

HUNGARY Iraqi asylum seeker

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An Iraqi asylum seeker based in Hungary is in immediate danger of being forcibly returned to Egypt, where he could be at risk of subsequent *refoulement* to Iraq. If returned to Iraq, he could be subjected to serious human rights violations.

The asylum claim of the Iraqi national (whose name cannot be disclosed for reasons of personal security) was rejected by the Hungarian immigration authorities on 18 August 1998, and he has filed an appeal to have his claim reconsidered. Despite the fact, however, that he has not yet received a final decision on his claim, he has been informed by the authorities that he is to be returned to Egypt on Friday 4 September. The asylum seeker is currently being held in a detention facility within the compound of Budapest Airport.

**BACKGROUND INFORMATION**

Hungary is state party to the 1951 Convention relating to the Status of Refugees. Under the principle of *non refoulement*, enshrined in this Convention, Hungary is obliged to ensure that no person is returned, directly or indirectly, to a country where they would face serious human rights violations. Implicit in this obligation is the necessity to establish a satisfactory asylum procedure to identify those who would be at risk. Such a procedure must include provisions for an effective appeal of an asylum claim, whereby the asylum seeker is allowed to stay in the country for the duration of the appeal.

Amnesty International is aware of six other Iraqi asylum seekers who have in recent weeks been forcibly returned to Egypt and to Syria, without having their appeals reviewed by the Hungarian authorities. The asylum seekers in Egypt were subsequently able to obtain protection in a third country through the intervention of the United Nations High Commissioner for Refugees (UNHCR). However, the situation of the asylum seekers in Syria remains precarious. The information available to Amnesty International indicates that these asylum seekers have been allowed only a summary review of their cases in Hungary.

Amnesty International is also concerned that asylum seekers in Hungary are at risk of being detained in contravention of international human rights standards. Conditions at the detention facility within the Budapest airport compound are reportedly harsh. In addition, some asylum seekers are known to have been detained in the transit zone of the Budapest Airport, with clearly inadequate facilities, for weeks. There is no opportunity for judicial review of these types of detention in Hungary, in violation of international standards of detention.

**RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in English or your own language:**

- urging the Hungarian authorities to abide by their international obligations under the principle of *non refoulement*, and afford the said Iraqi asylum seeker effective and durable protection from *refoulement*;
- urging the authorities to ensure that procedures are implemented whereby those individuals at risk of serious human rights violations if returned to their country of origin could obtain effective and durable protection;
- urging the authorities to seek assurances from the Syrian government that the asylum seekers already forcibly returned to Syria will not be *refouled* to Iraq;

- urging the authorities to abide by international standards regarding the detention of asylum seekers. In particular, under no circumstances should asylum seekers be detained in an airport transit zone.

**APPEALS TO:**

Dr. László Felkai  
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Ministry of the Interior  
József Attila u. 2-4  
1051 Budapest  
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**Telegrams: Minister Laszlo, Budapest, Hungary**

**Faxes: +36 1 317 6470**

**Salutation: Dear Minister**

János Mártonyi  
Minister of Foreign Affairs  
Ministry of Foreign Affairs  
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Hungary

**Telegrams: Minister Mártonyi, Budapest, Hungary**

**Faxes: + 36 1 212 5918**

**Salutation: Dear Minister**

President Árpád Göncz  
Office of the President  
Kossuth Lajos tér 1-3  
1055 Budapest  
Hungary

**Telegrams: President Göncz, Budapest, Hungary**

**Faxes:+36 1 268 4183**

**Salutation: Dear President**

Col. József Dúzs  
Head of Alien Control Department  
National Head-Quarters of the Border Guard  
**Telegrams: Col. Dúzs, Border Guards, Budapest Hungary**  
**Salutation: Dear Colonel**

**COPIES TO:** Diplomatic representatives of Hungary accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY**