

# THE OBSERVATORY

## for the Protection of Human Rights Defenders

L'OBSERVATOIRE  
pour la Protection  
des Défenseurs des Droits de l'Homme

EL OBSERVATORIO  
para la Protección de los  
Defensores de Derechos Humanos

### *The Observatory - Newsletter No 33* *May - June 2005*

#### **BOLIVIA - Arrest of the alleged main perpetrator of an attack against CEJIS** **June 29, 2005 - BOL 001 / 0303 / OBS 014.2**

On January 5, 2005, Mr. Ernesto Yarari Tirina, Mr. Arturo Vidal, Mr. Alberto Guiese and other members of the Agroforest Association (ASAGRI) broke into the offices of the **Centre for Judicial Studies and Social Research** (*Centro de Estudios Jurídicos e Investigación Social - CEJIS*) in Riberalta, Beni District. These men entered the offices heavily armed, took valuable objects, vandalised the offices, threatened the Centre's employees and burned documents on the streets.

On April 15, 2005, a "Preventive Detention Order" was issued against Mr. Yarari by the Second Judge of Civil Instruction and Family, as a result of the penal process initiated by CEJIS for "incitement to commit a crime, unlawful entry, infringement against the freedom of labour, threats, aiding and abetting grand theft and destruction of documents".

On June 20, 2005, Mr. Yarari was arrested by the Technical Judicial Police (*Policía Técnica Judicial - PTJ*), charged with theft and for having trespassed CEJIS offices in Riberalta. He is currently detained in the city's prison.

#### **CHINA - Harassment / Closure of an NGO** **May 3, 2005 - CHN 002 / 0505 / OBS 028**

On April 18, 2005, Beijing police officers ordered the cancellation of a press conference scheduled to announce the establishment of the Beijing Chinese Citizens' Rights Information Centre by Mr. **Liu Jingsheng** and Mr. **Li Weiping**, China's well-known political dissidents and key participants in the 1989 democracy movement. Although Mr. Liu Jingsheng and Mr. Li Weiping obtained an administrative permit from the Beijing Bureau of Commerce on April 1, 2005, police gave them a "friendly warning" to close down the organisation as soon as possible, and made clear that this suggestion came under instruction from "upper levels" of the government. On April 14, 2005, the Beijing Public Security Bureau demanded that the conference be cancelled and that plans for the Centre be aborted.

#### **COLOMBIA - Serious threats / Permanent harassment** **May 18, 2005 - COL 008 / 0505 / OBS 033**

On May 13, 2005, Mrs. **Soraya Gutiérrez Arguello**, President of the "José Alvear Restrepo" Lawyers Collective (*Colectivo de Abogados "José Alvear Restrepo" - CCAJAR*), received a parcel at home, which contained a mutilated doll and a handwritten note threatening Mrs. Gutiérrez's family.

On that same day, an employment ad was published in the national newspaper *El Tiempo*, announcing several vacancies at CCAJAR without CCAJAR being aware of it. The ad was interpreted as a grave threat against the Collective's current staff members. On the following day, another ad from an unknown source that gave CCAJAR's offices address and called for candidates for security jobs, implying that the organisation was in danger. The date and hours for the supposed interviews of applicants coincided with those of a meeting organised at CCAJAR's headquarters in the framework of a campaign against crimes against humanity in Colombia.

**DEMOCRATIC REPUBLIC OF CONGO – Attack / Attempt of kidnapping**  
**May 18, 2005 - RDC 002 / 0505 / OBS 034**

On May 16, 2005, Mr. **Amigo Ngonde**, Chairman of the Katanga branch of the African Association of Human Rights (*Association africaine des droits de l'Homme - ASADHO*), and Mr. **Golden Misabiko**, honorary President of ASADHO-Katanga, went to the University of Lubumbashi campus in order to investigate into a panic movement among students following rumours according to which a military commando was about to attack the campus in the night from May 16 to 17, 2005.

On their way back home, Messrs. Ngonde and Misabiko realised that they were followed by a vehicle, which then overtook them and blocked the road. Three armed persons, including one who was present at their meeting with the University Chief Education Officer, tried in vain to force them out of the car. Messrs. Ngonde and Misabiko then succeeded in driving away. Their assailants, who could not follow them, shot at them. Messrs. Ngonde and Misabiko finally took refuge in the office of the UN Mission in DRC (MONUC).

**DEMOCRATIC REPUBLIC OF CONGO – Illegal closure of an NGO / Threats / Harassment**  
**May 26, 2005 – Open Letter to the authorities**

On May 21, 2005, Mr. Urbain Kisula Ngoy, Governor of the Katanga province, ordered the closure of the association Solidarité Katangaïse through a provincial decree forbidding the association to work in Katanga, on the ground that “its activity [is] not legally authorised”. Yet, on July 18, 2004, Solidarité Katangaïse had sent to the Minister of Justice a request to obtain the legal personality, following which the Ministry had authorised on August 11, 2004 the provisional running of the association. According to article 5 of the Law n° 004/2001, the legal personality is supposed to be granted if the Ministry does not respond to the request within six months.

Furthermore, Mr. **Jean-Claude Muyambo Kyassa**, national Chairman of Solidarité Katangaïse, honorary Director of the Human Rights Centre (*Centre des droits de l'Homme - CDH*) and President of the Bar of Lubumbashi, was subjected to several threats of arrest, kidnapping and death. On May 5, 12 and 21, 2005, officers of the National Intelligence Agency (*Agence nationale des renseignements - ANR*) prevented him from going to Kinshasa without any reason.

**DEMOCRATIC REPUBLIC OF CONGO - Abduction / Arbitrary detentions / Releases / Ill-Treatment**  
**June 2, 2005 – DRC 002 / 0505 / OBS 034.1**  
**June 3, 2005 – DRC 002 / 0505 / OBS 034.2**  
**June 7, 2005 - DRC 002 / 0505 / OBS 034.3**

On June 2, 2005, while Mr. **Golden Misabiko** was dropping off his daughter at school, in Lubumbashi, he was kidnapped by three armed officers from the ANR/Katanga. This arrest was allegedly carried out on the order of Mr. Jules Katumbwe and Mr. Théo Kiakwima, respectively provincial Director and vice-Director in charge of ANR operations. Mr. Misabiko was questioned by ANR officers about his activity as human rights defender. He was reproached of “destabilising” the regime and of detracting its leaders. He was then led to a cell for the night where he could only stay on a chair, before being brought to a room where he could sleep on a sofa. He was not allowed to eat during 24 hours.

On June 3, 2005, several human rights organisations, including CDH and the Action against Impunity for Human Rights (*Action contre l'impunité pour les droits de l'Homme - ACIDH*), organised a peaceful gathering to ask for Mr. Misabiko's release. While they were demonstrating in front of the office of the provincial direction, security forces and ANR officers beat and then led to the ANR jail six human rights defenders. They were: Mr. **Timothée Mbuya**, Publishing Director at ASADHO-Katanga, Mr. **Hubert Tshiswaka**, ACIDH executive Director, Mr. **Peter Kaodi**, ACIDH Publishing Director, Mr. **André Murefu**, member of the NGO “Dag Friends for Human Rights”, Mr. **Emmanuel Impula**, ACIDH member, and Mr. **Séraphin Kapenda**, member of CDH. They were then forced to sleep on the floor and to fix with no interruption the sun during two hours under the threat of being whipped. At the same time, they were kicked by policemen who were pointing their guns on them. Afterwards, they were brought in a humid cell, which was sprayed with an unidentified product that caused inflammation to their nostrils, eyes and throats. None of them was allowed to be visited by their lawyers or families.

