

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
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**AFRICAN COMMISSION OF HUMAN AND PEOPLES' RIGHTS - 41st ordinary session
May 2007 - Oral and written statement**

At the 41st session of the African Commission of Human and Peoples' Rights (ACHPR), which was held in Accra (Ghana) from May 16 to 30, 2007, the Observatory expressed its deep concern as regards to the fact that human rights defenders continue to carry out their activities in a particularly hostile and dangerous environment on the African continent. For instance, the 2006 Annual Report of the Observatory dealt with the situation of 194 defenders subjected to acts of reprisals in Sub-Saharan Africa, of which 64 arbitrary detentions, 2 assassinations and three enforced disappearances.

Repressive practices aiming at hindering human rights defenders' activities continued and intensified in 2006. New restrictive legislations hampering the exercise of the freedoms of association, expression and peaceful assembly were adopted (*Ethiopia, Nigeria, Sudan, Uganda, Zimbabwe*), while an increasing number of activists faced judicial proceedings as well as arbitrary arrests and detentions (*Algeria, Angola, Burundi, Cameroon, Chad, Congo-Brazzaville, the Democratic Republic of Congo (DRC), Djibouti, Eritrea, Ethiopia, Somalia, Sudan and Zimbabwe*). Numerous cases of direct violence - attacks, inhuman, cruel and degrading treatments - were also reported (*Burundi, Cameroon, DRC, Ethiopia, Zimbabwe*), while many African defenders were repeatedly threatened with death, harassed or slandered (*Burundi, the Central African Republic, DRC, the Gambia, Liberia, Senegal, Tunisia, Zimbabwe*).

ALGERIA - Judicial proceedings / Harassment
April 25, 2007 - Mission of judicial observation
April 27, 2007 - DZA 001 / 0506 / OBS 063.4
June 5, 2007 - DZA 001 / 0506 / OBS 063.5

On April 25, 2007, the Bab-el-Oued Court in Algiers discharged Mr. **Amine Sidhoum Abderrahman**, a lawyer and member of SOS-Disappeared (*SOS-Disparus*), and Ms. **Hassiba Boumerdassi**, a lawyer and member of the Association of the Families of Disappeared Persons in Algeria (*Collectif des familles de disparu(e)s en Algérie - CFDA*).

Mr. Sidhoum Abderrahman and Ms. Boumerdassi were being prosecuted for "passing unauthorised items into a detention facility" under Article 166 of the Code on Prison Regulation and Reintegration of Prisoners (which provides for a six-month to three-year prison sentence and a 10,000 to 50,000 dinars fine - 110 to 150 euros) and Article 16 of the Prison Security Act, for having, respectively, given their business cards and minutes of a court hearing to their clients in detention.

On May 27, 2007, Mr. Amine Sidhoum Abderrahman received a telegram informing him of his convocation before the 6th Chamber of Accusation of Sidi M'Hamed, in Algiers, on June 12, 2007, following a request for complementary information made by the Public Prosecutor in the framework of proceedings against Mr. Sidhoum for "discredit of a court decision" and "offence to a State body".

These proceedings are linked to the complaint for "defamation" filed against him on August 23, 2006 by the Minister of Justice. On May 30, 2004, an article had been published in the daily newspaper *El Chourouk*, in which Mr. Sidhoum was accused of denouncing the detention of one of his clients on the basis on "an arbitrary ruling of the Supreme Court". Mr. Sidhoum could be sentenced to three to six years' imprisonment and to a fine ranging from 2,500 to 5,000 euros.

The June 12 hearing was aimed at confronting the opinions of Mr. Sidhoum and a journalist of the *El Chourouk* newspaper but since the latter did not show up, the hearing was postponed to an unknown date.

ALGERIA - Harassment
June 21, 2007 - DZA 001 / 0607 / OBS 066

On June 18, 2007, Mr. **Sofiane Chouiter**, a member of “SOS-Disappeared” and the lawyer of Ms. **Louisa Saker**, the Secretary General of the Association of the Families of Disappeared Persons in Constantine, was subjected to an interrogation by the border police at the Algiers airport. Mr. Chouiter was coming back from a seminary held in Morocco, where he had attended a training session on transitional justice.

As he was going through passport control, Mr. Chouiter was taken to an office and interrogated on the reasons for his trip to Morocco, as well as on the statement he had made before the Human Rights Commission of the European Parliament in March 2007 and his subsequent talk on the matter on the *Al-Jazeera* TV channel. During the seminary in Morocco, Mr. Chouiter had denounced human rights violations occurring in his country as well as the “normalisation” of impunity towards the perpetrators of the violations that took place during the 1992 conflict, on the basis of the Charter for Peace and National Reconciliation¹. Mr. Chouiter refused to give answers to these questions since they had no legal basis, and was subsequently released.

ARGENTINA - Threats / Acts of harassment
April 18, 2007 - ARG 003 / 0407 / OBS 039

On April 9, 2007, Mr. **Pablo Gabriel Salinas**, a human rights lawyer in Mendoza, found in his office an anonymous letter containing insults and threats, accusing him of defending “criminals in jail”.

On the next day, Mr. Salinas lodged a complaint with the Mendoza Public Prosecutor and filed a case with the Inter-American Commission for Human Rights (IACHR) in order to obtain precautionary measures of protection. Mr. Pablo Salinas regularly denounces publicly the bad conditions of detention as well as the use of torture and ill-treatment in the prisons of the Mendoza province. He also defends the victims of police brutality, extra-judicial killings and other human rights violations committed by members of the security forces.

ARGENTINA - Arbitrary detention / Release / Judicial proceedings
May 11, 2007 - Open letter to the authorities

On April 17, 2007, Mr. **Víctor Raúl Paiba Cossios**, a Peruvian lawyer with political refugee status in Chile since 1992, the President of the Committee for Peruvian Refugees in Chile (*Comité de Refugiados Peruanos en Chile*) and a member of the Assembly of Social Organisations and NGOs working on HIV/AIDS (*Asamblea de Organizaciones Sociales y ONG con trabajo en VIH/SIDA - ASOSIDA*), was arrested at the Buenos Aires airport by Interpol officers, on the basis of an international arrest warrant issued by the Peruvian authorities. He was arriving from Chile where he had taken part in the 4th Latino-American and Caribbean Forum on HIV/AIDS, to which he had been officially invited. He was taken to Complex n°1, near Ezeiza, in Buenos Aires.

Mr. Paiba Cossios was released on May 11, 2007 and left Argentina for Chile on May 14, 2007, after Argentina declared that it would recognise his refugee status if he left the country within the 72 hours following his release.

In the framework of his activities within the Committee, Mr. Paiba had started proceedings in 2006 against the Peruvian President, Mr. Alan García Pérez, for offences of lese humanity that would have been committed under his responsibility during his first term in office (1985-1990). On the same year, the Peruvian government had sent an extradition request to Chile regarding Mr. Paiba, for “terrorism”. On April 9, 2007, the Chilean Supreme Court had rejected the request.

BANGLADESH - Death threats / Harassment
May 3, 2007 - BGD 002 / 0507 / OBS 041

On April 26 and May 2, 2007, Mr. **Nasiruddin Elan**, Acting Director of the human rights organisation Odhikar, was summoned by phone on five occasions by the Naval Intelligence Services in Banan, in order to discuss about the death of two men in naval custody at sea, in Bhola, in February and March 2007. Although Mr. Elan requested that an official summons be sent to him, a Naval official told him that the phone call served as an oral summons.

On May 3, 2007, a naval radio operator came to Odhikar in order to bring Mr. Nasiruddin Elan to the Naval headquarters. Less than an hour later, an officer called the offices of Odhikar to ask whether Mr. Elan had already left for the Navy headquarters or not.

An hour later, Mr. Elan was taken to an office where two navy officers and two members of the Directorate General of Forces Intelligence (DGFI) insulted and threatened him by saying: “How can you dare criticise the Navy? If I kill you now, who will come and save you?”. The four officers continued to threaten Mr. Elan, adding that they “knew a lot about Odhikar activities”, and that they would also interrogate Odhikar President, Mr. **Hassan Arif**. They declared that all members of Odhikar were involved in “seditious and anti-State activities”, all of them

¹ This Charter, adopted by referendum on September 29, 2005, provides in particular for the amnesty of armed groups and dismisses any *de jure* responsibility for security services concerning human rights violations that were committed during the conflict.

being “traitors”, “agents of America, India and Pakistan”, “from where [Odhikar] received money”. Finally, they urged Odhikar to stop all its activities. Mr. Zubayer added that if Mr. Elan mentioned this meeting to anyone, he would be arrested.

At the beginning of the afternoon, Mr. Elan was able to leave the Navy Headquarters. He has not received further threats since then.

BRAZIL - Sentencing / Status of the investigation into an assassination
May 22, 2007 - Press release

On May 15, 2007, Mr. Vitalmiro Bastos de Moura, *alias* Vida, who commissioned the murder of Sister **Dorothy Mae Stang**, a missionary representing the Pastoral Commission for the Earth (*Comissão Pastoral da Terra - CPT*) and an activist of the National Movement for Human Rights (*Movimento Nacional de Direitos Humanos - MNDH*) who was assassinated on February 12, 2005 in the State of Pará, was sentenced by the State Court of Justice at Ciudad Velha to 30 years’ imprisonment.

However, this decision could be reviewed, since the legislation specifies that when the sentence exceeds 20 years, a second trial has to take place.

CAMBODIA - Obstacles to the freedom of expression / Harassment
April 2, 2007 - KHM 001 / 0407 / OBS 029

After denouncing, in February 2007, allegations of financial embezzlement within the Extraordinary Chambers in the Courts of Cambodia (ECCC), several members of the Open Society Justice Initiative (OSJI), an international organisation based in the United States which is actively engaged in the monitoring of the trials of the Khmers Rouges by the ECCC, were threatened to be expelled or to have their visas revoked by the Royal Government of Cambodian.

CAMBODIA - Sentencing / Arbitrary detention / Assassination
April 16, 2007 - KHM 001 / 0805 / OBS 070.1

On April 12, 2007, the Court of Appeal upheld the ruling of the Phnom Penh Municipal Court against Mr. Born Samnang and Mr. Sok Sam Oeun, sentenced for the murder of Mr. **Chea Vichea**, President of the Free Trade Union of the Workers of the Kingdom of Cambodia (FTUWKC), who was shot dead on January 22, 2004. On August 1, 2005, the Phnom Penh Municipal Court had sentenced them to 20 years’ imprisonment and 3,800 euros in compensation and interests.

The decision puts an end to a trial marred with irregularities, and was reached in spite of overwhelming evidence of the innocence of the two men, who remain detained at the Prey Star prison.

CAMBODIA - Hindrance to freedom of association / Threats / Harassment
June 7, 2007 - KHM 002 / 0607 / OBS 064
June 22, 2007 - KHM 003 / 0607 / OBS 068

On June 3, 2007, the Cambodian Minister of Information, Mr. Khieu Kanharith, declared that the government was banning the publication of the latest report of Global Witness, an NGO that is particularly active in the protection of the environment, and would confiscate any copies found in the country. He would reportedly have added that the report was “a politically motivated attack on Prime Minister Hun Sen and retaliation for the group’s expulsion from Cambodia in 2005”.

