

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	156
Land:	Eritrea
Kilde:	Amnesty International
Titel:	Eritrea: Sent Home To Detention And Torture
Udgivet:	Maj 2009
Optaget på baggrundsmaterialet:	15. april 2013

ERITREA: SENT HOME TO DETENTION AND TORTURE

AMNESTY
INTERNATIONAL



Amnesty International Publications

**First published in 2009 by
Amnesty International Publications
International Secretariat
Peter Benenson House
1 Easton Street
London WC1X 0DW
United Kingdom
www.amnesty.org**

© Copyright Amnesty International Publications 2008

**Index: AFR 64/002/2009
Original Language: English
Printed by Amnesty International, International Secretariat, United Kingdom**

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording or otherwise without the prior permission of the publishers.

Amnesty International is a global movement of 2.2 million people in more than 150 countries and territories, who campaign on human rights. Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights instruments. We research, campaign, advocate and mobilize to end abuses of human rights. Amnesty International is independent of any government, political ideology, economic interest or religion. Our work is largely financed by contributions from our membership and donations

**AMNESTY
INTERNATIONAL**



CONTENTS

- 1. Introduction 4
- 2. Forcible returns 6
- 3. Treatment of returnees 8
- 4. Groups at particular risk.....10
 - a. Draft evaders..... 11
 - b. Members of religious groups..... 11
- 5. Host state legal obligations13
- 6. Legal obligations of the Government of Eritrea15
- 7. Conclusion.....16
- 8. Recommendations..... 17

1. INTRODUCTION

“We were asked why we had left Eritrea, why we had spoken against the government, and we were beaten with leather and rubber whips if we denied their accusations.”

– A returned Eritrean asylum seeker.¹

Foreign governments are failing to uphold their obligations under international human rights and refugee law by forcibly returning failed or non-assessed Eritrean asylum seekers to Eritrea. Individuals returned to Eritrea against their will are routinely subjected to human rights violations, including *incommunicado* detention, torture and other forms of ill-treatment. Individuals belonging to unregistered religious groups, and those who have evaded military conscription or deserted mandatory military service, are particularly at risk.

Since June 2008, over 1,200 people have been forcibly returned to Eritrea after attempting to claim asylum in countries across North Africa and Europe. In many cases, the Office of the United Nations High Commissioner for Refugees (UNHCR) was denied access to assess the asylum claims of Eritreans. Nearly all were detained immediately upon their arrival in Eritrea, and the vast majority of these individuals remain in *incommunicado* detention in locations across Eritrea.

All forcibly returned Eritreans are at risk of torture and other forms of ill-treatment during interrogation. According to accounts given by escaped detainees, Eritrean security officials are particularly interested in what failed asylum seekers have said about Eritrea during their asylum application process. Under torture, or threat of torture, returnees have been forced to state that they have committed treason by falsely claiming persecution in asylum applications. Leaving the country is itself considered by the authorities as an act of treason. Conditions of detention fall well below international standards and are generally overcrowded, damp and unhygienic.

Governments who return individuals, despite evidence that those returned are at increased risk of human rights violations, violate the fundamental principle of *non-refoulement*, enshrined in major international human rights treaties, including the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and the Convention Relating to the Status

of Refugees. Governments returning Eritrean individuals also disregard guidelines issued by the UNHCR calling on host governments to refrain from forcibly returning failed or non-assessed asylum seekers to Eritrea, because of Eritrea's poor human rights record.

Amnesty International has made numerous urgent appeals to host governments to halt forced returns of failed or non-assessed asylum seekers to Eritrea. In this document, Amnesty International reiterates its appeal to all governments hosting Eritrean asylum seekers to refrain from any further forced returns to Eritrea.

