

PUBLIC

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EXTRA 29/02

Fear for Safety/ Fear of forcible return  
Fear of Torture or ill-treatment

15 April 2002

GREECE Ömer Berber (m)  
Mehmet Genç (m)

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Amnesty International is concerned for the safety of Ömer Berber and Mehmet Genç who are at risk of being forcibly returned to Turkey following their failed attempts to gain asylum in Greece. Should they be returned, they will be arrested for illegally leaving Turkey and are at risk of torture or ill-treatment.

Ömer Berber and Mehmet Genç reportedly arrived in Greece at the end of March. They had been conditionally released from prisons in Turkey for six months on health grounds, after they took part in a hunger strike in protest against a new prison system for political prisoners. They had reportedly been convicted of membership of an armed opposition group. On arrival in Greece, they applied for asylum but in violation of international standards, were served with summary administrative expulsion orders requiring them to leave the country within 15 days. They are currently detained in Dimartiko police station awaiting *refoulement* or forcible return to Turkey.

Detainees in Turkey, especially those in pre-trial detention are at risk of torture or ill-treatment. Those seen by the Turkish authorities as being pro-Kurdish or belonging to extreme groups, such as Ömer Berber and Mehmet Genç are at particular risk.

#### **BACKGROUND INFORMATION**

The number of asylum-seekers and illegal immigrants arriving in Greece has increased greatly this year. The Greek Council for Refugees has reported that the Greek police, in violation of international standards, frequently do not permit arriving refugees to apply for asylum but instead serve administrative expulsion orders on them, requiring them to leave the country within 15 days.

Detention centers for refugees are severely over-crowded. Non-governmental organizations including *Medecins du Monde* have spoken out repeatedly about the harsh and degrading conditions in some of these centers. The Ministry of Health is reportedly seeking new ways to accommodate refugees, together with the Greek Council for Refugees.

Greece is a party to the 1951 UN Convention on the Status of Refugees and as such is bound to observe the principles of international refugee law and human rights law, and to abide by the principle of *non-refoulement*, according to which states are obliged not to return anyone to a country where they would risk serious human rights violations.

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

- expressing concern at reports that the government has decided to forcibly return Ömer Berber and Mehmet Genç to Turkey;
- urging the authorities to ensure that Ömer Berber and Mehmet Genç are able to apply for asylum and to have their claim assessed in a fair procedure;
- urging Greece to abide by the principles of *non-refoulement* and not forcibly return anyone to a country where they might face serious human rights violations;

- pointing out that Ömer Berber and Mehmet Genç may need medical treatment and would be at risk of torture if returned to Turkey.

**APPEALS TO:**

Prime Minister

Mr Kostas Simitis  
Office of the Prime Minister  
Megaron Maximou  
19 Herodou Atticou Avenue  
106 74 Athens  
Greece

**Telegram: Prime Minister, Athens, Greece**

**Fax: + 30 10 671 5799**

**Salutation: Dear Prime Minister**

Minister of Public Order

Mr Mihalis Chrysochoidis  
Ministry of Public Order  
1 Katehaki Street  
101 77 Athens  
Greece

**Telegram: Minister of Public Order, Athens, Greece**

**Fax: + 30 10 691 7944**

**Salutation: Dear Minister**

and to diplomatic representatives of Greece accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY**