

Forced Returns and Broken Protections: The Kenyan-Turkish Crackdown on Refugees



Contents

Executive Summary	1
Background on Turkey's Transnational Repression Campaign	2
Chronology of Events in Nairobi Abduction Case	3
Testimonies of the Released Abductees and The Spouses of the Abductees.....	4
International Responses.....	6
How media covered the incident.....	7
Latest Update as of 30 October 2024	9
Precedents of Defence Cooperation and Turkey's Influence	9
Legal and Humanitarian Implications.....	10
Recommendations	10
Conclusion.....	13
ANNEXES:	14
REFERENCES:	25

Executive Summary

This report examines the recent abduction and forced repatriation of seven Turkish nationals from Kenya on 18 October 2024, marking a severe breach of international refugee protections. Turkey's transnational repression campaign, targeting dissidents abroad, has intensified through diplomatic influence on host countries like Kenya. Despite holding UN protection, four Turkish nationals were deported under Turkish-Kenyan cooperation, violating the 1951 Refugee Convention's principle of *non-refoulement*.

Key recommendations include an independent inquiry, stricter oversight of foreign intelligence in Kenya, and expedited family reunification processes for separated refugee families. The report urges Kenya and Turkey to adhere to international human rights standards, with calls for stronger global protections for vulnerable individuals facing transnational repression.

Background on Turkey's Transnational Repression Campaign

Turkey's strategy of transnational repression, as documented in Freedom House's report [1], has targeted dissidents globally, particularly members of the Gulen movement. Tactics include abductions, forced deportations, surveillance, passport revocations and denials and harassment. Turkish President Recep Tayyip Erdoğan's administration, prioritizing so-called 'national interests' as part of his 'witch hunt' [2][33] over international human rights norms, has employed diplomatic relationships to exert pressure on host nations, creating a climate of fear and endangerment for Turkish dissidents worldwide. The recent abductions in Nairobi exemplify Turkey's continued efforts to suppress opposition voices abroad, facilitated by host countries with security alliances.

For instance, Turkish Foreign Minister Mevlüt Çavuşoğlu confirmed in 2019 that 104 alleged Gülenists were forcibly repatriated from 21 countries as part of Turkey's global crackdown on perceived dissidents [3][4]. Deputy Foreign Minister Yavuz Selim Kiran later stated that these operations had resulted in over 100 forced returns [5]. In addition to these international cases, Turkey has documented 27 instances of enforced disappearances domestically, illustrating the regime's widespread use of repressive tactics [6].

In almost all of forced deportation or enforced disappearance cases, state-funded Anadolu Agency and/or TRT followed by other national outlets announced the 'detention' news displaying photographs of the abductees between Turkish flags with visible signs of torture and ill-treatment [7][8][9]. Following this sort of news, President Erdogan often publicly congratulated Turkish National Intelligence MIT. [10]

Chronology of Events in Nairobi Abduction Case

- **18 October 2024, Early Morning – Coordinated Kidnappings:** Seven Turkish nationals, including Mustafa Genç, his son Abdullah, Hüseyin Yeşilsu, Necdet Seyitoğlu, Öztürk Uzun, and Alparslan Taşçı with his wife Saadet, were abducted from various locations in Nairobi. Masked, armed men in multiple vehicles intercepted them, forcibly taking them away. Witnesses noted that some abductees were taken while en route to school or government offices.
- **Later that Day – Partial Releases:** Three of the abductees, including 16-year-old Abdullah Genç, Necdet Seyitoğlu, and Saadet Taşçı, were released. Seyitoğlu, a UK citizen, was reportedly freed after showing his British passport, while Taşçı was released separately, raising concerns about her husband's fate.
- **Universal Rights Association published a CCTV footage** obtained from a nearby security camera that shows Mustafa Genç and his son leaving their home followed immediately by two other civilian vehicles, one of them a large black SUV. The vehicles and their plate numbers are identifiable in the footage [32].
- **The letter from Mukele & Kakai Advocates LLP, dated 19 October 2024:** The law firm addressed airlines and Kenyan aviation authorities, requesting adherence to non-refoulement principles. Representing abducted Turkish nationals (Uzun, Yeşilsu, Taşçı, and Genç), the letter urges airlines to avoid transporting the clients to Turkey, where they face persecution. It cites Kenya's Refugee Act and international law, stressing that deportation would breach these protections. The letter warns that non-compliance could make the airlines complicit in human rights violations and urges respect for refugee rights [30]. Although it is still unknown how the victims were brought to Turkey, considering the dates, it is almost certain that this happened by air. The patterns indicate to Turkish Airlines engagement.

- **21 October 2024 – Forced Repatriation to Turkey:** Despite protests from human rights groups and legal representatives, four of the abductees—Mustafa Genç, Hüseyin Yeşilsu, Öztürk Uzun, and Alparslan Taşçı—were transported to Turkey, allegedly as part of an agreement between Kenyan and Turkish authorities. This has triggered international backlash, with critics accusing Kenya of violating international refugee protections. [11][12][13]
- **26 October 2024 – Official Response and Criticism:** On behalf of Kenya's government, Korir Sing'Oei, Principal Secretary for Foreign Affairs defended the deportations amid mounting international criticism [14]. In his statement, Mr. Sing'Oei admittingly said:

“Kenya confirms that four Nationals of the Republic of Türkiye were repatriated to their home country on Friday, 18 October 2024, at the request of the government of Türkiye. Kenya acceded to this request on the strength of the robust historical and strategic relations anchored on bilateral instruments between our respective countries. The four have been residing in Kenya as refugees. The Ministry of Foreign and Diaspora Affairs has received assurances from the Turkish authorities that the four will be treated with dignity in keeping with national and international law.”