Global Witness report, titled *Cambodia’s Family Trees: Illegal logging and the stripping of public assets by Cambodia’s elite*, was released on June 1, 2007. It notably accuses members of the Cambodian elite, in particular family members and business associates of Prime Minister Hun Sen, of massive environmental plunder.

On June 4, 2007, Mr. Hun Neng, Kompong Cham provincial Governor and the Prime Minister’s brother, declared that he was considering to take legal action over the allegations made in the report against members of his family. He added that if Global Witness’s members came to Cambodia, he would “hit them until their heads are broken”.

On June 8, 2007, Mr. Khieu Kanharith further declared that “newspapers [could] refer to [Global Witness report] but not reproduce it”. Yet, *Radio Free Asia*, like several other media, continued to release news about the report after this date, and was ordered to cease any radio broadcasting on this issue.

In addition, on June 16, 2007, Mr. **Lem Piseth**, a journalist at *Radio Free Asia*, received an anonymous call on his cell phone, after he published articles on deforestation in the Kompong Thom province. A man’s voice called him “insolent” and asked him if he “wanted to die”, referring explicitly to his articles, and that there would not be “enough land to bury [him] in [the forest]”.

Moreover, following the publication of his articles, Mr. Piseth was followed by the police and the military, and asked to leave the hotel room he was staying in by the owners, without any explanation.

As a consequence of the threats received, Mr. Lem Piseth was obliged to flee abroad.

CHINA - Arbitrary detention / Ill-treatment
April 3, 2007 - CHN 001 / 0206 / OBS 018.2

On April 2, 2007, the wife of Mr. **Yang Maodong**, *alias* Guo Feixiong, legal adviser with the Beijing-based Shengzhi law firm, was informed by the Public Prosecutor of the Tianhe district that her husband had been transferred back to the Guangzhou Municipal No. 3 Detention Centre, following a previous transfer to the town of Shenyang (Liaoning province) in January 2007. She was also told that on March 30, 2007, the Guangzhou Public Security Bureau (PSB) submitted the case of her husband to the Public Prosecutor for further investigation. On July 9, 2007, his trial was adjourned because of his “unruly” behaviour in court and his refusal to answer questions from the Prosecutor. As of the end of July 2007, no date had been set for another hearing.

Furthermore, Mr. Yang, who has been detained since September 14, 2006 and officially arrested for “illegal business activity” on September 30, 2006, would have been subjected to ill-treatment during his detention in order to obtain his confession. His arrest is probably related to the legal assistance he had provided since July 2005 to the peasants of the village of Taishu (Guangdong), who have been trying to obtain a court ruling to dismiss the head of the village committee, suspected of corruption.

CHINA - Sentencing / Arbitrary detention
April 17, 2007 - CHN 004 / 0406 / OBS 044.3

On April 16, 2007, the Shanghai Municipal N° 2 Intermediate People’s Court upheld, on appeal, the sentencing of Mrs. **Mao Hengfeng**, a well-known petitioner against family planning policies and forced evictions in Shanghai. The hearing only lasted ten minutes and her lawyer was prevented from entering the courtroom.

On January 12, 2007, Mrs. Mao had been sentenced by the Yangpu People’s District Court to two and a half years’ imprisonment for “intentional damage to property”, after she had broken two lamps valued at about \$7 each in the room where she had been arbitrarily placed under “soft detention” since May 23, 2006².

CHINA - Release / Harassment
May 2, 2007 - CHN 003 / 1005 / OBS 103.2

At the end of April 2007, Mr. **Tan Kai**, a founding member of the environmental NGO Green Watch, based in Hangzhou City, Zhejiang Province, was released from prison after serving out his full term of one and a half years. Mr. Tan had been arrested in October 2005, following the opening of a bank account under his name, in order to seek funds that would legally permit the registration of Green Watch. On August 11, 2006, the Hangzhou Municipal Intermediate People’s Court had sentenced him to 18 months’ imprisonment for “illegally obtaining State secrets”.

CHINA - Arbitrary detention / Ill-treatments / Harassment
June 22, 2007 - CHN 006 / 0706 / OBS 087.5

On June 16, 2007, Mr. **Chen Guangcheng**, a lawyer involved in the struggle against the Linyi city authorities’ recurrent use of violence for the implementation of the Government birth quotas, was beaten by six prisoners of the Linyi City Prison, who were forced to do so by the prison guards. Mr. Chen Guangcheng had just refused to have his head shaved. On June 19, 2007, when his wife visited him, Mr. Chen told her that he had pains in his ribs and that he feared to have a broken rib. His wife demanded that the prison immediately arrange for Mr. Chen to be sent to a hospital for a check-up, which the authorities refused.

Mr. Chen said he was punished for “being disobedient” due to his insistence on filing an appeal to the provincial higher court for a review of the verdict in his case. Since Mr. Chen is blind, he requires the assistance of his lawyer or his wife to write down what he would dictate, but his lawyers and his wife have been denied the right to visit him longer than the normal half-an-hour long, which has made it impossible to prepare an appeal for Mr. Chen.

Mr. Chen Guangcheng remains detained since March 11, 2006, and was sentenced to four years’ and three months’ imprisonment for “organising a mob to disrupt traffic” in August 2006.

COLOMBIA - Death threats / Acts of intimidation

² From February 13 to March 29, 2006, Mrs. Mao was put under house arrest in a flat in the Yangpu district of Shanghai on suspicion of “causing disturbance on a public thoroughfare”. While under house arrest, Mrs. Mao was under constant surveillance and was beaten several times, in addition of being deprived access to her lawyer. Her arrest followed her participation, in early February, in a nationwide hunger-strike in support of several other human rights defenders who had started a hunger strike against the violence and the repression of Chinese authorities. On May 23, 2006, Mrs. Mao Hengfeng was arrested once again by the police of Yangpu district without being produced an arrest warrant, and placed under “soft” house arrest in Kelaideng Hostel.

April 3, 2007 - COL 007 / 0407 / OBS 030
June 11, 2007 - COL 007 / 0407 / OBS 030.1

In February 2007, several human rights organisations were threatened by the Revolutionary Armed Forces of Colombia (*Fuerzas Armadas Revolucionarias de Colombia - FARC-EP*) of becoming one of their “military targets” if they failed to “support the popular mobilisation calling for the resignation of Uribe in order to pave the way to the formation of a new government”. Among the threatened organisations were the Cauca Indigenous Regional Council (*Consejo Regional de Indígenas del Cauca - CRIC*), the North Cauca Association of Indigenous Municipal Councils (*Asociación de Cabildos Indígenas del Norte del Cauca - ACIN*) and the Colombian Range Integration Committee (*Comité de Integración del Macizo Colombiano - CIMA*).

Likewise, on March 20, 2007, several organisations in the Nariño Department received by e-mail threats from the “New Generation” paramilitary group, accusing them of being “terrorists under the cover of human rights”. The threatened organisations were the following: the Indigenous Unity of the Awá People (*Unidad Indígena de Pueblo Awá - UNIPA*), the Permanent Committee for the Defence of Human Rights (*Comité Permanente por la Defensa de Derechos Humanos - CPDH-Nariño*), the International Organisation for Migration (*Organización Internacional de Migraciones - OIM*), the Foundation for Development and Peace (*Fundación Desarrollo y Paz - FUNDEPAZ*), the Pastoral Commission of the Tumaco Diocese, the Support for Victims of Socio-political Violence through Psychological Rehabilitation (*Apoyo a Víctimas de Violencia Sociopolítica pro Recuperación Emocional - AVRE*), the Foundation Committee for Solidarity with Political Prisoners (*Fundación Comité de Solidaridad con los Presos Políticos - FCSP*), the Movement for the Defence of the Rights of the People (*Movimiento por la Defensa de los Derechos del Pueblo - MODEP*) and the National University Federation (*Federación Universitaria Nacional - FUN*).

Again, in June 2007, several members and leaders of human rights organisations in Nariño received death threats from the “New Generation” group, which declared them as military targets. These threats look like condolences, and the NGOs and their leaders were further qualified as “communists’ collaborators” and “defenders of narco-terrorists”.

In particular, the following persons were directly targeted: Ms. **Ana Victoria Muñoz**, from OIM, Messrs. **Javier Dorado**, from CPDH, **William Girón Cruz**, from the Tumaco Pastoral Commission, **Gabriel Bisbicus Pascal**, from UNIPA, **Jesús Arciniegas**, from FUNDEPAZ, Ms. **Martha Melo Delgado**, a lawyer at CPDH - Nariño and a member of FUN and MODEP, M. **Harold Montufar**, from the town hall of Samaniego and an activist against landmines and in favour of the mine clearing of civilian zones, and Ms. **Gloria Amparo Camilo**, from AVRE.

COLOMBIA - Threats / Acts of intimidation and harassment
April 12, 2007 - COL 008 / 0407 / OBS 033

On March 30, 2007 the Corporation for the Defence and Promotion of Human Rights “REINICIAR” (*Corporación para la Defensa y Promoción de los Derechos Humanos “REINICIAR”*) was informed of the existence of a plan aiming at assassinating Ms. **Jahel Quiroga Carillo**, Director of REINICIAR, which would have been commissioned by the “Block Capital” paramilitary group, operating in the city of Bogotá. REINICIAR members, including Ms. Quiroga Carillo, are enjoying precautionary measures of protection, which the IACHR has granted to them since March 2002. RENICAIR filed a complaint to the authorities.

COLOMBIA - Death threats / Harassment
April 12, 2007 - COL 009 / 0407 / OBS 034

On March 7, 2007 Mr. **Ivan Montenegro**, an executive of the United Confederation of Workers (*Central Unitaria de Trabajadores - CUT*), was approached by two men of military appearance during an event organised by CUT in the town of Cali. The two men told him that he was “a member of the guerrilla”, that he “was spending too much time in the mountains” [where the guerrilla men seek refuge] and that his house was “a meeting point” for the guerrilla men”.

On March 14, 2007, two other persons approached him in the Poblado district and accused him of the same facts, adding that they were watching all his movements. Several hours later, the scene repeated itself, the unknown individuals asking this time Mr. Montenegro for the names of the “other guerrilla men” as well as for the date of the next meeting with his “friends of the mountains”.

Lastly, on March 16, 2007, as he was on his way to the CUT headquarters in Bogotá, Mr. Montenegro was approached by two persons who called him by his name, and asked where he was going.

As of July 2007, Mr. Montenegro has left Colombia for safety reasons.

COLOMBIA - Release
April 12, 2007 - COL 001 / 0106 / OBS 004.1

On April 4, 2007 Mr. **Principe Gabriel González Arango**, Coordinator of the Santander branch of the Foundation Committee for Solidarity with Political Prisoners (FCSPP), was released after being acquitted by the eight Criminal Court (*Juzgado 8 Penal del Circuito*) of Bucaramanga, on March 30, 2007.

On January 4, 2006, Mr. González Arango had been arrested and transferred to Bucaramanga, in the premises of the Unified Action Group for the Freedom of Colombia (*Grupo de Acción Unificado para la Libertad de Colombia - GAULA*), before being charged, on the next day, with “rebellion”. He had then been placed in detention at the “model” prison of Bucaramanga, awaiting trial.

