

URGENT ACTION



UANetwork Office AIUSA 600 Pennsylvania Ave SE, Washington DC 20003 T. 202.544.0200 F. 202.675.8566 E. uan@aiusa.org amnestyusa.org/urgent/

Note: Please write on behalf of these persons even though you may not have received the original UA when issued on December 18, 2008. Thanks!

26 January 2009

Further Information on UA 348/08 (18 December 2008) – Forcible return/ Torture and other forms of ill-treatment

EGYPT

Dozens of Eritrean asylum-seekers

At least 36 people who had been held in a detention facility in Nakhel, northern Sinai, were among some 100 Eritrean asylum-seekers forcibly returned from Egypt between 23 December 2008 and 18 January 2009. Their fate is not known, but a large number of asylum-seekers forcibly returned to Eritrea in June 2008 are still in custody, where they are at risk of torture and other ill-treatment. Dozens of others still held in the Nakhel detention center are at risk of deportation to Eritrea.

On 23 December 2008, a group of 15 men and five women, including one pregnant woman, detained in Nakhel detention facility, were removed by force from their cells by the Egyptian security forces. They were reportedly beaten as they resisted their removal. They were then driven on the same day to Cairo Airport and put on board an EgyptAir flight to Asmara, Eritrea.

Reports indicate that a number of the Eritrean asylum-seekers detained in Nakhel had been returned from Israel in the last five months. They had crossed from Egypt into Israel and were summarily deported back to Egypt by the Israeli army without being given the chance to have their asylum claims considered, as is their right under international law. Others who attempted to cross from Egypt to Israel were stopped and detained by Egyptian security forces.



On 11 January 2009, another group of 32 Eritrean asylum-seekers were forcibly returned to Eritrea. A further 10 asylum seekers were returned a week later, on 18 January. Both groups were put on board EgyptAir flights departing from Cairo Airport. None of those deported was allowed access to representatives from the office of the UN High Commissioner for Refugees (UNHCR) in Cairo, in order to have their claims to asylum assessed nor were they granted the right to challenge their expulsion and its lawfulness before a competent authority.

The UNHCR has issued guidelines to all governments opposing the return to Eritrea of rejected Eritrean asylum-seekers on the grounds of the country's record of serious human rights violations. These guidelines are still in force.

Detainees are routinely subject to torture and other ill-treatment in Eritrea, including beatings and being tied in painful positions. They are commonly held incommunicado for long periods of time, often in damp, over-crowded and unhygienic conditions, with almost no access to medical care.

Thousands of people are secretly detained in Eritrea without charge or trial. They have been arrested for practicing their religious beliefs, being suspected of opposition to the government, evading military conscription or deserting military service.

Amnesty International's mission is to undertake research and action focused on preventing and ending grave abuses of the rights to physical and mental integrity, freedom of conscience and expression, and freedom from discrimination, within the context of its work to promote all human rights.

BACKGROUND INFORMATION

In June 2008, up to 1,200 Eritrean asylum-seekers were forcibly returned by Egypt to Eritrea on specially chartered EgyptAir flights (see UA 165/08, 12 June 2008, and follow-ups). This was in disregard of the international law principle of *non-refoulement*, whereby states should refrain from deporting anyone to another state where the person is at risk of torture and other ill-treatment, or other serious human rights violations. While some of the returned asylum-seekers were released after weeks in detention, including pregnant women and women with children, the majority were transferred to the remote Wia prison and other military facilities, where they are still being held.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible:

- calling on the Egyptian authorities to immediately stop all forcible returns of asylum-seekers to Eritrea;
- urging them 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 Punishments not to forcibly return asylum-seekers to Eritrea where they would be at risk of torture and other serious human rights violations;
- asking them to ensure that all Eritrean asylum-seekers are given immediate access to the Office of the UN High Commissioner for Refugees in Egypt to assess their asylum claims;
- calling on the authorities to investigate allegations of torture or other ill treatment against Eritrean asylum-seekers detained in Egypt and ensure that those responsible are brought to justice in a fair trial;
- urging the Egyptian authorities to disclose the names of all Eritrean asylum-seekers forcibly returned.

APPEALS TO:

Minister of Interior

Minister Habib Ibrahim El Adly
Ministry of the Interior
25 Al-Sheikh Rihan Street
Bab al-Louk, Cairo, EGYPT

Fax: 011 20 22 796 0682

Email: center@iscmi.gov.eg OR
moi@idsc.gov.eg

Salutation: Dear Minister

COPIES TO:

National Council for Human Rights

Ambassador Mokhless Kotb
Secretary General
National Council for Human Rights
1113 Corniche El Nil
Midane Al Tahrir

Specialized National Councils Building – 11th floor
NDP Building, Cairo, EGYPT

Fax: 011 2022 574 7497

Email: nchr@nchr.org.eg

EgyptAir Holding Company Headquarters

Captain Tawfik Assy,
Chairman & CEO of EgyptAir Holding Company
EgyptAir Administrative Complex

Fax: 011 202 24183715 OR

011 202 26964229

Email: callcenter@egyptair.com

Salutation: Dear Captain

Egypt Air offices in your country

Website:

<http://www.egyptair.com/English/ContactUs/WorldWideOffices/>

Ambassador M. Nabil Fahmy
Embassy of the Arab Republic of Egypt
3521 International Ct NW
Washington DC 20008-2023

Fax: 1 202 244 4319

Email: Embassy@egyptembassy.net

PLEASE SEND APPEALS IMMEDIATELY.

Check with the AIUSA Urgent Action office if sending appeals after 9 March 2009.