

# THE OBSERVATORY

## for the Protection of Human Rights Defenders

### L'OBSERVATOIRE

Pour la Protection des Défenseurs des Droits  
de l'Homme

### EL OBSERVATORIO

para la Protección de los Defensores de  
Derechos Humanos

### *The Observatory - Newsletter n° 45*

**January - February - March 2008**

#### **AFGHANISTAN - Death sentence / Arbitrary detention**

**February 20, 2008 - AFG 001 / 0208 / OBS 023**

On October 27, 2007, Mr. **Pervez Kambaksh**, a reporter with the *Jahan-e Naw (The New World)* newspaper, and a student in journalism at Balkh University, was arrested for having downloaded and distributed among his fellow students a controversial article commenting on verses of the Koran relating to women's rights. He was placed in detention in Mazar-i-Sharif, awaiting his trial.

On January 22, 2008, Mr. Kambaksh was sentenced to death for "blasphemy" by a court in Mazar-i-Sharif. The trial was held in camera, without the accused being allowed the assistance of a lawyer. Mr. Kambaksh was sentenced on the basis of Article 347 of the Criminal Code, which provides for a maximal sentence of five years' imprisonment, but not death penalty. He appealed the decision.

On January 30, 2008, the President of the Afghan Senate issued a statement supporting the death sentence against Mr. Kambaksh, which was questioned by several senators in another statement.

On October 21, 2008, the Kabul Court of Appeal overturned the death sentence against Mr. Kambash, but sentenced him instead to 20 years in prison for "blasphemy". Mr. Kambash's lawyer appealed this new decision (See Urgent Appeal AFG 001/0208/OBS 023.1, issued on October 23, 2008).

The hearing in Mr. Kambaksh's appeal had started on May 18, 2008. However, under Article 6 of the Interim Criminal Procedure Code, an appeal must last no more than two months, after which the appellant must be released, whether or not the proceedings have reached a conclusion.

#### **ALGERIA - Judicial harassment**

**January 10, 2008 - DZA 001 / 0108 / OBS 003**

In January 2008, Ms. **Louisa Saker**, Secretary General of the Constantine Association of Families of Disappeared Persons (*Association des familles de disparus de Constantine - AFDC*), was informed that she was summoned to appear before the Constantine Court on February 6, 2008, without ever having been summoned or heard by the Examining Magistrate. She was charged with "disturbing the peace, organising an unauthorised march, attacking public officials in the course of their duty with a knife, and theft", in connexion with her arrest on September 20, 2004, while participating in a peaceful demonstration in front of the provisional headquarters of the *ad hoc* Committee of the National Consultative Commission for the Protection and Promotion of Human Rights (*Commission nationale consultative pour la protection et la promotion des droits de l'Homme - CNCPPDH*).

On March 26, 2008, the Constantine Court altered the charge to "unarmed gathering" and sentenced Ms. Saker to a fine of 20,000 dinars.

Ms. Saker appealed the decision. On November 19, 2008, the Appeal Court of Constantine confirmed her sentence. Ms. Saker intends to lodge an appeal to the Cassation Court.

**BAHRAIN - Arbitrary detention / Releases / Judicial proceedings / Acts of torture**  
**January 9, 2008 - Open Letter to the President of the United States of America**  
**January 18, 2008 - Press Release**  
**February 13, 2008 - BHR 001 / 0208 / OBS 017**  
**February 28, 2008 - BHR 001 / 0208 / OBS 017.1**

From December 21 to 28, 2007, members of the Special Security Forces arrested over sixty activists who had taken part in a peaceful demonstration on December 17, 2007, in the Sanabis area, situated about five kilometres from the capital, Manama. This was on the occasion of the Day of Martyrs, to commemorate victims of torture.

As of January 8, 2008, 28 of the 60 activists were still in detention, including 11 human rights defenders: Mr. **Shaker Mohammed Abdul-Hussein Abdul-Aal**, Mr. **Maytham Bader Jassim Am-Sheikh**, Mr. **Majid Salman Ibrahim Al-Haddad**, Mr. **Hassan Abdalnabi**, Mr. **Nader Ali Ahmad Al-Salatna**, Mr. **Hassan Abdalnabi Hassan**, Mr. **Abdullah Mohsen Abdulah Saleh**, Mr. **Ahmad Jaffar Mohammed Ali**, members of the Unemployed and Underpaid Committee (UUC), Mr. **Naji Al Fateel**, member of the Bahrain Youth Human Rights Society (BYHRS), Mr. **Mohammed Abdullah Al Sengais**, Head of the Committee to Combat High Prices, and Mr. **Ebrahim Mohamed Amin Al-Arab**, founding member of the Martyrs and Victims' Committee. These defenders are said to have taken part, in recent years, in public protests relating to economic and social rights and to the restriction of freedoms.

On January 10, 2008, Messrs. Shaker Mohammed Abdul-Hussein Abdul-Al, Majid Salman Ibrahim Al-Haddad and Nader Ali Ahmad Al-Salatna were released without explanation, but remain charged with "illegal assembly" and "stealing arms and ammunition", and "possession of arms and ammunition without a permit". Later they revealed having been victims of acts of torture and ill-treatment during their detention. They asserted that some detainees were handcuffed for one to two weeks, severely beaten, and thereby prevented from sleeping; they were forbidden to communicate, and blindfolded for most of the time. Some detainees were reportedly forced to remain standing for over three days, others are said to have been subjected to psychological torture, insults and threats, in one case with a revolver. Others were apparently removed from their cell during the night for questioning, the other detainees hearing their screams.

In addition, Mr. Maytham Bader Jassim Am-Sheikh, who was still in detention as of December 7, 2008, also revealed having been subjected to sexual abuse.

Two requests submitted to the Prosecutor by the Bahrain Human Rights Society (BHRS) to visit the detainees were rejected.

On February 3, 2008, the President of the High Criminal Court decided to postpone to February 24 the hearing of the 18 persons who had taken part in the demonstration on December 17, 2007. At the end of the hearing on February 3, the prisoners were authorised to speak briefly with their families. Some of them asserted that they had been subjected to torture and ill-treatments during their detention. Among them were: Messrs. Maytham Bader Jassim Al-Sheikh, Hassan Abdalnabi, Abdullah Mohsen Abdulah Saleh, Ahmad Jaffar Mohammed Ali, Naji Al Fateel, Mohammed Abdullah Al Sengais, and M. Ebrahim Mohamed Amin Al-Arab.

On February 24, 2008, at a hearing at which only a small number of persons were able to be present, Messrs. Al-Sheikh, Abdalnabi, Abdulah Saleh, Mohammed Ali, Al-Fateel, Al-Sengais and Al-Arab pleaded not guilty of the charges of "illegal assembly", "stealing arms and ammunition" and "possession of arms and ammunition without a permit". The defenders were only able to see their lawyers 15 minutes before the hearing. Judge Shaikh Mohammed bin Ali Al Khalifa dismissed the requests for release the men on bail and for granting them access to medical care. At the end of the hearing, the accused were allowed a brief encounter with their families, before being transferred to the Dry Dock detention centre in Muharraq.

**BANGLADESH - Arbitrary detention / Release**  
**January 29, 2008 - BGD 001 / 0108 / OBS 012**  
**February 4, 2008 - BGD 001 / 0108 / OBS 012.1**

On January 24, 2008, Mr. **Mehedi Hasan**, a Bangladeshi citizen and a labour rights investigator for the Workers' Rights Consortium (WRC), an independent organisation that carries out enquiries into working conditions in factories all over the world, was arrested in Dhaka by the Bangladesh Intelligence Service, following a monitoring mission he had carried out in Bangladesh along with Mr. **Bent Gehrt**, a Danish citizen and WRC South-East Asia Field Director. Mr. Hasan was first brought to the National Security Intelligence office in Gulshan, and then transferred to the Pallabi police station.

On the same day, Mr. Gehrt was arrested at Dhaka airport, as he was about to board onto a plane to Thailand, where he lives. The interrogation lasted about an hour, during which Mr. Bent was asked to provide explanations on the activities he and Mr. Hasan had carried out in Bangladesh over the past weeks. Mr. Gehrt was released immediately after being questioned.

On January 25, 2008, Mr. Hassan was remanded to police custody for four days for purposes of “further interrogation”.

On February 3, 2008, Mr. Mehedi Hasan was released. No charge was held against him.

### **CAMBODIA - Impunity January 22, 2008 - Joint Press Release**

January 28, 2008 marked the fourth anniversary of the arrest of Messrs. Born Samnang and Sok Sam Oeum for the murder of Mr. **Chea Vichea**, President of the Free Trade Union of the Workers of the Kingdom of Cambodia (FTUWKC), assassinated on January 22, 2004. They are presently serving a 20 years’ prison sentence, which they received in August 2005 following an unfair trial.

### **CAMBODIA - Publication of a Report of an International Investigation Mission February 19, 2008 - Joint Press Release**

On February 19, 2008, the Observatory, jointly with the Cambodian Association for Human Rights and Development (ADHOC) and the Cambodian League for the Promotion and Defence of Human Rights (LICADHO), called upon the Cambodian authorities to take effective measures against the practice of forced evictions, on the occasion of the publication of the report of an Observatory international investigation mission entitled *Defending Economic and Social Rights in Cambodia: A High Risk Activity*.

The report denounces land-grabbing, evictions and persecution of community activists and other persons resisting such abuse. The report highlights several cases of serious human rights violations resulting from evictions, the victims having been neither consulted nor informed prior to the eviction. The compensation offered is substantially inadequate, the resettlement areas are precarious, and the living conditions of the populations concerned are inhuman. The villagers who oppose the evictions are routinely targeted for criminal charges, while the NGOs and journalists covering the situation regularly receive threats.

### **CHAD - Threats / Harassment February 6, 2008 - TDC 001 / 0208 / OBS 016 February 23, 2008 - TDC 001 / 0208 / OBS 016.1**

On February 14, 2008, Mr. **Jean-Bernard Padaré**, a lawyer and member of the Chadian League for Human Rights (*Ligue tchadienne des droits de l’Homme* - LTDH), lodged a complaint for “illegal arrest” and “arbitrary detention” following the disappearance of Messrs. Ngarlely Yorongar and Ibni Oumar Mahamat Salehdes, Chadian opposition leaders. At the end of August 2008, nothing had been done about the complaint.

On the day after the complaint was lodged, individuals wearing hoods came during several days to his domicile in order to intimidate him. Mr. Padaré was absent from his domicile and was only able to go back home several days later.

The following days, Mr. Padaré received two insulting text messages, threatening him with death. The threats referred to the part played by Mr. Padaré in the trial that took place from December 21 to 26, 2007 in N’Djamena, during which he, along with other lawyers, appeared for the six French citizens members of the NGO “Noah’s Ark” (*Arche de Zoé*).

On February 21, 2008, as he was in a restaurant with a friend, Mr. Padaré noticed an individual who seemed to be spying on him, and who left on seeing that he was not alone.

These events took place in a context in which the Minister of State for Defence, General Abdallah Nassour, declared, on taking office on February 19, 2008, that “the mercenaries have left, but their accomplices are in N’Djamena, therefore we must track them down”.

Furthermore, on February 8, 2008, Mr. **Dobian Assingar**, LTDH President of Honour, Ms. **Jacqueline Moudeïna**, President of the Chadian Association for the Promotion and Defence of Human Rights (*Association tchadienne pour la promotion et la défense des droits de l’Homme* - ATPDH), Ms. **Delphine Djiraibe Kemneloum**, a member of ATPDH, Mr. **Massalbaye Tenebaye**, President of LTDH, Mr. **Clément Abaifouta**, member of the Association of Victims of Crimes and Political Repression (*Association des victimes de crimes et de la répression politique* - AVCRP), Mr. **Lazare Kaoutar Djelourninga**, Vice-President of ATPDH, and Mr. **Lou Hingané Nadji**, a member of the Moundou section of LTDH, were informed of serious threats to their safety. Some of them escaped attempted arrests or attacks by the security services. In addition, shielded vehicles of the Chadian armed forces reportedly surrounded the house of a defender.

At the end of July 2008, Mr. Tenebaye and other LTDH members were subjected to serious threats and acts of intimidation following the publication of the LTDH report on human rights violations perpetrated during and after the attack of the capital N’Djamena by the rebel forces in February 2008 (See Urgent Appeal TDC 002/0708/OBS

124, issued on July 23, 2008).

At the end of 2008, Mr. Tenebaye remained subjected to close monitoring by the Chadian police.

**CHILE - Arbitrary detention / Acts of violence**  
**January 11, 2008 - Press Release**

On January 3, 2008, Ms. **Yénive Cavieres Sepúlveda**, a lawyer and defender of the rights of indigenous peoples, and a member of the Chilean section of the American Association of Jurists (*Asociación Americana de Juristas - AAJ*), was arrested in Santiago by the police as she was taking part in a peaceful demonstration in protest against the death of the Mapuche student Matias Catrileo Quezada, assassinated in Vilcun in Araucanía by a member of the Special Police Operations Group (*Grupo de Operaciones Policiales Especiales - GOPE*). Ms. Sepúlveda was arrested as she was calling for respect for the constitutional rights to peaceful assembly and freedom of expression of Ms. Orielle Núñez and Ms. Berna Castro, two participants in the demonstration who were in the process of being arrested.

Furthermore, the police violently repressed demonstrators, and arrested a Mapuche leader, Mr. **José Pallial**, in the presence of his 11 year-old son, as well as 14 other members of the Mapuche community.

These persons were then taken to the Santiago n°1 police station, where they were released a few hours later.

**CHINA - Arbitrary detention / Forced disappearance / Harassment**

**January 3, 2008 - CHN 009 / 1107 / OBS 141.1**

**January 7, 2008 - CHN 009/ 1107 / OBS 141.2**

**January 18, 2008 - Open Letter to the authorities**

**February 1, 2008 - CHN 009 / 1107 / OBS 141.3**

**March 19, 2008 - CHN 009 / 1107 / OBS 141.4**

On March 18, 2008, a hearing was held before the Beijing Municipal N°1 Intermediate People's Court in the trial of Mr. **Hu Jia**, co-founder and former Director of the Aizhixing Institute for Health Education, an organisation that aims at educating the public about HIV/AIDS and at advocating the rights of persons suffering from AIDS.

The hearing lasted for four hours, but the lawyers appearing for the defence, Messrs. **Li Fangping** and **Li Jingsong**, were only allowed 20 minutes to speak, before being interrupted by the judge. They subsequently attempted to speak on four occasions, but each time the judge interrupted them, on the grounds that he considered their arguments to be irrelevant to the case.

Furthermore, several persons were refused access to the courtroom, including most of Mr. Hu's relatives, and a certain number of foreign diplomats. The police took his friends and supporters outside Beijing in order to prevent them from talking to journalists.

Mr. Hu has been arbitrarily detained since December 27, 2007.

On January 28, 2008, the Beijing Public Security Bureau (PSB) informed him of the warrant for his arrest and that he was charged with "inciting subversion of State power".

Moreover, on January 10, 2008, Mr. Li Jingsong was placed under house arrest, and then released a few hours later, after having invited some foreign journalists in order to denounce the fact that he was prevented from meeting with Mr. Hu Jia's wife, Mrs. **Zheng Jinyan**.

As for Mr. Li Fangping, he was deterred by the authorities from approaching Mr. Hu's domicile. Earlier, on January 4, the two lawyers had been prevented from visiting Mr. Hu in prison, as his case would involve "State secrets".

**CHINA - Sentencing / Arbitrary detention**  
**February 5, 2008 - CHN 003 / 0807 / OBS 099.1**

On February 5, 2008, the Hangzhou City Intermediate People's Court sentenced Mr. **Lü Gengsong**, a Hangzhou writer and defender, to four years' imprisonment and one year's deprivation of his political rights for "inciting subversion of State power". The hearing was dispatched in 15 minutes and only his wife, his daughter and two friends were allowed to be present.

On April 14, 2008, the Zhejiang Provincial High Court rejected in a closed trial the appeal of Mr. Lü. His family announced his intention to take his case to the Supreme People's Court (See Urgent Appeal CHN 003/0807/OBS 099.2, issued on April 18, 2008).

Mr. Lü was formally arrested on September 29, 2007. He had frequently published articles on the Internet denouncing corruption in the public sector, organised crime and forced evictions of urban residents. A few days before his arrest, he had denounced the internment of Mr. He Weihua in a psychiatric unit, and had been present the day before at the trial of Mr. Yang Yunbiao, an activist for the right to housing.

**CHINA - Sentencing / Arbitrary detention / Ill-treatments**  
**February 20, 2008 - CHN 001 / 0208 / OBS 024**  
**March 25, 2008 - CHN 001 / 0208 / OBS 024.1**

On February 19, 2008, a hearing was held in the trial of Mr. **Yang Chunlin**, a young farmers' representative, before the Jiamusi City Intermediate People's Court (Heilongjiang province). Mr Yang arrived in court handcuffed and fettered. When his lawyers protested, the irons were removed from his ankles, but Mr. Yang remained chained to an iron chair during the whole of the hearing. The proceedings mainly focused on the heading of the open letter "We want human rights, not the Olympics", for which Mr. Yang had collected over 10,000 signatures. His lawyers asked the prosecutors to prove the link between the title and the charge of "inciting to subvert State power". The prosecution produced no concrete evidence to that effect, merely indicating that the slogan had drawn the attention of international media and had had a very negative impact abroad.

On February 18, 2008, Mr. Yang was able to meet his lawyer, who reported that his client had only been able to leave his cell seven or eight times since his arrest, adding that Mr. Yang was only informed of his trial the day before, which had made it impossible for him to prepare his defence. Mr. Yang also indicated that he had been tortured during his detention.

On March 24, 2008, the same day the Olympic flame was lit in Olympia, in Greece, Mr. Yang Chunlin was sentenced by the Jiamusi City Intermediate People's Court to five years' imprisonment and two years' deprivation of his civic and political rights for "inciting to subvert the power of the State". At the end of the hearing, which lasted 20 minutes, the court police struck Mr. Yang several times with electric batons as he was trying to speak to his family, present at the hearing. Mr. Yang proclaimed his innocence and challenged the legitimacy of the court, at the same time adding that he would not appeal the sentence.

On July 6, 2007, Mr. Yang was placed in a detention centre and was formally arrested on August 13, 2007, being suspected of "inciting to subvert the State power". Until March 2008, the authorities denied all requests from his family to be allowed to visit him, and refused to inform them of his situation. The authorities also harassed the members of his family on several occasions, in particular by wire-tapping their telephones in order to prevent them from drawing attention to Mr. Yang's situation.

As of December 2008, Mr. Yang remained in detention.

**CHINA - Arbitrary arrest / Release / Ill-treatments**  
**February 21, 2008 - CHN 001 / 0803 / OBS 041.12**

On February 16 and 17, 2008, Mr. **Zheng Enchong**, a human rights lawyer in Shanghai, was beaten and harassed by police officers, when he was with his wife. Later, on February 17, 2008, he was summoned to the police station and detained for over 12 hours. The police questioned him on the legal assistance he had given to petitioners and victims of land confiscation. Mr. Zheng was also questioned on an interview he had given to the *Epoch Times* newspaper on February 12, 2008, in which he talked about the case of corruption involving the Shanghai tycoon Mr. Zhou Zhengyi<sup>1</sup>, mentioning the possible implication of the former Chinese Communist Party leader, Mr. Huang Ju. During his detention, he was reportedly beaten by unidentified men.

The interview given to the *Epoch Times* was published on February 19, 2008. On February 20, 2008, Mr. Zheng was again arrested, and then released in the evening. While detained, he was again beaten by an unidentified man. Since his release on June 5, 2006, after serving a three-year prison term for "illegally divulging State secrets abroad", Mr. Zheng and his family have been under house arrest, and are under constant surveillance by the police.

**CHINA - Sentencing / Arbitrary detention / Ill-treatments**  
**February 22, 2008 - CHN 007 / 1007 / OBS 129.3**

On February 19, 2008, the Management Committee of the Heilongjiang Re-education Through Labour (RTL) camp rejected the request for an administrative review of the decision to send her to an RTL camp lodged by Mrs. **Liu Jie**, an activist for the rights to complain and to seek justice in the town of Beian (Heilongjiang province), on December 20, 2007<sup>2</sup>. Mrs. Liu appealed the decision.

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<sup>1</sup> Mr. Zhou Zhengyi, former President of the Nongkai real estate Development Group based in Shanghai, was sentenced to three years' imprisonment in 2004 for tax fraud and manipulation of stock exchange quotations. He was released in May 2006, but was charged with new facts and formally arrested on January 21, 2007 on charges of bribery and forging tax invoices.

<sup>2</sup> Earlier the camp administration had repeatedly postponed its decision concerning another request lodged by Mrs. Liu for medical reasons. The doctor who examined her on December 20, 2007 had concluded that Mrs. Liu would lose her sight if she did not immediately receive adequate care, and that she should as a matter of urgency be transferred to Beijing, as the treatment was not available in the Heilongjiang

Mrs. Liu Jie was arrested on October 11, 2007, and sentenced in November 2007 to 18 months of RTL by the PSB of the Beian City Military Farm Bureau, after having been the main organiser of a petition signed by 12,150 petitioners calling on the leaders of the Chinese Communist Party, on the occasion of the 17<sup>th</sup> Party Congress, to undertake political and legal reforms.

**CHINA - Arbitrary arrest / Release / Harassment**  
**March 11, 2008 - CHN 002 / 0308 / OBS 036**

On the evening of March 6, 2008, Mr. **Teng Biao**, a Beijing-based human rights lawyer and an academic, a laureate of the French Republic's Human Rights Prize in 2007, was abducted in an unmarked black car.

No information was available on his whereabouts until his release, on March 8, 2008.

Mr. Teng was reportedly questioned by members of the Beijing PSB in an unknown location, on the articles he had written and on other "activities". He was released after being detained for forty hours.

At the end of 2007, Mr. Teng and Mr. Hu Jia<sup>3</sup> had co-authored an open letter criticising the Chinese human rights record on the eve of the Olympic Games. Mr. Teng is also the author of articles criticising the Communist Party's policy on human rights and the rule of law.

**COLOMBIA - Assassination**  
**January 25, 2008 - COL 001 / 0108 / OBS 010**

On January 16, 2008, four individuals entered the house of Mr. **Armando Montañez**, a peasant leader, former Head of the National Peasants' Association (*Asociación Nacional de Usuarios Campesinos* - ANUC) and former President of the Community Action Committee of the El Paraiso path, in Monterralo, Aguazul commune, Department of Casanare. On seeing the intruders, Mr. Armando Montañez, his nine year-old son and an employee, Mr. José Jutínico Gómez, who worked on Mr. Montañez's farm, approached the house. The aggressors, wearing civilian clothes, then opened fire. Mr. Armando Montañez and his son ran away, chased by three aggressors, while the fourth was beating Mr. Gómez, accusing him of belonging to the National Liberation Army (*Ejército de Liberación Nacional* - ELN) and threatening to kill him. Mr. Armando Montañez's son managed to escape.

Subsequent to these events, several members of the community went to look for Mr. Montañez, and learnt that the men of the 44<sup>th</sup> battalion of the Colombian regular army, who had been patrolling the area, had received orders to leave. Furthermore, the military present in the area refused to take part in the search for Mr. Montañez.

On January 18, 2008, M. Armando Montañez's body was found by members of the community in a crevice two kilometres from his home, with two bullet wounds in the head and marks of blows.

After the discovery of the body, the army cordoned off the area in order to remove it, but on the insistence of the family and of the Social Corporation for Community Training (*Corporación Social Para la Asesoría y Capacitación Comunitaria* - COS-PACC), the body was only removed after the arrival of officials of the Public Ministry and of the Technical Investigation Unit (*Cuerpo Técnico de Investigaciones* - CTI).

A few years earlier, Mr. Montañez had been accused by the public security forces of "supposed collaboration with the guerrilla". He had also received death threats from a paramilitary named HK three years before that, but despite complaints being lodged no investigation was carried out.

**COLOMBIA - Death threats**  
**February 19, 2008 - COL 023 / 1207 / OBS 166.1**

On February 12, 2008, Mr. **José Domingo Flórez**, Head of the Bucaramanga section of the Union of Workers of the Food Industry (*Sindicato Nacional de Trabajadores de las Industrias de los Alimentos* - SINALTRAINAL) and a Coca Cola employee, received a letter sent to his home threatening him with death, referring also to other leaders of the Union, Messrs. **Luis Javier Correa Suárez** and **Luis Eduardo García**.

On February 14, 2008, Mr. Flórez received a further threatening letter, warning him that his daughter would be abducted on leaving school and that he must leave his house.

In the past, Mr. Flórez had already received death threats for him and for Messrs. Luis Javier Correa Suarez and Luis Eduardo Garcia.

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province. Owing to her activities in defence of the rights of petitioners, Mrs. Liu was on several occasions beaten by the Heilongjiang Provincial Nongken PSB police, resulting in permanent damage to her eyes, causing her to practically lose her sight. Between October and November 2007, she was again beaten while in detention, causing further injuries to her eyes. The authorities nevertheless refused to consider her request, on the grounds that they had not received the medical report confirming her condition. Although she is close to being blind, Mrs. Liu is forced to work fourteen hours a day, six days a week.

<sup>3</sup> See above.

