



# ASIA







## Bangladesh

### ▷ False charges against Nazrul Islam Delwar<sup>1</sup>

**Mr. Nazrul Islam Delwar**, an official of the Bangladesh Human Rights Commission (BHRC), was falsely charged in connection with the killing of a thief in the village of Khaisair of Rupgonj Thana, of the Narayangonj district.

The inquiry, led by the BHRC, could not find any link between Nazrul Islam and the death of the thief. It is believed that his arrest actually came about as a result of his previous political activities. In the last election of the main local government body, or Union Parishad (UP), he had disputed the election of current Chairman Mr. Mafazzal Haque Pinto. Mr. Nazrul Islam had protested against many unjust and repressive acts committed by the Chairman. An alleged connection between Mr. Pinto and a local "terrorist" leader Mr. Joinal was also highlighted by BHRC. In addition, Mr. Nazrul Islam recently helped the freedom fighter, Mr. Eliyas by protecting him and his family against Mr. Joinal in the Rupgonj Thana case n° 10(1)98 under section 143/448/323/354/379/380/506 of BPC and case n° 5(1)98, section 435 BPC.

BHRC has appealed to the highest authorities for a counter-inquiry, but it is reported that no action has been taken to date.

<sup>1</sup> See urgent appeal BGD 001/0009/OBS 092

### ▷ Arrest of human rights defenders<sup>2</sup>

The Observatory was informed by the South Asian Human Rights Documentation Centre (SAHRDC) of the arrest of **Mr. Sanchay Chakma**, a leader of the indigenous Jumma Peoples movement and former President of the Hill Students Council, and eight other human rights defenders, on 12 January 2001.

Mr. Chakma and the others were organising a public meeting at the Chittagong District Auditorium after being granted permission by the government authorities to celebrate the second anniversary of the formation of the United Peoples Democratic Front (UPDF), one of the organisations of the indigenous Jumma Peoples. The police reportedly roughly handled the organisers and participants of the meeting, snatched away their microphones, and forced the participants to leave the auditorium.

They are presently being held in jail in Chittagong.

The other arrested persons are: **Mr. Dipayon Khisha**, member of the Reorganisation Committee of the Hill People's Council; **Mr. Rupok Chakma**, President of the Hill Student's Council; **Mr. Biplob Chakma**, student of Chittagong University and also Executive Committee Member of the Hill Student's Council;

<sup>2</sup> See urgent appeals BGD 001/0101/OBS 007; BGD 001/0101/OBS 007.01



**Mr. Upayon Chakma**, polytechnic student at Chittagong; **Mr. Newton Chakma**, B.A. examinee; and **Mr. Sadhan Mitra Chakma** and **Mr. Kalai Chakma**, supporters of the UPDE. The police also arrested the guest speaker, **Mr. Karim Abdullah**, a Chittagong City leader of the Democratic Revolutionary Front ("Janotrantric Biplobi Jote").

The police arrested Mr. Sanchay and others without an arrest warrant.

Mr. Sanchay Chakma recently participated in the 6th Session of the United Nations Open Ended Inter-Sessional Working Group on the Draft Declaration on the Rights of the Indigenous Peoples, in Geneva, held from 20 November to 1 December 2000. Mr. Sanchay Chakma made statements on standard-setting processes, and cited the situation of the Chittagong Hill Tracts as an illustration. He also addressed a public meeting, organised on 27 November 2000 during the Working Group session to discuss the report, "Life Is Not Ours: Land and Human Rights in the Chittagong Hill Tracts<sup>3</sup>, - Update 4", an investigative report of the Chittagong Hill Tracts Commission. SAHRDC has obtained a copy of the preliminary charges, what is known as "Chalan" in Bangladesh, filed by the Sub-Inspector of the Kotwali

Police Station in Chittagong to the Chief Metropolitan Magistrate on 13 January 2001. Mr. Chakma and his colleagues were arrested under General Diary entry No. 729 of 12 January 2001. The "Chalan" further states that the accused were arrested under section 54 of the Criminal Procedure Code by Kotwali Police while they were creating disturbance in the minds of the public by delivering provocative and objectionable statements against the "Accord" of the Chittagong Hill Tracts.

