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9 March 2020

Dear Mr. President Vervesos,
Distinguished colleague,

We are writing to you regarding the possible collaboration between the Istanbul and Athens Bar Associations concerning the human rights violations happening at the Turkish-Greek Border.

We have been following the situation since 28 February 2020, when refugees and migrants began gathering in front of the Kastanias Checkpoint. The Istanbul Bar Association Human Rights Center has conducted several extensive field visits to the area and has interviewed more than three hundred people in order to examine the latest updates on the situation and to record human rights violations. Our delegation has also met with the NGOs, migration authorities and local law enforcement officers at the site and has taken note of their observations. You may kindly find attached our monitoring reports.

Besides reporting on human rights violations at the site, the Istanbul Bar Association Human Rights Center Refugee Rights Working Group is supporting applications to the relevant national and international complaint and monitoring mechanisms on behalf of the refugees and migrants who have been mistreated and killed by the authorities.

The right to life, prohibition of torture, the right to effective remedy, the right to liberty and security, prohibition of collective expulsion, prohibition of discrimination and the right to seek and to enjoy asylum have been violated at the border area. Turkey and Greece should collaborate and take the necessary steps to carry out effective investigations into all breaches.

In order to identify and avoid human rights violations at the border area, to provide access to remedies in Greece and to ensure that the Greek Government take preventive measures for the refugees and migrants in the buffer zone, we believe that the collaboration between the Istanbul and Athens Bar Associations is highly important.

We will be looking forward to hearing from you as we move further.

Yours sincerely,
Atty. Mehmet DURAKOĞLU

President of the Istanbul Bar Association



Report on Istanbul Bar Association Human Rights Center's Visit to Pazarkule Checkpoint on 4-5 March 2020

The Human Rights Center Refugee Rights Working Group conducted a visit to the Pazarkule Checkpoint and its' surrounding areas, to the Meriç (Evros, Maritsa) River, to Doyran and its' neighbouring villages, to Ipsala and to the hospitals in Edirne and interviewed more than two hundred and fifty people in order to examine latest updates on the situation and to record human rights violations. Delegation also met with the NGOs, migration authorities and local law enforcement officers at the site and discussed over their observations. This report will include observations from different areas and will address detected human rights violations.

Besides from reporting human rights violations at the site, The Human Rights Center Refugee Rights Working Group is supporting the applications to the relevant national and international complaint and monitoring mechanisms in regards to the refugees and migrants who were mistreated and killed by the authorities

As will be explained below;

1. As of 5 March 2020, it was observed that the Greek authorities attacked and pushed back an estimated 5000 people and it resulted in two deaths of refugees. Tens of people were detained while trying to cross the Meriç River by Greek law enforcement agents and then disappeared, thousands were injured, their phones and money were stolen, unjustly detained they were sexually harassed assaulted and subjected to mistreatment.
2. Right to life, the prohibition of torture, right to an effective remedy, right to liberty and security, the prohibition of collective expulsion, the prohibition of discrimination and right to seek and to enjoy asylum were violated by Greek authorities. As a result of the mentioned acts, people who were pushed back or injured at the border sites are facing difficulties benefiting from their basic human rights and being prevented from accessing effective remedies as their personal belongings such as their phones and money were taken by the Greek authorities; which also renders it more difficult to collect evidence of the violations. Turkey and Greece should collaborate and take the necessary steps to carry out effective investigations into all breaches.
3. Dozens of children were separated from their families while crossing the borders or during pushbacks, and unaccompanied minors were observed to be at risk.

4. Women are being sexually assaulted during pushbacks and they cannot access the relevant remedies and mechanisms against sexual violence.
5. Turkish authorities have duties and responsibilities in regards to the people who were subjected to Greek authorities' attacks in light of their right to life, the prohibition of mistreatment, women's rights and children's rights. Furthermore, Turkish authorities should carry out effective investigations and take necessary measures against migrant smuggling and human trafficking.
6. The gathering area at the Pazarkule Checkpoint and its' surrounding carry health, safety and security risks.

Pazarkule check point

At Pazarkule checkpoint and the nearby region, the number of the people who were waiting to cross the Greek border has been increased after our first visit on 1st March 2020, and the number of the group is currently above twenty thousand people that include women, children, and elders from different nationalities. After the gathering of the first group upon the call of the State officials on 28th February 2020 which was mostly from Istanbul and Izmir, different groups of documented and undocumented migrants and refugees from the various cities of Turkey have been joined them in the following days. It has been observed that the migrants and refugees are from different countries as Afghanistan, Nigeria, Sudan, Pakistan, Syria Iran, and Turkmenistan; besides, the number of the Syrians has been increased. It has been stated that especially undocumented migrants and refugees in Turkey are directed to Edirne from the other cities. In this regard, it has been conveyed that some municipalities are organizing busses to transfer them to the borders.

