



## RESPONSES TO INFORMATION REQUESTS (RIRs)

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Iran: Exit and entry procedures at airports and land borders, particularly at Mehrabad International airport; identity documents such as birth certificates, and marriage and divorce certificates; incidence of bribery of Iranian border officials to facilitate departure by individuals with fraudulent travel documents or outstanding financial, military or legal obligations, or who are sought by the government for political reasons; the punishment for border officers caught taking such bribes (2004 - February 2006)

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Current information on the above subject was limited among the sources consulted by the Research Directorate. Accordingly, the most recent information available is presented even if it predates the research period.

### **Entry and exit procedures**

In 31 March 2006 correspondence to the Research Directorate, a United Nations High Commissioner for Refugees (UNHCR) official provided the following information based on consultations with UNHCR personnel in Tehran:

Verification of passports and documentation at departure points at land borders and airports is carried out in the last phase of exit procedure. This means that in airports, after the tickets are checked and the luggage is delivered to the airline and before getting into the waiting area for departure, the passports shall be checked by a Disciplinary Forces officer who verifies in [the] NAJA [law enforcement] database whether the passport is fake and whether the person standing in front of the officer is the same person whose name and photo appears on the passport.

The UNHCR official also mentioned that passport verification is carried out in the same way at land borders (31 Mar. 2006).

A report published in 2000 by the Danish Immigration Service provides comprehensive information on the series of checkpoints that individuals exiting the country from Mehrabad International Airport are required to pass through:

On arrival at the airport, passengers show their passports and tickets in order to gain access to the departures area. This is done in order to ensure that the persons concerned have valid passports and tickets for the flight in question.

Passengers then arrive at the first baggage inspection point. All baggage is screened and passengers walk through a metal detector. Passports and tickets are also shown at this inspection point.

Once through the baggage inspection point, passengers proceed to the customs area, where baggage is checked manually. These checks aim to prevent the export of items which may not be taken out of the country. Passports are also shown at this checkpoint.

Passengers then proceed to the airline check-in desks, where they present their passports, tickets and baggage. Once their passports and tickets have been checked, they are issued a boarding pass.

All ticket checks are carried out by representatives of the Iranian national airline, Iran Air.

However, in the case of flights involving other airlines, representatives of those airlines are present, and some of them carry out visa checks at the check-in desks.

After check-in, passengers go upstairs to the first floor. Here they arrive at the last passport checkpoint, which forms the actual exit control. This is where travel documents are examined in detail. Two passport inspectors sit in each passport control booth. Each inspector normally has a separate queue to deal with. Passengers can usually stand in either queue without awaiting further instructions from an official.

Once a passenger reaches the passport inspection booth, he gives his passport to the two passport inspectors. Married couples, however, are dealt with together. In the case of Iranian nationals, the information contained in the passport is checked against data stored in a computer system to which the inspectors have access. The data stored in the computer system cover both Iranian nationals and persons permitted to reside in Iran.

According to the passport inspectors and the Iranian police (LEF), this system indicates whether an individual passenger has any unsettled matters with the Iranian authorities. If so, the person concerned is refused permission to leave Iran. However, a person may be permitted to leave the country even if he has an outstanding matter. In such cases he must present a written order from a judge. Whether an exit permit will be granted depends on the nature of the individual case.

Once all formalities have been checked and found to be in order, an exit stamp is inserted in the passport and the passenger can then continue through to the transit hall, where there are tax-free shops, lounges, etc.

There is another security check as passengers leave the transit hall and walk towards the aircraft.

Leading up to this checkpoint there is one exit for women and one for men. Hand baggage is screened while passengers approach a booth manned by an official. Here passengers are body-searched before continuing on towards the departure lounge.

When the flight is ready to depart, passengers go up to a desk where the airlines check passports and visas and collect boarding passes. Passengers then proceed straight to the aircraft, either via one of the four air bridges located at Mehrabad airport or on buses which ferry them out to the aircraft (Denmark 1 Oct. 2000, 11-12).