**COLOMBIA - Smear campaign**  
**February 20, 2008 - Press Release**

On February 10, 2008, in an interview given to the *Caracol* radio station, the President's Counsellor, Mr. José Ondulio Gaviria, declared that neither he "nor President Uribe would take part in the march on March 6, [National day of tribute to the victims of the paramilitary], as according to him it was organised by the Revolutionary Armed Forces of Colombia (*Fuerzas Armadas Revolucionarias de Colombia* - FARC). He added that "it would be difficult for the people of Colombia to take part in such a demonstration, as we were precisely marching against the organisers".

Mr. **Ivan Cepeda Castro**, representing the National Movement of Victims of State Crimes (*Movimiento Nacional de Víctimas de Crímenes de Estado* - MOVICE), rejected the declaration and recalled that the members of the movement and the organisers of the march are against all illegal armed groups "whether the FARC or any other paramilitary group". He added that the date of March 6 had been chosen because it coincided with the opening of the Fourth national gathering of victims of crimes against humanity, of genocide and of serious violations of human rights.

On February 11, 2008, the National Movement of Demobilised Self-Defence Units (*Movimiento Nacional de Autodefensas Desmovilizadas*) also criticised the march in a press release, accusing Mr. Cepeda Castro and insinuating that the organisers were "FARC sympathisers". The release also protested against the march, considering that it was inappropriate to denounce the crimes committed by the paramilitary in the present context of their "demobilisation".

On February 12, 2008, the Organisation of the Indigenous Unity of the Awa People (*Organización Unidad Indígena del Pueblo Awa* - UNIPA) in the Department of Nariño, a member of the National Indigenous Organisation of Colombia (*Organización Nacional Indígena de Colombia* - ONIC), received, along with 13 other Nariño organisations, threats by email from the "New Generation" paramilitary group.

**COLOMBIA - Death threats / Harassment**  
**February 26, 2008 - COL 002 / 0208 / OBS 025**

Early in 2008, Mr. **David Ravelo Crespo**, Secretary of the Managing Committee of the Regional Corporation for the Defence of Human Rights (*Corporación Regional para la Defensa de los Derechos Humanos* - CREDHOS), was informed that a paramilitary commando was planning to assassinate him in a district of Barrancabermeja, at the request of an individual named Richard Uceda Castaño *alias* "el gomelo". The paramilitary had been following him for two weeks, and were waiting for the right moment to kill him.

Already in 2007, Mr. David Ravelo Crespo's name had been on a list circulated by the "Black Eagles" (*Águilas Negras*) paramilitary group giving the names of human rights defenders who were to be assassinated in Barrancabermeja.

**COLOMBIA - Acts of intimidation / Attacks**  
**March 5, 2008 - COL 003 / 0308 / OBS 034**

On February 29, 2008, a man on a motorcycle fired on the house of Ms. **Adriana Gonzalez Correa**, Executive Secretary of the section of the Permanent Committee for the Defence of Human Rights (*Comité Permanente por la Defensa de los Derechos Humanos* - CPDH) in the Department of Risaralda and one of the organisers of the march on March 6<sup>4</sup>, in the city of Pereira. Fortunately Ms. Gonzalez Correa was not injured.

On the same day, Mr. **Guillermo Castano Arcila**, president of the Risalda section of CPDH and also one of the organisers of the march, received an email informing him that some paramilitary groups had designated him as a military objective.

Mr. **Mauricio Cubides**, a member of the Trade Union Federation of Agricultural Workers (*Federación Sindical de Trabajadores Agrícolas* - FENSUAGRO), and Mr. **Diego Macias**, a member of the Peasants' Corporation for Sustainable Development (*Corporación Campesina para el Desarrollo Sustentable* - CORPOCAM), who also organised the march in Pereira, received the same threats.

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<sup>4</sup> See above.

**COLOMBIA - Assassinations / Assaults**  
**March 13, 2008 - COL 004 / 0308 / OBS 037**  
**March 19, 2008 - Press Release**

On March 4, 2008, Ms. **Carmen Cecilia Carvajal**, a member of the North Santander Teachers' Association (*Asociación de Institutores Norte Santandereanos - ASINORT*), was assassinated in the Ocana municipality, North Santander.

On March 5, 2008, Mr. **Leonidas Gomez Rozo**, National Executive of the National Union of Bank Employees (*Unión Nacional de Empleados Bancarios - UNEB*) and a member of the national education team of the Central Union of Workers (*Central Unitaria de los Trabajadores - CUT*), disappeared. On March 8, 2008, the very day his disappearance was notified to the authorities, Mr. Leonidas Gomez Rozo was found dead in his apartment.

Furthermore, on March 7, 2008, Mr. **Rafael Boada**, President of the UNEB branch in Bucaramanga, was assaulted in the city of Medellín by two individuals on a motorcycle, who fired on a car he was sitting in. Mr. Boada had already received death threats in the past.

On the same day, Mr. **Gildardo Antonio Gómez Alzate**, Delegate of the Association of Teachers of Antioquia (*Asociación de Institutores de Antioquia - ADIDA*), was assassinated in Medellín.

Besides, on March 11, 2008, the body of Mr. **Carlos Burbano**, Director of the National Association of Hospital Workers (*Asociación Nacional de Trabajadores Hospitalarios - ANTHOC*) and leader of the March 6, 2008 mobilisation in the commune of San Vicente del Caguan, Caqueta, who had disappeared since March 9, was found. Mr. Burbano had received threats and been subjected to acts of harassment on March 5, 2008.

**COLOMBIA - Death threats / Harassment**  
**March 17, 2008 - COL 005 / 0308 / OBS 038**

On March 12, 2008, Ms. **Ana María Rodríguez**, a member of the Colombian Commission of Jurists (*Comisión Colombiana de Juristas - CCJ*), received an SMS from a paramilitary group called "Black Eagles of the Bogotá Metropolitan Block" (*Águilas Negras Bloque Metropolitano de Bogotá*), while attending preparatory meetings for the march on March 6. The message contained threats to several social and human rights organisations, including ONIC, the Peaceful Road of Mothers (*Ruta Pacífica de las Mujeres*), the Permanent Assembly of the civil society for peace (*Asamblea Permanente de la Sociedad Civil por la Paz*), and also to Ms. **Luz Helena Ramirez**, a member of MOVICE, Ms. **Diana Marcela Gomez Correal**, and other organisers of and participants in the march. The message also announced that "they would abduct and kill a list of persons", including Ms. Ana María Rodríguez.

The persons mentioned belong to the driving committee of the national gathering of victims, members of social organisations (*Encuentro Nacional de Víctimas Pertenecientes a Organizaciones Sociales*) and are the initiators of the appeal for the march on March 6, 2008.

**COUNCIL OF EUROPE - Adoption of the Declaration of the Committee of Ministers for a better protection of human rights defenders**  
**February 18, 2008 - Press Release**

The Observatory welcomed the adoption, on February 6, 2008, by the Committee of Ministers, of the Declaration on the Council of Europe action to improve the protection of human rights defenders.

The Committee of Ministers calls on Member States to create an environment conducive to human rights defenders, to take effective measures to protect, promote and respect them, to ensure that they have access to effective remedies, to take action to prevent the attacks and harassment to which they are subjected, and to guarantee their effective access to the European Court of Human Rights.

The Declaration also enhances the capacity of Member States to provide measures for swift assistance and protection to human rights defenders in danger in third countries, such as by sending observers to trials and issuing emergency visas.

The text further formalises and strengthens the role of the Commissioner for Human Rights in matters pertaining to human rights defenders. The latter is invited by the Committee of Ministers to continue to act upon information received from human rights defenders and other relevant sources, to meet human rights defenders during his country visits, and to report publicly on their situation; as well as to approach the competent authorities in order to find solutions to problems encountered by human rights defenders, in particular in emergency situations. The Commissioner is also requested to work closely with other existing protection mechanisms.



**CUBA - Harassment / Assault**  
**March 25, 2008 - CUB 001 / 0308 / OBS 042**

On March 15, 2008, members of the Ladies in White (*Las Damas de Blanco*) were insulted during the peaceful four-kilometre march they had organised to call for the release of 55 political opponents who are still in prison since the 2003 “Black Spring”<sup>5</sup>. In particular, they were verbally aggressed on several occasions by the crowd, being called “terrorists”, “assassins”, “mercenaries” and “bastards”.

**DJIBOUTI - House arrest**  
**February 1, 2008 - DJI 001 / 0208 / OBS 014**

On February 1, 2008, two persons in plain clothes purporting to be members of the armed forces, acting without any warrant, prevented Mr. **Jean-Paul Noël Abdi**, President of the Djibouti League for Human Rights (*Ligue djiboutienne des droits de l’Homme* - LDDH), from leaving his domicile, saying it was a general measure taken against opposition leaders and their supporters, probably in order to avoid the holding of an opposition rally planned for the same day and organised in the framework of the electoral campaign for the legislative elections to be held on February 8, 2008. Although Mr. Noël Abdi replied that he was not concerned, not being a member of any opposition party, the two members of the armed forces told him to await further instructions. Shortly after midday, the two members of the armed forces were joined by six policemen belonging to the anti-riot forces, who surrounded Mr. Noël Abdi’s domicile in order to prevent him from leaving. Mr. Abdi has not been troubled again since that date.

**ECUADOR - Attack / Harassment**  
**March 5, 2008 - ECU 001 / 0308 / OBS 033**

On February 29, 2008, Mr. **Alexis Ponce**, founder and Spokesman of the Permanent Association for Human Rights (*Asociación Permanente por los Derechos Humanos* - APDH) and Counsellor to the Constituent Assembly, was aggressed in the La Floresta district, in the north of the capital city, by four unknown individuals who threatened him with automatics, struck him, and demanded that he hands over his computer, in which he kept a lot of information and documents connected with his work on human rights violations in Ecuador. Despite the speedy arrival of the police, the policemen refused to chase the assailants’ car. Following the attack, Mr. Alexis Ponce waited until 9.30 pm at the APDH office for the head of the criminal police, acting on instructions from the Ministry of Interior, in order to draw up the official account of the aggression; however, no member of the police made an appearance. On March 1, 2008, Mr. Alexis Ponce received a phone call from the head of the national police, Mr. Hugo Torres, who told him he wanted to “confirm the truth of the information contained in the report drawn up by a policeman belonging to the La Floresta patrol, which he had been sent”, and asking him to hand in an exact report to the criminal police. His statement was then taken by two police officers, who also showed him photographs of delinquents and suspected thieves, to see if he recognised his aggressors among them. Such not being the case, they drew up a report saying that the plaintiff “had not cooperated and had not presented himself to the police”. As of the end of August 2008, no investigation had been opened relating to these events.

**EGYPT - Restrictions to freedom of movement**  
**February 7, 2008 - Joint Open Letter to the authorities**

On February 5, 2008, the High Judicial Council (HJC) rejected the request to travel that had been submitted by Mr. **Hisham Bastawissi**, Vice-President of the Egyptian Court of Cassation, without giving any reason, thereby preventing him from leaving the country. Mr. Bastawissi had submitted his request to the CSM, as under Egyptian law judges need prior authorisation to travel abroad. Mr. **El Baroudy**, Judge of the Alexandria Court of Appeal, had for his part submitted his request to travel to the judge in charge of the administration department of the Alexandria Court of Appeal two weeks in advance, but by February 7, 2008, no reply had been forthcoming. The two judges were therefore unable to travel to Belgium, where they had been invited to attend a meeting on the independence of justice in the Euro-Mediterranean region organised by the Euro-Mediterranean Human Rights Network (EMHRN) in Brussels from February 9 to 11, 2008. The event included a public seminar in the European Parliament on February 11, in which the two judges were expected to take part.

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<sup>5</sup> Between March 18 and 20, 2003, 75 political opponents were arrested, and a week later received heavy sentences for “undermining the independence of the State”.

**EGYPT - Repeal of a sentence**  
**March 4, 2008 - EGY 001 / 0407 / OBS 035.3**

On February 27, 2008, the Helwan Court of Appeal, south of Cairo, quashed a sentence handed down on October 11, 2007 against Mr. **Kamal Abbas**, General Coordinator of the Centre for Trade Union and Workers Services (CTUWS), and his lawyer, Mr. **Mohamed Helmy**, for “slander and defamation of character”.

On October 11, 2007, Messrs. Kamal Abbas and Mohamed Helmy had been sentenced to one year’ imprisonment following a report they had published in the CTUWS magazine *Kalam Sinai’ia (The Voice of the Workers)*, which mentioned financial and administrative irregularities in the running of a youth centre, in which the President of the Board of Directors of the centre, a member of the National Democratic Party, was involved. The allegations of corruption had been confirmed by an internal investigation carried out by the youth centre, and the Board of Directors was subsequently dissolved by the Governor of Cairo.

