

URGENT ACTION

FREE ASYLUM SEEKER AT RISK OF DEPORTATION

Steven Tendo is a 35-year-old pastor and asylum-seeker who fled from torture and other severe human rights violations in Uganda and requested asylum in the USA. Since December 2018 he has been detained at an immigration detention facility in Los Fresnos, Texas. He is at risk of being imminently returned to danger in Uganda while his health is deteriorating from inadequate medical care for diabetes amidst a COVID-19 outbreak in the detention facility. We demand authorities stop Pastor Steven's deportation and release him immediately on parole while he continues to fight for the right to seek asylum.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

*Deborah Achim, Deputy Field Office Director
Immigration and Customs Enforcement, Department of Homeland Security
1777 NE Loop 410 Floor 15 San Antonio, TX, 78217
Email: Deborah.Achim@ice.dhs.gov
Backup email: SanAntonio.Outreach@ice.dhs.gov
Phone: +1 (210) 283-4723
Backup phone: +1 (210) 283-4750
Twitter: @ICEgov*

Dear Deputy FOD Achim,

"Pastor" Steven Tendo (A# 201 520 012) is an asylum-seeker at the Port Isabel Service Processing Center facing deportation to Uganda, where he will likely be killed by security agencies if returned.

The U.S. is under an obligation not to return individuals to a situation in which they would be at risk of torture or other serious human rights abuses. Steven must be allowed to remain in the country while he pursues the right to seek asylum.

His deteriorating health further warrants his release. Inadequate care in detention for his diabetes has resulted in loss of vision and numbness and tingling in his extremities. He faces life-threatening complications should he contract COVID-19; as of June 18th, 52 detainees at Port Isabel tested positive.

***I urge you to immediately halt the deportation of Steven and grant him humanitarian parole.
Please act quickly to save his life.***

Sincerely,

ADDITIONAL INFORMATION

Pastor Steven Tendo arrived in the USA on 20 December 2018 to ask for asylum after fleeing persecution in Uganda. He had led a human rights campaign assisting political prisoners and supporting voting rights in response to government repression and corruption. In 2012, security forces detained and severely tortured him, amputating two of his fingers. He was detained more than a dozen times and subjected to severe abuse before being forced to flee for his life. Several of his family members were killed by government forces shortly before he fled.

He is facing imminent deportation back to danger in Uganda. A Ugandan official has stated it is likely that he will be killed by security agencies if returned. The US government is under an obligation not to return individuals to a situation in which they would be at risk of torture or other serious human rights abuses: the principle of *non-refoulement*. Such safeguards are imperative for protecting refugees fleeing violence and persecution.

After more than 1.5 years in detention, Pastor Steven's diabetes is out of control. He has gone blind in one eye, is losing vision in the other, and suffers from numbness and tingling in his extremities. He has boils all over his body. When he was detained by US Immigration and Customs Enforcement (ICE) at Port Isabel Service Processing Center in Los Fresnos, Texas, his diabetes was controlled. Once in detention, his medication was changed and he was denied a diet suitable for diabetics. His finger-pricking device that allowed him to monitor his blood sugar levels daily was taken from him. Diabetes is a disability under US law. Despite repeated requests, Pastor Steven has been denied disability accommodations. To date, ICE has also done nothing to address the dangerous conditions in which Pastor Steven lives or to address his harmful diet and the deficiencies in his medical treatment.

Despite his deteriorating health and compromised autoimmune system, ICE has denied requests for his release without any specific reasons given. As of 18 June 2020, 52 of the 193 people detained at Port Isabel who were tested for COVID-19 tested positive. Amnesty International has documented how ICE detention facilities have failed to adopt adequate protection measures, such as providing soap and sanitizer to those in detention, adequate and responsive health care to those exhibiting symptoms of COVID-19, and facilitating physical distancing in line with Centres for Disease Control and Prevention (CDC) guidelines and global standards.

Detention of asylum-seekers should only be a measure of last resort, after other non-custodial alternatives have proven or been deemed insufficient in relation to the individual. According to the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the detention of asylum-seekers solely on the base of their immigration status can "very quickly, if not immediately" constitute ill-treatment against individuals in situations of increased vulnerability, including people with medical conditions.

The USA has an obligation under international law to ensure that the human rights of migrants and asylum-seekers are respected, protected, and fulfilled. In its July 2017 report on a country visit to the USA, the UN Working Group on Arbitrary Detention stated, "the mandatory detention of immigrants, especially asylum seekers, is contrary to international human rights and refugee rights standards. [...] The Working Group has observed that the current system of detaining immigrants and asylum seekers is, in many cases, punitive, unreasonably long, unnecessary, costly when there are alternative community-based solutions, [...] not based on an individualized assessment of the necessity and proportionality of detention, carried out in degrading conditions, and a deterrent to legitimate asylum claims."

Under the ICCPR, the Convention Against Torture, and customary international law, the USA is under an obligation not to return individuals to a situation in which they would be at risk of torture or other serious human rights abuses: the principle of *non-refoulement*. Under US law, all individuals apprehended at the border "shall be detained" pending deportation proceedings. US law provides that these individuals may be released on parole on a case-by-case basis for "urgent humanitarian reasons" or "significant public benefit" where the individual presents neither a security risk nor a risk of absconding. ICE policies provide Field Office Directors with discretion to parole individuals who have established a credible fear on a case-by-case basis for these same reasons, including for persons whose continued detention is not in the public interest and individuals with medical emergencies.

PREFERRED LANGUAGE TO ADDRESS TARGET: English

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 07 October 2020

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Pastor Steven Tendo (He, him, his)

LINK TO PREVIOUS UA: n/a