Various organizations, including Amnesty International [15], ICJ, PRWGK, Turkey Tribunal condemned Kenya's actions [see below for details], citing serious violations of the principle of *non-refoulement* and demanding clarity on the legal basis for these deportations.

Testimonies of the Released Abductees and The Spouses of the Abductees

- **Saadet Taşçı's:** In a post on X, Saadet Taşçı recounted being abducted while visiting a government office to obtain her driving license. She was stripped of her personal belongings, blindfolded, and transferred between vehicles, held for a total

of 6.5 hours without food or the ability to communicate. She expressed concern for her husband's safety, who remains in Turkish custody, and demanded his release. Saadet shared that she and her family had UN protection since 2018 and a UN-issued passport since early 2024 [16].

- **Necdet Seyitoğlu, UK Citizen and Abductee:** Necdet Seyitoğlu, a UK citizen, described being ambushed with Hüseyin Yeşilsu. Masked, armed men intercepted them, forced them into an SUV, and drove them with sacks over their heads for several hours. He was detained without food, only given water, and ultimately abandoned on a deserted street in Nairobi. His experience underscores the significant threat posed to both foreign nationals and dissidents residing in Kenya [17].
- **Abdullah Genc, 16-year-old son of Mustafa Genc:** Abdullah Genc, a 16-year-old student in Kenya, recounted being abducted with his father early that morning. While traveling with his father from home to school, their car was rammed by a jeep carrying four masked men who forced Abdullah and his father into their vehicle. The abductors zip-tied, handcuffed, and blindfolded them, frequently changing the jeep's license plates to avoid detection. Abdullah's mother and younger sisters were left behind. The abductors drove around Nairobi for two hours before realizing Abdullah's age. He was then transferred to another vehicle, where he remained alone, blindfolded and restrained, for another two hours. After 4 hours in captivity, he was dropped 500 meters from his home, in the rain, without shoes or his belongings. Abdullah called on the Kenyan government and the United Nations to help him reconnect with his father [18].
- **Similar testimonies and calls** were made on social media platforms by Gilman Yesilsu, the wife of Hüseyin Yesilsu [19], S. Uzun, the spouse of Öztürk Uzun [20], and P. Genc, the wife of Mustafa Genc [21].

International Responses

- **Amnesty International:** Amnesty International's statement on 19 October 2024 expressed deep alarm over the abduction of seven Turkish nationals/refugees in Nairobi. Amnesty highlighted concerns that the individuals face imminent forcible return to Turkey, which would violate international protections, including the 1951 Refugee Convention. They called on Kenyan authorities to locate and protect the missing individuals, investigate the incident, and prevent future rights violations. Amnesty urged Kenya to uphold its legal obligations, emphasizing the severe implications for Kenya's refugee protections and international reputation [22].
- **ICJ:** ICJ Kenya's statement on 19 October 2024 expressed grave concern over the abduction and possible refoulement of seven refugees in Nairobi, which it condemned as a violation of international law. ICJ highlighted Kenya's obligation under the 1951 Refugee Convention and Kenyan law to protect refugees from forcible return to persecution. The statement criticized Kenya's disregard for human rights and urged a transparent investigation. It warned that Kenya's actions compromise its credibility as a refuge for vulnerable individuals and called for accountability from those involved [23].
- **Turkey Tribunal:** Monitoring and reporting on the case all along, Turkey Tribunal condemned Kenya's forced repatriation of four Turkish nationals on 18 October 2024 as a serious breach of international law, specifically violating the principle of non-refoulement. They criticized Kenya for disregarding refugee protections and succumbing to Turkish political pressure, thereby endangering the deportees. The Tribunal called Kenya's assurances from Turkey "hollow," citing Turkey's

documented human rights abuses. It urged Kenya to conduct an independent investigation, cease further illegal repatriations, and reaffirm its commitment to safeguarding refugee rights [24].

- **IAHRA's Petition to the UN Human Rights Committee:** The International Association for Human Rights Advocacy (IAHRA) based in Geneva, Switzerland submitted a petition on behalf of the deported individuals, resulting in a UN request for Turkey to ensure their safety, disclose their locations, and grant family and legal access [25].
- **The Kenya Human Rights Commission (KHRC) and Police Reforms Working Group Kenya:** KHRC in a joint statement with PRWGK condemned Kenyan Government's repatriation of four Turkish refugees, calling it a severe breach of the principle of non-refoulement, which forbids returning individuals to potential danger. They highlighted Kenya's obligations under international law, criticizing the government's failure to pursue safe third-country resettlement options. PRWGK argued that Kenya's actions endanger its status as a refuge for those fleeing persecution and could tarnish its human rights record as a UN Human Rights Council member, urging accountability and adherence to refugee protections [26].

How media covered the incident

- **BBC:** The BBC report described the abduction of a British national, Necdet Seyitoğlu, and six Turkish citizens in Nairobi on 18 October 2024. According to this, Seyitoğlu was released after eight hours upon showing his British passport, but four of the Turkish citizens remain missing. Kenyan police are investigating the case, having received eyewitness reports of the abduction by masked men. The incident has drawn

criticism from international human rights groups, with Amnesty International and the UNHCR expressing concerns over potential violations of international refugee protections [11].

