

AFAR DIASPORA

Open Letter to

His Excellency, Antonio Guterres

United Nations High Commissioner for Refugees (UNHCR)
Case Postale 2500
Ch- 1211 Geneva 2 Deport
Geneva, Switzerland

Date: 5th October 2012

Our Ref: Afar Refugees: ADA/002/12

Contact Address: afardiaspora@yahoo.com

Ref: Appeal to save lives of 300 Red Sea Afar Refugees
in Yemen from forcible deportation back to Eritrea

Your Excellency, Mr. Antonio Guterres

We are writing this letter to you as representatives of the Afar Diaspora all over the world to bring to your attention the life-threatening inhuman situations and human rights violations that are facing 300 Eritrean Red Sea Afar Refugees who are currently in detention in Yemen.

Your Excellency, these Red Sea Afar Refugees from Eritrea left their own country and fled to the Republic of Yemen to seek political asylum in order to save their lives. Their lives, safety and liberty were threatened by politically and racially motivated persecution and harassment by the dictatorial Eritrean regime. Unfortunately, these Refugees have been detained in the Hodeida Prison in Yemen for over one year without legal process.

Background

Your Excellency, we the Afar Diaspora are painfully aware of the seriousness of the situation of the indigenous Afar ethnic minority in Eritrea. In Eritrea, the Afar live in the Southern region, which is known as Dankalia. About 800km of the 2,234km Red Sea coastline of the Eritrea is the Afar Region. The Red Sea costal region has always been inhabited by the Afar people. The Afar population in Eritrea is estimated at approximately 10 to 12% of the population.

Your Excellency, since Eritrean Independence from Ethiopian in 1993, the Afar people have been marginalised and excluded from political, economic and social development; from governmental and judiciary institutions and denied access to education and public services by the tyrannical regime of Eritrea. In 1996 our traditional territory –Dankalia- was divided into two different districts by the regime in order to weaken the Afar society economically, socially and politically. Our human rights are grossly violated. Our free movement and liberty is severely restricted. Ethnic cleansing and crimes against humanity have been carried out by the regime in different areas of Dankalia. Because of the international significance of the Red Sea Ports in both Assab and Massawa of Afarland in Eritrea, the plights of the Red Sea Afar people have been neglected by the International community and the Eritrean government interpreted this silence as negligence as support and treats important part of its citizen, with contempt, as second class citizens.

Eritrean security forces have systematically and widely engaged in human rights abuses in the Afar region of Dankalia by subjecting suspected Afar ethnic persons to arbitrary arrest, enforced disappearance and apparent extra-judicial execution. More than 80.000 Afars left the country and fled to the neighbouring countries to seek refuge. Thousands of Afar families are currently displaced internally.

Your Excellency, both *Human Rights Watch and Amnesty International* are fully aware of the extra-judicial killings of the Afar and other ethnic minorities in Eritrea. The *USA State Department and the British Foreign Office* are also aware of the atrocities being committed against the Afar people in Eritrea. It on these grounds that the **300 Red Sea Afar sought asylum in Yemen**. These refugees detained in Yemen are mainly young people who were Eritrean Navy and Military Personnel and therefore they are wanted individuals by Eritrean Security Forces. There are also 16 unaccompanied children with them.

Your Excellency, we are gravely concerned about the safety and social welfare of these people. Since their detention in 2011, they have experienced unreported human suffering, including human right violations in the Hodeida Prison without any legal protection and medical care from Yemeni Authorities or UNCHR. Moreover, ***these refugees are now threatened with forcible deportation back to Eritrea by both the Yemeni and Eritrean governments***. According to the Yemeni News Agency Press, SABA, on Saturday 28th September 2012, ***Interior Minister Abdul-Qader Qahtan and Eritrean ambassador to Yemen Musa Yasin Sheikh Alddin*** met several times to discuss the situation of Eritrean immigrants in Yemen. On 1st October 2012, the Diplo News reported that the Eritrean ambassador valued the Interior Ministry's readiness to make the arrangements to expel illegal immigrant Eritreans to their country, because they got the green lights from the Yemeni authorities.