COLOMBIA - Assassination / Threats / Harassment
May 16, 2007 - COL 010 / 0507 / OBS 045

On May 9, 2007, three women belonging to the Community of Peace of San José de Apartadó were arrested by paramilitaries in El Mangolo. The three men, armed and equipped with radio, presented themselves as members of the “Black Eagles”, and declared that they were going to kill them. They then took them to the police station on the outskirts of Apartadó, where they checked the identity of their hostages by radio, and were told that they were not the three “wanted” women. The three men took photographs of their three victims, threatening them with death, adding that they had received orders “to assassinate the members of the community [...] in coordination with the police and the army, who had given them names”.

After being insulted and threatened again by the three men, the three members of the community were released. Furthermore, on May 14, 2007, Mr. **Francisco Puerta**, a peasant leader and the former Coordinator of the Humanitarian Zone of the Path of Miramar, was shot dead in front of the transport terminal at Apartadó by two men who visibly belonged to a paramilitary group. The murderers then walked away unhurriedly, despite the presence of numerous policemen in the area.

COLOMBIA - Harassment / Threats / Fear for safety
May 24, 2007 - COL 011 / 0507 / OBS 051

On May 12, 2007, members of the European Network of Fraternity and Solidarity with Colombia (*Red Europea de Hermandad y Solidaridad con Colombia*) and the Agro-mining Federation of the South of Bolívar (*Federación Agrominera del Sur de Bolívar - FEDEAGROMISBOL*) received death threats by e-mail, targeting the international organisations “supporting the communities of South Bolívar”. The message accused the NGOs of working for the narco-terrorists, considering in particular Mr. **Teofilo Manuel Acuna**, President of FEDEAGROMISBOL, as one of the NGO executives involved in this “conspiracy”.

Mr. Acuna had been arrested on April 27, 2007, following a complaint for “fabricated legal action” lodged by the Nueva Granada Battalion, affiliated to the Fifth Brigade of the National Army, and then released on May 5 by order of the Simiti Public Prosecutor. The captain of the above-mentioned battalion had declared at the time of the arrest that “the worst bandit of South Bolívar, who stole 500 million pesos from [the NGO] Social Action to support the guerrilla”, had been arrested.

Shortly earlier, on April 28, 2007, two international companions who were travelling in the area with three local leaders had been intercepted by the Nueva Granada Battalion, on the San Luquitas path, San Pedro Frio, in the town of Santa Rosa. Likewise, on April 29, 2007, three members of the European Network of Fraternity and Solidarity with Colombia had been kept under watch by members of the same battalion.

The battalion stated that it was responsible for the security of the multinational corporation Anglo Gold Ashanti, which, via its subsidiary company Kedahda, took over the territory belonging to the small miners of South Bolívar, in spite of the refusal of the latter to give up their land.

COLOMBIA - Death threats / Harassment
May 31, 2007 - COL 012 / 0507 / OBS 057

On May 25, 2007, members of the Judicial Corporation of Liberties (*Corporación Jurídica Libertad - CJL*), in Medellín, found a letter in front of the door of the headquarters of the organisation, threatening them to be declared as “military objectives” if they did not give up their human rights activities and in favour of the struggle against impunity.

These events followed the publication, in March 2007, of a report titled *Ejecuciones extrajudiciales: Caso oriente antioqueño* (Extrajudicial executions: the case of the East of the department of Antioquia), drafted by the Coordination Colombia - Europe - United States (*Coordinación Colombia - Europa - Estados Unidos*) and the Collective Seeds of Freedom (*Semillas de Libertad*). In this report, the CJL members had denounced the murders of 110 individuals perpetrated by the 4th Battalion of the army.

COTE D'IVOIRE - Attack
May 24, 2007 - CIV 001 / 0507 / OBS 050

On May 21, 2007, the premises of the Ivorian League for Human Rights (*Ligue Ivoirienne des Droits de l'Homme - LIDHO*), in Abidjan, were ransacked by around 300 members of the Student and School Federation of Côte d'Ivoire (*Fédération étudiante et scolaire de Côte d'Ivoire - FESCI*). The aggressors stole computer hardware, supplies and all the personal belongings of the organisation members. They also damaged the building and destroyed the furniture and the archives.

Moreover, despite the existence of a police station nearby and the arrival on the spot of policemen during the havoc, nobody was arrested. The attackers even held a meeting in front of the premises of the League, insulting its members, calling them “traitors” and “enemies of the government”.

The reason invoked by FESCI, which forbade the National Coordination of Teachers and Researchers (*Coordination nationale des enseignants et chercheurs - CNEC*) from holding meetings in Ivorian universities, was that LIDHO had lent its premises to CNEC members, on strike since April 13, 2007, for a press conference on May 18. The event was considered by FESCI as an act of defiance. However, this reason would actually only be a pretext, since the LIDHO has been recurrently denouncing the numerous exactions and acts of harassment perpetrated by FESCI members on the university campus of Abidjan over the past few years.

LIDHO lodged a complaint with the Public Prosecutor against FESCI Secretary General, who, during a meeting held at the university of Cocody two hours earlier, had publicly urged members to attack the headquarters of the organisation, as well as against the Secretary of the “Cité Rouge” section of FESCI, who led the operation.

DJIBOUTI - Sentencing
April 11, 2007 - Press release
April 11, 2007 - Mission of judicial observation and defence

On April 11, 2007, Mr. **Jean-Paul Noël Abdi**, the President of the Djibouti League of Human Rights (*Ligue djiboutienne des droits de l'Homme - LDDH*), was sentenced by the Djibouti Court of Appeal to one year's imprisonment, including eleven months' suspended sentence, and to a 300,000 Djibouti francs fine, in presence of his lawyers, Mr. Michel Tubiana - who was commissioned on behalf of the Observatory - , Mr. Luc Aden and Mr. Zakaria. The three lawyers lodged an appeal with the Court of Cassation, which was registered on June 24, 2007. This appeal will aim at demonstrating, *inter alia*, that according to the Criminal Procedure Code, a sentence cannot be aggravated on the same grounds in appeal and that the proceedings against Mr. Noël Abdi have no legal basis.

On March 18, 2007 Mr. Noël Abdi had been sentenced by the Djibouti Criminal Court to six months' imprisonment for infringing the provisions of Article 425 of the Penal Code and Article 79 of the Law on Communication, namely for “divulging false news” and “defamation”. These charges followed the publication by the LDDH President of an information sheet dated March 3, 2007 entitled “*Le Day, zone de non droit*” (*The Day, an area where the law does not apply*), in which he reported the discovery of a mass grave in the village of Day (Tadjourah district), comprising the bodies of seven civilians reportedly killed by government forces on January 1, 1994. Mr. Noël Abdi was also denouncing the rape of a young girl by a sergeant of the Presidential Guard in February 2007 in the same village.

In their pleadings submitted to the Court of Appeal, Mr. Noël Abdi's lawyers noted that their client had been prosecuted under a *flagrante delicto* procedure, which was not provided by law, and that the facts reported in the information note were indisputable and of public knowledge.

EGYPT - Closure of an NGO
April 17, 2007 - EGY 001 / 0407 / OBS 035
April 23, 2007 - EGY 001 / 0407 / OBS 035.1

On March 29, 2007, the Naj-Hamadi section of the Centre for Trade Union and Workers Services (CTUWS), in the Qena Governorate (Upper Egypt), was closed down by an administrative decision issued by the Mayor of the town. The CTUWS section was in particular accused of inciting demonstrations and strikes that took place in the Delta region in December 2006 and January 2007, which CTUWS denied.

Furthermore, on April 10, 2007, the Governor of El-Gharbiya ordered to shut down the CTUWS section in the town of Mahalla.

Lastly, on April 22, 2007, the police went to the CTUWS headquarters in Helwan (Cairo) and ordered the closure of the office on the basis of an administrative order issued by the Ministry of Social Affairs.

In addition, in recent months, the CTUWS has been targeted by a smear campaign organised by the Egyptian Trade Union Federation (ETUF), which has consistently accused CTUWS of inciting the workers' strikes.

These events followed the publication by the CTUWS, as a member of the National Civil Society Alliance to Monitor the Elections, of a report denouncing the irregularities that had occurred during the referendum held on March 26, 2007 on amendments to the Constitution.

ETHIOPIA - Judicial proceedings / Harassment
April 19, 2007 - Press release

After several hearings and adjournments, the Federal High Court of Ethiopia decided, during its session from March 30 to April 9, 2007, to acquit and to release 25 defendants, including Mr. **Kassahun Kebede**, the Director of the Addis Ababa branch of the Ethiopian Teachers' Association (ETA), as well as to drop the most serious charges against 106 persons who were prosecuted for "attempted genocide" and "high treason"³.

However, the Court said that several other charges, including those of "outrage to constitutional order" were still maintained against 43 of the 106 accused, most of them being leaders and members of the main opposition party. With the exception of five persons, including Mr. **Daniel Bekele**, the Head of Policy Research and Advocacy Department of Action Aid Ethiopia, and Mr. **Netsanet Demissie**, the founder of the Organisation for Social Justice in Ethiopia (OSJE), all the accused refused to defend themselves, as an act of protest showing their lack of confidence in the independence of the Court.

On July 11, 2007, the Prosecutor required the death penalty against the 43 accused, a demand that was not followed by the Federal High Court which decided, on July 16, to sentence them to lengthy terms of imprisonment. On 20 July, 2007, the Ethiopian President announced its decision to grant pardon to 38 of the 43 sentenced, after they agreed to sign a written statement in which they acknowledged that they had resorted to unconstitutional means in order to overthrow the government. Messrs. Bekele and Demissie refused to sign such a statement and were accordingly not pardoned. They lodged an appeal to the Supreme Court.

GEORGIA - Arbitrary detention / Harassment
June 14, 2007 - GEO 005 / 0607 / OBS 085.3

On June 12, 2007, the police arrested Mr. **Jaba Jishkariani**, Mr. **Davit Dalakishvili** and Mr. **Levan Gogichaishvili**, members of the Egalitarian Institute, while they were calling for the release of Mr. Irakli Batiashvili, the leader of the political party "Tsin Sakartvelo", sentenced to 7 years' imprisonment in May 2007, by painting their request on the road, in front of the Public Prosecutor's office.

Mr. Jaba Jishkariani, Mr. Davit Dalakishvili and Mr. Levan Gogichaishvili were charged for "violating public order" and "disobedience to the police", and sentenced to 25 days' imprisonment. They were detained at the pre-trial detention centre of the Ministry of Internal Affairs.

They were subsequently released on July 7, 2007.

³ The trial, which concerns over a hundred members of the opposition and journalists, started in November 2005 following the violent confrontation between the security forces and young demonstrators who were challenging the validity of the results of the general elections held on May 15, 2005 and the subsequent victory of the ruling party. On December 21, 2005, these 131 persons were accused of crimes such as "conspiracy", "incitement to armed rebellion", "outrage against the Constitution", "high treason" and "genocide", incurring from 25 years' imprisonment to death penalty. Three human rights defenders are among the accused: Mr. Kassahun Kebede, Mr. Daniel Bekele and Mr. Netsanet Desmissie, charged with "outrage against the Constitutional order".

