



Iranian Refugees At Risk

Iranian Refugees' Alliance Quarterly Newsletter

Vol. 3 Spring 1995

Putting it on Public Record: The Critical Situation of Iranian Asylum Seekers in Turkey

In May 1995, Iranian Refugees' Alliance (IRA) issued a document to put on public record the critically undermined protection of Iranian asylum seekers in Turkey. The 42 page report examines in detail the refugee status determination procedures of both the United Nations High Commissioner for Refugees (UNHCR), the agency mandated by the international community to protect refugees, and the Turkish Government. It concludes that both agencies have failed to satisfy relevant international standards and calls on the UNHCR and the Turkish Government for essential and urgent improvements.

The Turkish Government ratified the 1951 Convention and 1967 Protocol Relating to the Status of Refugees, but has stipulated that it will apply the provisions of the Conven-

tion only to European refugees. Until July 15, 1994, in the absence of a national legislation, the Turkey Branch Office of the UNHCR was allowed to determine refugee eligibility of Iranian asylum seekers. After this date, the Turkish Government declared itself the authority for determination of all non-European asylum seekers in Turkey.

UNHCR's refugee status determination procedure has been the cornerstone of the agency's protection role in Turkey, since only those who have been recognized as refugees have been afforded protection against forcible return and eventual resettlement in another (third) country. Yet, this determination system has lacked regard for procedural safeguards essential to ensure full and fair determinations.

Currently, hundreds of asylum

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CAMPAIGN for Urgent Improvements

Iranian Refugees' Alliance (IRA) intends to campaign both the UNHCR and the Turkish Government to adopt and implement international standards for treatment of asylum seekers, including fair refugee status determination procedures. Following the publication of a document on the practices of the UNHCR and the Turkish Government regarding Iranian asylum seekers in Turkey, IRA has written to High Commissioner Sadako Ogata and the Turkish authorities to urge for essential and urgent improvements. IRA has also written to several US Senators and Representatives. The issues were publicized by contacting more than 100 national and international organizations and individuals, major media, as well as posting information on several electronic news-groups.

In this issue we bring to your attention correspondence with the High Commissioner and Turkey's ambassador in the US. a

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Iranian Refugees' Alliance, Inc.

Cooper Station P.O.Box 316 New York, NY 10276-0316 USA

phone & fax: 212.260.7460 e-mail: irainc@igc.apc.org

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seekers whose arrival predates July 15, 1994 and whose applications were previously rejected by the UNHCR Branch Office in Turkey languish under harsh conditions and threat of imminent deportation. Many of them fled to Turkey several years ago. Labeled by the Office to be "persons of no concern to the UNHCR"--also called "economic migrants" and "abusers"--these persons have not been granted protection against forcible return. Even when other countries have granted them entry visas on humanitarian or refugee grounds, the UNHCR Branch Office has refused intervention with the Turkish authorities to prevent their deportation. Forcible returns continue to take place under desperate circumstances. Despite these terrible odds, asylum seekers refuse to repatriate voluntarily. They maintain that the UNHCR Branch Office owes them a fair and just opportunity to argue their cases. They are determined to achieve their rightful refugee status.

Arrivals after July 15, 1994 encounter an even more horrendous gauntlet once they discover that new regulations re-

quire that they lodge an application for "temporary asylum" with the Turkish police. Many asylum seekers have refrained from approaching the authorities because of the serious risk of deportation. The new procedure fails every formal standard of fairness and incapacitates UNHCR from performing its protection function. Only a few months into its implementation, dozens of asylum seekers are reported to have been rejected after cursory initial examinations. The rejections have led to instant deportations since the procedure does not provide an opportunity to appeal negative decisions. These deportations are evidence that Turkey is guilty of a breach of the duty of non-return. The binding obligations associated with the principle of non-return are derived from international law and enjoin any action on the part of a state which returns or has the effect of returning people to territories where their lives or freedom may be threatened.

Despite overt flaws in the new machination, UNHCR has demonstrated a deleterious passivity. Neither the secretive proc-

ess of discussions between the UNHCR and the Turkish Government before the establishment of the new system, nor the UNHCR's recent signature of approval on the procedure, impart the agency's will to hold the Government accountable for violating international refugee laws. While the Branch Office's staff allegedly ascribe this passivity to diplomatic exigencies, asylum seekers blame it on the agency's inherently flawed standards of treatment. How can international standards apply in dealings of the UNHCR with the Turkish Government when UNHCR is itself not bound to the standards?

IRA focuses on the role of the UNHCR because it is pivotal to protection of asylum seekers. The main body of the IRA's report identifies major shortcomings in the previous UNHCR refugee determination procedure. By elucidating minimum international standards required for fair procedures, it questions the standards of treatment adopted by the Office. Under the Office's procedure, applicants do not receive effective legal advice and counseling; they are not allowed to

be represented by counsel or advocates; they are not appropriately informed of the basis for a decision denying them refugee status; they are refused access to their files, including access to records of their interviews; and, they are not afforded an effective appeal. Other elemental safeguards for fairness, such as the availability of competent and trained 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 been dispensed with.

In view of the stated flaws and shortcomings, the document concludes that the process could not be relied on to identify all those who are refugees, and therefore may return refugees to persecution. By setting forth sixteen recommendations (see page 3), it calls for urgently needed improvements in that determination procedure. IRA urges the Office to take all the necessary actions so that no rejected asylum seeker is forcibly returned to Iran until effective measures have been implemented to remedy the flaws and until aggrieved asylum seekers have had a thorough and fair examination of their asylum applications.

