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IRAN

<p>Is there a refugee protection program?</p>	<p>Yes. Iran adopted the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, except for Articles 17 (Wage-Earning Employment), 23 (Public Relief), 24 (Labour Legislation and Social Security) and 26 (Freedom of Movement).¹ Iran also adopted its own Regulations of 1963 relating to Refugees (the “1963 Regulations”).²</p> <p>According to Article 2 of the 1963 Regulations, a refugee is identified in the following ways:</p> <ol style="list-style-type: none"> 1. Crossing the border into Iran; 2. Submission of an application while residing outside Iran; 3. Denoting request for asylum and entry into Iran; 4. Submission of an application while residing in Iran requesting asylum <p>If a refugee is identified per number 1 above, the refugee will present himself/herself to the first border guard station, and they will prepare an application on behalf of the refugee.</p>
<p>Who runs any available refugee protection program? Who determines which applicants qualify for refugee protection?</p>	<p>Per the Regulations of 1963, within the Ministry of Interior there is a “Permanent Committee for Refugees” that governs the refugee/asylum program and reviews refugee applications.³</p>
<p>Is the refugee protection program functional? For example, how long does it take for decisions to be</p>	<p>The refugee program appears functional on its face; however, it is unclear how quickly refugee applications are reviewed/granted.</p>

¹ <https://www.refworld.org/docid/46963883c.html>

² <https://www.refworld.org/docid/3f4a23767.html>

³ <https://www.refworld.org/docid/3f4a23767.html>, page 1

<p>issued? What percentage of applications are granted?</p>	
<p>Do refugees have a right to work? A right to education? A right to medical care?</p>	<p>With a refugee card, refugees are provided access to basic services, for a yearly fee of \$12 per year.⁴ Not renewing the refugee card each year may result in deportation.⁵</p> <p>Per Article 7 of the 1963 Regulations, a refugee shall benefit from the rights accorded to Iranian nationals in the following areas:</p> <ol style="list-style-type: none"> 1. Use of medical, cultural and social services; 2. Employment in the fields authorized for foreign nationals and those fields deemed appropriate by the Permanent Committee <p>According to Article 120 of the Laws and Regulations concerning Employment of Foreign Nationals, foreign nationals must obtain a work permit.⁶ According to Article 122, the Ministry of Labour and Social Affairs may issue, extend or renew the work permit of immigrants from foreign countries <i>provided that they have a valid immigration or refugee card</i>, and subject to the written agreement of the Ministry of the Interior and the Ministry of Foreign Affairs.⁷ With a refugee card, a refugee will be given a work permit, provided that:</p> <ol style="list-style-type: none"> 1. According to the information available to the Ministry of Labour and Social Affairs, there are no qualified Iranian citizens with similar specialization who are ready to perform the work in question; 2. The foreign citizen possesses sufficient knowledge and expertise for the job in question;

⁴ UNHCR (2015-2016) Solutions Strategy for Afghan Refugees to Support Voluntary Repatriation, Sustainable Reintegration and Assistance to Host Countries: Islamic Republic of Iran, available at:

<https://www.unhcr.org/539ab62a9.pdf>

⁵ Human Rights Watch (2013) Iran: Afghan Refugees and Migrants Face Abuse, available at:

<https://www.hrw.org/news/2013/11/20/iran-afghan-refugees-and-migrants-face-abuse>

⁶ <https://www.mcls.gov.ir/en/what/laws>

⁷ <https://www.mcls.gov.ir/en/what/laws>

	<p>3. The expertise of the foreign citizen is used to train Iranians with a view to the subsequent substitution of the foreign citizen by a trained Iranian.⁸</p> <p>A work permit may be issued, extended or renewed for a maximum period of one year.</p> <p>Article 7 of the 1963 Regulations also makes the following notes:</p> <ol style="list-style-type: none"> 1. Refugees do not have the right to participate in political or union activities 2. A refugee may carry out religious ceremonies and give religious instructions to children provided they do not contravene the country's public order 3. Refugees will be given the same treatment granted to foreign nationals residing in the country 4. A refugee is free to choose his place of residence subject to observance of the country's laws and security considerations⁹ <p>Documented refugees have access to both primary and secondary public schools as well as literacy training within the national system.¹⁰ As of 2015, undocumented children can also enroll in public schools.¹¹ However, it is unclear how this registration process works in practice for undocumented children (i.e., children without a refugee card).</p>
<p>Are those seeking refugee protection free to live freely or forced to reside in camps?</p>	<p>It appears that refugees are generally able to choose their place of residence.</p> <p>As of 2007, fewer than five percent of refugees lived in camps.¹² Of note, however, is that Iran maintained its reservation to these provisions of the 1951 Convention. The 1963 Regulations provide the Iranian government the ability to restrict the residence of refugees if so desired, stating that "Place of work and residence of refugees shall be determined</p>

