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IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 60/251 OF 15 MARCH 2006 ENTITLED “HUMAN RIGHTS COUNCIL”

**Report of the Special Rapporteur on torture and other cruel, inhuman or
degrading treatment or punishment, Manfred Nowak**

Addendum

**Summary of information, including individual cases, transmitted
to Governments and replies received***

* The present document is being circulated in the languages of submission only as it greatly exceeds the page limitations currently imposed by the relevant General Assembly resolutions.

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Introduction

1. This addendum to the report of the Special Rapporteur contains, on a country-by-country basis, summaries of reliable and credible allegations of torture and other cruel, inhuman or degrading treatment or punishment that were brought to the attention of the Special Rapporteur, and were transmitted to the Governments concerned. It also contains replies from Governments. This addendum does not illustrate the state of torture and other cruel, inhuman or degrading treatment or punishment throughout the world, but rather reflects the state of information brought to the attention of the Special Rapporteur.

2. The Special Rapporteur would like to recall that in transmitting these allegations to Governments, he does not make any judgement concerning the merits of the cases, nor does he support the opinion and activities of the persons on behalf of whom he intervenes. The prohibition of torture and other cruel, inhuman or degrading treatment or punishment is a non-derogable right, and every human being is legally and morally entitled to protection. When the Special Rapporteur receives reliable and credible information that gives grounds to fear that a person may be at risk of torture or other forms of ill-treatment, he may transmit an urgent appeal to the Government concerned. The communications sent by the Special Rapporteur have a humanitarian and preventive purpose, and do not require the exhaustion of domestic remedies. Governments are requested to clarify the substance of the allegations, take steps to protect the person's rights, and are urged to investigate the allegations and prosecute and impose appropriate sanctions on any persons guilty of torture and other cruel, inhuman or degrading treatment or punishment.

3. During the period under review, i.e. from 16 December 2005 to 15 December 2006, the Special Rapporteur sent 79 letters* of allegations of torture to 35 Governments and 157 urgent appeals* to 60 Governments on behalf of persons who might be at risk of torture or other forms of ill-treatment. Government responses received up to 31 December 2006 have been included. The responses received after that date will be duly reflected in a future communications report.

4. The Special Rapporteur appreciates the timely responses received from Governments to the letters and urgent appeals transmitted. He regrets that many Governments fail to respond, or do so selectively, and that responses to older cases remain outstanding in large part.

5. Owing to restrictions on the length of documents, the Special Rapporteur has been obliged to reduce considerably details of communications sent and received, with attention given to information relating specifically to allegations of torture and other cruel, inhuman or degrading treatment or punishment. As a result, requests from Governments to publish their replies in their totality could not be acceded to. Moreover, attention is given to information in Government replies specifically relating to the allegations, particularly information on the following:

- (a) What steps were taken to ascertain the veracity of the facts alleged?

* Includes joint action with other special procedures of the Commission on Human Rights. General statistical information on communications sent by special procedures in 2005 is available on OHCHR website : <http://www.ohchr.org>.

- (b) Has a complaint been lodged by or on behalf of the alleged victim?
- (c) The details, and where available the results, of any investigation, medical examinations, and judicial or other inquiries carried out in relation to the case.
- (d) Full details of any prosecutions which have been undertaken (e.g. penal, disciplinary or administrative sanctions imposed on the alleged perpetrator(s)).
- (e) What compensation and rehabilitation have been provided to the victim or the family of the victim?

Abbreviations

TOR	Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment
FRDX	Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression
HRD	Special Representative of the Secretary-General on the situation of human rights defenders
SUMX	Special Rapporteur on extrajudicial, summary or arbitrary executions
IND	Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people
WGAD	Working Group on Arbitrary Detention
HLTH	Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health
IJL	Special Rapporteur on the independence of judges and lawyers
FOOD	Special Rapporteur on the right to food
RINT	Special Rapporteur on freedom of religion or belief
VAW	Special Rapporteur on violence against women, its causes and consequences
EID	Working Group on Enforced or Involuntary Disappearances
EDU	Special Rapporteur on the right to education
MIN	Independent Expert on minority issues
RACE	Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance
SALE	Special Rapporteur on the sale of children, child prostitution and child pornography
TRAF	Special Rapporteur on the human rights aspects of the victims of trafficking in persons, especially women and children
TERR	Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism
AL	Allegation letter

JAL	Joint allegation letter
UA	Urgent appeal
JUA	Joint urgent appeal

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
1.	Algeria	14/03/06	JUA	TOR; WGAD	<p>Mohamed Benyamina, citoyen algérien résident en France, et son neveu, Madjid Benyamina, de nationalité française. M. Mohamed Benyamina et M. Madjid Benyamina auraient été arrêtés le 9 septembre 2005 à l'aéroport d'Oran par des policiers habillés en civil. Les deux hommes auraient été séparés après que leurs identités aient été confirmées. L'arrestation se serait produite au moment de leur sortie d'Algérie à la fin d'une visite de famille. Madjid Benyamina aurait été libéré après quatre jours de détention et serait retourné en France. Selon lui, des membres des forces de sécurité algériennes lui auraient dit que son oncle avait été arrêté à la demande du Gouvernement français. Sa présence en Algérie aurait été signalée par la Direction française de la surveillance du territoire. Durant ses quatre jours de détention, les agents auraient interrogé Monsieur Madjid Benyamina sur la vie de son oncle en France et lui auraient dit qu'il était suspecté d'appartenir à une organisation terroriste. Ni la famille de Mohammed Benyamina ni son avocat n'auraient obtenu des informations sur sa situation ni sur le lieu de sa détention. Selon le registre judiciaire, il n'a été présenté à aucune autorité judiciaire. Six mois après son arrestation, on ne connaîtrait toujours pas son lieu de détention.</p>	

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2.		26/06/2006	JUA	TERR; TOR;	<p>“V” et “I”, citoyens algériens, ont été qualifiés de “terroristes internationaux soupçonnés” (suspected international terrorists) par les autorités britanniques, sur la base d’informations confidentielles produites par les services de renseignement. Ces informations n’ont été communiquées ni aux individus en question, ni à leurs avocats, qui ont donc été dans l’impossibilité de les contester. Les deux individus étaient détenus dans une prison de haute sécurité. Ces individus ont été expulsés de Grande Bretagne par les autorités britanniques vers l’Algérie, les 16 et 17 juin respectivement, pour cause de « danger à la sécurité nationale » posé par ces individus au Royaume-Uni. Les deux individus seraient détenus dans un endroit gardé secret depuis leur retour en Algérie, et ils n’auraient pas pu entrer en contact avec leurs familles, en violation du droit algérien, et ce malgré des assurances données par le consulat algérien à Londres attestant qu’ils n’étaient pas recherchés par la police en Algérie et qu’ils seraient relâchés après quelques heures passées au commissariat de police de l’aéroport pour remplir des formalités. Ces deux individus seraient détenus par une agence de renseignement militaire, le Département du Renseignement et de la Sécurité (DRS), spécialisé dans les interrogatoires d’individus possédant des informations liées au terrorisme.</p>	<p>Par une lettre datée du 10/07/06, le Gouvernement a répondu qu’après examen de situation et vérifications d’usage, « V » et « I » sont libres de leurs mouvements et ont rejoint leurs familles.</p>

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3.		20/07/06	UA	TOR;	Abdelmajid Touati. Le 18 mars 2006, M. Touati aurait été arrêté par les services de sécurité à Tiaret. Depuis, il aurait été détenu au secret et sa famille n'aurait pas pu obtenir d'information à son sujet. Il est supposé être incarcéré à la caserne de Ben-Aknoun. Étant donné la détention incommunicado, de sérieuses craintes ont été exprimées quant à l'intégrité physique et mentale de M. Touati.	Par une lettre datée du 13 octobre 2006, le Gouvernement a répondu que le 6 avril 2006, les services de la police judiciaire ont procédé à l'arrestation d'un groupe terroriste dans lequel se trouvait le dénommé Abdelmajid Touati alias « Abou Moutna ». Du fait que les activités du dénommé Abdelmajid Touati constituent selon la législation algérienne une atteinte à l'ordre public, le 18 avril 2006 une mesure d'assignation a été prononcée à son encontre par le Ministère de l'Intérieur et des Collectivités locales en vertu de la législation sur l'état d'urgence. Dans ce contexte, la situation d'Abdelmajid Touati ne constitue pas une détention arbitraire. Les règles de la garde à vue ont été scrupuleusement observées et son intégrité physique n'a, en aucun cas, été menacée.
4.		Follow-up to past cases			M. Bellatrèche, Mme. Saker, M. Arab, Mme. Yous, Mme. Ferhati, Mme. Nekrouf, et des familles de disparu(e)s constantinoises (E/CN.4/2006/6/Add.1, par. 2).	Par une lettre datée du 04 janvier 2006, le Gouvernement a répondu que la manifestation du 22 septembre 2005 à Constantine était destinée à empêcher le bon déroulement d'une rencontre organisée par le Chef de l'État dans le cadre de la Charte pour la paix et la réconciliation nationale. Les personnes interpellées pour avoir essayé d'empêcher illégalement un rassemblement pacifique ont été relâchées quelques heures plus tard. Les interpellations ont été effectuées dans le strict respect de la loi et des réglementations en vigueur pour éviter les troubles à l'ordre public.

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5.	Argentina	01/09/06	JAL	SUMX; TOR;	<p>Sebastián Alejandro Hormazabal, Diego Ferranti Lucero y Gerardo Gómez González.</p> <p>El 17 de junio de 2006, el Sr. Hormozabal fue encontrado muerto en la Penitenciaría de Mendoza (Pabellón 9, celda 16) como consecuencia de heridas múltiples causadas por un instrumento corto-punzante. El 18 de junio de 2006, se encontraron los cadáveres de los reclusos Diego Ferranti Lucero y Gerardo Gómez González en un patio del Pabellón 16 de máxima seguridad. Los dos reclusos habrían sido trasladados horas antes desde la cárcel de Córdoba y su traslado se debería a que el martes siguiente iban a declarar ante el juez que instruye la causa por un motín ocurrido en Mendoza en el año 2000. Según la información recibida ambos reclusos habrían sido apuñalados y degollados. De acuerdo a nuestras fuentes, dichas muertes no constituyen hechos aislados, sino que se dan en un contexto reiterado de violencia y denuncias de violaciones a los derechos humanos en las cárceles de la provincia de Mendoza. Según la información recibida, desde el año 2000 han muerto más de 40 internos en dependencias del Sistema Penitenciario Provincial, con 22 fallecimientos registrados entre febrero 2004 y noviembre 2005. Los nombres de los fallecidos son Roberto Damián Alaniz Morales, Pablo Javier Argüello Quiroga, Alejandro Camargo Quiroga, Roy Carreño Contreras, Marcelo Camargo Quiroga, Angel Patricio Castro Irazoque, Luis Cuellar Vázquez, Esteban Apolinario García Contrera, Marcelo Javier</p>	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					<p>Manrique Inglés, Federico Daniel Naranjo Nievas, Javier Orlando Chacón Araujo, Sergio Dario Reales Reynoso, José Alejo Falcón, Javier Porras, Antonio Gualpa, Mario Guillermo Andrada Molfa, Carlos Marcelo Villaruel Murúa, Jorge Antonio Roldán di Benedetto, Ramón Pedro Saenz, Sergio Norberto Salinas Ares, Sergio César Sandes Aguirre y Ricardo David Videla Fernández.</p> <p>Diez de las personas arriba mencionadas habrían muerto como consecuencia de heridas causadas por armas corto-punzantes, cinco por asfixia, uno debido a graves quemaduras, dos por disparos de arma de fuego durante un intento de fuga, uno habría muerto electrocutado, un recluso habría sido asesinado y luego descuartizado y otro habría aparecido colgado de su cinturón en su celda. Según la información recibida, en noviembre del 2005 sólo existía avance en dos investigaciones sobre estos fallecimientos. Igualmente, se nos ha informado que las condiciones de reclusión en las cárceles de la provincia de Mendoza son preocupantes. Existiría un grave hacinamiento en condiciones de insalubridad, escasez de agua potable y de una atención médica adecuada.</p>	

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6.	Azerbaijan	07/04/06	JUA	WGAD; IJL; TOR	<p>R. B., aged 17, M. G., aged 16, and D. P., aged 16, from the Village of Eni Genushli, near Baku, who are currently being held at the third pre-trial detention facility in Shuvlani, on the outskirts of Baku, or in the Ranaman District police administration building in Baku. On 14 March 2005, the three of them were detained and taken to the 33rd police precinct in Surakhan, where for two days they were subject to severe beatings and other forms of torture by police officials and officials from the office of the public prosecutor (i.a. senior investigator and Surakhan District prosecutor). All three were denied access to a lawyer and to their parents during their initial detention. Compelled by severe beatings, kicking and threats, the boys were forced to sign confessions and accusations against one another for participation in the murder of Mr Vusal Zeinalov on 15 February 2005, which they all deny. R. B. faced additional beatings in June 2005 while he was in the third pre-trial detention facility (SIZO) on the outskirts of Baku. The three of them sustained bruises on their legs, feet, back, and torso and suffer from pain in their heads and stomachs. All of them suffer from psychological trauma. As a result of the torture in March 2005, R. B. suffered contusions on his head that produced large bumps. None of them have received adequate medical treatment. Currently, the boys are being held at the third pre-trial detention facility in Shuvlani in cells with 4 or 5 other boys and one adult. Ventilation and light in the cell are poor, the quality of drinking water is</p>	<p>By letter dated 17/07/06, the Government reported that criminal proceedings were instituted against them on charges of premeditated murder and an arrest warrant was issued against them. The investigation was conducted by Surakhany District and Baku city Prosecutor's Offices and on 13 April 2006, the criminal case was transferred to the Court on Serious Crimes. On 15 July 2006, the defence lawyer filed an application with the Head Department of the Implementation of Court Rulings of the Ministry of Justice, asking for examination of complaints of violence in the course of the investigation used against R. B. while he was detained in investigative isolation unit no. 3. As a result of the investigation it was ascertained that the inspector of the Surakhan District prosecutor's office had met with defendant R. B. in investigative isolation unit no. 3 on 23 June 2005, and submitted to him the copy of the indictment against him. During this meeting he asked R. B. to give true testimonies at the court hearings and to testify that he did not commit any violence and torture against him. It was also ascertained that R. B. did not apply either to the governing board of the investigative isolator or the medical centre on 23 June 2005 and on subsequent days. A medical examination was conducted and no signs of injury were discovered on his body or internal organs. During the investigation, supervisors of investigative isolation unit no. 3 indicated that R. B., after meeting with the</p>

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					<p>bad and nutrition insufficient. They are allowed 5 to 10 minutes of exercise per day and do not have access to education. At times, they are being taken to the Ranaman District police administration building in Baku, where they are held in isolation for up to 10 days, get only one meal per day and are not allowed to exercise at all. They have been held in pre-trial detention for more than a year, pending the investigation that has now been on-going for more than 13 months. Officials have refused to investigate the allegations of torture.</p>	<p>inspector, said nothing about any violence, torture or threat used against him on his way to the cell. At the same time they did not observe any injuries on R. B.'s body. Defendant R. B. explained that he had met with the inspector on 23 June 2005 in investigative isolation unit no. 3 and the inspector asked him to give objective testimonies during court hearings. After turning down this request, the inspector grasped R. B.'s right wrist, but committed neither torture nor violence against him. Thus the allegations of torture and violence committed against defendant R. B. were not confirmed. During the investigation of the criminal case of R. B., M. G. and D. P., they all underwent medical examinations, and according to the forensic medical examination, no injuries were discovered on their bodies. It is impossible to draw any conclusions about whether the "yellowish spot" indicated in R. B.'s medical card is an injury or not, as no registration of its pre-existing morphologic signs had been conducted. The allegations of violence against R. B. committed by inspectors carrying out the investigation and by the police officers of Surakhan District police department n. 33 on 14 March 2005, were not confirmed and neither R. B. nor the other defendants and their lawyers filed any complaints on that issue with the investigative agencies. Currently, the Prosecutor's Office is closely following the trial. Respecting its international obligations, the State will ensure full, comprehensive and</p>

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						objective court proceedings against these persons.
7.		Follow-up to past cases			Sarvan Sarhanov (E/CN.4/2006/6/Add.1, para. 4)	By letter dated 17/07/06, the Government reported that, with a view to ensuring the objectivity and comprehensiveness of the investigation, Mr Sarhanov and other members of Yeni Fikir were invited for interrogation on 11 August 2005 and informed about their rights and interrogated as witnesses without any external pressure or intervention. During the interrogation Sarvan Sarhanov indicated that he was the member of "Yeni Fikir" and was acquainted with some members of that organization, but his activity was limited to taking part in rallies. Subsequently, information appeared in the media that during interrogation he was beaten by two investigators, offered to apply for membership in "Yeni Azerbaijan Party", coerced into signing the transcript of the interrogation and that he signed it with a straight line. This information is not backed up by any facts and is completely refuted by the factual data of the case. Sarvan Sarhanov freely signed the transcript of the interrogation, at the end of which he indicated his remarks in writing. The identities of the two alleged investigators are not confirmed. After the above-mentioned information was published in the media, on 22 September 2005, Sarvan Sarhanov was once again invited to interrogation and in his confession he indicated that there had not been any pressure against

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
						him, nor any attempts to obtain testimonies against anyone, and he had not been subject to any physical or physiological threat during the previous interrogation and in this regard he did not complain to any foreign organization. Furthermore, a special investigation was launched and Sarvan Sarhanov underwent a forensic medical examination and, as a result, the information in the media was not confirmed. The primary investigation of the crime is underway.
8.	Bahamas	13/10/06	UA	TOR	Alutus Newbold , aged 34. On 6 October 2006, Alutus Newbold was sentenced to eight lashes with a "cat-of-nine tails" (a device consisting of nine knotted cords or thongs of raw hide attached to a handle) and 24 years' imprisonment. He was found guilty of burglary, attempted rape and causing harm, after an attack on an 87-year-old woman in her home in 2004. The court ordered that he receive four lashes at the start of his sentence and four upon his release. The punishment is suspended for three weeks pending a possible appeal. Corporal punishment had been abolished in 1984 in the Bahamas, but was reinstated in 1991 for specific offences.	

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9.	Bahrain	09/03/06	JUA	WGAD; FRDX; HRD; TOR;	<p>Abdulla Madan, Mohammed Abdulrasool, Jaffar Hussain Mohamed Yousef Eid, Jaffar Abdul-Jabar Jaffa Al-Mushaima, Ahmed Yousef Nasser Al-Mushaima, Mohamed Hassan Yousef Saif and Ali Jaffar Jasssim Rabea, all arrested and detained in connection with a peaceful protest. On 19 January 2006, the above named persons were arrested in the Daih and Sanabis areas of Manama. They had gathered to peacefully protest against the detention of 21 people, who were arrested on 25 December 2005 at Bahrain Airport for peacefully protesting against the detention of Sheikh Sanad. Sheikh Sanad had called for a referendum under the supervision of the United Nations on the legitimacy of the political system in Bahrain. It is reported that 16 of the 21 protestors have been sentenced to one or two years' imprisonment. During their police detention, the above-mentioned persons were threatened and assaulted by police officers. During the first days of their detention their families were not informed about their whereabouts. Relatives were not allowed to attend their trial session on 26 February 2006. The trial has been postponed to 12 March 2006 and they remain in custody.</p>	<p>By letter dated 18/05/06, the Government reported that the crowd was asked to disperse in a peaceful and amicable manner. However, the protesters refused to comply and began rioting and damaging public property. They set fire to tires and garbage containers, which they threw into the middle of the public highway, endangering the lives of passers-by and the general security forces. They also threw stones at the police who took steps to help restore law and order. As a result of all this, 13 individuals were arrested. On 21 January 2006, the arrested persons were presented to the Department of Public Prosecutions which charged the defendants with unlawful assembly and rioting under articles 178-180 of the Bahrain Criminal Code. After all the legal and constitutional procedures had been completed, the Department of Public Prosecutions ordered the detention of seven of the accused persons and released the remaining six accused persons, due to lack of sufficient evidence for a criminal prosecution. The case file and the accused persons in detention were referred to the competent criminal court to hear the charges against them. On 19 April 2006, the court issued a judgement, sentencing each of the accused persons to one year's imprisonment. The case is still being heard by the court of second instance (court of appeal). The authorities responsible for investigations, whether the police, the Department of Public Prosecutions</p>

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						<p>or the competent criminal court, acted in a manner that was legally transparent and impartial and afforded all legal and procedural safeguards to the defendants from the date of their arrest to the date on which the case was heard by the competent court. This matter is clearly illustrated by the following facts: The police officers at the scene corroborated the charges against the accused persons through the statements that they made during the investigation by the Department of Public Prosecutions and the photographic evidence which showed that the accused persons had taken part in the rioting. Some of the accused persons who were arrested gave detailed confessions to the police and investigators of the Department of Public Prosecutions, admitting that they had caused a riot and set fire to garbage containers and car tires. They did not indicate that their confessions had been extracted as a result of coercion or violence. This is also evidenced by the fact that some of them gave statements to the police denying the charges against them. The legal arrests made by the police were based on a legal provision which provides that arrested suspects must be presented to the Department of Public Prosecutions within 48 hours. This is what the police did. The Department of Public Prosecutions told the accused persons that they had to have defence counsel present during questioning. Some lawyers appeared with the accused persons and presented their</p>

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						<p>legal defence. The Department of Public Prosecutions heard the statements of the witnesses for the defence, at the request of the accused persons. From the very beginning of the investigation, anyone against whom there was insufficient evidence for prosecution was released. The Department of Public Prosecutions sent the accused persons who had been injured during the riot to a police doctor to assess their injuries and prescribe treatment for them, even though they did not indicate who had caused the injuries. The families and lawyers of the accused persons were allowed to visit them on 21 January 2006, i.e. two days after the incident occurred. The father of Abdullah Madan was allowed to visit his son on 22 January 2006 and to give him the medicine that he needed.</p>
10.	Bangladesh	31/05/06	JUA	HRD; IJL; TOR; VAW;	<p>Atiur Rahman, a lawyer, his wife Ms S. S. S. and his legal assistant Mr Nawsher Ahmed. On 12 March 2006, Ms S. S. S. was taken into custody and beaten by the police in Dhaka. She was pregnant at that time, but has since lost her child. She filed a complaint together with her husband against the police officers. Since then, she and her husband have been receiving threats. In particular, on 24 May 2006, Mr Atiur Rahman was stopped by a group of armed and unidentified persons. The attackers held a pistol to his chest, questioned him about his identity and threatened to shoot him. That same morning, while Mr Atiur Rahman's legal assistant, Mr Nawsher Ahmed, went to collect documents from the record office</p>	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					regarding Ms S. S. S.'s court case, three persons confronted him and inquired if he worked for Mr Atiur Rahman and where they could find him. The men followed him for the rest of the day trying to prevent him from obtaining the documents he required from the record office. On 23 May 2006, an unidentified person called Mr Atiur Rahman and warned him against pursuing legal proceedings against the police. The caller said if he did not do this, he and his family would pay the ultimate cost.	
11.		21/07/06	JAL	IJL; TOR; VAW;	S. S. S. (subject of a previously transmitted communication, see above). On 12 March 2006, several opposition political parties held a demonstration, which moved in the direction of the Election Commission office. On the way, at Mirpur Road, in between Manik Mian Avenue and Road 27 in Dhanmondi Residential Area, the police erected a barricade to block the protesters. Ms S. S. S. was in this vicinity at the time as she was going to collect her son from a school that is located in the area. At approximately 12:30 pm, a group of demonstrators, belonging to an opposition political party, passed by the school. The police fired tear gas and water canons at the demonstrators and beat them with sticks, canes and iron rods. Ms S. S. S., who had been waiting in front of the school, took shelter inside a private hospital opposite the school. Police forcibly removed her from the clinic and placed her with the arrested demonstrators. Ms S. S. S. told the police that she was pregnant and a diabetic patient. The Deputy Commissioner of Police	

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					<p>(West Zone) accused her of lying. The Deputy Commissioner of Police (South Zone) and the Deputy Commissioner ordered their subordinates to break Ms S. S. S.'s hands and legs. Male police officers placed their hands on Ms S. S. S.'s lower abdomen to check whether she was pregnant. They tied a rope around her abdomen and forcefully pulled on both ends of the rope. Thereafter they forced her into a prison van. Inside the van, policemen walked on her body and kicked her genitalia as well as her lower abdomen. After Ms S. S. S. fainted she was discarded on the street. Ms S. S. S. suffered severe injuries to her thighs, lower abdomen, back, waist, hip and other areas of her body. She also suffered two fractures, one in her right elbow and the other in the small finger on her right hand. Ms S. S. S. lodged a complaint against the alleged perpetrators at Mohammadpur Police Station but the police refused to record the case. On 14 March 2006, she filed a case (CR Case number 312/06) with the Chief Metropolitan Magistrate's Court in Dhaka against the Deputy Commissioners, the police constable, and a number of other police officers under the Penal Code. On March 19, Ms S. S. S. filed a second case (Number: 23/06) against the alleged perpetrators under sections 10/30 of the Women and Child Repression Prevention (Special Provision) (Amended) Act 2003. Neither case has led to a conviction of any of the alleged perpetrators. Over recent months, unknown perpetrators have on several occasions</p>	

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					threatened Ms S. S. S. and her husband Atiur Rahman, who is also her lawyer, with death if they continue to pursue criminal action against the alleged perpetrators.	
12.		11/09/06	AL	TOR;	<p>A. F. M. Bahauddin Nasim, aged 45, an aide to former Prime Minister Sheikh Hasina, Dhaka. On 28 February 2002 around midnight, as he was waiting for a flight at Zia International Airport, he was taken and detained in the office of the immigration police. Around 3am, a plain-clothes police officer, who identified himself as belonging to the Criminal Investigation Department (CID), accused him of being wanted in connection with the attack on the motorcade of the then leader of the opposition Ms Khaleda Zia (current Prime Minister). When Mr Nasim requested to see the arrest warrant, he was told that the necessary documents would be provided later. A few hours later, he was taken to the CID headquarters, Malibagh. He was forced to sign some blank papers. Until late in the evening, he was unable to inform his family of his whereabouts, or have contact with a lawyer. He was removed from the police station, taken first to the roof, then by the back door, and transported to the court. He was charged with smuggling foreign currency out of the country, as well as the attack against Ms Zia's motorcade, and placed in remand for ten days. The following morning he was taken by a group of</p>	

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					<p>plain-clothes CID officers to a place referred to as the Joint Interrogation Cell. He was blindfolded with a strip of cloth and cotton wads, had his wrists tied with rope, and was ordered to lie down in the van during the trip. He was blindfolded throughout his detention, and his wrists would be unbound for toilet trips and meals only. He slept on the floor without bedding. He was tortured in order to make incriminating statements against Ms Hasina, to the effect that she was responsible for orchestrating a string of killings, rapes, extortion, and repression of minorities following the 1 October 2001 election. He was threatened that he would be imprisoned for a long time, that if he didn't comply they would leave him impotent and handicapped. Among other things, he was beaten, subjected to electric shocks on sensitive parts of his body, forced to stand on ice and hung upside-down from the ceiling for long periods of time, spun around, put in a sack and trampled on, and forced to lie for hours on the floor spread-eagled. On 7 March 2002, he was transferred to the Dhaka Central Jail, where he was denied the rights afforded to ordinary inmates, such as receiving amenities from family members. An additional charge in relation to sedition was filed against him. Mr Nasim was subsequently transferred to Kashimpur Jail on 22 November, then to Rangpur Jail on 22 December and finally, after lengthy delays in the proceedings, was released on bail on 6 January 2003.</p>	

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13.		17/11/06	JAL	TOR; VAW;	<p>M. K., a 14-year old girl, and her brother Rafiqul Islam, both residing in Uttar Chandani Mahal, Dighalia Police Station section, Khulna District. On 23 July 2006, at around 1:30 pm the Assistant Sub Inspector, second-in-command of the Senhato police outpost under the Dighalia Police Station in Khulna District, and a Police Constable arrived at M. K.'s home. The Assistant Sub Inspector entered her room and attempted to rape her. She managed to resist until her brother and various other family members arrived to help her. In response, the policemen beat M. K. and hit Rafiqul Islam with a bamboo stick, a rifle butt and a chain, before they arrested him and took him to Senhati Police Outpost. The commanding officer of the Senhati police camp and the Assistant Sub Inspector then demanded 10,000 Taka from Rafiqul Islam's family. They threatened that Rafiqul Islam might be "killed in crossfire" if the family failed to pay the money. When the family only managed to raise 5,000 Taka, the policemen beat Rafiqul Islam with a stick and a rifle butt causing fractures of his left hand and right leg. They also poured hot water in his nose. He can no longer walk properly or work to support his family. On 24 July 2006, the police lodged a criminal case against Rafiqul Islam and other relatives that protected M. K. from the attempted rape. On 25 July 2006, the local Magistrate's Court issued a pre-trial detention order against Rafiqul Islam despite his critical medical condition. On 24 October 2006, Rafiqul Islam was released on bail. The charges against him are pending. M.</p>	

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					<p>K. told the public about the events in a press conference held at the Khulna Press Club on 28 July 2006. On 30 July 2006, she also lodged a criminal case against the responsible police officers with the Magistrates Court in Khulna under the Women and Children Repression Prevention (Special Provision) Amendment Act 2003. On 23 September 2006, a member of Ward 4 of the Senhati Union Council, told M. K. to withdraw the case. He also threatened her and her family with the words: "Remember, the police lodged a case against you, in which your brother is detained in Khulna Jail. If you don't withdraw the case against the police, you will be in trouble. Fighting against the police is very difficult!" He further suggested that the family come to a "solution" without fighting against the police. Since then, the same policemen have repeatedly attempted to intimidate M. K. by threatening to ensure that her brother would be convicted on trumped-up charges. The Special Tribunal of Women and Children Repression Prevention, which has jurisdiction over the criminal case against the police officers has so far not taken any substantive action. In a court hearing that took place on 28 September 2006, the judge refused to consider the merits of the case and rescheduled the case to 30 November 2006.</p>	

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14.	Belarus	24/03/06	JUA	WGAD; FRDX; TOR; HRD; BELARUS	<p>Mass arrests of peaceful demonstrators protesting against the election results of 19 March 2006 and calling for free and fair elections. On 24 March 2006, at approximately 3.30 am, members of the police riot squad surrounded demonstrators in October Square (Kastrychnitskaya Square) in Minsk, separated journalists from the protestors, and then forcefully dragged the protestors into trucks and drove them away. Approximately 300-400 people were detained including at least 3 journalists, Tatsyana Snitka, Vadzim Kaznacheeu, and Tatsyana Vanina, members of the Belarusian Association of Journalists, and 45 minors. They were taken to a pre-trial detention center on Akrestina Street and were not allowed access to defense counsel. The minors were released later in the morning. They and other detainees had been beaten by the police. The tents, flags, banners and protestors' belongings were shattered by police, then loaded onto trucks and taken off to an unknown place. The persons who remain in detention include Kudzianava Eugenia, Zhalezka Katsyaryna, Laurantovich Yanina, Dziadzich Ina, Chehouskaya Nasta, Shchela Zoya, Vitkouskaya Tatsyana, Klimatka Ina, Zhyzhneuskaya Ina, Ivanova Ina, Burak Ina, Sergienka Aksana, Matskoil Siarhei, Mazur Ales, Arlou Viktor, Babich Nadzeya, Makism Znak, Kunich Dzmitry, Hryshkevich Viktor, Subach Mikhail, Delua Frederic (a Canadian citizen), Liava Artsem, Adamovich Aliaksey, Kharlamchu Pavel, Rudovich Aksana, Narel Natallia, Chyzyk Mikhas, Skarabagaty Leanid,</p>	

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					<p>Skarabagaty Artsem, Adonich Piotr, Kastenka Daria, Chamerka Aleh, Donich Viktor, Sheika Dzianis, Ulasenka Tatsyana, Yahorau Yury, Darafeeva Nasta, Sidarovich Alla, Konash Aliaksandr, Konash Aliaksey, Kljetsauka Katsaryna, Kupchanka Vera, Mashkevich Maryjush, Siarheeu Pavel, Snitka Tatsyana, Chueshova Yulia, Krasiachkou Vital, Zavesnetski Yauhen, Hazizau Tsimur, Sechka Natalia, Radyna Alena, Kazlou Yahen, Muradava Hanna, Sidarovich Andrey, Zalatar Aliaksandr, Smok Vadzim, Sasnouski Anton, Sauchankava Valeryja, Kavaleuskaya Nadzeya, Zialinskaya Daria, Muraujeva Iryna, Sychugova Nadzeya, Shedko Yauhen, Vashkevich Dzianis, Kazlouski Aleh, Hlezin Eduard, Hbryelchyk Ina, Arlou Bahdan, Haiduk Ulian, Zhyh Dzmitry, Finkevich Pavel, Harachka Dzmitry, Sauchankava Valeria, Kudzianava Yahenia, Sverin Tastyana, Yahorau Yury, Kireeu Viktor, Sasnouski Anton, Shumovich Yury, Pisarchyk Siarhei, Ksiandzou Kiryl, Naskou Mikhail, Dzivina Marya, Karbinski Vital, Dzemchonak Natalia, Chehouskaya Nasta, Rugain Aliaksandr, Baranau Andrey, Vensko Dzmitry, Hizun Ales, Yankovich Katsiaryna, Yuhnovich Dzianis, Lukin Pavel, Lantuh Aliaksandr, Laryna Tatsyana, Hrudzko Tatsyana, Vania Tatsyana, Baranchuk Tatsyana, Netkachou Yauhen, Svidzerski Stsiapan, Dashkevich Dzmitry, Subach Mikhail, Inazemcau Danila, Benedyktau Ivan, Zenko Vadzim, Seiko Dzianis, Lacinski Siarhei, Buinitski Dzianis,</p>	

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					<p>Darahaucan Aliaksandr, Kuwshynau Aliaksandr, Snytkina Volha, Marchyk Siarhei, achobut Stas, Kudzianava Eugene, Bahdanau Stanislau, Rahachou Dzmitry, Shmyhau Viktar, Sinkevich Pavel, Shandovich Tastyana, Zoryn Uladzimir and Zaleski Mikita. On 21 March 2006, Anatoly Lebedko, Alexander Dobrovolsky and Alexei Yanukiyevich were arrested. Anatoly Lebedko and Alexei Yanukiyevich were sentenced to 15 and 12 days imprisonment respectively; the whereabouts of Alexander Dobrovolsky are unknown. Furthermore, many of the arrests were accompanied by beatings. Several minors, who were released by the police suffered injuries as a result of having been pushed off the buses in which other detainees were being held before being transported. Alexander Kasko was beaten by police and had his nose broken as he was pushed from a bus. He is currently being treated in hospital. His older brother Sergei Kasko suffered similar injuries. A total of around 400 persons were arrested and these persons remain in detention and are being held in police holding cells in Minsk under conditions which fall below international recognized standards of detention conditions. Others have been brought to the temporary isolation units in Valadarski Street and Navinki Village.</p>	

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15.		29/03/06	JUA	WGAD; TOR; IJL; HRD; BELARUS	<p>Hundreds of opposition supporters continue to be detained in Minsk after having been arrested by police agents during the protest actions which took place on 24 and 25 March 2006. Presidential candidate Alexander Kozulin and members of his family were arrested during the forcible dispersal of a peaceful rally on Freedom Day, protesting against the outcomes of the recent presidential election but also commemorating the anniversary of the 1918 Declaration of Independence of the Republic of Belarus. Mr Kozulin has reportedly been charged with hooliganism. His whereabouts were unknown until 26 March 2006, when he was located in a detention centre outside Minsk. It was also reported that Russian journalist Pavel Sheremet was beaten and arrested during the clashes. Other detained persons are the following:</p> <p>Valyantsina Palevikova; Mariusz Maszkiewicz; Hanna Charnyshova, who has been diagnosed a traumatic brain injury; Inna Klimenko; Kudzyanava, Zhenya; Zhalyezka, Katsya; Laurenovich, Yana; Dzyadzich, Ina; Chekhouskaya, Nastya; Shchelo, Zoya; Vitkouskaya, Tanya; Klimatko, Ina; Zhyzneuskaya, Ina; Ivanova, Ina; Burak, Ina; Sergiyenka, Aksana; Matskoits', Syargei; Mazur, Ales; Arlou, Viktor; Babich, Nadzeya; Znak, Maksim; Kunich, Z'mitser; Gryshkevich, Viktor; Subach, Mikhail; Delyua, Fredery; Lyava, Artsyom; Adamovich, Alyaksei; Kharlamchu, Pavel; Rudovich, Aksana; Narel', Natal'ya; Chyzyk, Mikhas'; Skarabagaty,</p>	

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					<p>Lyeamid; Skarabagaty, Atsyom; Adonich, Pyotr; Kastenka, Dar'ya; Chamerka, Aleg; Donich, Viktar; Cheyko, Dzyanis; Ulasenka, Tatsyana; Yagorau, Yura; Darafeyeva, Anastasiya; Sidarovich, Ala; Konash, Alyksandr; Konash, Alyaksei; Kletsauka, Katsyaryna; Kupchanka, Vera; Mashkevich, Mariyush; Syargyeu, Pavel;- Snitko, Tatsyana; Chyeshova, Yuliya; Krasychkou, Vital'; Zavesnetski, Yaugen; Gazizaj, Tsimur; Sechko, Natalya; Radyna, Alyona; Kazlou, Yaugen; Muradava, Anna; Sidarovich, Andrei; Zalatar, Alyksandr; Smok, Vadzym; Sasnouski, Anton; Sauchankava, Valeriya; Kavaleuskaya, Nadzeya; Zyalinskaya, Darya; Murauyova, Iryna; Sychukova, Nadzeya; Shedko, Yaugen; Vashkevich, Dzyanis; Kazlouski, Yaugen; Glezin, Eduard; Gabryelchyk, Ina; Arlou, Bagdan; Gajduk, Yuliyau; Zhykh, Z'mitser; Finkevich, Paval; Garachka, Z'mitser; Kudzyanava, Yaugeniya; S'veryn, Tatsyana; Yagorau, Yury: Kireyeu, Viktar; Shumovich, Yury; Pisarchyk, Syargei; Ksyandzou, Kiryl; Naskou, Mikhaili; Dzivina, Maryya; Karbinski, Vital'; Dzemchonak, Natal'ya; Chekhouskaya, Anastasiya; Rugain, Alyksandr; Baranau, Andrei; Vensko, Dz'mitry; Gizun, Ales'; Pachobut, Stas; Marchyk, Syarzhuk; Snytkina, Vol'ga; Kuushynava, Alyksandr; Daragautsau, Alyksandr; Buinitski, Dzyanis; Latsinski, Syargei; Sheiko, Dzyanis; Zen'ko, Vadim; Benedyktau, Ivan; Inazemtsau, Danila;</p>	

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					<p>Subach, Misha; Dashkevich, Z'mitser; Svidzerski, S'tsyapan; Netkachou, Yaugen; Baranchuk, Tatsyana; Vanya, Tatsyana; Grudz'ko Tatsyana; Laryna, Tatsyana; Lukin Pavel; Yukhnovchi, Dzyanis; Yankovich, Katsyaryna; Kudzyanava, Yaugeniya; Bagandanau, Stanislau; Ragachu, S'mitser; Shmygau, Viktar; Sin'kevich, Pavel; Shandovich, Tatsyana; Zoryn, Uladzimir; Zaleski, Mikita; Shalaika, Ruslan; Sinkevich, Alyaksandr and Sinkevich, Nadzyeya. Among those arrested is Poland's former ambassador to Belarus, Mariusz Masz. These persons are being held in remand prisons in Minsk; in a special detention centre in Akrestsin Street; in the prison located in Valadarski Street and in a detention centre located in Zhodzina. People injured are detained in some hospitals in Minsk. It was alleged that Syarhei Atroshchenka (Sergei Otroshchenko), who had been placed in Minsk Hospital Number 4 in grave condition after being injured during the march, was taken from the hospital to an undisclosed location. His whereabouts are unknown. Over 150 persons have already been speedily tried without enjoying access to a defence lawyer and more people are expected to be taken to the courts in the next days. Grave concerns are expressed regarding the violation of their right to a fair trial. Family members of the detained cannot get information on the whereabouts of their relatives.</p>	

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16.		07/08/06	AL	TOR;	<p>Conditions in several places of detention, such as IK-11 (Valkavysk, Hrodna region), IK-19 (Mahileu), IK-17 (Shklou, Mahileu region), IK-20 (Mozyr, Homel region), LTP-1 (Svetlagorsk, Homel region), SIZO-1 (Minsk), Sizo.8 (Zhodzina, Minsk region), Minsk city special detention center. IK-19 and several places of detention in Minsk were the subject of previously transmitted communication for which a response was received (E/CN.4/2006/6/Add.1, para. 12). Nevertheless, it continues to be alleged that in the above mentioned institutions overcrowding is still prevalent, with inmates having only 1-2 square metres per person at their disposal (including bed space), which means that inmates have to sleep in shifts. In many cases healthy persons are held together with those sick with tuberculosis in the same rooms/cells. Ventilation is insufficient and contributes to the spreading of infections as does the low-quality food. Access to hygienic facilities and medical care is restricted.</p>	<p>By letter dated 6/10/06, the Government reported that pursuant to article 94, paragraph 1, of the Code of Criminal Procedure, persons serving sentences in correctional facilities shall be provided the necessary living conditions consistent with health and hygiene rules. The minimum living area per detainee in correctional colonies and in prisons may not be less than 2 square metres. Pursuant to this provision, the upper limits for the number of detainees who may be held in each directional facility, as recommended by the director of the Department of Corrections, are laid down by the Minister of Internal Affairs. At the current time, the number of detainees in correctional colony No. 11 (IK-11, Valkavysk), compulsory rehabilitation centre No. 1 (LTP-1, Svetlagorsk), pretrial detention centre No. 1 (SIZO-1, Minsk) and pretrial detention centre No. 8 (SIZO-8, Zhodzina) is within the prescribed limit. The number of detainees in correctional colony No. 19 (Mohylau) is almost 300 below the stipulated limit. The stipulated limits are only exceeded to a very small extent in correctional colonies No. 17 (IK-17, Shklou) and No. 20 (IK-20, Mozyr). After the entry into force on 18 September 2006 of the act amending and supplementing the Code of Criminal Procedure, the number of detainees in the above-listed and other facilities of the criminal corrections system will be brought within the established limits. Each detainee is provided with his or her own sleeping area and</p>

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						<p>bedding. The listed establishments are fitted with the necessary sanitary facilities and other amenities to meet all the needs of the detainees. The health and hygiene conditions and utilities in facilities of the criminal corrections system are regularly checked, at least once every quarter, by public health officials. The public health situation in detention facilities is stable and regularly monitored. During 2006, there were no outbreaks of infectious diseases. The tuberculosis infection rate is steadily dropping: according to final figures for 2005, there were 406 cases per 100,000 detainees, representing a 35 per cent drop from the 2004 levels. Figures for the first six months of 2006 show the downward trend in infections continuing. In 2005, tuberculosis infection rates dropped in all establishments listed by the Special Rapporteur: they dropped by 52 per cent in correctional colony No. 11, by 68 per cent in correctional colony No. 17, by 45 per cent in correctional colony No. 19 and by 89 per cent in correctional colony No. 20. In the pretrial detention centres and the compulsory rehabilitation centres a large proportion of tuberculosis sufferers are found to be already infected when they are admitted to the facilities. There are no cases of detainees infected with an active form of tuberculosis being held together with healthy detainees. Where there is any suspicion that detainees may be infected with tuberculosis, they are</p>

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						immediately isolated in the facility's medical centre and transferred to the national tuberculosis hospital. Only persons cured of tuberculosis and under regular medical supervision may be held together with healthy detainees. The accessibility of medical assistance for detainees is at the same level as for the country's population as a whole. The patient-doctor ratio for detainees is 53.1 per 10,000 (compared to 46.2 per 10,000 for the country as a whole), the ratio of paramedical and nursing staff is 98.1 per 10,000 detainees (compared to 119.7 per 10,000 for the country as a whole) and the hospital bed rate is 439.4 per 10,000 (compared to 107.4 per 10,000 for the country as a whole). Clothing allowances for detainees are set by the Ministry of Internal Affairs and nutritional standards by the Council of Ministers. At the current time, work is under way by the State authorities on the approval of a draft government decision to raise the nutritional standards.
17.	Bhutan	12/07/06	JUA	WGAD; FRDX; RINT; TOR;	Two Christians, John Tamang (alias Purna Bahadur Tamang) and Benjamin Sharma (alias Budhu Mani Dhungana) in the town of Paro. On 7 January 2006, they were arrested for screening the film 'Jesus' in the town of Paro. The arrest was carried out by an officer of the Crime and Investigation Department in Thimphu, who punched and hit the two men during the arrest. They are thought to be being held incommunicado in Thimphu and have been subjected to torture	By letter dated 27/07/06, the Government reported that they were handed over to the Royal Bhutan Police on 8 January 2006 by villagers. They were produced before the District Court in Paro on 9 January 2006. In accordance with the due process of law, they were charged in the District Court and found guilty of several offences. Mr Dhungana and Mr Tamang have thus been tried and sentenced as per the law, in an open trial with

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					and ill-treatment in detention.	public hearing. They have not appealed against the court judgement, although provided for by the law. They are currently serving their sentences in Thimphu District Jail. They are allowed to receive visitors in accordance with the prison rules and are not being detained incommunicado as alleged. They have been receiving visits from their family and friends on a daily basis, as was the case throughout their trial. As per normal practice, medical attention is provided to all detainees if required or upon request by the individual concerned. With regard to the allegations against officers of the Royal Bhutan Police, these are factually incorrect as the alleged person was not present during the arrest. It is also untrue that Mr Dhungana and Mr Tamang have been subjected to torture and ill treatment in detention. Torture is prohibited under the law.
18.	Burundi	10/08/06	JUA	WGAD; TOR;	Déo Niyonzima , Secrétaire-général du Parti pour la Réconciliation des Peuples (PRP), et Damien Ndarisigaranye , conseiller auprès du Ministre de la Défense. Le 1er août 2006, les agents des services des renseignements auraient arrêté Déo Niyonzima à son domicile de Bujumbura; il aurait été convoqué par les services des renseignements, sans que ceux-ci ne présentent de documents justifiant l'arrestation. Durant son interrogatoire, il aurait été frappé avec un fil barbelé et on l'aurait laissé tomber sur le sol alors qu'il se trouvait en hauteur. M. Niyonzima se serait plaint auprès de sa femme des traitements qui lui auraient été infligés. Ces mauvais	

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					traitements auraient été exécutés sous les ordres du sous-directeur des services des renseignements qui était présent. Durant trois jours (jusqu'au 3 août), il n'a été autorisé à voir son épouse qu'à distance et ensuite, il lui a été interdit de la voir jusqu'au 8 août. Damien Ndarisigaranye, qui est actuellement détenu au sein des services des renseignements, aurait été arrêté par les services des renseignements le même jour, alors qu'il sortait d'une banque de Bujumbura. Les agents lui auraient demandé de les suivre et l'auraient conduit au quartier général du service des renseignements où ils l'auraient grièvement frappé. Son épouse ne l'aurait pas vu depuis son arrestation. Déo Niyonzima et Damien Ndarisigaranye seraient accusés d'avoir planifié un coup d'État.	
19.		01/09/06	JAL	SUMX; TOR;	Nizigiyimana Salvator, Mugenzi Moise, Rénovât Niyonzima et Didace Ngendandumwe. Les corps mutilés de ces quatre individus auraient été retrouvés par les habitants de la commune de Kinama, Mairie de Bujumbura, le 15 août 2006. Ces quatre individus auraient été arrêtés dans la commune de Kamenge Urban, Province de Bujumbura, le 4 août 2006 par un agent non officiel du Service national de Renseignement et deux policiers en civil qui les auraient accusés de collaborer avec le Front de Libération nationale. Ils auraient été amenés vers une station service de la commune de Kamenge, où ils auraient été frappés et détenus dans les toilettes. Le jour suivant, ils auraient été emmenés à la commune de Mutuzi et le 6 août, ils auraient été emmenés	

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					<p>au camp de SOCARTI avant d'être emmenés, le 9 août, au poste de police de Kinama où ils auraient été grièvement frappés. Le 14 août, alors que les quatre individus étaient sous l'autorité de la Police de la Sécurité intérieure, un agent non officiel du Service national de Renseignement accompagné par des policiers en civil ainsi que d'autres agents du Service national de Renseignement, les auraient retirés de leur cellule et les auraient emmenés dans un taxi. Plus tard dans la nuit, le taxi aurait été vu près de la position des Forces nationales de Défense de Kanga, Commune de Kinama, où l'accès lui aurait été refusé. Après que le taxi s'est éloigné de quelques centaines de mètres, des cris et le bruit d'armes à feu se seraient fait entendre. Les corps des quatre individus auraient été retrouvés le lendemain, leurs corps criblés de balles et portant trace de coups de couteau.</p>	
20.		06/12/06	JUA	WGAD; Burundi; FOOD; TOR;	<p>Jean Berchmans Bangirinama, Michel Ndagijimana, Bernard Ndayisenga, Euphrem Ndayize, Narson Ndizeye, Norbert Nkeshimana, Daniel Ntirandekura, Onésime Nsengiyumva, Emmanuel Nzeyimana, Astère Majambere et Clément Misigaro. Les 11 personnes mentionnées ont été arrêtées entre mars et octobre 2006 sur la base de suspicions quant à leur implication dans les activités des mouvements des Forces nationales de Libération (FNL), les 11 détenus auraient été transférés, le 10 novembre 2006, du camp militaire de Ngozi à la station de police de Ngozi. Toutes les personnes seraient détenues dans une même</p>	

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					cellule étroite située à proximité des toilettes et souffriraient de problèmes de santé physique et mentale sérieux. Certaines d'entre elles auraient souffert de dysenterie due aux conditions insalubres de la prison. Certains prisonniers se seraient vu refuser un traitement médical. Tous ces détenus auraient été privés de nourriture adéquate et ne mangeraient apparemment que des graines de maïs non cuites. Dans la prison, les prisonniers n'auraient pas accès à l'eau potable.	
21.	Cambodia	21/08/06	JAL	FRDX; TOR;	200 villagers from And Snuol District in Kandal Province. On 7 August 2006, around 100 riot police officers blocked the entry into Phnom Penh of the villagers, who were attempting to travel to the National Assembly and to the provincial court of Kandal to demand the release of one of their fellow villagers arrested in relation to a land dispute. When the villagers got off the bus, police repelled them by shooting in the air, firing tear gas and beating them with batons and rifle butts. Forty villagers and eight policemen were injured during the incident.	
22.		31/10/06	JAL	FRDX; HRD; TOR;	Workers of the Bright Sky Garment Factory, Dangkor District, Phnom Penh. On 16 October 2006, the authorities reacted violently to a week long peaceful strike at the Bright Sky Garment Factory, where the workers were calling for better working conditions. When some of the strikers approached members of the management to seek permission for some demonstrators to leave the factory, they were confronted by hundreds of armed police officers. Guns, electric batons and	

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					rifle butts were used to suppress the demonstration. Among the demonstrators, three were shot, ten were injured, and three were arrested and detained without charge for a number of days.	
23.	Cameroon	24/11/06	JAL	SUMX; TOR;	Hamidou Ndjidda, Dikouza Aziz, Amadou Ismaela Balo, Hamza Hamadou et Gilbert Bring Moumini ont été arrêtés le 28 octobre 2006 à leur domicile sans motif apparent, suite à une opération du Bataillon d'Intervention Rapide (BIR) de Salak. Les cinq jeunes hommes auraient été détenus pendant trois jours dans les locaux du BIR à Salak. Durant leur détention ils auraient été battus, menacés de mort, attachés par des cordes, dénudés et humiliés. D'après nos sources, les cinq jeunes hommes ont ensuite été confiés à la Brigade territoriale où ils ont passé quatre jours avant d'être déférés devant le Procureur de la République pour « vagabondage ». Durant ces quatre jours, les jeunes hommes auraient été privés de nourriture et aucune visite de leur famille ne leur aurait été accordée. Après avoir constaté l'état physique des cinq hommes, le Procureur aurait ordonné leur conduite à l'hôpital. Toutefois, aucun soin ne leur aurait été prodigué après leur libération. D'autre part, dans la nuit du 28 octobre 2006, M. Oumarou, né le 11 mai 1981, est décédé alors qu'il dormait devant le domicile de son père à Maroua, suite aux blessures infligées par des éléments du BIR en civil, armés de fusil et de gourdins. Alerté par les cris, le père de la victime,	

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					aurait tenté de venir au secours de son fils mais les agresseurs lui auraient donné l'ordre de rester à l'intérieur de la maison. La victime serait décédée sur place, après avoir été battue, traînée sur plusieurs mètres et abandonnée.	
24.	Chad	02/05/06	JUA	WGAD; FRDX; HRD; TOR;	<p>Mounoudji Fidel, membre de la Ligue tchadienne des Droits de l'Homme (LTDH), Abdel Hamit, Imam de la mosquée de N'Djamena, Hissein Hassan, Adam Mahamat, Ibrahim Ahmat, N. F. et au moins six autres personnes, ont été arrêtées à N'Djamena dans les jours suivants l'attaque des forces rebelles du Front Uni pour le changement (FUC).</p> <p>Le 16 avril 2006 Abdel Hamit aurait été arrêté, présenté à la télévision et accusé d'avoir hébergé des membres de l'opposition armée. Le 18 avril, des hommes en uniforme, apparemment membres de la police, auraient également arrêté Hissein Hassan, Adam Mahamat, Ibrahim Ahmat et un de leurs proches dans le commerce familial qu'ils tiennent en ville. Cette arrestation serait liée à l'appartenance présumée d'un membre de leur famille au Front Uni pour le Changement (FUC).</p> <p>Le 25 avril, vers 19 heures, Mounoudji Fidel aurait été arrêté par des hommes en uniforme militaire. Son lieu de détention resterait inconnu. Enfin, le 25 avril, vers 22 heures, N. F. aurait été arrêté chez lui par des membres de l'Agence Nationale de Sécurité (ANS) qui cherchaient à arrêter son frère aîné pour ses liens présumés avec des membres de l'opposition armée. Les bases légales de la détention ainsi que la nature des</p>	