GUATEMALA - Sentencing / Status of the investigation into a murder
April 2, 2007 - GTM 002 / 0406 / OBS 047.1 (issued under GTM 004 / 0407 / OBS 047.1)

On March 29, 2007, the First Criminal Court for drug trafficking and offences against the environment in Chiquimula found Mr. César Pérez González, an employee of the Comprehensive Security Services (*Servicios Integrales de Seguridad - SIS*), a company operating in Banrural de Esquipulas, guilty of the murder of Ms. **Meregilda Súchite**, and sentenced him to 27 years' imprisonment.

On April 2, 2006 Ms. Meregilda Súchite, leader of the Tuticopote Abajo community, in the Olopa region, Department of Chiquimula, and a member of the Women's Network of the Observatory for Human Rights, set up by the Centre for Legal Action in Human Rights (*Centro para la Acción Legal en Derechos Humanos - CALDH*), in the Ch'orti' region, was assassinated with six bullets and four machete blows, as she was on her way to church with her husband.

GUATEMALA - Breaking and entering
April 12, 2007 - GTM 004 / 0407 / OBS 032

On April 5, 2007, the headquarters of the Irish organisation TRÓCAIRE, of the Spanish Association for the Cooperation with the South (*Asociación para la Cooperación con el Sur - ACSUR Las Segovias*), of the Guatemalan Group for Power and Local Development (*Colectivo Poder y Desarrollo Local - CPDL*) and of CARE International, in Guatemala City, were broken into.

Computer hardware and videos were stolen, all containing important information on the work of the four organisations, which lodged a complaint.

No valuables were missing.

GUATEMALA - Death threats / Harassment
May 9, 2007 - GTM 003 / 0507 / OBS 043

In March and April 2007, members of the Institute for Comparative Studies in Criminal Sciences (*Instituto de Estudios Comparados en Ciencia Penales - ICCPG*) were subjected to acts of harassment on several occasions.

On March 14, 2007, ICCPG investigators **David Dávila** and **Oswaldo Samayoa** were thus followed by a vehicle as they were preparing to change a cheque for visiting, on the day after, the family of Mr. Tirso Román Valenzuela, who would have been subjected to a summary execution.

On March 20, 2007, the house of Ms. **Paola Barrios**, ICCPG investigator on the conditions of detention of women and gender violence, located close to a police station of the National Civilian Police, was searched. Nothing was stolen but one of the children's teddy bears was gagged. The day before, Ms. Barrios had investigated the rape of Ms. Juana Méndez by members of the National Civilian Police.

On April 12, 2007, an employee of the Institute was abducted by unidentified men and questioned on the activities of his organisation, before being abandoned in Chimaltenango. During his detention, the aggressors declared that "they knew who the members of the Institute were, how many they were, and that if they continued to meddle in matters which were none of their business", the aggressors, "tired of giving warnings", would start "chopping off heads".

A week later, the staff of the Institute heard shots close to their offices, and found a bullet in the corridor.

Lastly, on April 25, 2007, the vehicle of Ms. **Mónica Teleguario Xitay**, a lawyer working for the Institute, who was returning from a journey related to the Juana Méndez case, was stopped by hooded and armed men, who threatened her with death. The aggressors claimed to know where she worked, since when and what she did. They asked her where she was coming from, and as she replied she was coming from the Institute, they pushed her about, saying that they knew she was returning from a journey. They added that they would keep her under surveillance, and that this was "the last warning".

GUATEMALA - Sexual violations / Abduction / Threats / Harassment / Fear for safety
May 10, 2007 - GTM 004 / 0507 / OBS 045
May 21, 2007 - GTM 004 / 0507 / OBS 045.1

On May 7, 2007, in Guatemala City, an employee of the Project Counselling Service (PCS) was abducted and sexually aggressed by his kidnappers, who then stole his official car and the money he was carrying. The victim, who wants to keep anonymous, was abandoned at the Castillo Lara Colony. Less than an hour later, another PCS staff member received threats sent from the victim's mobile phone, which the aggressors had also taken.

The next day, the employee who had been abducted and who had lodged a complaint received death threats and insults over the phone, the caller advising him to "leave things as they were".

On the basis of this complaint, the Public Ministry, which at first had considered these facts as a mere robbery, decided then to transmit the case to the human rights section of the Public Prosecutor's office. Investigations were

carried out in order to find out the vehicle of the collaborator, a photofit picture of the aggressor was made and a reconstitution of the aggression and of the sequestration were organised. Witnesses present on the place of the events were also interrogated. Nevertheless, no one has yet been charged and the stolen vehicle has still not been found out.

The collaborator victim of these aggressions has temporarily fled abroad since June 2007.

Since then, the members of PCS have not received new threats.

GUATEMALA - Burglary / Harassment
May 25, 2007 - GTM 005 / 0507 / OBS 052

On May 20, 2007, the offices of the ActionAid organisation in Guatemala City were broken into, and the thieves stole two laptops containing information on the NGO citizenship programmes and human rights activities. The other valuable items were not taken. A complaint was lodged, and an investigation is ongoing within the Public Ministry.

GUATEMALA - Burglary / Harassment
May 30, 2007 - GTM 006 / 0507 / OBS 055

On May 24, 2007, members of the Guatemala Foundation for Forensic Anthropology (*Fundación de Antropología Forense de Guatemala* - FAFG), an NGO which documents and denounces human rights violations and non-elucidated murders, were stopped by four men on motor-cycles, heavily armed, as they were in a vehicle of the Foundation. The aggressors forced the occupants to open the windows by threatening them with firearms. They bet them and stole their money.

On May 25, 2007, Mr. **Freddy Peccerely**, Director of the organisation, and Mr. **José Suasnavar**, Mr. **Omar Bertoni** and Ms. **Bianka Peccerely**, all three members of FAFG, received an e-mail threatening them with death, the authors of the message adding that they had been "told to make that the damned director of FAFG suffer". They also said that if they "[laid hands on] his sister, they would rape her and cut her up into pieces", adding that the list of people to kill was long. They threatened in particular Mr. Peccerely with death.

These facts occurred immediately after a press conference was organised by victims and human rights organisations in order to announce the start of a constitutional procedure filed before the citizens' register, in relation with the registration of Efrain Rios Montt as candidate for the Presidency of Guatemala.

On May 28, 2007, Mr. Peccerely received another e-mail containing insults and threats, the author stating that he was keeping an eye on his sister, and that he and his accomplices were going to rape her and torture her to death, adding that his turn would come, and that all the anthropologists would "die".

GUATEMALA - Assassinations / Stealing / Harassment
June 5, 2007 - GTM 007 / 0607 / OBS 062

On June 3, 2007, Mr. José Corrado Gómez, the son of Ms. **Edith Corrado Gómez**, a member of the Awareness-Raising Team with the Association of Ixqik Women (*Asociación de Mujeres Ixqik*) in Péten, and the grand son of Ms. **María Cristina Gómez**, in charge of the Pastoral of Women for the Communities of Santa Ana and of Chal (*Comunidades de Santa Ana y de Chal*), was murdered by two armed men, in the family's store, in Chal (Petén Department). He died immediately.

One of the murderers then targeted Ms. Corrado and hurt her arm. Her mother, Ms. María Cristina Gómez, was shot as she was trying to protect her daughter. She died immediately.

These events occurred on the eve of a meeting between the Association of Ixqik Women and the Office of the Public Prosecutor, in order to denounce, in particular, acts of harassment perpetrated against the members of the association, such as several anonymous calls of threat urging them to cease their activities.

On June 1, in particular, a man pretending to be drunk had stood in front of the house of Ms. **Olga Urízar**, a member of Ixqik, and had threatened to throw a bomb there.

HONDURAS - Harassment / Death threats
June 29, 2007 - HND 001 / 0607 / OBS 071

On June 20, 2007, the Director of the Centre for the Prevention, the Treatment and the Recovery of Victims of acts of Torture and their Families (*Centro para la Prevención, Tratamiento y la Rehabilitación de víctimas de Tortura y sus familiares* - CPTRT) received a message titled "Operation extermination", containing death threats against several human rights defenders, lawyers and journalists, accused of being a "social nuisance".

These threats would be related to a struggle led by human rights NGOs against corruption within the General Directorate of Criminal Enquiry and the Prison System. In this regard, the CPTRT actively took part in the drafting of a new Law on Prison and the Police, requiring that the full control on the prison institution and on the General

Directorate of Enquiry be ensured by civil bodies, not by police or military ones.

**INTERNATIONAL LABOUR ORGANISATION - 96th session of the International Labour Conference
June 14, 2007 - Oral statement**

The Observatory made a statement at the 96th session of the International Labour Conference which was held in Geneva (Switzerland) from May 30 to June 15, 2007, in order to express its deep concern over the violations by some States of their international obligations stemming from the Constitution of the International Labour Organisation (ILO) and from the Conventions n°87 and 98, which impose that the recognition and the effective enjoyment of the right to trade union freedom and to collective negotiation be enshrined in the national legislations of member States.

Indeed, in a number of countries (*Cambodia, China, Colombia, Costa Rica, Djibouti, Egypt, Guatemala, Guinea-Conakry, Iran, Iraq, Mexico, Morocco, Philippines, South Korea, Tunisia, Turkey, Zimbabwe*), the defenders of economic, social and cultural rights are regularly subjected to assassinations or assassination attempts, threats, ill-treatments, arbitrary arrests or detentions. Trade union leaders are on the front-line, since their involvement in favour of a better social balance and a better repartition of wealth is often considered as an obstacle to economic growth by several actors (States, transnational corporations, etc.).

The latest annual report of the Observatory thus takes into account the situation of 303 trade union leaders and trade unionists who were subjected, in 2006, to aggressions, threats, harassment and arbitrary detentions, because of their struggle against bad working conditions, corruption, and the improper management and abusive exploitation of natural resources.

In addition, several States continue to implement repressive strategies aiming at limiting freedoms of association, of gathering and of expression, thus chiefly targeting trade union activists.

IRAN - Arbitrary detentions / Releases on bail / Sentencing / Judicial proceedings

April 5, 2007 - IRN 002 / 0307 / OBS 023.3

April 30, 2007 - IRN 002 / 0307 / OBS 023.4

May 21, 2007 - Press release

May 30, 2007 - IRN 002 / 0307 / OBS 023.5

On April 2, 2007, Ms. **Nahid Keshavarz** and Ms. **Mahboubeh Hosseinzadeh**, two members of the media committee of the “One Million Signatures Campaign”⁴, were arrested at the Laleh park, in Tehran, while collecting signatures in support of their campaign.

Three other members of the Campaign, Ms. **Sara Imanian**, Mr. **Homayoun Nami** and Ms. **Saiedeh Amin**, were released after spending one day in detention at the police station.

On April 3, 2007, Ms. Nahid Keshavarz and Ms. Mahboubeh Hosseinzadeh were taken to the Revolutionary Court, where they were asked to sign a statement agreeing to end their activities in the “Campaign”. When they refused to do so, the two women were charged with “actions against national security” and transferred to the Evin Prison.

On April 14, 2007, Ms. Keshavarz and Ms. Hosseinzadeh were released on bail.

