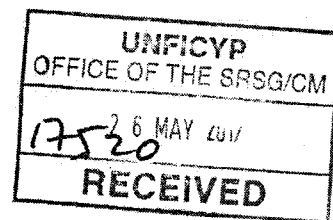




**TURKISH REPUBLIC OF NORTHERN CYPRUS
MINISTRY OF FOREIGN AFFAIRS**



16 May 2017

Dear Ms. Spehar,

I would like to thank you for conveying to my office the letter dated 7 February 2017, which was signed by Boly Barry Koubou, Special Rapporteur on the right to education, Dainius Puras, Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health and Nils Melzer, Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, regarding the deportation of [REDACTED]

At the outset I would like to stress that the delay in responding to the said letter is due to the delay in receiving the relevant information from the institutions involved. As such, the information received indicate that:

On 17 October 2017, [REDACTED] sought medical care in the Famagusta State Polyclinic and was informed that she required surgery. [REDACTED] consented to have surgery and therefore was told that, in accordance with the standard practice carried out in our country before any surgery, whether the individual is a national or a foreigner, she had to have certain tests completed. She was told that there would be blood tests included in these routine tests. Additionally, prior to any surgery carried out in our country, with the view of protecting the well being of the staff carrying out the surgery, blood tests must be carried out in order to detect whether the patient has an infectious disease or not and these tests include [REDACTED]. The blood tests produced [REDACTED]

According to the practice put forth by the Infectious Diseases Committee of our Health Ministry, a single test is not sufficient to diagnose a person [REDACTED] and the person in question must carry out a confirmatory secondary test. Therefore in accordance with the said procedure, [REDACTED] was directed to the Lefkoşa State Hospital accompanied by Infectious Diseases Specialists who informed her of the test result. It was explained to [REDACTED] that she was required to carry out another [REDACTED] test in order to confirm the result and for a conclusive diagnose to be made and for the course of treatment to be determined. However, she refused to carry out a secondary test.

Ms. Elizabeth Spehar
Special Representative of the UN Secretary General
and Chief of Mission of the United Nations Peacekeeping Force in Cyprus
Nicosia.

The standard practice in such events is that persons are required to declare in writing that they do not give their consent for a confirmatory second test to be carried out and in this case, [REDACTED] has done so. Therefore she was not conclusively diagnosed. Under the circumstances the Health Ministry was obliged to follow Protocol and notify the Immigration Department. In instances where a foreign national is refusing treatment, the only option remaining is for the person in question to leave the country. [REDACTED] refused treatment and therefore this route had to be followed.

We have been informed that the Immigration Department carried out the necessary procedure and all relevant orders were issued. [REDACTED] was detained at the Famagusta Police Department Immigration Section with the presence of a female police officer just after noon on 20th October 2016. [REDACTED] was placed in the ward allocated for women. As per allegations amounting to mistreatment, being slapped in the face and other unacceptable behaviour, we have been informed by the Police that no such incident occurred and that [REDACTED] kept to herself, was visibly upset and refused to speak even when asked about her personal belongings and whether she needed anything or requested anything. [REDACTED] was later taken from the Famagusta Police Department with the presence of a female police officer around 06.30 am on 21 October 2016, to Ercan Airport, where she boarded a Turkish Airlines flight departing at 08.35 am to Istanbul, where a connecting flight had been arranged to take her back home. We have been informed by the Police authorities that during [REDACTED] transfer to the Famagusta Police Department or throughout her detention there, as well as during her transfer to Ercan Airport there was absolutely no questionable behaviour or mistreatment by the police officers she was in contact with.

From the correspondence we have received from the Eastern Mediterranean University, we understand that [REDACTED] having completed all necessary requirements, graduated from the university on 31 January 2017. Her diploma along with her transcript were sent to her via the courier company "Aras Kargo" on 21 February 2017, to the address [REDACTED]. Additionally her graduation document was emailed to her on 27 February 2017.

Finally I am compelled to comment on the annex sent with the letter regarding [REDACTED]. The annex which makes reference to international human rights instruments, namely the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights, highlights that the covenants in question were both ratified by Turkey in 2003. An unacceptable and false connotation is being made by insinuating that Turkey has authority in the Turkish Republic of Northern Cyprus (TRNC). The fact of the matter is that Turkey has no authority or jurisdiction in the TRNC. The TRNC is under the full control and jurisdiction of the Turkish Cypriot authorities and, the responsibility for all matters, including legal proceedings as well as all human rights issues lies solely with the relevant Turkish Cypriot authorities. Furthermore, I would like to bring to your attention that both the International Covenant of Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights were endorsed into TRNC legislation in 2004 through legislation (29/2004 and 27/2004 respectively).

I hope and trust that the foregoing are helpful and shed light to the incident. I would appreciate your assistance to convey this letter to Ms. Boly Barry Koubou, Special Rapporteur on the right to education, Mr. Dainius Puras, Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health and Mr. Nils Melzer, Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment.

Please accept, Ms. Spehar, the assurances of my highest consideration.



Tahsin ERTUĞRULOĞLU
Minister