

What Merkel, Tusk and Timmermans should have seen during their visit to Turkey.

Report from GUE/NGL Delegation to Turkey, May 2-4, 2016

Summary

A delegation of three Members of the European Parliament visited Turkey on May 2-4, to assess the situation of refugees after the EU-Turkey deal. The delegation included Cornelia Ernst, Marina Albiol and Josu Juaristi, all members of the GUE/NGL Group in the EP.

The aims of the delegation were:

1. Access detention centres and observe first-hand the conditions into which people are arriving after being deported from Greece;
2. Observe the situation of Syrian refugees at the Turkish-Syrian border;
3. Meet with various stakeholders to gain a deeper understanding of the current situation of refugees and migrants in Turkey.

While the delegation recognises the efforts that Turkey has been investing in hosting an estimated population of 2.7 million refugees, the three MEPs documented violations of fundamental rights and the lack of any possible future for refugees in Turkey. These findings are based on direct testimonies of refugees in both Edirne and Kırklareli Removal Centres and in the cities of Istanbul, Gaziantep and Kilis. The also delegation documented cases of inhumane and degrading treatment, robbery, violence and push-backs perpetuated by both Greek and Bulgarian police from direct interviews with refugees.

The key findings of the delegation are:

1. People deported from Greece have, until now, had no opportunity to ask for asylum, neither in Greece nor in Turkey;
2. Detention under a prison-style regime including for children;
3. Documented push-backs to Turkey by Bulgarian and Greek police forces;
4. Horrifying testimonials from refugees as a result of the closure of the Turkish-Syrian border.

Key findings of the delegation

1. People deported from Greece have, until now, had no opportunity to ask for asylum, neither in Greece nor in Turkey

On May 3 2016, the delegation was granted access to the two removal centres at the border with Greece and Bulgaria; Edirne Removal Centre and Kırklareli Removal Centre.

- Edirne Removal Centre (capacity 400): At the time of the visit, the centre had 396 detainees. 6,773 people had been apprehended at the border in 2016, among which there were 3,410 Syrians, 1,452 Iraqis, 514 Afghans, and 36 Palestinians. 658 people had been returned so far to their countries of origin.

NATIONALITY	2015		2016			
	Readmitted	Deported	Readmitted	Deported	Sent to Other R.C.	Still in Edirne R.C.
ALGERIA	-	-	155	122	19	14
BANGLADESH	-	-	60	-	20	40
IRAN	1	✓	2	2	-	-
IRAQ	5	✓	-	-	-	-
MOROCCO	-	-	259	212	6	41
LIBYA	-	-	1	-	-	1
PAKISTAN	-	-	431	2	229	200
TUNUSIA	-	-	5	4	1	-
TURKEY	-	-	22	-	-	-
TOTAL	6	6	1,070 (R.C 296)	342	275(+135)	296

Statistics of people readmitted and still in Edirne Removal Center

- Kırklareli Removal Centre (capacity 750): At the time of our visit, the centre had 416 detainees. **No NGO nor members of the European Parliament had ever visited Kırklareli Removal Centre which opened on April 1 this year and has been receiving nearly all people returned from the Greek islands since the EU-Turkey deal** (with the exception of 24 people who had been transferred to Kayseri Removal Centre). In addition to the 370 people returned from the Greek islands, 36 had been intercepted in the border region. During our visit, we learnt that the UNHCR had visited the centre on April 20, but no report on their visit is available.

03.05.2016 itibariyle mevcut durum istatistiği,

ÜLKELER	CİNSİYET VE YAŞ DAĞILIMI						TOPLAM
	ERKEK	KADIN	0-6 YAŞ	6-12 YAŞ	12-18 YAŞ	18 VE ÜSTÜ	
AFGANİSTAN	76	30	12	2	15	77	106
BANGLADEŞ	18					18	18
BENGAL	5					5	5
FİLDİŞİ SAHİLLERİ	1					1	1
FAS	1					1	1
FİLİSTİN	1					1	1
HİNDİSTAN	7					7	7
KONGO	3	2				5	5
İRAK	1					1	1
İRAN	11	1			1	11	12
MİSİR	1					1	1
MYANMAR	9					9	9
PAKİSTAN	242					242	242
SOMALİ		1				1	1
GÜRCİSTAN		1				1	1
SRİLANKA	4					4	4
URDUN	1					1	1
GENEL TOPLAM	381	35	12	2	16	386	416

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Table of people detained by nationality, age and sex in Kırklakleri on 03.05.2016

The centre was financed (85 per cent) as a reception centre by the EU under the Instrument for Accession programme, but before it even opened, it was decided that the centre would be repurposed in the last quarter of 2015, and it was turned into a removal centre.