**GABON - Obstacles to freedom of association**  
**January 16, 2008 - Press Release**

On January 9, 2008, several Gabonese NGOs, belonging to the coalitions “Publish What You Pay”, “Coalition Against the High Cost of Living in Gabon”, “Coalition Against Sectarian Excesses in Gabon” and to the Platform “Gabon Environment”, held a press conference organised by several groups of associations on the occasion of the cabinet reshuffle on December 28, 2007, at which a devastating report of the present state of Gabon was presented, regarding education, access to health care, and infrastructure, a situation attributed to the endemic corruption prevailing in the country.

A few hours after the press conference, the Gabonese Minister of the Interior, Mr. André Mba Obame, decided to suspend immediately a score of associations, including Health Growth Environment, Environmental Education (*Croissance saine environnement, Education environnementale - CADDE*), *Afrique horizon*, Work More for Gabon (*Œuvrer plus pour le Gabon*), SOS Consumers (*SOS consommateurs*), and Woman, Environment and Development (*Femme environnement et développement - FENSED*), accused of making “political” statements during the press conference. The Minister declared to the press that the Government “could not accept that these associations should transgress the legal framework of their status and enter the domain of political parties”; he invited the associations to define with him their fields of activity, threatening to ban them if they ventured outside their domain.

On January 16, 2008, the Minister of the Interior announced that he unconditionally reversed his decision to suspend the twenty-odd associations, owing to the strong international mobilisation supporting them.

**GUATEMALA - Acts of intimidation**  
**January 10, 2008 - GTM 001 / 0108 / OBS 002**

On December 31, 2007, unknown individuals, using heavy calibre weapons, fired on the house of Mr. **Carlos Enrique Mancilla García**, Secretary for Labour and Conflicts in the Confederation of United Trade Unions of Guatemala (*Confederación de Unidad Sindical de Guatemala - CUSG*), in the Ciudad Peronia colony in the commune of Villa Nueva, near Guatemala City. Five bullet marks were found on the outer walls, and two inside the house. Mr. Enrique Mancilla Garcia and his family were absent at the time of the attack.

In addition, on January 1, 2008, Mr. Mancilla Garcia received a dozen anonymous phone calls. He informed the Human Rights Prosecutor and the Public Ministry of these facts, asking them to ensure his safety and that of his family, but at the end of August 2008, no protective measure had been implemented.

Mr. Carlos Enrique Mancilla García is following, on behalf of CUSG, the enquiry into the assassination of Mr. Marco Tulio Ramirez Portela, a leader of the Izabal Union of Banana Plantation Workers (*Sindicato de Trabajadores Bananeros de Izabal - SITRABI*), assassinated on September 23, 2007, and is also active in denouncing, at national and international level, violations of fundamental labour rights and the rights of workers who are members of the trade unions affiliated to CUSG.

**GUATEMALA - Assassination**  
**March 7, 2008 - GTM 002 / 0308 / OBS 035**

On March 2, 2008, unknown individuals entered the domicile of Mr. **Miguel Ángel Ramírez Enríquez**, co-founder of the Union of Workers of the Southern Banana Plantation (*Sindicato de Trabajadores Bananeros del Sur - SITRABANSUR*), situated in the “Olga Maria” agricultural establishment, which supplies the multinational corporation Chiquita Brand, and fired on him several times and shot him dead.

On August 25, 2008, during a meeting between the leaders of the Union of Workers of Guatemala (*Unión Sindical de Trabajadores de Guatemala - UNSITRAGUA*), to which SITRABANSUR belongs, and the investigators supposed to elucidate the assassination, the UNSITRAGUA leaders found out that the investigators were not even aware that Mr. Ramírez Enríquez had been killed.

The members of SITRABANSUR had already received threats, initially targeting the trade union leaders, but later extended to all workers affiliated to the union. A complaint had been lodged with the Public Ministry, but at the end of August 2008 the procedure was still in progress.

#### **INDIA - Arbitrary detention / Search / Judicial proceedings / Release**

**February 14, 2008 - IND 001 / 0208 / OBS 018**

**February 15, 2008 - IND 001 / 0208 / OBS 018.1**

During the night of February 9, 2008, members of the Guwahati police force searched the apartment of Mr. **Lachit Bordoloi**, a journalist and a peace activist, advisor to “Manab Adhikar Sangram Samiti” (MASS), Convener of the Peoples’ Committee for Peace Initiatives in Assam (PCPIA), and a member of the Peoples’ Consultative Group (PCG)<sup>6</sup>, in Guwahati, when his wife and daughter were present. That day Mr. Bordoloi was attending a meeting in the Tinsukia district, in upper Assam. In his absence, the police seized his laptop and some equipment, without showing a warrant to the family members who were present.

On February 11, 2008, a group of policemen belonging to the Dibrugarh district stopped the bus in which Mr. Bordoloi was travelling, on the way to the town of Guwahati, arrested him and brought him to the Dibrugarh police station. The next day he was transferred to the Chandmari police station in Guwahati, where he was remanded in police custody for five days.

Mr. Bordoloi was then accused of “having a role in collecting funds for the United Liberation Front of Assam (ULFA)”, an armed group active in Assam, under the Unlawful Prevention Activities Act, and of “waging war against the State” (sections 120B and 121 of the Penal Code).

On February 8 and 9, 2008, the police had arrested two persons presumed to be ULFA activists. Later, the police declared that the activists had come into town to try and hijack a plane, with the help of several prominent figures of the town. Mr. Bordoloi was apparently arrested following statements made by one of the suspects.

On February 15, 2008 Mr. Lachit Bordoloi was remanded in police custody until February 18 for further questioning.

Mr. Bordoloi was released at a later date.

#### **INDIA - Arbitrary arrest / Ill-treatment / Judicial proceedings / Death threats**

**February 20, 2008 - IND 002 / 0208 / OBS 020**

On February 15, 2008, henchmen working for Mr. Moorthy, President of Vellalapatti, a town situated in the Madurai district, in the south of the State of Tamil Nadu, beat up and arrested Mr. **Arumugam Katuraja Kanagaraj**, a Dalit human rights activist and Salem District Human Rights Monitor (Tamil Nadu) of the People’s Watch National Project on Preventing Torture in India (NPPTI). in India, at his house in Ganaesapuram, and then brought him to Mr. Moorthy’s domicile, where he was again beaten.

The men then called the Ethapur police station (Salem district), where a complaint was lodged by Mr. Moorthy against Mr. Kanagara, and then handed him to the policemen. Mr. Kanagaraj was reportedly again beaten in the police station.

On the morning of February 15, Mr. Utharapathy, a police inspector, and Mr. Baskaran, Superintendent of Police of the Salem district, were immediately informed of these facts.

Around 5 pm, Mr. Kanagaraj was sent to Salem hospital, where he was treated for the injuries caused by the beatings.

Furthermore, Mr. Moorthy and his henchmen threatened several members of Mr. Kanagaraj’s community with terrible consequences if they bore witness in his favour with the police. They also reportedly told Mr. Kanagaraj that they would kill him if he returned to his village.

In the past, several complaints had already been lodged against Mr. Kanagaraj, and Mr. Moorthy had also threatened him on several occasions after Mr. Kanagaraj had lodged several complaints against the President of Vellalapatti for a series of illegal acts allegedly committed in his official capacity, in particular acts of corruption and embezzlement.

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<sup>6</sup> MASS in particular gathers information about violations committed by the Indian army, the paramilitary forces and the police. In September 2005, PCG was set up in order to initiate peace negotiations between the Indian Government and the United Liberation Front of Assam (ULFA), an armed group active in the Assam State.

**INDIA - Judicial proceedings / Harassment**  
**February 27, 2008 - IND 003 / 0208 / OBS 027**

On January 12, 2008, Mr. Vikash Chandra, an inspector with the Border Security Forces (BSF), lodged a complaint with the Raninagar police station against Mr. **Julfikar Ali**, Murshidabad District Human Rights Monitor of the NPPTI, and against three other persons, under the following sections of the Indian Penal Code: 147 (“rioting”), 148 (“rioting, armed with deadly weapon”), 149 (“unlawful assembly”), 186 (“obstructing public servants”), 353 (“assault to deter a public servant from discharge of his duty”), 307 (“attempt to murder”) and 326 (“voluntarily causing grievous hurt by dangerous weapons or means”). The complaint apparently relates to an incident that is supposed to have taken place during the night of January 11 to 12, 2008 at n°8 border post at Kaharpara, and followed the denunciation by Mr. Ali of acts of torture, assassination and rape committed by the BSF in the area served by the Raninagar police station.

In the complaint, Mr. Julfikar Ali’s name and address are misspelt and incorrect. Mr. Ali does not know the three other persons mentioned in the complaint, and at the time indicated in the police First Information Report (FIR), he was 25 kilometres from the place where the facts with which he is charged took place.

Furthermore, on January 30, 2008, the police visited Mr. Ali’s domicile, where his family told them that he was in Bangladesh to investigate into the situation of Indian citizens arrested there.

At the end of August 2008, the proceedings against Mr. Julfikar Ali were still pending before the Lalbagh Court.

**IRAN - Arbitrary detention / Ill-treatment / Deterioration of state of health**  
**January 3, 2008 - IRN 006 / 0807 / OBS 088.2**

On December 26, 2007, Mr. **Emadeddin Baghi**, a journalist and human rights defender, suffered a double heart attack in the Evin prison, where he was held in solitary confinement since his arrival there on October 14, 2007. Mr. Baghi is serving a two-year’s prison sentence for “activities against State security”, “publicity in favour of opponents of the regime” and “divulging secret information”. He returned to the prison the day after his heart attack. His conditions of detention are deplorable, and his health is constantly deteriorating. He has also been subjected to harassment during questioning.

Furthermore, during the week of August 16, 2008, Mr. Baghi was transferred to section 209 of the Evin prison, a section controlled by the national intelligence service and which is outside the jurisdiction of the central prison administration.

**IRAN - Release on bail / Sentencing**  
**January 8, 2008 - Press Release**

On January 2, 2008, Ms. **Maryam Hosseinkhah** and Ms. **Jelveh Javaheri**, two members of the One Million Signatures Petition Campaign, which seeks to put pressure on the Iranian legislators in order to withdraw provisions that have adverse effects on women’s human rights, were released on bail after their bail had been reduced from respectively 95,000 and 50,000 Euros to 4,000 Euros each.

As for Ms. **Hana Abdi** and Ms. **Ronak Safarzadeh**, two other members of the Campaign, they remained detained in Sanandaj as of the end of September 2008.

On September 2, 2008, the Tehran Revolutionary Tribunal sentenced Ms. Hosseinkhah and Ms. Javaheri to six months’ imprisonment for “publishing information against the State”, for having written articles for two online newspapers that defend women’s rights in Iran: *Zanestan* and *Tanir Bary Barbary*. They were released on bail after having appealed their sentencing (See Press Release issued on September 5, 2008).

**IRAN - Arbitrary detention / Judicial proceedings / Release on bail**  
**February 20, 2008 - IRN 001 / 0208 / OBS 021**  
**March 4, 2008 - IRN 001 / 0208 / OBS 021.1**

On February 14, 2008, Ms. **Raheleh Asgarizadeh** and Ms. **Nasim Khosravi**, two members of the One Million Signatures Petition Campaign, were arrested in Tehran as they were collecting signatures for the campaign. They were taken to police station n°129 (Jaami) before being transferred to security station n°8 for questioning, then to the Vozara detention centre.

On February 15, 2008, Ms. Asgarizadeh and Ms. Khosravi were charged with “propaganda against the State” and transferred to the Evin prison.

On February 26, 2008, Ms. Asgarizadeh and Ms. Khosravi were released on high bail, after their bail had been reduced to 10 million tomans each (around 11,000 dollars) and paid to the Revolutionary Court by their relatives. However, as of December 2008, Ms. Asgarizadeh and Ms. Khosravi remained charged with “propaganda against

the State’.

**IRAN - Sentencing / Judicial harassment / Obstacles to freedom of movement / Release on bail  
March 4, 2008 - IRN 002 / 0308 / OBS 030**

On February 19, 2008, Ms. **Ehteram Shadfar**, a member of the One Million Signatures Petition Campaign, was sentenced *in absentia* to a six months’ suspended sentence for “endangering national security” and “propaganda against the State” by the thirteenth branch of the Revolutionary Courts. The sentence will be suspended for two years, and will only be implemented if she receives a further sentence during that period.

Ms. Shadfar had been arrested on June 10, 2007 by the security police from Police Station 104, in Nilofar Square, and had spent 24 hours in Vozara detention centre.

Furthermore, on March 3, 2008, Ms. **Parvin Ardalan**, another member of the Campaign, was forced to alight from a flight leaving for Stockholm (Sweden), where she was invited in order to receive the Olaf Palme<sup>7</sup>, as a sign of recognition to her activism in the cause of women’s rights. On that occasion her passport was confiscated and she was given a summons to recover it from the security office of the passport department within 72 hours.

