

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

**THE OBSERVATORY**  
for the Protection  
of Human Rights Defenders

**EL OBSERVATORIO**  
para la Protección de los  
Defensores de Derechos Humanos

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**ALGERIA – Provisional release / Judicial harassment**  
**December 1, 2004 – DZA 002 / 0504 / OBS 039.3**

Mr. **Hafnaoui El Ghoul**, journalist and head of the Algerian League for the Defence of Human Rights (LADDH) in Djelfa, was released on November 25, 2004, upon an order by the Court of Ouragna accepting the request of provisional release. He now awaits the Supreme Court's decision concerning the appeals he introduced after being sentenced to terms of confinement in five cases. On May 24, 2004, Mr. Hafnaoui El Ghoul had been put in administrative detention on charges of defamation following an interview he gave on May 17, 2004, to the national daily newspaper *Le Soir*, in which he denounced the situation of human rights as well as the situation journalists are facing in the region of Djelfa.

**BAHRAIN – Sentencing and release / Closure of an NGO**  
**November 26, 2004 – BHR 001 / 0704 / OBS 054.5**

On November 21, 2004, the Lower Criminal Court sentenced Mr. **Abdul-Hadi Al-Khawaja**, Director of the Bahrain Centre for Human Rights (BCHR), to one-year imprisonment for charges including "inciting hatred against the State". Mr. Al-Khawaja, who was not present at the hearing, had been arrested on September 26, 2004, after he had criticised the government's policy and called for the dismissal of the Prime Minister, during a symposium on economic rights in Bahrain organised by BCHR on September 24.

Later at night on November 21, 2004, His Majesty King Hamad ben Issa al-Khalifa issued a decree granting pardon to Mr. Al-Khawaja and ordered his release. Mr. **Abdul Rawf Al-Shayeb**, spokesman of the National Committee for Martyrs and Victims of Torture in Bahrain, and Mr. **Mahmud Ramadan**, a board member of the Committee, who had been arrested by the anti-riot Police on October 28, 2004, during a Car Parade protest march in order to call for the release of Mr. Al-Khawaja, were also granted pardon and released, together with eleven other protesters that were detained during the parade.

However, the ban on BCHR, following the dissolution order by the Minister of Labour and Social Affairs, Mr. Al-Alawi, which had come into force on September 29, 2004, has not been lifted.

**BOLIVIA – Raid into NGO office / Threats**  
**January 13, 2005 - BOL 001 / 0303 / OBS 014.1**

On January 5, 2005 in the morning, a group of about 30 armed people – little property owners (*barraqueros*) led by the leaders of the Association of Agricultural and Wood Producers (ASAGRI) – broke into the regional office of the **Centre for Law Studies and Social Research** (CEJIS), at Riberalta, Beni District. While threatening the centre's members, the aggressors cut off all means of communication and withdrew the offices' equipment and material, including computers, fax machines and books. Then, they took it all outside and burned it on the street, yelling disdainful remarks on the centre's work consisting in the assistance to indigenous peoples and peasants in their requests of access to land. Before leaving, they threatened the head officer of CEJIS Riberalta, Mr. **Cliver Rocha**, who had left the town in reason of previous attacks. The Sub Prefect of the Vaca Díez Province advised that the office be closed down until January 13, 2005, when precautionary measures could be agreed upon at a multi-level government meeting.

On January 7, 2005, a manifest signed by Mr. Arturo Vidal Tobias, president of ASAGRI, was made public. He threatened social organisations that have been supporting the peasants and indigenous peoples of Vaca Díez – namely CEJIS, the NGO **Dutch Service for Development Co-operation** (SNV), the **Institute for Men**,

**Agriculture and Ecology** (IPHAE), and the **Centre for Investigation and the Promotion of Peasants** (CIPCA) – and urged that they leave the region by the end of January 2005. He also threatened to expel by force those who have been occupying private properties in accordance with agreements mediated by the National Institute for Agrarian Reform (INRA).

**BOLIVIA – Judicial proceedings / House arrest  
January 17, 2005 - Press release**

After many years under threat due to his defence of peasants and indigenous peoples' rights as a leading member of the Association of Rural People (ANUC-UR) in Arauca, Colombia, Mr. **Francisco “Pacho” Cortés** moved to Bolivia in early 2003. Shortly after his arrival, on April 10, 2003, he was arrested on charges of drug trafficking and terrorism, along with his Bolivian hosts, also members of peasant movements.

On December 6, 2004, the 5th Criminal Tribunal of La Paz ordered the release on bail of Mr. Cortés due to the fact that the 18-month period of preventive detention had been exceeded. However, the prosecutor filed an appeal before the Supreme Court, which then ordered that he be put under house arrest. On January 10, 2005, Mr. Cortés was transferred to a residence designated by the prosecutor while he awaits sentencing.

As a spokesperson for ACNUR-UR, Mr. Cortés had previously participated in meetings with the Colombian government and in international forums, for instance against the Free Trade Area of the Americas, and organised in July 2001 a seminar on “Agrarian reform for peace in Colombia”.

**BRAZIL – Situation of defenders in rural areas  
December 30, 2004 – Open Letter to President Lula da Silva**

2004 was again an extremely dangerous and deadly year for human rights defenders in rural areas in Brazil, culminating with the massacre of landless peasants on November 20, 2004, at the *Promised Land* settlement, located at Felisburgo, Jequitinhonha Valley (Minas Gerais State). Five settlement coordinators, linked to the Landless Workers Movement (MST), were murdered and 20 other landless peasants wounded.

On January 28, 2004, Messrs. **Erastótenes de Almeida Gonçalves**, **Nelson José da Silva** and **João Batista Soares Lages**, employees of the Ministry of Labour, were murdered in Minas Gerais as they were investigating the use of slave workforce. The Federal Police arrested several suspected perpetrators and a landowner, Mr. Norberto Mânica, accused of having ordered the assassination.

On January 29, 2004, two gunmen murdered Mr. **Ezequiel de Moraes Nascimento**, President of the Workers Association at Santa Maria das Barreiras, at his residence in Redenção (Pará State) in front of his wife and 7-year-old daughter. In the past, Mr. Nascimento, who had been denouncing the violent acts perpetrated by landowners in the region, had been subjected to death threats.

On February 7, 2004, Mr. **Ribamar Francisco dos Santos**, agrarian policy coordinator at the Rural Workers Union of Rondón do Pará, was assassinated in front of his residence by two gunmen. Mr. dos Santos had received threats for several weeks before being murdered and his name had been included in a “death list”.

On March 23, 2004, Mr. **Epitácio Gomes da Silva**, President of the Independent Rural Workers Movement (MTRI), who was coordinating peasants for the preparation of a peaceful occupation of non-explored lands, was murdered in Tailândia, State of Pará.

During an international investigation mission on land reform and human rights carried out by *Via Campesina* and FoodFirst Information and Action Network (FIAN) in Brazil from June 3 to 9, 2004, investigators were attacked by a landowner, who shot at them near the city of Montes Claros, Minas Gerais State. Although the perpetrator was condemned to a high prison sentence, he was subsequently released pursuant to the Fleury Law (1973), which states that a first-time convicted may be released during the appeal procedure. The same law was applied in the case of the murder of Mr. **João Canuto de Oliveira**, President of the Rural Workers Union at Rio Maria, in 1985. Despite the murder planners' being sentenced to a 19 years and 10 months' prison term on May 23, 2003, they remain free.

