

THE OBSERVATORY

for the Protection of Human Rights Defenders

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

EL OBSERVATORIO
para la Protección de los
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ALGERIA – Temporary release / Judicial proceedings / Harassment
September 5, 2006 - DZA 001 / 0506 / OBS 063.1
September 20, 2006 - DZA 001 / 0506 / OBS 063.2

On August 23, 2006, Mr. **Amine Sidhoum Abderramane**, a lawyer and member of the NGO SOS Disappeared (*SOS Disparu(e)s*), was summoned by the examining magistrate of the Court of Sidi M'Hamed. Mr. Sidhoum was then informed that a defamation complaint had been lodged against him by the Minister of Justice. These charges were made following the publication of an article in the newspaper *El Chourou* on May 30, 2004. The author of the article claimed that Mr. Sidhoum had denounced that during 30 months one of his clients was being held in Serkadji prison as the result of an "arbitrary decision by the Supreme Court". However, at the time of Mr. Sidhoum's alleged statements, the Supreme Court had not yet handed down its decision, which took place on April 28, 2005, nearly one year after the publication of the article.

On September 18, 2006, Mr. Sidhoum appeared before the 8th Division of the Court of Sidi M'Hamed in Algiers, to defend himself against the accusations of "discrediting a court's decision" and "contempt of a State institution" (articles 144 bis, 144 bis 1, 146 and 147 of the Penal Code). The judge ordered his temporary release and upheld the charges, for which Mr. Sidhoum faces between three and five years prison and fines between 2,500 and 5,000 euros.

On September 10, 2006, Mr. Sidhoum appeared before the examining magistrate of the 1st Division Court of Bab El Oued on charges of "bringing unauthorised objects into a detention facility", as two of Mr. Sidhoum's business cards had been found in his client's cell. These charges fall under article 166 of the Prison Regulating and Reintegration of Prisoners Code and articles 16 and 31 of the Prison Security Code, but, as of today, Mr. Sidhoum's legal counsellors have not been able to get this legislation. Mr. Sidhoum was set to appear again before the court on September 25, 2006, but the hearing was postponed until November 7, 2006.

Furthermore, Ms. **Hassiba Boumerdassi**, a lawyer and member of the Association of the Families of Disappeared Persons in Algeria (*Collectif des familles de disparu(e)s en Algérie* - CFDA), received a summons to appear before the Bab El Oued Court on September 25, 2006 for the charges of "bringing unauthorised objects into a detention facility." On that date, the hearing was also postponed to November 7, 2006. The charges are being brought because she supplied her client, with the permission of the prison guard, with a copy of the minutes of his hearing. Ms. Boumerdassi had already been summoned on September 10, 2006 in the framework of that same case.

ARGENTINA – Harassment / Acts of intimidation
October 16, 2006 - ARG 001 / 1006 / OBS 121

On October 1, 2006, Mr. **Leandro Despouy**, a human rights lawyer and one of the founders of the World Organisation Against Torture (OMCT), currently Auditor General of the Republic of Argentina and United Nations Special Rapporteur on the Independence of Judges and Lawyers, received a phone call at his home from two men who said that "by mistake they had (briefly) abducted his mother and his sister", mentioning at the same time the usual habits and behaviour of his relatives.

Thanks to a mobile phone and with the help of a neighbour, Mr. Despouy was able to check that his relatives were doing fine. In the meantime, the callers asked him to go out into the street, in order to see them sitting inside of a van. When Mr. Despouy did so, he saw a police officer and two other persons walking away from his house.

These facts follow a series of similar cases of threats through letters and messages that were directed against several human rights activists, subsequent to the disappearance in September 2006 of Mr. Jorge Julio López, a former disappeared-detainee and a key witness in the trial of Mr. Miguel Osvaldo Etchecolatz, former police officer

and former Director General of the Buenos Aires Investigation Department, prosecuted for crimes against humanity committed during the last military government in Argentina (1976-1983).

ARGENTINA – Abduction / Serious threats
October 23, 2006 - ARG 002 / 1006 / OBS 124

On October 17, 2006, Mr. **Ramiro Gonzáles**, a member of the organisation Daughters and Sons for Identity and Justice against Oblivion and Silence (*Hijas e Hijos por la Identidad y la Justicia contra el Olvido y el Silencio* - HIJOS), was abducted by unknown persons in plain clothes, carrying automatic weapons, as he was arriving at his home. They forced Mr. Gonzales to get into their car and threatened, beat and insulted him for two hours, showing him photographs of HIJOS members, and taking his fingerprints.

During the sequestration, the abductors repeatedly told him that they were going to kill him, along with other members of the organisation, if they did not cease their activities. Finally, they threatened him and told him to get out of the car, to run off and not look back.

On October 18, 2006, HIJOS lodged a complaint with the Criminal Court.

This incident took place a few hours before an event held in memory of Mr. Jorge Julio López (see above).

BELARUS – Sentencing / Incommunicado detentions / Releases
August 21, 2006 - BLR 001 / 0806 / OBS 100

On August 4, 2006, Messrs. **Nikolay Astreyko**, **Tsimofey Dranchuk**, **Eniro Bronizkaya** and **Aleksandr Shalayko**, members of the NGO “Initiative Partnership” in Minsk, were found guilty by the Minsk Central District Court “illegal organisation of activities by an association or foundation, or participation in these activities.” under Article 193.1 of the Penal Code. The public, journalists and defendants’ relatives were denied access to the hearing. On August 21, 2006, Mr. Bronizkaya and Mr. Shalayko, who were sentenced to six months’ imprisonment each, were released as they had already served the full term of their sentences whilst awaiting trial. Mr. Astreyko and Mr. Dranchuk were respectively sentenced to two years’ and one year’ imprisonment, and both appealed these sentences which were later confirmed by the Court of Appeal. Mr. Dranchuk was then transferred to the Minsk jail while Mr. Astreyko was transferred to the Shklou prison, in the region of Mahiliou.

On February 21, 2006, Messrs. Astreyko, Dranchuk, Bronizkaya and Shalayko had been arrested in their offices by officers of the State Security Committee (KGB), following their announcement to create an election monitoring group, in the perspective of the presidential elections that were to be held on March 19, 2006. On March 1, 2006, the KGB Director publicly declared on television that they were organising fraudulent exit polls and planning a violent uprising after the election.

On March 2, 2006, Mr. Astreyko, Dranchuk, Bronizkaya and Shalayko had been charged with “organising and running and organisation that infringes the rights of citizens” under article 193.2 of the Belarusian Criminal Code. They were held in pre-trial custody at the KGB’s centre, where they were only authorised very limited contact with their legal counsel.

BRAZIL – Judicial proceedings / Harassment / Arrest warrant / Cancellation of the warrant

August 24, 2006 - BRA 003 / 0806 / OBS 101

September 5, 2006 - BRA 003 / 0806 / OBS 101.1

September 15, 2006 - BRA 003 / 0806 / OBS 101.2

September 19, 2006 - BRA 003 / 0806 / OBS 101.3

October 19, 2006 - BRA 003 / 0806 / OBS 101.4

On August 21, 2006 Mr. **Jaime Amorim**, a member of the National Coordination of the Landless Rural Workers’ Movement (*Movimiento dos Trabalhadores Rurais Sem Terra* - MST) of the State of Pernambuco, was arrested by police officers whilst he was coming back from a funeral of one worker, who had been assassinated in the township of Moreno, and as he was going to attend another one. A warrant for his arrest was issued on July 4, 2006 by the 5th Penal Court judge in the Recife Jurisdiction. He was charged with “disobedience, incitement to commit a crime, assaulting an officer and involvement in a demonstration” in front of the American Embassy in Recife, Pernambuco, in November 2005. The warrant stated that Mr. Amorim should be detained on the basis that “he (...) represented a risk to the peace and security of upstanding citizens”. The judge also ordered his arrest on the grounds that he had failed to appear before the Court on July 4, 2006, a hearing for which he had allegedly been summoned and that he didn’t seem to have a permanent address. However, Mr. Amorim was never informed of judicial proceedings against him. Moreover, the Public Ministry does not seem to have tried to locate him, as he has been residing in the city of Caruaru for several years and regularly attends meetings with the authorities.

On August 22, 2006, MST - Brazil and the organisation Land of Rights (*Terra de Direitos*) pleaded the *habeas corpus* before the Pernambuco Court to obtain the immediate release of Mr. Amorim. The Court immediately

overruled this request, without deciding the case. Two days later, both organisations filed another request to the High Court of Justice of Brasilia that went along with, on the grounds that the warrant for preventive detention was illegal, as there was not sufficient proof that Mr. Amorim presented a danger to public order.

Following this decision, Mr. Jaime Amorim was released on August 28, 2006 after eight days in the detention centre of Abreu and Lima, in the Recife Region. However, on September 6, 2006, following the examination of the legal basis for the request for *habeas corpus*, the Pernambuco Justice Court ordered Mr. Jaime Amorim to be put into custody, but the order was not implemented.

On September 12, 2006, MST Brazil and Terra de Direitos pleaded again *habeas corpus* with the High Court of Justice of Brasilia, which granted this request on September 15, 2006 on the basis that the new order for pre-trial custody was illegal. Nonetheless, on September 20, 2006, the Court of Justice of Pernambuco issued a new order of detention against Mr. Amorim on the grounds that Mr. Amorim would have failed to appear before the court on September 12, 2006. A new pleading for *habeas corpus* was made as a response with the High Court of Justice of Brasilia.

During the hearing, all witnesses asserted that Mr. Amorim did not commit any act of vandalism during the November 2005 demonstration in front of the American Embassy in Recife, crime for which he was accused. Besides, witnesses said that he was not the organiser of the demonstration.

On October 18, 2006, the High Court of Justice in Brasilia approved the third request for *habeas corpus* submitted by MST and Terra de Direitos, thereby considering the detention order issued against him on September 20, 2006 as illegal and groundless.

Mr. Jaime Amorim remains charged with “libel”, “disobeying authority”, “property violations” and “incitement to commit a crime”.

BURUNDI – Death threats / Arbitrary detentions / Judicial proceedings August 31, 2006 – Open letter to the authorities

Since August 8, 2006, Mr. **Déo Hakizimana**, founder and President of the Independent Centre for Research and Dialogue Initiatives (*Centre indépendant de recherches et d’initiatives pour le dialogue*- CIRID), has received several anonymous death threats by telephone at the CIRID headquarters. He was also blamed of having “gone so far as to stand up for Tutsis.” Rumours aiming to discredit the CIRID organisation have circulated, accusing the organisation of having “joined forces with the putschists.”

The death threats followed the urgent appeal issued by OMCT on August 7, 2006, about allegations of ill-treatment and torture of three political opponents accused of being involved in a plot to overturn the government of Burundi. OMCT’s urgent appeal was based on information provided by the CIRID.

On May 10, 2006, Mr. **Térence Nahimana**, President of the Organisation Circles of Initiatives for a Common Vision (*Cercles d’initiative pour une vision commune* – CIVIC), was arrested by the National Intelligence Service (*Service national de renseignement* - SNR). The arrest was made after he expressed his opinion through an open letter to the President of the Republic and a press conference on May 5, 2006, relating to the need to find a quick resolution to negotiations between the Government of Burundi and the National Liberation Forces (*Forces nationales de libération* - FNL). On May 15, 2006, Mr. Nahimana was transferred to the Central Prison of Mpimba in Bujumbura, where he remains detained. He was charged with “outrage with the security of State” (articles 404 and 428 of the Burundi Penal Code), for which he faces up to twenty years in prison.

On May 31, 2006, Mr. **Aloys Kabura**, a correspondent of the Burundi Press Agency (*Agence burundaise de presse* – ABP) in the Kayanza province, was arrested for “defamatory comments” and “rebellion against the State authority.” These charges were brought after Mr. Kabura had criticised the Government, speaking out specifically against the violent behaviour of some members of the police force towards journalists at a press conference on April 17, 2006. On June 16, 2006, Mr. Kabura’s request for release was rejected by the the Ngozi Court of Appeal. As of today, he remains detained.

On August 16, 2006, Mr. **Gabriel Rufyiri**, President of the Observatory Against Corruption and Economic Embezzlements (*Observatoire de lutte contre la corruption et les malversations économiques* - OLUCOME), was arrested for having reported irregularities in the allocation of a supply of goods contract to the National Police Direction in 2005. He remains in the Mpimba Central prison, charged with “harmful imputation”.

CENTRAL AFRICAN REPUBLIC – Theft / Harassment
August 11, 2006 - CAF 001 / 0905 / OBS 086.1

On August 3, 2006, three armed men entered into the home of Mrs. **Bernadette Sayo Nzale**, President of the Organisation for Compassion and Development for Families in Distress (*Organisation pour la compassion et le développement des familles en détresse* - OCODEFAD). The men stole the organisation's computer, USB memory stick and documents relating to OCODEFAD's work, including the organisation's quarterly report and a list of victims. Other valuable objects were not stolen.

This robbery took place one week after OCODEFAD issued a press release on July 29, 2006, protesting against a proposed amnesty for perpetrators of crimes in the Central African Republic since 2002. The press release was read to members of the Central African Republic Parliament by Pastor Josué Binoua, in the name of national reconciliation. Some members of the organisation, including its President, received anonymous threats in reaction to this press release.

On August 4, 2006, Mrs. Sayo Nzale filed a complaint of theft against X with the Territorial Brigade of the Military Police. On August 9, 2006, OCODEFAD's lawyer, Mr. Mathias Morouba, as he was trying to obtain a copy of the complaint, was told that it had gone missing.

CENTRAL AFRICAN REPUBLIC – Serious threats
October 12, 2006 - CAF 002 / 1006 / OBS 120

On September 29, 2006, Mr. **Bruno-Hyacinthe Gbiegba**, a lawyer and President of the Central African section of Action of Christians for the Abolition of Torture (*Action des chrétiens pour l'abolition de la torture* - ACAT-RCA), was approached by an unknown person who informed him that two "ex-liberators", who had supported President Bozizé during his coup in March 2003, "would attack him personally for having taken advantage of his activities as a human rights defender to oppose the present regime".

This happened after the publication of a press release, on September 19, 2006, by several national human rights organisations, including ACAT-RCA and the Central African League for Human Rights (*Ligue centrafricaine des droits de l'Homme* - LCDH), denouncing the arbitrary detention of 14 persons, prosecuted and then acquitted, for "complicity in a plot" and "conspiracy", in connexion with the present rebellion in the North of the country against President Bozizé's regime. Following these denunciations and the mobilisation of numerous lawyers and the civil society, the 14 persons had been released on September 25, 2006.

CHINA – Arbitrary detention / Release / Harassment
August 16, 2006 - CHN 007 / 0806 / OBS 097

On August 10, 2006, Mr. **Zan Aizhong**, a writer and member of the Independent Chinese Pen Association, was dismissed from his position as a journalist for the *China Ocean News* (*Zhong guo hai yang bao*). On August 9, 2006, Mr. Zan had publicly called upon the head of Hangzhou Municipal Public Security Bureau to discuss the demolition by police forces of a protestant church in Xiaoshan, Hangzhou City, Zhejiang Province, on July 29, 2006. The incident caused more than 50 injuries.

On August 11, 2006, Mr. Zan Aizhong was arrested for "spreading rumours" and "disrupting social order", and was given a seven-day administrative detention order under the Security Administration Punishment Law for having given interviews and written articles denouncing religious persecution by the police.

On August 18, 2006, Mr. Zan was released. He nevertheless received a formal notice from the *China Ocean News* about his dismissal.

CHINA – Arbitrary arrests / Release on bail / Judicial proceedings / Harassment
August 16, 2006 – Press Release

On July 18, 2006, Mrs **Li Xige**, an HIV/AIDS activist from the Ningling County, Henan Province, and director of the NGO Healthy Happy Home (*Kanglejia*), was stopped along with seven HIV positive women, upon their arrival in Beijing, by dozens of policemen and local government officials from Ningling County, who were in a bus owned by the Ministry of Health.

These women had become HIV positive as a result of blood transfusions in state-run hospitals, in most cases when giving birth by caesarean between 1993 and 2001, and had come to Beijing in order to call upon the Ministry of Health to look into their demands for fair compensation by the local government for their HIV infection.

The eight women were immediately taken back to Ningling and questioned on their arrival in the city on July 20. Five women were released shortly afterwards, while Mrs. Li Xige and Ms. **Wang** and Ms. **Zhang** were charged with "gathering people to assault a state organ". Ms. Wang and Ms. Zhang were released on bail for medical reasons on July 27 and August 2, 2006.

On August 11, 2006, Mrs. Li Xige was released on bail, but was placed under surveillance the day after, and has not been allowed to leave town since then.

Furthermore, since July 17, 2006, Mr. **Hu Jia**, a prominent activist in the fight against HIV/AIDS in Shanghai and co-founder and former director of the Aizhixing Institute of Health Education, is under house arrest. His wife, Mrs. **Zeng Jinyan**, has been followed and restricted in her movement. Police told them that this was to prevent them from going to Linyi, Shandong, to protest against the detention of Mr. Chen Guangcheng, a lawyer (See below).

In the past, Mr. Hu Jia had been detained on numerous occasions in connection with his activities. In particular, he was detained without charge from February 16 to March 28, 2006, following protest hunger strikes by human rights activists and lawyers against beatings and unlawful detention of human rights activists. During his detention, the authorities repeatedly denied knowledge of Mr. Hu's whereabouts, and denied him the right to have access to the medication he requires to treat Hepatitis B.

CHINA - Sentencing / Arbitrary detention
August 17, 2006 – CHN 003 / 1005 / OBS 103.1

On August 11, 2006, Mr. **Tan Kai**, a founding member of the Environmental NGO “Green Watch” (*lǜsè guancha*), was sentenced to 18 months’ imprisonment for “illegally obtaining state secrets” by the Hangzhou Municipal People’s Intermediate Court. Mr. Tan Kai has appealed this decision, yet he remains in custody.

Mr. Tan had been arrested in October 2005, following the opening of a bank account under his name, in order to seek funds that would legally permit the registration of Green Watch.

CHINA – Arbitrary detention / Sentencing / Harassment
August 17, 2006 – CHN 006 / 0706 / OBS 087.1
September 1, 2006 - CHN 006 / 0706 / OBS 087.2

On August 18, 2006, the trial of Mr. **Chen Guangcheng** a lawyer involved in denouncing the extensive use of violence of the authorities of Linyi, in the implementation of the birth planning policy, started.

Mr. Chen was arrested on March 11, 2006, and his wife was notified on June 11, 2006 by the Yinan County Public Security Bureau that her husband was charged with “deliberate destruction of property” and “organising a mob to disrupt traffic”.

The first hearing in his case, which was scheduled for July 20, 2006, was finally postponed until August 18, 2006, by the Linnan County People’s Court in Shandong Province.

On August 24, 2006, Mr. Guangcheng was sentenced to four years and three months’ imprisonment, without his lawyers being allowed inside the hearing room. His trial only lasted two hours. He is currently under detention at the Yinan County Detention Centre.

In addition, since the beginning of his trial, Mr. Chen’s lawyers were subjected to ongoing retaliatory acts. Thus, on August 18, 2006, Mr. **Xu Zhiyong**, one of his defence lawyers, was beaten by five unidentified men and then taken into police custody, only to be released 22 hours later, after Mr. Chen’s trial had already finished. On the same day, police surrounded Mr. **Li Jinsong** and Mr. **Zhang Lihui** after dinner and detained them on charges of theft. Both Messrs. Zhang and Li were released, but were then barred from attending the trial. Two other rights defence lawyers associated with Mr. Chen’s case, Messrs. **Yang Zaixin** and **Zhang Jiankang**, were also harassed and forcibly returned home for their involvement in Mr. Chen’s defence. Consequently, authorities appointed their own public defender, who did not read Mr. Chen’s file and did little to defend him.

CHINA – House arrest / Harassment
October 17, 2006 - CHN 001 / 0806 / OBS 041.10

On October 14, 2006, Mr. **Zheng Enchong**, a Shanghai lawyer, and his wife, Ms. **Jiang Meili**, were prevented from going to the Mu’en church in Shanghai. As they were leaving their home, Mr. Zheng and Ms. Jiang were surrounded by a dozen policemen, who knocked Mr. Zheng to the ground before taking him to the ground floor of the building for several hours. Around the same time, Ms. Shen Peilan, a friend who had arranged to accompany Mr. Zheng to church, was prevented from leaving her domicile by police officers.

Several days earlier, on October 4, 2006, Mr. Zheng was refused permission to receive several visitors, and was prevented from going to see his mother.

Mr. Zheng has been under house arrest and constant police surveillance since June 5, 2006, when he was released after serving a three-year prison term for “illegally providing state secrets overseas”.

Mr. Zheng was particularly involved in the defence of economic and social rights of displaced persons, relating to Shanghai’s urban redevelopment projects.

CHINA – Sentencing / Arbitrary detention

October 26, 2006 - CHN 008 / 1006 / OBS 128

On October 25, 2006, the Zibo City Intermediate People's Court sentenced Mr. **Li Jianping**, a Shandong-based cyber-dissident, to two years' imprisonment for "incitement to subvert state power", on the basis of some articles he wrote and posted on overseas websites. Mr. Li appealed the verdict.

Mr. Li was formally arrested on June 30, 2005, after a search of his home, during which the police seized manuscripts and communications. After more than a year's proceedings, Mr. Li was formally indicted in March 2006. Since his arrest, he has not been allowed to see his family nor his lawyer.

**COLOMBIA – Search / Theft / Harassment
August 7, 2006 - COL 018 / 0806 / OBS 094**

In the night of August 2-3, 2006, the hard disk and the memory of two computers used by the Information System on Human Rights and Forced Movements (*Sistema de Información sobre Derechos Humanos y Desplazamiento Forzado* - SIDHES) and the Documentation Centre of the Council for Human Rights and Movements (*Consultoría para los Derechos Humanos y el Desplazamiento* - CODHES) were stolen. As a consequence, CODHES was forced to limit its activities and to heighten its security. CODHES filed a complaint to the Attorney General and the Government regarding these incidents and the threats received over the five previous months.

On August 3, 2006, the National Union of Food Industry Workers (*Sindicato Nacional de Trabajadores de la Industria de Alimentos* - SINALTRAINAL) was illegally searched by members of the Police Secret Service (*Servicio de Inteligencia de la Policía* - SIJIN). Without presenting a warrant, the police inspected the premises and drafted a "voluntary register." The next morning, police officers were seen filming the outside of the building.

On August 4, 2006, again without a warrant, Bogota Metropolitan Police officers searched the terraces of the weekly newspaper *Voz* offices.

**COLOMBIA – Searches / Harassment / Death threats
August 11, 2006 – Open letter to the authorities
September 22, 2006 - COL 008 / 0505 / OBS 033.3**

On August 3, 2006, the home of Mr. **Orlando Raúl Flórez Orjuela**'s mother was searched by the Attorney General and by several members of the Prosecutor's Technical Inquiry Body (*Cuerpo Técnico de Investigaciones de la Fiscalía* - CTI). Mr. Florez Orjuela is a student at the University of Tolima and head of the Ibagué Youth Organisation (*Asociación Juvenil de Ibagué*). His mother's home is located in Ibagué, Tolima Department. Mr. Florez Orjuela is also head of the Commune 8, member of the Tolima Coalition of Community Organisations (*Mesa de Organizaciones Sociales de Tolima*), of the New Rainbow Corporation (*Corporación Nuevo Arco Iris*) and head of the Alternative Democratic Pole (*Polo Democrático Alternativo*).

On the same day, the home of Mr. **Carlos Alberto Castaño Martínez**, member of "Project Planet Peace" (*Proyecto Planeta Paz*) within the Rights for Peace Group (*Corporación Derechos para la Paz* - CDPAP), of the Tolima Social Organisations Coalition and of the Alternative Democratic Pole, was also searched.

In both cases, the Attorney General and members of the CTI, accompanied by militarymen, explained that they were "searching for weapons and explosives". They accused the two defenders of being "members of illegal groups such as the Colombian Revolutionary Armed Forces (*Fuerzas Armadas Revolucionarias de Colombia* – FARC) and the National Liberation Army (*Ejército de Liberación Nacional* – ELN)".

On August 3 and 4, 2006, Mr. Orlando Raúl Flórez Orjuela and Mr. **Jhon Jairo Nieto Rodríguez**, a prominent community activist, received phone calls from people claiming to be members of the national government's reintegration program, who accused them of being ELN members. They offered them money and protection in exchange for denouncing ELN members. When Mr. Jhon Jairo Nieto Rodríguez declined, one of the callers threatened to kill him if he did not leave the city in the next few days.

On August 4, 2006, the "José Alvear Restrepo" Lawyers' Collective (*Corporación Colectivo de Abogados "José Alvear Restrepo"* - CCAJAR) received death threats via email from the organisation "Friends for a Pro Right Colombia" (*Amigos Colombia Pro Derecha*). The message accused the organisation of having ties with guerilla groups. The message was also sent to the following organisations: CODHES, Minga, "Compromise" (*Compromiso*), Media for Peace (*Medios para la Paz*), Movement of Victims of State Crimes (*Movimientos de Víctimas de Crímenes de Estado*), the Arauca, Pasto and Valledupar delegations of the Peace Assembly, the Organisation of National Indigenous Peoples of Columbia (*Organización Nacional Indígena de Colombia* - ONIC) and the "Colombian Ethnic Groups" organisation (*Etnias de Colombia*), as well as press agencies, human rights newspapers and universities.

On September 15, 2006, the CCAJAR received more threatening messages from the following e-mail address: colombiacomunitaria2019@hotmail.com, tied to the "Democratic Organisation for a Free Colombia" (*Corporación Democrática Colombia Libre*). The message warned that the "communitarian revolution had already begun."

CCAJAR's members were further accused of being "useless servants of the FARC and ELN terrorist revolt" who "claimed to uphold human rights." The text stated that from September 22, 2006 onwards, "men would come and get them and that the organisation remained their primary military objective."

This message was also sent to other organisations such as the Organisation for the Promotion and Defense of Human Rights "REINICIAR" (*Corporación para la Defensa y Promoción de los Derechos Humanos "REINICIAR"*), CODHES, the organisation Minga, *Voz*, the ONIC, The Rural Press, and the Movement of Victims of State Crimes (*Movimiento de Víctimas de Crímenes de Estado*).

REINICIAR currently benefits from temporary protection measures that were granted by the Inter-American Court of Human Rights (IACHR).

COLOMBIA - Arbitrary detention August 16, 2006 - COL 019 / 0806 / OBS 096

Between August 12 and 16, 2006, several trade union leaders were arrested by the 18th Gabriel Reveiz Pizarro Battalion of based in Saravena, who were following orders from the Prosecutor. The union leaders were transferred to Arauca where they were charged with "rebellion". The trade union leaders are: Mr. **Abdón Goyeneche Goyeneche**, President of the Arauca Teachers' Association (*Asociación de Educadores de Arauca - ASEDAR*), and brother of Union leader **Leonel Goyeneche Goyeneche**, who was assassinated by the army in 2004; Mr. **William Sáenz**, leader of ASEDAR in Fortúl; Mr. **Esaud Montero Triana**, member of the Medical mission (*Médica*) and of the National Association of Colombian Hospital Workers (*Asociación Nacional de Trabajadores Hospitalarios de Colombia - ANTHOC*); Mr. **Pedro Bueno**, communal leader and member of the Board Committee of the "Joel Sierra" Regional Foundation Committee for Human Rights (*Fundación Comité Regional de Derechos Humanos "Joel Sierra"*); Mr. **Nubia Chacón**, accountant for the Municipal Association for Municipal Actions in Fortúl (*Asociación Municipal de Juntas de Acción Comunal en Fortúl*).

COLOMBIA – Assassination / Abduction / Torture / Ill-treatments / Threats / Harassment August 22, 2006 – Open letter to the authorities

On August 17, 2006, Mr. **Carlos Arturo Montes Bonilla**, an affiliated member of SINALTRAINAL, was assassinated near his home in the north of the city of Barrancabermeja. Mr. Montes Bonilla was involved in denouncing abusive patterns by Coca-Cola. He was also involved in union activities in the Barrancabermeja oil port.

On August 18, 2006, a condolences card was left at the home of Mr. **Héctor Jairo Paz**, a Nestlé Colombia S.A. employee and leader of the section in Bugalagrande (Valle department) of SINALTRAINAL. The words "Death to Trade Unionists" were written on the card. Ten days earlier, another member of the Board of Directors of the same section of SINALTRAINAL, whose identity remains unknown, was threatened while peacefully demonstrating in front of the Nestlé complex in Bugalagrande and Bogota against the dismissal of 94 employees, most of them being SINALTRAINAL members.

On August 13, 2006, Mrs. **Vilma Cecilia Salgado Benavides**, Board Committee Secretary of the Association of Displaced Persons in the Municipality of Barrancabermeja (*Asociación de Desplazados Asentados en el Municipio de Barrancabermeja - ASODESAMUBA*), was abducted during three days. She was abused and tortured physically and psychologically. She was eventually left in serious need of medical attention, on the side of the road which leads to Puerto Wilches. She was then brought to a medical centre.

On August 15, 2006, Mrs. **Martha Cecilia Díaz Suárez**, President of the Sub-Board of Directors of Bucaramanga and of the Departmental Office of the Santander Association for Civil Servants (*Asociación Santandereana de Servidores Públicos - ASTDEMP*), was approached by unknown persons. They told her that they were holding one of her daughters, forced her to get into their car and drove her to the highway which connects the cities of Giron and Florida Blanca. They specifically asked her about the whereabouts of Mr. **David Flórez** and Mr. **César Plazas**, respectively president and treasurer of the Sub-Board of Directors of the Departmental Office of the ACTDEMP. Then, the kidnappers violently beat Mrs. Díaz Suarez, before showing her pictures of her at demonstrations, as well as of her daughter, and claimed to have killed her. Then, they then shot at her twice and the bullets skimmed her navel area.

In the past, Mrs. Martha Cecilia Díaz Suárez had already been attacked and threatened while on her way to negotiate with the mayor at Mesa de los Santos. She had also received telephone threats and had been followed by a motorbike.

Lastly, members of the Valle de Aburra municipal police force, assigned to an Elite Anti-Terrorist Body (*Cuerpo Elite Antiterrorista - CEAT*) coerced political prisoners into giving testimony and accusing Mr. **Bayron Ricardo Góngora Arango**, a lawyer and member of the Judicial Freedom Corporation (*Corporación Jurídica Libertad*), of belonging to a subversive group. These facts follow Mr. Gongora Arango's active defence of fifteen Antioquia University students, accused of being responsible for an explosion in the University campus during anti-TLC (Free-

Trade Treaty) demonstrations on February 10, 2005, during a procedure marred with irregularities.

COLOMBIA - Harassment
September 8, 2006 - COL 021 / 0906 / OBS 107

Over the last few months, Mrs. **Luisa Fernanda Malo Rodríguez**, Board member of the Foundation Hope and Dignity (*Fundación Esperanza y Dignidad*) in Bogotá, involved in the defence of women's rights, has received threats and has been harassed many times.

In particular, on May 9 and July 18 respectively, strangers went to Mrs. Malo Rodríguez's son's day-care center and to her daughter's middle school, and attempted to speak to the latter. Mrs. Malo Rodríguez has since removed her children from these establishments.

In June 2006, an individual pretending to be a college friend entered her home. In the same month, two unknown men spied her home for three weeks, claiming they were carrying out a study on children in the street.

On August 28, 2006, she received a telephone call to inform her that her husband was resting in peace.

Then, on September 5, 2006, she was verbally abused in the street by five strangers: three in a car, and two on a motorbike. The strangers circled her and told her that her days were numbered.

Mrs. Luisa Fernanda Malo Rodríguez, also a member of the Women's Popular Movement (*Movimiento Popular de Mujeres*), coordinator of the Children and Adolescent Section of the National Office of Colombian Women Consultation (*Mesa Nacional de Concertación de Mujeres Colombianas*), delegate for young feminists of the Bogotá Section of the World Women's March (*Marcha Mundial de Mujeres*), as well as the Latin American delegate for young women for the World Action Platform (*Plataforma de Acción mundial - PAM*), has received repeated death threats since 2004 and is regularly followed by cars and motorbikes either without licence plates or with illegible plates.

COLOMBIA - Assassination / Forced disappearances / Threats / Search / Harassment
August 3, 2006 - COL 017 / 0806 / OBS 091
September 1, 2006 - COL 020 / 0906 / OBS 104 (published under 0806)
September 15, 2006 - COL 022 / 0906 / OBS 110 (published under OBS 111)
September 22, 2006 - Press Release

Over the last few months, acts of harassment against members of the Standing Committee for the Defence of Human Rights (*Comité Permanente para la Defensa de los Derechos Humanos - CPDH*) have increased despite temporary protection measures provided by the IACHR.

- On September 13, 2006, Mr. **Gregorio Izquierdo Meléndez**, a member of the departmental assembly of the CPDH in Arauca and President of the Arauca Public Corporations Trade Union (*Sindicato de las Empresas Públicas de Arauca - SINTRAEMSERPA*), was assassinated in the Boulevard de la Ceiba neighbourhood of Arauca. Mr. Izquierdo Meléndez had received serious threats since 2002, yet the municipal, departmental and national authorities never provided adequate protection to him.

- In September 2006, Mrs. **Luz Adriana González Correa**, Executive Secretary of the Risaralda section of CPDH, was harassed for having spoken out against recent "social cleansing" of poverty-stricken people of the city of Pereira.

- On August 2, 2006, the CPDH headquarters in Bogotá were illegally searched by the police, while the organisation's secretary was the only person present on the premises. The police officers stated that the building seemed suspicious and therefore they had been monitoring it for a few days. They then wrote down all CPDH members' names.

- On August 16, 2006, Mr. **Walter Álvarez Ossa**, CPDH founder and Board member, went missing on his way home in the city of Guadalajara de Buga (Valle del Cauca Department). Mr. Ossa remains missing up to now. In February 2006, a leaflet threatening Mr. Walter Álvarez Ossa was circulated in the city of Buga, which authors identified themselves as AUC members. Although the departmental and municipal authorities had been notified of this threat, they took no measures to protect Mr. Walter Álvarez Ossa.

- On August 24, 2006, Mrs. **Martha Sofia Castaño**, the daughter of the President of the CPDH Risaralda section, Mr. **Guillermo Castaño Arcila**, who works closely with M. Álvarez Ossa, also received anonymous threats.

- Mr. **Luis Jairo Ramírez H.**, Executive Secretary of CPDH, was also threatened by a member of the army in Saravena, Arauca, during the first half of 2005 for having asked him by written to respect international humanitarian laws. A criminal complaint was also lodged against him for "abetting terrorism against national institutions".

COLOMBIA - Assassination
September 27, 2006 - COL 023 / 0906 / OBS 111

On September 19, 2006, Mr. **Alejandro Uribe**, Board member of the Bolivador Miners' Association (*Asociación de Mineros del Bolivador*), a branch of the Federation of Peasants and Miners of South Bolívar (*Federación Agrominera del Sur de Bolívar* - FEDEAGROMISBOL) and President of the Mina Gallo Communal Assembly in the Morales municipality (Bolívar Department), was assassinated by soldiers.

On September 20, 2006, members of the Mina Gallo and Mina Viejito communities went out searching for Mr. Uribe, and found the clothes he was wearing the day before, and were informed by locals that his body had been taken in the direction of army headquarters in San Luquitas, in the Santa Rosa municipality.

Members of the two communities went then to these headquarters, asking to be given Mr. Uribe's body. The anti-air Battalion of Nueva Granada told them "you shouldn't move in large groups because the army's reaction could be dangerous". Other members of the same battalion reportedly said that "they hoped to cross paths with members of the Federation of Peasants and Miners of South Bolívar while alone", which causes further concern for their safety.

On September 7, 2006, Mr. Alejandro Uribe had denounced to the Public Defender's Office the extra-judicial execution of Mr. Arnulfo Pabón, a member of the same community, on August 18, 2006. He was killed in the village of Bolivador, in the Arenal Municipality, by the Nueva Granada anti-air Battalion.

The next day, Mr. Uribe had taken part in the organisation of the Southern Bolívar Mining Communities Assembly, where more than 18 communities met with the Public Defender and human rights organisations to analyse the situation of human rights defenders and to adopt protective measures in favour of the members of the community.

These events are a part of a greater wave of violence by the anti-air Battalion of Nueva Granada. Its role in the region is to protect the multinational *Anglo Gold Ashant's* (*Kedahda S.A.*) presence in the area, to which are opposed local miners.

COLOMBIA – Judicial proceedings / Fear for safety October 4, 2006 - COL 024 / 1006 / OBS 118

On October 2, 2006, several well-known leaders of human rights organisations or trade unions were accused, in a report drawn up by the Third Brigade of the National Army based in Santiago de Cali and by the Prosecutor's Technical Inquiry Corps (CTI), of "rebellion, terrorism, and belonging to a narco-terrorist organisation working for the Colombian Revolutionary Armed Forces (FARC) and the National Liberation Army (ELN)". The report was sent to Mr. Alexander López Maya, a Senator of the Republic.

