

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

PARS EQUALITY CENTER, IRANIAN
AMERICAN BAR ASSOCIATION,
NATIONAL IRANIAN AMERICAN
COUNCIL, PUBLIC AFFAIRS ALLIANCE
OF IRANIAN AMERICANS, INC., et al.,

Plaintiffs,

v.

DONALD J. TRUMP et al.,

Defendants.

Civil Action No. 1:17-cv-255

Hon. Tanya S. Chutkan

EXHIBIT 1

DECLARATION OF JANE DOE #8

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Pars Equality Center,)
Iranian American Bar Association,)
National Iranian American Council,)
Public Affairs Alliance of Iranian Americans,)
Inc. *et al*,)

Plaintiffs,)

v.)

Civil Action No. 17-255

Donald J. Trump, President of the United States,)
et al.)

Defendants.)

**DECLARATION OF JANE DOE #8 IN SUPPORT OF
PLAINTIFFS’ MOTION TO LIFT STAY AND FOR TEMPORARY RESTRAINING
ORDER AND PRELIMINARY INJUNCTION**

Pursuant to Title 28 U.S.C. Section 1746, I, Jane Doe #8, hereby declare and state as follows:

1. I am over the age of eighteen years, and I have personal knowledge of the facts set forth herein or believe them to be true based on my experience or upon information provided to me by others. If asked to do so, I could testify truthfully about the matters contained herein.

I. Background:

2. I am an Iranian citizen currently living in Turkey and seeking to be admitted to the United States as a refugee.

3. I grew up in Iran in a traditional Muslim household. The Muslim community in Iran has not been accepting of my sexual orientation.

4. As a teenager living in Iran I did karate. At one karate event that I attended at the age of sixteen, I met a man who was a year older than me. We became friends. When I was nineteen, he asked me to marry him. I told him I could not marry him because I was a lesbian and in love with someone else. At first, the man seemed to accept my rejection of his marriage proposal.

5. Later, when I was twenty years old, I was the editor of an underground LGBT magazine, administrator of an LGBT rights group and counselor to other LGBT individuals. I had also published a fiction book about a transgender man which discusses sex trafficking.

6. When I was twenty one years old, the man invited me to his sister's house to show me some LGBT books and materials. When I went to his sister's house, he raped me. After that, he continued to harass me and threaten me. He would sexually assault me about once per month. One time, when we were smoking hookah, he burned my hand with the hookah coals. The mark from this burn remains on the palm of my hand even now.

7. I was unable to extricate myself from this relationship because the man began to blackmail me. He found out that I was the editor of an underground LGBT magazine and threatened to expose me to the government if I did not marry him. His brother and other members of his family worked for an office of the Iranian government that monitors the activities of citizens, and his uncle was the regional head of a charitable organization that has ties to the Islamic Revolutionary Guard Corps (also known as Sepah). I knew that he had the power and connections to follow through on his threats. He began to threaten the safety of my sister. He also told me that he would expose the fact that I was a lesbian to my family and that they would be extremely ashamed of me, and also be placed in physical danger as a result. I became very scared for my physical safety as well as the physical safety of my family.

8. I fled to Turkey in June 2014. When I fled, I wrote an email to my friend, Jane Doe #9, who is now my partner and fiancée. She followed me to Turkey six months later. After a few months in Turkey, we became a couple. Recently, I proposed to her and we are now engaged to be married.

9. My life in Turkey has been very difficult. Many people in Turkey are not accepting of my sexual orientation. I have worked in the textile industry while here in Turkey. I often work 14-hour days and get paid barely enough to buy minimal food and to pay our rent. We can't afford to buy medicine when we are sick. Our house is full of mold and we sleep on a sofa. There is only one table and one chair in the room.

10. However, I have not given up on my advocacy while in exile in Turkey. I received funds from Outright Action International, a leading human rights organization based in New York, to write and publish one booklet in a three-part series. The booklet I wrote describes different types of sexual orientations and terminologies to be used by reporters and media when writing articles about the LGBT community. The booklet has been published by a publisher in Canada. I also worked for a human rights organization called Justice for Iran until February 2016 as a communications officer, managing their media, Facebook presence, and twitter feed. I currently work for another London-based LGBT organization focusing on lesbian and transgender women.

11. My current situation, along with that of my partner's, is unsustainable. Because of my sexual orientation, I was unsafe in Iran and I am unsafe in Turkey. I have applied for refugee status and would like to be resettled to the United States where I will be safe from persecution and able to find stable employment.

