

EXTERNAL

AI Index: AFR 30/04/96

15 August 1996

**Further information on UA 192/96 (AFR 30/03/96, 1 August 1996) - Fear of refoulement / Ill-treatment / Fear for safety and new Health concern**

**GUINEA-BISSAU / SPAIN** Albert Mukesha Batwaro, Rwandese, Souleymane Diallo, Sulaymane Souare, Alpha Mamadou Barry and Abubacar Sall, all from Guinea-Conakry, and other African nationals

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On 12 August 1996, Albert Mukesha Batwaro and 44 other men of various African nationalities held in the *Segunda Esquadra* (Second Squadron) prison in the capital, Bissau, went on hunger-strike in protest at the way they have been treated by the Spanish and Guinea-Bissau authorities. On 14 August, five fell ill and were taken to hospital. Many of the detainees were already weak and some were suffering from malaria for which the only treatment available was aspirin. Two were sent back to prison after treatment but the others remain in hospital. Up to 12 August there were reports that some of the detainees had been subjected to beatings.

Earlier, on 9 August, police reportedly summoned the six Guinea-Conakry nationals, offered them US\$200 each and told them to use the money to make their way back to Guinea-Conakry. Four, Souleymane Diallo, Sulaymane Souare, Alpha Mamadou Barry and Abubacar Sall, took the money and agreed to leave: the other two refused, one of whom is reported to have left the prison and to have gone into hiding. According to their companions those who agreed to leave were in tears and had complained that police had threatened them. One is reported to have said that he was afraid to return to his country. Although the four were not returned to Guinea-Conakry under physical constraint, they have not been offered any alternative. They were apparently expected to go by "candongga", a sort of taxi service.

Amnesty International is concerned about the health of the hunger-strikers and is calling on all relevant authorities to address their legitimate grievances. They did not have adequate opportunity to present their claims for asylum in Spain before being forcibly removed to Guinea-Bissau. Neither the four who were effectively forced to return to Guinea-Conakry nor any of the other 46 were given the opportunity to claim asylum in Guinea-Bissau.

Amnesty International fears that some of these people may be at risk of serious human rights violations if they are returned to their own countries. Guinea-Bissau is bound by international treaties to ensure that they are not repatriated either directly or indirectly to their own countries, without any opportunity to seek asylum and to have these claims fairly reviewed.

**FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in Portuguese or your own language:**

- expressing concern for the health and well-being of the detainees on hunger-strike in protest at their treatment in Spain and Guinea-Bissau;
- expressing deep concern that the 50 who were sent to Guinea-Bissau have not been given any opportunity to present their claims to asylum there and that despite this four Guinea-Conakry nationals have been ordered to return to their country;
- reminding the authorities of their treaty obligation to abide by the internationally recognized principle of non-*refoulement*, which states that

no country should forcibly expel individuals, directly or indirectly, to a country where they might be subjected to serious human rights violations;

- urging the authorities to ensure that all members of the group who express a fear of returning to their country are given access to a full and fair asylum procedure;
- expressing concern at reports that up to 12 August detainees were subjected to beatings in the *Segunda Esquadra* in Bissau and urging the authorities to take immediate action to ensure that the detainees are well treated and not subject to further beatings;
- urging that those who need it be given adequate medical treatment.

**APPEALS TO:**

President of the Republic

Sua Excelência João Bernardo Vieira  
 Presidente da República  
 Palácio da República  
 Praça dos Heróis Nacionais  
 Bissau, República da Guiné-Bissau

**Faxes: + 245 20 20 07**

**Telexes: 251 pcr bi**

**Telegrams: Presidente Vieira, Bissau, Guiné-Bissau**

**Salutation: Excelência**

Minister of Foreign Affairs

Sua Excelência Fernando Delfim da Silva  
 Ministro dos Negócios Estrangeiros  
 Ministério dos Negócios Estrangeiros  
 Avenida Domingos Ramos  
 Bissau, República da Guiné-Bissau

**Faxes: + 245 20 15 42**

**Telegrams: Ministro Fernando Delfim da Silva, Bissau, Guiné-Bissau**

**Salutation: Excelência**

**Please also send appeals to the Spanish Minister of the Interior, preferably in Spanish or in your own language, using as much of the following as possible:**

- expressing concern about the detainees on hunger-strike in protest at their treatment in Spain and Guinea-Bissau;
- expressing concern that the 50 who were sent to Guinea-Bissau have not been given any opportunity to present their claims to asylum there and that despite this four Guinea-Conakry nationals have been ordered to return to their country;
- expressing concern at reports that persons expelled by the Spanish Government were subjected to beatings in the *Segunda Esquadra* in Bissau (Guinea-Bissau) and asking that an immediate request be made to the Guinea-Bissau authorities to investigate these reports;
- asking what assurances were sought from the Guinea-Bissau authorities that the 50 men would have access to a full and fair asylum procedure before the decision was taken to deport them from Spain;
- expressing concern that some of the men had initiated asylum claims but were nevertheless expelled and that at least one, who had been denied asylum, was expelled without being given an opportunity to appeal against this decision;
- reminding the authorities of their treaty obligation to abide by the internationally recognized principle of *non-refoulement* which states that no country should forcibly expel individuals directly or indirectly to a country where they might be subjected to serious human rights violations.

Minister of the Interior

Excmo Sr D Jaime Mayor Oreja

Ministro del Interior

Ministerio del Interior

Castellana 5, Madrid, Spain

**Faxes: +34 1 537 1003****Telegrams: Ministro del Interior, Madrid, Spain****Salutation: Sr Ministro / Dear Minister**

**COPIES TO:** diplomatic representatives of Guinea-Bissau and Spain accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 25 September 1996.