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					charges retenues dans tous les cas mentionnés ci-dessus demeurent inconnues ainsi que leur lieu de détention. Il semblerait par ailleurs qu'ils n'auraient accès ni à leur famille ni à leur avocat.	
25.	Chile	30/08/06	JUA	HRD; Indigenous People; TOR;	Waikilaf Manuel Cadin Calfunao , miembro de la comunidad mapuche Juan Paillalef, Comuna de Cunco, IX Región, e hijo de la Lonko Mapuche, Sra. Juana Calfunao Paillalef quien se encuentra detenido en la Cárcel de Temuco, Chile. El 31 de julio de 2006, un grupo de trabajadores de la Empresa de Encomenderos "Frontel" habría penetrado en terrenos supuestamente pertenecientes a la Comunidad Juan Paillalef, acompañados de varios miembros de la policía, con el objetivo de cortar una hilera de árboles nativos como parte de las obras de ampliación del tendido eléctrico. El Sr. Waikilaf Cadin habría intentado oponerse a la tala de los árboles, lanzándose a lomos de un caballo en contra de los trabajadores y los efectivos de la fuerza pública. Como resultado de dicha actuación, los carabineros habrían procedido a arrestar al Sr. Waikilaf Cadin. Durante su arresto y posterior detención, el Sr. Waikilaf Cadin habría sido objeto de malos tratos, siendo golpeado violentamente en la mayor parte del cuerpo y en el rostro. Como consecuencia de estos golpes, el Sr. Waikilaf Cadin podría perder una pieza dental. Tras ser liberado el mismo día de su arresto, el 9 de agosto de 2006 se llevó a cabo la audiencia de detención y la formalización de la investigación en contra del Sr. Waikilaf Cadin, imputándosele los cargos de daños, desórdenes en la vía pública y	Por carta con fecha 17/10/06, el Gobierno informó de que el 9 de agosto de 2006 tuvo lugar en Temuco la Audiencia de Control de la detención, formalización de la investigación y medidas cautelares en contra del imputado Waikilaf Cadín Calfunao, ante el Juez de Garantía Sr. Federico Gutiérrez, con la participación del Fiscal Cristian Paredes y de los abogados de la Defensoría Penal Pública Sres. Ricardo Cáceres y Jaime Lopez. En un comienzo el imputado no aceptó la representación de los abogados de la Defensoría Penal, por cuanto él tenía un abogado de su confianza, el Sr. Freddy Barriga. Posteriormente aceptó la representación. Se solicitó la ilegalidad de la detención, en cuanto fue precedida de un control de identidad que no se ajustaba a los términos del artículo 85 del Código de Procedimiento Penal, y que en definitiva era una privación de la libertad. El tribunal rechazó la petición de la defensa, por cuanto la detención estaba precedida de una orden judicial. La defensa efectúa una denuncia por apremios físicos de parte de los funcionarios aprehensores. El tribunal tiene formulada la denuncia por parte de la defensa del Sr. Cadín por apremios físicos, debiendo remitirse dicha denuncia al juzgado militar

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					<p>hurto. El 17 de agosto de 2006 el Sr. Waikilaf Cadin se presentó en el juzgado, fue detenido y trasladado en calidad de prisionero a la cárcel de Temuco. Asimismo, el caso fue trasladado a la Fiscalía Militar para que se investiguen los hechos en el plazo de cinco meses. Se da la circunstancia de que el arresto y supuestos malos tratos sufridos por el Sr. Waikilaf Cadin se dan en el contexto del conflicto sobre la propiedad de tierras ubicadas en la Comunidad Juan Paillalef. Estas tierras, reclamadas como propiedad de la Comunidad sobre la base de títulos históricos y posesión ancestral, están siendo supuestamente utilizadas por el Ministerio de Obras Públicas para la construcción de un camino y la construcción de la infraestructura de servicios. Dicho uso, sin consulta a la Comunidad y sin su consentimiento, no habría dado lugar a una legítima indemnización por los daños sufridos. Asimismo, se da la circunstancia de que el Sr. Waikilaf Cadin es hijo de la Sra. Juana Calfunao Paillalef, <i>lonko</i> de la Comunidad Juan Paillalef y fundadora de la organización no gubernamental Comisión Ética contra la Tortura.</p>	<p>competente. El Sr. Waikilaf Cadin fue acusado de los siguientes delitos: Secuestro en la persona de los 6 trabajadores de la empresa Innovateck, artículo 141 del Código Penal; daños calificados en perjuicio a la empresa Innovateck, artículo 485, párr. 4 del Código Penal; Desórdenes públicos, artículo 269 del código Penal; porte ilegal de arma blanca; hurto, artículo 446 del Código Penal. El tribunal resolvió que se contaban con los antecedentes que justificaban el hecho delictivo y la participación en los delitos de desórdenes públicos, hurto y daños, no así respecto del secuestro y del porte de arma blanca. Por otra parte, la secretaría Ministerial de Justicia, IX Región de la Araucanía, recibió de la Asociación de Funcionarios Penitenciarios de la Provincia de Cautín, IX Región, un oficio el cual da a conocer maltratos recibidos a los gendarmes de la guardia interna del Centro de Cumplimiento Penitenciario de Temuco, por parte del interno, Waikilaf Cadín, además de la instigación a los otros internos provocando desórdenes y desmanes dentro de la mencionada Unidad del Penal donde se encuentra recluso. Finalmente, el alcaide del citado centro de cumplimiento penitenciario informó a la Sra. Juez del Juzgado de garantía de Temuco del trato grosero y amenazante al personal por parte del Sr. Cadín, instruyendo al personal de no reaccionar antes sus provocaciones.</p>

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26.		27/10/06	JUA	HRD; INDIG; TOR;	<p>Waikilaf Manuel Cadín Calfunao. Tras su detención el pasado 17 de agosto de 2006 y su posterior internamiento en la cárcel de Temuco, el Sr. Cadín Calfunao habría alegado haber sido objeto de malos tratos y trato discriminatorio por parte de las fuerzas del orden público. Según las alegaciones, el pasado 7 de septiembre de 2006 el abogado defensor del Sr. Cadín Calfunao habría constatado que su cliente presentaba graves quemaduras en la espalda. Según la versión policial, estas quemaduras habrían sido causadas por los reclusos de la cárcel de Temuco, quienes supuestamente le habrían arrojado agua hirviendo. Asimismo, la nueva comunicación recibida informa de que, como medida de protesta contra los supuestos maltratos de los que ha sido objeto y su supuesta detención arbitraria, el Sr. Cadín Calfunao habría iniciado una huelga de hambre y sed el 8 de octubre de 2006. Después de cuatro días, y tras presentar una crisis en su estado general de salud, el joven mapuche tuvo que ser trasladado al Hospital Hernán Henríquez de Temuco. Luego de ser sometido a un chequeo por parte de los facultativos, fue reingresado en el Centro de Cumplimiento Penitenciario de Temuco. El pasado 17 de octubre el Sr. Cardín Calfunao habría sido trasladado a la cárcel de alta seguridad de Santiago, alejándolo de los miembros de su familia y de su Comunidad.</p>	

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27.		07/11/06	JAL	IND; SUMX; TOR;	<p>Juan Juan Domingo Collihuín Catril, Lorenzo Collihuín Ñanculef y José Domingo Collihuín Ñanculef. El 28 de agosto de 2006, alrededor de la 1 de la madrugada, un contingente policial supuestamente integrado por unos catorce carabineros, incluyendo personas uniformadas y de civil, habrían penetrado en el domicilio del <i>lonko</i> mapuche Juan Domingo Collihuín Catril, alegando que miembros de su familia eran responsables de un delito de abigeato cometido en Iquique. Según estas informaciones, los carabineros, sin exhibir orden de allanamiento y detención, habrían procedido a disparar indiscriminadamente al interior de la vivienda. Las informaciones alegan que uno de los carabineros, el sargento Sr. Luis Marimán Lévio, habría disparado directamente contra el Sr. Juan Domingo Collihuín Catril, así como contra los Sres. Juan Lorenzo y José Domingo Collihuín Ñanculef, quienes habrían salido en defensa de su padre. Juan Domingo Collihuín Catril habría muerto como consecuencia de un impacto de bala en el tórax, mientras que sus hijos habrían recibido impactos de bala en las caderas. Juan Lorenzo y José Domingo Collihuín Ñanculef se habrían dirigido a la Comisaría de Nueva Imperial para denunciar la agresión y demandar asistencia. Se alega que los carabineros se habrían negado a prestar dicha asistencia, y que los hermanos Collihuín Ñanculef habrían tenido que desplazarse por sus propios medios al hospital de Temuco.</p> <p>Durante su estadía en dicho hospital, Juan</p>	

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					Lorenzo Collihuín Nanculef habría sido detenido bajo la acusación de abigeato.	
28.	People's Republic of China	06/12/05	JUA	WGAD; RINT; TOR;	<p>Five Buddhist monks from Drepung Monastery in Lhasa. Ngawang Namdrol, Tsotod Township, Phenpo Lhundrup County, Lhasa Municipality; Ngawang Nyingpo, Khartse Township, Phenpo Lhundrup County, Lhasa Municipality; Ngawang Thupen a.k.a. Shogbu Metok, Lhasa Inner City, Lhasa Municipality; Khenpo Ngawang Phelgyal of Rinpong County, Shigatse Prefecture; and Phuntsok Thupwang, Gongkar County, Lhoka Prefecture. On 23 November 2005, the five monks were arrested following a patriotic re-education ceremony that had been taking place at Drepung Monastery in Lhasa since October 2005. They were handed over to the Public Security Bureau of their respective places of origin after they refused to sign a statement denouncing the Dalai Lama and recognizing Tibet as a part of China. They are currently being held in Public Security Bureau places of detention. There are concerns that they may be subjected to torture or ill-treatment. On 25 November 2005, approximately 400 monks held a silent sit-down protest in the monastery courtyard. There is concern that members of the army and officers from the People's Armed Police and the Public Security Bureau beat a number of the monks in their efforts to disperse them.</p> <p>Tsering Dhondup, aged 30, a monk at Sera Monastery, near Lhasa and Changchup</p>	<p>By letter dated 12/01/06, the Government reported that five monks at the Drepung monastery in the Tibet Autonomous Region were expelled from the monastery by the monastery's management committee, for having breached the monastery regulations. After the announcement of this administrative decision, a number of monks from the monastery came to the management committee to demand an explanation. After hearing the explanation provided by the committee, the assembled monks all dispersed and the five monks who had been expelled also expressed their acceptance of the decision and returned to their places of origin. Drepung monastery remains open to the public and its religious activities are continuing as normal. Throughout this entire process, there has been no instance of any monk being physically or verbally assaulted or detained, nor has any monastery been shut down.</p> <p>By letter dated 18/04/06, the Government reported that Changchup Gyaltzen was</p>

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					Gyaltsen , a disciplinarian at Sera Monastery. In July 2005, the authorities expelled Changchup Gyaltsen from Sera Monastery after he read out a request for prayer, which referred to the Dalai Lama. He was placed under surveillance for a year. Tsering Dhondup, who is alleged to have drafted the prayer, disappeared on the same day. He is thought to be held incommunicado at Gutsa prison in northern Lhasa. He is alleged to have possessed and distributed documents criticizing China and supporting Tibetan independence.	expelled from the Sera monastery for engaging in activities calling for the division of Chinese territory and has currently returned to his place of origin. On 26 August, Tsering Dhondup was detained by the Tibetan Public Security authorities for preparing propaganda materials calling for "Tibetan independence". On 25 October, proceedings were instituted against him, in accordance with the law, by the Lhasa people's procurator's office on suspicion of the offence of fomenting division of the State. In the course of dealing with the above case, the Chinese judicial authorities acted in strict accordance with laws and regulations under the Chinese Criminal Code, the Chinese Code of Criminal Procedure and other instruments, and there was no question here of any "arbitrary detention" or "torture".
29.		19/12/05	JAL	Migrants; TOR; TRAF; VAW;	Trafficking and sexual exploitation of female citizens of the Democratic People's Republic of Korea (DPRK) in the Peoples Republic of China (PRC), especially in Jilin Province. There are at least 50,000 DPRK citizens who only have irregular visa status in the Korean Autonomous Prefecture of Yanbian (Jilin Province), which borders the DPRK and is home to about one million Chinese citizens of Korean ethnicity. While a considerable number clandestinely crossed the international border into the PRC to escape persecution many others fled the poor socio-economic situation. About half of those who cross the border are women. After arriving in the PRC, many are trafficked and forced to marry or	By letter dated 14/06/06, the Government reported that the allegation that 50,000 illegal immigrants from the Democratic People's Republic of Korea have been detained in Jilin in the Yanbian Korean Autonomous Prefecture, which is a wild exaggeration. As a consequence of the improved economic situation in the Democratic People's Republic of Korea and the strengthened controls exercised over the frontier region by China and the Democratic People's Republic of Korea, the number of Korean illegal immigrants entering China is steadily decreasing. In accordance with the law, the Chinese Government guarantees the lawful rights and

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					<p>become the concubines of Chinese men. Human traffickers systematically target the women, who are usually hungry and desperate, by approaching them in the border region and promising them food, shelter, employment and protection. Once the traffickers have gained the women's confidence, the women are lured to an apartment, confined and then sold to local men. The buyers often lock their victims in the house, tie them up or take away their clothing to prevent them from escaping. In many cases, the women are also physically abused and raped. Some women from the DPRK are also trafficked into the sex industry in Jinlin Province and other parts of the PRC. They are forced to prostitute themselves in brothels, which are often disguised as karaoke bars. Women from the DPRK with an irregular visa status are extremely vulnerable to trafficking since the Chinese authorities have reportedly been instructed to arrest and deport DPRK citizens against their will, if they do not have a valid residence permit. The PRC reportedly considers these persons to be irregular migrants who cross the border only for economic reasons. This deportation policy has been adopted despite the fact that DPRK citizens face detention under cruel, inhuman and degrading conditions, ill-treatment and torture as well as, in extreme cases, summary execution in the DPRK. Human traffickers are well aware of this deportation policy and often manage to subdue their victims by threatening to report them to the authorities, if they resist.</p>	<p>interests of foreign citizens within its territory. Regardless of whether these people have entered the country in the normal fashion or have crossed the frontier illegally, their lawful rights and interests are equally protected under Chinese law. With regard to the issue of the illegal entry into China of citizens of the Democratic People's Republic of Korea, the Chinese Government invariably proceeds in an appropriate manner, consistent with both domestic and international law and in observance of humanitarian principles. In this process, the Chinese police authorities enforce the law in an impartial manner and there are no cases of commissions being paid for the repatriation of citizens of the Democratic People's Republic of Korea who have illegally entered China and have been apprehended. The Chinese Government and the public security authorities always attach great importance to safeguarding the lawful rights and interests of women and children, and countering any kind of activities which infringe the rights and interests of women and children. They are consistently and indefatigably working to crack down with severity on any illegal activities involving trafficking in women and children. Starting this year, as a consequence of the increase in contacts between China and foreign countries, offences involving trafficking in women and children are now starting to occur in China as well. The</p>

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						<p>Chinese public security authorities take a very serious view of this and have increased their preventive measures, taken stronger action to combat such offences, stepped up cooperation with police forces in all the other countries involved and cracked down with severity on Chinese and foreign offenders who traffic in women and children. Persons profiting from the abduction and trafficking of women and those involved in rape, ill-treatment and unlawful detention of others are charged, in accordance with the Chinese Criminal Code, with the offences of abducting and trafficking in women and children, rape, inflicting injury, unlawfully detaining others and other associated offences. At the same time, the authorities attach high importance to efforts to protect the rights and interests of victims, ensuring that they receive personal care and consideration, and are actively assisting foreign women and children who have been rescued from such abusive practices, endeavouring to ensure the personal safety and physical and mental health of victims.</p>

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30.		21/12/05	JAL	HRD; IJL; TOR;	<p>Gao Zhisheng, a lawyer, Beijing, (the subject of a previously transmitted communication, E/CN.4/2006/95/Add.1, para. 90). On 2 December 2005, his law firm, Shengzhzhi Law Firm, was ordered by the Justice Bureau, Beijing, to cease operations from 30 November 2005 to 29 November 2006. The authorities ruled that the firm improperly changed the registration of the firm when it moved office in June 2005, in contravention of Lawyers Law, article 9 (2); and, in violation of article 47 of the Lawyers Law, it failed to use the firm's formal letterhead when it issued a letter of introduction for two of its lawyers, one of whom was not registered at the firm, to visit a client, Mr Yang Maodong, detained in Gunagzhou Panyu Police Detention Centre. Accordingly Mr Gao is required to handover the firm's license, official stamps, financial records, and licenses of its lawyers to the authorities before 29 December, or face further penalties. Mr Gao met with the Special Rapporteur on torture during his recent mission to China, in the context of his work as a human rights defender, including in areas related to the mandate.</p>	

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31.		29/12/05	JAL	RINT; TOR; VAW;	<p>Ms L. J., aged 51 and Ms H. Y., aged 42, both of whom are Falun Gong practitioners. On the night of 24 November 2005, L. J. was abducted by an estimated seven policemen. Her home was ransacked and all Falun Gong materials were seized. She was taken to Dongchengfang Town Police Station in Tunzhou City, Hebei Province, where she was interrogated, beaten with rubber clubs and given electric shocks with stun batons. At approximately 2pm on 25 November 2005, a police officer took L. J. to a room, where he lifted her shirt and touched her breasts. He then gave her electric shocks on her breasts with a stun baton. Another police officer briefly came into the room, encouraged the officer to beat her up, and left. The first officer raped L. J. While raping her, he repeatedly slapped her in the face. He then brought H. Y. into the same room and raped her too. Both rapes took place in the presence of another police officer, who made no attempt to intervene or prevent the incidents.</p>	<p>By letter dated 28/06/06, the Government reported that on 24 November 2005, they were taken in to the local public security office for questioning, on suspicion of involvement in illegal activities, and were released in the afternoon of the same day. On 26 November, the Dashiqiao criminal police team in the Tunzhou City Public Security Bureau received a complaint from H. Y., claiming that she had been raped by an officer. On 27 November, L. J. also filed a report with the Tunzhou Public Security Bureau, stating that she too had been raped. The authorities promptly summoned the policed officer in question. In the ensuing questioning and investigation, it was ascertained that he was a temporary employee in the Dongchengfang Township Public Security Office. He admitted that, in the afternoon of 25 November 2005, he had taken L. J. and H. Y. in turn back to his hostel, where he had indecently assaulted L. J. and had raped H. Y. On 9 December, following approval from the procuratorial authorities, he was taken into custody. On 29 April 2006, the Baoding City People's Procuratorate, Hebei Province, instituted criminal proceedings with the Baoding City People's Intermediate Level Court against the defendant for the commission of the offences of rape and indecent assault of a woman. On 19 May 2006, after hearing the case, the court sentenced the defendant to eight years' fixed term imprisonment. On appeal, on 7 June, the Hebei People's High Court dismissed the appeal and upheld the original judgement.</p>

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32.		05/01/06	JUA	HRD; TOR;	<p>Ms Mao Hengfeng (the subject of a previously transmitted communication, E/CN.4/2005/62/Add.1, para. 296; she was interviewed on 24 November 2005 during the mission to China of the Special Rapporteur on torture). On 28 December 2005 in the afternoon, she was among about a dozen persons who were detained in Beijing by police when they went to view the ceremonial lowering of the flag in Tiananmen Square. Ms Mao, who has petitioned the Government in relation to a number of human rights violations, and her two daughters, along with petitioners Zhang Cuizhi and Zhang Xueying, were forcibly taken to Beijing's Tianhai Reception Center that evening, while the others were immediately put onto the next train back to Shanghai. Among the latter group, Sun Xicheng, He Guoguang and others were reportedly beaten by Shanghai officials (jiefang renyuan). Mr Sun suffered a concussion as a result of his beating. Ms Mao was dragged by her feet down a flight of stairs by three policemen. She and her daughters, along with Zhang Cuizhi and Zhang Xueying, were forced to return to Shanghai by train on the evening of December 29. Following her arrival in Shanghai on December 30, Ms Mao immediately returned to Beijing with her daughters, but early on the morning of 1 January 2006, she was detained again and forcibly returned to Shanghai, where she and her daughters were taken directly to the Yangpu District dispatch station. Ms Mao's daughters were released that afternoon, but she remains in custody of the Daqiao neighborhood</p>	<p>By letter dated 18/04/06, the Government reported that On 15 December 2005, Zhou Xiudi, Chen Zonglai, Wu Yuping and Jin Huijun convened more than 30 persons to assemble at the entrance of Shanghai Municipal Government in order to cause trouble and create a public disturbance; despite efforts to educate and negotiate with them, they refused to disperse, severely disrupting the normal order of State organs. Acting pursuant to article 19 of the Regulations on Public Security Administration Punishment, the Shanghai public security authorities punished Zhou and others by placing them in administrative detention for 15 days. Careful checking has revealed that during the period from 22 to 28 December 2005 no coercive measures of any kind were taken by the Shanghai public security authorities in respect of Ma Yalian. On 28 December 2005, a group of more than 60 people including Mao Hengfeng, Sun Xicheng and He Guoguang gathered about the flagpole at Tianmen Square to cause trouble, disrupting the normal order of the Square. Acting pursuant to article 34 of the Regulations on Public Security Administration Punishment, the Shanghai public security authorities lawfully issued a public order summons to Mao and others. During this process, the Shanghai public security authorities never employed any kind of coercive measures in respect of anyone, nor did any instances of beating occur. Moreover, there is no Yangpu District</p>

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					municipal office. When her husband telephoned the office, an official, Mr Jiang, he indicated that she would remain for several days. Her family has had no contact with her since her detention in Daqiao. On 15 December, petitioners Zhou Xiudi, Chen Zonglai, Wu Yuping, Jin Huijun and others have been placed under criminal detention on charges of "disturbing public order" by Shanghai Hongkou public security authorities for their participation in a petition to the Shanghai municipal committee conference. On December 22, Shanghai petitioner Ma Yalian was also detained by local police and neighborhood committee members and held until December 28 without informing her family of her whereabouts.	dispatch station in Shanghai. In dealing with Mao Hengfeng, Zhou Xiudi and others by issuing summonses or placing them in administrative detention, the Shanghai public security authorities acted in accordance with the law; the case had nothing to do with freedom of expression and opinion.
33.		01/02/06	JUA	WGAD; HRD; TOR; VAW	Ms Mao Hengfeng , Shanghai (subject of a previously transmitted communication, see above). On 15 January, Mao Hengfeng had traveled to Beijing with her daughter to take part in an unofficial memorial service marking the first anniversary of the death of former Chinese leader Zhao Ziyang. On 24 January, they were detained by four Shanghai police officers at their hotel in Beijing. According to her daughter, the police treated Mao Hengfeng roughly, lifting her in an arm-lock and leaving her with bruising to her neck, arms and legs. The police took them to another hotel where Shanghai Residents' Committee officials were waiting to take them back to Shanghai by train. When the train arrived in Shanghai early the next day, Mao's daughter was released but Mao Hengfeng was taken to Daqiao Police Station, Yangpu District. She was held	By letter dated 14/06/06, the Government reported that on 17 January 2006, she and other persons assembled a crowd in a public area in Chongwen District in Beijing, thereby disturbing the peace. Pursuant to the provisions of article 34 of the regulations on punishments relating to the maintenance of law and order, the Yangpu Office of the Shanghai Public Security Bureau, acting in accordance with the law, served a summons on Mao Hengfeng for a public order offence, for the period from 7.45 am on 25 January 2006 to 7.45 am on 26 January. Upon expiry of this period, no further measures of restraint were applied against Mao Hengfeng and, in the course of this process, all her lawful rights were fully upheld, and the allegations that she was subjected to beatings have no foundation

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					there for questioning for 24 hours. The next morning, Mao was able to telephone her husband, Wu Xuwei. She told him that she was being taken away from the police station by Yangpu District Residents' Committee officials but that she did not know where. He then heard Mao Hengfeng scream and the line went dead. Wu Xuwei immediately telephoned the District Residents' Committee to find out where his wife was being taken, but they first denied that they were holding her. After repeated calls, the committee secretary confirmed that Mao Hengfeng was "in their hands" and that they wanted to "educate her" because her protests about human rights violations were creating "social instability". They have refused to indicate where she is detained and her family has not had access to her. With respect to her detention as alleged in the 5 January 2006 letter, further information received indicates that she was detained by seven Residents' Committee officials in a Shanghai hotel from 3-6 January. The officials reportedly beat her several times, grabbed her breasts and prevented her from sleeping during this period.	in fact.
34.		07/04/06	JUA	WGAD; IJL; TOR; HRD	Chen Guancheng (the subject of previously transmitted communications, E/CN.4/2006/6/Add.1, para. 24). He was interviewed on 28 November 2005, during the visit of the Special Rapporteur on torture (E/CN.4/2006/6/Add.6, page 58). On 11 March 2006, Chen Guangcheng's neighbour and cousin, Mr Chen Guangyu , was beaten by four hooded	By letter dated 14/06/06, the Government reported that on 11 March 2006, Chen Guangcheng and his family members Chen Guangjun, Chen Guangyu and others, assembled a crowd of villagers and obstructed traffic, causing a major traffic jam on national highway 205. On 12 March, Chen Guangjun and Chen Guangyu were taken into criminal

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					men who were waiting for him nearby his home. When Chen Guangcheng discovered this, he went out from his house with another villager, Chen Guangjun, towards the Yinan Local Government to seek an investigation into the beating. When they were a few meters from the house, the three of them were arrested (Chen Guangcheng, Chen Guangyu and Chen Guangjun) by officers of the Yinan Public Security Bureau, and taken to the local police station. Their families were notified that they would be detained for 24 hours in order to investigate their participation in an offence named "blocking the traffic". However, they are still detained. Chen Guangcheng has not been allowed to contact his lawyer, nor his family since his detention on 11 March 2006. Moreover, it is reported that law lecturer, Xu Zhiyong , and lawyers Li Fangping and Li Subinhad , are facing harassment from the authorities and their employers because they provided advice to Chen Guangcheng in cases related to forced sterilization and abortion policies in Linyi.	detention, in accordance with the law, on suspicion of having committed an offence under article 291 of the Chinese Criminal Code, on the gathering of crowds for the purpose of disrupting the movement of traffic. Chen Guangcheng was held for questioning by the local public security authorities, in accordance with the law, on suspicion of involvement in the offence at the scene of the crime, and was released at 9 pm on 12 March. In dealing with Chen and his associates, the public security authorities acted in compliance with the law, in remanding them in custody or holding them for questioning. Throughout this period their lawful rights were fully protected and there is no substance to the allegation that Chen Guangcheng was subjected to beatings and placed under house arrest.
35.		13/04/06	JUA	SUMX; TOR; CTR	Ismail Semed , an ethnic Uighur from Xinjiang Uighur Autonomous Region (XUAR), who is believed to be at imminent risk of execution. Ismail Semed was convicted by the Urumqi Intermediate People's Court on 31 October 2005 for "attempting to split the motherland" and other charges related to possession of firearms and explosives. The possession of firearms charges against Ismail Semed appear to have been based on old testimonies taken from other Uighurs, some of whom were reportedly executed in 1999.	By letter dated 12/07/06, the Government reported that on 13 August 2004, the Urumchi City procuratorial authorities instituted criminal proceedings against him with the Urumchi City Intermediate Level People's Court for the offences of separatism, unlawful manufacture of ammunition and the causing of explosions. In January 1997, Ismail Semed, together with Hasan Mahsum (later shot dead in Pakistan) and Abdukadir Amat (now on the run), slipped out of the country through the City of Xiamen

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					According to reports, those testimonies might have been extracted through torture.	and made their way to Saudi Arabia to meet Kurban Aji and other persons, to propagate the notion of an independent Xinjiang, to carry out separatist activities and to drum up support. Soon after, Semed and the two other men travelled to Rawalpindi in Pakistan, to meet Uighur students and other young Uighurs engaged in business in that city, preaching to them and urging them to form an organization and to go to Afghanistan to receive training, for the purpose of waging a holy war. In March of that same year, Semed and the other men convened a preparatory meeting of the East Turkestan Islamic Movement and, following a division of tasks, Ismail Semed was appointed in charge of military operations. Thereafter, Ismail Semed and the other men continued to develop and expand the organization, establishing military bases, recruiting members, conducting fund-raising and other activities and forging links with Afghan Taliban bases and bases run by Bin Laden, striking an agreement with them on the provision of free training for their jihadists. From May 1997 to January 1998 Semed and his accomplices organized the transport of some 100 Uighur jihadists from Pakistan and the Middle East to the above-mentioned military camps for training. After completing their training, Semed and the others appointed Usman Imat in charge and sent him to take 13 men to Xinjiang to set up workshops to manufacture explosives, to conduct training and to develop

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
						<p> jihadist columns. After arriving in Xinjiang, Usman and the others purchased 1,053 boxes of erbium nitrate, for use in preparing chemicals and other reagents for the manufacture of explosives, and set up explosive manufacturing workshops in Turfan, Hotan and other cities. They trained some 100 men in the use of chemicals and reagents for the manufacture of explosive devices, detonators and blasting fuses and in weapons technology. On 5 December 1997 Semed attended a conference of the formally constituted East Turkestan Islamic Movement, held in Rawalpindi in Pakistan, and was appointed military commander. The conference resolved that the goal of the organization would be to liberate East Turkestan through a holy war and to set in place an Islamic State, and mapped out a strategic plan for the period ahead. In mid-December 1998, Semed and others organized a meeting in Rawalpindi at which they decided to break away from the East Turkestan Islamic Movement and form a separate grouping. They deposed their former leader, Hasan Mahsum, assumed control of their members and funds in Afghanistan and started to look for ways of illegally entering Xinjiang, so as to prepare for the conduct of military jihadist activities in that region. On 16 September 2004 the Urumchi intermediate level people's court commenced hearings on this matter. Given the complexity of this case, it is still under </p>

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						consideration.
36.		18/05/06	JUA	WGAD; FRDX; TOR;	<p>Several petitioners in Shanghai. On 13 February 2006, more than a dozen petitioners had a meeting with an American consular official at the house of petitioner Ms Fu Yuxia. Following the meeting, several petitioners were arrested and detained in connection with the meeting. Amongst them were Mr Chen Xiaoming, Ms Fu Yuxia, and Mr Han Zhongming. Chen Xiaoming was arrested on 15 February by police officers from Shanghai's Luwan District Public Security Bureau (PSB) and was held in a room at the PSB station. He is suspected of taking the American consular official to the meeting place. On 6 March, he was stripped naked and physically abused. Reports further indicate that Chen Xiaoming's whereabouts have been unknown since 31 March. Fu Yuxia was also arrested on 15 February. She was released on 5 April, and since then has been kept under house arrest. Han Zhongming and his wife were subjected to surveillance following their participation in the meeting with the American diplomat. On 16 February, Han Zhongming was detained while he was at his friend's house. His wife has reported his disappearance to the police, but no action has been taken by the police. His</p>	At the time this report was finalized, the reply of the Government of 20/12/06 had not been translated.

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					whereabouts remain unknown. On the same day, in a separate incident, Ms Ma Yalian , a housing rights petitioner who was the subject of three previously transmitted communications, was arrested at the home of a friend on 15 February. She was held at Fengqi Hotel in Pudong New District under the watch of a dozen police officers. She was released on 6 May, but is reportedly still under house arrest.	
37.		29/06/06	JUA	WGAD; TOR;	Yusuf Kadir Tohti and Abdukadir Sidik , originally from Xinjiang Uighur Autonomous Region (XUAR). After having being forcibly returned from Almaty to Urumqi by Kazakh authorities on 10 May 2006, they are being held in incommunicado detention.	
38.		14/07/06	JUA	FRDX; HRD; IJL; TOR;	Mr Chen Guangcheng , a lawyer and human rights defender in Linyi, Shandong Province in China and Mr Guo Qizhen , a volunteer in the Tianwang Disappeared Persons Service Center in Cangzhou City, Hebei Province. The Tianwang Disappeared Persons Service Center assists relatives of missing persons to publicise their stories on the internet in order to find their relatives. Mr Chen Guangcheng was already the subject of a previously transmitted communication (see above). On 12 May 2006, Mr Guo Qizhen was placed under house arrest by local security forces, while he was participating in a hunger strike to protest against alleged human rights violations committed by the Chinese authorities. On 6 June 2006, Mr Guo Qizhen was reportedly charged with "inciting subversion of state power" and is currently being held in the No. 2 Detention	By letter dated 3/10/06, the Government reported that on 12 May 2006, Guo Qizhen was taken into police custody, in accordance with the law, for breach of the provisions of articles 105, paragraph 2, and 106 of the Criminal Code and on suspicion of having committed the offence of fomenting subversion of the political power of the State. On 6 June his remand in detention was approved by the procuratorial authorities and his case is currently under consideration. Through his conduct, Guo is suspected of having committed the offence of fomenting subversion of the political power of the State. The Government further reported that on 10 June 2006, the public security authorities, acting in accordance with the law, took Chen Guangcheng into police custody and launched

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					Center in Cangzhou City. On 10 June 2006, Mr Chen Guangcheng was charged with “deliberate destruction of property” and “organizing a mob to disrupt traffic”, allegedly after he had spent 89 days in incommunicado detention in the Yinan County Detention Centre, where he remains. It is reported that he was arrested on 11 March 2006 but that his family were not informed of his whereabouts until 11 June 2006. It is still unknown whether Mr Chen Guangcheng has been finally allowed to see his lawyer.	an investigation into his actions. On 21 June his remand in detention was approved by the procuratorial authorities and, on 26 June, the matter was referred to the procuratorial authorities for review and prosecution. On 4 July, the Yinan County Procurator’s Office referred his case to the Yinan County People’s Court for prosecution for the offences of wilfully causing damage to property and assembling a crowd for the purpose of disrupting traffic. On 24 August, the Yinan County People’s Court instituted proceedings in this case. As the offender in this case is blind, leniency could be applied in his case. That same day, the Yinan County People’s Court decided as the court of first instance to sentence Chen to seven months’ fixed-term imprisonment for the offence of wilfully causing damage to property and to four years’ fixed-term imprisonment for the offence of gathering a crowd to disrupt traffic and ordered him, accordingly, to serve a sentence of four years’ and three months’ fixed-term imprisonment. During the legal proceedings in this case, the court fully upheld the defendant’s rights in litigation and in the courtroom his two defence lawyers were able to provide full defence services.
39.		18/07/06	JUA	SUMX; TOR;	Mr Xu Shuangfu (also known as Xu Wenku) and Mr Li Maoxing , two Chinese religious leaders belonging to a group known as “the Three Grades of Servants” who were sentenced to death on 28 June 2006. They were accused of murdering twenty leaders of a religious group known as the	By letter dated 21/08/06, the Government reported that from 28 February to 3 March 2006 the Shuangyashan Intermediate People’s Court in Heilongjiang Province conducted an open trial in the criminal cases brought against Xu Shuangfu and others for a series of crimes.

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					Eastern Lightning group. Xu was also accused of defrauding his congregation of over thirty-two million Yuan. Xu Shuangfu, was kidnapped in April 2004 by gun-wielding men in a police car while visiting congregation members in neighboring Haerbin, Heilongjian Province. Reports indicate that he was held incommunicado for some time before his family was informed of his detention. Concern has been expressed that Xu Shuangfu and Li Maoxing confessed to their murder charges under torture and subsequently denied their guilt during their trial which was held at the Shuangyashan Intermediate Court, from 28 February to 3 March 2006.	On 4 July 2006 the court handed down its sentence: Xu Shuangfu and Li Maoxing were found guilty of the crimes of murder, wilful and malicious injury, unlawful detention and fraud, for which they were sentenced to death, in accordance with the law; they were also deprived of their political rights for life and their personal property was confiscated. In conducting this trial, the Chinese judicial authorities adhered to the facts of the case, took the law as their criterion, applied the law properly and proceeded in accordance with the law.
40.		11/08/06	JAL	RINT; TOR; Trafficking;	Organ harvesting. Organ harvesting has been inflicted on a large number of unwilling Falun Gong practitioners at a wide variety of locations, for the purpose making available organs for transplant operations. Vital organs including hearts, kidneys, livers and corneas were systematically harvested from Falun Gong practitioners at Sujiatan Hospital, Shenyang, Liaoning Province, beginning in 2001. The practitioners were given injections to induce heart failure, and therefore were killed in the course of the organ harvesting operations or immediately thereafter. It is reported that employees of the following transplant centres have indicated that they have used organs from live Falun Gong practitioners for transplants: Zhongshan Hospital Organ Transplant Clinic in Shanghai, Qianfoshan City Liver Transplant Hospital in Shangdong, Nanning City Minzu Hospital in Guangxi	By letter dated 28/11/06, the Government reported that in March 2006, Falun Gong began fabricating the so-called "Sujiatun concentration camp" issue, saying that 6,000 practitioners had been incarcerated in Sujiatun Hospital in Shenyang, Liaoyang Province, and that two thirds of them had had organs removed from their living bodies and the corpses cremated to destroy the evidence. In order to clarify the facts, the Sujiatun District government carried out an investigation at the hospital; domestic and foreign media including Japan's NHK and Hong Kong's Phoenix Satellite Network and Ta Kung Pao conducted on-site interviews; and two visits were paid by US consular personnel. Based on the results of these investigations it was discovered that the hospital only had 300 beds and was completely incapable of housing more than

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					<p>Autonomous Region, Jiaotong University Liver Transplant Centre in Shanghai, Zhengzhou Medical University Organ Transplant Centre in Henan, Oriental Organ Transplant Centre in Tianjin City, Tongji Hospital in Wuhan City in Hunan and General Hospital of Guangzhou Military Regional in Guangdong. It is reported that employees from the following detention facilities have indicated that organs from Falun Gong detainees have been used for transplants: Mijiang Detention Centre in Heilongjiang, First Detention Centre of Qinhuangdao City in Shangdong Province and Second Detention Centre of Qinhuangdao City in Shangdong Province. After the organs were removed, the bodies were cremated, and no corpse is left to examine for identification as the source of an organ transplant. Once the organs were removed they were shipped to transplant centres to be used for transplants for both domestic and foreign patients. Officials from the following detention facilities have indicated that courts have been involved in administering the use of organs from Falun Gong detainees, namely: Qinhuangdao Intermediate People's Court in Shangdong Province, First Criminal Bureau of the Jinzhou Intermediate People's Court and Kunming Higher People's Court. It is reported that there are many more organ transplants than identifiable sources of organs, even taking into account figures for identifiable sources, namely: estimates of executed prisoners annually, of which a high percentage of organs are donated, according to</p>	<p>6,000 persons. There was no basement for incarcerating practitioners, as alleged. The so-called "cremation oven" is in fact a boiler/furnace room, whose primary function is to provide heat and disinfect medical instruments. This boiler room has several transparent glass windows and a lawn outside that is open to the public where nearby residents come daily to stroll. In such a place, there is simply no way to cremate corpses in secret, continuously, and in large volumes. The rumors fabricated by Falun Gong collapse on their own. Everyone recognizes that Sujiatun Hospital is nothing but a simple hospital to treat coronary disease and that there is no evidence to show that it is being used for any purpose. This once again proves that the "Sujiatun concentration camp" fabricated by Falun Gong is nothing more than a rumor. As a WHO Member State, the Government resolutely abides by the WHO 1991 Guiding Principles on Human Organ Transplants and strictly forbids the sale of human organs. Human organ donation must be done voluntarily and with the written consent of the donor. The human organ transplant regulations that took effect on 1 July 2006 reiterate that human organs must not be sold, that human organs used for transplant by medical facilities must have the written consent of the donor, that a donor has the right to refuse to donate before the organ transplant takes place, and that medical facilities carrying</p>

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					<p>the statement in 2005 of the Vice Minister of Health Mr Huang Jiefu; willing donor family members, who for cultural reasons, are often reluctant to donate their organs after death; and brain-dead donors. Moreover, the reportedly short waiting times that have been advertised for perfectly-matched organs would suggest the existence of a computerized matching system for transplants and a large bank of live prospective donors. It is alleged that the discrepancy between available organs and numbers from identifiable sources is explained by organs harvested from Falun Gong practitioners, and that the rise in transplants from 2000 coincides and correlates with the beginning of the persecution of these persons. On organ transplants, in general, it has been reported that in March 2006, legislation was introduced which bans the sale of human organs and requires the donor to give written permission. The legislation also limits transplants to certain institutions, which must verify the source of the organs. This law came into force on 1 July 2006. Contrary to the Government assertion that human organs have been prohibited from sale, in accordance with the 1991 WHO guiding principles, it has been reported that up to this time Chinese law has allowed the buying and selling of organs; has not required that donors give written permission for their organs to be transplanted; there has been no restriction on the institutions which could engage in organ harvesting or transplants; there was no requirement that the institutions engaged in transplants had to verify</p>	<p>out human organ transplants must have the capacity to ensure medical quality and safety in accordance with ethical principles. The goal of these regulations is to standardize and improve the management of clinical practice of human organ transplant operations in order to safeguard medical quality and safety. Presently, the relevant government agencies are drafting human organ transplant regulations in order to create the necessary regulation of human organ donation, registration, matching, and transplant. China absolutely does not allow forced donation or trafficking in the corpses or organs of executed criminals, which are used in strict accordance with the relevant regulations. Notably: written consent must be received from the criminal to be executed and his family; approval must be received from the provincial-level health authority and the provincial-level higher people's court; and the unit using the organs must have the authority/capacity to conduct medical science research or transplant operations. The question of organ donation is not part of the inquiries made at the time of execution. Those death-row criminals who wish to donate their corpse or organs after they are executed must express this voluntarily in writing. Mobile execution vehicles are used solely by the courts to carry out execution by lethal injection. They do not, and are strictly forbidden to, transport organs. According to Chinese laws and regulations, individuals who</p>

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					that the organs being transplanted were from legal sources; and there was no obligation to have transplant ethics committees approve all transplants in advance. Moreover, evidence exists, for example, that at least up until April 2006 price lists for organ transplants in China were published on the Internet.	are sentenced to death are those criminals who have committed extremely serious crimes and who should be sentenced to death and executed immediately (i.e. without reprieve), not for being Falun Gong practitioners. For this reason, there are no statistical data for Falun Gong practitioners who have been executed. In order to deal with the problem of organ supply, each country typically uses two methods: one, to increase social awareness and mobilize the population to donate organs; and two, to facilitate live organ donation and transplant between relatives. China's methods are not exceptions. Moreover, it has placed serious restrictions: citizens who donate live organs must be at least 18 years old and be in possession of full civil capacities; and the live organ recipient must be the spouse, direct blood relative, or within three generations of collateral blood relatives.
41.		22/08/06	JUA	HRD; IJL; TOR;	Gao Zhiheng , aged 42, a human rights lawyer in Beijing (the subject of previously transmitted communications, see above). On 15 August 2006, he was residing with his sister in the city of Yingshe, Shandong Province. At noon, ten to twelve plain clothes officers of the Beijing Public Security Bureau entered the house and detained him "for questioning related to his suspected involvement in criminal activities". It is reported that Mr Gao had been under strict surveillance by the secret police for several months prior to this. The day before he was detained, the phone of the house where he was residing was disconnected,	

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					as were the phones of many of his relatives, who also received warnings from the police. Mr Gao's whereabouts remain unknown. The Special Rapporteur (TOR) recalls that he strongly protested to the Ministry of Foreign Affairs against the intimidation and surveillance by the security services that Mr Gao was subjected to during their meeting in Beijing on 20 November 2005 (E/CN.4/2006/6/Add.6, para. 10; and Appendix 3, paras. 2-3). Moreover, he regrets that despite the numerous further allegations of threats and intimidation he has received concerning Mr Gao, no measures have been carried out by the Government to investigate and prevent them.	
42.		31/08/06	JUA	RINT; TOR;	Bu Dongwei (also known as David Bu), aged 38, Falun Gong practitioner. On 19 May 2006, he was detained by around seven police officers at his home in the Haidian District of Beijing. On 19 June, he was assigned to two and a half years re-education through labour by the Beijing Re-education Through Labour Committee, which has the power to impose periods of arbitrary detention without charge or trial. He was accused of 'resisting the implementation of national laws' and 'disturbing social order'. Despite repeated requests to the authorities, his family have not been told where he is being detained although unconfirmed reports have been received that he may have been transferred to Tuanhe Re-education Through Labour facility in Beijing on 21 August. There are concerns that he is at risk of torture or other ill-treatment. Bu Dongwei had previously served a term of ten months re-	At the time this report was finalized, the reply of the Government of 28/11/06 had not been translated.

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					education through labour from August 2000 to May 2001 in Tuanhe for 'using a heretical organization to disrupt the implementation of the law'. During this period, he was reportedly beaten and made to sit all day in a small chair. He was also subjected to sleep deprivation aimed at forcing him to renounce his belief in Falun Gong.	
43.		22/11/06	UA	TOR;	He Depu. He was interviewed by the Special Rapporteur on Torture on 22 and 24 November 2005 at Beijing No. 2 Prison, during his visit to the People's Republic of China (E/CN.4/2006/6/Add.6, Appendix 2, para. 6). In the recent past, his diet and physical condition have deteriorated sharply. He is reported to be emaciated, having lost approximately 18kg. Concern is expressed that his physical and mental integrity may be at further risk without provision of medical treatment.	
44.		30/11/06	JUA	WGAD; HRD; IJL; TOR; VAW;	Gao Zhisheng , a lawyer and Director of the Shengzhi Law Office in Beijing, his wife Ms Geng He , their children aged 13 years and two years and his 70 year old mother-in-law . On 24 November 2006 Ms Geng was beaten by members of the State Security police who had been following her movements and keeping her under surveillance. It is reported that Ms Geng, her 13 year old daughter and her mother have been constantly followed by police for approximately three months. The incident reportedly took place on a street in Beijing (Jingsong Road, near the Lidu Hotel on bus route 408), after Ms Geng told three police officers (two	

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					<p>male, one female) to stop following her and her children. As a result of the beating by the two male police officers, Ms Geng is reported to have sustained loosened teeth, a bleeding mouth and gums, her fingernail on one hand completely torn off and her leather clothing ripped into pieces. It is further reported that Mr Gao and Ms Geng's 13 year old daughter, Gege, has also been harassed by the State Security Police who follow her at all times, including while she is in school. It is reported that they follow her to her classroom, in the school corridors and even to the bathroom, which makes her educational environment difficult. Furthermore, on 21 November, it is reported that Beijing police showed their badges and attempted to pick up Tianyu, their two year old son, but his kindergarten teacher refused to comply. It has also been reported that Ms Geng's 70 year old mother is tailed by police if she leaves the house. On 12 October 2006, Mr Gao Zhisheng was formally charged with "incitement to subvert the State". It is reported that on 6 October 2006, Ms Geng's birthday, she was allowed to see her husband at the Beijing No. 2 Detention Centre where they were watched and interrupted by police officers throughout the visit which lasted for approximately 20 minutes. However sources indicate that Mr Gao has still not had access to his lawyer Mr Mo Shaoping despite the recent discovery of his current whereabouts, as the authorities have reportedly stated that his case concerns "State secrets". Prior to 6 October 2006 he had allegedly been held incommunicado since</p>	

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					15 August 2006 when he was arrested without a warrant at his sister's house in Dongying City in Shandong Province, by more than 20 plain clothes police officers from the Beijing Public Security Bureau. According to reports, the official Xinhua News Agency released a statement on 18 August 2006 stating that Mr Gao had been arrested "on suspicion of breaking the law" however details of the alleged crime he had committed were not provided.	
45.		01/12/06	JUA	WGAD; RINT; TOR;	Zhang Hongwei , member of Falun Gong, residing at Tonghua District, Jilin Province, currently detained at Jilin Prison. His health condition is severe. By the beginning of 2006, he was diagnosed with type III tuberculosis. Body fluid was accumulating in his chest and in March 2006 he also suffered from pleurisy, high blood pressure and heart disease. Thereafter, he was transferred to the prison hospital, however, still ill-treated by prison guards. Several applications by Mr Zhang's family for medical parole and access to his x-rays were refused. Further, his family was denied permission to visit him. Concern is expressed as regards his deteriorating health and physical integrity, also in view of his incommunicado and solitary detention. Mr Zhang was arrested in Beijing and sentenced to 11 years of imprisonment in 2001. Later that year he was transferred to Tiebei Prison in Changchun city, where he went on a 53 day hunger strike, and then, in March 2002, to Jilin Prison. There, Mr Zhang was held in solitary confinement for two years and five months and ill-treated.	

