

**Risking Life to Earn Bread**

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It was dark and a group of kulbars (border couriers) were quietly walking on a dirt road by the border checkpoint. Suddenly the border guards at the checkpoint, who were equipped with floodlights, became aware of the presence of the kulbars.

The border guards began shooting. A kulbar was wounded and some horses were killed in the shooting. Mohammad, the last man walking in the group, was hiding in a corner. For a moment, he saw the floodlight illuminating his horse, and heard the guard loading his gun. Suddenly, Mohammad jumped in front of his horse and shielded it, while he continued walking slowly. Other men, who had abandoned their horses and were fleeing, shouted: what are you doing Mohammad? Run! They will kill you too! But Mohammad replied: this horse and its load are all I have. I will either die or pass this route. Mohammad was lucky that night. Both he and his horse reached their destination safely that night.

This is only one of the tens of such tragic recollections that eye-witnesses and kulbars shared with me last year, during the making of a documentary about the situation of Kurdish kulbars. The issue of killing of Kurdish kulbars and border tradesmen has come to the attention of the media and international human rights organizations in recent years. But it should be noted that it is not a recent issue. Even before the rise of the Islamic Republic, the illegal transit of goods and the problems associated with it had been a part of the day-to-day lives of Kurdistan's marginalized border area residents.

The government's security concerns in this area, the lack of sufficient investment and the resulting poverty and unemployment, particularly in recent years, have made the kulbars and their killings one of the main concerns for social and political activists. While the government could resolve many of the problems facing these areas through proper policymaking and investment, instead it has resorted to the most violent and brutal means, which has resulted in the killing of kulbars –victims of the government's security concerns— rather than proposing remedial solutions.

In July this year, Seyyed Ahsan Alavi, the Sanandaj representative in the Parliament, announced in a meeting with media reporters: "Currently Kordestan province ranks 29th province in the country in terms of per capita income. Unfortunately the province's ranking in other sectors and indexes is no better. For example, Kordestan province ranks 24th in terms of value added and 26th in terms of value added in the mines and industry sector." Expressing his concerns regarding the worrying rate of unemployment in the province, he added: "The unemployment rate in Kordestan province is very worrying. Contrary to the unrealistic statistics announced by the authorities, unemployment in the province has reached more than 45 percent."

Moreover, based on the Household Income and Expenditure Survey conducted by Iran Statistics Center for the year 2015-16, which was published in September this year, the lowest household income was recorded in Ilam province with the average annual household income of 19,798,000 tomans (around \$4,900), followed by Kordestan province with 20,145,000 tomans (around \$5,000).<sup>1</sup>

The official statistics announced by the government themselves indicate the dire condition of unemployment and poverty in these regions. Therefore, people enter jobs such as becoming border couriers or tradesmen, not so much out of choice but of desperation.

The killing of kulbars is justified with the excuse of preventing smuggling and its subsequent economic loss to the country. This is while the highest volume of smuggled transit goods currently enter the country through the government mafia via the southern Iranian ports. According to officials from the Task Force to Combat the Smuggling of Commodities and Currency, "the estimates show that between 50 to 60 percent of the smuggled goods are imported through customs." Similarly, the head of Kurdistan's police had earlier announced that "only 3 percent of the smuggled goods enter the country via the Iran-Iraq border." But these statements have not prevented the government forces from violently targeting the kulbars. In recent years, the killing of kulbars has become one of the most tragic stories from the region.

In continuation of such policies, a project was launched in 2006 with the aim of closing the borders to combat smuggling, which resulted in a worrying rise in the killing of kulbars and tradesmen. The increase in the number of victims and a number of protests by people in various cities urged the government to

<sup>1</sup> Statistical Centre of Iran, Household Income and Expenditure Survey 2015-16, <https://www.amar.org.ir/%D8%A2%D9%85%D8%A7%D8%B1%D9%87%D8%A7%DB%8C-%D9%85%D9%88%D8%B6%D9%88%D8%B9%DB%8C/%D9%87%D8%B2%DB%8C%D9%86%D9%87-%D9%88-%D8%AF%D8%B1%D8%A2%D9%85%D8%AF-%D8%AE%D8%A7%D9%86%D9%88%D8%A7%D8%B1>

consider creating official channels for couriers to import goods. Finally, in the last few years, ten border routes – Sileh, Shushemi, Sumar, Tileku, Maleh-Khvor, Dror, Hangeh-Zhale, Saif, Haji Omran, and Qasemerash – were introduced by the Ministry of Interior as official borders for kulbars. Residents of the border regions and particularly the kulbars were issued trade cards, which allow them to import a limited quantity of commodities through Kordestan’s borders to sell in the border markets. Based on this law, each kulbar who is issued a trade card is allowed to legally import up to 1,500,000-toman (around \$375) worth of commodities every six months. This means that each kulbar can earn an income of only 250,000 tomans per month (around \$60). This is far below the poverty line as defined by the government.