Your Excellency, we have also been informed that in last three weeks (15th, 20th and 27th September 2012), Eritrean Embassy officials managed to obtain permission to visit the Prison and identify the individuals wanted by Eritrean Security Forces by interviewing them individually and make them sign a "Deportation Form" prepared by the Eritrean Embassy. Despite these attempts, the Red Sea Afar Refugees have unanimously rejected signing the "Deportation Form" or to have any contact with the Eritrean Embassy. They have strongly opposed their forcible return to Eritrea because of fear of persecution by the Eritrean regime. However, Eritrean Embassy officials have promised to return and do everything possible to deport them back to Eritrea.

The immediate need of the Red Sea Afar refugees is to be provided with legal protection. Such protection is urgently needed to prevent further human rights abuses. We strongly believe that if these Afar Refugees are forced to return to Eritrea their lives, safety, security and dignity would be endangered.

We, the Afar Diaspora therefore

Endorse the letter of Professor Magnet and support his recommendations for finding lasting solution to this urgent situation developing in respect to these refugees.

Call upon the UNHCR to recognize the refugee status of the Afar people, according to Article 1(a) (2) of the United Nations Convention Relating to the Status of Refugees 1951 (hereafter referred to as Refugee Convention), the 1967 New York Protocol, the OAU Convention Governing the Specific Aspects of Refugee Problems in Africa, 1969, 5, the Cartagena Declaration on Refugees of November, 1984. The term 'refugee' applies to

them because they have a well- founded fear of persecution for reasons of race, religion, nationality, membership of their particular ethnic minority group and their political opinions. As a state party to the Refugee Convention and the 1967 New York Protocol, Yemen is duty-bound under International Convention to respect and protect the refugee rights of the Red Sea Afar refugees, release them from prison and re-accommodate them in refugee camps established by the UNHCR.

Call upon the UN, the Arab League, the EU and the governments of the USA, Australia, New Zealand and Norway to immediately intervene and put pressure on the Yemeni Government to stop its unlawful and forcible deportation of Afar Refugees and to grant them a Temporary Admission until the UNCHR is able to resettle them in a third country.

We call further upon the International Community, Human Rights Organisations and IFRC to investigate the political oppression and human rights violations facing the Afar people in Eritrea. The Afar people of Eritrea are subjected to systematic state sponsored oppression and to uproot them from their ancestral land. The continued extrajudicial killings and harassment by the state security and the military has resulted in forced displacement, the Afar people have no choice other than seeking refuge in neighbouring countries. The Afar people from Eritrea both inside and in refuge have suffered too long and too deeply and it is high time that the international community come to their rescue and provide the necessary support to mitigate the suffering they are facing. We the Afar Diaspora, strongly believe that you have global responsibilities not only to maintain international peace, security, democracy and human rights, but also, you have a responsibility to provide humanitarian assistance and protection to people who are in need wherever they live. We Afar people are a part of the world Indigenous Peoples and seek you for support and protection in order to maintain our language and cultural heritage in our traditional homeland in Eritrea.

We look forward to hearing of any measures or intentions you may have pertaining to this matter.

Yours Sincerely

Afar Diaspora

NB:

Attached to this Letter, a Letter written by **Professor Joseph Eliot Magnet (a Legal Advisor to the Afar People)**

CC: to

- H.E. Ban Ki-Moon. Secretary General, United Nations
- H.E. Ms. Hillary Rodham Clinton, Secretary of State , USA
- Hon. John Baird - Minister of Foreign Affairs, Canada
- H.E. José Manuel Barroso, President of European Commission
- H.E. Nkosazana Clarice Dlamini-Zuma, Chairperson of the Commission of the African Union
- Mr. Yacoub El Hillo, the Director of UNHCR Middle East and North Africa Bureau
- Ms. Navanethem Pillay, UN High Commissioner for Human Rights
- Ms. Julie de Rivero, Geneva Advocacy Director, Human Rights Watch,
- Mr. Salil Shetty, Secretary General, Amnesty International
- Ms. Tawakkul Karman, Nobel Peace Prize Laureate,(Yemeni-Human Rights Activist)
- Ms. Valerie Amos, Under-Secretary-General & Emergency Relief Coordinator, (OCHA)
- Mr. Nabil Elaraby, Secretary General, Arab League