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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Coordination des Associations et des Particuliers pour la Liberté de Conscience, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 August 2023]

* Issued as received, in the language of submission only.

Report on 101 members of the Ahmadi Religion of Peace and Light detained in Turkey

CAP Liberté de Conscience and Human Rights Without Frontiers are deeply concerned about the situation of over 100 members of the Ahmadi Religion of Peace and Light detained for 90 days as of 23 August at the Edirne Migration Center in Turkey, for exercising their legal right to claim asylum.

The group includes 22 children, at least 27 elderly or sick adults, and LGBTQ+ members. They are all currently subjected to horrendous ill-treatment and grave human rights violations at the hands of the Turkish authorities while in de facto detention. Deportation orders were issued against them on the 29th of May 2023, subjecting them to further persecution and violations of their rights if deported.

Violence at the border

On the 24th of May 2023, 104 members of the Ahmadi Religion of Peace and Light presented themselves at the Turkish side of the Kapikule border crossing point, seeking access to asylum in Bulgaria.

The group had first exhausted all efforts to gain entry to Bulgaria via various legal pathways. They have contacted the UNHCR in Bulgaria, the State Agency for Refugees (SAR), and even the Ministry of Foreign Affairs to request visas on humanitarian grounds. All these efforts have been unsuccessful. As a result, they tried to access the country legally by approaching the official crossing point- a step that was endorsed by 28 human rights organizations who have written an open letter to the Bulgarian authorities and Frontex urging them to register the group's claims for asylum.(1)

The group's decision to approach the official border crossing point was in accordance with international human rights law and Bulgarian national law, which states asylum can be applied for with a verbal statement submitted in front of the border police. The legality of their approach was further emphasized by the group carrying placards and posters with statements of human rights organizations publicly condemning the group's severe religious persecution in their home countries. The posters had printed press releases from Amnesty International, the United States Commission on International Religious Freedom (USCIRF), Human Rights without Frontiers among others. Despite this, the Turkish Police violently blocked the group and prevented them from lodging their claims for international protection in Bulgaria. They were beaten with batons, shots were fired in the air, and they were forced into buses. The acts of violence enacted upon them were captured live on camera and broadcast on satellite TV.

Grave human rights violations and heinous conditions of detention

After the violence at the border the group were taken to the Edirne Jandarma Komutanligi gendarmerie station where from the 24th to the 28th of May 2023 they were subjected to physical violence: in the form of severe hitting, performed inter alia with batons, sometimes in front of family members including children, and targeting not only men but also women and elderly individuals and verbal violence: including threats of sexual violence addressing not only adults but even children. One Palestinian member reported that after being interrogated about his beliefs, he was dragged away from the cameras, and a whole group of Turkish guards beat him severely for over an hour, trampling with their shoes on his head and banging it on the ground, calling him an infidel and a heretic(2) . Furthermore, torture techniques such as sleep deprivation were applied against the group, forcing women and children to stand outside without sleep for 3 days(3) . During these 5 days, 30 members sustained serious injuries, with 10 women and two children among them.

On the 29th of May 2023, the group was then transferred to the Edirne Migration Centre where they are currently held, enduring severe instances of ill-treatment, documented

through the only means objectively available to the group(4) and confirmed by external witnesses(5). These instances of ill-treatment include (but are not limited to):

(i) lack of necessary medical care: serious medical conditions, including life-threatening ones, have remained untreated. Two children are still being left without medical assistance, urgently needed because of life-threatening conditions, and their situation is worsening by the day.

(ii) inhumane conditions of detention, particularly affecting children: the group members are held in cells of less than 35 square meters hosting from 10 to 15 individuals, one bathroom available for every 13 to 17 individuals, insufficient water and soap supplies, and no hygiene pads for menstruating women. Children are held with their mothers in cells for adults where no suitable activity is available to them. Many group members, including children, have been forced to sleep on the floor or even outside in cold temperatures. No change of clothes has ever been provided to them, and a child who wet himself due to trauma during the night was not provided with a change of clothes but forced to stay outside in the cold, wearing his urine-soaked clothes. Food is of insufficient quality and quantity, and therefore mothers who still breast-feed have been unable to produce milk. At the same time, no milk substitute has been provided to an 11-month-old child upon request of her mother for days. Children are displaying behavioral issues due to the traumatic experiences to which they are exposed (e.g. hysterical crying when seeing policewomen, bed wetting and nightmares, and aggressive behaviors). Additionally, the group reported being put in close proximity with ISIS members and other fundamentalist groups, making them an easy target of vigilante violence.

