

REFUGEE FEARS DEATH AS U.S. NIXES ASYLUM

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Body

Washington officials may have signed a **death** warrant for an Eritrean **refugee** soldier seeking political **asylum** in the **U.S.**, Sen. Chuck Schumer charged yesterday.

Alemseghed Mussie Tesfamical had been granted humanitarian parole by New York immigration officials two weeks ago after Schumer (D-N.Y.) managed to halt an order to deport him.

He was to be released to family in the **U.S.**, but a new zero-tolerance policy by the Bureau of Citizenship and Immigration Services now bars his freedom, and his parole has been denied.

Now Tesfamical, 31, **fears** certain **death** if he is returned to the African nation he fled after he was forced into the military and tortured because of his ethnicity.

"Our worry is they can deport him any day," Schumer said yesterday. "Someone in Washington . . . is refusing to just ratify what the New York office has done out of the clear blue."

An order issued last weekend to deport Tesfamical back to Eritrea was delayed but could be implemented any day, the senator said.

Tesfamical was born in Ethiopia and moved with his family in 1993 to Eritrea, which five years later went to war with his native country.

Tesfamical was forced to join the Eritrean Army and was tortured and persecuted by his superiors.

He eventually escaped, fled to Sudan and in May 2002, arrived at the Wackenhut Detention Center near Kennedy Airport, where he met Sister Delores Castellano.

Castellano, of the Diocese of Rockville Centre, sought Schumer's help after she learned of Tesfamical's plight.

"If he were a terrorist, by now he wouldn't have even been here," said Castellano, 62, who speaks regularly with Tesfamical by telephone.

This year, a judge ordered Tesfamical deported as a military deserter, but he was returned after a stopover in Turkey when Schumer intervened. His application for political **asylum** was rejected.

Dismayed, Tesfamical attempted to hang himself while in immigration custody. He was sent to Holliswood Hospital in Jamaica for psychiatric observation, and he remains there under guard until his fate is determined.

"The privacy act precludes us from discussing any aspect of an individual's case," said Mark Thorn, a spokesman for the immigration offices in New York. "The case is under review, and every case is evaluated on its merits."

Graphic

TARA ENGBERG DAILY NEWS HELP Sister Delores Castellano holds photo of refugee.

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