



AI Index: EUR 33/003/2002

Ref.: EUR 33/02.03

Dr Tonio Borg

Minister for Home Affairs and the Environment

Ministry for Home Affairs and the Environment

'Casa Leoni'

476 St. Joseph High Road

Santa Venera

Malta - CMR 02

9 October 2002

Dear Minister,

Amnesty International wishes to reiterate the concerns expressed in the letter which it addressed to you on 27 September 2002 (Reference TG EUR 33/02.01) concerning the reception and treatment of asylum-seekers in Malta and awaits your response to the questions raised therein.

We understand that 223 Eritreans were forcibly returned to Eritrea between 30 September and 3 October 2002. The Eritreans are reported to have been immediately arrested on arrival in Asmara, taken to a military prison at Ade Abeto village, about 10 kilometres from Asmara on the road northwest to Keren, and detained incommunicado. The Eritrean authorities have neither acknowledged the detentions nor revealed the whereabouts of the detainees to their families or the public.

In light of this information, Amnesty International urges the Maltese government to suspend all forcible return of Eritreans until a thorough, independent investigation has been made as to their legal status and treatment on return and an assessment has been made as to whether Eritreans found not to be in need of protection can be forcibly returned in safety and in dignity, with full respect for their human rights. We also urge you to ensure that all Eritreans in Malta wishing to apply for asylum have an opportunity to have their individual claims for protection examined in a fair procedure.

Furthermore, in view of unconfirmed reports of alleged use of excessive force during recent forcible deportation operations, we urge the Maltese government to ensure that police officers have clear instructions that no more force should be used deporting a person than is reasonably necessary, in line with international standards on the use of force by law enforcement officials. We also urge a review of police restraint techniques and relevant guidelines and training for police and other personnel involved in deportation operations in order to ensure that such operations are carried out in accordance with relevant recommendations issued by the Council of Europe's Commissioner for Human Rights in September 2001, by the Parliamentary Assembly of the Council of Europe in January 2002 and by the Council of Europe's Committee for the Prevention of Torture (CPT) in March 2002. Copies of the relevant recommendations are attached.

A copy of this letter is being sent, for information, to the UNHCR branch office in Italy and to Raymond Hall, Director of the Bureau for Europe, UNHCR Geneva.

Yours sincerely,

For Irene Khan, Secretary General

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