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46.		Follow-up to past cases			Huang Zhiqiang, Fang Chunping, Cheng Fagen and Cheng Lihe. (E/CN.4/2006/6/Add.1, para 24).	By letter dated 12/01/06, the Government reported that on 19 June 2002, Huang Zhiqiang, Fang Chunping, Cheng Fagen and Cheng Lihe were arrested and they are currently being held in custody. Concerning the allegation that the four persons have been subjected to torture, the Leping People's Procurator's Office assigned two procuratorial officials to make a careful study of the case. These officials were present on numerous occasions when the suspects made statements and identified the scene of the crimes and they found no evidence at all that the investigating officers had employed any unlawful methods in their handling of the case, such as extorting confessions by torture, etc. Throughout the course of the investigation, the officials handling the case made sound and video recordings of the questioning of the defendants and the identification of the scene of the crime. The disc containing the sound and video recordings of the questioning of the four defendants and the identification of the scene of the crime was carefully studied and the recordings showed no evidence that the police had used beatings, verbal abuse, or threats; the criminal suspects were seen to be in a stable and calm state of mind and no harsh treatment was used against them: they showed no signs of fear or having been intimidated and freely confessed their crimes. The criminal suspects Huang Zhiqiang and Cheng Lihe are able to correspond with their

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						<p>families while being held in preventive detention and they have freely admitted that they had committed serious offences, and have shown themselves to be extremely repentant. When the procurator's office commenced its examination of the appeal stage of the proceedings, the suspects complained to the procuratorial authorities that the investigative officers had extorted confessions from them by the use of torture and showed abrasions on their wrists to prove it. The oversight division of the Leping People's Security Bureau conducted a special investigation, but did not find any evidence that the investigating officers had extorted confessions by torture. An examination of the criminal suspects revealed that the abrasions on their wrists and the resulting bruising had been caused by pressure from the clasps of their handcuffs (because of the gravity of the offences committed by the four offenders, the investigating officers had put handcuffs on them, as provided for by law).</p>
47.					<p>Shi Xing-wu and Wu Ze-heng (E/CN.4/2006/6/Add.1, para. 25).</p>	<p>By letter dated 18/04/06, the Government reported that Wu Zeheng, also known as Wu Wenheng and Wu Zeheng, prior to his arrest, was the legal representative and director of the Beijing Huazang Consulting Centre. On 2 November 2001 he was sentenced by the Beijing Supreme People's Court to 11 years' imprisonment (from 31 July 1999 to 30 July 2010) and deprived of his political rights for 2 years for the crimes of illegal business</p>

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						<p>operations and unauthorized floating of stocks. He is currently serving his sentence in the Huajji prison in Guangdong Province. A physical examination conducted after Wu entered prison yielded a positive reaction for tuberculosis. As a carrier of the tubercle bacillus, he was treated with medication and was cured; he did not “suffer ... from a fever of 40.2 Celsius”, and his health is now normal. After entering prison Wu was able to visit with family members for the time prescribed by regulation, and he received more than 80 letters and six parcels. He has submitted written appeals to the National People’s Council and to judicial bodies, which the prison authorities always transmit promptly. Like other criminals, Wu works eight hours a day; on no day does he ever work more than 13 hours. Wu has never been placed in solitary confinement, and the room where he is detained has a surface area of 26.4 square metres and has excellent light and ventilation. Wu’s legitimate rights and interests are guaranteed in accordance with the law. An investigation has revealed that there is no one in any Chinese prison by the name of Shi Xingwu.</p>

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48.	Colombia	31/05/06	JUA	FRDX; HRD; Indigenous People; SUMX; TOR;	<p>Incidentes ocurridos con motivo de una serie de manifestaciones celebradas en los Departamentos del Cauca, Nariño, Neiva y Huila en el marco de la "Gran Cumbre de Organizaciones Sociales en defensa de la vida, del territorio, la dignidad, la autonomía y la soberanía nacional". El 14 y 15 de mayo de 2006, más de 50.000 personas de distintos sectores de la sociedad civil colombiana se habrían congregado en diversos puntos del país para protestar de manera pacífica contra la firma del Tratado de Libre Comercio, la reelección de Álvaro Uribe Vélez y la adopción de la Ley de Justicia y Paz. Según se informa, el 15 de mayo de 2006, en la ciudad de Popayán, capital del Departamento del Cauca, el Escuadrón Móvil Antidisturbios (ESMAD) de la Policía Nacional habría intentado disolver por la fuerza la concentración de las más de 1.000 personas que se manifestaban frente a las instalaciones del SENA (una escuela técnica). Como resultado de dicha intervención policial, varias personas habrían resultado heridas, algunas por arma de fuego. Otros manifestantes, que habían decidido ocupar el edificio del SENA, habrían sido desalojados por la fuerza lo que habría provocado un enfrentamiento con las fuerzas del orden que se habría prolongado hasta altas horas de la madrugada. Según los informes, integrantes del ESMAD habrían entrado en el barrio de la Paz, donde se encontraban algunos manifestantes a los que habrían atacado con gases lacrimógenos. Como resultado de esta</p>	

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					<p>intervención policial, al menos 60 manifestantes y residentes del barrio, habrían resultado heridos, y más de 40 personas habrían sido detenidas, entre ellas cinco menores de edad. El 16 de mayo de 2006, alrededor de 15.000 manifestantes congregados en la finca La María, en la localidad de Piendamó, Departamento del Cauca, habrían ocupado un tramo de la autopista Panamericana. El ESMAD, la policía de carretera y el Ejército Nacional habrían intervenido con acciones aéreas y por tierra. En el transcurso de esta intervención Pedro Mauricio Coscuez de etnia indígena, habría sido asesinado, y más de 100 personas, en su mayoría indígenas, habrían resultado heridas, entre ellas 7 menores de edad. Además, M.V.C., de entre 16 y 17 años, habitante de la vereda San Pablo, Resguardo Indígena Corinto, Tierra Adentro, se encontraría desaparecido. Según los informes, al menos 24 manifestantes habrían sido detenidos durante los enfrentamientos, entre ellos los periodistas Marcelo Forero, del periódico virtual "<i>El Turbión</i>", Jesús López y Carmen Eugenia León, de la emisora de la oficina de comunicaciones del resguardo indígena de <i>La María</i> y Richard Calpa, director de la emisora <i>La Libertad</i> del municipio de Totoró. Según los informes, los 4 periodistas habrían sido liberados sin cargos el 22 de mayo de 2006. Se alega también, que las fuerzas del orden público habrían confiscado los materiales de grabación de diversos miembros de la prensa. El 15 de mayo en Neiva, capital del</p>	

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					<p>Departamento del Huila, miembros del equipo periodístico del programa de televisión <i>TV novedades</i> habrían sido agredidos por varios encapuchados, quienes además les habrían sustraído el material de grabación. Los hechos habrían ocurrido en las instalaciones de la Universidad Surcolombiana., donde los periodistas se encontraban cubriendo la ocupación de las instalaciones de este centro educativo por parte de varias comunidades indígenas. El 16 de mayo de 2006 miembros del ESMAD habrían disparado contra los manifestantes cuando trataban de detener una movilización campesina e indígena en el lugar conocido con el nombre de El Pital, cerca de Mondomo, Departamento del Cauca.</p> <p>Finalmente, se alega que la fuerza pública habría agredido a los manifestantes que se encontraban bloqueando la carretera Panamericana a la altura del sector conocido como "Remolinos" en el Departamento de Nariño, resultando gravemente heridos los Sres. Bayardo Rosero, quien habría sido herido en el abdomen con arma de fuego y Dagoberto Mestra, quien se encontraría en estado crítico.</p>	
49.		28/07/06	JUA	HRD; Indigenous People; TOR;	<p>D. V. P., niño indígena de la Comunidad de los Kankuamo, de 14 años de edad, hijo del líder kankuamo de la Sierra Nevada de Santa Marta, Imer Villazón Arias. El pasado 7 de julio de 2006, a las 3.15 de la tarde, mientras D.V.P. se encontraba en Bogotá realizando actividades ligadas a los indígenas desplazados de su comunidad, fue presuntamente detenido por dos</p>	

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					agentes motorizados adscritos a la Policía Metropolitana (se alega que el número de placa de la motocicleta mencionada es LQO 29). Una vez arrestado, lo habrían atado al vehículo y lo habrían arrastrado sobre el asfalto, a pesar de las quejas y súplicas del menor. Se alega que mientras era arrastrado, el policía que se encontraba sentado en la parte posterior de la moto lo habría golpeado en la cabeza en diversas ocasiones con un casco. Posteriormente, el menor habría sido llevado al Centro de Atención Inmediata del barrio Las Lomas, donde habría sido detenido, siendo liberado poco después por falta de cargos. Se alega que en el mes de abril el menor había sido encañonado por miembros de la Policía y obligado a salir de una tienda donde se encontraba comprando. La información recibida señala que este hecho no habría sido denunciado por haber sido considerado un hecho aislado.	
50.		Follow-up to past cases			Emérita Guaña (E/CN.4/2006/6/Add.1, para. 41)	Por carta con fecha 24/03/06, el Gobierno informó que con ocasión de la denuncia instaurada por la señorita Emérita Guaña ante la Fiscalía Local de Coconuco, Cauca, se adelanta investigación penal por una presunta conducta punible contra la Libertad, Integridad y Formación Sexuales; específicamente por acceso carnal violento, la cual se encuentra identificada bajo el radicado número 126775. El 10 de agosto de 2005, la misma fiscalía recibió queja del Sr. Libardo Iván Sanchez Collazos, Rector del Centro educativo donde estudia Emérita Guaña, aludiendo a los

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						<p>hechos y solicitando intervención inmediata de la justicia. El 10 de agosto de 2005, con la colaboración de la fuerza pública y previa formación de los soldados, la Srta. Guaña reconoció como posibles agresores a dos de ellos, adscritos al Batallón José Hilario Lopez, uno de los cuales desertó de las filas militares el 11 de agosto del mismo año. El 18 de agosto del 2005 se decretó la apertura de la instrucción, teniendo como presunto responsable al soldado desertor, sobre quien se dictó orden de captura, la cual no ha podido hacerse efectiva, a pesar de los ingentes esfuerzos de búsqueda e inteligencia de la policía judicial. El imputado fue vinculado al proceso mediante resolución de fecha 28 de noviembre de 2005, con la que se le declaró persona ausente. En materia disciplinaria, le corresponde al Ejército Nacional, Batallón José Hilario Lopez de la ciudad de Popayán, adelantar la investigación respectiva, debido a que el imputado hacía parte de esa Unidad. Se menciona que la Srta. Guaña fue efectivamente valorada por un médico del centro de Salud de Coconuco, quien dictaminó que en efecto, hubo una violación sexual. Finalmente, la Fiscalía General de la Nación indica que no tiene conocimiento sobre compensaciones a título de indemnización que la Srta. Gauña o su familia hayan recibido. Es importante precisar que ni la víctima ni su familia se han constituido como parte civil dentro del proceso penal que se adelanta,</p>

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						para poder obtener el resarcimiento por daños y perjuicios.
51.	Congo	01/02/06	JAL	IND; MIN; RACE; TOR;	<p>Membres de la communauté pygmée auraient été victimes des incidents survenus entre les mois d'août et octobre 2005. Maurice Sandima, pygmée Mbendjele, aurait été battu par des Eco gardes, employés par le Gouvernement pour surveiller les forêts, déshabillé devant des femmes et des enfants, et se serait fait dire par ses agresseurs « Tu n'es qu'un Pygmée, je peux te tuer avec mon arme et rien n'arrivera ». Il aurait perdu une dent et se serait fait briser deux côtes dans l'attaque. Jean-Pierre Mossondo, porte-parole d'un Village Mbendjele, aurait été battu par des Eco gardes sur la base de suspicions selon lesquelles il aurait été chasseur, alors qu'au moment des faits il a été rapporté qu'il ne portait pas de fusil de chasse et qu'aucun gibier n'avait été trouvé sur lui. Outre les coups et blessures, M. Mossondo aurait été forcé de payer une amende à un Eco garde appelé Apena. Un groupe de pygmées Mbendjele, accompagnés d'observateurs de l'Observatoire congolais des Droits de l'Homme (OCDH), aurait été brutalement fouillés par des Eco gardes, sans raison ni aucun ménagement. M. Pota, également pygmée Mbendjele, aurait été battu, ligoté, puis abandonné en pleine forêt par des Eco gardes, alors qu'aucun élément n'aurait pu laisser supposer que M. Pota était un chasseur. Plusieurs autres incidents récents font état de nombreux cas de violence et de discrimination à l'encontre des pygmées Mbendjele, ainsi que d'une</p>	

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					atmosphère générale de violence répétée voire systématique des Eco gardes contre les pygmées.	
52.	Costa Rica	27/07/06	JUA	HLTH; Migrants; TOR;	Individuo de alrededor de 30 años de edad proveniente del Camerún , quien llegó al aeropuerto internacional Santamaría de San José, Costa Rica. Las autoridades de inmigración habrían rechazado la entrada a la persona en cuestión. La persona sería seropositiva y podría padecer asimismo de hepatitis o meningitis. Las autoridades, incluyendo los servicios de inmigración del aeropuerto, no le habrían proporcionado ningún tipo de asistencia médica o legal. La persona en cuestión estaría viviendo en una caja de cartón, en condiciones higiénicas lamentables, desde que llegó al aeropuerto hace dos meses. Los oficiales de policía del aeropuerto se habrían negado a proporcionar su nombre a las personas que quisieron asistirle.	Por carta con fecha 04/08/06, el Gobierno informó de que el señor Koagne Apez Yaninck falleció el jueves 27 de julio, a consecuencia de su grave estado de salud. El extranjero, de 33 años, padecía hepatitis B y estaba en fase terminal de SIDA. Cabe agregar que las autoridades competentes habían autorizado su estadía en un hotel cercano al aeropuerto mientras se cumplían los trámites de deportación. También se señala que el extranjero en todo momento recibió los cuidados médicos necesarios dada su enfermedad. El Gobierno remitió en anexo una nota institucional de la Dirección General de Migración y Extranjería.
53.	Democratic People's Republic of Korea	20/12/05	JAL	Democratic People's Republic of Korea; IJL; RINT; TOR; TRAF; VAW;	Trafficking of female citizens of the Democratic People's Republic of Korea (DPRK) in the People's Republic of China (PRC). The problem is exacerbated by their cruel, inhuman and degrading punishment upon their deportation from the PRC to the DPRK. Nationals of the DPRK commit a criminal offence if they leave the country without official permission. In extremely grave cases the offence allegedly carries the death	By letter dated 4/01/06, the Government reported that forces hostile to the DPRK are becoming more reckless with each passing day in their attempts to defame, disintegrate and overthrow the State and social system of the country. As part of these attempts, they are resorting to every possible means in the international human rights field, including by continuing to circulate fabricated information

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					<p>penalty. Despite harsh penalties, a considerable number of citizens of the DPRK clandestinely cross international borders. There are at least 50,000 DPRK citizens who have irregular visa status in the Korean Autonomous Prefecture of Yanbian (Jilin Province, PRC), which borders the DPRK and is home to about one million Chinese citizens of Korean ethnicity. The People's Republic of China has a general policy of arresting and deporting DPRK citizens who do not possess a valid visa. The Chinese authorities consider them to be irregular migrants who cross the border for purely economic reasons. Upon their return to the DPRK, deported persons are usually first taken to the state security agency (bowibu) where they are subject to beatings, humiliating body searches, and interrogated on their activities in China. After the interrogations, which can take a week or longer, the majority of persons are sent without trial or any form of judicial process to a labour training camp (nodong danryundae) or a provincial detention centre (jipkyulso), close to their hometown. Upon arrival, they are usually again stripped, searched, interrogated and beaten. Detained for several months in inhuman conditions in overcrowded, unsanitary cells, they are forced to perform long hours of hard labour. Some detention centres force prisoners to attend re-education sessions every night. Food rations usually consist of corn gruel or soup with a bit of cabbage, three times a day. The combination of hard labour, sub-standard food and unsanitary living conditions</p>	<p>and forcing the allies and various individuals of the world to join their plot against DPRK. In the light of its impure political motives, provocative nature and fabricated contents, the communication sent to the Government, at the same time as the above attempts, can be construed as nothing but an inevitable product of a conspiracy undertaken in line with the attempts of hostile forces. Therefore the Government resolutely rejects the communication. It cannot ignore the fact that the Special Rapporteur on the situation of human rights in the DPRK, who has taken sides with the hostile forces, is among the sponsors of the communication. As stated on several occasions, the Government rejects the resolution on DPRK, which is aimed at overthrowing the State and social system, and does not even recognize the Special Rapporteur appointed pursuant to that resolution. This position of the Government will remain invariable. As for the five other thematic rapporteurs listed in the letter, the Government treated them with sincerity in the past, inter alia, replying to them to remove their concerns, and maintaining contacts with them in one way or another, since they then promised to pursue genuine promotion of human rights, if only by words. However, they responded to this sincerity and generosity with hostility by provoking the Government on the basis of information fabricated by hostile forces. By way of this, they unilaterally turned their back on</p>

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					<p>results in high illness rates. Detainees who become seriously ill are often released since there is no medical care available in these institutions and the authorities do not want to be burdened with a dying inmate. Citizens of the DPRK, who the authorities believe to have made contact with churches, citizens of the Republic of Korea or journalists or to have engaged in any other conduct officials consider to be political betrayal, are usually sent to a political labour camp (kwanliso) or a re-education labour camp (kyohwaso) without trial or any form of judicial process, and detained for periods ranging between several years and a lifetime. Detainees have to perform hard labour while being perpetually kept on the verge of starvation. Many detainees are subjected to various forms of torture. Summary executions have also been reported to occur in detention facilities. In 1999, for instance, two women were executed in Onsong Detention Centre after they confessed to having converted to Christianity. The cruel, inhuman and degrading punishment of DPRK citizens who clandestinely crossed the border into the PRC and were then deported also exacerbates the human trafficking of women from the DPRK, who make up about half of all those who cross the border. Upon arrival in PRC, many of these women are trafficked and forced to marry or become the concubines of Chinese men. Human traffickers systematically target the women, who are usually hungry and desperate, by approaching them in the border region and</p>	<p>the Government and suspended the dialogue and cooperation with it. Consequently, it will not deal with them any longer. The Government deserves the right to take necessary corresponding countermeasures against their infringement of its dignity and sovereignty. In the event of any negative effect arising therefrom, they should be held responsible as offenders. In relation to the communication, which is in pursuit of the political aim, having no relevance with human rights, the Government is left with no alternative but to question the impartiality of the Office of the High Commissioner for Human Rights, in its capacity not only as a transmitter of the letter but also as an entity assisting the work of the Special Rapporteur on a daily basis. If the principle of impartiality always advocated by OHCHR had been supported by deeds, such unfortunate things as the case of the transmitted letter, could have been prevented beforehand. For the above reasons, the Government returns the letter of the Special Rapporteurs.</p>

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					<p>promising them food, shelter, employment and protection. Once the traffickers have gained the women's confidence, the women are lured to an apartment, confined and then sold to local men. The buyers often lock the women in the house, tie them up, take away their clothing to prevent them from escaping the forced relationship. In many cases, the women are also physically abused and raped by their buyers. Some women are also trafficked into the sex industry in Jinlin Province and other parts of the PRC. They are forced to prostitute themselves in brothels, which are often disguised as karaoke bars. Since they fear deportation to and punishment in the DPRK, the women are effectively denied access to the protection of the Chinese authorities. Human traffickers are well aware of this fact and use it to subdue their victims by threatening to report them to the Chinese authorities if they resist. The situation is particularly dire for women who have become pregnant as a result of sexual exploitation in forced marriages or the sex industry and are then deported. Pregnant women who the DPRK authorities suspect of being impregnated by Chinese men are often subjected to particularly harsh treatment and also torture. Their pregnancies are considered evidence of indecent sexual relations with foreigners and a betrayal of the home country. In the past, there have also been reports about cases in which women were forced to have abortions or newly born infants were murdered.</p>	

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54.		26/04/06	JUA	WGAD; Democratic People's Republic of Korea; SUMX; TOR;	Mr Son Jong Nam . He is currently held imprisoned in the basement of the National Security Agency in Pyongyang, and is in a critical state of health after he was reportedly tortured at the hands of members of the National Security Agency. He is accused of treason and is at risk of imminent execution without any trial having taken place. The sentence has been passed by the National Security Agency.	By letter dated 5/05/06, the Government reported that the letter of the three Special Rapporteurs, like previous ones, represents a product of conspiracy undertaken in pursuit of the ill-minded aim of spreading fabricated information while following attempts of those hostile forces to defame, disintegrate and overthrow the state and social system of the DPRK on the pretext of human rights. The letter has no relevance to genuine human rights. Therefore the Government resolutely and categorically rejects the letter once again.
55.	Democratic Republic of the Congo	17/02/06	JAL	TOR; VAW;	Kashamuka Shombwa , âgé de 40 ans, employé comme surveillant à la société Bralima à Goma, et M. E. , âgé de 17 ans, aide-maçon à la société Bralima, ainsi que trois femmes , membres de la famille de M. Mumbere, actuellement détenus à la prison centrale de Munzenze (sauf Kavira Alphonsine, qui aurait été libérée). Le 6 novembre 2005, une somme importante d'argent aurait été volée à la société Bralima, à Goma. Le 7 novembre une enquête aurait été entreprise par différents services de l'État, notamment la Police nationale congolaise, la Direction générale de la Sécurité et une Commission d'enquête composée par quelques agents de la société Bralima. Quelques jours plus tard, six personnes (quatre femmes et deux hommes, Kashamuka Shombwa et M.E.) auraient été arrêtées par les agents de la Direction générale de la sécurité. Les gardiens du lieu de détention des services du renseignement auraient torturé M. Mumbere et les quatre femmes sur ordre de M. Pilipili, Officier de la Police	

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					<p>judiciaire et responsable de la Direction générale de la sécurité. Chaque matin et soir, chacune des victimes aurait reçu 20 coups de bâton. Le 19 novembre 2005, ils auraient été amenés à la résidence du Commandant de la 8ème région militaire, M. Gabriel Amisi Tango Fort, où M. Mumbere aurait été amené à l'arrière du bâtiment par des militaires qui lui auraient demandé de faire un testament verbal car il devait mourir. Deux balles auraient été tirées, l'une à coté de la tête et l'autre entre les jambes de M. Mumbere pour l'intimider. Toutes les femmes auraient été dévêtues par les militaires avant d'être torturées. Le 18 novembre 2005, le chef de la sécurité de la Bralima aurait appelé M. Shombwa et l'aurait enfermé dans un coffre dans les locaux de la société Bralima. Par la suite, des militaires seraient arrivés pour l'emmener au cachot de la Direction générale du renseignement. Le 19 novembre 2005 vers 10 heures, M. Shombwa aurait été amené à la résidence du Commandant de la 8ème Région militaire à bord d'une camionnette appelé en terme militaire « Convoy ». Arrivé devant le commandant de la 8ème région militaire, celui-ci lui aurait demandé où se trouvait l'argent volé. Il lui aurait déclaré que, s'il ne rendait pas cet argent, il serait exécuté. Devant le Commandant de la 8ème région et M. Pilipili de la Direction Générale du renseignement, M. Kashamuka Shombwa aurait été torturé avec des morceaux de bois. Vers 23 heures des militaires masqués seraient venus et auraient placé les victimes, les yeux bandés, sous des sièges d'un</p>	

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					minibus, pour être conduits vers un lieu inconnu. Arrivés à destination après une longue distance, les militaires les auraient menacés de nouveau en pointant un revolver sur la tête et une baïonnette sur le ventre en demandant à chacun de prononcer ses dernières paroles avant de mourir. Par la suite, les victimes auraient été emmenées au cachot de T2. Finalement, les victimes auraient été conduites au cachot de la Direction générale du renseignement, où un des responsables des services du renseignement aurait refusé de les maintenir en détention après avoir constaté qu'elles avaient été sérieusement torturées par les militaires sous les ordres du Général Amisi Tango Fort.	
56.		25/04/06	AL	TOR;	Moïse Diangi Kitulu , âgé de 42 ans, résidant dans la commune de Kitambo. Le 4 janvier 2006, suite à une vive discussion au Bar ABC, commune de Kitambo, Moïse Diangi Kitulu aurait été arrêté par des membres de la Police d'Intervention Rapide (PIR). Déshabillé, menotté et battu à coups de pieds, il aurait été conduit au quartier général de la PIR, commune de Kasa-Vubu. Suite au mauvais traitement pendant la nuit, notamment des brûlures par allumettes, Moïse Diangi Kitulu aurait été transféré le 5 janvier 2006 au matin au dispensaire de la PIR, où il aurait été placé sous perfusion. Son épouse, qui n'aurait été informée de l'arrestation que le 6 janvier 2006, aurait trouvé son mari couché inerte et demandé qu'il soit emmené à l'hôpital sans délai, ce qui n'aurait pas été fait, parce qu'un capitaine du nom de Nina s'y serait opposé,	

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					conditionnant la libération de Moïse Diangi Kitulu au paiement d'un somme d'argent. Après paiement d'un montant de 3 000 FC, Moïse Diangi Kitulu aurait finalement été rendu à sa famille, qui l'aurait conduit le jour même à l'hôpital de Kitambo, où il serait resté dans le coma pendant près de 14 jours. Après il aurait été transféré aux Cliniques universitaires de Kinshasa pour suivi médical. Une plainte aurait été déposée auprès de l'Auditorat de garnison de Gombe.	
57.		17/05/06	JUA	WGAD; TOR;	Kutino Fernando de l'église "Armée de victoire" de Kinshasa en République démocratique du Congo. Après avoir passé trois ans en exil par peur de violences de la part du Gouvernement de la République Démocratique du Congo (RDC), le pasteur Kutino Fernando serait rentré à Kinshasa le 6 mai 2006. Le 14 mai vers 13 heures, au retour d'une réunion de prière au stade Tata Raphaël de la commune de Kalamu, le pasteur Kutino aurait été arrêté puis transféré vers une destination inconnue, par des éléments armés du service de sécurité de la police nationale qui dépendent directement de la Présidence de la République. Selon les renseignements reçus, c'est le Directeur des services spéciaux de la police- le colonel Raus- qui aurait lui même conduit le pasteur Kutino Fernando à bord d'une voiture de la police. L'ordre d'arrestation aurait été donné par le Président de la République Joseph Kabila après que celui-ci eut été informé des propos critiques à son encontre du pasteur Kutino. Des craintes ont été exprimées quant au fait que le pasteur Kutino puisse être l'objet de	

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					torture ou de cruels et mauvais traitements.	
58.		02/05/06	JUA	WGAD; TOR; VAW;	<p>Moïse Kalula Mushwalu, fondateur de l'association « Communauté des intellectuels de Bandundu à Kinshasa », son épouse, Jolie Kalula Banzikuluka, ainsi que Jacques Hamuli Mukombe, Libanais Kinkadi Makiana, Ilunga Kabale, Gaston Kasi Kalulu, Jérémie Kirongozi Bangamba, Ndengi Djuma, Rigobert Zihindula, et Victor Emmanuel Digekisa. Le 28 août 2004, vers 7 heures du matin, Kalula Muswalu serait rentré dans sa résidence du quartier Lukunga dans la Commune de Ngaliema à Kinshasa et aurait trouvé la maison saccagée et désertée par les membres de sa famille, tous les effets emportés. S'informant auprès des voisins, il aurait appris qu'il s'agissait d'une opération de l'armée et que les assaillants auraient enlevé son épouse, ses neveux et beaux-frères après les avoir frappés et brutalisés, pour les conduire ensuite vers une destination inconnue. Parti à la recherche des membres de sa famille, il aurait à son tour été enlevé à Kinshasa par les agents de l'État major de renseignements militaires (ex-DEMIAP) sur la route de Ndolo vers 10 heures du matin. Il aurait été acheminé au cachot de ces mêmes services dans la Commune de Kintambo où il aurait aperçu son épouse et les autres membres de sa famille. Kalula Muswalu aurait alors passé deux mois dans une cellule sans contact avec l'extérieur, les membres de sa famille ou un avocat. Pendant cinq jours et cinq nuits, il aurait été soumis à des interrogatoires brutaux, accompagnés des menaces de mort et</p>	

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					<p>autres traitements inhumains et dégradants. Après deux mois de détention dans le cachot de Services de renseignements militaires, il aurait été transféré au Centre pénitentiaire et de rééducation de Kinshasa (CPRK) où les conditions de détention étaient identiques. Kalula Muswalu serait toujours détenu en « garde à vue » car il n'aurait jamais été présenté devant le juge compétent. Il n'aurait jamais été inculpé ou informé des motifs de sa détention, tout comme Hamuli Mukombe, Kinkadi Mariana, Ilunga Kabale, Kasi Kalulu, Kirongozi Bangamba, Ndengi Djuma, Zihindula et Digekisa. Selon les mêmes informations, son épouse, Jolie Kalula Banzikuluka aurait été arrêtée et détenue le 28 août 2004 vers une heure du matin. Elle aurait été retirée de son lit après que les hommes en tenues militaires et armés eurent cassé la porte de la maison. Elle aurait été frappée avec la crosse d'une arme au ventre et à la figure, et acheminée au cachot de l'état-major des renseignements militaires (ex-DEMIAP) à Kintambo où elle aurait passé deux jours sans qu'elle soit informée du motif de son arrestation et de son incarcération. Lorsqu'elle fut relâchée, sa santé se serait fortement détériorée à la suite des mauvais traitements qui lui auraient été infligés et elle aurait par conséquent été admise dans un centre de santé pendant un mois et demi. Suite aux violences subies, elle aurait par ailleurs dû avorter. Elle continuerait à souffrir et serait toujours harcelée par des militaires en tenue civile qui rôderaient quotidiennement autour de sa</p>	

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					résidence.	
59.		22/05/06	AL	TOR;	<p>John Kapinga Ntumba, ancien agent de la police judiciaire. John Kapinga Ntumba aurait été enlevé près du siège de la police des parquets mardi 28 mars 2006 suite à une discussion concernant les élections prévues pour le mois de juin. Une personne, le lieutenant Mukalayi, qui avait été présent à cette discussion, aurait quitté le lieu pour appeler 20 autres personnes en tenue civile munies d'armes, qui seraient arrivées, auraient montré des cartes de service de la Garde républicaine (GR) et auraient pris de force John Kapinga Ntumba et l'auraient emmené dans un enclos près du fleuve Congo. Là, les militaires de la GR auraient accusé John Kapinga Ntumba d'avoir insulté le chef de l'État et lui auraient demandé de payer une amende de 50 dollars américains afin d'être libéré, ce que John Kapinga Ntumba aurait refusé. Vers 18h30 la GR aurait embarqué John Kapinga Ntumba dans une voiture, escorté par trois militaires en tenue et armés, et l'aurait amené au camp Tshiatshi, où il aurait été reçu par un officier, qui l'aurait interrogé. Ensuite John Kapinga Ntumba aurait été conduit dans un autre bureau de la GR, où il aurait retrouvé le lieutenant Mukalayi. Celui-ci aurait avancé de fausses accusations, que John Kapinga Ntumba aurait rejetées. Quand il aurait exigé que d'autres témoignages soient pris en considération, plusieurs personnes sous l'ordre de l'officier instructeur S2 l'auraient déshabillé et couché sur le pavé après l'avoir aspergé d'eau froide. Ils lui auraient donné cent coups de fouet</p>	

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					<p>aux fesses à l'aide d'un gros fil de fer. La souffrance physique aurait été telle que John Kapinga Ntumba n'aurait pas pu se relever. Ensuite, un des militaires lui aurait assené un coup de bottes violent au nez à la suite duquel John Kapinga Ntumba aurait saigné abondamment. Il aurait été placé dans un cachot sans soins. Le lendemain, vers 10h00, John Kapinga Ntumba aurait été auditionné par un certain Kabongo puis aurait été remis au cachot. Constatant la dégradation de son état de santé vers 13h00, les militaires de la GR l'auraient envoyé au centre médical du camp Tshiatshi. Le jeudi 30 mars 2006, le major qui effectuait une enquête au lieu de l'enlèvement pour vérifier les accusations portées par le Lieutenant Mukalayi contre John Kapinga Ntumba se serait rendu compte que les accusations étaient fabriquées et aurait décidé de transféré John Kapinga Ntumba à la polyclinique «Ngaliema center » où il aurait été vu par un médecin. Ensuite, John Kapinga Ntumba aurait été relâché. John Kapinga Ntumba continuerait de recevoir des messages téléphoniques contradictoires soit l'invitant à revenir au camp Tshiatshi pour prendre de l'argent pour ses soins médicaux, soit le menaçant de mort.</p>	

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60.		06/07/06	AL	TOR;	<p>Les manifestations du 30 juin 2006 à Kinshasa particulièrement dans les communes de Limete, Lemba, Kintambo, Bandalungwa, Kalamu, N'djili et Masina. Les forces de l'ordre et de la sécurité, notamment des éléments de la police d'intervention rapide (PIR) et de la garde républicaine dépendant du Président actuel auraient fait usage des armes à feu en tirant sur les manifestants, ou les brutalisant par des coups de crosses de fusils, des ceintures, poignards et cordelettes militaires pour disperser ou étouffer la progression des manifestants. Ils auraient également utilisé des tirs de gaz lacrymogènes. Plusieurs personnes auraient été gravement blessées (Kalonji Mulopwe, Ntansia Noki, Jean Pierre Bongambe, Benjamin Ngalamulume, Pitshi Tshibanda et Guylain Nsila dans la commune de Limete, et deux manifestants devant le bâtiment du Ministère des Affaires étrangères).</p>	
61.		10/07/06	AL	TOR;	<p>Anselme Masua, journaliste à la radio <i>Okapi</i>. Le 24 avril 2006, Anselme Masua aurait visité Saint Joseph, près de Tshopo, Kisangani, où se trouve la résidence du chef d'État gardée par des soldats de la Garde républicaine. Il serait allé dans un camp pour vérifier l'information sur la réforme de la Garde républicaine qu'il avait reçue. En entrant dans le camp, après avoir montré sa carte d'identité, Anselme Masua aurait été emmené devant le Commandeur "Capitaine Jules". Ce dernier aurait insulté le journaliste avant d'affirmer qu'il était un espion et d'ordonner à ses soldats de le battre. M. Masua aurait été transféré à la base de Shingi Shingi, qui se trouve à 4 km de</p>	

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					Kisangani. Pendant le transfert, les soldats de la Garde républicaine lui auraient donné des coups avec des crosses de fusil. Quand « Capitaine Jules » aurait compris peu après que M. Masua n'était pas venu au camp pour espionner, il aurait ordonné à ses hommes de le libérer.	
62.		07/11/06	JAL	FRDX; TOR;	Arnaud Zajtman et Marlène Rabaud , travaillant respectivement pour la (<i>BBC</i>) <i>British Broadcasting Corporation</i> et pour l'agence <i>Reuters TV</i> , auraient été interpellés le 26 octobre 2006 par des éléments de la police nationale congolaise devant le Centre pénitentiaire et de Rééducation de Kinshasa. Les deux journalistes auraient été frappés et menacé avec une mitrailleuse. Après trois heures passées dans une voiture de la police, les journalistes auraient été acheminés au quartier de Kin Mazière où siègent les services spéciaux, et libérés aussitôt.	
63.	Egypt	05/01/06	UA	TOR;	650 Sudanese nationals. The group includes asylum-seekers and refugees recognised by the Office of the United Nations High Commissioner for Refugees (UNHCR). On 5 January 2006, up to 650 Sudanese nationals were at imminent risk of being forcibly returned to Sudan. Some might be at risk of torture if returned. This followed the deaths on 30 December 2005 of 27 Sudanese refugees and migrants demonstrating in a makeshift camp in Mohandiseen, Cairo, outside the UNHCR offices. Nearly 4,000 police officers surrounded the encampment, fired water cannons into the crowd, and then entered in force, beating people indiscriminately with batons and truncheons.	By letter dated 30/01/06, the Government reported that while regretting the casualties on both sides, it is noteworthy that most of the losses of life resulted from the chaos and stampede caused by the extremist leaders of the Sudanese nationals. On 5 January, the United Nations High Commissioner for Refugees addressed a letter to the Foreign Minister, indicating that over the last three months, the Egyptian authorities and UNHCR have tirelessly worked hand in hand to resolve the situation. However, despite the joint positive engagement towards a peaceful conclusion, the situation ended violently and tragically, which, as UNHCR stated, was not

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						the intention of the Government. The participants in the sit-in were transferred to camps specially set up for them. They were provided with all the necessary facilities in order to start identifying their legal status, with the full involvement of UNHCR, and to deal with their cases accordingly. Since then, the issue has been under investigation by the Prosecutor General. The Ministry of Justice will soon issue a medical report concerning the case. The staff of UNHCR were given the opportunity to have access to the Sudanese nationals for the purposes of assessing any protection needs they may have.
64.		05/05/06	JUA	FRDX; HRD; IJL; TOR;	Members of Egypt's Judges' Club and demonstrators who gathered to support the assembly of the Judges' Club, as well as Ahmed Mekki, Mahmoud Maki, Hisham Bastawissi, Mahmoud al Khudayri, Nagi Derbala, Ahmad Saber and Assem Abdel Gabbar , Deputy Heads of the Court of Cassation. The Minister of the Justice decided to transfer two Deputy Heads of the Court of Cassation, Judges Mahmoud Maki and Hisham Bastawissi, to the Disciplinary Council. On 19 April 2006, to protest against the transfer, the Judges' Club launched an ongoing sit-in at its headquarters in Cairo. On Monday 24 April 2006, hundreds of police arrived in front of the Judges' Club where a group of peaceful protesters gathered in support of the judges' sit-in. In an attempt to disperse the protest, police tore down banners listing the Judges' Club's demands and verbally and physically attacked some of the	By letter dated 11/07/06, the Government reported that investigations revealed that Judge Mahmoud Maki and Judge Hisham Bastawissi had committed the offence of defamation, which is a crime under the Criminal Code, for which the two men were therefore sent before a disciplinary tribunal in accordance with article 99 of the Judicial Authority Act. With regard to the assault on Justice Mahmud Mohammed Abd al-Latif Hamzah, the Department of Public Prosecutions opened an investigation into this incident, registered as Nile Palace criminal case No. 5476/2006, in which some protestors gathered at night in front of the Judges' Club, where the above-mentioned judge and his brother happened to be. The judge was assaulted during the breakup of the protest. He was not known to the police and was

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					<p>protesters. In an attempt to capture the events, Judge Mahmoud Abdel Latif Hamza got out his mobile phone camera. Upon witnessing this act, several police officers and two State Security Intelligence Officers verbally insulted and physically assaulted him and forced him into a police vehicle along with fourteen other protesters. SSI officers, officers from Kasr al Nil station and officers from Shurtat Al-Marafik participated in the attack. All three aforementioned forces operate under the Ministry of Interior. In addition, these events took place in the presence of high ranking Ministry of Interior officers. Judge Mahmoud Abdel Latif Hamza, his brother, and a university professor were released later that day upon the intervention of the President of the Judges' Club. Upon his release, Mahmoud Abdel Latif Hamza was taken to the hospital for treatment. According to a medical report from the Shahir Hospital of Masr Al-Gedina, he endured several injuries including twisted ligaments in his wrist, a bloody nose and a number of scratches and bruises on his face, chin and feet. He still remains in the hospital. This attack is particularly grave considering that Judge Mahmoud Abdel Latif Hamza had undergone open-heart surgery.</p>	<p>carrying a firearm. The chief investigator of the Department of Public Prosecutions went to the hospital just after the incident occurred and took statements from the victims, Mahmud Mohammed Abd al-Latif Hamzah and his brother. They both gave the names and descriptions of the policemen who had assaulted them. Medical reports on the victims were appended to the investigation file. The Department of Public Prosecutions questioned three police officers and charged them with assault. The case is still under investigation and will remain so until a full legal medical report has been submitted.</p>
65.		16/05/06	JUA	FRDX; TOR;	<p>Several journalists, who were reporting on peaceful protests. On 11 May 2006, several journalists were assaulted by police and security officers, while reporting on demonstrations in support of two judges, who are appearing before a disciplinary committee. Abeer al-Askary, journalist for the independent weekly <i>Al-Dustour</i>,</p>	<p>By letter dated 07/07/06, the Government reported that on 11 May 2006, a number of citizens took part in a demonstration in central Cairo timed to coincide with a disciplinary hearing in which two judges had been summoned to appear. The demonstrators had not obtained prior authorization as required</p>

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					<p>had arranged to interview several lawyers and judges at the Bar Association. When she arrived, plainclothes police and security officials grabbed her and took her to an area where security vehicles were parked and beat her. She was subsequently taken to Sayeda Zeinab Police Station. Outside the police station plainclothes police officers assaulted her again. Police officers told her to stop writing. She was released later on the same day. As a result of the treatment, she suffered bruising and a swollen eye. Cameramen from <i>Reuters</i> were assaulted on the same occasion. In separate incidents on 11 May, several cameramen covering the protests were taken away from the crowd and beaten by plainclothes police officers. Amongst them were Yasir Suleiman, camera crew for the Qatar-based satellite channel <i>Al-Jazeera</i>; and Nasri Yousif, sound crew for <i>Al-Jazeera</i>. Their camera and tapes were allegedly confiscated. On 9 May 2006, a state security prosecutor extended for 15 days the detention of two journalists, Saher al Gad, journalist for <i>Al-Geel</i> newspaper; and Ibrahim Sahari, journalist for <i>Al-Alam Al-Youm</i> newspaper, who were taken into custody for "disturbing public order" on April 27 2006. They were covering protests on the first day of hearings of the two judges.</p>	<p>under the Act regulating demonstrations on a public highway. The security forces warned the demonstrators about the adverse consequences of holding a demonstration in the city centre, but they failed to respond and tried to attack the security forces. This led to clashes and the arrest of several demonstrators, who were subsequently handed over to the Department of Public Prosecutions. As for the journalists arrested during the demonstration, both were released on 6 June 2006. It is worth noting that all international treaties state that the exercise of the right to engage in peaceful demonstrations must not prejudice national security, public safety or public order (article 21 of the International Covenant on Civil and Political Rights). Egyptian law applies these norms in the light of Egypt's accession to the aforementioned Covenant. Moreover, the Department of Public Prosecutions - a branch of the judiciary whose members enjoy judicial immunity - took steps to investigate the incidents mentioned above in accordance with Egyptian law and the relevant international norms.</p>
66.		01/06/06	JUA	WGAD; FRDX; TOR;	<p>Karim al-Sha'ir and Mohamed al-Sharqawi, political activists. On 25 May 2006, they were arrested by agents of the State Security Investigations (SSI) bureau of the Interior Ministry, downtown Cairo, as they were leaving a peaceful</p>	<p>By letter dated 11/07/06, the Government reported that the two men in question were arrested on 25 May 2006, in Higher State Security Case No. 517, for taking part in, provoking and orchestrating a riot involving</p>

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					<p>demonstration. Both men were subjected to severe beatings during the arrest and then taken into custody where the beatings continued. Once in custody, police beat Mr al-Sharqawi for hours targeting particular places. As a result his body was covered in bruises and gashes. One of the officers ordered al-Sharqawi's pants to be removed and began squeezing his left testicle. He was then raped with a cardboard tube. The State Security prosecutor ordered both men to be held for 15 days pending investigations. The authorities allowed al-Sharqawi access to medical treatment only on 29 May 2006. Both men had been in detention twice in Tora prison following their participation in earlier protests on 24 April and 7 May respectively. They had been released on 22 May 2006.</p>	<p>over 100 persons. The Department of Public Prosecutions launched an investigation after the two men gave statements indicating that they had been beaten by the police at the time of their arrest. Mohamed al-Sharqawi added that he had also been beaten around the genitalia. The Department of Public Prosecutions questioned the two men and the examination confirmed that they had signs of injury on their bodies. After questioning them, the Department of Public Prosecutions decided to have a legal doctor perform a medical examination in order to determine the cause and nature of the injuries and how they had occurred. The Department of Public Prosecutions further decided to place the two men in detention for 15 days in connection with the case, which is still under investigation. The Department of Public Prosecutions, a branch of the judiciary whose members enjoy judicial immunity, investigated the incident. It defended both men with regard to the assault carried out by the police. It interviewed them, looked at their external injuries and referred them to a legal doctor to determine the state of their injuries and proceed with the investigation in light of the findings of the competent legal doctor.</p>

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67.	Eritrea	08/11/06	JUA	WGAD; RINT; TOR;	Immanuel Andegergesh and Kibrom Firemichael and ten other unidentified members of the Rema Church in Adi-Quala town, and one hundred and sixty unidentified members of banned Christian churches, including Kale Hiwot (Word of God) Church, the Full Gospel Church, the Church of the Living God and the Rema church in Mendefera town. On 15 October 2006, 12 members of the Rema church were arrested in Adi-Quala town, south of Mendefera, for taking part in Christian worship in a private home. Two of them, Immanuel Andegergesh and Kibrom Firemichael, died in a nearby army camp as a result of torture to make them abandon their faith. On 15 and 16 October 2006, 160 members of banned Christian churches were arrested at their homes in Mendefera town, 50 km south of the capital Asmara. It is not known where they are detained and there are concerns that they may be subjected to torture and ill-treatment in an effort to force them to sign a document to agree to stop worshipping.	
68.	Ethiopia	05/04/06	JUA	WGAD; FRDX; TOR;	Abraham Roda , farmer; Abraham Tula , former Sidama Development Corporation employee; Abure Assefa , civil servant; Dessalegne Gassamo , USAID advisor on education; Edasso Ebissa , farmer; Musse Alemayehu , civil servant at the agricultural department; Tadesse Washo , nurse; Tefera Janba , student of Awassa Tabour School; Yosef Lalimo , Awassa Tabour school student; and approximately 50 other persons in detention after their arrest in Awassa town, State of the Southern Nations, Nationalities and	

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					Peoples. Hundreds of persons, including students, were arrested when the federal police intervened during peaceful demonstrations that took place on 12 March 2006 in Awassa and in other nearby towns. Demonstrators were beaten by the federal police, and some were shot dead. Most of the demonstrators have in the meantime been released from custody without being charged, some after having been taken to court in Awassa. The above-mentioned individuals and approximately 50 other demonstrators, however, remain in detention. Most of those still in custody were arrested in Awassa and Yirgalem and are being held in Awassa prison. Others are held in other prisons and police stations, including Yirgalem, Lakoo, and Wondo. Mr Tefera Janba was tortured in custody and is in need of medical treatment.	
69.		28/09/06	JUA	WGAD; FRDX; HRD; TOR;	Wasihun Melese , a teacher at Addis Ketema High School in Addis Ababa and a member of the Ethiopian Teachers' Association (ETA) National Executive Committee, and Mr Anteneh Getnet , a teacher and member of ETA. On 23 September 2006, Mr Wasihun Melese, was arrested by police at his home. They took him to the police Central Investigation Bureau (known as Maekelawi), where he is still detained. Shortly after Mr Melese's arrest, three men in plain clothes entered the ETA office in Addis Ababa, where an Addis Ababa Region teachers' meeting was being held. They were later seen leaving the office in a car with Anteneh Getnet, also a teacher. His whereabouts are still unknown. Mr	

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					Getnet had previously been abducted and beaten in May 2006, allegedly by members of the security forces. He is still suffering from those injuries.	
70.		23/10/06	JUA	WGAD; FRDX; HRD; TOR;	Ms Yalemzewd Bekele , a lawyer working on projects related to human rights and civil society for the European Commission's office in Addis Ababa, and a prominent civil rights lawyer who volunteered with the <i>Ethiopian Women Lawyers' Association</i> (EWLA), Addis Ababa. On the morning of 19 October 2006, Ms Bekele was arrested by the Ethiopian authorities, while trying to cross the border to Kenya. It is believed that Ms Bekele was accompanied by another person at the time of her arrest. The identity and whereabouts of this person are not known. Ms Bekele appears to have been arrested in connection with the publication and distribution by the political opposition, Coalition for Unity and Democracy (CUD), of a calendar of action for non-violent civil disobedience. Concern is expressed that she may be at risk of torture or ill-treatment, in view of allegations that Alemayehu Fantu, the owner of a chain of supermarkets in Addis Ababa, who was also arrested in connection with the calendar, was tortured in detention at Woreda 8 Police Station, Gulele District, Addis Ababa.	By letter dated 09/11/06, the Government reported that Ethiopian law enforcement agencies have scrupulously followed appropriate legal procedures and due process of law while taking Mr Alemayehu Fantu and Ms Yalemzewd Bekele into custody. The allegations that they were tortured and ill-treated during arrest and detention are simply unfounded. Ethiopian domestic laws and international human rights instruments ratified by Ethiopia condemn any form of torture. The treatment of these individuals adhered to the letter and spirit of these laws and norms. While in detention, both were allowed visits by their family, friends and religious counselors. Ms Yalemzewd Bekele made no allegations of torture and mistreatment after her release on 26 October 2006. The European Union has officially confirmed that Ms Bekele was in good spirit and physical condition after her release. Ms Bekele's arrest and detention do not have any relation with her alleged association with EWLA or her work supported by the European Union. Similarly, the arrest of Mr Fantu has no connection with his business activities or any other peaceful conduct of political activism. Their arrest is related to alleged crimes committed in violation of Ethiopian penal law.

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71.	Gambia	07/06/06	JUA	WGAD; FRDX; IJL; TOR;	Lamin Fatty , reporter with <i>The Independent</i> , and several persons detained for the alleged coup attempt of 21 March 2006, including Vincent Jatta, Mariam Denton, Ngorr Secka, Foday Barry, Kemo Balajo and Buba Saho . Sixteen persons have been arrested and are detained in connection with the alleged coup attempt of 21 March 2006. They have been charged with treason and conspiracy, which carry the death penalty. Their trial was adjourned first to 26 May and then to 2 June 2006. At least eight other persons are detained without charge, some of them incommunicado. They include: former chief of staff Lt Colonel Vincent Jatta , senior lawyer Mariam Denton , former National Intelligence Agency (NIA) Acting Deputy Director General Ngorr Secka , NIA Director of Operations Foday Barry , former NIA senior officer Kemo Balajo , and NIA official Buba Saho . While Mariam Denton's lawyers had previously not been able to meet with her, they have now been authorized to do so. However, other lawyers have been denied access to their clients, or could not meet with them in private.	
72.		07/09/06	UA	TOR;	Abdoulie Kujabe , former Director of the National Intelligence Agency (NIA), and at least 12 other unidentified individuals . On 27 March 2006, Abdoulie Kujabe was arrested in connection with the alleged coup attempt of March 2006. On 6 April 2006, he was admitted to hospital in critical condition, reportedly due to torture or ill-treatment. He was subsequently returned to Mile 2 Central Prison. At least 12 other unidentified detainees,	

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					who were also arrested in connection with the alleged coup attempt, have been subjected to torture or ill-treatment at Mile 2 Central Prison and the Headquarters of the NIA. The treatment they have been subjected to includes being beaten and burnt with cigarettes. Some have also had their heads covered with plastic bags and put under water for long periods of time to simulate suffocation.	
73.	Georgia	26/04/06	JUA	HRD; TOR;	Azer Samedov , an Azeri citizen and President of the Caucasus Centre for Protection of Conscience and Religious Persuasion Freedom (CCPCRPF) in Georgia. Mr Azer Samedov was released on bail on 14 April 2006. However, he remains at risk of being extradited to Azerbaijan on the basis of charges of “participation in mass disorders” (article 220 of the Criminal Code) and “resistance to the representatives of authorities” (article 315). These relate to the October 2003 election events in Baku, Azerbaijan, after the announcement of the presidential elections results, which Mr Samedov was monitoring in his role as a human rights defender. Mr Samedov is sought by members of anti-terrorist units of Azerbaijan for having participated in clashes and for resisting the police. Persons suspected of the above crimes reportedly face a heightened risk of torture or ill-treatment in Azerbaijan.	
74.		01/05/06	AL	TOR;	An incident that occurred on 27 March 2006 in Prison No. 5 , Tbilisi. At least seven inmates died and a large number were seriously injured during a riot and subsequent clashes in Prison No. 5. The riot broke out following beatings of several	By letter dated 22/08/06 the Government reported that, from the beginning of the riot, which had started in the prison hospital and spread to Prison No. 5, where the prisoners set the building on fire, ambulances and fire

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					<p>inmates by employees of the Department of the Execution of Punishment on 26 March 2006, in which the Department's Director had personally been involved. During the clashes, the Special Task Force members used excessive force, such as employing live ammunition against the unarmed prisoners, and inflicted severe injuries on many inmates. Despite the fact that the injured inmates needed medical aid, a doctor was allowed to see them only after the Public Defender intervened the next day. No independent official investigation into the 27 March incident has been initiated, in particular into potential human rights violations by staff of the Special Task Force.</p>	<p>engines were mobilized. However, they did not succeed in extinguishing the fire. Officials, such as the Public Defender and the Chairperson of the Parliament's Human Rights Committee negotiated with the prisoners in order to resolve the situation peacefully, but the prisoners did not follow their directions. Officials addressed the inmates with loudspeakers requesting them to calm down and return to their cells, also warning that otherwise they would use force, but to no avail. Ministry of Justice forces were present, but in insufficient numbers. Therefore Ministry of Interior special forces were ordered to carry out an operation avoiding casualties. The entire operation was carried out in full compliance with Georgian legislation and prison rules. The Public Defender and the Chairperson of the Parliament's Human Rights Committee were present throughout the operation. The Ministry of Justice regrets that seven prisoners died and 22 were wounded. It stresses that it has dealt with the situation transparently by holding several briefings and meeting with the Parliament. It emphasises that the Government of Georgia is in favour of a non-biased and genuine investigation of the events by the General Prosecutor's Office. The Government also provided the forensic reports on the seven deceased detainees, which indicated that their deaths were the result of gunshots.</p>

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75.	Germany	16/12/05	UA	TOR;	Zokirjon Almatov, Uzbekistan's Minister of Internal Affairs , who is currently in Germany to receive medical treatment. On 12 December 2005, several survivors of torture filed a case against Mr Almatov in the German courts on three counts: individual crimes of torture, torture as a crime against humanity and the Andijan massacre as a crime against humanity. In light of the fact that the previous Special Rapporteur carried out a visit to the country in late 2002 and concluded that torture is systematic in Uzbekistan and a report of the High Commissioner for Human Rights of July 2005 found, on the basis of consistent, credible eyewitness testimony, that during events in Andijan in May 2005, the military and security forces committed grave human rights violations while curbing demonstrations, the Government is called upon to initiate criminal proceedings against the Minister.	
76.	India	19/12/05	JAL	SUMX; TOR;	Rajendran , aged 37, a salesman, Raj Nivas, Kodamkulam, Neeleswaram Post Office, Kottarakkara, Kollam District, Kerala. On 6 April 2005, he was arrested outside Sanker Hospital by the Assistant Sub Inspector of Kollam East Police Station. He was taken to Kollam East Police Station where he was forced to remove his clothes and was beaten by five policemen. He died in police custody and was taken to the District Government hospital where he was pronounced dead on arrival.	