The seven defenders were all released on June 3, 2005, without being charged.

**DJIBOUTI - Abusive dismissal**  
**June 14, 2005 - DJI 001 / 0605 / OBS 042**

On May 25, 2005, Mr. **Hassan Cher Hared**, Secretary of the Postmen Trade Union of Djibouti, Secretary to international relations of the Free Trade Union of the Djibouti Workers Union (*Union des travailleurs djiboutiens* - UDT), and worker at the Post Office, was dismissed by Mr. Hillyeh Hassan Guirreh, general Director of Djibouti Post Office. Mr. Hassan Cher Hared was dismissed without advance notice for aggravated professional mistakes, shirking and disobedience, after having been laid off during eight days. In his notification letter, the Director qualified Mr. Cher Hared's militancy in favour of union rights as "irresponsible behaviour".

His dismissal would be a reprisal linked to observations he made on the financing management of the Post Office, bewailing unlawful expenditures. Mr. Hassan Cher Hared had also made statements in favour of economic, social and cultural rights on May 1, 2005, World Labour Day.

On May 25, 2005, Mr. Hassan Cher Hared lodged a complaint before the Criminal Court of First Instance of Djibouti (*Tribunal pénal de première instance*) for embezzlement of salaries, psychological harassment and power abuse, then a second complaint before the Prosecutor of the Djibouti Republic for abusive dismissal.

From 1999 on, Mr. Hassan Cher Hared had been subjected to similar reprisals and has constantly been harassed.

**ECUADOR – Unlawful entry / Robbery / Harassment**  
**May 30, 2005 - ECU 002 / 0505 / OBS 037**

On May 22, 2005, the offices of the **Ecological Action** Organisation (*Acción Ecológica*) in Quito were broken into. During this incident, three computers' hard disks were taken from the premises and files and archives were found in disarray.

The disruption inflicted on Ecological Action's offices occurred at a time when this organisation started playing an important role in the change in policies implemented by the new Ecuadorian Minister of Foreign Affairs in opposition to the fumigations taking place in the Ecuador-Colombia border region under the framework of "Plan Colombia". Ecological Action's reports on the damages suffered by communities in the region made it a target of harassment by members of the government of former President Mr. Lucio Gutiérrez, whose administration used to support "Plan Colombia".

**ECUADOR - Killing / Harassment**  
**June 28, 2005 - ECU 003 / 0605 / OBS 046**

On June 20, 2005, Mr. **Andrés Arroyo Segura**, community leader and a member of the National Network of Popular Ecologists for the Protection of Nature, Life and Dignity (*Red Nacional de Ecologistas Populares, en Defensa de la Naturaleza, Vida y Dignidad* - REDIVINA), was murdered. His body was found in the "Baba River" (Ríos Province), in a place known as "Patricia Pilar" in the Seiba Community, exactly where a dam is planned to be built. Mr. Arroyo had opposed the construction of this dam as it would have a negative impact on the environment and human life, and he had participated in various meetings at the national level on environmental issues.

**ERITREA - Arbitrary arrest / Incommunicado detention**  
**May 13, 2005 - ERI 001 / 0505 / OBS 032**

On March 30, 2005, Mr. **Tewelde Ghebremedhin**, Chairperson of the Food, Beverages, Hotels, Tourism, Agriculture and Tobacco Workers Federation, affiliated to the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF), and Mr. **Minase Andezion**, Secretary of the Textile and Leather Workers' Federation, were arrested by the security forces. Some days later, the security forces also arrested Mr. **Habtom Weldemicael**, Head of the Coca-Cola Workers Union and executive committee member of the Food and Beverage Workers' Federation. Mr. Weldemicael was allegedly arrested for having urged industrial action to protest against workers' worsening standard of living.

The three trade union leaders were held incommunicado with no access to lawyers, which puts them at greater risk of torture or ill-treatment. Furthermore, they were detained in violation of Eritrean laws which stipulate that they be brought before a magistrate within 48 hours of their arrest.

As of the end of June 2005, all three trade union leaders remained arrested and no charges were held against them.

**ETHIOPIA - Forced disappearances / Arbitrary detentions / Releases / Judicial proceedings**

**June 10, 2005 - ETH 001 / 0605 / OBS 040**  
**June 15, 2005 – Press Release**  
**June 29, 2005 - ETH 001 / 0605 / OBS 040.1**

On June 2, 2005, four editors-in-chief of private newspapers were summoned by the police, and they were subjected to serious threats and acts of intimidation due to their coverage of human rights violations stories on their daily newspapers. On June 7, the licenses of five independent reporters, notably from *Voice of America* and *Deutsche Welle*, were revoked.

On June 8, 2005, numerous students and activists of opposition political parties took to the streets protesting the result of the May 15 legislative elections in Addis Ababa. The Ethiopian authorities publicly authorised harsh measures against the protesters, and at least 26 persons died and one hundred were injured.

On June 9, 2005, Mr. **Taddesse Chernet**, who had been mandated by the Ethiopian Human Rights Council (EHRCO) to report on these human rights violations, was arrested by the police at his home. After a few days, Mr. Chernet was located in the detention centre of Zeway, and his family was able to visit him on June 23, 2005.

On June 9, 2005, the home of Mr. **Yared Hailemariam**, a member of EHRCO, was searched by the police.

On June 13, 2005, Mr. **Tsegu Birhanu**, Head of the Monitoring and Investigation Department of EHRCO, and Mr. **Yahred Hailemariam**, his assistant, were arrested by the security forces while leaving the EHRCO office in Addis Ababa, and forced into a car, after they had visited hospitals taking photographs of the deceased or wounded demonstrators. They were followed by the police while making these visits. Mr. Birhanu and Mr. Hailemariam were also detained in Zeway, and they received the visit of the International Committee of the Red Cross (on request of EHRCO) and of their families on June 25, 2005.

Mr. Chernet, Mr. Birhanu and Mr. Hailemariam were released on bail on July 4, 2005 (See urgent appeal ETH 001/0605/OBS 040.2, dated July 8, 2005). They are formally charged with “trying to overthrow a legitimate government by force”.

On June 14, 2005, Mr. **Tesfawe Bekele** and Mr. **Seifu Degu**, both teachers and respectively Chairperson and vice-Chairperson of the EHRCO branch office in Dessae, and Mr. **Chane Kebede**, a teacher and member of EHRCO, were arrested while working at the preparatory school in Dessae, before being detained at Dessae prison. Mr. Bekele and Mr. Degu were both EHRCO supervisors during the election process.