Due to the increasing intensity of the attacks and the use of real bullets starting from the 4th March 2020, measures at Pazarkule checkpoint and nearby region regarding the entries and exits from the Turkish side are also increased. Entry of the Turkish citizens, national or international media organizations, human rights organizations and NGO's to this area is prevented by the Edirne Governorship's order. Only the Red Crescent and some of the NGO employees who distribute humanitarian aid materials in cooperation with the governorship are allowed to enter the area, in order to provide the distribution at the humanitarian aid corridor that has been established inside. As a result, we were prevented to enter the area at this visit on the contrary to our previous visit on 1st March 2020.

Some of the interviewees near Pazarkule stated that they want to go to Europe since they couldn't get a work permit, that they were exploited by working illegally for long hours

with very low wages or that they couldn't find any job in Turkey. It has been also detected that some of the interviewees had been escaped from the persecution threat from their country of origin and took refuge in Turkey, yet, couldn't get access to the international or temporary protection processes, or their international protection files have been closed for various reasons and they are at risk of being deported back to their country where they are under the threat of persecution due to the issued deportation orders at Turkey. Meanwhile, these undocumented individuals do not have access to social rights (healthcare, education, work, etc.).

Since 4th March 2020, the use of firearms is added to the attacks from the Greek side, which has been ongoing for the last few days at the zero point between Pazarkule and Kastanies border gates with the intense use of tear gas, stun and smoke grenades and plastic bullets. After this date, individuals have been hit by the bullets. Among them, one Pakistani citizen migrant had died due to the bullet that hit his chest, and the other 5 have been hospitalized at the Medical Faculty of Trakya University for their treatment. During our interview, the wife of the decedent stated that the Greek forces suddenly fired into the group while they were waiting after reaching in front of the border gate upon hearing that the gate is opened. Hospitals and the healthcare professionals in the area stated that 29 people have been transferred to the hospital from Pazarkule on 4th March 2020.

Refugees and migrants gathered at the border and it's around reported that they encountered difficulties accessing basic needs such as food and heating. Long food and blanket lines take a lot of time to reach these items and food distribution is not sufficient. Especially, due to the priority given to the families in distribution, LGBTI+ refugees and refugees living alone are experiencing serious problems to access basic needs such as food and heating. Because of this situation, some of the refugees interviewed stated that they are spending the last of their money on their grocery shopping and extra road expanses to go there.

Besides the fact that security measures have been tightened at the entrance of Pazarkule border, approximately 30 refugees and migrants gathered around the border and villages around Meric reached us and according to their statements, latest refugees who are wishing to exit from border zone does not encounter any problem at Pazarkule border, however, their entrance to the Pazarkule border are not permitted by Turkish forces in such cases.

As a result of the attacks and push back incidents which have been carried out by Greece, lack of access to sufficient food for children, poor hygiene conditions in the zone, lots of people have been injured and become ill. While crossing the border and push back

incidents, hundreds of children separated from their families. Unaccompanied children in the zone are at risk.

Healthcare tent which was insufficient to the emergency responses at Pazarkule border has been extended, primary care physician and healthcare personnel have been assigned to the field.

People with serious injuries are taken to the hospital with ambulances. Additionally, people who need medical support in the zone, refuse to be taken to the hospital with ambulance since they believe that if they go to the hospital, they will not be able to go back to the zone. Healthcare personnel of NGOs is trying to support people within the zone as much as possible within the bounds of their facilities.

It is reported that in this zone, which has not any security control at the entrance and has a lot of security risks in many aspects, occasionally due to various reasons conflicts and shooting incidents occurred within a group of more than 20.000 people. During the hospital visit, it is reported that one person died in a conflict occurred within a group of the asylum seeker. Additionally, some refugees are acting as a leader and giving instructions to other refugees and lead them to the Kastanies checkpoint and pressure used by these people have been increased since 5 March. Moreover, %25 of the group in the zone consists of women, children, babies, and pregnant women. The number of law enforcement officers within the zone are few and their place of duty is determined as well as they are not in a position to provide security in this broad zone. The number of law enforcement officers had been increased since the interference from the Greek part had been increased, however, because of the place of duty of these officers, they are not able to provide security to vulnerable groups and other people within the zone.

