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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by Society for Threatened Peoples, a non-governmental organization in special consultative status*

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 August 2013]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Human Trafficking in the Sinai

Society for Threatened Peoples is extremely concerned about the situation of refugees and other migrants held captive in North Sinai, Egypt. Desperate individuals, seeing no other option than fleeing their countries, are kidnapped, being trafficked, tortured and ransomed by Bedouins.

According to Meron Estefanos, a human rights activist who conducts interviews with hostages while they are being held in captivity, about 1,000 victims are currently held hostage. According to Physicians for Human Rights (PHR) Israel, an estimated 7,000 victims have already endured this fate and another 4,000 have lost their lives. The victims are held hostage in so called 'torture camps' close to the Israeli border. For the purpose of extorting money from their relatives, the hostages are being tortured and severely abused. They are violently forced to reveal a telephone number of a family member who is then called and asked for ransom up to US\$ 50,000. To ensure that the ransom is collected as quickly as possible, the torture takes place during the phone calls so the relatives are forced to hear the screams and cries of their loved ones.

The torture involves severe beatings with whips, eroded metal or other sticks and electric cables, electrocution, amputation, hanging and hanging by hair, multiple rapes, to be burned or set on fire, bonded labour and melting plastic on skin. In addition to the physical torture and abuse the victims are also mentally abused by threatening them with organ removal or pouring urine on their heads. Usually they are tied up with metal chains for months. They have to urinate and defecate at that very same place where they stay. Many of them suffer from diseases. Many die. Their corpses are simply dumped in the desert. Some of the hostages are even being killed intentionally just to terrorise and frighten the others. When the ransom is being paid, the victim might be even resold or finally set free.

The vast majority of the victims are Eritreans. Given Eritrea's shoot-to-kill policy at the border, most Eritreans make their way out by paying smugglers. Other victims are Sudanese or Ethiopian. According to the report "Human Trafficking in the Sinai: Refugees between Life and Death" by Van Reisen/Estefanos/Rijken, many of them never intended to go to Israel, but were heading towards the most well-known refugee camps Shagarab in Sudan or Mai-Aini in Ethiopia. The victims are abducted in various ways. The most common forms of abductions are pick-ups right at or behind the border by members of the Rashaida tribe in Eritrea or Sudan or other Eritreans, or likewise on their way to a town or refugee camp in Ethiopia or Sudan, as well as around or even within these refugee camps. Some refugees are also directly abducted by the smugglers, not knowing their intended destination will never be reached. It is then that they are brought all the way to the Sinai at gunpoint and are handed over to Bedouins or being sold to other middlemen.

So far, the Egyptian government has failed to address this human rights' concern and take effective measures against the trafficking industry within its borders. In doing so, Egypt violates its obligation under international law. It is party to the Convention against Torture. Although the names of some perpetrators and places are known, the traffickers widely operate unhindered due to the instability and lawlessness especially in the north of the Sinai. The Egyptian military presence in the Sinai is limited and requires Israeli approval under the terms of the 1979 peace treaty. Since then, it has become a more and more neglected territory. Bedouins, the native inhabitants of the Sinai, have been ostracized and suppressed and therefore enraged.

Due to the marginalization, a breeding ground for criminals was created and some Bedouins were prompted to turn to illegal activities such as drug, human and weapon trafficking. In recent years, Bedouins have increasingly become involved in the profitable business of human trafficking. The security situation has deteriorated in recent years. To restore security and stability in the peninsula and efficiently combat the network of traffickers, Egypt and Israel have to work together closely. Moreover, the Bedouins play a vital role regarding the stability in this area. Any measure taken will have to involve their collaboration.

For those having survived the torture and set free or managed to get out of a Bedouin torture camp, the horrific ordeal continues. Walking close to the Egyptian-Israeli border, they risk being shot by Egyptian border guards or are refused to enter Israel. In mid 2012 Israel completed a fence along the Egypt-Israeli border for the purpose of keeping out militants and illegal African migrants. This led to a dramatic decrease in the number of asylum seekers entering Israel

since June 2012. As a result the former hostages are being abandoned and remain helplessly stuck near the border between Egypt and Israeli. If they are found by Egyptian security forces, they are detained as illegal migrants. Yet if they manage to enter Israel illegally, they face detention as well. In both cases the detainees are often pressured to sign repatriation forms and are deprived of their right to claim asylum or the registration process takes place only very slowly.

In January 2012 Israel amended the “Prevention of Infiltration” law according to which all persons entering irregularly are defined as infiltrators, who can be detained up to three years without clarifying whether they are allowed to claim asylum. Having survived the kidnapping and torture, former hostages have no other choice than return to their homeland or being detained. According to Human Rights Watch (HRW) Israel, Israel has failed to register any asylum claims of Eritreans and Sudanese for years.

The prolonged detention pressures detainees to sign repatriation forms, although they face the serious risk of harm and persecution in their home countries. Under Sudanese law it is forbidden to visit Israel. Returnees are detained up to ten years of prison and mistreated while imprisoned. On these grounds, Israel’s inability to deport Sudanese nationals results in the unlawful indefinite detention of Sudanese nationals. According to the UNHCR, the severe and disproportionate punishment for desertion or evasion of the indefinite military service in Eritrea also constitutes persecution. The majority of the so-called ‘infiltrants’ are Eritreans and Sudanese which must not be deported, according to the Geneva Refugee Convention. Several nongovernmental organizations such as HRW and the Hotline for Migrant Workers (HMW) state that the return of anyone to a place where the person’s life or freedom could be threatened would violate the principle of non-refoulement under the 1951 Refugee Convention. However, if the former hostages do not sign the repatriation form, they are kept detained with no access to basic rights or social benefits for their refugee status and their residence permit status remain unsettled. The prolonged detention as a threat and only alternative to ‘voluntary’ repatriation equally displays a violation of the prohibition on refoulement. In line with the UNHCR Detention guidelines, detention is only permitted for a short period of time to establish a person’s identity. In search for a safe place, the victims are subject to detention and ill-treatment.

Currently, 2,400 African nationals are approximately held in Israel’s detention centres, with little prospect of being released because of the restrictive Israeli asylum laws and policy, says HRW Israel. The majority of these were automatically detained upon their arrival, under the new “Anti-Infiltration” law, which has been applied since June 2012.

Society for Threatened Peoples calls on the UN Human Rights Council to urge the following governments and institutions of Egypt and Israel to:

Comply with their obligations under international law towards the human rights of migrants, the institution of asylum and the principles of refugee protection:

Stop all deportations to Eritrea and Sudan immediately on the basis of the justified fear of severe punishment of returnees.

Stop all deportations to third countries, for they have no obligation to allow African nationals to enter and thus end in forced returns to the respective home country.

Stop pressing detained Eritreans and Sudanese to sign repatriations forms.

Allow all detainees to claim asylum and release them while their claims are being examined.

Instantly end all threats of prolonged detention.

Allow the UNHCR to see all detained Eritreans to identify refugees among them.

Recognize victims must as victims, i.e. they must be granted the rights they

are entitled to under international law instead of being criminalised.

Provide protection for the victims of human trafficking.

Society for Threatened Peoples calls on the UN Human Rights Council to urge the government of Egypt to:

Intervene rapidly in order to rescue all persons held captive at present

Prosecute the traffickers and their collaborators in dialogue with the Bedouin leaders in order to stop the human trafficking, torture and extortion.

Society for Threatened Peoples calls on the UN Human Rights Council to urge the government of Israel to:

Assist in taking action against the traffickers along the border.