On June 23, 2005, Mr. Bekele, Mr. Degu and Mr. Kebede were released on bail. They are also accused of “trying to overthrow a legitimate government by force”, and their case is still pending.

**GUATEMALA – Unlawful entry / Robbery / Harassment**  
**May 13, 2005 - GTM 005 / 0505 / OBS 031**

On May 8, 2005, unidentified individuals broke into the offices of the **National Board of Peasant Organisations** (*Coordinadora Nacional de Organizaciones Campesinas* - CNOC) in Guatemala City. Important documents, in particular proposals for rural development produced to assist CNOC in its negotiations with the state and business sectors in Guatemala, were reported missing. Computers containing databases pertaining to strategic plans, memoranda of activities and proposals about food safety, reform to the labour code, and alternative proposals on agriculture were also stolen.

This event took place at a crucial moment when the Congress of Guatemala was discussing the Land Registration Law (*Ley de Catastro*), which is arbitrarily being changed by lawmakers, despite the consensus already reached by organisations representing the peasantry of Guatemala and the Chamber of Agriculture.

**GUATEMALA - Assault / Robbery / Harassment**  
**June 27, 2005 - GTM 004 / 0804 / OBS 064.2**

Members of the Legal Action Centre for Human Rights (*Centro de Acción Legal para los Derechos Humanos* - CALDH) continued to be constantly harassed.

On June 17, 2005, an unknown man brandished a machete at the doorstep of the home of Mr. **José Quino**, terrorising his wife and their children. The following day, while Mr. Quino was at the Observatory for Human Rights' offices (a regional bureau of CALDH), his car was vandalised and the car windows were broken.

On June 18, 2005, Mr. **Gustavo Adolfo Muñoz** was assaulted in public while riding a bus. He was surrounded by three unknown men who sat next to him, pointing a gun at him and demanding for his belongings. Although the bus was full of people, he was the only person targeted.

On June 21, 2005, Mr. **Luis Fernando Barrera** was held at gunpoint while his vehicle, which belonged to CALDH, was stolen. This was the fourth vehicle stolen from this organisation in the same manner. Mr. Barrera's wallet, cell phone and a check from his organisation were not taken.

In June 2005, the private phone number of the parents of another CALDH member, Mr. **Abner Paredes**, was cut off for over a week. The telecommunications company Telgua informed that "a special intervention" was taking place and that they could not provide more information on it.

The Observatory recalls that since January 2005 the acts of harassment against CALDH have increased. On January 11, 2005, the centre's offices received a false bomb threat. On February 23, CALDH's Director, Sub-Director and Legal Adviser were victims of intimidation near the offices. On February 27, the Legal Director received death threats over the phone. And during the first week of March 2005 CALDH's institutional spokesperson was followed; the same happened to two workers of CALDH's Indigenous Peoples Rights Programme on March 16.

**GUATEMALA - Death Threats / Harassment**  
**June 27, 2005 - GTM 007 / 0605 / OBS 045**

On June 19, 2005, four armed men entered the shop of Mr. **José Ernesto Menchú Tojib**, a member of the Northern Quiché Regional Movement for Victims of the Armed Conflict (*Movimiento Regional del Norte del Quiché de Víctimas del Enfrentamiento Armado*) and of the Peasant Unity Committee (*Comité de Unidad Campesina - CUC*). They tried to find out his whereabouts from his wife, Mrs. **Juana Tiquiram Maldonado**, and his ten year old daughter, **Rosa Menchú**. The men reportedly entered their house, stole Q.500.00 (approximately 65 USD) and Mr. Menchú's cell phone. The men threatened that when they found him they would kill him. Once the men left, Mr. Menchú's wife sent him a message which prompted his return home. They noticed afterwards that a member of the security team of the Botrán family (which owns several companies and lands in Guatemala) was in the vicinity, as if keeping Mr. Menchú's house under surveillance. Mr. Menchú has been involved in organising activities with the CUC against attempts by the Botrán family to force peasants out of the San Sigüan Farm. Additionally, Mr. Menchú supported and worked towards the creation of an assembly that aims at creating a regional alliance between the CUC and various organisations going through similar situations. He has also worked in the digging up of graves to identify victims of past armed conflicts in Guatemala in the Quiché.

Mr. Menchú and his family have had no choice but to leave their home after these events. They could return some days later with international escorts. A complaint was filed before the authorities and the Public Ministry requested that the Police protect Mr. Menchú's house.

**INDONESIA - Death threats**  
**June 10, 2005 - IDN 001 / 0605 / OBS 041**

On May 27, 2005, during a training seminar in Bangkok, the Asian Federation Against Involuntary Disappearances (AFAD) received death threats via fax against Messrs. **Mugiyanto**, Chairman of the Indonesian Association of Families of the Disappeared, **Usman Hamid**, Coordinator of the Commission for Missing Persons and Victims of Violence (KONTRAS), **Abdul Hakim Garuda Nusantara**, Chairman of the National Commission on Human Rights (KOMNAS HAM), and **Thoby Mutis**, President of the Trisakti University who promotes democracy and human rights.

Mr. Usman Hamid is a member of the official fact-finding team investigating the murder of Mr. **Munir**, Chairman of AFAD and co-founder of KONTRAS, who died on board of a flight from Jakarta to Amsterdam on September 7, 2004, after being poisoned.

KONTRAS, AFAD and KOMNAS HAM are involved in the investigation of human rights violations perpetrated by the Suharto regime during the 32 years of his reign.

**IRAN - Arbitrary detention / Hunger strike / Temporary release**  
**May 24, 2005 - IRN 001 / 0004 / 030.3**  
**May 31, 2005 - IRN 001 / 0004 / 030.4**  
**June 24, 2005 - IRN 001 / 0004 / 030.5**

On May 19, 2005, Mr. **Akbar Ganji**, a prominent journalist of the daily newspaper *Sobh-e-Emrooz* who has been imprisoned for more than five years in Tehran's Evin prison, began an unlimited hunger strike in order to protest against his imprisonment. Mr. Ganji was arrested on April 22, 2000 for having written several

articles suggesting the involvement of the Iranian regime in the assassination of dissident opponents and intellectuals in late 1998. In July 2001, he was sentenced to six years of imprisonment on the charge of “threatening national security and propaganda against the institutions of the Islamic State”.

Mr. Akbar Ganji suffers from asthma and serious back problems for which he did not have access to adequate treatment so far and needed to be hospitalised.

On May 28, 2005, Evin prison officials proposed to Mr. Akbar Ganji that he should be examined by two doctors chosen by his family to confirm his poor state of health and, on that basis, they would grant him permission to leave the prison. On May 30, 2005, the Iranian authorities released him on a temporary basis so that he may receive medical treatment.

On June 14, 2005, Mr. Ganji’s house was searched on order of Mr. Mortazavi, Prosecutor of Tehran, in order to arrest him. On the following day, Mr. Akbar Ganji presented himself to jail. On June 16, 2005, he started a hunger strike and he is currently held in solitary confinement.

