



# Iranian Refugees At Risk

Iranian Refugees' Alliance Quarterly Newsletter

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## Turkey's Refugee Machination

In November 1994, Turkey announced new regulations to admit non-European asylum seekers into its territory on a temporary basis. These regulations gave the government authority to determine refugee claims rather than deferring the task to the United Nation High Commissioner for Refugees (UNHCR). The determination procedure designed for this purpose has formally lacked the most fundamental requirements for a fair determination. Applicants have no access to legal advice and representation, they are not afforded full and fair hearings, and are denied the right to an effective appeal of a negative decision or a deportation order.

As the regulations came into full effect, the government's intention to forcibly return genuine refugees became all too clear. In Fall 1995, dozens of asylum seekers have been threatened with deportation, including a group of 5 recognized by the UNHCR and accepted by third countries for resettlement. In October 1995,

pressed by the UNHCR, the European Commission on Human Rights and international organizations, Turkish authorities declared the excuse for returning the 5 men as merely a delay in presenting their application for temporary asylum. While the delay infraction violated Article 4 of the regulations, whereby asylum seekers should apply within 5 days to the local authorities or authorities at the city where they entered the country, the government's attempt to deport the refugees was a flagrant violation of international law, which proscribes the return of refugees to a country or territory in which their life or liberty may be endangered.

The stringent 5-day rule is not the only ruse designed to return refugees to their country of persecution. Recent accounts received from asylum seekers indicate a pattern that for no declared reason, the local police officers designated to register and interview applicants refuse to accept applications for temporary asylum and

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## Fairness & the UNHCR

In November 1995, the Headquarters of the United Nation High Commissioner for Refugees (UNHCR) in Geneva issued a Position Statement (see page 9) with respect to a sit-in staged by Iranian asylum seekers the previous August in Ankara-Turkey. The sit-in was staged to protest deportation orders issued by the Turkish government and to the closure of cases by the UNHCR Office. One hundred and sixty one asylum seekers participated in the sit-in, however, that number was merely representative of the number of persons in similar situations across Turkey, which is several times more.

UNHCR is an inter-governmental organization with the primary task of protecting refugees. In Turkey, this task has been hinged on the agency's refugee determination system. Only those who pass the determination test are protected against deportation and are able to receive eventual resettlement. The Turkish government deports refugee applicants who are rejected by the UNHCR, a matter explicitly stated in the deportation orders. (see

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### Iranian Refugees' Alliance, Inc.

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often coerce applicants to return to their country of origin.

Reports from those who have convinced the local police to accept their applications and receive an interview, suggest that, in effect, decisions are being made by the interviewing police rather than by the Ministry of Interior--which, according to the official regulations, is supposed to determine the claim "in conformity with the 1951 Geneva Convention." As reported, the Ministry's decision is consistent with the opinion of the interviewing police officer recorded in the applicant's file. Police officers, however, lack the necessary knowledge of the proper procedures for interviewing refugees, human rights and refugee issues, nor do they understand the circumstances concerning asylum seekers.

Although the regulations provide an opportunity to make an objection to the deportation verdict to the Ministry of the Interior, the only real hope that exists for revocation of deportation orders is UNHCR's intervention. UNHCR has been under great strain to fulfill its mandate in Turkey to protect people under internationally accepted procedures. In several occasions UNHCR has been powerless to protect refugees from deportation. Neither the regulations nor the practices of the government provides for the agency's exercise of its mandate power to declare an individual a refugee, in spite of an adverse determination by the government. The regulations restrict UNHCR's role to cooperation "primarily on aspects such as giving food and shelter, transport, resettlement, passport and visa problems regarding a third country." In practice, the government has created obstacles to make access for asylum seekers to the UNHCR impractical and even perilous. Asylum seekers can hardly

oblige with the 5-day rule to lodge refugee claims if they first lodge a refugee claim with the UNHCR. Once an asylum seeker registers with the local authorities he or she will be kept under surveillance until his or her case is resolved by the Interior Ministry.

Nevertheless, most asylum seekers still approach the UNHCR when they first arrive in Turkey because they are unaware of the new regulations or are afraid to approach the Turkish authorities. While there is no doubt that a portion of asylum seekers benefit from UNHCR's protection, serious concern remains regarding those who are determined by the agency not to be refugees and denied protection.

Not only improvements have not been made to correct the shortcomings and flaws that previously existed in the UNHCR Branch Office's determination system, the current procedure includes lesser safeguards and has thus become more error-prone.

Asylum seekers are usually interviewed when they first approach the Office for registration, without adequate notice, or legal counseling or time to prepare themselves. Since this interview is the only opportunity during an asylum seeker's stay in Turkey to present one's claim to the UNHCR, the failure to provide legal advice and assistance at this stage is one that can never be remedied. There is no opportunity to appeal a negative decision nor a mechanism to resolve matters concerning the refugee claim before a decision is reached by the UNHCR.

One desperate asylum seeker who registered with the local police in Agri after his interview with the UNHCR could not obtain rudimentary information about his application with the UNHCR. While he was informed by a visiting UNHCR officer



Iranian asylum seekers in the Ankara sit-in

that his case was transferred to an officer different from the one who previously interviewed him, for months he has not been able to find his new officer.

Another asylum seeker contacted Iranian Refugees' Alliance upon receiving a negative decision of his case by the UNHCR. He was defenseless and mortified because the local police have been raiding his hotel room to find the UNHCR rejection letter. The indicator for the police seems to be a report from the hotel manager to the police. In Agri, UNHCR pays for hotel expenses of asylum seekers while their cases are under consideration or received positive determinations. Apparently UNHCR had stopped payment for the concerned asylum seeker.

Although it is stated in the new UNHCR rejection form letters that the agency's determination does not affect a person's temporary asylum application with the Turkish authorities (that is a separate procedure), accounts from several other asylum seekers indicate otherwise. Once the Turkish authorities find out about a person's rejection from the UNHCR, they may serve a deportation order. Evidently without UNHCR approval there is little prospect for resettlement in a third country. This seems enough reason for Turkish authorities

to decline an application.

#### Asylum Seekers in the Ankara Sit-in

A sit-in staged in Ankara in early August 1995, by a group of 161 Iranian asylum seekers continued in Winter 1996 without a resolution. Most of the participants were already served with deportation orders by the Turkish authorities, while such orders were imminent for others due to their cases being closed by the UNHCR.

In late October 1995, Turkish officials including the Turkish Ambassador in the US gave verbal assurances that due to humanitarian concerns the sit-in participants would be issued an extension of their stay permits. In this connection, in early November, officials from the office of the Minister for Social Affairs visited the sit-in to discuss a new location for the people.

However, in late November 1995, two sit-in participants were apprehended outside of the sit-in and subsequently served with deportation orders. As a result of heavy petitioning of the Interior Ministry and local officials of the towns in which the apprehended were returned and detained, the deportation orders were suspended. Nonetheless, these

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## Advocacy on Behalf of Iranian Asylum Seekers in Turkey

In Sept. 1995, Iranian Refugees' Alliance directly communicated to the UNHCR Geneva Headquarters its concern regarding fairness and accuracy in determinations made by the UNHCR Branch Office in Ankara-Turkey. We were initially pleased to find openness by Headquarters to discuss the procedure and the criteria being used to reach decisions in the Branch Office's system. Iranian Refugees' Alliance reiterated that the inadequacies it had identified in the Branch Office's refugee determination procedure would create a very real risk that rejected claimants be in fact bona fide refugees. These deficiencies were presented in a May 1995 report titled "Evading Scrutiny: Does UNHCR Determination System Measure Up to International Standards?". Since then Iranian Refugees Alliance has called on the UNHCR for improvements in the procedure.