Mr. Sanchay Chakma and his colleagues were taken before the Chief Metropolitan Magistrate of Chittagong on 17 January 2001. All of their bail pleas were rejected, except for that of Mr. Karim Abdullah.

Among other things, detainees Mr. Sanchay Chakma and Mr. Biplob Chakma were separated from the others and transferred to the Rangamati prison.

Finally, SAHRDC fears the police will try to implicate Mr. Sanchay Chakma in other affairs, as recent information has confirmed. Mr. Sanchay Chakma's name is now in the police files listed as being tied to the murders of two people, Dayamdy Chakma and Jyoti Chakma.

<sup>3</sup> A disputed territory in Bangladesh which has seen the influx of a great many settlers onto lands that previously belonged to indigenous people.



## India

### ▶ Arrest of student unionists<sup>1</sup>

The office of the **All Manipur Students Union (AMSU)** was raided by army unit "Assam Rifles", stationed in Manipur, on 22 and 23 November 1999. The office was ransacked and many important documents were seized.

The President of AMSU, **Mr. Pangambam Premananda Meitei**, was arrested from the AMSU office on 22 November at around 2:30 p.m.; the Secretary-General, **Mr. Oinam Ratankumar**, was arrested in the middle of a press conference at around 8:10 p.m. on the same day. Both of them were illegally detained and allegedly tortured in the custody of the "Assam Rifles" Camp at Kangla, Imphal, in the state of Manipur. Mr. Premananda was handed over to the police on 23 November at around 3:00 p.m., followed by Mr. Retankumar the next day. First Information Reports (FIR) FIR no. 322 (11) 99 and FIR no. 323 (11) were registered respectively against the two, and both were charged under sections 121/121 A of the Indian Penal Code.

On 24 November, **Mr. Hanjabam Chandeshore**, Finance Secretary of the AMSU, was arrested by the Manipur police.

The "Assam Rifles" is pressuring both the Manipur Government and the Indian Government to outlaw the students' organisation in Manipur.

The unit has released fabricated documents to the press in an effort to portray the AMSU as an organisation engaged in extortion activities and having links with the underground armed resistance.

In the last two months, mass mobilisation against the recurring massacres of innocent civilians in Manipur has been gathering momentum. These activities were to culminate on 27 November 1999 with the observation of a day entitled the "Anti-Armed Forces Special Powers Act Day" (on this day in 1997 the Supreme Court of India upheld the constitutionality of AFSPA).

However, the state police sealed off the meeting hall and stopped the demonstration.

### ▶ Extra-judicial executions of two APCLC members<sup>2</sup>

The Observatory was informed by Amnesty International that human rights defender **Mr. T. Puroshottam**, the Deputy Secretary of the Andhra Pradesh Civil Liberties Committee (APCLC), was killed by a group of unidentified men who slit his throat in a local shop in Hyderabad.

He had persistently received threatening phone calls due to his involvement in numerous investigations into alleged human rights violations by police officers, which included torture and extra-judicial executions.

<sup>1</sup> See urgent appeal IND 002/9912/OBS 079

<sup>2</sup> See urgent appeal IND 001/0011/OBS 117 and IND 001/0001/OBS 016



He was attacked in the Mahaboobnagar district in May 1997; he claimed that the attackers were police officers, this incident remained unsolved. At a meeting in Bangalore in December 1999, he spoke of the recurrent dangers that human rights defenders faced in Andhra Pradesh; several had been killed in the 1980s and early 1990s. The APCLC claims that police officers have been actively involved in attacks on human rights defenders, employing ex-members of armed groups in their operations.

On 18 February 2001, **Mr. Muhammad Azam Ali**, member of the Nalgonda branch of the APCLC, was assassinated by two unidentified persons while at a meeting commemorating the assassination of his colleague, Mr. Puroshottam. The government of Andhra Pradesh condemned the death of Mr. Azam Ali, and announced, in front of the legislative Assembly, the opening of a judicial inquiry. However, no details concerning the duration, composition, nor field action of this inquiry were given. With regard to the context, it is very important that this inquiry be independent in order to make known the link between police and the authors of these assassinations. According to Amnesty International, the assassins of Mr. Azam Ali were likely ex-members of an armed group, possibly two persons in detention accused of the murder of

Mr. Puroshottam. Although demands have been made by NGOs, police continually refuse to enact a judicial inquiry on this matter, as well as on the obvious threats that other human rights defenders are subjected to, and on the allegations concerning the involvement of the police in the attacks against militants.

