

27 July 2001

Further information on UA 185/01 (EUR 44/045/2001, 25 July 2001) - Fear for safety/ torture, ill-treatment

TURKEY/ GREECE African nationals deported from Istanbul to border with Greece

Fears for the safety of the group of African nationals stranded in the Turkish border area with Greece continue. They are without access to food, clean water, shelter and medical attention. Attempts to reach them from the Turkish side have been refused. It is believed that they may be close to mine-fields.

The Turkish authorities have denied access to the border area on the basis that it is a military zone. Local non-governmental organizations have therefore been unable to contact the group to provide assistance. Nevertheless, according to members of the group who have been able to return to Istanbul, 80-100 people, who cannot leave the area due to ill-health and exhaustion, are located four hours walk from the village of _briktepe.

The Istanbul branch of the Human Rights Association reportedly received more than 123 complaints of torture and ill-treatment from members of the group who had been able to return to Istanbul. The complaints were in connection both with their detention in Istanbul and with their treatment at the border. Three allege that they had been raped by gendarmerie members, 17 others allege that they had been sexually harassed. Some also complained that their passports had been taken from them or torn up by police while in detention at the Foreigner's Department of Istanbul Police Headquarters. The members of this group are from Nigeria, Ethiopia, Sierra Leone, Ghana, Kenya, Zaire, Rwanda, Tanzania, South Africa, Liberia and Canada.

Lawyers who had tried to visit the group while initially detained in Istanbul were denied access. Representatives of the United Nations High Commissioner for Refugees (UNHCR) were also refused access to the detainees during this period. The Turkish authorities later told UNHCR that all detainees who had entered the country from Greece had been deported to Greece. However, some have alleged that they had been forced to sign statements that they had entered Turkey from Greece and that they wished to go back there of their own free will.

It is unclear whether this admitted deportation was carried out through the border gate with Greece at _psala. Amnesty International is concerned at allegations that they were made to cross at other clandestine locations.

FURTHER RECOMMENDED ACTION: Please continue to send appeals to arrive as quickly as possible as before:

To the Turkish authorities, in Turkish, English, German or your own language:

- calling for them to take immediate steps to ensure the safety of the group;
- asking for a prompt, comprehensive, independent and impartial investigation into allegations of torture and ill-treatment, including beatings and rape carried out by police and gendarmerie members;
- urging them to ensure that any member of this group will have their individual claims for protection assessed in a fair procedure, and given access to the UNHCR, non-governmental organisations and legal counsel.

- asking Turkey to abide by the principles of *non-refoulement*, and not forcibly return anyone to a country where they might face serious human rights violations, including torture and cruel, inhuman or degrading treatment;
- expressing concern that this deportation appears to have been carried out on the basis of race and was carried out in a manner to ensure no judicial scrutiny and with no regard for safety or survival;
- urging them to identify and eliminate all forms of institutionalized racism, that is, racism which resides overtly or covertly in policies, procedures, practices and culture of private and public institutions.

Please also ask the Turkish authorities:

- to allow the UNHCR, NGOs and legal counsel immediate access to the area in order to locate the remaining members of the group;
- to take immediate steps to ensure their safety;
- to clarify if the group was deported from the border gate at at _psala and
- if not - why not.

Minister of the Interior

Mr Rüstü Kazım Yücelen

Ministry of Interior

İçişleri Bakanlığı

06644 Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey

Fax: + 90 312 418 17 95

Salutation: Dear Minister

ALSO SEND APPEALS TO (new address):

Chief of Staff of the Gendarmerie

General Aytaç Yalman

Jandarma Kuvvetleri Komutanl____

Bakanl_klar

Ankara, Turkey

Telegram: Jandarma Genel Komutani, Ankara, Turkey

Fax: + 90 312 418 9208

Salutation: Dear General

COPIES TO:

State Minister with responsibility for Human Rights

E. Safer Gaydali,

Office of the Prime Minister,

Basbakanlik,

06573 Ankara, Turkey

Fax: + 90 312 417 04 76

Salutation: Dear Minister

and to diplomatic representatives of Turkey accredited to your country.

To the Greek Minister of Public Order, in Greek, English or your own language:

- noting reports that members of this group had suffered severe human rights violations in Turkey where they had no effective and durable protection, and consequently risked further such violations on being returned to Turkey;
- expressing concern that the members of this group were reportedly forcibly returned by the Greek authorities to Turkey without being given the opportunity to apply for asylum and in violation of the principles of *non-refoulement*.

Minister of Public Order

Mr Mihalis Chrysohoidis
Minister of Public Order
Ministry of Public Order
1 Katehaki Street
101 77 Athens, Greece
Fax: + 30 1 691 79 44
Salutation: Dear Minister

COPIES TO: to diplomatic representatives of Greece accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 7 September 2001.