

# THE OBSERVATORY

## for the Protection of Human Rights Defenders

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

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

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**JUNE – JULY 2006**

**CHINA – Arbitrary detention / Harassment**  
**June 26, 2006 – CHN 005 / 0606 / OBS 081**

On June 16, 2006, Mr. **Liu Zhengyou**, a defender of the rights of the peasants of Zigong (Sichuan province) who were evicted from their land, was arrested at the Beijing airport at the request of the Zigong Municipal Public Security Bureau (PSB) and the Sichuan Provincial PSB when he was about to board a plane for Geneva (Switzerland), where he was to attend a training course on human rights organised by the International Service for Human Rights (ISHR), from June 17 to 25, 2006.

Mr. Liu was immediately taken back to Zigong, where he was placed in detention at the Huidong Branch of the Zigong PSB and questioned as a “criminal suspect” for his role in the April 20, 2005 “illegal demonstrations”, which aimed at handing the Mayor of Zigong a petition calling for enquiries into the eviction of peasants without compensation.

On June 18, 2006, Mr. Zhengyou was finally released and told that he would have to return for more questioning later.

**CHINA – Arbitrary detention / House arrest / Harassment**  
**June 2, 2006 - CHN 001 / 0803 / OBS 041.6**  
**June 7, 2006 - CHN 001 / 0803 / OBS 041.7**  
**June 30, 2006 – CHN 001 / 0803 / OBS 041.8**  
**July 17, 2006 - CHN 001 / 0803 / OBS 041.9**

On May 30, 2006, in a letter to his wife, Ms. **Jiang Meili**, Mr. **Zheng Enchong**, a lawyer detained during three years for “illegally providing State secrets to entities outside of China”, stated that the secretaries of the Party branch in the North Station and Tianshan districts had visited him in order to discuss the procedure that would be followed for his release, scheduled for June 5, 2006. In particular, they told him that for procedural reasons he had to be transferred to several police stations, before being finally released.

On June 5, 2006, Mr. Zheng Enchong was finally taken straight back home. However, he was immediately placed under house arrest.

On June 27, 2006, Mr. Zheng went to the local PSB in order to renew his identity card, in accordance with the terms of his sentence. Yet, once at the police station, he was told that the residency officer was not available to process his application.

On June 28, 2006, Mr. Zheng and his wife attempted to go to the Shanghai Municipal Government offices in order to lodge a complaint concerning these facts. They were then informed that the loss of Mr. Zheng’s political rights entailed a total restriction on his freedom of movement.

Furthermore, Mr. Zheng’s phone line was cut and tapped on numerous occasions, and his domicile was permanently watched by several uniformed police officers, preventing anyone from visiting him.

On July 12, 2006, public security police officers from the Shanghai’s Zhabei District North Station broke into his apartment and summoned his wife to report to the police station, on suspicion of “impeding the officials of state organs in the execution of their duties”. She was released shortly afterwards. A search on Mr. Zheng’s home was carried out and a computer was taken away, along with an important number of other documents, including a letter that Mr. Zheng had written to the authorities. A search warrant was produced after the search.

A few hours later, in the evening, the police returned to Mr. Zheng's home and summoned him to accompany them to the police station on suspicion of "during a period of deprivation of political rights, impeding officials of state organs in the execution of their duties", before releasing him a few hours later. Nevertheless, he has since had to report several times to the police station for questioning.

**CHINA – Arbitrary detention / House arrest / Harassment**  
**June 7, 2006 – CHN 004 / 0406 / OBS 044.1**

On May 23, 2006, Ms. **Mao Hengfeng**, a petitioner against family planning policies and forced evictions in Shanghai, was arrested by the police without a warrant, and further placed under house arrest in the district's Kelaideng Hostel. On May 30, 2006, Ms. Hengfeng was placed under criminal detention, after having accidentally broken a lamp while protesting against her illegal detention, and charged with "intentionally damaging property". To date, Ms. Hengfeng remains detained.

Besides, on June 5, 2006, police officers prevented Ms. **Ma Yalian**, a cyber-dissident, from leaving her home.

**CHINA – Arbitrary detention / House arrest / Judicial proceedings / Harassment**  
**July 11, 2006 – Open letter to the authorities**  
**July 21, 2006 – CHN 006 / 0706 / OBS 087**

- On June 10, 2006 Mr. **Chen Guangcheng**, a lawyer, was accused of "deliberate destruction of property" and of "organising a mob in order to disrupt the traffic".

On March 11, 2006, Mr. Chen had been arrested by local police officers on the pretext that he and others activists had obstructed traffic. His family was only notified on June 11, 2006 by the Yinan County PSB the reasons for his detention. Mr. Chen Guangcheng is presently held at the Yinan County Detention Centre.

Since early 2005, Mr. Chen had denounced the extensive violence and arbitrary detention employed by the authorities of Linyi, Shangdong province, in implementing the birth planning policy in 2004-2005 and had been assisting villagers to take legal action against these authorities. Since August 2005, the local authorities have continually sought to discredit his action and to intimidate him, along with his followers, in particular through a close surveillance, threats, house arrests and arbitrary detentions. On September 6, 2005, for instance, Mr. Chen was placed under "residential surveillance".

On August 24, 2006, Mr. Chen Guangcheng was sentenced to four years and three months imprisonment for the above-mentioned charges by the Linnan County People's Court (See Observatory Urgent Appeal CHN 006/0706/OBS 087.2, issued on September 1, 2006).

- On May 12 2006, Mr. **Guo Qizhen**, a volunteer at the Tiangwang Disappeared Persons Service Centre, in Cangzhou, Hebei province, was placed under house arrest by local security forces, while he was preparing to join a hunger strike in protest against the repression lead by the government against human rights defenders. On June 6, 2006, he was reportedly charged with "suspicion of inciting subversion of State power". To date, Mr. Guo would remain detained at the Cangzhou City Detention centre n° 2.

- Since May 30, 2006, Ms. **Ding Zilin** and Ms. **Zhang Xialing**, respectively Head and Spokesperson of the Tiananmen Mothers, were closely monitored by the police. Mrs. Ding was denied any visit and was only allowed to be brought by police officers to the hospital.

**CHINA – Judicial proceedings**  
**July 28, 2006 – Press release**

On June 28, 2006, the Gold Peak Industries Holding Limited (GP) lodged a complaint for "damages", before the High Court of Hong Kong, against representatives of the Hong Kong Confederation of Trade Unions (HKCTU) and two local trade unions, Globalisation Monitor and the Neighbourhood and Workers' Service Centre. The complaint was subsequent to a joint letter issued on June 4, 2006 by the three organisations, highlighting concerns over the excessive exposure of workers to the cadmium in GP workplaces, leading in some cases to poisoning.

**COLOMBIA – Serious threats**  
**June 1, 2006 – COL 008 / 0505 / OBS 033.2**

On April 30, 2006, Mr. **Iván Cepeda Castro**, a member of the National Movement of Victims of State Crimes (*Movimiento Nacional de Víctimas de Crímenes de Estado*), Director of the "Manuel Cepeda Vargas" Foundation and a regular contributor to the weekly newspaper *El Espectador*, received death threats on his personal email and on the readers' forum of his newspaper's, from the "Peasant self defence new generation", accusing him of being an "oppressor of the Colombian people".