### ▷ Attempted murder of J. Singh<sup>3</sup>

The Observatory was informed by the People's Vigilance Committee on Bonded Child and Migrant Labour of the attempted murder of **Mr. Jai Singh**, Regional Coordinator for the South Asian Coalition on Child Servitude (SACCS).

On 3 December 2000 in Phillaur, Jalandhar, three farm owners, allegedly in connivance with the local police, attacked Mr. Jai Singh. This was the fourth attempt on his life.

According to information received, the activist alleged that the farm owners hatched a conspiracy against Mr. Jai Singh because, in the month preceding the attack, he had rescued two victimised farm labourers, Rohi Ram and Birbal Singh, who were being exploited under the age-old "Siri" system.

<sup>3</sup> See urgent appeal IND 002/0012/OBS 123



## Indonesia

### ▶ Disappearance and murder of Jafar Siddiq Hamzah<sup>1</sup>

On 5 August 2000, **Mr. Jafar Siddiq Hamzah**, Head of the International Forum for Aceh, an NGO based in New York, was reported missing when he failed to turn up for an appointment in Medan, North Sumatra.

It was noted that, when he returned to Aceh in the summer, he was immediately aware that he was being followed. He did not want to be outdoors late at night, and made sure that friends and family knew where he was at all times. Mr. Jafar Siddiq Hamzah had planned to spend the summer in Aceh setting up a network to document human rights violations and to work for a peaceful resolution to the political conflict. He was also hoping to open an office of the International Forum.

On 3 September 2000, some 83 km west of Medan, the body of Mr. Jafar Siddiq Hamzah was found along with four others.

It was noted by Human Rights Watch that an investigation by police in Medan had failed to produce any leads.

### ▶ Violent Attack of two PIJAR activists<sup>2</sup>

The Observatory was informed by PIJAR (Pusat Informasi dan Jaringan Aksi Reformasi) that on

6 September 2000, **Mr. Christian Evert** (Secretary-General of PIJAR Indonesia) and **Mr. Yan Dana Hay** (officer of PIJAR Indonesia Jakarta Branch) were brutally beaten by two attackers.

The incident happened shortly after Christian Evert and Yan Dana Hay had attended a demonstration with other PIJAR members and members of the Street Children Solidarity (SAJA) in front of Jakarta City Hall to protest the government's homeless policy. They were reportedly attacked at the east end of Pedati Street, about a hundred meters from the Secretariat of PIJAR.

Yan Dana Hay, who is also a student with Jakarta International Hotels, had to be taken to the emergency room of St. Carolus Hospital with serious injuries: he required eight stitches in his head and four in his right hand, and he also had a foot wound. Christian Evert suffered from heavy bruising around his waist after being beaten with an iron bar. One of the two attackers was noted to have been wearing a black T-shirt with "stop violence" ("stop kekerasan") written on it.

This attack followed an anonymous e-mail threat sent to PIJAR Indonesia earlier that morning. A man named Antonio Blancoz (antipijar@hotmail.com) wrote a threatening message demanding that PIJAR Indonesia disband. Otherwise, the sender warned, "Don't blame us if anything happens to PIJAR's members".

<sup>1</sup> See urgent appeal IDN 001/0008/OBS 087 and IDN 001/0008/OBS 087.01

<sup>2</sup> See urgent appeal IDN 002/0009/OBS 095



### ▶ **Assassination of three volunteer field workers<sup>3</sup>**

On Wednesday 6 December, three volunteer field workers and one patient from the **Rehabilitation Action for Torture Victims in Aceh (RATA)** were tortured and killed by Indonesian security forces. A fourth field worker was also tortured, but managed to escape. A fifth volunteer was threatened.

The four field workers were transporting a torture victim from North Aceh to the hospital for medical treatment when their vehicle was stopped and surrounded by plain clothes security forces. The five were taken to a military vehicle and badly tortured; one torture victim died on the spot. Three of the field workers were then lined up by the side of the road and shot in the head. The fourth, the only witness to the executions, managed to escape and is now in hiding in a local village, fearing for his life.