- **The Nation:** The Nation's report detailed Kenya's defense of its decision to repatriate four Turkish refugees, stating that Turkey requested their return over concerns of "subversive activities." Kenyan officials, including Foreign Affairs PS Korir Sing'oei, argued that balancing *non-interference* in other countries' internal matters is complex. The four individuals, affiliated with the Gulen movement, were deported despite international condemnation, with Kenya insisting it received assurances for their humane treatment. The government's stance has intensified criticism over potential violations of refugee protections [12].
- **Stockholm Center for Freedom (SCF):** Kenya's Foreign Affairs PS Korir Sing'oei defended the deportation of four UN-registered Turkish refugees, citing Kenya's commitment to non-interference in other countries' affairs and its unwillingness to harbor individuals perceived as "subversive" by Turkey. Despite assurances from Turkey on humane treatment, rights groups criticized the deportation, arguing it violates the 1951 Refugee Convention and AU protocols. Critics questioned Kenya's stance, highlighting its recent refusal to deport political figures to the DRC and possible influence from Kenya's growing security ties with Turkey [27].
- **The Standard:** The Standard detailed the abduction of seven foreign nationals in Nairobi on October 18, including a British citizen, Necdet Seyitoglu, and six Turkish nationals associated with the Gülen movement. According to the Standard, armed men intercepted their vehicle in the Kileleshwa area, blindfolded them, and confiscated personal items. Seyitoglu, later released, reported being driven around for hours before being dropped in an unknown location. Kenyan officials

initially stayed silent, later confirming deportation of the Turkish nationals. Human rights groups have criticized Kenya's involvement in these forced returns [31].

Latest Update as of 30 October 2024

Turkey has refrained from making public statements on the abductions, a deviation from its usual celebratory stance. According to sources, the four individuals were allowed a three-minute phone call each to their Turkey-based family members on Monday, 21 October. On 24 October, a lawyer reportedly met with Alparslan Taşçı, who received medical treatment but was unaware of the other detainees' conditions. Sources in Nairobi report that the four victims have been arrested and sent to prison after their first court hearing. On October 30, our sources tried to communicate with their lawyer in Ankara, but the lawyer denied stating that he is no more their lawyer, and another lawyer will now take over this case.

Precedents of Defence Cooperation and Turkey's Influence

Recent bilateral defence agreements between Turkey and Kenya may have facilitated Kenya's willingness to comply with Turkish demands. BAYKAR Technologies recently trained Kenyan personnel on Bayraktar TB2 drones [28], and in 2023, Turkish officials, including Secretary of Defence Industries Haluk Görgün, signed a Defence Industry Cooperation Agreement with Kenya, promoting deeper defence collaboration [28]. Freedom House's report indicates that such military ties can be used by Turkey to gain leverage over partner countries, enabling covert operations targeting dissidents abroad[29].

Legal and Humanitarian Implications

Kenya's deportation of the Turkish nationals contravenes core international and domestic refugee protections:

- **1951 Refugee Convention and 1967 Protocol:** These establish the principle of non-refoulement, prohibiting the forced return of refugees to territories where they may face persecution. By forcibly repatriating the Turkish nationals to Turkey, Kenya has disregarded this protection, breaching a foundational obligation under international refugee law.
- **Kenyan Refugee Act 2021 and African Union (AU) Refugee Convention:** Both frameworks reinforce Kenya's duty to protect vulnerable individuals and prevent involuntary returns to places of potential harm. The 2021 Act codifies non-refoulement in domestic law, obligating Kenya to prioritize refugee safety. By allowing Turkey's influence over asylum-seeking decisions, Kenya risks undermining its adherence to these legal commitments and compromising its role as a safe refuge.

Together, these frameworks mandate Kenya to protect asylum seekers and refugees and ensure they aren't returned to situations of potential persecution. In violating these principles, Kenya's actions have not only threatened individuals' safety but also weakened international norms that protect refugees worldwide.

Recommendations

- **Independent International Inquiry:**

An internationally supervised investigation into the abduction and repatriation of Turkish nationals is crucial. This inquiry should aim to identify all responsible parties, both in Kenya and Turkey, ensuring transparency and accountability. The UN Human Rights Council and

other relevant bodies should oversee the process to ensure impartiality.

- **Reaffirmation of Refugee Protections by Kenya:**

Kenya should publicly recommit to its obligations under international refugee law, including the 1951 Refugee Convention and its 2021 Refugee Act. This reaffirmation should include policy adjustments to strengthen non-refoulement protections and transparency in all asylum decisions, restoring the public's confidence in Kenya's role as a sanctuary for refugees.

- **Enhanced Oversight of Foreign Intelligence Operations in Kenya:**

Kenya should implement stringent measures to regulate and monitor foreign intelligence activities, particularly those targeting vulnerable asylum seekers. Such oversight will prevent external influences from compromising Kenya's refugee policies, reinforcing Kenya's sovereignty and the integrity of its commitments to human rights.

- **Increased International Monitoring and Accountability:**

The UN and international human rights organizations should intensify their monitoring of Kenya's adherence to refugee protections and ensure compliance with global standards. Regular audits and assessments by international organizations can help to maintain Kenya's accountability and provide technical support to bolster Kenya's refugee protection system.

