

URGENT ACTION

REFUGEES IN TURKEY RISK EXPULSION TO SYRIA

About 80 Syrian refugees who were held in Erzurum Removal Centre are believed to have been deported to Syria since 18 November, and are at risk of serious human rights violations there. Syrians among the 50 refugees still at the Centre continue to be at risk of deportation.

A relative of N.B., one of the individuals among a group of up to 20 refugees, told Amnesty International on 19 November that he had received information regarding the group's deportation to Syria through the Bab al-Hawa border crossing on 18 November.

On 19 November, a further group of around 30 refugees were deported through the same border crossing. Two refugees told Amnesty International that they had been forced to sign a document in Turkish which, they were subsequently told by an accompanying guard, stated that they agreed to leave Turkey and which banned them from re-entering Turkey for five years. The refugees said some of those deported had money and phones taken from them. Recorded messages from refugees were passed on to Amnesty International, in which they say they were handcuffed to each other during the transfer. Amnesty International spoke with a refugee on 20 November who was on the Syrian side of the Bab al-Hawa crossing, and said she had been deported from Erzurum that day in a group of 20 people, including seven women and two children.

These deportations violate Turkey's domestic law as well as its international legal obligations. The deportations amount to refoulement, banned under the 1951 Refugee Convention as well as numerous other binding instruments including the Convention Against Torture. Furthermore, Amnesty International believes the refugees had no opportunity to challenge their deportation, or legal representation with which to do so.

Please write immediately in Turkish or your own language:

- Urging the Turkish authorities to immediately halt any further forcible returns of any asylum-seekers or refugees held in Erzurum Removal Centre;
- Calling on them to immediately release the remaining detained asylum-seekers and refugees and grant them status in Turkey;
- Urging the authorities to start a prompt, independent and impartial investigation into the circumstances of the deportation of the 80 refugees and asylum-seekers, which was in violation of Turkish and international law.

PLEASE SEND APPEALS BEFORE 1 JANUARY 2016 TO:

Minister of Interior
Mr Selami Altınok
İçişleri Bakanlığı
Bakanlıklar
Ankara, Turkey
Fax: +90 312 425 85 09
Email: ozelkalem@icisleri.gov.tr
Salutation: Dear Minister

Directorate General of Migration Management
Mr Atilla Toros
Director General
Lalegül Çamlıca Mahallesi 122. Sokak
No:2/3 06370, Yenimahalle Ankara,
Turkey
Fax: +90 312 422 09 00
+90 312 422 09 99
Email: gocidaresi@goc.gov.tr
Salutation: Dear Director

And copies to:
Chair of the Human Rights Institution
Dr. Hikmet Tülen
Yüksel Caddesi No. 23, Kat 3, Yenışehir
06650 Ankara, Turkey
Fax: +90 312 422 29 96

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 255/15. Further information: www.amnesty.org/en/documents/eur44/2844/2015/en/

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ADDITIONAL INFORMATION

Amnesty International issued an Urgent Action on 9 November regarding N.B. and others, calling on the Turkish authorities not to forcibly return any refugees or asylum-seekers to Syria. According to the latest information the organization has, D.H., R.H. and 16 year-old A.A. are still being held at the Erzurum Removal Centre and are at increased risk of forcible return in light of this development.

N.B. and others were being held in the Removal Centre following their detention in September during a protest by hundreds of refugees and asylum-seekers in Edirne, who were demanding to be allowed to cross the border to Greece. They were taken to the Erzurum Removal Centre on or around 13 October and were effectively being held in incommunicado detention at the Centre.

The cornerstone of the international refugee protection system is the principle of non-refoulement. This principle prohibits the transfer of anyone in any manner whatsoever to a place where they would be at real risk of serious human rights violations – as is the case for individuals from Syria. It has been codified in the Refugee Convention and numerous international human rights instruments binding on Turkey. A breach of this principle can occur in a variety of ways, including directly through forcible returns to the country of origin, or indirectly through denying access to territory or to a fair and satisfactory asylum procedure. It can also occur indirectly when pressure is exerted on refugees to return to a place where their lives or freedoms are at risk – this is known as constructive refoulement, and is prohibited under international law binding on Turkey.

Incommunicado detention has been strongly criticized by international human rights bodies. The UN Human Rights Committee has stated that the practice of prolonged incommunicado detention may violate Article 7 of the International Covenant on Civil and Political Rights, which prohibits torture and other ill-treatment, as well as Article 10, which provides safeguards for people deprived of their liberty. The UN Special Rapporteur on Torture has called for a total ban on incommunicado detention.

Name: 80 refugees and asylum seekers

Gender m/f: both

Further information on UA: 255/15 Index: EUR 44/2915/2015 Issue Date: 20 November 2015