



CANADIAN CENTRE FOR VICTIMS OF TORTURE

His Excellency President Muammar Kaddafi,
Leader of the Socialist People's Libyan Arab Jamahiriya
Tripoli, Libya

February 3, 2010

Dear President Muammar Kaddafi,

**Re: An urgent request for your immediate intervention in the case of
Eritrean refugees in Libyan detention**

Mr. President, you are celebrated across the globe, as a devout Moslem with spectacular enthusiasm for following the Strait Path of Prophet Mohammad (May peace be upon him). You are expected to go with utmost compassion, as every section of the Holy Qu'ran begins with the following marvelous verse: "In the name of Allah the most compassionate, the most merciful".

You, Excellency President Muammar Kaddafi, are also celebrated as a staunch supporter and eloquent leader of African unity. The people of Africa and elsewhere look to you to protect the most vulnerable African population. These include helpless refugees from Eritrea who have taken refuge in your generous country and expect your protection.

Mr. President! The Socialist People's Libyan Arab Jamahiriya has not yet ratified the 1951 Geneva Convention relating to the Status of Refugees, and its 1967 Protocol. However, the Socialist People's Libyan Arab Jamahiriya is respected for the ratification of the UN Convention against Torture which dates back to May 16, 1989. Your esteemed government is also a party to the African Refugee Convention. Your country's 1969 Constitutional Proclamation is quite explicit about the principle of refugees' non-return: "The extradition of political refugees is prohibited" and your 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, you are legally obligated to respect the non-derogable right of every human person to not 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 a "shoot to kill" order against those who dare to escape tyranny there.

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We are shocked by media reports about the treatment of Eritrean refugees in Libya and their awkward prison conditions. Over the past few months, Libyan authorities have provided 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 out forms. Those who have refused have been beaten severely by the Libyan security forces. For 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 of 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.

In the name of the sacred and elevated principles of Islamic compassion and in the name of the Libyan, African and international human rights instruments, I strongly urge for your immediate intervention to protect Eritrean refugees in your esteemed country by considering our following demands:

1. Release those refugees who are detained in various Libyan detention centres;
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, please provide refugees with the possibility of their future resettlement to other countries;
4. Assure refugees of your fair and humanitarian treatment and your commitment against their forced repatriation;
5. Accede to the 1951 Refugee Convention and its 1997 Protocol.

Once again we call upon you, Mr. President, 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