### **Who are Kulbars and Tradesmen?**

The Kurdish term ‘kulbar’ consists of: ‘kul’ meaning back and ‘bar’ meaning carrying. The term is used to describe people in the border regions who carry, in return for a small amount of money, imported goods including cigarettes, tea, home appliances, fabrics, mobile phones and occasionally alcoholic drinks on their backs or with the help of riding animals such as horses and mules, through impassable routes to border villages and cities. Most of these goods are purchased by businessmen in Tehran or countries such as the United Arab Emirates or China, while the kulbars only earn a meagre transportation fee.

The ‘tradesmen’ are people who collect the goods imported by kulbars from the border cities and villages and ship them with various vehicles to the central cities of Iran. The kulbars’ and tradesmen’s ages range from 13 to 70 years old and among them one can find both the illiterate and college graduates, who have become kulbars or tradesmen due to lack of job opportunities.

Over the past few years, with the development of the civil society in Kordestan, the killings of kulbars and tradesmen have been reported by human rights organizations and the media on a daily basis. Based on the data collected by these organizations, some 184 Kurdish kulbars and tradesmen have been killed in the past three years alone, and another 173 wounded. Also 22 Kurdish kulbars have lost their lives as a result of falling from the mountain, getting caught in avalanches, hypothermia or drowning in the border rivers.<sup>2</sup>

While their killing has no legal justification even according to the Islamic Republic’s laws, members of this vulnerable group of Kurdish society continue to be killed every day. According to the criteria and procedures specified in Article 3 of ‘The Law on the Use of Weapons by Armed Forces’, the officers must first give an oral warning to the trespasser, then, if necessary, shoot into the air, and then target the lower body if they must fire. They are only allowed to shoot the upper body parts if these measures have been ineffective or if they believe the trespasser is armed and dangerous and there is an imminent risk of attack by him. Since the kulbars are harmless tradesmen and not aggressive attackers, the use of weapons against them is a breach of law.

Kurdish human right activists argue that the killings are systematic and reject claims by government officials that the killings are arbitrary actions by the border guards. Their arguments are based on the facts that firstly, the killings are continuing on a daily basis and secondly, when the wounded victims and relatives of the killed kulbars approach the relevant authorities such as the military courts demanding justice, they are faced with verdicts that demonstrate unconditional support for the military officers.

According to the existing laws, none of these complaints have so far led to legal prosecution of the officers accused of arbitrarily killing the kulbars. The only result in some cases has been the payment of blood money to the injured persons or the victims’ families from the police budget or the treasury, in accordance with Article 13 of ‘The Law on the Use of Weapons’. Even in some cases, the police have refused the payment of the money and tried to obtain the victim’s family’s consent by threatening them or applying pressures.

Unfortunately, so far the victims’ and their families’ call for justice against the unlawful and inhumane actions of the military forces has not only failed to cause any punishment for these officers or prevent the killings, but in some rare instances the cases have been closed, partly through the payment of blood money but mostly by obtaining forced consent from the families. As a result, the military officers continue targeting and shooting the kulbars without any fear of punishment.

Another important issue to consider is the critical situation of the victims’ families, who live in miserable conditions due to loss of the family’s breadwinner. In most cases, the military officers refuse to return the victim’s corpse without obtaining a written consent from the family, as a result of which, except in one case

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<sup>2</sup> Kurdistan Human Rights Network, 2015 Annual report on violation of human rights of Kolber workers in Iran, <http://kurdistanhumanrights.net/en/?p=747>. See also the Iran Human Rights Report, Dangerous Borders, Callous Murders, [https://persian.iranhumanrights.org/1391/06/dangerous\\_murders/](https://persian.iranhumanrights.org/1391/06/dangerous_murders/)

in recent years, the victim's family has not received any blood money. In these families, after the death of the breadwinner, the responsibility of earning a livelihood is transferred to the younger family members. In such circumstances, the children are forced to leave schools to work as kulbars. Unfortunately, in such families, children become the main victims of the policies of the Islamic Republic in Kurdistan.