- **Recommendations to the Turkish Government:**

- Respect for International Norms: Turkey must respect international norms prohibiting transnational repression and abide by the principle of non-refoulement. The Turkish government should cease using international abductions and forced returns as political tools against dissidents.
- Ensure Transparency and Human Rights Protections: Turkey should allow international human rights organizations and

legal representatives access to all detained individuals, providing clear communication on their status. This transparency is critical for Turkey to begin rebuilding trust within the international community regarding human rights.

- Establish Safe Channels for Repatriation Requests: Turkey should work with international bodies to establish legal channels for handling individuals' extradition requests, aligning with international law and protecting refugees' rights.
- **Recommendations to the Immigration Services and UNHCR:**
 Given that Öztürk Uzun's family, who are refugees residing in the Netherlands, had been awaiting family reunification for nine months prior to his abduction, the Dutch Immigration and Naturalisation Service (IND) should prioritize and expedite asylum application and family reunification processes for refugee families separated by political repression. This case underscores the risks to individuals in politically sensitive situations and highlights the urgent need for efficient family reunification processing to prevent vulnerable families from exposure to similar risks while awaiting reunification. The same is recommended to UNCHR for those who are still waiting resettlement from Kenya.
- **Recommendation to Airlines and Aviation Authorities:** Uphold Non-Refoulement Obligations
 Airlines and aviation authorities should rigorously adhere to international and Kenyan laws on non-refoulement by refusing to transport refugees or asylum seekers back to countries where they risk persecution. In cases like the Turkish nationals facing potential political repression, airlines must verify that their actions comply with human rights obligations. Kenyan authorities should support airlines in ensuring that they do not participate in deportations that contravene refugee protections, thereby safeguarding vulnerable individuals from involuntary return.

Conclusion

The abduction and forced repatriation of Turkish nationals from Kenya highlight the severe risks posed by transnational repression, exacerbated by international defence and diplomatic ties. Kenya's actions, seemingly influenced by Turkish political agendas, have raised concerns over its adherence to fundamental refugee protections. This report underscores the urgent need for a strengthened commitment to international refugee law, both in Kenya and globally, to protect vulnerable individuals from similar abuses. The international community must act decisively to ensure the accountability of states involved in these practices and reinforce the global framework safeguarding human rights and refugee protections.

ANNEXES:

1. Statement of Korir Sing'Oei, Principal Secretary for Foreign Affairs



**OFFICE OF THE PRIME CABINET SECRETARY AND MINISTRY OF
FOREIGN AND DIASPORA AFFAIRS**

STATE DEPARTMENT FOR FOREIGN AFFAIRS

STATEMENT

Kenya confirms that four Nationals of the Republic of Türkiye were repatriated to their home country on Friday, 18 October 2024, at the request of the government of Türkiye. Kenya acceded to this request on the strength of the robust historical and strategic relations anchored on bilateral instruments between our respective countries. The four have been residing in Kenya as refugees. The Ministry of Foreign and Diaspora Affairs has received assurances from the Turkish authorities that the four will be treated with dignity in keeping with national and international law. Kenya is committed to the privacy and confidentiality of the repatriated individuals and will refrain from responding to media inquiries on the subject until the ongoing inter-agency review of the case is complete.

Kenya assures the international community of its unwavering commitment to the protection and promotion of refugee rights as prescribed under national and international law. As such, the rights, welfare and well-being of the more than 780,000 refugees residing in the country will remain the government's singular priority.

DR. A. KORIR SINGOEI
PRINCIPAL SECRETARY
STATE DEPARTMENT FOR FOREIGN AFFAIRS

2. Turkey Tribunal's response



Turkey Tribunal Condemns Kenya's Repatriation of Turkish Refugees as a Grave Violation of International Law

21 October 2024

We are deeply disturbed by the Kenyan government's recent repatriation of four Turkish nationals, who were forcibly sent back to Türkiye on October 18, 2024, despite their refugee status in Kenya. This action constitutes a flagrant violation of the foundational principles of international refugee protection, including the core tenet of non-refoulement, which prohibits returning individuals to a country where they face serious risks to their lives or freedoms.

Kenya's statement, released by the Ministry of Foreign Affairs, seems to brush over the critical issue at hand: the basic human rights of refugees. These four individuals were not simply immigrants—they were refugees, residing in Kenya because their safety was compromised in Türkiye. Yet, the Kenyan government, by succumbing to political pressure, has placed these individuals directly in harm's way and violated the honour of Kenyan citizens and sovereignty of Kenya.

Assurances from the Turkish government regarding their "dignified treatment" ring hollow, considering Türkiye's well-documented human rights violations, including arbitrary detentions, torture, and politically motivated prosecutions especially in the past decade under Erdogan regime. Sending refugees back to a regime that persecutes its own citizens not only undermines Kenya's international obligations but also damages its reputation as a responsible actor in protecting human rights.

Moreover, Kenya's stated commitment to privacy and confidentiality on this matter reeks of an attempt to evade accountability. Silencing media inquiries is an unacceptable move in what should be a transparent matter of public concern, especially when people's lives are at stake.

Kenya cannot claim to be committed to the rights and welfare of refugees while simultaneously engaging in actions that contradict those very values. The more than 780,000 refugees in the country, whose rights the government claims to prioritize, now face an uncertain future, as Kenya has shown a dangerous willingness to betray their trust for political expediency.