The addendum of this report deals with the new Turkish Government refugee processing system and identifies gross violations of international norms. The new system is outrageous in its aim to deny asylum seekers any opportunity whatsoever to appeal a negative decision, a fair and full interview, and legal assistance as well as willfully incapacitating

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To receive this 42 page document please fill out this form and return it with \$5.00 to our address.

Please select one:

☐ original English.

☐ Farsi translation. (coming in July)

Name: _____

Address: _____

City _____ State _____ Zip _____

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



Evading Scrutiny:

Does UNHCR's
Refugee Status Determination Procedure
Measure up to International Standards?

(An assessment of the practice of the UNHCR Branch Office in Turkey)

Preliminary Assessment of
the New Turkish Government and UNHCR
Refugee Processing System for non-Europeans

May 1995

Iranian Refugees' Alliance, Inc.

Cooper Station POBox 316 NY, NY 10276-0316

Recommendations to the Office of the UNHCR to Guarantee Fairness in the Procedure for Refugee Status Determination

The following recommendations were made to the UNHCR's Branch Office in Turkey to bring the Office's status determination procedure in line with international standards. They are based on safeguards and provisions that are common to many other international administrative or judicial determination processes to guarantee fairness but are absent from the Office's procedure:

Legal Advice and Representation:

- Detailed information of the nature of the determination mechanism—including the procedures and criteria for determining refugee status—should be provided to every asylum seeker in writing well in advance of the interview.
- Adequate individual legal advice and assistance should be made available to every asylum seeker at every stage of the proceedings. Provisions should be made to assign a legal officer not involved in deciding cases or to engage volunteer lawyers and trained lay persons, particularly Farsi language speakers, to assist asylum seekers in the preparation of their cases. Steps should be taken to make arrangements with non-governmental organizations and local lawyers if necessary.
- Asylum seekers should be accorded the right to have their appointed representatives present at the interview, during which time representatives should be free to put questions to their clients and to make representations on their behalf. Written submissions from representatives/advocates should be included in an applicant's eligibility determination.

Rights in Interview:

- Contemporaneous notes taken during the interview should be read back to the asylum seeker, who should be given the right to amend the record before signing it. A complete transcript of each interview should be made available to every asylum seeker and her/his representative/advocate before a decision is made on the application.
- Interview rights should be defined and asylum seekers should receive information about their rights in the interview and how to object if these are violated.
- Interviews should be non-adversarial. Applicants should receive a chance to hear apparent objections to their claim and a chance to overcome the objections before the decision maker and before a decision is made. If necessary, additional interviews should be arranged before a decision is made.
- There should be proper oversight to be sure that interview procedures are conducted in a sympathetic manner and that

questioning of the applicant has been thorough and fair. To ensure unprejudiced decisions by examiners, the rate of approvals of each adjudicator should be considered and open for scrutiny.

- Interpreters should be selected based on standardized criteria and should receive training before assisting in interviews.
- Applicants should be free to take notes.
- In order to ensure that interviews have been thorough and fair and that adequate interpretation has been provided, interviews should be tape recorded. Tapes should be available for transcription on request by the applicant or her/his representative.

Appeal:

- A formal appeal procedure should be set up, whereby all appellants, including those whose cases are assessed as "manifestly unfounded" or "abusive of procedure", receive adequate protection against deportation while their appeal are pending.
- A complete written statement of the reasons for negative decision in each case, including findings of fact and law, should be made available to all asylum seekers well in advance of the deadline for appeal. In the least, if the reasons are going to be given to the applicant orally, an exclusive session should be arranged for stating these reasons. This session should take place prior to the deadline for an appeal.
- Files concerning asylum applications should be open to the asylum seeker and her/his representative/advocate. Asylum seekers should be allowed to inspect adverse information received by the office regarding their case. Information from any source that cannot be disclosed to the applicant should not be accepted.
- An applicant's right to appeal must not be restricted solely to cases involving new information. It should be expanded to include disputes on facts, application of criteria as well as procedural flaws.
- Because of the limitations on having to appeal to the same body, arrangements should be made so that a final appeal can be lodged with an independent body, for example, with the UNHCR Headquarters.
- The role of representatives/advocates must become part of the appeal proceedings.■

CAMPAIGN FOR URGENT IMPROVEMENTS

Continued from page 1

summary of other efforts. We invite all who are concerned to get on board.

Letter to High Commissioner:

May 24, 1995

Mrs. Sadako Ogata
Office of the UNHCR- Geneva, Switzerland

Dear Mrs. Sadako Ogata:

I am writing to you on behalf of Iranian Refugees' Alliance, a non-profit organization in the US assisting and advocating on behalf of Iranian asylum seekers in first asylum countries. The enclosed document is a detailed report on the issue of legal protection of Iranian asylum seekers in Turkey, which in our assessment is critically undermined. We hope that by presenting this document we can relate to you our deep concern about the present situation of Iranian asylum seekers in Turkey. We will, of course, be very interested to receive your comments on the issues raised in this report. Hereby we would like to reinstate our urgent requests.

Based on the findings of the report regarding the procedure used by the Turkey Branch of the UNHCR to determine refugee applications of Iranians, we ask that UNHCR Headquarters take immediate action to remedy the existing shortcomings and flaws in this procedure. We call for the incorporation of recommendations made in the report. Due to undeniable risk of forcible return to appellants whose cases are currently closed by the Branch Office, we request that these cases be reopened immediately and redetermined under internationally recognized fairness safeguards. We ask that consideration be given that these cases be redetermined by the Headquarters.

