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Turkey: The right of refugees to return with dignity

Amnesty International calls on the Turkish authorities to allow Turkish citizens of Kurdish origin to return without fear of harassment and discrimination as refugees begin to leave the Mahmur camp in northern Iraq.

Twenty-six Turkish citizens of Kurdish origin returned to Turkey from the refugee camp in Iraq earlier this week and many others are expected to follow.

The UN-administered Mahmur camp is currently home to some 11,000 refugees, who fled Turkey during the 1990s to escape human rights abuses following armed clashes between the outlawed Kurdish Workers Party (PKK) and the Turkish army.

Nearly half of the people living in the camp are children, many of whom were born following their families' flight from Turkey.

"Everyone has the right to leave any country, including their own, and to return of their own free will. This right is guaranteed in conventions to which Turkey is a party," said Andrew Gardner, Amnesty International's expert on Turkey.

"The Turkish authorities must not only guarantee the right, they must create the conditions so that people and their families, some of whom may not have lived in Turkey at all, feel welcome. They must be able to return with dignity."

Amnesty International calls on the Turkish authorities to:

- allow its nationals to return without any fear of harassment, discrimination, arbitrary detention or prosecution on account of having left or remained outside the country;
- create conditions conducive to the refugees' voluntary return and reintegration;
- respect the leading role of the UN Refugee Agency (UNHCR) in promoting, facilitating and coordinating voluntary repatriation and ensure UNHCR's direct and unhindered access to all returning refugees in order to monitor their situation;
- where refugees have lost their nationality, arrange for its restoration, as well as granting it to children born outside the territory;
- in the event of refugees wishing to visit Turkey to assess the conditions there in the context of possible repatriation, facilitate such visits in cooperation with UNHCR, and the relevant Iraqi authorities.

Background

The fundamental human right to return is enshrined in Article 13 (2) of the Universal Declaration of Human Rights.

This right also forms part of the International Covenant on Civil and Political Rights and the Convention on the Elimination of All Forms of Racial Discrimination, to which Turkey is party. International standards also fundamentally require that any returns must be voluntary in nature based on a fully free and informed decision to return and facilitated to allow refugees to return in safety and with dignity.