We call on the Kenyan government to cease its complicity in such dangerous and illegal repatriations, to conduct an urgent and independent review of this case, and to publicly reaffirm its commitment to international refugee laws. The lives and well-being of vulnerable people cannot be the currency of political negotiations.

3. Joint Statement co-signed by Kenya Human Rights Commission and Police Reforms Working Group Kenya



STATEMENT ON THE REFOULEMENT OF FOUR TURKISH ASYLUM SEEKERS FOR IMMEDIATE RELEASE

Nairobi, 21 October 2024: The Police Reforms Working Group is shocked by the Government of Kenya's admission that Kenyan law enforcement and foreign affairs agencies played a role in the refoulement and forced return of Mustafa Genç, Öztürk Uzun, Alparslan Taşçı, and Hüseyin Yeşilsu, four Turkish nationals from Kenya to Turkey.

The principle of non-refoulement is a cornerstone of refugee protection. It has been recognised in international humanitarian law for more than seventy years. The 1951 United Nations Refugee Convention and its 1967 Protocol, the 1969 OAU Convention on refugees and the 2021 Refugee Law of Kenya explicitly prohibit the return of refugees to a place where they are likely to face the very danger from which they fled. These obligations cannot be traded for commercial, diplomatic or trade interests without violating both national and international law.

International refugee law recognizes that refugees may only be returned if they pose a danger to national security or, after due process, are found guilty of a crime that threatens the safety of others. The Government of Kenya has provided no evidence that the four individuals posed any such threat.

While the law recognizes there are exceptions to the principle of non-refoulement, the law also provides procedural safeguards. Rather than returning asylum seekers to governments that they had fled from, a third country for safe resettlement could have been found.

Tragically, the Government has placed four human beings at grave risk as well as Kenya's standing as a sanctuary nation for those fleeing persecution and war. It undermines Kenya's credibility as the newest member of the United Nations Human Rights Council and torpedoed the United Nations Universal Periodic Review process planned for next year.

This weekend's breach punctures Kenya's legal commitments and its international moral standing and threatens three decades of confidence in Kenya's humanitarian protection for the 780,000 refugees on Kenyan soil who need it today.

This statement is signed by the Police Reforms Working Group-Kenya, an alliance of national and grassroots organizations committed to professional, accountable, and human rights-compliant policing. They include: Independent Medico-Legal Unit (IMLU), Kariobangi Paralegal Network, Defenders Coalition, Katiba Institute, Social Justice Centres Working Group (SJCW), Kenyan Section of the International Commission of Jurists (ICJ Kenya), International Justice Mission (IJM-K), HAKI Africa, Amnesty International Kenya, Women Empowerment Link, Social Welfare Development Program (SOWED), Kenya Human Rights Commission (KHRC), Federation of Women Lawyers (FIDA-Kenya), International Centre for Transitional Justice (ICTJ - Kenya), Transparency International Kenya, Shield For justice, Wangu Kanja Foundation, Constitution and Reform Education Consortium

4. Acknowledgement of the UN Human Rights Committee registering IAHRA's petition



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
PALAIS DES NATIONS • 1211 GENEVA 10, SWITZERLAND
www.ohchr.org • TEL: +41 22 917 9895 • FAX: +41 22 917 9008 • E-MAIL: ohchr-petitions@un.org

REFERENCE:
MT/YG/MA

HUMAN RIGHTS COMMITTEE
PROCEDURE OF INDIVIDUAL COMMUNICATIONS
UNDER THE OPTIONAL PROTOCOL

22 October 2024

Dear Sir, Madam,

I have the honour to inform you that the four communications dated 21 October 2024, which you submitted to the Human Rights Committee for consideration under the Optional Protocol to the International Covenant on Civil and Political Rights, on behalf of Huseyin Yesilsu, Alparslan Tasci, Mustafa Genc and Ozturk Uzun, have been registered as communications 1, 2, 3 and 4, respectively. You are kindly asked to refer to these registration numbers in any future correspondence. You are also invited to send all future correspondence addressed to the Petitions Section of the Human Rights Treaty Bodies Branch of the Office of the High Commissioner for Human Rights to the following e-mail address: ohchr-petitions@un.org.

Interim measures

Under rule 94 of the Committee's rules of procedure, the State party has been requested to take all measures necessary to promptly establish the alleged victims' whereabouts, to ensure their physical integrity; to inform the authors and legal representatives of their whereabouts, and to give the alleged victims access to their family and representatives. This request does not imply that any decision has been reached on the substance of the matter under consideration.

Registration of the Case

In accordance with rule 92 of the Committee's rules of procedure, a copy of the communications has been sent to the State party today, with the request that any information or observation in respect of the question of admissibility and merits of the communication should reach the Committee within six months. Any reply from the State party will be communicated to you in due course to enable you to comment thereon.

Remedies

You are also kindly requested to indicate, in future correspondence, the kind of remedies you would like to obtain from the State party in case the Committee concludes that a violation of the Covenant has taken place in the case you have submitted, unless you have already indicated these remedies in your initial submission.

