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Iran: The passport; its features and procedures for application including whether an applicant who was refused a passport would be notified and have recourse; the use and prevalence of fraudulent or counterfeit passports to exit Iran; ease of illegal entry into and exit from Pakistan, Turkey, and Azerbaijan overland, and Oman and the United Arab Emirates by sea; whether authorities seize passports from certain individuals to prevent their departure from the country (2004 - February 2006)

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Current information on passports 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.

Passport features and procedures

In a 2 February 2006 telephone interview, an official at the Embassy for Iran in Ottawa provided the following information about Iranian passports. Depending upon the volume of demand, it takes approximately one month to obtain a passport after the application has been made. Passports are valid for five years. In order to obtain a passport, it is important for the applicant to have a birth certificate. The applicant must apply for and pick up their passport in person.

The official could not provide information regarding the security features of an Iranian passport (Iran 2 Feb. 2006).

In 31 March 2006 correspondence to the Research Directorate, a United Nations High Commissioner for Refugees (UN) official also stated that an applicant must apply for and pick up their passport in person. However, in exceptional circumstances, such as serious accidents or illness, the applicant may send a proxy with written permission to pick up his or her passport (UN 31 Mar. 2006).

Regarding whether or not an applicant who was refused a passport would be notified, the UNHCR official explained that, according to Article 17 of the Passport Act, he or she would be informed in writing of this decision (ibid.). Reasons for rejecting a passport application could include "refusal to pay taxes, commission of a crime and existence of evidence showing that the perpetrator of the crime might [try to] leave the country, political reasons, etc." (ibid.). Recourse available to applicants generally corresponds to infraction type; for

example, if the individual has avoided tax payment, he or she should clear this matter up with the Taxation Department of the Ministry of Economic and Asset Affairs, while those involved in crimes should report to the corresponding court that sanctioned the "exit prevention" (ibid.). In cases where the refusal is related to political violations, the individual should clear his or her case with the "competent court of justice, the Ministry of Information or other involved Departments" (ibid.).

In a 21 August 2005 Iran Daily news article, the director general of the Iranian Police Passport Department, Colonel Mohsen Sayyadian corroborated the fact that passports are valid for five years. Sayyadian also explained that, since a new application system was adopted, the "turnaround time for passport issuance" had been reduced from fifteen to eight days (Iran Daily 21 Aug. 2005). Moreover, Sayyadian noted that the fee to obtain a passport was rials 205,000 [CAN\$26.07 (XE.com 13 Mar. 2006)] and that "[a]pplications may be submitted to all certified centers around the country regardless of the applicants' place of residence" (*Iran Daily* 21 Aug. 2005).

The 2000 report of the Danish Immigration Service's fact-finding mission to Iran provided the following information about passport procedures within the country (Denmark 1 Oct. 2000, Sec. 2.1). The Iranian police force, the Law Enforcement Forces (LEF), is the passport issuing authority in Iran and has nine passport offices in Tehran as well as forty-nine others in cities across the country (ibid.). To apply for a passport, individuals over the age of 18 years old must appear in person at the LEF passport office, complete and submit an application form and present the required identification documentation (ibid.). While obtaining a passport was more complicated for certain individuals, namely those who had "matters to settle with the Iranian authorities" or married women who must first obtain permission from their husbands in order to apply for a passport, the 2000 report stated that individuals of religious and ethnic minorities did not face any difficulties in obtaining a passport (ibid.).

This information was partially corroborated by the United States (US) Department of State's *Country Reports 2005* which mentioned that while persons of Jewish background were sometimes denied multiple exit permits, they were "permitted to obtain passports and travel outside the country" (8 Mar. 2006, Sec. 2.c). According to *Country Reports 2004*, Baha'is reportedly "often experienced difficulty in obtaining passports," (28 Feb. 2005, Sec. 2.d), although this is not mentioned in the 2005 report (*Country Reports 2005* 8 Mar. 2006).

Fraudulent or counterfeit passports

Based on consultations with UNHCR personnel in Tehran, a UNHCR official stated that, while counterfeit Iranian passports can be purchased rather easily on the black market with prices fluctuating "according to the quality of the counterfeit work," authorities are generally adept at identifying these documents via a "double check" mechanism in the law enforcement database which tracks passport issuance (UN 31 Mar. 2006). Under Article 15(1) of the 1988 amended Passport Act, individuals found guilty of making fraudulent or counterfeit passports face 18 months in prison (ibid.). However, the UNHCR official also added that the "Islamic Penal Code prescribes other punishments for those who are involved in forgery activities" (ibid.). For example, under Article 525(2) of the Islamic Penal Code, anyone caught using a "fake stamp" in a passport can be "subject to one to ten years of imprisonment" (ibid.).

