

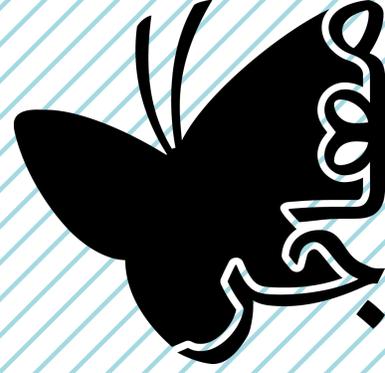
MOHAJER APP SUMMARY REPORT

*2018 - 2019 top reported issues on The Mohajer App:
The app dedicated to Afghans living in Iran*

May 15, 2019



INTRODUCTION



In our first summary we intend to outline and provide advice about some of the prominent issues and questions sent to the Mohajer team which are not currently answered inside the app. Below, we use some particular cases, with their details removed, to demonstrate certain issues and topics we want to address.

Mohajer is an App dedicated to Afghan refugees, migrants and immigrants in Iran, providing information and resources on issues like immigration rights, education rights, employment rights, health, support groups, racist violence, domestic violence, and more. You can also support our documentation and make anonymous reports about domestic violence, institutional violence (e.g. police brutality), racist violence, worker abuse, and other incidents related to your experience as an Afghan in Iran.

The app is available both on iOS and Android:
<http://mohajerapp.com/>.

“For the betterment of the situation of Afghans in Iran we need to familiarise Iranians with Afghans. Still after several decades, the Iranian population has minimal understanding of the Afghan population [in Iran].”

Part of a report to Mohajer by a Afghan woman living in Iran.

[Special Notice: Thank you to everyone that has made a report on our app. Many of you have sent us questions rather than reports. Our report section is created for documentation purposes at present and until we revamp our app in the next few months, we cannot reply to you through the app. Many of your questions have been answered on the app, and some of the trickier ones have been examined below. But if you really want us to respond to you directly, you can email us at: hello@mohajerapp.com].

XENOPHOBIA AND RACISM

First, we need to examine the stark reality of some of the reports we have gathered. One of the main reasons Mohajer came about is as prevalent as ever: racism and xenophobia - a common theme in the majority of our reports.

The majority of reports discussed racism in one form or another: by employers, or when dealing with local municipal authorities, in public, and so on. In each case of racial discrimination, **no one marked that they had reported the issue to the relevant authorities.**

The latest report was from an Afghan family living outside Iran, visiting their family inside Iran. They reported that they have to pay hefty bribes to security personnel or to the police when in Iran, who maintain that they do not believe this family's documentation is valid or genuine. The family reports that this is the case for many of those working in the UAE and coming to visit family in Iran, entering from Laristan airport, regardless of their valid visas and passports.

There seems to be a direct targeting of these families for extortion through bribes, often by particular police or security personnel.

Some similarly concerning reports outlined the racial violence faced by Afghans from people in positions of authority working in institutions that many migrants depend on. For example, **one report outlined the racist verbal abuse and discrimination that one user faced from an employee at the National Organization for Civil Registration in Tehran, who they had gone to seek direction from.** They were given limited guidance and subjected to racist verbal abuse before being told to leave. **We also received a report from a student, who reported to us what appears to be ongoing racial abuse from their school headmaster; they didn't specify the city.**

ADVICE

We know that reporting such officers can feel intimidating, however, we suggest you talk to your lawyer or one of the local support groups we have listed on our app, so that they may help in reporting specific officers for abusing their power.

Through our research phase, many young women that we spoke to had reported being beaten and racially abused in public, on the metro, and at work—simply for being Afghan.



ADVICE

In so many countries, currently and throughout history—especially during economic strife—refugees and migrants have become scapegoats and the target of abuse and frustration. Afghan refugees and migrants in Iran make up a vital, important and beautiful part of Iranian society and culture. Yet, within just our project, the level of discrimination and abuse reported to us has been deeply concerning. We hope to find more and more avenues for Afghans in Iran to discuss these issues and find methods to report the perpetrators of racism and xenophobia.



