

Readmission of Asylum Seeker in Turkey

Written by Administrator

Tuesday, 01 March 2011 00:00 - Last Updated Monday, 09 May 2011 21:04

NEWS RELEASE OF THE GREEK COUNCIL FOR REFUGEES

Athens, 21 January 2011

NEWS RELEASE

“READMISSION OF ASYLUM SEEKER IN TURKEY”

The Greek Council for Refugees hereby denounces the deportation of an Iranian asylum seeker, T.R . (full identification details available at the Greek Council for Refugees), from Tychero Border Police Station to Turkey, through the Readmission Protocol between Greece and Turkey. T.R, who was recognised as a refugee under the mandate of UNHCR in Iraq, entered Greece through the Evros region on 29.10.2010. According to the account he gave us, since the moment of his arrest he had been asking the Greek authorities for protection.

However, his asylum claim was not registered and the Greek authorities issued a detention and deportation order against him. The Greek Council for Refugees intervened in writing for the registration of his claim (document prot.nr. 497/2010, dated 19/11/2010). T.R.'s claim was officially registered on 25.11.2010 and has been pending ever since. His detention was not lifted and he continued to be held in Tychero Border Police Station under conditions which were tantamount to inhuman and degrading treatment in violation of the applicable legislation and in particular Art. 3 ECHR.

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On 10.1.2011, T.R. was deported to Turkey in violation of the principle of non-refoulement of refugees, as laid down in the Refugee Convention of 1951. He has since been facing an imminent risk of deportation to Iran where he has been persecuted for his political convictions. The deportation of an asylum seeker like T.R. to Turkey on the basis of implementing the Readmission Protocol between Greece and Turkey, as well as the general conditions prevailing in the border region of Evros, namely the impossibility of accessing the asylum process; the lack of fundamental procedural safeguards during the issuance of decisions of detention and of deportation and during the implementation of the Readmission Protocol; the arbitrary continuation of the detention of asylum seekers in the Evros facilities (e.g. there have been cases where asylum seekers have been in detention in Soufli Border Guard Station for more than 5 months); the unacceptable conditions of detention, often without even making a separation between women, men and children, without allowing access to the open air nor communication with the outside world; the impossibility of accessing the process of judicial review of the detention and deportation orders and the systematic registration of unaccompanied minors as adults; prove once again the complete absence of a protection system for refugees.

It is with great regret that we note that this same conclusion was reached today by the European Court of Human Rights, which found that the return of an Afghani asylum seeker to Greece constitutes a violation of Article 3 ECHR, which prohibits torture, inhuman and degrading treatment, both on grounds of the conditions of detention in Greece as well as of the living conditions he would face as an asylum seeker. The Court also found a violation of Article 13 ECHR due to the flaws of the Greek asylum process and the risk the applicant ran of expulsion to Afghanistan without any serious examination of his asylum application and without having access to an effective remedy.