

PUBLIC

AI Index: MDE 19/004/2006

24 August 2006

UA 225/06      Fear of forcible return/ Health concern/ Fear of Torture

LIBYA      300 Eritrean nationals detained in Libya, including 80 women, and five children under the age of seven

---

Amnesty International has recently learnt that in early August, the Libyan authorities rounded up and detained 300 Eritrean refugees, including 80 women and five children between the ages of two and six. It is feared that the refugees may be forcibly returned to Eritrea, where they are at risk of torture or other ill-treatment.

The 300 detainees are being held in Almerge prison, 100km from Benghazi in northern Libya. Two of the female detainees are pregnant, while six others have serious medical problems. It is not clear if they are receiving the medical care they need.

Groups of refugees who were forcibly returned to Eritrea from Libya in 2004 and from Malta in 2002 were held incommunicado upon their arrival. Many were tortured and some died while in custody. Amnesty International documented their treatment in its report *Eritrea: 'You have no right to ask' – Government resists scrutiny on human rights* (AFR 64/003/2004, May 2004).

Libya has signed the Organization of African Unity (OAU – now the African Union) Convention on the Specific Aspects of Refugee Problems in Africa, which obliges them not to return anyone to a country where they would be at risk of serious human rights violations, including torture. The United Nations High Commissioner for Refugees has recommended that even rejected asylum-seekers should not be forcibly returned to Eritrea.

#### **BACKGROUND INFORMATION**

Some 232 Eritreans, including asylum seekers, were forcibly deported to Eritrea from Malta in 2002, and were detained and tortured. A judicial inquiry into these deportations is now underway in Malta. Except for some women and children and about 30 men who later fled to Sudan for a second time, the Malta deportees are believed to be still detained incommunicado, without charge or trial, in various secret prisons in Eritrea.

On 21 July 2004, Libyan authorities deported 110 Eritrean nationals back to Eritrea, who were detained and placed in incommunicado detention in a secret prison. On 27 August 2004, the Libyan authorities attempted to deport a further 76 Eritrean asylum seekers, including six children. The plane was however hijacked by some of the passengers and landed in Sudan. All passengers, except for the hijackers, were given refugee status in Sudan.

#### **RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, Arabic or your own language:**

- calling on the Libyan authorities not to forcibly return any Eritrean nationals to Eritrea, where they would be at risk of torture, as well as indefinite detention without charge or trial;
- reminding the Libyan authorities that they have signed the 1969 Organisation of African Unity Refugee Convention, which obliges them not to forcibly return anyone to a country where they would be at risk of serious human rights abuses such as torture, as would be the case in Eritrea;
- asking for all Eritreans detained in Libya to be treated humanely and given immediate access to the Office of the UN High Commissioner for Refugees (UNHCR) in Tripoli to enable them to apply for protection if they wish to do so.

**APPEALS TO:**

President

Colonel Mu'ammar AL-GADDAFI

Office of the Leader of the Revolution

Tripoli

Great Socialist People's Libyan Arab Jamahiriya

**Email: Please send emails via the form on the government of Libya's webpage (in Arabic only):**

[www.gpc.gov.ly/online/contactus.php](http://www.gpc.gov.ly/online/contactus.php)

**The form reads as follows:**

**1- Name**

**2- Email address**

**3- to: (please pick the first one)**

**The Brother, head of the General Public Committee, Dr. al-Baghdadi Ali al-Mahmoudi**

**The Brother, Assistant Mr Muhammed Ali al-Hwaij**

**The Brother, General Clerck, Mr Ahmed al-Masillani**

**The Site managers.**

**4- content**

**5- send**

**Salutation: Your Excellency**

Justice Minister

Mr Ali Omar Abu Bakr AL-HASNAWI

Secretary of the General People's Committee for Justice

Secretariat of the General People's Committee for Justice

Tripoli

Great Socialist People's Libyan Arab Jamahiriya

**Email: [secretary@aladel.gov.ly](mailto:secretary@aladel.gov.ly)**

**Salutation: Your Excellency**

**COPIES TO:**

Foreign Minister

Mr Abd al-Rahman Mohamed SHALGAM

Secretary of the General People's Committee for Foreign Liaison and International Cooperation

Secretariat of the General People's Committee for Foreign Liaison and International Cooperation

Tripoli

Great Socialist People's Libyan Arab Jamahiriya

and to diplomatic representatives of Libya accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 5 October 2006.