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	DOFE-00	SRPP-00	DS-00	EB-00	OIGO-00	FAAE-00	FO-00
	VC-00	H-00	TEDE-00	INR-00	IO-00	L-00	CAC-00
	VCE-00	NEA-00	DCP-00	NSAE-00	OIC-00	OIG-00	NIMA-00
	PM-00	P-00	SCT-00	FMPC-00	SP-00	IRM-00	SS-00
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SOURCE: CBLEXCLS.007869

DRAFTED BY: PRM/ANE:AWYLLIE -- 06/10/2004 202-663-1039

APPROVED BY: IO/SHA:TJOHNSON

PRM/FO:RGREENE

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NEA/ARP:JBRUDER

NEA/NGA:AJUST

S/CT:JSULLIVAN

L/PM:WBROOKS

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P:RMILES

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C O N F I D E N T I A L STATE 129175

GENEVA FOR RMA

E.O. 12958: DECL: 06/09/2014

TAGS: PREF, PREL, MOPS, IZ

SUBJECT: ACTION REQUEST - ENGAGING UNHCR ON MEK

CLASSIFIED BY: IO/SHA THOMAS A. JOHNSON, ACTING

1. (U) THIS IS AN ACTION REQUEST. PLEASE SEE PARA 4.

2. (SBU) POST IS REQUESTED TO ASK THE UN HIGH COMMISSIONER

Current Class: CONFIDENTIAL

Page: 1

UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: FRANK E SCHMELZER
DATE/CASE ID: 09 DEC 2004 200303827

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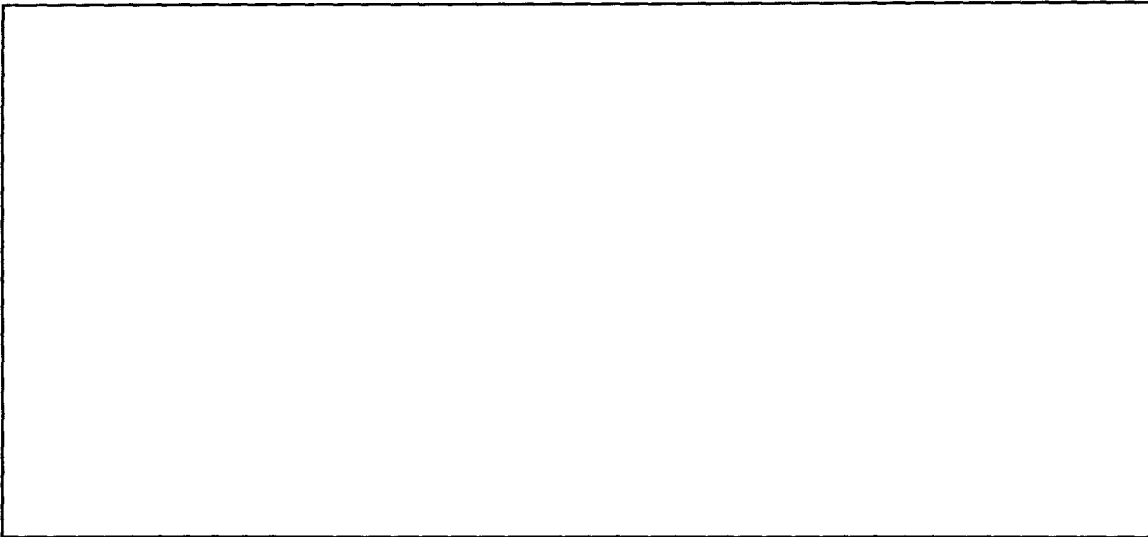
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Current Class: CONFIDENTIAL
Current Handling: SBU
Document Number: 2004STATE129175

Page: 2

Channel: n/a

FOR REFUGEES TO APPROACH THE GOVERNMENT OF IRAN (GOI) ABOUT A POSSIBLE AMNESTY FOR MUJAHEDDIN E-KHALK (MEK) MEMBERS CURRENTLY INTERNED AT CAMP ASHRAF IN EASTERN IRAQ. WE UNDERSTAND THAT THE GOI HAS PUBLICLY ANNOUNCED AN OFFER OF AMNESTY TO SOME MEK MEMBERS, AND THAT THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES (UNHCR) MAY HAVE ALREADY REQUESTED ADDITIONAL DETAILS OF THIS OFFER. WE BELIEVE THAT THE UNHCR WOULD WISH TO DISCUSS THE ISSUE OF MONITORING THE REPATRIATION OF MEK MEMBERS TO IRAN. THE U.S. BELIEVES UNHCR IS THE CORRECT INTERLOCUTOR FOR THE GOVERNMENT OF IRAN AS REGARDS ANY IRANIAN AMNESTY WITH RESETTLEMENT OR REPATRIATION.