**IRAN - Arbitrary detention / Hunger strike**  
**June 10, 2005 - IRN 004 / 0012 / OBS 125.7**

On June 7, 2005, Mr. **Nasser Zarafchan**, a human rights lawyer who was imprisoned in August 2002, started a hunger strike after being denied medical care outside the Evin prison. Since December 2004, Mr. Nasser Zarafchan’s family, along with his lawyers, have been asking in vain that he be hospitalised outside the prison. Mr. Zarafchan is in urgent need of adequate medical treatment as his health has seriously deteriorated because of lungs problems and a nephritis attack.

Mr. Zarafchan, who had been representing Mrs. Sima Pouhandeh, wife of Mr. Mohammed Djafar Pouhandeh, writer and human rights defender assassinated in 1998, was sentenced to three years in jail by the Tehran military court on March 18, 2002, for “possession of firearms and alcohol”. He was also sentenced to two additional years of imprisonment and fifty whiplashes for his statements to the press regarding the lawsuit of the alleged murders of Iranian intellectuals.

**ISRAEL - Arbitrary detentions / Fear of torture**  
**June 3, 2005 - ISR 001 / 0605 / OBS 039**  
**June 17, 2005 – ISR 001 / 0605 / OBS 039.1**

On May 23, 2005, Mr. **Ziyad Muhammad Shehadeh Hmeidan**, a fieldworker of the Palestinian NGO Al-Haq, was arrested and handcuffed at the Qalandiya checkpoint between Ramallah and Jerusalem.

On May 27, 2005, he was transferred to the Moscobiyya detention centre, in Jerusalem, and on May 30, 2005, the judge of the military court of the detention centre ordered that he be held for another 18 days for investigation.

Further, on May, 30, 2005, an “Order Prohibiting Meeting with Counsel” was issued in his case, stating that Mr. Hmeidan was banned from meeting with legal counsel for eight days, ending on June 5, 2005, on the basis of Military Order 378 of 1970. This order placed him in grave risk of “moderate physical pressure” by the General Security Services during their interrogation.

On June 16, 2005, Mr. Hmeidan had a hearing before the Moscobiya Military Court, as his detention period was due to expire that day. During the hearing, the prosecutor referred to a “secret file” of classified information about him, allegedly held by the Israeli authorities. On this basis the judge then decided to issue a six-month administrative detention order for an indefinitely renewable period of six months, although no formal charges were brought against him, nor has the evidence supporting his detention been made available to his lawyer.

**MAURITANIA – Arbitrary arrest and detention**  
**May 10, 2005 - MRT 002 / 0505 / OBS 030**

On April 25, 2005, Mr. **Mohamed Ahmed Ould El Hadj Sidi**, court lawyer, legal adviser of SOS-Slaves, active member of the Mauritanian Association of Human Rights (*Association mauritanienne des droits de l’Homme - AMDH*) and of the Higher Education Teachers Trade Union (*Syndicat des enseignants du supérieur*), was arrested as part of a wider police operation that targeted eleven religious and intellectual leaders, on the ground that they would belong to a terrorist group. Mr. Mohamed Ahmed Ould El Hadj Sidi was brought to the Police Academy of Nouakchott, with no access to his lawyer or a doctor, and his relatives could not visit him. He was released on May 13, 2005 without any charges against him.

**MEXICO – Armed attack / Assassination / Serious harassment**  
**June 3, 2005 - MEX 004 / 1204 / OBS 094.1**

The leaders of the Ecological Organisation of the Sierra of Petatlán (*Organización ecológica de Sierra Petatlán* - OESP) have been constantly repressed by “*caciques*”, i.e. people who hold a lot of power and are dedicated to the exploitation of wooded areas in the region, which the ecologists oppose.

On May 19, 2005, Mr. **Albertano Peñalosa Domínguez**, a member of OESP, was attacked in his car while he was travelling with his four children. Mr. Peñalosa and his family were ambushed when unidentified men carrying high calibre weapons shot them repeatedly. Two of his sons, **Armando Peñalosa**, 9 year old, and **Adatuel Peñalosa**, 20 years old, were killed instantly. **Idalí** and **Isaac Peñalosa**, respectively 15 and 19 years old, and Mr. Albertano Peñalosa survived the attack.

In addition, a warrant for Mr. Peñalosa’s arrest was issued by the Prosecutor’s office of the State of Guerrero, in relation with the murder of the son of the *cacique* Mr. Bernardo Bautista Valle, who had accused Mr. Peñalosa of this murder. Mr. **Felipe Arreaga Sánchez**, another leader of OESP, is currently arbitrarily detained for the same charge.

**NEPAL - Arbitrary arrests / Releases**  
**June 24, 2005 - NPL 003 / 0605 / OBS 044**

On April 1, 2005, the Supreme Court passed a stricture against arbitrary detentions by the State, reading that “it is inappropriate and unconstitutional to [detain] citizens [...] in an illegal and arbitrary manner [...]”. However, the state security forces continued to re-arrest persons, even in court premises, including human rights defenders. Some of these cases reportedly took place after the end of the state of emergency, on April 29, 2005.

- On May 16, 2005, Mr. **Rajendra Rai**, former Chairperson of the All Nepal National Free Students’ Union (ANNFSU), who had been arrested on February 1, 2005, was released following a court order dated May 13, and re-arrested on the same day in the District Court premises, Babarmahal, Kathmandu. Detained at the Police Academy of Maharajgunj, he was released on May 20, 2005.

- Mr. **Gagan Kumar Thapa**, former General Secretary of the Nepal Student’s Union (NSU), was released on May 5, 2005 and re-arrested on the same day at the District Police Office of Kathmandu. Detained at the Nepal Electricity Corporation Training Centre in Bhaktapur, he was released on May 25, 2005.

- Mr. **Chandra Bhandari**, former President of NSU, was released on April 27, 2005 and re-arrested on the same day at the District Police Office of Bhaktapur. Detained at the n°1 battalion of the Armed Police Force, Naxal, Kathmandu, he was released on May 26, 2005.

- Mr. **Rajan Rai**, Central Secretariat Member of ANNFSU, was released on April 27, 2005 and re-arrested on the same day at the Police Academy of Maharajgunj, Kathmandu. He was detained at the Nepal Electricity Corporation Training Centre (NECTC) in Bhaktapur, and was released on May 19, 2005, from Bhaktapur district after a new order from the Supreme Court.

- Mr. **Pradip Poudel**, Vice-President of NSU, was released on April 26, 2005, and re-arrested on the same day at the District Police Office of Bhaktapur. Before being released on May 26, 2005, he was detained at the Agriculture Development Training Centre in Bhaktapur.

- Mr. **Thakur Gaire**, General Secretary of ANNFSU, was released on April 20, 2005, and re-arrested on the same day at Koteshwor, Kathmandu. Detained at the NECTC in Bhaktapur, he was released on May 26, 2005.

- Mr. **Lok Prasad Pant**, Chairperson of the Civil Society Network (CSN), was released on March 9, 2005 and re-arrested on the same day. He is said to be detained at the Jail of Surkhet district.

