

URGENT ACTION

FREE ASYLUM SEEKER FROM DETENTION

Steven Tendo is a 35-year-old pastor and asylum-seeker who fled from torture and other severe human rights violations in Uganda and requested asylum in the USA. Since December 2018 he has been held in immigration detention. He was at imminent risk of being deported back to danger in Uganda until global campaign efforts stopped his deportation on 7 September 2020. His health is deteriorating from inadequate medical care for diabetes amidst a COVID-19 outbreak in the detention facility. Authorities should immediately release him on parole while he continues to fight for the right to seek asylum.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

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Dear Deputy FOD Achim,

Pastor Steven Tendo (A# 201 520 012) is an asylum-seeker who has been in immigration detention for over 20 months and is currently being held in Port Isabel Detention Center.

I applaud the decision by authorities not to deport Pastor Steven to Uganda, where he would likely be killed by security agencies if returned. However, I continue to be deeply concerned about the safety of Pastor Steven and other people in detention during the COVID-19 pandemic. As authorities responsible for the health and safety of migrants and asylum-seekers in detention centers, you must take all appropriate steps to protect individuals like Pastor Steven from the COVID-19 pandemic.

Pastor Steven has been detained for over one-and-a-half years with inadequate care for his diabetes, which has resulted in loss of vision, numbness and tingling in his extremities, and recurring boils on his body. He faces life-threatening complications should he contract COVID-19. He has a sponsor waiting to welcome him once released.

I therefore urge you to act quickly by immediately granting humanitarian parole to Pastor Steven while he awaits the decision on his asylum claim, including on any future appeal.

Sincerely,

ADDITIONAL INFORMATION

Pastor Steven Tendo arrived in the USA on 20 December 2018 to ask for asylum after fleeing persecution in Uganda. He had led a human rights campaign assisting political prisoners and supporting voting rights in response to government repression and corruption. In 2012, security forces detained and severely tortured him, amputating two of his fingers. He was detained more than a dozen times and subjected to severe abuse before being forced to flee for his life. Several of his family members were killed by government forces shortly before he fled. A Ugandan official has stated it is likely that he will be killed by security agencies if returned.

After more than 1.5 years in detention, Pastor Steven's diabetes is out of control. He has gone blind in one eye, is losing vision in the other, and suffers from numbness and tingling in his extremities. He has boils all over his body. Despite repeated requests, Pastor Steven has been denied disability accommodations. Despite his deteriorating health and compromised autoimmune system, ICE has denied requests for his release without any specific reasons given. As of 18 June 2020, 52 of the 193 people detained at Port Isabel who were tested for COVID-19 tested positive. Amnesty International has documented how ICE detention facilities have failed to adopt adequate protection measures, such as providing soap and sanitizer to those in detention, adequate and responsive health care to those exhibiting symptoms of COVID-19, and facilitating physical distancing in line with Centres for Disease Control and Prevention (CDC) guidelines and global standards.

As of 8 September 2020, immigration authorities agreed to delay Pastor Steven Tendo's deportation until his federal appeal on his asylum claim is heard. Pastor Steven is also expected to receive medical care for his eyes. He had been scheduled for eye surgery on 3 September to try to repair vision in one eye. While detained, he'd lost vision in one eye, and was losing vision in the other. In an incredibly cruel and seeming deliberate move, authorities began his deportation process two days before the surgery was to happen. We'll continue to elevate Pastor Steven's case and fight for due process, a fair hearing, and upholding U.S. obligations not to return someone to a country where they were tortured. His federal appeal hearing is slated to happen toward the end of 2020.

Detention of asylum-seekers should only be a measure of last resort, after other non-custodial alternatives have proven or been deemed insufficient in relation to the individual. According to the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the detention of asylum-seekers solely on the basis of their immigration status can "very quickly, if not immediately" constitute ill-treatment against individuals in situations of increased vulnerability, including people with medical conditions.

Under the ICCPR, the Convention Against Torture, and customary international law, the USA is under an obligation not to return individuals to a situation in which they would be at risk of torture or other serious human rights abuses: the principle of non-refoulement. Under US law, all individuals apprehended at the border "shall be detained" pending deportation proceedings. US law provides that these individuals may be released on parole on a case-by-case basis for "urgent humanitarian reasons" or "significant public benefit" where the individual presents neither a security risk nor a risk of absconding. ICE policies provide Field Office Directors with discretion to parole individuals who have established a credible fear on a case-by-case basis for these same reasons, including for persons whose continued detention is not in the public interest and individuals with medical emergencies.

PREFERRED LANGUAGE TO ADDRESS TARGET: English

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 07 October 2020

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Pastor Steven Tendo (He, him, his)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/amr51/2627/2020/en/>

And copies to:

His Excellency The Honourable Robert Wood Johnson IV
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