With regard to the criteria used by the Branch Office, it has been impractical to make an assessment due to the secrecy surrounding the determinations. This is mainly due to the fact that findings related to the decisions on the claims have not been accessible for independent investigation. In order to have a meaningful dialogue on the criteria, the Headquarters agreed to provide grounds for rejection of two refugee claims. Iranian Refugees Alliance provided the Headquarters with details and supporting arguments for two cases. However, after investigation with the Branch, the Headquarters refused discussion of the cases. The excuse was declared to be resource constraints.

Another disappointment in these discussions was with regards to consideration of "sur place" status for sit-in participants. International law recognizes that, if while abroad, an individual expresses views or engages in activities which jeopardize the possibility of safe return to his or her country, he or she may be considered as a Convention refugee. The key issues in this consideration are whether such activities are likely to have come to the attention of the authorities in that person's country of origin and, if so, how they are likely to be viewed and responded to. In the case of the Iranian sit-in, the political manifestation of the action as well as the already exposed reactions of the Iranian government give rise to serious risk of persecution upon deportation of the participants.

In this connection, the Headquarters initially expressed that *sur place* status can be considered for at least some participants of the sit-in. However, the "clearly negative" assessment that was eventually declared by the Headquarters with respect to the refugee claims of all of the sit-in participants did not include an assessment of the new circumstances.

Finally, as expressed to Iranian Refugees' Alliance, the initial position of the Headquarters on granting of humanitarian leave by Turkish government to the sit-in participants seemed to be a positive one. Leave was considered as minimum protection for the participants and it was said that the UNHCR would make recommendations to the government in this regard.

Nevertheless, the official UNHCR position statement issued in November did not address the issue at all. Neither did UNHCR

intervene when two sit-in participants were threatened with deportation.

Since Fall 1995, Iranian Refugees' Alliance has actively tried to provide accurate and up-to-date information and to share insights with several international organizations regarding the situation of Iranian asylum seekers in Turkey. The following are based on reports we have received from some of the organizations. A brief introduction of each organization's mandate is provided for better understanding of the impact of their work.

### U.S. Committee for Refugees (USCR)

USCR was founded 38 years ago and is a non-governmental organization based in Washington DC. USCR defends the rights of refugees to protection against *refoulement* (forcible return), to a fair and impartial hearing and to decent, humane treatment, as well as adequate protection and assistance. USCR's monthly publication *Refugee Reports* provides information and analysis on U.S. asylum policies. Its yearly publication *World Refugee Survey* documents the conditions faced by asylum seekers, refugees and displaced people all over the world.

Bill Frelick, senior policy analyst of the USCR, conducted a site visit to Ankara, Turkey in October 1995 in order to assess the impact of new asylum regulations in that country on refugee protection.

At the time of his visit, the group of 161 asylum seekers were in the tenth week of their sit-in to protest the rejection of their refugee claims by the UNHCR and to call upon the Turkish government to cancel their deportation orders. Frelick met with the group on several occasions during his visit at the site of the sit-in at the offices of the United Socialist Party of Turkey. He conducted lengthy interviews with many of the sit-in participants about their experiences before and after leaving Iran.

The sit-in was highly publicized and many of the participants were identified in Turkish newspapers and television. Frelick said, "The sit-in would have to be seen in Tehran at least implicitly as a protest directed at its regime, and the participants as being opponents claiming to be affiliated with outlawed political organizations."

During his visit, Frelick met with officials of the Turkish Interior Ministry and Foreign Ministry as well as UNHCR officials, raising the situation of the Iranian sit-in and seeking humanitarian solutions. USCR referred to the principle of refugees "sur place" and referred to the *UNHCR Handbook on Procedures and Criteria for Determining Refugee Status* which states that a person may become a refugee *sur place* "as a result of his own actions, such as associating with refugees already recognized, or expressing his political views in his country of residence."

In communications with relevant officials during and after the site visit, USCR recommended that the Turkish government give the 161 Iranian sit-in participants temporary residence permits, and allow them to pursue their asylum claims with the UNHCR

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authorities based, in part, on a case-by-case examination of the new circumstances arising from the sit-in.

"Reconsideration of their claims should take particular notice of new indications that the identities and affiliations of the sit-in participants could reasonably be believed to have come to the attention of the Iranian authorities and how deportees from the sit-in would likely be viewed by those authorities," said Frelick.

### Canadian Council for Refugees (CCR)

CCR, founded in 1977, is a non-profit, umbrella organization, uniting more than 140 agencies working for protection of refugees across Canada. CCR is mandated to represent its members at the national and international levels. In its bi-annual conference of November 1995, a wide variety of national and international issues were discussed. The conference ended with the ratification of resolutions on refugee protection, one of which concerned Turkey and reads:

"WHEREAS:

"1. Thousands of non-European refugees (i.e., Iranians, Iraqis and Kurds) have been left with critically inadequate protection in Turkey due to:

"a) the UNHCR's ineffective practices and policies in its refugee determination procedure (such as, lack of a meaningful appeal system and lack of legal counsel) which result in cases of genuine refugees being vulnerable to deportation by Turkish authorities;

"b) The Turkish government's unjust refugee determination system as well as its non-compliance with the Geneva refugee Convention and international human rights treaties which have resulted in the *refoulement* of many non-Europeans (including some holding UNHCR refugee status) to countries known internationally for their gross human rights violations; "2. The CCR has continuing concern about refugees in Turkey as expressed in its June 94 Resolution, #24;

"THEREFORE BE IT RESOLVED THAT THE CCR:

"1. Write to the UN High Commissioner for Refugees expressing our concerns about the practices at the UNHCR office Ankara as well as Turkish government refugee policies.

"2. Write to relevant government representatives in Turkey urging them to fully comply with international refugee and human rights treaties and to immediately rescind its Exit Visa requirements for refugees accepted for resettlement abroad.

"3. Write to Canada's Ministers of Immigration and Foreign Affairs to call upon the Canadian government to use its influence through international meetings to urge Turkey to comply with international human rights and refugee standards."

### Inter-Church Committee for Refugees (ICCR)

ICCR, founded in 1980, currently has 10 church members and 4 church related observers. ICCR is mandated to monitor the refugee situation around the world and in Canada, undertake analysis of refugee and immigration policies and prepare ecumenical briefs to government and relevant international agencies, help church members get involved in special refugee pro-

tection and resettlement cases.

In October 1995, ICCR's representative, Ann Woolgar, presented a brief on the situation of non-Europeans in Turkey to the NGO/UNHCR consultation in Geneva. Ms. Woolgar also met with three key persons at the Headquarters and raised the concern of ICCR with respect to Iranian and Iraqi asylum seekers in Turkey.

In follow up, ICCR has written to the High Commissioner Sadako Ogata to express concern about the inadequate protection of Iranian and Iraqis in Turkey. ICCR has urged the High Commissioner to investigate the policies and practices of the Ankara Branch Office so as to ensure that asylum seekers are granted fair interviews and meaningful appeals. It has recommended the establishment of a mechanism linked to the United Nations Center for Human Rights to provide objective oversight for the practices of the Ankara Branch office and similar offices. ICCR's other recommendations are for UNHCR to take initiatives on revocation of deportation orders previously issued to asylum seekers, pressing the Turkish authorities to consider humanitarian leave for sit-in participants and engaging other governments to resettle sit-in participants, calling upon Turkey to revoke exit visa requirements for refugees and to urge this government to remove its geographical limitation on its application of the 1951 Convention.

