

IRAN

Iran is a state party to the United Nations Convention Relating to the Status of Refugees and its Protocol, as well as to the International Covenant on Civil and Political Rights, but not to its First or Second Optional Protocols. Iran is a party to the 1951 Convention on the Status of Refugees. In 2001, Iran hosted about 2.55 million refugees – the largest number of refugees in any country of the world.¹ Over 2 million of these refugees are from Afghanistan. The remaining refugees in Iran come from Iraq. While it appears that Iran does have some process for giving refugees status, the status is “precarious” and “ambiguous,” according to the U. S. Committee on Refugees.²

There has been a repatriation program for Afghan refugees in Iran. The program is carried out in collaboration with the UNHCR. While some sources show that Afghans are repatriating voluntarily, there is a question as to the extent of autonomy Afghans have in coming to such a decision. It has been reported that Iran Revolutionary Guards have swept Afghan-populated areas in Iran, arresting Afghans and confining them in Camps. This practice has mostly affected single men, but families have also been detained.

During 2002, the Iranian government announced that all recognized refugees would be forced to live in camps,³ although now only a small minority of refugees live in camps and are generally dispersed through out society.

The issues of detention are not paramount in the context of Iran where millions of Afghans and Iraqis enter the country as prima facie refugees, without any refugee determination process. In the exceptional cases of asylum claims from other countries, the UNHCR usually determines refugee status.

Nonetheless, detention does occur, generally with the goal of deportation.⁴ It is unclear how many detention centers exist, but the UNHCR Global Appeal 2002 mentions two detention centers, one in the province of Khorassan and one in Sistan-Baluchistan.⁵

¹ U.S. COMMITTEE FOR REFUGEES, WORLD REFUGEE SURVEY 2002 at 167, *available at* <http://www.refugees.org/WRS2002>. (Immigration and Refugee Services of America 2002) [hereinafter USCR WORLD REFUGEE SURVEY 2002].

² U.S. COMMITTEE FOR REFUGEES, WORLD REFUGEE SURVEY 2001 at 175, *available at* <http://preview.refuges.org/world/worldmain.htm> (Immigration and Refugee Services of America 2001) [hereinafter USCR WORLD REFUGEE SURVEY 2001].

³ *Id.*

⁴ E-mail from UNHCR, to Tasha Lackman, Lawyers Committee for Human Rights (July 29, 2002) (on file with Debevoise and Plimpton). All the answers to the following questions are drawn from this correspondence.

Is there independent review of detention decisions? No.

Are there limits on the period of detention? No.

Although there are no limits, detained Afghans are generally deported within days or weeks of the detention.

Is there periodic review of detention? No.

Is there access to government-funded legal aid? No.

Vulnerable groups: There is no special treatment for children or other vulnerable groups.

⁵ UNHCR Global Appeal, 2002, *Islamic Republic of Iran* at 146, available at <http://www.unhcr.ch/pubs/fdrs/ga2002/irn.pdf> (last accessed Aug. 29, 2002).