**CHINA – Arbitrary detention / Unfair treatment  
November 12, 2004 – CHN 001 / 0803 / OBS 041.4**

On November 10, 2004, Mrs. **Jiang Meili**, Mr. **Zheng Enchong**'s wife, a Shanghai lawyer involved in the defence of economic and social rights of displaced persons and who is currently detained at Shanghai's Tilanqiao Prison, went to visit him, along with other family members. During the visit, Mr. Zheng said he had been visited several times by the director of the Shanghai's Judicial Bureau and Prisons Bureau, Mr. Miao Xiaobao, who told

him that if he admitted wrongdoing, his three-year sentence would be reduced by one year. Mr. Zheng Enchong refused to do so.

Since the beginning of his imprisonment, Mr. Zheng has not been allowed to see his lawyer, as a result of which he was not able to file an appeal application against his sentence before the Shanghai Supreme People's Court. Moreover, in spite of his relatively light sentence, Mr. Zheng is housed in the prison's high security section.

During the prison visit, Mr. Zheng asked his wife to urge displaced residents to persevere in their legal action against Mr. Zhou Zhengyi, a wealthy property developer, and others involved in a redevelopment project. When he began speaking about this subject, prison guards immediately ended the visit and carried Mr. Zheng out of the visiting room. After the visit, his wife and other family members wrote an open letter to the Chinese President and Prime Minister, calling for their intervention to grant him an appeal through the Supreme People's Court.

**CHINA – Release / Judicial Proceedings**  
**November 16, 2004 – CHN 004 / 0904 / OBS 071.1**

Mr. **Yan Zhengxue**, a well-known dissident artist actively involved in human rights campaigns, was released without charge on the same day or the day after being detained, on September 14, 2004. Furthermore, following Mr. Yan's complaint against law enforcement bodies for slander while they refused to acknowledge his request for protection at the Zhejiang local police, a court hearing took place on October 27, 2004. At the session, the Jiaojiang District Public Security Substation produced telephone records indicating that officers had in fact taken action on Yan Zhengxue's case by contacting him as early as April 6, 2004. However, Mr. Yan Zhengxue provided evidence showing that he had not begun using the referred telephone number until June 20, thus proving the public security office wrong. The presiding judge subsequently called for an adjournment.

**CHINA – Arbitrary detention / Ill-treatment**  
**January 12, 2005 – Open letter to President Hu Jintao**

In April 2004, Ms. **Mao Hengfeng**, a long-time campaigner against China's coercive family planning policies, was sentenced to 18 months of Re-education Through Labour (RTL) by the Shanghai Public Security Bureau, for protesting and petitioning against such policies. Since then, she has been detained at a RTL Camp in Shanghai, where she has been subjected to ill-treatment, including being suspended in mid-air with bound hands and feet, and being severely beaten.

On November 18, 2004, at a hearing on her legal action against the authorities for terminating her welfare assistance, Ms. Mao displayed her injuries, but officials have taken no action on her behalf.

At the end of 2004, high-level Chinese officials decided for an extension of Ms. Mao's detention by three months. However, neither the detained activist nor her family were allowed to examine the order authorising this extension, nor was she informed of any recourse for appeal.

**COLOMBIA – House search / Harassment / Grave threats**  
**November 1, 2004 – COL 019 / 1104 / OBS 083**

On October 25, 2004, six men and a woman, some of which were armed, who introduced themselves as members of the Prosecutor's office, of the Administrative Department of Security (DAS), as well as of the Technical Investigation Body of the Prosecutor's office, went at the residence of Ms. **Audrey Robayo Sánchez**, Executive Committee member of the human rights NGO CREDHOS (*Corporación Regional para la Defensa de los Derechos Humanos*) and communications officer (*promotora social*) of the Foundation "Women and Future". They went in with an official order, video recorded the residence and made a thorough search into all rooms without saying what they were looking for. They later asked for her identification and transmitted her data via radio; the same happened to Ms. Robayo Sánchez's mother, who was also present at the time.

After one hour and not having found anything, the officials issued a Diligence Record, signed by a person who claimed to be a prosecutor representing the Immediate Reaction Unit (URI) and by Ms. Robayo Sánchez, but no copy was left to her. The document stated that nothing had been found and no one had been arrested. Before leaving, the prosecutor informed they were looking for weapons and explosives belonging to the FARC (Armed Revolutionary Forces of Colombia).

**COLOMBIA – Death threats**  
**November 8, 2004 – COL 020 / 1104 / OBS 085**

On October 30, 2004, a pamphlet signed by the so-called “University National Commandos” of the United Self-Defence groups of Colombia (*Autodefensas Unidas de Colombia – AUC*) was sent to the National Union of University Workers and Employees of Colombia (SINTRAUNICOL), Bogotá Section, threatening to kill its members unless they left the organisation or the latter closed down. Some of its members were directly threatened in the leaflet and declared as definite military targets to be executed within three months: Messrs. **Antonio Flórez, Milena Cobo, Ariel Díaz, Carlos Gonzáles, Eduardo Camacho and Alvaro Villamizar.**

**COLOMBIA – Threats**  
**November 12, 2004 – Open Letter to President Uribe Vélez**

On November 3, 2004, the retired Army Major César Maldonado Vidales escaped the military prison where he was detained, in Bogotá. On October 28, 2004, the Supreme Tribunal of Bogotá had confirmed his condemnation to a 27 years prison term for having commanded the attempted killing in 2000 of Mr. Wilson Borja, President of the National Federation of Public Employees (FENALTRASE) and currently congress member. The Lawyers association CCAJAR (*Colectivo de Abogados “José Alvear Restrepo”*) took up Mr. Borja’s defence in the trial, as well as that of other trade unionists who were tortured and murdered in Bucaramanga (Santander) in 1992, to which the retired military officer was also connected. Major Maldonado’s family members as well as his lawyer, Ms. Gloria Duarte, have publicly accused the association of being responsible for his disappearance. During his detention, Major Maldonado often made declarations and baseless accusations against CCAJAR, claiming that its members are linked to the guerrilla and had been threatening him.

**COLOMBIA – Murder / Break-in and search**  
**November 15, 2004 – COL 021 / 1104 / OBS 086**

On November 7, 2004, Mr. **José Joaquín Cubides**, coordinator of the Permanent Civil Society Assembly for Peace (*Asamblea Permanente de la Sociedad Civil por la Paz*) and Secretary General of the Union of small and middle-size agricultural producers (SINDEAGRO), was shot at his residence in Fortul (Arauca), in front of his family. His home had been searched several times some days before the assassination; the last search took place on November 6, 2004 in the morning.

Moreover, the headquarters of the Assembly for Peace in Bogotá were broken into by seven armed men in the night on November 10, 2004, in a failed attempt to steal information in the form of computer hard disks.

**COLOMBIA – Extra-judicial execution / Harassment**  
**November 16, 2004 – COL 022 / 1104 / OBS 087**

Mr. **Mariano Suárez Chaparro**, leader (“Mamo”) of the Arhuaco indigenous community at Sierra Nevada de Santa Marta, was assassinated on November 6, 2004, at the locality of Chinchorro, Magdalena region. He was in charge of organising a new settlement near the Aracataca river at Chinchorro, which seems to have irritated FARC (Armed Revolutionary Forces of Colombia) guerrillas in the region.

