



CAN'T SAY I WISH YOU WERE THERE

A Recent Visit of At-Risk Iranian Asylum Seekers in Turkey



Dear Friends,

During the months of December 1996 and January 1997, I traveled to Turkey. This was the second trip I have taken to Turkey within the last three years. My mission was to expose the human rights violations committed against the Iranian refugee community. I also sought to improve relations with the Turkey Branch of the United Nations High Commissioner for Asylum seekers (UNHCR), the international body responsible for the protection of refugees. In addition, I wanted to establish closer connections with several human rights organizations in Turkey.

Even though I was familiar with the social and political situation in Turkey and the precarious lives of Iranian asylum seekers, what I observed and experienced during these sixty days, by living among the asylum seekers and visiting and interviewing more than 200 families, reminded me of childhood nightmares—feeling unprotected, constant exposure to danger, and not knowing what dangers one is going to face and when one's "luck" runs out.

Currently there are three areas in Turkey where most of the Iranian asylum seekers reside: Ankara and eight surrounding satellite towns; Agri, which is in east Turkey near the Iranian border; and Silope/Sirnak, which is in the southeast, near the Iraqi border. I traveled to all three areas and visited groups of long-term and new asylum seekers.

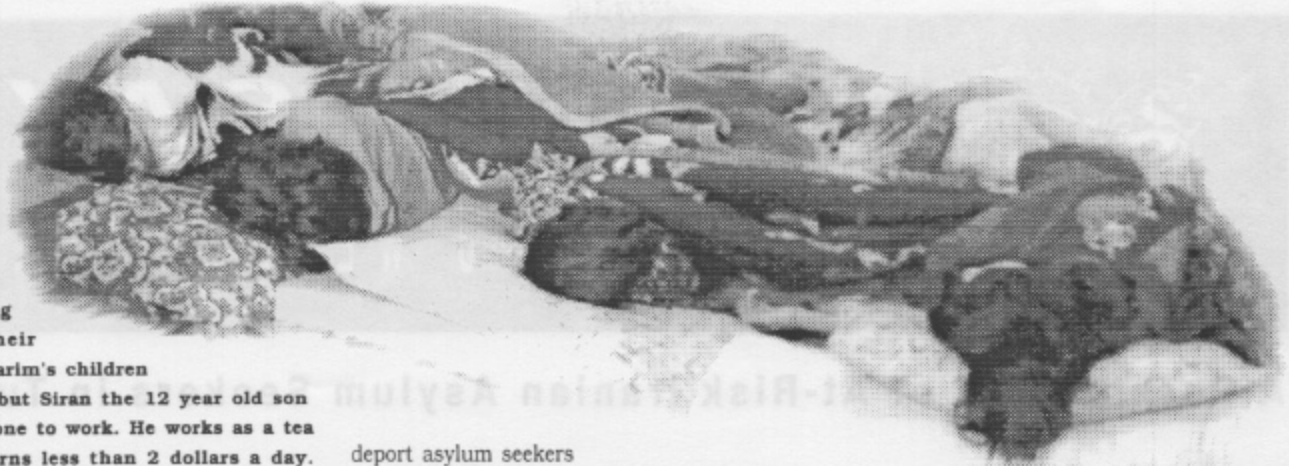
Nearly 50 of these families have been stranded in Turkey for more than three years as a result of closed cases by the UNHCR. Though I was touched to see and re-connect with some of the people I had met previously seeing that their situations were unchanged

brought me great anguish. I had high hopes that our reunion be in another safer, more hospitable country.

About half of the long-term asylum seekers participated in the 11 month sit-in staged in August 1995 in Ankara to protest their imminent deportation and the closure of their refugee cases by the UNHCR. As a result of this protest, UNHCR finally admitted that their return to Iran would be dangerous and gave them "humanitarian status" and the Turkish government agreed to extend their stay permits. Recently UNHCR also started to provide most of them with financial assistance and admitted two sit-in families as refugees. Still, the future of the remaining sit-in participants is uncertain since UNHCR insists that it would not assist the whole group to resettle in third countries. Those who did not participate in the protest are even more vulnerable because most of them have overstayed their permits and they do not receive any form of assistance or protection against deportation from the UNHCR.