Furthermore, the Teheran Revolutionary Court sentenced six other members of the campaign who had organised a peaceful demonstration on June 12, 2006, namely Ms. **Azadeh Forghani** (sentenced on April 11 to two years’ suspended imprisonment for “acting against national security by participating in an illegal gathering”), **Sousan Tahmasebi** and **Fariba Davoudi-Mohajer**⁵ (sentenced on April 18, 2007 to, respectively, two years’ imprisonment, of which one and a half is suspended, and four years’ imprisonment, of which three are suspended, for “actions against the State” and “threatening national security”), and **Noushin Ahmadi-Khorasani**, **Shahla Entesari** and **Parvin Ardalan** (sentenced on April 24 to three years’ imprisonment of which two and a half are suspended for “collusion and assembly endangering national security”).

They have all appealed their sentences. On May 16, 2007, Ms. **Zeynab Peyqambarzadeh**, an Iranian human rights activist engaged in the “One million signatures” campaign and detained in the Evin prison in Teheran, was released on bail after paying 20 million toman (around 16,000 euros), a sum collected thanks to a movement of solidarity. She had been arrested after appearing before the Revolutionary Court in Tehran on May 7, and then placed in detention, without being given the reasons for her arrest.

Moreover, two more organisers of the campaign, Ms. **Maryam Hosseinkhah** and Ms. **Fatemeh Govaraie**, were also summoned to court, and could be charged with “violating national security”.

Furthermore, on May 26, 2007, Ms. **Bahareh Hedayat**, the President of the Women’s Commission of the Office for Consolidation of Unity, the main student organisation in Iran, and also a member of the “One million signatures” campaign, was sentenced to two years’ suspended imprisonment for acting “against national security and participating to illegal gatherings”. She appealed this decision and her trial might take place in August 2007. Ms. Hedayat had also taken part in the peaceful gathering of June 12, 2006, in Tehran.

⁴ This Campaign aims primarily at demanding for discriminatory laws against women to be changed.

⁵ Ms. Davoudi-Mohajer was sentenced in absentia.

On July 9, 2007, Ms. Hedayat was again arrested as she was taking part in a student protest. Her suspended sentence could therefore be transformed into a prison sentence.

IRAN - Acquittal
May 30, 2007 - IRN 002 / 0705 / OBS 055.6

On May 28, 2007, Mr. **Abdolfattah Soltani**, a lawyer at Tehran Bar, and a founding member of the Defenders of Human Rights Centre (DHRC), was acquitted by the Tehran Revolutionary Court.

Mr. Soltani had been arrested on July 30, 2005, while taking part in a sit-in at the Tehran Bar to protest against an arrest warrant issued against him by the Public Prosecutor for “espionage”.

On March 6, 2006, Mr. Soltani had been released after a bail of 100,000 euros had been paid, thanks to a national and international movement of solidarity.

On July 16, 2006, he was informed that the Revolutionary Court had sentenced him to five years’ imprisonment and the loss of his civic rights for “non-respect of the confidentiality of the preliminary enquiry”, in a trial in which Mr. Soltani appeared for the family of the victim, and during which he had questioned the independence of justice. Mr. Soltani had appealed the decision.

IRAQ - Abduction / Assassination
April 5, 2007 - IRQ 001 / 0407 / OBS 031

On March 30, 2007, the body of Mr. **Najim Abd-Jasem**, General Secretary of the Mechanics, Printers and Metalworkers Union in Baghdad since 2003 and a founder as well as a leader of the General Federation of Iraqi Workers (GFIW), was found, showing clear signs of torture. He had been abducted in Baghdad three days before.

ISRAEL AND THE OCCUPIED PALESTINIAN TERRITORY - Hindrances to freedom of movement
May 2, 2007 - Press release, issued jointly with HRW
June 22, 2007 - ISR 001 / 0607 / OBS 069

On March 23, 2006, the identity documents of Mr. **Shawan Jabarin**, the General Director of the Palestinian human rights organisation Al-Haq, were confiscated for no official reason. Since then, all his applications for professional journeys abroad have been refused by the Israeli authorities, including invitations from international NGOs.

Thus, on April 19, 2007, Mr. Jabarin was prevented from leaving the Gaza Strip for Lisbon (Portugal), where he had to attend the annual Congress of the FIDH.

On June 20, 2007, the Israeli High Court of Justice refused to overturn the travel ban imposed on Mr. Jabarin in order to enable him to attend an international conference on peace and justice in Germany from June 25 to 27, 2007. Indeed, after having heard Mr. Jabarin’s travels abroad could be a threat to national security, on account of his alleged political affiliations, the Court ask the public and Mr. Jabarin’s lawyer to leave the courtroom so that secret evidence demonstrating that Mr. Jabarin would be an active member of a “political organisation” designated as “illegal” by Israel could be examined. After briefly reviewing these secret evidence, the Court upheld the decision that Mr. Jabarin would not be allowed to travel to Germany, and added that it would issue a more general judgement concerning a broader travel ban in the coming weeks.

ISRAEL AND THE OCCUPIED PALESTINIAN TERRITORY - Obstacles to the freedom of association
June 26, 2007 - Press release

On June 20, 2007, a decree which seriously restricts freedom of association in the OPT was issued by President Mahmoud Abbas, on the basis of the state of emergency announced on June 14, 2007. In particular, its Article 1 grants the Palestinian Minister of Interior “the authority to review all permits for associations and organisations issued by the Ministry of Interior or any governmental source”. Article 2 gives also the Minister of Interior or any person delegated by the Minister the power to “take any steps deemed necessary against associations and organisations with the intent of closure, amendment, or any other action”. Lastly, Article 3 points out that “all organisations and associations must submit new registration applications within one week; and all who violate this directive are subject to the law”.

KYRGYSTAN - Physical assault
April 12, 2007 - Press release

In the evening of April 6, 2007, Mr. **Ramazan Dyrlydaev**, President of the Kyrgyz Committee for Human Rights (KCHR), was attacked on his way home by two men wearing hoods and dressed in black, who threw stones at him. Mr. Dyrlydaev was able to run away to his home and to take shelter just in time. The aggressors then started to bang on his door, shouting threats.

The next day, two unidentified men went to Mr. Dyrlydaev's office, trying to find out where they could find him. On the following days, Mr. Dyrlydaev and his family constantly received threatening phone calls.

On April 6, 2007, Mr. Dyrlydaev had taken part in a television programme during which he had criticised the policy pursued by the Kyrgyz authorities, in particular by the President of the Republic, Mr. Kourmanbek Bakiev, and the leader of the opposition and former Prime Minister, Mr. Felix Koulov, accusing them of being involved in cases of corruption. He also emphasised that the draft Constitution adopted in December 2006 did not take into account the democratic aspirations of the May 2005 "Tulip Revolution".

On April 4, 2007, Mr. Dyrlydaev had also published an open letter to Mr. Koulov, calling on him to cease the anti-government protest actions, arguing that they were creating an explosive situation in the country.

MALAYSIA - Arbitrary arrest / Release on bail / Illegal search
June 22, 2007 - MYS 001 / 0607 / OBS 067

On June 17, 2007, Mr. **Nyam Kee Han** and Mr. **See Siew Min**, respectively the Coordinator of the *Suara Rakyat Malaysia* (SUARAM) branch in Johor Bahru, and a secretariat member of the branch, were arrested during a demonstration organised in front of the residence of the Chief Executive of the State, in order to draw his attention to the rising crime rate in Johor Bahru. Both men were then handing out leaflets calling for the immediate creation of the Independent Police Complaint and Misconduct Commission (IPCMC), recommended by the Royal Commission in April 2005.

On the day after, Mr. Nyam Kee Han and Mr. See Siew Min were brought to a magistrate's court in Johor Bahru, which decided to grant a 24-hour remand order to custody. Following their release on June 19, 2007, Mr. Nyam Kee Han and Mr. See Siew Min had to report back to the police station on June 26, 2007 to find out if they would be charged by the police. On June 26, they were not charged but were asked to report back on July 2. Since then, it seems that their case has been dropped.

On June 19, 2007, the police searched Mr. Nyam Kee Han and Mr. See Siew Min's houses without warrant while they were still in detention. The police took away Mr. Nyam Kee Han's computer devices as well as some personal documents. His computer was returned upon his release.

MEXICO - Assassination / Threats
April 18, 2007 - MEX 003 / 0407 / OBS 038

On April 9, 2007, the dead body of Mr. **Santiago Rafael Cruz**, the organiser of the "Forum on the Work of the Rural Worker" (*Foro Laboral del Obrero Campesino AC* - FLOC), an organisation based in the United States, defending the rights of expatriated workers and affiliated to the American Federation of Labour (AFLCIO), was found in the FLOC offices in Monterrey (State of Nuevo Leon), with his hands and feet bound, and bearing traces of violent blows. He would have been killed the day before.

At the time of his death, FLOC-AFLCIO was investigating into cases of corruption linked to the recruitment of workforce for the American agrarian industry.

MEXICO - Burglary / Harassment
May 9, 2007 - MEX 004 / 0507 / OBS 044

On April 28, 2007, the house of Ms. **Aline Castellanos Jurado**, former President of the Mexican League for the Defence of Human Rights (*Liga Mexicana por la Defensa de los Derechos Humanos* - LIMEDDH) and a member of the Consortium for Parliamentary Dialogue and Equity AC (*Consortio para el Dialogo Parlamentario y la Equidad AC*) in Oaxaca, was broken into, while she was participating in a human rights meeting of women activists in San Felipe de Oaxaca de Juárez.

The burglars entered through an open window, moved all Ms. Castellanos' personal belongings and took her passport, which contained a visa to the United States, and money. Since then, Ms. Castellanos has left the country, fearing for her physical integrity.

This is the third time Ms. Castellanos has been subjected to such housebreaking, after moving house several times. In view of the lack of results in the enquiries carried out by the local police forces, Ms. Castellanos has lodged a complaint with the Federal Public Prosecutor of the Republic. As of late August, an investigation was ongoing. Moreover, Ms. Castellanos is still subjected to an arrest warrant issued by a judge in the district of Etila for "aggravated offence", in relation to events that occurred in August 2006.

MEXICO - Assassination attempt / Threats
May 21, 2007 - MEX 006 / 0507 / OBS 048

On May 7, 2007, Ms. **Lydia Cacho Ribeiro**, President of the Victim's Crisis Centre - Integral Centre for Attention to Women (*Centro de Crisis para Víctimas - Centro Integral de Atención a las Mujeres* - CIAM) in Cancun, State of

Quintana Roo, was subjected to an assassination attempt, while she was in a van assigned to her by the office of the General Prosecutor of the Republic (PGR) and driven by a PGR agent, as a preventive measure of protection. While the van was in motion, the driver began to lose control of the vehicle, before managing to stop it. On examination, it was found that the four wheels had been deliberately unscrewed, which could have caused a serious accident.

Ms. Cacho lodged a complaint for “assassination attempt”.

Shortly earlier, on May 2, 2007, Ms. Cacho had appeared as a witness for the prosecution in the trial of an entrepreneur, accused of infantile prostitution and child trafficking. During the hearing, the entrepreneur had threatened her, and his lawyer had called her a “usurper”.

MEXICO - Harassment
May 29, 2007 - MEX 007 / 0507 / OBS 054

On several occasions, members of the organisation Without Borders (*Sin Fronteras*), which provides support to migrant populations and takes an active part in the creation of more adequate migration policies, were subjected to acts of harassment by members of the National Institute on Migrations (*Instituto Nacional de Migración - INM*).

