

PUBLIC

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Forcible return

TURKEY

Ayoub Parniyani (m)
Aysha Khaeirzade (f), his wife
Komas Parniyani (m), their son

The Turkish authorities are preparing to forcibly return the Iranian-Kurdish family named above, who are recognised refugees, to Iraq, where their lives would be in danger. They are now in a detention centre in the eastern province of Van. To return them to Iraq would be a clear violation of the principle of *non-refoulement*.

Ayoub Parniyani fled Iran in 1995 and was granted refugee status, together with his wife and son, in 1999, by the office of the United Nations High Commissioner for Refugees (UNHCR) in northern Iraq. He fled northern Iraq in January 2002. Since then he has lived in Turkey with his wife and son. In December 2003 the UNHCR office in the Turkish capital, Ankara, granted him and his family refugee status in Turkey.

Because he was first granted refugee status in northern Iraq, the Turkish authorities refused to allow him and his family to leave Turkey to be resettled in any other country. In a letter delivered to the UNHCR office in Ankara on 18 October, the Turkish authorities said they refused the application for Ayoub Parniyani and his family to remain in Turkey, either in their own right or as part of a group of Iranian refugees who were recognized in northern Iraq and have permission to reside in Turkey.

The Ministry of Interior have told the UNHCR that because of this decision they have instructed the governor of Van province to proceed with the deportation of the family.

BACKGROUND INFORMATION

A group of around 1,200 Iranian Kurdish refugees who had claimed asylum in northern Iraq fled to Turkey between 2001 and 2003, and they have been waiting since then for resettlement in a place of safety.

They were among a much larger group of Iranian Kurds who had fled Iran and claimed asylum in northern Iraq in the 1990s, and had been registered there by the UNHCR. However, in 1999, the UNHCR office stopped resettling people who had been recognised as refugees in northern Iraq, leaving them with no immediate prospect of resettlement. In 2003, the UNHCR office in northern Iraq was closed because of the second Gulf war. The group of Iranian Kurds fled to Turkey, either directly or via Iran. Many of the group have alleged that they were advised to do so by UNHCR staff in northern Iraq.

Turkey has ratified the 1951 Geneva Convention relating to the Status of Refugees, but with a reservation that effectively allows it to ignore the convention's requirements in its dealings with non-European refugees. Non-European refugees in Turkey are provided only with temporary protection while awaiting resettlement to third countries.

However, while the group of 1,200 Iranian Kurdish refugees has been recognized as refugees by the UNHCR in Turkey, as well as in northern Iraq, the Turkish authorities have refused to grant protection to these refugees on its territory, and have refused permission for them to be resettled in a third country.

The principle of *non-refoulement* is a principle of international law that prohibits the return of refugees to places where their lives could be in danger. Despite this, Amnesty International has received numerous reports of the Turkish authorities returning refugees in violation of international law.

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

- asking the authorities to respect the international law principle of *non-refoulement* and not deport Ayoub Parniyani, Aysha Khaeirzade and Komasa Parniyani;
- urging them to release the Parniyani family immediately;
- asking them to give the Parniyani family effective protection and access to a durable solution to their situation.

APPEALS TO:

Ministry of Interior

Beşir Atalay

Içisleri Bakanligi, 06644 Ankara, Turkey

Email: besir.atalay@icisleri.gov.tr

Fax: +90 312 418 7696

Salutation: Dear Minister

Ministry of Interior – Department for Foreigners Borders Asylum

Head of Department for Foreigners Borders Asylum

(*Yabancılar Hudut İltica Daire Baskani*)

Mehmet TERZIOGLU

Salutation: Dear Mr Terzioglu

Manager, Asylum, Migration and Citizenship Branch

(*İltica, Göç, Vatandaşlık Şube Müdürü*)

Mustafa Anlasiker

Salutation: Dear Mr Anlasiker

General Security Directorate

Emniyet Genel Müdürlüğü

Dikmen Caddesi No: 89, Dikmen / Ankara, Turkey

Fax: +90 312 466 90 11

Email: illegalmig@egm.gov.tr

yhidb@egm.gov.tr

Governor of Van

Ozdemir ÇAKACAK

Van Valiliği, Van, Turkey

Fax: +90 432 216 11 28

Email: ozdemircakacak@van.gov.tr

Salutation: Dear Governor

COPIES TO:

Foreign Minister

Ali Babacan

Minister of Foreign Affairs, Ministry of Foreign Affairs

Disisleri Bakanligi, 06100 Ankara, Turkey

Fax: +90 312 287 8811

Salutation: Dear Minister

and to diplomatic representatives of Turkey accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 3 December 2007.