### Jesuit Refugee Service [JRS]

JRS is a Jesuit international network supporting refugees and displaced persons. Currently it has programs or representatives in over 40 countries. JRS often works side by side with the UNHCR and in at last half a dozen countries is an implementing partner. Every year JRS produces a paper in a consultative process among JRS personnel in all countries. In its October 1995 paper titled, A REVIEW OF JRS RELATIONS WITH THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES (UNHCR), JRS presented a critical review of its relationship with the UNHCR in various areas, including 1) Structure, Policy and Personnel; 2) Field Operation; and 3) Protection and Mandate. The opening paragraph reads:

"UNHCR is an intergovernmental body, giving its limitations, but also certain great strengths for its task of protecting refugees. JRS, which works as a non-governmental body [NGO] and has a church base, is pleased that in recent years UNHCR has declared its desire to collaborate with NGOs. We have found a remarkable openness among many UNHCR personnel.

"We want to support such personnel and the institution of UNHCR in implementing its mandate and its professed intention of collaboration. We have however, also found considerable inconsistencies in the quality of personnel, in the commitment on the ground to collaboration, and in the application of the UNHCR mandate. The criticism we make are intended to be constructive."

Paragraph 11a of the review reads:

"JRS is also disturbed by the lack of an effective appeal procedure within the UNHCR refugee determination system, and a

## Children are Refugees Too: Iranian Refugee Children in Turkey

Azadeh, a 13 year old Iranian national, fled to Turkey with her mother almost two years ago. Her father was executed by the Iranian government because of his political activities. She is subject to deportation by the Turkish authorities as her mother's refugee claim has been rejected by the Office of the UN High Commissioner for Refugees (UNHCR). She is unable to make a refugee claim as such right is non-existent in Turkey. "I don't understand," she says. "Why isn't it enough for the UN that my father was executed. I do not want to be sent back to Iran. I don't want my mother to be executed like my father."

Surur is 9 years old. She fled to Turkey with her family more than two years ago. Her father, a Kurd in Iran, has been a political prisoner during most of her lifetime. During his imprisonment, Surur had no visitation rights and suffered from poverty due to her mother's meager income. She faced systemic discrimination as a result of her father being a *persona non grata* in jail. At school, although in grade one, she was repeatedly admonished, beaten and incarcerated by school officials because of failure to cover her hair, to memorize the Scripture or to learn how to pray. Surur is currently threatened with deportation by the Turkish authorities as a result of her father's refugee claim being rejected by the UNHCR. Like Azadeh, during the time that she has been in Turkey, she has had no access to education, welfare and health system. Her life in Turkey has been constant anxiety, destitution and deprivation.

Loss of loved ones, economic and social deprivation because of parent's political opinion, forced indoctrination into religio-sexist dogmas, discrimination against girls, and harassment at schools suffered by Azadeh and Surur are typical experiences for Iranian children. The laws and practices of the Islamic government in today's Iran deny children access to fundamental freedoms and rights as articulated in the Convention on the Rights of the Child.

The UN Convention on the Rights of the Child guarantees children the full range of economical, social, cultural, civil and political rights. As part of the larger population, children in Iran do not enjoy fundamental human rights. Rights such as freedom of expression, religion, association, assembly and privacy are non-existent in Iran for children, just as they are for adults. The over-riding principle of the Convention on the Rights of the Child is "the best interests of the child". Instead, children's interests in Iran are governed by the interests of religion; children are taught to spy on their parents, boys of 10 or 12 years are led to join the military and marriages of 9 year old girls are sanctioned by the government. Clearly, such practices inflict irreparable damages to children's physical well being as well as disturb their psychological and emotional development.

The UN 1951 Convention Relating to the Status of Refugees defines a refugee as a person who is outside of his country and has a well founded fear of persecution based on religion, race, nationality, political opinion or membership in a particular

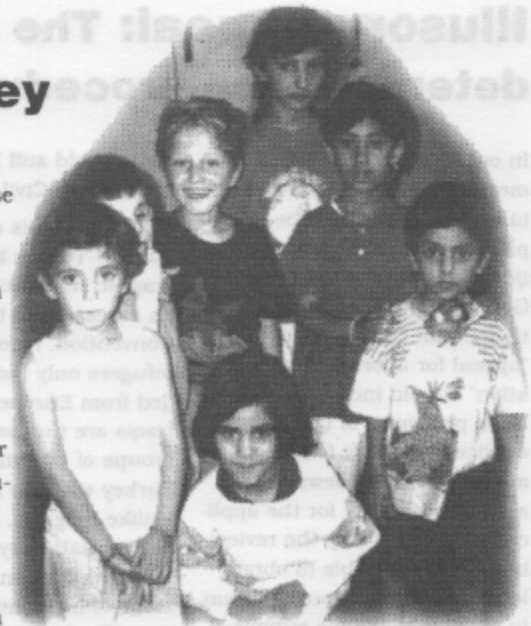
social group. Children whose rights, as defined by the Convention on the Rights of the Child, are violated may qualify as refugees under any of the enumerated grounds.

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Convention on the Rights of the Child accords a special attention to child refugees and asylum seekers. Article 22 provides that, "a child who is seeking refugee status or who is considered a refugee shall, whether unaccompanied or accompanied by his or her parents or any other person, receive appropriate protection and assistance in the enjoyment of applicable rights set forth in the present convention and other international human rights or humanitarian instruments." The reference to rights under other international instruments applies principally to 1951 Convention on the Status of Refugees, which entitles refugees not to be returned to their country of origin. Thus, a main objective of Article 22 is to ensure that despite their status as children, the claims of children to refugee status are examined on their merits so that they receive protection from being returned to persecution.

Turkey is apparently a signatory to the Convention on the Rights of the Child. Under Article 2, State Parties are obliged to "respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind", and without regard to the child's status. State Parties not only are required to refrain from interference with the articulated rights, but also to take active measures to enable children to exercise these rights." They can not use resource constraints as an excuse to curtail rights such as freedom of expression, religion, association, assembly and privacy and with regard to economic, social and cultural rights, State Parties "shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation." (Article 4).

Despite clear obligations that Turkey has undertaken towards children, the government denies all non-European child asylum seekers the full range of their human rights. Turkey justifies this by a geographical limitation that it exercises on the application of the Refugee Convention. The government of Turkey officially denies the fundamental rights of the children of non-citi-



## Illusory Appeal: The case of UNHCR refugee determination procedure in Turkey

In order for an appeal to be meaningful and effective, certain safeguards must be in place. In its 1990 recommendations to the Hong Kong Government, UNHCR has mentioned that the notion of "appeal for a formal reconsideration" should include some basic principles of fairness applicable equally to judicial or administrative reviews. These are the possibility for the applicant to be heard by the review body and to be able to obtain legal advice and representation in order to make his submission; for reconsideration to be based on all relevant evidence; and for a consistent and rational application of refugee criteria in line with the guidelines established in the UNHCR Handbook. UNHCR believes that the notion of fairness also requires the review body to provide the grounds for its decision.

Ironically, the above criteria have proven the most difficult for the UNHCR to apply when the organization has been faced with the task of determining refugee claims. UNHCR has determined refugee claims in a number of signatory and non-signatory countries to the 1951 UN Convention Relating to the Status of Refugees. For example, until February 1, 1988, UNHCR was the authority in Belgium which decided whether an asylum seeker's application was well-founded. When an application was rejected, the UNHCR representative had the authority to reopen a case and seek the advice of UNHCR headquarters. However, the claimant or his lawyer did not have complete access to the file on which the decision was based. Nor did the representative give reasons for a negative decision. Such a negative decision leading to an expulsion

order could still be quashed in the Belgian Civil Court.