Among the persons mentioned in the report there were several employees of Cali Municipal Corporations, most of them mass dismissal victims, as well as members of Valle de Cauca civil society. In particular:

- **Berenice Celeyta Alayon**, President of the Association for Research and Social Action (*Asociación para la Investigación y Acción Social* - NOMADESC);
- **Carlos Arbey González**, President of the University Worker's Union of Colombia (*Sindicato Nacional de Trabajadores y Empleados Universitarios de Colombia* - SINTRAUNICOL);
- **Martha Nidia Ascuntar Achicanoy**, Coordinator of the Foundation Committee of Solidarity with Political Prisoners (*Fundación Comité de Solidaridad con Presos Políticos* – FCSPP), Valle de Cauca Section;
- **William Arley Escobar Holguín**, Secretary for Education of the Iron and Steel Workers' Trade Union (*Sindicato de Trabajadores de la Industria Metalúrgica* - SINTRAMETAL);
- **Otoniel Ramírez López**, Vice-President of the United Confederation of Workers (*Central Unitaria de Trabajadores* - CUT), Valle del Cauca Section;
- **Wilson Neber Arias Castillo**, former President of the Civil Servants of the Apprenticeship Service Trade Union (*Sindicato de Empleados Públicos del Servicio Nacional de Aprendizaje* - SINDESENA) and a candidate for election to the Chamber of Representatives;
- **Ariel Díaz**, Coordinator of the Human Rights Department of the Valle de Cauca section of the CUT;
- **Luis Antonio Hernández Monroy**, former President of the Union of Cali State-Owned Enterprises Workers (SINTRAEMCALI);
- **Harol Vifara González**, former Treasurer of SINTRAEMCALI;
- **Frangely Rendón Gálvez**, Secretary of the Valle de Cauca Government Bureau for Peace and Sense of Civic Duties;
- **Héctor Alonso Moreno Parra**, managing Director of *Telé Pacífico* and Advisor to the Valle de Cauca government deputy.

The report also contained the personal addresses of these persons and of their families.

When Mr. López Maya asked questions about the veracity of the information contained in the report, the public prosecutor replied that there were no proceedings under way against the persons mentioned.

COLOMBIA – Extra-judicial killing October 17, 2006 - COL 025 / 1006 / OBS 123

On October 1, 2006, Mr. **Jesús Marino Mosquera**, leader of the Farming and Animal Husbandry Workers' National Trade Union (*Sindicato Nacional de Trabajadores de la Industria Agropecuaria* - SINTRAINAGRO) and a member of the Urabá Workers' and Employers' Commission, in the Antioquia department, was shot to death by several bullets as he was on his way to work in the Carepa commune, Antioquia department. His colleagues requested the authorities to carry out an inquiry into his killing.

COLOMBIA – Admissibility of the CCAJAR case before the IACHR
October 17, 2006 – Press release

On October 10, 2006, the Inter-American Commission on Human Rights (IACHR) accepted the admissibility of the complaint presented in 2001 by the “José Alvear Restrepo” Lawyers' Collective (CCAJAR), invoking the international responsibility of the Colombian State in the assassinations, aggressions, threats and other acts of intimidation and harassment members of the organisation have been subjected to since 1990.

This decision marks the beginning of an investigation phase, at the close of which the IACHR will have to rule on the substantive question of whether the Colombian State is responsible for these violations, by virtue of the general obligation incumbent on States to respect and guarantee the respect for the rights defined in the Inter-American Convention on Human Rights.

COLOMBIA – Extra-judicial killing
October 24, 2006 - COL 026 / 1006 / OBS 126

On September 22, 2006, Mr. **Juan Daniel Guerra Camargo**, a community leader and member of the Social Integration Committee of Catatumbo (*Comité de Integración Social del Catatumbo* - CISCA), was killed by two FARC members near El Aserrió, Teorema commune, North Santander department, while he was working on a community project for the production of coffee.

In particular, Mr. Juan Daniel Guerra Camargo had been president of the Association of the Assemblies of the Aguachica Commune (*Asociación de Juntas*), César department, and one of the founders of the Civic Movement for Community Action (*Movimiento Cívico de Acción Comunitaria* - MAC).

COLOMBIA – Suspension of protective measures / Fears for safety
October 24, 2006 - COL 027 / 1006 / OBS 127

On October 5, 2006, Mr. **Francisco Eladio Ramírez Cuellar**, President of the Union of National Mining Company Workers' (*Sindicato de Trabajadores de la Empresa Nacional Minera* - SINTRAMINERCOL), was informed by a letter from the Security Administrative Department (*Departamento Administrativo de Seguridad* - DAS) of the Colombian Government's decision to withdraw the armed vehicle he used for transport and his armed escort. One week later, on October 12, 2006, government officials proposed financial assistance of 1,900,000 Colombian pesos per month (approx. 650 euros) to enable him to travel daily by public taxi; Mr. Cuellar refused the offer.

The suspension of these protective measures appears to be linked to Mr. Ramírez Cuellar's participation in the negotiations and the strike action of the workers of the DRUMMOND company, organised from April to May 2006.

IACHR had granted these protective measures to Mr. Francisco E. Ramírez Cuellar owing to the risks he ran because of his trade union activity, following in particular an attack against him in October 2004.

DEMOCRATIC REPUBLIC OF CONGO - Harassment / Closing down of offices
August 4, 2006 - COD 005 / 0806 / OBS 092

Since the publication, on July 18, 2006, of a poster untitled “Elections in the Democratic Republic of the Congo: More martyrs and more victims of democracy”, members of the Voice of the Voiceless (*Voix des sans-voix* - VSV) have been followed and watched at all hours by the police's intelligence services.

On July 21 and 24, 2006, agents from the National Intelligence Agency (*Agence nationale de renseignement* - ANR) remained parked in front of the VSV offices, monitoring the comings and goings of the organisation's members and their visitors.

On July 22, 2006, an agent from the National Congolese Police Special Services visited the VSV offices and pretended to be the brother of a victim. On the same day, Mrs. **Pétronille Kamba**, VSV Secretary, was followed from Kintambo to her home by a man who seemed to be an agent of the security forces, in order to get her address and information about the VSV and its members.

In the interest of the safety of VSV members and their families, the organisation's offices were closed, and, since

July 26, the organisation's President and Vice-presidents, Messrs. **Floribert Chebeya Bahizire** and **Dolly Ifebo Mbunga**, have been in clandestineness.

On July 28, 2006, Mr. **Willy Tukayendji**, a VSV consultant in the psycho-medical assistance programme for elderly people, was questioned at his place of work, at the Medical Centre of the Kokolo Military Camp. The group of officers from the ground forces asked Mr. Tukayendji about how Mr. Floribert Chebeya obtained the information he gave in his interview that very day with the *Canal Kin and Congo Canal Télévision* stations. During these interviews, Mr. Chebeya once again raised VSV questions about the assassination and the family ties of former President Laurent Désiré Kabila and the true identity of Mr. Joseph Kabila, the current President of the Republic. He also shared his concerns about the ongoing problems in the east of the country.

On the night of July 28-29, 2006, Mr. Tukayendji refused to open the door to two men dressed as civilians carrying guns, who pounded on his door for several hours. At the very same time, security service members went to Mr. Mbunga's former residence, asking for his current address. Moreover, on July 25, 2006, Mr. Tukayendji was followed by two unknown men in Kintambo.

DJIBOUTI – International fact-finding mission report August 10, 2006 – Press release

On August 10, 2006, the Observatory published its report entitled "*Djibouti: defending economic and social rights comes at too high a price*"¹ as a result of an international fact-finding mission that took place in the Republic of Djibouti from August 20-28, 2005, in order to assess the situation of human rights defenders in the country.

In this report, the Observatory draws attention to the persistent attacks against defenders of economic and social rights, specifically independent trade unionists who speak out against violations committed by Djibouti authorities in spite of their international commitments. The Observatory denounces the increase in actions taken to criminalise human rights defenders (arrests, dismissals, judicial and police harassment, threats, etc.) in 2005 and 2006, as well as the adoption of a new Labour Code, which entered into force on January 28, 2006, and which enables the authorities to control or refuse the creation of a trade union, and to close down these unions by a simple administrative decision or by simple request from relevant ministries.

EL SALVADOR – Break in and entering / Theft / Death threats / Assault / Harassment August 24, 2006 – Open letter to the authorities

On May 30, 2006, the offices of the Association Among Friends (*Asociación "Entre Amigos"*), an NGO active in the protection of the rights of homosexuals, transsexuals, and bisexuals, was broken into. The perpetrators stole some of the NGO documents containing information on the organisation of a demonstration set to be held in June in front of the Legislative Assembly. The demonstration was to stand up for the respect of equal rights and to protest reforms to the Republic's Constitution concerning homosexuality. Threats to the organisation's members, including a death threat, were left at the organisation's headquarters. The association changed its premises but it remains watched by strangers four to five hours a day.

Furthermore, on June 1, 2006, Mr. **William Hernández**, the association's Director and President, was threatened at gun-point in front of the headquarters in San Salvador, just a few minutes after the police officer protecting him finished his service. A stranger approached him from behind and held a gun to his neck, threatening to kill him if he continued "to bother" members of the National Assembly. The stranger then took Mr. Hernandez's briefcase and ran off.

All of these attacks were formally reported to the national civil police on June 30, 2006. Up to date, no investigation has been opened.

ETHIOPIA – Arbitrary detention / Fear of torture / Release October 24, 2006 - ETH 001 / 1006 / OBS 125 October 27, 2006 - ETH 001 / 1006 / OBS 125.1

On October 19, 2006, Ms. **Yalemzewd Bekele**, a lawyer working for the Delegation of the European Commission to Ethiopia in Addis Ababa and a volunteer for the Ethiopian Women Lawyers' Association (EWLA), was arrested in Moyale, on the Kenyan border. She was about to escape to Kenya, on the basis of an arrest warrant issued against her on October 12, 2006 "for suspicion of a heavy crime".

On October 21, 2006, Ms. Bekele appeared before the Moyale Court, being in particular accused of disseminating a calendar for peaceful civil disobedience actions, issued on September 11, 2006, by the Coalition for Unity and Democracy (CUD, opposition party). Ms. Bekele was placed on remand for five days by the court and then

1 Available in French at:
www.omct.org/pdf/observatory/2006/report/Djibouti_090806_fr.pdf
www.fidh.org/IMG/pdf/Djibouti_Rapport_Final.pdf

transferred to the Moyale police station. Moreover, at least three persons who tried to help Ms. Bekele to escape were subjected to acts of reprisal from the Ethiopian authorities. Indeed, two diplomats of the EU delegation in Addis Ababa were arrested on October 19, 2006 and immediately expelled from Ethiopia. In addition, Mr. Fassil Assefa, a friend of Ms. Bekele, was arrested at his hotel on the same day, and held for several days. On 26 October 2006 Ms. Bekele was released without charge.

GEORGIA – Arbitrary detentions
September 29, 2006 - GEO 004 / 0606 / OBS 085.1

In the evening of September 27, 2006, Mr. **Irakli Kakabadze**, Mr. **Jaba Jishkarinani**, Mr. **David Dalakishvili** and Mr. **Levan Gogichaishvili**, all members of the Egalitarian Institute, a newly-established Georgian NGO composed of human rights defenders, writers and intellectuals, were arrested by patrol policemen in the Drug Centre Building in Tbilisi. They were demonstrating against the recurrent detention of some Institute members, as well as the lack of independence of the judiciary, in particular of the Court of Appeal. They also called for an impartial investigation into the murder of Mr. Sandro Gorgvliani, a young banker whose death is allegedly linked to high-ranking officials in the Ministry of the Interior. Mr. Kakabadze was originally detained for expressing verbal protest against the government, whereas the others were arrested for writing anti-violence slogans on the asphalt. They were held at a pre-trial detention centre in Tbilisi until their appearance before the Administrative Chamber of the Tbilisi City Court on September 29, 2006. They were all released after paying a fine of 15 laris each (about 7 euros).

GEORGIA – Threats / Harassment
October 2, 2006 - GEO 005 / 1006 / OBS 115 (circulated under GEO 005/0906/OBS 115)

On September 21, 2006, Ms. **Lela Bekauri**, a member of the Rustavi branch office of the Georgian Young Lawyers' Association (GYLA), was insulted and threatened by an unidentified man, who declared over the telephone that "he would catch her wherever she might be". A few hours earlier, Ms. Bekauri had denounced, during a GYLA conference in Rustavi, that there had been deficiencies during the campaign of the Rustavi majority candidate, Ms. Lela Aptsiauri, who would have distributed to the population vouchers worth to 37 kilowatts of electricity.

GYLA asked the authorities to carry out an investigation into these threats.

GUATEMALA – Abduction / Release
August 2, 2006 - GTM 006 / 0806 / OBS 090

On July 27, 2006, Mr. **Erwin Estuardo Orrego Borrayo**, leader of the Emergency Front for Market Sellers of Guatemala (*Frente de Emergencia de Vendedores de Mercados de Guatemala – FEMVEMEGUA*), was abducted by armed men dressed in black and claiming to be police officers.

During his kidnapping, Mr. Erwin Orrego was intimidated for several hours, and overheard a message sent to his kidnappers stating "stop the operation, I'll take over." One of the kidnappers reportedly asked "should we kill him?", the others would have answered "no." Then, he was transported in several different vehicles and abandoned on the side of a road in Boca del Monte, Villa Nueva.

GUATEMALA – Death threats / Intimidation acts
September 5, 2006 - GTM 007 / 0906 / OBS 105

On August 22, 2006, Mr. **Maynor Roberto Berganza Bethancourt**, a lawyer specialised in the defence of human rights, received a phone call, in which the author introduced himself as Carlos Garcia and accused him of pertaining to "an organised crime group" and threatened him with death.