Sign showing EU 85% funding through the Instrument for Accession programme (sign visible on all furniture, towels, etc.)

Inside the removal centres, the delegation had the opportunity to talk with around 40 refugees from Afghanistan, Iran, Palestine, Pakistan and Morocco. The majority of the people in the Edirne Removal Centre had been returned to Turkey via the land border with Greece, some having been detained upon arrival on the Greek islands before March 20, based on their nationality, others having been pushed back from Serbia to Macedonia, then to Greece when these countries had started to filter by nationality. A minority had been intercepted before the crossing, which can be explained by the fact that nearly all people intercepted recently have been sent to other removal centres in Turkey given Edirne's capacity was full. In Kirklareli, all had been returned directly by ferry from the Greek islands. When asked about Syrians being returned from Greece, the Turkish authorities confirmed that 12 Syrians had been returned to Adana by plane the previous Friday, and then transferred to Osmaniye camp.

All refugees interviewed told us they were not given the opportunity to ask for asylum, neither in Greece nor in Turkey. All said they did not know what will happen to them, and had received no information since they had arrived in Turkey.

In Edirne:

A group of Pakistani nationals who had been detained in Turkey for two months told us:

"We were not given the opportunity to apply for asylum in Greece. Some of us were given the opportunity to speak to UNHCR but nothing happened after. We had no interpretation in Urdu, we could therefore not communicate on the islands. Then, we have been handcuffed for 10 to 12 hours on a boat to the north of Greece where we were not allowed food, water or to go to the restroom. It was on the 2nd of March. We have also no Urdu interpreters here. They are not listening to us, we are tired".

Another group of Moroccan nationals and from Western Sahara confirmed the same situation:

"They did not give us the opportunity to apply. In the islands some had asked to apply, they said you will be given this opportunity once in the camp, but then we were sent here."

In Kirklareli:

The delegation met a family from Iran; a couple with their seventeen year-old son. They were deported to Kirklareli from the Greek islands. Their money had been stolen by the Greek police, who attacked their son and tried to separate him from his parents by putting them in different ferries, but finally they managed to get on together. They tried to ask for asylum in Kirklareli but were ignored by the camp's authorities. **The father fears he will be arrested and put in jail if he is sent back to Iran, since he is Kurdish and a Sunni muslim. He regrets having told his full story to the camp's authorities, since he feels they may expose him when he is sent back to Iran.** The whole family had had their shoelaces removed to prevent the possibility of using them to commit suicide. **They are due to be deported to Iran on Friday May 6.**

The delegation met a group of Afghans; a couple with two small children (one a few months old, the other just over one year old), as well as a single man and a woman travelling alone whose husband lives in Belgium, yet she was denied family reunification. They were apprehended while sitting in a park in a town in the Kirklareli province. **After six days in the camp, they had not received any information on their rights or the possibility to apply for asylum.** Their goal was to reach Europe for a job and a future for their children.

The delegation met with a Palestinian; who had left the West Bank by crossing the border to Jordan and from there flying to Turkey, and then travelling by boat with a smuggler to the Greek island of Samos. There **he was beaten by the police and all of his belongings were stolen, including money and documents.** He still feels pain in his back because of the beating from the Greek police. He was deported to Izmir, where he spent some days, and then to Kirklareli, where he has been for over a week. In Izmir he was seen by a doctor, who gave him a prescription for his pain. In Kirklareli **he was not given the medicine he needs, nor has he received any information about his situation.**