**NIGER – Arbitrary detentions / Harassment**  
**May 25, 2005 - Open Letter to the authorities**

On April 28, 2005, Mr. **Ilguilas Weila**, Chairman of the National Executive Committee of Timidria, an organisation fighting against slavery in Niger, and Mr. **Alassane Bigga**, vice-General Secretary of the regional branch of Timidria in Tillaberi, were arrested by the search squad of the national police force (*gendarmerie*) of Niamey, along with Mr. **Mohamed Ag Almouner**, Mayor of Inatès and former member of Timidria, Mr. **Ihibi Allad**, vice-Mayor of Inatès, Mr. **Mohamed Algou**, technical counsellor to the general secretariat of the government, and Mr. **Arrisal Ag Amdagh**, leader of the nomad group of Tahabanatt (Inatès). Their arrests were linked to two letters Timidria received from Mr. Amdagh in September 2004, asking for its help regarding the rehabilitation of 7.000 slaves of Inatès, whose release was scheduled in February 2005. Following a mission of investigation, the National Commission of Human Rights and

Fundamental Freedoms (*Commission nationale des droits de l'Homme et des libertés fondamentales - CNDHLF*) concluded that there was “no such practice of slavery in the region”, and that it was probably a “conspiracy [...] whose aim was to cheat donors after having tarnished the image [of Niger]. The mission also recommended the arrest of all protagonists, the dissolution of Timidria and the freezing of its accounts. On May 3, 2005, Messrs. Almouner, Allad, Algou and Amdagh were released, and charges against them dropped, while Mr. Weila and Mr. Biga were transferred to the civil prison in Niamey. They were both released on June 18, 2005 but the charges against them for “fraud attempt” (article 156 of the Penal Code) remain pending.

On March 24, 2005, Messrs. **Marou Amadou**, Chairman of the Independent Committee of Thought and Orientation for the Safeguard of Democratic Benefits (*Coordination nationale du Comité de réflexion et d'orientation indépendant pour la sauvegarde des acquis démocratiques - CROISADE*) and Executive Secretary of the Coalition Equity-Quality against expensive life in Niger, **Nouhou Arzika**, Chairman of the National Organisation for the Consumers' Defence (*Organisation nationale de défense des consommateurs*) and leader of the Coalition Equity-Quality Against Expensive Life (*Coalition Qualité-Equité contre la vie chère*), and **Moustapha Kadi**, Treasurer of the Coalition and Chairman of SOS Kandadji (an association of Consumers Defence), were arrested at the headquarters of CROISADE in Niamey. Following a statement made on the same day on *Radio France Internationale* (RFI) condemning these arrests, Mr. **Moussa Thangari**, Chairman of the Alternative Niger Group and in charge of the Democratic Coordination of Civil Society in Niger (*Coordination démocratique de la société civile au Niger - CDSCN*), was arrested and his office searched. On March 27, 2005, Mr. **Issa Kassoum**, General Secretary of the National Trade Union of Teachers in Niger and coordinator of CDSCN, was also arrested after having criticised these events. These five persons were detained till April 7, 2005, and remain charged with “conspiracy against State authority and incitement to non armed grouping”.

On May 10, 2005, the offices of CROISADE, whose headquarters also shelter the Platform of the Organisations Defending Human Rights and Democracy (*Collectif des Organisations de Défense des Droits de l'Homme et de la Démocratie - CODDHD*) and the Coalition Equity-Quality, were closed after CROISADE could not pay the rent, which had been suddenly increased by 120%.

#### **PERU – Harassment**

**May 12, 2005 - PER 001 / 0205 / OBS 015.1**

Mrs. **Cristina del Pilar Olazábal**, a Public Prosecutor assigned to human rights cases (*fiscal especializada en derechos humanos*) who began a lawsuit against Mr. Alan García, former President of Peru, for his alleged responsibility in the slaughter that took place on August 14, 1985 in Accomarca, Department of Ayacucho, has been facing to face several attempts to dismiss her.

On April 13, 2005, a high ranking official from the Ayacucho Public Ministry recommended that Mrs. Olazábal be dismissed from her duties due to the complaint interposed by Mr. García's lawyer. In addition, the official indicated that her allegations against the former President were not substantiated.

On April 26, 2005, a resolution from the Prosecution Office of Internal Control announced that the dismissal of Mrs. Olazábal had been officially requested. The formal administrative dismissal petition was presented on May 27, 2005, by Mr. Rigoberto Parra, Head of the above-mentioned Internal Control office. Mrs. Nelly Calderón, Peru's National Prosecutor, is yet to make a decision on the dismissal of Mrs. Olazábal.

On March 1, 2005, a legal complaint had already been filed against Mrs. Olazábal as well as Mr. **Francisco Soberón** and Mrs. **Gloria Cano**, respectively Director and lawyer of the Association for Human Rights in Peru (*Asociación Pro Derechos Humanos de Perú - APRODEH*), Mr. **Fernando Olivera**, former Justice Minister, and Mr. **Julio Quintanilla**, Prosecutor in another case against Mr. Alan García, the 1986 El Frontón massacre. They are accused of “illicit association aiming at breaking the law” (*asociación ilícita para delinquir*). The petition claims they are part of a conspiracy so as to hinder former President Mr. Alan García's candidacy to the 2006 presidential election. In the case of Mrs. Olazábal, the complaint was referred to the Prosecution Office of Internal Control in the Department of Ica and in the case of Mr. Soberón and Mrs. Cano, to the Prosecutor's Office (*Fiscalía de Turno*) in Lima.

Mrs. Olazábal has often been the victim of harsh criticism from representatives of the Peruvian Aprista Party for taking up the Accomarca massacre case, which is one of the cases presented by the Truth and Reconciliation Commission (*Comisión de la Verdad y la Reconciliación – CVR*) in its 2003 report.

#### **RUSSIAN FEDERATION - Break-in / Robbery / Judicial proceedings**

**June 20, 2005 - RUS 001 / 0605 / OBS 043**



### **June 21, 2005 – Judicial observation mission**

During the night from June 3 to 4, 2005, the offices of the **Association of Soldier's Mothers of Saint-Petersburg** were broken into and robbed of three telephones, one fax machine, one LCD screen, two USB-keys, which contained information on monitoring activities. A safe was opened from which a video-camera and a digital Dictaphone were taken. Neither valuables such as expensive computers, printers, scanners, nor a box with donations were taken, which indicates that the attack may have been of a political nature.

Moreover, on June 21, 2005, a hearing was scheduled before Saint-Petersburg's Kuibyshev Court, in order to examine a lawsuit that had been started by Mr. Bukin, head of the Nachinov Military School, on June 14, 2003, against the Association and the *Smena* newspaper, which had published information provided by the Association concerning physical and psychological torture of pupils. The case continued during 2004, despite the fact that the Admiral of the Russian Fleet, Mr. Kurroedov, had acknowledged that physical and psychological torture did take place and that the officers responsible for it had already been punished. The Observatory, which sent an investigation mission to Russia from June 18 to 23, 2005, mandated its *chargés de mission* to observe the trial on June 21, 2005. It was postponed a first time until July 20, 2005, and then until September 27, 2005, the criminal investigation being still pending.

