

PUBLIC
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UA 46/08

Deportation/Torture

SWEDEN

Jamil Mohammad Burhan (m), aged 24

The Swedish authorities are preparing to deport asylum-seeker Jamil Burhan to Eritrea, where he would be at real risk of being detained and tortured simply for having applied for asylum, which the authorities regard as betraying the country. Sweden is a state party to a number of international treaties that expressly prohibit deportation in these circumstances.

According to his lawyers, Jamil Mohammad Burhan was born in Saudi Arabia to Eritrean parents. He grew up there, and his family still live there. It is not clear what nationality or citizenship he holds, but apparently he has no right of entry to Saudi Arabia, so cannot be sent there.

He came to Sweden in August 2002 and sought asylum. His application was rejected on 23 December 2003, and his appeal against that decision was rejected on 27 October 2004, on the grounds that by his own account he had never actually been to Eritrea and so would be of no interest to the authorities there, and therefore in no danger.

The current advice from the Office of the UN High Commissioner for Refugees (UNHCR) to all governments is to "refrain from all forced returns of rejected asylum-seekers to Eritrea and grant them complementary forms of protection instead".

This year the Swedish authorities have already tried twice to deport Jamil Burhan to Eritrea. They had to abandon a 23 January attempt when the pilot of the aeroplane refused to take Jamil on board, because he was protesting so loudly. On 13 February he was put on a chartered flight, but the Eritrean authorities did not recognize the identity documents Jamil Burhan was carrying, and refused to allow him into the country, and he returned to Sweden the following day. The Swedish authorities have indicated that they will attempt to obtain the necessary documentation from the Eritrean embassy in Sweden to allow the deportation to go ahead. It is not clear how long that will take, but Jamil Burhan could be deported to Eritrea at very short notice.

BACKGROUND INFORMATION

Thousands of people are detained incommunicado in Eritrea, in secret and indefinitely, without charge or trial, and are regularly tortured or otherwise ill-treated. They have been arrested for suspected opposition to the government, practising their religious faith as members of banned evangelical or other churches, evading military conscription or trying to flee the country. Rejected asylum-seekers forcibly returned from Malta in 2002 and Libya in 2003 are still detained in secret. Hundreds of Eritreans who are currently detained in Libya and Sudan are at risk of deportation.

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

- urging the authorities not to deport Jamil Burhan to Eritrea, as this would put him in real danger of torture;
- reminding the authorities of their obligations under the Convention Against Torture and other international treaties not to deport anyone to countries where they would be in danger of torture;
- calling on the authorities to make a firm public commitment to respect UNHCR guidelines against the forcible return of any rejected Eritrean asylum-seekers, arising from the serious and systematic violations of human rights in Eritrea.

APPEALS TO:

Tobias Billström
Minister for Migration and Asylum Policy
Ministry of Justice
Rosenbad 4
103 33 - Stockholm

SWEDEN

Fax: +46 8 723 11 76

Email: registrator@justice.ministry.se

Salutation: Dear Minister

Head of immigration authority

Director-General Dan Eliasson

Migrationsverket

601 70 Norrköping

SWEDEN

Fax: +46 1110 8155

Email: dan.eliasson@migrationsverket.se

Salutation: Dear Mr Eliasson

COPIES TO: diplomatic representatives of Sweden accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 2 April 2008.