A group of Pakistanis reported to the delegation: **“We do not know what will happen to us; what is our current status.** We left Pakistan because of threat on our lives, then we got caught in Greece. We are very worried about what will happen to us. We cannot speak to relatives. We were allowed contact only once 20-30 days ago. **In Lesbos, we had interpretation issue, we could not ask for asylum.** There was no Urdu interpreter, so we could not make ourselves understand. **Here, we attempted to ask for asylum. They provided us with an Afghani translating Urdu. But somebody working in the Centre told us “even if you are here 6 months, you will definitely be returned to Pakistan.”**”

When asked about the opportunity to request asylum in Turkey, Turkish authorities explained that “all people being returned to Turkey had the opportunity to request asylum in Greece”. Based on this assumption, they told the delegation that the aim is to “ensure deportation of entirety of the people being returned from Greece, 100% if possible”. “This is the spirit of the readmission agreement”.

“They are not people in need of international protection”, insisted the representative of the Turkish Directorate General of Migration Management (DGMM). When asked by our delegation about the cases of people being returned on the basis of inadmissibility of their asylum claim, the representative of DGMM said the Turkish authorities had no information on whether some of those being returned, or who among them was being returned on the basis of inadmissibility: “I can attest we do not receive such indication”.

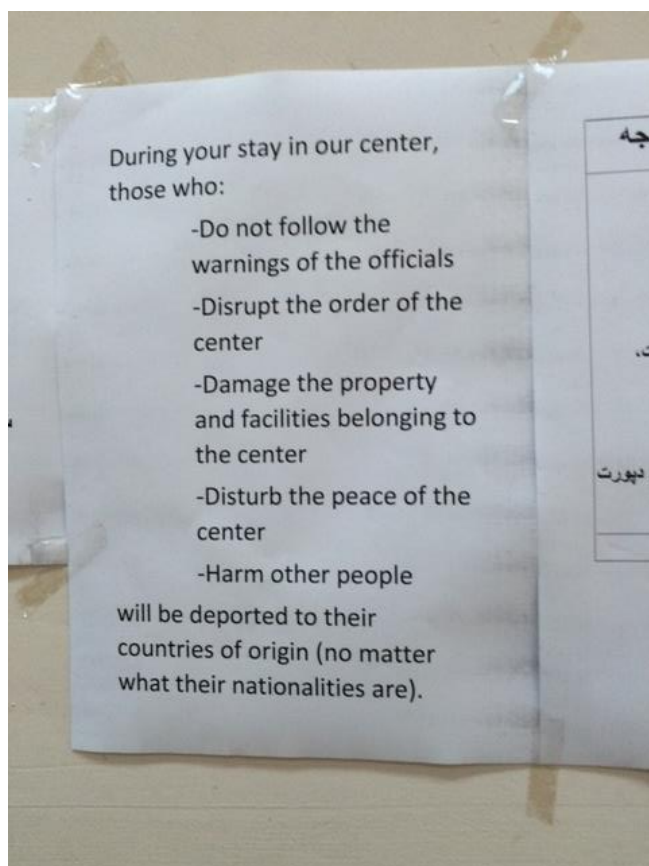
In Kirklareli Removal Centre, 8 cases out of the 370 returned from the Greek islands had been referred to as international protection cases upon their arrival in the centre, including the case of a transgender Iranian. However, with the exception of these 8 cases where the identification was conducted by the staff of the centre, nobody had been reported as requesting asylum on their own initiative.

Access to a lawyer, though officially possible according to Turkish authorities, is nearly impossible in practice. In Kirklareli, only 3 judicial appeal cases were reported, from among the 416 people who had been referred to the provincial bar association for their judicial appeals regarding their deportation orders. However, lawyers reportedly have no access to the removal centres, so the detainees are currently only referred to lawyers from the provincial bar association if the management of the centre refer them.

After the first deportation from the Greek islands, the Turkish authorities reported the case of an NGO who came to Kirklareli with a list of 50 names of detainees in the centre. The NGO representatives were denied access as their request was not meeting the requirements i.e. the need for the detainee or a close family member to have been in touch with the lawyer. This condition actually makes it nearly impossible for any lawyer or NGO to provide legal aid to people in detention.