2. FORCIBLE RETURNS

- Eritrean asylum-seekers remain in detention in Egypt and in Libya, facing *refoulement* at any time. At least 700 Eritrean asylum seekers are believed to be held in Libya alone and dozens more in prisons across Egypt. In Egypt, representatives from the Eritrean embassy have visited detainees in prison, forcing them to fill out forms, believed to be repatriation documents. When they have refused, many have been beaten by the guards.
- Egyptian authorities began forcibly returning Eritrean asylum seekers *en masse* to Eritrea in mid-2008, despite warnings from Amnesty International and others that they were at grave risk of immediate detention, torture and other ill-treatment.² By late June 2008, up to 1,200 asylum-seekers were returned to Eritrea and detained on arrival. Although pregnant women and women with young children were released after several weeks in detention, the vast majority of these returned asylum seekers were reportedly transferred to Wia prison, a remote desert facility, and other detention facilities.
- In late December 2008 and January 2009, Egyptian authorities returned Eritrean asylum seekers to Eritrea. On 23 December 2008, a group of fifteen men and five women, including one pregnant woman, detained in Nakhli detention facility, were removed by force from their cells by Egyptian security forces. They were reportedly beaten as they resisted removal. They were driven to Cairo airport and forced on board an EgyptAir flight to Asmara. On 11 January 2009, another group of 32 asylum-seekers were forcibly returned and a further ten were returned on 18 January. None of those deported had been allowed access to representatives from the office of the UN High Commissioner for Refugees (UNHCR) 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 judicial authority.
- German authorities forcibly returned two failed asylum-seekers to Eritrea in May 2008. Yonas Haile Mehari and Petros Aforki Mulugeta arrived, separately, in Frankfurt in November 2007. Both were arrested on arrival by German immigration officials. Their asylum claims were rejected. One of the reasons given for the rejection of Yonas Haile Mehari's application was the fact that he still held a passport which the Eritrean consulate accepted as genuine. However, he claimed the passport was forged and that he could not safely return. At the beginning of July 2008, both men were transferred to Adi Abeto prison. On 30 July Petros Mulugeta was transferred to Wia. Yonas Mehari, classified as a military deserter by Eritrean authorities, was transferred to an unknown military unit. At the time of writing, they remain in *incommunicado* detention.
- Jamil Mohammad Burhan was forcibly returned to Eritrea from Sweden on 15 April 2008. Jamil was born in Saudi Arabia, where his family still live. He arrived in Sweden in August 2002 and sought asylum. His asylum claim was rejected and he was forcibly returned to Eritrea despite the fact that he had never actually been to Eritrea.

- On 21 October 2007, the United Kingdom (UK) forcibly returned Miskir Semerab Goitom to Eritrea. She had arrived in the UK via Sudan on 24 January 2007 and claimed asylum, which was refused.
- The Libyan authorities deported 110 Eritrean asylum seekers to Eritrea in July 2004. They were immediately detained and held in an unknown location. On 27 August 2004, the Government of Libya attempted to return at least 76 Eritrean asylum seekers, including 22 women and six children. En route to Eritrea, several Eritreans hijacked the plane, forcing it to land in Khartoum, Sudan, where they immediately applied for asylum.³ The hijackers were arrested and charged. Shortly after their arrival, sixty of the passengers were granted refugee status in Sudan. A Sudanese court sentenced another 15 Eritreans on the flight to five years in jail, followed by deportation, after finding them guilty of hijacking.
- Djibouti forcibly returned three Eritreans and a Djiboutian citizen to Eritrea in December 2004. The four had travelled to Obock town in Djibouti, where they were detained by the Djibouti army. Mahmoud Ahmed Chehem was born in Djibouti, though his family lived in Eritrea. He was refused permission to stay in Djibouti, despite being a Djiboutian citizen. The other three men reportedly requested asylum but were summarily handed over to Eritrean military officers and were forcibly returned to Eritrea. The three were denied access to UNHCR to have their asylum claims assessed.⁴
- Malta forcibly returned 230 Eritrean nationals to Eritrea in 2002. They were detained on arrival in Asmara at the Adi Abeto detention centre, accused of betraying their country, and tortured as punishment. With the exception of children, some women, and those over the age of 40, those returned from Malta are believed to remain in *incommunicado* detention. About 30 of them were able to escape and they fled to Sudan in 2003. Amnesty International was able to collect their testimonies about detention conditions and torture. One escaped detainee said: "There were interrogation rooms and we were being called one at a time, with two guards, one asking the questions, the other doing the beating." The Government of Malta stated that they had not received "any evidence that any ill-treatment was afforded to the Eritreans repatriated from Malta." However, by February 2004 they had released all remaining Eritreans to non-custodial hostels to wait for resettlement. In December 2008, Malta and Eritrea agreed to "establish diplomatic relations" with a view to increasing co-operation between the two countries. This has raised concerns that Malta might again consider forcibly returning failed or non-assessed Eritrean asylum seekers.

