

**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 2

DECLARATION OF JANE DOE #9

**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 #9 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 #9, 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 or my gender identity. I am a transgender and LGBT woman.

4. When I was a teenager, I taught a class about metaphysics and the philosophy of the mind to others my age in a connection with a program sponsored by the Iranian Department of Education. My class became very popular. The imam responsible for running the local Department of Education program noticed the popularity of my class and believed I was smart. This imam tried to force me to work for the Islamic Revolutionary Guard Corps (known as IRGC or Sepah), but I refused to do so.

5. One day, someone from the Ministry of Intelligence of the Islamic Republic of Iran (also known as Ettelaat or MOIS) came to my school, pulled me out of class without my parents' permission, and took me back to their offices. I believe that the Ettelaat had found out about my gender identity and sexual orientation and were targeting me on that basis as well as due to my views on metaphysics. At their offices the Ettelaat officials slapped me in the face, punched me in the throat, and kicked me with their military boots. After that, they came to my house and took all of my books and my home computer. They also conspired to get me kicked out of school by ensuring that my teachers gave me a "zero" on each of my exams, regardless of the actual grade I had earned. When I tried to re-enroll in a different high school, I was not allowed to do so.

6. I felt physically unsafe in Iran and feared further violence from the Ettelaat or other parts of the Iranian government.

7. I heard from my friend, Jane Doe #8, who is now my partner, that she had run away to Turkey. Six months later, I also fled from Iran to Turkey. Recently, my partner proposed to me, and we are now engaged to be married.

8. I have been living in exile in Turkey since December 2014. My life in Turkey has been very difficult. Many people in Turkey are not accepting of my sexual orientation or my

gender identity. Much of Turkish society is transphobic and homophobic. Finding employment as a transgender woman in Turkey is difficult. I have been fired from many jobs just for being transgender. My partner and I are living in poverty. The law and the Turkish police do not protect us from the abuse we face at the hands of employers and neighbors. I was raped in Turkey, but because I do not speak Turkish and because the Turkish police are not sympathetic to people like me, there was nothing I could do.

9. A few times I went to get laser facial hair removal. The doctor and her assistant were so transphobic that they intentionally put the laser device in my eye. During another session, they put the laser device on my head, causing the hair on my head to fall out. I had to stop getting laser hair removal. Now, I rarely leave the house. I feel like I am living in prison.

10. Because of my sexual orientation and my gender identity, I was unsafe in Iran and I am unsafe in Turkey. I would like to be resettled to the United States where I will be safe from persecution and able to find employment.

11. I reached out to the Office of the UN High Commissioner for Refugees (UNHCR) soon after I arrived in Turkey and sought to be admitted to a Refugee Admissions Program. After a lengthy interview and vetting process, UNHCR determined that I had refugee status and provided me with documentation confirming my designation as a refugee in April 2016. In December 2016, UNCHR referred me to the United States as a candidate for resettlement through the U.S. Refugee Admissions Program (USRAP). I am now waiting for the decision of the United States on acceptance to the program. I know that USRAP has admitted to the program many same-sex applicants and I am waiting to be processed.

12. In December 2016 my partner and I had our first interview with 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 then waited for our second interview to be scheduled.

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

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

14. 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 when I heard this news. 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.

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

16. On February 8, 2017, we 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.

17. My partner sent another email to ICMC on February 17th and, on February 19th, and received the same email response.

III. Harm From March 6, 2017 Executive Order:

18. 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.

19. My partner 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.

20. On or about March 13, 2017, my partner, Jane Doe #8, 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 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 my partner and told her that they do not know yet what that sentence in the Executive Order means.

21. 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.

22. 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.

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

24. 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.

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

26. 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 #9, 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 #9
Jane Doe #9