On April 24, 2008, Ms. Ardalan was sentenced to three years’ imprisonment, of which two and a half were suspended. She immediately appealed the decision and, on September 2, 2008, the Tehran Revolutionary Tribunal sentenced her to six months’ imprisonment for “publishing information against the State”, for having written articles for two online newspapers that defend women’s rights in Iran: *Zanestan* and *Tanir Bary Barbary*. She was released on bail after having appealed her sentencing (See Press Release issued on September 5, 2008).

**JORDAN - Withdrawal of Bill of Law on NGOs  
January 11, 2008 - Press Release**

On January 8, 2008, the Jordan Government decided to withdraw a controversial Bill of Law on NGOs, which was being debated in the Lower House of Parliament. The bill had been tabled on October 9, 2007 by the Ministry of Social Development, and represented a serious threat to freedom of association in Jordan, endangering the independence of the NGOs.

In particular, the Bill contained provisions granting the Ministry of Social Development the power to refuse to grant a licence to any NGO without having to motivate the decision. It would also have been able to dissolve an NGO for the following reasons: “holding a meeting without the presence of a representative of the Ministry” and “conclusion of agreements with any entity without the agreement of the Ministry”. The Bill also contained restrictive provisions concerning NGO financing: contributions could only come from the founder of the association, a deposit of up to 150,000 dollars was required on the setting up of the association, which could be confiscated if the NGO were dissolved, a single fund would be created at national level for donations from abroad, and only the Ministry of Social Development could decide which NGOs could receive funds for certain projects. In addition, foreign agencies operating in Jordan with a licence would not have been able to spend less than 375,000 dollars per year.

**KENYA - Death threats  
January 14, 2008 - KEN 001 / 0108 / OBS 005  
February 6, 2008 - KEN 001 / 0108 / OBS 005.1**

On January 8, 2008, members of Kenyans for Peace with Truth and Justice Initiative (KPTJ), including Mr. **Maina Kiai**, also former President of the Kenya Human Rights Commission (KHRC), an NGO, and President of the Kenya National Commission on Human Rights, were informed by reliable sources inside the Kenyan police forces and the National Security Intelligence Service that they were in danger, and that a special unit had been set up to develop methods of “neutralisation” of the latter, who were also advised to be “careful when driving at night”.

On January 15, 2008, a member of the Mungiki group, an emanation of the Kikuyu community, who was waiting in town for Mr. **James Maina**, a member of the NGO “Bunge La Mwananchi” (the Parliament of the People), reportedly threatened him as soon as he saw him. A few hours later, his neighbour phoned him to tell him that a dozen persons were looking for him.

On January 25, 2008, Mr. Maina received death threats from members of the Mungiki group, who promised to kill him even if he went into hiding.

At the end of January, Mr. Maina had to change his telephone number and his residence, ending up by fleeing the country. At the end of December 2008, he remained outside Kenya.

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<sup>7</sup> The Olaf Palm Foundation is an independent non-governmental entity, which awards prizes to human rights defenders.

Besides, Messrs. Maina and **Haroun Ndubi**, a lawyer and member of the Kenya Domestic Observers Forum, received anonymous telephone calls threatening to cut their heads off if they continued to criticise the election results.

Furthermore, Mr. **Ndung'u Wainaina**, a member of the National Convention Executive Council, asserted that that a former Counsellor from Nyahururu (his province of origin) declared that he ran the risk of being killed if he continued to criticise results of the presidential elections.

Ms. **Muthoni Wanyeki**, KHRC Executive Director, Ms. **Gladwell Otieno**, Director of the Africa Centre for Open Government, Ms. **Njeri Kabeberi**, Executive Director of the Centre for Multi-Party Democracy and Mr. **David Ndi**, Co-founder and Director of the Kenya Leadership Institute and author of a report on the irregularities observed during the last elections, also received death threats in January.

These threats seem to be related to the denunciation of the irregularities that marred the electoral process and the results of the last presidential elections, and to the submission on January 10, 2008 of an individual complaint with the Kilimani police station against the Electoral Commission of Kenya (ECK), for a number of offences committed during the organisation, management and monitoring of the presidential elections (false certificates, neglect of duty, non-compliance with legal obligations, forgery of official or official documents, etc.). The complaint was lodged in the name of KPTJ and the Kenya National Commission on Human Rights, to which some of the defenders mentioned above belong.

The threats ceased at the end of March 2008, after the signature on February 28 of the agreement between Messrs. Mwai Kibaki and Raila Odinga, aiming at putting an end to the post-electoral crisis.

### **KYRGYZSTAN - Arbitrary detention / Release / Sentencing January 16, 2008 - KGZ 001 / 0108 / OBS 007**

On December 18, 2007, Ms. **Tolekan Ismailova**, Director of the human rights centre "Citizens Against Corruption", was arrested, along with 18 other human rights defenders, including Mr. **Mirsujlan Namazaliev** and Ms. **Jibek Ismailova**, members of the human rights centre "Kylym Shamy", during a peaceful demonstration organised in Bishkek as a part of the "I don't believe" campaign, in order to express discontent concerning the irregularities that marred the December 16, 2007 parliamentary elections, as pointed out by the Organisation for Security and Cooperation in Europe (OSCE). The activists were taken to the premises of the Pervomaisky district militia and accused of violating the rules of peaceful demonstrations, under Article 392 of the Code of Administrative Responsibility, without being allowed access to their lawyers. They were released on the same day, awaiting trial.

On December 20, 2007, rs. Tolekan Ismailova, Ms. **Toktaim Umetalieva**, Director of the Association of Non-Governmental Organisations (NGOs) and Non-Commercial Organisations (NCOs), Ms. **Nazgul Turdubekova**, leader of the Youth Human Rights Group, Ms. **Aigul Kyzalakova** and Ms. **Natalia Utesheva**, members of the Youth Human Rights Group, and Mr. **Maxim Kuleshov**, leader of the NGO "World, Light and Culture", were arrested with 27 other activists while participating in another peaceful demonstration against the irregularities that occurred during the elections in the vicinity of the Jogurku Kenesh parliamentary complex.

Several of them suffered grievous bodily harm on the part of the police, who forced them into police vehicles.

Ms. Tolekan Ismailova and the majority of demonstrators were taken to the city police station. They were all placed in pre-trial custody and charged under Articles 371 (disobeying the police) and 392 (violating the rules of peaceful processions and demonstrations) of the Code of Administrative Responsibility.

Mr. Kuleshov, for his part, was taken to the Pervomaisky police station, where he was denied medical care and access to his lawyer.

Later they were all taken to the Bishkek Court of First Instance, where they were judged *in camera*, despite their request to be judged in a public hearing, which is the normal procedure. Found guilty of the administrative charges against them, Ms. Tolekan Ismailova and Mr. Mirsujlan Namazaliev were sentenced to seven days' imprisonment, while Ms. Nazgul Turdubekova, Ms. Aigul Kyzalakova and Mr. Maxim Kuleshov were sentenced to five days' imprisonment. Ms. Natalia Utesheva and Ms. Toktaim Umetalieva were sentenced to pay a fine of 500 Soms. No information could be obtained concerning Ms. Jibek Ismailova.

All those sentenced appealed the decisions and were released pending a decision of the Court of Appeal, as la provided by the Code of Administrative Responsibility. In the meantime, three of the lawyers lodged an appeal with the Bishkek Inter-District Court, on the basis of Article 548-1 of the Code of Administrative Responsibility, with the aim of proving the illegality and unconstitutionality of certain regulations on peaceful assemblies and demonstrations adopted by various bodies, including the Bishkek Parliament.

On February 8, 2008, the Bishkek Inter-District Court decided to transmit the appeal to the Supreme Court, which handed down its ruling on June 1, in which it condemned the fact that the Bishkek First Instance Court had by its action limited the defenders' right of expression. However such a ruling by the Supreme Court on a point of law has not cancelled the sentences, which were still in force at the end of August 2008.

**MALAYSIA - Assassination**  
**January 9, 2008 - MYS 001 / 0108 / OBS 001**

On December 17, 2007, the bones of Mr. **Kelesau Naan**, Head of Penan, a nomadic aboriginal people in Sarawak (Borneo), and one of the main leaders of the campaign against abusive logging practices in the Upper Baram region, where relations are tense between the indigenous populations and the logging companies, were found in Sungai Segita. The bones of the hand were fractured and there were marks of injuries caused by a sharp instrument, which seemed to indicate that he had received grievous bodily harm before dying.

Mr. Kelesau Naan had been seen for the last time on October 23, 2007. He was one of the four plaintiffs and a key witness in a dispute concerning claims by the Penan to their traditional land in Sarawak, on which the judgement has been pending since 1998.

In June 2008, the local police asserted that it had been to the site to investigate the assassination. The local populations, however, say they have never seen them. At the end of August 2008, the enquiry did not seem to have made any progress.

**MALAYSIA - Publication of the Report of an International Mission of Judicial Observation**  
**January 22 - February 1, 2008 - International Mission of Judicial Observation**  
**January 31, 2008 - Joint Press Release**

On January 24, 25 and 28, 2008, a hearing in the trial of five human rights defenders and leaders of the Hindu Rights Action Force (HINDRAF), an NGO that defends the rights of the Indian minority in Malaysia, was held before the Kuala Lumpur High Court, in order to examine the requests for habeas corpus presented by the lawyers of Messrs. **P. Uthayakumar, M. Mahoharan, R. Kenghadharan, V. Ganabati Rao** and **T. Vasanthakumar**. The men were arrested on December 13, 2007 on the basis of the Internal Security Act (ISA), under which the Minister of Internal Security, who is also the Prime Minister, can place in detention any person liable to act in any manner prejudicial to the security of Malaysia. The detentions followed peaceful rallies organised by HINDRAF and another coalition of civil society groups which were violently repressed.

The Observatory sent an observer to the hearings, and submitted an amicus curiae to emphasise the arbitrary nature of the detention of the five defenders. In particular, several fundamental rights contained in the UN Universal Declaration of Human Rights such as the right to a fair trial, the right to legal counsel, the right to defend oneself in open court and the right to be presumed innocent until proven guilty have not been observed.

On February 26, 2008, the High Court rejected the requests for habeas corpus.

As of December 2008, the defenders were still in detention.

**MEXICO - Harassment / Smear campaign**  
**February 20, 2008 - MEX 001 / 0208 / OBS 022**

On February 6, 2008, several defamatory articles against Ms. **Yara Fernández Moreno**, a doctor in ecology and researcher employed by the “Moguekl Alvarez del Toro” zoo (ZOOMAT), were posted up at her place of work at the time when information appeared about the deforestation of El Zapotal, the Tuxtla Gutiérrez ecological reserve. In particular, the author of the articles accused Ms. Fernández Moreno of “creating conflicts against the State, of using the name of the Governor Juan Sabines Guerrero, of lacking respect towards the investiture of the head of the executive authority of the State and of appearing in a favourable light to the organisations hostile to the social peace of the country”.

The Institute of Natural History and Ecology (*Instituto de Historia Natural - IHN*), her employer, also forced her, through coercive and legal measures, to move from the offices of the Institute to other premises situated outside El Zapotal, and the Director of the establishment forbade her from giving interviews to the press, particularly on the theme of the deforestation around El Zapotal.

Shortly before, Ms. Fernandez Moreno had denounced the deforestation of the buffer zone of the natural reserve. IHN management had apparently intervened in favour of building permits being awarded to the Constructora Sauce S.A. Company for the construction in the zone of a new estate of seven hectares with a high demographic density.

**MEXICO - Harassment / Smear campaign**  
**March 4, 2008 - MEX 002 / 0208 / OBS 029**

On February 7, 2008, the car belonging to Ms. **Dora Maria Avila Betancourt**, a member of the Nääxwiin Centre for Women's Rights (*Centro para los Derechos de la Mujer Nääxwiin*), and a victim of judicial proceedings for her participation in the Oaxaca demonstrations in 2006, was stopped near the town of Juchitan by an unmarked car. A man alighted, alleging that her car had been reported as being stolen. He asked for her identity documents and told her to open the boot. Ms. Avila Betancourt then asked him to identify himself. Alleging that she was showing resistance to the operation, he called for reinforcements on his mobile phone.

A policeman then joined them. Showing his police card and confirming that the car had indeed been reported as having been stolen, he added that he had a warrant for the arrest of Ms. Avila Betancourt.

Subsequently, Ms. Betancourt was taken to the offices of the General Prosecutor of the Republic (*Procuraduría General de la República* - PGR) in the town of Matias Romero, where another person was also detained, Mr. **Luis Fernando Canseco Giron**, former Secretary of section 22 of the National Union of Education Workers (*Sindicato Nacional de Trabajadores de la Educación* - SNTE), and also a victim of judicial proceedings for his participation in the events at Oaxaca.

The two defenders were then transferred to Salina Cruz, to the offices of the Federal Investigation Agency (*Agencia Federal de Investigación* - AFI), without their being able to contact their families or their lawyers, who had gone to Tehuantepec to look for them.