3. TREATMENT OF RETURNEES

Several thousand prisoners of conscience and political prisoners are currently held in *incommunicado* detention in Eritrea today. Those in detention include members of unregistered as well as registered religious groups, draft evaders and deserters, journalists and politicians, as well as their family members. Most have never been charged with a crime or brought to trial. The specific details and whereabouts of these prisoners is almost always unknown, although many are presumed to be held in large detention facilities, including Wia and Adi Abeto prisons, and smaller military training camps and security prisons. The secrecy with which these prisoners are detained makes them particularly vulnerable to torture, ill-treatment or unlawful killing.

The Government of Eritrea has admitted virtually nothing about prisoners of conscience and political prisoners currently held in Eritrea, including information on their locations, the conditions of their detention and their health. Prisoners' whereabouts are rarely disclosed even to family members. However, occasionally information is leaked through friendly guards, by bribery or due to hospital admissions. There are no avenues for legally challenging this system of arbitrary detention.

In those locations Amnesty International has been able to remotely research, prison conditions and treatment of prisoners are extremely poor. Cells and other confinement spaces are generally overcrowded, damp and unhygienic. Many prisoners are held underground, and denied access to daylight. Conditions are often extremely hot during the day and extremely cold at night, especially in Wia and Gelalo prisons which are located at high altitudes in the middle of the desert.

Prisoners are often underfed and receive unclean drinking water. There are high levels of illness in detention and medical treatment is virtually non-existent. Although Amnesty International has received reports of prisoners eventually being admitted to hospital, it has also received reports of prisoners dying, often due to malaria or other treatable diseases, while in detention.

Torture and other forms of ill-treatment are used by detention authorities for a number of purposes, including during interrogation, and often as a deterrent to speaking out against the government. Torture is also used as a punishment for attempted escape, failure to perform duties (even as a result of infirmity or illness), escape of another prisoner, or as a means of humiliation. Prisoners have frequently been left exposed to the sun for extended periods of time, or locked in metal shipping containers, which magnify extreme temperatures. A common method of punishment has been tying detainees with ropes in painful positions known as the "helicopter" and the "eight" and leaving them for hours. Prisoners have often been subjected to prolonged periods of beating with whips and kicking.

According to accounts given by escaped detainees, Eritrean security officials are particularly interested in what failed asylum seekers have said about Eritrea during their asylum application process. All statements about persecution in Eritrea are viewed as acts of treason against the Eritrean state. Under torture, or threat of torture, returnees have been forced to "confess" that they have committed treason by falsely claiming persecution in asylum applications. Eritrean authorities

have based interrogation, detention and torture of returnees on the assumption that information about previous and ongoing human rights violations has been disclosed during the course of asylum application, while considering the very act of having left the country treason.

As one returned asylum seeker explained, "I tried to hide that I had claimed asylum, but I was handcuffed.... They asked questions there in a room where they held me.... 'What did you tell them when you claimed asylum? You are talking about Eritrea too much.'" Another, returned from Malta in 2002, said "We were asked why we had left Eritrea, why we had spoken against the government, and we were beaten with leather and rubber whips if we denied their accusations."