Deportation orders and widespread persecution in Muslim-majority countries

On 29th May each member of the group was issued with a return decision to their countries of origin, including Iraq, Iran, Algeria, Azerbaijan, Jordan, Thailand, and Palestine. The return decisions are all currently being appealed. If returned, they face a risk of further persecution and violations of their rights, including the right to be free from torture, inhumane or degrading treatment, and their right to life. Members of the Ahmadi religion have been labelled as ‘heretics’ and ‘infidels’ in many countries due to their beliefs, a trend they report has worsened since the release of their gospel, ‘The Goal of the Wise’, in December 2022. Members of the faith report that the views expressed in the gospel have led to their persecution through accusations of ‘denigrating Islam’.

In fact, in Algeria and Iran members have faced arrest and prison sentences and in Iraq they have suffered gunned attacks on their homes by armed militias, and scholars have called for them to be killed.

The case gains international attention

The severity of the human rights violations to which the group is exposed is confirmed by the considerable attention that the case is receiving by the press(6), including the lodging of an interim measure request at the European Court of Human Rights(7). The case is also being monitored by United Nation experts: the UN Special Rapporteur on freedom of religion or belief, the UN Special Rapporteur on the human rights of migrants, the UN Working Group on arbitrary detention and the UN Special Rapporteur on minority issues are monitoring the case and have issued a public collective statement in its respect(8). The case has further been discussed at the Organisation for Security and Cooperation in Europe’s (OSCE) Supplementary Human Dimension Meeting held in Vienna on 26/27.6.2023(9) and at the EU Parliament conference on the oppression of minorities in Iran on 6.7.23

The way forward

A request for interim measure with the European Court of Human Rights for the release of the group was rejected on the grounds that national measures need to be exhausted first. Given the urgency of the situation, and the severity of human rights abuses suffered by children, sick and elderly, and LGBTQ+ members, the group is seeking to address European Union embassies in Turkey to grant the group humanitarian/asylum visas on the grounds of their religious persecution.

An open letter⁽¹⁰⁾ endorsed by international NGOs, churches, faith groups, and prominent human rights activists is being addressed to the French, Belgian, and Italian consulates in Turkey, urging them to issue asylum visas to the respective group members of each country. Such a visa would be the only way to safeguard their right to freedom of religion and their right to life and freedom from inhumane or degrading treatment.

Human Rights Without Frontiers, NGO(s) without consultative status, also share the views expressed in this statement.

(1) Open letter available here <https://borderviolence.eu/app/uploads/Open-Letter-to-Bulgarian-Border-Authorities-and-Frontex.pdf>

(2) Testimony can be accessed here <https://www.youtube.com/watch?v=z-ITGieb-mk>

(3) Testimony available here: <https://www.youtube.com/watch?v=V8VHkM8NEd0>

(4) I.e. phone calls to their Representatives using a landline phone. These calls are being recorded and the recordings are available as evidence.

(5) Including two British journalists who were initially detained with the Applicants:

<https://www.lbc.co.uk/news/british-woman-accused-spying-turkey/> and

<https://bulgaria.bordermonitoring.eu/2023/06/04/detained-asylum-seekers-tortured-and-beaten-in-edirne-deportation-center/>

(6) Among others, see BBC Radio interview (https://www.youtube.com/watch?v=UYoTa2PC_64),

EU Observer (<https://euobserver.com/migration/157200>), EU Reporter

(<https://www.eureporter.co/world/turkey/2023/05/24/over-100-church-members-beaten-and-arrested-at-the-turkish-border/>),

European Times (<https://europeantimes.news/2023/05/hrwf-un-eu-osce-turkey-stop-deportation-ahmadis/>)

(7) Among others, see EU Reporter article

(<https://www.eureporter.co/world/turkey/2023/07/15/ahmadi-religion-files-lawsuit-against-turkiye-at-european-court-of-hr-following-violent-pushback-at-turkey-border/>) and EU weekly news article (

<https://euroweeklynews.com/2023/05/27/104-members-of-a-religious-minority-face-imprisonment-or-execution-on-the-turkish-bulgarian-border/>)

(8) Available at: <https://www.ohchr.org/en/press-releases/2023/07/turkiye-must-not-deport-members-ahmadi-religion-peace-and-light-seeking>

(9) Video available at: <https://www.youtube.com/watch?v=GVGnVLIBStQ>. See also:

<https://freedomofconscience.eu/104-ahmadis-discussed-at-organization-for-security-and-cooperation-in-europe-osce-in-vienna/>

(10) https://docs.google.com/document/d/11Z2fEI6v-vrIFMiTt6gExX_aWCGhtQ3CuF2DLJfaYow/edit