Thus, on May 20, 2007, an NGO assistant was subjected to an identity check at the Mexico DF airport, as she was about to take a flight to Tapachula in order to enquire on security conditions and the situation of teenagers detained in the immigration centre of the city. After being called by a loud speaker, she went to the information desk where she was asked to follow two agents who intimidated her and proceeded to identity check. The INM knew that this assistant was going to Tapachula in order to carry out activities of which it had been informed of and no other passenger of her flight was subjected to such a control. A complaint was lodged with the National Human Rights Commission.

It is the third time this year that Without Borders is subjected to acts of harassment by the INM. In March 2007, the poll card of Ms. **Fabienne Benet**, the Director of Without Borders, had been registered against her will in the INM premises, in an unusual way with regards to the general treatment of visitors entering the INM premises. In addition, the INM drafted a report downgrading the work of Without Borders, after the organisation had lodged a complaint against the Institute because its lawyers had been facing access limitations to the Mexico DF immigration centre. Without Borders lodged a complaint with the National Human Rights Commission.

MEXICO - Assault / Assassination / Threats
June 1, 2007 - MEX 008 / 0607 / OBS 058

On May 15, 2007, Messrs. **Aldo Zamora** and **Misael Zamora**, the two sons of Mr. **Ildefonso Zamora**, environmental rights activists struggling against illegal deforestation, in the area of the National Park of Zempola lagoons, were subjected to an armed attack led by four individuals, in Santa Lucia, Ocuilán department, State of Mexico. Mr. Aldo Zamora died whereas his brother Misael was severely injured. Two of the presumed aggressors would be known to be involved in illegal logging.

In spite of the complaint filed by the Zamora family on the same day with the Public Prosecutor, the latter went on the crime scene only on the day after, and the investigation aiming at finding those responsible were launched only two days later. On May 24, 2007, the four presumed perpetrators of the attack were presented before the court, which ordered their arrest. They subsequently went underground.

Over the past few years, the Zamora brothers had taken an active part to struggling activities of their father, by setting up eco-tourism and reforestation projects, and had worked, in particular, with the Mexican section of *Greenpeace*.

Other relatives or collaborators of Mr. Ildefonso Zamora are still subjected to threats: Messrs. **Paulino Neri Carlos**, Mr. Zamora's substitute, **Nicolás Hernández Alberto**, the secretary for town council affairs, and **Alejandro Ramírez Raymundo**, the treasurer for town council affairs and the Chief of the Supreme Council of Tlahuica.

MEXICO - Intimidation / Harassment
June 4, 2007 - MEX 009 / 0607 / OBS 060

On May 28, 2007, Ms. **Mayem Pilar Arellanes Cano**, a lawyer and a member of the Liberation Committee of November 25 (*Comité de Liberación del 25 de Noviembre*), which provides legal support to prisoners, and of the Collective for the Support of Lawyers and Representatives of Persons subjected to Arbitrary Detentions (*Colectivo de Abogados y Abogadas Víctimas y Representantes de Víctimas de Detenciones Arbitrarias*), was insulted and threatened with death on several occasions by six unknown persons, while she was on her way to the law faculty. The six aggressors also surrounded her and physically threatened her, referring to her activities, before she managed to escape.

It is the third time this year that Ms. Cano has been subjected to such treatment. In February 2007, she had been

followed by an unknown person for several hours, after she had heard the testimony of a victim of arbitrary detention, and in May her house had been kept under surveillance by an unknown person during one whole day.

NEPAL - Threats/Harassment
May 31, 2007 - NPL 001 / 0507 / OBS 056

On May 21, 2007, Mr. **Jitman Basnet**, a lawyer, a journalist and a human rights defender, received an anonymous phone call from a public phone booth located in Kathmandu. The caller declared that he had to “bear the results” of his engagement in the struggle against impunity in Nepal.

In September 2006, Mr. Basnet had filed a writ of mandamus before the Supreme Court, in order to obtain the creation of a High Level Committee to investigate into human rights violations perpetrated during the recent conflicts in Nepal, as well as into cases of enforced disappearances. On this occasion, he had accused King Gyanendra and army officials for supplying false information to the Supreme Court.

In addition, in March 2007, he had published a book, entitled *258 dark days*, relating to his detention in the Bhairabnath battalion facilities and covering several cases of torture, rapes, and unpunished assassinations against prisoners, perpetrated by the prison personnel.

NEPAL - Harassment
June 5, 2007 - NPL 002 / 0607 / OBS 061

On May 29, 2007, while on a regular visit to the police detention centre of Banke district, the lawyers of Advocacy Forum, a Nepalese NGO that has been providing legal aid to detainees, were denied any access to them. When the regional office of Advocacy Forum in Midwestern attempted to regain access to the detention centre by calling the Chief of the District Police Office (DPO), the latter justified this denial by the fact that Advocacy Forum would have “made unnecessary reports stating that Bablu Rai was tortured by the police”⁶.

On May 31, 2007, lawyers from the Regional Office of Advocacy Forum in Nepalgunj met the Chief of the DPO and the Deputy Superintendent of Police (DSP), and were blamed for giving “unnecessary burdens” to the police. They were subsequently informed that from now on, a written request from the detainees would be necessary to have access to them. Furthermore, the Chief of the DPO accused Advocacy Forum of fabricating Mr. Bablu Rai’s claim and promised that he “would continue to work on his own terms”.

Finally, on June 3, 2007, representatives from the central office of Advocacy Forum in Kathmandu met a representative of the Human Rights Police Cell who stated that he would discuss with the higher office at police headquarter and try to solve the problem soon.

One week after the Observatory urgent appeal was issued, acts of harassment against Advocacy Forum ceased, the members of the NGO having been allowed to meet the prisoners since then.

NEPAL - Death threats / Assault / Harassment
June 11, 2007 - NPL 003 / 0607 / OBS 065

Since April 2007, threats and acts of harassment against Ms. **Rita Mahato** and Ms. **Dev Kumari Mahara**, two members of the Women’s Rehabilitation Centre (WOREC), in Siraha district, have been intensifying.

As a matter of fact, after documenting two cases of rape victims in April and May 2007, helping the victims in accessing justice and providing legal and medical support to the victims, Ms. Mahato reportedly started receiving threats of death, rape, kidnapping, etc., by the presumed authors of the rapes as well as by other members of the Govindapur community.

Subsequent to WOREC denunciations and reports, the Govindapur community blamed Ms. Rita Mahato for calling the police to arrest a perpetrator involved in one of the cases of rape, whereas the community had decided that the case was to be settled in the community itself.

Furthermore, on June 2, 2007, WOREC office was attacked with sharp bricks, while the staff was still working. When the staff went out to inspect the situation, they were further volleyed with bricks. The local police, which was informed of the events, replied that they were unable to come due to security reasons

Finally, the main gate of WOREC was dismantled and thrown in the middle of the road by unknown assailants, who were later identified as the authors of the rapes. This incident was registered in the local police station, however no investigation has been opened yet.

PERU - Death threats / Harassment
April 5, 2007 - PER 001 / 0106 / OBS 003.1

On March 29, 2007, Ms. **Iskra Chávez Loaiza** and Ms. **Evelyn Zevallos Enriquez**, respectively Director and a

⁶ On May 22, 2007, Advocacy Forum had lodged a complaint to the District Court of Banke on behalf of Mr. Bablu Rai, who was subjected to acts of torture while in detention in the District Police Office.

lawyer as well as a member of the Association for Human Life and Dignity (*Asociación por la Vida y la Dignidad Humana* - APORVIDHA), in the region of Cusco, received a message on their mobile phones threatening them with death.

In January 2006, Ms. Enriquez and Ms. Loaiza had already received death threats.

APORVIDHA is working in particular on the assassination of 34 peasants in Lucmahuayco in 1984, whose authors reportedly belonged to the army.

PHILIPPINES - Assassination attempt / Abduction / Forced disappearances
April 17, 2007 - PHL 001 / 0407 / 036

On April 12, 2007, as Mr. **Jose Ely Garachico**, public information officer of the Alliance for the Advancement of Peoples' Rights (KARAPATAN) and a member of the Society of ex-Detainees for Release, Against Detention and for Amnesty (SELDA), Ms. **Maria Luisa Posa-Dominado**, also a member of SELDA, and Mr. **Nilo Arado**, a member of the Peasant Movement of the Philippines, were returning home, they were stopped in Cabanbanan, Oton, Iloilo, by three armed men who fired several bullets at their vehicle, seriously injuring Mr. Jose Ely Garachico. Ms. Maria Luisa Posa-Dominado and Mr. Nilo Arado were abducted on the spot. As of the end of May 2007, the latter remained disappeared.

Mr. Arado had already received death threats in December 2006 for his action in favour of agrarian reform.

RUSSIAN FEDERATION - Harassment / Threats / Aggression
June 29, 2007 - RUS 003 / 0607 / OBS 070

On June 19, 2007, Ms. **Valentina Uzunova**, a lawyer, a member of the NGO "For a Russia Without Racism" and an expert on racial issues and hate crimes, was attacked by a female assailant, dressed in camouflage and wearing a mask, as she was on her way back from visiting the relatives of Mr. Nicolai Girenko⁷. Her aggressor hit her several times on the head. Ms. Uzunova sustained a concussion and haematomas on her head.

This aggression took place on the eve of the day Ms. Uzunova had to give expert testimony before the Vyborgi Federal Court in the case of Mr. Vladislav Nikolsky, who is currently facing charges for "incitement to overthrow the constitutional order" and incitement to racial hatred. However, the hearing was cancelled because of the attack.

Over the past months, Ms. Uzunova had received threats of violence from anonymous sources. In an anonymous call, the caller threatened to execute her and her family if she did not help to clear Mr. Nikolsky. Ms. Uzunova had appealed for police protection but her request was turned down for "lack of evidence of a credible threat".

RWANDA - Sentencing / Arbitrary detention
June 1, 2007 - RWA 001 / 0607 / OBS 059

On May 3, 2007, Mr. **François-Xavier Byuma**, the former Vice-president of the Rwandan League for the Promotion and the Defence of Human Rights (*Ligue rwandaise pour la promotion et la défense des droits de l'Homme* - LIPRODHOR), the Coordinator of the Network of Human Rights Defenders in Central Africa (*Réseau des défenseurs des droits de l'Homme en Afrique centrale* - REDHAC) and the President of the Rwandan Association for the Protection and Promotion of the Child (*Association rwandaise pour la protection et la promotion de l'enfant - Turengere Abana*), received a summons to appear for "complicity in the 1994 Rwandan genocide". This notification was sent as the NGO *Turengere Abana* was enquiring on allegations of the rape of a 17 year-old girl and had declared that the judge and President of the *gacaca* Tribunal would be the author of this crime. Mr. Byuma was prosecuted for "training to firearms handling during the genocide"; "illegally carrying weapons"; "constitution of barriers" erected in order to prevent the Tutsis from escaping the genocide and "involvement in the attacks of the Interahamwe" during the genocide.

In the course of a hearing on May 13, 2007, Mr. Byuma challenged the bench and the President of the bench, arguing that his right to a fair trial would not be guaranteed since the President of the bench was accused in the enquiry led by *Turengere Abana*. However, this request was rejected and Mr. Byuma was subsequently detained and transferred to the Kigali central prison on May 14, early in the morning.