RATA focuses on the rehabilitation of torture victims in Aceh, and is supported by the Interna-

tional Rehabilitation Council for Torture Victims (IRCT) and financed by the Danish Government. RATA was inaugurated by the Governor of Aceh and the Danish Ambassador to Indonesia in September 1999. Prior to this incident, it had been accepted by all parties in Aceh as a neutral humanitarian organisation doing a much-needed job looking after the many thousands of people who have been tortured during the ongoing civil unrest in the province. The Centre collaborates closely with local authorities, and organises training activities for local police and military personnel.

According to recent information, 11 persons were arrested by two officials in the context of this case. The Indonesian Human Rights Commission (Komnas HAM) which is in charge of the inquiry concerning the violations perpetrated in Aceh, and has been designated to follow this case. The Commission must work one or two months and then may appeal before the new court dedicated to human rights, or an ordinary military court.

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<sup>3</sup> See urgent appeal IDN 003/0012/OBS 124





## Iran

### ▷ Sentencing of A. Ganji<sup>1</sup>

The Observatory was informed by Mr. Gholamali Riali, a lawyer, that **Mr. Akbar Ganji**, a writer, investigative journalist, and member of the editorial staff of the daily newspaper *Fatah*, was arrested and interrogated for several hours on 22 April 2000.

Mr. Riali was informed that there were ten charges against his client, following complaints lodged by several applicants: the Ministry of Intelligence, the leaders of the Guardians of the Islamic Revolution, the daily newspaper *Kayhan*, and others. He was allowed one week to prepare his defence.

The charges against Mr. Ganji are based on his articles in daily newspapers, especially in *Rahnoo Magazine*, for which he wrote the editorials. The accusations are also linked to his participation at a conference organised on 7 and 8 April 2000 in Berlin by a German cultural association concerning the general elections in Iran.

Well-known for his commitment to democratic reforms, Mr. Akbar Ganji notably argued in favour of the creation of an independent commission to investigate the political assassinations committed between 1988 and 1998 by the Iranian Secret Service. He is also the author of a book about the murders committed in November and December 1998.

<sup>1</sup> See urgent appeal IRN 001/0004/OBS 030

Mr. Ganji's trial started on 9 November. On 13 January 2001<sup>2</sup>, he was sentenced to 10 years in prison followed by 5 years of forced exile in a village in the south of the country. Placed in isolation since July, he complained of ill treatment during his trial.

The Observatory wanted to mandate a legal observation mission for Mr. Ganji's trial, and officially asked the authorities to grant it a visa to do so. No reply was ever made to this request.

### ▷ Sentencing of Mrs. M. Kar and Mrs. C. Lahidji<sup>3</sup>

According to the League for the Defence of Human Rights in Iran (LDDHI), **Mrs. Mehrangiz Kar**, lawyer and human rights defender, and **Mrs. Chala Lahidji**, director of a publishing firm, were summoned on 29 April 2000 by the Teheran Revolutionary Tribunal. They were charged with anti-Islamic activities and actions against national security due to their participation in the conference organised at the beginning of April in Berlin.

<sup>2</sup> Six other intellectuals and Human Rights defenders were sentenced on the same day for the same motives. Besides Mrs. Kar and Mrs. Lahidji (see case below), were E. Sahabi, Director of the *Iran E Farda* magazine, Ali Afshari, who is responsible for a student organisation, Said Sadr, an interpreter in the German Embassy in Teheran, and Khalil Rostamkhani, a former political prisoner.

<sup>3</sup> See urgent appeals IRN 002/0005/OBS 032



Both women's rights activists were put under arrest at the end of their interrogation. Their arrest followed the closure of sixteen liberal newspapers in the last week of April, and the arrest or charging of several journalists considered to be in favour of reform.

Mrs. Kar and Mrs. Lahidji were released on bail on 21 June 2000. Their trial was held in camera on 31 October, and they were sentenced on 13 January 2001 to four years imprisonment.

#### ▷ Sentencing of Mrs. C. Ebadi and Mr. M. Rohami<sup>4</sup>

**Mrs. Chirin Ebadi**, lawyer and President of an NGO for children's rights, was arrested on the evening of 27 June 2000 in her home. Chirin Ebadi was awarded the 1997 Human Rights Watch Prize, and is the author of several books on Human Rights and Children's Rights, one of which has been translated into English by UNICEF.

