



# CANADIAN CENTRE FOR VICTIMS OF TORTURE

His Excellency Mr. Antonio Guterres  
United Nations High Commissioner for Refugees  
Case Postal 2500 CH,  
1211 Geneva 2-Depot, Switzerland

February 8, 2010

Dear Mr. Guterres,

We, at the Canadian Centre for Victims of Torture (CCVT), are highly disturbed by the news about the treatment of Eritrean refugees in Libya and their awkward prison conditions. Over the past few months, the Libyan authorities have provided the Eritrean officials with access to Eritrean refugees in Libyan detention centres including Misrata, Zawya, Garbule, Surman and Zleitan. Officials have taken detainees' pictures and have tried to make them fill forms. Those who have refused are beaten severely by the Libyan security forces. With all intents and purposes this is a well-planned move towards refugees' enforced repatriation. We have been told that in Grabula-2 prison, detainees who suffer from hepatitis and skin rashes are locked up in isolation without treatment and without being informed about their diagnosis. They are in danger deportation to Eritrea due to no reason but their illness. We have also received upsetting news about the Libyan practice of keeping refugees in detention indefinitely.

As is well known to you, Libya has not yet ratified the 1951 Geneva Convention relating to the Status of Refugees and its 1967 Protocol. Libya has, however, acceded to the UN Convention against Torture and the African Refugee Convention. The country's 1969 Constitutional Proclamation is quite explicit about the principle of non-refoulement: "The extradition of political refugees is prohibited" and its Law 20 of 1991, On Enhancing Freedom, says, "The Jamahiriya supports the oppressed and...should not abandon the refugees and their protection."

On the basis of the above instruments, Libya is legally obligated to respect the non-derogable right of every human person not to be returned to torture and persecution. Through testimonies of our clients and sister agencies, we have valid records about systemic violations of the fundamental rights of humankind, including arbitrary detention and systemic torture, in Eritrea. The government of Eritrea has imposed indefinite military service on Eritrean people and there is "shoot to kill" order against those who dare to escape tyranny there.



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I appeal to you, Excellency Guterres, to use all use the moral authority of your esteemed office in pressuring the Libyan government to consider the following urgent demands:

1. Release those refugees who are detained in various Libyan detention centre;
2. Collaborate with the United Nations High Commissioner for Refugees (UNHCR) to provide all possible protection to Eritrean refugees including their registration and their access to medical, employment and educational services;
3. In collaboration with the UNHCR, provide refugees with the possibility of their future resettlement in other countries.
4. Assure refugees of its fair and humanitarian treatment and its commitment against their forced repatriation.
5. Accede to the 1951 Refugee Convention and its 1997 Protocol.

Once again we call upon you, Mr. High Commissioner, to intervene and save hundreds of innocent lives. Eritrean refugees are languishing in Libyan jails as a result of their fear of torture and persecution back home.

Thank you for your attention to this concern and I am looking forward to hearing from you.

Yours sincerely,



Mulugeta Abai  
Executive Director