

EXTERNAL

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EXTRA 99/97

Fear of refoulement

15 July 1997

GHANA

Abdel Hakim Ben Amer Abubaker, a Libyan national, his
wife and four children, Sudanese nationals

Abdel Hakim Ben Amer Abubaker and his family are currently being held at Accra Airport in Ghana. Amnesty International fears that they may be at risk of being forcibly returned to Libya where they could face gross human rights violations.

Abdel Hakim Ben Amer Abubaker, a Libyan opposition activist, fled Libya in 1989 for Sudan. In June 1997, as a result of pressure from the Sudanese Government for him to leave the country, he fled to Ghana with his wife and four children. On 4 July the family left Ghana and went to Switzerland where they applied for asylum. On 7 July their application was refused and on 11 July they were returned to Ghana. They have been held at Accra Airport since their arrival.

Since 1996 the Libyan Government has been putting pressure on the Sudanese Government to hand over Libyan opposition activists. In early 1997 at least six Libyans were reportedly forcibly returned to Libya where they are said to be detained without charge or trial. It is clear that the Sudanese Government has failed to protect this family despite the fact that his wife and children are Sudanese nationals.

Amnesty International opposes the forcible return of people to countries where they risk imprisonment as prisoners of conscience, torture, "disappearance", or execution. The organization's work is based on the internationally-recognized principle of non-refoulement which, as expressed in the 1951 Convention relating to the Status of Refugees, prohibits the forcible return of any person to a country where she or he risks serious human rights violations. Ghana is bound by this fundamental principle which is a norm of customary international law.

RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in English or French or your own language:

- reminding the Ghanaian Government that it is bound by customary international law to abide by the principle of non-refoulement;
- calling on the Ghanaian Government not to forcibly return Abdel Hakim Ben Amer Abubaker and his family to Libya where they would face human rights violations;
- urging that they be protected in Ghana and that they be humanely treated.

APPEALS TO:

Mr Kwamena Ahwoi
Minister of Foreign Affairs
PO Box M53, Accra, Ghana
Telegrams: Foreign Minister, Accra, Ghana
Fax: +233 21 665363
Salutation: Dear Minister

Mr Nii Okaija Adamafio

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Minister of Interior
Po Box M42, Accra, Ghana
Telegrams: Interior Minister, Accra, Ghana
Fax: +233 21 667450
Salutation: Dear Minister

and to diplomatic representatives of Ghana accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 15 August 1997.