Mr. Suárez Chaparro had already been threatened by the FARC’s Front 19 for having promoted the unification of the Arhuacos with members of the Kogui indigenous community. Moreover, the FARC had accused members of the Arhuaco community of collaborating with the Colombian Army and prohibited the Koguis from having any contact with them.

**COLOMBIA – Grave threats / Harassment**  
**November 23, 2004 – COL 015 / 0904 / OBS 070.1**

Independent journalist Ms. **Claudia Julieta Duque**, who has been working at the Lawyers association CCAJAR (*Corporación Colectivo de Abogados “José Alvear Restrepo”*) since 2003, has been again subjected to serious threats and acts of harassment. On November 17, 2004, in the evening, Ms. Duque received a call on her mobile phone during which an unidentified man threatened to kill her younger daughter. She subsequently called back the number from which that call had been made and she was informed that it was coming from an office located at the corner of Caracas Avenue and 6<sup>th</sup> Street (*Calle sexta*) at Bogotá, which could be either of the judicial police

(*Seccional de Policía Judicial* - SIJIN), the anti-shock police station (*Estación de Policía de la Fuerza Disponible*) or the Metropolitan Police (*Comando de la Policía Metropolitana*).

The incident occurred two days after the long-awaited approval of a security plan for Ms. Duque and an armoured vehicle was handed over to her, among other measures by the Programme for the Protection of Journalists of the Interior Ministry.

**COLOMBIA – Arbitrary detention**  
**December 13, 2004 – COL 023 / 1204 / OBS 093**

On December 7, 2004, **Father Joaquín Mayorga**, director of Justice and Peace, Diocese of Magangué (Magdalena region), was arrested by the National Police as he intended to travel to Bogotá from the San Gil bus station (Santander region). He was released on the same day. When Father Mayorga was taken to the San Gil police station, he was informed that his arrest followed investigations that were being carried out into his work at Magangué as human rights defender and priest. However, another police source later told him he had been arrested by mistake. In August 2004, Father Mayorga had been arrested in similar conditions at Onzaga (Santander).

Father Mayorga currently faces legal proceedings on charges of slander and insult pressed by members of the Army Battalion of Nariño, headquartered at El Banco (Magdalena), following his denouncing of the arbitrary detention, forced disappearance and subsequent assassination of three mine workers, Messrs. Giovanni Vega Atencio, Jairo Villalba and Nolberto Campusano Zuleta, and the enforced disappearance of a 13-year-old, Osnaider Solano Zuleta, at the locality of “Nuevo El Coco” (south of Bolívar) at the end of January 2004.

**DEMOCRATIC REPUBLIC OF CONGO – Threat of arrest**  
**December 13, 2004 – RDC 004 / 0106 / OBS 049.04**

On December 3, 2004, during the hearing in the case “Public Ministry vs. Mr. Michel Bisimwa and partners”, the Military Auditor declared that the Ministry had issued a summons against Mr. **N’Sii Luanda Shandwe**, President of the Committee of Human Rights Observers (CODHO) and lawyer of Mr. Bisimwa, who is prosecuted for the murder of former president Laurent-Désiré Kabila. This summons would date from August 2003 and would notify Mr. N’Sii Luanda’s inculpation on the charge of “treason”. However, the Judge of the Military High Court later said to some representatives of civil society during different interviews that the quotation of this summons during the hearing had been a mistake and that this summons was no more relevant. Nonetheless, this act remains an act of intimidation against Mr. N’Sii Luanda, who was victim of many acts of harassment in the past, in particular in 2001 and 2002. On November 28, 2004, Mr. N’Sii Luanda had been prevented from visiting his clients in prison.

**DEMOCRATIC REPUBLIC OF CONGO – Harassment / Threats**  
**December 29, 2004 – RDC 001 / 1204 / OBS 097**

On December 23, 2004, Mr. **Golden Misabiko**, Honorary President of the African Association of Human Rights (ASADHO) in Katanga, was with his two children in Allilac Center, in Lubumbashi, when he realised that a car was following them. He then stopped to buy water and two persons came out of the car, which enabled Mr. Misabiko to identify one of them as one of his former kidnappers and torturers (he was detained in Kinshasa from February 5, 2001, to September 13, 2001). Since that day, Mr. Misabiko realised that he was permanently watched over. On December 27, 2004, Mr. Misabiko learnt that members of the National Intelligence Agency (ANR) had allegedly been ordered to follow him and that he would be “neutralised” in January 2005.

**DEMOCRATIC REPUBLIC OF CONGO – Harassment / Death threats / Judicial proceedings**  
**January 4, 2005 - RDC 001 / 0105 / OBS 001**

In 2004, members of the Platform of Associations for the Defence of Human Rights in Katanga (CADHOK) – notably composed of the African Association of Human Rights (ASADHO/Katanga), the Centre for Human Rights and Humanitarian Law (CDH), the Evangelist Group for Non-Violence (GANVE) and the New Dynamic Trade Union (NDS) among others – were victims of acts of reprisal due to their denunciations of abusive exploitation of mining resources in the region, notably by the Mining Society of Katanga (SOMIKA) and the Congolese Company of Water Distribution (REGIDESO).

On December 2, 2004, Mr. **Jean-Pierre Muteba**, General Secretary of NDS and a forceful denouncer of abuses by mining companies, was hospitalised in Lubumbashi then transferred to Kinshasa, after being allegedly poisoned. Being out of danger, he went back to Lubumbashi.

On December 13, 2004, Mr. Cirimwami Muderhwa, vice-Minister of the Mining Industry, ordered SOMIKA to stop its activities in Kimilolo. Since then, members of ASADHO/Katanga, CDH, GANVE and NDS have been victims of serious threats and acts of harassment.

On December 16, 2004, a group of men went to the headquarters of ASADHO/Katanga, looking for Mr. **Marc Walu**, its Financial Director. Yet, whereas the latter was in the office, the men said they would “come back later”.

On December 21, 2004, five executives of SOMIKA burst into the “Ekumène House”, a religious organisation member of GANVE, and threatened two Spanish volunteers.

On December 23, 2004, ASADHO/Katanga, GANVE and NDS received a first anonymous e-mail, threatening their members and their families. A second threatening e-mail was sent on December 31, 2004, by the same sender address, quoting Messrs. **Jean-Claude Katende** and **Freddy Kitoko**, respectively President and vice-President of ASADHO/Katanga, Mr. **Golden Misabiko**, honorary President of ASADHO/Katanga, Mr. Walu, Messrs. **George Kapiaka** and **Thimothée Mbuyia**, members of ASADHO/Katanga, Mr. Muteba, Messrs. **Jean-Marie Kabanga** and **Tshiya**, members of GANVE, and Mr. **Grégoire Mulamba**, General Secretary of CDH.

On December 28, 2004, ASADHO/Katanga, GANVE, CDH and the Congolese League for the Safeguard of Consumers Rights (LISCO) published, in the framework of CADHOK, a press release denouncing the refusal of SOMIKA to obey to the Mining Industry vice-Minister’s decision, as well as the threats against their members.