ADVICE

On our app, we have a small factsheet on dealing with racism and xenophobia: when it comes to reporting these cases, ask your local groups for support (check out our long list on the app), reach out to us through the reporting tool on the app so we can document it and create awareness—and if you feel comfortable doing so, report the people to the relevant authorities. Most government authorities have complaint procedures; find out if someone can file complaints on your behalf. In cases of severe discrimination, you may even be liable for legal assistance. Talk to your local organisations about these matters and solicit their advice.



ADVICE

Also, we'd like to point out that there are great groups of psychologists that we vouch for, that work on providing support to Afghan refugees. We have listed one group in particular in Mashad that provided their details and services to Mohajer. Reach out to them. Please find their information on the app in the "Support Organisations" section or email us.

We know the routes can seem limited, but it is important that as a community we continue to talk about this and make your voices heard.

HIGHER EDUCATION OR ACCESS TO BASIC SERVICES?

Another ongoing issue for Afghans in Iran is higher education. For example, in one of our reports, we were asked,

“are there any ways for [Afghan] refugees can attend higher education, according to international law, maintaining [their] Amayesh cards and without paying [high fees]? Please let us know and analyse this, so that the law no longer requires refugees to invalidate their Amayesh card in order to attend university, and so we are able to attend university [through our] right to education using this card, without having to pay tuition fees or at least paying the same sum as Iranians. We have lived here nearly all our lives.”

Afghan refugees in Iran were required to renew their status in Iran under a new Refugee Registration Scheme, providing them with a new “Amayesh” Card, which regulates their legal status, thereby allowing them access to basic services like medical insurance and facilitating work permits.

What is an Amayesh Card and how do you get it?

Amayesh cards are a system that the Iranian government uses to identify and register refugees in Iran, and to provide conditions for their support. These are issued annually and are valid for one year. If you are a refugee, without this card you won't be able to receive a work permit or legal residence, and will have limited access to public health facilities.

Check out our app for more information about Amayesh cards, how to get them and how to renew them.

ADVICE

Although the Amayesh card entails complex bureaucratic processes and regular re-registration, the cards are a necessity that provides access to basic needs. However, if a refugee changes their status in Iran, seeking to enter into higher education, their Amayesh card and their refugee status in Iran is normally rendered void. This brings about a difficult and challenging choice for many young Afghans in Iran who wish both to pursue higher education and also remain in Iran. Often, to enter a university, not only do they have to obtain a residence permit or a student visa—which is usually difficult to gain and costly itself—but to pay higher international student fees to the universities, practically marginalising the lower income refugees.

There are universities, such as Ferdowsi University in Mashad, that admit certain Afghan PhD students free of charge, but this is uncommon.

We contacted a number of universities, and the answer to whether a Afghan student needs to forgo their Amayesh card depends on the university. Some Amayesh card holding prospective students might be allowed to study at university with their Amayesh card (rather than a student visa in their Afghan passport). Depending on each university's internal instructions, each prospective student would need to check which universities allow the student to maintain their Amayesh card and study. Some universities allow this to take place, and some will only allow enrollment with a student visa and passport. However, to graduate and to obtain a graduation certificate, the Afghan student must have a visa and a Afghan passport at all universities. Although the regulation varies between universities for the period of study, the student must have a passport and a student visa at the time of their graduation.

When it comes to education fees for Afghan refugees, these also tend to remain higher, but the regulations for this varies from university to university and between different fields of study/majors. This also depends on the modalities of entrance into university: whether it is through exam acceptance (*Konkour*) or without it (through simple registration). More specifically, if an Afghan student is accepted through the exam, studying in the day (*Roozaneh*) they will need to pay a percentage of the fee for nightly (*Shabaneh*) courses. The fee varies for different majors. This is the minimum cost of studying in universities. It would be higher for those who are studying in Shabaneh courses or those enrolling simply through registration without konkoor.