She appeared before the judge of the 16th court of the Teheran courts on 28 June, charged with slandering the authorities in her role as a defence lawyer in the case of a student killed in July 1999 during an attack by the police forces and Hezbollah on the University of Teheran campus. She was held in custody in Evin prison.

Another lawyer, **Mr. Mohsen Rohami**, representing the students who were victims of the attack, was also arrested on the same day and remanded in custody within the context of the same case.

<sup>4</sup> See urgent appeals IRN 003/0006/OBS 062 à IRN 003/0006/OBS 062.02

Both are accused of being behind the making and distribution of a tape in which a member of the Hezbollah reveals that this movement is supported by certain authorities, whose names he cites.

Their taped trial began on 15 July and, before the end of the proceedings on 22 July 2000, Chirin Ebadi and Mohsen Rohami were released on bail for 500,000 FF each.

On 27 September, the Observatory was informed that the Teheran Court handed them a 15 month suspended sentence and five years of loss of civil rights, including the right to practice law. This verdict came two months after the end of the trial, which had been held with no regard for the right to a fair and equitable trial, the hearings having been held in camera.

#### ▷ Proceedings against Mr. N. Zarafchan<sup>5</sup>

On 9 December 2000, **Mr. Nasser Zarafchan** was arrested. He is a human rights defender and the lawyer of Mrs. Sima Pouyandeh, Mohammed Djafar Pouhandeh's widow (Mr. Pouyandeh was a writer and human rights defender who was kidnapped and murdered in December 1998 by Intelligence Services agents)<sup>6</sup>.

This arrest followed the publication of an article in the *Johmhourī Eslami* newspaper belonging to the Guide of the Islamic Republic in which Mr. Zarafchan was considered an anti-revolutionary who had forfeited the right to practice as a lawyer.

<sup>5</sup> See urgent appeal IRN 004/0012/OBS 125

<sup>6</sup> The Observatory had intervened on the subject of the murder of this intellectual and of his compatriot M. Mokhtari. See Annual Report 1999



Mr. Zarafchan's arrest is directly linked to his stand taken during conferences concerning the trial of the murderers of Iranian intellectuals due to be held on 23 December before a military court. Eighteen Intelligence Service agents were charged and brought before this court, accused of executing these murders in November and December 1998.

Mr. Zarafchan, together with the other lawyers representing the victims' families, protested the irregularities and the bias of the proceedings given that, according to the Iranian Constitution, the military court is not competent for the cases, and that the people who were really behind the murders were not prosecuted.

Mr. Zarafchan was released on bail at the beginning of January, just before the trial on the 1998 murders began. The verdict was given on 20 January 2001 after a trial in camera. None of those responsible for the murders were charged, nor were they even summoned to the hearings. For these reasons, the victims' families and their lawyers, including Mr. Zarafchan and Mrs. Ebadi, boycotted the trial. The agents identified as responsible for the murders received heavy sentences.

### ▶ Acts of Intimidation against Mr. K. Lahidji

**Mr. Karim Lahidji**, President of the Iranian League for Human Rights in exile and Vice-President of the FIDH, was the victim of repeated smear campaigns throughout 2000<sup>7</sup>. These campaigns were led in particular by the conservative press. The insults were related specifically to his public stand taken during proceedings started by families of those murdered in 1998, and also during the prosecution of the defenders and intellectuals who participated in the Berlin Conference in April 2000.

### ▶ Mr. Kadivar released at the end of his prison sentence

**Mr. Mohsen Kadivar**, an eminent theologian, writer of essays, and human rights defender, was sentenced on 21 April 1999 to 18 months in prison for subversive activities and libel by a special clergy court. He was released in 2000 at the end of his sentence.

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<sup>7</sup> See Annual Report 1999



## Malaysia

### ▶ Legal proceedings against Mrs. Irene Fernandez<sup>1</sup>

**Mrs. Irene Fernandez**, Director of the Malaysian Human Rights Organisation Tenaganita ("Women's Force") in Kuala Lumpur, was charged with "publishing false information", under Section 8A (1) of the Media Printing and Publications Act 1984 (Act 301), in an August 1995 report entitled "Abuse, Torture and Degrading Treatment of Migrant Workers in Detention Camps". If convicted, she faces three years in prison, and/or a fine of RM20,000 (roughly 1.6 times the annual per capita income in Malaysia).