With regard to entry procedures, the 2000 report, citing a "high-ranking airport official," noted that upon deplaning, all passengers are checked through "passport control" (ibid., 15). In particular, records of Iranian nationals are verified to determine whether they "have any outstanding business with the Iranian authorities" (ibid.). If found to be the case and an individual is flagged for a "matter to settle with the authorities," then said individual would face one of two actions: arrest or passport confiscation (ibid.). In either case, the Iranian national would need to settle the matter in question with authorities before he or she can be freed or retrieve his or her passport (ibid.).

According to the March 2006 edition of the *Travel Information Manual* (TIM) published by the International Air Transport Association (IATA), the government of Iran can refuse entry to any of the following individuals:

1. nationals of Israel
2. holders of passports containing:
  - a. a visa for Israel (either valid or expired); or
  - b. any data that passenger has been to Israel; or
  - c. indication of any connection with the State of Israel;
3. women not wearing Islamic head cover, scarf, long sleeves or stockings;
4. passengers registered in other person's passport if not accompanied by holder of that passport (TIM Mar. 2006, 226).

Canada and United States (US) government sources outlined a number of difficulties that Iranians who claim dual citizenship could encounter when travelling to and departing from Iran (Canada 27 Jan. 2006; US 25 Aug. 2005a). According to Foreign Affairs Canada's Travel Report,

Canadians with Iranian nationality should be aware that, unlike Canada, Iran does not recognize dual nationality. Dual nationals have to enter and exit Iran using their Iranian passports. When returning to Canada from Iran, dual nationals must carry both Canadian and Iranian passports, as airlines require a Canadian passport. The Embassy of Canada's ability to assist dual nationals is very limited. Naturalized Canadians who are Iranian by birth should be aware that Iranian authorities could take an interest in them for reasons related to politics, security, property, or professional background. The following problems have occurred:

- a. If a dual national enters Iran with a transit pass issued by an Iranian embassy abroad, it may take anywhere from one to 12 months to obtain an Iranian passport to exit Iran or return to Canada.
- b. If a male dual national has not completed his Iranian military service, he will be required to do so. Iranians who reside outside Iran are temporarily exempted from military service while abroad and are permitted to visit Iran once a year for a period limited to three months. Dual nationals ignoring this limitation may be prohibited from leaving Iran.

- c. Iranian immigration authorities have been known to confiscate the foreign passports (including Canadian) of Iranian dual nationals.
- d. Canadian women married to Iranian nationals who register their marriage with the Iranian authorities (e.g., the Iranian Embassy in Ottawa) automatically become Iranian citizens and are deemed to be Iranian citizens according to Iranian law, even if they travel to Iran on a Canadian passport with an Iranian visa. Iranian immigration authorities often impound the Canadian passports, particularly those of women who intend to reside in Iran. Women who are considered to be Iranian by marriage must have their husband's permission to travel and to leave Iran, even if they intend to use their Canadian passport.
- e. Canadian children whose father is an Iranian national may also face difficulties while in Iran (e.g., according to Iranian law, children of a male Iranian national, including Iranian/Canadian dual nationals, are in the sole custody of their father). The father's permission is required for the children to leave Iran.
- f. Iranian authorities sometimes place an observation in Iranian passports limiting the bearer to one trip to Iran per year. Dual nationals using an Iranian passport to enter Iran should take note of this limitation as it will be strictly enforced. Canadians who have exceeded this limitation have been prohibited from leaving Iran, separating them from their family in Canada. This situation seems to be more frequent for dual nationals who have not completed their military service in Iran (Canada 27 Jan. 2006).
- g. The US Department of State's Consular Information Sheet corroborates much of the preceding information, noting that "US-Iranian dual nationals have in the past been denied permission to enter/depart Iran documented as US citizens and have had their US passports confiscated upon arrival, unless they have renounced their Iranian citizenship" (25 Aug. 2005a). However, the US Department of State also acknowledges that the practice of confiscating US passports has diminished "in recent years" (US 25 Aug. 2005a).