The Government of Eritrea has used repressive means to prevent information about human rights violations committed in Eritrea from being reported, including intimidation and detention of family members of those who have left the country. Even successful Eritrean asylum-seekers are often afraid to speak out against the government as a result. Family members of detainees have told Amnesty International that no form of international communication is safe from government monitoring and subsequent reprisal, which adds to difficulties in monitoring individual detainees, especially those who are held in *incommunicado* detention.

The Government of Eritrea functions almost entirely outside the rule of law. There is no opportunity for returned asylum seekers or other detainees to be brought before an independent judiciary for fair trial, no burden on the state to protect those in detention from ill-treatment, and no means of appeal.

Organizations who might otherwise monitor human rights and press for remedies for human rights violations cannot function inside Eritrea on account of the government's comprehensive denial of the right to freedom of expression. The few international humanitarian organizations that still operate in Eritrea are forced to remain silent about human rights violations in order to continue to deliver humanitarian and development aid.

4. GROUPS AT PARTICULAR RISK

All individuals who are forcibly returned to Eritrea are at risk of arbitrary detention, torture and ill-treatment. Nevertheless, there are individuals within particular categories who, if returned, would be at great risk of arbitrary detention, torture and other ill-treatment. These are:

- Members, supporters and suspected supporters of any faction of the Eritrean Liberation Front (ELF) or other groups in the exile opposition armed Eritrean National Alliance (ENA);
- Members and supporters of other political opposition groups such as the Eritrean Democratic Party (EDP) or the "democratic reform" movement in general;
- Journalists who have criticized the government;
- National service conscripts and members evading or deserting the armed forces or mandatory labour;
- People evading or refusing conscription on account of their opinions or beliefs;
- Members of banned minority Christian churches, especially evangelical faith groups and Jehovah's Witnesses;
- Members of registered religious groups who have criticized the government;
- Muslims suspected of links with Islamist or historically Islamic-based opposition groups, even without substantive evidence of such involvement;
- People who have previously been imprisoned for political reasons or who ignored threats to desist from criticizing the government;
- Anyone accused of disloyalty to the government, when even the act of applying for asylum abroad is regarded as evidence of treason and reason to detain and torture anyone forcibly returned to Eritrea; and
- Family members of any individuals belonging to the above mentioned categories, particularly where the individuals have fled Eritrea or where family members have expressed concerns about their detention or disappearance.

People who have evaded military conscription and members of religious groups represent the largest groups of detainees in Eritrea.

A. DRAFT EVADERS

Many of those who have fled Eritrea have done so to evade mandatory conscription or have deserted from national service.

National service in Eritrea is mandatory for men aged 18 to 40 and women aged 18 to at least 27. Initially 18 months long, it has generally included six months' military service and frequent forced labour. It can be extended indefinitely, and is followed by additional reserve duties. Much of the adult population of Eritrea is currently engaged in mandatory national service. There is no exemption from military service for conscientious objectors. In 2008, some young people aged 17 were required to register for national service for the following year and were refused exit permits so that they could not leave the country.

Amnesty International holds that every person has the right to refuse to perform military service on the grounds of conscience or personal conviction, without suffering any legal or physical penalty. Conscientious objectors should be allowed the right to claim conscientious objector status at any time, and their right to perform alternative civilian services can not be derogated from.

A large number of Eritreans have tried to avoid conscription by hiding or fleeing the country. There is also a high rate of desertion from national service, despite great risk of capture and subsequent severe punishment. The usual punishment for evading or deserting military service is imprisonment, usually for a time at least equal to the period of absence, though this can be and often is arbitrarily extended. When caught, draft evaders and deserters have been subject to brutal beatings and tied in contorted positions.