On December 29, 2004, two leaders of the Association of Mining Exploiters and Hand Crafters of Katanga (EMAK), close to public authorities, went to the workplace of Mr. Kabanga, who managed to escape without being noticed.

Eventually, on December 31, 2004, CDH and NDS received an e-mail from someone claiming to be part of a plot organised by SOMIKA, in complicity with EMAK, warning them of poisoning attempts against the persons whose names had been mentioned in the e-mail received on the same day (see above).

On January 11, 2005, a hearing was scheduled to take place at Lubumbashi pursuant to a complaint lodged by SOMIKA against Messrs. Kabanga and Tshiya of GANVE for defamation.

#### **GAMBIA – Assassination December 23, 2004 – GMB 001 / 1204 / OBS 096**

In the night from 16 to 17 December 2004, soon after midnight, Mr. **Deida Hydara**, a prominent Gambian journalist, was killed after being shot in the head while he was driving home two colleagues, Mrs **Ida Jagne-Joof** and Mrs **Nyang Jobe**, who were themselves wounded and shot in the legs. Mr. Hydara, 58 years old, had been working in Gambia for the French Press Agency (*Agence France Presse* - AFP) since 1974 and for Reporters without Borders (*Reporters sans frontières* - RSF) since 1994. He was also co-owner of the newspaper *The Point*. Mr. Hydara was particularly acknowledged for his commitment in favour of press freedom and human rights, and he had recently written two articles in his newspaper, criticising two laws repressing press freedom, which were passed on December 13, and 14, 2004. He was also at the origin of an open letter sent by RSF on December 16, 2004, to the President of the Gambian Republic, asking him not to sign these two bills.

#### **GUATEMALA – Murder / Grave threats / Harassment December 2, 2004 – GTM 007 / 1204 / OBS 091**

Mr. **Julio Rolando Raquec**, Secretary General of the Federation of Informal Workers Unions (FESTRI) and member of the umbrella workers union *Central General de Trabajadores de Guatemala* (CGTG), was shot on November 28, 2004, as he was returning to his residence in the evening, in Guatemala City. He was taken by firemen to the General Hospital San Juan de Dios and eventually passed away there on November 29.

In March 2004, Mr. Julio Rolando Raquec had been subjected to a house search and other acts of harassment, and received death threats in order to dissuade him from informing the authorities. In June 2004, he had been attacked and lodged a complaint before the former Minister of Government, Mr. Conte Cojulún, requesting protection and that the area where he resided be searched. After this, he kept on receiving death threats and claims that his daughters would be sexually violated if he continued his activities as workers’ rights defender. Although he denounced these threats, those responsible were not identified and no protection was granted to him.

**GUATEMALA – Attempt of assassination / Threats**  
**January 13, 2005 - GTM 001 / 0105 / OBS 004**

On January 7, 2005, Mr. **Leonel García Acuña**, Secretary General of the Trade Union of Municipal Employees at San Miguel Pochuta, Chimaltenango District, was attacked by four armed men who shot at him as he was on his way to a farm in that municipality. Mr. García managed to run to the village and was helped by some people who eventually stopped the aggressors.

He had been receiving threats since the creation of the aforementioned trade union in December 2004; moreover, he and the other founding members of the union were dismissed from their jobs by the mayor of San Miguel Pochuta, Mr. Domingo González Noj, who affirmed at a meeting on January 3, 2005, that from that moment on all those involved in the establishment of the union had become his “worst enemies”.

Following their dismissal, these municipal workers filed complaints against the mayor before the General Labour Inspection Body. On January 5, 2005, at a meeting with the inspectors charged with investigating the lodged complaints, Mr. Domingo González showed no willingness to collaborate with their work on the case.

**GUATEMALA – Raid into NGO office / Stealing of information / Harassment**  
**January 14, 2005 - GTM 002 / 0105 / OBS 005**

At daybreak on January 9, 2005, the office of the organisation of sons and daughters of disappeared persons **H.I.J.O.S Guatemala** (*Hijos e Hijas por la Identidad y la Justicia contra el Olvido y el Silencio*) at Guatemala City was broken into. The offices were searched and some of the materials were robbed, including contacts databases, archives on legal proceedings and three computers containing information on the investigations the organisation had been carrying out on militarisation, institutional violence and torture.

H.I.J.O.S had been previously subjected to acts of harassment and granted precautionary measures by the Inter-American Commission for Human Rights. In June 2004, two of its members received death threats after the organisation had publicly requested that high-ranking army officers account for crimes against humanity.

**HONDURAS – Break-in and search / Death threats / Harassment**  
**November 8, 2004 – HND 001 / 0503 / OBS 024.1**

In the night from 26 to 27 October 2004, the new office of the **Centre for Prevention, Treatment and Rehabilitation of Victims of Torture and their Families** (CPTRT) was broken into. Money was taken, furniture and equipment were damaged and documents and archives were searched. Moreover, the assailants left threats written on the walls and books were amassed on the floor of the office of the director, Mr. **Juan Almeyda**, in the shape of a cross, which was interpreted as a death threat.

This took place as CPTRT had been providing support to a campaign for the independence of the judiciary before the Security Ministry of Honduras. Indeed, ten judges wrote a letter claiming they were feeling under threat for defending the judiciary’s independence, asserting that the human rights situation in Honduras deteriorated and referring to the anti-democratic attitude of the State Secretary of the Public Office for Security, Mr. Oscar Arturo Alvarez Guerrero. In this context, CPTRT has supported lawyers who had been deposed from their functions in the Public Ministry after having expressed their concern for human rights violations and cases of corruption in the country. In particular, Mr. Almeyda had made a declaration in solidarity with these lawyers and had written a letter to the President of Honduras expressing his worries.

**INDONESIA – Assassination / Death threats**  
**December 1, 2004 – Open Letter to President Yudhoyono**

Mr. **Munir**, a prominent Indonesian human rights activist, died on September 7, 2004, on board of a flight to Amsterdam. On November 11, 2004, the Dutch Forensic Institute made public the findings of an autopsy revealing the presence of a lethal dose of arsenic in his body. Mr. Munir was one of the founding members of the Commission for the Disappeared and Victims of Violence (KONTRAS), and he had played a leading role in investigating human rights violations committed by the Indonesian Army, notably in East Timor.

Moreover, on November 20, 2004, Mrs **Suciwati**, Mr. Munir’s wife, received a threatening note warning her that if she linked her husband’s murder to the TNI (the Indonesian Armed Forces), she would be killed.

The Indonesian authorities initiated an enquiry into Mr. Munir’s death following the announcement of the results of the autopsy but have yet to name any suspects. In addition, in late November 2004, government

representatives, Mrs Suciwati, and NGO representatives agreed upon the setting up of an independent team in order to investigate the case, due to the seemingly political nature of the assassination.

**IRAN – Arbitrary detention / Restrictions on health care  
December 7, 2004 – IRN 004 / 0012 / OBS 125.6**

The health condition of Mr. **Nasser Zarafchan**, a human rights lawyer, seriously deteriorated following a nephritic crisis while in detention. He was hospitalised on December 2, 2004, in the Evin prison. His family and his lawyer, Ms. Shirin Ebadi, who visited him on December 6, 2004, asked for Mr. Zarafchan to be hospitalised outside the prison, but they did not receive any answer.

