

URGENT ACTION

SYRIANS REMAIN AT RISK OF RETURN TO TURKEY

The first two known Syrian refugees that became at risk of being forcibly returned to Turkey under the illegal EU-Turkey deal are challenging the decision on their asylum application before the Greek courts. However, their deportations have not been stopped and they remain at imminent risk of being returned to Turkey, where their safety and protection is not guaranteed.

Syrian refugees, **M.F.** and **J.B.** (names withheld for security reasons) were informed at the beginning of June that their asylum applications had been dismissed by the Appeals Committee, becoming the first known refugees at risk of being forcibly returned to Turkey under the illegal EU-Turkey deal. Both men have challenged the Appeals Committee's decisions on their asylum application before the Greek courts but this does not guarantee the halt of the deportations.

M.F. was temporarily released from police custody on 1 July. He was informed that the court hearing on his case is set for 30 September. However, on 8 July M.F.'s lawyers were informed that the Greek court has refused to temporarily halt his deportation until the hearing on 30 September, increasing the risk of him being returned to Turkey before then.

J.B. was denied temporary release from police custody on 7 July and remains detained in the Lesvos police station. The court has not decided yet on J.B.'s request to temporarily halt his return to Turkey and no court hearing has been scheduled for his attempt to overturn the Appeals Committee's decision. He is also at imminent risk of being returned to Turkey.

Please write immediately in Greek, English or your own language:

- Urging the Greek authorities to ensure that M.F and J.B. 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 Turkey is safe for them.

PLEASE SEND APPEALS BEFORE 23 AUGUST 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

Ioannis Mouzalas

Stadiou 27 10183

Athens, Greece

Fax: +30 213 136 4418

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. This is the first update of UA 135/16. Further information:

<https://www.amnesty.org/en/documents/eur25/4200/2016/en/>

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ADDITIONAL INFORMATION

J.B. and M.F., both Syrian nationals, filed asylum applications before the Greek Asylum Service on their arrival from Turkey in the Greek island of Lesbos, after the signing of the EU-Turkey deal on 18 March.

The EU-Turkey deal enables Greece to return asylum-seekers and refugees to Turkey on the assumption that Turkey is safe for them. However, Amnesty International's research has shown that Turkey is not a safe country for refugees and asylum seekers. 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.

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 Lesbos 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.

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

Gender m/f: Both male.

Further information on UA: 135/16 Index: EUR 25/4441/2016 Issue Date: 12 July 2016