On the general issue of entry into Iran, a December 2004 report by the United Nations Special Rapporteur on the human rights of migrants noted that the government of Iran claimed to have taken steps to address the situation of Iranians wishing to return to the country (UN 23 Dec. 2004, IV, para. 43). One such measure was the government's decision to allow citizens to purchase three-month exemptions from their military service obligation, which 30,000 Iranians had reportedly benefited from (*ibid.*, para. 44). Moreover, a reported 11,440 individuals had taken advantage of an "amnesty decree...for all Iranians who had left the country illegally in the past" (*ibid.*). Efforts to reintegrate returnees apparently included the restoration of seized family properties and the provision of financial grants (*ibid.*).

### **Identity documents**

The US Department of State's Reciprocity Schedule, published in August 2005, only provides information about marriage and divorce certificates, and the Shenashnameh identity certificate (25 Aug. 2005b). Specifically, marriage and divorce certificates are administered by notary publics (Daftare Asnade Rasmy) assigned by the Ministry of Justice's Bureau of Affairs concerning documents (Eiarech Ommor Asnad) (US 25 Aug. 2005b). Proxies cannot be used to obtain marriage or divorce certificates (*ibid.*).

With regard to the divorce process, the Family Protection Court (Dadgah

Hemayat Khanevadeh) is the institution that makes determinations as to whether a couple is able to "reside together successfully" (ibid.). If the court rules that a couple can no longer live together, then a Certificate of Incompatibility (Madrak Adam Sazesh) is issued, which in turn is used to obtain a divorce decree from the Marriage and Divorce Bureau (ibid.).

The Shenasnameh identity document, which contains personal information such as date and place of birth and place of residence "[is] issued to Iranian nationals in urban centers by the Department of National Registration and Statistics (Edareh Sabt Ahval va Omar) and in rural regions by district (Bakhsh) offices of the Department" (US 25 Aug. 2005b). However, the US Department of State acknowledged that "certain data, particularly dates and places, may be inaccurate" on a Shenasnameh certificate (ibid.).

Though information on birth certificates was scarce among the sources consulted by the Research Directorate, the Website of the Embassy in Iran in London and that in Paris outlined the application process (Iran n.d.a; ibid. n.d.b). The Website of the Embassy of Iran in London itemizes the following requirements for the "registration and issuance" of a new birth certificate: two application forms, made available on the Website, along with the parents' original passports and birth certificates, as well as a detailed British birth certificate, two passport-sized photos (if the child is over two years old), and payment of a UK£10.00 [CDN\$20.02 (Bank of Canada 10 Mar. 2006)] fee (Iran n.d.a).

The Website of the Embassy of Iran in Paris outlines various administrative services related to birth certificates, including birth certificate issuance for children, and "issuing a duplicate of a lost birth certificate," and "translation of a birth certificate." (Iran n.d.b). The requirements for obtaining a child's birth certificate are similar to the process outlined above, however the Website of the Embassy of Iran in Paris does not list the presentation of the parents' passports as a requirement to obtain a birth certificate (Iran n.d.b).

### **Bribery and punishment of border officials**

Based on consultations with UNHCR's office in Tehran, a UNHCR official provided the following information in 31 March 2006 correspondence:

It may happen in practice that individuals who have fraudulent travel documents, or outstanding financial, military or legal obligations, or who are sought or under suspicion by the government for political reasons resort to pay [ing] bribes to the Iranian border officials to pass through the control system unharmed. The higher the risk, the more they pay.

In particular, the UNHCR official noted that bribery was more common in the south-eastern provinces of Sistan and Baluchistan (31 Mar. 2006).

