

TURKEY/ GREECE150 African nationals deported from Istanbul to border with Greece

A large group of African nationals has been deported from Istanbul to the _psala border area between Turkey and Greece where they remain stranded without food, water or shelter. There are reports of ill-treatment and torture, including rape, and that three people have already died.

On 7 July 2001, approximately 200 people from Nigeria, Ethiopia, Eritrea, Tanzania, Ghana and Sudan were detained in Istanbul in a police "round up" which appears to have focussed only on African nationals. They were reportedly taken to the Foreigner's Department of Istanbul Police Headquarters where they were held in detention for seven days in insanitary conditions with no mattresses and were beaten. The police refused access to a lawyer who tried to visit them to obtain information.

It is reported that the detainees were made to sign statements, in Turkish, that they had entered Turkey from Greece and that they wished to go back to Greece of their own free will. Apparently, Turkish police also tore out pages containing visas for Turkey from some of their passports.

On 14 July 2001, Turkish gendarmes took the group to the border with Greece and reportedly left them there without food or water. They were apparently made to run to the Greek side, and warned by the gendarmes that they would be shot if they turned back. It is alleged that the gendarmes beat the group during this deportation. Three women and one man, of a group of sixteen who have been able to return to Istanbul, allege that they were raped and others were sexually abused by members of the Turkish gendarmerie. It is feared that at least two people drowned in the Meriç river between Greece and Turkey.

The group were not admitted to Greece, instead they were reportedly detained for one day by Greek border police and then forced to return to the Turkish side. The group, which is believed to include pregnant women, are now unable to enter Greece or Turkey and are stranded without food, water or shelter. There are minefields in this border area.

BACKGROUND INFORMATION

Several hundred Africans, displaced from their own countries by the political or economic situation, live in Istanbul. Some are recognized as refugees by the United Nations High Commissioner for Refugees (UNHCR). Unprotected by adequate safeguards in law, they are at risk of ill-treatment in detention and of being forcibly returned to countries where they would be at risk of serious human rights violations.

While Turkey signed the 1951 Convention on the Status of Refugees with a geographical limitation (which exempts them from having to accept non-European refugees), refugees and asylum-seekers from non-European countries are normally allowed to have their refugee claims determined by the UNHCR and allowed to remain in Turkey during this process.

The principles of international refugee law and human rights law have to be applied to every person who may need international protection. The geographical limitation does not exempt Turkey from its obligations under European and other international conventions to protect the human rights of foreign nationals from non-European countries and does not allow them to forcibly return people

to countries where they might be at risk of serious human rights violations, (the principle of *non-refoulement* considered a norm of international customary law).

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

- calling for them to take immediate steps to ensure the safety of the group and allow them back into Turkey;
- asking for a prompt, comprehensive, independent and impartial investigation into allegations of torture and ill-treatment, including beatings and rape carried out by police and gendarmerie members;
- urging them to ensure that any member of this group will have their individual claims for protection assessed in a fair procedure, and given access to the UNHCR, non-governmental organisations and legal counsel.
- asking Turkey to abide by the principles of *non-refoulement*, and not forcibly return anyone to a country where they might face serious human rights violations, including torture and cruel, inhumane and degrading treatment;
- expressing concern that this deportation appears to have been carried out on the basis of race and was carried out in a manner to ensure no judicial scrutiny and with no regard for safety or survival;
- urging them to identify and eliminate all forms of institutionalized racism, that is, racism which resides overtly or covertly in policies, procedures, practices and culture of private and public institutions.

APPEALS TO:

Minister of the Interior
Mr Rü_tü Kaz_m Yücelen
Ministry of Interior
_çi_leri Bakanl____
06644 Ankara, Turkey

Telegrams: Interior Minister, Ankara, Turkey

Fax: + 90 312 418 17 95

Salutation: Dear Minister

COPIES TO:

State Minister with responsibility for Human Rights
E. Safter Gaydali,
Office of the Prime Minister,
Ba_bakanl_k,
06573 Ankara, Turkey

Fax: + 90 312 417 04 76

Salutation: Dear Minister

and to diplomatic representatives of Turkey accredited to your country.

AND:

please send appeals to arrive as quickly as possible, in English or your own language to the Greek Minister of Public Order:

- noting reports that members of this group had suffered severe human rights violations in Turkey where they had no effective and durable protection, and consequently risked further such violations on being returned to Turkey;
- expressing concern that the members of this group were reportedly forcibly returned by the Greek authorities to Turkey without being given the opportunity to apply for asylum and in violation of the principles of *non-refoulement*;

- 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, including torture and cruel, inhumane and degrading treatment.

Minister of Public Order
Mr Mihalis Chrysohoidis
Minister of Public Order
Ministry of Public Order
1 Katehaki Street
101 77 Athens, Greece
Fax: + 30 1 691 79 44
Salutation: Dear Minister

and to diplomatic representatives of Greece accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 5 September 2001.