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Fear of Forcible Return/Fear of torture or ill-treatment

21

JAPAN	Erdal Dogan (m), and his family]	
	Zeliha Kazankiran (f)]	Turkish Kurds
	Hatice Kazankiran (f)]	
	Mercan Kazankiran (f)]	
	Safiye Kazankiran (f)]	
	Her unnamed son]	

The five Turkish Kurds named above and their family members are at imminent danger of being forcibly returned from Japan to Turkey. Should they be returned, they would be at risk of being detained without charge, tortured or ill-treated.

The five members of the Kazankiran family are due to report to the Immigration Bureau on 24 January. They were recognized as refugees in October 2004, by the United Nations High Commissioner for Refugees (UNHCR) in acknowledgement of their risk of persecution by the Turkish authorities. Despite their status, on 18 January, the Japanese authorities deported Ahmet Kazankiran and his son Ramazan Kazankiran to Turkey, contrary to Japan's obligations under international law and last-minute appeals by the UNHCR and human rights groups.

Erdal Dogan and his family met with immigration authorities in Tokyo on 21 January. They were not detained, but remain under imminent risk of being forcibly returned to Turkey. Their family members in Turkey have been interviewed by Japanese officials, who were aided by local police. Amnesty International considers that this exposes the refugees and their families to the increased danger of serious human rights violations including arbitrary detention, torture and ill-treatment if they are forcibly returned. (See *Japan: Government endangers refugees' families in Turkey*, ASA 22/004/2004, 2 September 2004).

Both families, along with other Kurdish asylum-seekers, staged a 72-day demonstration until late September 2004 in front of the United Nations University in Tokyo. They were protesting at the refusal by Japanese authorities to grant them refugee status. In December 2004, they handed a petition to the Ministry of Justice containing more than 63,000 signatures supporting their claims for asylum. The two families had arrived in Japan in the mid 1990s and sought asylum. To Amnesty International's knowledge, a Turkish Kurd claimant has not to date been granted refugee status in Japan.

BACKGROUND INFORMATION

International law prohibits the forcible return of anyone to a country where they might be at risk of serious human rights violations. Japan is a state party to the 1951 Convention relating to the Status of Refugees (the Refugee Convention) and the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Both of these prohibit the return of a person to a country or territory where they may face torture or persecution.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- expressing concern at reports that the members of the Kazankiran family mentioned above, as well as Erdal Dogan and his family are at imminent risk of being forcibly returned to Turkey from Japan where they may be at risk of serious human rights violations including detention without charge, torture or ill-treatment;
- expressing concern at the deportation of Ahmet and Ramazan Kazankiran to Turkey on 18 January despite their recognition as refugees by the United Nations High Commissioner for Refugees (UNHCR);
- urging the Japanese authorities to end the forcible return of any person to a country where they are at risk of serious human rights abuses, in accordance with Japan's international obligations, under the UN Convention relating to the Status of Refugees and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and under customary international law.

APPEALS TO:

Minister of Justice

Minister NOONO Chieko

Ministry of Justice

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Salutation: Dear Minister

Minister of Foreign Affairs

Mr MACHIMURA Nobutaka

Ministry of Foreign Affairs

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Salutation: Dear Minister

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and to diplomatic representatives of Japan accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 4 March 2005