During two days, we spent in the zone, the weather was chilly and rainy at night. It was stated that a few people within a group consist of elderly women and children, are able to stay in a tent and some of them try to protect themselves with blankets and tarps, which they collected from around, on cold and wet ground. According to the information received from the officers, most of the people collect dry branches from around and burn them to heat themselves as well as they are far away from any protection. As a result of poor living conditions and attacks occurred from Greek part, some asylum seekers planning to leave the zone and go back to the village where they were staying before, however, a number of refugees in majority still continue to wait within the zone hoping to cross over to the other side.

Meriç River, surrounding villages, villages in crossing points in Uzunköprü and Ipsala

Although Pazarkule Checkpoint has been the busiest region of region since first days, due to absence of crossing from the checkpoint and the hard interferences shown by Greece, some groups have turned to crossing points around the Meriç River, to the Doyran and Gemini villages in Uzunköprü and to the villages that can be crossed around the İpsala checkpoint.

More than 150 people and institutions in the region and law enforcement officers, whom we interviewed, noted that the people passing by boats over the Doyran village and the Meriç River to Greece have been pushed back intensely and that the number of people who have been pushed back has approached 5,000.

Groups, consisting of citizens from a wide range of countries such as Afghanistan, Pakistan, Syria, Iran, Algeria, Ghana, Nigeria and Somalia and including persons registered or unregistered in Turkey, after entering into the borders and area of jurisdiction of Greek police forces, after being detained illegally without telling the reasons of detention for an unknown period of time by being removed of all of their clothing and shoes with the exception of their underwear, their monies and phones being taken and being subject to violence by weapons such as prod, were pushed back to Turkey. Pushbacks generally intensify around border villages such as Elçili, Doyran, Gemini, Eskiköy, Nasuhköy, and Subaşı. In addition, it is determined that a group of people has been taken towards Greece by busses arriving at the border and no information has been obtained regarding the situation of these people or the location to which they were being taken.

It was also determined that there were many children who were thrown to the ground and injured by the law enforcement agents of Greece, women and men were sometimes stripped naked and suffered from qualified sexual assaults, and people who approached Greece borders were fired with real bullets; there were many injured. Unfortunately, it is not possible to reach the actual number of deaths and injuries, since not all injured people have access to health services or all dead people cannot be identified.

It was also reported that those who carried out these attacks wore a uniform with the flag of Greece, but those were also wearing camouflage or black masks covering their faces among the attacking groups. In addition, the villagers in the Greek border are alleged to turn to violence and take belongings of people. Similarly, it is stated that the people who

have reached Greece have been kidnapped by masked people and vehicles with no license plates and that they could not be heard from again.

On the night of 5th March 2020, despite a group of 5 people stranded in one of the islets on Meriç River jumped into the water, they continued to fire on them from the Greek part, and Disaster and Emergency Management Authority (AFAD) agents were prevented from saving them from the water by boat. It has not been determined whether these people could land or not. For this reason, it is suspected that many unidentified mortal cases have occurred around the Meriç River.

In the region, paid buses are available for people who were pushed back and subjected to violence by Greek law enforcement agents and are willing to go back İstanbul. People have difficulty in going back İstanbul as their phones and money were retained by Greek law enforcement agents. Turkish law enforcement agents sometimes support these people who cannot afford the cost for buses by settling people balanced. People who were subjected to violence, half-naked and retained money and phone were provided clothes and food support by volunteers and NGOs. Yet, this help is not enough and hundreds of people were waiting without having shoes and socks while they were waiting to go back İstanbul, in this regard people need to be supported financially for leaving the region. Additionally, people were taken in different places of region dispersedly, so it took time to be reached help and support, besides people were referred to other parts of the region or taking the above-mentioned bus by gendarmerie. The law enforcement agents in the region did not accept the regular food support not to transform the region to premises like Pazarkule, only accept clothes and needs regarding babies' emergency need. During this time, people had to wait in a situation of wet, naked and hungry.

It has been observed that the number of newcomers to Edirne continues as people keep their hope about crossing border due to rumors like "Greece open the doors" and the news regarding a high number of people crossing the border on social media, even though all this mistreatment of law enforcement agents in Greece has been continued.

It has determined that especially clothes, shoes, food, hygiene kit, blanket, infant formula and nappy are among emergent needs.