

20 November 1998

Further information on EXTRA 86/98 (12/09/98, 18 November 1998) -
Fear of imminent forcible deportation

AUSTRALIA Sadiq Shek Elmi, aged 38

Sadiq Shek Elmi won a last-minute reprieve from being returned to Somalia, where he is at risk of torture or extrajudicial execution, after a dramatic intervention by the United Nations Committee Against Torture (UNCAT) in Geneva. His fate remains unclear, however, pending a decision by the Minister for Immigration, Mr Philip Ruddock, in response to the UN intervention.

The case has won widespread media coverage in the country:

"The decision on a delay of at least 48 hours, and maybe indefinitely, came as the man was being flown under guard from Melbourne to Perth, where he was to fly to Johannesburg yesterday afternoon".

"The UNCAT action was part of a worldwide protest that was galvanised yesterday as Amnesty International's London headquarters put out an "urgent action" bulletin on the case, its first against Australia in nine years".

"It led to demonstrations at Perth airport by local Amnesty members, the Uniting Church and Transport Workers Union refuellers, who threatened to prevent the plane leaving".

The Australian Government continues to advise its citizens to avoid travelling to Somalia, saying that "all of Somalia is dangerous" (The Age Newspaper, Friday 20 November 1998).

The government has pledged to give 48 hours notice of any further deportation of Sadiq Shek Elmi.

On 19 November, the Australian Government Solicitor advised Amnesty International Australia of a Federal Court order issued that afternoon prohibiting publication of Sadiq Shek Elmi's name in Australia.

Sadiq Shek Elmi has now been flown to Port Hedland's immigration detention centre in Western Australia, some 4,000 kilometres from his Melbourne-based lawyer. He told Amnesty International in an interview that he wishes to thank everyone who appealed on his behalf, saying he felt as if death had been approaching and his life had been saved.

FURTHER RECOMMENDED ACTION: Please continue to send telegrams/faxes/express /airmail letters in English or in your own language:

- thanking the decision by the government of Australia to temporarily allow Sadiq Shek Elmi to remain in Australia;
- calling on the government to prevent his deportation to Somalia, where he may face serious human rights violations, for example by granting him protection on humanitarian grounds;
- calling on the government to enable Sadiq Shek Elmi's lawyer to fully represent him during any further case hearings;

- noting the United Nations designation of Mogadishu and other areas in Somalia as "crisis zones" which recently prevented the UN Independent Expert for Somalia from visiting Mogadishu earlier this month.

APPEALS TO:

The Hon. Philip Ruddock MP
Minister for Immigration and Multicultural Affairs
Parliament House
Canberra
ACT 2600
Australia
Telegrams: Immigration Minister, Canberra, Australia
Faxes: + 612 6273 4144
Salutation: Dear Minister

The Hon. Alexander Downer MP
Minister for Foreign Affairs
Parliament House
Canberra
ACT 2600
Australia
Telegrams: Foreign Minister, Canberra, Australia
Faxes: + 612 6273 4112
E-mails: minister.downer@dfat.gov.au
Salutation: Dear Minister

COPIES TO:

Mr. Jahanshah Assadi
Regional Representative United Nations High Commissioner for Refugees
9 Terrigal Crescent
O'Malley
Canberra
ACT 2606
Australia
Faxes: + 612 6290 1315

and to diplomatic representatives of Australia accredited to your country

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 1 January 1999.