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77.		22/12/05	AL	TOR;	Ms Pappathi , aged 40, an agricultural labourer, Arundhathiyar Colony, Vengamedu Village, Thiruppalayam Post, Perunthrai Taluk, Erode District, Tamil Nadu. On 31 March 2005, Ms Pappathi was verbally and physically assaulted by an upper caste member on a public pathway. He pulled off her sari, tore her blouse and beat her left breast, right shoulder and upper arm twenty to thirty times. He also kicked her in the back as she lay on the floor. He made derogatory caste-based statements and threatened to rape her. On 1 April 2005, Ms Pappathi tried to register a complaint against him at Chennimlaj Police Station. However, the police officer refused to register the complaint. On 2 April 2005, she reported the incident to the Superintendent of Police of Erode District who ordered Chennimlaj Police Station to register the complaint. However, according to the information received, no serious steps had been taken to investigate the case.	
78.		06/03/06	JAL	RACE; TOR;	Sekar Arjunan (Rajasekar) , aged 32, a shopkeeper from Raja Thottam, Peravallur, Chennai. On 22 July 2005, eight police officers, all of whom were dressed in civilian clothing, approached him as he was standing near a fruit shop close to the Central Prison in Chennai. The officers beat him and kicked him with their boots in his abdominal region. They then took him by car to Sangeetha lodge near Permbur Railway Station, where they locked him in a room on the second floor. Later that day they took him to Sembiam Police Station and locked him in a dark room until 26 July 2005. While he was there, they	

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					<p>beat him and deprived him of food. On 26 July 2005, he was taken to K-5 Peravallur Police Station, where he was put in a room on the third floor. He was stripped naked and beaten with an iron pipe, which resulted in a fracture to his right knee. The officers also subjected him to oral caste-related abuse and threatened to kill him by placing a pistol on his forehead. Criminal charges were filed against him and he was remanded in custody by Judicial Magistrate's Court No. Five, Egmore. He was sent to the central prison in Chennai. Sekar Arjunan's mother had previously submitted a complaint to the State Human Rights Commission in Chennai requesting them to take action against the same police officials for killing her younger son Ramesh. She had refused to withdraw the complaint, despite being pressured to do so by the alleged perpetrators.</p>	
79.		10/03/06	AL	TOR;	<p>Maung Maung Oo, aged 40 and Chit Thein Tun, aged 42. They are both refugees from Myanmar who work for the Indian-based Burmese Solidarity Organization (BSO), which works with refugees from Myanmar in India. On 14 or 15 January 2006, Maung Maung Oo and Chit Thein Tun were abducted from Maung Maung Oo's home, in the town of Moreh in Manipur. The abduction took place at about 10.30pm and was carried out by approximately 25 unidentified armed men, who were dressed in black and spoke Burmese and the local Manipuri language. The men took Maung Maung Oo and Chit Thein Tun across the border into Myanmar. When Maung Maung Oo and Chit Thein Tun tried to escape, they were severely</p>	

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					beaten with firewood, and Chit Thein Tun received head injuries. They are thought to have been handed over to the Myanmar army and are under interrogation in military custody, either in Yangon or Tamu, Sagaing Division. On 22 February 2006, the Myanmar Minister for Information stated that Chit Thein Tun and Maung Maung Oo had been arrested in connection with two bombs detonated at a market in Tamu on 8 January 2006. He said that Maung Maung Oo had confessed to being involved in the bombings and that he and Chit Thein Tun were members of the outlawed All Burma Students Democratic Front (ABSDF). He did not specify which side of the border they had been arrested on.	
80.		21/03/06	AL	TOR;	Mr Sahadevan , an employee of Thrissur Municipal Corporation, Karapurath House, Ayyapankavu, Mulayam, Thrissur District, Kerala. On 5 March 2006, at approximately 5:20pm, he was arrested at his house by a police officer, who held him by his shirt, pushed him against the wall and punched him in the chest. He then dragged him outside and threw him into a police jeep. The police also arrested one of his neighbours and threw him into the jeep. During the journey, they verbally abused them. They slapped him in the face and poked him with a lathi. They took them to a police station where they were told to remove all their clothes except their underwear. At about 6:30pm. the Circle Inspector came into the cell accompanied by another policeman, and slapped him hard on the face and also verbally abused the detainees in the cell. He made the detainees in	

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					the cell jump up and down for about 20 minutes. On 6 March 2006, he was informed that he was being charged in connection with a fight that had occurred in the area. On the same day, he was produced before a court and remanded in custody for 14 days. However, he was released on bail the next day.	
81.		25/08/06	JUA	WGAD; Indigenous People; TOR;	Leitanthem Umakanta Meitei , Secretary General of the Threatened Indigenous Peoples Society, Manipur and Spokesperson for the Apunba Lup, a coalition of 34 human rights organizations in Manipur, India. At 4am on 24 August 2006, Leitanthem Umakanta Meitei (subject of earlier communications in E/CN.4/2005/62/Add.1, Para. 785 and E/CN.4/2005/62/Add.1, Para. 786) was arrested at his home and taken to Manipur West Police Station, where he was beaten, causing him to pass out several times during interrogation. He was also threatened with further acts of torture or ill-treatment.	
82.		13/09/06	AL	TOR;	Darshan Singh , aged 34, a farmer from Amritsar, in Punjab State. At 5:10pm on 27 August 2006, he was arrested together with Harbhajan Singh during a police raid on a house near Majitha Road in Amritsar, which was carried out by the police from the C Division of the Criminal Intelligence Bureau. The two men were taken to a police compound run by the C Division in Mal Mandi. On arrival, the officers beat and kicked Darshan Singh and also applied rollers to his knees. They spread his legs as far as they would go until he lost consciousness. They then poured water on his face to bring him round and then continued to	

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					beat and kick him. Harbhajan Singh was released on 29 August 2006.	
83.		30/10/06	JAL	SUMEX; TOR;	<p>Saju, a private bus conductor, Kerala State. On 8 September 2006, Mr Saju was taken into custody by three police officers from Kunnathunadu Police Station, accused of the theft of three telephone posts. According to our sources the posts had been abandoned by the Kunnathunadu Telephone Office on the road near Mr Saju's home, and he picked them up and used them as a protective barricade around an open well so that children and animals would not fall into the well. The police officers told Mr Saju he had to give them 3000 rupees (68 USD) if he wanted to be released, money that Mr Saju refused to pay. Mr Aliyar, a person who was also taken into custody by the police officers in connection with the same crime, was released by the police after he accepted to bribe the police officers. On 9 August 2006, at about 3:00pm Mr Saju's wife went to Kunnathunadu Police Station to visit her husband, who told her that he had been tortured because he refused to pay a bribe to the police officers. Ms Saju returned home and at about 4:30pm she received a call informing her that Mr Saju was at the Kolenchery Medical College. At the hospital she was informed that her husband died at the police station. A doctor asked her whether Mr Saju had any previous ailments. Ms Saju said her husband was perfectly healthy and that he had complained about the police torturing him while he was held in custody.</p>	

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84.		08/12/06	JAL	RACE; TOR; VAW;	<p>Ms S. B., aged 42, her husband, Bhaiyyalal Bhotmange, their daughter P. B., aged 19 and their two sons, Sudhir Bhotmange, aged 21, and Roshan Bhotmange, aged 19, all belonging to the Dalit Community in the Village of Khairlanji, Bhandara District, Maharashtra. On 3 September 2006, a local Dalit policeman was beaten by upper caste community members. Bhaiyyalal Bhotmange, S. B., P. B. and Roshan Bhotmange testified against the alleged perpetrators, who were subsequently arrested. On 29 September 2006, the alleged perpetrators were released. On the same day, at about 6pm, a mob of two to three hundred upper caste villagers, many equipped with axes and ubhari (a stick with a metal spike), stormed their home, and dragged S. B. and her three children out of their house where they were stripped naked, beaten and driven to the main village square. Bhaiyyalal Bhotmange was not at home at the time of the incident. Upper caste men gang raped S. B. and P. B. for over an hour, while bystanders, including upper caste women, verbally incited and encouraged them. One of P. B.'s brothers was told to have sex with her and after he refused, his genitals were thrashed. P. B. was hit on her breasts with an axe and thrashed and stabbed with ubhari in her genitals. All four were hacked to death and the bodies were thrown in a canal. As of 30 November 2006, although a First Information Report (FIR) had been filed, the vast majority of the perpetrators, including those who were allegedly complicit in the gang rape and murder, have not been arrested or charged. Many</p>	

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					Dalit families in the village are afraid to testify.	
85.	Indonesia	Follow-up to past cases			Elfrianus (Alfred) Ulu (E/CN.4/2006/6/Add.1, para. 94).	By letter dated 9/01/06, the Government reported that he was arrested on 23 February 2005 on brutality charges, and was served a warrant on 26 February. He was held at the police station, and his detention was later extended by the prosecutor's office. Awaiting his trial, and still under police custody, he was transferred to Penfui Prison due to the lack of the station's capacity to hold detainees for more than a short period of time. This transfer is a routine practice where the detainee remains under the jurisdiction of the police and not the prison. It was there that he alleged that he was brutally beaten and tortured, as a result of which he lost his eyesight. Following the reported beatings, he was taken to Bhayangkara Hosptial, Kupang, on 26 March 2005. On 2 April, his family reported the incident to the Kupang District Police after which the Director-General for Prisons and the East Nusa Tenggara Office of the Ministry of Justice and Human Rights agreed to bear the medical costs. On 6 May 2005, he was taken to Cipto Mangunkusumo Hospital, Jakarta, to receive further examinations and treatment. There it was discovered that he had suffered from a brain infection which resulted in the loss of his eyesight. He received treatment and was returned to Kupang later that month. The Director-General of Prisons authorised an investigation into the allegations against the alleged perpetrators. The East Nusa Tenggara

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						Office of the Ministry of Justice and Human Rights found that five officials had been involved. Thereafter, the Chief of the District Police concluded that due to the evidence and witnesses, only one official would be charged. The trial of the perpetrator began on 6 September and concluded on 7 October 2005 with a conviction on the charge of maltreatment (Article 2, para. 351, Criminal Code) and a sentence imposed. As compensation was not awarded in the decision, Mr Ulu has filed a lawsuit against 11 government officials, seeking compensation for an amount over 1 trillion Rupiah. Mr Ulu has since been released pending the end of his eye treatment.
86.	Iran (Islamic Republic of)	10/02/06	JUA	SUMX; TOR; VAW;	Ms N., aged 18. On 3 January 2006, Nazanin was sentenced to death for murder by a criminal court, after she reportedly admitted stabbing to death one of three men who attempted to rape her and her 16-year-old niece in a park in Karaj in March 2005. She was seventeen at the time.	By letter dated 22/02/06, the Government reported that Ms N. was born in 1986. Along with her niece, she committed murder about nine months ago, when she was over 19 years of age. According to the records of the court, the crime has been committed for personal reasons and not in self-defence. She has gone through due legal proceedings and the Criminal Court has reached its verdict, but the sentence must be presented to the Supreme Court. Upon confirmation of the latter, it must be signed by the Head of the Judiciary. Therefore the case is still open and under consideration. By letter dated 16/05/06, the Government reported that the court has ruled out self defence and sentenced Ms N. to retaliation. The sentence has been referred to

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						the Supreme Court for final decision. Should the Supreme Court endorse the verdict, the case will be referred to an ad hoc commission of reconciliation to acquire the consent of the victim's heirs to commute the verdict to financial compensation. This is a lengthy process, therefore the legal process is not yet completed and the verdict stays for the time being.
87.		22/02/06	JUA	SUMX; TOR;	Four members of the People's Mojahedin of Iran (PMOI) sentenced to death after having been allegedly tortured in pre-trial detention. One of the men, Mr Hojjat Zamani , (subject of two earlier communications E/CN.4/2005/62/Add.1, para. 844 and E/CN.4/2006/6/Add.1, para. 104) was recently executed, while the other three, Messrs. Valiallah Feyz Mahdavi , Saeed Masuri , and Gholamhossein Kalbi , are at imminent risk of execution. Hojjat Zamani, aged 30, was most recently detained in Ghordasht prison in Karaj. Intelligence agents removed Hojjat Zamani from his ward on 6 February 2006. He was hanged the following morning at Ghordasht Prison. He was sentenced to death following a trial in which his right to effective counsel was denied, in particular because judicial officials did not cooperate with his appointed lawyer. Also, he was tortured in Evin Prison in order to force him to confess to the national security-related offences he was convicted of. Valiallah Feyz Mahdavi, Saeed Masuri, and Gholamhossein Kalbi are members of the People's Mojahedin of Iran sentenced to death on national security related charges. They are	By letter dated 15/03/06, the Government reported that Hojjat Zamani, who was charged with bombing property of the Tehran Revolutionary Court, which killed three persons and injured 22, possession of illegal weapons, terrorist activities, escaping from prison and illegal departure from the country, was sentenced to execution. The verdict was upheld by the Supreme Court, and was carried out in the presence of the victim's families. Feyz Mahdavi was charged with measures against the internal security of the State and sentenced to execution. He has not appealed the verdict and therefore it was upheld by the Supreme Court. However, the sentence has not been carried out because consideration for his amnesty is pending. Saeed Masuri and Gholamhossein Kalbi have been charged with measures against the internal security of the State and possession of illegal weapons, among other things. They have been sentenced to execution, but the verdicts have been stayed pending consideration of amnesties. Esmaeil Mohammadi was charged with terrorist

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					also held at Ghordasht Prison. Their death sentences have been confirmed by the Supreme Court. Mr Esmail Mohammadi (the subject of two urgent appeals E/CN.4/2005/62/Add.1, para. 843 and E/CN.4/2006/6/Add.1, para. 104) was executed on 3 September 2005 (i.e. less than a month after the Government's assurances), in Oroumiye Prison. Some days later, his family went to the prison to visit him, but were told that he had been executed. They were given his clothes and personal effects, but not his body.	activities, which resulted in murder. He was sentenced to execution. His appeal was rejected and the verdict was carried out.
88.		01/03/06	JUA	FRDX; IJL; MIN; RACE; RINT; TOR;	173 members of the Nematollah Sufi Muslim community. On 13 February 2006, they were arrested due to their participation in a peaceful protest, which was violently suppressed by the security forces and members of the Hojatieh and Fatemiyon pro-government groups. The protest was being held against an order by the security forces to evacuate the community's place of worship, known as Hosseiniye. The 173 individuals are being interrogated at Fajr Prison in Qom and there are concerns that they are being tortured in order to force them to sign pre-prepared false confessions, stating that the protest had political motivations and was linked to anti-government groups. The relatives of the detainees have been unable to obtain official information about their whereabouts and the detainees have not had access to lawyers. Lawyer Bahman Nazari, was arrested when he approached officials in an attempt to represent the detainees. The protest began on 9 February 2006. On 13 February 2006, there were hundreds	

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					<p>of protesters present in and around the Hosseiniye. At about 3pm the security forces set a deadline for the protesters to evacuate the Hosseiniye. Members of the Fatemiyon and Hojatieh groups also surrounded the place of worship, shouting slogans such as “Death to Sufis” and “Sufi-ism is a British plot”, and distributed leaflets alleging that Sufis are enemies of Islam. The security forces moved in at about 4pm and stormed the building using tear gas and explosives. They beat many of the protesters. The next day the Hosseiniye was demolished using bulldozers. Approximately 1,200 protesters were arrested and taken away on buses to unknown locations. The detainees were interrogated and many were subjected to torture or ill-treatment. Most of them were subsequently released. However, 173 are still being held. Those that were released were required to sign papers as a condition of their release, agreeing not to attend any Sufi gatherings in Qom. Some were required to sign documents renouncing Sufism. Arrest warrants have been issued for the main Sufi preacher in Qom, Seyed Ahmadi Shariati and the four lawyers who had previously been acting on behalf of the group. Their names are Amir Eslami, Omid Behrouzi, Gholamreza Harsimi and Farshid Yadollahi.</p>	

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89.		14/03/06	JAL	VAW; HRD; TOR	Women's rights activists in Tehran. On 8 March 2006, anti-riot police officers, Revolutionary Guards and plain clothes agents surrounded Tehran's Daneshjoo Park at 4 pm They ordered hundreds of women and men who had gathered to celebrate International Women's Day to disperse. In response, the crowd staged a sit-in and sang the anthem of the women's rights movement. The security officers then proceeded to dump the contents of garbage bins on the women's heads and beat the persons assembled with batons, including poet Simin Behbahani, aged over 70. The security forces also arrested foreign journalists and confiscated their photographic equipment and video footage before releasing them. The Commander of the security forces stated that the gathering was held without an official permit and that the security forces had to prevent the gathering taking on a political dimension.	
90.		12/04/06	JUA	WGAD; FRDX; TOR	Members of the Kurdish community including Azad Rasoul, Abu Bakr Bapiri, Khezer Sa'idnezhad, Mohammad Saleh Kukhashireh, Khaled Shirzad, Abu Bakr Tikan Tapeh, Avat Qorayshi, Mohammad Amin Salimian, Sa'adollah Soltanian, Khezer Mouloudi, Rezgar Salimian, Dara Qorayshi, Ribvar Salimian and Kamel Salimian . On 19 and 20 March 2006, security forces arrested the above-mentioned persons and other unidentified men, possibly numbering more than eighty, from the Kurdish community in Bukan, West Azerbaijan Province. They were arrested at their homes and are now	By letter dated 29/06/06, the Government reported that Khaled Shirzad, Azad Rasouli, Abubakr Bapiri (alias Abubakr Tikan), Avat Qorayshi, Dara Qoreyshi, Kamel Salimian (alias Ribvar Salimian) Sa'adollah Soltanian, Ismaeil Salimian (alias Rezgar Salimian) have been charged with "cooperation with the terrorist group of Kumeleh". Mr Azad Rasouli has been in possession of illegal weapons. They have all been released on bail. Khezer Sa'idnezhad (alias Khezer Mouloudi), Mohammad Saleh Khkhashireh and Mohammad Amin Salimian have been charged

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					held at an undisclosed location. Their families have not been told where they are or what they have been charged with. The security forces also searched their houses and confiscated documents and personal computers. The men are former members of Kurdish opposition parties, and had been arrested a few years ago. They were subsequently released, but kept under supervision by the Ministry of Intelligence.	with “cooperation with the terrorist group of Kumeleh and complicity in assassinating an individual by the name of Ali Yasin Parast”. Mohammad Amin Salimian also has participated in assassination of another person named Rahman Qaderi. None of them have been able to provide bail and therefore have remained in custody.
91.		13/04/06	JUA	WGAD; TOR; VAW;	Ms Masouma Kaabi , aged 28, her son A. aged 4, Ms Hoda Hawashem , aged 24, her sons A. aged 4, and O. aged 2, Ms Soghra Khudayrawi , her son Z. aged 4, and Ms Sakina Naisi . Masouma Kaabi is the wife of Ahwazi political activist Habib Nabgan, who has fled Iran. She was arrested on 8 March 2006 together with her son and is held at Sepidar Prison, Ahwaz City, Khuzestan Province. Habib Nabgan was informed that his wife and son will be tortured or killed if he does not return to Iran. Hoda Hawashem is the wife of Ahwazi activist Habib Faraj-allah. She was arrested together with her sons on or around 31 March 2006. They are currently held at an unknown location. Soghra Khudayrawi is the wife of Ahawazi activist Khalaf Derhab Khudayrawi. Ms Khudayrawi and her son were arrested on an unknown date and are currently held at Sepidar Prison. Sakina Naisi, the wife of Ahwazi activist Ahmad Naisi, was three months pregnant when she was arrested on 27 February 2006 and taken to Sepidar Prison. As a result of health problems she had problems with her pregnancy and lost her baby. The authorities destroyed her husband’s	By letter dated 2/06/06, the Government reported that no legal record of Ms Hoda Hawashem and Ms Soghra Khudairawi has been found. Ms Masouma Kaabi and Ms Sakina Naisi have been charged with “measures against security of the state” and both have been released on bail on 15 May 2006 and 19 April 2006, respectively.

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					family home in Ahwaz by bulldozers following her arrest. No charges are known to have been raised against any of the women and children detained.	
92.		26/04/06	JAL	TOR; VAW;	Leyla Mafi (subject of previous transmitted communications, E/CN.4/2006/6/Add.1, paras. 97 and 112). On 27 March 2005, the Supreme Court overturned the death sentence, but upheld the sentence of flogging. The case was sent back to the Court of First Instance in Arak for a retrial. In October 2004, Leyla Mafi was acquitted of the charge of incest (which carries the death penalty), and of controlling a brothel. However, she was convicted of an “unchaste act with a next of kin (other than fornication)” and was sentenced to 99 lashes. In February 2006, she was subjected to 99 lashes at the headquarters of the Justice Department in the City of Arak. She was subsequently moved to a women’s rehabilitation centre in Tehran, where she is obliged to stay for eight months.	
93.		04/05/06	JUA	WGAD; HRD; TOR;	Mohammad Suwaidi , aged 18, a member of Iran’s Arab minority and an activist for the rights of the Arab minority. On 16 March 2006, Mohammad Suwaidi was arrested near the border with Iraq. He is currently held in incommunicado detention. After he was arrested he was taken to a Ministry of Intelligence detention facility and subsequently taken for interrogation to Section 2 of the Prosecutor’s Office in Ahvaz City, in the Province of Khuzestan.	
94.		08/05/06	JUA	WGAD; FRDX; TOR;	Dr. Ramin Jahanbegloo , an Iranian philosopher, scholar and the author of several books on philosophy and modernity in Iran. On 2 May 2006,	

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					he was arrested at Mehrabad Airport in Tehran after returning from a trip to India. No legal reasons or explanations were given for his arrest. Dr. Jahanbegloo, who is the Head of the Department for Contemporary Studies at Iran's Cultural Research Bureau, was later taken to Evin prison, where he is kept in incommunicado detention.	
95.		10/05/06	JUA	SUMX; TOR;	Valiollah Feiz Mahdavi who is said to be at imminent risk of execution (communication dated 22 February 2006, see above). Valiollah Feiz Mahdavi was arrested in 2001 by Intelligence Ministry agents and charged with undermining national security and attempting to join the People's Mojahedin Organization of Iran in Iraq. He was kept in solitary confinement for 546 days, during which time he was interrogated and subjected to torture. He was kept in a little, dimly lit cell and when moved for any purpose he was shackled, cuffed and blindfolded. Valiollah Feiz Mahdavi was sentenced to death by the 26th Branch of the Revolutionary Court in Tehran. At his trial, he rejected all the charges against him and had no legal representation. He is now being held in Gohardasht Prison in Karaj. Over the past two weeks, the prison chief and his executive deputy told Valiollah Feiz Mahdavi that he would be executed during the Persian New Year holidays.	By letter dated 29/06/06, the Government drew attention to its letter of 15/03/06 (see above). The Government further reported that a process of amnesty for him has been initiated by relevant department in the Office of Public Prosecutor and the case is under consideration for this purpose. The sentence would not be carried out until this process reaches a clear conclusion on the case. It noted that the seriousness of the crime (undergoing military training by the Iraqi regime of Saddam Hussein aimed at the security of the state, and carrying explosives in a suitcase) has to be taken into account. He has been charged by the competent court (the only authority legally authorized to do this in the system of justice in Iran) and there has been no record of him being tortured, held in incommunicado or deprived from legal defence.

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96.		10/05/06	JUA	WGAD; FRDX; TOR;	Mostafa Evezpoor , aged 25, M. R. , aged 14, and M. , aged 16, brothers and activists for the rights of the Azeri Turk minority in Iran. On 6 April 2006, M. R. was arrested by officials from the Ministry of Intelligence, while writing "I am a Turk and my language is Turkish" on a wall. He was taken to a Ministry of Intelligence facility called Bagh Shomal, where he was severely beaten. He was detained for three days before being released. While he was in detention he was suspended by his feet for 24 hours, and given no food or water, or allowed to use a toilet. On 6 April 2006, Mostafa Evezpoor and M. were arrested at about midnight at their home in the city of Tabriz, East Azerbaijan Province. The arrest was carried out by about 15 officials from the Ministry of Intelligence. Mostafa Evezpoor is currently being detained in incommunicado detention at an undisclosed location, which is believed to be a detention facility run by the Ministry of Intelligence in Tabriz. On 9 April 2006, he was brought before a court, although it is not clear whether he has been charged with a criminal offence. M. was detained for three days before being released.	
97.		19/05/06	JUA	WGAD; HRD; TOR;	Saleh Malla Abbasi , a defender of the rights of the Azeri Turks in Iran, Ahar, Azerbaijan Province. On 17 April 2006, police officers from the Ministry of Intelligence entered his home, searched his house, confiscated possessions, and arrested him. His whereabouts were unknown for two days. On 19 April 2006, Mr Saleh Malla Abbasi called his family and informed them that he was being transferred to the Ministry of Intelligence detention	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					facility in the city of Tabriz. Since that date he has been held in incommunicado detention.	
98.		22/05/06	JUA	WGAD; FRDX; IJL; Racism; RINT; TOR;	52 members of the Nematollahi Sufi Muslim community and their two lawyers Farshad Yadollahi and Omid Behroozi . They are amongst 173 members of the Nematollah Sufi Muslim community(subject of a communication dated 1 March 2006, see above), who were arrested on 13 February 2006, due to their participation in a peaceful protest against an order by the security forces to evacuate the community's place of worship, known as Hosseiniye. On 3 May 2006, 52 members of the Nematollahi Sufi Muslim community and their two lawyers Farshad Yadollahi and Omid Behroozi were convicted on charges of "disobeying the orders of government officials" and "disturbing public order". For the former charge, 25 individuals were reportedly fined 10 million Iranian Rials (equivalent to more than US\$1,000) and the rest were fined 5 million Iranian Rials. For the latter charge, they were sentenced to one-year imprisonment and 74 lashes. After their release, they are obliged to report to the security officials every month for the period of 2 years. Farshad Yadollahi and Omid Behroozi were disqualified from their profession for five years. All of them were released on bail, and were given 20 days to appeal the judgment.	

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99.		30/05/06	JUA	WGAD; TOR;	Mr Sa'id 'Awda al-Saki , Iranian Arab refugee aged 35. On 11 May 2006, Sa'id 'Awda al-Saki was arrested in Damascus, Syria, apparently at the request of the Iranian authorities. Three days later, he was transferred to an undisclosed place in Iran where he is still held incommunicado. In 2000 or 2001 Sa'id 'Awda al-Saki, who was then an activist with an Arab political group in the city of Ahvaz, fled Iran for Syria after four other activists from the same political group were arrested and executed. Later on, he was recognized as a refugee by the Office of the United Nations High Commissioner for Refugees (UNHCR) in Damascus. He had been accepted for resettlement in Norway, and was scheduled to travel there on 25 May.	
100.		16/06/06	JUA	FRDX; HRD; TOR; VAW;	Hundreds of women and men who participated in a peaceful demonstration , demanding legislative change to ensure equal rights in Tehran. Hundreds of women and men gathered at Haft Tir Square in downtown Tehran on 12 June 2006, and participated in a peaceful demonstration in demand for a better recognition of women's rights and to remove discriminatory clauses against women from Iran's legal code. Prior to the demonstration, the judiciary summoned and interrogated numerous women's rights activists. On 10 June 2006, agents of the judiciary visited prominent activists at their homes to issue summons. Those who were summoned include Noushin Ahmadi Khorasani, Parvin Ardalan, Sussan Tahmasebi, Zohreh Arzani and Fariba Davoodi Mohajer . Fariba Davoodi	By letter dated 15/08/06, the Government reported that, with regard to the illegal demonstration in Tehran, all detainees except one have been released. The one who remains in custody is Mr Ali Akbar Mousavi Khoeiniha, who has been charged with disturbing public order and investigation against the state. He enjoys the legal services of three prominent counsels namely Ms Shirin Ebadi, Mr Abdolfattah Soltani and Mr Mohammad Sharif. Investigations about the case are under way and should he be sentenced in the court, he has to serve a term of imprisonment.

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					<p>Mohajer was interrogated by judiciary agents of the Revolutionary Court in Tehran for 10 hours. In the morning of 12 June, security forces arrested another human rights activist, Shahla Entessari, at her work. On 12 June, before the demonstration started, the security forces started to beat the participants with batons, sprayed with tear gas and color spray, and took them into custody. A spokesperson for the judiciary confirmed that security forces arrested 70 people, including 42 women, to prevent the demonstration from taking place. Those who were arrested at the demonstration site include: Ali Akbar Mousavi Khoiniha, former member of the parliament and human rights activist; Jila Baniyaghoub, Delaram Ali, Samira Sadri, Bahareh Hedayat, Leila Mohseni, Bahman Ahmadi Amooi, Siamak Taheri and Farahnaz Sharifi. They were charged with participation in an illegal assembly.</p>	
101.		22/06/06	JUA	WGAD; HRD; TOR;	<p>Mr Abbas Lisani (Leysanli) of Ardabil, an activist for the rights of Iranian Azeri Turks. Mr Lisani was arrested on 3 June 2006 by plainclothes agents of the intelligence service (Etelaat) and has been in detention without charge since then. The approximately 30 agents that arrested Mr Lisani entered the house by shooting the lock off the door and then proceeded to beat him in front of his wife and two sons. They did not show an arrest warrant or other document justifying the arrest, nor did they inform him of the charges against him. Mr Lisani's lawyer, Mr Saleh Kamrani, (subject of a communication dated 20 June 2006, see above) was arrested on</p>	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					14 June 2006 and is currently detained at Evin prison in Tehran. His wife and family are not allowed to visit him.	
102.		28/07/06	JUA	TOR; VAW;	<p>Ms A. K., mother of four children between the ages of nine and nineteen. She had an extra marital affair after her divorce request was rejected by the court, on the basis that she had children with her husband and therefore had to resume living with him. She was sentenced on two charges; the first was for participating in the murder of her husband, for which she received a sentence of 15 years imprisonment; the second was for adultery as a married woman, for which she was sentenced to execution by stoning in accordance with Article 83 of the Iranian Penal Code. A woman sentenced to stoning is to be buried in the ground up to a line above her breasts (Article 102 Penal Code) before being stoned with stones that should not be large enough to kill the person by one or two strikes, nor so small that they could not be defined as stones (Article 104 Penal Code). Ashraf Kolhari has been held in Tehran's Evin prison for five years, and should by law serve the remaining ten years of her prison sentence before she is executed. However, in July 2006, she received the order for the implementation of her sentence, and is due to be executed by stoning before the end of July. Ashraf Kolhari has written to the Head of the Judiciary, Ayatollah Shahroudi, asking for forgiveness.</p>	<p>By letter dated 4/09/06, the Government reported that Ms A. K. has been charged with "adultery" and "accomplice in her husband's murder" and accordingly sentenced to stoning and 15 years of imprisonment. The case is under review and the final verdict is still pending. It is to be noted that the moratorium of the Judiciary on stoning sentences is still in place.</p>

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
103.		16/08/06	JUA	WGAD; FRDX; HRD; IJL; TOR;	Ahmad Batebi , a student activist (subject of an earlier communication, E/CN.4/2004/56/Add.1, para. 833). On 27 July 2006, unknown armed persons conducted a home search, arrested Ahmad Batebi and drove him to an undisclosed location, believed to be Evin Prison in Teheran. He is being denied access to his family and lawyer. Ahmad Batebi was originally detained in 1999 for his participation in a student demonstration following the closure of the Newspaper Salam. He had been convicted on charges of "endangering national security" and condemned to capital punishment by the Islamic Revolutionary Courts. The sentence was later commuted to 15 years imprisonment. Due to his bad health condition and after serving 6 years of his sentence, Ahmad Batebi was granted approved leave by doctors appointed by the judiciary system.	
104.		30/08/06	JUA	WGAD; HRD; TOR;	Mehdi Babaei Ajabshir (also known as Oxtay), a prominent Azeri activist, from the Azeri-Turkish community, who promotes the Azeri-Turkish cultural identity. On 28 June 2006, at 10.30 pm, approximately 16 police officers from the Ministry of Intelligence (Etelaat) entered his house to arrest him, but he was not present at the time. The police searched the house until 12.30 am before arresting Ali Babaei Ajabshir, Mehdi's brother. The police confiscated Turkish-language books, CDs, a computer, a poster, and family photograph albums. They threatened members of his family that they would torture or shoot Ali Babaei Ajabshir. That night, Ministry of	

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					Intelligence police made repeated telephone calls to the family's house, demanding that they reveal the whereabouts of Mehdi Babaei Ajabshir. On 29 June 2006, Ali Babaei Ajabshir was released, on condition that he would convince his brother Mehdi to report to the Tabriz Ministry of Information. On 11 July 2006, witnesses told Mehdi Babaei Ajabshir's family that he had been arrested in the street by Ministry of Information officials. His family did not know his whereabouts until 21 July 2006, when he telephoned them and told them that he was at a detention facility run by the Ministry of Information in Tabriz. He has had no contact with his family since and no access to his lawyer. It is not known whether he remains detained at the Ministry of Information detention facility, or whether he has been transferred to Tabriz prison.	
105.		30/08/06	JUA	WGAD; HRD; TOR;	Ali Khodabakhshi , also known as Elyaz Yekanli , a prominent activist for the cultural, social and political rights of the Azeri Turkish community in Iran. On or around 8 June 2006, he was arrested at his home in the Village of Kahriz Yekan, in northwestern Iran. He was detained for 30 days in solitary confinement, at a detention facility run by the Ministry of Information (Etelaat) in the city of Tabriz. During this time, he did not have access to his family or lawyer, and his family did not know where he was detained. He was beaten and given electric shocks to force him to make a confession. He was subsequently transferred to Qirkhlar Prison in Marand, where he is still being held. In Qirkhlar Prison, he is detained in a cell with other	

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					prisoners who harass and threaten him. Prison officers have told Ali Khodabakhshi that they are going to keep him there until he suffers a psychological breakdown. He has not been charged with a criminal offence. Ali Khodabakhshi is suffering from a variety of medical complaints. As a result of his treatment in detention and previous medical conditions, he has a poor sense of balance, and has problems with his heart, kidneys, and digestion system, as well as impaired hearing and vision. He has limited access to food.	
106.		02/10/06	JUA	SUMX; TOR; VAW;	S. G., K. N. and S. M. who have been sentenced to death by stoning for adultery. S. G. (also known as M.), arrested in June 2005, was sentenced to execution by stoning for adultery by a court in Oromieh in June 2006. She is held in Oromieh prison. S. G.'s case is being re-examined. K. N. was forced into prostitution by her husband, a heroin addict who was violent towards her. K. N. was sentenced to eight years' imprisonment for being an accomplice to the murder of her husband, and execution by stoning for adultery. She was scheduled to be executed after serving her prison sentence, which finished two years ago. She has written to the Judicial Commission for Amnesty to ask for her sentence of execution by stoning to be commuted, and is awaiting a reply. K. N. is detained in Tabriz Prison and is at imminent risk of execution. S. M. was sentenced to 15 years' imprisonment for being an accomplice to the murder in January 2004 of her husband Abdollah, and to execution by stoning for adultery.	

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					During interrogation she said that she was subjected to domestic violence by her husband and that she did not kill him. She added that on the night of the incident after Alireza killed her husband, she ran away with him because she was scared to stay at home, thinking that her brothers-in-law would kill her. Alireza was sentenced to death for the murder of S. M.'s husband, and to 100 lashes for "illicit relations". The sentences are pending examination by the Supreme Court. S. M. is detained in Reja'i Shahr Prison, Karaj, near Tehran.	
107.		27/10/06	JUA	FRDX; HRD; TOR;	Kianoosh Sanjari , member of the United Students Front, who has reported on the human rights situation in Iran on online blogs. On 7 October 2006, he was arrested in Tehran after visiting the house of Sh'ia cleric Ayatollah Sayed Hossein Boroujerdi who has called for the separation of religion and State. Mr Sanjari was taken to an unknown location and is being held incommunicado. Mr Sanjari had previously been arrested on a number of occasions in relation to his activities and was detained and held in solitary confinement for a number of months in 1999, after demonstrating against the closure of the newspaper Salam (Peace).	
108.		13/11/06	JUA	IJL; SUMX; TOR;	22 Ahwazi Arab activists arrested by the Government in June 2006: Ali Motirijejad, Abdullh Solymani, Mlik Banitamimt, Abolamir Farjaolh Chaabi, Mohammad Chaabpour, Khalaf Khozairi, Alireza Asakereh, Majed Albog Hbaish, Ghasem Salamat, Abdolreza Sanawati, Said Hamydan, Ms Fahimeh Esmaili	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					<p>Badawi, Toameh Chaab, Nasser Farajolah Kia, Majid Mazaal, Jalil Moghadam, Mehdi Saad Nasab, Ms Hoda Hedayati Rezaie (Hawashemi), Sharif Asei Nawaseri, Jalil Boraihi, Mohammad Sawari, and Abdolreza Salman Delfi. On 9 November 2006, the Head of the Judiciary in Khuzestan Province, Mr Abbas Jaafari Dowlatabadi, announced that the Supreme Court has confirmed the death sentence of ten of the defendants mentioned above, namely Ali Motirijjad, Abdullh Solymani, Mlik Banitamimt, Abolamir Farjaolh Chaabi, Mohammad Chaabpour, Khalaf Khozairi, Alireza Asakereh, Majed Albog Hbaish, Ghasem Salamat, and Abdolreza Sanawati. Iranian media have announced that the confessions of the 10 men will be broadcasted on Khuzestan TV tonight, 13 November 2006, and that their executions will be held in public, probably on 14 or 15 November 2006. All ten men were tortured into making false confessions. Their lawyers were not allowed to see them prior to their trial and they were given access to the prosecution case only hours before the start of the trial. The trial was held in secret. The lawyers for the defendants, Khalil Saeedi, Mansur Atashneh, Dr Abdulhasan Haidari, Jawad Tariri, Faisal Saeedi and Taheri Nasab, were arrested for having complained about violations of the relevant laws in the course of the trials and charged with threatening national security.</p>	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
109.		14/11/06	JUA	WGAD; FRDX; HRD; TOR;	<p>Abbas Leysanli (or Lisani), aged 39 (subject of a communication dated 22 June 2006, see above). On 27 September 2006, one day before he was released from the Erdebil State Prison on bail, Mr Leysanli was sentenced to 16 months imprisonment and fifty lashes by the Penal Court N° 105 of the General Penal Court of the Province of Erdebil, in relation to his participation in the mass protests on 27 May 2006 in Erdebil. The Court found him guilty of “disturbing the peace and creating public disorder” and “participating in the destruction and burning of public and private property”. On 26 October 2006 Mr Leysanli filed a written appeal against the sentence of the court of first instance. The Erdebil Appeal Court, Branch 1 of the Erdebil Province, in closed session, increased the sentence for disturbing the peace and creating public disorder from ten to twelve months of imprisonment, making the sentence in total 18 months. The fifty lashes have been retained by the court. On 31 October 2006, Mr Leysanli was rearrested at his workplace in Erdebil by plainclothes security agents and taken to the Erdebil State Prison, where he has been detained ever since. No formal statement regarding the authority upon which he was arrested and detained has been issued to Mr Leysanli. His re-arrest is possibly related to his conviction on appeal. Mr Leysanli suffers from poor health, as a result of ill-treatment during previous periods of detention.</p>	

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110.		04/12/06	JUA	WGAD; FRDX; HRD; IJL; TOR;	Mansour Ossanlu , Head of the Union of Workers of the Tehran and Suburbs Bus Company, currently detained at Evin Prison. He was arrested at his home by police on 22 December 2005 and eventually released on bail amounting to 1.5 billion Rials on 9 August 2006. When awaiting trial, he was re-arrested on 19 November 2006, outside his home by plain clothes members of the security forces and detained incommunicado at Evin Prison, Section 209. His family has been able to visit him once, and his wife was also able to speak to him when she attended the court session on 20 November 2006. He is suffering from a serious eye complaint, but is not receiving medical treatment in prison. On 26 November 2006, Mr Ossanlu appeared at Branch 14 of the Revolutionary Court for initial investigations by the Prosecutor. No specific charges have been laid in the court. Mr Ossanlu's lawyer could not attend the court session, because Mr Ossanlu had not had access to him. Concern is expressed as to his state of health and his physical integrity in view of the reported lack of proper medical treatment of his eye and also in view of his incommunicado detention.	
111.		Follow-up to past cases			Esmail Mohammadi (E/CN.4/2005/62/Add.1, para. 843, and E/CN.4/2006/6/Add.1, para. 104).	By letters dated 24/05/05 and 8/08/05 (see also the response, above, 15/03/06), the Government reported that a thorough investigation has been carried out by the local judiciary authorities in Western Azerbaijan Province. Mr. Esmail Mohammadi was a member of the banned terrorist group "Komele". He was sentenced to death based

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						on numerous articles of the Islamic Penal Code. However, due to an appeal by his defence, the case was referred to the Supreme Court, where the sentence was upheld. Nevertheless, the sentence has not been carried out yet for further consideration.
112.					Leyla Mafi (E/CN.4/2006/6/Add.1, paras. 97 and 112).	By letter dated 25/01/06, the Government reported that since she did not have a personal residence, the court has ruled that she will reside in a rehabilitation centre of the Social Security Organization at least for eight months to ensure her physical and mental integrity, and to provide her with adequate housing. During this period she will receive assistance from social worker to get prepared for reintegration into the society and to assume her normal life. The allegations of torture are categorically denied.
113.					Akbar Ganji (E/CN.4/2006/6/Add.1, para. 106 and 108).	By letter dated 20/02/06, the Government reported that he has been charged with "measures against national security", "gathering classified information", and "dissemination of false information", and has been sentenced to six years of imprisonment. The sentence has been upheld by the Appellate Court of Tehran Province, and he is serving his term. During his prison term, with the assistance of the judiciary, he has gone on leave on numerous occasions, and he is enjoying medical care as required. On 17 June 2005, he has been diagnosed with a pain in his right leg, and has been hospitalized for a knee operation. He has spent 40 days in hospital,

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						and has undergone the necessary medical treatment, before being returned to prison. To help his physical and mental rehabilitation, he has been placed in a special suite of the prison with an area of 100m ² . He has met with his family and his lawyer on a number of occasions. According to the medical reports, he is in satisfactory health, and based on regulations, will be released shortly. By letter dated 29/03/06, the Government reported that he was released on 20 March 2006.
114.					Firouz Abou Farhan, Abdulali Douraghi, Karim Douraghi, and Eshaghi (E/CN.4/2006/6/Add.1, para. 114).	By letter dated 06/06/06, the Government reported that Mr Karim Douraghi has been charged with “disturbing the public order” and detained on the order of the Office of Public Prosecutor in Ahwaz on 14 November 2005. He has been released on 3 December 2005. Mr Firouz Abou Farhan has been detained for the same charge of Mr Douraghi and released on bail on 1 December 2005. No legal record of Mr Abdulali Douraghi and Mr Eshaghi has been found.
115.	Iraq	16/12/05	JUA	FRDX; TOR;	Kamal Sayid Qadir , a writer, an Iraqi Kurd with Austrian citizenship. He has been detained incommunicado in Iraqi Kurdistan since 26 October 2005. Qadir was on a visit to Iraqi Kurdistan at the time of his arrest. He was arrested in the city of Erbil by Kurdistan Democratic Party (KDP) intelligence agents because of articles that he had previously published on the Internet criticizing KDP authorities and the political leadership of the Kurdish territories of Iraq. Official sources of the	

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					KDP abroad confirmed that Qadir is being held in Erbil and is being investigated for "slander, personal harassment and threats" of prominent elected politicians. Qadir has been ill-treated in detention and is in poor health.	
116.		30/03/06	JUA	WGAD; TOR;	<p>Fourteen men, all reportedly Sunni Muslims arrested on suspicion of being members of anti-Government armed groups. They have been detained by the Iraqi security forces since 21 December 2005. The names of the men are Nazim Mohammad Isma'il al-'Ani, aged 42, oil technician, Nayif Sa'eed Hameed Al-Duri, Thamin Sa'eed Hameed Al-Duri, Sa'doon Sa'eed Hameed Al-Duri, Nazim Sa'eed Hameed Al-Duri, Amir Mohammed Salih Al-Duri, Turki 'Atia Jabri Al-Jibouri, Faruq Sabbah Mohammed Hassan Al-Karaghali, Mohammed Sabbah Mohammed Hassan Al-Karaghali, Mostafa Sabbah Mohammed Hassan Al-Karaghali, Talib Juda Jabir, Ibrahim Mohammed Ibrahim, Riyadh Jassim Mohammed Al-Sa'doon, and Ehab Riyadh Jassim Al-Sa'doon. On 21 December 2005 at 7 am, Iraqi security forces stormed a house in Hay al-Jihad, West Baghdad, and arrested 16 men, including the 14 named above and Ahmad 'Abbas Naji Khurshid al-Salihi (brother-in-law of the above-mentioned Nazim Mohammad Isma'il al-'Ani) and Firas Naji 'Abid Mikhlaf. The men were blindfolded, handcuffed and taken to an unknown location where they were interrogated, kicked, beaten with metal bars and subjected to suffocation with pillows. While the detailed</p>	

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					<p>reasons for the arrests are not known and no formal charges are known to have been raised against the men, the security forces had a list of persons to be arrested on suspicion of belonging to armed groups opposed to the Government. Later the same day, Nazim Mohammad Isma'il al-'Ani, Ahmad 'Abbas Naji Khurshid al-Salihi and a third man were again blindfolded and taken to another unknown location, which was apparently the roof of a private house. The other 14 men were probably also separated into groups and taken to unknown locations. The three men were reportedly detained on the roof of the house for 13 days with no food and little water. They were again beaten by members of the security forces. Members of the Iraqi security forces also telephoned Ahmad 'Abbas Naji Khurshid al-Salihi's family and demanded US\$60,000 for his and Nazim Mohammad Isma'il al-'Ani's release. The security forces told the family that if they failed to pay the sum, the two would be charged with "membership of the insurgency". The family refused to pay the amount of money demanded. On 3 January 2006, the three men were returned to the place where they had been detained immediately after their arrest on 21 December 2005. The next day Ahmad 'Abbas Naji Khurshid al-Salihi, who resides outside Iraq and was on a visit at the time of arrest, was released without charge. When he returned to his country of residence he was admitted to hospital and given medical treatment for his injuries, including a fractured nose and shoulder. In late January</p>	

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					2006, the body of Firas Naji 'Abid Mikhlaf was found in al-Rostumiya District, Baghdad. His body was taken to Baghdad's main morgue. The autopsy suggests that he was strangled, two or three days after he was arrested. He apparently had injuries consistent with torture.	
117.		17/08/06	AL	TOR;	Mohammad Hadi Al Yaqoubi , a student at the Institute of Technology, originally from the Ghazaliya area, Baghdad. On 5 April 2005, he went to visit friends at the College of Dentists, stopping at the Buratha Mosque on the way home for prayers. At the mosque gate, the guards searched him, but when he was about to enter the praying area a guard ordered him inside a room in the mosque. He was tied down on a bed and several guards started beating him with cables, wooden rods, and electric rods until he was unconscious. When he woke up, the torture resumed. A Shiite, Mohammad was forced to confess that he was a Sunni from the Ghazaliya area and sent by the Hamza Mosque. The treatment continued until sunset. His neck was stepped on, and he suffered a lost tooth and broken leg. He was finally released at the end of the day, and threatened against mentioning the incident to anyone. The next day Mohammad's father took him to the headquarters of the Supreme Council of Islamic Revolution in Iraq (SCIRI). In the presence of a lawyer, photographs and a statement were taken. It was reported that	

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					following an investigation the mosque guards had been fired, though the perpetrator had not been investigated as he was a prominent member of SCIRI. A complaint, including medical reports, were sent to the Ministry of Human Rights, however no action has been taken to date. Moreover, Mohammad's father has been threatened to make him drop the complaint. As a result of the torture, Mohammad continues to suffer from severe depression and panic attacks, a speech impediment stemming from the injuries to his neck, and continuing pain in his leg, and kidneys.	
118.		18/08/06	JAL	SUMX; TOR;	As he was leaving a mosque in Al-Huria District, Baghdad, following prayers on an unspecified date in May 2005, Taha Mohammad Sulaiman Al Meshehdani was arrested together with five others by members of the Iraqi Rapid Reaction Force riding in vehicles with the insignia of the National Guards. He was taken to the Ministry of Interior Detention Centre. Having received no news of his whereabouts, 19 days later his family discovered that his body was in the Medico-Legal Institute, found among six others dumped in the Al-Sha'ab District. His body exhibited wounds inflicted as a result of a power drill, his vertebrae and bones in his legs and hands were broken. Death reportedly occurred the day after he was arrested. On 14 May 2005, Salah Hassan Mosa, Yahya Hassan Mosa, Khalid Al-Azzawi, Salah Ibrahim, Nariman Mahmoud, Khudair Khamees, Naseir Samir, Laith Al-Azawi, Ali Hussein, and Mohammed Hamid Rashid were	

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					<p>detained by the Police Special Forces Unit (Al-Borkhan) in the Al-Eskan area of Baghdad. They were found dead in the Al-Gayarra District days later with torture signs on their bodies, including bullet holes and marks indicative of beating.</p> <p>On 10 July 2005, officers of the Ministry of Interior searched the Seba Abkar District, Baghdad, and arrested men belonging to the Arab Sunni community, including Shiekh Dhiaa Muhmood Al-Jenabi, Abdulsalam Abdul-Aziz, Amer Husain Al-Meshhedani, Ayad Dawood Selman, Selman Dawood Selman, Hadi Zbala, Foua'ad Salem Tawfeek Al-Kaisi, Ala'a Salem Tawfeek Al-Kaisi, Ali Noree Aifan, Mushtaq Misha'an Mutlaq, and Khalid Zaidan Saud Al-Lehaibie.</p> <p>On 13 July 2005, the families of the victims found the bodies in the Medico-Legal Institute. The bodies bore signs of injuries, including wounds caused by power drills, gun shot wounds to the head, acid-induced injuries, and facial mutilation, such as missing eyes. On 24 August 2005, about 80 persons belonging to the Sunni community were detained in Al-Huria District, Baghdad, by the Police Special Forces Unit (Al-Borkhan Unit). They included Mohamed Ali Hamed Al-Mashhadaniy, Waleed Ali Hamed Al-Mashhadaniy, Mushtaq Abas Alwan Al-Msariy, Emad Qazi Abdullah Al-Kaabiy, Sadam Mohamed Mahood Al-Mashhadaniy, Ali Ahmed Abdul Karrim Al-Mashhadaniy, Hekmet Ahmed Abdul Karrim Al-Mashhadaniy, Mohamed Al-Najar Al-Mashhadaniy, Hassan Ahmed Hussien Al-Mashhadaniy, Ahmed Abed</p>	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					<p>Ahmed Al-Mashhadaniy, Methaq Abass Alwan Al-Mashhadaniy, Adel Awad Mutlaq Al-Dulaimi, Mahdi Awad Mutlaq Al-Dulaimi, Fadel Awad Mutlaq Al-Dulaimi, Zead Awad Mutlaq Al-Dulaimi, Wessam Adnan Awad Mutlaq Al-Dulaimi, Hesham Adnan Awad Mutlaq Al-Dulaimi, Ali Adel Awad Awad Mutlaq Al-Dulaimi, Umer Adel Awad Mutlaq Al-Dulaimi, Muwafaq Dawood Mutlaq Al-Dulaimi, Ahmed Dawood Mutlaq Al-Dulaimi, Riaad Dawood Mutlaq Al-Dulaimi, Diao Dawood Mutlaq Al-Dulaimi, Mohammed Ibrahim Aubaid Al-Dulaimi, Muhaned Ibrahim Aubaid Al-Dulaimi, Fadel Jasem Mohammed Al-Dulaimi, Feras Talib Dawood Mutlaq Al-Dulaimi, Mukhlif Garib Al-Dulaimi, Shawkat Mukhlif Garib Al-Dulaimi, Falah Mukhlif Garib Al-Dulaimi, Hussain Rashed Jassem Hamadiy Al-Dulaimi, and Mohammed Alawi Abass Al-Ubaidiy. On 28 August 2005, the bodies of 36 of the persons detained on 24 August in Al-Huria were found in Kut Province. On 29 August 2005, a relative of other victims identified another 50 bodies in the Medico-Legal Institute, Baghdad, as belonging to persons arrested on 24 August in Al-Huria. The bodies bore signs of injuries, including acid-induced injuries, gun shot wounds to the head, missing teeth, punctures, missing skin, broken hands, and facial mutilation, such as missing eyes. The police have refused to release information as to where they found the bodies which were delivered to the Medico-Legal Institute. Ahmad Shaker Mahmoud, aged 37,</p>	

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					<p>Omar Khalil Abed, aged 30, and Shaker Mahmoud Ali, aged 66, all of Baghdad, were detained by members of the Al-Mehdi Army following the bombing of two Shiite shrines in Samara on 22 February 2006. On 23 February 2006, their bodies were found dumped in the Kasra-Wattash District, Baghdad, bearing signs of torture. Ahmed Shaker's left eye was missing, his back appeared to be burned by an iron, and his body bore puncture wounds made by a power drill. Omar Khalil's neck exhibited power drill injuries; and Shakir Mahmoud had marks indicative of beatings. Mosa'b Abdul Sattar Abdul Jabbar, aged 25, member of a counseling committee at the Muslim Scholars' Foundation, Baghdad, was deprived of his freedom by men riding in three cars belonging to the Ministry of Interior on his way to Al-Tasfeerat (the Iraqi Police Center), where he was going to visit one of the detainees. On 30 May 2006, the body of Mosa'b Abdul Sattar was found in the Medico-Legal Institute bearing signs of torture: acid burns on his face and body and power drill holes on his legs. It seems also that his head was squeezed with a metal compressor until his eyes came out of their sockets. In none of the above cases have investigations led to the arrest of the suspected perpetrators and the initiation of criminal proceedings against them, nor has any of the victims' families received compensation.</p>	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
119.		11/10/06	UA	TOR;	Talel Sabeh Abdulmajid Faisal , aged 34, from Halab, Salah ad Din Governorate. He is currently detained in the Major Crimes Unit, Tikrit Police Station, Salah ad Din Governorate and was tortured to confess to having committed a number of crimes. He is in very poor health after having been subjected to electric shocks and severe beatings. He has sustained injuries to his hands and feet. Firas Nassir Hussein, Uday Hatem Al Tallal, and Hayder Masgoub Al Da'ami , a policeman from Najaf. On 3 September 2006, between 20 and 30 people were arrested on suspicion of being involved in the explosion that took place in Najaf on 10 August 2006. Some detainees have been released, although a few still remain under the custody of the Ministry of Interior. The three above-mentioned detainees were severely tortured and were shown on a local Najaf TV station on 8 September 2006, "confessing" their involvement in the planning and execution of the Najaf explosion.	
120.		27/10/06	JUA	SUMEX; TOR;	Mohammad Munaf Mohammad al-Amin , who holds dual American and Iraqi citizenship, Yusuf Munaf Mohammad al-Amin, Salam Hikmat Mohammad Farhan al-Qassir, 'Abd al-Jabbar 'Abbas Jasim al-Salman, 'Omar Jasim Mohammad 'Ali al-Salman, and Ibrahim Yassin Kadhim Hussain al-Jibouri . The six men were sentenced to death by the Central Criminal Court of Iraq (CCCI) on 12 October 2006 for their alleged involvement in the kidnapping of three Romanian journalists in Iraq. The trial, which considered the case of all six defendants at the	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					<p>same hearing, lasted about one hour. All six defendants face execution if the Court of Cassation upholds the CCCI's verdict. The men were tortured and threatened in pre-trial detention. Mohammad Munaf Mohammad al-Amin is currently being held by the US armed forces at Camp Cropper near Baghdad airport. He has been in US custody since his capture in May 2005, under an agreement which allows pre-trial detainees awaiting criminal prosecution in Iraqi courts to be held in detention centres run by the Multi-National Force-Iraq (MNF-I). He was held for months in US custody as a security internee before appearing before the CCCI. He has subsequently made statements at Iraqi preliminary hearings admitting to having participated in the kidnapping of the journalists, but retracted his confession at trial. He claims that the confession was made after he received threats of violence and sexual assault against him and his family. Mohammad Munaf Mohammad al-Amin is due to be transferred imminently to Iraqi custody. Muhammad Munaf Mohammad al-Amin was arrested during the rescue operation to free the journalists, and was accused of posing as a kidnap victim and of involvement in the kidnapping plot. He denies these charges. The other five defendants are in Iraqi custody. Three of them have reportedly been tortured by being beaten with cables and the use of electric shocks on various parts of their bodies. However, their complaints were not considered by the court, and no investigation into the alleged torture is believed</p>	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					to have been initiated.	
121.	Israel	20/06/06	JUA	TOR; VAW;	Ms S. I. S. of Tulkarem, currently detained in Hasharon Military Prison. On 30 April 2006, Israeli forces took S. I. S. from the prison in Telmond to the Mei'r Kfar Hospital for the delivery of her baby. Her legs and hands were cuffed until the moment she entered the delivery room where she gave birth to her first son. Neither the detained husband and father of the child, nor other relatives were allowed to attend the birth operation, which was done by caesarian surgery. She was arrested by Israeli forces on 23 September 2005 when she was pregnant. During her arrest, she was removed from her home, forced to strip naked in an Israeli military vehicle and put on a white robe. Following the incident, the soldiers tied her hands and legs with plastic wires. While in the Maskobia Interrogation Center, S. I. S. was subjected to invasive body searches. She was also brutally beaten during her interrogation. The interrogators, who knew she was pregnant, also threatened to beat her to the point of miscarriage. Soldiers placed her husband in a nearby room in order to apply psychological pressure. Her cell is humid and has little ventilation. She said the prison food	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					is of poor quality and quantity and that prison administrators use special lighting to psychologically disturb the prisoners.	
122.	Jordan	21/11/06	JUA	WGAD; HRD; TOR;	Edward Kattoura , a member of the Palestinian Human Rights Organization (PHRO). Mr Kattoura was arrested by Jordan security forces on 2 November 2006 and has been detained at an unknown detention centre since then. Before his arrest Mr Kattoura legally entered Jordanian territory with a visa that had been issued by competent Jordanian authorities and conducted private business for almost a week. However, on his way back to Lebanon via the Queen Alia International Airport at Amman he was arrested and detained after he had finished all security checks for departure.	
123.		Follow-up to past cases			Salah Nasser Salim 'Ali and Muhammad Faraj Ahmed Bashmilah (E/CN.4/2006/6/Add.1, para. 126).	By letter dated 18/01/06, the Government reported that the allegations are false as there is no record showing that the two men had been arrested for the violations of either the penal, disciplinary or administrative codes. They do not have documented files indicating they pose a security concern, eliminating the possibility of their arrest for what may be described as "terrorism".
124.	Kazakhstan	29/06/06	AL	TOR;	Yusuf Kadir Tohti and Abdukadir Sidik , originally from China's Xinjiang Uighur Autonomous Region (XUAR). They were being forcibly returned from Almaty to Urumqi by Kazakh authorities on 10 May 2006 following a decision by the Specialized Administrative Court of Almaty for violation of rules of stay in Kazakstan. Now	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					they are being held in incommunicado detention in China. Yusuf Kadir Tohti had fled from China to Kazakstan in 1996 and was arrested on 8 March 2006 by the Kazakh authorities. The Chinese authorities accused him of "separatism" and asked for his extradition. Abdukadir Sidik had fled the XUAR in 1999 after he publicly protested against the Chinese authorities' policy on minorities, particularly their enforcement of the family planning policy, which limited the number of children that Uighurs could have.	
125.		04/07/06	JUA	WGAD; RINT; TOR;	Temirbaev Gabdurafih , a citizen of Uzbekistan living in Kazakhstan as a refugee under the 1951 Refugee Convention, who is reportedly at risk of being returned to Uzbekistan. Mr Gabdurafih fled Uzbekistan in 1999 and has been living in Kazakhstan with his family for seven years. In June 2006, the Office of the United Nations High Commissioner for Refugees (UNHCR) recognized that Mr Gabdurafih was at risk of persecution in his home country because of his practice of Islam outside of the state-run mosque system in Uzbekistan. This procedure included a confirmation from the Government of Kazakhstan that no criminal charges had been filed against him. On 24 June 2006, however, security forces arrested Mr Gabdurafih in Almaty, and he is currently in custody. The arrest took place upon request of the Government of Uzbekistan. UNHCR has asked for access to Mr Gabdurafih, but so far it has not been granted, nor has UNHCR been provided with any information on the reasons for the arrest, apart from being told	