I had the opportunity to talk in-person with long-term asylum seekers and advise them individually from my experience on legal issues. However most often, the best we could do together was to make guesses as to why UNHCR rejected their claim and what we could do to effectively challenge the grounds for rejection. Although I have hope for change, I still note that the most unjust and frustrating aspect of the plight of long-term asylum seekers in Turkey is that UNHCR have been denying them a meaningful appeal.

I also met at least 150 families who entered Turkey during the last two years under the



Early morning when I left their house, 4 of Karim's children were asleep, but Siran the 12 year old son had already gone to work. He works as a tea server and earns less than 2 dollars a day. Until the police found out, his father, a skilled auto-mechanic, also earned a decent living.



He stopped after the police threatened him with deportation.

صبح زود، هنگامی که من خانه کریم را ترک کردم، چهار فرزند کوچکتر او خواب بودند. اما سیران که ۱۲ سال بیشتر ندارد زودتر از من خانه را ترک گفته و بسر کار رفته بود. او برای روزی کمتر از روزی ۲ دلار در قهوه خانه محل شاگردی میکند. پدرش که تعمیر کار ماهری است برای مدت کمی که سر کار بود می توانست خانواده اش را تامین کند. ولی زمانی که پلیس او را تهدید به بیروت کرد ناچاراً دست از کار کشید.

deport asylum seekers

in violation of the regulations.

Many legitimate asylum seekers are refused registration by the police for unjustified reasons and deported to their country of origin. The tragic deportation of a group of 21 Iranians from Agri in August 1996 is still remembered in Turkey. They were interviewed by UNHCR in Ankara and instructed to return to the border for registration with the police. They were arrested and deported immediately following arrival into the bus terminal of Agri —no reason was given. In December 1996, 78 Iranian Kurds were reportedly refused registration and deported to Zakho in northern Iraq. Some of them were asked twice by the police to return in two days, after which they were told that they had failed the "five-day rule" and were subsequently deported. In a number of other cases, the police confiscated identification documents and UNHCR registration letters and then deported asylum seekers for not having them. Dozens more asylum seekers had been deported in the months prior to December for failure of carrying valid Iranian birth certificates at the time of registration, a requirement of which they were unaware.

About half of the new-comers I met were residing in the border towns of Agri and Silope/Sirnak. Although they considered themselves lucky just to be able to register with the police, they still lived with anxiety for months while their refugee applications with the Interior Ministry and the UNHCR were being assessed.

There have also been reports of physical and verbal abuse, bribery, and various forms of intimidation while asylum seekers stayed in the border towns. In Silope, I could not find one

man or woman who had not been repeatedly beaten or insulted by the commissioner in charge of the foreigners' department. Physical marks of the beatings were present on some of the asylum seekers. (Many expressed their relief that they did not understand Turkish language well enough to understand all the insults from the Turkish police.)

While the formal intent of the police interview is to record reasons for seeking asylum, many asylum seekers said that most of the questions they were asked were about their escape route and were aimed at finding grounds for immediate deportation. In Sirnak, the police had been repeatedly overheard in interviews to blame asylum seekers for out-smarting them in crossing the borders and causing them humiliation in front of their superiors. It is believed that one purpose of the arbitrary deportations, is to deter others from crossing the borders and increase police performance in securing the borders. In Agri, applicants were subjected to bodily searches during their interviews for false passports. Carrying a false passport is yet another cause for immediate deportation under the Turkish legal system.

Now, two years after the implementation of the new regulations, police and other officials have yet to demonstrate even a superficial knowledge of refugee laws and human rights. The Sirnak Commissioner was often heard saying, in his view, a refugee is "a person who has lost his dignity." Nor has the government seen fit to provide competent translators, thus preventing asylum seekers from fairly pleading

new Turkish regulations. The new regulations require that Iranian asylum seekers register with the police and submit a request for temporary asylum within 5 days of their arrival. Those entering illegally must register and reside at the border town where they first arrived. Their request for temporary asylum is then recorded by the police in an interview. Based on the record of the interview, the Interior Ministry decides the applicant's future. Only those whose request for temporary asylum are granted, receive a temporary stay permit and are referred to the UNHCR for resettlement in a third country. If the decision is negative, they must receive a deportation order from the Interior Ministry, which may be appealed within 15 days.