The families of draft evaders and deserters are also often punished. The Eritrean government has arrested numerous relatives of those who have deserted or avoided conscription. Some have also been forced to serve in the military in place of their relatives, if they were unable to pay substantial fines.

B. MEMBERS OF RELIGIOUS GROUPS

In 2002 the Government of Eritrea withdrew the registration of minority religious groups, permitting worship only in the Orthodox, Catholic, Lutheran and Islamic faiths. Since then, some 3000 members of unregistered religious groups, including Pentecostal, Charismatic and Evangelical Christian denominations, as well as members of registered religions who have expressed criticism of the government, have been held in *incommunicado* detention. Many of those detained are Jehovah's Witnesses, who have been exposed to especially harsh treatment at the hands of the state. Jehovah's Witnesses were stripped of basic citizenship rights in 1994 after they refused to bear arms or otherwise perform military service. In January 2009, dozens more Christians were reportedly detained including 27 Christians who were reportedly detained on 25 January.

Amnesty International has received multiple reports of deaths of religious prisoners in detention from harsh treatment and from lack of medical care for treatable diseases such as malaria. In October 2008, Teklesenbet Gebreab Kiflom, was reported to have died while incarcerated in Wia, after prison commanders refused to provide medical treatment for malaria. Two further Christian

detainees, Mogos Hagos Kiflom and Mehari Gebreneguse Asegedom, reportedly died in custody in January 2009.

Other deaths in detention have been reported.

According to one report, Colonel Tesfaledet Seyoum, the brother of one of the G15,⁵ Brigadier General Estifanos Seyoum was detained incommunicado since 2001 for expressing political views in opposition to the government. He was hospitalised for a few days in the Air Force hospital in Asmara. It was reported that half of his body was paralysed. He died on 26 December 2008 and buried in an undisclosed location.

The same report stated that Senait Debesay, a prisoner of conscience and former member of the executive committee of the National Union of Eritrean Women, died between December 2008 and January 2009. Senait was arrested on 15 November 2003, allegedly through the influence of her husband, the former Eritrean ambassador to Kenya, with whom she was engaged in divorce proceedings. The arrest may also have been connected with the re-arrest of her brother, Ermias Debessai - apparently for political reasons. Ermias was a former EPLF representative in the United Kingdom during the liberation struggle, and later on, Eritrea's ambassador to China.

5. HOST STATE LEGAL OBLIGATIONS

Amnesty International strongly urges an end to all forced returns to Eritrea, in line with UNHCR guidelines and the international and regional legal obligations of all states hosting Eritrean asylum seekers.

UNHCR issued guidelines in 2004 and renewed them in 2009, calling for the “careful assessment” of all Eritrean asylum claims, owing to the severely deteriorating human rights situation in the country, and recommending that states refrain from all forced returns of rejected asylum seekers to Eritrea based on an assessment of the human rights situation and treatment of past returnees. These guidelines remain in force. Yet they have repeatedly been ignored by a number of governments, which have returned rejected Eritrean asylum seekers in spite of their international obligations.

States which are party to the UN Convention Against Torture, the Convention relating to the Status of Refugees, the International Covenant on Civil and Political Rights and the European Convention on Human Rights, are bound by the principle of *non-refoulement*. That is, states are legally obligated to refrain from returning refugees to countries where they are at risk of torture or other ill-treatment, or their freedom would be at risk due to their race, religion, nationality, group membership, or political opinion. The Convention Against Torture explicitly states that “No State Party shall expel, return (*refouler*) or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subject to torture” (Article 3 (1)).

Those states that have forcibly returned individuals to Eritrea against their will, despite Eritrea’s precedent of *incommunicado* detention and torture and other ill-treatment, act in violation of this principle, and as such are explicitly in breach of their international legal obligations.