5. Amnesty International Statement



STATEMENT ON THE ABDUCTION AND DISAPPEARANCE OF SEVEN TURKISH ASYLUM SEEKERS FOR IMMEDIATE RELEASE

Nairobi, 19 October 2024: Amnesty International Kenya is deeply alarmed by the abduction of seven Turkish asylum seekers on October 18, 2024, in Nairobi. The individuals—Mustafa Genç, his son Abdullah Genç, Hüseyin Yeşilsu, Necdet Seyitoğlu, Öztürk Uzun, Alparslan Taşçı, and his wife Saadet Taşçı were reportedly kidnapped by unknown individuals. While Abdullah Genç, Necdet Seyitoğlu, and Saadet Taşçı have been reportedly released, Öztürk Uzun, Alparslan Taşçı, and Hüseyin Yeşilsu remain missing and are at grave risk of refoulement - a serious violation of international law.

This incident constitutes a breach of both Kenya and international refugee law. These individuals are refugees who have sought the protection of the Kenyan government. Their abductions underscore the growing concerns about the safety of all refugees and asylum seekers in Kenya.

Amnesty International Kenya is further concerned that they may be facing imminent forceful and unlawful return to Turkey. Should this happen, they face considerable risk of serious human rights violations. Abduction and forced return to countries that they have fled directly violates the principle of non-refoulement enshrined in Kenyan law, the 1951 Refugee Convention and the African Union Convention Governing Specific Aspects of Refugee Problems in Africa.

Amnesty International Kenya calls on the Government of Kenya to take immediate action to locate the missing individuals, ensure their safety and return to their families. We remind the Interior and Foreign Affairs Ministries, Judiciary of Kenya, Directorate of Criminal Investigations, Anti-Terrorism Police Unit, Office of the Director of Public Prosecutions, Independent Policing Oversight Authority and the Kenya National Commission on Human Rights that transnational repression is an international crime. We demand their swift and transparent investigation into the circumstances surrounding this abduction, and that those responsible be held accountable.

We call on the United Nations and the international community to remain seized of the implications of this development. That this is happening in the month that Kenya has successfully applied to become a member of the United Nations Human Rights Council is deeply concerning.

The Kenyan government is required to ensure that all asylum seekers and refugees are protected from criminal abduction and unlawful return to countries where their lives and freedoms are in danger. It must uphold its legal obligations under the Kenyan Constitution, refugee laws, and international human rights treaties.

Signed
Irungu Houghton
Amnesty International Kenya Section Director

For more information and interviews, contact Mathias T. Kinyoda
Mobile: +254723424802 | Email: mathias.kinyoda@amnesty.or.ke

6. ICJ Statement



ICJ KENYA STATEMENT ON THE ABDUCTION OF SEVEN TURKISH ASYLUM SEEKERS, ONE BRITISH NATIONAL AND KENYA'S OBLIGATIONS UNDER INTERNATIONAL LAW.

19TH OCTOBER 2024

ICJ Kenya, as a body of Jurists, is gravely concerned by the recent abduction of one British National and seven Turkish asylum seekers in Nairobi on October 18, 2024. The individuals— Necdet Seyitoğlu, Mustafa Genç, his son Abdullah Genç, Hüseyin Yeşilsu, Necdet Seyitoğlu, Öztürk Uzun, Alparslan Taşçı, and his wife Saadet Taşçı—were reportedly kidnapped by unknown individuals. While Necdet Seyitoğlu (British National), Abdullah Genç, Necdet Seyitoğlu, and Saadet Taşçı have since been released, Öztürk Uzun, Alparslan Taşçı, and Hüseyin Yeşilsu remain missing and are at serious risk of being forcibly returned to Turkey in violation of international law.

Kenya has a legal and moral obligation under international law to protect all refugees and asylum seekers from refoulement—*the forced return to countries where they face persecution or human rights violations*. The principle of non-refoulement is enshrined in both the 1951 Refugee Convention and the African Union Convention Governing Specific Aspects of Refugee Problems in Africa, and is further upheld by Kenya's Constitution and Refugee Act 2021. By failing to protect these individuals and potentially enabling their unlawful return, Kenyan authorities risk being complicit in serious human rights violations and may face international condemnation as enablers of transnational repression.

The Kenyan government must urgently act to locate the missing Turkish asylum seekers, ensure their safety, and prevent their forced return to Turkey, where they are at grave risk of persecution.

This incident marks a disturbing trend in Kenya, a country once regarded as a safe haven for refugees, is now becoming a hostile and dangerous environment for those seeking protection. Recently, 36 Ugandan nationals, including one individual who held refugee status in Kenya, were arrested and illegally deported to Uganda under similar circumstances. These individuals now face terrorism charges, are detained in appalling conditions, and have been denied access to necessary medical treatment. ICJ Kenya is actively following up on the case of the 36 Ugandans.

Kenya's involvement in such actions demonstrates a deeply concerning disregard for the rights and protections of refugees and foreign nationals, threatening to undermine its long-standing reputation as a refuge for those fleeing persecution.

ICJ Kenya calls on the Ministry of Interior, the Foreign Affairs Ministry, the Directorate of Criminal Investigations, the Anti-Terrorism Police Unit, the Office of the Director of Public Prosecutions, the Independent Policing Oversight Authority, and the Kenya National Commission on Human Rights to investigate these alarming incidents thoroughly and transparently. Those responsible for the abductions and violations must be held accountable.

We also urge the United Nations and the international community to remain vigilant in monitoring these concerning developments. It is particularly troubling that such human rights violations are unfolding at a time when Kenya has just secured a seat on the United Nations Human Rights Council, a position that demands the highest standards of human rights protection and accountability.

