

URGENT ACTION

REFUSED ASYLUM-SEEKER FACES FORCED REMOVAL

Yosief Michael Kidane faces forced removal from the United Kingdom (UK) to Eritrea, where he would be at risk of arrest, incommunicado detention and torture or other ill-treatment, for his political activity and for seeking asylum in the UK.

Yosief Michael Kidane, aged 60, arrived in the UK in 2002 and applied for asylum in November 2006. UK authorities rejected his application, and his appeal was dismissed in February 2009. His lawyers subsequently made new claims for international protection and applied for judicial review of the decision to remove him from the UK. These applications have not been successful, despite expert opinions warning that he would be at risk of serious human rights violations if he were forcibly returned to Eritrea.

Yosief Michael Kidane is a member of a prominent Eritrean opposition political party and has participated in political activities in the UK, including attending demonstrations opposing actions by the Eritrean government. He is at serious risk of arrest on arrival, incommunicado detention, torture and other ill-treatment, for his political activism and for the act of claiming asylum abroad, which Eritrean authorities regard as a betrayal.

The UK authorities attempted to remove him from the UK on 4 May 2010, but were unable to do so. A further attempt to remove him could take place as early as 7 May (within 72 hours of the previous attempt). On the morning of 6 May, he was being held at Colnbrook Immigration Removal Centre, pending his removal from the UK. Amnesty International has seen medical reports expressing concern that he may be unfit to fly, due to two deep vein thromboses.

The April 2009 guidelines of the Office of the UN High Commissioner for Refugees (UNHCR) call on all governments to "refrain from all forced returns of rejected asylum-seekers to Eritrea and grant them complementary forms of protection instead". However, the UK authorities maintain that Yosief Michael Kidane is not at risk.

PLEASE WRITE IMMEDIATELY in English or your own language:

- urging UK authorities not to forcibly return Yosief Michael Kidane to Eritrea, where he would be at serious risk of incommunicado detention, torture or other ill-treatment;
- calling on UK authorities to fulfil their obligations under international law, including the 1951 Convention Relating to the Status of Refugees, the Convention against Torture and the European Convention on Human Rights, prohibiting them from returning anyone to a country where they would be at risk of torture and other serious human rights violations;
- urging UK authorities to provide Yosief Michael Kidane with an effective opportunity to submit a fresh claim for international protection in the UK, and to consider appropriate alternatives to detention, pending further review of such a claim
- urging UK authorities to follow the guidelines issued by the Office of the UN High Commissioner for Refugees and not to return any rejected asylum-seekers to Eritrea where they are at risk of serious human rights violations.

PLEASE SEND APPEALS BEFORE 17 JUNE 2010 TO:

Secretary of State for the Home
Department
Home Office, 2 Marsham Street
London SW1P 4DF, United Kingdom
Fax: +44 20 7035 0900
Email: privateoffice.external@homeoffice.gsi.gov.uk
Salutation: Dear Home Secretary

Minister of State
(Borders and Immigration)
Home Office, 2 Marsham Street
London SW1P 4DF, United Kingdom
Fax: +44 870 336 9034
Email: privateoffice.external@homeoffice.gsi.gov.uk
Salutation: Dear Minister

Please do not name the targeted officials, as the postholders may change depending on the result of the UK general election on 6 May.

Also send copies to diplomatic representatives accredited to your country. Check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



URGENT ACTION

REFUSED ASYLUM-SEEKER FACES FORCED REMOVAL

ADDITIONAL INFORMATION

The United Kingdom's obligations under domestic and international law, including the 1951 Convention Relating to the Status of Refugees, the Convention against Torture and the European Convention on Human Rights, prohibit it from returning anyone to a country where they would be at risk of torture and other serious human rights violations.

The Office of the UN High Commissioner for Refugees (UNHCR) issued guidelines to all governments in April 2009, which are still in force, opposing the return of rejected Eritrean asylum-seekers on the grounds of the Eritrean authorities' record of serious human rights violations, stating that those forcibly returned faced "arrest without charge, detention, ill-treatment, torture or sometimes death at the hands of the authorities".

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. Eritrean authorities regard the act of applying for asylum abroad as evidence of treason, and a reason to detain anyone forcibly returned to Eritrea. According to accounts given by escaped detainees, Eritrean security officials are particularly interested in what refused asylum-seekers have said about Eritrea during their asylum application process. Under torture, or threat of torture, returned asylum-seekers have been forced to state that they have committed treason by falsely claiming persecution in their asylum applications.

Egypt, Sudan, Germany, Sweden and the UK have forcibly returned Eritrean refugees and asylum-seekers from November 2007 onwards. These expulsions disregarded the fate of earlier refugees who had been arbitrarily detained and tortured, and ignored the UNHCR guidelines advising against any forced returns to Eritrea.

UA: 108/10 Index: EUR 45/004/2010 Issue Date: 6 May 2010

