

EXTERNAL

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EXTRA 111/95

Fear for safety / Fear of refoulement

25 September 1995

CROATIATal'at Fu`ad Qassim, Egyptian national, refugee

Amnesty International is seriously concerned for the safety of Tal'at Fu`ad Qassim, an Egyptian political refugee who has not been seen since he was arrested in Zagreb shortly after arriving from Amsterdam. The Egyptian Government has reportedly asked the Croatian authorities to send Tal'at Fu`ad Qassim to Egypt where he faces execution, having been sentenced to death *in absentia* in 1992.

According to reports, Tal'at Fu`ad Qassim, travelling with a Danish travel document and under the name of Ibrahim 'Izzet, boarded a Croatian flight at 12.20pm on 12 September 1995 in Amsterdam. Once in Zagreb he was reportedly staying with two friends in the city, but all three were arrested that night by the Croatian police. The two friends were released on 15 September, but Tal'at Fu`ad Qassim's whereabouts have remained unknown. The Croatian authorities have reportedly stated that he left the country on 18 September after the Magistrates' Court had fined him and ordered him to leave the country.

BACKGROUND INFORMATION

Tal'at Fu`ad Qassim, a leading member of *al-Gama'a al-'Islamiya* (Islamic Group), an Egyptian banned Islamist group, was sentenced to death *in absentia* by an Egyptian military court in Alexandria on 3 December 1992 (see UA 24/93, MDE 12/01/93, 1 February 1993). Seven others were also sentenced to death in the same case, six of them *in absentia*. Only one of those sentenced to death was present at the trial. He was executed on 13 June 1993. Tal'at Fu`ad Qassim was granted political asylum by the Danish authorities in 1993.

On 20 September 1995 Amnesty International wrote to the President of the Republic of Croatia, Dr Franjo Tudjman, seeking urgent clarification as to the reasons for Tal'at Fu`ad Qassim's arrest and requesting that he would not be forcibly returned to Egypt where he would be executed.

Amnesty International opposes the forcible return of people to countries where they risk imprisonment as prisoners of conscience, torture, "disappearance", or execution. Amnesty International's position is based on the internationally-recognized principle of *non-refoulement* which, as set out in the 1951 Convention relating to the Status of Refugees, prohibits the forcible return of any refugee to a country where his or her life or freedom may be endangered. As a party to this convention, Croatia is obliged to respect the *non-refoulement* principle. The latter is also a general rule of customary international law and, as such, binding on all states irrespective of whether they have signed the Convention or not. The Intergovernmental Executive Committee of the United Nations High Commissioner for Refugees (EXCOM), of which Croatia is a member, has consistently reiterated the need for states to observe scrupulously the principle of *non-refoulement*.

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

- seeking information as to the exact whereabouts of Tal'at Fu`ad Qassim;
- urging that he be not forcibly returned to Egypt where he would be executed.

APPEALS TO:

(President of the Republic of Croatia)

Dr Franjo Tudjman
Predsjednik Republike Hrvatske
Pantov_ak 241
10000 Zagreb, Croatia
Faxes: +385 1 443 276 / 443 400
Telegrams: President Tudjman, Zagreb, Croatia
Salutation: Dear President

(Prime Minister)

Mr Nikica Valenti_
Predsjednik vlade Republike Hrvatske
Trg Stjepana Radi_a 7
10000 Zagreb
Croatia
Faxes: +385 1 277 082 / 278 483
Telegrams: Prime Minister Valenti_, Zagreb, Croatia
Salutation: Dear Prime Minister

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

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 25 October 1995.