



Home Office

**UK Border
Agency**

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Dr Caroline Lucas MEP
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Home Office Ref B1191057

CTS Ref: M10034/8

25 June 2008

Dear Dr Lucas

Thank you for your letter of 3 June to the Home Secretary on behalf of Pegah Emam Bakhsh regarding her asylum application. Your letter has been passed to me to reply.

As you are already aware I am unable to provide any information regarding Ms Bakhsh's case as you are not her constituency MP. However, your interest in Ms Bakhsh's case has been noted.

I can assure you that each and every asylum and human rights claim, including those from Iranian nationals, is considered on its individual merits in accordance with our obligations under the 1951 UN Refugee Convention and the European Convention on Human Rights (ECHR) against the background of the latest available country information. If an applicant demonstrates a need for international protection and they meet the definition of a refugee under the terms of the 1951 Convention, asylum is granted. If they are otherwise vulnerable they may engage our obligations under the ECHR, in which case they will be granted humanitarian protection or discretionary leave.

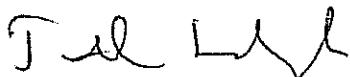
If their application is refused, they have a right of appeal to the independent appellate authorities. In this way we ensure that we provide protection to those asylum seekers who need it.

Once the appeal process has been exhausted, unless they have been granted some form of leave, unsuccessful asylum seekers no longer have a right to remain in the United Kingdom. Where necessary we may seek to enforce their removal, though we prefer that unsuccessful asylum seekers return to their country of origin voluntarily. The UK Border Agency assists voluntary return

schemes, including the Voluntary Assisted Returns and Reintegration Programme run by the International Organization for Migration.

The UK Border Agency only enforces the return of Iranian nationals when we are satisfied that they are not in need of protection. We do not seek to enforce returns to Iran unless our decision making process and the independent courts are satisfied that it is safe to do so.

Yours Sincerely



Jonathan Sedgwick
Deputy Chief Executive