The new-comers that I met, without exception, found filing asylum claims with the local police like playing with fire; putting their destinies in the hands of officers who have no knowledge of refugee laws and who arbitrarily

their cases. In Sirnak, Iranian Kurds had to resort to using a food service worker at the police station who happened to speak Kurdish to assist with translation—this worker did not even speak the same dialect.

Turkey's new refugee machination has also made UNHCR's efforts to protect refugees more difficult. UNHCR has now opened local offices in Agri and Silope, each staffed with a permanent officer. But from the volume of complaints, it was obvious that these offices have not been very effective in deterring the abuse and inequities that refugee applicants are subjected to. It was also disappointing that UNHCR's presence has not made the agency any more active in publicizing the atrocities committed against refugee applicants. Refugee applicants registering in border towns are obligated to do their UNHCR interview in local offices. But because the officers in charge are inexperienced and there are no competent translators, many applicants were unsatisfied with their interviews. While it was a relief that the decisions were being made in Ankara, because in most cases the decision-maker was different from the interviewing officer, applicants were again disadvantaged. It is unfair, particularly to a refugee claimant, to decide on claims without ever seeing the person. I was also disappointed to discover that, in these areas, applicants were completely uninformed about UNHCR's refugee system. People who could register in Ankara were at least given written pamphlets about the UNHCR procedure. These defects increase the chance of erroneous decisions or may cause unnecessary delays for acquiring UNHCR refugee status; both of which might result in deportation.

Considering the situation at the border towns, I was not surprised that about half of the new-comers did not go to the border towns and did not register with the police. They are classified as "illegals". Most of them arrived before July 1996 when the UNHCR main office in Ankara would process their refugee claims and then instruct them to go back to the border town and register with the police; which they did not follow. Subsequently, they have to wait in hiding from the police before the outcome. If they are admitted, UNHCR will work for their resettlement in a third country but cannot guarantee that they would not be deported by

Iranian asylum seekers are mostly resident in three areas in Turkey: Ankara and its satellite towns, Silope in the province of Sirnak, and Agri.

Because of inflation, poverty and no employment rights, the group that reside in Ankara and its nearby towns, live in Gecekondu (illegally built brick and mud houses), or share rooms in inexpensive houses with minimum facilities.

Asylum seekers in Silope/Sirnak live in one-room clay houses without bathrooms, and, often running water or electricity. Food and other basic needs are scarce or unaffordable. Nor is there specialized medical care. UNHCR does not offer any substantial support to asylum seekers in Silope except for two or three blankets and one gas heater per family. For most families, the blankets are insufficient, and the heaters are too costly to run.

Not only Silope/Sirnak is one of the most impoverished Kurdish villages in south-eastern Turkey, but also it is a war-zone between the government and Kurdish guerrillas. Civilians in this area are under brutal repression by the military, and are forced to take sides. Iranian refugees are subject to the brutal realities in this area. Military backed "village guards" raid dwellings to search for guerrillas, as well as use these homes for temporary operation bases. Under these circumstances imagine how horrifying, and inhibiting it is for Iranians in Silope, most of them Kurds, to describe their political activities to Turkish security agents.

In Agri, all asylum seekers are forced to live in overcrowded rooms at a designated hotel. Lodging expenses are paid by the UNHCR. Again, what appears to be a humanitarian act is most likely a ploy by the government to impose strict police surveillance on asylum seekers. Nights for the Agri residents are dreaded because of the police practice to drag families out of their rooms at dawn for immediate deportation.



the Turkish authorities or to obtain exit permits when they are ready for admission to third countries. To date, Turkish officials have deported dozens of such asylum seekers. Until recently this was the destiny of these so-called "illegal" refugees, even those holding valid visas. Fortunately, this scenario has somewhat changed. The Turkish Contemporary Lawyers Association, which was involved in obtaining exit-permits for some such asylum seekers through courts, explained that a recent ruling now permits "deportation" of asylum seekers holding valid visas and plane tickets to their new country, rather than to their country of

origin.