### **RUSSIAN FEDERATION - Judicial proceedings / Harassment June 20, 2005 – Open letter to the authorities**

On June 3, 2005, the Ministry of Justice delivered a written notification to halt the activities of the **Nizhny Novgorod Society for Human Rights** (NNSHR). According to the Ministry, this decision was taken because NNSHR had not complied with a documentation request pursuant to an audit into the organisation's activities in February 2005. However, NNSHR claimed that it had complied with its obligations, and this was confirmed by a court decision in April 2005.

The **Russian-Chechen Friendship Society** (RCFS) has also been subjected to judicial harassment. A court hearing was scheduled on June 8, 2005 based on allegations of accounting irregularities. Indeed, pursuant to an audit by the Main Department at the Federal Registration Service of the Ministry of Justice of Nizhny Novgorod Region, a complaint was lodged against RCFS on April 8, 2005, before the Court of Nizhny Novgorod Region, on the grounds that RCFS failed to provide some documents to the Ministry. A court hearing of legal investigation was postponed until June 28. On this date, the hearing was postponed once more until August 20, 2005, some documents still being needed to be translated.

Moreover, several members of RCFS's Information Centre were summoned and interrogated in relation to a case initiated in January 2005 against the *Pravozaschita* (human rights defence) newspaper, a joint publication of RCFS and NNSHR, for publishing statements by two Chechen separatist leaders calling for a peaceful end to the Russian-Chechen conflict. In particular, Mr. **Stanislav Dmitrievsky**, managing director of RCFS and chief editor for the publications of the Information Centre of RCFS, was summoned several times and could possibly be charged with inciting to ethnic, racial or religious hatred (article 282 of the Criminal Code of the Russian Federation), an offence liable to up to a two years imprisonment sentence.

In March 2005, seven Chechen staff members of the RCFS Information Centre whose contracts had been seized on January 20, 2005 by the Federal Security Service (FSB) at RCFS Nizhny Novgorod office were interrogated as a means of intimidation. Some of them subsequently decided to quit their jobs at the Information Centre.

Furthermore, on March 14, 2005, Mrs. **Oksana Chelysheva**, editor at the Information Centre of RCFS, was the target of a campaign of leaflets distributed amongst her neighbours and signed by an unknown organisation called Youth Patriotic Front of A.P. Ivanov. FSB officers also attempted to tarnish the reputation of Mrs. **Petimat Tokaeva**, RCFS reporter responsible for Achkhoy-Martan district, by telling her neighbours that she was their informer.

Finally, from February to April 2005, RCFS members were subjected to a smear campaign through mass media outlets in Nizhny Novgorod, which participated in discrediting them with commentaries made by representatives of the prosecutor's office of Nizhny Novgorod Region and the FSB, who accused the RCFS staff, *inter alia*, of inciting to extremist activities and supporting acts of terror.

### **SAUDI ARABIA - Arbitrary detentions / Sentencing May 20, 2005 - SAU 001 / 0304 / OBS 017.3**

On May 15, 2005, Messrs. **Ali Al-Domainy**, **Abdullah Al-Hamad** and **Matrouk Al-Faleh**, human rights activists, were sentenced respectively to nine, seven and six years of imprisonment by the Riyadh Criminal

Court. The hearing was held behind closed door on the pretext of the necessity of maintaining public order. Only two of their family members were allowed to attend the hearing.

In 2004, Messrs. Ali Al-Domainy, Abdullah Al-Hamad and Matrouk Al-Faleh had been charged for offending and destabilising the State, opposing the judiciary and disseminating false information, after having criticised the lack of independence of the National Human Rights Committee and requested for the creation and registration of an independent human rights organisation. Their defence lawyer, Mr. **Abd Al-Rahman Allahim**, who was arrested in November 2004, remains in detention in al-Ha'ir prison. He was charged in January 2005 for violating a pledge that he had signed during a first period of detention at the beginning of 2004, ensuring that he would stop his work in favour of political reforms and human rights.

#### **SOUTH KOREA – Releases / Arbitrary detentions / Sentencing / Judicial proceedings**

**May 27, 2005 - KOR 001 / 0405 / OBS 027.1**

**June 28, 2005 - KOR 001 / 0405 / OBS 027.2**

Mr. **Ahn Byeong-Soon**, General Secretary of the Korean Government Employees Union (KGEU), who had been arrested on March 15, 2005, was released on April 28, 2005. He was sentenced to eight months imprisonment with two years suspension of the sentence. Moreover, Mr. **Kim Young-Gil**, KGEU President, who had been arrested on April 8, 2005, was released on June 24, 2005, following his trial under charges of violation of the Public Officials Act on the same day. He was sentenced to one-year imprisonment and two-year suspension of the sentence under probation.

The crackdown on KGEU continued. On June 21 and 22, 2005, KGEU held rallies calling on the government to stop the repression against the trade union and to come out to talks with the union in Wonju City, Gangwon-Do (province). Although the rally was legally reported in advance to the police, hundreds of riot cops surrounded the rally and violently pulled participants out of the rally one by one. On June 22, 2005, 126 KGEU members were arrested during a peaceful rally and subsequently released on June 24.

Moreover, on May 14, 2005, Mr. **Anwar Hossain**, President of the Migrant Workers' Trade Union (MTU), and Bangladeshi by birth, was forcibly arrested on his way home by more than 30 police officers from the immigration control division, because his visa had expired. He was beaten and wounded at his head and hands during his arrest. On the day he was arrested, Mr. Anwar had just been featured in a prominent national paper criticising the government's policy towards undocumented migrant workers. On May 16, 2005, the government declared that once they would receive Mr Anwar Hossain's passport, he would be expelled from the country. In addition, following the creation of MTU on April 24, 2005, South Korea refused to recognise MTU and publicly announced that MTU would not be granted the right to organise, the right to strike, or the right to collective bargaining.

#### **SUDAN - Arbitrary arrests and detentions / Judicial proceedings**

**May 13, 2005- SDN 001 / 0104 / OBS 001.2**

On May 8, 2005, officers of the National Security and Intelligence Agency in Sudan (NSA) arrested Mr. **Mudawi Ibrahim Adam**, Chairperson of the Sudan Social Development Organisation (SUDO), along with his colleagues Mr. **Yasir Saleem**, a photographer at SUDO's Documentation Unit, and Mr. **Abdullah Taha**, Mr. Mudawi's personal driver, in Khartoum North. They were later moved to a Security Detention Centre in Khartoum North known as 'Altanfeezi' (Executive).

On May 10, 2005, the detainees were transferred into the custody of Sudan's Attorney General for Crimes Against the State, in Khartoum, and placed under investigation. Mr. Mudawi and Mr. Yasir were charged under article 53 (espionage against the country), a crime which carries the death penalty under the 1991 Sudanese Penal Code, and article 57 (entering and photographing military areas and works). On May 11, 2005, Mr. Taha was released without any official charges held against him. On May 12, 2005, the Attorney General removed computers from Mr. Mudawi's private company as part of his investigation.

Mr. Yasir and Mr. Mudawi were respectively released on May 12, 2005 and May 17, 2005. As of the end of June 2005, the charges against both men have not been dropped yet.