The trial of Mrs. Irène Fernandez was continually set back and interrupted since the day her case was started in June 1996. It was one of the longest trials in Malaysia.

The procedure seems to have been blighted by numerous irregularities. After a bail agreement

was set, her bail application was jeopardised by the prosecutor's attempt to significantly raise the amount. Mrs. Fernandez's requests for further investigations and several autopsies, in accordance with the Criminal Procedure Code, were denied without reason, and key witnesses were not able to testify.

Government officials have also threatened Mrs. Fernandez's lawyers, and attempted to coerce them into violating their professional ethics. The police have repeatedly asked Mrs. Fernandez and her lawyers for documents prepared during the investigation of the camps, pressured them to reveal protected sources, and threatened to charge them with obstruction of justice.

Another target is Mrs. Fernandez's NGO, Tenaganita, which has been subject to investigations into its tax returns and has had charges brought against it (later dropped for minor technicalities) in its filing of annual statements with the Registry of Commerce.

<sup>1</sup> See urgent appeal MYS 001/0006/OBS 064



## Nepal

### **Assault of Mr. Siwakoti Chitan<sup>1</sup>**

On 17 January 2001, **Mr. Gopal Siwakoti "Chintan"**, Executive Director of the International Institute for Human Rights, Environment and Development (INHURED), human rights lawyer, and environmental activist, was physically assaulted.

At 7 p.m., he was called by a stranger to pick up a packet from America for his son Nitanta. He was told to come out in the street around 8:35 p.m., as they reportedly did not know where he lived.

According to him, no one showed up until 8:55 p.m., and so he had planned on returning. All of a sudden, he was hit from behind and knocked unconscious. When he woke up in the main road, no one was there. He could not move as he was badly hurt.

After 15 minutes, he was helped to the INHURED office gate, about 20 meters from the incident, by two passers by who stated that they had seen

three people running away. Mr. Gopal Siwakoti was later taken to Kathmandu Model Hospital by coworkers.

As soon as he was admitted to the Emergency Unit of this private hospital, the doctor on duty informed the police of the incident, and asked them whether they would come as per the rule and prepare a police report. The police completely ignored the call. Mr. Gopal Siwakoti was discharged on the following day, 18 January 2001.

He is now being treated on a regular basis at the hospital. He has a big wound at the back of his head, his nose is broken, and there are several little wounds on his face and other parts of his body. In addition, his right knee is so seriously fractured, that he cannot walk.

Regarding legal action, the Firsthand Information Report (FIR) was filed on the evening of 18 January in a local police station with all of the details, but as of today there has been no response or inquiry into the matter.

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<sup>1</sup> See urgent appeal NPL 001/0101/OBS 008



## Pakistan

### ▶ Arrest<sup>1</sup>

On 10 January 2001, **Father Arnold Heredia**, former Executive Secretary of the Committee for Justice and Peace Karachi, was arrested with 17 other protestors taking part in a march against "Blasphemous Laws" held under the auspices of the All Faith Spiritual Movement in Karachi.

According to information, an application for their release on bail has not been accepted, but on 16 January 2001, Mr. Heredia was released and all charges against him were dropped.

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<sup>1</sup> See urgent appeal PAK 001/0101/OBS 006.01



## Philippines

### ▶ Summary Execution of activists<sup>1</sup>

**Mr. Ustadz Hadji Esmael Omar** and **Mr. Akmad Samin**, Muslim activists of the NGO Task Force Mindanao, were killed on 8 June 2000 by the Western Police District's Police Intelligence Unit. The NGO Task Force Mindanao works for a cease-fire in Mindanao, a peaceful settlement of the conflict, and an end to human rights violations against Moros in the Philippines.

The two men had been walking to the Golden Mosque in Quiapo when four armed men identified as plainclothes policemen pointed their guns at them and approached them. According to witnesses, they were ordered to lie on the ground, and then were shot and killed point-blank. The police later claimed that the two activists were killed in a shoot-out, but witnesses said they were unarmed. The police suspected these two people of belonging to the Moro Islamic Liberation Front (MILF).