The situation is different in Turkey. Turkey has a geographic reservation attached to its accession to the UN Refugee Convention, recognizing as refugees only those who have fled from Europe. Iranians and Iraqis are the two largest groups of asylum seekers in Turkey who are excluded. Unlike Belgium, UNHCR's determination system in Turkey has been the cornerstone of international protection afforded to non-European asylum seekers. Until July 1994, UNHCR had been the sole authority deciding refugee eligibility of non-Europeans. Based on an agreement with the Turkish authorities, applicants who received a final rejection by the UNHCR Office should have been deported to their countries of origin. After this date, the government has assumed the task of identifying "genuine refugees" and referring them to UNHCR for resettlement. However, UNHCR would reject a case for resettlement if it is not a "worthy case" by its standards. Similarly, when an applicant is not considered a "genuine refugee" by the government and therefore issued a deportation order, UNHCR would "consult" with the government only if it is a "worthy case". In either of these circumstances, Turkey's domestic law does not provide the asylum seeker a right of appeal against the rejection. Nor could asylum seekers rely on Article 13 of the International Covenant of Civil and Political Rights, which confers a right of review of a decision to deport an alien and a right to be represented for this purpose before the competent court. Turkey is not a party to the Covenant.

In view of the grave consequences of an incorrect decision by the UNHCR, it is reasonable to expect that the UNHCR Office in Turkey will stringently implement the safeguards it considers as fundamental for a meaningful and effective appeal. In reality, however, the appeal procedure has lacked the safeguards which are highlighted above.

Rejection of a case by the UNHCR Branch Office in Turkey has been in either of the following forms: rejection with an opportunity for a review or a closed case without an opportunity for an automatic review. In the latter case, an "information notice" would explain that one's case was rejected as "manifestly unfounded" or as "abusive of the procedures". If the decision is negative with the opportunity for a review, the applicant is informed in a form letter that s/he can write an appeal letter. An interview is not always granted but a different legal officer makes a second review of the case. For cases that are closed, although a re-opening is possible, there is no formal procedure to lodge an appeal. The process is open ended and in some cases takes as long as a year. A request for a re-opening is granted only based on introduction of "new information or documents".

UNHCR legal officers in Turkey do not provide reasons for their conclusions. As a result, asylum seekers are severely handicapped not knowing the grounds upon which they can base their challenge in an appeal. They are uncertain what they can accomplish in such an appeal. Grounds for decisions are also not provided after review. Thus the applicant whose case is rejected on review is never reassured that

s/he has had a fair hearing and that the criteria have been applied properly. Nor can an applicant have access to her/his file because of the agency's confidentiality rules. Considering the Office's available interpretation facilities, which lacks standardized selection criteria and training of interpreters and that interview notes are not read back to applicants for acknowledgment of accuracy and completion, the right to access files is not just a question of fairness, it is the only opportunity for an applicant to rectify errors such as mis-interpretation. In these circumstances, the right to appeal becomes meaningless.

Despite UNHCR's emphasis on the need for legal advice and representation, such assistance has not been available to asylum seekers. Once an applicant receives a negative decision, the only instruction s/he receives for preparing an appeal letter is that the letter "SHOULD NOT EXCEED TWO PAGES". To request a re-opening of one's case, one is instructed only to provide "new information and documents".

The procedure has also been designed in a way that does not allow any meaningful involvement of representatives or advocates at any stage of the process. Representatives have been barred from accompanying asylum seekers to the interviews. They have also been denied access to files and any relevant information about an asylum seeker's case. Submissions in support of asylum cases have been generally not replied to and it is never clear if they are included in assessment of a claim. It has also been very frustrating to advise asylum seekers, because there is no information avail-

### ↔ Illusory Appeal

able on how refugee criteria are applied and whether the burden of proof applicants are required to meet are consistent with the guidelines established in the UNHCR Handbook.

The failure of the system in providing an effective appeal process is also shown in the fact that appellants are asked to produce new information and documents in support of their claim. This limits the review to only errors or deficiencies in an applicants presentation of her/his case and disregards entirely the possibility of mistakes in a decision maker's conclusion. It does not consider the possibility of procedural flaws and irregularities. By restricting the review to new facts, the new decision maker would not make an independent evaluation of the facts already presented in the case. This denies the claimant a

reconsideration of the claim based on all relevant evidence.

There are currently hundreds of Iranian and Iraqi, mainly Kurdish, asylum seekers who are subject to deportation by the Turkish authorities due to their cases being closed by the UNHCR after an appeal. Some have lingered in Turkey for several years, hiding in squalid slums.

In my own survey of closed cases, I have found many compelling cases of persecution. An illustrative example is the case of Mrs. H., an Iranian national, who fled to Turkey with her three children close to two years ago. Both she and her husband were political activists and imprisoned by the Iranian government. Her husband was executed and she was released because at the time no evidence was found against her. She then faced serious threats including losing the custody of

her children and had to flee her country due to revelation of her political activities after her husband's execution. She has provided documentary evidence with respect to her husband's execution and the custody issue.

While according to the UNHCR Office, Mrs. H. has "failed to establish a credible claim", Mrs. H's description of the procedure pursuant to which her case was denied, raises issues which challenge fairness of the procedure. According to her, the scope of the inquiries at both her interviews has been limited to her political activism, disregarding other valid grounds for persecution, including impingements on her right as a parent and her right to personal security. Nor were the children included in the claim, despite the fact that they may also have a valid persecution claim due to the custody

issue. On the issue of credibility, Mr. H's narrative of her interviews conveys unreasonable and irrelevant tests.

UNHCR has undertaken a difficult and unique task in operating a full scale refugee status determination procedure in Turkey. There is, of course, financial constraints, problems arising from inherent lack of co-operation from the Turkish authorities and political considerations. While the appeal is not in itself a deportation hearing, its outcome could lead directly to a person being expelled to the country of persecution. The need to ensure that fundamental requirements are present must therefore remain paramount.

*This article is written by Delfjou Abadi and was first printed in the Spring 1995 issue of Refugee Update, a quarterly publication by Jesuit Refugee Service/Canada.○*

## Figures from UNHCR Resettlement Section

The United Nations High Commissioner for Refugees (UNHCR) issues a document entitled "Assessment of Global Resettlement needs for Refugees" at the close of each year. The 1996 Assessment sets number of refugees needing resettlement overseas at 32,350 (not including 45,000 contingency requirement projected for refugees from former Yugoslavia). This figure amounts to less than one and 1/2 percent of the 23 million total number of refugees in the world. The Assessment is broken down by region and there are charts reporting the actual number of resettlements in previous years. Another disturbing trend shown in the Assessment is that during the past five years, only about half of the cases identified by UNHCR as being in need of resettlement have been resettled. In 1991, 57% of refugees in need of resettlement were not resettled, in 1992, 49% were not resettled and in 1993, 40% and in 1994, 41%.

In 1995 and in 1996, the number of Iranians assessed to be in need of resettlement are as follows:

**Iranian refugees residing in Iraq:** The 1996 Assessment states that resettlement of Iranian refugees residing in Iraq will be pursued for some 2,400 persons. As stated, the majority are Iranian Kurds in Al-Tash Camp, where they have lived for more than a decade, with no prospects for a normal life. Another group of single men live in Ramadi. They are mostly Persians, ex-prisoners of war and former PMOI members. This group is living in deplorable conditions and needs resettlement on a priority basis. Certain Iranian Kurds in Northern Iraq will require resettlement due to serious security problems and/or vulnerability.