Nationals do not pay for *Roozaneh* but pay for *Shabaneh* courses. Regarding different costs by major, this applies to nationals as well. For example, studying medicine is more expensive than studying engineering, and this applies to everyone regardless of nationality.

WORKERS' RIGHTS AND HOLDING EMPLOYERS ACCOUNTABLE

With the worsening economic situation in Iran and the plummeting devaluation of the Rial, many Afghans workers have left Iran. According to the International Organisation for Migration (IOM), 440,000 Afghans returned home from Iran during the first seven months of 2018. 57% were deported, 43% left of their own free will. These are unprecedented numbers. However, according to government statistics, there are still between 1.5 and 2 million Afghans living in Iran. They have seen their wages cut drastically and many have gone months without a paycheck. We have received many reports from workers who have been denied pay by employers.

One case reported to us concerned a user's father— who was working with a work permit and relevant papers—and had worked for a certain employer of a commercial warehouse for over 20 years. He was fired and never given a final paycheck. After 20 years of service, the employer refused to sign a contract or make payments via bank installments for him, avoiding a paper trail to the migrant. The son had reported this to the The Ministry of Labour and Social Affairs, but was left without a response (as of the time of the report).

ADVICE

In these cases, if the worker holds an official work permit and has signed a contract with the employer, they would be supported by labour or social welfare laws and would have legal avenues to hold the employer accountable. They would need an Amayesh Card, work permit, and a valid contract. [Note, however, that Afghans who have work permits are only allowed to work in 14 of 31 provinces across Iran.]

Sadly in the above case, the lack of a contract—and the employer's ability to remove records and evidence of having had employed this man—make the case difficult, as the law requires a signed contract to provide for basic protections. However, we would advise such a case to be taken to groups such as Hami or another NGO or INGO in their locality (a comprehensive list is on our app) to see if they can support them in:

- Reporting this employer for illegal hiring of employees without the proper contracts and
- Finding out if a lawyer can advise them on whether they can still prove their employment to the Ministry of Labour and find a recourse to the issue.

In the case of those Afghans working without work permits, many of whom are undocumented, there are limited forms of recourse available. Through our research, we don't have any evidence of solid current existing assistance. Furthermore, many will fear reporting such issues out of risking deportation. Many workers in this situation have contacted us to inform us of the number of ways employers have exploited their situation, held them on for periods of time to work and have not paid them. One report on our app demonstrated the ease with which some employers can do this: *"My employer refused to pay me, and when I asked for my pay, he swore at me and spat in my face"*. **Among many similar cases, not a single user marked that they had reported the issue to the authorities. Where can they go? This is a tricky issue.**



ADVICE

On our app we outline the routes for those who are seeking to acquire work permits and amayesh cards. At present, our team can offer limited support to such cases of abuse of undocumented workers, but we highly suggest that such workers find the contact details of trusted NGOs and international organisations listed on our app and contact them—whether it is for emergency support, basic necessities, or to find avenues to work with the required documentation. We hope that the more we highlight cases of employers misusing undocumented migrants, the better the avenues opening to protect them will be.



ADVICE

*Please note: There are other routes, especially if you're looking to extend or renew your work permit, without needing to work without a permit and protections. According to **Clause 122 of the Iranian Labour Code**, the The Ministry of Labour and Social Affairs may extend or renew a work permit of:*

- (a) a foreign citizen who has continuously resided in Iran for at least ten years;*
- (b) a foreign citizen married to an Iranian;*
- (c) immigrants from foreign countries, particularly Islamic countries, and political refugees, provided that they have a valid immigration or refugee card, and subject to the written agreement of the Ministry of the Interior and the Ministry of Foreign Affairs.*