On March 18, 2002, Mr. Nasser Zarafchan was sentenced to three years in jail by the Tehran Military Tribunal for “possession of firearms and alcohol” and to two further years of imprisonment and fifty whiplashes on account of statements to the press regarding the lawsuit of the alleged murderers of Iranian intellectuals. Since then, he has remained detained despite several requests that his sentence be suspended for medical reasons.

**IRAN - Threat of criminal suit / Threat of arrest  
January 12, 2005 - IRN 001 / 0105 / OBS 003**

Mrs. **Shirin Ebadi**, 2003 Nobel Peace Prize and Secretary general of the Defenders of Human Rights Centre, was summoned on January 12, 2005 by the Revolutionary Public Prosecutor’s office of Tehran. The summons, sent by the investigating judge n°14, did not specify why Mrs. Ebadi was summoned, but indicated that if she did not appear before the investigating judge within three days, she would be arrested in order to be brought to the judge’s office. At a news conference on January 18, 2005, the judiciary spokesman Mr. Jamal Karimirad conceded that the Revolutionary Court summons for Mrs. Shirin Ebadi was illegal and said the matter would be dropped.

**KYRGYZSTAN – Physical attack  
November 11, 2004 – KGZ 002 / 0803 / OBS 044.5**

On November 4, 2004, around 5 p.m., Mrs. **Ainura Aitbaeva**, the daughter of Mr. **Ramazan Dyrlydaev**, chairman of the Kyrgyz Committee for Human Rights (KCHR), was again victim of a physical attack. As she and her husband were walking home, a vehicle started moving into their direction. When they realised the car was getting closer, her husband pushed Mrs. Aitbaeva to the side and threw himself over a fence. Then the car hit the fence and moved to her direction as she was lying on the floor. At this moment they started running and finally entered a courtyard and closed the entrance door behind them.

Mrs. Aitbaeva later declared that the two men inside the car looked similar to those who had attacked her and her children in July 2004. Mrs. Aitbaeva then decided she and her children should remain hidden. The incident was not registered at a “militia” (police) department, as they feared that no investigation would follow. Indeed, following the first attack on July 3, 2004, law enforcement officers had refused to conduct an enquiry, due to the fact that she is the daughter of Mr. Dyrlydaev, who criticised the President.

**KYRGYZSTAN – Enforced disappearance and Torture / Reappearance / Attempted abduction  
November 25, 2004 – KGZ 001 / 1104 / OBS 088  
December 3, 2004 – KGZ 001 / 1104 / OBS 088.1**

On November 16, 2004, Mr. **Tursunbek Akunov**, a long-time leader of the Human Rights Movement of Kyrgyzstan, disappeared when he left his residence, telling his wife that he was going to meet National Security Service members in the centre of Bishkek, at 6 p.m. On November 18, 2004, Mrs. Japarova informed the Sverdlov District Department of Internal Affairs about the alleged disappearance of her husband and on November 19, the Department set up an investigation group for searching him. On that same day, a committee of human rights defenders started inquiring the competent authorities in order to find Mr. Akunov’s whereabouts. Since November 1, 2004, Mr. Akunov and his collaborators had been collecting signatures in the centre of Bishkek as part of a campaign to call for democratic reforms and compel the Kyrgyz President, Mr. Askar Akayev, to resign.

On December 1, 2004, Mr. Tursunbek Akunov was left near the 4<sup>th</sup> Bishkek City Hospital, suffering from a strong headache. During the two weeks of his disappearance, he was kept captive in a sealed place, his eyes being most of the time covered by a bandage. He was forced to breathe an unknown gas and was terrorised by National



Security agents. On December 2, 2004, Mr. Busurmankulov, spokesman of the Ministry of the Interior and Mr. Mamyrov, deputy chairman of the National Security Service, argued at a press conference that Mr. Akunov's disappearance may have been a farce staged for self-promotion and aimed at discrediting law-enforcement bodies. On November 26, 2004, a man who introduced himself as Mr. Daniyar Saparbekov, a criminal police officer, tried to abduct Ms. **Aziza Abdurasulova**, head of the human rights organisation *Kylym Shamy* (Candle of Century) and a colleague of Mr. Akunov who had been inquiring into his disappearance as part of the independent search team.

**MAURITANIA – Arbitrary detentions / Legal proceedings / Threat of arrest / Pre-trial releases**  
**November 30, 2004 – MRT 001 / 1104 / OBS 089**  
**December 3, 2004 – MRT 001 / 1104 / OBS 089.1**  
**December 17, 2004 – MRT 001 / 1104 / OBS 089.2**  
**January 6, 2005 - MRT 001 / 1104 / OBS 089.3**

On November 21, 2004, 7 women members of the Association of Prisoners' Families (*Collectif des Familles de Détenus*) were arrested by law enforcement officers during the first hearing of the "trial of the putschists", i.e. the presumed authors of the coup attempt of June 8 and 9, 2003, of whom they are family members. Mrs **El Moumne Mint Mohamed Elemine**, Mrs **Raky Fall** (married name Dia Abderrahmane), Mrs **Khadijetou Mint Maghlah**, Mrs **Teslem Mint Oumar**, Mrs **Mariem Mint Neyni**, Mrs **Fatimetou Mint Khaya** and Mrs **Mariem Fall Mint Chenouve** were all brought to the Ouad Naga Brigade, where they were left in the sun and on the floor during the whole day.

On November 22, 2004, Mrs **Meye Mint Hamady** and Mrs **Fatma Mint Hamady**, also members of the Association, were arrested while they were protesting against law enforcement officers who wanted to ill-treat an old woman on the way out of the hearing room. On the same day, Mrs Mariem Mint Neyni, who was pregnant, was released, but she was re-arrested on November 29, 2004.

Although they had not yet received any notification of the motive for their arrest, these women were questioned on several occasions on the reasons why two members of the Association were taking part in the 36<sup>th</sup> session of the African Commission on Human and Peoples' Rights (ACHPR), held at the time in Dakar. On November 30, 2004, these nine women were finally accused of "distributing tracts" and of "death threats", and were transferred to the women jail of Nouakchott. All visit authorisations asked by family members were refused.

On December 5, 2004, the lawyers of the women members of the Association of the Prisoners Families lodged a request of release on parole concerning Mrs **Mariem Mint Neyni**, who gave birth in detention on December 1, 2004. As the Public Prosecutor did not appeal, she was released with her baby on the same day. On December 6, 2004, a similar request was lodged concerning the eight other women, which was accepted by the judge. However, the Public Prosecutor appealed on the same day, which suspended the release of these women, and the case was then transferred to the Court of Appeal of Nouakchott. On December 16, 2004, the President of the Court of Appeal rejected the writ of release of the eight women, who thus remained detained in the jail of Nouakchott at the end of December 2004. On January 4, 2005, the Public Prosecutor's office to the Regional Tribunal of Trarza granted pre-trial release to them. A request of release had been lodged on the same day by their lawyers, due to the expiry of their committal order on December 30, 2004. However, the charges against the nine women were not dropped, and judicial proceedings against them are still pending.

Finally, the lawyers of the "presumed putschists" have been subjected to threats. Mr. **Brahim Ould Ebetty**, lawyer and secretary general of the Group of studies and research on democracy and economic and social development (GERDDES - Mauritania), was allegedly threatened to be arrested the day following his oral intervention on torture at the 36<sup>th</sup> session of the ACHPR. On December 1, 2004, Mr. **Mohamed Ahmed Ould El Hadj Sidi**, also lawyer of the "presumed putschists", was arrested just as the hearing was going to start again. He was released on the same day around 11:30 p.m.