In 1995, the total number of Iranians in need of resettlement

was forecasted at 2,000 including the backlog of unresettled cases in 1994. This included 800 deserving vulnerable or family reunification cases of Iranian Kurds who lived in Al Tash Refugee Camp, 500 other Iranian Kurds in the North of Iraq with compelling security cases due to political activity, and 160 places for urban Iranian refugees, including ex-prisoners of war, in Ramadi camp. In 1995, the total number of Iranian refugee population in Iraq was reported over 41,660.

**Iranian refugees residing Turkey:** The present caseload is reported to be composed of persons who have fled individual persecution. Some 1,900 Iraqis and Iranians are expected to require resettlement in 1996.

In 1995, UNHCR foresaw a need for resettlement of 700 Iranians. By the years end it is not clear that how many Iranian refugees were in fact resettled. At the beginning of the year, US Committee for Refugees' estimate for the total number of Iranian refugees in Turkey was 10,000. ○

With deepest sadness, we were informed that Hossein Soltani passed away in November 1995. Hossein's medical case was featured in the Spring issue of this newsletter. After fleeing to Turkey in 1994, his transplanted kidney failed due to his inability to buy his medication. He was hospitalized in Turkey for several months and was receiving dialysis at home when he died. As he would write to Iranian Refugees' Alliance, his suffering in Turkey was not just his kidney or bad nutrition, he felt insecure and hopeless. Despite his medical situation, Turkish authorities and UNHCR officials failed to act promptly to provide Hossein emergency resettlement in a third country.○

## Fairness & the UNHCR

⇐ continued from page 1

page 9).

The sit-in of 161 Iranian refugees called attention to UNHCR's determination procedure. It put a legitimate burden of proof on the UNHCR to show that its determination procedure has conformed with general standards necessary to produce truly fair decisions and that each sit-in applicant has been reassured that he or she has had a fair hearing and a meaningful opportunity to challenge a negative decision.

As Iranian Refugees' Alliance is informed, the Headquarters' investigation with respect to the sit-in commenced in September 1995. However, none of the sit-in participants were ever approached. The Headquarters simply consulted the Branch Office in Turkey and came out in favor of the Office. The November "Statement" said the cases had been "carefully" considered and reviewed in an "extensive process" and that on "the facts known to the legal officers" the profiles had not justified the granting of refugee status. It added that "many of the cases were given a third or fourth review". Finally, based on these assumptions, the Headquarters in Geneva reached the decision "to fully support the position of their office in Turkey and the subsequent position not to re-open these cases for a further review."

There is serious unfairness resulting from investigations which only includes one side of a dispute, but what is also remiss in terms of fairness is regard for safeguards necessary to ensure that the facts of a claim have been fully and correctly considered and that determination criteria have been applied properly. Multiple reviews often repeat earlier errors, if there is no mechanism in place to provide for an effective identification of errors or inadequacies leading to an initial negative decision. Indeed, one common criticism of the UNHCR system has been failure on the part of legal officers to elicit all the relevant facts of each case. Thus, it would be no surprise if legal officers have made incorrect decisions simply due to lack of "known" facts.

A point in fact is that the unfairness of the UNHCR determination system in Turkey has raised serious concerns for a number of other human rights organizations. Criticisms have referred to lack of several safeguards considered basic and minimal for achieving fairness. It has been noted that:

- 1) applicants have not received legal counseling before or during their interviews,
- 2) applicants have been denied representation by counsel or advocates,
- 3) applicants have not been informed of the basis for a decision denying them refugee status,
- 4) applicants have been refused access to their files, including access to records of their interview, and,
- 5) applicants have not been afforded the right to an effective and meaningful appeal (see page 6).

Other basic safeguards such as the availability of competent and impartial interpreters, a practice to allow applicants to acknowledge the accuracy and completeness of their statements

recorded in the interviews, or even a laxity as basic as taking notes by the applicants during the interviews, have also been dispensed with.

There have also been widespread allegations regarding attitudes of hostility, partiality and exhibition of skepticism on the part of the legal officers conducting the interviews and making crucial decisions. Although it is difficult to confirm these allegations because interviews are held behind closed doors, the frequency of these allegations has raised serious concerns about the quality of treatment asylum seekers receive from the Office.

Furthermore, several individual cases have come to the attention of human rights organizations which suggest that claimants have been rejected based on an improper or inadequate criteria, misconceptions, lack of information or misinformation about country conditions and unreasonable requirement of proof. The limited scope of inquiries at the interviews is another indicator for inadequate appreciation of the breadth and depth of persecution in Iran.

When Iranian Refugees' Alliance inquired from the sit-in participants about the nature of the procedure they have been through, their answers confirmed shortcomings and flaws that had been identified earlier. For instance, many of the participants had not been provided with adequate translation. Some left the interviews with serious doubts over the accuracy and completeness of what was recorded in their files. Most applicants found their interviews intimidating and humiliating. As a result of the prosecutorial zeal demonstrated by legal officers, rather than being able to provide all the important facts of their case, some were forced to spend their entire interview on credibility tests.

There are a number of sit-in participants who due to the circumstances they have faced, have made misrepresentations. However, despite presenting justified reasons, they have not been afforded an opportunity for presenting their cases again. These people are political activists who have been in Iraq before coming to Turkey. When they fled to Turkey, UNHCR was systematically rejecting persons in similar situation, claiming that they fit in the category of "Irregular Movement", persons who, according to the Executive Committee of the UNHCR, have already found protection in another country but moved to another country for personal reasons. This policy was maintained for two years, despite the fact that Iranian political activists were neither protected nor had access to an effective resettlement procedure in Iraq. The evidence attesting to this fact is the large number of such refugees residing in Iraq who despite being assessed to be in need of resettlement by the UNHCR have remained in deplorable and insecure conditions. Year after year, these persons appear as sheer statistics in UNHCR yearly "Assessment Needs" (see page 7). The position not to re-open the cases of such persons in the sit-in is also unfair because in the past similar cases have been reconsidered by the UNHCR Branch Office in Turkey and eventually offered protection and resettlement.

The UNHCR Headquarters' Statement with respect to the Iranian

continued on page 9 ⇨



## From UNHCR Headquarters in Geneva (reprint)

### UNHCR'S POSITION ON THE IRANIAN SIT-IN IN ANKARA

Since August 4, a group of Iranian asylum-seekers has staged a sit-in at the headquarters of the United Socialist Party in Ankara. After careful review of these cases, UNHCR does not find that their claims meet refugee criteria. Nevertheless, the Iranians have been demanding that their cases be reopened and that the deportation orders issued to some by the Government of Turkey be revoked. (Deportation orders are issued by the Government to applicants who have failed to convince the authorities that they have a well-founded fear of persecution in their country of origin.) The sit-in organizers invited other rejected Iranian asylum-seekers to participate. Since then UNHCR's Office in Ankara has been flooded with correspondence and telephone calls from groups expressing sympathy and solidarity with this group.

As of 9 November, the sit-in involves about 150 persons, although some individuals come and go. The group, including women and children, has been staying in crowded and unsanitary conditions for over two months. The Government is taking no special action against the protesters but has advised them to return to wherever they were staying and await the review of their individual cases. However, several cases are reported to have received deportation orders issued by the authorities in their assigned cities of residence upon expiration of their residence permits. Although UNHCR's assessment is clearly negative, several cases comprising some fifty persons have not yet been finally decided by the Government.

