



Campaign of Terror in Iran Continues

In just past few weeks, dozens of people have been publicly executed by the Islamic regime of Iran. More than 20 others are to be executed in coming weeks. Also, three women have been sentenced to death by stoning. With its renewed terror campaign, the regime aims to push back people's protests by instilling fear in the population at large.

The International Federation of Iranian Refugee (IFIR) is outraged by these most recent acts of state-sponsored murder. IFIR calls on groups

and individuals to condemn the Islamic regime in Iran, and exert pressure on the regime and its supporters, including European governments and the UN Human Rights Commission, which recently failed to censure the regime for its rights violations. The Islamic regime of Iran is responsible for the killings and rights violations taking place in Iran and for the flight of millions of asylum seekers. A precondition for any change in the civil rights situation in Iran is an end to the Islamic regime.

19 More Bodies Found, 9 of them Children

On 30 May, Turkish police recovered the bodies of 19 asylum seekers who had frozen to death in the snow-covered mountains of eastern Turkey after crossing over from Iran. The bodies were found near Caldiran, a town in Van province on the border. 9 of the twenty were children.

Fortress Europe and restrictive measures have left asylum seekers with no choice but to take risky and life threatening routes to reach safety. EU pressure on Turkey and other countries

to further restrict access has turned these human tragedies, including deaths, deportations and arrests, into daily occurrences.

IFIR is saddened by this tragedy and holds anti-asylum governments responsible for these deaths. From Dover to the mountains of Turkey, innocents are dying because of these inhuman policies. We must not allow this to continue. People have a right to safety and protection. Borders must be open to them.

Bogus Arguments for a Bogus Policy *A Critique of UK Asylum Policy*

Maryam Namazie



The UK government is stepping up its war against asylum seekers, with plans to establish accommodation centres, segregate asylum seeking children in separate

schools, expand the program to place more British immigration officials at various airports, tighten visa requirements, establish a new "white list" of "safe" countries and entitlement cards for asylum seekers, and cut the time refugees from war zones are given exceptional leave to remain. There are proposals for bulk removals by the air force, and Ministry of Defence and security services are to be used to help catch "people traffickers" bringing asylum seekers to Britain. Tony Blair

has also proposed to cut aid to countries, like Turkey which fail to stem the flow of so-called 'illegal migrants' to Europe - the catch term for asylum seekers.

While these policies are being labelled new, they are in fact continuations of old policies implemented step by step to further criminalise, isolate, deter and stem the flow of asylum seekers and bring about the demise of the right to asylum which had lost its usefulness after the end of the Cold War. They needed

it then to show they were pro-human rights vis-à-vis an Eastern bloc. They have been dismantling the process since then. In order to justify their policies, they play on people's real concerns about the rise of the far right in parliamentary elections in Holland and France, failed services and schools, and the 11 September tragedy in order to further their policies against asylum seekers. Asylum seekers are being scape-goated for these failed policies and public disillusionment in the system.

A summary look at some of

Continued on Page 2

Bogus Arguments for a Bogus Policy, from page 1

the UK government's rationalisations to legitimise its inhuman policies clearly reveals empty rhetoric and bogus justifications.

* Tony Blair says the UK government is not advocating a 'fortress Europe,' but wants 'some order and some rules brought into the system whereby people come into Europe'. He fails to mention that there is no legal and orderly way asylum seekers can enter Europe, because they've closed all the routes. Anyway, the refugee flow is a spontaneous one and can never become orderly and legal.

* The UK government says it will stop aid to countries which many use as stepping stones to Europe if they do not stem the flow of so-called 'illegal migrants'. The UK government states this is not an effort to stop 'genuine refugees'. The first question this assertion raises is how can they know how many 'genuine refugees' are being forcibly returned if they are detained and deported without being given access to a determination procedure. Right after Tony Blair's threats, the Turkish police arrested hundreds of asylum seekers and deported them back to countries from which they had fled. The aim of all these plans is, therefore, not to protect 'genuine refugees' but rather to 'radically reduce' numbers as they have stated on many occasions. Last year, the UK government and Islamic regime used political pressure on Bosnia. When

'too many' Iranians were using Bosnia as an escape route, the Bosnian government placed visa restrictions on Iranian citizens successfully stemming the flow. Right after visa restrictions were put in place, Iranians were no longer in the top five asylum claimants in Europe.

* According to Blair, these plans will help reduce 'unfounded asylum applications'. The people whose claims he is deeming unfounded, however, are people fleeing real repression and persecution. Many of them are fleeing Iran, Iraq, Northern Iraq and Afghanistan. These countries have been a major source of refugee flow over the past two decades; those fleeing have been among the top asylum applicants in Europe for decades. In the past, many were granted asylum or leave to remain. Today, however, they are deemed 'illegal migrants'. Recognition rates have fallen every year though conditions have not really changed or have even worsened. Recognition rates have a lot to do with relations between EU governments and the repressive regimes as well. For example, 1999 refusal rates for several countries reveal enormous variations depending on the closeness of relations with the Islamic regime in Iran. In the UK in 1999, 50 percent were refused while in Holland 80 percent were refused compared to the US' 11 percent and New Zealand's

0 percent refusal rates of Iranian asylum claims. Recognition and refusal rates depend on political and economic ties with the persecuting regime.

