmoud Ahmadinejad
The Presidency, Palestine Avenue, Azerbaijan
Intersection, Tehran, Islamic Republic of Iran

Fax: Via foreign affairs: +98 21 6 674 790 and ask to be forwarded to H.E Ahmadinejad

Email: dr-ahmadinejad@president.ir

via website: www.president.ir/email

Salutation: Your Excellency

Speaker of Parliament

His Excellency Gholamali Haddad Adel
Majles-e Shoura-ye Eslami
Imam Khomeini Avenue,
Tehran, Islamic Republic of Iran

Fax: + 98 21 6 646 1746

Minister of Agricultural Jihad

His Excellency Mohammad-Reza Eskandari
Ministry of Agriculture
Keshavarz Boulevard
Hejab Street
Tehran, Islamic Republic of Iran

Minister of Housing and Urban Development

His Excellency Mohammad Saidi-Kia
Ministry of Housing
60 Bijan Avenue, Vanak Square
Tehran, Islamic Republic of Iran

COPIES TO

Head of the Judiciary

His Excellency Ayatollah Mahmoud Hashemi
Shahrudi
Ministry of Justice, Park-e Shahr, Tehran, Islamic
Republic of Iran

Email: Please send emails via the feedback
form on the Persian site of the website:

<http://www.iranjudiciary.org/contactus-feedback-fa.html>

The text of the feedback form translates as:

1st line: name

2nd line: email address

3rd line: subject heading

then enter your email into the text box

Salutation: Your Excellency

Islamic Human Rights Commission

Mohammad Hassan Ziai-Far
Secretary
Islamic Human Rights Commission
P.O. Box 13165-137
Tehran, Islamic Republic of Iran
Fax: +9821 2204 0541

Governor General of Khuzestan Province

His Excellency Amir Hayat-Moqaddam
The Office of the Governor General
Felestin Street, Amanieh, Ahvaz, Islamic Republic
of Iran
Fax: +98 611 336 7313
Salutation: Your Excellency

