

This is a limited action. Please restrict appeals to 25 per Section.

UA 11/98 Fear of refoulement / Fear for safety 15 January 1998

ETHIOPIA Amour Ben Bechir Jemi'i, aged 40
 Ribah Bent Djalassi (f), aged 37
 Ben Omar, aged 12
 Fatima, aged 10
 Hajer, aged 5
 Intiffar, aged 2

A Tunisian couple and their four young children are feared to be at imminent risk of forcible return from Ethiopia to Tunisia where they could face serious human rights violations, including torture.

The internationally-recognized principle of non-*refoulement*, as expressed in the 1951 Convention relating to the Status of Refugees, prohibits states from returning people against their will to countries where they risk serious human rights violations. Ethiopia is bound by this fundamental principle as it has ratified the relevant international and regional refugee treaties. Furthermore, Article 3 of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to which Ethiopia is a party, states that no person can be returned to another state where "there are substantial grounds for believing he would be in danger of being subjected to torture".

Amour Ben Bechir Jemi'i was allegedly arrested in Addis Ababa in mid-December 1997 and has since been detained in a prison there. The grounds for his detention are not known to Amnesty International. Other foreign nationals, including a number of Sudanese refugees, have reportedly been arrested in the past few weeks.

About two weeks ago, his wife, Ribah Bent Djalassia, was reportedly asked by the Ethiopian authorities to sign a declaration whereby she agreed to return to Tunisia or to leave for Eritrea or Egypt. She refused as she thought she would be at risk of forcible return to Tunisia from those countries. Since then she has reportedly been staying in the compound of the United Nations High Commissioner for Refugees (UNHCR) in Addis Ababa during the day for fear that she might be arrested. She has been returning to her home in the evening when the UNHCR compound is closed.

Amnesty International wrote to the Ethiopian Government on 5 January 1998, asking why Amour Ben Bechir Jemi'i's had been detained, and urging that the Jemi'i family be not forcibly returned against their will to Tunisia, or to a third country from where they would not be guaranteed durable and efficient protection against *refoulement* to Tunisia. The organization has received no response from the Ethiopian authorities.

Amour Ben Bechir Jemi'i and the other members of his family fled Tunisia in about 1990 and were recognized as refugees by UNHCR in Algeria in 1991. They left Algeria for Ethiopia in 1993 as they feared that they might be returned to Tunisia, but did not claim asylum there until recently.

In December 1991, after his flight from Tunisia, Amour Ben Bechir Jemi'i was reportedly sentenced *in absentia* in Tunisia to four years' imprisonment for alleged membership of *al-Nahda*, a non-violent opposition political party.

Hundreds, probably thousands, of members or suspected members of *al-Nahda*, and their relatives, have been imprisoned in Tunisia since 1990, and subjected to torture and ill-treatment in detention, as a result of their non-violent opinions.

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

- seeking information about the reasons for Amour Ben Bechir Jemi'i's detention and calling for his immediate and unconditional release if he is detained solely on the grounds of his non-violent beliefs or his nationality;
- reminding the Ethiopian Government that it is bound, by the international and regional refugee treaties it has ratified, to abide by the principle of *non-refoulement*, and further urging that Ethiopia abide by its *non-refoulement* obligations under the Convention against Torture;
- calling on the authorities not to forcibly return Amour Ben Bechir Jemi'i, Ribah Bent Djalassia, and their children Ben Omar, Fatima, Hajer and Intiffar to Tunisia or to a third country where they would not be guaranteed durable and efficient protection against *refoulement* to Tunisia;
- urging that the family be allowed to proceed to another possible country of asylum if they are not granted asylum in Ethiopia.

APPEALS TO:

Mr Kinfe Gebre-Medhin
 General Manager, Public Security,
 Immigration and Refugee Affairs Authority
 Office of the Prime Minister
 Addis Ababa
 Ethiopia

Faxes: +251 1 55 20 30

Telegrams: Mr Gebre-Medhin, Office Prime Minister, Addis Ababa, Ethiopia

Salutation: Dear Mr Gebre-Medhim

COPIES TO:

Mr Seyoum Mesfin
 Minister of Foreign Affairs
 Addis Ababa
 Ethiopia

Faxes: +251 1 51 43 00

and to diplomatic representatives of ETHIOPIA accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 28 February 1998.