We further urge the UNHCR Headquarters to take up the issue of protection of Iranian asylum seekers with the Turkish authorities as a matter of urgency. We ask that UNHCR discuss vigorously with the authorities appropriate measures for establishing a lawful and fair refugee determination procedure. More than twenty forcible returns of asylum seekers whose asylum cases were rejected under the new refugee processing system are reported to have taken place in late April and early May 1995. We have confirmed information on ten cases, five of whom were promptly apprehended and imprisoned by Iranian authorities. In light of these alarming forced returns, we urge that all deportations be ceased until fairness safeguards are demonstrably incorporated into the new Turkish refugee processing system and the Government reaffirms its obligation to the principle of non-return.

We thank you for your consideration of these important, and urgent concerns and look forward to your support.

Sincerely,
Signed
Deljou Abadi, Coordinator

Letter to Turkey's ambassador to the US:

June 2, 1995

The Hon. Nuzhet Kandemir
Embassy of the Republic of Turkey

Dear Ambassador Kandemir:

Iranian Refugees' Alliance is gravely concerned about the situation of Iranian asylum seekers in Turkey. Turkey's recent legislation for granting non-European's temporary asylum and escalating forcible returns by your government have critically undermined the protection of Iranian asylum seekers.

Iranian Refugees' Alliance believes that Turkey's granting of "temporary asylum" to non-European refugees should be governed by the 1951 UN Convention and 1951 Protocol Relating to the Status of Refugees as well as customary international law. Given that your government has declared itself the authority to determine eligibility of Non-European asylum seekers for temporary asylum, the procedure used for this determination is now pivotal to Turkey's compliance with international laws.

Our assessment of your government's new system for determining asylum claims of non-Europeans is stated in the enclosed document. We believe that this system conflicts every basic requirement for fairness and legitimacy of such determinations. This conclusion is based on grave deficiencies and flaws with respect to the following key elements:

- 1- legal counseling.
- 2- appeal rights.
- 3- adequate and fair interview procedures.
- 4- competent, impartial and properly identified examining authorities.
- 5- humane and secure conditions of stay.
- 6- co-operation with the Office of the United Nations High Commissioner for Refugees (UNHCR) and due regard for the Office's mandate.

Apart from the specific flaws relating to your government's new determination system, we are extremely concerned at evidence which indicate that the procedure is being used as a measure to return asylum seekers regardless of their fear of persecution and to deter others from seeking protection in Turkey. It is, therefore, hard not to believe that Turkey's security protocols with Iran aim to obstruct Iranian refugees from seeking asylum in Turkey and lead to their forcible return.

In the past months, Iranian Refugees' Alliance has received disturbing information on dozens of deportations. At least 13 asylum seekers and their families whose arrival postdates November 30, 1994, have been deported from the town of Hakkari and twenty more are threatened by deportation. Those deported have reportedly fled political and religious persecution. We have confirmed information that at least five of them have been apprehended and imprisoned in Urumieh upon return. Similar ➔

deportations have been reported to have taken place in the town of Van. Asylum seekers in Nigde, Corum, and Kayseri, who have arrived prior to the noted date, have also been served deportation orders.

These returns are evidence that Turkey is guilty of a breach of the duty of non-return which enjoins any action—including a state's failure to guarantee fairness in its refugee determination system—that returns people to territories where their lives or freedom may be threatened. Although Turkey insists on not lifting the geographic limitation to the UN Refugee Convention, it remains obligated by international law not to repatriate persons of any nationality whose lives or freedom may be threatened upon return.

Iranian Refugees' Alliance urges the Turkish government to cease the deportations. We ask that your government reaffirms its obligation to the principle of non-return. We call on your government to fully acknowledge and implement its obligations under international refugee laws when granting non-Europeans "temporary asylum," including the duty to fairly apply UNHCR guidelines in determination of asylum claims. UNHCR should be invited to monitor compliance with these standards and it should not be restricted, in any manner whatsoever, to protect refugees under its mandate.

Sincerely,
Signed

Deljou Abadi, Coordinator

cc: The Hon. Richard C. Barkely, U.S. Embassy- Ankara, Turkey
UNHCR - Ankara, Turkey

Other efforts of the campaign:

IRA has also written to more than 100 human rights and refugee concerned organizations and scholars in the US, Canada, Australia, Belgium, Denmark, Finland, France, Germany, Italy, Netherlands, Sweden, Switzerland, Turkey, and United Kingdom to draw their attention and ask for support. We have so far written to US Senators and Representatives in Maine, Vermont, New York, and California as well as to the US State Department-Division for Democracy, Human Rights and Labor. We have contacted the press and have posted information on several electronic news-groups with an interest in refugee, immigration, and human rights. These news-groups are accessible by a wide range of people all over the world.

In the next issue, we will bring to your attention developments of the campaign. We invite all readers of this issue to get on board now and become part of this campaign.

Suggested Action:

Express your concern to the UNHCR Branch Office in Turkey and to the UNHCR Headquarters (directly or via the Office's Branch Office in Washington) and demand that:

- 1- The UNHCR adopts the recommendations made by IRA to guarantee fairness in refugee status determination.
- 2- The UNHCR re-opens cases that it had previously rejected.

- 3- The UNHCR resigns quiet diplomacy in dealing with the Turkish authorities and campaigns this Government for compliance with international standards.

