

URGENT ACTION

ERITREANS IN EGYPT AT RISK OF FORCIBLE RETURN

A group of 118 male asylum-seekers face imminent forcible return from Egypt to Eritrea, where they would be at grave risk of torture and arbitrary detention.

After being arrested and detained in and around the city of Aswan, southern Egypt, 118 male Eritrean asylum-seekers have been recently transferred to a compound in Shallal, a town south of the city. Security forces have reportedly beaten some detainees, including on the legs and head, to force them to fill in papers provided by Eritrean diplomatic representatives to arrange their deportation. The reported involvement of Eritrean government representatives in documenting the detainees increases the likelihood that the group will be at risk if returned.

Amnesty International considers that there is a significant risk that if the group is forcibly returned to Eritrea they will be tortured or otherwise ill-treated and detained without charge or trial in appalling conditions. Eritrean nationals forcibly returned to Eritrea have been detained incommunicado and tortured upon return, particularly those who had fled the country to avoid conscription. Large numbers of those detained in Shallal are reported to be young adults of national service age, many of whom fled Eritrea to escape military service.

As in previous cases documented by Amnesty International in recent years, despite requesting it, none of the Eritrean asylum-seekers has been allowed access to representatives from the UN High Commissioner for Refugees (UNHCR) in Cairo. Amnesty International is concerned at increased reports of forcible returns of Eritrean nationals in recent weeks, as well as reports that further groups of Eritreans in detention are at risk of forcible removal to Eritrea.

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

- √ Urging the Egyptian authorities not to forcibly return the group of asylum-seekers currently detained in Shallal;
- √ Calling on the Egyptian authorities to respect Egypt's international obligations under the 1951 Convention Relating to the Status of Refugees and the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and immediately stop all forcible returns of refugees and asylum-seekers;
- √ Urging the Egyptian authorities to ensure that all those who want to claim asylum are given immediate access to UNHCR in Egypt to assess their asylum claims;
- √ Urging the Egyptian authorities not to give access to asylum-seekers to representatives of the government of their country of origin, pending the determination of their international protection claims;
- √ Urging the Egyptian authorities to ensure 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 in the case of those at risk of being forcibly returned.

PLEASE SEND APPEALS BEFORE 14 DECEMBER 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

Also send copies to diplomatic representatives accredited to your country.

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

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

**AMNESTY
INTERNATIONAL**



URGENT ACTION

ERITREANS IN EGYPT AT RISK OF FORCIBLE RETURN

ADDITIONAL INFORMATION

Egypt is party to both the 1951 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 egregious human rights violations, UNHCR has issued guidelines over the years opposing – almost in all cases – the forcible return of any Eritrean 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, practising 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, opening all returned asylum-seekers to the risk of arbitrary arrest and detention on this basis alone.

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 while 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: m