This information was partially corroborated in a June 2001 report of the 7th European Country of Origin Information Seminar, which claimed that "corruption certainly exists" in Iran and that bribery of airport officials to facilitate exit may be possible "in individuals cases" (UNHCR/ACCORD 11-12 June 2001, 107). On the other hand, the same report stated that

departure procedures are still such that it would be highly improbable that anyone with a forged passport in which name and number do not tally would be

able to leave the country. Security officials at the airport possess lists of suspected or wanted persons and it is not unusual that passengers wishing to leave are prevented from leaving and told to refer to the security department. In general, the security checks at Tehran airport are still very strict and it is doubtful that anyone with a security record and convictions in Iran for political offences would be able to leave the country legally by air (ibid.).

Regarding punishment for corruption, the UNHCR official stated that "border and airport officers who are caught red-handed at the time of taking bribes shall be subject to punishments that become more serious depending on the amount of the bribe" (31 Mar. 2006). For example, individuals found guilty of taking bribes of more than rials 1,000,000 (CAN\$128.18 [XE.com 3 Apr. 2006]) can be sentenced 5 to 10 years in prison, fined an amount commensurate to the bribe received, be permanently banned from working for the government, and be subjected to 74 lashes (UNHCR 31 Mar. 2006).

The *International Narcotics Control Strategy Report 2006* reported, without providing details, that "punishment of corruption can be harsh" (Mar. 2006).

International and domestic sources have reported on the incidence of generalized corruption in Iran (TI 18 Oct. 2005; ibid. 7 Oct. 2003; *INCSR 2006* Mar. 2006; *Iran Daily* 13 Apr. 2005). Transparency International's Corruption Perceptions Index (CPI) score shows a slight increase in the perception of corruption in Iran from 2003 to 2005: Iran's CPI was 3.0 (out of 10.0, which is the score representing the least corruption) and its overall country ranking was 78 (out of 133 countries) in 2003 (TI 7 Oct. 2003), whereas a CPI score of 2.9 and a country ranking of 88 (out of 158 countries) was recorded in 2005 (ibid. 18 Oct. 2005).

The US Department of State's *International Narcotics Control Strategy Report 2006* noted that corruption in relation to drug trafficking is reportedly more serious than previously thought and that such corruption likely exists among lower to mid-level law enforcement authorities (Mar. 2006, Sec. III). The report also mentioned that cases of corruption were heard by the courts and received media attention, and that the government supports such "high-profile effort[s]" to deter corruption (*INCSR* Mar. 2006, Sec. III).

In April 2005, *Iran Daily* reported that economic corruption, specifically illegal smuggling of goods, had increased "in recent years," and outlined the government's efforts to contain the problem, which include the drafting of legislative measures (13 Apr. 2005).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

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#### Additional Sources Consulted

**Oral sources:** The following sources did not respond or could not provide information within time constraints: Embassy of the Islamic Republic of Iran in Ottawa, International Organization for Migration (IOM), Interests Section of the Islamic Republic of Iran, Embassy of Pakistan, Iran Human Rights Documentation Center (IHRDC), and the Iranian Refugees' Alliance.

**Internet sites, including:** Amnesty International (AI), Derechos Human Rights, Embassy of the Islamic Republic of Iran in Ottawa, European Country of Origin Information Network (ECOI), Factiva, Fédération internationale des ligues des droits de l'Homme (FIDH), Freedom House, Human Rights Watch, Interests Section of the Islamic Republic of Iran in the Embassy of Pakistan, International Federation of Iranian Refugees (IFIR), International Organization for Migration (IOM), IranAir, Iran Aseman Airlines (IAA), Iranian Civil Rights Committee (IranCRC), Iran Human Rights Documentation Center (IHRDC), Iran Mania, Iranian Refugees' Alliance, Islamic Republic News Agency (IRNA), Migration Information Source, Student Movement Coordination Committee for Democracy in Iran (SMCCDI), United Kingdom (UK) Immigration and Nationality Directorate (IND), UNHCR, World News Connection (WNC).

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