Express your concern to the Turkish authorities (directly or via the Embassy) and demand that:

- 1- The Government immediately ceases all deportations.
- 2- The Government reaffirms its obligation to the principle of non-return.
- 3- The Government observes international standards governing fair and humane treatment of asylum seekers and refugees.

Write to your Senators and Representatives and ask that Turkey's human rights record should include the Government's treatment of asylum seekers and that such scrutiny should take place immediately.

Make a generous financial contribution to this campaign. This campaign relies on dedicated and generous people.

How to contact the officials:

High Commissioner Sadako Ogata
United Nations High Commissioner for Refugees
Geneva Headquarters
Case Postale 2500, CH-1211 Geneva 2 Depot Switzerland
phone: (41-22) 739-8111 Fax: (41-22) 731-9546

Representative : Barry Rigby
United Nations High Commissioner for Refugees
Branch Office in Turkey
17 Abidin Daver Sokak Cankaya Ankara 06680 Turkey
phone: (90 312) 439 66 15-18 Fax: (90 312) 438 2702

Representative: Rene van Rooyen
United Nations High Commissioner for Refugees
Branch Office for the United States
1718 Connecticut Avenue, NW
Washington, DC 20009
phone: (202) 296-5191 Fax: (202) 296 5660

Mr. Necdet Menzir
Minister of the Interior
Icislari Bakanligi
Bakanliklar 06644 Ankara TURKEY
(fax: 011-90-312-418-1795)

Ambassador Nuzhet Kandemir
Embassy of the Republic of Turkey
1714 Massachusetts Avenue N.W.
Washington, D.C. 20036
(fax: 202-659-0744)

Contact us for a copy of addresses and fax numbers of US Senators and Representatives.

Please see page 9 for financial contributions to the campaign.

Refugee Voices

Many Iranian refugees in Turkey did not celebrate Norooz, the Iranian new year (March 21, 1995), because of extreme anxiety, hopelessness and poverty. Many could not afford a basic meal, let alone a celebration, because of the skyrocketing inflation rate in Turkey. Their already tenuous existence was further threatened by the new refugee laws set by the Turkish government. All new arrivals are required to report to the Turkish police of a border town for an interview in order to determine if they are "genuine" refugees. In late April and early May, more than twenty deportations have been reported. Forcible returns have taken place after cursory interviews with the police and without a written notification of the asylum seekers' rejection. This has forced many others into hiding. In recent months we and some other friends who have been in contact with refugees through IRA's Support Fund have received reports on their horrifying situation. The following are excerpts from a few:

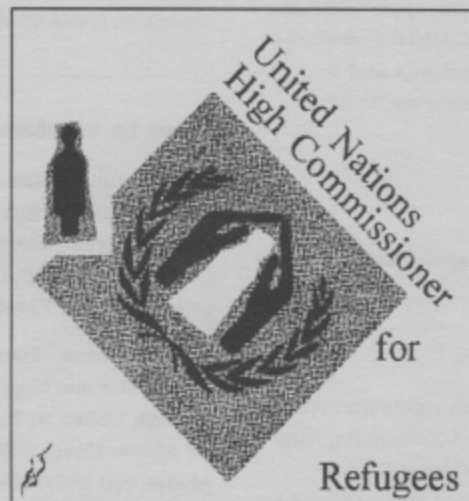
"... It is now more than four months that I have resided in ... in Turkey and it is more than two months past my interview with UNHCR. Unfortunately this organization has not responded to my claim yet and has created a difficult situation for me. The only reply from them is that a determination of your case from the police is awaiting. It is not clear how long this uncertainty will continue. If this situation lasts I think I am invited to a gradual death. Dear friend, when I told you earlier about my hand-to-mouth existence and malnutrition, it is because my daily diet consists of the following: half an akmak (a common Turkish bread) and one egg for breakfast, which I eat at noon, and two potatoes for dinner, which I eat at 8:00 p.m. This is my meal for 24 hours. I have actually eliminated one meal and it is now months that I have survived with this low quality nutrition. I have endured all this hoping that I will hear from UNHCR and will get out of this misery. But I am cynical about receiving such reply. Recently UNHCR and the Turkish police have been collaborators with each other and have announced that whatever we had reported to UNHCR we have to report to the police as well. This is while we have already informed the UNHCR of our situation. As Kurds, the Turkish police would look at us maliciously. So far, nobody has dared to declare that s/he is Kurdish to the Turkish police ...

"... I am married and have a spouse and three children. I am a refugee in the town of ... and reported to UNHCR at the end of August 1994. But, to this date, I have received no reply from this organization. The so-called 7/15 laws apply to me. As of this date two organs of the Turkish Ministry and the UNHCR are designated to determine if a person is a refugee. My spouse and children arrived in Turkey early November. Because of destitution and lack of financial resources I was not able to take them to the UNHCR office and report their arrival. I was not aware that new rules are in the making either. Because of this delay in reporting to UNHCR the laws of Nov. 30 also applied to them and they are required to go to one of the border towns. I have not agreed and we now live in hiding in ... Each day is

torturous for us. Every minute it is possible that the police raid our house and do whatever they feel like or are capable of doing. Every minute it is possible that my family and I be deported ...

