

Secondo l'UNHCR nella parte nord dell'isola di Cipro ci sarebbero 500-600 richiedenti asilo. Una direttiva dell'HCR sottolinea che gli immigrati che provengono dall'Iraq o dalla Palestina non dovrebbero essere puniti. Tuttavia, diversi palestinesi vengono a trovarsi nella situazione descritta nell'articolo che segue, sono a volte oggetto di misure disciplinari e passano settimane in prigione.

[http://www.cyprus-mail.com/news/main.php?id=37125&cat\\_id=1](http://www.cyprus-mail.com/news/main.php?id=37125&cat_id=1)

## **Behind the scenes of human trafficking**

By Simon Bahceli

A lot has been written recently about the north's inability to stem the flow of immigrants fleeing the war-torn Middle East to the relative security, freedom and prosperity of the EU. Far less has been written about the immigrants, what they are fleeing, how they get to Cyprus, and what happens if they are captured by the north's authorities.

The story of Osama Taha Hashim and his family's ongoing struggle for a life away from war goes some way to redressing this imbalance. The story also highlights the shortcomings of the north's immigration policy, and the absence of a proper mechanism for those legitimately seeking political asylum.

On September 27, Palestinian Iraqi Osama Taha Hashim boarded a plane in Istanbul with seven family members, including his wife, children, his dead brother's wife, and her son. The plane was headed for Ercan (Tymbou) airport in northern Cyprus. Earlier, Osama and his family had traveled from Iraq to Turkey using Iraqi travel documents. At this stage, according to the laws of Turkey and Iraq, neither Osama, nor his family, had done anything illegal. But once on the plane, the family were in the hands of human traffickers, who for a fee supplied them with forged Turkish travel documents that would, if all went according to plan, enable them to enter northern Cyprus with a three-month holiday visa.

Under instructions from the trafficker escorting them, Osama and his family were led through Turkish Cypriot immigration checks, where their documents were stamped by an allegedly "insider" immigration police official. Once in north Cyprus, the plan was for them to be smuggled to the south of the island, where they would be able to apply for political asylum – an application that would almost certainly have been granted.

But things started to go wrong when the Turkish Cypriot authorities caught wind of the human trafficking ring that had helped smuggle them. In a matter of days, Osama and his seven family members, two suspected Turkish traffickers, a Turkish Cypriot go-between, and a Turkish Cypriot immigration policeman were all in custody. The children were placed in an orphanage in north Nicosia, while Osama and his wife and sister-in-law were jailed, pending a trial for illegal entry into the north. The Turks and Turkish Cypriots were also jailed, pending their trial for membership of a human smuggling ring. Facing legal proceedings against themselves, Osama and his family had become key witnesses in a high-profile trial against the human traffickers.

Osama's lawyer Yusuf Tekinay, working with the UNHCR representative in north Cyprus Kivanc Aktug, recently managed, under condition of bail, to secure the release of Osama's wife and sister-in-law so that they can look after the children. However, under Turkish Cypriot law, they and Osama could face up to ten years in jail for entering the island with forged documents.

But Aktug, whose Human Relief Mission (HRM) handles the cases of "between 500 and 600" asylum seekers in the north for the UNHCR, says that under a UN directive, immigrants from Iraq and Palestine should not be punished, even if they have broken local immigration laws.

"All Palestinians and Iraqis who try to get into the country, legally or illegally, should be considered refugees and not sent back," he says, adding that he is "putting pressure" on the north's authorities to have Osama released.

But getting Osama released might not be so easy, even though the authorities, Aktug says, are sympathetic to his case.

"This is an exceptional case because Osama is the number one witness in the case, and the authorities are afraid he will go to the south if he is released." Aktug is confident, however, that once the case is concluded the judge will not hand down a custodial sentence, and that the UNHCR will eventually grant the family political asylum, either in the EU, the US or Canada. In fact, Aktug says that even though laws on illegal entry and forged documents are strict in the north, the authorities are usually lenient towards those whom the UNHCR say are genuine asylum seekers.

Osama and his family will also be helped by the fact that his case has triggered a report written by young Human Rights lawyer Oncel Polili on behalf of the Turkish Cypriot Human Rights Foundation (KTIHV) aimed at applying further pressure on the Turkish Cypriot authorities. It also hopes to lead to an updating of the law that will end all imprisonment for asylum seeker captured in the north.

In the report, Polili explains how the family was persecuted in Iraq because they were Sunni Muslims living in a predominantly Shiite area, and how numerous attacks on the family resulted in the death of Osama's brother and injuries to one of his son.

"The family fled Palestine because of war and now find themselves trying to flee Iraq because of war," Polili says, adding that "the children have not only been traumatised by war, but have missed out on education because of the conflict".

On Friday, the family's lawyer Yusuf Tekinay told the Cyprus Mail that he had received reassurances from the judge presiding over the case that Osama's wife and sister-in-law's cases would not be taken to the high court. "This means that they are unlikely to spend more time in jail," Tekinay said. Osama, on the other hand, remains in jail with no such reassurances, a virtual hostage to the authorities and their ongoing but sometimes erratic mission to smash the smuggling rings