



# Human Rights League of the Horn of Africa

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## **HRLHA URGENT ACTION**

**No 5 October 2008**

**Appeal to regional and international human rights agencies and organizations**

### **Arrest, Torture and Deportation of Refugees**

Human Rights League of the Horn of Africa (HRLHA) has learnt through its informants that the government of Somaliland, in violation of international treaties, arbitrarily apprehended twelve Ethiopian Oromo refugees on October 15, 2008 and deported them to Ethiopia. All twelve refugees were picked up from different places and taken to the military camp in Hargessa by the security forces of the Somaliland Government on the same day. Particularly, it was very saddening to hear that those refugees were tortured while they were in the detention centre. Finally, they were handed over to Ethiopian security forces on October 17, 2008. It has been difficult to obtain the names of all of the victims of these joint actions of the Somaliland and the Ethiopian governments. Two of the refugees who have been identified by their names were:

1. Mr. Mohamed Ahmed Mohamud - UNHCR attestation papers number 03/RF/SOMH/036
2. Mr. Mohamed Sheika.



Mohamed Ahmed Mohamud

Mr. Mohamed Ahmed Mohamud, a father of nineteen (19) children, fled Ethiopia in 2002 to escape political harassments which included extra-judicial killings, kidnappings and

imprisonments without charges and trials. He obtained a refugee status in Somaliland in 2003. Mr. Mohamed Ahmed Mohamud has been living in Somaliland as a refugee with ten of his children. The fate and whereabouts of his children are not known since he has been arrested and deported to Ethiopia.

Under Article 33 (1) of the Convention Relating to the Status of Refugees (189 U.N.T.S. 150), “[n]o contracting state shall expel or forcibly return a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his . . . political opinion.”

The Ethiopian government has a well-documented record of gross and flagrant violations of human rights, including the torturing of its own citizens who were involuntarily returned to the country. The government of Ethiopia routinely imprisons such persons. There have been credible reports of physical and psychological abuses committed against individuals in Ethiopian prisons and other secret places of detention. This obligation, which is also a principle of customary international law, applies to both asylum seekers and refugees, as affirmed by UNHCR’s Executive Committee and the United Nations General Assembly.

By handing over the Oromo refugees and others, the Somaliland Government is breaching its obligations under international treaties as well as customary laws.

Under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1465 U.N.T.S. 185) Somaliland has the obligation not to return a person to a place where they face torture or ill-treatment. Article 3 of the Convention against Torture provides:

1. No state party shall expel, return (“refouler”) or extradite a person to another state where there are substantial grounds to believe that they would be in danger of being subjected to torture.
2. For the purpose of determining whether there are such grounds, the competent authorities shall take into account all relevant considerations including, where applicable, the existence in the state concerned of a consistent pattern of gross, flagrant or mass violations of human rights.

HRLHA has previously expressed its concerns in Urgent Action N0. 3, September 2008 over the decision of the Somaliland Government to expel all Oromo refugees and other Oromo nationals currently living in Somaliland.

The Human Rights League of the Horn of Africa (HRLHA) is highly concerned about the safety and security of the refugees handed over to the Ethiopian Government and those who are still living in Somaliland. It urges the Government of Somaliland to respect the international treaties and obligations. It also urges all human rights agencies (local, regional and international) to join hands with it and condemn these illegal and inhuman acts of both the Ethiopian and the Somaliland governments against defenseless refugees. It requests governments of the West and

other international organizations to interfere so that the safety and security of the deported refugees to Ethiopia and of those refugees currently living in Somaliland would be secured.

The HRLHA is a non-political and non-profit organization that attempts to challenge abuses of human rights of the people of various nations and nationalities in the Horn of Africa. It works on defending fundamental human rights including freedoms of thought, expression, movement and association. It also works on raising the awareness of individuals about their own fundamental human rights and that of others. It encourages the observances as well as due processes of law. It promotes the growth and development of free and vigorous civil societies.

To:-

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