**MEXICO – Arbitrary detention / Harassment**  
**December 17, 2004 – MEX 004 / 1204 / OBS 094**

Mr. **Felipe Arreaga Sánchez**, Secretary of the Ecologist Organisation of Sierra de Petatlán, Guerrero State, and leading ecologist opposed to the uncontrolled logging in the region, was arrested on November 3, 2004, by the Guerrero State ministerial police, as he was driving down the mountain (*sierra*) with the Parazal city police superintendent, Mr. Damián Ruiz.

He has been accused of killing on May 30, 1998, Mr. Abel Bautista Guillén, the son of a local eminent person, “Cacique” Nino Bautista, a wood logger, at the village of Mameyal. However, Mr. Arreaga Sánchez was on that day at Las Mesas receiving a treatment for his spine illness, which prevented him from walking.

On November 9, 2004, the First Criminal Secretary Mr. Alberto Gómez Ramírez presented to Mr. Arreaga Sánchez the arrest warrant issued by the First Criminal Judge, Mr. José Jacobo Orostieta Pérez. On November 15, 2004, evidence based on witnesses’ declarations was submitted to the judge, but it was considered insufficient to prove Mr. Arreaga Sánchez innocent and the judge stated that the burden of proof remained on the defence side.

Mr. Arreaga Sánchez is one of many members of the Ecologist Organisation subjected to arbitrary and violent acts since 1998, some of which have been extra-judicially executed and others detained under baseless accusations.

**MEXICO – Attack**  
**January 19, 2005 - MEX 001 / 0105 / OBS 006**

On January 15, 2005 at 1 a.m., Ms. **Eréndira Cruzvillegas Fuentes**, Director of the Mexico City-based National Centre for Social Communication (CENCOS), was attacked on her way back from a meeting of the Coordinating Body of the People’s Indigenous Council of Oaxaca “Ricardo Flóres Magón”. She had just gotten out of her car when unidentified persons in another vehicle threw cutting objects at her car and then drove away. Ms. Cruzvillegas has been particularly active in the State of Oaxaca, for instance petitioning precautionary measures for social leaders before the Inter-American Commission for Human Rights.

**NEPAL – Ill-treatment**  
**January 4, 2005 - NPL 001 / 0105 / OBS 002**

Mr. **Naman Kumar Shahi**, a representative of the Informal Sector Service Centre (INSEC), and Mr. **Bhupendra Shahi**, editor of the *Gorkhapatra Daily*, district Chairman of both the *Journalist Forum* and the Human Rights and Peace Society (HURPES), were beaten on January 2, 2005, by plain-clothes members of the security forces.

Messrs. Naman Kumar Shahi and Bhupendra Shahi had gone to the Dailekh district to collect news and pictures of Mr. Dil Bahadur Rana’s killing. The latter, who was killed by Maoists on January 2, 2005, was a member of the District Working Committee of the Nepali Congress Party as well as the Secretary of the independent Committee of the Internally Displaced Persons in the district.

Although the Head of the Dailekh district police pledged an apology for the misconduct of these security forces members, no investigation was carried out into these events and the security agents responsible were not sanctioned.

**NEPAL - Restrictions on freedom of movement**  
**January 10, 2005 – Open letter to the Nepalese authorities**

On November 25, 26 and 27, 2004, and on December 10, 2004, the Nepalese Government refused to issue a Travel Document to Mr. **S. K. Pradhan**, Secretary General of the Peoples’ Forum for Human Rights and Development (PFHRD), as well as to two members of the organisation, Ms. **Sunita Pradhan**, his daughter, and Mr. **D. B. Bhandari**, PFHRD Camp Co-ordinator. They had submitted their request to the Refugee Coordination Unit (RCU), Chandragari, Jhapa, on November 10, 2004. Since then, their demand has been pending, though no official notification of their request’s submission has been given by the RCU officials, who kept simply saying that it was under process.

As a result, Mr. Pradhan was prevented from attending the World Forum for Democracy in Asia (WFDA) conference in Taiwan, which was held from December 14 to 17, 2004.

Mr. Pradhan had been released on September 21, 2004, after completing his three years’ prison term on arbitrary charges of complicity in a murder.

**NICARAGUA – Defamation campaign**  
**November 5, 2004 – Open Letter to President Bolaños**

On October 21, 2004, the daily newspaper *La Bolsa de Noticias* published an editorial article by Mr. Roberto Zelaya Blanco, government employee at the National Harbour Company, attacking the **Nicaragua Centre for the Defence of Human Rights** (CENIDH). The serious accusations contained in the article – concealing human rights violation committed by over 50,000 political prisoners and involvement in international terrorism – were

aimed at slandering the reputation of CENIDH and its president, Ms. **Vilma Núñez de Escorcía**, also vice-president of the International Federation for Human Rights.

This fact is most likely in connection with the denouncing by CENIDH of the inefficient work of Mr. Zelaya Blanco in the autonomous region of Atlántico Norte and the organisation's press release on October 18, 2004, criticising the government. In this document, CENIDH expressed its disapproval of the Nicaraguan government's misuse of the Inter-American Democratic Charter for requesting the intervention of the Organisation of American States in the investigation into the financing of the 2001 electoral campaign, thus disregarding national mechanisms to address the issue.

On October 27, 2004, *La Bolsa de Noticias* published another article further discrediting CENIDH, reporting that a group of former political prisoners had submitted a request to the US embassy in Nicaragua to prevent Ms. Núñez from entering that country.

**PERU – Death threats**  
**November 11, 2004 – PER 001 / 0103 / OBS 005.2**

Ms. **Gloria Cano Legua**, lawyer in charge of legal issues at the Association for Human Rights (APRODEH), received death threats via her mobile phone on October 20, 2004, as she was at her office in Lima. APRODEH lodged a complaint to before the national prosecutor's office on October 25, 2004.

The organisation had issued the day before a press release in which Ms. Cano Legua expressed her disapproval of a judicial decision of the Third Special Criminal Tribunal, ordering the release of Messrs. Vladimiro Montesinos Torres, former head of the Peruvian Secrete Services and presidential advisor during the Fujimori administration, Nicolás de Bari Hermoza Ríos, former commandant general of the Army under Fujimori, and Roberto Huamán Azcurra, former head of the external affairs department of the Army Intelligence Service (SIE). All three had been detained for 18 months following the opening of the proceedings on the killing of three members of the Túpac Amaru Revolutionary Movement (MRTA) during the hostages rescue operation called "Operación Chavín de Huántar" in 1997. Since 2001, Ms. Cano Legua has represented the victims' families before the national authorities and the Inter-American Commission for Human Rights.

**PERU – Search / Harassment**  
**December 30, 2004 – PER 001 / 1204 / OBS 098**

At daybreak on December 20, 2004, 12 members of the National Police Station at Aucayacu entered the residence of Mr. **Segundo Jara Montejo**, President of the Human Rights Committee at Alto Huallaga (CODAH) and Executive Director of the Human Rights Commission "Alto Huallaga" (CODHAH), headquartered in Aucayacu, Tingo María Province, Huánuco. They claimed to have found subversive flyers and red tissues in the surroundings. The operation was commanded by Captain Abelardo Serpa, accompanied by Prosecutor Mr. Rubén López, who gave the policemen the order to search the place. However, nothing suspicious was found.