Since mid-1996, the number of "illegals" in hiding in Turkey has not increased much due to UNHCR's strictness to interview asylum seekers who enter Turkey illegally only at local UNHCR offices located in border towns. Considering that a major problem in Turkey is that border officials are not even willing to follow the law and properly register asylum seekers, it seemed untimely and unfair that UNHCR made its assistance to asylum seekers contingent on their return to the borders, where they risk instant deportation.

I was pleased on several occasions to meet

with the UNHCR representative and other officers in Ankara. One achievement of these meetings was to discuss with the UNHCR the reason for denial on some of the closed cases. The discussions, from my perspective, served to highlight the lack of some essential safeguards in the UNHCR refugee determination procedures which inevitably lead to unnecessary complications and rejections. In addition, these conversations resulted in some immediate breakthroughs. UNHCR interceded on behalf of one of the cases discussed to prevent an imminent deportation and admitted as refugee another case whose stay permit would have expired in two days. I hold hope that further communication on this subject will rectify the shortfalls of this system so that all asylum seekers are given a fair chance to appeal their cases, as well as to present them as accurately as possible right from the beginning. For this, the Iranian Refugees' Alliance also has to work harder in making sure that refugee applicants are sufficiently informed about legal issues and their duties when presenting their claims.

During my stay I also met with the Turkish Human Rights Association, Contemporary Lawyers Association, Amnesty International, and the Association for Solidarity with Asylum Seekers and Migrants. The purpose of these



Nasim shows the picture of his brother who was left behind in Iran when his parents urgently fled three years ago.

نسیم عکسی از برادر کوچکش را که سه سال پیش بعزت فرار عاجل در ایران بجای گذاشتند نشان می دهد.

Depending on which border they entered Turkey, Iranians are deported either to Iran or Iraq. I interviewed several deportees who had returned to Turkey from both countries.

According to those who have been deported to Iraq, Iranian deportees are not only threatened by the agents of Iranian government who unrestrictedly seek to identify and kill Iranian dissidents in this region, but also by the Kurdish ruling parties which might arrest and hand them over to Iran to improve their relationship with the government. Deportees who attempt to return to Turkey must again risk their lives while crossing the southern borders of Turkey. During this journey, people have been murdered or disappeared. Last December, a woman, two children and two men were reportedly killed during their flight—their bodies remain in the river.

According to others who have been deported to Iran, people who leave Iran illegally and apply for asylum in a second country are detained, interrogated, tortured and face severe punishments or are pressured by the Iranian government to cooperate against Iranian dissidents in Turkey. The Turkish press as well as the Iranian media abroad have reported the execution of some recently deported Iranians.

meeting was to establish better working relationships with Iranian Refugees' Alliance.

A number of significant human rights organizations have criticized Turkey's new refugee laws for non-compliance with international human and refugee rights. However, because of limited monitoring of the situation, especially at the border towns, there are numerous abuses and arbitrary measures taken by Turkish officials against Iranians. While the new regulations have created new obstacles in UNHCR's efforts to protect refugees, some areas of UNHCR's operations have also exacerbated the situation unnecessarily; diminishing hopes of Iranian asylum seekers in Turkey.

It is my hope that by further documenting my observations and findings, and by establishing better communication channels with asylum seekers we can expose the true dimensions of the suffering of Iranian asylum seekers in Turkey. I also hope that by cooperating with Turkish human rights groups, we can provide more assistance for asylum seekers, deter the abuses of the Turkish government, and engen-

der changes in the new refugee regulations.

Having lived in peace and security for many years, these visits were both physically and emotionally trying. I, too, experienced moments of fear and anxiety during my interrogations by police officers. But most distressing was to see that fear, anxiety, and instability have become part of everyday living for these people. At the same time, I continue to be inspired by their courage and tenacity. I was honored and touched to be embraced by them with trust, affection, and gratitude. I am very grateful to those people among the Iranian refugee community who, despite their limited resources, and their uncertain futures, took great risks in accommodating me during my travels, assisted me in making my trip more productive, and in helping other refugees. I was deeply saddened to leave them behind. I continue to hope and to work for their safety and success.

Deljou Abadi

Coordinator of Iranian Refugees Alliance.

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If you like to get more information about Iranian Refugees' Alliance or would like to assist at-risk Iranian refugees, please contact us. Iranian Refugees' Alliance is a 501(c)3 tax-exempt organization.

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