On August 12, 2006, Mr. Bethancourt had received a message from an unknown number on his mobile phone calling him an "idiot" (*hueco*).

On August 24, 2006, a person claiming to be a member of "the Central Action Committee" (*Comité Central de Acción*) showed up at his office. When Mr. Bethancourt asked the person where his organisation's headquarters were located, he answered "in the President's home". Then, he left. Shortly after, Mr. Bethancourt received two anonymous phone calls. The first caller said: "if you don't love your family, there are two people here who've asked me to give them some water". The second caller said: "we have a little message for you".

Mr. Berganza Bethancourt had already been harassed in the past. In June 2003, for example, his office was searched and the hard discs of three computers, as well as evidence from a case against the Guatemalan army, were stolen.

Mr. Berganza Bethancourt reported these events to the Public Minister and to the Human Rights Prosecutor's

office, and was granted a body guard. Nonetheless, he still fears for his life.

GUATEMALA – Death threats / Intimidation acts
September 29, 2006 - GTM 008 / 0906 / OBS 113

On September 9, 2006, Mr. **Roly Bigail Escobar Ochoa**, General Coordinator of the National Coordination of the Peoples and Marginalised Regions of Guatemala (*Coordinadora Nacional de Pobladores y Áreas Marginales de Guatemala* – CONAPAMG), which defends the right to housing, and a member of the Community Council of Carmen del Monte (Villa Nueva), was threatened with death. Indeed, armed individuals spread word of Mr. Escobar Ochoa's imminent death throughout the Carmen del Monte community. It was said that he would “face trouble and see his blood splitting”, adding that they knew where he lived and that the only way to resolve the community's problems was to eliminate him physically. When Mr. Escobar Ochoa heard this, he left his home and went into hiding.

On September 10, 2006, Mr. Escobar Ochoa formally reported these threats to the offices of the Human Rights Prosecutor of Guatemala. CONAPAMG identified one of the individuals who threatened Mr. Escobar Ochoa as having been involved into the murder of Mrs. **Carmen Sagastume**, a member of CONAPAMG and a founder of the Carmen del Monte Community, who was assassinated on August 18, 2006 at her home.

Since September 14, 2006, Mr. Escobar's residence has been watched. As a consequence, he left his house and never spends more than an hour at the CONAPAMG offices, fearing for his life.

On the night of September 20, 2006, the home of Mr. Escobar's ex-wife and sons was watched by two men. Mr. Escobar called the police, who did not intervene.

HONDURAS – Death threats / Smear campaign / Harassment
October 3, 2006 - HND 002 / 1006 / OBS 116

On September 19, 2006, Mr. Selvin Richard Swasey, owner of the private security company Delta Security and its subsidiary, Seguridad Técnica de Honduras (SETECH), went to the offices of the Association for a More Equitable Society (*Asociación para una Sociedad más Justa* – ASJ), in Tegucigalpa, accompanied by several SETECH employees, in order to “negotiate” the proceedings instigated against the company before the Tegucigalpa Tribunal for Labour Disputes, in connexion in particular with the illegal dismissal of twelve security guards in August 2006, to whom ASJ was giving legal assistance.

While Mr. Swasey was talking with Ms. **Dina Meetabel Meza Elvir**, ASJ Project Coordinator, the SETECH employees photographed the premises and the personnel of the organisation. Mr. Swasey then threatened to call for the suspension of ASJ, while one of his employees, addressing Ms. Meza Elvir, threatened to lodge a complaint against ASJ for libel in relation with a press release posted on August 31, 2006 by the organisation on the *Revistazo* website, denouncing the smear campaign waged against it by Delta Security.

Furthermore, on September 28, 2006, SETECH published an insert in the electronic newspaper *hondudiario.com*, accusing ASJ of not paying social security charges for its employees. The publication was illustrated with photographs of Ms. Dina Meetabel Meza Elvir, Ms. **Rosa Marazán** and Mr. **Robert Marín**, taken on September 19, 2006 by the SETECH employees.

Lastly, since August 29, 2006, ASJ staff members are regularly followed by several vehicles with tinted glass windows, particularly Ms. Meza Elvir and Mr. **Dionisio Díaz García**, legal advisor of the twelve SETECH guards who were dismissed.

HUMAN RIGHTS COUNCIL – 2nd session
September 22, 2006 – Joint statement with APWLD, Forum-Asia and Pax Romana

During the second session of the United Nations Human Rights Council in Geneva, Switzerland, from September 18 to October 6, 2006, the Observatory, the Asia Pacific Forum on Women, Law, and Development (APWLD), the Asian Forum for Human Rights and Development (Forum-Asia) and the International Catholic Movement for Intellectual and Cultural Affairs (Pax Romana) made an oral statement during the inter-active dialogue with the Special Representative of the United Nations Secretary-General on the Situation of Human Rights Defenders, Mrs. Hina Jilani.

These NGOs appreciated Mrs. Jilani's invaluable contribution in protecting human rights defenders. In particular, they made reference to the difficulties faced by human rights activists in *Uzbekistan, Iran, Sudan, the Philippines, Colombia, the Democratic Republic of Congo, China, Ethiopia, Singapore, the Maldives, the Russian Federation, and in Sri Lanka*.

INDIA – Arbitrary detentions / Ill-treatments / Release
September 8, 2006 - IND 001 / 0906 / OBS 106

October 12, 2006 - IND 001 / 0906 / OBS 106.1

On August 23, 2006, Mr. **Yengkokpam Langamba Meitei** (alias Thabi), Publicity Secretary of the Threatened Indigenous Peoples' Society (TIPS) of Manipur, and a spokesperson for Apunda Lup, a Manipur-based coalition of 34 human rights organisations, was arrested at his home by members of the Manipur police and officers from the Assam Rifles, a paramilitary unit stationed in Manipur. The police produced a memo relating to section 41 of the Indian Code of Criminal Procedure, which allows police to arrest a person without an order from a magistrate and without a warrant. After the police searched his home, Mr. Langamba was taken to the Imphal Police Station (IPS), Imphal West District, and allegedly accused of involvement in a vehicle-burning incident in Kamuchingjil and of snatching official files from government offices.

On August 24, 2006, his colleague, Mr. **Leitanthem Umakanta Meitei**, a human rights lawyer and TIPS Secretary General, was arrested at his residence in Porompat Thawanthaba Leikai at around 4 am, by the same team of Manipur policemen and officers from the Assam Rifles. Among other things, the officers seized fifteen TIPS CDs, three books from the International Labour Organisation (ILO), then his wife's mobile phone. The warrant for Mr. Meitei's arrest was not shown until after he was arrested, when his wife and his brother went to visit him at the IPS. After their arrest, both men were detained at the IPS, where they were interrogated, and reportedly tortured by the police. They were also denied the right to meet their lawyer. They were both charged under Sections 38 and 39 of the Unlawful Activities Prevention Act (1967), which relates with being a member of and providing support for a terrorist organisation. In particular, both men were accused of maintaining links with the illegal underground group called the "Organisation to Save the Revolutionary Movement in Manipur" (*Kanglei Yawol Kanna Lup* – KYKL).

On August 29, 2006 and September 1, 2006 respectively, the Chief Judicial Magistrate (CJM) ordered Mr. Umakanta and Mr. Langamba's release on bail, for lack of evidence. However, they both refused to pay the bail and insisted on their unconditional release. They were subsequently remanded to judicial custody for an additional 15 days in Sajiwa Central Jail. On October 4, 2006, a Court in Manipur ordered the release of Mr. Yengkokpam Langamba Meitei and Leitanthem Umakanta Meitei. All charges against them were abandoned.

The detention of the two TIPS members might have been linked to the demonstration that was organised on August 23, 2006 by Apunba Lup to protest against a bomb attack that occurred on August 16, 2006, and which killed five Hindus and injured over forty as they prayed in the temple of Krishna, in Manipur.

INDIA – Obstacles to the freedom of movement October 11, 2006 – Joint press release with Amnesty France

On June 2, 2006, Mr. **Parvez Imroz**, a lawyer and founder of the Association of Parents of Disappeared Persons (APDP), was awarded the international human rights prize "Ludovic-Trarieux" by the Human Rights Institutes of Bordeaux, Brussels, Paris and the European Bar Human Rights Institute. In order to receive his prize, Mr. Imroz was invited to France on October 13, 2006. However, despite numerous requests to the Indian authorities to obtain a renewal of his passport in the past months, Mr. Imroz's requests remained without response. He was therefore not able to leave India, and expressed the wish that his wife and his nephew, Mr. Parvez Khurram, a human rights defender, received the prize on his behalf.

IRAN – Judicial harassment August 8, 2006 – Press Release

On August 3, 2006, the activities of the Defenders of Human Rights Centre (DHRC), co-founded by Mrs. Shirin Ebadi, winner of the Nobel Peace Prize in 2003, were declared illegal by the Ministry of Interior, who stated that any person who continued these activities would be prosecuted.

Since its creation, the Center has been repeatedly denied legal registration, its requests for registration having been systematically blocked by the Iranian authorities without any reasons being provided.

IRAN – Release / Harassment August 10, 2006 – Press release

On August 9, 2006, Mr. **Mansoor Osanloo**, Chairperson of the Union of Bus Drivers of the Tehran and Suburbs Bus Company ("*Sherkat-e Vahed*"), was released after being detained incommunicado for seven months in the Evin prison in Tehran. He had been arrested on December 22, 2005 following a protest by his union's members against the non-payment of wages, poor working conditions and the company's refusal to recognise the union.

Mr. Osanloo was released on a 150 million toman bond (165,000 \$US), which was paid by his colleagues, friends and parents.

ISRAEL – Arbitrary detention

September 27, 2006 - ISR 001 / 0106 / OBS 007.1

On September 13, 2006, a third administrative detention order was issued against Mr. **Hassan Zaga** for an additional four months. Mr. Zaga is a member of the Public Committee Against Torture in Israel (PCATI). Since his arrest, on January 11, 2006, Mr. Zaga has been held at the Ketziot Detention Centre for “endangering the security of the region.”

On September 20, 2006, at the end of a hearing on the extension of Mr. Zaga’s administrative detention, the judge of the Ofer Military Court decided on a “substantive” reduction of Mr. Zaga’s administrative detention to a period of two months, as the General Security Service (GSS) seemed to have no new evidence on which to base this extension.

The fact that Mr. Zaga’s detention was “substantively” reduced meant that an additional administrative detention order could not be imposed against Mr. Zaga on the basis of existing evidence. As a consequence, Mr. Hassan Mustafa Zaga was released on November 15, 2006 (See Urgent Appeal ISR 001/0106/OBS 007.1, issued on November 20, 2006).

**ISRAEL – Closing down of an organisation / Search / Obstacles to the freedom of association
October 5, 2006 - ISR 002 / 1006 / OBS 119 (circulated as ISR 002/0906/OBS 119)**

On September 8, 2006, the premises of Ansar Al-Sajeen (Prisoners Friends’ Association)), in Majd El-Kurum, were raided and closed down by the police and the Israeli Shin Bet (General Security Service). The administrative order was issued by the Israeli Minister of Defence, declaring the organisation as illegal. The police also confiscated the assets of the organisation, hundreds of legal files, computers and phones.

This closure followed the launching of a campaign by the organisation for the inclusion of the cases of 1948 Palestinian prisoners, citizens of Israel, in the current negotiations for the exchange of prisoners. In addition to the closing down of the offices of the organisation in Tirah and Majd El-Kurum, Ansar Al-Sajeen’s offices throughout the West Bank were also shut down.

On November 5, 2006, the Minister of Defence sent the official order of closure to the organisation’s lawyer, which means that Ansar Al-Sajeen can now appeal the decision.

On the same day, the house of Mr. **Munir Mansour**, President of Ansar Al-Sajeen, was searched by the police and members of the Shin Bet. Mr. Mansour was questioned during one and a half hour and his mobile phone was seized.

LEBANON - Burglary
October 5, 2006 – Press release

During the night of 4-5 October 2006, the computers of the NGO Support for Lebanese Citizens Arbitrarily Detained (*Soutien aux Libanais détenus arbitrairement* - SOLIDA), containing numerous working documents, were stolen from the headquarters of the organisation in Beirut. The house-breaking occurred the day before a press conference – which was held anyways – on the occasion of the publication of a report by the organisation on the acts of violence committed by the military intelligence service, on the premises of the Ministry of Defence, during the questioning of detainees. The report, entitled “The detention centre of the Ministry of Defence: A major obstacle to the prevention of torture”, refers to the impunity enjoyed by the authors of acts of violence or torture, and gives a dramatic assessment of the violations committed during the last 14 years in what SOLIDA calls the “underground prison”.

