

URGENT ACTION

SYRIAN REFUGEES AT RISK OF RETURN TO TURKEY

Two Syrian refugees are the first at risk of being forcibly returned to Turkey under the illegal EU-Turkey deal, after their asylum applications were dismissed by the Greek authorities. They are currently in police custody in the Greek island of Lesbos and at imminent risk of return to Turkey, where their safety and protection is not guaranteed.

Syrian refugees, **M.F.** and **J.B.** (names withheld for security reasons) have been informed by the Greek authorities that their asylum applications have been declared inadmissible. They are therefore at imminent risk of forced return to Turkey.

Both refugees filed asylum applications before the Greek Asylum Service on their arrival in the Greek island of Lesbos, after the signing of the EU-Turkey deal on 18 March. This deal enables Greece to return asylum-seekers and refugees to Turkey on the assumption that Turkey is safe for them. Both applications were declared inadmissible at first instance and on appeal on the grounds that Turkey is a "safe third country" for the applicants.

Amnesty International's research has shown that Turkey is not a safe country for refugees and asylum seekers to be returned to. Refugees and asylum seekers, including Syrians, have been forcibly returned from Turkey to their home countries where they are at risk of serious human rights violations. Within Turkey, the vast majority of asylum-seekers and refugees are not granted state support or have the means to support themselves. As a result many live in appalling conditions of poverty.

M.F. and J.B are currently in custody at the Lesbos police station at imminent risk of forced return to Turkey as national and international legal action by their lawyers does not guarantee the halt of the deportation.

Please write immediately in Greek or your own language:

- Urging the Greek authorities to ensure that M.F and B.J. are not returned to Turkey and to examine the substance of their asylum claims in Greece;
- Calling on them to immediately halt the return of all asylum-seekers and refugees to Turkey who would be returned on the grounds that it is safe.

PLEASE SEND APPEALS BEFORE 18 JULY 2016 TO:

Chief of Staff of the Hellenic Police

Zacharoula Tsirigoti

P. Kanellopoulou 4

10177, Athens, Greece

Fax: +30 210 697 7102

Email: tsirigoti@astynomia.gr

Salutation: **Dear General**

And copies to:

Alternate Minister for Migration

Ionnis Mouzalas

Stadiou 27

10183, Athens, Greece

Fax: +30 2131364418

Email: gram.anaplypourgou@ypes.gr

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

J.B. and M.F. are both Syrian nationals. J.B. is a Christian of Armenian origin. He fled Syria via Lebanon and arrived in Turkey in 6 April 2015, where he was granted temporary protection status and worked informally for a few months. He arrived in Greece on 6 May 2016 and applied for asylum on 13 May. He was informed about the outcome of the appeal on 3 June. The appeals committee found that J.B. had established links with Turkey and that Turkey was a safe country for him. It also found that Turkey would respect the international principle of *non-refoulement* (which prohibits the transfer of anyone in any manner whatsoever to a place where they would be at real risk of serious human rights violations). It therefore upheld the first instance decision to refuse the examination of the substance of his claim and allowed his return to Turkey.

M.F. arrived in Lesvos in 29 March and applied for asylum on 5 May. He claims that he fled Turkey after being threatened by members of the armed group calling itself Islamic State (IS). M.F. was informed of the Appeals committee decision on 1 June. As in J.B.'s case, the Appeals Committee, declined to examine the substance of his asylum application; it concluded that he has links with Turkey as he holds a residency permit (until July 2016) and was previously working there and that therefore Turkey would be a safe country for him.

These are the first two known cases in which asylum applications have been found inadmissible on appeal. In a number of previous cases, the Greek Appeals Committees found that Turkey is not a safe country for Syrian applicants because they are at risk of *refoulement* and because Turkey does not offer refugees protection according to international refugee law. Turkey denies full refugee status, and with it the possibility of long-term integration, to all non-European refugees.

On 18 March, the EU and Turkey agreed to a far-reaching deal aimed at controlling migration (see: <https://www.amnesty.org/en/latest/news/2016/03/eu-turkey-refugee-deal-a-historic-blow-to-rights/>). In exchange for up to 6 billion euros and a number of political concessions from the EU, Turkey agreed to take back all "irregular migrants" who cross into the Greek islands after 20 March.

The main justification for the EU-Turkey deal is the assumption that Turkey is a safe place to which asylum-seekers and refugees can be returned. Amnesty International research, however, has shown that in late 2015 and early 2016, asylum-seekers and refugees in Turkey were sent back to Afghanistan (see: <https://www.amnesty.org/en/latest/news/2016/03/turkey-safe-country-sham-revealed-dozens-of-afghans-returned/>), Iraq (see: <https://www.amnesty.org/en/documents/eur44/3022/2015/en/>) and Syria (see: <https://www.amnesty.org/en/press-releases/2016/04/turkey-illegal-mass-returns-of-syrian-refugees-expose-fatal-flaws-in-eu-turkey-deal/>).

According to the Greek Police, since the beginning of the 2016 and until 20 May, 1,048 "irregular migrants" have been returned to Turkey under the readmission agreement between Greece and Turkey and another 441 under the EU-Turkey Refugee Deal. The Greek authorities claim that those returned were rejected asylum-seekers, undocumented migrants or had requested to return to Turkey voluntarily.

Most of the 441 people returned from Greece under the terms of the deal have been detained, and some denied access to legal representation – including at a detention camp in Düziçi in Osmaniye province, Turkey (see: <https://www.amnesty.org/en/documents/EUR44/4071/2016/en/>). Amnesty International research in late 2015 showed that people in Düziçi camp were being pressured – or actually forced – to return to a risk of serious human rights violations in Iraq and Syria.

Name: M.F. and J.B. (names withheld for security reasons)

Gender m/f: both male

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