"... I am sure that you have already heard about the aggressive measures of the Turkish Interior Ministry to deport some of the refugees to Iran. Despite worldwide efforts to support these people, UNHCR with the most inhumane approach refused support in any manner. With its carelessness it showed utmost impudence. These events have had an adverse effect on the

morale of refugees. They now see at hand how UNHCR is retreating step by step and leaving them alone, with no protection and weaker than ever, against the new anti-refugee regulations of the Turkish government. One can predict the future quite accurately. There will be more devastating traumas to face. Considering the recent events, I have to share with you a friendly confession. Even though I visit my friends often in order to create solidarity and coordination amongst us and try to boost their morale, when I am alone with myself I feel that my own morale is shaky and that I have taken the blow too. Any person in these difficult circumstances of Turkey, lose strength and cannot act normally. If until now I truly believed that I would obtain refugee status from the UNHCR, now with the current situation I see darkness at the end of the tunnel. The UNHCR officials have promised me on several occasions that my case will be re-opened but they have not taken any constructive action yet. After my last reopening letter to UNHCR, I have written three more letters to them and considering my mental anguish, my letters have become more critical and aggressive ...



The Support Fund for At-Risk Iranian Refugees in Turkey

Why the Fund: Because Turkey does not recognize non-Europeans as refugees, resettlement in a third country is the only option available to Iranian refugees who flee to Turkey in fear of political, social, religious or gender based persecution. The resettlement process can take several years, during which refugees are deprived of basic rights including employment. The United Nation High Commissioner for Refugees (UNHCR) does not provide financial assistance to refugees until it recognizes their status as refugees. The recognition process takes months and for many even years. New regulations, whereby a second application for "temporary asylum" has to be lodged with the Turkish authorities has prolonged the process and posed a greater risk of deportation to refugees. Currently, hundreds of refugees are awaiting recognition in destitution and under the threat of deportation to Iran. Others who finally receive UNHCR stipends, struggle to make ends meet, because the stipends are paltry. The ever increasing inflation rate in Turkey has had its most adverse effects on refugees whose income are none or sub-minimum. Since 1988, annual inflation (percentage over previous year) has stayed in the 60 to 70 per cent range. (OECD Survey, 1994).

The Fund's History: The Support Fund for At-Risk Iranian Refugees in Turkey was established in 1993. The funds are transferred to the refugees in cooperation with The Council of Iranian Refugees in Turkey. We are pleased to announce that in 1994, a total of \$22,265 supported more than 100 single person and family refugees for short or long periods of time. Currently, the Fund supports 67 single person and family refugees. However, there are many more refugees who need urgent financial aid but are not supported.

How it operates: Currently, a single refugee is assisted with \$30 a month and a family refugee receives \$50-\$100 a month. By pledging any of the above amounts or multiples of them you will make a significant economic and security improvement in each recipient's life. If this is not affordable for you, consider pledging as little as 50 cents a day (\$15 a month) or sending a gift contribution. It does make a difference. Support funds are sent to Turkey every other month (starting Jan.). If you make a long-term pledge, we prefer that your payments be bimonthly or in multiples of 2 months. In any case, we will always inform you when your next payment is 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 can also be forwarded by us. We will respect your anonymity if you let us know.

Please contact us immediately if you need more information and please share this urgent request with other potential allies of at-risk Iranian refugees in Turkey. **We are looking forward to hearing from you soon.**

✓ **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 date.

☐ **or** here is my gift of \$ ____

☐ I would like to communicate with the recipient refugee.

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

☐ I would like to remain anonymous.

Name _____

Address _____

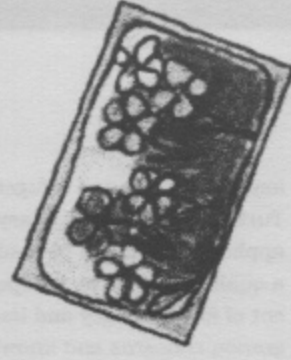
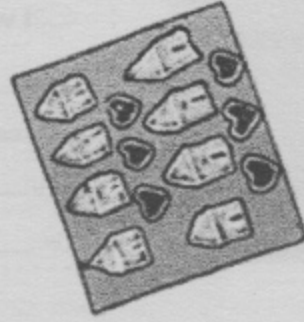
City _____ State ____ Zip _____

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IRA is a 501(c)3 tax-exempt organization. Donations are tax deductible to the extent of the law.

Our mailing list is confidential

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

For this years Norooz, the Iranian new year, more than twenty friends of *Iranian Refugees Alliance* in California volunteered to purchase and send 260 gifts to Iranian refugee children in Turkey. This was one of the most joyous events for *Iranian Refugees Alliance*. All friends involved in this project enjoyed every minute of it; during the many hours that they spent in toy shops searching aisles for the best gifts for 260 kids of ten different age groups, when talking about the children in Turkey to the cashier who packaged hundreds of gifts in awe, while wrapping the gifts and making cards for each one of the children, spending many nights at the printshop designing and preparing a calendar for fundraising, researching the safest and cheapest way to deliver the gifts to Turkey, and finally waiting for the postman to pick up the gifts. As Hamid puts it, this, perhaps, has been "the best new years gift" for the project's volunteers.