On May 17 and 20, 2006, several human rights organisations, including the “José Alvear Restrepo” Collective of Lawyers (*Corporación Colectivo de Abogados “José Alvear Restrepo”* - CCAJAR), the organisation Compromiso, the Women’s Popular Organisation (*Organización Femenina Popular* - OFP), the Bari association, the Oil Industry Workers’ Trade Union, (*Unión Sindical Obrera de Trabajadores del Petróleo* - USO), the National Indigenous Organisation of Colombia (*Organización Nacional Indígena de Colombia* - ONIC), the UWAS indigenous organisation, the Consultative Committee for Human Rights and Displacement (*Consultoría para los Derechos Humanos y el Desplazamiento* – CODHES), Ethnic Groups of Colombia, the National Trade Union College (*Escuela Nacional Sindical* - ENS), and the InterPress service (IPS), received death threats through emails, from a group calling itself “Commando Nororiental”. The message also accused the NGOs of having ongoing links with the Revolutionary Armed Forces of Colombia (*Fuerzas armadas revolucionarias de Colombia* - FARC) and the Army of National Liberation (*Ejército de Liberación nacional* - ELN), and of giving financial support to those organisations. On May 24, 2006, another message from a group called the “Colombia Free of Communists Group, Central Bureau of the National Directorate, military wing of the former AUC” was sent to human rights organisations, designating them as military objectives.

### **COLOMBIA – Threats / Harassment June 7, 2006 – COL 010 / 0606 / OBS 065**

Between May 14 and 16, 2006, several persons presenting themselves as policemen went four times to Bogotá airport in order to get information on Mr. **Hollman Morris**’s journey to Europe on May 16. Mr. Morris is an independent journalist and programme director for the *Contravía* television coverages. He is particularly well-known for his stand on the human rights situation in Colombia. During their last visit, the persons identified themselves as members of the Unified Action Group for Personal Freedom (*Grupos de Acción Unificada por la Libertad Personal* – GAULA). Earlier, Mr. Morris had received threats owing to his activities. Thus, on May 16, 2005, a funeral wreath was sent to the homes of Mr. Hollman Morris and of two other journalists, Messrs. **Carlos Lozano** and **Daniel Coronell**. On June 27, 2005, in a public statement, the President of the Republic, Mr. Alvaro Uribe, had referred indirectly to Mr. Morris, placing him and his family at risk, by denouncing the links between FARC and the journalists working for an international media covering an attack by the guerrilla at Putumayo. Later, the President had published an apology on the Internet. Furthermore, on August 2, 2005, as he was leaving a *Contravía* recording session, Mr. Hollman Morris had been followed by four members of the Administrative Security Department (*Departamento Administrativo de Seguridad* – DAS). On the same day, 19 American Congressmen had demanded that the Colombian government should guarantee the life and safety of journalists, including Mr. Morris. Lastly, in February 2006, a video had been published in which a new paramilitary group purporting to be a human rights NGO and calling itself the Social Front for Peace (*Frente Social para la Paz*) had accused, among others, Mr. Morris of being a spokesman and defender of the FARC.

### **COLOMBIA – Assassinations / Harassment June 9, 2006 - COL 011 / 0606 / OBS 069**

On June 6, 2006, the corpse of Mr. **Luis Antonio Arismendi Pico**, President of the “Manuela Beltrán” Union of Food and Beverage Workers and Distributors of the San Francisco District Market Place (*Sindicato “Manuela Beltrán” de Trabajadores y Expendedores de Alimentos y Bebidas de la Plaza de Mercado del Barrio San Francisco* - SINDIMANUELABELTRAN), was found in the commune of Zipacón, Cundinamarca department. He had disappeared on April 28, 2006 with a friend, Ms. **Belquis Dayana Goyeneche**, as they were leaving their workplace. Since then, Mrs. Goyeneche’s body has also been found. The day before his disappearance, Mr. Arismendi Pico had told the police, in vain, that suspicious individuals were lurking around his workplace. Besides, Mr. Arismendi Pico’s son, Mr. **Ludwing Arismendi**, was subjected to several serious acts of harassment after he publicly denounced the disappearance of his father. In particular, members of the Criminal Police Directorate (*Dirección de Policía Judicial*) questioned him, confiscated his identity papers and followed him on several occasions.

### **COLOMBIA – Threats / Harassment June 9, 2006 - COL 012 / 0606 / OBS 070**

On June 1, 2006, the elder brother of Mr. **Franklin Castañeda**, a member of the Foundation Committee for Solidarity with Political Prisoners (*Fundación Comité de Solidaridad con los Presos Políticos* – FCSPP), with whom he shares his house, and who looks a lot like him, was threatened by several unknown persons. As he was getting out

of a taxi at an hour when Mr. Franklin Castañeda usually returns home, two other taxis surrounded him. Eight persons came out of the taxis, and three of them approached him with a threatening demeanour. One of the aggressors, realising that it was not Mr. Frankin Castañeda but his brother, said “it isn’t him”, and the men left immediately.

On April 23, 2006, Mr. Franklin Castañeda had been the victim of acts of intimidation from two unknown persons. He had reported the facts to the Human Rights Unit of the Public Prosecutor’s office in Barranquilla.

**COLOMBIA – Threats / Harassment**  
**June 16, 2006 – COL 013 / 0606 / OBS 075**

On June 7, 2006, the “Medias for Peace” Corporation (*Corporación Medios para la Paz - MPP*), dedicated to the promotion and establishment of “responsible journalism” for the coverage of the armed conflict, along with the Foundation for the Freedom of the Press (*Fundación para la Libertad de Prensa - FLIP*) and several other NGOs were declared “military objectives” through emails sent by an organisation calling itself “Democratic Front for a Free Colombia” (*Frente Democrático Colombia Libre - FDCL*).

The recipients of this message were accused of being “revolutionaries in disguise”, to be eradicated by the FDCL.

**COLOMBIA – Threats / Harassment**  
**June 20, 2006 – COL 014 / 0606 / OBS 077**

On June 12, 2006, in Barrancabermeja (Santander department), the husband of Ms. **Gloria Amparo Suarez**, a leader of the Women’s Popular Organisation (OFP), went to his workplace, where a man approached him and threatened to kidnap his wife and kill her if they continued their human rights activities.

Furthermore, on June 5, 2006, a pamphlet was circulated in the town, threatening with death “movements, associations, corporations, trade unions, organisations” denouncing human rights violations.

**COLOMBIA – Threats / Acts of intimidation**  
**June 23, 2006 – COL 015 / 0606 / OBS 078**

On June 14, 2006, the National Association of Hospital and Clinic Workers (*Asociación Nacional de Trabajadores de Hospitales y Clínicas - ANTHOC*), in Bogotá, received a message from a military group presenting itself as the military wing of the former United Self-Defence of Colombia (*Autodefensas Unidas de Colombia - AUC*), threatening to “exterminate every single trade unionist” and demanding that the members of the organisation leave the country.

The authors of the message also designated as military objectives Messrs. and Mrs. **Yesit Camacho, Juan Flores, Alberto Laines, Alberto Meneses, Wilson Perez, Maria Helena Tobon, Carmen Mayusa, Juan Osorio, Ediomar Botello, Luís Santana, Gladis Criado, William Vanegas, Angel Salas, Alfredo Castro, Aurelio Ladino, Antonio Ger, Lus Erenia Saac, Lina Gamarra, Hector Alvis, Wilson Narvaez, Bertulfo Solarte, Nubia Fonseca, Martha Lozano, Ortalides Castro, Gaston Tesillo, Gilberto Martines, Fernando Santamaria, Ligia Galeano, Raquel Salinas, Jose Merino, Ricardo Baron, Martha Ligia Castro, Carlos Bermeo, Arnulfo Parra, Billy Rusbel Beltrán, Rosa Luz Palencia, Edgar Pua, and Wilson Gutierrez**, all ANTHOC members.

**COLOMBIA – Death threats / Harassment**  
**June 30, 2006 – COL 016 / 0606 / OBS 084**

On June 21, 2006, an anonymous phone call was received by the *Radio Uno* radio station, belonging to the *RCN* channel. The caller, who was on the air, violently insulted and threatened with death Ms. **Maria Jacqueline Rojas Castañeda**, a member of OFP in Barrancabermeja, and announcer of a daily programme called *La Mohana*, produced by OFP. The programme aims notably at denouncing human rights violations in the context of the armed conflict.

