



On Palestinian and Afghan Refugees

Interview with Maryam Namazie



The Israeli government has begun a new round of atrocities against the Palestinian people and Palestinian refugees. Please comment on the situation and the International Federation of

Iranian Refugees' (IFIR) position.

Maryam Namazie: The world is witnessing this new round of Israeli government atrocities against Palestinians including the killing of civilians, the razing of homes, arresting men and boys aged 14 to 40, stamping numbers on the arms of detainees, demolishing Yasser Arafat's place of residence, clandestine executions, the destruction of civil infrastructure and the re-occupation of Palestinian territories. While the killing of Israeli civilians by vile Islamic terrorists are equally condemned, the Israeli government is directly and

firstly responsible for pushing the region to the brink of an all-out war because of its occupation of Palestinian territories. Its unbridled assaults and its denial of a Palestinian state are playing into the hands of Islamic terrorist groups and states like the Islamic Republic of Iran and providing recruitment grounds for them.

Clearly, this carnage similarly affects Palestinian refugees residing in the territories, namely over 600,000 in the West Bank and nearly a million in the Gaza Strip. [These refugees are all those and their families who lost their homes during the Arab-

Israeli wars.] On 21 March, for example, the Israeli government attacked a refugee camp in the Gaza Strip, killing 100 and wounding over 500. Several days ago, it attacked Jenin refugee camp in the West Bank, killing 6. During this time, the Israeli government has shelled numerous refugee camps. There is no electricity, water and a serious shortage of food. There is a curfew in some of the camps. Thousands of refugees are trapped. They are being shot at if they attempt to venture outside. Even UNRWA (UN Relief Works Agency) staff

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In Defence of Refugees in Turkey

Open Letter to the UNHCR - Turkey

April 4, 2002

Mr. Mirza Hussein Khan
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Dear Mr. Mirza Hussein Khan:

I am writing to you on behalf of the International Federations of Iranian and Iraqi Refugees to express our serious concern over the

United Nations High Commissioner for Refugees' (UNHCR) treatment of Iranian, Iraqi and Afghan refugee claimants. As you know, the two organisations have begun an international campaign since end-February to highlight our concerns and push for legitimate changes in the UNHCR's procedures and practices.

1. Improvement in determination procedures: One of our demands is an immediate improvement in

determination procedures, including the disclosure of the reasons for rejection, increasing the number of appeals and interviews and expediting reviews. At the moment, the determination procedure lacks safeguards which are necessary to ensure full and fair hearings. Refugee claimants are interviewed without any legal assistance or advice and with insufficient information on their rights and the legal framework. Many times, the first interview is the only

opportunity they get to present their claims; despite this, claimants are often not permitted to explain their cases fully with many referring to the determination interview as an interrogation. Even notes taken by UNHCR interviewing officers are not read back to claimants to ensure accuracy.

Once rejected, claimants have thirty days to appeal the negative decision. Since the UNHCR does not give claimants the reasons for their refusal, the appeal is effectively meaningless. Many have their case files closed without even being

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responsible for assisting Palestinian refugees has been shot at and one is still in detention. The situation is intolerable and must end immediately.

The IFIR is initiating a campaign in defence of Palestinian refugees. What are its demands?

The IFIR campaign aims to exert pressure on the Israeli and USA governments and defend the Palestinian people and refugees. Our demands are:

1. An end to the Israeli government war on the Palestinian people and refugees.
2. An immediate withdrawal of Israel from all occupied territories.
3. Condemnation of the Israeli government and the prosecution of Ariel Sharon as a war criminal.
4. Condemnation of the assassination of Israeli civilians by Islamic terrorists.

5. Open borders and the right to asylum for Palestinians seeking protection.

6. A right of return for Palestinian refugees.

7. Recognition of an independent state of Palestine.

The IFIR is calling for the right of return of Palestinian refugees but at the same time is opposed to the Tri-partite agreement recently signed by the UN High Commissioner for Refugees (UNHCR) and the governments of Iran and Afghanistan for the so-called voluntary repatriation of Afghan refugees. Why?

The situation is different because Palestinians were pushed out and expelled while Afghans were forced to flee. Of course, everyone has the right to return back to their homes, including Afghans, if they so choose. But favourable conditions have

to exist for this right to have any meaning. For there to be a meaningful right to return



for Palestinians, an independent Palestinian state has to be established. In Afghanistan, too, conditions must change a lot more before people's return has meaning (that is if they want to return). Conditions in Afghanistan are still unsafe and attacks, lawlessness, fighting between warlords and Islamic groups are rampant. Civil society is non-existent; millions are starving to death. We have all read reports of fathers selling their children in order to feed their families or of people being forced to eat grass. It is under these tragic conditions that the (UNHCR) and the Iranian and Afghan governments have signed a tripartite agreement for the 'voluntary repatriation' of Afghan refugees! The Islamic Republic of Iran has opened 11 'repatriation centres', and plans to 'repatriate' 400,000 Afghans in a year. We are opposed to this agreement and any plans to expel and return Afghans. If people want to voluntarily return, they would do so. The

fact is that millions are staying put in other countries and thousands continue to flee Afghanistan.