Kenya must uphold its commitments to international human rights law, ensuring that no refugee or asylum seeker is forcibly returned to a country where their lives or freedoms are in danger. Failure to do so not only undermines Kenya's credibility as a rights-respecting Nation but also endangers the very principles upon which the international refugee protection framework is built. ICJ Kenya urges the government to act swiftly and in accordance with its legal obligations, protecting all those seeking refuge within its borders from unlawful abduction, mistreatment, and refoulement.

Signed,

Protas Saende

Chairman - ICJ Kenya

19th OCTOBER 2024

ICJ Kenya Statement on the Abduction of Seven Turkish Asylum Seekers, One British National and Kenya's Obligations under International Law.

7. Law firm's letter addressed to airlines and aviation authorities

1 of 3



MUKELE & KAKAI ADVOCATES LLP

Certified Secretaries | Mediators | Advocates Commissioners for Oaths | Notaries Public

OUR REF: 01/V0008/1
YOUR REF: TBA

19TH OCTOBER, 2024

THE TURKISH AIRLINES,
P.O. BOX 30597-00100,
NAIROBI.

THE EMIRATES AIRLINES,
P.O. BOX 40993-00100,
NAIROBI.

THE KENYA AIRWAYS,
P.O. BOX 19002 – 00501
NAIROBI.

QATAR AIRWAYS,
NAIROBI.

BRITISH AIRWAYS,
P.O. BOX 45050-00100,
NAIROBI.

THE PRIVATE CHARTERED AIRLINES,
NAIROBI.

THE KENYA CIVIL AVIATION AUTHORITY,
P.O. BOX 30163 -00100,
NAIROBI.

Dear Madam[s]/Sir[s],

RE: NON-REFOULEMENT

OUR CLIENTS; UZUN OZTURK; HUSEYIN YESILSU; TASCI ALPARSLAN; TASCI
SADET; GENÇ MUSTAFA

The above matter refers.

SYLVESTER NGACHO MUKELE

LLB [MOI] ACI Arb

FANUEL KAKAI NGOME

LLB [MOI] PGD [KSL] CPM [MTI] CS [KASNEB] LLM Candidate [UON]

Hazina Towers 12th Floor, Monrovia Street P. O. Box 30237- 00100, Nairobi.

☎ (+254) 0 738 980 858 (+254) 0 722 439 577 ✉ info@mukelekakai.co.ke

🌐 www.mukelekakai.co.ke

We have been retained by **UZUN OZTURK; HUSEYIN YESILU; TESCİ ALPARSLAN; TASCİ SADET AND GENÇ MUSTAFA** [hereinafter our clients" on whose instructions we wish to address you as follows;

Our clients are refugees and holder of refugee id numbers; 10280718; 10212958; 10192413; 10192414; 10240667 respectively. Our clients are holders of refugee identity cards as per the provisions of Section 3 of the Refugee Act number 10 of 2021 Laws of Kenya, article 1 of the convention governing the specific aspects of refugees in Africa as read with the 1951 Refugee Convention. Section 29 of the Refugee Act number 10 of 2021 Laws of Kenya, Article 2 of the Convention governing the specific aspects of refugees in Africa as read with Article 33 of the 1951 Refugee Convention bar the refoulement of refugees.

Contrary to the aforementioned provisions protecting such persons against non-refoulement, our clients were abducted in Kenya with the aim of being deported back to turkey where they are victims of political victimization.

There is a high likelihood that your airlines may be used to refoul our clients despite the fact that they are refugees back to turkey from Nairobi. This is a request to you to uphold the provisions of Section 29 of the Refugee Act number 10 of 2021 Laws of Kenya, Article 2 of the Convention governing the specific aspects of refugees in Africa as read with Article 33 of the 1951 Refugee Convention by ceasing and desisting from accepting these persons as passengers in your airlines from Nairobi to turkey and through connecting flights.

Any actions to the contrary shall be an affront to the international norms regarding the protection accorded to refugees and you will be held culpable of aiding and abetting refoulement.

The Kenya airports authority and the Kenya civil aviation authority are also hereby notified to take cognizance of private airlines from Turkey within Kenyan airspace that may be used to refoul our clients to turkey where they will certainly face persecution. Be so notified.

Yours faithfully,

MUKELE & KAKAI ADVOCATES LLP

for [Signature]
S. MUKELE

1. CLIENT
2. The permanent secretary,
Ministry of the Interior.
3. Permanent secretary,
Ministry of Foreign Affairs.
4. The director general,
Kenya civil aviation authority.
5. The managing director,
Kenya airports authority.



8. Visuals from social media campaigns between 18 and 21 October

STOP ABDUCTIONS, Be Voice of Innocent People!
LET KENYA STAND FOR JUSTICE.

ALPARSLAN TASCI
ABDUCTED AT GUNPOINT
18 Oct 2024 Kenya
#KaçirilanTürkler #EmergencyKenya

ACT NOW

STOP ABDUCTIONS, Be Voice of Innocent People!
LET KENYA STAND FOR JUSTICE.

OZTURK UZUN
ABDUCTED AT GUNPOINT
18 Oct 2024 Kenya
#KaçirilanTürkler #EmergencyKenya

ACT NOW

STOP ABDUCTIONS, Be Voice of Innocent People!
LET KENYA STAND FOR JUSTICE.

HUSEYIN YESILSU
ABDUCTED AT GUNPOINT
18 Oct 2024 Kenya
#KaçirilanTürkler #EmergencyKenya

ACT NOW

STOP ABDUCTIONS, Be Voice of Innocent People!
LET KENYA STAND FOR JUSTICE.