**COSTA RICA – Assault / Death threats / Harassment**  
**June 2, 2006 – CRI 001 / 0606 / OBS 064**

On May 24, 2006, at San José, Messrs. and Mrs. **Tannia González, Nieves Granja, Gustavo Hernández and Tyrone Esna**, members of the Confederation of Rerum Novarum Workers (*Confederación de Trabajadores Rerum Novarum – CTRN*), were attacked by unknown persons who burst into the organisation’s premises. Mrs. González was threatened with a weapon, while the other staff members were forced to lie on the floor before being tied up. The

attackers stole personal properties of CTRN members, cheque books and the organisation's documents as well as many work documents relating to a complaint presented to the International Labour Organisation (ILO). The assaulters, who were in constant communication by cell phone with somebody outside, threatened their victims with death and claimed to know all about the journey to Brazil of Mr. **Rodrigo Aguilar**, another CTRN member. They locked everybody in the organisation's toilets before running off.

**DEMOCRATIC REPUBLIC OF CONGO – Attack**  
**June 15, 2006 – COD 004 / 0606 / OBS 072**

During the night of June 13-14, 2006, several hooded men wearing a military uniform went to the home of Mr. **Michel-Innocent Mpinga Tshibas**, a lawyer, former President of the Mbuji-Mayi Bar and President of the National Observatory for Human Rights, in the commune of Ngaliema. One of them, who was climbing over the wall of the residence, was surprised by a police officer in charge of Mr. Mpinga Tshibas's protection, who then fired at him. A second police officer, who was on guard in front of the house, was shot at by the attackers hiding in the street opposite the residence. Thanks to the arrival of other soldiers and police officers guarding other houses in the vicinity, the attackers finally withdrew.

**ECOSOC – Obstacles to the freedom of association**  
**July 20, 2006 – Press release**

On July 21, 2006, the United Nations Economic and Social Council (ECOSOC) considered the rejection of the applications for consultative status of NGOs addressing human rights violations based on sexual orientation and gender, as it considered the report of the ECOSOC Committee on NGOs.

In January and May 2006, the ECOSOC Committee on NGOs had rejected without motivation the applications from the International Lesbian and Gay Association (ILGA), the Danish National Association for Gays and Lesbians (*Landsforeningen for Bosser og Lesbiske – LBL*), the Lesbian and Gay Federation in Germany (*Lesben-und Schwulenverband in Deutschland – LSVD*) and ILGA-Europe. Furthermore, the Committee had decided to defer the examination of the application of the Gay and Lesbian Coalition of Quebec (*Coalition Gaie et Lesbienne du Québec - CGLC*) to a later session, as the NGO only provided its responses in French.

On July 21, 2006, before adjourning the debate, the ECOSOC confirmed the decision to reject ILGA's candidature, but rejected the decision not to grant consultative status to LBL, LSVD and ILGA-Europe. On July 28, 2006, the ECOSOC decided to postpone the examination of the requests from LBL, LSVD and ILGA-Europe to its October session.

**ECUADOR – Arbitrary detention / Release on bail / Judicial proceedings**  
**June 29, 2006 – ECU 002 / 0606 / OBS 082**  
**July 21, 2006 – ECU 002 / 0606 / OBS 082.1**

On June 19, 2006, on the premises of the oil company Coca-Payamino (Amazonian Province of Orellana), Mr. **Wilman Alfonso Jiménez Salazar**, a member of the Human Rights Defenders Protection Programme of the Regional Foundation of Advice on Human Rights (*Fundación Regional de Asesoría en Derechos Humanos – INREDH*), of the Orellana Human Rights Committee and of the Network of Community Leaders Angel Shingre (*Red de Líderes Comunitarios Angel Shingre*), was injured and then detained for four hours by the police. He was there as an observer at the violent dispersal of peasants who were occupying the premises to protest against the disastrous consequences that the oil business was having on the environment of the region. He was then taken to the Orellana civilian hospital before being transferred to the Orellana judicial police. Mr. Jiménez was detained in solitary confinement until the next day, when he was transferred to the military outbuildings of Brigade 19 of Selva Napo in the province of Pastaza. In addition, he was not allowed to have access to a doctor, despite the agreement of the Prosecutor of the district of Orellana.

On July 6, 2006, Mr. Jiménez was released on bail. His bail was paid by the Governor of Orellana Province, in order to defuse the social action that was mobilising to demand his release.

Nevertheless, Mr. Jiménez remains accused of "terrorism" and "sabotage" (article 158 of the Penal Code) and could yet be tried by a military court rather than a civilian court, which is contrary to the Constitution of Ecuador.

Furthermore, Messrs. **Diogles Zambrani**, **José Moreira**, **Diliberto Rodríguez** and Mrs. **Cruz Moreira**, members of the INREDH Human Rights Defenders Protection Programme, having also been witnesses to the eviction of the peasants on June 19, 2006, were likewise charged by the military court with "terrorism" and "sabotage", without having been arrested.

**EL SALVADOR – Searches / Ill-treatments / Arbitrary detention / Release / Judicial proceedings  
July 12, 2006 – SLV 001 / 0706 / OBS 086**

On July 6, 2006, the offices of the Trade Union Confederation of Salvador Workers (*Confederación Sindical de Trabajadores Salvadoreños* – CSTS) were searched by the police without a warrant having been presented. The police seized computing equipment, cameras and 2,000 US dollars in cash. They also kept Mr. **Daniel Ernesto Morales**, CSTS Chargé of Communication, kneeling against a wall for three hours, beat him on the head and in the face asking “where [were] the arms”. He was then arrested and accused of “illegal bearing of fire arms”, the police claiming that a gun had been found on the CSTS premises.

On July 12, 2006, Mr. Daniel Ernesto Morales was released on parole.

On July 5, 2006, members of different social and people organisations had organised a press conference in the CSTS offices in order to denounce the escalation of repression led by the authorities against the trades union and popular movement, while using the pretext of looking for arms that were supposed to have been used in the death of two policemen during a demonstration organised by students and academics on July 4, 2006.

Moreover, Mr. Daniel Ernesto Morales Rivera and the CSTS are currently prosecuting the company Diana S.A de CV, which belongs to the Minister of the Environment Mr. Hugo Barrera, as Mr. Daniel Ernesto Morales had been made redundant by the company in 2005 because of his union activity. Besides, the CSTS, jointly with the Centre for Study and Support at Work (*Centro de Estudios y Apoyo Laboral* - CEAL), requested an audience with the Inter-American Human Rights Commission (IAHRC) in the town of Guatemala on July 19, 2006, in order to report on the measures of systematic repression employed by the Salvadorian government against trade unions.

**EUROPE / COMMUNITY OF INDEPENDENT STATES - Publication of the Russian translation of the 2005  
Annual Report  
June 30, 2006 – Press release**

On June 30, 2006, the Observatory published the Russian version of the part on Europe and the Community of Independent States (CIS) of its 2005 Annual Report.

In the States of this region of the world, the year 2005 was marked by a distinct renewal of authoritarianism, which led to the muzzling of independent civil society and a great upsurge in violations against human rights defenders.

Thus, the Russian Federation and Belarus largely resorted to their legal arsenal to restrict freedom of association and expression. Russian defenders were subjected to assassinations or attempted assassinations, as well as completely made-up judicial proceedings or defamation campaigns broadcasted by the State media. Several NGOs were also subjected to burglaries or data base thefts.

Furthermore, in Uzbekistan, the tragic events of Andijan in May 2005 gave the authorities an extra pretext to further muzzle civil society, mostly in a violent manner.