In our opinion, there is nothing voluntary about this plan. The Islamic regime has simultaneously called for all 'illegal' Afghans to leave the country in six months and has closed down two border camps (on Afghan side of border) which had been opened for those fleeing the USA-led bombing of Afghanistan. 11,000 Afghans residing in these camps are being told to return home. Clearly, there can be nothing voluntary under such conditions. The UNHCR itself expressed concern that the Islamic regime was deporting Afghans even during the US-led bombing campaign. I believe the term 'voluntary repatriation' is a sterile name for a forced expulsion and deportation program that aims to rid Iran and Pakistan of Afghan refugees. This is nothing short of criminal. The IFIR reiterates its call for open borders for Afghan refugees, the recognition of the right to asylum of Afghans both in the region and internationally and an immediate end to deportations under any name.

Visit IFIR site for latest international refugee news, urgent actions and press releases:

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given a second interview. Those whose case files are closed, can only have them reopened by submitting 'new information'; there is no official procedure for this and those whose case files are closed can be deported at anytime by the Turkish authorities.

A fair determination procedure requires that claimants have complete information on their rights, the framework and procedures, they be given the reasons for their refusal in order to refute the negative decision, and that they have the right to multiple interviews and appeals. This is not the case with the UNHCR in Turkey. The Federations are aware of many refugees who have been rejected and their case files closed as a result of this inadequate determination procedure; many have been refouled to persecution as a result.

The provision of reasons for refusal is instrumental in allowing claimants to defend themselves. A few years ago, the UNHCR agreed to give IFIR and myself such reasons for rejection; as a result nearly all cases we advocated for were granted status. Given the high success rate, the UNHCR ended this soon after. Clearly, the provision of the reasons for refusal and establishing several appeals and interviews with the intervention of refugee advocates will ensure a fairer and more effective determination procedure.

2. *Re-opening and reviewing all closed case files:* In light of the unfair and inadequate determination procedures, we are calling for the reopening and reviewing of all closed case files. To highlight the deficiencies of the current procedures, we are providing a number of legitimate cases refused by your office. A summary of the cases are attached. We urge your office to begin its review with these cases: Eghbal Tabei, Case No: T- 1145, Kurdish Democratic Party of Iran; Naser Mohammadi, Case No: M-6726, Worker-communist Party of Iran; Khosro Afghani, Case No: A-6971, ex-Komala member; Anvar Mohhamadi, Case No: M- 6380, Kurdish Democratic Party of Iran; Hekmat Mohamadi, Case No: M-6410, Kurdish Democratic Party of Iran; Chenvar Mohammadi, Case No: M-6536, Kurdish Democratic Party of Iran; Masoumeh Shahbazi, Case No: S-5670, Worker-communist Party of Iran; Mohammad Darabi, Case No: D-1032, labour activist; Mohamad Jahandideh Case No: J-1402, Worker-communist Party of Iran; Sharareh Shadman Alavi, Case No: S4613, membership in social group of women; Alireza Alizadeh Moghadam, Case No: A-7561, Worker-communist Party of Iran; Shohreh Davari Fard, Case No: D-951, membership in social group of women and ex-political prisoner; Robabeh Derakhshideh, Case No: D-1093, Worker-communist Party of Iran; Sadegh Torab Mostaedi, Case No: T-1338, Worker-communist Party of Iran; Bahar Pourtagi Case No: P-0960, membership in social group of women; Badrolmolok Alahi, Case No: A-7499,

membership in social group of women; Hossein Shadravan Case No: S-5094, Komala; Sharam Jalalizadeh Case No: J-1413, Worker-communist Party of Iran; Babak Divani, Case No: D-1092, Komala; Seamak Afghani, A-6970, Worker-communist Party of Iran; Mansour Jelvezan, Case No: J-1158, Kurdish Democratic Party of Iran; Kamran Farigpour, Case No: F-1211, Komala and Mansor Hanareh, Worker-communist Party of Iran. We also urge the UNHCR to review the following cases at risk of deportation, which have been previously submitted by the International Federation of Iraqi Refugees: Faik Salih Muhammad (S-4737), Tofik Abduljabbar Jalal (A-6921), Saman Kamil Husen (K-2784), Soran Kamil Husen (K-2783), Bahroz Midhat Abdulla (M-6271), Nahro Omer Najim (O-779), Muhammad Ghafour Aziz (G-1550), Rebwar Maruf Arif (M-5770), Izaddin Jalal (J-1273), Fuad Majid Muhammad (M-5165), and Abbas Kakbra Hassan (K-4196).

