

Complaint No. 432/2010 (*H.K. v. Switzerland*) concerned a national of Ethiopia, residing in Switzerland, who claimed that her deportation to Ethiopia would constitute a violation by Switzerland of article 3 of the Convention. The complainant alleged that she became involved with the newly founded KINIJJIT movement (also known as the Coalition for Unity and Democracy, CUD/CUDP) in December 2004, was arrested by members of the Ethiopian military in May 2006, imprisoned for one month and suffered severe ill-treatment in custody. In June 2007, she attended a conference in Geneva and seized this opportunity to seek asylum. She continued to be politically active in Switzerland by becoming a member of the Association des Ethiopiens en Suisse (AES), arranging reunions and organising demonstrations for KINIJJIT Support Organisation in Switzerland (KSOS) and publishing critical comments and articles on the internet. The complainant alleged that, being an active and outstanding member of the Ethiopian dissident community, she risked being subjected to torture or other cruel and inhumane or degrading treatment by the Ethiopian authorities as a result of her political activities in Switzerland. The Committee observed that the complainant had not submitted any evidence supporting her claims of having been severely ill-treated by the Ethiopian military prior to her arrival in Switzerland or suggesting that the police or other authorities in Ethiopia had been looking for her since, nor did she claim that any charges had been brought against her under the Anti-Terrorism law or any other domestic law in Ethiopia. The Committee then noted that the complainant claimed to be one of the most active members of the Ethiopian dissident movement in Switzerland, who regularly published critical articles against the Ethiopian authorities on the internet and contributed to the opposition blogs. It also noted that the State party questioned the complainant's authorship of the articles and blog entries in question. The Committee further noted the complainant's submission that the Ethiopian authorities used sophisticated technological means to monitor Ethiopian dissidents abroad, but observed that she had not elaborated on that claim or presented any evidence to support it. In the Committee's view, the complainant had failed to adduce sufficient evidence about the conduct of any political activity of such significance that would attract the interest of the Ethiopian authorities. The Committee concluded accordingly that the information submitted by the complainant, including the unclear nature of her political activities in Ethiopia prior to her departure from that country and the low-level nature of her political activities in Switzerland, was insufficient to show that she would personally be exposed to a risk of being subjected to torture if returned to Ethiopia. Therefore, the decision of the State party to return the complainant to Ethiopia would not constitute a breach of article 3 of the Convention.