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4. (SBU) ACTION REQUEST: DEPARTMENT APPRECIATES POST'S REPORTING ON PREVIOUS CONVERSATIONS WITH UNCHR AND ICRC ON THE MEK ISSUE. POST IS REQUESTED TO DRAW FROM THE FOLLOWING TALKING POINTS TO ENLIST UNHCR'S ASSISTANCE IN APPROACHING THE GOVERNMENT OF IRAN ABOUT ITS OFFER OF AMNESTY FOR MEK MEMBERS, ITS WILLINGNESS TO FACILITATE THE RETURN OF THOSE INDIVIDUALS AND FAMILIES WHO MAY OPT FOR VOLUNTARY REPATRIATION, AND ITS POSITION ON THE ROLE OF UNHCR IN MONITORING THOSE RETURNS:

-- THE U.S. HAS CONTROL OVER SOME 3800 MEMBERS OF THE MEK AT CAMP ASHRAF.

-- WE HAVE DISARMED THEM AND ENDED THEIR ABILITY TO THREATEN IRAQIS, IRAN OR OTHERS. THE ACTIONS OF THE UNITED STATES WITH RESPECT TO THE MEK HAVE ELIMINATED THE TERRORIST THREAT POSED BY THE MEK IN IRAQ, IN A MANNER CONSISTENT WITH THE OBLIGATIONS OF THE UNITED STATES UNDER INTERNATIONAL LAW.

Current Class: CONFIDENTIAL

Page: 2

Current Class: CONFIDENTIAL
Current Handling: SBU
Document Number: 2004STATE129175

Page: 3

Channel: n/a

-- WE EXPECT THAT THE USG WILL HAVE FINALIZED A STATUS DETERMINATION OF THESE INDIVIDUALS UNDER THE GENEVA CONVENTIONS IN THE NEXT FEW WEEKS.

-- DURING THE COURSE OF THE INTERVIEWS, 220 MEK MEMBERS REQUESTED TO LEAVE THE MEK AND HAVE BEEN MOVED TO A SEPARATE INTERNMENT FACILITY AT CAMP ASHRAF. SOME OF THESE INDIVIDUALS HAVE EXPRESSED A DESIRE TO RETURN TO IRAN. IT IS POSSIBLE THAT OTHER MEK MEMBERS MAY ALSO EXPRESS THE SAME DESIRE.

-- UNHCR HAS ACKNOWLEDGED A ROLE FOR ITSELF IN IDENTIFYING WHO MAY QUALIFY AS REFUGEES IN THE MEK POPULATION AT CAMP ASHRAF AND IN PURSUING DURABLE SOLUTIONS FOR THEM.

-- WE UNDERSTAND THAT THE SECURITY ENVIRONMENT MAKES THE SITUATION DIFFICULT FOR UNHCR, BUT WE ARE EAGER FOR THE ORGANIZATION TO BECOME MORE ENGAGED. WE HAVE ALSO BEEN WORKING WITH THE ICRC TO ARRANGE A VISIT FOR THAT ORGANIZATION TO ASHRAF, WHICH THEY HAVE TOLD US THEY INTEND TO CONDUCT BY JUNE 30.

--WE WOULD ALSO LIKE TO SPEAK SPECIFICALLY ABOUT THE GOVERNMENT OF IRAN AND THE MEK:

-- WE ARE AWARE THAT UNHCR HAS A WELL-ESTABLISHED WORKING RELATIONSHIP WITH THE GOVERNMENT OF IRAN WITH REGARD TO A NUMBER OF REFUGEE POPULATIONS. WE ALSO UNDERSTAND THAT UNHCR MAY HAVE ALREADY HAD DISCUSSIONS WITH THE GOI ON THE ISSUE OF AN AMNESTY FOR MEK MEMBERS.

-- WE WOULD LIKE TO REQUEST THAT UNHCR:

A. FURTHER EXPLORE THE AMNESTY ISSUE WITH THE GOI, PARTICULARLY WHETHER OR NOT IT WOULD APPLY TO THE MEK IN CAMP ASHRAF;

B. DETERMINE WHAT STEPS THE GOI WOULD BE PREPARED TO TAKE TO FORMALIZE THE AMNESTY AND CIRCULATE ITS TERMS IN WRITING;

C. INQUIRE AS TO THE GOI'S WILLINGNESS TO FACILITATE THE RETURN AND SUSTAINABLE REINTEGRATION OF THOSE MEK MEMBERS, EITHER COVERED BY THE AMNESTY OR NOT, WHO OPT FOR VOLUNTARY REPATRIATION, AND TO ALLOW A COMPETENT BODY (E.G., UNHCR) TO MONITOR THE SITUATION OF THESE INDIVIDUALS IN IRAN AFTER THEY HAVE RETURNED.

Current Class: CONFIDENTIAL

Page: 3

UNCLASSIFIED

Current Class: CONFIDENTIAL

Page: 4

Current Handling: SBU

Document Number: 2004STATE129175

Channel: n/a

-- WE WOULD ALSO ASK UNHCR FOR ITS OPINION ON WHETHER OR NOT THE GOI COULD BE EXPECTED TO RESPECT THE TERMS OF THE AMNESTY, AND TO RESPECT THE RIGHTS OF MEK MEMBERS WHO OPT FOR VOLUNTARY REPATRIATION.

5. (SBU) POST MAY ALSO WISH TO USE MANY OF THESE SAME POINTS IN DISCUSSIONS WITH ICRC, WHICH HAS REPORTEDLY ALSO BEEN IN DIALOGUE WITH THE GOI ON THE ISSUE OF THE MEK.

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Current Class: CONFIDENTIAL

Page: 4

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