The incident coincides with the beginning of the judicial proceedings against those responsible for human rights violations from 1980 to 2000, as identified and documented by the Truth and Reconciliation Commission, whose final report was published in August 2003. These proceedings have been strongly supported by human rights organisations in Peru.

**PHILIPPINES – Summary execution**  
**December 17, 2004 – PHL 003 / 1204 / OBS 095**

On December 8, 2004, at around 9 p.m., Mr. **Marcelino Beltran**, Chairman of the Alliance of Peasants in Tarlac (*Alyansa ng Magbubukid sa Tarlac - AMT*) and Vice-Chairman of the Alliance of Peasants in Central Luzon (*Alyansa ng mga Magbubukid sa Gitnang Luzon - AMGL*), was killed by military elements in front of his house in San Sotero, Sta. Ignacia, Tarlac. Suffering from four gunshot wounds on his arm, thigh, stomach and back, Mr. Beltran expired on the way to the hospital.

Prior to his death, Mr. Marcelino Beltran had joined the strike of peasant workers at Hacienda Luisita to give them his organisation's support. He was also a witness in the massacre that happened in Hacienda Luisita on November 16, 2004, during which 14 people were killed and several hundred others injured by elements of the Philippines National Police and military belonging to the 69<sup>th</sup> and 703<sup>rd</sup> Infantry Battalions, who were ordered to crack down the strike.

**RUSSIAN FEDERATION – Enforced disappearance / Raid into NGO offices / Threat of judicial harassment**

**January 26, 2005 – Open letter to the authorities**

Since the beginning of 2005, one witnessed renewed acts of repression and violence against defenders concerned with the human rights situation in Chechnya.

On January 12, 2005, some camouflaged and armed men raided the office of the **Council of Non-Governmental Organisations** in Nazran, Ingushetia. The seven people who were present in the office – four staff members and three visitors – were threatened. Mr. Kyril Chvedov, a member of the Ingush Department of the Federal Security Service (FSB), checked their identity documents and made some copies of them, as well as of the Council's statutes. He said that they had been informed of the presence of bandits in the office. They took two computers and asked a staff member, Mrs. Taïssa Isaeva, to come back the following day to the FSB offices in Magas, to get them back.

On January 21, 2005, as Mr. **Makhmut Dchaparovic Magomadov**, a lawyer and member of the Chechen Committee for National Salvation, was driving to Mr. Amirov's house, a Chechen citizen, with his wife and two children, they noticed that they were being followed. After Mr. Magomadov entered Mr. Amirov's house with their four-year-old daughter, several cars arrived and some armed and camouflaged Chechen-speaking men ran out of them. The men surrounded the house and dragged Mr. Magomadov and his daughter out. He was violently put in a car, which then drove in the direction of Grozny and taken to an unknown place. According to the information received, these people are believed to be members of local authorities under the authority of Mr. Ramzan Kadyrov. On February 14, 2005, it was announced that Mr. Magomadov had returned to his home.

On January 20, 2005, Mr. **Stanislav Dmitrievsky**, chief editor for the publications of the Information Centre of the Russian-Chechen Friendship Society (RCFS), was summoned to the FSB regional office in Nizhny Novogorod. He was informed that he was being heard as a witness, but no judicial case was specified. He was interrogated on the finances of the Information Centre and when he said he was responsible for the content of the Centre's Human Rights Defence Newspaper, the main investigator, Mr. Putanov, responded that there were certain limits put by Russian legislation that people could not cross. In particular, Mr. Putanov mentioned the publication in the newspaper's April-May 2004 edition of two statements by Messrs. Akhmed Zakaev and Aslan Maskhadov, two Chechen separatist leaders, calling for a peaceful end to the Russian – Chechen conflict. Mr. Putanov then presented a seizure warrant of the Information Centre. Later on that afternoon, the FSB seized the newspaper's statute, registration documents, as well as employment contracts belonging to collaborators of the Information Centre, who live in Chechnya.

On January 24, 2005, two other members of the RCFS Information Centre were summoned to the FSB as "witnesses": Ms. **Natalya Chercelevskaïa**, treasurer, and Ms. **Tatiana Banina**, a member. They were informed that the Prosecutor considers the publication of Messrs. Maskhadov and Zakaev's appeals as a violation of article 280 of the criminal code referring to "incitement to change the constitutional order".

**RWANDA – Violation of the right to freedom of association / Threats  
December 1, 2004 – RWA 002 / 1204 / OBS 090**

On June 28, 2004, the Minister of Justice announced to the **Community of the Native Rwandese People** (*Communauté des Autochtones Rwandais* - CAURWA) that its request to obtain judicial status was refused for the reason that "the objective and the name of the organisation were contrary to the constitutional principles of the Republic of Rwanda". On October 8, 2004, the Ombudsman explained this decision, pointing out that the denominations "Autochthons, Batwa" used several times in the internal regulations of the organisation were contrary to the fundamental principles of the Constitution aiming at "eradicating definitely the divisions based on tribal identity, regionalism and other divisions". He advised the organisation to change its texts in order to be in conformity with the Constitution.

On November 24, 2004, the CAURWA received a letter from the Minister of Justice dated November 9, in which he renewed his refusal and urged the organisation to suspend its activities until it remedies the situation. This letter was received while Mr. **Zéphirin Kalimba**, Director of the association, and Mr. Amédée Kamota, responsible for the human rights programme, were taking part in the 36<sup>th</sup> session of the African Commission on Human and Peoples' Rights in Dakar. After having produced an alternative report, a representative of the government directly threatened Mr. Kalimba, also referring to his wife and his children.

**SAUDI ARABIA – Arbitrary arrest and detention**  
**November 23, 2004 – SAU 001 / 0304 / OBS 017.2**

On November 6, 2004, Mr. **Abd El-Rahman Allahim**, a lawyer, was arrested and placed in arbitrary detention. Mr. Allahim is spokesperson for the defence team of three Saudi Arabian human rights defenders, Mr. **Abdulla Al-Hamed**, Mr. **Matrouk Al-Faleh** and Mr. **Ali Al-Domainy**, who were arrested on March 17, 2004, after asking for secular reforms in Saudi Arabia.

Mr. Abd El-Rahman Allahim was arrested after disclosing to the French Press Agency (AFP) the letter addressed by his three clients to Prince Abdullah Al-Saud, concerning the arbitrariness of their detention. Mr. Allahim is currently detained at the Riyadh Central prison, together with his clients. No charges have been filed against any of them.

**SUDAN – Arbitrary arrest**  
**January 25, 2005 - SDN 001 / 0104 / OBS 001.1**

On January 24, 2005, Mr. **Madawi Ibrahim Adam**, Chairperson of the Sudan Social Development Organization (SUDO), was arrested at his family home in Kondoua village, North Kordofan, along with his friend, Mr. Salah Mohammed Abdalrahman, who was then visiting him. They were initially detained at the security forces headquarters in Umm Ruwaba city, where Mr. Madawi was interrogated. Then, they were both transferred to the security forces offices in Al-Obied. There has been no clarification on the motives of their detention, nor have they been charged with any offence so far.

