

# URGENT ACTION

## REFUGEES RELEASED, STILL RISK DEPORTATION

**Palestinian refugees Ali Fares and Mohammed Fares and Syrian refugee Abdalsalam Sakal were released on 9 November in the capital, Ankara.**

**Ali Fares, Mohammed Fares and Abdalsalam Sakal** were released from administrative detention in Ankara on 9 November. The authorities ordered the three refugees to leave Turkey as soon as possible or face being re-detained, and required them to sign a document officially notifying them of this decision.

The European Court of Human Rights had granted, on 26 October, an application by an Istanbul-based NGO representing the refugees, Refugee Rights Turkey, for an interim measure to prevent them being deported until 17 November. Interim measures are urgent orders granted by the court in exceptional circumstances, where the victim would otherwise face a real risk of serious and irreversible harm. The interim measure has since been extended indefinitely, prohibiting the deportation of the refugees. Due to the ongoing conflicts in Syria and Iraq, the refugees would be at real risk of serious human rights violations or abuses if they were deported to either country.

The three refugees had been detained on 22 September during a demonstration by Syrian refugees at the main bus station in Istanbul. The authorities issued a deportation order to the refugees and held them in administrative detention in Erzurum Removal Centre in Aşkale, eastern Turkey, and, from 21 October, in the Ankara Security Directorate. While the refugees were twice able to receive visits from a lawyer and their relatives while in administrative detention, the authorities refused to allow the refugees to be visited on four occasions.

### Please write immediately in Turkish or your own language:

- Calling on the Turkish authorities not to deport or re-detain Ali Fares, Mohammed Fares and Abdalsalam Sakal;
- Calling on them to grant Ali Fares, Mohammed Fares and Abdalsalam Sakal international protection according to the terms of the Law on Foreigners and International Protection.

### PLEASE SEND APPEALS BEFORE 8 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](mailto: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](mailto: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  
Email: [tihk@tihk.gov.tr](mailto:tihk@tihk.gov.tr)

### 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 third update of UA 223/15. Further information: <https://www.amnesty.org/en/documents/EUR44/2786/2015/en/>

**AMNESTY  
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### ADDITIONAL INFORMATION

Two Palestinian refugees arriving via Syria, Ali Fares and Mohammed Fares, and Syrian refugee Abdalsalam Sakal, were all detained during a demonstration by Syrian refugees at the main bus station in Istanbul. The demonstrators were demanding to be allowed to go to the Turkish border city of Edirne, so they could attempt to cross to Greece. Mohammed Fares used to live in Iraq but fled to Syria 10 years ago after the 2003 war in Iraq. Both Ali Fares and Mohammed Fares (who are not related) are registered with the United Nations Relief and Works Agency for Palestine Refugees.

The three refugees were detained on 22 September together with two activists from France and Germany, who have since been deported back to their countries for violating Turkey's Law on Meetings and Demonstrations. The deportation and administrative detention order of the three refugees was issued on 22 September citing Art. 54 of the Law on Foreigners and International Protection. The order does not state which country they would be deported to, but does authorize them being held in administrative detention for one month.

The refugees were repeatedly denied access to their lawyers and relatives. A lawyer from Refugee Rights Turkey tried to visit them on 2 October while they were being held at the Kumkapı Removal Centre in Istanbul, but she was denied access to them. The next morning the lawyer received a call from the three refugees, informing her that they were being taken to Erzurum Removal Centre in Aşkale, eastern Turkey. On 16 October the Head of the Erzurum branch of the NGO Human Rights Association (İHD) and a lawyer went to the Erzurum Removal Centre to see the refugees. Officials at the centre acknowledged that the men were there, but did not allow the lawyer to meet them, on the grounds that such a meeting required the permission of the General Directorate for Migration Management. On 20 October officials at the centre denied Mohammed Fares' mother access to her son and would not acknowledge that he was being held there. The next day the refugees were transferred from the Erzurum Removal Centre to the Ankara Security Directorate. On 23 October the refugees were initially allowed to see the partner of Ali Fares, the mother of Mohammed Fares and a lawyer from Refugee Rights Turkey. Later that day, the authorities denied the lawyer access to the refugees' files and deportation orders on the grounds that she did not have power of attorney. When the lawyer returned to the detention centre with a notary official to obtain power of attorney, the authorities refused to provide originals or copies of the refugees' identity documents required for them to grant power of attorney.

Due to the ongoing conflicts in both Syria and Iraq, and in line with the principle of non-refoulement (a principle of the international refugee protection system which prohibits the transfer of anyone to a place where they would be at real risk of serious human rights violations), no one should be forcibly returned to either country, since they would be at real risk of serious human rights violations or abuses. A breach of this principle can occur in a variety of ways, including directly through forcible returns, 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.

Names: Ali Fares, Mohammed Fares, Abdalsalam Sakal  
Gender m/f: m

Further information on UA: 223/15 Index: EUR 44/2937/2015 Issue Date: 27 November 2015