MALAYSIA – Death threats
August 25, 2006 - MYS 001 / 0806 / OBS 102

In mid-August, Mr. **Malik Imtiaz Sarwar**, a lawyer involved in the promotion of freedom of religion and the President of the National Human Rights Society of Malaysia (HAKAM), received death threats through an electronic message which was widely circulated to several addresses. The message included a photograph of Mr. Imtiaz Sarwar with the following message above the picture: “Wanted dead”. This message was also circulated in the form of SMS (short messaging service).

These threats may be directly linked to his defence on behalf of the Malaysian Bar in the case of a citizen who converted from Islam to Christianity and who lodged a complaint against the National Registration Department, because it rejected her request to have the word Islam deleted from her identity card.

MEXICO– Threats
August 4, 2006 - MEX 009 / 0806 / OBS 093

On July 17 2006, Mr. **Manuel Gómez Hernández**, a member of the indigenous group Tsotsil and the Fray Bartolomé de las Casas Human Rights Centre (*Centro de Derechos Humanos Fray Bartolomé de las Casas* - CDHFBC) in San Cristóbal de las Casas, Chiapas State, received an anonymous phone call at his home. The caller advised him not to interfere with “the problems of Zinacantán commune”, or he would have “serious problems”, referring in particular to his family. When Mr. Gómez Hernández replied that he did not know what he was talking about, the caller threatened him again. Before hanging up, he told him that his name was “Germán” and that he was a judge in Zinacantán.

MEXICO- Threats
September 12, 2006 - MEX 010 / 0906 / OBS 108

On September 6, 2006, the Cerezo Committee received e-mails containing death threats against Mr. and Mrs. **Francisco and Emiliana Cerezo Contreras**, brother and sister, and founding members of the Cerezo Committee. The message stated : “Francisco, the biggest bastard [...], if he keeps on doing what he’s doing, it’s going to end badly for him, we’ve already let him get away with enough stupid things.”

Mr. Francisco Cerezo Contreras had already been harassed for his support of Mrs. Melanie del Carmen Salgado López, a student and member of the Committee who has frequently been threatened and intimidated (threats sent to her email address, breaking in and entering at her home, etc.). On May 8, 2006, Mr. Cerezo Contreras, Mrs. Salgado López and the Café “Villa”, a Cerezo Committee project, were filmed by a stranger who was carrying a National Defence Secretary card which identified him as a journalist.

Mr. Francisco Cerezo Contreras and Mrs. Emiliana Cerezo Contreras created the Cerezo Committee after their three brothers were accused, among others, of attacking a bank in 2001. Currently, the Committee is working mainly on defending political prisoners and on speaking out against the use of torture, and detention conditions in Mexican prisons that violate human rights.

OSCE – Supplementary Human Dimension Meeting
October 10, 2006 – Written contribution

During the Supplementary Human Dimension Meeting of the Organisation for the Security and Cooperation in Europe (OSCE), held in Warsaw on October, 12-13, 2006, the Observatory drew the OSCE’s attention to the deterioration of the situation of human rights defenders in some member countries, in particular in *Belarus*, the *Russian Federation*, *Uzbekistan* and *Turkmenistan*, where the authorities have tightened their grip over the

independent civil society through methods of repression ranging from arbitrary arrests to physical attacks on defenders, though at different degrees.

The Observatory reiterated its call upon the OSCE to set up of a specific mechanism which would be empowered to question States on the situation of human rights defenders on their territories, and to report publicly on individual or collective cases of violations of the rights of defenders, and which would work in cooperation with the Special Representative of the UN Secretary General on Human Rights Defenders.

During the meeting, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) announced the creation of a Focal Point on Human Rights Defenders in January 2007, of which the terms of reference are still to be defined, and which, in order to accomplish fully its protective mission, must be empowered to question States on individual cases.

**RUSSIAN FEDERATION – Arbitrary detention / Obstacle to freedom of assembly
September 28, 2006 - RUS 003 / 0906 / OBS 112**

On September 26, 2006, Mr. **Lev Ponomarev**, Executive Director of the organisation All-Russian Public Movement “For Human Rights” in Moscow, was condemned by the Moscow Tribunal n°370 to a three-day prison term for having organised a commemoration of the second anniversary of the Beslan massacre on September 3, 2006 without any official authorisation. However, according to the “Federal Law on Assemblies, Meetings, Demonstrations, Processions, and Pickets” adopted in June 2004, organisations do not need to obtain an authorisation to gather but only need to inform authorities.

On August 29, 2006, the central district of Moscow prefecture rejected the notification presented by human rights organisations to hold this gathering at Lubyanka Square. Instead, it proposed organisers to gather on another date, or in another place, under the pretext that other meetings were already planned. The human rights organisations decided to uphold the gathering in Lubyanka Square, with placards. The organisers considered that the reasons given by the authorities were not valid. During the meeting, the participants called for the need to bring to justice those responsible of the Beslan massacre, including political and police authorities, in particular Federal Security Bureau (FSB) officers.

On September 3, 2006, as the participants were arriving at Lubyanka Square, they found the place barricaded by police officers. Twenty human rights defenders and activists were then arrested by members of the special forces and taken to the nearest police station. They were released soon afterwards.

**RUSSIAN FEDERATION – Obstacles to the freedoms of association and assembly / Serious threats / Smear campaign / Extra-judicial killing
October 16, 2006 - Press release
October 17, 2006 – Press release**

-On October 7, 2006, Ms. **Anna Politkovskaya**, a journalist, was assassinated: her body was found in the elevator of her building, in Moscow. Ms. Politkovskaya had received threats on several occasions, following her publications on Chechnya and North Caucasus, in particular in connexion with her investigation into the hostage-taking in the Moscow theatre in 2002.

-On October 12, 2006, Ms. **Lida Yusupova**, a lawyer and head of the “Memorial” Human Rights Centre in Grozny (Chechnya), was threatened with death by a man speaking Chechen, who called her on her mobile phone and said : “You are pleased to be a nominee of the Nobel Peace Prize ? Presuming you’ll still be alive then!”.

-On October 13, 2006, the Nizhny Novgorod Court ordered the closing down of the Russian-Chechen Friendship Association (RCFS), mainly on the grounds that Mr. **Stanislav Dmitrievsky**, Executive Director of the organisation, had been sentenced in February 2006 to a two-year a suspended sentence for “incitement to racial hatred”, and as a consequence “[...] cannot be co-founder of an organisation”, according to federal legislation on NGOs. Furthermore, under Article 15 of the Law on the Fight Against Extremist Activities, which specifies that “if the head or a member of the leadership of an NGO makes a public statement in which he or she calls for an extremist act, or if he or she was sentenced for an extremist act, his or her organisation must publicly declare its disapproval within five days (...); the failure to do so by an organisation to do so will be considered as an extremist act (...).

-On October 13, 2006, one of the main Russian television channels, *NTV*, broadcast a report in which human rights defenders were assimilated to terrorists. Mr. **Timur Aliev**, Coordinator of the Institute for War and Peace Reporting for Chechnya, and chief editor of the independent newspaper *Chechen Society*, was thus presented as a collaborator of Mr. Chamil Bassaev, former Chechen military leader who was killed in July 2006.

-On October 16, 2006, in Nazran, a gathering in memory of Ms. Politkovskaya was violently dispersed by the forces of the Ministry of the Interior of Ingushetia. As the demonstrators (around 50,000) were beginning to gather in Friendship Square in Nazran, the police grabbed their placards from them, tearing them up and throwing them on the ground. Several people were injured, including Ms. **Ekaterina Sokerianskaya**, a member of the Memorial

office in Nazran, who had a broken nose after having been struck. She had to be taken to hospital. Mr. **Albert Khantygov**, Ms. **Fatima Yandieva**, Ms. **Zoya Mouradova** and Ms. **Zarema Moukoucheva**, representatives of Memorial, and Mr. **Magomed Moutsolgov**, an Executive of the Association of families and friends of disappeared persons “The March”, who had organisers this gathering, were arrested and accused of “organising an unauthorised demonstration”.

In the night, Ms. Fatima Yandieva, Ms. Zoya Mouradova and Ms. Zyna Moukoucheva were sentenced, in the absence of their lawyers, to a fine of 500 rubbles for “violating the administrative rules relative to the organisation of a meeting” (article 20-2 of the Administrative Offences Code). The hearing of Mr. Magomed Moutsolgov and of Mr. Albert Khantygov was postponed to the next day, then to October 31, 2006. Ms. Fatima Yandieva, Ms. Zoya Mouradova and Ms. Zyna Moukoucheva did not receive any notification of their judgment, and were summoned for October 31, 2006.

On that date, Mr. Albert Khantygov, Ms. Fatima Yandieva, Ms. Zoya Mouradova and Ms. Zyna Moukoucheva were acquitted by the Peace Tribunal of Nazran, due to the lack of evidence. Mr. Magomed Moutsolgov was found guilty of “organising an unauthorised demonstration”, and was sentenced to a fine of 1,000 rubbles. Mr. Moutsolgov appealed the decision.

Up to date, only Mr. Albert Khantygov received the notification of his verdict.

On the same day, Ms. Ekaterina Sokerianskaya was heard by an instructor of the Nazran *Procuratura* about her physical injuries.

-Lastly, on the same day, Mr. **Oleg Orlov**, a Memorial leader, announced his decision to renounce to his seat on the Council for the development of the structures of the civil society and the defence of human rights to the President of the Russian Federation. In a public letter to the president of the Council, Mr. Orlov indicated that his decision was “provoked by what the President of the Russian Federation had said about the assassination of Anna Politkovskaya on October 10, 2006, to the effect that “this assassination had done more harm to Russia [...] and to Chechnya than her publications did”. Mr. Orlov noted that it was clear that his conception of what was good for Russia was fundamentally different from that of the President, and that under such conditions he no longer considered that his work as a member of the Council could serve any useful purpose.

SENEGAL – Intimidation acts / Harassment

October 17, 2006 - SEN 001 / 1006 / OBS 122

In mid-October 2006, Mr. **Cheikh Yérim Seck**, a reporter with the French weekly *Jeune Afrique*, was informed of a possible attack against him. His car had been impounded for several days at the Medina police station, in Senegal, and a police source “advised” him to have it checked before taking it back, suggesting that there could well be an attack against him. The incident was subsequent to his car being immobilised by the authorities, after his driving licence, and then the car’s registration document and insurance certificate had been successively confiscated by the police, for no apparent reason. The documents were never returned.

These events took place while Mr. Seck, who is presently living in France, is regularly followed when travelling in Senegal. Likewise, his personal phone is constantly tapped; Mr. Seck has also learnt the existence of police files about him.

SOUTH KOREA – Closing down of NGO branches / Obstacles to the freedom of assembly / Harassment

September 8, 2006 - KOR 001 / 0606 / OBS 066.2

September 26, 2006 - KOR 001 / 0606 / OBS 066.3

Since the adoption, on March 22, 2006, of the “Directive to promote the transformation of illegal organisations into legal trade unions (voluntary withdrawal of membership), the Ministry of Government Administration and Home Affairs (MOGAHA) has tightened its repressive measures against the Korean Government Employees Union (KGEU).

On August 3, 2006, the MOGAHA issued a decree that specifically requested all local governments, ministries and agencies to take firm actions against KGEU in order “to take thorough counter-measures, including forceful closing down of the illegal government employees’ organisations, against illegal activities”. In particular, the Ministry asked “to close down all the KGEU offices in government buildings nation wide by August 31”, “to exclude KGEU members from personnel committees, to actively encourage all the government employees joining illegal organisations to withdraw memberships, to prohibit union dues check-off system and to blocking any financial supports [...]”. Finally, the directive stated that the Ministry will take administrative and financial measures against the local governments that do not implement the directives.

As a consequence, on August 29, 2006, the Gyeongnam Officials Training Institute, an affiliated agency to the provincial government, issued a letter informing that it would execute the MOGAHA’s directive, along with a warrant stipulating that “according to the government instruction that prohibits providing offices to unregistered government employees’ unions by the public officials trade union act, the forceful administrative action would be

executed”.

On August 30, 2006, the KGEU Gyeongnam Regional Branch held a rally in front of their union office building in order to protest against this letter. Anti-riot policemen were deployed inside and outside the building and prevented KGEU members from entering the office. Several union members tried to hamper the forceful closing down of the office, in vain, and were forcefully removed by the police. The union signboard was taken off and the union doors sealed off with thick plywood with a warning sign attached.

On August 17, 2006, the Busan Metropolitan City warned the KGEU Busan Regional Branch through an official letter that the City would forcefully close down the office if KGEU did not move out by August 31, 2006. On September 22, 2006, the Busan Regional Branch was assaulted by the anti-riot police, before being forcefully closed down. 17 KGEU members were arrested including, Mr. **Oh Bong Seop**, President of the section, and Mr. **Hwang Gi Joo**, Director General of the section, before being released on September 23 and 24, 2006.