MUSTAFA GENC
ABDUCTED AT GUNPOINT
18 Oct 2024 Kenya
#KaçirilanTürkler #EmergencyKenya

ACT NOW

STOP EXTRADITION, Be Voice of Innocent People!

ABDUCTED AT GUNPOINT

HUSEYIN YESILSU **MUSTAFA GENC** **OZTURK UZUN** **ALPARSLAN TASCI**

Turkish dissidents and political asylees, have lived peacefully in Kenya for many years, contributing to the well-being of their communities by serving Kenyan students and people. Due to political reasons in their home country, they have been victimized and become refugees in Kenya under the UN. Recent events suggest that the Turkish government may be behind this unlawful actions, mirroring recent abductions taken in other countries for the members of the same peaceful civilian movement.

These abductions violate international norms and could damage Kenya's reputation in the world. Kenyan authorities must act swiftly to ensure these men's safety and prevent further abuses. Let Kenya stand for justice and sovereignty as it has always been the case. Act now and help those people who loved and served Kenya for many years.

LET KENYA STAND FOR JUSTICE.

#StopExtraditionKenya
#OrganisedAbductionsKenya

ACT NOW

REFERENCES:

- [1] [Freedom House Report on Turkey's Transnational Repression](#)
- [2] [Erdoğan: "If it is a witch hunt, we will wage this witch hunt, know that!"](#)
- [3] [U.S. Department of State report](#)
- [4] [Sabah Daily: 104 FETÖ members were brought to Turkey in cooperation with 21 countries](#)
- [5] [Hurriyet Daily: Deputy Minister announced: Over 100 FETO terrorists brought in](#)
- [6] [The Unlawful Practices Of The Turkish Government Towards The Dissidents Abroad, Illegal Renditions And Decisions Of Refusal Of Extradition](#)
- [7] [Another blow to FETÖ by MIT: Orhan Inandı captured](#)
- [8] [FETÖ member Selahaddin Gülen was captured by an MIT operation abroad and brought to Turkey](#)
- [9] [MIT brought Osman Karaca, FETÖ's head of Mexico, to Turkey](#)
- [10] [President Erdoğan: Our National Intelligence Organisation has recently brought Orhan Inandı, FETO's general responsible for Central Asia, to our country](#)
- [11] [British national and several Turkish citizens abducted in Kenya](#)
- [12] [Doubling down: Kenya stands by violent capture and repatriation of Turkish refugees](#)
- [13] [Dirty operation in Kenya: 7 Turkish citizens kidnapped](#)
- [14] [Statement by Korir Sing'Oei, Principal Secretary for Foreign Affairs](#)
- [15] [Agnes Callamard \(X: @AgnesCallamard\), Secretary General, Amnesty International](#)
- [16] [URGENT | Hear Saadet and Act Now!](#)
- [17] [URGENT | Hear Necdet and Act Now!](#)
- [18] [This is Abdullah G., one of the 7 abductees in Nairobi. He was abducted with his father in Nairobi on 18 October](#)
- [19] [Gilman Yesilsu's husband Hüseyin and his colleagues were abducted in Nairobi on 18 October](#)
- [20] [This is S. Uzun, currently a refugee in the Netherlands, and her family were awaiting their family reunification for 9 months](#)

[21] [This is P. Genc, the wife of one of the 7 abductees in Nairobi. Her husband Mustafa Genc and her son were abducted in Nairobi on 18 October while under UN protection](#)

[22] [It has been over 30 hours. There has been no substantive statement by Kenyan authorities. Mustafa Genç, Öztürk Uzun, Alparlan Taşçı, Hüseyin Yeşilsu remain missing after abduction under UN protection on Kenyan soil.](#)

[23] [STATEMENT: The Kenyan government must urgently act to locate the missing Turkish asylum seekers, ensure their safety, and prevent their forced return to Turkey, where they are at grave risk of persecution.](#)

[24] [We Condemn Kenya's Repatriation of Turkish Refugees as a Grave Violation of International Law](#)

[25] [IAHRA's Petition to the UN Human Rights Committee](#)

[26] [Kenyan government repatriated four Turkish refugees against their wishes, violating national and international laws. This adds to endless grounds that make Kenya unfit to be part of the UN Human Rights Council.](#)

[27] [Kenyan official defends violent capture and repatriation of UN-protected Turkish refugees](#)

[28] [Official X handle of BAYKAR technologies: Trainees from our friendly and brotherly country, Kenya, have successfully completed their Bayraktar TB2 UCAV training at the Baykar Flight Training Center in Keşan and graduated.](#)

[29] [Prof. Dr. Haluk Görgün \(X:@halukgorgun\), Secretary of Turkish Defence Industries: We signed a Defense Industry Cooperation \(SSI\) agreement with Mr. Aden DUALE, the Minister of Defense of Kenya.](#)

[30] [The letter of Mukele & Kakai Advocates LLP to airlines and aviation authorities](#)

[31] [Seven foreign nationals abducted in Nairobi](#)

[32] [Universal Rights Association published a CCTV footage](#)

[33] [Turkiye's Erdogan vows to continue Witch Hunt despite Gulen's Death | Vantage with Palki Sharma](#)



Solidarity With OTHERS

Belgium, 2024

www.solidaritywithothers.com

info@solidaritywithothers.com