ADVICE

*Furthermore, one of the rights illegal workers possess is suing for 'diyeh' through the Iranian court system – blood money – if there has been an accident at work that has been due to the negligence of the employer. **Checkout our app for more workers' rights information or to your report cases to us for documentation.***

REGULARIZATION SCHEMES FOR THOSE UNDOCUMENTED

Undocumented migrants in Iran have no access to basic services such as health care, and cannot work with a permit. They are thus vulnerable to a large number of potential forms of abuse from employers, and are at high risk of deportation. For undocumented Afghans in similar situation there have been "regularization" or registration schemes conducted by the Government during previous years, the most recent one took place last year and it is anticipated that it will be extended this year, as per the usual yearly practice .

What is the Refugee Registration Scheme?

This was created to monitor and register the entry of Afghans in Iran. BAFIA undertakes the reregistration periodically of refugees under this 'Amayesh (refugee registration) Scheme.' They provide Amayesh cards that enable them access to basic services and also facilitate the issuance of work permits.

The scheme obliges refugees to visit the BAFIA each year in order to renew their IDs. Therefore, in the case of any change in their legal status such as marriage, childbirth or death, the information is registered in their personal data. For instance, if a foreign national joins a university, his/her refugee card becomes void and they must obtain a residency permit.

We had one particular case of a young Afghan person in Iran and born in Iran, who did not possess any form of identification. They had participated in the regularisation scheme two years in a row without success and had yet to be provided a response for their latest application, which was last year.

ADVICE

There has been no information regarding whether the Government will issue any documentation for the Afghans who applied last year and no announcement on the decision. Discussing with our team of experts, it's clear that there are limited avenues for such cases until these announcements are made. However, we strongly advise that in the in case of any severe need of assistance, International NGOs should be contacted. A list of national and international NGOs are provided on our app. Please look at the region most relevant to you.

CHILDREN BORN TO IRANIAN MOTHERS AND AFGHAN FATHERS

ADVICE

We had received a few reports about citizenship rights of the children of migrants. The most complex issue to address is the status of children born to mothers who are Iranian citizens but have non-citizen fathers.

In one distressing case, an Iranian citizen who is a mother to an Afghan child could not get medical insurance or citizenship status for her son in Iran. Her problems were heightened by the fact that her son wasn't granted a visa on his Afghan passport to enter Iran and unite with his mother, forcing the mother to leave Iran. This experience demonstrated the institutional discrimination directed toward the family, regardless of her long service as a government employee prior to her leave and her Iranian nationality:

"I am an Iranian and my son is Afghan, despite the fact that I am a government worker, I can't get insurance for my son and they [the government] won't grant him an ID card or permission for a passport. He was not granted a visa to Iran, so I have to leave this country. I'm an Iranian and I am tired of racism and discrimination in Iran."

The issue this woman faces is still a contested issue, but there has been progress. In November 2018, the Cabinet chaired by the President approved a bill, according to which children below the age of 18, born to Iranian mothers and foreign fathers, are permitted to receive Iranian citizenship.

The bill is awaiting further debate and vote by parliament on the bid to turn it into a law. Until it comes into effect, based on the current law, children who are born from mixed marriages of Iranian mothers and Afghan men can obtain Iranian ID (Shenasname) after the age of 18. In her case, we did not know the age of her son, but if it was below 18 they could wait until the child turns 18 and request his Iranian nationality—according to the existing law, or through the approval of a bid in Parliament (Majlis), enabling him/her to obtain the nationality even below the age of 18.

With regards to the failure in obtaining a visa, there is not much the child can do. From the report, we assume that the child's father is undocumented. In a case such as this, the possession of a valid visa, a registered marriage, and documents proving that the child belongs to the father and mother (e.g. birth notification) are prerequisites for the issuance of a visa. Please note, however, that in such cases, even if the father holds a valid visa—but the request for the child's visa hasn't been submitted upon the child's birth—the process would become difficult at later ages.