Finally, after around eight hours' detention in the AFI premises, in connexion with their participation in the events at Oaxaca, Ms. Betancourt and Mr. Giron were released with the order to present themselves of their own volition before the judge of Tribunal VII, in Salina Cruz.

On February 17, 2008, however, the judge issued an order for the imprisonment of Ms. Avila Betancourt.

**NIGERIA - Assassination**  
**January 16, 2008 - NGA 001 / 0108 / OBS 008**

In the evening of January 6, 2008, Mr. **Alhaji Saula Saka**, President of the National Union of Road Transport Workers (NURTW) in the State of Lagos, was seriously wounded in his residence in Iyana Ipaja by four individuals who shot at him.

The killers also fired in all directions in order to scare people away, so that nobody should be able to rescue him.

After the shooting, Mr. Alhaji Saula Saka's family took him to the Lagos University Teaching Hospital in Ikeja. He died of his injuries the same day.

**REPUBLIC OF CONGO - Threats**  
**January 15, 2008 - COG 001 / 0108 / OBS 006**

On January 11, 2008, Mr. **Roger Bouka Owoko**, Executive Director of the Congolese Observatory for Human Rights (*Observatoire congolais des droits de l'Homme* - OCDH), was summoned to the General Directorate of the National Police (*Direction générale de la police nationale* - DGPN), where he was received by three assistants to General Jean François Ndengue, the General Director of the national police, among them Colonel Tsoumou Moukala, Director of Public Security, and Mr. Jean Aive Alakoua, Director of the General Intelligence Department.

The summons followed the publication by OCDH, on January 8, 2008, of a press release entitled "Local and municipal elections: it is imperative to set up an independent electoral commission and to overhaul the electoral register". The press release had been sent to the members of the Government, public institutions (including DGPN), and the diplomatic missions to the Republic of Congo. In the document, OCDH called for the postponement of the local and municipal elections scheduled for January 20, 2008, to give time for the setting up of a truly independent commission for organising the elections and the updating of the electoral registers through a special administrative census.

During the interview, General Jean François Ndengue's assistants asserted that the request to postpone the elections was a political move, which, according to them, did not fall within the purview of a human rights NGO. They also made it clear to Mr. Bouka Owoko that if ever they obtained proof of "collusion between OCDH, the opposition and foreign powers designed to destabilise the Congo, they would shoulder their responsibilities and take appropriate steps". General Ndengue, Colonel Moukala and Mr. Alakoua also threatened to take action if "OCDH meddled with politics".

In June 2008, Mr. Bouka Owoko was again subjected to acts of harassment (See Urgent Appeal COG 001/0108/OBS 006.1, issued on October 14, 2008).



## **RUSSIAN FEDERATION - Judicial proceedings / Harassment**

**February 5, 2008 - RUS 001/ 0208 / OBS 015**

**February 11, 2008 - RUS 001 / 0208 / OBS 015.1**

On January 15, 2008, the Ingushetia Prosecutor's office instigated judicial proceedings for "extremist activities" before the Court of the Nazran District against the "Voice of Beslan", an NGO formed by the mothers of the victims of the hostage-taking in the Beslan school in 2004. Such charges fall under the Russian Law against extremism, amended in 2007 to broaden the notion of extremist activities to include "slander of public officials" and "humiliating national pride". The law can be applied retroactively, and the NGO activities could therefore be suspended. The charges are related to a statement made by the Voice of Beslan on November 30, 2005, accusing President Putin of refusing to open an independent enquiry into the offensive that cost the lives of numerous hostages in September 2004. At the end of August 2008 the proceedings were still ongoing.

On February 8, 2008, Ms. **Emma Tagaeva-Betrozova**, President of the Voice of Beslan, received a visit at her home, which also houses the offices of the NGO, of a small group of persons. One of the visitors introduced himself as an investigator with the Department of the Federal Service of Criminal Police Officers (UFSSP). Without showing any mandate or identification, he announced that Ms. **Ella Kesaeva**, Deputy President of the NGO, had to answer in writing an accusation concerning her, the same applying to Ms. **Svetlana Margieva** and Ms. **Emilia Bzarova**, two other Voice of Beslan members, according to which they would have assaulted seven criminal police officers in the Beslan Pravoberezhny District Court.

The investigator refused to give Ms. Ella Kesaeva the names of the plaintiffs, and advised her to explain also the assault against a judge. He then warned Ms. Kesaeva and the two other members of the NGO that they would be summoned to the UFSSP premises for questioning if they refused to send their explanations in writing.

One hour later Ms. Kesaeva, Ms. Margieva and Ms. Bzarova received a summons to the North Ossetia-Alania UFSSP for questioning on February 11, 2008. The summons indicated that if they refused to obey the summons, they would be fetched by force.

On February 11, 2008, Ms. Kesaeva, Ms. Margieva and Ms. Bzarova went to the North Ossetia-Alania UFSSP, where they produced written certificates stating that they were not guilty of the charges against them and that there had been no altercation between themselves and the police officers. They then learnt that the report on the "assault" emanated from Judge Zaurbek Tavitov and a new member of the Voice of Beslan, probably connected with the Federal Security Service (FSB).

On April 24, 2008, the Administrative Court decided to drop the proceedings against Ms. Kesaeva, Ms. Margieva and Ms. Bzarova, after establishing that the evidence against them was unacceptable: two proceedings had been initiated under the same registration number (10-14/03/08), but with different contents. Furthermore, the two files contained protocols signed on the same dates and by the same witnesses.

Nevertheless, criminal proceedings were initiated against Ms. Ella Kesaeva, based on Articles 115 ("deliberately causing minor damage"), 116 ("striking a person or causing physical pain"), 129 ("defamation") and 130 ("insult") of the Criminal Code. Ms. Kesaeva was again accused of having aggressed criminal police officers in the Beslan Pravoberezhny district court. A first hearing was held on April 7, 2008, and after an out-of-court arrangement had been reached, the charges against Ms. Kesaeva were dropped.

Also, during the night of April 16 to 17, 2008, flyers were distributed in Beslan in houses and flats of the victims of the 2004 hostage-taking, containing an article in the *North Ossetia* newspaper that presented Ms. Kesaeva as being the richest woman in Beslan. The article also accused Ms. **Marina Litvinovich**, Director of the Foundation To Support Victims of Terror, the victims and the members of the Foundation of continually seeking to slander the Russian authorities. The author of the article also accused the Voice of Beslan and the Foundation of "serving the anti-Russian forces" [Messrs. Garry Kasparov and Leonid Nevzlin].

## **RUSSIAN FEDERATION - Acts of harassment**

**February 11, 2008 - Press Release**

On February 11, 2008, as Mrs. **Natacha Butler**, a news presenter with the television channel *France 24*, and cameraman **Eric Josset**, with their Russian interpreter, Mr. Dimitry Saltykovskiy, had just started filming the offices of the Nizhny Novgorod Foundation to Support Tolerance, four individuals burst in. One of them presented himself as belonging to the Russian Federation immigration service. He requested the foreign journalists to show their identification documents, their immigration card and their accreditation papers. Although the visas of the two journalists specified Nizhny Novgorod as being their main destination, and although their immigration card was in order, the leader of the group started to accuse them of "breaching visa legislation", because according to him "they did not have the special accreditation with the Ministry of Foreign Affairs allowing them to work as journalists".

The four immigration officials then "invited" the two journalists and their interpreter to kindly accompany them

to their offices.

The *France 24* journalists had made several appointments with high-ranking officials, including the Governor of Nizhny Novgorod, for interviews.

The Head of the Immigration Service first denied that the journalists had been taken to his headquarters, but later changed his version of the facts when interviewed by the *REN TV* channel, saying that it was a routine check-up.

The journalists were released a few hours later.

**RUSSIAN FEDERATION - Search of NGO offices / Obstacles to freedom of association**  
**March 20, 2008 - RUS 002 / 0308 / OBS 041**

On March 20, 2008, the police raided the offices of the Nizhny Novgorod Foundation to Support Tolerance and confiscated all the computers. They also confiscated the mobile phone belonging to Mr. **Stanislaw Dmitrievsky**, referent of the Foundation and the Executive Director of the Russian-Chechen Friendship Society (RCFS), registered in Finland. The search warrant concerning the Foundation premises was apparently signed by the Regional Prosecutor's office.

On the same day, the police searched the domiciles of several members of the Foundation and of opposition activists in Nizhny Novgorod and in the neighbouring town of Arzamas, in particular those of Messrs. **Ilya Shamazov** and **Yuri Staroverov**, who were actively involved in an investigation carried out by the Foundation on war crimes and human rights violations during the war in Chechnya. The police also searched the apartment of Ms. **Elena Evdokimova**, and confiscated her mobile phone, along with that of Mr. Staroverov.

Other persons also associated with the "Other Russia" opposition movement in Nizhny Novgorod had already been heard as witnesses in another criminal case opened in October 2007 relating to the presumed forgery of software by the Nizhny Novgorod Foundation to Support Tolerance, chaired by Ms. **Oksana Chelysheva**. The prosecution had also summoned former members of the Foundation. As of the end of August 2008, these proceedings were still pending.

**SENEGAL - Attempted abduction / Fears for safety**  
**March 19, 2008 - SEN 001 / 0308 / OBS 040**

On March 10, 2008, two members of the National Intelligence Agency (NIA) of Gambia entered the complex in which is situated the apartment of Mr. **Yaya Dampha**, a Gambian journalist who had worked for the Gambian daily newspaper *Forayya* and who was investigating cases of forced disappearances, arbitrary detentions, torture and other human rights violations, and who had been in exile in Senegal since October 2007, asking his neighbours where they could find him. The two agents invited Mr. Dampha to follow them in order to discuss "an urgent matter". As he refused, a third agent arrived to assist the first two. The three men then tried to force Mr. Dampha into a car without number plates. As his cries of protest had alerted the whole neighbourhood, a crowd soon formed round the vehicle, obliging the three men to let go off Mr. Dampha and leave the scene rapidly.

On March 11, 2008, Mr. Dampha was invited to give an account of these facts by the officials of the national intelligence bureau of Senegal, who asserted that an enquiry would be opened into the incident. No information could be obtained since then.

On October 6, 2007, Mr. Dampha had been arrested for "espionage", and then conditionally released six days later.

**SERBIA - Assault / Harassment / Threats / Fears for safety**  
**February 26, 2008 - SER 001 / 0208 / OBS 026**

On February 21, 2008, following a demonstration against the independence of Kosovo, unidentified persons threw a flare in front of the premises of the Humanitarian Law Centre (HLC), causing some damage. The security guard of the company next door was able to put the fire out once the attackers had left the scene. According to eyewitnesses, the police investigated the matter the same night, around midnight. HLC had asked for police security for the premises in prevision of the demonstration, but no policeman was seen neither before nor after the protest, nor during the mass celebrated in the Saint Sava temple nearby.

These events occurred after Mr. Ivica Dačić, a member of the Serbian Socialist Party (SPS), had advocated on February 19, 2008 the banning of all political parties and NGOs that recognised the independence of Kosovo. He specifically singled out Ms. **Nataša Kandić**, HLC Executive Director, who attended the ceremony declaring independence in Kosovo's Parliamentary Assembly on February 17, 2008. On the same day, the SPS reportedly filed a criminal complaint against Ms. Kandić for "inciting others to compromise the territorial integrity of Serbia". In addition, a number of media and politicians have openly encouraged acts of violence against Ms. Nataša Kandić.

On February 19, 2008, the daily newspaper *Večernje Novosti* published an article entitled “Nataša [Kandić], the woman who does not exist”, implying that as a non-person, her elimination would be without consequence. On February 24, the *Politika* daily newspaper relayed the statement made by the Minister of Infrastructure Velimir Ilić, in which he called for the arrest of Ms. Kandić and others, saying that “there are traitors in Serbia and they have been identified”. Every day, tabloids have called for citizens to take concrete measures against “traitors”. On February 24, 2008, *Gazeta* reported that fashion designer V.R. had ordered her retailers not to let Ms. Kandić enter her shops. A restaurant owner has also sent a message to Ms. Kandić, telling her not to come to his restaurant. People have approached her on the street and threatened her using language similar to that used by Minister Ilić.

Furthermore, from August 11 to 15, 2008, extremist groups protesting against the independence of Kosovo and against the arrest and transfer to The Hague of Mr. Radovan Karadžić demonstrated each day in front of HLC premises, but considerable police presence seems to have adequately protected the members of the centre. On August 15, 2008, some protesters entered the HLC building, escorted by policemen. No incident took place. However, on the same day, a photomontage showing Ms. Kandić in Nazi uniform appeared in the extremist newspaper *Press*, but no other paper took it up.