12. I reached out to the Office of the UN High Commissioner for Refugees (UNHCR) soon after I arrived in Turkey in June 2014 and sought to be admitted to a Refugee Admissions Program. After a lengthy interview and vetting process, including multiple interviews in 2015, UNHCR determined that I had refugee status and provided me with documentation confirming my designation as a refugee. UNHCR first referred me for resettlement in Canada. However, my partner and I learned that Canada would not accept both of our applications together. I want to be resettled with my partner. In December 2016, UNHCR referred me to the United States as a candidate for resettlement through the Refugee Admissions Program (USRAP). I know that USRAP has admitted to the program many same-sex applicants.

13. In December 2016, I was interviewed by the International Catholic Migration Commission (ICMC), which is a State Department contractor that interviews refugees who have been referred for possible resettlement to the United States. I was waiting for my second interview to be scheduled when the January 27 Executive Order was signed.

II. Harm Suffered Due to the January 27, 2017 Executive Order:

14. I am aware that, on January 27, 2017, President Trump signed an Executive Order (January 27 Executive Order) that negatively impacts the refugee admissions process for citizens from certain countries, including Iran.

15. After the January 27 Executive Order was signed, the ICMC website posted a notice informing me that refugees and refugee applicants from Iran pending admission to the U.S. program could not travel to the United States due to the January 27 Executive Order. I was very distraught. I have been waiting for this opportunity for so long and it is my only hope to escape the horrible living conditions in Turkey and Iran. Because of the January 27 Executive

Order I was very concerned about whether I would ever be approved by the United States to participate in USRAP.

16. In February, I learned from news reports that the January 27 Executive Order was halted by U.S. courts. When I heard this news, I sent an email to ICMC asking whether my second interview could be scheduled.

17. On February 8, 2017, I received the following email response from ICMC:

Dear applicant,

Thank you for your email,

Currently, your case is pending USCIS interview to be scheduled. Be advised that your case status will not change during the suspension period.

As stated in the Executive Order signed by the President, the United States government has suspended all refugee admissions for 120 days effective January 27, 2017.

The Resettlement Support Center (RSC) Turkey and Middle East (TuME) will continue to maintain all case information and biodata on file for all refugees who have been referred for resettlement to the United States.

You may write to info.rsc@icmc.net or call +90 212 219 2055 (Monday – Friday from 13:00-15:00) with questions or if you wish to provide information on emergency situations or update your contact information.

Please note the RSC will not be able to provide further information regarding the 120-day suspension at this time.

18. I emailed ICMC again on February 17th and, on February 19th, received an identical email response.

III. Harm From March 6, 2017 Executive Order:

19. I am aware that President Donald Trump signed an Executive Order on March 6, 2017 (March 6 Executive Order) that negatively impacts the refugee admissions process for citizens from certain countries, including Iran, effective March 16, 2017.

20. I checked the ICMC website after the March 6 Executive Order was signed. It stated that refugees who have not already been approved for admission to the United States and scheduled for departure — refugees like me and my partner — are impacted by the Executive Order.

21. On or about March 13, 2017, I emailed ICMC asking for an explanation about the language in the March 6 Executive Order referring to “certain limited exceptions when in the national interest and when admission of the applicant would not pose a risk to U.S. security or welfare will be considered on a case-by-case basis.” My partner, Jane Doe # 9, and I wanted to know if we would be included in the exceptions and if so how to apply for an exception. A few hours later, a representative from ICMC called me and told me that they do not know yet what that sentence in the Executive Order means.

22. On or about March 22, 2017, my partner and I emailed ICMC again asking whether ICMC will begin conducting refugee interviews because a judge in Hawaii had entered an order pausing enforcement of the March 6 Executive Order. The email explained that we had our first ICMC interview on December 26, 2016, and are still waiting for our second interview to be scheduled. We also asked in the email if ICMC had any further information about how to qualify as an exception under this language in the March 6 Executive Order: “Certain limited exceptions when in the national interest and when admission of the applicant would not pose a risk to U.S. security or welfare will be considered on a case-by-case basis.” To date, we have not yet received a response from ICMC.

23. On June 26, 2017 I learned that, as a result of a decision by the United States Supreme Court, the March 6 Executive Order could be enforced against individuals who seek

entry to the United States and who do not have a “bona fide relationship” with a person or entity in the United States.

24. I do not have immediate family in the United States. I have not received an offer to work or study in the United States.

25. I very much wish to live in the United States so that I can be free of the persecution and physical danger that I currently face, so that I can find stable employment to support myself and my partner, and so that my partner and I can live together in peace.

26. As of the date of this declaration, I am still waiting to have my second interview with ICMC.

27. I fear that the U.S. government will retaliate against me because of my involvement in this lawsuit. I am concerned that my involvement will impact my acceptance in the Refugee Admission Program and harm my chances to be approved by the United States. I also fear persecution from the Iranian government if it were to become aware of my application for refugee status in the United States, or my involvement in this lawsuit.

I, Jane Doe #8, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 28th day of June 2017, in _Denizli, Turkey__.

/s/ Jane Doe #8
Jane Doe #8