On May 20, 2007, Mr. Byuma pleaded not guilty and was released, awaiting the ruling of the court.

On May 27, 2007, the *gacaca* Tribunal of Biryogo, in Kigali, dropped the charges against Mr. Byuma for "illegal weapon carriage", "constitution of barriers" and "constitution of lists of Tutsis", but found him guilty of "participating in a training on firearms handling" and "participating in attacks while being administrative authority". He was sentenced to 19 years' imprisonment. In addition, the Tribunal found him guilty of several counts of indictment which had not been mentioned in the first reading of the bill of indictment, in particular of the aggression and the abduction of a woman who had provided an inconsistent and vague testimony during the hearing.

Moreover, several defence witnesses have reportedly been subjected to acts of intimidation, and two persons

⁷ Mr. Girenko was a human rights defender and an expert on ethnic issues who was killed on June 19, 2004.

judged at the same time as Mr. Byuma and on the same grounds, of which one acknowledged that she was guilty, were acquitted.

Following the appeal lodged by Mr. Byuma, two hearings took place on July 14 and July 21, 2007. The hearing was then postponed to July 28, 2007.

On August 18, 2007, the Court of Appeals upheld the sentence ruled against Mr. Byuma by the *gaçaça* Tribunal, following an unfair trial in which no argument developed by the witnesses supporting the defendant was taken into account. Mr. Byuma intends to submit his case to the Court of Cassation.

SRI LANKA - Threats May 2, 2007 - Press release

On April 17, 2007, an email was sent to NGOs and United Nations agencies working in the Trincomalee district by the Intelligence Unit of the *Thamil Makkal Viduthalai Pulikal* (TMVP), a break-away group of the Liberation Tigers of Tamil Eelam (LTTE) movement. In this email, organisations were required to fill in an application form to join LTTE, and to submit it before April 30, 2007. They were also “invited” to “stop [their] bad behaviours” and to join LTTE as this would “create a peaceful country”. Besides, the email warned that for those failing to register TMVP would “not [be] responsible for [their] security in the North and East”.

On April 20, 2007, another threatening message was sent to the NGOs that are members of the Consortium of Humanitarian Agencies (CHA) as well as to UN workers in eastern Sri Lanka. The authors of this email said that they were “following CHA very closely” and that they “would take the necessary steps to eliminate them if needed”. They added that they would guarantee “full security to whoever co-operates” and that those who did not “would have to face the consequences after the deadline”.

Subsequently, the TMVP denied having sent these emails.

THAILAND - Threats / Harassment April 5, 2007 - THA 001 / 0106 / OBS 005.1

On March 12, 2007, Mrs. **Angkhana Wongrachen**, a human rights defender and the wife of Mr. **Somchai Neelaphajit**, President of the Muslim Lawyers Association and Vice-president of the Human Rights Committee of the Lawyers Association of Thailand, lodged a complaint with the Bangkok Central Administrative Court about the failure of the police investigation into the disappearance of her husband, during the night of March 12-13, 2004. In particular, the five policemen who remain accused in the criminal case connected to her husband’s abduction are still working in the police, even though the case is still pending appeal.

On the same day, the Police Chief warned Mrs. Angkhana Wongrachen that she would become his enemy if she kept on calling for justice for her husband.

TUNISIA - Aggression / Harassment April 18, 2007 - TUN 001 / 0407 / OBS 037

On April 14, 2007, Mr. **Abderraouf Ayadi**, a lawyer, former member of the Bar Council and former Secretary General of the National Council for Freedoms in Tunisia (*Conseil national pour les libertés en Tunisie* - CNLT), was aggressed by a member of the political police in front of the courtroom of the First Instance Tribunal in Tunis, as he was preparing to appear in a case involving defendants accused under the anti-terrorist law. A police officer kicked him, while others formed a barrage preventing him from entering the courtroom.

Earlier, Mr. Ayadi had witnessed the expulsion from the courtroom by the political police of Mr. **Ali Ben Salem**, Vice-president of the Association Against Torture in Tunisia (*Association de lutte contre la torture en Tunisie* - ALTT) and President of the Bizerte section of the Tunisian League for Human Rights (*Ligue tunisienne des droits de l’Homme* - LTDH), who was also trying to observe the trial.

TUNISIA - Hindrance to freedom of assembly / Harassment / Ill-treatment May 23, 2007 - TUN 002 / 0507 / OBS 049

On May 17, 2007, the hotel that was to host a training workshop on “security and digital confidentiality”, organised by the CNLT, in partnership with Frontline, and to which Tunisian, Moroccan, Algerian and Egyptian defenders were to participate, cancelled the reservation. As no other hotel accepted to host the event, the organisers decided to hold the workshop in the CNLT premises.

However a hundred-odd plainclothes policemen surrounded the CNLT premises, thus preventing anyone from entering. They later allowed the foreign participants and members of CNLT to enter, but denied access to some others, including Mr. **Lofti Azzouz**, a member of the Tunisian section of Amnesty International, Mr. **Amor Gaidi**, a member of the International Association for the Support of Political Prisoners (*Association internationale de soutien aux prisonniers politiques* - AISPP), and Mr. **Belgacem Abdallah**, a member of the ALTT. Mr. **Houcine**

Ben Amor, a close collaborator of CNLT, was also violently assaulted.

On May 19, 2007, when the workshop was due to resume its work, the building was again surrounded by numerous policemen, who prevented anyone from entering. In addition, Mr. **Sami Nasr** and Mr. **Lofti Hidouri**, CNLT members, were reportedly threatened by the police.

In addition, on May 20, 2007, the access to the house of Mr. Ali Ben Salem, in Bizerte, was blocked in order to prevent the arrival of *chargés de mission* sent by Frontline and Human Rights First. The next day, the CNLT premises were blocked for the same reason.

Lastly, on May 22, 2007, the house of Ms. **Naziha Rejiba**, the Vice-President of the Observatory for the Defence of Freedoms of the Press, Publishing and Creation (*Observatoire pour la défense des libertés de la presse, de l'édition et de la création* - OLPEC), was also surrounded by policemen, who finally allowed several *chargés de mission* to enter. Mr. Lofti Hidouri, who had to accompany the latter to their meetings, was systematically subjected to ill-treatment.

TUNISIA - Aggression / Arbitrary arrest / Harassment / Ill-treatment
May 30, 2007 - TUN 002 / 0507 / OBS 049.1

On May 24, 2007, Mr. **Lassaad Jouhri**, a founding member of AISPP, was abducted close to his house in Den Den (on the outskirts of Tunis) by around forty plainclothes policemen, as he was getting into his car. They put him into an unmarked police car, bare-foot and without his crutch.

The policemen then took him to the police station of the district of La Manouba, where he was detained until the evening. While he was being questioned about his human rights activities, Mr. Jouhri was violently beaten and two of his fingers were broken. He was also bruised all over his body. Mr. Jouhri was also questioned about his intention to accompany, the same day, a Front Line and Human Rights First mission in front of the Kef prison on the occasion of the weekly visit of Ms. Samia Abbou to her imprisoned husband, the lawyer **Mohamed Abbou**. On that occasion, the car belonging to Mr. Abderraouf Ayadi, who had accompanied Ms. Abbou to Kef, was vandalised.

TUNISIA - Ill-treatments / Harassment
June 15, 2007 - Press release

On June 6, 2007, representatives of civil society who came to Tunis in order to show their support to the CNLT were prevented from entering the building where the headquarters of the organisation and of *Kalima* online newspaper are located. This delegation was composed in particular of Mr. **Mokhtar Trifi**, LTDH President, Mr. Ali Ben Salem, of Messrs. **Abdeljabbar Maddahi** and **Mohamed Ben Said**, LTDH members, of Mr. **Mondher Cherni**, a member of the ALTT, Messrs. **Khelil Ezzaouia** and **Zakia Dhifaoui**, leaders of the Democratic for Labour and Liberties (*Forum démocratique pour le travail et les libertés* - FDTL), Mr. **Lotfi Hajji**, the President of the Trade Union of Tunisian Journalists (*Syndicat des journalistes tunisiens* - SJT) and the vice-President of the Bizerte section of the LTDH, Messrs. **Mahmoud Dhaouadi**, **Slim Boukhdhir** and **Sahbi Smara**, journalists, as well as of CNLT executive members.

In addition, on June 8, 2007, the police ransacked the CNLT premises, thus destroying important documents as well as an important part of computer hardware.

Moreover, on June 9, 2007, Mr. **Abderrahman Hedhili**, a member of the LTDH steering committee, and Mr. **Mongi Ben Salah**, a CNLT founding member, were apprehended by the police as they had to travel to Monastir in order to support workers on strike. They were severely beaten by the police and subsequently detained for more than two hours.

Finally, on June 10, 2007, an important police contingent was deployed on the whole Tunisian territory in order to prevent human rights activists and trade-unionists from reaching the city of Kairouan, where a day of solidarity towards LTDH, organised by the Regional Union of Labour of Kairouan (*Union régionale du travail de Kairouan*), was to take place. The police forces thus prevented the members of the steering committee of the League as well as of the section committees from leaving their cities of residence, whereas others were apprehended as they were entering the city. Moreover, the members of the local section were compelled to stay at home and the premises of the Regional Union was besieged by the police.

Finally, since June 1, 2007, AISPP members have been denied access to their premises, and the local of the Tunisian Association of Democrat Women (*Association tunisienne des femmes démocrates* - ATFD) has been put under constant surveillance by the police.

TURKEY - Sentencing / Judicial proceedings
April 23, 2007 - TUR 001 / 0407 / OBS 040

On April 4, 2007, 11 Executive Committee members of several trade unions, which all belong to the Confederation of Public Employees' Unions (KESK), were all sentenced to one year and three months' imprisonment and a fine

of 407 YTL (about 223 euros) each, for “violating Law n° 2911 on Public Meetings and Demonstrations”. Mr. **Alaaddin Dinçer**, President of Egitim Sen, Mr. **Bülent Kaya**, former President of the Municipality Workers’ Union (BES), Mr. **Köksal Aydin**, President of the Trade Unions of Public Employees in Health and Social Services (SES), Mr. **Bedri Tekin**, President of the Construction and Roads Workers’ Trade Union (YAPI YOL Sen), Mr. **Emirali Simsek**, Secretary General of Egitim Sen, Mr. **Özgür Bozdoğan**, President of Egitim Sen Ankara Branch n°1, Mr. **Abdullah Çiftçi**, President of Egitim Sen Ankara Branch n° 2, Mr. **Erkan Sümer**, SES Secretary General, and Mr. **Murat Kahraman**, Executive Committee member of Egitim Sen Ankara Branch n° 1, received a suspended sentence, whereas the sentences of Mr. **Ismail Hakki Tombul**, KESK President, and Mr. **Fehmi Kutan**, former President of the United Union of Transport Employees (BTS) were not suspended. These eleven trade union leaders were prosecuted following a peaceful teachers’ demonstration organised by Egitim Sen in Ankara on November 26, 2005, which was forcibly put down by the police

UZBEKISTAN - Sentencing / Arbitrary detention / Release

May 3, 2007 - UZB 002 / 0207 / OBS 012.1

May 9, 2007 - UZB 002 / 0207 / OBS 012.2

On May 1, 2007, Ms. **Umida Niyazova**, a human rights defender and a journalist who used to work at the Uzbek office of the international NGOs Internews and Freedom House, was sentenced to seven years’ imprisonment by the Tashkent Sergeli District Court. Her trial had started on April 30, without her being informed.

