



Somaliland: Kidnapping and Disappearance

HRLHA Appeal and Urgent Action

December 01, 2012.

To: President of the Republic of Somaliland

Your Excellency President Ahmed M. Mohamoud Silanyo

Somaliland1991@gmail.com

TEL/FAX: 252-225-3871 .

Your Excellency,

The Human Rights League of the Horn of Africa (HRLHA) is highly concerned about the safety and whereabouts of Mrs. Riyan Abdurahman Yusuf, an Oromo national refugee from Ethiopian who was kidnapped from her residence in Hargiesa, Somaliland on the 23rd of November, 2012 at around 6:00 PM.



Mrs. Riyan Abdurahman Yusuf

Mrs. Riyan Abdurahman Yusuf, with UNHCR Case Number: 758:08C00303, was kidnapped at the time and date mentioned above by what were said to have been members of Somaliland security forces. Apart from refugee life, Mrs. Riyan Abdurahman was engaged in teaching kids, most of whom are refugees, along with her brother named Mr. Bahar Abdurahman at a school called Sh. Madar in Hargiesa.

There has been no any official or confirmed report as to where Mrs. Riyan Abdurahman could have been ever since she was kidnapped. But, according to some rumours, Mrs. Riyan is being held at a jail in Jigjiga, in the Ogaden Regional State in Ethiopia. As it has been the case in the past, the implication is that Mrs. Riyan is also handed over to the Ethiopian Government by the government of the Somaliland against refugee protections convention 1951 put in place in various relevant international documents.

Mrs. Riyan's father, Mr. Abdurahman Yusuf, was himself one of the victims of such actions that violent international agreements jointly committed by the governments of Ethiopia and Somaliland.

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."

In case Mrs. Riyan Abdurahman is to be deported to Ethiopia, 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 deporting Mrs. Riyan and others, the Somaliland government will be breaching its obligations under international treaties as well as customary law.

Under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1465 U.N.T.S. 185) Somaliland has an 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.

We strongly urge the Government of Somaliland to respect these international treaties and obligations.

Therefore, the Human Rights League of the Horn of Africa (HRLHA) strongly demands the unconditional release of Mrs. Riyan Abdurahman from wherever she is currently being held at; and calls up on both the Ethiopian and the Somaliland governments to ensure Mrs. Riyan’s freedom from detention. HRLHA also calls up on all local, regional and international human rights, refugee as well as diplomatic agencies to put pressure on the two governments to first disclose Mrs. Riyan’s whereabouts and then immediately release her from detention.

Recommendation:

- ❖ RECOMMENDED ACTION: Please send appeals to the Somaliland Government using the above address, concerned Somaliland officials and to diplomatic representatives of Somaliland who are accredited to your country as swiftly as possible, in English, Somali Language, or your own language expressing:
- ❖ To disclose whereabouts of Mrs. Riyan Abdurahman Yusuf
- ❖ Your concern regarding the apprehension and fear of torture of Mrs. Riyan Abdurahman Yusuf who is being held in unknown detention centers; and calling for her immediate and unconditional release;

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- ❖ urging the Somaliland authorities to ensure that she would be treated in accordance with the regional and international standards on the treatment of prisoners,
 - ❖ Abide to the International Conventions of the refugees and asylum seekers not to return a person to a place where they face torture or ill-treatment.

Copied To

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United Nations Office at Geneva 1211 Geneva 10, Switzerland Fax: + 41 22 917 9022
(particularly for urgent matters) E-mail: tb-petitions@ohchr.org this e-mail address is being protected from spambots. You need JavaScript enabled to view it

Office of the UNHCR

Telephone: 41 22 739 8111

Fax: 41 22 739 7377

Po Box: 2500

Geneva, Switzerland

African Commission on Human and Peoples' Rights (ACHPR)

48 Kairaba Avenue, P.O.Box 673, Banjul, The Gambia.

Tel: (220) 4392 962 , 4372070, 4377721 – 23 Fax: (220) 4390 764

E-mail: achpr@achpr.org

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