The report of the Danish Immigration Service's 2000 fact-finding mission partially corroborated the preceding information, stating that, according to Iranian authorities at Tehran airport, passport control officers used stringent control procedures and "technical equipment for scrutinizing travel documents in cases of suspected forgery" (Denmark 1 Oct. 2000). In addition, the report stated that passport control authorities at the airport and border areas had been trained to recognize false travel documentation (ibid.).

According to the Citizenship and Immigration Canada (CIC) Passports and Travel Documents training manual, however, "[i]n the past, forged or fraudulent Iranian passports have been abundantly encountered" (Canada 12 Mar. 2003). The CIC manual further advises officers to refer to appropriate enforcement manuals in order to verify suspect passports (ibid.).

In August 2005, the director general of the Iranian Police Passport Department noted that, since the creation of a new passport application system in March 2005, there have been no reports of forged passports (Iran Daily 21 Aug. 2005).

Illegal entry and exit

The UNHCR official in Tehran provided the following information with regard to illegal entry and exit:

It is easier to enter into Pakistan and Afghanistan, due to the fact that Afghans and Pakistanis living in the border regions cross the border easily and continuously. The majority of the population living in the poverty-stricken regions of the South East of Iran resort to lucrative activities such as the smuggling of goods and human beings.

Kurds living on both sides of the border between Iran and Turkey help people to pass across the border. In this case, the fact that Kurds have always been passing through the border and also the difficulty of controlling borders in the mountainous regions of Kurdistan makes the smuggling of goods and people easier for smugglers.

UNHCR has not received any information about moving to and from Azerbaijan, perhaps because such moves are not so prevalent.

As to Oman and the United Arab Emirates, moving from the southern regions of Iran to those countries by using local boats is a long standing tradition. People living on both sides of the Gulf construct their own boats with minimum instruments and use them for their own shipping activities (31 Mar. 2006).

Apparently due to the volatility of the region, travel information Websites strongly advise against overland travel between Iran and Pakistan (Canada 27 Jan. 2006; UK 9 Mar. 2006; Yahoo! Travel Guide n.d.). In addition, the Website of the Lonely Planet travel guide reported that in Iran, "[r]oad travel can be interrupted by roadblocks at any time of year, most frequently on either side of a main city, but occasionally dotted through remote areas near the Pakistan and Afghanistan borders" (n.d.).

For travel by sea, ferries reportedly cross the Persian Gulf to and from the

United Arab Emirates, Bahrain, Kuwait, and Qatar (Yahoo! Travel Guide n.d.). In addition, it is "also possible to travel across the Caspian Sea on an irregular cargo boat between the Azerbaijan capital of Baku and Bandar-é Anzali" (ibid.).

Much of the information about illegal entry and exit from various land and sea borders is drawn from reports about illegal migrant workers (UN 23 Dec. 2004, Para. 12; BBC 8 Sept. 2005) and human trafficking (Trafficking in Persons Report 3 June 2005; Iran Daily 29 Jan. 2006). The 2004 United Nations (UN) Special Rapporteur's report on the human rights of migrant workers noted that,

[o]wing to its geographical location, a number of persons, mainly from Bangladesh, Afghanistan and Pakistan, cross the border to try to settle irregularly in Iran or to transit irregularly through Iran, the main entry points being Balouchistan Province or the Oman sea for those wishing to go to neighbouring Arab States. If caught at the border, the irregular migrants are initially detained by the police in "special camps" or "closed camps" prior to being deported and handed over to the authorities of the country of origin. If caught within Iran, they are brought before a judge and might face a fine prior to being deported (23 Dec. 2004, Para. 12, 7).

Regarding human trafficking, the 2005 *Trafficking in Persons Report* stated that

Iran is a source, transit, and destination country for women and girls trafficked for the purposes of sexual and labor exploitation. Women and girls are trafficked to Pakistan, Turkey, and Europe for sexual exploitation. Boys from Bangladesh, Pakistan, and Afghanistan are trafficked through Iran to Gulf states, where they are ultimately forced to work as camel jockeys, beggars, or laborers. Afghan women and girls are trafficked to Iran for sexual exploitation, and for sexual and labor exploitation in the context of forced marriage (3 June 2005).

The *Trafficking in Persons Report* also mentioned that, despite certain weaknesses, such as limited protection measures for trafficking victims, Iran has taken significant steps to combat human trafficking, especially in the areas of prosecution and prevention (3 June 2005). In 2004, after studying of the situation, Iran passed an anti-human trafficking law, and "signed separate Memoranda of Understanding (MOU) with Afghanistan, Turkey, IOM [International Organization for Migration], and ILO [International Labour Organization]" (*Trafficking in Persons Report* 3 June 2005).

According to a UN Integrated Regional Information Network (IRIN) article, in January 2005, the Iranian government initiated a police operation in which "hundreds" of illegal and legal Afghans migrants were arrested (12 Jan. 2005). Over the two-week period, arrests were made in the eastern cities of Zahedan, Zabol, Mashad and Kerman (UN 12 Jan. 2005). This operation was reportedly part of an overall "campaign aimed at deporting illegal Afghan migrant workers and introducing heavy fines for Iranians who employ them" (ibid.).