UNHCR INSURANCE SCHEME

In 2015 a ground-breaking health insurance scheme for “vulnerable” Afghan refugees was introduced through a trilateral agreement between the Bureau for Aliens and Foreign Immigrants Affairs (BAFIA), The Iranian Health Insurance Organization (IHIO), and the UNHCR; enabling refugees categorized as “vulnerable refugees” to access national health insurance. The premium of vulnerable refugees is covered by UNHCR and the scheme is currently at the end of its fourth cycle. Based on the research of our team and the available data, the criteria of vulnerability, although not clearly outlined, includes families with:

- Female head-of-household
- Those with specific diseases (Thalassemia, Haemophilia, Dialysis, Kidney Transplant and Multiple Sclerosis [MS])
- Disabled refugees [Those who live with physical, intellectual, or psychosocial disabilities based on the State Welfare Organization criteria of disability]
- Elderly refugees
- A large number of members [this refers to the household size – although it is not very clear what exact number they consider large. Based on hearings and our research, household with 7 or more members are considered as large]
- A large number of children at school age [families with 4 or more children at school age are considered as vulnerable]

Based on the findings, the list of vulnerable refugees is uploaded in the database of IHIO and refugees approaching Pishkhan/Kefalat centres can check if they are on the list. If so, they are enrolled free-of-charge. If not, they must pay a premium for the whole family for 1 year and are no longer considered as “vulnerable” for purposes of the health insurance. There has been reports of the discrepancies between the uploaded data in the recent scheme and the previous years’ data, which mainly seems to be a technical issue, causing problems such as the one below.

One case reported to us that demonstrated the complications that can arrive with this is as a family who had been under this scheme, surviving with the premiums provided, were removed without notice or clarification, causing much strife and difficulty for the household.

ADVICE

In a case such as theirs, it is highly recommended that they make contact with the BAFIA office or UNHCR to report the issue. There might be a chance that they can be exceptionally enrolled with official correspondence between the involved organizations. For the case of a family that has currently been removed from the scheme and are undocumented, they are still liable to access primary health care, as the primary health care is provided free of charge to all in Iran. [Importantly, children without documentation can still register in public schools. These are the only services undocumented Afghans have access to.] However, at the other levels of health care and basic needs, no services are available.

ORGAN TRANSPLANTS AND SPECIFIC ORGAN OPERATIONS:

Some of our users asked by us to clarify the issues around organ transplants for non-nationals and nationals, to understand their experience of discrimination with regard to organ transplants: being refused transplants or only being allowed transplants between nationals and non-nationals with non-nationals.

ADVICE

Our researchers checked with several hospitals, considering that the instruction or policies they had seen had probably been internally issued by the Ministry of Health to hospitals, and therefore not accessible publicly or on any websites.

ADVICE

However, all hospitals maintained that donation and transplants are possible, but between Afghans only. Hospitals also stated that Afghans cannot donate organs or receive them from nationals. If you are refused on any other ground, know that it's not part of the instructions issued to hospitals and that you can escalate your issue with the relevant authorities.

ADVICE

We wanted to further inform our users, that Dr. Miri, a children's cardiology specialist in Tehran, offers his free service to Afghan children, and has been doing so for many years. He has informed Mohajer that he was willing to receive more referrals through us or directly. Please find his information in the app in the "Support Organisations" section for Tehran or email us for more information.

THE MOHAJER APP MORE SOON...

This concludes our first summary, we will continue to try and respond to the queries sent to us to the extent that our current capacity makes possible. We will publish a new summary within the next 3 months.

If you have any specific information, updates, or questions—please reach out and get in contact with us.

Contact Us!

We are a small but dedicated team, we promise to respond to you as quickly as possible.

So, if you have any questions or suggestions, please email us at hello@mohajerapp.com.

And download our app at: <https://www.mohajerapp.com/>