The degree of the UK government's ties with the Islamic regime of Iran can be seen clearly in its reasons for refusal of Iranian asylum claims. In letters we have reviewed, the following reasons (actually fantasies) are repeatedly given to justify refusals:

Reasoning related to flight:

- The Secretary of State states that forged document or non-provision of documentary evidence detracts from the claimant's credibility. (It has always been a recognised international notion that many flee without first obtaining documents and evidence from the persecuting government.)

- The Secretary of State asserts that if the claimant was genuine, s/he would have applied on route. (Once again this casts doubt on the claimant's credibility though this notion has never been part of the determination process.)

- The Secretary of States says that since an applicant stayed two days in Turkey, a signatory to the UN Convention, applicant had an opportunity to apply there, and failure to do so casts doubt on his/her credibility. (He fails to mention that Turkey is one of the only countries in the world that

has reserved a stipulation granting asylum only to European asylum seekers. Also given its proximity to Iran, its brutal police force and policies and the UNHCR's inadequate determination procedures, Turkey is not an option for many.)

Credibility is an extremely important aspect in determination procedures. By using rationalisations that contradict refugee norms and cast doubt on people's credibility, the UK government advances its policy of refusal and deterrence before it even looks at reasons for flight.

Reasoning related to country conditions:

When reviewing the UK government's reasons for refusal based on country conditions, its bias in favour of the Islamic regime and its defence of violations of civil rights based on the racist concept of cultural relativism is glaring. For example:

- The Secretary of State says that there have been considerable improvements within areas of freedom of expression. (This is untrue. The fact that government officials, mullahs or people affiliated with various factions in the regime publish papers does not have anything to do with the state of people's freedom of expression in Iran.)

- The Secretary of State says that in August 1997, a moderate politician Khatami

Continued on Page 3

Bogus Arguments for a Bogus Policy, from page 3

was elected as President. His attempts to introduce reforms continue. The prospect of improvement of the human rights situation has grown stronger since Khatami was elected and Iran appears in the early stages of transition. Khatami plans for a tolerant and diverse society continues to unfold. The Secretary of State having considered the results of the elections is of the opinion that they demonstrate a slow transition from strict Islamic Order to a more tolerant and diverse society that will respect the rule of law and personal freedoms such as freedom of expression. (Firstly, Khatami is part and parcel of the Islamic regime. He has introduced no real reforms and in fact during his presidency, the human rights situation in Iran has deteriorated. In any case, since when are determinations based on future plans and prospects of a persecuting government?) - The Secretary of State notes that the UN Human Rights Commission recognised the expectation of the public for tangible progress in terms of human rights and freedom of expression and efforts within society to make the government accountable for its human rights policies have intensified. (What have people's expectations and efforts got to do with the Islamic regime's persecution?)

- To an asylum seeker whose home was raided to arrest students who wrote and published a clandestine article on the anniversary of the 1999

student protests, it has been noted: your claim is an example of prosecution not persecution. If there are charges outstanding against you and if they were proceeded with on your return, you could expect to receive a fair trial under an independent and properly constituted judiciary. (This even contradicts the UK Home Office's Country Assessment on Iran which states 'the traditional court system is not independent and is subject to government and religious influence. The judicial system has been designed to conform, where possible, to an Islamic canon based on the Koran, Sunna, and other Islamic sources. Article 157 provides that the head of the judiciary shall be a cleric chosen by the Supreme Leader. The head of the Supreme Court and Prosecutor General also must be clerics. The Islamic Revolutionary Courts established in 1979 to try political offences, narcotics crimes, crimes against God, etc. Trials in the Revolutionary Courts, where crimes against national security and other principal offences are heard, have been notorious for their disregard of international standards of fairness. Revolutionary Court judges have acted as prosecutor and judge in the same case, and judges have been chosen for their ideological commitment to the system.')

- In one refusal letter, it had been stated: your home raided and pictures and identification cards were

taken by the police but the Secretary of State does not consider that you would be heavily penalised for owning such materials, other than routine questioning. (Anyone familiar with the Islamic regime knows that torture is routine in questioning.)

- (Of course, torture is not of concern to the UK Home Office.) In one refusal letter of a woman asylum seeker, it states: You received lashes, ill-treatment and were detained for three and a half months. While not wishing to condone any ill-treatment, you were released without being formally charged or tried.

- On one refusal, it says a medical report attesting to the claimant being tortured cannot be accepted as it does not confirm the exact agent which could have caused the alleged injuries sustained.

- Or to one woman who was tortured, it states: When describing your mistreatment in prison you refer to being subjected to activities of tortuous nature such as food deprivation, suspending upside down and daily beatings, yet you claim that you were able to prevent your captors sexually abusing you. Here (suddenly when it suits them) it says: the Secretary of State is aware of the harsh conditions that exist in Iranian detention centres and rape is known to be inflicted. He cannot accept that rape and sexual abuse are regarded as a matter of the inmate's choice and must therefore conclude that you have at best exaggerated your

account.

