

PUBLIC

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Fear of torture / Incommunicado detention/forcible return

SOMALILAND/ETHIOPIA

Mohamed Sheikh Abdi Sheikh Mahamud (m), businessperson and long-term Hargeisa resident
Mohamed Adan Omar (m), businessperson
Jowhar Sheikh Bashir (m), teacher
Khadar Abdi Tarsan (m), businessperson
Mohamed Abdi Aar (m), businessperson

According to reports the Somaliland authorities forcibly returned the five Ethiopian men named above to the Ethiopian security forces on 13 October 2007. They had been arrested allegedly for political reasons at the request of the Ethiopian authorities in the Somaliland capital, Hargeisa. The men are believed to be held in military custody in Jijiga, the capital of the Ogaden region. The exact location where they are being held is unknown. Amnesty International is concerned that they are being held incommunicado and are at risk of torture or ill-treatment.

The five men are from the Ogaden region of Ethiopia, but were living in, or visiting Somaliland. They were arrested some days earlier together with other Ethiopian Somalis who were later released, on suspicion of having links with the armed opposition Ogaden National Liberation Front (ONLF).

BACKGROUND INFORMATION

The ONLF has been fighting for secession of the Ogaden region for the past 13 years which has brought them into direct conflict with the Ethiopian armed forces. As a result the region has become a tightly controlled militarized zone. In May 2007, the government intensified its military operations against the ONLF after it attacked a military-guarded Chinese oil installation. Ethiopian civilians and soldiers as well as Chinese civilians were killed in the attack.

Ethiopia imposed a blockade on trade and the movement of food supplies, and restricted access to humanitarian operations, which has contributed to a food and humanitarian crisis in the Somali Region. In July, the International Committee of the Red Cross was expelled from the region, where it had been engaged in humanitarian projects including water and sanitation projects and prison visits. Médecins Sans Frontières, has also been forced to leave the region.

Ethiopian armed forces are reported to have carried out extrajudicial executions of alleged ONLF supporters, arbitrary detentions and torture. In some places, they also forced people suspected of being ONLF supporters out of their villages. Following UN protests and a fact-finding mission in late August 2007, the Ethiopian government agreed to allow humanitarian organisations access to the region. However human rights violations related to the conflict reportedly continue.

The Somaliland Republic has been de facto independent from the rest of Somalia since the state disintegrated in 1991, but it has not been internationally recognized.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

1. TO THE SOMALILAND AUTHORITIES

- expressing concern that the men named were forcibly returned to Ethiopia on 13 October and held in incommunicado detention in Ethiopia where they are at risk of torture or ill-treatment or other human rights violations;
- reminding the authorities that the forcible return of any individual to a country where they are at risk of torture, ill-treatment or other human rights violations contravenes international law;
- calling on the authorities not to transfer anyone to the custody of another state unless the transfer is carried out under judicial supervision, in accordance with international standards;
- requesting the authorities to ensure that any individual subject to deportation is able to challenge the decision to deport, has access to competent legal counsel, and access to a judicial review of a negative decision;
- insisting that individuals subject to deportation should be given the opportunity to apply for asylum if they wish and have access to the Office of the UN High Commissioner for Refugees (UNHCR).

APPEALS TO:

President

His Excellency President Dahir Riyaale Kahin

Fax: +252 213 8324 or +252 252 3848

Email: sl_victory@hotmail.com / sl_victory@yahoo.com

Salutation: Dear President

Commander of the Somaliland Police

Mr Mohamed Egeh Elmi,

c/o Ministry of Foreign Affairs or The Presidency

Fax: +252 828 3271 / 252-225-3871

E-mail: slforeign@hotmail.com

Salutation: Dear Commander

2. TO THE ETHIOPIAN AUTHORITIES

- expressing concern at the incommunicado detention and risk of torture of the five men named above who had been detained in Hargeisa and forcibly returned from Somaliland to Ethiopia on 13 October in connection with suspected links with government opponents in Ethiopia's Somali Region;
- urging the authorities to disclose the whereabouts of the five detainees, and call for them to be brought before a judicial authority without delay and either charged with a recognizably criminal offence and given a prompt and fair trial or else released;
- requesting assurances that they are being treated humanely in custody and call for them to be allowed immediate and regular access to their families, lawyers and medical treatment if required.

APPEALS TO:

Prime Minister

His Excellency Meles Zenawi, Office of the Prime Minister, PO Box 1031, Addis Ababa, Ethiopia

Fax: +251 11 1552020

Salutation: Dear Prime Minister

COPIES TO:

The Official Ethiopian Human Rights Commission

Ambassador Dr Kassa Gebreheywot, Chief Commissioner, Ethiopian Human Rights Commission

PO Box 1165, Addis Ababa, Ethiopia

Fax: +251 11 618 0041

Email: hrc@ethionet.et

Salutation: Dear Chief Commissioner

and to diplomatic representatives of Ethiopia / Somaliland accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 17 December 2007.