⁸ <https://www.mcls.gov.ir/en/what/laws>

⁹ <https://www.refworld.org/docid/3f4a23767.html>, page 2

¹⁰ <https://globalcompactrefugees.org/article/iran>

¹¹ <https://globalcompactrefugees.org/article/iran>

¹² <https://www.refworld.org/docid/46963883c.html>

	<p>in accordance with the directions given by the Permanent Committee”.¹³</p> <p>As noted above, a very small minority of refugees currently live in camps in Iran, but there is always the risk that the country could decide to restrict refugee residences in the future.</p>
<p>Does a grant of refugee protection result in a pathway to permanent status? In other words, can a refugee eventually become a citizen? Is there another form of legal permanent status available for people with refugee status?</p>	<p>Under Article 979 of Articles 41 and 42 of the Iranian Constitution and the Iranian Civil Code (“Iranian Nationality Law”), a person can obtain Iranian nationality if they have reached the age of 18 and have resided in Iran for at least 5 years (whether continuously or intermittently).¹⁴ As of 2019, Iranian law was amended to allow certain children under the age of 18 to apply for citizenship as well.¹⁵</p> <p>Applications for naturalization can be submitted to the Ministry of Foreign Affairs directly or through the Governors or Governors-General. Each application must “be accompanied by identity documents and a certificate ‘from the police stating the period of residence of the applicant in Iran, his clean record, and possession of sufficient property or of employment, which ensures a livelihood.’”¹⁶ If a refugee does not have access to personal identification, this pathway to citizenship may prove difficult.</p> <p>It is unclear whether there is a citizenship pathway specific to refugees, outside of the “regular” process described above.</p>
<p>Does the country offer temporary protections available other than refugee status? If so, what are they?</p>	<p>It is unclear whether Iran provides temporary protections other than the refugee card program – it appears that access to aid is closely tied to legal status, which is mostly provided to refugee card holders.</p>
<p>What, if any, penalties are there for people without</p>	<p>Forced deportation is a significant risk for undocumented refugees (those refugees without a refugee card). 856,793</p>

¹³ <https://www.refworld.org/docid/3f4a23767.html>, page 3

¹⁴ Iranian Nationality Law, Article 979, as seen in <https://statelessjourneys.org/wp-content/uploads/StatelessJourneys-Iran-final.pdf>.

¹⁵ <https://www.unhcr.org/en-us/news/briefing/2020/12/5fc5fecf4/75000-children-iran-gain-nationality-under-new-law.html>

¹⁶ <https://statelessjourneys.org/wp-content/uploads/StatelessJourneys-Iran-final.pdf>

<p>status or people who are denied refugee protection?</p>	<p>undocumented Afghans returned to their country of origin in 2020, of whom 324,779 were deported.¹⁷</p>
<p>What organizations exist in-country that can help displaced people seek available protections? What other organizations in the country may be able to help displaced people access services and rights, even if their mission is not to specifically work with refugees and displaced people?</p>	<p><u>Association for Protection of Refugee Women and Children (HAMI)</u> www.hamiorg.org Facebook No 20, Sepand St, Nejatollahi (Vila) St.Taleghani St .Tehran, Iran 1598994711 Tel: +98 21 88912785 Fax: +98 21 88912786 Mobile: +98 91 21 19 87 07 Email: hammiorg@gmail.com / info@hamiorg.org Contact Person: Fatemeh Ashrafi, Executive Director</p> <p><u>International Coalition for the Rights of Iranian Refugees</u> http://missionfreeiran.org/2011/03/07/mission-icrir/ Tel: +1 24 05 95 26 33 Contact Person: Maria Rohaly Email: maria.rohaly@gmail.com</p>
<p>Is there other information that might be valuable for displaced people arriving in that country to know?</p>	<p>Generally, it appears that a refugee’s chances of success in Iran depend significantly on whether the individual is able to obtain a refugee card. For undocumented refugees, the conditions are in “stark contrast to registered refugees, with extreme restrictions on livelihood opportunities and access to education or healthcare, and [are in] constant threat of deportation by Iranian authorities.”¹⁸ Refugees should highly consider whether they have the appropriate materials required in an application for refugee status.</p>

¹⁷ <https://www.acaps.org/country/iran/crisis/afghan-refugees>

¹⁸ <https://www.acaps.org/country/iran/crisis/afghan-refugees>