In the Balkans, where the process of democratic transition is still coming up against certain difficulties, defenders carry on their activities in the context of a society facing violence and ultranationalist movements, particularly in Serbia-Montenegro.

In Turkey, even if there is a certain improvement in the matter of freedom of expression, defenders continue to be subjected to judicial harassment.

Finally, in Turkmenistan, it remains completely impossible to defend human rights in an organised manner, and those who take the risk on an individual basis face the harshest reprisals.

**GEORGIA – Break-in / Robbery / Harassment  
June 23, 2006 – GEO 003 / 0606 / OBS 080**

On June 7, 2006, the office of the Public Movement “Multinational Georgia” (PMMG), a NGO that notably aims at promoting national minorities’ rights and developing their integration in the Georgian society, were broken into and robbed by unknown individuals who stole the hard disks of the computers, which contained work documents, in particular the draft of an alternative report prepared by PMMG and to be addressed to the United Nations and the Council of Europe. This report dealt with the implementation of the Convention for the Protection of National Minorities. They also stole documents and analyses of the policy of the authorities concerning minorities. However, all valuable equipments were left in the office. During the two previous weeks, several PMMG’s employees and partner organisations had been contacted several times by State representatives, who were trying to obtain this alternative report. Faced with a refusal, the representatives had answered that they would “get it anyway”.

**GEORGIA – Arbitrary detention**  
**June 30, 2006 – GEO 004 / 0606 / OBS 085**

On June 29, 2006, Messrs. **Irakli Kakabadze, Zurab Rtveliashvili, Lasha Chkhartishvili, Jaba Jishkariani and Davit Dalakishvili**, members of the Egalitarian Institute, were arrested upon order of the Head of the Appeal Court of Tbilisi as they were demonstrating outside the Court, calling for the release of Messrs. Shalva Ramishvili and David Kokhreidze, co-founders and shareholders of the independent television channel *TV 202*, who were respectively sentenced to four and three years in prison for “extortion”, on March 29, 2006, on the basis of fabricated charges.

The five defenders were immediately sentenced, without any Court hearing, to 30 days of administrative detention, by the Court of Appeals, for “staging disorders in a court”, and brought to the pre-trial detention centre of the Ministry of the Interior. They were all released on July 29, 2006.

**GUATEMALA – Break-in and entering / Intimidation**  
**June 9, 2006 - GTM 004 / 0606 / OBS 067**

Between May 28 and 29, 2006, the headquarters of the Women’s Sector organisation (*Sector de Mujeres*), in the town of Guatemala, were burgled by unknown persons who stole several mobile phones and the fax machine and searched through the archives. They also left traces of blood at different places in the office, as a sign of intimidation and threat towards members of the organisation.

On June 6, 2006, the offices of the National Union of Guatemalan Women (*Unión Nacional de Mujeres Guatemaltecas - UNAMAG*) in Chimaltenango were also burgled in a similar way. Several objects were stolen, in particular a computer dedicated to the “Project of Victims Militating for Change”, which addresses women survivors of the armed conflict. Many other documents were searched through and scattered around.

**GUATEMALA – Harassment**  
**June 16, 2006 – GTM 005 / 0606 / OBS 074**

On June 1, 2006, several instructors from Casa Alianza-Guatemala, an NGO involved in the support and protection of the rights of street children and young people of Guatemala, were approached by motorized policemen and interrogated about their activities. When one of the educators explained the activities of his organisation, one of the policemen advised him to “be careful” and not to intervene in this business, or he would face reprisals.

In addition, on June 6, 2006, in Guatemala city, a female educator from the Street Children’s Movement (*Movimiento de Jóvenes de la Calle – MOJOCA*) was insulted by a soldier who was assaulting a young man living on the street.

**HONDURAS –Threats / Harassment**  
**June 8, 2006 – HND 001 / 0606 / OBS 068**

On May 29, 2006, Mr. **Andrés Tamayo**, a member of the Olancho Environmental Movement (*Movimiento Ambientalista de Olancho – MAO*), was seriously threatened, along with members of his community, by exploiters of the Honduras forests in the Commune of Samalá, who gave them 48 hours to leave the town.

These threats followed the declarations, on May 19, 2006, by the President of the Republic, Mr. Manuel Zelaya, who was demanding an immediate end to tree felling in several municipalities of the department of Olancho, giving the forestry exploiters one week to dismantle their infrastructures and withdraw their teams.

Following these threats, the MAO and the Centre for Justice and International Law (*Centro por la Justicia y el Derecho Internacional – CEJIL*) asked the Inter-American Commission for Human Rights (IACHR) to provide urgent protective measures to guarantee the integrity of Father Andrés Tamayo and Messrs. **Victor Manuel Ochoa, René Wilfredo Gradis, Elvin Noé Lanza, Macario Zelaya, Pedro Amado Acosta, Heraldo Zúniga and Santos Efraín Paguada**, MAO members.

**INTERNATIONAL LABOUR ORGANISATION (ILO) – Repression of trade unions freedoms**  
**June 7, 2006 – Intervention on trade union freedoms in Djibouti**  
**June 12, 2006 – General intervention**  
**June 27, 2006 – Press release**

During the 95<sup>th</sup> Session of the International Labour Conference held in Geneva, Switzerland, from May 31 to June 16, 2006, the Observatory addressed the various bodies of the International Labour Organisation (ILO) on June 7, 2006, in order to denounce legislative obstacles against trade union freedoms in Djibouti. Several matters of concern expressed by the Observatory were taken up in the ILO recommendations, including the “constant repression” lead

by the Djibouti authorities against trade union leaders, in particular through repeated arbitrary arrests or acts of judicial harassment.

The Observatory also welcomed the recommendations adopted by the Committee on Freedom of Association and the Credentials Committee, which, *inter alia*, called upon the Djibouti authorities to “respond rapidly to the serious allegations concerning [...] the arrest and detention of trade union leaders and members”. Reference was also made to the fact that on April 1, 2006 a joint mission of judicial observation, mandated by the Observatory and the International Confederation of Free Trade Unions (ICFTU) to observe the trial of several trade union leaders, was refused access to the country.

During the session, the Observatory also made a statement, on June 13, 2006, denouncing worldwide violations against trade union leaders and defenders of economic, social and cultural rights.

**IRAN – Obstacles to the freedom of peaceful assembly / Arbitrary detentions / Releases**  
**June 14, 2006 – Press release**

On June 12, 2006, representatives of several women’s and students’ rights NGOs who had organised a peaceful gathering in Tehran in order to protest against the discriminatory status of Iranian women were violently assaulted by the police.

Subsequently, at a press conference held on June 13, 2006, the Minister of Justice stated that 70 persons had been arrested and jailed in Evin prison in Tehran for “having organised an illegal gathering”. Among them were Mrs. **Gila Baniyaghoub, Shahla Entesari, Bahareh Hedayat, Atefeh Youssefi, Samira Sadri, Delaram Aramfar, Massoumeh Loghmani** and **Leyla Mohseninejad**, along with Messrs. **Aliakbar Moussavi Khoini, Bahman Ahmadi Amouï, Ali Rouzbehani, Amin Ghalei** and **Vahid Mirjalili**. They were all released, except Mr. Aliakbar Moussavi.

**IRAN – Forced disappearance / Fear of torture**  
**June 20, 2006 – IRN 001 / 0606/ OBS 076**

On June 14, 2006, Mr. **Salah Kamrani**, a lawyer in Tehran, disappeared after calling his wife while he was on his way home.

According to his wife, Mr. Kamrani would be detained at the Evin prison and would be prosecuted by the Revolutionary Court, although no charge was officially pronounced against him.

Mr. Samrani had recently defended some political prisoners who had been arrested during the repression of massive demonstrations protesting against the publication, on May 12, 2006, in a State-owned newspaper of a cartoon that had offended many Azeri Turkish citizens.

