



Iran – Researched and compiled by the Refugee Documentation Centre of Ireland on 5 August 2014

Information on the treatment of rejected asylum seekers returned to Iran.

A document published by the Austrian Centre for Country of Origin and Asylum Research and Documentation, in a section titled “Treatment of failed Iranian asylum-seekers upon return to Iran” (section 5.9), refers to information contained in a German-language report from the Swiss Refugee Council as follows:

“Referring to information obtained from several sources, the Swiss Refugee Council (SRC) describes the authorities’ practice of dealing with returned asylum-seekers as ‘arbitrary’ and ‘unpredictable’. An unnamed Iranian judge is quoted as saying that rejected asylum-seekers returning to Iran are questioned, regardless whether they were politically active in Iran or abroad. According to the judge, they are guilty if they attempted to engage in ‘propaganda’ against Iran, and remain in detention until a verdict has been delivered by a judge. Returning asylum-seekers are thus placed in detention for several days until the police have verified that they had not engaged in any political activities, after which they are released. However, if a person was active politically, whether in Iran or abroad, he or she will be prosecuted and punished (Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD) (September 2013) *Iran: COI Compilation*, p.141)

This section of the document also states:

“The August 2011 report of the Swiss Refugee Council (SRC) mentions the case of a young male Iranian who was transferred from a European country to the Dublin country in charge of processing his asylum claim, from where he was returned to Iran. He was arrested immediately upon his arrival and subjected to ill-treatment in prison. He was waiting for his verdict at time of reporting. In another case, a female asylum-seeker was arrested after her deportation to Iran although she had no political profile. She was reportedly released on bail, with no information available on the charges brought against her.” (ibid, p.142)

An Immigration and Refugee Board of Canada information response, in a section titled “Treatment of Anti-government Activists Upon Return to Iran”, states:

“Several sources indicate that the treatment of anti-government activists who return to Iran is case specific. The Professor of history said that, after the elections, ‘a number of academics in Iran who were fired from their positions based on their political opinion or secularism during the Ahmadinejad period, are now being called back to work’. Corroborating information could not be

found among the sources consulted by the Research Directorate within the time constraints of this Response. In correspondence with the Research Directorate, a representative of the United Nations High Commissioner for Refugees (UNHCR) indicated that UNHCR Turkey is aware of political activists or perceived activists who have been identified through techniques such as photographic screening or interrogation by the authorities upon their arrival at the Tehran airport from abroad. The Professor of political science indicated that people 'who are known for their anti-government activities outside Iran are treated harshly' when they return (5 Jan. 2014). The Director of Small Media similarly indicated that 'if an activist is known to authorities, he or she will most likely be targeted and face prosecution upon return'. The Director cited two recent cases of anti-government activists who returned to Iran and were arrested: one in December 2013 and another one in January 2014." (Immigration and Refugee Board of Canada (20 January 2014) *IRN104730.E – Iran: Treatment of anti-government activists by authorities, including those returning to Iran from abroad; overseas monitoring capabilities of the government (2012-2013)*)

This response also states:

"According to the Director of Small Media, if the activist is not known, it is hard to say how he or she will be treated (14 Jan. 2014). He explained: The risk upon return depends on the visibility of the individual both online and offline. If someone is not visible enough, they may not be at risk, however it is not possible to say that they will not be at risk because often the authorities act rather arbitrarily. Sometimes, even people who are not high profile activists are arrested and prosecuted upon return to Iran for minor political activities that they have done online while being outside of Iran." (ibid)

An article published by All Human Rights for All in Iran states:

"Hamid Babaei was a PhD student at the University of Liege, in Belgium. Shortly, after returning to Tehran to visit his family, he was summoned to the Intelligent Service of Iran for questioning in July 2013. When he refused to cooperate in passing information about Iranians in Belgium he was arrested and transferred to prison. Later, he was charged with 'communicating with hostile foreign governments and spying'." (All Human Rights for All in Iran (9 January 2014) *Iran arrests studying abroad student on charges of spying*)

An Amnesty International urgent action alert states:

"In February 2011, Rahim Rostami, a 19-year-old member of Iran's Kurdish minority who had arrived in Norway as an unaccompanied minor, and whose asylum claim had been rejected by the Norwegian authorities, was forcibly returned by Norway to Iran where he was reportedly arrested. He is believed to still be detained, with bail reportedly having been denied. On 17 February 2011, an article written by a former Supreme Court judge appeared in *Iran* newspaper, a daily paper published by the Iranian government. Referring to existing laws that enable Iran's judiciary to bring charges against Iranians for alleged violations of Iranian law committed while outside Iran, the article stated that failed asylum-seekers could be prosecuted for making up accounts of alleged persecution. On 26 April 2011, *Kayhan* newspaper, which is controlled by the Office of the Supreme Leader, also reported that Iranians

are seeking asylum 'on the pretext of supporting the opposition'." (Amnesty International (7 June 2011) *One Student Activist Released, One Still Held*)

See also Iran Human Rights article which states:

"The Iranian-Kurdish asylum seeker Rahim Rostami, who was deported from Norway in February 2011 and imprisoned upon arrival to Iran, has been released on bail. According to sources Iran Human Rights (IHR) has been in contact with, Rahim Rostami has been charged with 'Contact with alien countries and propaganda against the nation's security'. The sources have said that Rahim Rostami's asylum application and participation in opposition rallies in Norway are the bases for the charges." (Iran Human Rights (19 June 2011) *The Kurdish asylum seeker Rahim Rostami, charged with "actions against the nation's security", released on bail*)

This response was prepared after researching publicly accessible information currently available to the Research and Information Unit within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

References:

All Human Rights for All in Iran (9 January 2014) *Iran arrests studying abroad student on charges of spying*

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European Country of Origin Information Network
Human Rights Watch
Immigration and Refugee Board of Canada
Iran Human Rights
Lexis Nexis
Refugee Documentation Centre Query Database
UNHCR Refworld
US Department of State