**SRI LANKA - Threats / Assassination**  
**January 14, 2008 - LKA 001 / 0108 / OBS 004**

On December 18, 2007, the security of Mr. **Mano Ganesan**, a member of Parliament for the Colombo district, President of the Democratic Union of Workers, founder and convener of the Civil Monitoring Commission on Extrajudicial Executions and Forced Disappearances (CMC)<sup>8</sup>, and head of the Western People’s Popular, a former trade union that has become an opposition political party representing a mainly Tamil constituency in Colombo and the neighbouring area, was severely curtailed without any notice. That night, the personnel of the Ministerial Security Division (MSD) in charge of his security were indeed withdrawn, leaving only two policemen on the spot. Mr. Ganesan had received additional security following the assassination of the co-founder of the CMC the Parliamentarian Nadaraja Raviraj, in November 2006 in Colombo, and after Mr. Ganesan himself had received death threats.

Mr. Ganesan, who has always been highly critical of abductions and disappearances in the Tamil community, also played a key role in facilitating a meeting between family members of disappeared persons and the United Nations High Commissioner for Human Rights during her visit to Sri Lanka in October 2007.

At the end of December 2007, Mr. Ganesan was forced to leave his country for security reasons.

Furthermore, on January 1, 2008, Mr. **Thiyagarajah Maheswaran**, a Colombo district Parliamentarian of the opposition United National Party (UNP) and former Minister for Hindu Affairs, was assassinated by an unknown gunman while attending the New Year prayers in the Ponnambala Vanesvarar temple, in the Kotahena suburb of Colombo. His assassination took place a few hours after he had told the Colombo media that he would reveal in Parliament the details of the abductions and murders committed by the Sri Lanka Government in Jaffna, with the help of the Eelam People’s Democratic Party (EPDP) paramilitary. In December 2007, the Government had reduced his security guards from eighteen to only two.

**SYRIA - Arbitrary detention / Judicial proceedings / Acquittal**  
**December 13, 2007 - International Mission of Judicial Observation**  
**January 10, 2008 - Press Release**

On December 13, 2007, the trial of Mr. **Anwar Al Bunni**, a lawyer, founding member of the Human Rights Association in Syria (HRAS) and President of the Committee for the Defence of Political Prisoners, took place before the Third Military Court of Damascus. The Observatory sent a judicial observation mission at the occasion of this hearing. Mr. Al Bunni is presently serving a five-year prison sentence pronounced on April 24, 2007 by the Damascus Criminal Court for “spreading false information”, after having been denounced by another detainee for having sent letters outside the prison.

During a body search, the draft of a letter that had been produced during his first trial was found on him. In the letter he criticised amongst other, the Minister for Social Affairs, who was behind his arrest and sentencing. The letter was considered to be defamatory by the Prosecutor, who started a further prosecution before the Military Court for defamation, on the basis of Article 376 of the Criminal Code. Mr. Al Bunni is liable to a maximum sentence of three month’s imprisonment.

During the December 13 hearing, the lawyers for the defence stressed the fact that the letter could not be accepted

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<sup>8</sup> The Civil Monitoring Committee is involved in the monitoring, documentation and advocacy of disappearances, abductions and assassinations. It frequently submits cases of human rights violations and questions of immunity to Parliament and the local and international media.

as proof of an offence, as it had already been presented as part of the defence before the Criminal Court in April 2007. Furthermore, the point was made that the General Law on Amnesty adopted on January 28, 2006 should prevent the opening of such a trial. Mr. Al Bunni's lawyers therefore called for the acquittal of their client. On February 7, 2008, the Third Military Judge of the Damascus Military Court acquitted Mr. Al Bunni of the charges of defamation.

Mr. Al Bunni remains however in detention on the basis of the judgement handed down on April 24, 2007. He is reportedly subjected to pressure and deprivation while in detention: he is not allowed to receive food, clothing or books, and is banned from using the prison library.

#### **SYRIA - Arbitrary detention / Judicial proceedings / Ill-treatment**

**January 11, 2008 - SYR 002 / 1207 / OBS 169.1**

**January 30, 2008 - SYR 002 / 1207 / OBS 169.2**

On December 9, 2007, the Syrian security services arrested 37 persons who were participating in a meeting held outside Damascus and that led to the setting up of the National Council of the Damascus Declaration, a collective movement composed of political opponents and human rights defenders. Most of the participants were released a few hours later, with the exception of Mr. **Jaber Al Shoufie**, a member of the Executive Council of the Committee for the Defence of Human Rights in Syria (CDF).

Furthermore, Mr. **Akram Al Bunni**, founder and member of the Committee for Revitalising Civil Society and brother of Mr. Anwar al-Bunni, along with Mr. **Ali Al-Abdullah**, also a member of the Committee for Revitalising Civil Society in Syria, were again arrested respectively on December 11 and 17, 2007.

Mr. **Fayez Sarah**, a journalist and founding member of the Committee for Revitalising Civil Society in Syria, and Mr. **Mohammed Haj Darwish**, a member of HRAS and also a founding member of the Committee for Revitalising Civil Society in Syria, were also again arrested, respectively on January 3 and 7, 2008.

On January 28, 2008, the five above-mentioned defenders were brought before an ordinary court in Damascus and charged with breaching provisions of the Syrian Criminal Code, in particular Articles 285 and 286 ("weakening the national sentiment"), 304, 306 and 327 ("illegal association"), and 307 ("inciting to racial hatred and sectarianism"). Some of the Articles specify a prison sentence of at least seven years.

Some of the defenders were subjected to ill-treatments while in detention, and were denied access to their lawyers. One of the lawyers was unable to visit his client despite having an authorisation to do so.

As of the end of November 2008, Messrs. Al Shoufie, Al Bunni, Al-Abdullah, Sarah, and Haj Darwish were still detained in the State security centre, in the vicinity of Damascus.

#### **SYRIA - Forced disappearance**

**February 28, 2008 - SYR 001 / 0208 / OBS 028**

On February 26, 2008, a State security patrol arrested Mr. **Jean Rassoul**, a member of the Committee of the Cereal Trade Union branch in Tal Ziwan, known for his commitment in the defence of workers in the Qamishli Governorate, in north-eastern Syria, as he was on his way to work. According to witnesses, Mr. Rassoul was arrested without a warrant and taken to an unknown destination.

As of the end of November 2008, no further information on his case could be obtained.

#### **THAILAND - Judicial proceedings**

**February 1, 2008 - THA 001 / 0208 / OBS 013**

On January 22, 2008, Mr. **Jon Ungphakorn**, Chairperson of the NGO Coordinating Committee on Development (NGO-COD), Mr. **Pairoj Polpetch**, Secretary General of the Union for Civil Liberty (UCL), Mr. **Sirichai Mai-ngarm**, a member of the Labour Union of Electricity Generating Authority of Thailand, Mr. **Sawit Kaewwan**, leader of the Confederation of State Enterprise Labour Unions, Ms. **Supinya Klang-narong**, Secretary General of the Media Reform Campaign, Ms. **Saree Ongsomwang**, a member of Customer's Network, Mr. **Amnat Palamee**, a member of the Confederation of State Enterprise Labour Union, Mr. **Nutzer Yeehama**, a member of the Friends of People NGO, Mr. **Anirut Chaosanit**, a member of the Council of Peoples' Organizations Network in Thailand, and Mr. **Pichit Chaimongkol**, a member of the Campaign for Popular Democracy, were summoned to the offices of the metropolitan police, where they were questioned for over four hours.

They were then charged with "trespass by using force or joining with more than two persons associating together to intrude forcefully or to cause harm" (Sections 362 and 365 (1) (2) of the Criminal Code), "illegal gathering and using force with ten or more persons to cause damage or to give rise to public disorder" (Section 215), "failing to disperse when ordered to by the police" (Section 216), "collaborating with five or more persons to incite others to violence in one form or another to threaten the lives and safety of others" (Section 309 § 2), "collaborating to

detain or restrict other persons” (Section 310) and “using loud speakers without permission” (Law on restricting loudspeaker advertising, 1950).

The ten accused, who are liable to heavy prison sentences, were released on bail pending trial. They were to appear before the General Prosecutor on October 30, 2008, to find out whether the charges against them are maintained.

These charges follow the participation of the ten defenders in a large demonstration organised by a coalition of NGOs on December 12, 2007, in front of the Parliament House in Bangkok, in order to protest against the attempts by the National Legislative Assembly (NLA) to pass eight bills affecting civil liberties in Thailand, that were being rushed several days before the December 23, 2007 general elections. Other protests were held on December 19, 20 and 21, 2007.

### **TUNISIA - Obstacles to the freedom of expression / Sentencing / Arbitrary detention / Release / Harassment February 1, 2008 - Press Release**

On January 18, 2008, the Sakiet Ezzit Court, in the suburbs of Sfax, confirmed on appeal the sentencing of the journalist **Slim Boukhdir**, correspondent of *Al Quds Al Arabi*, the pan-Arabian newspaper based in London, and of the Website of the satellite television channel *Al-Arabiya*, and a founder-member of the defence of freedoms association “Liberty and Equity”, to one year’s imprisonment for “insulting an official in the performance of his duty”, “indecent behaviour” and “refusal to show his identity documents”.

Mr. Boukhdir had been arrested on November 26, 2007 as he was on his way to Tunis, following a summons from the Khaznadar police station to go and fetch his passport. He was then placed in preventive detention in the Sakiet Ezzit police station. On December 4, 2007, he was sentenced in the lower court to one year’s imprisonment.

The journalist’s lawyers, along with the representatives of local and international human rights organisations, who had followed the trial in the lower court and on appeal, denounced the numerous irregularities in the procedure, in particular the refusal of the court to call the witnesses for the defence.

On July 21, 2008, Mr. Slim Boukhdir was released from the Sfax prison, where he had been detained for eight months, when the Ministry of Justice allowed him to be conditionally released on the occasion of Republic Day (See Urgent Appeal TUN 005/1207/OBS 170.1, issued on July 23, 2008).

### **TUNISIA - Assault / Harassment February 20, 2008 - TUN 001 / 0208 / OBS 019**

On February 13, 2008, on arriving in Tunis, Ms. **Fatma Ksila**, Secretary General of the Committee for the Respect for Freedoms and Human Rights in Tunisia (*Comité pour le respect des libertés et des droits de l’Homme en Tunisie* - CRLDHT), received insulting messages on her telephone, probably from the political police.

On February 14, 2008, plainclothes policemen prevented Ms. Ksila from reaching the domicile of Ms. Fatma Tlili, ordering her to leave and insulting her. Ms. Tlili had announced the day before her intention of going on a hunger strike through solidarity with her son Abderrahmane, who was on a hunger strike himself since January 15, 2008, to denounce the bad conditions of his detention and the ill-treatment he was subjected to in the Mornaguia prison in the suburbs of Tunis.

On February 15, 2008, Ms. Ksila was to meet families of prisoners in the office of Mrs. **Radhia Nasraoui**, President of the Association Against Torture in Tunisia (*Association de lutte contre la torture en Tunisie* - ALTT) and a member of OMCT Assembly of Delegates, in order to record their testimony, but plainclothes policemen once again prevented her from keeping her appointment, using verbal abuse.

The next day, Ms. Ksila and Mrs. **Samia Abbou**, a member of ALTT, were to meet the families of members of the Soliman group sentenced to life imprisonment or heavy prison sentences, in Sidi Bouzid. A few minutes before their arrival at the domicile of one of the families, numerous policemen filled the street, led by the chief of police of the Sidi Bouzid district. Ms. Ksila and Mrs. Abbou were forced to leave Sidi Bouzid, followed to the end of the town by the police.

Also, on February 18, 2008, after visiting the parents of Mr. Imed Ben Amer, sentenced to death in the Soliman group case, in Sousse, Ms. Ksila and Mrs. Abbou were violently assaulted, dragged along the ground and beaten repeatedly by numerous plainclothes policemen, who also insulted them, shouting obscenities. Ms. Ksila lost consciousness. The police completely emptied the two women’s handbags, confiscating the cash, a camera and a tape recorder belonging to Ms. Ksila. The two women were then forced to take an eight-seat hired vehicle, of which six seats were occupied by plainclothes members of the political police, to go to Tunis, where other policemen took charge, who tried to deny what had happened, before leaving them.

On arriving in Tunis, Ms. Fatma Ksila and Mrs. Samia Abbou went to the office of Mr. **Mohamed Abbou**, a lawyer, a member of the National Council for Freedoms in Tunisia (*Conseil national pour les libertés en Tunisie* -

CNLT) and of the International Association for Support to Political Prisoners (*Association internationale de soutien aux prisonniers politiques* - AISPP). Mr. Abbou then also received insults and provocations and was threatened with aggression.