Mr. Madawi Ibrahim Adam had already been arrested on December 28, 2003. All charges against him were dropped on August 4, 2004 and he was released on August 7.

**SYRIA – Syrian human rights defender wins Martin Ennals Award / Postponement of trial**  
**January 12, 2005 - Press release**  
**January 14, 2005 - Press release**  
**January 17, 2005 - Press release**

Mr. **Aktham Naisse**, President and founding member of the Committees for the Defence of Democratic Liberties and Human Rights in Syria (CDF), has been awarded the 2005 Martin Ennals Award for Human Rights Defenders (MEA). The MEA ceremony will take place in Geneva in September 2005.

Mr. Aktham Naisse has been subjected to incessant harassment since many years, notably through recurrent interrogations and summons, acts of surveillance, as well as regular prohibitions to travel abroad. In November 2004, Mr. Naisse was refused permission to travel to Morocco by the Syrian security forces.

On April 13, 2004, Mr. Aktham Naisse was arrested in Latakia by the military security services. His trial began on July 26, 2004, before the Supreme State Security Court (SSSC) in Damascus, on charges of “opposing the objectives of the revolution” and “disseminating false information aiming at weakening the State”, risking to be sentenced to up to 15 years of prison. On August 16, 2004, Mr. Aktham Naisse was released on bail, and his trial was scheduled to resume on January 16, 2005. However, upon arrival at the court in Damascus, Mr. Naisse was informed that the hearing had been postponed until April 24, 2005.

The Observatory was unable to send a mission to Syria on January 16, 2005, in order to observe Mr. Naisse’s trial, as its delegate was not delivered any visa.

**TUNISIA – Obstacles to freedom of assembly / Violent dispersal / Harassment**  
**December 2, 2004 – Open letter to President Ben Ali**

On November 17, 2004, police forces hindered a meeting organised at the residence of Mrs **Radhia Nasraoui**, lawyer and President of the Association for the Fight against Torture in Tunisia (ALTT). The meeting was supposed to provide support to Messrs. Najib and Jalel Zoghlami, whose brother Mr. Taoufik Ben Brick is a founding member of the National Liberties Council of Tunisia (CNLT).

Moreover, on November 28, 2004, the section in Kairouan of the Tunisian League of Human Rights (LTDH) organised a conference on the Tunisian electoral code. On November 27, 2004, Mr. **Massoud Romdhani**, President of this section, was convoked by police and local authorities, who forbade him to hold this conference as long as representatives of the Labour Communist Party of Tunisia (PCOT), a “non-authorized organisation”, were invited to take part in it. Yet, Mr. Romdhani decided to maintain their participation. In the early morning on November 28, 2004, a heavy police formation was spread around the headquarters of LTDH in Kairouan as well

as on the outskirts of the city. Several participants were stopped at the entry of the city, including Mr. **Khelil Zaouia**, a member of the directive committee of LTDH and Mr. **Mohamed Jmour**, a member of the Bar Association of Tunisia. Police forces also prevented militants from having access to the organisation premises, before scattering them with violence. Several people were ill-treated, including Mr. **Abderrahmane Hedhili**, member of the directive committee of LTDH, Mrs Nasraoui, and her husband, Mr. **Hamma Hammami**, spokesperson of PCOT.

#### **TUNISIA – Death threats / Harassment / Obstacles to freedom of assembly**

**January 21, 2005 - TUN 001 / 0105 / OBS 007**

On January 18, 2005, Mr. **Raouf Ayadi**, lawyer, member and former Secretary General of the National Council for Freedoms in Tunisia (CNLT), received an anonymous call that threatened him with death if he did not relinquish the case of the Democratic Forum for Labour and Freedoms (FDLT, opposition party), in which he defends its Secretary General, Mr. Mustapha Ben Jaafar.

Moreover, in early January, Mr. Ayadi received a letter informing him that the lease of his office was cancelled without previous notice.

On January 16, 2005, the headquarters of CNLT, in Tunis, were surrounded by a large contingent of police, on the occasion of its general assembly. On December 11, 2004, the police had already violently dispersed CNLT members, preventing them from meeting. Messrs. **Mongi Ben Salah**, trade unionist and vice-President of the Monastir section of the Tunisian League of Human Rights (LTDH), as well as **Lofti Hidouri** and **Nourredine Ben Ticha**, treasurers of CNLT, had been violently beaten. Ms. **Sihem Bensedrine**, spokesperson of CNLT, and Mr. **Ahmed Kilani**, a member of CNLT, were pushed as they attempted to intercede.

#### **UZBEKISTAN – Ill-treatment / Harassment**

**December 3, 2004 – UZB 001 / 1204 / OBS 092**

On November 20, 2004, Mr. **Tolib Yakubov**, President of the Human Rights Society of Uzbekistan (HRSU), informed the Regional Prosecutor of Djizak and the General Prosecutor of Uzbekistan that he would organise a picket on November 29, 2004, in front of the regional administration (*Hokimiat*) building in order to protest against impunity of violations perpetrated by the police and law enforcement bodies, as well as against the arbitrariness of some legal procedures opened by the prosecutor's office. On November 28, 2004, two members of the Hokimiat came to Mr. and Mrs. Yakubov's home and stayed there for four hours, in order to convince them not to organise the picket or to delay it. Two other men made the same attempt the next morning. Yet, Mr. Yakubov refused. As he and his wife, Mrs. **Tursunoi Yakubova**, were heading to the Hokimiat building, their car was stopped. Police officers forced them out of the car and interrogated them on their activity. Approximately 250 meters away from the Hokimiat building, two other men, most likely police officers, attacked them, and threw Mr. Yakubov to the ground. He was kicked very violently on his feet and on his chest. Yet, as his aggressors left, he managed to stand up and join the picket that could be initiated although all streets leading there had been blocked. In the evening of November 29, 2004, Mr. and Mrs. Yakubov's house was put under surveillance.

#### **VENEZUELA – Harassment / Threats**

**January 25, 2005 - VEN 001 / 0105 / OBS 008**

The **Observatory of Prisons in Venezuela** (OVP) and its coordinator, Mr. **Humberto Prado Sifontes**, have been subjected to a defamation campaign and other acts of harassment for their activity of defence of prisoners' rights throughout Venezuela, most of whom have taken part in a hunger strike, requesting that all reforms agreed upon on November 18, 2004, aimed at improving the penitentiary system be implemented.

On January 18, 2005, a protest against OVP at Caracas was announced. However, only 15 people including some Interior and Justice Ministry's employees were present near OVP's headquarters, among which two accepted to meet Mr. Humberto Prado. At the meeting, they proved to have no idea of what they should be protesting against, which has been later confirmed by a lady also present, who claimed she had joined the group after she had been told she would get assistance on her son's case at OVP.

Moreover, on January 20, 2005, a woman called OVP to inform that the Higher Prosecutor of Lara State intended to open a legal case against Mr. Prado for his alleged responsibility in the prisoners protest. Other calls warned the organisation about a plot being carried out against them, and that they should be careful.

Finally, on January 2, 2005, two regional dailies at the State of Miranda, "El Avance" and "La Región", stated that Mr. Prado has encouraged the conflict in that region's prisons.

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Paris – Geneva, February 2005

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