

EXTERNAL (for general distribution)

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Further information on EXTRA 11/95 (EUR 23/01/95, 30 January 1995) and follow-up (EUR 23/02/95, 1 February) - Fear of imminent refoulement

GERMANY Fariz _im_ek, rejected Kurdish asylum-seeker from Turkey

The Bavarian authorities had planned for Fariz _im_ek to be deported on 31 January 1995 from Munich airport to Turkey. However, his deportation was deferred on request of the Federal Constitutional Court, to which Fariz _im_ek's lawyers had applied for a preliminary injunction (*einstweilige Anordnung*) pending their submission of a constitutional complaint (*Verfassungsbeschwerde*) and a ruling by the Constitutional Court on it.

On 9 February, the Constitutional Court decided on this application. It ruled that Fariz _im_ek should not be deported before 15 March 1995 at the latest, unless an official medical assessment (*amtsärztliche Begutachtung*) certified that Mr _im_ek was not at risk of suicide in the case of such a deportation. The decision was given with the proviso of a possible further ruling later on. Meanwhile the Constitutional Court is considering Fariz _im_ek's constitutional complaint.

On 1 February the deadline for Fariz _im_ek's deportation detention ended and he was released from prison. He is now with his family awaiting the outcome of various judicial proceedings which his lawyers have initiated.

No further action by the Urgent Action Network is required. Thanks to all UA participants who sent appeals.