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					that an “internal investigation” is in progress. Mr Gabdurafih appears to have been told that the Government would decide on whether to deport him within 10 days.	
126.	Kyrgyzstan	26/01/06	UA	TOR;	Yakub Tashbayev, Rasul Pirmatov, Jahongir Maksudov and Odiljan Rahimov , Uzbek citizens, recognized as refugees by UNHCR (subjects of an earlier communication E/CN.4/2006/6/Add.1 para 135). They are presently detained in detention facility No. 25 in Osh City, Kyrgyz Republic. These four persons are at imminent risk of being deported back to Uzbekistan, where it is feared that they may be arrested and subjected to torture or other forms of ill-treatments. Uzbekistan has provided diplomatic assurances to the Government of Kyrgyzstan that international organizations would have access to the four persons, if they were returned to Uzbekistan.	
127.		18/05/06	JAL	TOR; VAW;	Ms T. In the week following 14 January 2006, she was repeatedly summoned by the Department of Internal Affairs 2006 to testify as a witness in a case of theft. During one of the sessions, one of the investigators, grabbed her arms, pushed her and began insulting her, calling her a “prostitute” and a “thief”. When she asked what she was insulted and beaten for, she was hit on the chest and ordered to change her testimony, and was threatened by the investigator that he would “do everything possible to put [her] in prison and let [her] die there”. Ms T. started bleeding and told	By letter dated 4/07/06, the Government reported that a judicial inquiry has been carried out into the treatment of Ms T. by a staff member of the Internal Affairs Office of Jalalabad Province, and by staff members of the security service of the Ministry of Internal Affairs. During the inquiry, the allegations made by Ms T. were not substantiated. Nor was any substance found to the allegations made by Ms T. in previous communications submitted to various offices. We also note that the investigator has filed an application with

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					him that she was pregnant and feared she could lose her baby. The officer allegedly replied that "at a temporary detention cell [she] will conceive another baby". Ms T. reported these facts to the Oblast Prosecutor's Office. However, she fears nothing will be done in this regard since similar complaints against the same investigator had been filed with the Oblast Prosecutor and no action was taken. These allegations were then brought to the attention of the Minister of the Interior. The investigator subsequently brought an action for defamation.	the Jalalabad City Court for criminal charges to be brought against her for defamation and insult.
128.		20/06/06	JUA	WGAD; IJL; TOR;	Zhakhongir Maksudov, Odilzhon Rakhimov, Yakub Toshboev and Rasulzhon Pirmatov (subjects of a previously transmitted communication, see above). These cases are pending before the Human Rights Committee, which has requested the Government to take interim measures of protection, i.e. not to proceed with the extradition as long as the communications are pending before it. The appeals of the four men against the extradition decisions were rejected by the Supreme Court of Kyrgyzstan in April and May 2006 for Zhakhongir Maksudov, Odilzhon Rakhimov, Yakub Toshboev and on 13 June 2006 for Rasulzhon Pirmatov. It is reported that on 19 June 2006, the authorities said that they would extradite them, but the date has not been set yet. The four men are still in detention.	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
129.		05/09/06	AL	TOR;	<p>Rakhmanberdi Kurambekovich Enazarov, aged 44, Zhany Nookat, Tomok Street. On 4 November 2005, he was arrested at his place of residence and held by the police in Osh, pending a decision on pre-trial detention, on charges of sodomy. However, even after the pre-trial detention was authorised by the Prosecutor, he was not transferred to a pre-trial detention centre as required by law, but remained in police custody in Osh. There, with the knowledge of the authorities, he was severely mistreated by fellow-prisoners, who forced him to sleep next to the toilet bowl and damaged his metal tableware, making it unsuitable to use for eating. When his sisters visited him in, while he was in a temporary isolator (IVS), the police officer present stated that in his view, given the nature of the charges, Mr Enazarov would not survive long and Mr Enazarov himself told his sisters that the treatment he was receiving was unbearable and that he was afraid for his life. He died in detention in Osh on 20 November 2005, allegedly as the result of a suicide attempt. The body sustained multiple injuries, two deep wounds to the neck, wounds on the elbows, wrists and ankles and cuts to the stomach.</p>	
130.		13/09/06	JUA	TOR; VAW;	<p>Ms R. I., aged 20. On 20 July 2006, she was arrested and taken to the Isolation Ward of Temporary Allowance (IVS) of Jalal-Abad. Ms R. I. is 10 weeks pregnant. She was beaten by the chief of the Regional Department of Internal Affairs, in order to force her to denounce her husband, who is suspected of involvement with an</p>	

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					<p>extremist organisation called "Islamic Movement of Uzbekistan". Her husband surrendered to the police immediately after he learned that his wife had been ill-treated. Ms I. was subsequently taken to the Kyzyl-Jarsk Psychiatric Hospital, where she was once again severely beaten on 26 August 2006 by the same policeman. She was immediately transferred to the gynaecological department of the Tash-Kumyr city Hospital. There, the doctors certified that her foetus was dead. Ms R. I. is now at the Kyzyl-Jarsk Hospital under police surveillance and suspected of "concealment of criminals".</p>	
131.		23/11/06	JAL	IJL; TOR; TRAF; VAW;	<p>Ms R. G. D., an 82-year-old woman living in Ananievo, Issyk-Kul. During the night of 22 April 2005, Ms Dergousova was raped in her home by a man she was able to identify. The alleged perpetrator ordered her to cover her eyes with a blanket and demanded to know whether she recognized him. She denied knowing him, and promised not to report him to the police, fearing for her life. The next morning, Ms D. reported the incident to the police. She underwent a physical examination, which confirmed that she had been raped. Ms D. then turned to the Oblast Prosecutor's Office. The Prosecutor informed her that the suspect was under investigation, and that he had provided a written undertaking not to leave the area. He claimed that the case would be sent to court once the investigation was completed. Later, however, the Assistant Prosecutor in Cholpon-Aty Mairambek informed Ms D. that her case had been transferred to the Oblast</p>	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					<p>authorities. To date, there has been no trial regarding this matter. The perpetrator was interrogated by three investigators, but bribed them in order to terminate the investigation. He publicly boasted that he has enough money to guarantee his impunity. The rape case referred to above is not an isolated incident, and impunity for rape and other forms of sexual violence is common. Of increasing concern is the widespread practice of “bride-kidnapping”, whereby a woman or girl is taken against her will through deception or force and forced to marry one of her abductors. Abductors are often intoxicated and act in groups, using physical or psychological coercion to compel the woman to “agree” to the marriage. These marriages are rarely registered with the State. Instead, a Muslim cleric conducts the ceremony or the occasion is privately celebrated. The kidnapped women are often raped by the abductors, but fail to report the crime for fear of repercussions. The abductions occur within all parts of Kyrgyzstan, both urban and rural. The women involved are typically under the age of 25. Some victims are also minors. Despite the fact that Article 155 of the Criminal Code, outlaws non-consensual marriage by force or kidnapping, the perpetrators are typically not prosecuted for the crime and enjoy impunity for the sexual abuse and sexual exploitation that is committed. The police often fail to even investigate reported cases of bride kidnapping. Many police officers do not view bride-kidnapping as an issue for law enforcement,</p>	

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					but consider it to be a legitimate traditional practice.	
132.	Libyan Arab Jamahiriya	25/08/06	JUA	WGAD; TOR;	300 Eritrean refugees, including 80 women and five children between the ages of two and six. In early August, the Libyan authorities rounded up and detained the 300 refugees in Almerge Prison, 100km from Benghazi in northern Libya. There are concerns that the refugees would be at risk of torture or other ill-treatment if returned to Eritrea. In particular, a group of 110 refugees who were returned from Libya to Eritrea in July 2004 were held incommunicado in a secret prison upon their arrival, many of them were subjected to torture and ill-treatment, and some of them died in custody.	
133.		31/10/06	JUA	SUMEX; TOR;	Incident which took place in the Tripoli Abu Salim Prison , which led to the death of one prisoner and the injuring of at least nine others. On 4 October 2006, some 190 prisoners were brought back to Abu Salim Prison following a hearing at a court in Tripoli. Upon their return to the Abu Salim Prison, some of the prisoners started to protest and an altercation ensued with the prison guards. The prison administration called in security forces from outside the prison to assist the guards in order to control the situation. Between 2pm and 3pm law enforcement officials fired tear-gas grenades and live ammunition at some of the prisoners. A prisoner, Hafed Mansur Al-Zwai , received a bullet wound to the head and died shortly afterwards. Nine other prisoners, Rida Al-Hariri, 'Abd Al-Mun'em Ahmad 'Abd Al-Rahman, Hafed Al-Amani, Fadlallah Al-	By letter dated 13/11/06, the Government reported that the Department of Public Prosecutions launched an investigation into the incidents that occurred at the Abu Salim Reform and Rehabilitation Institute on Wednesday, 4 October 2006, where a number of prisoners and detainees staged a revolt. The Department of Public Prosecutions took all the steps required by law, questioning security personnel and guards of the officer class and other ranks. It also questioned inmates who were not involved in the incident. The investigation revealed that several detainees had returned from a court session. When they entered the Institute, they occupied a number of administrative offices and threatened to set fire to them. At the same time, they incited the other prisoners to join them and moved

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					<p>'Arabi, Al-Sanussi Al-Bashari, Ayman Al-Busufi, Ashraf Al-Fazzani, 'Abd Al-Wahab Al-Katshi and Khaled Al-Mansuri, were injured and taken to hospital for treatment. Most of them received bullet wounds and are still in serious condition. A top security official asked the detainees to reveal the name of the detainee who had informed the media about the incident by the end of 9 October, telling them that all detainees would be attacked if they failed to do so.</p>	<p>towards the main entrance which they proceeded to occupy, jeopardizing the security and safety of the Institute as well as the safety of prisoners, guards and prison staff. The officer in charge of the Institute went to the men to try to restore calm and convince them to return to their cells. They attempted to assault him and a number of police guards, several of whom were injured. The management had to call the General Security Department for reinforcements. After a major effort, the General Security contingent and a group of guards managed to get back into the Institute. At this point, the prisoners started to pelt the police with stones and pieces of iron that they had stolen from the site of the company carrying out maintenance work at the Institute. A number of men climbed the walls and windows in a bid to escape, compelling the guards on the roofs and at the main entrances to discharge their weapons in order to gain control of the situation. As a result, three prisoners received injuries of different kinds and were taken to hospital. The General Security officers who had been called in to help with the protection of the Institute made a great effort to force the prisoners back into their cells. Direct clashes between the police and the prisoners ensued, with the police being bombarded with iron pieces, screwdrivers and water pipes. In the clashes, eight policemen were injured, two of them slightly and the six others with various injuries, for which they</p>

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
						<p>were hospitalized. After the prisoners had returned to their cells, one person was found lying on the floor. Upon examination, he was found to be dead. The investigation showed that the dead prisoner, Hafiz Mansur al-Zawi, had been imprisoned in connection with case No. 120/98. The pathologist's report indicated that the cause of death was a single injury sustained when the head of the deceased had collided with a body, cracking the skull and precipitating a fatal haemorrhage. The report ruled out a gunshot wound as the cause of death. The relatives of the deceased were notified of the death and of the conclusions of the medical report and the Department of Public Prosecutions ordered that the body be released to the family for burial. According to the investigation, three prisoners had been injured, namely: Ayman Ali al-Busayfi, Al-Sanusi Mohammed al-Bashari, Fadlallah Mohammed al-Mughayrbi. These persons sustained various injuries and were taken to hospital for treatment. The Department of Public Prosecutions took their statements. The investigation will continue until the testimony of prisoners associated with, or involved in the incident, and that of some of the Institute's personnel has been heard. The medical report has been annexed to the case file.</p>

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134.		Follow-up to past cases			Hatem Al Fathi Al Marghani (E/CN.4/2006/6/Add.1, para. 139).	By letter dated 19/01/06, the Government repeated that he is in Libya, at home with his family.
135.	Malaysia	25/09/06	UA	TOR;	Heng Peo , former Police Commissioner, Phnom Penh, and Personal Advisor to the Prime Minister of Cambodia. Currently in the custody of the Malaysian authorities, he is at imminent risk of return to Cambodia. He left Cambodia on 23 July 2006 for medical treatment. After briefly visiting Thailand and Malaysia, Mr Heng Peo traveled to Singapore on 26 July, and then again to Malaysia around 1 September. During his absence, the Cambodian authorities issued four warrants for his arrest on various charges related to murder or attempted murder. His family members and domestic helpers have been put under house arrest, while some of his police subordinates have been arrested and detained on suspicion of involvement in the above-mentioned crimes. Concern is expressed that he may be at risk of torture or ill-treatment if he were to be returned.	
136.	Maldives	17/03/06	UA	TOR;	M. A. , aged 16. On 24 February 2006, at about midnight, he was beaten by police officers when he stopped to watch a protest outside the TVM building in Malé, which houses the State-run television channel. The protest was organized by opposition activists who were protesting against alleged bias in the channel's reporting. M. A. was watching the protest when he was grabbed around the neck by a plain-clothed policeman and dragged to the ground. The police hit him in the face and pulled his trousers down and hit him on	

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					the thighs and genitals with a baton. He was also verbally abused. The police then handcuffed him and dragged him into a police van, where a police officer sprayed pepper gas in his face. He was then driven around Male for approximately one and a half hours. He was taken to Malé Police Headquarters at about 1.30 am He was then transferred to Maafannu Ward Police Station at about 2 am. At the police station, police tied him in a chair and punched him in the face every time he fell asleep. He was denied food and water. The police questioned him about why he had stopped outside TVM and tried to get him to sign a pre-prepared statement. He refused to do so and was later allowed to leave with his father.	
137.		03/11/06	JUA	HRD; TOR;	Mohamed Ziyad (also known as Ziyatte), human rights activist and member of the National Council of the Maldivian Democratic Party. On 30 October 2006, Mohamed Ziyad was arrested by eight members of the riot police, an elite division of the Maldivian Police Services, while he was sitting in a café in Malé. He has been detained on allegations of “threatening a driver” and is currently being held in solitary confinement in Dhoonidhoo Island Detention Centre. On 30 March 2006, Mr Ziyad was arrested prior to a demonstration for women’s rights. He was beaten on this occasion by six or seven policemen in an isolated room in police headquarters before he was transferred to Dhoonidhoo Island Detention Centre. His family inquired about the reason for his arrest but they did not receive a reply. He was released on 1 April 2006 without charge. Mr	

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					Ziyad was arrested on 17 May 2006, and was refused medical treatment for breathing difficulties. He was reportedly brought to the Criminal Court on 29 May 2006 in the absence of his lawyer and family, who had not been informed of the hearing, but he was then told that it had been cancelled. He was detained in solitary confinement in Dhoonidhoo Island Detention Centre until 10 July 2006.	
138.		27/11/06	JUA	WGAD; HRD; TOR;	Mohamed Gasam , Deputy President of the Gaaf Dhaal Constituency of the Maldivian Democratic Party (MDP), Mohamed Nazim , Secretary of the Executive Committee for the Gaaf Dhaal Constituency of the MDP, Mohamed Saleem Ali , President of the Gaaf Dhaal Constituency of the MDP, resident in Narugis Villa on Thinadhoo Island, Yamin Mohamed , member of the MDP, resident in Abhareege, Thinadhoo, Mohamed Waheed , member of the MDP, resident in Skooner, Thinadhoo, Mohamed Niyaz , member of the MDP, resident in Blue Fish, Thinadhoo, Ahmed Hussai , member of the MDP, Mohamed Niyaz (different from Mohamed Niyaz resident in Blue Fish), member of the MDP, Kinaatath Mohamed , member of the MDP, Ibrahim Areef , member of the MDP, Ahmed Shaukat , member of the MDP, Mohamed Falah , Vice-President of the Malé Constituency of the MDP, all currently in detention at Dhoonidhoo Island Detention Centre, Muththaqim Latheef , member of the MDP, Abdul Majeed Shameem , MDP Cell President, currently placed under house arrest, and Shehenaz Abdulla , an active participant in the	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					<p>“Free Jenny” campaign, also currently placed under house arrest. Mohamed Niyaz (E/CN.4/2005/62/Add.1, para. 906). On 1 November 2006, at approximately 12pm, about 70 members of the riot force police arrived by speedboats at Thinadhoo Island in the Southern Atoll of Gaaf Dhaal and proceeded to the office building of the MDP. On their way, the riot police apprehended Mohamed Gasam and forced him to accompany them to the MDP office, where six members of the MDP were working at this time. The riot police did not produce any search or arrest warrant when entering the office building and ordered the persons concerned to leave the office immediately, failing which they would be arrested. The riot force searched the office and confiscated banners, posters and other material. Following these events, Mohamed Gasam was taken directly from the MDP office to a holding cell on Thinadhoo Island. On the same day, a group of riot police approached Mohamed Nazim, while he was working in his shop. He was asked to accompany the riot police to the local police station. Mohamed Gasam and Mohamed Nazim were both held in solitary cells on Thinadhoo Island and pepper spray was applied to their faces while in detention there. They were both transferred at an unknown date to the Dhoonidhoo Island Detention Centre. Mohamed Saleem Ali and Mohamed Waheed were also arrested by riot police on 1 November 2006 at their houses. Yamin Mohamed handed himself over on the same day to the riot police knowing that he was</p>	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					<p>wanted by the police. Mohamed Niyaz was also arrested this day. Before the arrests were made island officials allegedly drove around the island announcing that if any protection was provided to these persons, it would be considered an offence. It is reported that Mohamed Waheed and Mohamed Saleem Ali were ill-treated upon their arrests. Mohamed Waheed was hit in the face causing it to swell up. Mohamed Saleem Ali's hand was broken, and when he asked for immediate medical attention it was initially denied. He received medical assistance only on 2 November 2006 on Gaaf Alif Atoll Villingili Island. On the same day, Yamin Mohamed was taken out of his cell, handcuffed, dragged by the neck and maltreated by riot police. Tear gas was also used inside holding cells to control noise caused by the detainees. Following a demonstration of about 150 people, urging representatives of the island office to ask the riot police to exercise restraint, Ahmed Hussai, Mohamed Niyaz (to be distinguished from the individual with the same name, who was arrested on 1 November 2006), Kinaanath Mohamed, Muththaqim Latheef, Ibrahim Areef, and Ahmed Shaukat were arrested on 3 November 2006. Further arrests of MDP members and human rights activist Ms Shehenaz Abdulla were carried out in Malé, probably also in connection with the demonstration scheduled for 10 November 2006. Mohamed Falah was apprehended on 30 October 2006, however no reason for the arrest was provided to him. Abdul Majeed Shameem</p>	

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					was arrested on 31 October 2006, without indication of any grounds. Mohamed Saleem Ali, Yamin Mohamed, Mohamed Waheed, Mohamed Niyaz, Ahmed Hussai, Mohamed Niyaz, Kinaatath Mohamed, Ibrahim Areef, Ahmed Shaukat, and Mohamed Falah , have, in the meantime, been transferred to the Dhoonidhoo Island Detention Centre, where they are currently being held. Abdul Majeed Shameem and Ms Shehenaz Abdulla have been placed under house arrest.	
139.	Mauritania	04/08/06	JUA	WGAD; HLTH; TOR;	Un certain nombre d'experts de l'Islam et de dissidents politiques dans la prison civile de Nwakshot: Mohamed Sidiya Ould Ajdoud, Abdellah Ould Ahmed Ould Aminou, Mohamed Mouhid Ould Mohamed Abdelhaq, Mohamed Ould Ahmed Ould Sid Ahmed, dit Al Chaer, Ahmed Ould El Kowri, Mohamed Mahfoud Ould Ahmed, Mohamed Mahmoud Ould Salek, Mohamed Al Amine Ould Hassen, Mohamed Hassen Ould Mohamed Abderrahmane, Mohamed Ould Abdelwadoud, Ahmed Ould Mohamed Abdellah, Mohamed Al Amine Ould Salek, Sidi Mohamed Ould Ahmed Vall, Ahmed Ould Hine Ould Mouloud, Abderahmane Ould El Ghouth, Sid Ould Abah Al Imam, Ismaïl Aïssa et Abdelmadjid Belbachir . Le 14 septembre 2005, le juge d'instruction aurait décidé que tous les détenus devaient être relâchés jusqu'au procès. En dépit de la confirmation de cette décision en avril 2006, personne n'aurait encore été relâché. Certaines des personnes détenues souffriraient de	Par lettre datée du 27/10/06, le Gouvernement a indiqué que toutes les personnes citées par le Rapporteur spécial sont poursuivies pour des faits constitutifs d'association de malfaiteurs, de faux et usage de faux, de commission d'actes non autorisés de nature à exposer leur pays à des représailles. Ces individus ont été déférés devant le Parquet de la République près du tribunal de Nouakchott par la Police judiciaire entre le 9 mai et le 12 juillet 2005. Le Parquet a saisi le Juge d'instruction du 1er Cabinet afin d'instruire l'affaire et de décerner mandat de dépôt contre les inculpés. Au cours de l'instruction, et sur demande de ceux-ci, une liberté provisoire leur a été accordée le 8 septembre 2005. Le Ministère public a immédiatement interjeté appel contre cette décision, pour motifs de gravité des faits. La Cour d'appel a confirmé la décision du juge mais le Ministère public a interjeté un pourvoi en cassation contre la décision de cette Juridiction. Entre-temps, et

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					problèmes de santé physique et mentale sérieux et la situation d'une jeune fille de 15 ans souffrant d'une maladie du cœur serait particulièrement préoccupante. Les prisonniers souffrant d'une maladie mettant leur vie en danger se seraient vu refuser un traitement médical. Suite à l'évasion de 3 détenus le 26 avril 2006, tous les détenus auraient été privés de nourriture pendant 48 heures à titre de punition collective, la privation de nourriture étant par ailleurs utilisée comme technique d'interrogation. Dans la prison, qui serait infestée de moustiques, la privation de moustiquaire représente une forme de punition collective.	suite au changement de Gouvernement intervenu le 3 août 2005, un grand mouvement a eu lieu au sein de la Magistrature. Ce mouvement a touché tous les degrés de juridiction, des tribunaux de première instance jusqu'à la Cour suprême. Finalement, la Cour suprême a rendu une décision en juillet dernier accordant la liberté provisoire à certains des prévenus et renvoyant par la même occasion l'affaire devant la Cour criminelle. Celle-ci examinera l'affaire dans un délai proche. Tous les détenus sont traités avec humanité et leurs droits sont pleinement respectés. Ils bénéficieront d'un procès juste et équilibré. Pour ce qui est de l'allégation relative à « la situation d'une jeune fille de 15 ans », il y a lieu de préciser qu'aucune femme –quelque soit son âge- ne fait partie de ce Groupe.
140.	Mexico	04/04/06	JAL	IND; TOR; HRD	Francisco Concepción Gabino Quiñones , indígena nahuá, habitante de Cuzalapa, municipio de Cuautitlán (Jalisco). El Sr. Quiñones fue activista en las protesta contra las actividades mineras de la Mina Peña Colorada y la reciente parcelación de tierras comunales en la zona. El cadáver de Sr. Quiñones habría sido encontrado el pasado 11 de marzo. Se informa de que el cuerpo habría sido encontrado amarrado, degollado y con rastros de tortura. Se teme que la muerte del Sr. Quiñones pueda estar relacionada con las acciones de protesta que llevaba a cabo contra las actividades mineras de la mina de Peña Colorada y contra la parcelación de más de 7.000 hectáreas de tierras comunales que, desde	

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					hace 14 meses, se está llevando a cabo en la zona. Se teme igualmente que dichas acciones tengan como objetivo adicional amedrentar y silenciar a los opositores de ambos proyectos.	
141.		26/07/06	JUA	WGAD; Indigenous People; TOR;	Aureliano Alvarez Gómez y Tiburcio Gómez Pérez , ambos indígenas tsotsiles, reclusos al interior de la Cárcel de El Amate, en Cintalapa, Chiapas. El 5 de mayo de 2006, Aureliano Alvarez Gómez y Tiburcio Gómez Pérez habrían sido arrestados, sin que se les mostrara un orden de aprehensión ni se les informara sobre el motivo de su detención. Ambos habrían sido mantenidos en detención bajo la figura legal del Arraigo, figura que ha sido señalada como inconstitucional por parte de la Suprema Corte de Justicia de la Nación. Durante el arraigo Aureliano habría sido maltratado y obligado a firmar una declaración autoinculpatoria. Aureliano Alvarez y Tiburcio Gómez habrían sido finalmente trasladados a la cárcel de El Amate el día 29 de julio, luego de haber pasado 55 y 50 días respectivamente, sin que la autoridad ministerial definiera su situación jurídica. El 5 de julio de 2006, Aureliano Alvarez y Tiburcio Gómez habrían sido golpeados brutalmente por otros internos, quienes, además les habrían sumergido en la fosa del drenaje, les habrían arrojado cloro en todo el cuerpo provocándoles quemaduras y les habrían robado su dinero y pertenencias, puesto que se habrían negado a pagar 250,000 pesos que les habrían exigido para no golpearlos, permitirles hablar con la familia y darles un espacio para dormir. El 13 de julio de 2006,	Por carta con fecha 13/09/06, el Gobierno informó de que el 5 de mayo de 2006, elementos de la Agencia Estatal de investigación adscritos a la FG-Chis, detuvieron a Aureliano Alvarez Gómez por su probable responsabilidad en la comisión de los delitos de privación ilegal de la libertad, en su modalidad de plagio o secuestro y delincuencia organizada. Conforme a lo previsto en el ordenamiento legal interno, se procedió a solicitar la intervención de un perito médico legista, para que dictaminara su integridad física. El perito concluyó que presentaba huellas de lesiones antiguas y que se encontraba integro anatómicamente. El 7 de mayo de 2006, le fue decretada la ampliación del término legal de la retención de 48 a 96 horas. El 8 de mayo del 2006, el Ministerio Público adscrito a la FG-Chis solicitó y obtuvo del Juez Segundo del Ramo Penal del Estado de Chiapas, orden de arraigo por el término de 30 días en contra de Aureliano Alvarez Gómez, término que fue ampliado por 30 días más. El 10 de mayo de 2006, elementos de la Agencia Estatal de investigación adscritos a la FG-Chis, detuvieron a Tiburcio Gómez Pérez, alias "El Tiburón", por su probable responsabilidad en la comisión de los delitos

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					<p>Aureliano Alvarez y Tiburcio Gómez habrían sido nuevamente golpeados por otros reclusos, presuntamente bajo las órdenes de Armando Fabricio Maldonado, Director del Centro de Readaptación Social (CERESO) número 14, El Amate. En esta ocasión, Aureliano Álvarez y Tiburcio Gómez habrían sido golpeados reiteradamente en el pecho, asfixiados con bolsas y sumergidos en agua fría por un grupo de reclusos conocido como “los precisos”, entre ellos, Filadelfo González, alias “El Cochero” y Andrés Balcacer, alias “El cachorro”. Debido a los golpes recibidos, Aureliano Alvarez y Tiburcio Gómez habrían tenido que pasar la noche en la enfermería y luego habrían sido trasladados transitoriamente a un área especial que llaman de “72 horas”. Sin embargo, los “precisos” habrían continuado amenazándoles afirmando que cuando Aureliano Alvarez y Tiburcio Gómez regresaran el 16 de julio al modulo verde de población general, serían nuevamente golpeados. Al conocer los abusos cometidos en contra de Aureliano Alvarez y Tiburcio Gómez, “La voz del Amate”, organización de presos políticos al interior del penal, habría decidido darles protección denunciando los ataques de los que son objeto los dos reclusos. Lo anterior habría puesto también en riesgo a esta organización y actualmente sus miembros estarían siendo amenazados con ser castigados o dispersados en otros centros de reclusión. Según la información recibida, el Sr. Maldonado se encontraría promoviendo entre los reclusos una recolección</p>	<p>de privación ilegal de la libertad, en su modalidad de plagio o secuestro y delincuencia organizada. el Doctor Jorge Antonio López le practicó un examen médico al detenido, y concluyó que no presentaba huellas de lesiones recientes visibles. Sobre los hechos ocurridos el 5 y 13 de julio de 2006, el Gobierno de México desea aclarar que tales eventos no ocurrieron. Las autoridades del centro de reclusión iniciaron una investigación después de ser informados de los hechos. Se preguntó directamente a Aureliano Alvarez Gómez y a Tiburcio Gómez Pérez, quienes confirmaron que las denuncias no eran ciertas. Para corroborar lo anterior, se les practicaron exámenes médicos y se determinó que ambos se encontraban en buen estado de salud. Así mismo, las autoridades del centro de reclusión investigaron si Aureliano Alvarez Gómez y a Tiburcio Gómez Pérez habían sido objeto de extorsión por parte de otros reclusos, lo cual resultó igualmente falso. Aunado a todo lo anterior, la Secretaría General del Estado de Chiapas, por medio del Comisionado para la Reconciliación de Comunidades en Conflicto, realizó acciones para confirmar el hecho, solicitando al Director del centro de reclusión la elaboración de un nuevo examen médico y psicológico. Estos certificados constataron que se encontraban en buen estado de salud. A fin de comprobar todo lo anterior, se anexan copias de la valoración médica del 30 de junio de 2006, suscrita por el Dr. Nefi Ramos</p>

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					de firmas, para que los miembros de "La Voz del Amate" sean reubicados por considerarlos "reclusos agitadores".	Laguna, valoración médica del 11 de julio de 2006, suscrita por el Dr. Jocsan Ferra Ordoñez, y valoración psicológica del 12 de Julio de 2006, suscrita por la psicóloga Nora Guadalupe Cruz Nataren, todos adscritos al centro de reclusión.
142.		12/09/06	JAL	SUMX; TOR;	Jesús Hernández Pérez , indígena tsotsil. El 22 de julio de 2006, alrededor de las 8:50 p.m, el Sr. Hernández Pérez habría fallecido en el Centro de Readaptación Social (CERESO) N.º 14, en el municipio de Cintalapa (Chiapas). De acuerdo a nuestras fuentes, el subdirector del Centro habría dicho a la esposa del Sr. Hernandez, la Sra. Elena López Pérez, que su esposo había fallecido debido a "una comida que le había caído mal". El cadáver del Sr. Hernandez habría sido entregado a su esposa el 23 de julio de 2006. Según la información recibida, la Sra. Elena López Pérez habría observado que tenía un "moretón" en la boca y " <i>rasguños</i> " en la cara. Por otro lado, el acta de defunción entregada a la viuda señalaría que fue un tipo de defunción: "violenta", lo cual hace temer a los familiares del Sr. Jesús Hernández Pérez, que su muerte haya sido la consecuencia de malos tratos y/o actos de tortura perpetrados dentro del Penal.	
143.		12/09/06	JAL	SUMX; TOR;	José Jiménez Colmenares, Lorenzo San Pablo Cervantes, Ramiro Aragón Pérez, Elionai Santiago Sánchez, Juan Gabriel Ríos y Renato Cruz Morales. El 10 de agosto de 2006 el Sr. José Jiménez Colmenares habría fallecido y varias personas habrían resultado heridas, luego de que presuntos policías dispararan en varias	

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					<p>ocasiones contra la multitud que participaba en una marcha pacífica en el Estado de Oaxaca. De manera similar, el 22 de agosto, el Sr. Lorenzo San Pablo Cervantes habría muerto debido a un disparo en la espalda, después de que presuntos miembros de las fuerzas de seguridad abrieran fuego contra unos manifestantes que se encontraban en la radiodifusora "la Ley 710". Las fuerzas de seguridad también habrían sido responsables de malos tratos y torturas infligidas a ciudadanos en Oaxaca. El 10 de agosto, el biólogo Ramiro Aragón Pérez y los Sres. Elionai Santiago Sánchez y Juan Gabriel Ríos, habrían sido detenidos y golpeados por presuntos agentes ministeriales que viajaban en vehículos sin placas. Según la información recibida, los agresores casi estrangularon al Sr. Sanchez y lo golpearon en el abdomen, las costillas y la cara. Posteriormente, los tres hombres habrían sido entregados a la Procuraduría del estado de Oaxaca, quien los acusó de posesión ilegal de armas de fuego. El 12 de agosto, el Sr. Sanchez y el Sr. Rios quedaron en libertad bajo fianza, pero el Sr. Ramiro Aragón Perez continua detenido en la prisión de Zimatlán de Alvarez y se teme que pueda ser sometido a torturas o malos tratos. Los tres hombres afirman que los cargos en su contra son falsos. El 17 de agosto, habría sido detenido el Sr. Renato Cruz Morales, líder de la Central Campesina Cardenista en su oficina ubicada en la ciudad de Tuxtepec. El Sr. Cruz habría sido trasladado a Veracruz, donde se le habría torturado y posteriormente se le habría amenazado para que</p>	

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					no denunciara lo sucedido. Tanto la Procuraduría General de la República como la Procuraduría General del Estado dicen desconocer los hechos. Sin embargo, testigos habrían señalado que el Sr. Cruz fue detenido por policías ministeriales. Habría sido dejado en libertad gracias a la intervención de un Diputado Federal y de varias organizaciones.	
144.		09/10/06	JAL	FRDX; TOR;	Un grupo de personas que protestaban en contra del Gobernador del estado de Oaxaca. El 24 de septiembre de 2006, un grupo de miembros de la Asamblea Popular de los Pueblos de Oaxaca (APPO) organizaron una manifestación fuera del hotel Camino Real, para protestar en contra del Sr. Ulises Ruiz Ortiz, actual Gobernador de Oaxaca. Los manifestantes habrían sido atacados con tubos, palos y armas de fuego por un grupo de aproximadamente 30 personas, encabezado por Aristeo López Martínez, Director de la Policía Municipal. Se alega que miembros de la policía municipal y ministerial vestidos de civil formaban parte del grupo de atacantes. Durante el incidente, una persona habría recibido un disparo en el codo izquierdo. Los Señores Juan Martínez Herrera y Martín Ortiz González fueron golpeados en la espalda y las costillas con tubos de metal, y la Sra. Margarita Chávez Díaz fue golpeada con un palo en el párpado izquierdo. Se alega que los disparos en contra de los manifestantes fueron realizados con armas de un calibre de 38 y 9 mm, de las cuales se recogieron más de 30 casquillos en el lugar de los hechos. Según la información	

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					recibida, los diputados federales Humberto López Lena y José Luís Aguilar Rico, quienes se encontraban en la Ciudad para entrevistarse con los diferentes actores del conflicto, presenciaron estos hechos.	
145.		30/10/06	JAL	SUMEX; TOR;	Alejandro García Hernández y Pedro García García. El 14 de octubre de 2006, varios desconocidos dispararon contra un grupo de simpatizantes de la Asamblea Popular del Pueblo de Oaxaca (APPO) que se encontraban protestando. El Sr. Alejandro García Hernández murió como consecuencia de los disparos y otras dos personas resultaron heridas. Según nuestras fuentes, uno de los desconocidos que disparó contra los manifestantes perdió su billetera en la huida, incidente que habría permitido identificarlo como miembro del ejército. Por otro lado, el 8 de octubre, el estudiante Pedro García García habría quedado en libertad bajo fianza después de permanecer una semana detenido en una prisión de Tlacolula, estado de Oaxaca. Mientras se encontraba detenido, el Sr. Pedro García García habría sido golpeado en repetidas ocasiones y amenazado de violación. Al Sr. García se le detuvo por robo y porte de arma, pero este último cargo fue posteriormente retirado. Se alega que los cargos en contra del Sr. García son falsos y se sospecha que pueden habersele imputado por motivos políticos.	

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146.		30/11/06	JAL	TOR; VAW;	<p>Un grupo de personas pertenecientes al movimiento social “Frente de Pueblos en Defensa de la Tierra”. El 3 y 4 de mayo de 2006 hubo enfrentamientos entre fuerzas de seguridad y habitantes de los Municipios de Texcoco y San Salvador Atenco, Estado de México, que mantuvieron bloqueada la carretera Lechería-Texcoco. Estos eventos tuvieron como antecedente un conflicto político entre las autoridades municipales y grupos de vendedores e individuos pertenecientes al movimiento social arriba mencionado. Durante las protestas, varios manifestantes se enfrentaron de forma violenta a los cuerpos policiales del Estado de México. Los agentes de la Policía Federal Preventiva y la Agencia de Seguridad Estatal reaccionaron haciendo un uso de la fuerza aparentemente excesivo. Según informes, unos policías caminaron sobre personas que estaban acostadas y esposadas. Dos personas, entre ellos un menor de 14 años, fallecieron a consecuencia de los disturbios sin que hasta la fecha se hayan esclarecido las circunstancias de las muertes. Las fuerzas de seguridad detuvieron a 211 personas, incluidas 47 mujeres. Las mujeres tenían entre 18 y 40 años. Durante su detención fueron objeto de diversas modalidades de violencia sexual, física y/o verbal. Al menos 23 de ellas reportaron agresiones sexuales, tales como pellizcos y mordidas en los senos, violación por vía vaginal y anal con dedos y otros objetos y violación por vía oral. Los policías también ejercieron violencia sexual al amenazar</p>	

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					<p>verbalmente con la violación y al utilizar un lenguaje altamente discriminatorio relativo a la condición sexual de las mujeres detenidas. A algunas mujeres les quitaron la ropa violentamente. En contravención a lo dispuesto en los artículos 129 y 130 del Código de Procedimientos Penales del Estado de México, el personal del Centro Preventivo y de Readaptación Social Santiaguito de Almoloya de Juárez, Estado de México, no preservó las evidencias que las secuelas de las lesiones y abusos ocasionados por los policías dejaron en la ropa de las mujeres agraviadas. A la llegada de las mujeres agraviadas al Centro, empleados del Centro quitaron algunas prendas de vestir a unas mujeres y a otras las obligaron a lavarlas. Aunque las mujeres solicitaron desde un primer momento poner en conocimiento de las autoridades sus denuncias, no las registraron hasta la llegada de la Fiscalía Especializada de Delitos Violentos contra las Mujeres el 12 de mayo de 2006. Hasta la fecha del 4 de noviembre de 2006, 23 agentes de la Agencia de Seguridad Estatal fueron consignados por el delito de abuso de autoridad por la Fiscalía Estatal. Solamente un agente policial de la referida Agencia Estatal fue consignado por actos libidinosos. Ningún agente fue consignado por el delito de violación o abuso sexual. La Fiscalía Federal Especial para Delitos Violentos contra Mujeres, que también tiene competencia de investigar el caso, todavía no ha formulado acusación contra ningún agente.</p>	

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147.	Morocco	13/04/06	JUA	WGAD; TOR; HRD	<p>Brahim Dahane, membre de l'association Sahraoui pour les victimes de graves violations des droits de l'homme commises par l'État marocain, Hammud Iguilid, président de la section locale de l'Association marocaine pour les droits de l'homme a Lâyyoune, Djimi el Ghalia, vice présidente de l'association Sahraoui pour les Victimes de graves violations des droits de l'homme commises par l'État du Maroc, et Dah Mustafa Dafa. Le 18 mars 2006, Hammud Iguilid aurait été arrêté par des membres des forces de sécurité marocaines dans le centre de Lâyyoune. Selon les informations reçues, les membres des forces de sécurité l'auraient forcé à entrer dans un mini van en le battant. Il aurait été amené à un poste de police du voisinage. Il est allégué que durant sa détention il aurait été menacé d'emprisonnement. Le 24 mars 2006, Djimi el Ghalia et Dah Mustafa Dafa auraient été arrêtés et détenus par les forces de sécurité marocaines alors qu'ils rendaient visite à la mère d'un prisonnier. Ils auraient été amenés au poste de police de Lâyyoune où ils auraient passé la nuit. Pendant leur détention, ils auraient été interrogés sur leurs positions concernant la visite du roi Mohammed VI dans la région. Le 4 avril 2006, le procès de Brahim Dahane aurait été renvoyé au 25 avril 2006. Pendant son transfert de la prison à la cour, il aurait été soumis à la torture et battu par des agents de police. Le 6 avril 2006, il aurait envoyé une lettre au Ministère de la justice demandant l'ouverture d'une enquête sur ces supposés mauvais traitements.</p>	

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148.		29/06/06	JUA	FRDX; HRD; TOR;	<p>Brahim Sabbar, secrétaire général de l'Association sahraouie des victimes des violations graves des droits de l'Homme commises par l'Etat du Maroc au Sahara occidental (ASVDH), Ahmed Sbai, membre du Conseil de coordination de l'ASVDH et du Comité pour la protection des détenus de la Prison noire, Sidi Mohamed Mahmoud Kainnan Haddi, M. Saleh Haddi, et Yadhih Laaroussi, des sympathisants de l'association. Le 17 juin 2006 vers 15h30, alors qu'ils revenaient de Boujdour où ils avaient supervisé la création d'une section de l'ASVDH, que les autorités marocaines refuseraient de reconnaître légalement, Brahim Sabbar, Ahmed Sbai, Sidi Mohamed Mahmoud Kainnan Haddi et son frère, Saleh Haddi, et Yadhih Laaroussi auraient été arrêtés et agressés à l'entrée de la ville de Laâyoune, à un barrage de police. Des membres des Groupes urbains de sécurité (GUS) les auraient forcés à sortir de leur véhicule, les auraient insultés et frappés sur les jambes, têtes, genoux et dos. Brahim Sabbar et Ahmed Sbai auraient ensuite été tout d'abord conduits au commissariat Hay Almatar où ils auraient été frappés jusqu'à 3 h, puis à la wilaya de sécurité de Laâyoune, où ils auraient passé le reste de la nuit. Le lendemain, ils auraient été interrogés par la police judiciaire et emmenés de force à la Prison noire de Laâyoune, où ils auraient une nouvelle fois subi de mauvais traitements. Ahmed Sbai aurait dû être hospitalisé à l'hôpital Hassan Bel Mehdi de Laâyoune après avoir perdu connaissance, en raison d'une</p>	<p>Par une lettre datée du 17 décembre 06, le Gouvernement a répondu que le 17 juin 2006, à un barrage routier érigé à l'entrée de la ville de Laâyoune, un groupe de fonctionnaires de police a arrêté les dénommés Ahmad al-Siba'i, Ibrahim al-Sabar, Sidi Mohammed Houday et Sidi Ahmad Mahmoud Houday qui circulaient en voiture à une vitesse excessive; ils avaient refusé de se conformer au signal d'arrêt obligatoire. Ahmad al-Siba'i a tenté de forcer le barrage et aurait renversé deux policiers s'ils n'avaient pas fait un bond sur le côté de la route pour éviter le véhicule. Après leur arrestation, les personnes susmentionnées ont fait l'objet des mesures décrites ci-après : Ahmad al-Siba'i a été emmené directement au Département de police provincial, car il faisait l'objet de deux avis de recherche pour création d'une bande criminelle, agression armée, sédition et dommages causés à des biens publics. Ahmad al-Siba'i a été placé en détention provisoire le 17 juin 2006 et présenté au parquet le 19 juin 2006. Il a été ensuite déféré devant un juge d'instruction. Le 21 juin 2006, après sa comparution devant le juge d'instruction, il a demandé un examen médical, qui a été effectué le 13 septembre 2006. Aucun signe de violence physique n'a été constaté. Il convient de noter que ni Ahmad al-Siba'i ni son avocat n'ont déposé de plainte pour agression. Ibrahim al-Sabar a été conduit au commissariat de police provincial parce qu'il faisait l'objet de deux avis de recherche pour</p>

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					<p>maladie cardiaque chronique et à des blessures graves infligées lors de sa détention. Brahim Sabbar aurait été transféré à un endroit en dehors du village et frappé. Le 19 juin 2006, Brahim Sabbar et Ahmed Sbai aurait été inculpés des chef d'accusation d'« association de malfaiteurs » (articles 293 et 294 du code pénal), « incitation à la violence » (article 304), « destruction de biens publics et mise d'obstacles sur la voie publique » (articles 587 et 591), « atteinte au fonctionnaire d'Etat » (article 267), « participation à des groupements armés » et « adhésion à une association non autorisée ». Leur procès aura lieu le 26 juin 2006. De sérieuses craintes ont été exprimées que ces arrestations et poursuites ne soient liées à leurs activités de défenseurs des droits de l'homme. Ces événements interviennent après que M. Sabbar a déjà été arrêté et détenu pendant plusieurs heures le 4 juin 2006, avant d'être libéré sans qu'aucune charge n'ait été retenue à son encontre. Cette arrestation faisait suite à la publication d'un entretien accordé à l'hebdomadaire <i>Albidaoui</i>, dans lequel il appelait à juger les responsables d'exactions commises par l'État marocain au Sahara occidental, et à l'organisation d'un référendum d'autodétermination pour cette région.</p>	<p>création de bande criminelle, agression armée, agression sur la personne de fonctionnaires publics, sédition et dommages causés aux biens de l'État. Il a été placé en détention provisoire le 17 septembre 2006 et présenté au parquet le 19 septembre 2006. Il a été inculpé pour avoir insulté et agressé des fonctionnaires publics dans l'exercice de leurs fonctions. Il a été condamné à deux ans d'emprisonnement et à 2 000 dirhams d'amende. Cette décision a été confirmée en appel et il n'a adressé aucune plainte au parquet ou au juge d'instruction. Ni lui ni son avocat n'ont demandé un examen médical. Sidi Mohammed Houday a été placée en détention provisoire le 17 juin 2006 et présentée au parquet le 19 juin 2006. Il a été jugé, reconnu coupable et condamné à trois ans d'emprisonnement et à 2 000 dirhams d'amende. Cette décision a été confirmée en appel. Il a déposé une plainte auprès du parquet, qui a été enregistrée sous le n° 64/06 et transmise à la police pour enquête. Les allégations figurant dans la lettre sont dénuées de tout fondement et les mesures prises contre ces personnes n'ont aucun lien avec un rôle joué dans une association des droits de l'homme ou un syndicat. La législation marocaine érige en infraction les actes de violence et de torture même si elle ne définit pas ces concepts avec précision. Il est ainsi contraire à la loi de se livrer à tout acte attentatoire à la liberté d'une personne, à son</p>

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						<p>intégrité physique ou à sa dignité et il existe plusieurs lois et mesures pour prévenir de telles infractions. Par exemple le Code pénal dispose, entre autres, ce qui suit : Tout magistrat, tout fonctionnaire public, tout agent ou préposé de l'autorité ou de la force publique qui ordonne ou fait quelque acte arbitraire attentatoire soit à la liberté individuelle, soit aux droits civils d'un ou plusieurs citoyens est puni de la dégradation civile. L'article 225 du Code pénal prévoit une peine de déchéance des droits civils pour de tels actes et le coupable est aussi passible de la peine prévue au paragraphe 3 de l'article 436 du Code, à savoir 20 à 30 ans de réclusion, s'il exerce une autorité publique ou s'il est une des personnes visées à l'article 225 du Code et si l'acte arbitraire ou attentatoire à la liberté individuelle a été commis ou ordonné pour satisfaire un intérêt ou des désirs personnels.</p> <p>Étant déterminé à renforcer et à promouvoir les droits et les libertés, à modifier ces lois internes pour les mettre en conformité avec les instruments internationaux auxquels il est partie et à consolider les mécanismes institutionnels chargés de surveiller le respect des droits de l'homme, le Maroc a adhéré à tous les instruments internationaux relatifs aux droits de l'homme pertinents, notamment la Convention contre la torture et les peines ou traitements cruels, inhumains ou dégradants, qu'il a ratifiée le 21 novembre 1996. En vue d'aligner la législation interne sur la</p>

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						Convention, la loi contre la torture (loi no 43.04) contient une définition de la torture qui est en accord avec celle qui figure dans la Convention, identifie les victimes et fixe les peines encourues pour les actes de torture. Parmi les circonstances aggravantes prévues dans la loi figure le fait que l'infraction est commise contre un juge ou un membre de la force publique ou un fonctionnaire public dans l'exercice de ses fonctions ou un témoin, une victime ou un plaignant soit pour punir une personne qui a fait une déclaration ou déposé une plainte en vue de l'ouverture d'une procédure judiciaire ou pour empêcher une personne de prendre une telle mesure.
149.		Follow-up to past cases			Lmbarki Hamdi (E/CN.4/2006/6/Add.1, par. 156).	By letter dated 30/03/06, the Government reported that on 30 October 2005, the city of Laâyoune was the scene of disturbances in which approximately 150 individuals participated. They hurled stones at passers-by in Mecca Street, causing damage to two police vehicles and alarming people. The individual named Hamdi Lmbarki was seriously injured; he was taken to a hospital for treatment, but he died. The Office of the Public Prosecutor ordered an autopsy on the body of the deceased. The autopsy was performed by three doctors at the Moulay Hassan Ben El-Mehdi Hospital, and their conclusion was that death had resulted from injuries to the skull. The father of the deceased laid a complaint with the Office of the King's Prosecutor at the Laâyoune Court of Appeal, requesting an

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
						investigation into the circumstances in which his son had died. The case was referred to the National Division of the Judicial Police for investigation of the incident and action to bring to justice those who had been responsible for the death. In addition, the Office of the Public Prosecutor ordered a second autopsy to determine the injuries sustained and identify the causes of the death. This autopsy was conducted by specialists at the Ibn Rushd University Hospital in Casablanca. The family of the deceased was informed of all measures taken in the case. On the basis of the findings of the investigation, it was decided that the two police officers who had been involved in the case should be brought before the examining magistrate on a charge of having inflicted injuries with a weapon and thereby unintentionally caused death while acting in their capacity as public employees. After questioning the two officers, the examining magistrate sentenced them to prison.
150.	Mozambique	02/02/06	JUA	WGAD; HLTH; TOR;	Shabang Maulid Abdul, Maringo Makuku, and Ganyua Muimure , all of them currently at Maputo B.O. Prison. They have been held without charges since September or October 2000. Conditions in Maputo B.O. Prison are very severe. The reports allege that inmates do not have access to sanitary facilities or running water, that they do not have sleeping mats or mattresses and that they receive only one meal per day consisting of dirty boiled beans and rice. Mr Makuku contracted malaria which is endemic. However, he apparently	

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					received medical treatment only when he fell into coma. The medication administered had expired more than two years earlier. He is still suffering from serious health problems (in particular heart and abdominal pains). During the initial period of imprisonment, inmates are chained 24 hours a day from neck to waist, and from waist to ankles. Moreover, according to the information received, prison guards routinely assault (both physically and verbally), shoot and kill inmates in the prison yard.	
151.	Myanmar	30/01/06	JAL	Myanmar; TOR;	Ko Aung San Myat, Ko Thiha Tun and Ko Han Win Aung. On 2 January 2006 they were beaten by several prisoners in Insein Prison. The incident occurred following the transfer of the prisoners from their cells to another wing. All three prisoners were beaten in the presence of several prison officials. Ko Aung San Myat who had been subjected to similar beatings on 18 December 2005, received facial injuries. Ko Thiha Tun and Ko Han Win Aung were also physically injured. To date, no action has been taken by the prison authorities in reprimanding those who carried out the beatings or those officials who reportedly stood by as the incident took place. The treatment and conditions of detention of political prisoners in Myanmar are a cause of deep concern. Since 1988, 90 political prisoners have died while in detention. Since May 2005 alone, the deaths of four political prisoners were reported to the Special Rapporteur on the situation of human rights in Myanmar. They were caused as a consequence of torture, ill-treatment or lack of	By letter dated 07/07/06, the Government reported that it was found that there was neither torture nor ill-treatment against them in the prison. Thiha Tun had a fight with another prisoner named Soe Thein Ye Thiha on 22 July 2005. This was a violation of the prison's rules and he was then denied visits on two occasions as punishment. On 29 April 2005, Han Win Aung conducted a hunger strike as he was not satisfied with his transfer from ward 4 to ward 5 and he wanted to move to another cell. He also conducted some activities which violated the prison's rules and was accordingly denied visits for two weeks. Moreover, he was put in a special cell for two weeks as punishment. Regarding the deaths of 90 prisoners since 1988, it was found that they died as a result of previous illnesses such as heart disease, hypertension, liver, lungs and tuberculosis and HIV. However, they had received proper medical treatments in prison hospitals as well as local hospitals.

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					medical attention. No independent investigations are known to have been conducted into these untimely deaths.	
152.		09/03/06	JUA	WGAD; Myanmar; TOR;	Ko Po Zaw , rice trader, Ms Ma Aye Myint Ma , rice trader, Maung Maung Oo , aged 40, Chit Thein Tun , aged 42, Ms Ma Hnin Hnin , aged 24, and Ms Ei Po Po , aged 4. Maung Maung Oo and Chit Thein Tun are refugees originating from Myanmar who work for the Indian-based Burmese Solidarity Organization (BSO), which works with refugees from Myanmar in India. On 14 or 15 January 2006, Maung Maung Oo and Chit Thein Tun were abducted from Maung Maung Oo's home, in the town of Moreh in Manipur, India. The abduction took place at about 10.30pm and was carried out by approximately 25 unidentified armed men, who were dressed in black and spoke Burmese and the local Manipuri language. The men took Maung Maung Oo and Chit Thein Tun across the border into Myanmar. When Maung Maung Oo and Chit Thein Tun tried to escape, they were severely beaten with firewood, and Chit Thein Tun received head injuries. They are thought to have been handed to the Myanmar army and are under interrogation in Burmese military custody, either in Yangon or Tamu, Sagaing Division. On 16 January 2006, Chit Thein Tun's wife, Ma Hnin Hnin and their daughter Ei Po Po were detained by the security forces in Yan Lem Phai Village, Sagaing Division in Myanmar. They both live with Chit Thein Tun in India, but	By letter dated 7/07/06, the Government reported that while they were in Monywa Prison, the medical doctor from the local clinic and her team visited them to examine their health condition and provided the necessary treatment. During that time, Ma Aye Myint Mar was found to be 9 months pregnant and, upon the recommendation of the doctor, she was sent to Monywa General Hospital to receive proper care. She delivered a baby boy on 3 April 2006. Her baby was seen and examined by the paediatrician and mother and son are healthy. While they are in the prison they are well treated and there is no torture against them. Besides they are also allowed to receive visitors and lawyers. The prisoners are well and healthy.