**TUNISIA - Defamation / Harassment**  
**March 4, 2008 - TUN 002 / 0308 / OBS 031**

During the first quarter of 2008, Mrs. **Souhayr Belhassen**, President of FIDH, Mrs. **Sihem Bensedrine**, CNLT Spokesperson, Mrs. Radhia Nasraoui, Mr. **Kamel Jendoubi**, President of CRLDHT, Mr. **Khemais Chammari**, a member and co-founder of the Euro-Mediterranean Foundation for the Support of Human Rights Defenders (*Fondation euro-méditerranéenne de soutien des défenseurs des droits de l'Homme* - FEMDH), Mr. **Mokhtar Trifi**, President of the Tunisian League for Human Rights (*Ligue tunisienne des droits humains* - LTDH), Mr. **Khémais Ksila**, Secretary General of LTDH, in exile, and Mr. **Ahmed Nejib Chebbi**, lawyer of many defenders and Candidate in the 2009 presidential elections, were victims of acts of harassment and of a smear campaign on the part of the editorial staff of the pro-government newspaper *Al-Hadath*.

Since the beginning of February, the newspaper has in particular published several libellous articles of an obscene nature against these defenders, accusing them notably of being “traitors in the hands of foreign interests” (antinational, French and neo-colonial), or again “henchmen” of the Western embassies.

The articles also included a whole series of accusations against them: gathering fabulous wealth thanks to international funds, or collusion with the “fundamentalists, the salafists, the integrists and the terrorists”, and with “judeo-sionist interests”.

In these articles the pro-government newspaper also threatened to divulge information concerning their private lives and to publish what were supposed to be compromising pornographic documents.

Mrs. Belhassen, in two articles entitled “The bastard of Baghdad” and “Who is Sousou Belaafen?<sup>9</sup>” was in particular accused of having actively contributed to prepare public opinion psychologically for the invasion of Iraq with a report on the crimes of Saddam Hussein.

Mr. Chammari, who had already been the victim of defamation and who had lodged a complaint on December 9, 2007, as of the end of August 2008 had still not been informed of the date on which his complaint would be examined.

**TUNISIA - Arrest / Assault / Ill-treatment**  
**March 4, 2008 - TUN 003 / 0308 / OBS 032**

On March 3, 2008, Mr. **Omar Mestiri**, Editor-in-Chief of the *Kalima* newspaper, and Mrs. Sihem Bensedrine were arrested at the customs of the port of Tunis as they were returning from a stay in Europe. After their luggage had been thoroughly searched by a customs officer, particular attention was being paid to books and personal documents, a large group of State security personnel arrived, demanding to see the contents of their portable computers. When they refused, in the absence of a warrant from the Prosecutor of the Republic, the customs officers asked Mr. Mestiri and Mrs. Bensedrine to follow them to an office, on the pretext of an administrative formality. Once they were inside, they were locked in, in the company of policemen. The latter then struck them, tearing their bags and clothes. After forcing them to the ground, they managed to grab their rucksacks, containing the computers.

When Mrs. Bensedrine attempted to call her lawyer on her mobile phone, one of the policemen collared her and twisted her arm in order to grab her phone.

After being detained for six hours, Mr. Mestiri and Mrs. Bensedrine were authorised to leave the customs area, after the content of their computers and floppy disks had been copied on an external hard disk. The police also confiscated around sixty digital documents (DVD, CD-ROM, audio cassettes, etc.), including the *roughs* of a documentary produced by CNLT denouncing torture in Tunisia. In addition, the customs authorities refused to give the two defenders a document certifying the confiscation of their property, which is normally the rule.

Mrs. Bensedrine suffered bruises all over her body, and lesions of ligaments of the left wrist.

**TURKEY - Arbitrary detention / Judicial proceedings / Release**  
**January 28, 2008 - TUR 001 / 0108 / OBS 011**

On January 23, 2008, Mr. **Ethem Açıkalın**, President of the Human Rights Association (*İnsan Hakları Derneği* - IHD), was arrested in Adana and accused of “being a member of an illegal organisation” (Article 314 of the Criminal Code, referring to Article 220/6 of the Criminal Code in Turkish Law n° 5237) and “propaganda for an

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<sup>9</sup> “Belhaafen” means “disgusting”, “polluted” in Arabic.

illegal organisation” (Article 7/2 of Anti-Terror Law n° 3713). These charges are linked to Mr. Açıklalın’s participation in a press conference organised on December 17, 2007 by the Adana Front for Rights and Freedoms (*Adana Haklar ve Özgürlükler Cephesi*) in order to denounce the assassination, probably by the police, on December 10, 2007, in Ankara, of Ms. Kevser Mızrak, supposed to be a member of the Revolutionary People’s Liberation Party (*Devrimci Halk Kurtulus Partisi - Cephesi - DHKP-C*). During the press conference, a document denouncing extrajudicial executions and calling on the police forces to prevent such human rights violations had been read out.

Accused of being a member of DHKP-C, Mr. Açıklalın is liable to seven and a half years’ imprisonment.

After being detained in the F-type prison in Adana, with six other opponents also arrested on January 23, 2008, Mr. Açıklalın was released on June 23, 2008, pending the next hearing, which was scheduled for October 8, 2008.

### **TURKEY - Sentencing / Arbitrary detention / Judicial proceedings March 18, 2008 - TUR 002 / 0308 / OBS 039**

On March 3, 2008, the Court of Appeal (*Yargitay*) confirmed the judgement of the second Bingöl Criminal Court, which, on October 7, 2005, had sentenced Mr. **Ridvan Kizgin**, an IHD board member, to two and a half years’ imprisonment, after he had published a report denouncing the assassination of five persons in a village of Bingöl in 2003.

On November 5, 2008, Mr. Kizgin would have been transferred from Bingöl Prison to Erzurum H-Type Prison.

Two other proceedings against him are also pending before the Court of Appeal for “insults to a State official” and “insults to Turkishness”, and violating Article 301 of the Criminal Code.

The first case is linked to the publication by Mr. Kizgin of a press release denouncing a case of rape in Bingöl. On May 22, 2007, the Bingöl 2 Criminal Court had already sentenced him to six months’ imprisonment and to a fine of 570 YTL. He appealed the decision but, as of the end of November 2008, no ruling on the appeal had been handed down.

The second case relates to the sentencing, on November 14, 2006, of Mr. Kizgin and Ms. **Kiraz Bicici**, IHD Vice-President, to five months’ imprisonment for having “denigrated Turkish identity”. The sentence was later commuted to a fine of 1,750 YTL. Both had appealed the decision but, as of the end of November 2008, no ruling on the appeals had been handed down.

### **UNITED NATIONS HUMAN RIGHTS COUNCIL - 7<sup>th</sup> Session March 12, 2008 - Written and Oral Statement**

During the seventh session of the United Nations Human Rights Council, held in Geneva (Switzerland) from March 3 to 28, 2008, the Observatory intervened in the framework of the interactive dialogue with the Special Representative of the United Nations Secretary General on the Situation of Human Rights Defenders, Ms. Hina Jilani.

The Observatory in particular welcomed the report of Ms. Jilani and congratulated her for the importance and the quality of her work, in a context of increased repression against human rights defenders worldwide.

The Observatory also paid tribute to the increase in the follow-up communications sent by the Special Representative during the last three years, and to the thematic analyses carried out throughout her mandate, which in particular made it possible to identify some trends in the repression against defenders (obstacles to the freedoms of association, assembly and the right to protest; anti-terrorist laws) and specific categories of defenders particularly vulnerable to human rights violations (defenders working on economic, social and cultural rights; defenders of the rights of indigenous peoples and minorities; defenders of lesbian, gay, bisexual and transgender rights (LGBT); women defenders).

In addition, the Observatory welcomed the increased collaboration between the Special Representative and the regional mechanisms for the protection of human rights defenders, as such complementarities among mechanisms can but reinforce the impact of the activities of the Special Representative.

### **UZBEKISTAN - Arbitrary detentions February 15, 2008 - Open Letter to the Authorities**

On February 2 and 4, 2008, Messrs. **Ikhtiyor Khamroev**, a member of the Djizak regional branch of the Human Rights Society of Uzbekistan (HRSU), and **Saidjakhon Zaynobitdinov**, Head of the human rights organisation “Appeal” and former Head of the Andijan regional branch of HRSU, were released. Their release was ordered by the Main Directorate of the Administration of Sentences, a body under the Uzbekistan Ministry of the Interior, in application of the amnesty decision taken by the Uzbek Senate on November 30, 2007.

Ms. **Umida Niyazova**, a journalist for *Internews* and a human rights defender, also benefited from the amnesty on

February 2, 2008.

Mr. **Bakhodir Mukhtarov**, a member of the Samarkand regional branch of HRSU, had for his part been released on November 23, 2007, a few days before the entry into force of the amnesty.

However, at the end of December 2008, several human rights defenders were still detained owing to their human rights activities, among them:

- Mr. **Azam Formonov**, Head of HRSU Syrdarya district branch, arrested on April 29, 2006, sentenced on June 16, 2006 to nine years' imprisonment by the Yangiyar City Court on criminal charges, and currently detained in colony UYA 64/71 (Djaslyk, Karakalpak Republic);
- Mr. **Alisher Karamatov**, Head of HRSU Mirzaabad district branch, arrested on April 29, 2006, sentenced on June 16, 2006 to nine years' imprisonment by the Yangiyar City Court on the basis of criminal charges, and currently detained in colony UYA 64/69 (Karshi, Kashkadarya region);
- Mr. **Nasim Isakov**, a member of HRSU Djizak district branch, arrested on October 27, 2005, sentenced on December 20, 2006 to eight years' imprisonment by the Djizak City Court and currently detained in colony UYA 64/3 (Tavaksay, Tashkent region);
- Mr. **Djamshid Karimov**, a member of HRSU Djizak district branch, arrested on September 22, 2006, sentenced on September 22, 2006 to three years' confinement in a psychiatric hospital by the Djizak City Court;
- Mr. **Rasulev Yuldash**, a member of HRSU Kashkadarya district branch, arrested at the end of April 2007, sentenced in October 2007 to ten years' imprisonment;
- Mr. **Zafar Rakhimov**, a member of HRSU Kashkadarya district branch, arrested in Karshi at the end of April 2007, sentenced in October 2007 to six years' imprisonment;
- Mr. **Norboy Kholjigitov**, a member of HSRU Ishtikhan district branch, arrested on June 4, 2005, sentenced on October 18, 2005 to ten years' imprisonment by the Djizak City Court, and currently detained in colony UYA 64/69 (Karshi);
- Mr. **Sattor Irzaev**, Head of HSRU Ishtikhan district branch, arrested on June 4, 2005, sentenced to ten years' imprisonment by the Samarkand Regional Court and currently detained in colony UYA 64/69 (Karshi);
- Mr. **Habibulla Akpulatov**, a member of HSRU Ishtikhan district branch, arrested on June 4, 2005, sentenced on October 18, 2005 to six years' imprisonment by the Samarkand Regional Court;
- Mr. **Ulugbek Kattabekov**, Head of the Zaamin district branch (Djizak region) of "Ezgulik", arrested in 2005, sentenced by the Djizak City Court to three years' imprisonment;
- Mr. **Abdurasul Abdunazarov**, Head of the Angren branch (Tashkent region) of "Ezgulik", arrested in 2005, and sentenced by the Angren City Court to five years' imprisonment;
- Mr. **Mamaradjab Nazarov**, Head of the Zarbdor district branch (Djizak region) of "Ezgulik", arrested in June 2006 and sentenced by the Djizak City Court to five years' imprisonment;
- Mr. **Karim Bobokulov**, Deputy Director of the Syrdarya regional branch of "Ezgulik", arrested on October 23, 2007;
- Mr. **Dilmurod Mukhitdinov**, Head of the Markhamat district branch of "Ezgulik", arrested in July 2005 and sentenced on January 12, 2006 by the Chirchik (Tashkent region) City Court to five years' imprisonment.

**ZIMBABWE - Publication of the Report of an International Fact-Finding Mission  
January 21-31, 2008 - International Fact-Finding Mission  
March 19, 2008 - Press Release**

From January 21 to 31, 2008, the Observatory carried out an international fact-finding mission in Zimbabwe in order to evaluate the situation of human rights defenders on the eve of the March 29, 2008 presidential and parliamentary elections in Zimbabwe, in which Robert Mugabe, in power for 28 years, was seeking re-election.

On March 19, 2008, the Observatory published its mission report entitled *Zimbabwe: Run up to the March 29 Presidential and Parliamentary Elections - A Highly Repressive Environment for Human Rights Defenders*.

The report notes the will and the determination of the Government to systematically muzzle any form of protest, and emphasises in particular the systematic and sustained repression of human rights defenders through a combination of measures, including a very repressive legislative framework and the selective application of such repressive legislation. In the context of the 2008 electoral campaign, the use of force and the violence shown by State officials against the legitimate political opposition, and those supposed to be its supporters - mainly human rights defenders - was stepped up. The report also documents a series of arbitrary arrests and detentions, and acts of harassment against Zimbabwean human rights defenders.



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*Un programme de la FIDH et de l'OMCT - A FIDH and OMCT venture - Un programa de la FIDH y de la OMCT*

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