

## **Decision made on 15 Sept 1994**

### **Asylum Appeals Board**

The Ministry of the Interior delivered a negative decision on the application for asylum and residence permit on February 24, 1994.

The appellant, a Turkish Kurd, left Turkey for Switzerland in 1987, where he applied for asylum. After having been rejected he stayed illegally in the country. Swiss authorities caught him in a demonstration organized by the Kurds and deported him to Turkey. In 1991 he again entered Switzerland and asked for asylum under a false name. After the Swiss authorities discovered his real identity and previous application he left for Finland.

In Finland the applicant worked actively for the Kurdish issue. At the time for the Asylum Appeals Board's decision he was the chairman of the Finnish Kurdish association, the Kurdistan Committee and the Finnish representative of ERNK.

He had previously in Turkey and Switzerland been active in the Kurdish movement.

#### **Legal Ruling:**

#### **Legal Reasoning:**

The Asylum Appeals Board held that the political activity of the claimant in Finland was significant. In his capacity as chairman he had appeared in public several times. His political activity in Finland had been continuous, active and logical, and reflected his genuine political conscience. He had not appeared in public to influence the outcome of his asylum appeal but because of his duties as a chairman of the Kurdistan Committee.

The armed conflict between the Turkish government and the PKK had culminated during 1994. According to the reports on the situation, Turkish authorities had acted against Kurd activists. The position of the appellant in Kurdish organizations and his political activities were undoubtedly of special interest to the Turkish authorities.

Taking into consideration the unstable situation in Turkey, the Turkish authorities' reactions to Kurd activists and Kurdish organizations, the appellant's significant political activity and political opinion which reflected genuine political conscience, and the fact that Turkish authorities in all likelihood knew about this, the Board held that the appellant had a well-founded fear of persecution. The elements for exclusion were not present, and thus the appellant was granted asylum in Finland.

#### **Disposition:**

The Asylum Appeals Board granted the appellant asylum in Finland.