**IRAN – Sentencing**  
**July 19, 2006 – IRN 002 / 0705 / OBS 055.5**

On July 16, 2006, Mr. **Abdolfattah Soltani**, a lawyer at the Bar of Tehran and a founding member of the Defenders of Human Rights Centre (DRHC), was notified that the Revolutionary Court of Tehran sentenced him to five years in prison and the loss of his civil rights for not having respected the confidentiality of the preliminary enquiry into the case of Mrs. Zahra Kazemi, an Iranian-Canadian photographer who died in 2003 from torture and ill-treatment during her detention. Mr. Soltani appealed against this judgement.

In July 2005, Mr. Soltani, as the Kazemi family’s lawyer, had questioned the independence and fairness of the trial, stressing that the main officials allegedly involved in the case had not been prosecuted by the tribunal, including Mr. Saïd Mortazavi, Tehran Prosecutor.

On March 6, 2006, Mr. Soltani had been released after his bail of 100,000 euros had been paid thanks to a national and international solidarity movement. He had been arrested on July 30, 2005 when participating in a sit-in at the premises of the Tehran Bar, protesting against the arrest warrant delivered against him by Mr. Saïd Mortazavi on July 27, 2006 for “espionage”.

**ISRAEL - Arbitrary detention**  
**July 6, 2006 – Mission of judicial observation**  
**July 20, 2006 – ISR 001 / 0605 / OBS 039.6**

On July 6, 2006, the Observatory sent a mission of judicial observation to the hearing of the trial of Mr. **Ziyad Muhammad Shehadeh Hmeidan**, a fieldworker of Al-Haq, a Palestinian human rights NGO, before the Israeli High Court in Jerusalem (*Beit Mishpat Gavoha Le’Zedek* - BAGATZ), following a petition by his lawyer to appeal his



administrative detention. The petition was ultimately withdrawn by Mr. Hmeidan's lawyer, the court having indicated that any request for release on bail would be rejected.

On July 18, 2006, Mr. Ziad Hmeidan received a letter informing him that his administrative detention, which was to expire on July 20, 2006, was extended for four additional months. On July 26, 2006, the Ansar Military Court N°3 confirmed this further extension of Mr. Hmeidan's detention order.

Mr. Ziyad Hmeidan has been arbitrarily detained at the Moscobiyya Detention Centre since May 23, 2005, without any official charge.

**MEXICO – Harassment / Threats**  
**June 15, 2006 – MEX 007 / 0606 / OBS 073**

On June 6, 2006, in the José Azueta municipality (State of Guerrero), Mr. Francisco Aguirre Palacios, father of Mr. **Noé Aguirre Orozco**, a member of the Zihuatanejo Network of Environmental Organisations (*Red de Organizaciones Ambientalistas de Zihuatanejo - ROGAZ*), received a phone call at the family jewellers' shop. The caller first checked his identity, then informed him that his son was closely watched and that his "physical integrity was in danger". When Mr. Francisco Aguirre asked the caller to stop bothering his son and his family, the caller repeated his threats.

In addition, several men were seen in the neighbourhood of the shop, including an armed policeman, who would have stared menacingly at Messrs. Aguirre Palacios and Aguirre Orozco.

Mr. Noé Aguirre, along with lawyer Ms. Erica Serrano Farias, a legal advisor at ROGAZ, lodged a complaint with the Public Prosecutor's office.

**MEXICO – Armed attacks**  
**July 28, 2006 - MEX 008 / 0706 / OBS 089**

On July 20, 2006, the homes of Mr. **Alexandre Cruz López**, leader of the Indian Organisations for Human Rights (*Organizaciones Indias por los Derechos Humanos*), which are an integral part of the Popular Assembly of the Oaxaca People (*Asamblea Popular del Pueblo de Oaxaca - APPO*), was attacked with a Molotov cocktail, which caused no damage, the home-made device having failed to explode.

On July 22, 2006, the homes of Mr. **Enrique Rueda Pacheco**, Secretary General of the 22<sup>nd</sup> section of the National Union of Education Workers (*Sindicato Nacional de Trabajadores de la Educación - SNTE*), at Oaxaca, and of Mr. **Macario Otalo Padilla**, a member of the Extended Negotiation Commission (*Comisión Negociadora Ampliada*) of the 22<sup>nd</sup> section of SNTE, in the commune of Ocotlan de Morelos, 32 kilometres from Oaxaca, were also attacked with home-made bombs, which caused no major damage.

On the same day, the premises of *Radio Universidad*, located in the independent university Benito Juárez in Oaxaca (UABJO) and administered by faculty members and APPO members, were fired on with firearms exclusively used by the army and the armed forces. The radio station was then broadcasting live reports concerning the teachers' strike in Oaxaca and the acts of repression committed by the Government in connexion with the strike.

**MOROCCO / WESTERN SAHARA– Arbitrary detentions / Judicial proceedings / Ill-treatments**  
**June 23, 2006 – MAR 002 / 0606 / OBS 079**

On June 17, 2006, Mr. **Brahim Sabbar**, a former disappeared person and Secretary General of the Sahrawi Association of Victims of Serious Human Rights Violations Committed by the State of Morocco in Western Sahara (*Association sahraouie des victimes des violations graves des droits de l'Homme commises par l'Etat du Maroc au Sahara occidental - ASVDH*), and Mr. **Ahmed Sbai**, a member of the ASVDH Coordination Council and of the Committee for the Protection of the Prisoners held at the Black Prison, were forcibly removed from their vehicle, hit and insulted by several members of the Urban Security Groups (*Groupes urbains de sécurité – GUS*), when entering the town of Laayoun. They were on their way back from the town of Boujdour, where they had supervised the setting up of a section of ASVDH, which the Moroccan authorities refuse to register.

After having been brought and questioned at the Hay Ahmatar police station, where they spent the night, and, later, forcibly taken to the Laayoun Black Prison, where they were reportedly subjected to ill-treatments, Messrs. Sabbar and Sbai were charged with "membership in a criminal organisation" (*association de malfaiteurs*), "incitement to violence", "destruction of public property and placing obstacles on a public thoroughfare", "attack on an agent of the State", "participation in armed groups" and "belonging to an unauthorised association".

Messrs. Brahim Sabbar and Ahmed Sbai went on a hunger strike during the two days following their arrest, in order to request the opening of an enquiry into the acts of torture they were subjected to during their interrogations.

**NIGERIA – Dismissal / Harassment**  
**June 23, 2006 – Joint press release with ISHR**

On June 19, 2006, Mr. **Bukhari Bello**, Executive Secretary of the National Human Rights Commission of Nigeria (NHRC), received a letter from the Federal Ministry of Justice informing him of his dismissal, on the grounds that the government would not have been satisfied with some of the stands he had taken. In particular, the Government appears to have been displeased with comments made by Mr. Bello regarding proposed amendments to the Constitution of Nigeria prolonging the term of office of the Presidency of the Federation as well as his condemnation of the attacks by law enforcement personnel on members of the media.

**PHILIPPINES – Extra-judicial executions**  
**July 3, 2006 – Open letter to the authorities**

Since the beginning of 2006, at least six peasant leaders were assassinated in the Negros Occidental region, in particular in relation to land reform disputes:

- On June 26, 2006, Mr. **Wilfredo Cornea**, Vice-President of Task Force Mapalad (TFM), a national federation of farmers, and leader of the Mulawin Lanatan Agrarian Reform Beneficiaries Association (MULARBA), was assassinated at his home, in the Hacienda Mulawin, by two unidentified gunmen. Mr. Cornea was an ardent defender of the rights of the farmers who had been awarded land under the Comprehensive Agrarian Reform Program (CARP), to which was opposed Mr. Aquiles Lopez, the owner of the hacienda.