Non-European asylum-seekers in Turkey who do not have passports and visas must register their claims with the Government in order to be granted temporary asylum under Turkish law. In parallel, UNHCR has been implementing a refugee status determination procedure in Turkey according to the UNHCR Statute and in view of Turkey's geographical reservation with regard to the 1951 Convention on Refugees and the 1967 Protocol, and as UNHCR been urging the Government of Turkey to implement its asylum procedures in line with international law and internationally accepted standards. UNHCR argues for full access by asylum-seekers to the Government procedure. A positive assessment of refugee claims by UNHCR is the basis for intervention when the Government's assessment is negative. UNHCR's positive assessment of cases is also the basis for submission to countries of resettlement.

The Legal Unit of UNHCR in Ankara has carefully considered and reviewed the cases of Iranian individuals currently residing in the premises of the Socialist Party Headquarters in Ankara. UNHCR's lawyers have concluded after an extensive process that the profile of these cases, on the facts known to us, does not justify the granting of refugee status for any one of the reasons contained in the Statute of the Office and replicated in similar terms in the 1951 Convention and as defined under international law.

UNHCR Headquarters in Geneva has been aware of the situation and the process and fully supports the decisions taken by its office in Turkey and the subsequent position not to re-open these cases for a further review, given that each case was carefully considered at first instance and in a review procedure. Many cases were given even a third or fourth review where

justified by relevant new facts.

UNHCR would urge all concerned individuals and organizations who have contacted us about this sit-in to concentrate their attention on persons whom UNHCR believes meet refugee criteria and on helping asylum-seekers to understand and comply with Turkish law. Constructive expressions of concern to the Government from non-governmental organizations about the way asylum procedures are being implemented in Turkey might also complement UNHCR's efforts on behalf of refugees and asylum-seekers.

November 1995  
UNHCR Geneva

### Example of Deportation Notice

(Translated from Turkish by Iranian Refugees' Alliance.  
Personal information omitted for security reasons)

#### PROCLAMATION AND ACKNOWLEDGMENT DOCUMENT

REFERENCE: a) Decree of Ministry of Interior dated YY YY, 1994 and numbered B.05.1.EGM.0.13.04.02.71813-YYYY (YYYYYY).

b) Decree of Ministry of Interior dated YY YY, 1995 and numbered B.05.1.EGM.0.13.04.04.71813-YYYY (YYYYYY).

The asylum seeker XXX, an Iranian national, born in YYYY, son of XXX, has entered our territory by illegal means, has requested asylum until he could get a visa from a third country, and was given the temporary residence permit numbered YY/YY as decreed by reference (a). It has been declared by reference (b) that due to his failure to obtain a visa from a third country and due to the denial and closing of his case by United Nations High Commissioner for Refugees it was decreed that an extension of his temporary residence permit would not be possible and that he should voluntarily leave our territory in 15 days. Otherwise he would be deported, unless there is a ruling against his leaving the country.

The temporary residence permit of the Iranian asylum seeker was taken back and it was proclaimed to him that he should voluntarily leave our territory within 15 days, otherwise he will be deported. This document was signed by both parties YY YY, 1995.

|                              |             |              |
|------------------------------|-------------|--------------|
| PROCLAIMER                   | WITNESS     | ACKNOWLEDGER |
| XXX                          | XXX         | XXX          |
| Passport-Foreigners          | XXX         |              |
| Section, Ass.<br>(Signature) | (Signature) | (Signature)  |

True Copy of the Original Document, YY YY, 1995.

Republic of Turkey  
Ankara Security Department  
Office of Passport-Foreigner Section  
(Seal and Signature)

⇨ continued from page 8

sit-in is unreasoned, uninvestigated and unprincipled. By furthering the denial of a fair determination to the sit-in participants and thereby subjecting them to forcible return and to possible persecution, the Headquarters' Statement bears a disturbing apathy. The endorsement offered by the Headquarters to their Branch Office's determination procedure, despite its non-compliance with internationally accepted standards, only serves the organizations utilitarian purposes. It promotes despise and neglect towards principles of justice and fairness which are the crux of refugee protection. ○

⇨ continued from page 5

zens such as the right to education, health care, association, etc. In determining applications for temporary asylum, Turkey's new determination procedure precludes children rights and the principle of their best interests.

The UN Convention on the Rights of the Child also assigns a special role to the UNHCR, since it has an extensive involvement with the needs of children (Article 45). More than half of the world's refugee population are children. Yet Azadeh and Surur and many other child asylum seekers in Turkey do not receive proper assistance from the UNHCR in Turkey.

Children's claims are not included in their parents' cases by the UNHCR Office in Turkey. Nor are children invited by the UNHCR to speak about their fears to return. Article 12 of the Convention says that children capable of forming their own views have the right to be heard in judicial or administrative procedures affecting them. This is, of course, regardless of whether or not their parents are in a position to make a claim on their behalf. Since it is also unreasonable to expect children to enter into such procedures on their own, in order to ensure their right, it is the onus of the examining authorities to make this possible for the children--for them to be heard and to lodge their claims.

Regarded as appendages to their parents, children have also been refused any form of material assistance by the UNHCR while their parents have been caught up in prolonged determination procedures. Fundamental needs such as pre-natal care, hospitalization for delivery and even assistance to handicapped or seriously ill children have been denied to those children whose parents have not been recognized as refugees by the

### Advocacy . . .

⇨ continued from page 4

general lack of outside scrutiny of the process. In countries such as Thailand and Turkey, the UNHCR system lacks the following requirements: UNHCR determinations do not give reasons for their conclusions, applicants do not have access to their files, there is no scrutiny of legal officer's perception of persecution, and little or no access to an appeal process in some countries [footnote 11: Specifically, JRS has noted that Iranian claimant's in Turkey have not had certain minimum safeguards in their hearings, including legal counsel, non-adversarial interviews, and competent interpreters.] UNHCR's lack of criticism of governments for their inconsistent application of the Geneva Convention and other International Agreements, is also disturbing. [footnote 12: In Turkey, where the geographical restriction of the 1951 Convention is maintained, Iranians and Iraqis (mostly Kurds) suffer greatly. Extradition of opposition members is a part of an implicit agreement between Turkey and Iran, and has become an explicit threat to asylum seekers in these two countries. Iran's September 6th decision to close its border with Afghanistan has greatly limited the ability of Afghani asylum-seekers to claim asylum from persecution. JRS is alarmed by UNHCR's lack of criticism for this move.]<sup>10</sup>

UNHCR or have had their cases under consideration.

**Iranian Refugees' Alliance first and foremost calls on the UNHCR, as the body entrusted a special role with regard to child refugees and asylum seekers to implement the Convention on the Rights of the child without discrimination. Iranian Refugees' Alliance recommends an immediate training program on relevant provisions of the Convention for UNHCR officials who conduct the interviews and determine claims of non-European asylum seekers. It calls on the UNHCR to re-evaluate refugee claims of family asylum seekers whose claims have been rejected previously and to include the views and experiences of children in the re-determination of the claims. Whenever necessary, children should be invited to talk about their fears of return to their homeland. Appropriate guidelines for interviewing children should be followed and information on general treatment of children in the country of their origin should be compiled. No child asylum seeker should be refused assistance based on his or her legal status or that of his or her parents'.**

Iranian Refugees' Alliance is preparing a brief to the UN Committee on the Rights of the Child to examine the treatment of Iranian refugee children in Turkey by the government and the UNHCR. The UN Committee on the Rights of the Child oversees the implementation of the Convention on the Rights of the Child and accepts reports from non-governmental organizations as well as governments. We invite interested organizations and individuals to join in this effort by sharing information on experiences of children before and after leaving Iran, documents on the laws and regulations concerning children in Iran, and related research and analysis.○

### Turkey's . . .

⇨ continued from page 2

incidents indicated retraction of the earlier assurances, a matter also confirmed by the Turkish embassy in the US which disowned its earlier assurances as internal misunderstanding.

