

Cairo, 10 August 2006

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High Commissioner for Human Rights
Palais Wilson
1201 Geneva, Switzerland

Hand delivery

Madam High Commissioner:

We are writing to follow up on the events of 29–30 December 2005, when Egyptian police attacked the Sudanese refugees' peaceful sit-in in Cairo. As you will recall, that incident led to the beating and trampling death of a still-untold number of refugees.

Following those events, which UN Secretary General Kofi Annan called “a terrible tragedy,” a group of Egyptian organisations entreated your office in the form of a 9 January 2006 letter (attached), requesting your initiative toward a needed investigation of the apparent violations, as your office has done on other deserving occasions. However, your office remained silent on the matter and apparently declined any response to the collective plea from the local human rights community. Your office's long silence has added another frustrating dimension to a problem that has not gone away.

Our previous letter to you relied on the Egyptian Government's track record in perpetuating impunity for serious abuses committed by its security agents to predict its unwillingness to conduct any serious investigation into these senseless deaths.

Sadly, we were right. Last month the Office of the Public Prosecutor announced the termination of investigations without any prosecutions related to the events. The Interior Ministry so far has failed even to conduct an internal enquiry into the police's conduct with the protesters. The subsequent treatment of the bodies of the dead in the central morgue, the delays in releasing them to their loved ones, and the refusal to allow them to be buried in Sudan are other aspects of the tragedy that remain uninvestigated.

In short, no responsible party in the Egyptian government or security official has faced accountability for the acts committed on the night of 29–30 December 2005.

Moreover, State Security continues to stalk and intimidate members of the Sudanese refugee community. The increasingly fearful Sudanese refugees' general morale has reached its nadir. Sudanese refugee youth are increasingly troubled, manifesting new levels of despondency. After years of escaping civil war and repression in their home country, most Sudanese refugees endure ambiguous status, extremely precarious existence in Egypt, and the consequent lack of reliable information and defenders. Their mistreatment by UNHCR is notorious, and the agency regularly under-reports their numbers. While UNHCR/Cairo has generally dismissed Sudanese as asylum seekers, the refugees face possible "compulsory voluntary repatriation," to use the UNHCR's own cynical term, and the lethal consequences of such *refoulement*.

The human rights organisations and Sudanese refugees here had hoped that your close engagement with UNHCR would allow you to call for truth about the tragic December events. With the passage of over six months, human rights organizations in Sudan and Egypt are left wondering as to the reasons for the silence of your office.

The NGOs that appealed to you also relied on the understanding that, operationally, OHCHR works to strengthen the UN Human Rights Programme and its UN partners "to ensure that human rights form the bedrock of the work of the Organization." The necessity to integrate human rights in the functions of UN agencies is not yet uniform or sufficient, and the larger human rights community relies on OHCHR to focus necessary attention on that part of its mandate.

We had thought that the High Commissioner could have acknowledged the need for reliable information in this case. Also positive would have been a timely expression of hope—even confidence—that UNHCHR would uphold human rights criteria in dealing with the Sudanese refugees. However, no message, public statement or correspondence from OHCHR acknowledged the refugees' and human rights organisations' concerns.

Madam High Commissioner,

We must confirm to you that the anguish over the senseless mistreatment and violent deaths of so many vulnerable people has not diminished since the December events or the 9 January petition that the Egyptian organisations addressed to you. The State's dismissal of the refugee victims of 29–30 December is so complete that it has never identified a complete list of those who lost their lives that night.

While UNHCR conducted its internal inquiry after the tragic events, it has concealed the findings from the deserving public and, in particular, the refugees themselves. The pattern of UNHCR behaviour and practices is a larger concern; however, the silence on the part of the UN High Commissioner for Human Rights also affects the perception of the UN Organisation.

Admittedly, this letter arises from a crisis of expectations, which decline with the ceaseless violations of public international law and human rights, impunity and excessive police and military action in our region. We can only trust that the High Commissioner can develop an appreciation of this reality, and to do her utmost to respond appropriately.

We thank you for your attention to this grave matter.

Please be assured of our highest consideration.

Original signatories (9 January 2006 letter):

Nadim Center for Rehabilitation of Victims of Violence
Egyptian Initiative for Personal Rights
Cairo Institute for Human Rights Studies
Hisham Mubarak Law Center
Association for Human Rights Legal Aid
Arabic Network for Human Rights Information
Egyptian Association against Torture
Andalus Institute for Tolerance and Anti-Violence Studies
Association for Freedom of Thought and Expression
Egyptian Center for Housing Rights
Egyptian Center for the Rights of Child
Civil Observatory for Human Rights

Additional concerned organizations:

Cush Mission for Rebuilding
Housing and Land Rights Network, Habitat International Coalition