- On June 20, 2006, Mr. **Eladio Dasi-An**, a volunteer of the Negros section of the Alliance for the Advancement of People's Rights (KARAPATAN) and Vice-President of the Guihulngan Anti-Mining Alliance, was assassinated by two unknown men when returning home, in Barangay Malusay, Guihulngan.

- On May 17, 2006, Mr. **Mario Domingo**, President of the Hacienda Cambuktot Agrarian Reform Beneficiaries Association (HACARBA), was killed while visiting a piece of land occupied by 20 employees of Mr. Fairley Gustilo, former owner of the land, which had been awarded to the peasants by the Department of Agrarian Reform (DAR). When Mr. Domingo arrived, several of the employees fired at him and his colleagues, who tried to escape. Yet, two of the employees pursued and shot Mr. Mario Domingo, who died instantly.

- On April 22, 2006, Mr. **Porferio Maglasang Sr**, Chairperson of the Kabankalan Chapter of the National Federation of Free Farmers (*Pambansang Katipunan ng Malayang Magbubukid* – PKMM), was killed by three unidentified men, near his house, in Sitio Caraan, Brgy. Tampalon, city of Kabankalan. Mr. Porferio and PKMM were fighting for nearly 2,000 hectares of cogonal land, in the upland areas of Kabankalan City, cultivated by almost 1,000 families.

- On April 15, 2006, Mr. **Rico Adeva**, a community organiser of TFM, and his wife were attacked by three unidentified men on their way home to the Hacienda Fuego II, Brgy. Bagtic, city of Silay. Two of the men fired point blank at Mr. Adeva, killing him instantly, while the third held his wife by the arms. The assassination was following a confrontation between TFM and the Hacienda management.

- On March 27, 2006, Mr. **Vicente B. Denila**, an active member of the Camansi Farm Workers Cooperative (CFWC), whose members are beneficiaries of the agrarian reform, was shot to death by two unidentified men in Sitio Cansuyong, Barangay Novalla, Tanjay City. Since his death, Mr. Denila's family have constantly received threats, forcing them to move from their home.

**SOUTH KOREA – Arbitrary arrests and detentions / Harassment / Ill-treatment /**  
**Obstacles to freedoms of association and assembly / Judicial proceedings**  
**June 7, 2006 – KOR 001 / 0606 / OBS 066**  
**June 23, 2006 – KOR 001 / 0606 / OBS 066.1**

On May 25, 2006, about 200 members of the Korean Government Employees Union (KGEU), who were peacefully demonstrating in front of the Rural Development Administration (RDA) against restructuring plans and the global repression against KGEU, were attacked by the riot police. Several individuals were severely beaten and injured by both riot and plainclothes police officers, including Mr. **Kim Jeong Soo**, KGEU General Secretary, and Mr. **Choi Nak Sam**, Secretary for Public Relations. The latter had to be brought to the hospital. Many other participants were arrested, in particular eight KGEU members, against whom warrants of detention were issued and who were brought to the Suwon Joongbu police station. The Court subsequently approved four of these warrants, which led to the detention of Mr. **Park Woon Yong**, Secretary of Organising and Disputes, Mr. **Lee Jeong Soo**, an organisation director, along with two Vice-Presidents, Mr. **Park Kee Han** and Mr. **Han Seok Woo**.

After the gathering had been dispersed, 99 other KGEU members were arrested and detained for about 40 hours. The next day, several women were beaten and harassed by security guards, during a violent dispersal of another peaceful gathering in front of the RDA.

On May 28, 2006, the Governor of Gyeonggi proceeded to close down the KGEU provincial office, preventing the organisation's members from entering. Besides, the governor decided to take a series of measures to repress KGEU, including infiltrating into the ranks of the organisation and arranging a vote aimed at making KGEU members relinquish their membership of the union and make them join a so-called "legal" union. In response, KGEU members organised a sit-in in front of their premises. The provincial government retaliated by cutting electricity and Internet access to the union office.

These events followed serious acts of reprisals by the Korean authorities against KGEU and trade unions in general. Thus, on January 28, 2006, the "Act on the Establishment and Operation, etc. of Public Officials' Trade Unions" came into force. According to this law, which severely restricts the trade union activities of civil service government employees, the KGEU falls under the category of "illegal organisations".

Furthermore, on February 8, 2006 the Ministers of Justice, of Government Administration and Home Affairs, and of Labour held a joint press conference to issue an "Announcement concerning illegal activities of organisations of public officials", indicating that the government was about to take several repressive measures against "illegal activities by illegal organisations of public officials". Finally, the "Directive to Promote the Transformation of Illegal Organisations into Legal Trade Unions (Voluntary Withdrawal of Membership)", adopted by the Ministry of Government Administration and Home Affairs on March 22, 2006, clearly qualifies KGEU as an illegal organisation. On June 9, 2006, Messrs. Park Woon Yong, Lee Jeong Soo, Park Kee Han and Han Seok Woo were charged by the Suwon Regional Prosecutors' Office with "Bodily Injury by Special Obstruction of Public Duty", "Special Obstruction of Public Duty" and "Violation of Assembly and Demonstration Act". Messrs. Park Woon Yong and Park Kee Han were also indicted for "Violation of Local Public Officials Act" and Mr. Park Woon Yong for "General Obstruction of Traffic".

On July 11, 2006 Messrs. Park Woon Yong, Lee Jeong Soo, Park Kee Han and Han Seok Woo were released on bail but remain prosecuted.

#### **SLOVENIA – Acquittal / Judicial proceedings / Harassment June 16, 2006 – SVN 001 / 0406 / OBS 040.1**

On May 30, 2006, the Ljubljana district Court pronounced a not guilty verdict in favour of Ms. **Neva Miklavcic-Predan**, President of the Helsinki Monitor of Slovenia (HMS), for lack of evidence. Ms. Miklavcic-Predan was prosecuted for "slander" under Articles 171/1, 2, 3 of the Penal Code, and was liable to a prison sentence from three months up to two years. The charge followed a complaint lodged in 2003 by the Union of Veterans of the War of Independence of Slovenia, a pro-governmental organisation, after Ms. Miklavcic-Predan had organised a press conference, during which it had been said that the Vic/Holmec case and the assassination of soldiers of the national Yugoslav army in 1991 might be considered to be a war crime.

However, the State Prosecutor appealed the decision.

Moreover, two other criminal proceedings against Ms. Miklavcic-Predan remain pending, including one for "corruption". The other one relates to a case that was filed in 2005 by the judge Mrs. Biserka Matjan Krizaj, who felt offended by Mrs. Miklavcic-Predan's statement, according to which she was going to defend herself by "civil disobedience".

#### **SUDAN – Arbitrary detention / Judicial harassment July 21, 2006 – Open letter to the authorities**

On July 4, 2006, Mr. **Charles Locker**, Executive Director of Manna Sudan, an NGO working on peace building, human rights awareness and education, was arrested by the police at his home in Ikotos, in the Eastern Equatoria region, without any official motive.

A few hours before, the police had entered the premises of Manna Sudan, looking for Mr. Locker. As he was absent, several staff members were arrested for a few hours, and several assets of the organisation, including a vehicle, were confiscated.

On July 6, 2006, Mr. Locker was reportedly transferred to Torit, where he would remain detained without any official charge.

These events followed the publication on the Internet of several articles criticising the involvement of the governor of Eastern Equatoria and several other local authorities in tribal clashes.

Furthermore, on July 9, 2006, Dr. **Nagib Ngam Eldine**, Director of the Amel Centre for the Treatment and Rehabilitation of Victims of Torture, a partner of the Sudanese Organisation Against Torture (SOAT), was arrested by three agents of the National Security Bureau (NSB), and taken to the office of the Attorney for Crimes against the State, in Khartoum, where he was detained for several hours. Dr. Nagib was questioned about reports circulated by SOAT concerning the summary trials of hundreds of persons arrested during the riots that took place in Sudan

following the death of the First Vice-President on August 1, 2005. Dr Nagib was also accused of having supplied such information to SOAT.