2. Detention under a prison-style regime, including for children

At present, Turkey has 18 different removal centres with a total capacity of 6,000 people, many of which were originally designed as reception centres and were turned into detention facilities at the end of last year. The delegation received presentations from the management of both centres and a representative of the Directorate General of Migration Management (DGMM) on the legal framework and the rights of detainees in removal centres in Turkey. However, the delegation's interviews with women, men and children in detention were in sharp contrast to the official presentation.



Access to interpretation and information in one's own language seems to be lacking. In the Edirne Removal Centre, the paper given to detainees upon their arrival was only available in Turkish. The delegation also observed the presence of an Arabic interpreter only, with no other languages available at the time of our visit. In Kirklareli, no interpreters from the centre were present at the time of our visit.

Upon arrival, all refugees - regardless of whether they had been apprehended before crossing or being returned - have their mobile phones confiscated. They reported to us that there was either no communication with outside world available, or that contact was only possible once in a period of two months, and not via their mobiles but instead via a public telephone.

In Edirne Removal Centre, the delegation could witness overcrowded bedrooms, for example 20 people in a room with 12 beds. The delegation left the centre amidst Moroccans screaming in Arabic "We have no rights here".

In both removal centres, the Members of the European Parliament met **single women with children from Afghanistan whose husbands are already living in a Member State of the European Union**. Turkish authorities reported that a significant number of single women with children are being apprehended at the land border and then put into detention if they are not Syrians. “This is an indication that existing family reunification channels don’t work”, the Turkish authorities explained to the delegation, “Instead of waiting several years, they will attempt the crossing.”

In both centres, **the delegation could identify unaccompanied minors who had not been identified as unaccompanied minors and had been put in the same bedrooms as adult men.**

In both centres, **people including families were locked in their bedrooms. The maximum duration of 'social activities' reported by people was three hours per day, three times a day, and the minimum reported time was 15 minutes per day.**

In terms of access to health and sanitary conditions, some reported delayed access to health care in the centre. One person who was bleeding from the mouth had to wait between four and five days to see a doctor. Insects were reported to have been found in the food in one centre, and when complaining about this, a staff member from the centre told one group of detainees: “You don’t pay any money, so what do you expect?”. When asked about mental health, some reported that most people are disturbed, feeling distress, and experiencing eating problems.

The representative of the DGMM informed the delegation that a protocol was signed last Friday for the Red Crescent to work in both reception and removal centres in Turkey. Their presence in removal centres, apart from the services such as psychosocial support that they will provide, aims at being an “impartial semi-government agency to monitor detention”.

3. Documented push-backs to Turkey by Bulgarian and Greek police forces

The delegation also met an Afghan woman with two children - whose husband has been granted refugee status in Germany - who reported being a victim of 'push-back' two days before our visit: "The Greek police took all my money and then pushed me back to Turkey."

Such push-back practices were also raised by the management of the Edirne Removal Centre: "We are observing push-backs on both the Greek and the Bulgarian side. Three months ago, we presented a video with footage of persons wearing Greek uniforms putting a group of migrants in the border region on boats back to the Turkish side." The direction of the centre said this case has been reported to the Greek police, but that push-backs have not stopped since then, but have in fact increased since then. However, they pointed out that it is not a systematic approach. "We also have evidence of push-backs from Bulgaria. We are very concerned also about their practice of using dogs to attack and push-back refugees", added the director of the Edirne Removal Centre. "We have had cases of people being pushed back with severe medical wounds and also testimonies of some people being killed as a result of a dog attack". Turkey has actually initiated criminal proceedings against Bulgaria regarding this matter.

4. Horrifying testimonies from refugees as a result of the closure of the Turkish-Syrian border.

NGOs reported that the border with Syria has now been closed for one year. This situation results in thousands of refugees stranded on the other side of the border. The situation has escalated in recent weeks with the attacks on Aleppo and also attacks on refugee camps close to the Turkish border. The UNHCR, as well as NGOs like Human Rights Watch and Amnesty International, have repeatedly called on Turkish authorities to open the border from Syria, with the UNHCR standing ready to support Turkey if they would open the border.