The ten policemen involved in this killing were relieved of their duties on 22 June 2000.

These events are closely linked with earlier reports of harassment and intimidation of Moro people in Manila, especially in the Muslim communities of Quiapo, Taguip, and Pasig. The incident followed the arrest of 26 Muslim youths in connection with the recent bombings in the

Manila subway, and police surveillance of Moro human rights defenders.

### ▶ False accusations<sup>2</sup>

The Observatory was informed, in September 2000 by the Preda Foundation and Task Force Detainees of the Philippines (TFDP), of false charges against **Father Shay Cullen**, of the Preda Centre in Olongapo. The Preda Foundation is an NGO working specifically for children's and women's rights. Father Cullen was accused of abusing a young girl who was placed in protective custody at the Preda Centre on 29 January 1998. These charges were similar to those already dismissed by the Public Prosecutor previously. The young girl was subsequently moved to the Department of Social Welfare and Development (DSWD) Centre, which made an inquiry. Professional counselling with government social workers and an interview with the NBI (federal police) revealed that two boys, her half-brother and houseboy, had in fact abused her. The houseboy confessed to the crime. Furthermore, there was no proof to support the accusations made concerning the Preda Centre.

A paedophile support group is behind the campaign against the centre and Father Shay. They have claimed in an appeal that Father Shay and the Preda staff had pressured the victims/witnesses to give false evidence against them in

<sup>1</sup> See urgent appeal PHL 002/0006/OBS 060

<sup>2</sup> See urgent appeal PHL 001/0009/OBS 097



different judiciary procedures. However, the Court of Appeals rejected this. This same group is the one behind the false charges against Father Shay. On December 2000, the Observatory was informed that the charges against Father Shay were dropped. The document of Justice's Department states that the complaint was been declared unfounded and also that the file was weak and without credibility for the Court.



### Offices raided<sup>3</sup>

The Observatory was informed that the **Cordillera Indigenous Peoples Law Centre**

**(DINTEG)** and the **Cordillera Human Rights Organization (CHRO)** offices were raided for the second time this year on the morning of 25 September 2000. The door to the CHRO room was discovered open at 8:30 a.m. with files strewn all over the floor. Missing items included petty cash worth approximately P1, 500.00 (about \$ 33 USD) and some diskettes.

The office had previously been broken into by unidentified men on 7 February 2000. In this incident, all the files were stolen.

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<sup>3</sup> See urgent appeal PHL 002/0010/OBS 103





## South Korea

### ▷ Excessive use of force<sup>1</sup>

On 7 December, several hundred riot police stormed the sit-in site, and used force for a period of thirty minutes to clear out the members of the Korean Confederation of Trade Unions (KCTU). During the events, three KCTU officials, including the KCTU Secretary-General **Mr. Lee Soo-ho**, were severely injured. Mr. Lee was dragged out of the cargo container - the temporary sit-in room - by the riot police; his left knee was roughly twisted. **Mr. Kim Young-je**, the KCTU Director for Reunification Affairs, was also injured: he was trampled on by riot police and dumped head first into a riot police bus; he was then beaten by several riot police on his neck, shoulders, and back. He had to be taken to a hospital. **Mr. Jang Kwang-su**, the Secretary-General of the Korean Federation of Construction Daily Workers Unions, was badly beaten with batons on his hands.

The riot police arrested 20 KCTU unionists, including **Mr. Shin Ern-jik**, the director for the organising department, and unionists of the Sammi Speciality Steel Workers Union.

On 6 December, the KCTU began a sit-in, expected to last until 18 December (the last day of the current regular session of the National Assembly). The sit-in is the continuation of the sit-in by human rights groups which have been spearheading the campaign for the abolition of the National Security

law. The KCTU, together with other organisations, formed a broad coalition to demand the passage of reform legislation: the adoption of laws to reduce the working's hours, laws on education and against corruption, etc.

### ▷ Arrest of union members and leaders<sup>2</sup>

Three thousand police officers raided the Lotte Hotel at dawn on 29 June 2000, detaining 1,100 strikers (members of the Lotte Hotel Workers Union and National Health Insurance Corporation Workers Union), and injuring at least 33. Six police officers were also injured during the attack. The strikers were demanding a 17% wage increase, a change in their employment status from that of temporary workers to permanent employees, a 40-hour work week, and a lower retirement age.

