

UA 282/01

Fear of f**GREECE**Bedia Ergün (f)]

Özgür Kiliç (m)] Turkish citizens

Cem Arıkan (m)]

Up to 1,000 other people, including Afghans and Iraqi Kurds

A Turkish-flagged ship carrying up to 1,000 people, which was drifting in Greek waters after its engine failed, was towed to the island of Zakynthos by the Greek coastguard on 5 November. The Greek government today announced that it intends to forcibly return most of those on board to their country of origin, indicating that it will not allow them to apply for asylum. The three people named above, and possibly many others, would be at grave risk of torture or other human rights violations if they were returned to their countries of origin.

Most of those on board are reportedly Iraqi Kurds and Afghans. The crew of the ship had fled after a fire in the engine-room caused a mechanical breakdown.

Bedia Ergün and Özgür Kiliç had been released from prisons in Turkey on health grounds, after they took part in a death fast in protest against a new prison system for political prisoners. They had reportedly been convicted of membership of an armed opposition group, the Marxist-Leninist Communist Party (MLKP). With them is a friend and supporter, Cem Arıkan. Bedia Ergün and Özgür Kiliç are apparently now held in a police station on Zakynthos.

When asked at a press conference whether the people on the ship would be able to apply for asylum, a government spokesman on 6 November claimed that they were illegal immigrants and not political refugees. The authorities have, however, allowed some 200 people, mostly women, some pregnant, and children, who were suffering from dehydration and exhaustion, to be taken onto the island for treatment.

BACKGROUND INFORMATION

The number of asylum-seekers and illegal immigrants arriving in Greece has increased greatly this year. Greece lies on one of the main routes to western Europe used by human traffickers, and many who arrive here are reportedly heading for other countries in the European Union.

According to their own figures, so far this year the Greek authorities have detained over 5,000 foreign nationals, and over 100 people suspected of smuggling them. Of these, 1,635 are listed as Afghans and 1,748 as Iraqi Kurds, the two other largest groups being Kurds from Turkey (479) and Iraqis (494). Greece has reportedly urged Turkey to sign an agreement allowing them to automatically return anyone who entered Greece illegally from Turkish territory. In practice, according to various reports, refugees have often been forcibly returned to Turkey via Evros on the Greek-Turkish border.

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.

On 25 September a court on the island of Samos ordered 189 foreigners, the majority Afghans and Iraqis, to be expelled for illegal entry to Greece. The group, which included juveniles, were reportedly tried without a lawyer present

and with only an interpreter from Arabic, which meant that Afghans in the group had no interpreter.

Detention centres for refugees are severely over-crowded. Non-governmental organisations including *Medecins du Monde* have spoken out repeatedly about the harsh and degrading conditions in some of these centres. 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 up to 1,000 people who reached Zakynthos on 5 November to their countries of origin;
- urging the authorities to ensure that every member of this group is 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 Bedia Ergün and Özgür Kiliç 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

Fax: + 30 1 671 5799

Salutation: Dear Prime Minister

Minister of Public Order
Mr Mihalis Chrysochoidis
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 18 December 2001.