The Best New Years Gift

It was a Sunday morning and finally after days of heavy rainstorm we had a beautiful sunny day. A group of us had decided to get together to make new years cards and to gift wrap presents for our young friends in Turkey; friends we had never met. On my way I was exploring my feelings about sending a gift or writing a card to someone whom I had never met. But then it occurred to me that even though I have been apart from most of my family and friends

بهترین ارسنات براری

قرار گذاشته بودیم که روز یکشنبه دهرم جمع شوم تا برای دوستان کوچکان در ترکیه کارت و پیام بهاری بنفرستیم. وقتی خانه را ترک کردم احساس بسیار خوشایندی داشتم. یک روز گرم و صمیمی بهاری بعد از زمستانی طولانی، طوفانی و بارانی در کالیفرنیا غنیت بزرگی بود. هوا پیام آور نوروز و نوید بهاری بود. در مسیر مقصد انتخاب شده با خود فکر میکردم چگونه میتوانم برای کسی آنسوی دنیا کارت و هدیه ای بنفرستم بدون آنکه حتی او را دیده باشم و یا اینکه کوچکترین رابطه احساسی با او داشته باشم؟! با یک مکث کوتاه در پاسخ به خود میگفتم و مگر نه اینکه من سالیان متناهیست که دور از خانواده و بسیاری از دوستانم زندگی میکنم. و در این سالها کسانی به بستگانم اضافه شده اند که حتی تولد آنها را هم شاهد نبوده ام.

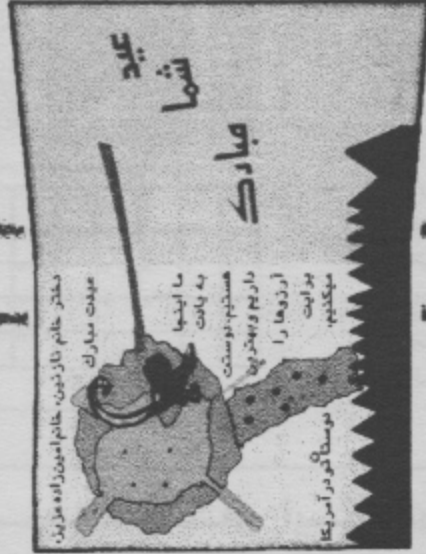
برای عید امسال به همت بیش از بیست داوطلب از دوستان همبستگی با پناهندگان ایرانی در کالیفرنیا ۲۶۰ هدیه نوروزی برای کودکان پناهنده ایرانی در ترکیه تهیه و فرستاده شد. این یکی از شادترین پروژه های همبستگی با پناهندگان ایرانی بود. دوستانی که در این پروژه همکاری کردند از هر لحظه آن لذت بردند؛ چه هنگامی که راهروهای فروشگاه های اسباب بازی را بارها و بارها بدنبال بهترین انتخاب برای ۲۶۰ کودک در ۱۰ گروه سنی مختلف زیر و رو میکردند و برای صندوق دار که با حیرت صدها اسباب بازی را در کیسه میکرد در مورد بچه ها در ترکیه توضیح میدادند، چه موقع بسته بندی هدایا و تهیه کارت های تبریک برای تک تک بچه ها، چه در شبهایی که تا دیر وقت در چاپخانه به طرح و چاپ تقویمی که برای تامین مخارج این پروژه قرار بود تهیه شود مشغول بودند، و یا در حین پرس و جو برای پیدا کردن امن ترین و به صرفه ترین طریق ارسال هدایا به ترکیه و بالاخره انتظار برای پستی. بقول حمید شاید این "بهترین ارسنات بهاری" برای داوطلبین این پروژه بود.

ولی با شنیدن خبری، نامه ای، کارت یا از آنها چنان غرق شادی و شادامانی می‌شوم که تصمیم می‌گیرم هر آنچه که در توانم است برای بهزیستی و نشاط و خرسندی آنها انجام دهم، خود را قانع می‌کرم که این یکی از بهترین خصیصه های بشریت که با اندیشیدن به دیگری در خود حسی زیبا بوجود می‌آورد و از آن رابطه ای بسیار قشنگ و صمیمی می‌سازد.

بالاخره به مقصد رسیدیم. رنگ را بصفا درآوردیم و وارد خانه شدیم. احساس کردم که قدم به دوران کودکی گذاشته و وارد کلاس خط و نقاشی مدرسه شده ام. کاغذهای شاد و الوان، سبز، آبی و نارنجی، قلعه ها و ماشینهای رنگ و وارنگ، تکه کاغذهای بریده شده، عکس برگردان و پولکهای رنگین مرا با خود به دوره ای از زندگی برد که دیدن و داشتن عکس و یا منظره ای از روزنامه و یا مجله برایم دنیایی بود و تا مدت‌ها مرا به نشاط می‌آورد. در محل موعود بسیاری از دوستانم را دیدم که با سعی و کوشش می نظیر ذوق هنر و احساس خود را چون جویباری بوجود آمده از برقی سنگین بر روی کاغذهای رنگین و زیبا نقش میدادند، جدیت و کوشش کارشان نشانی داشت از عشق و علاقه به دوستانی نادیده در فراسوی مرزها. چنان با چهره های باز و خندان غرق در کار خویش بودند، که نه سلام من، بلکه همه شادمانی و اوج هیجان دوستان دیگر آنها را به خود می‌آورد. حیرت و تعجب از آنهمه خلاصیت، ابتکار و انرژی و عشق هنرآفرینان قلبم را به رقص و پایکوبی وا میداشت. حس می‌کردم که از اینسوی آسمان به آنسوی دیگر رنگین کسانی از مهر، محبت و عشق زده می‌شود با کاغذهای الوان و رنگین که از دستی به دست دیگر داده و کنار هم چیده می‌شدند.

