

PUBLIC

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UA 145/08 Fear of torture or ill-treatment/ incommunicado detention/ forcible return

ERITREA/
GERMANY **Yonas Haile Mehari (m), aged 26**
 Petros Aforiki Mulugeta (m), aged 20

On 14 May, German immigration authorities forcibly returned Eritrean nationals Yonas Haile Mehari and Petros Aforiki Mulugeta to Eritrea. Neither man has been seen since they arrived in the capital, Asmara. Amnesty International believes they were detained at Asmara airport upon arrival, and are being held incommunicado. They are at risk of torture or other ill-treatment.

Yonas Haile Mehari had arrived in Frankfurt, Germany, in November 2007 travelling from Eritrea via Sudan. Petros Aforiki Mulugeta arrived in Frankfurt in November 2007. Both men were arrested by German immigration officials when they arrived. They claimed asylum, but the claims were rejected.

Amnesty International fears that the Eritrean authorities may torture Yonas Haile Mehari and Petros Aforiki Mulugeta as punishment for evading military service and for seeking asylum, which the authorities regard as "betraying" the country.

BACKGROUND INFORMATION

The Office of the UN High Commissioner for Refugees (UNHCR) has issued guidelines to all governments, which are still current, advising that rejected Eritrean asylum-seekers should not be returned, and should be granted complementary forms of protection instead. Amnesty International has documented recent cases where refugees and asylum seekers returned to Eritrea have been detained incommunicado, and tortured.

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, practising their religious faith 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. The usual punishment for evading military service is torture by being tied for several hours with 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:

To the Eritrean authorities, in English or your own language:

- calling on the authorities to disclose where Yonas Haile Mehari and Petros Aforiki Mulugeta are being held, and to give them immediate access to their families, legal representation and any medical treatment they may require;
- urging the authorities not to torture or ill-treat the men;
- calling for both men to be brought before a court and charged with a recognizable criminal offence, or released.

To the German authorities, in German or your own language:

- expressing concern at the forcible return of Yonas Haile Mehari and Petros Aforiki Mulugeta to Eritrea from Germany;

- expressing concern that the men have not been seen since their arrival in Asmara and are believed to be detained incommunicado;
- calling on the German authorities to use all possible means to ensure that the whereabouts of Yonas Haile Mehari and Petros Afrorki Mulugeta are made known, that they are given immediate access to their families, legal representation and any medical treatment that they may require; and to ensure that they are not tortured or otherwise ill-treated;
- urging the authorities to make immediate appeals for their release;
- calling upon authorities to follow the guidelines issued by The Office of the UN High Commissioner for Refugees (UNHCR) and not return any failed asylum seekers to Eritrea where they are at risk of incommunicado detention, torture and other ill-treatment.

APPEALS TO:

Eritrean authorities

President

His Excellency President Issayas Afewerki
Office of the President
P O Box 257, Asmara, Eritrea
Fax: +2911 123 788 (via Ministry of Foreign Affairs)
Salutation: Your Excellency

Minister of Justice

Ms Fawzia Hashim
Ministry of Justice
P O Box 241, Asmara, Eritrea
Fax: +2911 126 422
Salutation: Dear Minister

German authorities

Frank-Walter Steinmeier
Federal Minister of Foreign Affairs
Ministry of Foreign Affairs, Werderscher Markt, 10117 Berlin, Germany
Fax: +49 30 5000 3866
Email: poststelle@auswaertiges-amt.de
Salutation: Dear Minister

Wolfgang Schäuble
Federal Minister of the Interior
Ministry of the Interior, Alt Moabit 101 D
10559 Berlin, Germany
Fax: +49 1888 681 2926
Email: poststelle@bmi.bund.de
Salutation: Dear Minister

COPIES TO:

Commissioner of Police
Ministry of Internal Affairs, P O Box 1223, Asmara, Eritrea
Salutation: Dear Commissioner

and to diplomatic representatives of Eritrea and Germany accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 10 July 2008.