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Libya: Swiss businessman held on politically motivated charges

Amnesty International calls on the Libyan authorities to immediately release a Swiss businessman convicted of politically motivated immigration charges and lift a travel ban imposed on him as a diplomatic row between the two countries continued.

Max Goeldi left the Swiss embassy in Tripoli on Monday to begin serving a four month prison sentence for breaching immigration regulations.

The move comes amid a dispute that began with the arrest in Switzerland in 2008 of the son of Libyan leader Mu'ammarr al-Gaddafi accused of abusing domestic staff, who later withdrew their complaint.

“Max Goeldi is a pawn in the diplomatic row between Switzerland and Libya. He has not been able to go home to his family since July 2008, when the row between the two countries started and has clearly been targeted because of his nationality. We consider him a prisoner of conscience - imprisoned for being from the wrong place at the wrong time”, said Hassiba Hadj Sahraoui, deputy director of Amnesty International’s Middle East and North Africa programme.

Max Goeldi was also convicted of breaching commercial regulations on 6 February 2010, and fined 1000 dinars (about 800 USD).

However, the Libyan authorities are believed to have not communicated the exact charges to his lawyer in writing in advance of the trial proceedings, raising fears that his right to prepare an adequate defence had been breached.

Rachid Hamdani, another Swiss citizen who had been cleared of charges of breaking commercial rules on 7 February, also left the Swiss embassy on Monday and was given permission to leave the country, according to media reports. Both men had taken refuge in the embassy several months ago.

Hamdani had won an appeal against his conviction on immigration offences on 31 January 2010. His lawyer said he has been granted an exit permit and that he was to travel to Tunisia. However, it is not clear whether he had left Tripoli.

The two Swiss nationals were arrested twice previously in July 2008, and on 28 September 2009. On the latter occasion, they were detained incommunicado for over 50 days.

Relations between the two countries soured significantly after the Swiss police arrested Hannibal al-Gaddafi, son of Libyan President Mu’ammarr al-Gaddafi, and his wife on 15 July 2008 in Geneva.

The Libyan authorities decided to withhold entry visas to all European citizens covered by the Schengen agreement – a move affecting 24 countries in addition to Switzerland.

That came following reports in a newspaper closely linked to Saif al- Islam al-Gaddafi, another son of the Libyan leader, that the Swiss government had banned 188 Libyan citizens, including Mu' ammar al-Gaddafi from entering the country.