On September 4, 2006, the MOGAHA held a meeting with vice mayors of Metropolitan Cities and vice governors of Provincial Governments, during which it indicated that all the KGEU local offices at government building should be closed down by September 22, 2006. The Minister also claimed that notifications or warnings of forceful closing down of illegal organisations’ offices should be issued and that supervision on government employees should be intensified in order to prevent them from joining a KGEU rally in Gyeongnam on September 9, 2006, which aimed to protest against government repression. However, to date, around 7,000 KGEU members would have already join in Changwon, Gyeongnam-do, in order to protest the current government repression. The organisation gave prior notice of the assembly to MOGAHA, which declared it illegal, and said it would punish all government employees and union leaders who took part in or organised the demonstration. MOGAHA also announced that the 11 KGEU leaders, including Mr. **KWON Seung Bok**, the President, and Mr. **KIM Jeong Soo**, the Secretary General, will be prosecuted.

On September 13, 2006, MOGAHA published another directive demanding governments and local ministers to close all local chapters of KGEU by September 22, 2006.

On September 22 and 25, 2006, several KGEU chapter offices were attacked and shut down as part of the implementation the Directive of March 22, 2006.

On October 2, 2006, the KGEU Gangwon Hwacheon branch was assaulted and closed down. On October 3, 2006, it was the turn of the KGEU Chucheon and Samcheok branches to be forcefully closed down.

As of October 10, 2006, 125 out of 251 KGEU chapters had been closed. Five chapters were closed before September 22, 2006. Systematically, groups of men, allegedly hired by municipalities, stormed various KGEU local offices and forcefully removed their members, as riot policemen blocked access to the buildings, in some cases cutting off electricity, Internet access and phone lines. In addition, 101 KGEU members and members of other solidarity organisations, such as the Korean Federation of Transportation and Public & Social Service Workers’ Unions (KPSU), the Korean Confederation of Trade Unions (KCTU), the Korean Federation of Medical Groups for Health Rights (KFHR), the Korean Federation for Environmental Movement (KFEM), the Democratic Labour Party (DLP) and the Moojigae Community for Alternative Education (MCAE)s, were arrested. some were brutally beaten and had to be hospitalised. They may all face prosecution for “violations of the clauses relating to obstruction of the performance of official duties under the penal code” and the government employees face charges for violating the Public Officials Acts.

SUDAN – Criminal proceedings / Arbitrary arrests / Release / Harassment

August 9, 2006 - SDN 004 / 0506 / OBS 062.2

September 14, 2006 - SDN 005 / 0906 / OBS 109

October 3, 2006 - SDN 005 / 0906 / OBS 109.1

- On July 27, 2006, Mr. **Mossaad Mohamed Ali**, lawyer and Coordinator of the Amel Centre for Treatment and Rehabilitation of Victims of Torture in Nyala, Ms. **Rasha Souraj** and Ms. **Ebtisam Alsemani**, volunteer lawyers at the Amel Center, received a letter from the National Security Bureau (NSB) notifying them that the Attorney General in Nyala had filed a case against them for “offences against the State”. The letter accused the defendants of sending false reports and disclosing information of military nature. The letter further warned the three lawyers that an investigation was underway and that they were likely to be arrested upon completion of the police investigation. On July 29, 2006, Mr. Ali, Ms. Souraj and Ms. Alsemani received an official order from the Attorney General’s office to attend an interrogation at the Attorney General’s Office on July 30, 2006, along with their colleague Ms. **Najat DafaAlla**, for “offences against the State,” and “undermining the constitutional order.” They requested that the interrogation be postponed until July 31, 2006., which was accepted.

On July 31, 2006, the defendants went to the Prosecutor’s office. When they arrived, police officers asked Mr. Ali and Ms. DafaAlla to come back the next day. Ms. Alsemani and Ms. Souraj, who were in Khartoum, were interrogated upon their return to Nyala on August 12, 2006.

On August 1, 2006, Mr. Ali and Ms. DafaAlla reported to the police station, where they were separated and interrogated by a police officer about a demonstration held in the Otash refugee camp to protest against the Darfur

Peace Agreement of May 29, when the police had fired real bullets on the crowds. They were accused of spreading false information and of being a threat to public security, because they had defended the rights of five people from the Otash camp who had been detained after participating in the demonstration on May 30 and May 31, 2006. Mr. Ali and Ms. DafaAlla had in particular submitted a public application to the Security Committee requesting information on the detainees and their whereabouts.

- On September 9, 2006, Mr. **Mohamed Badawi**, a human rights lawyer in El Fashir, Northern Darfur, and Coordinator of the Amel Center, was summoned by the NSB in El Fahir, where he remained for more than three hours without being interrogated. He was then released without charge but ordered to report again to the offices on the following day.

On September 10, 2006, at around 9:15 am, Mr. Badawi duly reported to the NSB, where he was held until 3:00 pm. He was then interrogated by security officers about the Amel Centre's activities, as well as its relationship with international organisations and the Communist Party, before being released without charge.

- On September 16, 2006, the security forces arrested Ms. **Saffaa Abdel Rahim Saror**, Ms. **Nafisa Mohamed Adam** and Ms. **Awatif Mohamed Adam**, three social workers at the Amel Centre in el Fashir, and brought them to the offices of the NSB in el Fashir, where they were detained for approximately six hours. During the period of their detention, the three women were interrogated about the activities of the Amel Centre and about reports on the human rights situation in Darfur that had been sent to international organisations operating outside Sudan.

On October 2, 2006, the NSB sent an official letter summoning Ms. Saffaa Abdel Rahim Saror to report again to their offices on October 3, 2006.

SYRIA –Arbitrary detention / Fear of torture

August 18, 2006 - SYR 005 / 0806 / OBS 099

September 19, 2006 - SYR 005 / 0806 / OBS 099.1

October 19, 2006 - SYR 005 / 0806 / OBS 099.2

On August 10, 2006, Mr. **Ali Shahabi**, writer and professor known for his commitment to promote democracy and human rights in Syria, was summoned to the State security services in Damascus, as it has been regularly the case over the last past months. As Mr. Shahabi did not come back home, his wife went to the premises of the services in order to inquire about his situation. She was then told to “come back in a week”, strongly implying that he was being detained.

On October 16, 2006 Mr. Shahabi was at last able to receive the visit of his relatives. His relatives were also informed that they would be allowed to visit him every Tuesday.

Although he has not yet been officially charged, Mr. Shahabi should appear before a judge soon, accused of the “creation of an illegal party” and of having signed the Beirut-Damascus Declaration in May 2006, which called for the normalisation of relations between Lebanon and Syria.

SYRIA – Arbitrary detention / Judicial proceedings

October 20, 2006 - SYR 003 / 0506 / OBS 060.1

October 26, 2006 - SYR 003 / 0506 / OBS 060.2

On October 19, 2006, the examining judge (*qadi al-ihala*) decided to order the release on bail of Mr. **Michel Kilo**, a writer, a journalist and former President of the Organisation for the Defence of Freedom of Speech and Press, who had been detained at the Adra prison since May 14, 2006. Mr. Kilo's lawyers immediately paid the bail.

However, the decision was not sent to the prison, although it was transmitted to the Public Ministry by the judge. As the offices were closed on Friday and Saturday, October 20 and 21, 2006, Mr. Kilo's lawyers were only able to question the ongoing detention of Mr. Kilo on October 22, 2006. On this occasion, they were surprised to see that a new indictment had been drawn up against Mr. Kilo, which was dated October 19, 2006, a few hours after the decision to release him was taken by the judge. Moreover, they were told that the former file of Mr. Kilo had been “lost”.

Mr. Kilo is now accused of “undermining national pride” (article 285 of the Penal Code), “disseminating false news”, “harming the State's reputation” (article 287 and 376) and “inciting to confessional and racial hatred” (article 307).

THAILAND – Extra-judicial killings

October 26, 2006 - THA 003 / 1006 / OBS 129

On October 16, 2006, Mr. **Asan Yamaleh**, chief of Village n°3, Talo, Sub-district Yala, Raman District, was shot soon after bringing a group of people to meet representatives of the authorities in Yala 3. Before his killing, Mr. Yamaleh had attended a meeting with members of the National Human Rights Commission of Thailand and local human rights groups in order to complain about the brutality of the security forces in a raid on the village on

September 13, 2006. During the raid, five villagers were arrested and village houses were put fire to. On October 20, 2006, Mr. **Muhammad Dunai Tanyeen**, chief of Jaroh Village, Narathiwat Province, was shot near his house. He had just gone out in order to meet a person who had phoned him at his home earlier. It has not yet been possible to trace the origin of the call. On October 3, 2006, Mr. Dunai Tanyeen, together with the Network for the Affected Population in Relation to Southern Violence, had provided assistance to victims of violence by enabling them to meet the newly appointed Army Commander of Region 4. Up to date, no investigation has been opened into these two murders.

TUNISIA – Obstacles to the freedom of movement / Harassment
October 3, 2006 - TUN 005 / 1006 / OBS 117

On September 27, 2006, Ms. **Wassila Kaabi**, a magistrate and member of the executive board of the Association of Tunisian Magistrates (*Association des magistrats tunisiens* - AMT), was prevented from leaving Tunisia at the Tunis-Carthage airport as she was leaving for Budapest (Hungary) in order to attend the congress of the International Union of Magistrates, where she was due to speak as a magistrate and member of AMT. The police indicated that Ms. Kaabi was prevented from leaving because she did not have a permit to leave the territory, a *sine qua non* condition for magistrates in activity. Ms. Kaabi however was on vacation at the time, and under Tunisian legislation no such permit is required in those circumstances. The only requirement is that the administration be given prior notice of such a vacation, which Ms. Kaabi had done through registered letter with acknowledgement of receipt to the Minister of Justice on September 19, 2006.

TURKMENISTAN – Sentencing / Arbitrary detention / Abuse / Death of a detainee.
August 31, 2006 - TKM 001 / 0806 / OBS 103
September 15, 2006 - TKM 001 / 0806 / OBS 103.1
October 31, 2006 - TKM 001 / 0806 / OBS 103.2

On August 25, 2006, Mrs. **Ogulsapar Muradova**, a correspondent with *Radio Free Europe / Radio Liberty* (RFE/RL) and a former member of the Turkmen Helsinki Foundation (THF), based in Bulgaria; Mr. **Annakurban Amanklychev**, an independent journalist and member of THF, and Mr. **Sapardurdy Khajiev**, a human rights activist and also a member of the THF, were respectively sentenced by the Azatlyk District Court of Ashgabat to a six-year and a seven-year prison terms, and to a seven-year term in a high-security prison. All three were sentenced for “illegally possessing ammunitions” (article 287-2 of the Criminal Code), on the basis that police officers would have found some arms in Mr. Amanklychev’s car. The three defendants appealed this verdict on August 29 and 30, 2006.

The trial took place in camera and only lasted a few minutes. The lawyers were denied access to Court, as they were kicked out by soldiers just before the hearing, while trying to meet their clients. Moreover, the Court building and the streets leading to it were cordoned off by armed soldiers, preventing the defendants’ relatives and supporters from coming in.

M. Amanklychev had been arrested on June 16, 2006 by police officers, when he was working on a documentary with two French production companies, dealing with the deterioration of the health and education systems in Turkmenistan, and the personality cult of the President of the Republic. Mr. Khajiev and Mrs. Muradova were arrested on June 18, 2006, at their homes. They all remained detained incommunicado in a National Security Service pre-trial detention centre for more than two months, during which they were reportedly subjected to ill-treatments. Besides, they were never notified about the charges against them, nor their lawyers, and were not allowed to meet them.

On June 19, 2006, the highest authorities’ representatives, such as the President of the Republic and the National Security Minister, publicly accused the three defendants of having conspired with foreigners in order to destabilise the State.

On September 14, 2006, Mrs. Muradova’s relatives were informed of her death and taken to an unknown place which they finally found to be the Ashgabad morgue, where they were asked to identify her body. They were told by the authorities that she had died from natural causes, although they found wounds on her neck and head, and several other marks of violence on her body. Therefore, the circumstances of her death remain unclear, and it is to be feared that she died from torture and ill-treatments.

Since then, Ms. Muradova’s children have been subjected to constant pressure from the authorities. For instance, police officers tried to deter them from attending their mother’s funeral, and put them under permanent and close surveillance at their homes and when they travel. They are not allowed any contact with the outside world and their phone lines have been cut.

UZBEKISTAN – Attacks / Abuse / Arbitrary detention

August 9, 2006 - UZB 002 / 0806 / OBS 095

August 22, 2006 - UZB 002 / 0806 / OBS 095.1

On July 23, 2006, Mr. **Ikhtior Khamroev**, a student and the son of Mr. Bakhtior Khamroev, head of the Djizak Chapter of the Human Rights Society in Uzbekistan (HRSU), was insulted and beaten by a group of young men after he had left his home in Djizak.

