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**IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 60/251
OF 15 MARCH 2006 ENTITLED “HUMAN RIGHTS COUNCIL”**

**Written statement* submitted by the Organization for Defending Victims of Violence
(ODVV), a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is
circulated in accordance with Economic and Social Council resolution 1996/31.

[27 February 2007]

* This written statement is issued, unedited, in the language(s) received from the
submitting non-governmental organization(s).

Migrants

Despite the expansion of humanitarian instruments, and pressures on countries that violate human rights, we are still witnessing the violation of the rights and the flight of millions of people from their homes and lands terrified of abuse and torture across the world. Due to several reasons host countries are still not able to fulfil their humanitarian commitments, and thus refugees and immigrants constantly are faced with numerous problems.

Afghan refugees in Iran are not exempt to the abovementioned, and despite Iranian governments generosity in giving refuge to these people, alongside the support of the UNHCR, these refugees are still living in uncertain conditions.

For over two decades as a key UN agency, the UNHCR has worked hard alongside the Iranian government to provide valuable services to refugees in Iran, and have proposed solutions to challenges. A number of the solutions that are being pursued by this UN agency and the Iranian government are: 1 – repatriation, 2 – resettlement in Afghanistan, and 3 – resettlement in a third country.

Following the establishment of a central government in Afghanistan and establishment of stability in the country, from 2002 onwards the Iranian and Afghan governments and the UNHCR signed a trilateral agreement for the purpose of voluntary repatriation of refugees back to Afghanistan. This agreement has been renewed each year, and the programme is still continuing as this statement is being written. During this period approximately 65% of Afghan refugees in Iran have been repatriated back to their country, and approximately 920 thousand Afghans are residing in Iran legally, although it is estimated that another one million are living in Iran illegally. Part of the latter relates to individuals that have legally left Iran and have returned to Iran illegally. Figures and studies indicate that on one hand the living conditions due to the lack of land and shelter, lack of employment opportunities, poverty, limited education, health and medical services for those that repatriate, and also the residency conditions of the host country on the other hand such as cuts in UNHCR financial supports alongside the host countries lack of interest in accepting refugees, have all caused problems for Afghan refugees. The reduction in the number of those that repatriate (5000 in 2006) is indicative of the aforementioned claim.

The cut in UNHCR provided funds – in the education sector in particular – on one hand, and the refugees' refusal to repatriate on the other hand, has resulted in the establishment of unofficial and self-governed Afghan schools in Iran; and this has seriously jeopardised Afghan children's right to education. Although in a series of agreements made recently, with the payment of fixed fees legal Afghan refugees can attend Iranian schools, but in view of the low income rates among the refugees population, despite the low rates for the fees, most refugees are financially incapable of paying, and therefore their children are deprived of education. Afghan refugees in Iran are faced with further problems due to a cut of over a half of medical aid. Although these measures have been taken to encourage further repatriation of the refugees, but in view of the difference in living standards in Iran and Afghanistan, resulting in refugees lack of interest in returning to their country, these types of policies do nothing but directly make Afghan refugees suffer, with no positive outcomes.

One solution in solving refugees' problems is to absorb them in the host countries. And this has not been realised in Iran due to the social and security structure, and this has not been practical. Currently despite being born in Iran, the majority of Afghans in Iran are denied Iranian citizenship. These individuals – who are in a word stateless – have no identity, where on one hand the Iranian society is not willing to absorb them, and on the other hand because of cultural, social and sometimes even linguistic problems, the Afghan community accepts the Iranian society with great difficulty.

Another solution to the refugees' problems is their resettlement in a third county, which due to various reasons such as the sheer volume in demand as opposed to the limitations in accepting refugees, has not been very successful.

Although human societies have always considered the subject of asylum-seeking, and the UN and different countries have adopted numerous resolutions, covenants and declarations in support of refugees' rights, but due to different reasons such as the violation of human rights,, in today's world people are driven from their countries and because of economic difficulties these people are not able to return to their countries. These people have rights and privileges as envisioned by international law, and it is necessary for these people to become aware of these rights so that they can be better protected. In the implementation aspects these supports are not provided fully, and sometimes rights issues are influenced by political issues, and this is why refugees live in terrible conditions in most countries.

In view of the said facts in this statement, the existence of effective and strong international mechanisms in support of refugees is vital. It can be said that all the campaigns that have been conducted in this area (i.e. the Refugees Convention and other international documents), the rights of these vulnerable groups have not been realised. It is necessary for fundamental measures to be taken to reach a sustainable practical solution to refugees' problems. Relevant international bodies should concentrate more on increasing the badly needed credit and aid in Afghanistan, and to monitor the distribution of international aid within the country, and also help build and prepare the infrastructure in Afghanistan for the returning refugees.

One of many solutions in this regard is solving the housing problems, land ownership and employment problems which will inevitably and undoubtedly draw back at least half of the refugees back to Afghanistan.

It is also necessary to create programmes for refugees to be introduced to their rights and responsibilities, because relative awareness of refugees rights will result in refugees defending their rights in a more alert way, and at the same time they will become aware of their legal obligations, so that they do not inadvertently cause an upset in the host country.