#### **SUDAN - Arbitrary Arrests and Detentions/ Judicial Proceedings**

**June 1, 2005 - SDN 001 / 0605 / OBS 038**

On May 30, 2005 Mr. **Paul Foreman**, Director of Doctors Without Borders (*Médecins sans frontières* – MSF) – Holland, was arrested and charged under articles 66 (Publication of False News), 96 (Omission to Produce Document or Deliver Statement) and 53 (Espionage against the Country).

These charges are related to a report published by MSF-Holland in March 2005 in which it detailed some 500 cases of rape in the course of four and a half months in Darfur.

The government reportedly requested, through the Sudanese Humanitarian Aid Commission (HAC), that this report not be published on the grounds that the information contained in it were “false” and that “these kinds of false reports damage the image of Sudan”. Furthermore, the authorities had demanded that MSF-Holland hand over the medical documents used in the publication and evidence of these claims. MSF-Holland refused to name its sources or share its medical files on the grounds of doctor-patient confidentiality.

After a warrant was issued for Mr. Foreman’s arrest and he was interrogated for three-and-a-half hours by the police, he was released on bail of 4,000 dollars (3,200 euros) late on May 31, 2005, pending trial and on the grounds that he may not leave the country.

On May 31, 2005 Mr. **Vincent Hoedt**, MSF regional Coordinator for Darfur, was also arrested for what was probably the same reasons. Mr. Hoedt was transferred to Khartoum following his arrest in Nyala, in the southern part of Darfur, before being released later in the day on bail of 4,000 dollars and forbidden to leave the country.

All charges against both Mr. Paul Foreman and Mr. Vincent Hoedt were dropped on June 19, 2005.

**SYRIA - Arbitrary arrest and detention**  
**May 26, 2005 - SYR 001 / 0505 / OBS 035**

On May 22, 2005, the Syrian security forces attacked the office of Mr. **Mohamed Ra’doun**, lawyer and Chairperson of the Arab Organisation for Human Rights - Syria branch (AOHRS), in Latakia, arrested him, and took him to a security office. He was later taken to Damascus and allegedly referred to the Prosecutor of the Syrian Supreme State Security Court (SSSC) without access to legal counsel at the time. As of the end of June 2005, Mr. Ra’doun is allegedly in solitary confinement in the Adra Prison near Damascus and has been given access to his lawyer. He is reportedly charged with “disseminating false information” and “involvement in an illegal organisation of an international nature”.

Mr. Ra’doun’s detention is certainly related to recent press releases and statements issued by AOHRS on the human rights situation in Syria, denouncing several violations and restrictions of the fundamental liberties in the country, and in particular Mr. Ra’doun’s declarations to mass media on these violations. In the past, he was prevented from participating in several international meetings. Mr. Ra’doun is known for his engagement, in particular in fighting corruption and defending prisoners of opinion.

**SYRIA – Judicial proceedings / Harassment / Acquittal**  
**June 23, 2005 - Press release**  
**June 28, 2005 - Press release**

On June 26, 2005, the Syrian Supreme State Security Court (SSSC) decided to drop all charges against Mr. **Aktham Naisse**, prominent Syrian lawyer and the President of the Committees of the Defence of Democratic Liberties and Human Rights in Syria (CDF) and laureate of the 2005 Martin Ennals Award for Human Rights Defenders (MEA). Mr. Naisse was arrested on April 13, 2004 and released on bail on August 17, 2004, following a decision by the SSSC. Mr. Naisse was charged with “opposing the objectives of the revolution” and “disseminating false information aiming at weakening the State”, and he thereby risked a prison sentence of 15 years.

On June 25, 2005, the CDF issued a press release where Mr. Naisse declared that he would not attend the hearing. His decision was based upon the fact that the SSSC is an “exceptional, unconstitutional court” and that it fails to conform with “recognised standards of a fair trial”.

On June 26, 2005, in the absence of Mr. Naisse, the Court finally announced that Mr. Naisse was found not responsible of “the activities” of which he was charged.

This took place after a series of numerous postponed hearings, attended by the Observatory, which sent several judicial observation missions to his trial, sometimes jointly with other human rights organisations, such as the International Commission of Jurists and the Euro-Mediterranean Network for Human Rights.

**TOGO – Harassment / Threats / Attack**  
**May 10, 2005 - TGO 001 / 0505 / OBS 029**  
**May 13, 2005 - TGO 001 / 0505 / OBS 029.1**

On May 3 and 4, 2005, the offices of the Togolese League for Human Rights (*Ligue togolaise des droits de l’Homme* - LTDH) were surrounded by ten heavy-armed soldiers, and no member of LTDH could enter the

premises. Moreover, due to pressures against LTDH, several of its members and their families had to leave the country, and others remained hidden. Members of the Platform of Civil Society Associations in Togo, and of some local branches of the League, were seriously threatened. Mr. **Adote Akwei**, Chairman of LTDH, was also directly threatened. On April 28, 2005, militia men went to his house in order to scare him. Members of his family, being constantly threatened by militiamen, had to leave the country.

Besides, on May 13, 2005, LTDH organised a press conference in order to present its report *Terror Strategy in Togo (II) – A Reign as short as bloody*, which denounces human rights violations in Togo since the coup d'Etat of February 5, 2005. While the conference had just started, Mr. Dominique Begbessou, national Delegate of the Youth of the Togolese People Gathering (*Jeunesses du Rassemblement du peuple togolais* - RPT, party in power), and Mr. Claude Vondony, General Secretary of the Togolese Human Rights Defence Movement, an NGO close to the authorities, forced in the premises of LTDH, along with more than fifty militiamen. Mr. Begbessou hit the face of Mr. **Estri Clumson-Eklu**, LTDH vice-Chairman, and oral threats were pronounced against LTDH.

Moreover, some journalists working for private and independent media who condemned the human rights violations that followed the presidential elections were directly threatened. Premises of some media were also closed, and some independent radio were forbidden to broadcast, such as *Radio Kanal FM*, *Radio Nostalgie*, *Radio Maria*, *RFI*, *Peace FM* and *Radio Lumière*.

### **TUNISIA – Intimidation campaign / Harassment May 6, 2005 – Press release**

In Tunisia, lawyers continued to be subjected to acts of repression and harassment.

On April 29, 2005, Mr. **Najib Hosni**, Mrs. **Sonia Ben Amor** and Mr. **Ousama Bou Thalja** went to the Kef Prison after having obtained the requested authorisations to visit their client, Mr. **Mohammed Abbou**, member of the International Association for the Support of Political Prisoners (*Association internationale pour le soutien des prisonniers politiques* - AISSP) and former leader of the Young Lawyers Association and member of the National Council for Freedoms in Tunisia (*Conseil national des libertés en Tunisie* - CNLT), who was sentenced to three years and a half of prison for having criticised on the Internet the detention conditions in Tunisian jails. Upon their arrival, Mr. Hosni was prevented from visiting his client. Mrs. Ben Amor was authorised to come in, but could only speak a few minutes with Mr. Abbou, before guards suddenly took him away. Prison guards then asked Mrs. Ben Amor to leave the prison immediately, before brutalising her violently. Following these events, the prison director and a guard lodged a complaint against Mrs. Ben Amor, accusing her of having destroyed some material assets of the prison and broken the arm of the guard.

