



Refugee Documentation Centre (Ireland)  
LEGAL AID BOARD

## **Libya - Researched and compiled by the Refugee Documentation Centre of Ireland on 27 August 2009**

### **Treatment of asylum seekers returned from Malta to Libya. Treatment of Somali asylum seekers in Libya.**

Information specifically referring to the treatment of failed asylum seekers returned to Libya from Malta was not found among sources available to the Refugee Documentation Centre.

In a paragraph titled “Refugees, asylum-seekers and migrants” the *Amnesty International* annual report on Libya states:

“There were persistent reports of torture and other ill-treatment of detained migrants, refugees and asylum-seekers; the latter were not afforded protection, as required by international refugee law. On 15 January, the authorities announced their intention to deport all ‘illegal migrants’, and subsequently carried out mass expulsions of Ghanaians, Malians, Nigerians and nationals of other countries.” (Amnesty International (28 May 2009) *Report 2009 – Libya*)

A document published by the *European Council on Refugees and Exiles* states:

“Libya is not party to the 1951 Refugee Convention, cannot guarantee protection to refugees and has a very dubious human rights record. In Libya, people seeking protection are often detained, sometimes for long periods of time, in extremely poor conditions. Ill-treatment by police officials is common and persons are returned to their country of origin without first establishing whether it is safe.” (European Council on Refugees and Exiles (8 July 2009) *Pushbacks to Libya*)

A *Human Rights Watch* document states:

“Human Rights Watch researchers are currently in Sicily, after visiting Malta and Libya, to assess the treatment of migrants and asylum seekers. All undocumented migrants interviewed by Human Rights Watch who had been apprehended after earlier unsuccessfully trying to leave Libya testified to having been mistreated and subjected to indefinite detention, often in inhuman and degrading conditions, by Libyan authorities.” (Human Rights Watch (7 May 2009) *Italy/Libya: Forced Return of Migrants Violates Rights*)

This document also states:

“While it has recently been able to visit migrant detention centers and intervene to prevent deportations from Libya to countries of origin, the accounts of asylum seekers in Malta and Italy who passed through Libya indicate that Libya remains an unsafe country for migrants who are forcibly returned there.” (ibid)

In a section titled “Conditions in Other Detention Facilities” a Human rights Watch report states:

“Libyan authorities have detained migrants, asylum seekers and refugees in a variety of facilities across the country. In September 2004, Somalis deported from Libya told reporters in Mogadishu that Libyan police had held them in a chemical warehouse, causing them to develop skin problems.” (Human Rights Watch (12 September 2006) *Stemming the Flow: Abuses Against Migrants, Asylum Seekers and Refugees*, p.44)

See also *BBC News* report which states:

“Libya has started expelling hundreds of Somalis that had tried and failed to reach Europe. Those on board the first flight have been talking about their ordeals in Libyan prisons and the dangers they faced as they tried to make it to a better life overseas. ‘We were badly treated while we were in prison,’ said Safiyo Mohamed Hassan, who spent a year in jail.” (BBC News (16 September 2004) *Perils of Somali migrants in Libya*)

A report from the Mogadishu-based *Shabelle Media Network* refers to Somali illegal immigrants in Libya paying for their release as follows:

“According to Hussein Igal Dhore who among those who paid the money [800 dollars] who was released said that, the money was taken by the Transitional Federal Government [TFG] of Somalia's ambassador to that country Libya. He added that even though the Libyan government has released the prisoners, the Somali embassy is taking the money from the detainees and as a result those who were unable to pay the 800 dollars are still in custody. Hussein Igal said after he was released from the prison he was taken to the Somali embassy so that he could pay the money. ‘The Libyan government has released us but we are being detained by the ambassador who is asking for 800 dollars per person’ He said. “Those who cannot afford will rot in the prison” he added.” (Shabelle Media Network (Mogadishu) (4 July 2008) *Somalia: Illegal Immigrants Released From Libya Jail After Paying Money*)

A *Shabelle Media Network* report referring to Somali prisoners in Libya going on hunger strike states:

“Some 550 Somalis who are in Kaam Fuuda prison in the town of Benghazi, Libya, today contacted Shabeelle and said they are on hunger strike because other inmates in the prison have forcefully taken their money and have refused to give it back. Muhidin Abdullahi Arig who is among the Somali youth in the Kaam Fuuda prison said the Libyan police mistreat them. Muhidin added that Somalis in the prison among them women, children and youth have since decided to go on hunger strike and have not eaten any food for the last three days.” (Shabelle Media Network (21 July 2009) *Somalis in Libyan prisons go on hunger strike*)

See also report published on the Eritrean opposition website *Awate.com* which states:

“Some of the detainees have organized a hunger strike to publicize their dire situation. The detainees are further victimized by Libyan military police who have been extorting 1,100 dinars [902 US dollar] per individual to facilitate their "escape" and then turning around and re-arresting them after they collect the money. Those who refused to be mollified and desist from hunger strikes have been beaten with iron rods and sticks.” (Awate.com (21 August 2009) *Hundreds of Eritreans, Somalis languish Libyan detention camp*)

A *Shabelle Media Network* report on the alleged killing of Somali prisoners in a Libyan prison states:

“More than 20 Somali prisoners have been killed and 50 others were seriously injured after Libyan prison guards deliberately opened fire to the jailed Somalis in Banghazi town, witnesses told Shabelle radio on Monday. Reports say that the Libyan guarding forces of the prison had opened fire to the jailed Somalis in Banghazi prison in Banghazi town in Libya after the Somalis tried to escape from the jail killing more than 20, wounding 50 others who were all in the custody.” (Shabelle Media Network (Mogadishu) (10 August 2009) *Libya: Prison Guards Kill More Than 20 Somalis, Injure 50 Others*)

This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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