

PUBLIC

AI Index: AFR 64/001/2005

07 January 2005

UA 03/05 Forcible return / Fear of torture or ill-treatment / Detention without charge or trial

ERITREA Mahmoud Ahmed Chehem (m), aged 21, army soldier
Estifanos Solomon (m), army driver
Two male army officers (names not known)

Mahmoud Ahmed Chehem, Estifanos Solomon and two army officers were reportedly forcibly returned from Djibouti to Eritrea on 28 December 2004. They are being detained without charge at an unknown location and are at risk of torture or ill-treatment.

Mahmoud Ahmed Chehem is a member of the Afar ethnic group which inhabits areas in both Djibouti and Eritrea. He was born in Djibouti, although his family live in Eritrea. On 26 December he and the three other men drove from the southwest Eritrean town of Assab to Obock town in Djibouti, where they were detained by the Djiboutian army. Mahmoud Ahmed Chehem was refused permission to stay in Djibouti, despite being a Djiboutian citizen.

The three other men reportedly requested asylum in Djibouti but were summarily handed over to Eritrean military officers on 28 December, who forcibly returned them to Eritrea the same day. The three were denied the right to have their asylum application properly determined or to contact the UN High Commission for Refugees (UNHCR) office in Djibouti.

Mahmoud Ahmed Chehem was unlawfully conscripted into the Eritrean army as a child soldier in 1997 when he was 14 years old. He had unsuccessfully applied recently to be demobilized on medical grounds after receiving eye injuries and shrapnel wounds during the 1998-2000 war with Ethiopia. His health is poor and he may require medical treatment for these injuries.

Other Eritrean asylum seekers, including many attempting to avoid or escape conscription, have previously been forcibly returned from Malta, Libya and elsewhere in recent years. Several hundred are still detained incommunicado without charge or trial (see UA 232/04, MDE 19/012/2004, 28 July 2004 and follow-up).

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

- expressing concern for the safety of four members of the armed forces - Mahmoud Ahmed Chehem, Estifanos Solomon and two officers – who were detained after being forcibly returned to Eritrea on 28 December from Djibouti;
- calling for assurances that they will not be tortured or ill-treated;
- urging the authorities to reveal their whereabouts and clarify their legal status immediately, and calling for them to be charged with a recognisably criminal offence or released;
- expressing concern that the three men who had applied for asylum in Djibouti were denied access to procedures to determine their refugee status;
- noting Mahmoud Ahmed Chehem's ill-health and calling for him to be given access to medical treatment;
- calling for all four men to be given access to their lawyers, families and any medical attention they may need.

APPEALS TO:

His Excellency Issayas Afewerki
President of the State of Eritrea
Office of the President
P O Box 257
Asmara, Eritrea

Fax: + 2911 126422
Salutation: Your Excellency

General Sebhat Ephrem
Minister of Defence
Ministry of Defence
PO Box 629
Asmara, Eritrea

Fax: +2911 124920
Salutation: Dear Minister

COPIES TO:

Ms Fawzia Hashim
Minister of Justice
Ministry of Justice
P O Box 241
Asmara, Eritrea

Fax: + 2911 126995 (please keep trying)
Salutation: Dear Minister

and to diplomatic representatives of Eritrea accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 17 February 2005.