3. *Provision of basic living and health needs:* While asylum seekers in many Western countries with more advanced standards are given basic living and health assistance, the UNHCR gives none whatsoever to refugee claimants. This is while the Turkish government denies non-European claimants and refugees the right to work and live permanently in Turkey. The non-provision of such assistance means that many live in abject poverty and misery. Even many of those who are recognised after months and years of waiting are denied any financial

assistance. The UNHCR is duty-bound to ensure that claimants and refugees have their basic living and health needs met. Furthermore, international refugee norms require that claimants are housed in areas away from the countries they have fled. Currently, those who have entered Turkey without documents are forced to live in unsafe border towns like Van and Agri where agents of Islamic terrorist states and groups have access to the refugees. We urge the UNHCR to transfer claimants from border areas and provide them with basic living assistance.

4. *Resettlement:* Given that the government of Turkey does not allow non-Europeans to reside permanently in Turkey, is known to deport claimants and even refugees recognised by the UNHCR, and often harasses and abuses refugees, we call for the immediate resettlement of all those recognised by the UNHCR. This includes those Iranians who have fled Iraqi Kurdistan because of the UNHCR's inactivity and the general insecurity there. They too must be resettled by the UNHCR from Turkey and not forced back to Iraqi Kurdistan nor deemed 'IM' (irregular movers who according to the UNHCR should have remained in Iraqi Kurdistan though many have been assassinated there, it is insecure and hundreds have been waiting resettlement for years).

5. *Intervention against*

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deportations: The Turkish government is known to brutalise, abuse and deport claimants and refugees. Most recently, Karim Tuzhali, a refugee refouled from Turkey to Iran, was executed by the Islamic Republic of Iran. 50-year-old Khaled Shoghi, who was forcibly returned from Turkey and arrested in 1997, has been tortured and recently sentenced to death by the Islamic regime in Iran. We know of many cases that were deported, arrested and imprisoned when their case files were closed by the UNHCR. The UNHCR is responsible for the lives of claimants and refugees in Turkey and must intervene to prevent deportations to Iran, Iraq, Iraqi Kurdistan and Afghanistan. We urge the UNHCR to cease collaborations with the Turkish authorities in deportations. There must be an end to deportations to these coun-

tries.

6. - 7. Recognise the right to asylum of those fleeing Iraq, Iraqi Kurdistan, Iran and Afghanistan and deem those countries unsafe:

Given the well-known unsafe and insecure situation in these countries, the gross violations of civil rights, sexual apartheid and the imposition of Islamic laws and customs, we urge the UNHCR to recognise these countries as unsafe and respect the right to asylum of all those fleeing Iran, Iraq, Northern Iraq and Afghanistan, especially women and children. Even if we live in a post-cold war anti asylum period, which deems previously genuine refugees as 'illegal' migrants and 'failed' asylum seekers, the realities of life in these countries and the persecution faced by political opponents, women, children, religious minorities and atheists, rights activists, gays and lesbians,

labour activists, etc. requires that they be granted protection. They are not receiving such protection in Turkey from the UNHCR at this time.

8. Recognise the right to protest: For those who have no lawyers, no access to a meaningful appeal process, no adequate information on their rights, any permanent legal status, and who are living under the constant fear of deportation to persecution, the right to protest becomes critical. The UNHCR denies this right by calling on the Turkish authorities to break up any sit-ins and protests at its offices, have protestors arrested and even deported. We urge the UNHCR to recognise the civil right of refugees and claimants to protest.

While there are many other problems and lack of rights faced by refugees and

claimants in Turkey, the Federations believe that changes in any of the above will seriously improve the status of those who have fled to Turkey from Iran, Iraq, Northern Iraq and Afghanistan. We look to the UNHCR to immediately take measures to address them. Anything less will be a miscarriage of justice.

We look forward to your response.

Sincerely,

Maryam Namazie
Executive Director
International Federation of
Iranian Refugees

CC:

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JOIN CAMPAIGN

Sample Protest Letter

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To Whom It May Concern:

We, the undersigned, condemn the inhuman situation and rightlessness of Iranian, Iraqi and Afghan

refugees and refugee claimants in Turkey and the UN High Commissioner for Refugees' (UNHCR) treatment and performance vis-à-vis thousands of refugees and claimants in Turkey. We demand that the UNHCR 1. Recognise the right to asylum for all those fleeing Iran, Iraq and Afghanistan, especially women and children; 2. Recognise Iraq, Iran and Afghanistan as unsafe countries; 3. Immediately re-open and review all closed case files; 4. Improve the

determination procedures, including the disclosure of the reasons for rejection, increasing the number of appeals and interviews and expediting reviews; 5. Provide basic living and health needs for refugees and refugee claimants and their residence in cities away from the border areas and outside the reach of terrorist agents; 6. Intervene resolutely against deportations. The UNHCR is responsible for the threats to the lives and safety of deportees; 7. Immediately resettle those recognised as refugees to a safe third country, including those Iranians who have fled

Iraqi Kurdistan for fear of their lives and the inactivity of the UNHCR offices in Northern Iraq; and 8. Recognise the rights of refugees and claimants to protest.

Signed: Name, Organisation (if any), Country

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