Dr. Nagib was released on bail nine hours later, and notified that an enquiry had been initiated against him for “publication of false news” (Art. 66 of the Sudan Penal Code), “public nuisance”(Art. 77), “omission to produce documents or deliver statement” (Art. 99), “defamation” (Art. 159), and under the provisions of the 1999 Press and Printed Materials Act, amended in 2002 and 2004.

### **SYRIA – Obstacles to the freedom of movement**

**June 29, 2006 – SYR 004 / 0606 / OBS 083**

On June 26, 2006, Mr. **Radwan Ziadeh**, Director of the Damascus Centre for Human Rights Studies, was prevented from going to Amman (Jordan), where he was to take part in an international conference entitled: “Human rights within the framework of Criminal Justice: current challenges and needed strategies in the Arab World”, organised by the Amman Centre for Human Rights Studies (ACHRS), from June 27 to 29, 2006. Mr. Ziadeh was supposed to make an intervention on the transitional justice in the Arab World. At the border between Syria and Jordan, the Syrian security forces prevented him from leaving the country, without any official motive.

On the same day, members of the Syrian Political Security Forces came to Mr. Ziadeh’s home, who had already left, and questioned his brother, in vain, on the reasons for his travel to Jordan.

### **SYRIA – Releases / Arbitrary detentions**

**July 28, 2006 – Press release**

On July 17, 2006, Mr. **Nidal Darwish**, a member of the Presidential Committee and the Board of Directors of the Committees for the Defence of Human Rights and Democratic Freedoms in Syria (CDF), Mr. **Safouan Tayfour**, a human rights defender, and Mr. **Ghaleb Amer**, a board member of the Arab Organisation for Human Rights, were released on bail, after having accepted, probably under constraint, to withdraw their signature from a petition launched by Syrian and Lebanese intellectuals, calling for the normalisation of relations between Lebanon and Syria. They had been arrested on May 16, 2006.

However, Mr. **Anouar Bunni**, a founder member of the Syrian Human Rights Association (ASDH) and member of the Committee for the Defence of Prisoners of Conscience, arrested on May 17, 2006, and Mr. **Michel Kilo**, President of the Organisation for the Defence of Freedom of Speech and Press, remain in detention.

All had been arrested in the framework of a general wave of repression against representatives of the civil society, in link with the circulation, in May 2006, of this petition. They remain charged with “weakening the national ethic” and “incitement to opposition struggle” (Art. 285 of the Penal Code), and are liable to up to 15 years’ imprisonment. No date has yet been fixed for the hearings.

### **TUNISIA - Arbitrary arrest / Harassment / Obstacles to the freedom of movement**

**June 14, 2006 - TUN 003 / 0606 / OBS 071**

**July 7, 2006 - TUN 003 / 0606 / OBS 071.1**

On June 3, 2006, Mr. **Ali Ben Salem**, Vice-President of the Association for the Fight Against Torture in Tunisia (*Association de lutte contre la torture en Tunisie - ALTT*) and President of the Bizerta section of the Tunisian League for Human Rights (*Ligue tunisienne des droits de l’Homme - LTDH*), was arrested at his home, located above the offices of the Bizerta section of the LTDH, after the police had broken the door of his garden. After having been presented in the afternoon to the examining magistrate for “circulating false reports liable to disturb the public order”, Mr. Ben Salem was granted a provisional release, but forbidden to leave the country. Since November 2005, his domicile was closely and constantly watched by the police.

His arrest followed the publication, on June 1, 2006, of a press release denouncing ill-treatments and acts of torture inflicted on the inmates of the Borj Erroumi prison, which Mr. Ben Salem had signed as the President of the Bizerta section of LTDH.

Furthermore, since the evening of July 4, 2006, numerous police officers have been surrounding Mr. Ben Salem’s apartment, preventing anyone but close family members from entering. These facts follow a meeting organised on the same day by the Bizerta section of LTDH, in its premises, bearing on the numerous restrictions to the freedom of assembly imposed to LTDH sections, the banning of the LTDH Congress, and the numerous judicial proceedings initiated against the organisation.

**TUNISIA – Obstacles to the freedom of association / Harassment**  
**July 21, 2006 - TUN 004 / 0706 / OBS 088**

On July 21, 2006, members of the National Council for Freedoms in Tunisia (*Conseil national pour les libertés en Tunisie* – CNLT), who were to take part in an internal meeting that morning, were prevented from reaching the building in which their premises are located, in Tunis, by a large number of plain-clothes policemen, who were surrounding the neighbourhood.

The police also aggressed verbally and physically the CNLT members approaching the building. For instance, Ms. **Naziha Rjiba** (alias Om Zied), a founding member of CNLT, in charge of communication with the CNLT Liaison Committee, and editor of the on-line newspaper *Kalima*, was violently beaten and insulted. She was then forcibly placed in a taxi by policemen, who told the driver to take her anywhere he liked, adding that she was a prostitute and that he “could do whatever he liked with her”. When Ms. Naziha Rjiba was able to return to her home, it was surrounded by plain-clothes police officers, who kept watch on her all the morning.

**TURKEY – Judicial proceedings / Arbitrary detentions / Releases**  
**June 20, 2006 – TUR 001 / 0406 / OBS 045.1**  
**June 29-30, 2006 – Mission of judicial observation**  
**July 19, 2006 – Press release**

On June 29, 2006, the Observatory sent a mission of judicial observation to witness the trial of Mr. **Edip Yasar**, a member of the Diyarbakir section of the Human Rights Association (HRA) and President of Tum Bel-Sen, a trade union of municipal officials, and of Mr. **Necdet Atalay**, an HRA member, before the Diyarbakir Heavy Criminal Court. They were both charged with “assisting and supporting illegal organisations” (Art. 314/3, 220/6-7, 314/2, 58/9, 63 of the Penal Code). The proceedings were marred with numerous irregularities, in particular regarding access by the defence to the evidences. The trial was postponed until July 20, 2006, when the accused were released for “lack of sufficient proof”, in the presence of an observer sent by the Observatory. However, the charges remain pending, and the trial was postponed until October 10, 2006.

On June 30, 2006, the Observatory also sent an observer to the trial of Messrs. **Resit Yarai** and **Mursel Kayar**, respectively board member and member of the HRA Batman section, facing the same charges. The hearing was firstly postponed on August 15, 2006, then September 13. They remain detained in the Batman prison.

Lastly, on July 13, 2006, the Observatory sent an observer to the trial of Mr. **Ali Onçü**, Spokesman of the Diyarbakir Democratic Platform and President of TES-Is, one of the largest trade unions in the country, who was facing the same charges. On that day, the Diyarbakir Heavy Penal Court Number 6 decided to release him. The release was made possible by the fact that the Public Prosecutor replaced the initial charges by those of “propaganda”, which are still pending. The next hearing is scheduled to take place on October 10, 2006.

**UNITED NATIONS HUMAN RIGHTS COUNCIL – First session**  
**June 26, 2006 – Joint intervention**

During the first session of the United Nations Human Rights Council, which took place from June 19 to 30, 2006 in Geneva, Switzerland, the Observatory expressed its concern about the fact that the repression human rights defenders are subjected to worldwide continues and indeed is growing and, consequently, pointed out the ongoing importance to widely recognise the legitimacy of their action and their increasing need for further protection.

Whereas no region of the world is immune to such repression (assassination, forced disappearances, torture, ill-treatments, death threats, arbitrary arrests and detentions, adoption of restrictive legislation, etc.), the mandate of Ms. Hina Jilani as Special Representative of the Secretary General of the United Nations on Human Rights Defenders is coming to an end, after six years of remarkably rigorous and extensive activity. Much has been achieved, yet much remains to be done: two reasons to not only renew the mechanism, but also to strengthen it with increased resources for fulfilling its mission.