- To a Kurdish applicant it states that in general, there is no discrimination on grounds of ethnic origin in Iran.

- To a communist and atheist, it states the constitution calls for the respect of human rights of non-Muslims as long as they refrain from engaging in conspiracy or activities against Islam or the Islamic Republic.

- To a claimant who managed to escape a raid on a clandestine meeting, it says, the secretary of state doesn't find it credible that you were the only member of the group who was able to escape when Islamic guards raided the meeting.

- To an asylum seeker who was in a demonstration in which the police attacked demonstrators, it states that he needs to show it was not a random action by individuals and that the police shooting into the crowd was targeted at certain individuals in a discriminatory fashion!

- To a labour activist, it says, the constitution permits assemblies and marches provided they do not violate the principles of Islam. You would often strike; even though you knew that to strike was a crime, you continued to partake in organised strikes. Because you were aware it was a crime, you would have known the consequences and were obviously willing to take the risk.

- To one who had fled after a warrant was issued for his arrest, it says, the Secretary of State considers the fact that there is a warrant out for

Continued on Page 4

Bogus Arguments for a Bogus Policy, from page 3

your arrest due to your involvement in an illegal demonstration to be an example of prosecution not persecution.

- To a woman who faced discrimination because of her sex, it notes that a high level of gender segregation is required in Iran. Several government posts are occupied by women. Given the opportunities that are available to women, albeit in a limited context, the Secretary of State is unable to accept this represents discrimination serious enough. (The situation of women living in a system of sexual apartheid is not serious enough for them.)

- To someone who went into hiding after receiving a summons, the secretary of state believes that if you were summoned and failed to show, the Iranian authorities would have a legitimate reason to be searching for you!

- To someone who was found to have a copy of Salman Rushdie's book, it says, authorities knew you had Salman Rushdie's book, this is prosecution not persecution. You knew the book was banned; you knowingly broke the law of the country. To qualify for asylum, you have to show that either the law doesn't conform to accepted human rights standards or application of law is discriminatory. You failed to demonstrate these points. - To someone working for the equality of women and men, it says that the constitution grants men and women equal rights. This

conforms with Islamic criteria. Article 21 of the Constitution stipulates that the government shall guarantee women's rights in all respects. (It fails to add the rest of the sentence with is 'in conformity with Islamic criteria.')

- To someone who was there when the student dorms were raided, students killed and thrown out of windows, it says: students began fighting with the Basijis, and you were involved in rioting. The Secretary of State believes the authorities needed to act swiftly in order to quell any unlawful disturbances! And the list goes on and on.

Basically, these reasons for refusal support repressive laws, and reject those fighting against them as lawbreakers, criminals to be prosecuted and rioters. It denies people's rights to struggle for change, for an end to repression, and to exert their rights as human beings. Telling Iranians not to oppose inhuman laws because it is illegal is like telling a black South African that s/he shouldn't have opposed racial apartheid because it was the law of the land or like telling a Jew s/he must have abided by Nazi laws because it was illegal not to do so.

Never mind that the situation in Iran and all countries where Islam is in political power is intolerable. Never mind that Shahnaz, Sima and Ferdous B have been sentenced to death by stoning, or that two Iranian asylum seekers who had been

refused status by the Australian government have been arrested by the authorities on their 'return' to Iran and ordered to appear before an Islamic tribunal. Never mind that two other detainees who 'returned' to Tehran disappeared upon their return. One man apparently never left the airport where his family had been waiting for him and the other vanished from his home several days after returning. Or that Karim Tuzhali was executed on 24 January 2002 at Mahabad prison, western Iran. He was a former asylum seeker who was forcibly returned on 20 June 1998. Or that 50-year-old Khaled Shoghi, who was reportedly forcibly returned from Turkey and arrested in 1997, has been sentenced to death. Or that an Amnesty International urgent action issued on 22 May 2002 states that up to 20 'guilty delinquents and mischievous'

people are to be executed in Tehran over the next two weeks. At least 10 people have reportedly been executed since 16 May. Or that girls drowning in a boating accident were left to die because police prevented men from saving them because of sexual apartheid. Or just recently, police arrested 148 people, mostly women, for their involvement in 'moral corruption'...

The UK government is not interested in these facts because its asylum procedures and its current and planned policies have nothing to do with protecting those fleeing such conditions.

To Be Continued..

(The above is the first part of a speech given at the IFIR-UK Branch conference held in London during 24-25 May 2002. Other speakers included Imran Khan, Bruce Burson, Chris Randall, Dashty Jamal and Saeed Arman.)

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

www.hambastegi.org

Editor: Maryam Namazie **Asst. Editor:** Ramin Niakan

E-mail: ifir@ukonline.co.uk

Tel: +44 7730 107 337; **Fax:** +44 8701351303

P.O. Box 27236, London N11, England

www.hambastegi.org