In November 1995, despite widespread expressions of concern regarding the sit-in participants and particularly policies and practices governing UNHCR Office's refugee determination procedure, the UNHCR Headquarters in Geneva announced that the cases of the aggrieved asylum seekers would not be re-opened. The statement issued in relation to the Headquarters' position was also a disappointment vis-a-vis the Turkish gov-

ernment. The statement failed to address the reasonable likelihood of danger faced by sit-in participants if deported to Iran due to exposure of their identities, political views and affiliations in Turkish and international media and as the action would be perceived by the Iranian regime.

Turkey's government broke down in Fall 1995 and elections were going to be held on January 24, 1996. By mid winter 1996, the new government has not been formed and Turkish authorities have not declared a clear position on the sit-in.○

## Assisting At-risk Asylum Seekers with Resettlement Alternatives

There are many Iranian asylum seekers in Turkey who qualify as Convention refugees but have been unfairly rejected by the United Nations High Commissioner for Refugees (UNHCR). There are also others who may not fit in the narrow definition of the Convention but will be subject to violations of fundamental human rights upon return. As a result of their cases being closed by the UNHCR they do not receive assistance from the UNHCR for resettlement in a third country and thus face deportation by the Turkish authorities.

Currently, the only resettlement alternatives available are special programs offered by Canada and Australia which are not based on UNHCR referral.

### Private Sponsorship of Refugees in Canada:

Canada's Private Sponsorship is a program enabling eligible individuals and organizations to request that an overseas Visa Officer interview a named refugee for resettling in Canada. For approval, applicants must be found both eligible and admissible. Eligibility has to do with meeting either the Convention refugee definition or one of Canada's designated class programs. The admissibility criteria are intended to determine whether the applicant is capable of successful establishment in Canada. If the refugee claim is accepted, the sponsor should provide, for up to a year, the basic emotional and financial support to enable refugees to adjust and settle in Canada.

### Special Humanitarian Program in Australia:

Australia's Special Humanitarian Program provides consideration for resettlement of individuals who are subject to gross discrimination of human rights. Applicants need a well established sponsoring individual (legal resident or citizen) or group who shall provide, for a minimum of six months from the date of arrival, personal, developmental and support for adjustment of the applicant in Australia. They are also required to pay for their medical examination and half of their plane ticket.

So far only few Iranians have taken advantage of these alternatives mostly due to lack of information about the procedures or eligibility criteria. There are also great difficulties in finding sponsors who are willing to commit and are qualified.

Currently the key element is availability of sponsors and necessary resources. In this connection, a practical problem which prevents concerned individuals and groups to make sponsorship commitments is resource constraints. The cost of supporting a newly arrived refugee in Canada may amount to several thousand dollars. Half of a plane ticket to Australia and the costs of medical examinations amounts to over \$500. There are also expenses for procuring exit permits from the Turkish government. Since almost all applicants to these programs have overstayed their temporary stay permits or visas, they have to pay fines in order to get per-

mission to leave. These fines can add up to several hundreds of dollars.

One couple who have been recently admitted by the Australian program after three years of an insecure and destitute life in Turkey describe their situation as follows:

*"It looks like a miracle to finally find a way out. While our only hope is to go to Australia, every day that goes by we feel that we are one step farther from our dream. You already know how difficult it was for us to ask every single person we knew for help and collect the required \$700 for medical exams and Ctkis/Ctris (visa renewal) for my husband. Two days ago we were told that another \$900 is necessary for covering half of our plane ticket. If we don't find this amount within the next month and a half then my husband's visa in Turkey will expire again and that adds greater expense. After purchasing the airline tickets, it will take additional time to solve the problem of my over-staying and I will need to obtain the permit to exit Turkey. Even if we risk to come out of hiding, we are unable to find employment. Every day the inflation rate in Turkey increases and what ever we have in our pockets goes for one meager meal per day. Please do your utmost to help us."*

### Assistance Program:

Iranian Refugees' Alliance has started a program to provide information and assistance for at-risk asylum seekers in Turkey to take advantage of these programs. We have

formed partnerships with Canadian Churches to refer asylum seekers and to facilitate sponsorship applications. Steps have also been taken to seek qualified sponsors in Australia. However our most challenging commitment is finding the necessary resources. We have set up a Fund for Resettlement which provides grants and loans to people who are at-risk in Turkey, and are admitted by one of these programs but do not have the necessary resources. This Fund relies on public contributions.

### How you can help:

- **Make a tax-deductible contribution to Iranian Refugees' Alliance for the Resettlement Fund.**
- **Provide a loan to asylum seekers through Iranian Refugees' Alliance.**
- **Refer volunteers in Canada who can assist in providing housing, social and emotional support for newly arrived refugees.**
- **Refer sponsors in Australia who are well-established.**

**Make your contributions payable to IRA Inc. (see page 14) and contact us if you can assist in any other way or need more information. ☉**

## Refugee Voices

Refugee Voices intends to reflect the voices, problems, needs and aspirations of refugees. For this issue we present a letter from Mrs. D., a refugee in Turkey. (The name of refugees are omitted as a matter of protection.)

### My Little Boy

From a Mother

The cry of a little boy could be heard from far away. His mother is holding his hand and dragging him out of a stationary store. In between his shrieks, the boy cries "I want a notebook, buy me a notebook, a story book, why aren't you buying me anything, I want crayons." "My little boy, we don't have the money now, I promise I will buy it for you as soon as your dad finds a job".

Ahh..., how long can a mother stand in front of his son's little desires and not cry or eat his heart out. My little boy was raised with books, crayons and notebooks. He loves stationary. He used to paint and draw. He could recognize most of the Persian and English alphabet. Now, because of our limited resources, we are suppressing his interests and I see the buds of his talent withering away.

Our Hotel room is 3x3 square meters. It is our living room, our bedroom, kitchen, and playground. It looks like that we have to stay here for another five or six months. Imagine roaches running up and down all over the walls, old sheets, torn curtains and broken and taped windows. Despite all of this, we feel fortunate to have found this inexpensive shelter.

My innocent child is a prisoner in this jail and has no space to release his energy. He opens and closes the broken door of the wardrobe and says that he is playing with a swing, he cuts out pieces from newspapers and asks me if I will make him crafts out of it. He tells me he would like to go to the pre-school to play with the kids and asks me to look out the window to see that the preschool is not closed and its lights are on. He plays with a small cheap toy car and constantly complains that it is not working right. He uses our adult language and says: "Nothing works; I will soon have a nervous breakdown. Can you fix it? But it is no good! Will you buy me one when you have money?"

Our nutrition is just so that we won't go hungry. We always pick the cheapest stuff. We have excluded many essential foods such as fruits, and fish from our diet. We have meat only once a week. When we go shopping my son's desires breaks my heart. "Mom, why don't you buy bananas, I like pomogranetes, buy pomogranetes." One day he was pointing at some tangerines so eagerly that the storekeeper noticed and put one in his little hands.

It is now Saturday 7am. As I am writing this letter, through the taped broken window, I watch how each flake of the snow falls, glances at our miserable life and slowly lands on the ground. The old rusty heater is cold and I could feel the cool wind on my body through the broken window. My son is asleep. We have covered him with the hotel's old and torn blankets, so that he is protected from the biting cold, but we can't find a relief from the biting chill of poverty and misery.