**UZBEKISTAN – Ill-treatment / Torture / Arbitrary detentions / Obstacles to the freedoms of association and assembly**  
**June 30, 2006 – Open letter to the authorities**

- On March 24, 2006, Messrs. **Uktir** and **Sharov Pardaev**, members of the Dijzak section of the Human Rights Society of Uzbekistan (HRSU), were arrested and beaten by representatives of law-enforcement bodies although they had been officially led to the police station as witnesses of another arrest. Thanks to intensive mobilisation from of the local civil society, they were released a few hours later. Mr. Sharov Pardaev had to be taken to hospital due to serious injuries.- On May 4, 2006, following a complaint lodged by the Ministry of Justice, the Tashkent Civil Court

ordered the liquidation of the Uzbek section of the NGO Counterpart International, on the grounds that “its status [did] not correspond to its real activities”, and that it had failed to pay some taxes. On May 25, 2006 another proceeding was brought against the organisation for “publishing documents without a license”.

- On May 12, 2006, during a peaceful demonstration at the “Memorial of Courage” to commemorate the victims of the Andijan massacre, human rights defenders, political opponents and foreign journalist covering the event were attacked by members of the special police unit. Thus, Mr. **Antoine Lambroskini**, correspondent of the French agency *France Presse* (AFP), was beaten up and forced to leave the town.

- On May 22, 2006, Mr. **Ilhom Zaynabitdinov**, son of Mr. **Saidjahon Zaynabitdinov**, President of the organisation *Appeliatsia* (Appeal), was arrested. He would have been detained at the Ministry of Internal Affairs for having pursued his father’s human rights activities, who was sentenced, on January 11, 2006, to seven years’ imprisonment, in relation with his human rights activities in the aftermath of the Andijan events in May 2005. No information on their whereabouts have been provided, in spite of a statement of the European Union Presidency on June 19, 2006.

- On May 24, 2006, Mr. **Arabboi Kadirov**, Head of *Ezgulik* in the Pop district, in the Namagan region, was arrested at his home for “suspicion of document falsification”. The police, which had an arrest and search warrant, seized his computer and various documents relating to his activities. Mr. Kadirov is reportedly detained in a police station in the Pop region.

- On April 29, 2006, Messrs. **Azam Formonov** and **Alicher Karamatov**, heads of the HRSU offices in Cerdarine and Mizaabad, were arrested and detained at the Khavast administrative detention centre n°13. During the first month of their detention, they were detained incommunicado and were subjected to acts of torture. Before his arrest, Mr. Formonov had been ordered by the tax authorities to pay a fine of 47,000 sums for “tax evasion”. The police also searched his home and confiscated his computer and his photocopier, after having violently hit his wife, Ms. Ozoda Yakubova. Later after these facts, relatives of Messrs. Formonov and Karamov were subjected to numerous acts of harassment and threats.

On June 15, 2006, Messrs. Formonov and Karamatov were sentenced to nine years’ imprisonment for “extortion”, on the basis of a statement made by an oil exporter in the Zaaminsk region, drafted after their arrest, and according to which Messrs. Azam Formonov and Alicher Karamatov had forced him to give them some money.

On July 7, 2006, Mr. Karamatov was transferred to the penitentiary colony n° 49, in Karshi.

On July 18, 2006, their sentence was confirmed in appeal, although the Court was not officially seized. After the hearing, Messrs. Azam Formonov and Alicher Karamatov were transferred at the penitentiary colony n° 71, in Karakalpakie region, in the west of the country, where conditions of detention are known to be very harsh, leading regularly to the death of detainees. Besides, Mr. Azam Formonov remains prosecuted on the basis that he would have breached some business law provisions and used some materials lent to them by an international NGO.

- On June 16, 2006, the home of Mr. **Yagdar Turlibekov**, President of the Kashkadarinsk section of HRSU, was searched for four hours, without a warrant, by 30 members of the militia and the National Security Services (NSS). After having seized hard disks and documents, they brought Mr. Turlibekov to the City Department of Internal Affairs, where he was detained incommunicado without any charge being officially brought against him.

- Furthermore, the authorities increased their control over the NGOs, in particular since the signature, in January 2006, of amendments restricting the freedom of association. This text provides, *inter alia*, that the organisation of meetings or assemblies requires the prior authorisation of the competent national authorities. Besides, the amendments tend to deter foreign NGOs from intervening in the political situation of the country, being liable to very substantial fines. Fines are also specified for “libel”, “insults”, or “dissemination of documents of which the content may constitute a threat to public security and order”, etc.

### UZBEKISTAN – Ill-treatment / Arbitrary detention

July 25, 2006 - UZB 001 / 0306 / OBS 026.1

On July 7, 2006, Ms. **Mukhtabar Tojibaeva**, Head of the “Ardent Hearts Club”, a human rights organisation based in Margilan, in the Fergana valley, was transferred from her cell in the Tashkent Detention Centre to the psychiatric section for mentally ill and drug-addicted persons in a women’s detention centre in the Mirabad district, Tashkent.

On July 13, 2006, her lawyer was allowed to see her. Her hands were tied, but she did not explain why, as they were watched. Since then, Ms. Tojibaeva has not been authorised to receive other visits, and no official reason has been given for her transfer, despite the requests of her lawyer. According to the latter, Ms. Tojibaeva looked very weak and depressed, and was reportedly denied access to appropriate medical treatment. She would have been forced to take some medication, of which neither the content nor the effects are known.

Ms. Mukhtabar Tojibaeva was arrested on October 7, 2005, and sentenced, on March 6, 2006, to eight years’ imprisonment by the Dustobod Urta Chirchik Court in Tashkent, on 17 charges, mainly of an economic nature, including “slander” (Art. 139.3 of the Criminal Code) and “membership of an illegal organisation” (Art. 244).

**VENEZUELA – Obstacles to the freedom of association**  
**July 11, 2006 – Open letter to the authorities**

On June 13, 2006, the National Assembly of Venezuela approved on first reading a Bill on international cooperation, which establishes a legal regime that regulates, *inter alia*, the functioning of local and international NGOs operating in Venezuela. The bill also provides for the setting up of administrative and financial bodies, aimed at organising and supervising the execution, follow-up and evaluation of the policies, actions and activities carried out by the Venezuelan State in the field of international cooperation.

The bill would allow the regulation and control of NGOs objectives, activities and sources of funding, which could lead to arbitrary restrictions on their international sources of income. Furthermore, Chapter 3 of the Bill contains provisions regarding the registration of NGOs with the State authorities, which could interfere with, or even seriously hinder, their independent functioning and/or the normal pursuit of their activities.

**ZIMBABWE – Judicial proceedings**  
**June 15, 2006 – Joint press release with the ICJ**  
**June 15, 2006 – Mission of judicial observation**

On June 15, 2006, the Observatory and the International Commission of Jurists (ICJ) mandated an observer to attend the hearing in the trial against Mr. **Arnold Tsunga**, President of the Zimbabwe Association of Human Rights (Zimrights) and of the NGO Zimbabwe Lawyers for Human Rights (ZLHR), before the Rotten Row Magistrates' Court in Harare. Mr. Tsunga, as well as Messrs. David Masunda, Lawrence Chibwe, Nhlanhla Ngwenya, Millicent Phiri and Ms. Isabella Matambanadzo, all trustees of the independent radio station *Voice of the People* –(VOP), are accused of having broadcast and recorded radio programmes without a licence, a charge carrying a penalty of up to two years imprisonment. The accused are currently free on bail. Their trial was postponed until September 25-28, 2006.

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Geneva - Paris, September 2006

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