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					were visiting relatives in Myanmar at the time. In mid-February, Ei Po Po was released and Ma Hnin Hnin was moved to a prison in Monywa, Sagaing Division. The Myanmar Minister for Information stated on 22 February 2006 that Chit Thein Tun and Maung Maung Oo had been arrested in connection with two bombs detonated at a market in Tamu on 8 January 2006. He said that Maung Maung Oo had confessed to being involved in the bombings and that he and Chit Thein Tun were members of the outlawed All Burma Students Democratic Front (ABSDF). He did not specify which side of the border they had been arrested on. On 15 January 2006, Ko Po Zaw and his wife Ma Aye Myint Ma were also arrested in Tamu, Sagaing Division, in what are thought to be arrests related to the bombings. They are being held in Monywa Prison. Ma Aye Myint Ma is in the late stages of pregnancy. There are concerns that all the detainees could be at risk of torture and ill-treatment.	
153.		06/10/06	JUA	WGAD; FRDX; Myanmar; TOR;	Min Zeya , aged 46, Pyone Cho , aged 41, Myint Aye , aged 55, former chairman of National League for Democracy, political party in Kyeemyingdaing township, Paw Oo Tun (also known as Min Ko Naing), Ko Ko Gyi , aged 44, and Htay Kywe , aged 41. Between 27 and 30 September 2006, in the early hours, they were arrested at their homes in Yangon by the police and taken to an unknown location. It is reported that when they were previously arrested, they were subjected to kicking, prolonged solitary confinement, sleep deprivation, and food and	By letter dated 08/12/2006 the Government reported that these persons committed a number of crimes, including providing distorted information to foreign news agencies, having contacts with terrorist organisations and participating in the so-called Plot of the People Battle Committee that aimed at creating unrest in the country in 2006.

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					water deprivation, and beaten until they were unconscious.	
154.	Nepal	06/02/06	JAL	TOR; VAW;	<p>Police harassment and beatings of persons who are men by birth but identify as women (known as <i>metis</i> in Nepal). Early in the morning on 7 December 2005, police from the Shore Khutte Station raided a hotel in the Thamel District of Kathmandu. The raid was a retaliatory measure against the hotel for refusing to provide a room free of charge to four policemen where they intended to have sexual relations with two <i>metis</i>. During the raid, eleven <i>metis</i> were arrested. Eight were held without charge for five days, before they were released. The other three were detained for six days. On 27 December 2005, a <i>meti</i> named S. was detained in Shore Khutte Police Station. She was not promptly informed of the reasons for her arrest and detention, was not given access to a lawyer and also did not have adequate access to a toilet. On 28 December 2005 at about 1:30 am, police arrested another <i>meti</i> called S. and took her to Shore Khutte Police Station. Police at the station verbally abused her and commanded her to strip. When she refused, they stripped her forcibly of her clothes and touched her genitals while mocking her. They also threatened to cut her hair off as punishment for wearing women's clothes. She was released the next day. On 31 December 2005 at about 11 pm,</p>	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					<p>police from Shore Khutte Police Station detained a <i>meti</i> in the Thamel District. One policeman beat her with a bamboo baton calling her derogatory names. She escaped, but her right hand is reportedly swollen and badly bruised. On 3 January 2005 at about 10 pm, three <i>metis</i> were walking in the Thamel District, when four police from Durbar Marg Police Station saw them and shouted: “<i>Metis!</i> Kill them!” One <i>meti</i> was beaten with a baton on her back; one policeman pulled his gun and pointed it at her, threatening that “These <i>hijras</i> [local Nepali term for transgender persons] pollute the society and must be cleaned out.” The other two <i>metis</i> were also severely beaten. All three had bruises on various parts of their bodies.</p>	
155.		28/03/06	JUA	WGAD; TOR; IJL	<p>Hom Bahadur Bagale (subject of previously transmitted communications, E/CN.4/2004/56/Add.1, para. 1139, and E/CN.4/2005/62/Add.1, para. 1023). On 20 March 2006, Officer Bagale was taken to Police Headquarters in Naxal, Kathmandu, where he was threatened with dismissal unless he withdrew two complaints he had lodged in court against his superiors. On 21 March, Hom Bahadur Bagale was subjected to ill-treatment at Police Headquarters in Naxal, Maharajgunj, Kathmandu. He managed to escape and took a taxi to the offices of daily newspaper publisher Kantipur Publications, where he described how police had beaten him, shaved the top of his head to humiliate and degrade him, and dragged him through puddles of dirty water in his uniform.</p>	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					<p>Before Kantipur staff could give any help, police officers arrived from the nearby Naya Baneshwor Ward Police Office and took him away in a police van. On 21 March, he was arrested by Nepal Police and detained at Hanuman Dhoka District police office (DPO), where he was held incommunicado. The Deputy Superintendent told lawyers that no access to Hom Bahadur Bagale was permitted until the Nepal Police completed their investigation. Lawyers, relatives and human rights activists tried to visit him in custody that day, but were turned away by police. On 28 March, officer Bagale was brought before the Supreme Court and ordered to be released. The Court found that there were no permissible grounds to continue to detain him. He was thereby released but fears further reprisals by the Nepal Police. The National Human Rights Commission has been informed. Hom Bahadur Bagale has been pursuing a claim since 2002 that he was tortured by other police officers. The Special Rapporteur on Torture visited Hanuman Dhoka District police office on 12 September 2005, where he interviewed the Deputy Superintendent, and who together with the Chief Superintendent and another Deputy Superintendent, admitted that torture (TOR) takes place in Hanuman Dhoka DPO. The Special Rapporteur recalls that by letter dated 27 December 2005, the Government stated that it does not tolerate, condone or permit torture; that it does not allow impunity; that allegations are investigated with all the seriousness that they deserve; and stern action is taken against</p>	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					offenders. The Special Rapporteur deeply regrets that no steps have apparently been taken by the Government to this end, despite his appeal in the report of his mission to Nepal that security officials who practise, order or condone torture (e.g. the chief and deputy superintendents of Hanuman Dhoka District Police Office) are held accountable (E/CN.4/2006/6/Add.5, para. 32).	
156.		13/04/06	AL	TOR;	Yagya Raj Pant , joint secretary of the Lalitpur District committee of the All Nepal National Free Students' Union (ANNFSU), which is affiliated to the Communist Party of Nepal. On 26 January 2006, police beat student demonstrators with batons at the Patan Multiple Campus of Tribhuvan University in Lalitpur District, injuring several people. Yagya Raj Pant was kicked, punched, and beaten with batons by police. He was then taken away in a police van. While he was in the van, a police officer pointed a gun at his head and threatened to kill him, while other officers beat and kicked him. He was first taken to the District Police Office in Jawalakhel, Lalitpur District, and then to the nearby Patan Hospital for treatment. His left hand was injured, and at least one finger was broken. He is currently being held at the Armed Police Force compound, Gan No. 1, in the Naxal area of Kathmandu, under the Public Security Act. The Forum for Protection of People's Rights, a non-governmental organization, attempted to file a report against the officers responsible at the District Police Office in Jawalakhel. However, the Superintendent of Police did not register the case or investigate	

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					further. On 6 February 2006, the Kathmandu District Court ordered a medical examination for Yagya Raj Pant. As a result, he was taken to a hospital but he was not treated because he could not afford the medical costs.	
157.		20/04/06	JUA	FRDX; TOR;	<p>More than 140 journalists. Since 5 April 2006, there have been nationwide pro-democracy demonstrations. During the demonstrations, 97 journalists have reportedly been detained and 24 other journalists have been injured. On 5 April in Kathmandu, 13 journalists were arrested while participating in a demonstration organized by the Professional Alliance for Peace and Democracy (PAPAD), protesting against the Government's ban on demonstrations. Gopal Thapaliya, President of the South Asia Free Media Association (SAFMA) was injured by police. On 7 April, Madhav Basnet, correspondent for <i>Dristi Weekly</i>, was reportedly beaten by police in Kathmandu while reporting on pro-democracy meetings. On 8 April, seven journalists were assaulted by police in Baglung, while covering a protest organized by the Seven Party Alliance (SPA). Hari Narayan Gautam, Secretary of the FNJ's Baglung Chapter, was seriously injured. Other journalists beaten by police include: Himal Sharma, Ram Bahadur GC, Ram Krishna Sharma, Khim Bahadur Karki and Yougendra Milan Satyal. In other parts of the country, many more journalists were beaten and mistreated, including: Suresh Regmi, journalist for <i>Synergy FM</i>; Tej Prakash Pandit, chief editor of <i>Nayayug Bani</i>; Santosh Sharma, journalist for <i>Kantipur</i>,</p>	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					<p>Shyam Syrestha, cameraman for <i>Kantipur</i>; Tilak Koilara, journalist for <i>Nepal One TV station</i>. On the same day, Kanak Mani Dixit, journalist and editor of the magazine <i>Himal South Asia</i>, was arrested in Kathmandu. It is reported that Kanak Mani Dixit is still in detention. On 9 April, Tej Prakash Pandit, President of the National Union of Journalists, was beaten by police in Kathmandu. Security personnel attacked the office of <i>Paradarshi dainik</i> newspaper. Tek Raj Joshi, reporter for <i>Ghodaghodi FM radio station</i>; and Tika Upreti, journalist for the daily <i>Sudur Sandesh</i>; were severely beaten by police in Dhanghadi. Binod Poudel, correspondent of <i>Annapurna Daily</i>, was also severely beaten by police in Chitwan. On 10 April, Jagat Saud, correspondent for the daily <i>Farwest Times</i>; and Prayag Joshi, of the daily <i>Sudur Sandesh</i> were arrested and assaulted by police in Dhanghadi, while reporting on demonstrations organized by the SPA. It is not known whether they have been released. On 11 April, Yagya Raj Thapa, Pushkar Thapa and Umesh K.C. Narayan were arrested in Dailekh, while reporting on a rally organized by the SPA. It is reported that police ill-treated them and threatened them with further action if they continue reporting on activities organized by the SPA. The journalists were released on the same day. On the same day, 19 journalists were arrested while they were at a peaceful rally in Pokhara. Those arrested include: Gangadhar Parajuli, Central Vice President of the FNJ; Rabindra Bastola, President of FNJ</p>	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					Kaski District branch; and journalists Punya Poudel, Himnidhi Laudari, Navin Sigdel, Madhav Sharma, Badri Binod Prateek, Navaraj Subedi, Hari Bastola, Bednidhi Timilsina and Biswo Shanker Palikhe . It is reported that police used excessive force to arrest them. All the journalists arrested and detained on 12 April were reportedly released on the same day. On the same day in Udayapur, journalists Rabindra Kumar Chaudhary, Kushal Babu Basnet, Shanta Rai and Mohan Gole were beaten by security personnel with sharp objects, while reporting on a peaceful rally organized by the SPA. On 14 April, Dipak Adhikari was taken into custody from his home in Hetauda. Police manhandled him while arresting him, and he received injury. He was released later on the same day.	
158.		Follow-up to past cases			Ram Badu Sapkota (E/CN.4/2006/6/Add.5, annex para. 1)	By letter dated 01/02/2006, the Government reported that Ram Babu Sapkota has been released on bail on 15 September 2005 and that his case is under investigation.
159.					Dal Bahadur Lama (E/CN.4/2006/6/Add.5, annex para. 2)	By letter dated 01/02/2006, the Government reported that Dal Bahadur Lama was released on bail on 15 September 2005 and his case is under investigation.
160.					Asha Lal Tamang (E/CN.4/2006/6/Add.5, annex para. 3)	By letter dated 01/02/2006, the Government reported that Asha Lal Tamang, alias Subash has been unable to deposit bail and is therefore held in pre-trial custody at the Central Jail in Katmandu, while his case is under investigation.

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
161.					Binod Baiju (E/CN.4/2006/6/Add.5, annex para. 4)	By letter dated 01/02/2006, the Government reported that Binod Kumar Baiju, alias Binod Damai has been unable to deposit bail and is therefore held in pre-trial custody at the Central Jail in Katmandu, while his case is under investigation.
162.					Suresh Syantan Tamang (E/CN.4/2006/6/Add.5, annex para. 5)	By letter dated 01/02/2006, the Government reported the ASI, on 30 September 2005, was given a recordable letter of caution for ill-treatment of a person in police custody.
163.					Badal Bogati (E/CN.4/2006/6/Add.5, annex para. 6)	By letter dated 01/02/2006, the Government reported that Duma Bogati, alias Badal Kanchha has been unable to deposit bail and is therefore held in pre-trial custody in Nakhu Jail by order of the District Court, while his case is under investigation.
164.					Dil Bahadur Tamang (E/CN.4/2006/6/Add.5, annex para. 9)	By letter dated 01/02/2006, the Government reported that Dil Bahadur Tamang is under preventive detention at Central Jail, Kathmandu for his suspected involvement in terrorist activities by the order of DAO, while his case is under investigation.
165.					Ms. Bhagwati Shrestha (E/CN.4/2006/6/Add.5, annex para. 10)	By letter dated 01/02/2006, the Government reported that Bhagwati Shrestha, alias Roshani, was held under TADA by the order of the district coordination committee, then transferred to Sundarijal Investigation Centre. By order of Appellate Court Lalitpur she is being held in judicial custody at Sadar Khor Dilli Bazar, Kathmandu.
166.					Rimal Babu Shrestha (E/CN.4/2006/6/Add.5, annex para. 12)	By letter dated 01/02/2006, the Government reported that Rimal Babu Schrestha, alias Sujan, was held in preventive detention at

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
						Central Jail, Kathmandu under TADA by the order of DAO. He was neither physically nor mentally tortured or ill-treated. He was medically examined and was found to have a gunshot wound that dates back two years on his arm. He has not filed any complaints.
167.					Bhalsingh Rai (E/CN.4/2006/6/Add.5, annex para. 22)	By letter dated 01/02/2006, the Government reported that Bhalsingh Rai has been in preventive detention since 5 August 2005, but not in police custody. He is now held at Central Jail, Kathmandu under Terrorist and Disruptive Activities Ordinance (TADO).
168.					Bhimsen Ghole (E/CN.4/2006/6/Add.5, annex para. 25)	By letter dated 01/02/2006, the Government reported that Bhimsen Ghole, alias Kalyan is being held at Central Jail, Kathmandu under TADO by the order of DAO. He was neither physically nor mentally tortured or ill-treated.
169.					Keshav Lama Tamang (E/CN.4/2006/6/Add.5, annex para. 27)	By letter dated 01/02/2006, the Government reported that Keshav Lama Tamang was in preventive detention starting from 16 June 2005 by the order of DAO. He was not held in police custody. He is now detained in Investigation Center Sundarijal, Kathmandu under TADO.
170.					Krishna Prasad Gautam (E/CN.4/2006/6/Add.5, annex para. 28)	By letter dated 01/02/2006, the Government reported that Krishna Prasad Gautam (Bilbek) is detained at Sundarijal Investigation Center, Kathmandu under TADO, while his case is under investigation
171.					Dev Raj Luitel (E/CN.4/2006/6/Add.5, annex para. 29)	By letter dated 01/02/2006, the Government reported that Dev Raj Luitel is detained at Sundarijal Investigation Center, Kathmandu under TADO, while his case is under

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
						investigation.
172.					Funshok Sherpa (E/CN.4/2006/6/Add.5, annex para. 30)	By letter dated 01/02/2006, the Government reported that Funshok Shrepa is detained at Sundarijal Investigation Center, Kathmandu.
173.					Ms. D. O. (E/CN.4/2006/6/Add.5, appendix para. 31)	By letter dated 01/02/2006, the Government reported that she was released on 21 August 2005 in the presence of an Officer of the National Human Rights Commission.
174.					Ms. Rupa Pun (E/CN.4/2006/6/Add.5, annex para. 32)	By letter dated 01/02/2006, the Government reported that Ms. Rupa Pun was severely injured by Maoists and, as a result, brought to the Teaching Hospital, but no case has been filed by the victim
175.					Nanda Bahadur Karki (E/CN.4/2006/6/Add.5, annex para. 35)	By letter dated 01/02/2006, the Government reported that Nanda Bahadur Karki was held in preventive detention by the order of DAO since 9 September 2005. He was not held in police custody. Presently he is held in Central Jail, Banke.
176.					Ms. Sita Negi (E/CN.4/2006/6/Add.5, annex para. 36)	By letter dated 01/02/2006, the Government reported that Ms Sita Negi (Bijaya) was held in preventive detention starting 9 November 2004 by the order of the District Security Committee. She was transferred to Jajarkot jail on 3 February 2005. She was never detained in police custody.
177.					Ms. A. T. (E/CN.4/2006/6/Add.5, annex para. 37)	By letter dated 01/02/2006, the Government reported that she was in preventive detention by the order of DAO starting from 4 April 2005, which was prolonged for another 6 months on 7 October 2005. She was not held in police custody.

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
178.					Ms. D. C. (E/CN.4/2006/6/Add.5, annex para. 38)	By letter dated 01/02/2006, the Government reported that she was released on 20 October 2005 by the order of District Security Committee.
179.					Maden Kumar Dhungana (E/CN.4/2006/6/Add.5, annex para. 41)	By letter dated 01/02/2006, the Government reported that Maden Kumar Dhungana was not held in police custody, but just interrogated at Kohalput. He was released on 25 August 2005.
180.					Badri Khadka (E/CN.4/2005/62/Add.1, para. 1016).	By letter dated 22/03/06, the Government reported that on 29 August 2004, at 1915h, a vehicle of security forces was fired upon by a group of seven or eight terrorists near a wooden bridge in Govindapur-8 of Morang District. One unidentified terrorist, possibly Badri Khadka, was killed in the retaliatory actions of the security forces, while the other terrorists managed to escape. One pistol and some rounds were recovered from the dead body. The body was handed over to Jagadish Dum, who is an employee at the Rangeli Hospital, for necessary cremation.
181.					S. M. (E/CN.4/2005/62/Add. 1, para. 1026, and E/CN.4/2006/6/Add. 1, para. 247)	By letter dated 22/03/06, the Government reported that Ms S.M., aged 16, was reportedly raped by security personnel on 10 November 2004. Among the alleged perpetrators, police personnel Yam Prasad Khamdak and army personnel Bishal Rai and Khem Khadka, are in pre-trial custody in District Jail Morang by the order of District Court Sunsari. One army personnel Basant Acharya, also an accused of the same incident, is still at large.

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
182.					Hira Bahadur Rokka (E/CN.4/2005/62/Add. 1, para. 1038).	By letter dated 22/03/06, the Government reported that Mr Rokka was arrested on 5 July 2002 under TADO and was released on 10 March 2003 by the order of Supreme Court. He was informed of the grounds for such arrest and detention. He was produced before the competent authority and was held under detention by the order of such authority. While in custody, he was allowed to meet with his family members and consult the lawyer of his choice.
183.					Bhagirath Kharel (E/CN.4/2005/62/Add. 1, para. 1044).	By letter dated 22/03/06, the Government reported that Mr Kharel was held in preventive detention at Kathmandu Jail by the Order of the District Administrative Office (DAO), under the Public Security Act (PSA) on 25 November 2003. He was released on 3 January 2004 by the order of District Administration Office, Kathmandu. He was arrested again on 4 January 2004 under PSA and released on 3 January 2005. While in custody, he was allowed to meet with his family members and consult the lawyer of his choice.
184.					Sho Prasad Khatiwada (E/CN.4/2005/62/Add. 1, para. 1054).	By letter dated 22/03/06, the Government reported that there is no information of his arrest by any authority
185.					Maheswar Pahari and Gyan Bahadur Koirala (E/CN.4/2005/62/Add. 1, para. 1055, and E/CN.4/2006/6/Add. 1, para. 264).	By letter dated 22/03/06, the Government reported that Mr Pahari was held in preventive detention at Kaski Jail under TADO. He was an HIV/AIDS patient and died of TB. Presently the other is in Sundarjal Detention Centre.

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186.					Bal Krishna Devakota and Dhananjay Khanal (E/CN.4/2005/62/Add. 1, para. 1056-1057, and E/CN.4/2006/6/Add. 1, para. 256).	By letter dated 22/03/06, the Government reported that Mr Devakota was held under preventive detention on 28 February 2005 under PSA and was released on 11 March 2005. His real name is Balchandra Paudel. He was informed of the grounds for such arrest and detention. He was brought before the competent authority and was held under detention by the order of such authority. While in custody, he was allowed to meet with his family members and consult the lawyer of his choice. He was not harassed or threatened during the period in custody.
187.					Reena Rasaili, S.C. and T.L. (E/CN.4/2005/62/Add. 1, para.1066, and E/CN.4/2006/6/Add. 1, para. 272).	By letter dated 22/03/06, the Government reported that Mr T.L. was taken into custody by security forces on 12 February 2004. He was found to be in possession of explosives and terrorist related documents. He was killed by security forces while attempting to escape. The court martial found the commander of the operation, a Lieutenant, guilty of using excessive force and not following the correct procedures for the handling of the body. The officer was sentenced to four months of imprisonment and forfeiture of promotion for three years.
188.					Purushotam Chudal (E/CN.4/2005/62/Add. 1, para. 1060-1061, and E/CN.4/2006/6/Add. 1, para. 267).	By letter dated 22/03/06, the Government reported that Mr Chudal was arrested on 18 October 2004 under TADO. He was released on 18 October 2005 and again arrested on 20 October 2005. Mr Chudal is in preventive detention in district jail Jhapa and his detention period ends on 16 April 2006. While in

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
						custody, he has been allowed to meet with his family members and consult the lawyer of his choice.
189.					Surendra Rai and Ambir Babu Gurung (E/CN.4/2005/62/Add. 1, para. 1072-1075, and E/CN.4/2006/6/Add. 1, para. 277).	By letter dated 22/03/06, the Government reported that Mr Rai was released from Sundarijal Detention Centre on 2 February 2005. Mr Gurung was arrested on 16 February 2004 from Baneshwar, Kathmandu, and was released on 12 April 2004. While in custody, the two men were allowed to meet with their family members and consult the lawyer of their choice.
190.					Yamanath Lohani (E/CN.4/2005/62/Add. 1, para. 1078).	By letter dated 22/03/06, the Government reported that Mr Lohani was arrested on 1 March 2004 under TADO and was released on 9 April 2004. While in custody, he was allowed to meet with family members and consult the lawyer of his choice.
191.					Kedar Prasad Bidari and Nagdar Bhote (E/CN.4/2005/62/Add. 1, para. 1131-1133).	By letter dated 22/03/06, the Government reported that Mr Bidari was taken in custody under TADO on 17 March 2004, and was released and handed over to his wife Mrs Januka Bidari on 1 July 2004. Mr Thapa was arrested on 1 October 2003 and was released and handed over to his friend Arjun Silwal on 8 October 2003. While in custody, the two men were allowed to meet with their family members and consult the lawyer of their choice.

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192.					A group of lawyers and journalists. (E/CN.4/2005/62/Add. 1, para. 1136, and E/CN.4/2006/6/Add. 1, para. 308-309).	By letter dated 22/03/06, the Government reported that Mr Thapaliya was arrested on 4 November 2003 under TADO. He was released and handed over to his brother Mr Bharat Thapaliya on 14 November 2003. Mr Basnet was arrested under TADO on 6 September 2004. He was released and handed over to his brother Top Bahadur Basnet on 18 October 2004. While in custody, the two men were allowed to meet with their family members and consult the lawyer of their choice.
193.					Jetendra Khadkha (E/CN.4/2005/62/Add. 1, para. 1146, and E/CN.4/2006/6/Add. 1, para. 315).	By letter dated 22/03/06, the Government reported that Mr Khadkha was released on 9 November 2004 by the order of the Supreme Court. While in custody he was allowed to meet with his family members and consult the lawyer of his choice.
194.					Guru Prasad Subeti, Tek Nath Sidgel and Durga Datta Gautam (E/CN.4/2005/62/Add. 1, para. 1167).	By letter dated 22/03/06, the Government reported that Mr Gautam was killed on 20 March 2004 in a Military operation conducted by the RNA in Chitwan District. As no one came to claim his body, it was handed over to Bharatpur Municipality Office, Chitwan District, for necessary cremation. Mr Subeti and Mr Sidgel were arrested under TADO on 23 February 2004. Mr Subeti was released on 3 December 2004 and Mr Sidgel on 4 September 2004. Mr Sidgel was again arrested on 5 September 2004 and was detained in District Jail Nawal Parasi. He was released on 4 December 2004 by the order of DAO and was handed over to his brother Tilakram Sigdel.

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
						The two men were brought before the competent authority and were held in detention by the order of such authority. While in custody, they were allowed to meet with their families members and consult the lawyer of their choice.
195.					Bal Krishna Dakhal and R.S.D. (E/CN.4/2005/62/Add. 1, para. 1171, and E/CN.4/2006/6/Add. 1, para. 329).	By letter dated 22/03/06, the Government reported that Mr Dhakal was arrested several times between 3 January 2002 and August 2005. He was informed of the grounds for his arrest and detention. He was brought before the competent authorities and was held in detention by the order of the authorities. During detention, he was allowed to meet with his family and to consult with legal practitioners of his choice. Mr R.S.D. was held in preventive detention in Bharatpur Jail under TADO. He was released on 19 October 2005 by the order of Supreme Court.
196.					Keshu Ram Kewat and J. K. (E/CN.4/2005/62/Add. 1, para. 1173-1174) (E/CN.4/2006/6/Add. 1, para. 331)	By letter dated 22/03/06, the Government reported that Mr J.K. was arrested and released several times between May 2004 and March 2005. While in custody, he was allowed to meet with his family members and consult the lawyer of his choice.
197.					M.S. and Bimala B.K. (E/CN.4/2005/62/Add. 1, para. 1151 and 1176, E/CN.4/2006/6/Add. 1, para. 319, and E/CN.4/2006/6/Add.5, Appendix, paras. 42-44)).	By letter dated 22/03/06, the Government reported that M.S. was brought to Panchkhal Barracks at 8:30am on 17 February 2004. The commanding officer, a colonel, instructed two captains to question her. The two captains then used illegal techniques during the interrogation and she died as a result at 11:30 am. A general court martial was issued against

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						<p>the three officers according to the Military Law. The general court martial found the three officers guilty and sentenced them to six months of imprisonment, forfeiture of promotion (two years for the colonel and one year for the captains) and fined, 50,000 rupees for the colonel and 25,000 rupees for each of the two captains as compensation.</p> <p>Ms Bimala B.K. was held under preventive detention in Dillibazar Jail, Kathmandu, under TADO on 22 June 2005. She was released by the order of the Supreme Court on 12 December 2005. She was brought before the competent authority and was held in detention by the order of such authority. While in custody, she was allowed to meet with her family members and consult a lawyer of her choice. She was not harassed or threatened during the period in custody.</p>
198.					Prakash Thapa (E/CN.4/2006/6/Add.1, para. 176, and E/CN.4/2005/62/Add.1, para. 1177).	By letter dated 22/03/06, the Government reported that Mr Thapa was arrested on 10 November 2004 under TADO and was released by the order of the Supreme Court on 9 December 2004. He was again arrested under TADO on 23 December 2004 and was released on 16 June 2005. While in custody, he was allowed to meet with his family members and consult the lawyer of his choice.
199.					Jitman Basnet, Dhana Jaisi Sharma, Narsarulla Ansari, Naman Kumar Shahi, Bishnu Prasad Bastola, Kailash Takhur and Bhupendra Shahi (E/CN.4/2006/6/Add.1, para. 177).	By letter dated 22/03/06, the Government reported that on 21 December 2004, after the killing of Munna Kashawat and Mainudin Khan by Maoists in Nawalparasi, Dhana Jaisi Sharma, Narsarulla Ansari and Kailash Takhur,

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						were rounded up by an aggressive mob gathered at the scene of the incident, alleging their involvement in the murder case. Security Forces rescued them and took them into protective custody. They were later released on the same day after general inquiry. They were handed over to Sudarsan Panta, Chairman of the District Bar Association. Mr Bishnu Prasad Bastola was arrested during a demonstration organized in a restricted area in January 2005 and was released on the same day. Mr Bhupendra Shahi and Mr Naman Kumar Shahi were pushed by police personnel in order to control a crowd and later the matter was settled after police apologized. They were neither harassed nor threatened.
200.					Nayaran Bajgain, Tika Ram Uprety and Damber Pandey (E/CN.4/2006/6/Add. 1, para. 179).	By letter dated 22/03/06, the Government reported that Mr Pandey and Mr Bajgain were arrested on 03 April 2005 and were released after general inquiry on 4 April 2005. They were informed of the grounds for such arrest and detention. They were produced before the competent authority and were held in detention by the order of such authority. While in custody, they were allowed to meet with family members and consult the lawyer of their choice. Mr Uprety was arrested on 4 March 2005 under TADO and was released on 27 March 2005. He was handed over to Bhageshwor Meyangbo, Chairman of Chulachuli Forest Consumer Committee, Jhapa District. Mr Uprety was again arrested under TADO on 3 April 2005 in his village. He

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						is under preventive detention in District Jail Jhapa. He was informed of the grounds for such arrest and detention. He was produced before the competent authority and was held in detention by the order of such authority. While in custody, he has been allowed to meet with his family members and consult the lawyer of his choice.
201.					Prem Bahadur Oli, Tek Bahadur Khatri, Man Bahadur Bista, Padam Sarki, Birman Sarki, Tapta Bahadur Giri, Bir Bahadur Karki, Padam Bahadur Budha, Gagan Singh Kunwar, Dhawal Singh Bohara and Ujal Singh Dhami (E/CN.4/2006/6/Add. 1, para. 182).	By letter dated 08/02/06, the Government reported that Prem Bahadur Oli, Tek Bahadur Khatri, Man Bahadur Bista, Padam Sarki, Tapta Bahadur Giri, Bir Bahadur Karki, Padam Bahadur Budha, Gagan Singh Kunwar, Dhawal Singh Bohara and Ujal Singh Dhami were released by order of the Appellate Court Mahendranagar on 17 September 2005, but they were re-arrested on 21 September 2005. On 22 September the District Security Committee Kanchanpu ordered them to be held in preventive detention for six months in accordance with TADO. On 11 December 2005, Tek Bahadur Khatri, Padam Bahadur Budha, Bir Bahadur Karki and Ujal Singh Dhami were released by the District Administration Office Kanchanpur. By letter dated 22/03/06, the Government reported that Mr Birman Sarki was arrested on 17 August 2004 under TADO and released on 22 June 2005 by the decision of the District Security Committee, Kanchanpur. Mr Birman Sarki and Mr Bir Bahadur Karki were produced before the competent authority and were held under detention by the order of such authority. While

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						in custody, they were allowed to meet with their family members and consult the lawyer of their choice.
202.					R. B. and G. N. (E/CN.4/2006/6/Add.1, para. 185).	By letters dated 4/01/06 and 08/02/07, the Government reported that on 5 September 2005 at Kapilbastu Vikshyuchowk, the police patrolling team caught them red-handed along with the evidence of paper and pamphlets related to terrorist activities. They were held in preventive detention from 6 September by the order of the Chief District Officer. Challenging the detention, they were able to produce a writ of habeas corpus in the Supreme Court. By order of the Court, they were released on 25 October.
203.					A group of seven journalists (E/CN.4/2006/6/Add.1, para. 187).	By letter dated 22/03/06, the Government reported that there is no report of assault on any of them.
204.					Raj Kumar Rai; Chandra Bahadur Basset, alias Manoy; Santosh Champlagain; (E/CN.4/2006/6/Add.1, para. 184).	By letter dated 08/02/07, the Government reported that Raj Kumar Rai was arrested by Police on 15 June 2005 and ordered to be released on bail on 11 July 2005. An investigation was initiated by the Nepal Police Human Rights Cell after receiving a complaint concerning torture. The medical examination and photographs of the victim indicated that he was subjected to physical abuse. Consequently Sub-Inspector Indra Prasad Oli was reprimanded on 11 September 2005 for inflicting torture upon Raj Kumar Rai during investigation. Chandra Bahadur Basnet was injured in the course of a security operation conducted by the Armed Police Force, Morang,

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						on 24 August 2005. When the police was informed on 25 August, several officers went to Koshi Zonal Hospital, where they found the dead body. The carried out the necessary procedures including the writing of <i>muchulka</i> (legal documentation of the dead body and of the crime scene). The case was registered in the District Police Office Morang on 6 September 2005 and is currently under investigation. Santosh Chaulagain was arrested by Armed Police Force, Morang on 24 August 2005 for suspected involvement in terrorist activities. He was handed over to Nepal Police on 25 August 2005. A medical examination found him to be physically and mentally fit and without any injuries. On 6 September 2005 he was released.
205.	Niger	28/07/06	AL	TOR;	Alpha Harouna Hinsa , né 1957 à Gassi, marabout, commerçant de pièces détachées et de véhicules au marché Ferrailles de Niamey et membre du Bureau du syndicat des commerçants dudit marché. Alpha Harouna Hinsa aurait été interpellé à son domicile, le 17 mai 2006 vers 11 h par des éléments de la gendarmerie. Ensuite il aurait passé 15 jours en garde à vue à la brigade de gendarmerie de Niamey. Il n'aurait pas bénéficié du droit à la visite par ses proches parents. Le 28 mai 2006, le capitaine Bako de la gendarmerie aurait informé la famille de la mort de Harouna Hinsa. La famille aurait ensuite retrouvé le corps à la morgue de l'Hôpital national de Niamey, qui aurait porté des œdèmes, des lésions cutanées, deux fractures, des plaies au	

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					poignet, deux plaies béantes aux épaules, des cicatrices sur tout le thorax et la cuisse gauche. Ce dernier n'aurait pas enregistré un malade en la personne de Harouna Hinsa mais plutôt un corps ou encore un mort, comme l'atteste le constat de décès n° 25 du Service des urgences signé par Dr Christophe, le 27 mai 2006 portant, entre autres les mentions : "date d'entrée le 27-05-2006", "déjà décédé à son entrée". Suite à la plainte de la famille, déposée le 29 mai, le Substitut du Commissaire du Gouvernement aurait requis, le 29 mai 2006, une autopsie à l'effet d'examiner la date, le lieu et les causes du décès, mais cette autopsie n'aurait été réalisée que le mercredi 31 mai 2006 à l'Hôpital Lamordé. Elle aurait stipulé que "... le décès était survenu le 27 mai 2006 au service des urgences de l'hôpital National de Niamey du nommé Alpha Harouna Hinsa, gardé à vue dans le cadre de la procédure".	
206.	Pakistan	07/03/06	JUA	WGAD; FRDX; HRD; TOR;	Naeem Mirza, Imran Shareef, Saeed Khan, Zamurrad Balouch, Imran Fatima, Ms Sadia Mumtaz , members of the <i>Aurat Foundation</i> , and Ms Farzana Bari , member of the <i>Pattan organization</i> . The <i>Aurat Foundation</i> and the <i>Pattan organization</i> are organizations that work to promote and defend women's human rights. On 4 March 2006 Mr Naeem Mirza, Mr Imran Shareef, Mr Saeed Khan, Mr Zamurrad Balouch, Mr Imran Fatima, Ms Sadia Mumtaz, and Ms Farzana Bari were arrested in Rawalpindi while on their way to a peaceful protest that had been organized by the Citizens Action Group to protest against the visit of the President of the United States of	By letter dated 19/12/06, the Government informed that no case has been registered against these persons.

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					America to Pakistan. It is alleged that as they were proceeding towards the venue of the demonstration on Murree Road, members of the Punjab police forces manhandled them and used batons to beat them. It is alleged that they were taken to an unknown location. A communication was sent by the Special Representative for human rights defenders (HRD) to the Ministry of Foreign Affairs in Islamabad on 4 March 2006 requesting their release. The Ministry responded to the communication and assured the Special Representative that all defenders would be released. According to the information received, Sadia Mumtaz and Farzana Bari have been released but Naeem Mirza, Imran Shareef, Saeed Khan, Zamurrad Balouch and Imran Fatima remain in detention. There are concerns that the human rights defenders were humiliated and ill-treated by police during their detention.	
207.		14/03/06	UA		Safdar Sarki , Head of <i>Jeay Sindh Quami Mahaz (JSQM)</i> , a political party campaigning for the rights of the Sindhi ethnic group. On 24 February 2006, he was abducted by men alleged to be members of the security forces. A group of 16 men in civilian clothes took Dr. Sarki from his apartment in the Gulistan-i-Jauhar area of Karachi, between 2 pm and 3 pm. Witnesses allege that they saw him being put in a van blindfolded and bleeding. Members of JSQM and the World Sindhi Congress have filed a habeas corpus petition with the Sindh High Court. No criminal charges are known to have been brought against him	

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					and the authorities have not acknowledged that he is in custody.	
208.		22/03/06	JAL	FRDX, HRD, TOR	<p>Dr. Imdad Baloch, Dr. Yousaf Baloch, Dr. Naseem Baloch, Ghulam Rasool, Dr. Allah Nazar, Dr. Akhtar Nadeem and Dr. Ali Nawaz, all members of <i>Balochistan Students Organization</i>. On the night of 24 to 25 March 2005, they were arrested by approximately thirty armed men wearing police and ranger uniforms at about 3 am from a private residence on Norman Avenue, Gulistan-e-Johar, Karachi, after attending a peaceful rally against the army operation in Balochistan. Their whereabouts were unknown for two months. On 24 May 2005, Dr. Imdad Baloch, Dr. Yousaf Baloch, Dr. Naseem Baloch and Dr. Ghulam Rasool were released on bail. Dr. Imdad Baloch alleges that he and his fellow detainees had been detained incommunicado in solitary confinement for 33 days in Karachi, where they were subjected to torture and ill-treatment. He was hit on the soles of his feet making him unable to walk and beaten all over his body, including on his kidneys, with leather straps while forced to lie prone in fetters on the ground. The four detainees were then taken to Quetta, where they were kept for 22 days and threatened with death if they continued to participate in politics. In August 2005, Dr. Allah Nazar, Dr. Akhtar Nadeem and Dr. Ali Nawaz were located at a police station in a village in Punjab Province, held on charges of robbery. Dr. Allah Nazar was transferred to Balochistan and charged with terrorism. He is</p>	<p>By letter dated 16/10/06 the Government reported that, according to an inquiry concluded by the Home Department Balochistan, Dr. Allah Nazar and Dr. Akhtar Nadeem were suspected of being involved in terrorist activities under section 302, 234 of the Qisas and Diyat Ordinance, therefore they were kept in preventive detention as envisaged under Section 3 of the Maintenance of Public Order. After the completion of the investigation, Akhtar Nadeem was released. However, sufficient evidence for indictment was found against Dr. Allah Nazar, therefore he was sent to judicial custody for facing trial in the court of law at Turbat. The inquiry report of the Home Department Balochistan states that no physical and mental torture was inflicted upon the suspects. It further states that, if, as they claim, they were subjected to maltreatment, they might have approached the court of law</p>

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					currently in at the Central Jail in Quetta. As a result of the treatment he received, he is virtually paralysed and has lost a substantial part of his memory. Dr. Akhtar Nadeem and Dr. Ali Nawaz were released on 2 November 2005.	
209.		12/05/06	JUA	WGAD; FRDX; TOR;	Munir Mengal , Director of " <i>Baloch Voice</i> " TV station. On 4 April 2006, he was arrested by intelligence agents at Karachi airport. Immigration officials informed his relatives that he was taken away by staff of the Inter-Services Intelligence (ISI), which is under the control of the army. His relatives tried to file a complaint with police, but have not been allowed to do so. His current whereabouts are unknown although his relatives believe that he may be held in the Malir Cantonment of Karachi.	
210.		12/05/06	JUA	FRDX; TOR;	Abdul Rauf Sasoli and Saeed Brohi , both leaders of a Baloch political party, the Jamhoori Watan (Republican National Party). On 3 February 2006, Abdul Raof Sasoli was picked up by two plain clothes police officers as he was coming out of the Safari Park, in the Gulshan-e-Iqbal area of Karachi. The police then drove him away in his own car. On 10 March 2006, Saeed Brohi was picked up in Karachi. The whereabouts of the two men are unknown and they have not been seen or heard from since. The provincial police and military departments have denied having either man in their custody. According to the information received, a lawyer has filed a habeas corpus petition on behalf of the two men in the High Court.	

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211.		18/08/06	JUA	TERR; TOR;	Khalid Mehmood Rashid , a Pakistani citizen. He was handed over by South African authorities to Pakistani officials at an air base in South Africa nine months ago. Thereafter, he left the country with Pakistani officials on an unscheduled flight. He has not been seen or heard from since. According to the Pakistani High Commission in South Africa on 14 June 2006, Mr Rashid was "wanted in Pakistan for his suspected links with terrorism and other anti-state elements. Presently he is in the custody of the Government of Pakistan". On 29 June 2006, the Lahore High Court directed the state to disclose his whereabouts within three weeks.	
212.		18/10/06	JAL	TOR; VAW;	Ms G. S. and her mother Ms M. M. and her father Mr M. H. from Chak Sher Khan, Kabirwala Town, all members of the lower "Batti" caste. On 25 August 2006, G. S. returned to her home village to announce that she graduated first class with a Master of Arts in Education from Zakarya University. The educational success of a lower caste person allegedly aroused the envy of villagers belonging to the "Mirali" upper class. During the night from 25 to 26 August at approximately 1.00am, a group of about twelve men, including several police officers in uniform, forcibly entered G. S.'s family home. The men beat Mr M. H., with boots, iron sticks and gun butts. They then kidnapped G. S. and M. M.. They dragged them from their home while continuously beating and sexually taunting them. They were subsequently imprisoned in a house in Kabirwala Town, where they both were gang-raped over the	By letter dated 14/12/06, the Government replied that both abductees were recovered on 5 September 2006 and the accused was arrested and remanded in custody. The female medical officer stated that rape had been committed. The pre-arrest bail of two accused was confirmed. Three of the accused are military personnel. The matter was referred to SP/Investigation, Khanewal, who heard both parties and also recorded their statements including those police officers who have been allegedly involved in the matter. During the inquiry, no police official has been found involved in the abduction and rape, nor found extending assistance to the accused. It was found that all sympathies of police officials, including the DSP, were with the complainant side. The DSP/SDPO never extended any help of any sort to the accused party. One of the

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					<p>course of several days. Despite complaints by their relatives, the local police initially refused to register the case and only raided the house on 5 September 2006. In the course of the raid, police officers allegedly arranged for the perpetrators to escape and take their victims with them. However, concerned local citizens managed to free the two women and arrest and hand over to the police three of the suspected perpetrators. Local police officials, including the Superintendent of Khanewal Police, the Deputy Superintendent of Kabirwala Police, the former Saddar Station Head Officer have allegedly pressured the victims not to speak to anyone about the case. The Deputy Superintendent and Sub Inspector, a relative of one of the suspects, who was appointed on short notice to replace the Saddar Station Head Officer, also ordered them to leave the area or face dire consequences. G. S.'s teaching contract at a local school was abruptly terminated. As of 28 September 2006, no criminal action had been taken against any of the perpetrators.</p>	<p>accused has been arrested and sent to jail, the bail of five accused has been cancelled, and they are remanded in custody and are being interrogated. No politician of Sub-Division Kabirwala has been found directly or indirectly involved in this case, nor seeking help for the accused and opposing the complainant side. The Provincial Minister is providing moral support to the complainant in this case. Threats to the victim and her family by the Police Station Saddar Kabirwala DSP and SHO to leave the town immediately has been found absolutely baseless. These officers, as well as the local police, were found to extend all efforts to provide justice to the complainants.</p>
213.	Peru	12/04/06	AL	TOR;	<p>Miembros de las Fuerzas Armadas del Perú se estarían resistiendo de manera sistemática a suministrar información a fiscales y tribunales sobre la identidad del personal militar investigado por graves violaciones a los derechos humanos cometidas durante el conflicto armado interno que afectó al país durante las décadas de los ochenta y noventa. Este tema ha vuelto a surgir recientemente en el marco de una serie de acusaciones contra el candidato presidencial y ex teniente coronel Ollanta Humala Tasso,</p>	

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					<p>formuladas por familiares de víctimas quienes denuncian su presunta participación en graves violaciones a los derechos humanos, incluyendo casos de tortura y desapariciones forzadas, cuando éste se encontraba en la base militar de Madre Mía, en el Departamento de San Martín entre 1992 y 1993. Al solicitársele información sobre la identidad y seudónimos empleados por los oficiales militares estacionados en dicha base, el Ministro de Defensa, Marciano Rengifo, negó públicamente que las Fuerzas Armadas conservasen en sus archivos ese tipo de registros. Varios ex ministros de Defensa han afirmado que el uso de seudónimos por parte de oficiales militares constituyó un hecho puramente informal y que, por lo tanto, las Fuerzas Armadas no conservaron ningún registro de los mismos. Los informes recibidos agregan que esas declaraciones generales sobre la supuesta inexistencia de este tipo de registro carecen de toda credibilidad y alegan que la mencionada política de negar la existencia de los registros pareciera estar dirigida a ocultar las violaciones a los derechos humanos cometidas y a proteger a los responsables. También se señaló que en varias ocasiones se habían descubierto registros militares que contenían información sobre la identidad del personal militar y los seudónimos que utilizaban. En un caso específico de ejecución extrajudicial, un funcionario del Ministerio de Defensa habría informado a los familiares de una víctima de que las Fuerzas Armadas no habían encontrado en sus archivos</p>	

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					<p>ningún registro referente a los seudónimos o nombres verdaderos de los oficiales presuntamente responsables de esa muerte. Sin embargo, dos semanas más tarde, un inspector de la Región Militar señaló en un memorando dirigido al Jefe del Ejército en Lima que se habían encontrado 90 seudónimos en los registros de personal de la Base Militar Cangallo, encargada de la Provincia de Vilcashuaman, donde ocurrieron graves abusos. En el caso del ex teniente coronel Ollanta Humala Lasso, se habría encontrado la declaración de un mayor del Ejército, entrevistado en noviembre de 1992 por un oficial militar que estaba investigando acusaciones por tráfico de drogas en la base militar Madre Mía donde Humala estaba estacionado. En su declaración, dicho oficial, el mayor Jorge Flores Tello, reveló los nombres y seudónimos de varios oficiales que se encontraban en dicha Base, incluido el de Humala, a quien identificó como "Humala Tasso, Ollanta, alias "'Carlos'." Humala habría reconocido haber utilizado el seudónimo de "Carlos", pero habría alegado que otros oficiales también conocidos como "Carlos" serían los responsables de las antemencionadas violaciones de derechos humanos. Se informa también de que el Ministerio Público se ha negado a abrir una investigación sobre estos hechos pese a las denuncias formuladas.</p>	

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214.	Philippines	09/03/06	JUA	WGAD; TOR;	<p>Runden Berloize G. Lao, Davao City, Anderson Tabocanon Alonzo, aged 18, Davao City, Aldoz Christian Mañoza, aged 18, Pasig City, Ron Baquiran Pandino, aged 20, Laguna, Jethro Villagracia, aged 21, Davao City, Neil Russel Sarmiento Balajadia, aged 25, Santolan Pasig City, Darwin Padilla Alazar, aged 21, Pangasinan, Arvie Molmog Nuñez, aged 21, Lucena City, Jefferson Delacruz DeLaRosa, aged 20, Pasig City, F. A. G. B., aged 15, Marikina City, and R. L. E. M., aged 16, Makati City. On 14 February 2006, they were arrested by members of the 1604th Philippine National Police (PNP) from Camp Molintas in Buguias, Benguet, when they were driving to Sagada, Mountain Province. When they reached the road near Camp Molintas members of the PNP stopped their truck and asked them where they kept the firearms that were taken from the military barracks in Mankayan, Benguet, during an armed attack earlier that week. They also accused them of being members of the New Peoples Army (NPA). On that same day, they were reportedly handcuffed and taken to Camp Molintas in Buguias where they were punched, slapped and kicked on various parts of their bodies during the interrogation by police officials. They were also blindfolded and electrocuted. Some of them were put in a hole that was later filled with soil. They admitted under force and pressure to being NPA members and having attacked the military barracks. On the night of 16 February 2006, police officials, allegedly under the influence of alcohol,</p>	By letter dated 24/04/06 the Government reported that the same incident was taken up by the 1503 procedure and that the official reply of the Government was conveyed to the 1503 secretariat.

