

# AMNESTY INTERNATIONAL

## Public Statement

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### **Egypt: Rights of Individuals intercepted at the border with Israel must be protected**

Amnesty International has today called on the Egyptian government to protect the human rights of individuals intercepted at the border with Israel who include refugees, asylum-seekers and migrants, and to launch immediately a thorough, independent, and impartial investigation into the killings of at least three Sudanese refugees or asylum seekers in recent weeks, and make its findings public.

This call came following the Egyptian authorities' statement regarding the government's "efforts to combat trespassing across the international borders with Israel". The statement, which was issued by the Ministry of Foreign Affairs on 11 August 2007, did not mention whether the Egyptian authorities had opened any investigation into the killings of refugees and asylum seekers at the border or the specific circumstances in which security officers at the border are instructed to use firearms.

The alleged killings occurred when Egyptian security forces at the border reportedly shot dead two men believed to be of Sudanese origin as they attempted to cross to Israel during the night of 1 and 2 August 2007. Two other men were said to have been arrested and beaten up by the security forces during the same night. Egyptian senior security sources have publicly denied that the shootings took place, although they have confirmed that two men were arrested by the Egyptian border police on 2 August, one of whom was said to be seriously injured.

Excessive use of force by the Egyptian security forces at the border with Israel has increased over the last few weeks. A Sudanese woman died on 22 July 2007, after allegedly being shot by Egyptian security forces while she was attempting to cross the border with Israel. Other Sudanese, including an 11-year old girl, and a woman from the Ivory Coast were also injured at the scene. Furthermore, on 8 August 2007, a 30-year old Sudanese refugee was found dead, with his hands and feet tied up and his body covered with bruises and wounds, near El-Tawayal village, some 20 km from the Rafah border crossing.

While states have the right to exercise authority over their border and to regulate entry into their territory, any measures taken in this regard must not come in conflict with or violate internationally recognized human rights law and standards. The Egyptian authorities must ensure that the fundamental human rights of all individuals intercepted at the border must be protected and respected. According to international standards such as the UN Code of Conduct for Law Enforcement Officials and the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, security force officers should use force in line with the principles of necessity and proportionality and should only employ firearms if lives are in danger and there is no other means to respond to that danger.

Amnesty International is concerned that Egypt may be sending to the border area law enforcement officials who do not have the necessary training for dealing with crowd-control situations, or adequate human rights training, or training to identify the needs of asylum seekers and refugees or other persons in need of international protection, thus putting the lives of these individuals at risk.

The organization is calling on the Egyptian authorities to ensure that security forces at the border comply with international standards governing policing activities, including the UN Code of Conduct for Law Enforcement Officials, and receive adequate training on fundamental human rights, in particular those protecting the rights to life and to physical and mental integrity of all individuals, among other rights.

In addition, raids by the Egyptian security forces in the border area between Egypt and Israel in July 2007 alone have reportedly led to the arrest of over 220 mostly Sudanese individuals, including refugees, asylum-seekers and migrants, who were trying to cross the border without official permission.

The organization calls on Egyptian authorities to respect the international prohibition on collective expulsions and guarantee that each case of expulsion is examined and decided individually. In every case, Egyptian authorities should ensure that no individual is forcibly returned to a country where he or she faces a risk of serious human rights abuses, in accordance with Egypt's obligations under international law, including the 1951 Convention Relating to the Status of Refugees and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Any decision to deport individuals found not to be in need of international protection following a fair and satisfactory asylum procedure must only be taken after a careful examination of each individual case and must include adequate procedural safeguards, including the ability to challenge deportation decisions.

#### Background

In May 2007, the Committee on the Protection of the Rights of all Migrant Workers and Members of their Families has in its concluding observations called on Egypt "to initiate training for all officials working in the area of migration, in particular police and border personnel ...".

Thousands of individuals, including refugees, asylum seekers and migrants, who mostly come from Sudan and Eritrea as well as other parts of sub-Saharan Africa, try to cross from Egypt to Israel each year. Their numbers have been increasing in recent months and according to the Israeli Minister of Interior Meir Sheerit some 300 try to cross into Israel every week.

In December 2005, 27 Sudanese individuals, including refugees, asylum-seekers and migrants, were killed and others injured when police brutally dispersed what had been for three months a peaceful sit-in close to the offices of the UNHCR in Cairo. Police were said to have aimed water cannons at protesters and subjected them to indiscriminate beatings. The demonstrators, whose numbers had swelled to around 2,500 by December, were calling for improvements in their living conditions, protection from return to Sudan, and resettlement in Europe or North America. In June 2006, the Egyptian Public Prosecutor closed the investigation without anyone held responsible for the killings.

In its concluding observations, the Committee on Migrant Workers also expressed concern that the inquiry into these killings has been closed without any clarification being given regarding the circumstances leading to the death of the 27 Sudanese individuals and called on the Egyptian authorities to reopen this investigation.