I am an engineer and my husband is a doctor. Since our lives were in danger in Iran, we left all our belongings behind and with a lot of difficulties, and spending a fortune, we fled to Turkey. At this moment that I am writing this letter I am so fearful and anxious awaiting a reply from UNHCR and wondering whether we would be admitted as refugees or deported back to Iran.

We have not been here for long. There are long-stayers whose situation are much worse that ours. Perhaps we will get to that point too. I really don't want to imagine that day. For a long time, our only hope was to find a job and look forward to the help of a few friends. But then came a message of hope from the other side of this world. A message from the big hearts of kind and concerned people. Ah.. I can't explain the light that this hope has brought to our dark nights, the relief your concern about our situation has brought to us and the energy it has given us. We received a form from your organization asking us to explain our situation. Your concern concern about our situation is greatly appreciated. The moral support we received from you matters to us even more than financial support. Oh, my god, I didn't know that we had friends, feeling so lonely here. I wish you could see my tears of joy. I thank you deeply for remembering us and for your understanding. My little son is thankful too.

My dear friends, lets keep our friendship and please don't forget us. Let us be thankful for your kindness and let your contributions ease the pain we are going through. Support us so that the rage of our enemies can't destroy us any more. Give us hope and be our hope because life without hope is unbearable.○



## The Support Fund for At-Risk Iranian Refugees in Turkey

The Support Fund for At-Risk Iranian Refugees in Turkey was established in 1993 to meet the basic needs of Iranian asylum seekers who otherwise would not have the necessary resources.

### End of Year Report:

We are pleased to announce that in 1995 a total of \$50,050 was raised in the fund, almost double the amount for 1994. We were able to support 138 refugee families in Turkey on a regular basis. Twenty four have received stipends through the year.

Iranian Refugees Alliance extends its most heartfelt gratitude to our pledgers, some of whom have been cooperating with us since 1993 and to every one who have made a contribution to the fund. More than 250 persons have made contributions to the Fund in 1995.

Since August 1995, due to an increasing demand for assistance from refugees in critical situations and in order to maintain a fair distribution of the funds we have reduced the stipends by (\$5 to \$10) for single persons and by (\$10 to \$20) for families of two or more. It is our hope to assist more refugees in 1996 and to resume the amounts specified bellow by having more pledgers and contributors.

### How the fund operates:

A single refugee is assisted with \$30/month and a family refugee receives \$50-\$65/month. By pledging any or all of the above amounts or multiples of them you will make a significant economic and security improvement in each recipient's life. If the above amounts are too costly we ask you to please consider pledging as little as 50 cents a day (\$15 a month) or sending a one-time gift contribution. All contributions make a difference.

Support funds will be sent to Turkey every other month (starting Jan.). If you make a long-term pledge, we prefer that your payments be bimonthly. In any case, we will always inform you when pledge payments are due. You will receive confirmation of your support from the recipient refugee(s) which will be forwarded to you by us. You also have the option to communicate with the refugee(s) that you support. Your letters may also be forwarded through us. We will respect anonymity if requested. The Support Fund operates in Turkey with cooperation of individual asylum seekers who work closely with Iranian Refugees' Alliance on a voluntary basis.

No part of your contributions to this Fund is deducted for expenses incurred by Iranian Refugees' Alliance.

### Please JOIN NOW:

If you are interested in helping, please fill out the following form and send it to us with a gift or if sponsoring a refugee with the first payment of your pledge. Please share this urgent request with other potential allies of at-risk Iranian refugees in Turkey. If you need more information, please contact us immediately.

### ✓ YES! I Want to Support Iranian Refugees in Turkey

- My **monthly** pledge is :
- \$15/month (makes a difference)
- \$30/month (supports a single refugee)
- \$50/month  \$100/month  \$\_\_\_/month  
(supports a family refugee)

#### ■ My payments are:

Please consider bi-monthly payments

- bi-monthly**  every \_\_ months

- Enclosed is my **first** payment \$ \_\_\_\_\_.  
Inform me of my next payment dates.

- OR** here is my gift of \$ \_\_\_\_\_

- I would like to communicate with the recipient refugee.
- I would like to remain anonymous.

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_ Zip \_\_\_\_\_

Please make your donations payable to **IRA Inc.**  
IRA is a 501(c)3 tax-exempt organization. Donations are tax deductible to the extent allowable by law.

Our mailing list is confidential.

IRA Inc. Cooper Station POBox 316 NY, NY 10276-0316

# Projects for Children

## NOROUZ GIFTS

March 20, 1996 is the beginning of the Iranian New Year, Norouz. Like Christmas, Norouz brings children the joy of receiving gifts. But for most refugee children in Turkey this will not happen because of financial constraints.

Last year volunteers of Iranian Refugees' Alliance in California purchased and sent gifts to 260 children in Turkey. The gifts brought great joy both to the children and the volunteers.

This year we will send each child \$10 (USA). We will give the money to their parents so that each child will have a gift on Norouz eve. We have so far identified approximately 300 children across Turkey, whose parents can not afford a gift for them.

A benefit concert will be held in Northern California in early March 1996 to raise funds. Please contact us for more information about the concert. You can help by selling concert tickets in advance and/or by making a direct contribution. We ask that please act NOW, so that every child receives a gift in Norouz eve. Please refer to the form below and send your contributions as soon as possible.○



Afshin busy with his last year's Norouz gift

## SCHOOL STIPENDS-UPDATE

A school stipend project was featured in the summer issue of this newsletter. The stipends intended to help children attend school while they are in Turkey. Turkey does not officially allow Iranian refugee children to attend public

schools. However in some towns the local authorities have not objected. While there is fortunately no charge for public school tuition, items such as school uniforms, books, stationery and lunch are charged.

Requested stipends were \$60 (US) per child. Although our recent survey shows that school expenses are higher than this sum, because of the large number of children in need of assistance compared to our resources, the amount of the stipends will not be increased.

Since August 1995, 34 children have received stipends through contributions. However, we have recently received 28 more profiles of children in need of assistance.

If you are interested in helping a child attend school while s/he is in Turkey, please take PROMPT action by sending \$60 to defray the cost of books, stationery, school uniform, and lunches. Please refer to the form below and send your contributions as soon as possible.○

# If You Have an Interest in Helping Iranian Refugees PLEASE ACT NOW and JOIN OUR ALLIANCE

Iranian Refugees' Alliance is a US based non-profit organization assisting and advocating on behalf of at-risk Iranian refugees. Because of resource constraints our efforts are currently focused on Turkey where there is a constant flow of Iranians and greater vulnerability.

Our efforts are based on volunteer work. Please contact us if you like to participate in our projects or would like more information.

Our projects are entirely funded by contributions. Please make your contributions payable to IRA Inc. IRA is a 501(c)3 tax-exempt organization. All donations are tax-deductible to the extent allowable by law.

### Here is my contribution of:

\$25     \$50     \$100     \$250     \$ \_\_\_\_\_

If you like to contribute to a specific project please select one:

- The Fund for Refugee Children (School Stipends/Norouz gifts)     The Support Fund for Refugees in Turkey (please fill out the form on page 13)
- Fund for Resettlement (see page 11)     Advocacy/General

I will volunteer     Keep me informed.

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_ Zip \_\_\_\_\_

Tel: \_\_\_\_\_

Please contact us at:

**IRA Inc.**  
Cooper Station  
P.O.Box 316  
New York, NY 10276-0316  
phone & fax : 212. 260.7460  
e-mail : irainc@igc.apc.org