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					once again interrogated and ill-treated them. Runden Berloize, the alleged leader of the group, was able to escape that night. On 17 February 2006, he reached Baguio City where he went to the Department of Social Welfare and Development (DSWD) and the National Bureau of Investigation (NBI) to ask for help. However, on that same day, he was rearrested by the PNP members, this time with a warrant of arrest and taken to Benguet Provincial Jail in La Trinidad, Benguet.	
215.		09/11/06	JUA	WGAD; HRD; IJL; IND; TOR;	Ms Aprilyn Perido , aged 26, organizer of the provincial chapter of the urban poor group <i>Kalipunan ng Damayang Mahihirap</i> ; Ms Eloisa Tucay , aged 24, member of <i>Abakbayan Youth Group</i> ; Mr George Lavadia , aged 32, former spokesperson of the <i>Erap Resign Movement</i> and member of the <i>AMA-Sugbo-KMU</i> and Ms Sharon Abangan , aged 33, member of the <i>Panaghiusa sa Gagmay'ng Mangngisda sa Sugbo</i> , the <i>Salvador Bantay Dagat Association</i> , and campaign manager of the Anakpawis political party. On 1 September 2006, Mr Lavadia and Ms Abangan were arrested by the Police in Talisay City on suspicion of being involved in "subversive activities". The pistols, grenades, a laptop and documents seized from them could have been planted on them. Although the police at first denied having arrested them, it was later confirmed that they are being held incommunicado in police custody. On 4 September 2006, Ms Perido and Ms Tucay were arrested by the Philippines National Police	

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					Provincial Special Operations Group (PSOG) in front of the Wesley Divinity Seminary School of the United Methodist Church on Mabini Street, Cabanatuan City. They were both detained without any formal charge. Although the PSOG initially denied having arrested them, officials later confirmed that they were being held in custody. They are being detained incommunicado.	
216.		Follow-up to past cases			A. B. I. (E/CN.4/2006/6/Add.1, para. 361).	By letter dated 31/10/06, the Government reported that according to the Criminal Investigation and Detection Group (CIDG), on 6 March 2006, Ms A. B. I., together with at least twenty persons, rented the Anastacia Mission Village Function Hall located at Barangay Lumbayao, Aloran, Misamis Occidental. The group of Ms A.B.I. introduced themselves to the employees of the Anastacia Mission Village as "herbalists" who were conducting a seminar on herbal medicine. On 08 March 2005, while the group was about to leave the village compound, a panel truck loaded with at least fifteen armed men forcibly entered the compound and told the group " <i>wag kayong matakot, mga pulis kami, ito lang ang kailangan namin</i> ". Then the armed men took Ms A.B.I. and hurriedly left the place. When interviewed to determine the involvement of any police personnel in this case, the Police Supt., the then Police Officer of the Criminal Investigation and Detection Team (CIDT) of Misamis Occidental, vehemently denied involvement of any CIDT-CIDG personnel under his command in the alleged illegal

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						arrest, maltreatment, torture and sexual abuse of Ms A.B. I. Further investigation is being undertaken by CIDG to identify the suspects. By letter dated 27/11/06, the Government reported that Ms A. B. I. is among the co-accused in Criminal Case No. 92-10-292 for rebellion, which is pending before Regional Trial Court Branch 23, Molave, Zamboanga del sur.
217.	Qatar	9/02/06	JUA	SUMX; TOR	Fahd 'Abdullah al-Maliki, Salim Mubarak Dahham, Mohammed 'Ali al-Muhannadi, Ibrahim Sa'ad Ismail, Khashan Salim al-Karabi, Hamad 'Ali Jahman, 'Abdul Hadi Rashid al-Shafia'a, 'Abdul Hadi Jabir al-Rakib, Rashid 'Ali al-'Arak -all Qatari nationals- Jabir Salih al-Jallab, Jabir 'Ali Anan, Hamad Mohammed 'Abdu, 'Abdul Hadi Ali al-Jaznah, Jabir Hamad Jabir al-Jallab, Mohammed al-Mee'a Salih, Rashid Nasir Alliwa'a, Fawaz 'Ali al-Muhanadi, and Wabran 'Ali al-Yami , all Saudi Arabian nationals. The 18 men named above have been sentenced to death for their alleged involvement in an attempted coup that did not cause any casualties. They were arrested at different times in the mid to late 1990s for their involvement in a failed attempt to overthrow the Government of the Emir in 1996. All 18 men were sentenced to life imprisonment at their trial before a lower Court in February 2000, but after taking their case to the Court of Appeal, they received death sentences in May 2001. Concern has been expressed that they were sentenced to death following a trial that may have fallen short of international fair trial	By letter dated 03/08/06, the Government reported that the names of some of the convicted persons are not correct. The correct names are: Fahd Ali Abdullah Jasim al-Maliki; Salim Mubarak Salim Dahman; Mohammed Ali Mohammed Salman al-Muhannadi; Ibrahim Sa`d Isma`il; Hashan Salim Haziq al Karabi; Hamad Ali Jahman al-Ghufrani al-Mirri; Abd al-Hadi Rashid Nasir Shafi`ah al-Mirri; Abd al-Hadi Jabir Hadi al-Rakib; Rashid Ali Jabir al-Araq al-Mirri; Jabir Salih Jabir Jallab al-Mirri; Jabir Ali Jabir Anan al-Awir al-Mirri; Hamad Mohammed Abduh Al-Mirri; Abd al-Hadi Ali Hamad Hadhnah al-Mirri; Jabir Hamad Jabir Jallab al-Mirri; Mohammed Lami` Ali Salih Jahman; Rashid Nasir Ali al-Liwa`; Fawaz Ali Mohammed Salman al-Muhannadi; Buran Ali Ja`mal; and Buran Al Kalib. Apart from Buran Ali Ja`mal and Buran Al Kalib, who are Saudi nationals, and Rashid Nasir Ali al-Liwa`, who has his original Saudi nationality (the nationality of his father), the rest of the convicted men are Qatari nationals, according to the documents attached to the

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					<p>standards. Following their arrest, many of the 18 men were held incommunicado until their trial hearings began. Some of them alleged that they had been tortured in order to force them to "confess".</p>	<p>case file. As for Fawaz Ali Mohammed Salman al-Muhannadi, he was sentenced to life imprisonment, not death. The conviction handed down by the courts of first and second instance were based on proper evidence that satisfied all legal standards and had been obtained from confessions which the defendants had made against themselves and each other. The confessions were made freely and voluntarily before the court, and were supported by witness testimony given at trial. As for the statements which the defendants made to the police during questioning, the court did not accept them without being perfectly convinced that they had been obtained without any form of coercion or duress. The court acted in accordance with international standards relating to the guarantee of a fair trial before ordinary courts in accordance with Qatari laws, and not before special or military courts. The court sessions were attended by representatives of international non-governmental organizations such as the International Committee of the Red Cross, attending as observers. The judgement was final and cannot be appealed before any judicial body. It remains for the Emir to exercise his power to confirm the judgement or grant an amnesty, as permitted by law. The Qatari Constitution which entered into force in June this year guarantees the right to a fair trial and the prohibition of torture.</p>

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218.	Republic of Moldova	10/05/06	JUA	WGAD; Food; IJL; TOR;	<p>Vitalii Kolibaba, previously held at the remand centre (IVS) in Chisinau Central Police Station and currently held at the remand centre (IVS) at 6 Tighina street in Chisinau. On 21 April 2006, he was arrested at his home early and taken to Buiucani District Police Station. On 25 April 2006 at Buiucani Police Station, three police officers tied his arms to his legs, stuck a crowbar under his elbows and hung him from the crowbar for 40 minutes and beat him about the head and neck with a stool while suspended, until he passed out from the pain. This was done to force him to confess to having injured a policeman, which he denies. After he was taken back to his cell, Vitalii Kolibaba tried to commit suicide by cutting his wrists. An ambulance was called and his wounds were stitched, but the medics left him in the police station. On 27 April, Vitalii Kolibaba was allowed to see a lawyer for the first time since his arrest. He told the lawyer that he had been tortured, following which the lawyer filed a complaint with the Prosecutor's office. When the police officers from Buiucani District Police Station who had tortured him found out that he had complained, they beat him again. This time the three police officers beat him on the head with a plastic bottle full of water, so as to leave no marks, and punched him in the kidney area. His lawyer is allowed to meet him only in the presence of the procurator or of the police officers. On 29 April 2006, Vitalii Kolibaba was taken for a forensic medical examination. The examination was carried out superficially in the presence of the</p>	<p>By letter dated 05/07/06, the Government reported that with respect to the allegations that he was subjected to beatings, torture and inhuman treatment by officers of the Buiucani District Police Station, following careful examination of the applications submitted by his lawyer, the procurators of the Buiucani District procurator's office concluded that the arguments put forward were irrelevant, and declined to initiate criminal proceedings on the grounds that no offence had been committed by the police officers. On 18 April 2006, at around 2:30pm, while being pursued by the police for having committed an offence, Mr Kolibaba, acting out of contempt for law enforcement officials and endeavouring to escape arrest, unexpectedly struck a police officer with a sharp object on his face and neck causing him moderate bodily harm. Mr Kolibaba thereupon disappeared from the scene of the incident, without providing any medical assistance or calling an ambulance. On the basis of this evidence, on 26 April 2006, criminal proceedings were initiated against Mr Kolibaba for an attempt on the life of a police officer. On 21 April 2006, Mr Kolibaba had been arrested for an administrative offence committed prior to the criminal offence mentioned previously, and appeared before a judge, who sentenced him to five days' administrative detention. Subsequently, during the criminal proceedings against him, Mr Kolibaba was held in</p>

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					<p>three officers who had tortured him. The forensic expert reported that there was no evidence of torture. Vitalii Kolibaba is taken to Buiucani District Police Station every day for questioning. There are no facilities for providing food at Buiucani District Police Station, which means that he is forced to beg food from other prisoners. In the remand centre where he is currently held, prisoners are provided with hot water and bread, but this food is inedible. The utensils are filthy and the bread is of very poor quality. All prisoners rely on packages brought by relatives. As he is not allowed to receive packages from his mother he does not have access to adequate and sufficient food.</p>	<p>preventive detention and was released on bail on 15 May 2006. When Mr Kolibaba was examined by doctors in the emergency department at the hospital, and subsequently by the court medical expert, no internal or external injuries were found apart from a cut on his right forearm, which he had himself inflicted with a piece of metal while he was being held in custody in order to mislead the procurator and avoid criminal prosecution. The Buiucani District procurator's office submitted a report to the chief of police concerning the breach of conduct by the officers responsible, who had allowed Mr Kolibaba to get hold of a piece of metal while he was being held in custody. In view of the foregoing, the Office of the Procurator-General considers that the circumstances and manner in which the injuries were sustained were correctly established by the procurators in the Buiucani District procurator's office, Chisinau. No evidence was found of the use of torture or ill-treatment against Mr Kolibaba. Given these circumstances, the position taken by the lawyer is clearly untenable: his appeal to the international organizations to take up Mr Kolibaba's case is quite unwarranted and he is surrounding the issue with a mass of misinformation in the hope of winning his case. Spreading reports of alleged gross violations of human rights and freedoms in this way when there is no substance to these allegations harms the image of our country and of its law</p>

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						enforcement authorities in their efforts to fight crime. At the same time, the increasingly frequent use of such methods by the parties concerned, before the criminal cases in question have been dealt with by the national authorities, is a cause of concern. It is a dishonourable means of promoting private or collective interests, which entails the evasion of criminal responsibility and the exertion of influence on legal authorities, involving them in futile exercises and diverting them from their core functions. In the light of the problem, the Office of the Procurator-General has submitted a report to the Bar Association so as to ensure that such conduct will not be tolerated in the future.
219.		19/07/06	JUA	HRD; IJL; TOR;	Ms Ana Ursachi and Mr Roman Zadoinov , lawyers. Ms Ana Ursachi and Mr Roman Zadoinov are respectively the lawyers of Mr Kolibaba and Mr Gurgurov (subjects of previously transmitted communications). The two lawyers have worked closely with human rights organizations on torture cases. On 26 June 2006, the General Prosecutor wrote a letter to the National Bar Association accusing Ms Ursachi, and Mr Zadoinov of misuse of position, which means that they could face a maximum prison sentence of five years or a fine. He referred to the urgent appeals issued in the cases of Mr Kolibaba and Mr Gurgurov and claimed that there was no evidence of torture in either case. He blamed the irresponsible and unfounded oppositional behavior of the lawyers and asked the Bar Association to ensure that they	

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					use all possible means at their disposal to prevent further damage to the interests of the State. On 28 June 2006, both lawyers were informed that they faced criminal prosecutions for spreading false information about human rights violations in Moldova. Regarding Ms Ursachi, her client was released after an urgent appeal launched by an NGO. However, the publicity embarrassed the General Prosecutor, who, in a letter to the NGO on 9 March 2006, stated that the version of events given in the urgent appeal did not correspond to the reality, and gave a bad image of the State. No action was taken against the alleged perpetrators of torture. In the case of Roman Zadoinov, his client was also released on bail after an urgent appeal. At the end of May 2006, the General Prosecutor's Office reported that no criminal case would be started against the police officers accused of torture.	
220.	Russian Federation	22/12/05	AL	TOR;	Treatment of inmates and conditions of imprisonment in YAV 48/T-1, Chelyabinsk region, Verkhneuralsk. In the colony inmates are regularly beaten and subjected to ill-treatment including the wearing of humiliating bandages. Also, inmates are forced to join internal associations against their will. Their personal belongings are routinely destroyed, broken and ruined. The administration also facilitates beatings, rapes and other inhuman treatment by other prisoners (including raping with the help of other objects such as bottles). Inmates are put in punishment cells arbitrarily and held there for several months. In those cells there are no toilets	By letter dated 12/05/06, the Government reported that in 2005, prison officers at Federal State institution YaV-48/T-1 of the Central Department of the Federal Penal Corrections Service in Chelyabinsk Province (Verkhneuralsk prison, hereafter Prison No. 1) used physical force and special restraining devices to prevent convicts from committing unlawful acts, in accordance with Russian law. The Chelyabinsk Procurator's Office considered that, on this occasion, the use of physical force and special restraining devices were lawful and justified. An inquiry carried out by the Magnitogorsk City Procurator for

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					<p>and prisoners have to use large bowls as toilets, which remain in the cells until they are filled. Then they have to carry them although they weigh about 40 kg. In the punishment cells “preventative” beatings are common. Quarantine cells, where persons are held for up to two weeks, are located in the basement and conditions there are similar, with no toilets and no access to fresh water. Also, there are several bunkers, where the prison administration hides inmates and mistreats them. When prisoners file complaints about their treatment, the administration regularly threatens to kill them unless they withdraw them. In September 2005 the administration announced that special operations by OMON Special Forces will be conducted if any additional complaints are filed. Several cases of self-immolation to draw attention to the inhuman treatment have taken place. Some of them have resulted in deaths (the Special Rapporteur received information including the names and dates of death of three persons who died as a result of the treatment in the course of 2003 and 2004). No action was taken by the administration in response to these cases. When the prisoners protested, a special action was conducted on 20 April 2004 by OMON Special Forces, together with 300 staff members, where mass beatings took place. Food is insufficient and of poor quality and often made of rotten ingredients. Medical assistance is regularly denied, in particular after beatings. Gifts from relatives are not handed over to inmates. When relatives come for visits, they are treated without</p>	<p>monitoring due process of law in correctional institutions found that prison officers at Prison No. 1, had not breached the law. Six cases of self-mutilation by convicts were recorded at this institution in 2005. In each case, the convicts received proper medical treatment. No incidents involving fatal outcomes have been recorded at the prison. Prison food conforms to the requirements of Ministry of Justice Order No. 125 of 2 August 2005 confirming standards of nutrition and amenities for convicted prisoners and suspects and accused persons held in remand prisons administered by the Federal Penal Corrections Service. Inmates may receive parcels, hand-delivered packages and packets in accordance with Russian law. An inquiry has failed to confirm allegations that parcels, hand-delivered packages and packets from convicts' relatives have not been passed on to them via the prison's post room. In 2004-2005, Magnitogorsk City Procurator's office conducted 15 inquiries at Prison No. 1. No convicts were found to have been unlawfully detained in disciplinary cells, nor were any of the punishments imposed on persons serving their sentence at the prison found to be unlawful. Searches, confiscations of convicts' personal items and the destruction of confiscated items and substances that prisoners are not allowed to keep or use have been conducted in accordance with laws and regulations. In 2005 prison officers and consolidated units carried out three prison-</p>

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					<p>respect. When they complain, they are no longer allowed to see their loved ones. The persons responsible for the systematic ill-treatment are the head of the regional prison service, Mr Zhidkov and his deputies, Mr Nezamedinov and Mr Shimov. In response to the treatment described above, which is reported to have been systematic in the colony, prisoners filed complaints with the regional Prosecutor, but they do not know of any investigation into the allegations.</p>	<p>wide searches. Officers from the special assignments unit of the Central Department of the Federal Penal Corrections Service for Chelyabinsk Province and special forces militia officers were not requested to take part in search operations at the prison. Pursuant to article 79 of the Penal Enforcement Code, convicts arriving at the prison are housed in quarantine cells for up to 15 days. During this time, they are held in normal prison conditions. The amenities and sanitary facilities in these cells meet required standards. There is no centralized sewage system in the cells located on the ground floor of the secure wing of the disciplinary unit owing to the proximity of groundwater. In 2005, therefore, 23 special cells were fitted out on the second and third floors of the disciplinary unit that meet all requisite standards in terms of amenities and hygiene. Reports of "bunkers" or "punishment cells" have not been confirmed, either in conversations with convicts and prison officers at Prison No. 1, or in the context of prison visits. At interviews with convicts on personal matters (which are conducted in private), no allegations of cruel treatment by prison officers have been borne out by facts. Complaints and communications from convicts are dealt with in accordance with current legislation. A survey conducted among the convicts has indicated that prison officers do not prevent them from filing complaints or making statements.</p>

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221.		02/03/06	JUA	WGAD; IJL; TOR;	<p>Isa Gamaev and Mekhti Mukhaev, aged 47, a farmer from the Itum-Kali region of the Chechen Republic. On 10 December 2005, Isa Gamaev was detained in the city of Nalchik in the Republic of Kabardino-Balkaria, in connection with allegations that he was involved in the conflict in Chechnya. He was detained for three days in Nalchik. He was then transferred to Khankala, the headquarters of the Russian armed and security forces in the North Caucasus, where he remained for approximately 10 days. He was then transferred to another unknown place of detention. Isa Gamaev has alleged that he was tortured in all three places of detention, including by electric shock treatment. While under duress, he made a statement to the security forces about his alleged participation in armed opposition groups and named Mekhti Mukhaev as a member of an armed group. In late December 2005 or early January 2006, Isa Gamaev was transferred to the Interior Ministry's Operative and Search Bureau, known as ORB-2, in the Chechen capital of Grozny, and from there to the pre-trial detention centre (SIZO 1) in Grozny, where he was able to send a letter to a non-governmental organization about his treatment in detention. He subsequently withdrew his "confession". On 5 or 6 February 2006, Isa Gamaev was again taken to ORB-2, where he was allegedly threatened with rape if he refused to uphold his "confession". On 30 December 2005, Mekhti Mukhaev was arrested in the town of Gikalo, near Grozny. At about 1am, a</p>	<p>By letter dated 21/06/06, the Government reported that Isa Gamaev has, since the spring of 2003, been an active member of illegal armed formations, having transferred to the armed group led by Tarkhan Gaziev from the armed gang led by Doku Umarov. On 24 December 2005, he was arrested in Nalchik on suspicion of having committed offences under article 209 (Banditry), paragraph 2, article 208 (Membership of an illegal armed formation) and article 317 (Attempt on the life of a law enforcement officer) of the Criminal Code of the Russian Federation. On 24 December 2005, by a decision of the Zavodsk District Court in Grozny, Chechen Republic, he was remanded in custody as a preventive measure. On 30 December 2005, Mr Gamaev was taken to pretrial detention centre No. 1 (SIZO-1) of the Russian Federal Penal Correction Service for the Chechen Republic. During his detention in SIZO-1, Mr Gamaev was, pursuant to decisions of the investigator attached to the procurator's office of the Chechen Republic, transferred on five occasions to the temporary holding facility of the Operative and Search Bureau No. 2 (ORB-2) of the Central Administration of the Ministry of Internal Affairs of the Russian Federation for the Southern Federal District. Mekhti Makhmudovich Mukhaev has been an active member of Doku Umarov's armed group since 2000. On 13 January 2006, Mr Mukhaev was arrested on suspicion of having committed</p>

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					<p>group of men in masks and camouflage uniforms broke into the house where he was staying and took him to the Regional Police Department (ROVD) in Itum-Kali, where he was charged with hooliganism. The basis for the charge is not known. From there he was taken to the Regional Police Department of the Police in the Chechen town of Shatoi, where he was interrogated. During the interrogation, police officers beat him and threatened to shoot him while showing him pictures of various people whom they wanted him to identify. After 11 days in detention at the ROVD in Shatoi, he was transferred to the Interior Ministry's Operative and Search Bureau, known as ORB-2, where his interrogation continued. He was subjected to electric shock treatment and his arms and legs were bent back into painful positions. He was beaten with truncheons and was threatened that he would "disappear" if he did not confess to being a member of an armed opposition group. He reportedly lost consciousness several times. On 18 January 2006, Mekhti Mukhaev was transferred to the pre-trial detention centre (SIZO 1) in Grozny. After almost three weeks of incommunicado detention, he was granted access to a lawyer and his relatives learned about his whereabouts. When his relatives visited him, he complained about headaches, pain in his legs, his lungs and his kidneys. Mekhti Mukhaev told his lawyer that after eight or nine days of ill treatment he had decided to "admit" to having given food and shelter to</p>	<p>offences under article 209, paragraph 2, article 208, article 317 and article 105 (Murder) of the Criminal Code. By a decision of 13 January 2006, of the Zavodsk District Court in Grozny, Chechen Republic, he was remanded in custody as a preventive measure. On 18 January 2006, Mr Mukhaev was transferred to SIZO-1 of the Russian Federal Penal Correction Service for the Chechen Republic. From 1 to 2 February 2006, he was held in the ORB-2 temporary holding facility pursuant to a decision of the investigator attached to the procurator's office of the Chechen Republic. During their time in the pretrial detention centre, Mr Gamaev and Mr Mukhaev did not address any complaints to the administration of the centre, and their state of health was assessed as satisfactory. On 3 February 2006, Mr Gamaev and Mr Mukhaev submitted applications, through the administration of SIZO-1, to the procurator's office of the Chechen Republic, claiming that they had been subjected to illegal methods of investigation in the Shatoi District Internal Affairs Office and the ORB-2 of the Central Administration of the Ministry of Internal Affairs of the Russian Federation for the Southern Federal District. Communications from the procurator's office of the Chechen Republic indicate that this information was not independently confirmed. It was therefore decided to refuse the application for the institution of criminal proceedings. By letter</p>

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					<p>members of an armed opposition group. While detained in the SIZO, Mekhti Mukhaev retracted his "confession". On 1 February 2006, Mekhti Mukhaev was returned to ORB-2, where security forces personnel beat him with a chair and with their fists, and kicked him, in order to force him to repeat his "confession". He was returned to the SIZO the following day. Mekhti Mukhaev was charged on 8 February 2006 with banditry (Article 209 of the Russian Criminal Code). There is concern that both men are at risk of torture or ill-treatment in order to force them to uphold their previous "confessions".</p>	<p>dated 21/08/06, the Government reported that the admissibility of the evidence gathered will be subjected to a legal evaluation. The reports that I.M. Gamaev and M.M. Mukhaev were subjected to illegal methods of investigation have been checked by the Procurator's Office of the Chechen Republic under articles 144 and 145 of the Code of Criminal Procedure of the Russian Federation. On the basis of the results of that verification, on 9 February 2006 the Procurator's Office of the Chechen Republic decided not to institute criminal proceedings. The report on the checks was studied at the Office of the Procurator-General of the Russian Federation, and there are no grounds for overturning that decision. It has been ascertained that on 30 December 2005, M.M. Mukhaev was detained in the Itum-Kali District Internal Affairs Office in the Chechen Republic in connection with his possible membership of illegal armed formations, following which he was released the same day. According to the conclusions of forensic experts, M.M. Mukhaev shows no sign of physical harm. I.M. Gamaev and M.M. Mukhaev were held in Institution IZ-21/1 of the Federal Penal Correction Service for the Chechen Republic throughout the investigation period. They were transferred to a police holding facility for the purposes of the investigation in accordance with the legislation in force. According to information from the directors of the provisional joint group of</p>

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						divisions and subdivisions of the Ministry of Internal Affairs of the Russian Federation, I.M. Gamaev was not taken to Khankala, and was not the subject of any search activities. In order to verify this information further, in accordance with the legislation on criminal procedure, on 6 May 2006, materials were taken from the file on the aforementioned criminal case and sent to the Office of the Procurator of the Grozny District of the Chechen Republic. I.M. Gamaev's allegation regarding the illegal actions of law enforcement officials in the towns of Nalchik and Khasavyurt were also checked by the procurators' offices of those towns, under articles 144 and 145 of the Russian Code of Criminal Procedure. The evidence collected was studied at the Office of the Procurator-General of the Russian Federation, and the decisions not to institute criminal proceedings were found to have been premature. The evidence has been returned for further checks, the outcome of which is being monitored by the Office of the Procurator-General of the Russian Federation.
222.		07/04/06	UA	TOR;	Bayramali Yusupov , Uzbek national detained in Tyumen who is at risk of extradition to Uzbekistan. On 3 April the Tyumen regional court's civil chamber upheld the decision of the Central District Court of Tyumen not to examine the appeal of Yusupov against the refusal of refugee status. In March 2006 the Federal Procuratura had decided on his extradition, a decision Yusupov appealed. The extradition appeal is	

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					currently being examined by the same regional court in Tyumen. Uzbek authorities are questioning him in connection with his religious and political convictions. He was questioned in 1999 by the Uzbek security services in connection with allegations that he was a "Vakhabit" (member of a group considered "extremist" in Uzbekistan) and that he intended to create an Islamic state. He left for Russia in November 2003 fearing re-arrest after the police had made several phone calls to his parents, asking them to inform the police about his whereabouts.	
223.		21/04/06	JAL	SUMX; TOR;	Umaev Ilman , 22 years, Umaev Anzor , 33 years and Umaev Issa , 52 years. On 18 April at 5 am, these three persons together with Ilman Umaev's wife, Madina Umaeva, were arrested in Sayasan Village, Nozhay-Yurtovskii District, Chechnya, in the house of Ilman Umaev by a division of fighters called "Groza". During the arrest, Issa Umaev was badly beaten and Anzor Umaev sustained grave injuries. Around 4 pm the same day, Ilman and Anzor Umaev were found dead at a crossroad close to Sayasan Village. They had been treated as if they were separatists. The remaining two, the father and wife of one of the victims, were released.	By letter dated 24/11/06, the Government reported that on 18 April 2006, in the settlement of Sayasan, in the Nozhai-Yurt District of the Chechen Republic, during the conduct of a targeted check, officers of the Ministry of Internal Affairs of the Chechen Republic came up against resistance from I.E. Umaev and A.A. Umaev, members of an illegal armed gang. During the armed clash, two police officers were wounded. Firearms and other munitions were seized at the place of the encounter. In response to this assault on the lives of law enforcement officers, on 18 April 2006 the Nozhai-Yurt District Procurator's Office in the Chechen Republic instituted criminal case No. 62007 on the evidence of the commission of an offence under article 317 of the Criminal Code of the Russian Federation (Attack against the life of a law enforcement officer). A.A. Umaev and I.E. Umaev were arrested and transferred to the town of

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						Gudermes in the Chechen Republic, where they agreed to reveal their stash of weapons. Later that same day they were escorted by internal affairs officers of the Chechen Republic to the outskirts of the settlement Sayasan for the purposes of verifying evidence at the scene of the offence. During the inspection of the scene, A.A. Umaev picked up a grenade and tried to throw it at the police officers. The latter, acting both to prevent an explosion and to stop their detainees from escaping, opened fire with their standard-issue weapons, inflicting gunshot wounds on both A.A. Umaev and I.E. Umaev, from which both men later died on the spot. In response to this incident, on 12 May 2006, the Procurator's Office of the Chechen Republic instituted criminal proceedings on the basis of evidence of the commission of offences under article 105, paragraph (a) (Murder) and article 286, paragraphs (b) and (c) (Exceeding official authority) of the Criminal Code of the Russian Federation. A range of investigative actions and detective work is currently being carried out. In addition, an in-house inquiry is being conducted by the internal security office in the Ministry of Foreign Affairs of the Chechen Republic relating to the death of the Umaevs.
224.		19/05/06	JUA	WGAD; RINT; TOR;	Abdu Salim Navruzov, Sakhabuddin Tursunov, Tajik nationals, three unidentified Russian nationals and four unidentified Tajik nationals. At approximately 6.30am on 7 May 2006, armed men in masks with automatic weapons and pistols	By letter dated 21/08/06, the Government reported that the Procurator's Office of Lenin Administrative District in the city of Tyumen carried out an investigation into the arrest of the above-mentioned individuals on 7 May

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					<p>entered the city mosque on Matmasovskaya Street, in Tyumen City, during morning prayers. The men said that they were members of the Federal Security Service (FSB) and told Abdu Salim Navruzov, Sakhabuddin Tursunov and the seven other individuals in the mosque to show them their ID cards. The FSB members physically threatened them and forced them to get into a bus, which drove them to Tyumen City Police Station No.2. At the police station, they were forced to face the wall and were forbidden to speak. They were taken one by one to an office where they were interrogated about who financed the mosque and why they attended the mosque. The FSB members demand that they stop attending the mosque and agree to cooperate. They also threatened that if they refused to cooperate, they would plant narcotics on them and bring false charges against them. The three Russian detainees were subsequently released. However, the six Tajik detainees were taken to a bus at gun point. They were made to lie on the floor in the bus and taken to the Lenin Regional Ministry of Interior office in Tumen. There, Abdu Salim Navruzov, whose residence permit had expired, was taken away somewhere. When the other five individuals asked where he had been taken, they were told, "Soon you will see him in heaven." The FSB members then counted their bullets in front of the detainees and discussed if they had enough bullets for all of the detainees. The whereabouts of Abdu Salim Navruzov are still unknown. The remaining five Tajik nationals were</p>	<p>2006 during a passport check in Tyumen mosque, as a result of which no violations were found to have been committed by the law enforcement officials who conducted the arrest. By a decision of Kalinin District Court in the City of Tyumen, A.S. Navrusov, a citizen of Tajikistan, whose residence permit had expired on 24 May 2006, was deported from the Russian Federation pursuant to article 18, paragraph 8, of the Code of Administrative Offences of the Russian Federation. Reports on offences under the Code of Administrative Offences were drawn up in respect of the remaining citizens pursuant to article 18, paragraph 8, of the Code, after which they were released. The deputy military procurator of Tyumen military base, having considered the case file regarding the police activities (passport checks) which took place on 7 May 2006, decided not to institute criminal proceedings against the personnel of the Russian Federal Security Service office for Tyumen oblast, on the grounds of lack of evidence that a crime had been committed.</p>

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					taken in a bus to forest near the village of Antipino. As they were getting out of the bus, the FSB members told them to be happy and smile because they were going to meet with Allah. One of them, Sakhabuddin Tursunov, was subjected to a mock execution by one of the FSB members who forced him to his knees, put a pistol put to his head and clicked the trigger. The FSB members demanded that the men stop going to the mosque and stop praying, and threatened them with death if they went to the mosque. They then forced them to run into the forest and aimed their guns at them and clicked the triggers as they ran away.	
225.		04/08/06	UA	TOR;	Sangariev Arthur Sultanovich , aged 30, trader at the central market of Grozny. On 17 July 2006, he was arrested by servicemen of an unidentified law enforcement agency on charges of murder of a policeman at his flat in Mir Street. For several days he was kept in custody at the local police office of Grozny's Leninsky District and then transferred to the investigation isolator of Grozny. During detention he has been subjected to severe violence in order to force him to confess to the murder of an OMON policeman in 2002.	By letter dated 29/09/06, the Government reported that on 18 July 2006, A.V. Sangariev, S.S. Ismailov and R.P. Yunusov were detained and questioned on suspicion of having committed the murder of R.S. Khalidov and K.Z. Khasbulatov, a SWAT team attached to the Ministry of Internal Affairs of the Chechen Republic. They confessed to having murdered Mr Khalidov and Mr Khasbulatov. A reconstruction was conducted and video-recorded at the scene of the crime on 19 July 2006, during which Mr Sangariev simulated his actions and those of his accomplices. Mr Sangariev made a full confession, stating that on 28 June 2006, together with S.S. Ismailov and R.P. Yunusov, he had used an automatic weapon to kill Mr Khasbulatov and Mr Khalidov in the basement of 22 Mir Street, Grozny. The motive for the murder was long-established ill feeling. All

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						investigative actions involving Mr Sangariev were conducted in accordance with the law and in the presence of defence counsel. During the preliminary investigation, neither Mr Sangariev, nor his defence counsel, nor his relatives made any complaints or reported any unlawful actions on the part of law enforcement officials. On 17 August 2006, Mr Sangariev was transferred from the Department of Internal Affairs temporary holding facility in Zavodsk District, Grozny, to remand centre 20/1, where he is currently being held. The Russian Federation has no information indicating the involvement in this case of an individual named Artur Sultanovich Sangariev.
226.		07/08/06	AL	TOR;	Brechalov Evgeniy , aged 23, currently in Vyselkovskiy District Investigation Isolator (SIZO). Starting from 6 March 2006, he was held in Tikhorecki Investigation Isolator (SIZO) in Krasnodar Kray, from which he was taken to the fields every day by Ministry of Interior personnel who beat him to obtain a confession, which he signed. As a result, he fell sick and caught a fever, but was denied access to medical treatment. The first defence lawyer was intimidated by law-enforcement personnel and withdrew from the case. The new defence lawyer has received repeated threats as well. Mr Brechanov's parents were told that their son would not be beaten any more if they paid money to the officials. They filed complaints with the Prosecutor's Office and the Ministry of Interior, but no action ensued.	By letter dated 26/09/06, the Government reported that Mr Brechalov was arrested on 7 March 2006 in Moscow and transferred into police custody in the town of Tikhoretsk for the purposes of investigation. In the course of the pre-trial investigation, it was established that Mr Brechalov had committed a robbery and 11 thefts in the Vyselki District of Krasnodar territory as a member of an organized group. On 11 May 2006, Mr Brechalov complained to the Procurator's Office for Krasnodar territory that while he was being held in police custody in Tikhoretsk, officers of the Organized Crime Department of the Central Internal Affairs Administration of Krasnodar territory, threatened to subject him to physical violence and make his time in custody unbearable. An investigator in the Tikhoretsk Inter-District

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						<p>Procurator's Office decided on 8 June 2006 not to institute criminal proceedings, on the grounds that no offence had been committed. That decision was overturned by the Tikhoretsk Inter-District Deputy Procurator on 21 July 2006. Mr Brechalov was sent for a medical examination. According to the report submitted on his results, an injury was found in the form of an abrasion to the radiocarpal area, not causing harm to his health. An official from the Procurator's Office questioned the chief investigation officer of the investigative section attached to the Vyselki District Internal Affairs office, who explained that, in the course of investigation, no complaints had been received from Mr Brechalov that unlawful methods had been used on him by militia personnel. His lawyers confirmed the testimony and explained that they had conducted the defence of Mr Brechalov during the investigations that were carried out with his participation. In their presence, Mr Brechalov had voluntarily made a confession. They had seen no physical injuries on their client; he denied that physical or psychological pressure had been used, nor did he make any complaints about the actions of the militia personnel. On 3 August 2006, a further decision was taken not to institute criminal proceedings on the grounds that the actions of the investigators had not constituted an offence. This decision was overturned on 31 August 2006 and the files were returned for additional investigation.</p>

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227.		08/08/06	JUA	WGAD; TOR;	Askhab Betigov, Islam Khatsuev, Abdulla Khatsuev and Mr Suleymanov , all from Serzhen-Yurt, Shali District of the Chechen Republic. On 19 June 2006, they were arrested by security forces of the Russian Federation, and were transferred to an unofficial detention center in the area of Kurchaloy. They were all subjected to brutal beatings in order to extract confessions. As a result, they had their ribs and jaws broken. Afterwards they were brought to an official detention center at the Shali Police Office and charged with being involved in activities of Chechen combatant groups.	By letter dated 28/09/06, the Government reported that on 16 June 2006, at the settlement of Serzhen-Yurt in Shalin District in the Chechen Republic, officers of the Kurchaloi and Shalin District internal affairs offices discovered caches of weapons and ammunition in the grave of I.K. Khatsuev in a village cemetery, in a derelict house and in the compound of A.O. Bedigov located at 96, A. Sheripov Street. In response, on 21 June 2006 the investigative unit of Shalin District Internal Affairs Office opened criminal case No. 56580 on the basis of evidence of an offence under article 222, part 1, of the Criminal Code of the Russian Federation (Unlawful acquisition, transfer, supply, storage, transport or carriage of weapons, munitions, explosive substances or explosive devices). I.R. Khatsuev, A.K. Khatsuev and A.O. Bedigov were detained the same day on suspicion of committing the above offence. On 23 June 2006, on the application of the investigators, Shalin City Court in the Chechen Republic ordered the remand in custody of I.R. Khatsuev, A.K. Khatsuev, A.O. Bedigov and I.I. Suleimanov as a preventive measure, and on 1 July 2006 they were charged with offences under articles 222 and 208 of the Criminal Code of the Russian Federation. I.I. Suleimanov was charged only under article 208. On the conclusion of the investigation, the criminal proceedings against I.I. Suleimanov were halted on 10 July 2006 in accordance with

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						article 28 of the Code of Criminal Procedure of the Russian Federation, as he had displayed genuine remorse. On 28 July 2006 the case with a bill of indictment against the other accused was sent to the court for consideration of the merits. On 6 July 2006, during the course of the investigation, the Shalin District procurator's office received a message from the lawyer alleging that unlawful methods of investigation had been used by militia personnel during the investigation on the criminal case relating to his client I.I. Suleimanov. In this connection the district procurator's office carried out checks, during which the points raised by the complainant were not confirmed. Consequently, on 8 July 2006, on the basis of article 24, part 1, of the Code of Criminal Procedure of the Russian Federation it was decided not to institute criminal proceedings for lack of evidence that an offence had been committed.
228.		09/08/06	UA	TOR;	Ismoilov Ilhomjon Gulomovich, Makhmudov Obboskhon Zakir'jahanovich, Usmanov Iskandarbek Mamadalievich, Ulughodjaev Sardorbek Kamalhan ugli, Muhamadsobirov Abdurrauf Abdulhapirovich, Muhametsobirov Izzatullo Abdulhapirovich, Kasimhujayev Kabul Alimdjanovich, Rustamhodjaev Mahmud Rustamovich, Alimov Umarali Sharipjanovich, Sabirov Shkrullo Nadjimitdinovich, Naimov Rustam Yakubjonovich, Hamzaev Hurshid Hamralievich , all citizens of Uzbekistan and recognized as refugees by UNHCR, and	

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					<p>Marmirzhon Tashtemirov, citizen of Kyrgyzstan. They were the subject of a previously transmitted communication (see E/CN.4/2006/6/ add.1, para. 386), to which responses were received, mentioning that the Government of Uzbekistan has provided diplomatic assurances that these persons will not be subjected to torture in case of extradition. On 31 July 2006, the Office of the Procurator General of the Russian Federation announced its decision to extradite the 13 above mentioned men detained in Ivanovo region since June 2005. The authorities of Uzbekistan have requested their extradition on the basis of accusations that these persons were members in a banned movement called Akramia, have financed "terrorist" activities and, in particular, have been involved in the events in Andijan on 13 May 2005.</p>	
229.		12/10/06	JAL	FRDX; HRD; TOR;	<p>On 7 October 2006, journalist and author Anna Politkovskaya, was killed in her apartment building in Moscow. She was one of the leading journalists on Chechnya, known for her independent reporting on human rights violations against civilians in Chechnya. She also published several books about Chechnya and on the political situation in the country. Well-known and appreciated in Russia and abroad, she won several international awards for her commitment to human rights and her professional activity. Ms Politkovskaya repeatedly faced intimidation and harassment, and was detained and threatened on several occasions, including in Chechnya. She often received death threats. Grave concerns are</p>	

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					expressed that Ms Politkovskaya was killed because of her legitimate activities in defence of human rights, i.e. her continuous denunciation of human rights abuses committed by Russian forces and their Chechen allies through two wars in Chechnya. In particular, the Special Rapporteur on torture, in view of his planned mission to the Russian Federation, with one of its focuses being on the Republic of Chechnya, expresses his concern that she may have been killed in connection with a report she was to have filed in relation to torture and disappearances in Chechnya.	
230.		13/09/06	JAL	RINT; TOR; VAW;	M. S. , aged 23, from Argun, Chechnya. On 19 March 2006, she was detained by local law enforcement officers, following allegations by her husband that she had committed adultery with a serviceman of Christian faith. She was taken to a law enforcement compound in Argun where she was beaten, while being told "Turn around and be condemned by Allah". Her eyebrows and head were shaved and her scalp was painted green, the colour associated with Islam. A cross was also smeared on her brow. She was ordered to strip, and beaten with wooden rods and hoses on her buttocks, arms, legs, hands, stomach and back. She was forced to confess to being unfaithful and then taken to her husband's home and made her dance before her neighbours while they verbally insulted her. Several of the law enforcement officials kicked her. On 21 March 2006, she suffered a miscarriage. The local authorities initially failed to investigate the events, despite the	By letter dated 28/12/06, the Government reported that on 18 March 2006, when M. S. underwent a medical examination at the Central District Hospital in Shali, scars on her face, hands and back and a concussion were detected. On the same day, the police received reports that she had been abducted. Consequently, the Prosecutor of Argun investigated the case. During the course of this investigation Ms S. explained that she had not been abducted, that she had not been subjected to any physical or moral pressure and that she had sustained the injuries as a result of unhealthy family relations. She never complained about her injuries to the police. Therefore, on 7 May 2006 the Prosecutor of Argun refused to open a criminal case by reason of "absence of a crime" (art. 24, para 1 (1) of the Criminal Procedure Code). However, given the numerous contradictions in

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					fact that they had been recorded on mobile phone videos, and widely circulated in the region. On 29 August 2006, the Chechen Premier, Ramzan A. Kadyrov, stated that he had ordered the Chechen Interior Ministry to investigate the events.	testimonies of the persons involved and of eye-witnesses and allegations of wrong-doing by police officers, the case has been referred to the Republican Prosecutor, following which, on 16 October 2006, on the basis of the statement of Ms S. a criminal case was opened with reference to art. 117, para e (2) of the Criminal Code of the Russian Federation (harassment by a group of persons).
231.		15/09/06	JAL	IJL; RINT; TOR;	Ravil Gumarov and Timur Ishmuratov , two former detainees at Guantánamo Bay, Cuba. Ravil Gumarov and Timur Ishmuratov were the subject of an urgent appeal sent to the Government by the Chairperson-Rapporteur of the Working Group on Arbitrary Detention on 27 May 2004. In February 2004, Ravil Gumarov and Timur Ishmuratov, along with five other Russian citizens, were returned from Guantánamo Bay to Russia. In April 2005, they were arrested in connection with a pipeline explosion in Tatarstan in January 2005. In detention, interrogators pulled hairs from Ravil Gumarov's beard and forced vodka down his throat, which is a particularly offensive form of ill-treatment for abstinent Muslims, in an effort to force him to confess. Interrogators warned Timur Ishmuratov that they would call in his pregnant wife for questioning and could not guarantee the safety of the foetus. Both men confessed to the crime during the investigation, but subsequently withdrew their confessions in court. In September 2005, a jury unanimously acquitted them and a third defendant, Fanis Shaikhutdinov, of the charges	By letter dated 28/12/06, the Government reported that the investigation into the pipeline explosion in Tatarstan in January 2005 was conducted by Republican prosecutors together with the Federal Security Service. During the investigation, several complaints about illegal acts by law-enforcement agents in relation to Ravil Gumarov, Timur Ishmuratov, Rustam Hamidullin and Ildar Valeev were filed with the Republican Prosecutor's Office, but the investigations conducted by the Republican Prosecutor did not confirm these allegations. In September 2005 a jury trial took place, before which Rustam Hamidullin and Ildar Valeev retracted their earlier confessions and were acquitted. The Republican Prosecutor appealed the acquittal and the Supreme Court of the Russian Federation annulled the sentence and sent the case back for additional investigation. On 12 May 2006, the Supreme Court of the Russian Federation, on the basis of the sentence of the Supreme Court of the Republic of Tatarstan, sentenced Mr Gumarov, Mr Shaikhutdinov and Mr Ishmuratov to

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					<p>against them. However, prosecutors subsequently got approval from the Russian Supreme Court to annul the verdict so that the three could be tried again for the same crime. On 5 May 2006, the defendants were convicted of terrorism and illegal possession of weapons or explosives (Articles 205 and 222 of the Russian Criminal Code). They were also ordered to pay damages of about U.S. \$2,000 for property damage. Ravil Gumarov was sentenced to a term of 13 years, and Timur Ishmuratov to 11 years and one month. The third man, Fanis Shaikhutdinov, received 15 years and six months. According to the information received, another suspect had confessed to carrying out the crime in July 2005, however, the defence lawyers for the three men were never informed of this confession. All three have appealed their convictions to the Russian Supreme Court. Two witnesses in the trial were detained and beaten to force them to testify against the defendants. On 31 March 2005, Timur Ishmuratov's brother, Rustam Hamidullin, was detained by the Tatarstan Organized Crime Unit at his Aunt's house in Nefteyugansk, in Khanti-Mansiisk Province. Police held him for several days at Nefteyugansk Police Station and beat him while he was handcuffed to a radiator to coerce him to admit that he had witnessed preparations for the crime. Police then took him on the train to Tatarstan. Rustam Hamidullin was ill-treated during the two-day train trip. On 1 April 2005, Ildar Valeev, another witness for the prosecution, was called in for questioning to the Organized</p>	<p>respectively 13 years, 15 years and six months and 11 years and one month of imprisonment. They were found guilty of terrorism, i.e. to have collectively committed the explosion, which constituted a deadly risk to people, did considerable damage to property and had other dangerous consequences for society, with the aim of destroying public security, spreading fear among the population, influencing the decision-making of the authorities and several other crimes. By decision of the chamber for criminal affairs of the Supreme Court of the Russian Federation of 29 November 2006 the sentence was reduced to 10 years and six months of imprisonment for Mr Shaikhutdinov, nine years for Mr Gumarov and eight years and one month for Mr Ishmuratov. The appeal of the three convicts was rejected.</p>

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					Crime Unit in Almetievsk, Tatarstan. He was subsequently sentenced to five days' administrative arrest for swearing in a mosque. He was held in an investigation cell in Bugulma, where he was stripped, beaten and subjected to threats and psychological pressure until he agreed to sign a statement saying he had witnessed the explosion. He was released on 27 April 2005. Both Rustam Hamidullin and Ildar Valeev withdrew their statements at the trials.	
232.		19/09/06	AL	TOR;	Krasnokamensk Prison Camp YG 14/10, Chita Region, Siberia. The Krasnokamensk prison is situated near a uranium mine that has contaminated the area with radioactive waste. Concentrations of radioactive elements exceed appropriate safety levels, and spills from storage centers enter ground waters and migrate towards drinking water reservoirs. As a result, inmates are at risk of radiation poisoning. Further, as a result of the prevailing unsanitary conditions, inmates suffer from tuberculosis, and in 2005, two inmates died, one of dysentery due to leakage of sewage into the prison water supply, and the other of gangrene. Moreover, article 73 of the Russian Criminal Penitentiary Code stipulates that except under extraordinary circumstances, prisoners serve their terms of deprivation of liberty on the territory of subjects of the Russian Federation where they reside or were convicted. In violation of this, there are reportedly prisoners, such as Mikhail Khodorkovsky who is serving an eight-year prison sentence for tax evasion, who are sent to the prison camp, thousands of kilometers	By letter dated 30/11/06 the Government replied that Krasnokamensk colony IK-10 is located close to the town Krasnokamensk, only at approximately 800 meters from the closest residential houses. The closest uranium mine is 12 km away from the town and 15 km from the colony. The level of radiation is regularly controlled by the responsible authorities. In January and April 2006, when the Department for Environmental Protection of the joint stock company "Priargun metallurgical-chemical production association" conducted controls, the radioactivity was at 0,10-0,16 μ of contaminant particles/hour (the norm is 0,35 μ of contaminant particles/hour). The figures provided by the Centre for Hygiene and Epidemiology of Krasnokamensk show that the level of radioactivity was 0,10 – 0,26 μ of contaminant particles/hour (control n. 265). Also, additional tests conducted in October 2006 (control n. 72) showed that the level of radioactivity did not exceed the permissible levels (0,17-0,20 μ of contaminant

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					from their families.	<p>particles/hour on the eastern side of the colony and 0,15-0,18 on the southern side). The drinking water supplying IK-10 and the town of Krasnokamensk stems from an artesian well situated at a distance of approximately 30 km from the town. According to the figures of the Centre for Hygiene and Epidemiology of Krasnokamensk the amount of uranium in the drinking water constitutes 0,4-1,26 Bq /l (permissible level: 3,1 Bq /l). No uranium leakages have entered ground waters or migrated towards drinking water reservoirs. In 2005 and 2006, 12 and 14 persons respectively suffered from tuberculosis in IK-10. Since the abolition of a tuberculosis unit in 2005 (in connection with a sharp fall in cases of tuberculosis), persons suffering from tuberculosis have been transferred to a specialized medical institution. In October 2006, 1035 persons were being held in IK-10 (capacity: 1498), out of whom three had undergone tuberculosis treatment, but were completely cured.</p> <p>The sanitary conditions of the living quarters have been found satisfactory by the Sanitary-epidemiological service of the Penitentiary Administration of Chitinskiy Region. In 2005 two convicts held in IK-10 died: V. A. Fedorov from coronary insufficiency, and S. E. Yazshin from salmonella poisoning (after a long-term meeting with relatives). Therefore, there were no deaths due to sanitary problems or diseases in IK-10 in 2005.</p>

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						<p>In 2005, because of the long-term use of water pipes there was one instance of leakage of sewage, but it was immediately repaired and did not lead to any cases of dysentery.</p> <p>Art. 73 of the Russian Criminal Penitentiary Code stipulates that prisoners serve their terms of deprivation of liberty on the territory of subjects of the Russian Federation where they reside or were convicted. If there is no colony of the type required by the conviction or no place in one of the colonies on the territory of subjects of the Russian Federation where they reside or were convicted, convicts are sent to the closest possible institution. M. B. Khodorkovsky, considering that this provision was violated in his case, filed a complaint against his place of detention. The Zamoskvoreckiy District Court of Moscow rejected this complaint, which M. B. Khodorkovsky appealed to Moscow City Court. However, the latter also rejected the appeal. Therefore, the court has confirmed that the fact that M. B. Khodorkovskiy is serving his sentence in IK-10 is in compliance with the legislation. Besides Mr. Khodorkovsky, there are 14 more convicts from other Subjects of the Russian Federation and no violations of art. 73 were detected in their cases.</p>
233.		30/10/06	JAL	IJL; TOR;	Rustam Muminov , an Uzbek national. At about 11.45am on 17 October 2006, he was detained by plain clothes police at the office of the human rights organization, Civic Assistance Committee (<i>Komitet Grazhdanskoe Sodeistvie</i>), in Moscow.	