متوجه لیست بلند بالایی بچه ها شدم که از دستی به دست دیگر داده می‌شد. بدلیل شروع به خواندن اسهالی این آشنایان نادیده کردم. بیش از ۲۰۰ اسم به همراه سن و شهر هر نفر بوقت چاپ شده بود. اسهال بسیار دلنشین بودند. بعضی بگوش تازه می‌آمد و مدت‌ها بودن در این سو، آنها را نشینده بودم. هر کس کارت را که با زیردستی ساخته بود تقدیم به یکی از دوستان کوچک لیست می‌کرد: به هژیر ۹ ماهه، شمسای ۳ ساله، زناک ۵ ساله، نرمین ۱۰ ساله، هیرای ۱۲ ساله و ... چهره های قام این فرشتگان کوچک در آنسوی مرزها با شنیدن نامشان جسم می‌شد. این فرشتگان کوچک زیبا، با بالهای کوچکشان ما را به پرواز بر قله آسایش روح و روان می‌بردند. شاید همگی ایمان داشتیم که این غنچه های بشریت در همه جا چون دیگر کودکان گیتی لایق مهر و محبت، عشق و توجه یکسان هستند. شاید این مسیری بود بر پایان نابرابریها برای قام جگر گوشه‌گان در آنسوی مرزها. شاید میخواستیم با سعی و کوشش، با تجربه های تلخ و شیرین، همراه بهار زیبا گرد غم از چهره ها بشویم و گل‌های تبسم و شادمانی را بر لبان و رخسار خود و دیگران ببارانیم. هدیه ها و کارتها با اشک های شوق و خوشحالی، همه و پایکوبی بسته بندی می‌شدند و در صندوقهای آنکارا و اسکی شهر، یا نوشهر و چانقری قرار می‌گرفتند. در این مسیر شادمانی، و در آن محفل گرم و صمیمی خانواد، همگی کنار یکدیگر نشسته بودیم، محمد و کوروش و حمید، لیدا و نرمین، مرزا و هیرا، فرشته و هژیر، ترانه و شیدا، افشین و زناک بطور از بعد زمان و مکان، با اسهالهای متفاوت ولی همگی در یک قالب و پیکر برای آینده احساسات و عشق خود توشه سفر می‌بستم. برایم این یکی از بهترین هدیه های بهاری بود.

حمید بهار ۹۵



Hamid Spring 95

for a long time, now I about the birth of a new member, whom I might never get a chance to meet, still makes me so excited that I would do my best to communicate my feelings. How admirable is this unique human quality to cultivate love and friendship by thinking and caring about one another, even from a long distance! I rang the bell and entered my friends house. The room reminded me of my art class in elementary school. Colored papers, markers and acrylic paints, stickers and glitter tubes were everywhere. I saw many of my friends busy making cards or writing notes to the little angels in Turkey. Their hard work was a sign of their concern for our young unknown friends far way. I was filled with joy to see so much energy, love and passion. As the pieces of colored paper was passed from one hand to the other hand and finally laid on the floor, I could envision a rainbow of love and compassion extending from one side of the sky to the other side.

I noticed a long list of names going around the room. More than 200 names of children with their age and city of residence were carefully typed. They were beautiful names, some of which I had not heard for a long time. Each card was presented to one of the children in the list: to the 9 months old Hajeer, 3 years old Shima, 5 years old Jenak, 10 years old Narm'n and ... As I heard the names, the beautiful faces of these angels appeared in front of me. They have brought us the best new years gift.

Perhaps, on that beautiful sunday, the busy crowd in my friends house wanted to say that our young friends in Turkey, like all other children in the world, have the right to joy and happiness and no one is allowed to take it away from them. They were acknowledging the resilience and dignity of all those who have been uprooted from their homeland and are struggling for survival. The whole room was filled with joy, hope and determination for creating a better future.

It is our wish to continue bringing joy to the refugee children in Turkey. Your ideas, participation and financial assistance empower us in our efforts.

Emergency Medical Aid

With deep regrets, we were informed of the death of Mr. Ali Bustani, an Iranian refugee in Turkey. Ali suffered from diabetes, jaundice, and kidney problems. He passed away two days before his flight to Sweden, the country that finally accepted to resettle him.

Ali arrived in Turkey in Sept. 1992. His condition was so severe that he spent two years in different hospitals of Turkey. Once his resettlement process started, he had to spend 15 months only to receive a first rejection from the Canadian program. The Canadian authorities shamelessly rejected him because of his illness. His friends say that if it were not for the needless 15 months wait, he would have been alive today. They question UNHCR for referring Ali to Canada, which is disreputable for not admitting cases that "cause excessive demands on health and social services."

Why did UNHCR refer Ali's application to Canada and wasted 15 months? In a conversation this past summer with a resettlement Officer in UNHCR Branch Office in Turkey about the Office's practice of referring certain applications (including refugees with medical problems) to embassies which are known for systematic rejection of such applications, IRA was told that the practice is maintained to change discriminatory government policy!

Ali's friends say "when they are not under scrutiny, UNHCR and governments can get as negligent as it can be, even if death is awaiting us."

Hossein Sultani's case was brought to our attention in March 1995. His kidneys failed years ago. He came to Turkey 9 months ago. His transplanted kidney gradually failed because, as he wrote to his sponsors in the US, "he could no longer afford the pills that were as vital as the air he breathes." Hossein has been hospitalized since February 1995. His condition has recently been stabilized with dialysis (artificial kidney treatment). Doctors have advised another kidney transplantation, however this can not be accomplished in Turkey because of the high expenses. Although Hossein's condition calls for every possible action to swiftly resettle him in a third country, his status has remained uncertain and his resettlement seems to be postponed indefinitely.