Of the 1,100 people apprehended by police, most were released before the 48-hour detention period was up. However, arrest warrants were sought for seven trades unionists, of which the court granted three: Union President **Mr. Jung Joo-uhk**, Industrial Actions Director, **Mr. Kwon Soon-young**, and Sports Activities Director **Mr. Cho Ghil-seung**; the other four union members were released but the charges against them were not dropped.

<sup>1</sup> See urgent appeal COR 002/9912/OBS 080

<sup>2</sup> See urgent appeal KOR 001/0007/OBS 068



The unionists were charged with disturbing business by going on an illegal strike, causing physical damage to people, obstructing the execution of the law (several policemen were injured), and committing violent acts (resisting arrest). According to information received, the police used batons and teargas to disperse the demonstration.

At the same time, the National Health Insurance Corporation Workers Union began its strike on 28 June 2000. On 1 July 2000, over 3,000 police officers raided the building and arrested approximately 1,600 strikers. The majority of these workers were released by the end of the 48-hour temporary detention period. However, the police issued 38 arrest warrants and apprehended 20 people. The remaining 18 are still wanted for arrest. Among the 38 arrest warrants, the court granted nine. Those concerned were charged and placed in custody on the morning of 4 July 2000. The nine detained trades unionists are:

**Kim Han snag** Union President; **Kim Sang-soo**, Industrial Actions Director; **Park Dong-jin**, Seoul Regional Branch Secretary; **Shin Kwang-hoon**; Kyungki Province and Incheon City Regional Branch Secretary; **Kim Soo-dahl**, Incheon District Branch Secretary; **Lee Choong-bae**, Jongno District Branch Secretary; **Kim Hae-dong**; **Kim Woon-yong**; and **Lee Dae-yeun**.

They have been charged with obstructing business activities, striking illegally, violating the law concerning acts of violence, and having taken management staff as hostages.

The charges for impeding commerce followed an organized manifestation in May by the union to protest the finalisation of the merger of the workers' medical insurance system with that of the independent professions.



## Vietnam

### ▶ Harassment<sup>1</sup>

Several members of the Unified Buddhist Church of Vietnam (EBUV) who are residents of Ho Chi Minh City were summoned and kept under house arrest as they were getting ready to go on mission to bring humanitarian aid to victims of the severe flooding in the Mekong delta on 6 October 2000.

In addition, out of the 50 people who were to go on that mission, only 12, including the Head of Mission, or Venerable **Mr. Thich Quang Do** (President of Vien Hoa Dao, the Institute for the Propagation of Dharma) of the EBUV and prominent human rights activist, were able to go to the Phu district. As soon as they arrived, they were intercepted and detained by the police for 12 hours on their small boats, and later questioned by the police at the police station. They were not allowed to distribute any aid.

In addition, **Mr. Thich Khong Tanh**, a Buddhist monk and defender of human rights and religious freedoms, was accused of leaving Ho Chi Minh City without authorisation. He had been extradited there on 11 October 2000.

A first humanitarian aid team of the EBUV had already been intercepted by members of the Security Forces in the An Giang Province on 21 September 2000. The team was not allowed to distribute the parcels to the victims. Thich Khong Tanh had already been the target of the police of Ho Chi Minh City who refused to grant him authorisation to go to the Mekong Delta.

The Observatory would like to point out that the Buddhist monks and human rights defenders have been victims of such repression for years. Such defenders include **Mr. Thich Tue Sy**<sup>2</sup>, whose freedom of movement has been very restricted, and **Mr. Thich Huyen Quang**, Patriarch of EBUV, who has been in a home under surveillance since 1982 for defending fundamental freedoms and democracy. One of Mr. Quang's letters, dated 30 April 2000, which called for national reconciliation, was considered a threat to state security, an accusation for which he could be sentenced to death. Recently, following a visit of a Mr. Thich Quang Do to his home in the Nghia Hanh district in the Quang Ngai province, he was questioned by the security forces at great length.

<sup>1</sup> This case became an object of intervention for the Vietnamese authorities

<sup>2</sup> See Annual Report 1999