On May 8, 2007, the Tashkent Court decided, during a hearing in appeal, to commute the prison sentence of Ms. Niyazova to a seven years suspended sentence, with three years of probation. Mrs. Niyazova was then released. Under the terms of her new sentence, Ms. Niyazova has to report regularly to the neighbourhood police station, must notify the authorities about any change of residence, and must observe a daily curfew.

Ms. Niyazova had been charged with “illegally entering or illegally leaving the Republic of Uzbekistan” (Article 223 of the Penal Code), “preparing and distributing material which poses a threat to public order and security” (Article 244-1) and “smuggling” (Article 246), after the customs officials had arrested her in December 2006 at Tashkent airport as she was returning from Kyrgyzstan, and had found computer documents on human rights and on the Andijan massacre in her laptop, which are considered to be “banned literature”.

UZBEKISTAN - Sentencing / Arbitrary detention / Release

May 3, 2007 - UZB 001 / 0107 / OBS 006.1

On April 24, 2007, Ms. **Gulbahor Turayeva**, a forensic expert and a member of Anima-kor, an NGO working to protect the rights of medical doctors and their patients, was sentenced to six years’ imprisonment by the Andijan Regional Court for “attempting to overthrow the constitutional system”, “slander” and “producing and spreading material threatening public order”.

On June 12, 2007, her sentence was reduced by the Andijan Court of Appeal to three months suspended imprisonment. Ms. Turayeva was then released.

UZBEKISTAN - Physical assault / Threats / Harassment

May 29, 2007 - UZB 003 / 0507 / OBS 053

On May 18, 2007, Mr. **Kamil Ashurov**, a journalist and human rights defender, was insulted and beaten in the area of the “Rukh obod” mosque of Samarkand, soon after Friday’s prayers.

Before Friday prayers had started, a man had called upon the faithful to beat Mr. Kamil, so as to discourage him from visiting the mosque in the future, because “he dared to criticise the President”. The man also said that the Uzbek Security Services (SNB) supported this action.

When Mr. Kamil Ashurov arrived at the mosque he was informed of the situation and of the presence of many SNB agents.

When Mr. Ashurov left the mosque the man attacked him, showing him an old photograph of him, before insulting him, hitting him and saying that “he had no right to criticise the President, and that he [should] kill him”. When several people present asked the old man the reason for his attack, he replied that he had been visited by some SNB members who had told him that Mr. Ashurov was a converted Christian, and that he had to be exiled from the mosque. He added that the SNB gave him Mr. Ashurov’s picture and told him that he had criticised the President.

Furthermore, the Imam-Khatib and his Deputy ordered Mr. Kamil Ashurov not to come to the mosque anymore. The man then hit him once again. The incident was reportedly filmed by SNB agents.

VATICAN - Obstacle to freedom of expression

June 22, 2007 - Press release

In an interview published on June 12, 2007 in the National Catholic Register, Cardinal Martino, the Chief of the Vatican's justice and peace department, declared that Amnesty International had "betrayed its mission" over abortion, following this organisation's decision to adopt a new position on the issue of abortion, and that "the inevitable consequence of its decision will be the suspension of any financing to Amnesty on the part of catholic organisations and also individual Catholics".

This statement intervenes after Amnesty International's decision to incorporate a focus on selected aspects of abortion into its policy on sexual and reproductive rights, calling for the decriminalisation of abortion in all cases, and reaffirming its support of the rights of women and girls to be free from threat, force or coercion as they manage all consequences of rape and other grave human rights violations.

VIETNAM - Publication of an international fact-finding mission report April 23, 2007 - Press release

On April 23, 2007, the Observatory published a mission report entitled *Vietnam: Twelve human rights defenders have the floor*, following a mission sent to Vietnam from March 4 to 12, 2006, in order to assess the situation of defenders in the country. The aim of the mission was to gather first-hand testimonies from human rights defenders whose cases have been dealt with by the Observatory for many years, in order to raise awareness of the international community and public opinion on the situation of freedoms of expression and association in Vietnam. Most of the defenders met during the mission are members or supporters of the Unified Buddhist Church of Vietnam (UBCV), which was outlawed in 1981 and has been a constant target of the regime, as well as writers, academics and dissident Communist Party veterans involved in defending human rights and the struggle for democratic reforms.

Several of these persons have spent many years in prison, for their involvement in human rights activities. Many have suffered the most extreme physical and mental privations, and who, even after being released, have been kept under constant surveillance and have more generally been denied their fundamental rights.

ZIMBABWE - Death threats May 4, 2007 - ZWE 002 / 0507 / OBS 042

In early April 2007, Mr. **Arnold Tsunga**, Executive Director of Zimbabwe Lawyer for Human Rights (ZLHR), FIDH Vice-President and a member of the Zimbabwe Human Rights Association (ZimRights), was informed of the existence of a death list issued by the Central Intelligence Organisation of Zimbabwe, calling for his execution, along with that of several other human rights defenders, journalists and political opponents. The death list also included the names of Mr. **Lovemore Madhuku**, President of the National Constitutional Assembly (NCA), Mr. **Raymond Majongwe**, Secretary General of the Progressive Teachers' Union of Zimbabwe (PTUZ), and Mr. **Gift Phiri** and Mr. **Wilf Nyarota**, respectively a journalist at and the editor of *The Zimbabwean*, an independent newspaper.

The list specifies that these persons "pose a security risk" and that the executions "fall under the purview of the Zimbabwe Intelligence Corps (ZIC) and of the Zimbabwe African National Union - Patriotic Front (Zanu PF) Security Hit Squad".

ZIMBABWE - Ill-treatment / Arbitrary detentions / Releases / Judicial proceedings / Unlawful search May 16, 2007 - ZWE 003 / 0507 / OBS 046

On May 4, 2007, Messrs. **Alec Muchadehama** and **Andrew Makoni**, two lawyers and members of ZLHR, were arrested outside the High Court in Harare by members of the Law and Order Section of Harare Central police. They were taken to the Central police station "for interrogation".

Several ZLHR colleagues, who had come to enquire about the reasons for the arrest, were turned back by a police officer, who threatened to physically assault Mr. **Dzimbabwe Chimbga**, a ZLHR member, and to arrest all the lawyers present if they persisted. Mr Muchadehama and Mr. Makoni were denied access to their relatives and were also denied food and medication.

An urgent application was filed by ZLHR at the High Court of Zimbabwe. In the evening, the Court granted a "temporary order" allowing access to the two detainees and allowing them access to food, medical attention if necessary, and visitation by their relatives, pending the hearing of the matter the following day.

In spite of this, Mr. Makoni was transferred to Stoddart police station and Mr. Muchadehama to Matapi police station. They were also denied visits, food and medication.

On the following day, the court reconvened and declared that the arrests were unlawful and that Messrs. Makoni and Muchadehama should be immediately released.

When travelling to Matapi police station to fetch their colleague, lawyers from ZLHR were informed that Mr. Muchadehama had been taken back to Harare for "further interrogation". At the Stoddart police station, they were informed that the officer in charge was not available and that therefore Mr. Makoni could not be released.

On May 6, 2007, after a second urgent application was filed, several police officers from the Law and Order section visited the law firm of Mr. Mbidzo. Mr. **Lawrence Chibwe**, Deputy Secretary of the Law Society of Zimbabwe (LSZ), and Mr. **Otto Saki**, programme coordinator at ZLHR, were threatened with arrest if they persisted in trying to invalidate the search warrant. Police proceeded to remove certain documents and did not allow the lawyers to remain present during the search nor to take an inventory of what had been taken.

Despite a second decision of the High Court ordering that they should be produced in court on May 6, 2007, which the police disregarded, Mr. Muchadehama and Mr. Makoni remained in custody until June 15, 2007, risking to be charged with “obstructing the course of justice”. The two lawyers were then released on bail and, in July 2007, the charges against them were dropped.

On May 8, 2007, several LSZ members, respectively Ms. **Beatrice Mtetwa**, President, Mr. **Mordecai Mahlangu**, a lawyer and the former president, Mr. **Chris Mhike** and Mr. **Colin Kuhuni**, Councillors, as well as Ms. **Irene Petras**, acting Executive Director of ZLHR, and another lawyer, Mr. **Fitzpatrick**, were severely beaten by the police for their activities in defence of the rule of law and against corruption.

ZIMBABWE - Arbitrary detentions / Ill-treatments / Harassment / Judicial proceedings / Releases

June 7, 2007 - ZWE 004 / 0607 / OBS 063

June 8, 2007 - ZWE 004 / 0607 / OBS 063.1

June 11, 2007 - ZWE 004 / 0607 / OBS 063.2

On June 6, 2007, during a peaceful march organised through Bulawayo by members of the Women and Men of Zimbabwe Arise (WOZA/MOZA) to launch their position called “Ten steps to a new Zimbabwe” and to denounce the exclusion of Zimbabwean civil society from the ongoing dialogue initiated by the Southern African Development the Movement for Democratic Change (MDC), groups of participants were violently dispersed by the riot police a few minutes after the beginning of the march. Five WOZA members, namely Ms. **Rosemary Sibiza**, Ms. **Angeline Karuru**, Ms. **Martha Ncube**, Ms. **Sangeliso Dhlamini** and Ms. **Pretty Moyo**, were badly beaten with baton sticks, arrested and detained at Bulawayo Central Police Station.

Upon hearing of these events, another group of around 100 women led by Ms. **Jenni Williams**, WOZA National Coordinator, went to the police station, where they were assaulted. Ms. Jenni Williams and Ms. **Magodonga Mahlangu**, another WOZA leader, were arrested on this occasion.

Following the arrest, Mr. **Kossam Ncube**, a lawyer and a member of ZLHR who went to the police station to represent them, was harassed by police officers. He was verbally abused and accused of being “unethical” and “irresponsible”, before being pushed out of the station.

On the day after, Mr. Ncube was again denied access to his clients by the police officers.

On June 8, 2007, Ms. Sibiza, Ms. Karuru, Ms. Ncube, Ms. Dhlamini and Ms. Moyo were charged with “employing means which are likely to interfere with the ordinary comfort, convenience, peace or quiet of the public or any section of the public” (Section 46 of the Criminal Law - Codification and Reform Act), before being released.

On June 9, 2007, Ms. Jenni Williams and Ms. Magodonga Mahlangu were also charged under Section 46 of the Criminal Law - Codification and Reform Act, and with “participating in gathering with intent to promote public violence, breaches of the peace or bigotry” (Section 37 (1a) of the same Law). They were then released on bail of 100,000 Zimbabwean dollars each.

On June 18, 2007, Ms. Williams and Ms. Mahlangu appeared before the Court of Bulawayo. On this occasion, their lawyer filed a constitutional challenge to the charges against his clients, since their wording is too vague and meaningless, thereby rendering them ineffective. On the day after, the Court requested that the request be transmitted to the Supreme Court.

Geneva - Paris, August 2007

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