The new asylum regulations in Turkey require that Hossein's application for asylum must be approved by the Turkish authorities, before UNHCR can assist him to resettle in a third country. So far that application has remained pending with the Turkish authorities. This,

Hossein says, has also deprived him of UNHCR financial assistance.

Mostafa Piroti is another refugee who came to Turkey with a transplanted kidney. For the past 6 months he has striven to meet the exorbitant cost of his medication. He works from dawn to dusk, borrows money from other refugees and pleads with the UNHCR for financial assistance. In a recent telephone conversation he told IRA that his medicine will last only for 7 more days and that is because he has cut the dose in half. He said that in the past six months he has only received about 16 million Liras from the UNHCR, while his medicine has cost 12-17 million Liras (\$300-\$450) each month. This is while he has to support his spouse and four children. Mostafa relates: "UNHCR says your application is still unresolved with the police and we can not recognize you as a refugee. We can not dispense the prescription because it is so 'costly.' All we can do is give you some 'humanitarian aid.'"

● In May 1995, IRA wrote to the UNHCR and asked the agency to take up these cases with the Turkish authorities as urgent matters, to provide adequate humanitarian aid, and to resettle these families swiftly. In the meantime, IRA volunteers made arrangements to provide three months of Mostafa's medicine in a timely fashion. They are also raising funds to assist Hossein in receiving his artificial kidney treatment. Since Hossein and Mostafa's length of stay in Turkey is uncertain, financial contributions to extend this assistance are appreciated. In-kind donation of the following drug for Mostafa is also greatly appreciated:

Sundamene (cyclosporine) 100mg

● We believe that with the cooperation of more volunteers, specially physicians, a much bigger difference in health situation of asylum seekers can be made. Physicians can play an influential part in publicizing and confronting UNHCR and government negligence. We invite you to contact us for up-to-date information and possible actions. We also invite physicians to inform us of their specialty or the area that they can assist in dispensing prescriptions when an emergency occurs.

● We invite all who are concerned to make financial contributions toward life-saving medication for refugees. Even if the medication is "costly", we have to ensure that it is available before it is too late.

Continued from page 2

the UNHCR from fulfilling its mandate in Turkey. It conflicts with basic international obligations that have been established to protect refugees, including humane treatment. IRA charges the Turkish with immoral and illegal violation of international refugee laws and calls for immediate halt to deportations. It calls on this Government to formally reaffirm its commitment to the principle of non-return and incorporate necessary legal measures into Turkish law to ensure effective protection for non-European

asylum seekers and refugees in Turkey. Examination of asylum applications should be dealt by a qualified authority independent of foreign policy and immigration concerns and knowledgeable in international refugee and human rights laws. International standards for fair determination procedures should be adopted and effectively implemented. If Turkey wants to establish a determination procedure in line with international standards it has to co-operate with the UNHCR. This should include

unhindered access for asylum seekers to the UNHCR and respect for UNHCR's decisions on asylum applications. Deliberations to establish a system in line with international standards should be open to other inter-governmental and non-governmental organizations working with asylum seekers. Conditions of stay should comply with international standards for safety and humane treatment of asylum seekers and refugees.

IRA urges the UNHCR to resign quiet diplomacy and denounce

the new refugee status determination procedure. If the UNHCR cannot acquire permission to fulfill its mandate in Turkey and protect people under internationally accepted procedures, then it should campaign the Government for the cause of asylum seekers. In order to authoritatively challenge the system and petition for basic safeguards for fairness in determinations, UNHCR has to first accept the full set of safeguards itself. ■

Announcement

Iranian Refugees' Alliance, Inc. has obtained 501(c)3 tax exempt status with the Internal Revenue Services. Please note that all donations, including donations made since January 20, 1995, are tax-deductible.

Acknowledgments

In the past months a number of organizations, business companies, and Farsi language media have generously assisted Iranian Refugees' Alliance in publicizing the plight of Iranian refugees in Turkey and in raising funds

to improve their conditions. We would like to thank Khavarani Weekly Newsletter, Pezhvak Monthly, Besuy-Etehad, Jameh-Jam Television, Nima Television, Radio Tehran, Nutty Cookie in Berkeley CA, Sacramento Iranian Newsletter, Gap Magazine, Pine Press Publishing in CA, DesignZone in Oakland CA, Committee for Defense of Human Rights in Iran (northern CA). We extend our gratitude to Mr. Farhang Farahi for his television program which drew the attention of many Iranians all over the US and in some European countries to the situation of refugees in Turkey. ■

If you Have an Interest in Helping Iranian Refugees, PLEASE ACT NOW and Join Our Alliance

Our efforts are based on volunteer work.

Please contact us if you like to participate in IRA's projects or would like more information. New ideas and suggestions are greatly appreciated.

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 of the law.

We are eager to hear from you soon.

Here is my contribution of:

☐ \$25 ☐ \$50 ☐ \$100 ☐ \$250 ☐ \$ _____

please indicate the project if you are contributing to a specific one _____

☐ **I will volunteer**

Name _____

Address _____

City _____ State _____ Zip _____

Tel: _____

☐ **Keep me informed.**

Please contact us at:

IRA Inc.

Cooper Station

P.O. Box 316

New York, NY 10276-0316

phone & fax : 212. 260.7460

e-mail : ira-inc@igc.apc.org