

PUBLIC

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UA 165/08 Forcible return/Fear of torture or other ill-treatment

EGYPT Up to 1,400 asylum seekers from Eritrea

The Egyptian authorities forcibly returned a group of around 200 asylum-seekers to Eritrea in the night of 11 June, and are preparing to forcibly return a further 1,400. In Eritrea they will be at risk of torture and other ill-treatment. The office of the UN High Commissioner for Refugees (UNHCR) in Egypt has not been granted access to any of the Eritreans to assess their asylum claims, despite repeated requests. The authorities appear to have scheduled a number of special flights to Eritrea.

A group of 169 Eritrean asylum-seekers could be returned as early as the evening of 12 June: they were moved from Nasr al Nuba police station near Aswan city, where they had been detained, to Central Security Forces camp in Shallal, south of Aswan. Hundreds of Eritrean asylum-seekers are detained in several police stations near Aswan city. Dozens of others are detained in Al-Qanater prison near the capital, Cairo. Around 700 are detained near the Red Sea cities of Hurghada and Marsa Alam. Lawyers representing the asylum-seekers held in Aswan believe that 200 of those held in Hurghada are being transported to Aswan, in preparation for forcible return.

The 200 asylum-seekers deported on 11 June had been detained in a Central security forces camp in Shallal in Aswan city. They were told they would be transported to the UNHCR office in Cairo. Their lawyers tried to reach them the same evening to offer medication and food but could not get to them. The Eritreans were then taken to Aswan International airport and put on a special EgyptAir flight to Eritrea.

Most asylum-seekers returned to Eritrea are likely to be arbitrarily detained incommunicado in inhumane conditions from weeks to years. They will be at serious risk of torture or other ill-treatment, particularly those who have fled from compulsory military service.

Since the end of February, flows of Eritrean asylum-seekers have reached Egypt either via its southern border with Sudan or by sea, south of the city of Hurghada. Others are recognized as refugees by the UNHCR in Sudan, and are fleeing Sudan to avoid being forcibly returned to Eritrea by the Sudanese authorities.

Hundreds of the Eritrean asylum-seekers in Aswan were charged with illegal entry in Egypt and were sentenced to a suspended one-month prison term. They were however kept in administrative detention by orders of the Ministry of Interior, as granted under the Emergency law in Egypt.

BACKGROUND INFORMATION

The Office of the UN High Commissioner for Refugees (UNHCR) issued guidelines to all governments opposing return to Eritrea of rejected Eritrean asylum seekers on the grounds of the record of serious human rights violations in Eritrea. These guidelines are still in force.

Refugees and asylum-seekers returned to Eritrea have been detained incommunicado, and tortured. Two asylum-seekers returned to Eritrea by the German authorities on 14 May are believed to have been arrested on arrival, and have not been seen since. Another asylum-seeker returned from the UK in November 2007 was detained in inhumane conditions and ill-treated before being released.

Thousands of people are detained incommunicado in Eritrea, in secret and indefinitely, without charge or trial. They have been arrested for suspected opposition to the government, practicing their religious beliefs as members of banned evangelical or other churches, evading military conscription or trying to flee the country.

Military service is compulsory for all men and women aged 18 to 40. There is no limit on length of service. There is no exemption for conscientious objectors, and no alternative non-military service. The usual punishment for evading military service is detention and torture: this can include having hands and feet tied behind the back in a painful position known as "the helicopter".

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

- calling on the Egyptian authorities to immediately stop all forcible returns of asylum-seekers to Eritrea;
- urging them to respect Egypt's international obligations under the 1951 Convention Relating to the Status of Refugees and the UN Convention Against Torture not to forcibly return asylum-seekers to Eritrea where they would be at risk of torture and other serious human rights abuses ;
- asking them to ensure that all Eritrean asylum-seekers are given immediate access to Office of the UN High Commissioner for Refugees in Egypt to assess their asylum claims.

APPEALS TO:

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Minister Habib Ibrahim El Adly

Ministry of the Interior

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Salutation: Dear Minister

COPIES TO:

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and to diplomatic representatives of Egypt accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 24 July 2008.