

# AMNESTY INTERNATIONAL

## PRESS RELEASE

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### **Libya: Imminent deportation of Eritrean army deserters**

Amnesty International is seriously concerned about reported plans by the Libyan authorities to forcibly return seven Eritrean detainees to Eritrea in the coming days, apparently at the request of the Eritrean government which has close relations with Libya.

"If these seven Eritrean detainees are forcibly returned to Eritrea, they are at high risk of being arrested on arrival, and detained incommunicado and in secret without charge or trial for an indefinite period," Amnesty International said. "They could face torture - which is routinely used by the military in Eritrea - and at least two of them who had been previously detained in Eritrea for political reasons could face extrajudicial execution."

The seven men, aged in their late 20s or early 30s, had deserted the Eritrean army at different times during 2002 and fled from Eritrea to Sudan and then to Libya, hoping to reach a country of asylum in Europe. In Libya, they were arrested and subsequently convicted of illegal entry but not released after their three-month sentences expired. Other "illegal immigrants" from other countries such as Ethiopia, Sudan and Morocco who had been detained with them have been released.

One of the Eritreans, Zacharias Michael, had reportedly escaped from military custody during a short period of provisional release, after hearing that his life was in danger. He had reportedly been detained and tortured for criticizing the government at a time when there were widespread calls in the country for democratic reform.

Another, Misghina Seyoum, had been a fighter in the Eritrean People's Liberation Front (now the government) and had also reportedly escaped from detention after being arrested for criticizing the government.

The five other Eritreans are Mesfin Aman, Rezene Eyassu, Yonas Negussie, Michael Yemane, Abel Tekle, all of them national service conscripts. They are said to be held in a camp in Gherian near Jenduba town, about 90 kilometers south of Tripoli, where African illegal immigrants are reportedly held.

"The Libyan authorities should stop the return of these detainees to Eritrea," Amnesty International said. "The Libyan authorities, who have not yet ratified the United Nations 1951 Convention Relating to the Status of Refugees, should respect their obligations under the Organisation of African Unity (OAU) 1969 Convention Governing the Specific Aspects of Refugee Problems in Africa and customary international law which prohibit the forcible return (*refoulement*) of anyone to a country where they are at risk of facing grave human rights abuses," the organization urged.

"Libya should allow these seven Eritreans to have immediate access to the protection of the United Nations High Commissioner for Refugees (UNHCR)."

### **Background**

There are several thousand refugees of various nationalities in Libya registered by UNHCR.

In September 2001 the Eritrean government cracked down on dissent, arbitrarily detaining former senior government ministers long associated with the independence struggle, journalists, former liberation fighters, civil servants and many others. They are still held incommunicado in secret prisons without charge or trial or any legal basis. Amnesty International considers many of them to be prisoners of conscience.

Hundreds of Eritreans, including these seven, have fled the country in the past two years, to Sudan initially, after deserting from national service or to escape conscription. National service consisting of six months military training and 12 months development service is obligatory for all men and women aged from 18 to 40 years, with reserve duties later. It has been extended indefinitely and the right to conscientious objection is not recognized. Prisoners held in military detention include some held for opinions critical of the government or military authorities and others objecting to military service on various grounds, including three Jehovah's Witnesses detained since 1994.

Over 220 Eritreans who were deported from Malta in late 2002 after similarly fleeing to Sudan and onwards via Libya were reported to have been detained incommunicado on their return to Eritrea. Information on their current situation and treatment has been difficult to obtain as the Eritrean authorities have allowed no access to them.

### Public Document

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