Under the 1969 Organisation of African Unity (AU) Convention on the Specific Aspects of Refugee Problems in Africa, which Libya, Egypt and Sudan have ratified, States Parties have certain obligations towards refugees. Article 2 states that, “No person shall be subjected by a Member State to measures such as rejection at the frontier, return or expulsion, which would compel him to return or remain in a territory where his life, physical integrity or liberty would be threatened...”⁶

States which are party to the European Convention on Human Rights are bound by Article 3 of the European Convention on Human Rights, which states that, “No one shall be subjected to torture or to inhuman or degrading treatment or punishment.” The European Court of Human Rights has stated that this right applies equally to expulsion cases, affirming an absolute prohibition on any State Party returning an individual when there are considerable reasons to believe they will be subjected to torture or other ill-treatment. Article 3 of the ECHR is non-derogable and as such constitutes an absolute prohibition on *refoulement* in these circumstances.

In addition, the Committee of Ministers of the Council of Europe issued guidelines in 2002 on

human rights and the fight against terrorism, which reaffirmed that an asylum applicant should not be returned to their country of origin, or another country, where such a return would expose that individual to torture, inhuman or degrading treatment or punishment.⁷

The EU has further issued guidelines on common EU policy on torture and other cruel, inhuman or degrading treatment or punishment, to encourage third states to ensure the absolute prohibition against torture and ill-treatment. These objectives and the general aim of the eradication of torture are considered integral to EU human rights policy. EU states have a responsibility to encourage the cessation of torture, the investigation of abuses and the prosecution of alleged torturers.

In a number of countries, these legal norms and obligations are regularly breached. Authorities claim that they lack access to sufficient information on the detention and treatment of forcibly returned Eritrean asylum seekers. This absence of information is then used to justify decisions to reject asylum claims.

In addition, asylum applications should not be dismissed on the grounds that an asylum seeker has used legal travel documents (including a valid passport) to enter another country. The very act of applying for asylum places the applicant at serious risk of arbitrary detention, torture and other forms of ill-treatment on return to Eritrea.

The cases detailed above describe a sustained pattern of immediate detention of forcibly returned asylum seekers to Eritrea. Testimony of former detainees has established that individuals forcibly returned to Eritrea are at serious risk of torture and other forms of ill-treatment.

6. LEGAL OBLIGATIONS OF THE GOVERNMENT OF ERITREA

The Government of Eritrea continues to ignore its domestic and international human rights obligations and dismiss rather than respond constructively to criticism of its human rights record.

Eritrea's continued detention of forcibly returned asylum seekers, political opponents, religious practitioners, journalists and critics is in violation of the rights to liberty, freedom of expression, freedom of religion, and freedom of association and assembly. The Government of Eritrea is a State Party to the International Covenant of Civil and Political Rights as well as being bound by the Universal Declaration of Human Rights and the African Charter on Human and Peoples' rights and as such, is legally obliged to guarantee these rights to its citizens. The detention of forcibly returned asylum-seekers and their punishment for attempting to leave the country violates article 12(2) of the ICCPR which states that "Everybody shall be free to leave any country, including his own."

The Eritrean government also fails to uphold the principles of *habeas corpus* and due process. Article 9 of the ICCPR affirms that "Anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court." Article 6 of the African Charter on Human and Peoples' Rights states that: "Every individual shall have the right to liberty and to the security of his person. No one may be deprived of his freedom except for reasons and conditions previously laid down by law. In particular, no one may be arbitrarily arrested or detained." Forcibly returned Eritrean asylum seekers are denied the opportunity to challenge their detention before a court of law. Even in cases where individuals have been freed, their release has been the result of an arbitrary decision, rather than a transparent judicial process. Individuals deemed to have betrayed the country, by evading the draft, deserting national service or engaging in banned religious activity are given no opportunity to challenge accusations made against them and no right to appeal their detention. They are given no indication of the length of their imprisonment and are often subject to torture and other ill-treatment.

