

URGENT ACTION

ERITREANS FACE FORCIBLE RETURN FROM EGYPT

Thirty-four Eritrean men and five Eritrean women currently held in Egypt are at imminent risk of forcible return to Eritrea where they would face a real risk of torture and arbitrary detention.

On 18 October 34 Eritrean men and five women were told they would be deported. Last week, 83 Eritrean nationals, including three women, were forcibly deported from Egypt to Eritrea. Amnesty International believes that they had not had the opportunity to challenge their removal before a court or to apply for asylum.

Three Eritrean women were deported on 13 and 14 October. The first woman was deported after she had been held in a women's prison without charge or trial for almost one year. She had been denied access to UN Refugee Agency (UNHCR) and prevented from applying for asylum. Before her detention, her employer reportedly prevented her from leaving the workplace and she was subjected to mistreatment and abuse. The other two women are believed to have been deported after being held in Aswan. One of them is believed to have fled Eritrea to avoid years of forced conscription in the army. According to the Egyptian Al-Ahram newspaper, the other 80 Eritreans had been arrested several weeks previously on their way to Sinai in order to cross into Israel. In the same week, other asylum-seekers who were held in Aswan were also prepared for deportation but then returned to prison.

Refugees and asylum-seekers returned to Eritrea have been detained incommunicado and tortured upon return.

PLEASE WRITE IMMEDIATELY in English, Arabic or your own language:

- Urging the Egyptian authorities not to forcibly return refugees and asylum-seekers to Eritrea;
- Calling on the Egyptian authorities to immediately stop all forcible returns of refugees and asylum-seekers to countries where they would face a real risk of persecution, including as a result of torture and other serious human rights violations;
- Urging them to respect Egypt's international obligations under the 1951 Convention Relating to the Status of Refugees and the UN Convention Against Torture not to forcibly return refugees and asylum-seekers to countries where they would be at risk of torture and other serious human rights violations;
- Asking them to ensure that all asylum-seekers are given immediate access to UNHCR in Egypt to assess their asylum claims and that any refugee and asylum-seeker in detention is given prompt access to a procedure by which they can challenge the lawfulness of their detention, and their removal for those at risk of being forcibly returned.
- Urging the Egyptian authorities not to detain refugees and asylum-seekers purely because of their immigration status;

PLEASE SEND APPEALS BEFORE 29 NOVEMBER 2011 TO:

Minister of Interior

His Excellency Mansour Abdel Kerim
Moustafa Essawy,
Ministry of Interior
25 El Sheikh Rihan Street
Bab al-Louk, Cairo, Egypt.
Fax: +20 22 796 0682
Email: moi@idsc.gov.eg
Salutation: Dear Minister

Prosecutor General

Abd El-Megeed Mahmoud
Dar al-Qadha al-'Ali,
Ramses Street, Cairo, Egypt
Fax: +20 22 577 4716
Salutation: Dear Counsellor

And copies to:

Deputy Assistant Minister of Foreign
Affairs for Human Rights
Laila Bahaa Eldin
Human Rights and International
Humanitarian and Social Affairs
Ministry of Foreign Affairs
Corniche al-Nil, Cairo, Egypt
Fax: +20 22 574 9713

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Egypt is party to both the UN Convention Relating to the Status of Refugees and the 1969 Convention Governing the Specific Aspects of Refugee Problems in Africa; both require Egypt to provide international protection to refugees, and, in particular, to refrain from acts of *refoulement*. According to a 1954 Memorandum of Understanding between Egypt and UNHCR, the Egyptian authorities are obliged to grant asylum-seekers access to the UNHCR and to respect UNHCR's assessments of their refugee status.

Given Eritrea's record of serious human rights violations, the UNHCR has issued guidelines over the years opposing almost in all cases the forcible returns of Eritrean asylum-seekers to the country, including of those whose international protection claims have been dismissed. These guidelines are still in force.

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, practicing their religious beliefs as members of banned evangelical or other churches, evading military conscription or trying to flee the country. The act of seeking asylum itself is considered as an act of treason by the Eritrean authorities, rendering all returned asylum seekers at risk of detention on this basis. Appalling detention conditions in Eritrea in themselves amount to cruel, inhuman or degrading treatment.

National service is compulsory for all men and women between the ages of 18 and 40 in Eritrea, with additional mandatory reserve duties up to age 50. There is no limit on length of service. Initially 18 months long, it generally includes six months' military service followed by 12 months' deployment in military or government service. However, this is frequently extended indefinitely. National service often involves forced or involuntary labour in state projects. Conscripts perform construction labour on government projects such as road building, work in the civil service or work for companies owned and operated by the military or ruling party elites. Conscripts are paid minimal salaries that do not meet the basic needs of their families. Much of the adult population of Eritrea is currently engaged in mandatory national service. There is no exemption from military service for conscientious objectors, and no alternative non-military service. The usual punishment for evading military service is detention and torture. This can include beatings and being tied in painful positions whilst suspended from trees and other objects. Detention conditions in Eritrea are appalling and frequently amount to cruel, inhuman or degrading treatment of detainees.

In recent years, Eritrean and other asylum-seekers have reached Egypt either via its southern border with Sudan or by sea, south of the city of Hurgada. Others are recognized as refugees by UNHCR in Sudan, and are fleeing Sudan to avoid being forcibly returned to Eritrea by Sudan.

Name: n/a

Gender m/f: both