In September 2005, Nabiollah Ja'fari, the prosecutor general for the northwestern province of Miyaneh, stated that authorities there had arrested 121 illegal foreign nationals mainly from Bangladesh and Pakistan "who had entered Iran illegally, mostly with forged passports," according to an Iranian news article published by BBC Monitoring (8 Sept. 2005). Ja'fari added that this region was becoming a frequently used travel corridor for illegal migrants travelling to

Europe (BBC Monitoring 8 Sept. 2005). In an effort to curb this trend, Ja'fari stated that increased numbers of LEF personnel had been deployed to monitor roads in the region (ibid.).

In January 2006, Mohammad Ali Rahnama, the director general of police for Foreign Nationals Affairs, stated that authorities had dismantled "nine major human trafficking rings" between March and December 2005 (*Iran Daily* 29 Jan. 2006). Rahnama alleged that the gangs were responsible for forging a number of identification (ID) documents including travel visas and national ID cards (ibid.). Rahnama also stated that, in 2005, "[s]ome 600 Iranian nationals were captured while trying to enter the country with forged documents and identifications" (ibid.). Rahnama then compared this figure to the 426 individuals caught in 2004 for the same offences (ibid.). Rahnama also stated that 236 foreign nationals were detained in 2005 for attempting to illegally enter Iran, a five per cent decrease in comparison to 2004 (ibid.). Rahnama further noted that approximately 90 per cent of the illegal foreign nationals who entered the country without travel documentation were Afghans, while the remainder were from Iraq, Pakistan, and Bangladesh (ibid.).

Passport seizures

The UNHCR official noted that they had received reports of individuals being prevented from leaving the country, most notably "political dissidents" (31 Mar. 2006). In addition to news articles reporting on the seizure of passports of certain individuals wishing to exit Iran (AFP 5 Oct. 2004; ibid. 6 Apr. 2005; IRN News 18 May 2005), Canadian and US government travel advisory Websites acknowledged that authorities occasionally confiscated the foreign passports of Iranian dual nationals (Canada 27 Jan. 2006; US 25 Aug. 2005).

In October 2004, Emadeddin Baghi, leader of the Committee for the Defence of Prisoner's Rights (AFP 5 Oct. 2004; BBC Monitoring 13 Oct. 2004), was detained and his passport confiscated at Tehran airport before he could board a plane to Europe and North America where he had planned to attend meetings with human rights organizations (ibid.; AFP 5 Oct. 2004; BBC Monitoring 4 Oct. 2004). Baghi claimed that the Special Court for Clergy was responsible for the order to prevent his departure, and that in order to retrieve his passport, he would have to approach the court (ibid.).

In April 2005, international news sources reported that authorities had seized the passport of Iranian journalist Rajab-Ali Mazroui to prevent him from attending a conference of the International Federation of Journalists in the Netherlands (AFP 6 Apr. 2005; BBC Monitoring 7 Apr. 2005). Although Mazroui emphasized that "no court has found him guilty of anything" (ibid.), judicial authorities reportedly did not provide a reason for the travel ban (AFP 6 Apr. 2005).

In May 2005, a group of tourists were detained by authorities and ordered to surrender their passports because their visas were "not in order" and the kind of motorcycle the group was riding was illegal in Iran (IRN News 18 May 2005). The tourists were instructed that they could not leave the country until the authorities had completed their investigation (ibid.).

Also in May 2005, a former politician and "outspoken" critic of the ruling administration, Qasem Sho'leh Sa'di, had his passport seized at the international airport in Tehran before boarding a flight to Paris (Iran Press Service 31 May

2005). Sa'di's travel plans had included speaking before the Swedish Parliament and "tak[ing] part in a one-day conference about the situation in Iran" (ibid.).

In July 2005, Abdolfattah Soltani, the lawyer for the journalist and renowned "political prisoner" Akbar Ganji and the family of Iranian-Canadian photographer Zahra Kazemi, was arrested and his passport was seized by judicial officials (AFP 30 July 2005a; ibid. 30 July 2005b). Soltani was apparently arrested by a group of unidentified men "while he was holding a sit-in protest at the Tehran bar building" (ibid.). At the time of apprehension Soltani was reportedly "already the subject of an arrest warrant" (AFP 30 July 2005a).

In December 2005, the Iran Press Service reported that authorities continued to withhold Emadeddin Baghi's passport after it was seized at Tehran airport in 2004 (14 Dec. 2005). This prevented Baghi from leaving Iran to attend a human rights awards ceremony in France where he was going to be recognized for his human rights work (ibid.).

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 (HRW), 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, US Committee for Refugees and Immigrants (USCRI), World News Connection

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