Members went to Kilis, a city on the border with Syria which has, been hit by more than 70 rockets fired from across the border since January, killing at least 21 people. In Kilis, the refugee population is estimated to be 120,000 (compared to the local population of 80,000 Turkish nationals). While in Kilis, the delegation was able to hear shelling taking place in Syria in the background during our conversations with the refugees. We also visited the border gate of Bab al-Salam, where we verified that it was completely closed, as well as the gate of the Oncupinar refugee camp. We saw that the camp did not follow the UNHCR's rules on the distance between refugee camps and borders, and was operating completely parallel to the Syrian-Turkish border (the UNHCR confirmed to us when we met them in Gaziantep that according to the UNHCR criteria, camps have to be 50 km away from borders).

The Turkish Disaster and Emergency Management Authority (AFAD), has recently distributed flyers in the town of Kilis to explain how to "protect yourself from rockets". Such flyers have not been reported to have been distributed in the refugee camps in Kilis, however. It is key to note that refugees living in Kilis - unlike Turkish citizens - need to request an authorisation to be able to move to another province which is only granted for medical reasons or family reunion. This means that the majority of refugees in Kilis are not given any other choice but to be exposed to the rockets and risk being killed there (see flyer below distributed by AFAD in Kilis).



Testimonies from refugees:

- **"I feel let down by the European Union and the international community, who have not taken any measures to protect my rights and those of my people.** I have a lot of concern about the new generation who are being brought up without education and in extreme poverty. I believe the EU should fund schools and projects to encourage economic growth in Syria. I used to live in a small town north of Aleppo, and I decided to cross the border once the Russian shelling began around two months ago. I crossed illegally with a smuggler, we were a group of nine and we paid in total 10,000 Turkish lira. After walking for three kilometres through olive groves, we crossed the trench and through a gap in the fence (which no longer exists). We managed to cross undetected because the Turkish Jendarma were shooting a different group which was attempting to cross at the same time. We decided to settle in Kilis because it was safe, but now the rockets from Daesh have begun to fall, we don't know where to go, but I have no interest in going to Europe, I want to stay as close to Syria as possible. I am unemployed, but I do small jobs from time to time, mostly as a builder and always hired within the Syrian community. I also receive some help from the Danish Refugee Council; 230 TL per month."

- Ahmed, Syrian

- "I come from Tel Rafat, 30 kilometres away from the border, which has been attacked by the different parts of the conflict as well as bombed from the air. After that I left, around a month ago. I lost two brothers and two nephews. I fled with nine more families, and we gathered next to the border, sleeping inside the truck we had. After ten days the Turkish organisation IHH gave us a large tent. The area was then attacked by Daesh, so we moved on to a camp within Syria, next to the Bab al-Salam crossing. There we were given some food, but we had no water. My wife was pregnant and, on Sunday the 1st of May our baby Muhammad was born with severe health problems and malformations. Because of this, the baby was allowed to cross the border with only one person accompanying him. Since my wife was still feeling unwell after giving birth and had to look after our five more kids, I crossed with the baby that same Sunday. The baby has undergone surgery in Gaziantep hospital and is now recovering, he is better but will not be let out of hospital until he weighs five pounds. While the baby was having surgery, I slept at the hospital for two nights, but then I went to Kilis to rest at my cousin's house for a day. **I have already request a Turkish ID, but the authorities have not given me anything so far.** I am still in contact with my family in Syria. My wife is already better, but **I am very worried about our situation, with Daesh advancing very near the camp where we live** and because of our lack of money, as well as because of the blindness of one of my daughters. My plan is to stay in Kilis with my baby and try to get them into Turkey."

- Mustapha, Syrian

- "I am fifteen, I arrived to Kilis a month ago. **I was approaching the border with my eleven year-old cousin when the Turkish Jendarma shot me** when I was about five hundred metres away from the border, and the bullet crossed both my thighs - only muscles, no bone. I stayed still until the Jendarma left and then managed to cross the border with the help of my eleven year-old cousin, who has now gone back to Syria to try and help his two sisters cross the border. I am now in Turkey living with my mother and my three brothers and their wives, who arrived before me. My father was killed in the war two years ago. All of my family are currently jobless, and I would like to move to Gaziantep because of the better job prospects there. I left school in fifth grade, when I was ten years old, because my school was bombed. I used to live in Aleppo, but after that, me and my family left the city and went to live in the countryside, where it was calmer, until Daesh arrived, then we moved to the camps in Bab al-Sham. **It is my second time in Turkey, I arrived a year ago alone, but had a very bad experience of exploitation at work and decided to return to the camps in Syria.** I crossed the border into Turkey for a second time because now the rest of my family is there. Since I lost the Turkish ID I had a year ago, now I cannot get a second one.

