

# **JUDGE POSTPONES DECISION ON PLEA OF AFGHANS DETAINED IN CALIFORNIA**

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**Byline:** By WALLACE TURNER, Special to the New York Times

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## **Body**

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At least six more weeks of indecision stretched before a group of Afghan refugees today when an administrative law **judge** put off hearings on their applications for political asylum.

The hearing today was on an appeal of a **decision** made Wednesday by David Ilchert, regional director for the Immigration and Naturalization Service. Mr. Ilchert, in denying the **Afghans'** application, said that they used tricks to get into the United States without papers on Jan. 7.

Of the 29 refugees, one turned out to have proper documents. **Judge** Bernard Hornback then questioned each of the others, through an interpreter, and assigned hearing dates beginning in 45 days.

David Ilchert, regional director for Immigration and Naturalization Service, delays hearings on applications by Afghan refugees for political asylum

Meantime, Mr. Ilchert has defended his **decision**.

### Concern for 'Viability of System'

"There are hundreds of thousands of Afghanstanis around the world watching," Mr. Ilchert said Thursday. "This was well orchestrated. This is not 29 people from the same family. My feeling is that if you allow this to happen, if this package goes down, you will destroy the viability of the system, and that's why I denied the application."

He said the group, now housed at a onetime airfield in Marin County, had arrived aboard a Japan Air Lines flight that they had boarded by using counterfeit passports and visas. Airline tickets were bought in Madras, India. He said that between Tokyo and San Francisco, the last leg of the trip, the **Afghans** destroyed all their travel documents.

"They were not going to have any documents on them that would help the United States to identify them and might help the United States to remove them to another country," Mr. Ilchert said.

"Finally, after long and arduous hours of questioning, they admitted they were from Afghanistan and made application for political refugee status. They finally broke down and told the story."

Mr. Ilchert said that application for political asylum had been made for all of the group at New Delhi, but that their chances of getting into the United States were slim because the Middle East quota for this year was only 5,000.

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"These people figured they'd never qualify as refugees," Mr. Ilchert asserted. "They thought they'd never get a number."

## Priority for Scientists

Priority is given to scientists and government officials, then to relatives of American residents. Aid to Afghan Refugees, a group organized two years ago by former Peace Corps workers in Afghanistan, arranged for a San Francisco law firm to represent the refugees at the hearing today.

"We will be backing them," said John Schaecher, one of the founders of the aid group. There are nine children and 20 adults in the group living five to a room in World War II military barracks at the airfield, where Cambodians, Laotians and Vietnamese awaiting resettlement also live. Children of all the groups played together on swings and slides Thursday while the adult **Afghans** discussed their plight with reporters.

Kahin Azad, 29 years old, who said his father ran a business selling trucks and rifles in Kabul before he was killed by the Afghan Government, declared: "If I am sent back, I will go to lie next to my father. I came here because I heard there was democracy and human rights in America."

He said he and the others had paid \$100 each in Peshawar, Pakistan, for their counterfeit travel documents. A Sunni Moslem, he said he walked out of Afghanistan wearing a turban and tribal clothing.

Mahbooba Omar, 23, who said she is seven months pregnant, said she had been a stewardess with the Afghanistani airline but was forced to quit by pressure to join the Communist Party.

## 'They Will Kill Us'

"If we go back to Afghanistan, first we will go to jail and second they will kill us," she said, with Mr. Azad interpreting. "They may as well take my body here," said Azizullah Alemzay, 27, who was a government clerk for eight years. "It is better to die here than to be taken by Russian machine guns."

Dr. Gollabuddin Jamal, 47, father of five children in the group, said he left his medical practice "because our lives were in danger."

"I didn't want my children to become Communists," he added. Mr. Ilchert said: "We'll make every effort to find a country to take them. If the only country that will take them is Afghanistan, then of course we'll permit them to remain here pending a change in the situation in Afghanistan."

## Airline Paying for Food

Meantime, until their status is clarified, Japan Air Lines pays for their food. Because they arrived on a Friday and could not get a hearing until Monday, the airline spent \$6,000 keeping them in a hotel. Now they live rent free in the barracks, but their food costs about \$500 a day, a spokesman for the airline said.

The refugees said they had been getting Vietnamese food, which they disliked. One night they got hamburgers from McDonald's, which they thought tasted like their traditional kebabs.

Mr. Schaecher of Aid to Afghan Refugees said he hoped the plight of this group would focus attention on "what's happening in Afghanistan."

"There's poison gas, and we've heard of a substance put in the dust that eats away the flesh on the feet of people who walk through the dust," he continued.

"The Russians are going to overcome these people by any means possible. Anybody who was outraged about Vietnam must be equally outraged about this."

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