

PUBLIC

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UA 304/08 Forcible return/torture

SWEDEN Terhas Mlash Abraha (f), aged 40

The Swedish authorities are preparing to forcibly return asylum-seeker Terhas Mlash Abraha to Eritrea, where she would be at risk of arbitrary detention and torture because she evaded compulsory military service; and also for seeking asylum abroad, which the Eritrean authorities regard as betrayal of the country.

Terhas Mlash Abraha left Eritrea in 1985, when she was 17. She was a domestic servant in Saudi Arabia until 1999, when she was deported to Sudan. The following year she returned to Saudi Arabia. She arrived in Sweden in September 2004 and immediately applied for asylum. The authorities rejected her application, and her final appeal against this was rejected on 29 August 2008.

The Swedish authorities have obtained travel documents for her from the Eritrean embassy, and have warned Terhas Mlash Abraha that she could be returned as early as 3 November.

Sweden is a state party to the Convention against Torture, which obliges the government not to return anyone to a country where they would be at risk of torture. According to UNHCR (the UN refugee agency) guidelines, governments should not forcibly return rejected asylum-seekers to Eritrea, because of its record of serious human rights violations.

BACKGROUND INFORMATION

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 faith as members of banned evangelical or other churches, evading military conscription or trying to flee the country.

Refugees and asylum-seekers returned to Eritrea in 2008 have been tortured or otherwise ill-treated. Two asylum-seekers who were returned by the German authorities on 14 May were arrested on arrival and are still in custody (see UA 145/08, AFR 64/002/2008, 29 May 2008). Another asylum-seeker returned from the UK in November 2007 was detained in inhumane conditions and tortured, but later released (see UA 319/07, AFR 64/010/2007, 29 November 2007). Up to 1200 asylum-seekers forcibly returned from Egypt in June are now in Eritrea and most are still detained incommunicado, at serious risk of torture or other ill-treatment (see UA 165/08, MDE 12/011/2008 12 June 2008).

Detainees are held in harsh conditions, and are regularly tortured or otherwise ill-treated. A common method of punishment is tying detainees in painful positions known as the "helicopter" or the "eight position" and leaving them for periods of several hours in the sun.

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

- expressing concern that the authorities are preparing to forcibly return Terhas Mlash Abraha to Eritrea;
- urging the authorities to halt immediately the forcible return of Terhas Mlash Abraha, as she faces a real risk of torture and other human rights violations if returned;

- reminding the authorities that they are a state party to the Convention against Torture, and are therefore obliged not to deport anyone to countries where they would be in danger of torture;
- noting that the UNHCR is currently advising governments not to forcibly return rejected asylum-seekers to Eritrea.

APPEALS TO:

Tobias Billström
Minister for Migration and Asylum Policy
Ministry of Justice
Rosenbad 4
103 33 - Stockholm
SWEDEN

Fax: +46 8 723 11 76
Email: registrator@justice.ministry.se
Salutation: Dear Minister

Stockholm County Police Commissioner
Länspolismästare Carin Götblad
Polismyndigheten i Stockholms län
106 75 Stockholm
SWEDEN

Fax: +46 8401 9990
Email: ck@stockholm.police.se
Salutation: Dear Commissioner Götblad

Head of immigration authority
Director-General Dan Eliasson
Migrationsverket
601 70 Norrköping
SWEDEN

Fax: +46 1110 8155
Email: dan.eliasson@migrationsverket.se
Salutation: Dear Mr Eliasson

COPIES TO: diplomatic representatives of Sweden accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 12 December 2008.