- Hussein, Syrian

Quotable comments from MEPs following their visit

"I am particularly concerned about the fundamental rights situation and the access to justice of those refugees that have been readmitted to Turkey from Greece following the EU-Turkey deal."

"Contrary to the requirements of the European Convention on Human Rights, which Turkey has ratified, and contrary to Turkish law, the detainees in the centres we visited had not received information as to the purpose and length of their detention, their right to apply for international protection or their right to challenge their detention before a court. In fact, the detainees did not even know how to contact a lawyer."

"Deporting refugees to a place where they face such conditions is a disgrace. I cannot see how an agreement such as the EU-Turkey deal, which builds upon such deportations, can be legitimate or legal in any way."

- **Cornelia Ernst**, Member of the European Parliament, Die Linke, Germany

"Turkey has been hired as a deportation agency, putting into practice the migration policies designed in Brussels. We have seen how the migration policies imposed by the European Union have terrible consequences on the lives of thousands of people, and their main goal is to return people back to the areas from which they have fled, even if they will face extreme peril in countries such as Afghanistan or Yemen. Everyone who is not Syrian or Iraqi is immediately sent back regardless of their situation, in clear violation of the principles laid down in the Geneva Conventions."

"In this visit we have been able to see first-hand that Turkey is not a safe country and the EU's only interest in considering it as such is to have an external police body. In Kilis, we heard testimonies of refugees being shot at by the Turkish border police, and we were able to see how the camps don't respect international regulations and are operating next to the border, from which Daesh launches rockets on a daily basis. People in detention are not being informed about their rights and the refugees who are allowed to stay in Turkey do not have the access to health care and other public services that they are entitled to."

- **Marina Albiol**, Member of the European Parliament, Izquierda Unida, Spain

"It is absolutely unacceptable that families with children are imprisoned in detention centres in Turkey. And this is happening thanks to funds of the European Union. An Afghan woman who was imprisoned with her husband and her two young daughters, told us from his cell: 'I just want to save my children's future, nothing else'. However, far from offering an opportunity, the EU is paying Turkey to deny it."

"One million refugee children in Turkey are of school age. However, only 13 per cent can attend school. We are leaving an entire generation without a future and the Member States of the EU are directly responsible for this crime."

- **Josu Juaristi**, Member of the European Parliament, EH Bildu, Basque country

Note about removal centres:

People can be put in a removal centre as a result of three different processes:

1. Apprehensions on the land border with Bulgaria and Greece (either as a result of detection by Greek or Bulgarian authorities, push-backs or detection by Turkish authorities in “operations”);
2. Bilateral readmission from Greece under the Greek-Turkish readmission agreement (carried at the land border via Ipsala border gate) of people who had a return decision issued;
3. Readmission under the '18th of March agreement' which states that: “any migrants arriving on the Greek islands are now being returned”, as explained to us by the Director of Edirne Removal Centre, “The Turkish Directorate General for Migration Management (DGMM) has its own personnel on the islands who jointly process the cases”. Turkey can refuse transfers if they have a 'public order concern' which they had for one Pakistani national whose return was refused. Upon arrival on the Turkish side by ferry, returned people are being identified, undergoing medical checks and are then being transferred to a removal centre. Once in the removal centre, they will take fingerprints and a biometric photo, carry out an interview with the person and start deportation proceedings.

Since the EU-Turkey deal, Turkish authorities have observed a change in the attitude of the consulates of the refugees' countries of origin. While previously they could obtain the necessary papers for people to be returned in two to three days, the response is now that they will have to report to the home country and conduct an examination of the case, which “is delaying the process”.

From June 1 2016, there will be returns under the EU-Turkey readmission agreement; these returns from various Member States will be received in Istanbul Atatürk airport.

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