Furthermore, on May 3, 2005, the Supreme Council of Magistracy (*Conseil suprême de la magistrature* - CSM) criticised the “abuses, excesses and deviances” of some lawyers and asked magistrates to take all necessary measures to maintain order in the courts.

On May 5, 2005, Mr. Abbou's lawyers, Mrs. Sonia Ben Amor, Mrs. **Radhia Nasraoui**, Chairman of the Tunisian Association Against Torture (*Association de lutte contre la torture en Tunisie* - ALTT), Mr. **Ayachi Hammami**, and Mr. **Raouf Ayadi**, learned that they would soon be summoned to appear before the disciplinary council, thus running the risk of being disbarred.

On May 6, 2005, lawyers members of the “Committee supporting Mr. Abbou”, who were in sit-in before the Bar House since April 4, and who had gathered in the courtyard of the courthouse of Tunis, were surrounded by police forces and forced to leave the place. The lawyers were violently mishandled and some even fell down.

### **TUNISIA - Defamation campaign June 1, 2005 - Press release**

On May 27, 2005, on the accusation of the National Cultural Day, Tunisian President Mr. Zine Al-Abidin Ben Ali awarded Mr. Abdelhamid Riahi, editor-in-chief of the daily newspaper *al-Chourouk*, with the National Order of Cultural Merit. However, this journalist is one of the authors of insulting, obscene and libelous articles against Mrs. **Sihem Bensedrine**, spokesperson of the CNLT and editor-in-chief of the online newspaper *Kalima*. Indeed, several newspapers, such as *al-Chourouk*, *al-Hadith*, *l'Observateur* and *as-Sarih*, launched a hateful smear campaign against Mrs. Bensedrine, following the celebration of the World Day of Press Freedom on May 6 and 7, 2005, during which CNLT published a report denouncing misinformation of some Tunisian journalists. The award received by Mr. Riahi can only be perceived as an incentive to such reprehensible journalistic practices.

**TURKMENISTAN - Harassment / Ill-Treatment**  
**June 14, 2005 - TKM 001 / 0603 / OBS 027.1**

On the eve of the visit to Turkmenistan of Mr. Rolf Ekeus, High Commissioner on National Minorities of the Organisation for Security and Co-operation in Europe (OSCE), several NGO activists received an order from officers of the Turkmen National Security Ministry (MNB) to stay at home on the day of the visit and to refrain from seeking to meet him or persons accompanying him.

On May 31, 2005, while Mr. Ekeus was received by the President of Turkmenistan, apartments of several human rights activists were blocked by the police and plain-clothes MNB officers. The blockade of flats continued until the second half of the day when the OSCE High Commissioner departed for the city of Turkmenbashi.

In particular, Mrs. **Nathalia Shabunts**, Director of the human rights NGO Civil Dignity, was prevented from leaving her apartment and consequently from participating in an international seminar. Security service officers allegedly received an order "to guard her apartment".

In the past, Civil Dignity, and Mrs. Shabunts in particular, had already been under surveillance by the secret services and subjected to various acts of harassment.

**UZBEKISTAN - Arbitrary arrests and detentions / Ill-treatment**

**May 26, 2005 - UZB 001 / 0505 / OBS 036**

**June 3, 2005 - UZB 001 / 0505 / OBS 036.1**

Several human rights defenders, who had denounced and investigated into the disproportionate use of force against civilians on May 13, 2005, during peaceful demonstrations in Andijan, resulting in the killing of hundreds of them, including women and children, were arbitrarily arrested, detained and attacked.

On May 21, 2005, Mr. **Saidjahon Zaynabidinov**, member of the Human Rights Group in Andijan, was arrested, detained incommunicado and charged with libel (article 139 of the Criminal Code) for his denunciation and declarations to the international media concerning these violent events.

On May 22, 2005, Mr. **Sobithon Ustabaev**, of the Namangan Group for Protection of Human Rights, was arrested and sentenced to 15 days in detention on the basis of the Administrative Code of Uzbekistan, after having taken part in a peaceful protest against the above-mentioned events. He was effectively released after two weeks.

Moreover, some days before these arrests, two members of the human rights organisation "Ezgulik", Messrs. **Ulugbek Bakirov** and **Fazleddin Gafurov**, were beaten up and harassed by law enforcement agents in Andijan as they were going to interview witnesses of the May 13 events.

On May 28, 2005, Mr. **Dilmurad Muhitdinov**, President of the Markhamat section of Ezgulik (in the region of Andijan), Mr. **Muhammadkodir Otahonov**, President of the local section of Andijan of the International Society of Human Rights, and Mr. **Mussajon Bobojanov**, a member of Ezgulik and chief of the local organisation of the political party "Birlik," were arrested. Their computers, CDs and other documents were confiscated.

On May 29-30, 2005, the police arrested 12 members of Ezgulik from several Uzbek regions who were at the residence of Mr. **Hussan Yussupov**, also a member of Ezgulik, in Tashkent. They were arrested there by 30 armed policemen, and some of them were beaten, before being forcibly sent back to their residence places.

Mrs. **Vassila Inoiatova**, President of Ezgulik, her husband, and Mr. **Hussan Yussupov**, a member of Ezgulik, were arrested at Mrs. Inoiatova's house at around 2 a.m. and taken to the Sobir-Rakhimovskii Regional Center of the Ministry of Internal Affairs. They were released on May 30, 2005.

On May 30, 2005, Messrs. **Vakhid Karimov** and **Ilkhom Ashurov**, members of the Centre of Humanitarian Law, were detained during three hours in Bukhar. Their papers were confiscated and they had to sign a document indicating that they would not leave the city. Human rights defenders working in the Valley of Ferghana reported to be regularly spied, summoned for "a conversation" with the police and warned not to participate in demonstrations.

On June 2, 2005, Mr. **Muzaffarmirzi Iskhakov**, Chairman of Ezgulik for the Andijan region, and Mr. **Azizov Nurmuhammad**, Chairman of the section of the Human Rights Society of Uzbekistan (HRSU), were arrested in Andijan along with Mr. **Akbarali Oripov**, Chairman of Birlik for the Andijan region. Their arrests took place during house searches conducted by officers of the Ministry of Internal Affairs of Markhamat. Documents containing information about human rights defenders, the program and charter of the political party "Birlik", and computers of the Ezgulik Section in Andijan were confiscated at Mr. Iskhakov's house.

\*\*\*\*\*

Paris - Geneva, July 2005

To contact the Observatory call the Emergency Line :

E-mail : [observatoire@iprolink.ch](mailto:observatoire@iprolink.ch)

Tel and fax FIDH + 33 (0) 1 43 55 20 11 / 01 43 55 18 80

Tel and fax OMCT + 41 22 809 49 39 / 41 22 809 49 29

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

**fidh.**

International Federation  
For Human Rights  
17, Passage de la Main d'Or  
75 011 Paris, France

**OMCT**

World Organisation  
Against Torture  
Case postale 21 - 8 rue du Vieux-Billard  
1211 Genève 8, Switzerland