The Eritrean Constitution, which has not yet been formally adopted into law, provides protection against these abuses. Article 17 states that "No person may be arrested or detained save pursuant to due process of law... Every person shall have the right to petition the court for a Writ of Habeas Corpus... Every person charged with an offence shall be entitled to a fair and public hearing by a court of law... Where an accused is convicted, he shall have the right to appeal." Additionally, Article 19 guarantees the freedom to practice any religion as well as "the right to leave and return to Eritrea."

7. CONCLUSION

Amnesty International calls on all governments to ensure that the limited nature of information about grave and persistent human rights violations in Eritrea, nor the possession by asylum seekers of legal travel documentation, is never used as justification to forcibly return failed or non-assessed asylum seekers to Eritrea. Governments should not underestimate the risk of detention, torture and other ill-treatment to any Eritrean accused of opposing the government, nor the particular risk posed to those who have engaged in an asylum application process if they are forcibly returned. The fact that there is a clear and acute risk of arbitrary detention, torture and ill-treatment to any forced returnees, by the very reason of their asylum claim and forcible return, means that authorities should under no circumstances forcibly return anyone to Eritrea.

8. RECOMMENDATIONS

To all Governments hosting Eritrean Asylum Seekers, to:

- Consider all available information on detention and torture of forcibly returned asylum-seekers in future decisions on Eritrean asylum applications.
- Refrain from forcibly returning any failed or non-assessed asylum seeker to Eritrea, where they would be at serious risk of arbitrary arrest, *incommunicado* detention, torture and other ill-treatment, including as a direct result of their failed asylum claim.

To all Governments, to:

Use all means of diplomatic influence to strongly encourage the Government of Eritrea to:

- Immediately end the practice of arbitrary arrest and *incommunicado* detention of Eritreans, including those forcibly returned to Eritrea.
- Charge all detainees with a recognisable criminal offence or immediately and unconditionally release them.
- Allow all detainees immediate access to a lawyer of their choice, and ensure their fair trial, according to international standards, and with no recourse to the death penalty.
- Allow all detainees access to their families and any medical treatment they may require.
- End the practice of torture, and allow independent and impartial investigations into allegations of torture or ill-treatment of prisoners, and bring perpetrators to justice through fair trials with no possibility of the death penalty.

To EU Governments to:

- Utilize the Guidelines to EU Policy towards Third Countries on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to strongly encourage the Government of Eritrea to end the practice of torture, investigate allegations of human rights violations, and bring perpetrators to justice through fair trials with no possibility of the death penalty.

End Notes

1 Amnesty International, 'You have no right to ask' - Government resists scrutiny on human rights, (Index: AFR 64/2003/2004)

2 Amnesty International, Egypt: Amnesty International calls for President to Stop Flights to Possible Torture in Eritrea, (AI Index: MDE 12/014/2008)

3 Amnesty International, Libya: Further Information on: Forcible return/fear for safety/fear of torture, (AI Index: MDE 19/014/2004)

4 Amnesty International, Eritrea: Forcible Return/ Fear of torture or other ill-treatment/Detention without charge or trial, (AI Index: AFR 64/001/2005)

5 In September 2001, the government arrested 11 former government ministers and EPLF leaders (members of the dissident Group of 15, "G15"). They were members of the National Assembly and long-time colleagues of President Issayas Afewerki. The President also accused ten journalists detained a few days after the G15 arrests in September 2001 of being "spies and mercenaries" who had supposedly clandestinely supported the G15 "traitors" on behalf of Ethiopia.

6 Organisation of African Unity Convention on the Specific Aspects of Refugee Problems in Africa, 1969, article 2(3).

7 Guidelines on human rights and the fight against terrorism adopted by the Committee of Ministers on 11 July 2002 at the 804th meeting of Ministers' Deputies, article XII (2)

**Amnesty International
International Secretariat
Peter Benenson House
1 Easton Street
London WC1X 0DW**

www.amnesty.org

**AMNESTY
INTERNATIONAL**

