

PUBLIC

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Fear of forcible return

15 July 2005

DJIBOUTI

Behailu Gebre (m)

Abiyot Mangudai (m)

] Ethiopian air force helicopter pilots

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Two Ethiopian air force helicopter pilots, Captain Behailu Gebre and Abiyot Mangudai, flew a military helicopter to the neighbouring state of Djibouti on 9 or 10 June. They reportedly sought asylum and were reportedly held incommunicado detention without being charged. The Djibouti authorities have reportedly returned the helicopter and an engineer who was on board to Ethiopia.

Amnesty International is deeply concerned at reports that the pilots may have been forcibly returned to Ethiopia some days ago, where they would be at risk of being held incommunicado detention without charge or trial, tortured, or extra judicially executed.

The pilots reportedly claimed asylum on the grounds that they would be at risk if forcibly returned to Ethiopia, as they had not used the helicopter to attack opposition demonstrators who were protesting at alleged electoral fraud during Ethiopia's elections on 15 May. It is not known if they had in fact been ordered to target demonstrators, as helicopters were not used by the Ethiopian security forces when they shot dead 36 protesters in the capital Addis Ababa on 8 June.

On 15 July, the Office of the United Nations High Commissioner for Refugees (UNHCR) expressed "deep preoccupation" over the fate of the two asylum seekers. It said the Djibouti Government has not replied to its repeated requests for access to the two men and for information on what has happened to them. If they are forcibly returned to Ethiopia, the Djibouti Government would be violating its obligations as a party to the UN Convention Relating to the Status of Refugees and the Organization of African Unity (OAU) Convention Governing the Specific Aspects of Refugee Problems in Africa.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible in French, English or your own language:

- expressing deep concern about reports that two Ethiopian air force helicopter pilots, Captain Behailu Gebre and Abiyot Mangudai, may have been forcibly returned to Ethiopia after being detained incommunicado in Djibouti without charge or access to the UNHCR;
- stating Amnesty International's concern that they would be at risk of incommunicado detention without charge or trial, torture or extrajudicial execution if returned to Ethiopia;
- calling on the Government of Djibouti to clarify their whereabouts, legal status and treatment if they are still detained in Djibouti, and for the UNHCR to be allowed immediate access to them;
- reminding the Government of Djibouti of its obligation to ensure protection from forcible return (*refoulement*) of any person claiming asylum in its territory until a final decision on their application has been made in accordance with the Convention Relating to the Status of Refugees.

APPEALS TO: (It might be difficult getting through to Djibouti but please keep trying)

President of the Republic

Monsieur Ismail Omar Guelleh

La Présidence

BP 6, Djibouti

République de Djibouti

Fax: +253 350174

Email: sqqpr@intnet.dj

Salutation: Son Excellence Monsieur le Président de la République / Dear President

Minister of the Interior and Decentralisation

Monsieur Yacin Elmi Bouh

Ministère de l'Intérieur
BP 2086, Djibouti
République de Djibouti

Fax: + 253 354 862

Salutation: Monsieur le Ministre/ Dear Minister

Minister of Foreign Affairs
Monsieur Mahamoud Ali Youssouf
Ministère des Affaires Etrangères
BP 1863, Djibouti
République de Djibouti

Fax: + 253 353 840

Salutation: Monsieur le Ministre/ Dear Minister

COPIES TO:

Commissioner for Refugees
Monsieur Abdillahi Elmi Houdon
Office National d'Assistance aux Réfugiés et Sinistrés (ONARS),
BP55, Djibouti
République de Djibouti

Fax: + 253 350 914

Salutation: Monsieur le Commissaire/ Dear Commissioner

and to diplomatic representatives of Djibouti accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 26 August 2005.