However, on August 2, 2006, the police of Djizak arrested him and interrogated during more than eight hours, without having access to a lawyer. He was then charged with “hooliganism”, and is facing five to eight years of prison. At this date, he is still detained.

On August 8, 2006, Mr. Bakhtior Khamroev was summoned by Mr. Akram Isamov, a police investigator, to be interrogated as a witness in the case involving his son.

On August 18, 2006, Mr. Bakhtior Khamroev was attacked at his home, in Djizak, as he was having a meeting with two representatives of the British Embassy in Uzbekistan, who had come to visit him to inquire into the human rights situation in Djizak and into the situation of his son. Five women and a man knocked at his door and as soon as the door opened, rushed into the apartment insulting him, accusing him of being a traitor and of having “spies” at his home. Mr. Khamroev managed to have them out of the house, but they stayed outside, kept knocking violently on the door and cut the phone and electricity connections to Mr. Khamroev’s flat. Mr. Khamroev then decided to call the police from his mobile phone, but when the policemen arrived, approximately 20 women who had joined the first women took this occasion to rush into the flat.

In the meantime, four representatives from Djizak town hall arrived and told Mr. Khamroev that he had to stop his human rights activities.

Mr. Khamroev was hit on the head with a metallic object and had to be taken to the hospital. The doctors who treated him refused to open a medical file for his case as this would have implied the report of the situation to the police.

UZBEKISTAN – Arbitrary detention / Ill-treatments / Death threats / Harassment

August 24, 2006 - UZB 001 / 0306 / OBS 026.2

Mrs. **Mukhtabar Tojibaeva**, President of the “Ardent Heart’s Club” a human rights organisation based in Margilan, in the Fergana valley, who has been detained since July 2006 in a psychiatric service for mentally ill and drug-addicted persons in a women’s detention centre in Tashkent, has become extremely weak due to the very poor conditions of her detention. On several occasions, she managed to send alerting messages to her daughter, asking her to bring her some food. However, the penitentiary authorities have kept forbidding her to receive parcels with clothes or food.

Moreover, Mrs. Tojibaeva is not allowed to receive the visit of her relatives and lawyers. In particular, at the beginning of August 2006, her brother and two sisters, who came from Fergana to visit her, were denied access because of presumed works in the visit rooms. Mrs. Mukharran Tojibaeva, one of her lawyers, was also denied access to her client, although she had a mandate from the Court, on the motive that Mrs. Mukhtabar Tojibaeva did not ask to see her.

On August 15, 2006, Mrs. **Dilafruz Nurmatova**, another of Mme Tojibaeva’s lawyers, publicly declared that she would stop defending Mrs. Tojibaeva because of serious fears for herself and her family’s integrity. Indeed, since her visit to Mrs. Tojibaeva on July 13, 2006, she had reportedly received warnings, had been watched closely, had been denied access to the cybercafé where she used to work, and her colleagues had been recommended not to talk to her. Moreover, she was threatened with death by a political leader of Fergana district.

VIETNAM - Release / House arrest

September 8, 2006 – Press Release

On August 30, 2006, Mr. **Pham Hong Son**, a cyber-dissident, was released seven months before the end of his sentence, as part of an amnesty to mark Vietnam’s National Day, on September 2, 2006. Nevertheless, Mr. Pham Hong Son will remain under house arrest for up to three years as part of his sentencing under Article 38 of the Penal Code.

He had been arrested on March 27, 2002 for having translated and posted online an article entitled “What is Democracy?” that he found on the website of the American Embassy in Vietnam. He had previously written several articles supporting democracy and human rights that he had posted online on Vietnamese discussion websites.

In June 2003, he had been sentenced to 13 years in prison for “espionage”, a punishment that, under international pressure, had been reduced on August 26, 2003 to five years in prison and three years of house arrest.

Throughout his detention, Mr. Pham Hong Son’s health seriously deteriorated due to a lack of medical care and harsh prison conditions.

On the day of his release, 20 policemen were posted in front of his house, his phone line was cut and his mobile phone was confiscated. In addition, Mr. Pham Hong Son is not allowed to leave his area without authorisation.

**VIETNAM – Obstacle to the freedom of movement
October 31, 2006 – Press release**

On September 21, 2006, Mr. **Thich Quang Do**, Deputy Leader of the outlawed Unified Buddhist Church of Vietnam (UBCV), was awarded the 2006 Professor Thorolf Rafto Memorial Prize by the Norwegian Rafto Foundation, for his contribution to the movement for religious freedom and human rights in the country and as a “symbol for the growing democracy movement in Vietnam”.

In order to receive his prize, which was presented in Bergen on November 4, 2006, Mr. Thich Quang Do was invited to Norway. However, he was unable to leave Vietnam as he remains under house arrest since 1982, along with Mr. Thich Huyen Quang, also a UBCV member. Mr. Thich Quang Do was fearing that even if the authorities were to allow him to leave the country, he might be prevented from returning and forced into exile. In consequence, Mr. Vo Van Ai, International Spokesman for UBCV, received the prize on his behalf.

**YEMEN – Arbitrary detention / Obstacle to the freedom of movement / Release / Ill-treatments
October 30, 2006 - YEM 001 / 1006 / OBS 130**

On October 9, 2006, Mr. **Ali Al-Dailami**, Executive Director of the Yemeni Organisation for the Defence of Human Rights and Democratic Freedoms, was arbitrarily arrested at the airport of Sana’a, the capital, by the Yemeni security forces, while he was heading for Copenhagen (Denmark), in order to participate in a conference organised by the Danish Institute for Human Rights about its programme of cooperation with several Yemeni NGOs.

On November 5, 2006 Mr. Ali Al-Dailami was released without charge. He would have been detained in order to “give him a lesson”, in connexion with his human rights activities and would have been victim of acts of torture and ill-treatments whilst in custody (See Urgent Appeal YEM 001/1006/OBS 130.1, issued on November 8, 2006).

**ZIMBABWE – Arbitrary detention / Release on bail / Judicial proceedings / Harassment
August 17, 2006 - ZWE 003 / 0806 / OBS 098
September 19, 2006 - ZWE 003 / 0806 / OBS 098.1**

On August 15, 2006, Mr. **Wellington Chibebe**, Secretary General of the Zimbabwe Congress of Trade Unions (ZCTU), was arrested while driving from Masvingo with his family. The police demanded to search his car, supposedly in order to look for cash. He was detained at the Waterfalls police station.

At first, Mr. Chibebe was accused of “failure to cooperate with a police officer”. However, the police would have later deliberately changed the charges to “common assault against a police officer”.

On August 17, 2006, Mr. Wellington Chibebe appeared before the Mbare Magistrates Court. He was charged with contravening section 176 of the Criminal Law (Codification and Reform) Act [chapter 9:23], which states that “any person who assaults or by violent means resists a peace officer acting in the course of his or her duty, knowing that he or she is a peace officer, or realising that there is a risk or possibility that he or she is a peace officer, shall be guilty of assaulting or resisting a peace officer and liable to a fine not exceeding level twelve or imprisonment for a period not exceeding ten years or both”. Mr. Wellington Chibebe was released on a ZWD 2,000 bail (8 US \$) the very same day, and the trial date was set for September 4, 2006. However, the hearing was postponed due to a pending challenge by Mr. Chibede as to the constitutionality of the Criminal Law (Codification and Reform) Act [Chapter 9:23].

Furthermore, on September 12 and 13, 2006, the police repressed demonstrations organised by ZCTU against the worsening of living standards, and better access to antiretroviral drugs for HIV/AIDS infected persons.

Thus, on September 13, 2006, Mr. **Lovemore Matombo**, ZCTU President, Mrs. **Lucia Matibenga**, ZCTU First Vice-President, and Mr. Wellington Chibebe were arrested and taken to the Matapi police station in the Mbare, Harare district. All three were beaten so much that they could no longer stand after the assaults . They were denied access to a doctor from the organisation “Doctors for Human Rights” and to a lawyer.

In addition, hundreds of union leaders and activists were detained, interrogated and in some cases assaulted by the police in 16 cities and towns throughout the country. The ZCTU offices were blocked off and or even sealed off in Masvingo and Mutare by the army and polices forces.

In the morning of September 14, 2006, Mr. Matombo, Mr. Chibebe, and Mrs. Matibenga were transferred to the Harare Central Police Station. Police officers then refused to detain them and insisted upon receiving a report on who assaulted them. The same day, they were transferred back to the Matapi police station where officers denied any act of violence towards the detainees.

On September 15, 2006, Mr. Matombo and Mrs. Matibenga appeared before the Rotten Row Magistrates Court, being accused of contravening section 37 of the Criminal Law, Codification and Reform Act by having “in a way in order to disrupt public order”. Mr. Chiebebe was unable to attend the hearing due to serious cuts to the head, three broken bones and severe bruising and swelling all over his body. He was ruled *in absentia*. All three were released on a 20, 000 Zimbabwean dollars bail.

On October 3, 2006, 31 ZCTU members, including Mr. Matombo, Mr. Chiebebe, and Mrs. Matibenga, appeared before the Rotten Row Magistrates Court. The Judge ordered the Criminal Investigation Department to open an investigation into the alleged torture of the detainees by police officers. These torture allegations should have led to the suspension of the case. However, a hearing on the legal basis for the trial was set for October 17, 2006.

On that date, the hearing was postponed, at the request of the defence, to October 30, 2006, as the State had not yet fully furnished the details of the charges.

ZIMBABWE - Acquittal / Arbitrary arrests / Abuse / Release / Judicial proceedings
September 5, 2006 - ZWE 002 / 0206 / OBS 015.1

On August 28, 2006, 63 members of the NGO Women of Zimbabwe Arise (WOZA) were found not guilty in a ruling by the Rotten Row Magistrates Court, after a trial that lasted 14 days. The 63 members had been arrested on February 14, 2006 during a Valentine’s Day peaceful protest against economic and social inequalities faced by the Zimbabwean women. The assembly was held outside the Parliament in Harare. The women were facing charges of “breaching the peace” (Chapter 9.15, section 7 (C) - Miscellaneous Offences Act). Nonetheless, harassment of WOZA continues. On August 21, 2006, over than 200 members of WOZA organised a demonstration in the city of Bulawayo to protest against the introduction and implementation of the Monetary Policy by the Governor of the Reserve Bank. The police intercepted the demonstrators and arrested 153 of the women, who were brought to the Bulawayo, Saucitown, Mzilikazi, Queens Park and Barbourfields police stations. Several hours later, their lawyers were able to get 39 of them released on the condition that they report to the police station everyday until the initial appearance in court. In the course of the arrests, Ms. **Ephy Khumalo**, one of WOZA activists, fell from the police van and broke her arm. Several young women complained of beatings while being interrogated by members of the Law and Order Section at the Bulawayo Central Police Station.

On August 23, 2006, WOZA members appeared in court and were charged for contravening section 37 (1) (b) of the Criminal Law, Codification and Reform Act, for “participation in a public gathering with the intent to cause public disorder, breach of peace or bigotry”.

On the same day, all WOZA members were granted free bail and remanded out of custody.

On October 10, 2006, 152 WOZA members (men and women) appeared in remand court. The Magistrate then set the trial date for November 7, 2006, at the Bulawayo Magistrates Court. If convicted, WOZA members could be sentenced up to five years in custody or face a heavy fine.

Furthermore, 101 other WOZA members, who were prosecuted for the same charges after having been arrested on September 11, 2006, in Town House, Harare, whilst protesting against poor service delivery in the capital, appeared in remand court in Harare on October 5, 2006. The hearing was then postponed to October 23, 2006, at the Rotten Row Magistrate’s Court.

ZIMBABWE – Judicial proceedings
September 26, 2006 - ZWE 001 / 0106 / OBS 011.1
September 29, 2006 - Joint press release with CIJ

On September 25, 2006, a hearing against Messrs. **David Masunda, Nhlanhla Ngwenya, Lawrence Chibwe, Millicent Phiri, Arnold Tsunga, John Masuku** and Mrs. **Isabella Matambanadzo**, Board Trustees of the radio station *Voice of the People* (VOP), resumed before the Rotten Row Magistrates Court in Harare. They were accused of “broadcasting without a licence” under section 7 (1) chapter 12:06 and section 6 (a) and (b) –of the Broadcasting Services Act.

The Prosecutor argued that the charges should be brought against *VOP* as a trust and not against the 10 individual members of staff and Board of Trustees as was the present situation. For this reason, he declared that he wanted to ascertain that *VOP* was registered at the Register of Companies at the Deeds Office, and asked that the hearing be adjourned until November 7, 2006. He asked that the defendants be placed remand until that date.

However, the judge held that he saw no reason why the accused should be placed on remand, and that the charges against them should be dropped. However, this does not rule out a possible trial against *VOP* as a trust.

Geneva - Paris, November 2006

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