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					<p>He was then taken to a District Court in Moscow, which ordered him to be deported to Uzbekistan due to his failure to present a residency permit. During the hearing he was not represented by a lawyer and was not given an opportunity to speak on his own behalf. He was deported on the evening of 24 October 2006. Rustam Muminov moved from Uzbekistan to Russia in 2000 and acquired a temporary residency permit. In 2005, the authorities in Uzbekistan accused him of membership of Hizb-ut-Tahrir. In February 2006, he was detained in the city of Lipetsk following an extradition request from the General Procuracy of Uzbekistan. In September 2006, the General Procuracy of the Russian Federation decided not to extradite Rustam Muminov and he was released on 29 September 2006. His temporary residence permit expired while he was in detention, and the authorities refused to renew it. According to the information received, he was returned to Uzbekistan despite the fact that a lawyer from <i>Komitet Grazhdanskoe Sodeistvie</i> had filed an appeal with the court, which was due to be examined on 26 October 2006. Furthermore, on 24 October, the European Court had indicated to the authorities under rule 39 of the Rules of the Court that they should take interim measures to ensure that Rustam Muminov remained in the Russian Federation.</p>	

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234.		16/11/06	JAL	HRD; TOR;	<p>Police violence at a picket in Nazran organized in memory of the late Russian journalist Ms Anna Politkovskaya; the subsequent arrest and detention of four members of human rights organization Memorial, Ms Zarema Mukusheva, Ms Zoja Muradova, Ms Fatima Yandieva and Mr Albert Khantygov; and the Director of Ingushetia NGO <i>Mashr</i>, Mr Magomed Mutsolgov, and alleged physical violence used against Mr Shamsudin Tangiev and Ms Ekaterina Sokirianskaia, both members of Memorial. On 16 October 2006, a memorial picket was due to take place in honour of the late journalist Ms Anna Politkovskaya in Nazran, Ingushetia at 4pm. Uniformed police agents and men in civilian clothes prevented people from attending the picket as it had been deemed illegal by the authorities. Mr Mutsolgov had notified the Head of the City Administration of the intention to hold the memorial but no official response was received, since it is not necessary to obtain permission to hold a picket under Federal Law. Mr Mutsolgov did receive a letter dated 15 October 2006, informing him that the picket had been deemed illegal, but he did not consider it to be an official response as it was not signed by the Head of the City Administration and there was no official emblem on the letter. Members of the Chechen Committee for National Salvation and Mr Aslambek Apaev, chairman of the Committee for Defending Rights of Forced Migrants, were the first to arrive at the appointed meeting place, but upon hearing of the alleged illegality of the</p>	

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					<p>gathering, they began to disperse. However they were surrounded by men in civilian clothes who tried to provoke a violent reaction from them. They were joined a few minutes later by Mr Mutsolgov and members of <i>Mashr</i> but they were also surrounded by men in civilian clothes accompanied by uniformed militiamen. The participants were physically beaten. In addition, two Memorial staff members were beaten. Mr Tangiev was assaulted after he supposedly commented on the use of language by the militiamen in relation to the women present and when Ms Sokirianskaia attempted to intervene, a Nazran police officer in civilian clothes, struck her across the face causing her to suffer concussion and a broken nose. Ms Mukusheva, Ms Muradova, Ms Yandieva, Mr Khantygov and Mr Mutsolgov were subsequently transported to the Nazran city militia station (GOVD) where they were denied access to their lawyers and were not informed of their rights. Late that night a judge was brought to the station in order to hear the case of the three female detainees. They were not legally represented and were fined 500 rubles for "violating the established manner for carrying out a demonstration". The male activists were eventually granted access to their lawyer, Magomed Gandaur-Egi, but only eight hours after their initial detention and their hearing was postponed until 30 October 2006. Concern is expressed about the alleged excessive use of force used against the participants at the memorial picket in Nazran. Further concern is</p>	

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					expressed that the alleged beating and detention of the aforementioned human rights activists may be related to their legitimate activities in defence of human rights and may represent an attempt by the authorities to deter and punish them from carrying out their work.	
235.		Follow-up to past cases			Zelimkhan Taymurazovich Karaev (E/CN.4/2006/6/Add.1, para. 389).	By letter dated 27/02/06, the Government reported that on 13 October 2005, he was detained as a suspect in criminal proceedings in connection with an armed attack on law enforcement officers and civilians in Nalchik. On the same day, Mr Karaev's relatives were informed of his arrest in accordance with the legally established procedure. On 19 October, pursuant to a court decision, the preventive measure of remand in custody was chosen for Mr Karaev. No violations of current legislation occurred during Mr Karaev's detention and remand in custody. He was indicted on the basis of sufficient grounds for accusing him of the aforementioned particularly serious offences. The allegations that he sustained serious physical injuries from law enforcement officers who sought to obtain a confession were investigated by the procurator's office in accordance with articles 144 and 145 of the Code of Criminal Procedure. The forensic medical examination (No. 1434-A) conducted on 18 October, found that Mr Karaev had sustained physical injuries in the form of bruises on his face and left shoulder and abrasions on his right shin, none of which entailed serious damage to his health. The

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						investigation did not uncover any objective information that might indicate that Mr Karaev's injuries were caused by law enforcement officers. On 1 December, following an investigation conducted by the procurator's office of the Kabardino-Balkar Republic, the decision was taken not to institute criminal proceedings on the basis of article 24, paragraph 1.1, of the Code of Criminal Procedure in view of the lack of evidence of any official misconduct.
236.					Ilez Khamhoev, Magomed-Ali Barakhoev and Ruslan Yandiev (E/CN.4/2006/6/Add.1, para. 393).	By letter dated 24/02/06, the Government reported that the Procurator's Office of the town of Nazran has opened criminal case No. 05560115 in accordance with article 126 of the Criminal Code of the Russian Federation (Abduction). Notwithstanding the investigative measures that they have taken, the police have been unable to establish the whereabouts of the abducted persons. The investigation is currently continuing under the oversight of the Procurator's Office of the Republic of Ingushetia.
237.					Anvar Raimdjanovich Salikhov (E/CN.4/2006/6/Add.1, para. 388)	By letter dated 27/02/07 the Government replied that on 26 July 2005 Anvar Raimdjanovich Salikhov, a permanent resident of Nizhny Novgorod, was arrested by officers of the criminal investigation unit of the Moskovsky district internal affairs office of Nizhny Novgorod on suspicion of involvement in the murder of the head of the criminal investigation division of the Sormovo district internal affairs authority, I.S. Dodonov. On 22

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						<p>July 2005, the Moskovsky district procurator's office of Nizhny Novgorod instituted criminal proceedings (case No. 141715) on the basis of evidence of an offence contrary to article 111, paragraph 4, of the Criminal Code of the Russian Federation (Intentional infliction of a serious injury, resulting in manslaughter). Immediately after his arrest, Mr. Salikhov was taken by militia officers to the aforementioned procurator's office where, in the presence of a lawyer, he stated that, on the evening of 21 July 2005, on Strazh Revolutsii Street in Nizhny Novgorod, in a state of alcoholic intoxication, together with his acquaintances A.V. Gogochkin and S.S. Kuznetsov, both of whom have criminal records, for no apparent reason he beat up the first man (I.S. Dodonov) that came his way. Mr. Salikhov confirmed his testimony during the examination of the scene of the crime. On 27 July 2005, pursuant to a court decision, Mr. Salikhov was remanded in custody. On 1 August 2005, the investigator of the procurator's office charged him under article 111, paragraph 4, of the Criminal Code. On 5 August 2005, the lawyer I.V. Rykov went to the Novgorod Province Central Internal Affairs Department and presented a statement made on 30 July 2005 by Mr. Salikhov, in which he alleges that, at the time of his arrest on 26 July 2005, he was beaten in the premises of the Moskovsky district internal affairs office by several militia officers who tried to force him to confess.</p>

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						<p>An official investigation into the matter was carried out with the participation of the Internal Security Department of the Ministry of Internal Affairs; however, Mr. Salikhov's allegations were not confirmed. According to an entry in the record of persons brought to the duty office of the Moskovsky internal affairs office in Nizhny Novgorod, during his time there (26 and 27 July 2005), Mr. Salikhov did not complain about his health. The members of the criminal investigation unit of the Moskovsky district internal affairs office who participated in the investigation into Mr. Dodonov's murder categorically deny that any force was used against the detainee. Moreover, pursuant to a decision taken on 3 August 2005 by the investigator in criminal case No. 141715, Mr. V.S. Koryagin, Mr. Salikhov underwent a forensic medical examination, which found that his physical injuries in the form of abrasions - which did not cause any harm to his health - were sustained on 21 or 22 July 2005 (prior to his arrest). In this connection, the Moskovsky district procurator's office in Nizhny Novgorod twice, on 29 September and 21 October 2005, decided not to institute criminal proceedings owing to the lack of any evidence that the militia officers committed an offence. Mr. Salikhov is being held in remand centre No. 1 in Nizhny Novgorod. When he entered the remand centre, he was examined by a physician. The examination revealed the following bodily injuries: bruise in the area of</p>

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						his left eye and numerous abrasions on his back. The relevant materials have been referred to the Moskovsky district procurator's office in Nizhny Novgorod. As a result of an additional investigation, conducted by the Nizhny Novgorod provincial procurator's office, into Mr. Salikhov's allegations of having been beaten by militia officers, on 6 December 2005, criminal proceedings were instituted on the basis of evidence that official powers had been exceeded, which constitutes an offence under article 286 of the Criminal Code. The investigation of this criminal case is being monitored by the Office of the Procurator General of the Russian Federation.
238.					Arrests of between 58 and several hundred persons during a "special operation" By the Ministry of the Interior of Bashkortostan. (E/CN.4/2006/6/Add.1, para. 392)	By letter dated 29/02/06, the Government reported that on 29 December 2004 the Prosecutor's office of the Republic of Bashkortostan instituted criminal proceedings on the basis of evidence of an offence contrary to article 286 (Exceeding official powers), paragraph 3 (a), of the Criminal Code of the Russian Federation, following an incident involving officers of the Blagoveshchensk district internal affairs division and the police special duties detachment (OMON) of the Ministry of Internal Affairs of the Republic of Bashkortostan. While conducting preventive measures from 10 to 14 December 2004, the officers allegedly used force against residents of Blagoveshchensk. During the investigation it was established that, around midnight on 8 December 2004, on

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						<p>Sedov Street in Blagoveshchensk in the Republic of Bashkortostan, in the presence of a large crowd, a group of citizens resisted officers of the Blagoveshchensk district internal affairs division, as a result of which five of them received minor injuries. On 9 December 2004, the head of the Blagoveshchensk internal affairs division, together with officials of the Ministry of Internal Affairs of the Republic of Bashkortostan, using the aforementioned incident as justification, took a decision to conduct preventive measures in Blagoveshchensk and Blagoveshchensk district, making maximum use of the personnel of the Blagoveshchensk district internal affairs division and the OMON group attached to the Ministry of Internal Affairs of the Republic of Bashkortostan. The main objective of the measures was to identify persons who commit offences on the streets and in public places, violate law and order and engage in antisocial behaviour, and to prevent domestic crime and juvenile delinquency. However, the Ministry of Internal Affairs officers and the group of OMON officers turned this operation into a demonstration of force in order to intimidate the population; their actions were accompanied by numerous violations of citizens' constitutional rights and freedoms and by cruel and degrading treatment. Between 10 and 14 December 2004, 144 persons were taken without due cause to the Blagoveshchensk district internal affairs division and 197 were</p>

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						<p>illegally subjected to unlawful force. These persons have been recognized as the victims in the case. Experts found that 23 persons had sustained various bodily injuries. Citizens Berdnikov, Ramentev, Kondratev, Lazarev, Antipin and Sergeev were recognized as victims in the criminal proceedings. Citizens Shatanov and Dyakonov were not questioned as witnesses or victims in the case, and no information concerning any bodily harm caused to them was received during the investigation. The procurator's office of the Republic of Bashkortostan is investigating this information. As a result of the investigation of the criminal case, the head of the Blagoveshchensk district internal affairs division and the person immediately responsible for conducting the preventive measures, was charged with offences contrary to article 286, paragraphs 3 (a), (b) and (c), of the Criminal Code. The commander of the first tactical company of OMON attached to the Ministry of Internal Affairs of the Republic of Bashkortostan, who was the senior officer of the OMON group that was sent to provide practical assistance to the Blagoveshchensk district internal affairs division, was charged with offences contrary to article 286, paragraph 3 (a), (b) and (c), of the Criminal Code. In connection with the issuance of 198 knowingly unlawful decisions to bring administrative proceedings against citizens, the deputy head of the Blagoveshchensk district internal affairs</p>

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						<p>division, was charged with an offence contrary to article 285 (Abuse of official powers), paragraph 3, of the Criminal Code. For exceeding official powers, which took the form of the unlawful use of force against citizens, several other officers were prosecuted. On 29 July 2005, the criminal case with the bill of indictment was referred to the Blagoveshchensk district court for consideration of its merits, the result of which is being monitored. Moreover, in a case related to the aforementioned criminal proceedings, two militia officers of the Blagoveshchensk district internal affairs division who used persuasion and threats to force the victims to sign declarations that they had sustained their bodily injuries through their own negligence, have been convicted under article 285, paragraph 1, and article 292 of the Criminal Code. The incidents that occurred in Blagoveshchensk and Blagoveshchensk district were thoroughly investigated by senior officials of the Ministry of Internal Affairs of the Russian Federation with the participation of the President of the Republic of Bashkortostan, Mr. M.G. Rakhimov. As a result of the investigation, the Ministry of Internal Affairs of the Russian Federation signed an order setting out a series of measures to strengthen legality and ensure that citizens' rights are observed when Russian internal affairs bodies engage in law enforcement activities. The information contained in the Special Rapporteur's letter</p>

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						concerning mass arrests in the town market, the conduct of identification checks in two residences in Blagoveshchensk, A. Shatanov's attempted suicide, the beating of pregnant women, as well as the ethnic focus of the measures taken, does not correspond to the facts. The Ministry of Internal Affairs of the Russian Federation is currently cooperating actively with the Commissioner for Human Rights in the Russian Federation and other human rights organizations, including with a view to investigating violations by militia officers of citizens' constitutional rights and interests, and is drafting joint measures to prevent violations of law and order. Some constituent entities of the Russian Federation have established social councils to monitor the observance of human rights in the work of internal affairs agencies, and there are plans to extend this practice to other regions of the Russian Federation.
239.	Saudi Arabia	22/12/05	JUA	IJL; TOR;	Puthan Veettil `Abd ul-Latif Noushad , an Indian citizen. The Greater Shari'a Court of Dammam sentenced him to have his right eye gouged out. The sentence followed his conviction for participating in a brawl in April 2003, in which a Saudi citizen was injured. The court refused to hear the evidence of an eyewitness because he was not a Saudi national. In addition, Puthan Veettil `Abd ul-Latif Noushad was not represented by a lawyer during the first instance trial proceedings, although he was represented by a lawyer during the appeal proceedings. Reports	By letters dated 28/12/05 and 30/01/06, the Government reported that the judgement handed down by the court of first instance in this case was not ratified by the Court of Cassation, Riyadh, which decided to refer the case for review by the Higher Court, Eastern Region. The case has been settled amicably following the victim's renunciation of his private right, the case has been closed, and he will not be subjected to the penalty in question. Concerning reports of two similar sentences of eye-gouging handed down this year, such

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					indicate that this is the third case this year in which a Saudi court has issued a sentence of eye-gouging.	reports are unfounded and the Government would appreciate detailed information on the two cases in order to enable it to make clarifications.
240.	Solomon Islands	01/11/06	UA	TOR;	Billy Kelly Kelly , aged 18. He has been sentenced to life in prison for a murder he committed when he was only 14 and a half years old. He stood trial in the High Court in July 2006, and on 4 August 2006, he was convicted for the murder of Patterson Gatu on 25 April 2003.	By letter date 28/12/06, the Governemnt reported that Mr Kelly appealed against his sentence of life imprisonment through the Public Solicitor. On 25 October 2006, the Court of Appeal allowed the appeal and remitted the case to the High Court for re-sentence.
241.	South Africa	18/08/06	JAL	TERR; TOR;	Khalid Mehmood Rashid , a Pakistani citizen. Mr Khalid Mehmood Rashid was handed over by South African authorities to Pakistani officials at an air base in South Africa nine months ago. Thereafter, he left the country with Pakistani officials on an unscheduled flight. He has not been seen or heard from since. According to the Pakistani High Commission in South Africa on 14 June 2006, Mr Rashid was "wanted in Pakistan for his suspected links with terrorism and other anti-state elements (...) Presently he is in the custody of the Government of Pakistan". On 29 June 2006, the Lahore High Court directed the state to disclose his whereabouts within three weeks.	By letter dated 23/11/06, the Government reported that On 31 October 2005 members of the South African Police Services and members of the Department of Home Affairs conducted an exercise in the town of Escourt, KwaZulu-Natal, which led to the detention of K M Rashid and I Jeebhai. Mr. Rashid is a Pakistani national whilst Mrs. Jeebhai is an Indian national. Both these persons were detained under the provisions of sections 34, 42 and 8 of the Immigration Act, No 13 of 2002 ("the Immigration Act"). After the provisions were complied with, Mr. Rashid was deported to Pakistan, having been handed over by South African authorities to Pakistan officials at Waterkloof Air Force Base, South Africa, on 6 November 2005. Mr. Jeebhai was also in the process of being deported to India, when an urgent application was lodged by his brother, on 12 November 2005, and set down for hearing on 15 November 2005. In terms of a court order obtained on 15 November 2005 Mr. Jeebhai, who had not yet been deported, was

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						<p>released and is presently (illegally) in the Republic of South Africa. Waterkloof Air Force Base is a port of entry operated by the Department of Home Affairs. Immigration officials stationed at Waterkloof Air Force Base completed and stamped the necessary prescribed documentation prior to Mr. Rashid being handed over to Pakistani officials. The aircraft which collected Mr. Rashid is not a scheduled flight. No direct flight exists between South Africa and Pakistan. Full details of the aircraft's registration number were made available to Mr. Rashid's legal representatives. At that stage, being October/November 2005, the South African authorities were not aware of the fact that Mr. Rashid was "wanted in Pakistan for his suspected links with terrorism and other anti-state elements". The first time that the South African authorities became aware thereof, was when the Pakistani High Commission to South Africa issued a statement to this effect on 14 June 2006. It is the policy of the Department of Home Affairs to deport persons as soon as possible after their detention under South African immigration legislation. A plethora of applications and other court proceedings were instituted on behalf of Mr. Rashid subsequent to October 2005 and which culminated in the hearing of the main application which took place on 25 and 28 August 2006 as mentioned above. Despite the filing of a multitude of depositions by parties acting on behalf of Messrs. Jeebhai and</p>

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						<p>Rashid, as well as by their legal representatives, no reference whatsoever is ever made in such depositions as to any inappropriate behaviour or conduct towards Mr. Rashid by the South African authorities. The only cause for complaint which is lodged by the persons and legal representatives acting on behalf of Messrs. Rashid and Jeebhai, was that the detention and deportation of Mr. Rashid was not in compliance with the Immigration Act, to the extent that section 8 thereof had not been complied with. Section 8 of the Immigration Act, provides that the person detained under section 41 or section 34 has a right of review, directly by the Minister, of the decision of an immigration official to declare a person detained in terms of the immigration legislation as an "illegal foreigner". Such a review, which is directed to the Minister of Home Affairs must be lodged within three days of to the declaration of "illegal foreigner". The reason for the short period of time afforded to a detainee is self-evident, namely, to ensure that certainty as to the immediate future movement of the detainee, is obtained as soon as is possible. Further appeal/review proceedings are provided for in section 8 but which are not, for purposes of the present enquiry, relevant. Whilst in detention, Mr. Rashid deposed an affidavit on 2 November 2005 in terms of which he acknowledged that he had entered the Republic of South Africa unlawfully and that he</p>

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						<p>had paid certain monies for a fraudulently issued permit. He also, in addition thereto, signed certain prescribed documentation in terms of which he waived his entitlement to the review procedure provided for in section 8 of the Immigration Act as well as his entitlement to call for the confirmation of his detention by way of an arrest warrant issued by a South African court. As regards the further allegations concerning the proceedings of the Lahore High Court, the South African authorities are aware, through statements made by Mr. Rashid's South African legal representative, that steps have been taken in Lahore to attempt to establish his whereabouts. No further information in this regard is known by the South African authorities. The South African Government cannot adopt the approach that all deportations to countries such as Pakistan will lead to the torture of such returnees. In the event, however, of South African officials being aware of the possibility that specific returnees may well be exposed to torture, the South African Government will request written undertakings by the Government of the returnee that the relevant international covenants regulating torture, will be respected. To the extent that this question is aimed by the Special Rapporteurs only at the Government of Pakistan, this is unwarranted in that it discriminates specifically against the officials of Pakistan, and fails to take into consideration the fact that torture may be exercised by a</p>

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						number of Governments of the international community. The South African authorities did communicate with the Pakistani authorities during June/July 2006, with a view to establishing whether or not Mr. Rashid was in fact received by the Government in Pakistan. Answers to both these questions were provided in the affirmative by the Government of Pakistan.
242.	Spain	Follow-up to past cases			Varios migrantes (E/CN.4/2006/6/Add.1, párr. 413).	<p>Por carta con fecha 25/11/05, el Gobierno informó de que los cuatro incidentes mencionados han dado origen a procesos judiciales y otras tantas investigaciones internas. Ni uno ni otro precisan denuncia previa, pues se inician de oficio. La muerte del nacional camerunés Joseph Abunaw Ayukabang es objeto de una investigación aún abierta, cuyo desarrollo se ve forzosamente limitado debido a que el fallecimiento ocurrió fuera de España. Respecto a este incidente el Gobierno aclara que las fuerzas y cuerpos de seguridad españoles tienen prohibidas la tenencia y uso de porras eléctricas. En los registros periódicos de los depósitos de armas en el puesto fronterizo nunca se han encontrado estas armas ilegales, como tampoco consta su exhibición, uso o tenencia por parte de los agentes españoles de frontera.</p> <p>Con relación a la muerte de dos personas los días 12 y 15 de septiembre de 2005, el Gobierno indica que estos fallecimientos ocurrieron en un hospital español, después de</p>

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						que los agentes competentes permitieran la entrada al territorio español a dos heridos que precisaban urgente atención médica. Finalmente, existe un proceso judicial abierto con respecto al incidente del 29 de septiembre de 2005. A este respecto, el Gobierno afirma que el personal del puesto fronterizo recuperó los cuerpos de dos personas que murieron al recibir impactos de balas procedentes de armas de fuego largas no utilizadas por la Guardia Civil. Los orificios de bala se encontraban en la parte posterior de los cuerpos de los fallecidos, que en el momento de su muerte se dirigían hacia el territorio español, y los impactos de bala en la fachada del transformador no miran a España sino al otro lado de la frontera. En este contexto, la investigación interna descartó cualquier posible relación de la Guardia Civil española con el fallecimiento de estas dos personas.
243.	Sri Lanka	07/03/06	JAL	SUMEX; TOR;	Lelwala Gamage Nandiraja , aged 53, a physician. On 29 May 2005, he was arrested during the night at his home by two police officers wearing uniforms of the Weliveriya police and four other men in civilian clothing. They entered the house and beat him all over his body before dragging him naked from the house to their vehicle. On 30 May 2005, he was reportedly rushed to Gampaha District Government Hospital. He died of his injuries, although it is not clear whether he died before or after arriving at the hospital. The police had been looking for a 40 year old man named Lalewela Nandiraja on	

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					suspicion of theft and they mistakenly arrested Lelwala Gamage Nandiraja due to the similarities between his name and the name of the suspect.	
244.		17/03/06	JUA	TOR; HRD	<p>Kasinathar Ganeshalingam, director of the Tamil Rehabilitation Organization (TRO), Kathirkamar Thangarasa, TRO driver, Ms Thanuskody Premini, chief accountant for the TRO in Batticaloa, Shanmuganathan Sujendram TRO accountant, Thambiraja Vasantharajan, Kailayapillai Ravindran TRO accountant, Ms Punniyamoorthy Nadeswari, TRO staff member, Ms Sithiravel Sivamathu, TRO staff member, Ms S. Dosini and Arunesarasa Satheesharan, TRO accounts trainee. The TRO is an organisation which has been performing humanitarian and aid work in the aftermath of the tsunami. On 29 January 2006, Mr Kasinathar Ganeshalingam, Mr Kathirkamar Thangarasa, Ms Punniyamoorthy Nadeswari, Ms Sithiravel Sivamathu and Ms S. Dosini were abducted in the Jaffna Peninsula, while driving from Batticaloa to Kilinnochichi. After the TRO vehicle had registered at the army checkpoint, a white van which had been following the TRO vehicle, overtook it and made it stop. The five above mentioned persons were dragged from the vehicle by an unknown number of armed men and forced into the white van. Mr Kasinathar Ganeshalingam and Mr Kathirkamar Thangarasa were assaulted, tied up and put back in the TRO vehicle. Subsequently all five persons were taken to a camp in a jungle area, where Mr Kasinathar Ganeshalingam and Mr Kathirkamar Thangarasa</p>	<p>By letter dated 30/06/06, the Government reported that is facing the problem of terrorism with the LTTE, which is a terrorist group that has been banned in many countries including the USA, India, Canada and the European Union. The LTTE is known to operate in countries that have banned it through front organisations. The Tamil Rehabilitation Organisation (TRO) is a known front organisation of the LTTE, which helps the LTTE in its terrorist activities by collecting funds in foreign countries. The alleged abduction of members of the TRO appears to have been stage managed by the LTTE in order to bring about adverse publicity for the Government. The facts contained in the allegations cast serious doubt on the credibility of the information regarding the abduction. On 2 February 2006 at about 4pm three persons namely Mr T. Qanesharuban of TRO, Ms Reita Web of Non Violence Peace Movement, and the lawyer, Ms Qunamadi Subramaniyam, of Human Rights Organization had appeared at the Office of Superintendent of Police, Batticaloa and produced one Chithravel Sivamadi (aged 19 years, alias Madi, of Navankadu, Vavanathivu, Batticaloa), and Punyamoorthy Ganeshwari (aged 20 years of Navankadu, Vavunathivu, Batticaloa, working at Vipulananda Montessori School) stating that</p>

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					<p>were assaulted again. Ms Punniyamoorthy Nadeswari and Ms Sithiravel Sivamathu were released at approximately 9.00 pm on 30 January 2006, and Ms S. Dosini was released later that evening. Ms Punniyamoorthy Nadeswari, Ms Sithiravel Sivamathu, and Ms S. Dosini were warned by their abductors not to speak to anyone about what had occurred. Mr Kasinathar Ganeshalingam and Mr Kathirkamar Thangarasa have not been seen since 30 January 2006 and their whereabouts remain unknown. On 30 January 2006 at approximately 4.00 pm, Ms Thanuskody Premini, Mr Shanmuganathan Sujendram, Mr Thambiraja Vasantharajan, Mr Kailayapillai Ravindran, Mr Arunesarasa Satheesharan and ten other TRO staff members were travelling from Batticaloa to Vavauniya, when their vehicle was stopped by a white van approximately 100 metres after the army checkpoint in Welikanda. Five armed men got out of the white van, boarded the TRO vehicle and dragged the driver from his seat. The 15 TRO staff members were all blindfolded. Ms Thanuskody Premini, Mr Shanmuganathan Sujendram, Mr Thambiraja Vasantharajan, Mr Kailayapillai Ravindran and Mr Arunesarasa Satheesharan were removed from the TRO vehicle and the remaining ten TRO staff members were released. The whereabouts of Ms Thanuskody Premini, Mr Shanmuganathan Sujendram, Mr Thambiraja Vasantharajan, Mr Kailayapillai Ravindran and Mr Arunesarasa Satheesharan remain unknown. It is reported that</p>	<p>they wanted to make a complaint regarding a kidnapping. They complained to the effect that they were kidnapped by an armed gang whilst they were proceeding towards Kilinochchi on 29 January 2006. The two complainants had left for Kilinochchi in a van, registration no. JA 3074 on 29 January 2006 with a view to collecting some money lent to them by an NGO at Kilinochchi named FORUT. They had left Batticaloa at about 5:15pm with two others, namely Doshini and Ganeshalingam, in a van driven by Thangarasa. When they were on their way to Kilinochchi at Welikanda, an armed gang of about seven persons stopped their vehicle, threatened them at gunpoint and kidnapped all five of them. Their valuables and jewellery were removed and the victims blindfolded and taken away towards the jungle in their vehicle. The three females were detained in a separate place from the men. On the following day (30 January 2006) at about 4pm, Doshini was taken away from them. All of them were questioned and photographed by the assailants, who had cellular phones. On 30 January 2006 at about 8pm, the assailants returned their valuables and dropped the two complainants, Sivamadi and Ganeshwari, in a van at Batticaloa along the Polonnaruwa Road. The assailants forced the victims into a private bus headed towards Batticaloa, and threatened them not to divulge the incident. They arrived at Batticaloa at about 11:30pm. The assailants released Selvam Doshini (of</p>

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					<p>the TRO has filed police reports with the Batticaloa Police Station regarding the above mentioned incidents.</p>	<p>New Mandawanadi, Batticaloa) two days later and she too had returned to Batticaloa unharmed on 2 February 2006. The following two persons were detained by the assailants and it is reported that they have been not released to date: Mandakumar Thangarasa (of Jaffna, driver); and Kasinadan Qanehalingam. As per the directions of the Inspector General of Police, the Criminal Investigation Division took over the investigation into this matter. According to statements of witnesses Sivamadi and Ganeshwari, the assailants had spoken in Tamil, Hindi and Sinhala. S. Doshini corroborated the facts that the assailants spoke to them in Hindi, Sinhala and Tamil, had returned her jewellery, provided meals and tea, and released her unharmed. Inquiries revealed that the van in which the victims travelled belonged to the TRO Office in Killinochchi. The statement of the Administrative Officer of TRO in Colombo has also been recorded. The police conducted several operations and searches in the area but there was no trace of the victims or the vehicle. The public in the area were questioned but the police were not able to find any useful information regarding the allegations. The alleged incident of abduction took place on the evening of 29 January but the incident was reported only on 2 February after a lapse of three days. The long delay in reporting the crime resulted in the police being unable to act swiftly. The TRO has not given sufficient assistance to the</p>

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
						<p>investigation. The delay in reporting leaves a reasonable doubt with regard to the genuineness of the complaint. Though the witnesses had stated that they were on their way to Kilinochchi to collect money from FORUT for rehabilitation work in schools etc., the manager of the organization denied that such funds were to be provided for this purpose nor was the distribution of money fixed for the day in question. This creates doubt about the credibility of the three witnesses Ganeshwari, Doshini and Sivamadi. Facts have been reported to the Magistrate's Court of Polonnaruwa in Case No: B 224/06 and the case is fixed for 24 July 2006. Further inquiries are continuing to trace the victims and to establish the identities of the culprits, though this is a difficult task due to the location being an "uncleared area", where there is little or no hope of receiving intelligence, for the purpose of conducting further investigations. On 31 January 2006 at 7:20pm, Sadhasivam Mahalingam, the Administrative Officer of the TRO at Batticaloa, appeared at Batticaloa Police Station and complained that on 30 January 2006, an armed gang stopped and threatened a vehicle (vehicle number 250-8993, driven by Selvarajah Fradeepan, which left Batticaloa at 4pm) at Welikanda, which was carrying a team of 14 TRO Officers on their way from Batticaloa to Kilinochchi. The occupants were threatened at gunpoint, the following five persons kidnapped</p>

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						<p>(Kaihlaspillai Ravindran, Arulnesha Rasa Sadiyakaran, Danushkodi Premani, Sanmuganathan Surendran, and Thambirasa Wasantha Rajan) and the nine others, including the driver, released.. This incident was brought to the notice of the Inspector General of Police on 31 January 2006, who immediately directed DIG CID to send a team to TRO Office Colombo and to Welikanda to make a full scale investigation. He also directed DIQQ Batticaloa and North Central Range to conduct further inquiries to this matter. The nature of the complaint and the subsequent behaviour of the complainant reveal the following facts. The alleged incident according to the complainant occurred on 30 January 2006 at 4pm. The driver failed to inform the closest police station or any other law enforcement authority in the proximity of the incident. The Administrative Officer of the TRO complained on 31 January 2006 at 7:20pm on the basis of information received from the driver at 10am that day. It had taken 18 hours for the driver to inform the Administrative Officer of the TRO, and the AO had taken well over nine hours to make this complaint to the police. According to the Administrative Officer, 14 TRO Officer are said to have travelled in this vehicle. If five were abducted, the other nine could have gone to the authorities to make complaints as they too would have been eyewitnesses. On 31 January at 12:30pm, Kaihlaspillai</p>

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						<p>Parameshwari (of Wanninagar, Palugamam) appeared at Kalawanchchikudi Police Station and complained that her son, Kaihlasapillai Ravindran, had been kidnapped by a group of people at Welikanda Police area when he was riding in a vehicle along with other people from TRO. This also refers to the same group who were alleged to have been kidnapped. Out of the released TRO Officers, CID has recorded the statements of Ms Kunarathnam Suharthawadani, and Selvarajah Pradeepan, alias Deepan, the driver of the van. They too were unable to identify any of the assailants. The statements of the following TRO officers could not be recorded as they are living in LTTE controlled areas and did not turn up to give their statements up to date: Ms Pushpanadan Vijida, Ms Lingamayagam Sathyapriya, Ms Sinnathurai Sobanarani, Ms Veerakkutti Sandiramathee, Ms Ponnathurai Kokilai, Ms Kandasamy Mallika, and Ms Kandiragamar Podidharshani. Although several messages have been sent for the above to turn up to assist the police in the investigations, they have not done so far. All of the above are vital witnesses for the inquiry and their failure to make statements to the police clearly indicates that they are purposely avoiding doing so, as they are trying to conceal facts relating to this matter. Nevertheless, further efforts are being made to trace the victims and to establish the identities of the culprits. This is a difficult task due to the</p>

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						<p>location being an “uncleared area”, where there is little or no hope of receiving intelligence, for the purpose of conducting further investigations. Some of the highlights of the prompt investigations carried out by the police: prompt recording of statements by the Batticoloa police; presence of a human rights lawyer, TRO officer, and an NGO officer during the recording of statements; statements recorded in the Tamil language by Tamil officers; the witnesses brought before the Judicial Medical Officer to obtain a report with regard to their health and brought before the Courts for their safe release, and no complaint made against the police officers involved in the investigation; a Court report filed requesting the Batticoloa Magistrate to assist the investigators to call the other witnesses who have not come to the police to come and make statements; action taken to reproduce the features of the suspects for publication in newspapers in order to seek public assistance, for the police to identify the perpetrators. Police also conducted several searches in the area where the alleged abductions took place, but no trace of any evidence was ever found; the TRO officers were requested to be present and they participated in one of the searches; the Superintendent of Police, Batticoloa, requested the Sri Lanka Monitoring Mission, Batticoloa, to accompany the Superintendent on the search done on 11 February 2006 but the SLMM officers failed to turn up. The</p>

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						University Teachers of Human Rights, Jaffna, in one of its special reports, has categorically stated that the 'TRO abduction drama was staged by the LTTE immediately before the Geneva talks to force a paramilitary issue in the forefront of the talks.' Some of the problems faced by the investigators and the reasons for the suspicion that the alleged abduction was stage-managed by the LTTE include: a long delay in reporting the crime to the police; lack of cooperation of witnesses, namely witnesses appearing at police stations after long delays, or not appearing at all despite repeated requests; witness statements not providing the investigators with any leads; and TRO not assisting sufficiently in the investigation. The above demonstrates that the Government has taken all efforts to conduct a speedy and effective investigation into the alleged abductions. It is also clear that the alleged victims and the complainants, including the TRO, have failed to assist in the investigation as a bona fide complainant would undoubtedly have done.
245.		13/04/06	AL	TOR;	M. H. Priyantha Minipura , aged 25, a farmer from Ayagama. On 24 December 2005, he was arrested on suspicion of possession of prohibited alcohol. He was beaten by SI Jayatissa on his left ear, resulting in loss of hearing. He was held in police custody at Ayagama police post for two days. While he was there he was handcuffed to a bed and repeatedly beaten by police officers from Ayagama police post. M.H. Priyantha Minipura	

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					lodged a complaint on 27 December 2005 against the perpetrators before the Assistant Superintendent of Police.	
246.		18/04/06	AL	TOR;	W. G. M. K. S. and three other unidentified boys. On 11 November 2005, they were arrested by three police officers on suspicion of being involved in a theft. The police officers took the four boys to Mahawela Police Station, where they beat them with a pole. They were subsequently released. As a result of his treatment, M. K. S. vomited blood. At 2 am on 13 November 2005, he was admitted to Matale District Hospital.	
247.		05/12/06	JUA	WGAD; TOR;	Weligoda Ananda , 49 years of age, welder by profession, and residing at Sevana Induragara, at Dunagaha in the District of Gampaha, Western Province. On 8 November 2006, at 11:30 am, he was arrested by ten plainclothes police officers from the Criminal Investigation Division (CID) of the Peliyagoda and Divulapitiya detachments. He was arrested without being informed of any charges filed against him. Mr Ananda was immediately handcuffed and his wife Dissanayake Mudiyanse Indira Kanthi, his child and his mother-in-law were forced to leave the room and go upstairs. From upstairs, they heard Mr Ananda being ill-treated by the police, who were trying to obtain information from him about a telephone number, then they took him away. His wife has been to local police stations, including Divulapitiya, Negombo, Peliyagoda, the Police Headquarters and the CID offices, and although, on November 16, Divulapitiya Police agreed to take a statement from her the following day, she	

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					has still not been informed about the place of detention of her husband.	
248.		Follow-up to past cases			Samimuthu Benedict (E/CN.4/2000/9, para. 940).	By letter dated 19/06/06, the Government reported that the Criminal Investigations Department (CID) had commenced investigations. According to the statement of Samimuttu Benedict, he was transferred from Kandy Police Station to the Special Investigation Unit in Colombo on 15 June 1998. He was detained for three months there. The accused police officers have been interviewed, and deny their involvement in the torture. Although there is no evidence from eyewitnesses, the medical report of the JMO, indicated that Samimuttu Benedict had injuries on his body. CID has sought instructions of the Attorney-General's Department to take necessary legal action against the accused officers. The investigation report has been sent to the Attorney General. Although there is credible evidence, the Attorney-General came to the conclusion that he was subject to police assault, but it was not possible to attribute criminal responsibility to any particular person. As such the Attorney-General has advised the police that no criminal charges could be filed against any named person.

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249.					<p>Pichchamuththu Chandran (E/CN.4/2000/9, para. 940, and E/CN.4/2003/68/Add.1, para. 1659).</p>	<p>By letter dated 19/06/06, the Government reported that under the instructions of the Attorney-General, the Sri Lanka police has conducted disciplinary inquiries against the accused police officers. However, two disciplinary inquiries in this regard were conducted as the officers were attached to two different police stations (i.e. Kandy and Kantale). At the disciplinary inquiry conducted against the accused officers attached to Kandy police under the supervision of DIG / Central Range (West), no lapses as alleged on the part of the accused officers were found to be proven. Further, upon the completion of the disciplinary inquiry conducted against the accused officers attached to the Kantale police under the supervision of DIG / Eastern Range, the officer concerned has been discharged, as even the complainant did not appear for the inquiry. The Attorney-General filed two indictments, under the Act No. 22 of 1994 [Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment], in the High Court. The complainant had however submitted an affidavit stating that the earlier complaint made by him was a false complaint merely to exonerate him from the pending court case. He had further stated that he did not wish to proceed with the case. Based on this affidavit the indictments were withdrawn and the accused officers were discharged by the High Court.</p>

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250.					<p>Sivalingam Satheeskumar (E/CN.4/2003/68/Add.1, 1495, and E/CN.4/2004/56/Add.1, 1518).</p>	<p>By letter dated 19/06/06, the Government reported that the Special Investigations Unit (SIU) commenced investigations into the allegations. The Medical Superintendent of Ampara Hospital stated that he discovered external injuries on the body of the alleged victim. These could have been caused by a blunt weapon or as a result of a fall when running. He was again examined on 13 and 25 June 2001 and 7 and 16 July 2001. He did not have external or internal injuries at that time. It has been discovered that two officers of the STF had been involved in the arrest of the victim. According to them a group of STF officers went to arrest a group of armed terrorists on 16 May 2001. The two parties exchanged fire and after the fighting, Sivalingam Sathiskumar surrendered to the STF with a firearm. They denied that he was subjected to torture. Officers of Ampara CSU who took over Sathiskumar from the STF denied any assault. After completing investigations, the SIU forwarded an extract of the investigation notes to the Attorney-General's Department for advice. The Attorney-General's Department decided to indict three officers under the Torture Act, for the alleged assault. The Indictment was sent to the High Court of Ampara on 27 January 2004 and after trial the said accused were acquitted.</p>

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251.					Ramaiya Saravanaraj, Ramaiya Dhanabalasingham and Murugaiya Prabakaran (E/CN.4/2004/56/Add.1, 1464, and E/CN.4/2005/62/Add.1, 1597).	By letter dated 19/06/06, the Government reported that the SIU conducted an investigation in to this case. The Judicial Medical Officer's certificate said that there were no injuries to prove the assault of police. After the investigations, the SIU reported the matter to Attorney-General seeking advice. The Attorney-General instructed the police to institute criminal charges against six police officers in the Magistrates Court of Hatton. The court has directed the parties to appear before the Mediation Board. The case was subsequently settled between the parties at the Mediation Board.
252.					Hetti Kankanamalage, Chandana Jagath Kumar, and Ajith Shantha Kumana Peli (E/CN.4/2004/56/Add.1, para. 1462, and E/CN.4/2005/62/Add.1, 1596).	By letter dated 19/06/06, the Government reported that the SIU commenced an investigation in to these allegations and upon completion of the investigation forwarded extracts of the investigation notes to the Attorney-General's Department. The two parties have been directed to the Mediation Board by the Magistrates Court of Gampaha and the case was settled in the Mediation Board on 13 September 2005 by the parties.
253.					John Pollage Udays Saman Jayasuriya, and U. G. Nandana Amarasooriya and Tilakasiri. (E/CN.4/2005/62/Add.1, 1524-1525)	By letter dated 19/06/06, the Government reported that the SIU commenced an investigation. The Complainant has tendered a statement supported by an affidavit, withdrawing the allegations made earlier. Having considered the affidavit, the Attorney-General has decided not to proceed with any further inquiries.

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254.					Dope Pathiranyalayage Lasantha Priyankara (E/CN.4/2005/62/Add.1, 1500-1501)	By letter dated 19/06/06, the Government reported that the Senior Superintendent of Police/Elpitiya submitted an investigation report to the Attorney-General's Department seeking advice. The Attorney-General's Department after perusal of the investigation report has decided not to prefer criminal charges against any person.
255.					S. L. Kulatunga (E/CN.4/2005/62/Add.1, 1504-1505).	By letter dated 19/06/06, the Government reported that the SIU commenced an investigation in to this complaint. According to the Special Investigations Unit and on the statements received so far, officers of Nivithigala Police arrested S.L. Kulatunga on a charge of drunken and disorderly conduct. When he was being taken to the hospital to obtain a medical report, had jumped out of the jeep and sustained fatal head injuries. The medical report confirms this. Having examined the investigation notes submitted by the SIU and the medical reports, the Attorney-General has decided not to institute criminal charges.
256.					Welgama Ralalage Wijitha Herath (E/CN.4/2005/62/Add.1, 1559).	By letter dated 19/06/06, the Government reported that the SIU commenced an investigation into this complaint. The Officer-in-Charge of the Polgahawela Station has been identified as the alleged perpetrator. Investigations were completed. However the Complainant has tendered a statement supported by an affidavit, withdrawing the allegations made earlier. Having considered the affidavit, the Attorney-General has decided not to proceed with any further inquiries.

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257.					Uswatta Liyanage Anthony Joseph Perera (E/CN.4/2006/6/Add.1, para. 414).	By letter dated 19/06/06, the Government reported that the Criminal Investigation Department (CID) commenced an investigation. Action has already been taken to provide police protection to both Mr Anthony Joseph Perera and Mr Lalith Rajapaksha including round-the-clock police protection. A special police team was deployed to provide security at the court hearing of the case against Mr Lalith Rajapaksha on 21 February 2005 at the High Court, Negombo. However the security provided to the residence of U.L. Anthony Joseph Perera has been withdrawn on a request made by Mr U.L. Anthony Joseph Perera.
258.					Harsha de Silva (E/CN.4/2006/6/Add.1, para. 418).	By letter dated 27/06/06 the Government reported that the investigation into this incident has been conducted by the Kelaniya Police Division. After completing the investigations the information book extracts have been forwarded to the Attorney-General for consideration of criminal charges.
259.					Thummiya Hakura Sarath alias Banja Kapilawatte (E/CN.4/2006/6/Add.1, para. 418).	By letter dated 27/06/06 the Government reported that the investigation into this incident had been conducted by the SIU. Having completed the investigation the information book extracts were forwarded to the Attorney-General, who decided to indict the person responsible in the High Court of Kaluataru under case No. 444/04. The case is in progress.

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260.					Hevana Hennadige Priyadarshana Fernando (E/CN.4/2006/6/Add.1, para. 418).	By letter dated 27/06/06 the Government reported that although an investigation into this incident was initiated, the complainant has reported that he did not want to pursue the said complaint and has withdrawn it. Considering the withdrawal, it has been decided not to proceed any further with the said investigation.
261.					E. J. P. Kapila Fernando (E/CN.4/2006/6/Add.1, para. 418).	By letter dated 27/06/06 the Government reported that the SIU's investigations are in progress. Once the investigations are completed the matter will be referred to the Attorney-General for consideration of criminal charges against the perpetrators.
262.					P. A Sampath Rasika Kumara (E/CN.4/2006/6/Add.1, para. 418).	By letter dated 27/06/06 the Government reported that the SIU's investigations are in progress. Once the investigations are completed the matter will be referred to the Attorney-General for consideration of criminal charges against the perpetrators.
263.					Liyana Kankanamlage Vipula Saman Kumara (E/CN.4/2006/6/Add.1, para. 418).	By letter dated 27/06/06 the Government reported that the SIU's investigations are in progress. Once the investigations are completed the matter will be referred to the Attorney-General for consideration of criminal charges against the perpetrators.
264.					H.M. Susantha Herath (E/CN.4/2006/6/Add.1, para. 418).	By letter dated 27/06/06 the Government reported that the SIU's investigations are in progress. Once the investigations are completed the matter will be referred to the Attorney-General for consideration of criminal charges against the perpetrators.

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
265.					Mallikage Padma Wijesuriya and Mudannayakage Christie (E/CN.4/2006/6/Add.1, para. 418).	By letter dated 27/06/06 the Government reported that the SIU's investigations are in progress. Once the investigations are completed the matter will be referred to the Attorney-General for consideration of criminal charges against the perpetrators.
266.					Rohitha Upali Liyanage and Sarath Bandara Ekanayake (E/CN.4/2006/6/Add.1, para. 418).	By letter dated 27/06/06 the Government reported that SIU's investigations are in progress. Once the investigations are completed the matter will be referred to the Attorney-General for consideration of criminal charges against the perpetrators.
267.					Kaluthara Guruge Thilan Suranga Jayasinghe (E/CN.4/2006/6/Add.1, para. 418).	By letter dated 27/06/06 the Government reported that SIU's investigations are in progress. Once the investigations are completed the matter will be referred to the Attorney-General for consideration of criminal charges against the perpetrators.
268.					Seneviratne Goshara Mudiyanseelage Upali Nissanka (E/CN.4/2006/6/Add.1, para. 418).	By letter dated 27/06/06 the Government reported that SIU's investigations are in progress. Once the investigations are completed the matter will be referred to the Attorney-General for consideration of criminal charges against the perpetrators.
269.					D. V. R. (E/CN.4/2006/6/Add.1, para. 421).	By letter dated 27/06/06 the Government reported that SIU's investigations are in progress. Once the investigations are completed the matter will be referred to the Attorney-General for consideration of criminal charges against the perpetrators.

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
270.	Sudan	13/01/06	JUA	IJL; TOR;	<p>Abdella Salih Hussain Mohamed, aged 35. On 25 December 2005, he was sentenced by the Zalingy Special Criminal Court to cross amputation of his right hand and left foot, and to a total of six years' imprisonment in connection with charges of murder and robbery at the Alhisahisa Internally Displaced Persons Camp, Zalingy. He was detained by the Zalingy police on 3 June 2005, and on 7 September, the case was transferred to the Special Criminal Court. Following presentations by both the prosecution and defence, Mr Mohamed was found guilty on the same day. The Special Court, established in accordance with the State of Emergency Act 1998 by the Governors of Southern and Northern Darfur Provinces, deals with crimes of armed robbery, crimes against the State, as well as crimes relating to drugs and public nuisance. According to the information received, including admissions from the Sudanese Minister of Justice, the Special Criminal Court does not follow correct judicial procedures and internationally recognized principles of due process. The penalty for armed robbery (Hiraba) under article 168 of the Penal Code provides for, among other things, "...the amputation of the right hand and left foot if his act results in grievous hurt or robbery of property equivalent to the minimum (Nisab) for capital theft..."</p>	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
271.		10/04/06	JUA	WGAD; FRDX; TOR;	<p>Osman Hassan Al-masri, General Secretary of the Beja Congress in Gadarif State (arrested on 6 March 2006), Alamin Alhaj, Chairperson of the Beja Congress in Gadarif State (arrested on 6 March 2006), Ali Hussain Omer, Member of the Beja Congress Secretariat in Kassala State (arrested on 7 March 2006 – transferred from security detention to Kassala Prison, began a hunger strike on 26 March 2006), Ali Omer, Member of the Beja Congress Secretariat in Kassala State (arrested on 8 March 2006), Mahmoud Ibrahim Osman, Assistant General Secretary of the Beja Congress in Kassala State (arrested on 10 March 2006), Ali Omer Mohamed Ali, Member of the Eastern Front (arrested on 7 March 2006, began a hunger strike on 26 March 2006), Haroun Mohamed Ali, Member of Eastern Front (arrested on 7 March 2006, began a hunger strike on 26 March 2006), Mohamed Din Suleiman, Chairperson of the Secretariat of the Beja Congress in Kassala State (arrested on 3 April 2006), Gafar Mohamed Adam, General Secretary of the Beja Congress in Kassala State General (arrested on 3 April 2006, previously arrested on 10 March 2006) Mohamed Osman Alkhalifa, Member of the Beja Secretariat in Kassala State (arrested on 3 April 2006), Hashim Hangag, Lawyer, Spokesperson for the Beja Congress in Kassala State (arrested on 4 April 2006, previously arrested on 10 March 2006), and. Alamin Alfaidabi, Member of the Secretariat (arrested on 4 April 2006). On 6, 7 and 8 March 2006, Osman Hassan Al-masri, Alamin</p>	<p>By letters dated 08/05/06 and 02/08/06, the Government reported that Osman Hassan Al-Masri and Alamin Alhaj were arrested on the Sudanese-Eritrean border on suspicion of their identity. They were released after their identity was verified during interrogation. Ali Hussain Omer and Ali Omer Mohamed were arrested on 07/03/06 for supporting the armed branch of Albiga Congress. They were released after the investigation proved no charges against them. Mohamed Din Suleiman, Gafar Mohamed, Hashim Hangag, Alamin Alfaidabi and Mohamed Osman Alkhalifa, were arrested on 2 March 2006 for inciting people to protest against the existence of the police camp (anti-smuggling) inside the State of Kasala. They were released the next day.</p>

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					Alhaj, Ali Hussain Omer, Ali Omer, Mahmoud Ibrahim Osman, Ali Omer Mohamed Ali and Haroun Mohamed Ali, were arrested at their homes in the Red Sea, Kassala and Gadarif States in what appears to be a mass arrest by security officers of leading members of the Beja Congress in Red Sea, Kassala and Gadarif States. They are held incommunicado, without charge, in unknown locations in the area. Ali Hussain Omer, Ali Omer Mohamed Ali and Haroun Mohamed Ali have been on hunger strike since 2 April 2006 in protest at their continued detention. On 3 and 4 April 2006, Mohamed Din Suleiman, Gafar Mohamed Adam, Mohamed Osman Alkhalifa, Hashim Hangag and Alamin Alfaidabi were arrested in similar conditions by Security Officers in Kassala State, Eastern Sudan. No reason was given for the arrests and detention.	
272.		21/04/06	AL	TOR;	Izdeen Hammed Adam Hassan , aged 24, a computer technician. On 7 November 2005, he was arrested at his workplace, the Elnel Center in Rabak city, by National Security Bureau (NSB) officers on suspicion of being a member of a counterfeit gang. He was initially detained in Kosti for four days. On 11 November 2005, he was taken to Rabak Police Station where the investigating officer informed him of the charges against him. He told him to confess but Izdeen Hammed Adam Hassan refused to do so. He was then transferred into the custody of the Police Investigation Forces (PIF), where he was subjected to torture and ill-treatment by PIF	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					<p>members. PIF officers removed his clothes and hit him in the face with their hands. They hung him by his feet and hit his feet with a water hose. They then hung him from the window bars with handcuffs for approximately one hour until he fainted. On 12 November 2005 at 8.30 am, they hung him from the window bars against and told him to confess. At 12.00 pm he was taken before a judge in Rabak City. At the hearing he informed the judge that he had been subjected to torture and ill-treatment. On 13 November 2005, he was taken before a different judge where he confessed to being a member of a counterfeit gang. Bakheet Alhaj Musa Sabeel, aged 26, of the Birgid tribe. On 14 March 2005, he was arrested at Sania Afandu camp by military intelligence officers. He was taken to a military camp, one kilometre west of Sanya Afondu Village. He was detained in a hole in the ground for 13 days. During his detention, he was subjected to torture and ill-treatment by a group of officers. He was beaten with guns all over his body, flogged on his back and hit on the head with sticks. On 27 March 2005, he was transferred to a military intelligence detention centre in Nyala and detained there for six days. On 2 April 2005, he was moved to Nyala West Central Police Station where he was charged under Article 51 and Article 58 of the Criminal Code. On 7 April 2005, he was transferred to Nyala prison. Jamal Ismael Ahmed, aged 25 and Hussain Ahmed Haroun, aged 23 of the Zaghawa tribe. On 22 March 2005, they were arrested in Bajo Village near</p>	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					<p>Marla by military officers and the Janjaweed militias. They were taken to a military camp in Marla. At the military camp the Janjaweed militias shot and killed Jamal Ismael Ahmed. Hussain Ahmed Haroun was taken to a hole in the ground by the militias and beaten with sticks on his head and ears. He was also flogged on his back. On 31 March 2005, he was transferred to a military detention centre in Nyala, where he was subjected to further ill-treatment. On 7 April 2005, he was transferred to Nyala West Central Police Station where he was charged under Article 51 and Article 58 of the Criminal Code. On 14 April 2005, he was transferred to Nyala prison. I. A. M., aged 15. On 11 September 2005, he was arrested at Sania Afandu Camp by military intelligence in Sania Afandu. He was taken to a military camp in Sania Afandu, where he was detained in a hole in the ground. According to the information received, he is still in military custody. There are concerns that he is at risk of torture or ill-treatment. Yahya Souleiman Mohamed, Ali Haroun Suleiman, Salah Ishag Ahmed, Abdel Razig Sideag Ahmed, Abubaker Ahmed Mohamed and Yousif Soulieman Alhaj. On 11 September 2005, they were abducted by armed militias and the Janjaweed from outside Kalma Camp. They were taken to a remote area near Kalma Camp beaten with sticks and flogged all over their bodies. Ahmed Ibrahim Rahama, aged 33, of the Zaghawa tribe. On 15 December 2004, he was arrested by security officers. While he was in detention he was beaten with sticks and</p>	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					<p>electrical wire and had nylon melted onto his skin every night for 45 minutes. He was released on 24 December 2005. On 30 March 2005, he was rearrested. He was beaten with sticks and made to stand under the sun for long periods of time. He was detained in a room of approximately 2 x 2 metres with seven other people. On 7 July 2005, he was released without charge. Salih Khider Aalla, aged 35 of the Zaghawa tribe. On 11 December 2004, he was arrested by security officers. During his detention he was made to hold a heavy stone for four hours a day for three days. On the third day he dropped the stone and was beaten with electrical wires and sticks. He was released on 1 January 2005. On 30 March 2005, he was rearrested. During his detention he was beaten with electrical wires and made to stand under the sun for a number of hours every day. He was released without charge on 7 July 2005. Hashim Abdella Targiya, aged 18, and Alsayid Adam Haroun, aged 32, both of the Zaghawa tribe. On 12 March 2006, they were arrested by police officers in Otash camp. They were taken to Otash Police Station where three police officers kicked them with their boots and punched them in their faces. They tied their hands together and forced them to move around in circles. On 13 March 2006, they were released without charge.</p>	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
273.		05/05/06	JUA	WGAD; TOR;	Alsharief Hessain Shareif , aged 35, resident at Kalma IDP camp, member of the Fur tribe and Headmaster of Alsalam school, Abdel Rahman Abdella Aldouma Adam , aged 45, a merchant member of the Popular Congress Party (PNC) from Nyala Hey Rayig, Abdella Aldouma Adam , aged 42, a merchant, from Nyala Hey Almatar, Adam Abdella Aldouma Adam , aged 35, a merchant from Nyala Shamal and Omda Abaker Mohamed Aldouma , aged 60, from Katayla. On 12 April 2006, Alsharief Hessain Shareif was arrested by security officers whilst visiting a relative at Nyala Hey Texas. His whereabouts are currently unknown. On 15 April 2006, Abdel Rahman Abdella Aldouma Adam, Abdella Aldouma Adam, Adam Abdella Aldouma Adam and Omda Abaker Mohamed Aldouma were arrested by security forces at different locations in Nyala. They were taken to a security detention centre in Nyala. They have not been charged with any criminal offences and their relatives have been denied access to them.	By letter dated 03/08/06, the Government reported that Abdel Rahman Aldouma, arrested on 16/04/06, was released on 19/06/06. Alsharief Hessain, arrested on 4/04/06, was released on 12/05/06. Abdella Aldouma and Adam Abdellah Aldouma, arrested on 16/04/06, were released on 19/04/06. Omda Abaker, arrested on 16/04/06, was released on 3/05/06. The above-mentioned persons were arrested on suspicion of supporting the rebels and were released after the investigation proved no charges against them.
274.		19/05/06	JUA	WGAD; HRD; IJL; TOR;	Mr Mossaad Mohamed Ali , lawyer and Coordinator of Amel Centre for the treatment and rehabilitation of victims of torture in Nyala, and Mr Adam Mohammed Sharief , member of the Amel Network of Lawyers in Nyala. On 15 May 2006 at 9:30 am, Mossaad Mohamed Ali and Adam Mohammed Sharief were summoned for questioning at their offices by officers from the National Security Bureau (NSB) in Nyala. They were first detained without charges for thirteen hours in a cell in the NSB offices and were	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					eventually released at 10 pm on the same day. On 16 May 2006, in the early morning, they were summoned once again to the NSB offices where they were arrested. No reason was given for their arrest and their family, legal counsel and UNMIS were denied access to them.	
275.		15/08/06	JAL	Racism; TOR; VAW;	Rape of a group of women at Kalma Internally Displaced Camp in Nyala, Southern Darfur. On 24 July 2006, approximately 25 armed militias, some wearing army uniforms, attacked a group of twenty women aged 19-42 outside Kalma Internally Displaced Camp, while the women were collecting firewood. All the women belong to the Fur ethnic group. The militiamen beat the women with the butts of their guns and flogged them before raping seventeen of them. There has been a steady gathering of armed militias, reportedly the Arab Janjaweed, in the surrounding areas of Kalma camp. In the past, these militias have attacked humanitarian workers and undertaken nightly armed incursions into the camp in order to loot property.	
276.		25/08/06	JAL	Adequate housing; FRDX; HRD; TOR;	Naser Eldien Ahmed Altayeb , a journalist working for the Arabic daily <i>Alayam</i> . On 16 August 2006, Naser Eldien Ahmed Altayeb was arrested by the police, taken to a nearby vehicle and allegedly beaten by police officers. As a result, he was hospitalized at the Khartoum Teaching Hospital. Naser Eldien was reporting on the forced relocation of residents in Dar al Salaam, Algazera Province, mainly internally displaced persons (IDPs) from Southern Sudan and Darfur who have resided in the area for over	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					two decades.	
277.		29/09/06	JUA	WGAD; IJL; TOR;	<p>Saleh al-Sayer Muhammad, <i>Fursha</i> of Foro Baranga (a member of the Native Administration), Muhamed Saleh Ismail, Bara Benzi, Nasr al-Din Abakir Younes, Adam Khamis Idriss, Juma Adam, Yousif Zackaria and Adam Abubaker and four other unidentified individuals. Between 3 and 9 September 2006, the above-mentioned individuals were arrested by members of the National Intelligence and Security Services (NISS) in and near Foro Baranga town, West Darfur. All 12 detainees were reportedly beaten at the NISS's Office in Foro Baranga by men in military uniforms. They were allegedly beaten with sticks, whips and a car fan-belt. On 11 September 2006, Adam Khamis Idriss, Juma Adam, Yousif Zackaria and Adam Abubaker were reportedly released in Foro Baranga. On 16 September 2006, the Acting Director of NISS confirmed that the NISS was holding seven of the detainees and that they had not been brought before a Prosecutor, despite the 72 hours time-limit established by the 1999 National Security Act. The Prosecutor did</p>	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					not refer to the whereabouts of the eighth detainee. The detainees were denied access to their family members, lawyers, judicial authorities and medical treatment. On 19 September 2006, six of the detainees were taken to the NISS Office in Habila, where people heard screams coming from the office. The following day, the detainees were taken to the El-Geneina Office, where they remained in incommunicado detention. It was further reported that the detention of these 12 persons was carried out in response to a rebel attack on a Central Reserve Police post in the Village of Gemeza Babiker. Fears have been expressed that the detainees may be subjected to further acts of torture or ill-treatment.	
278.		03/10/06	JUA	WGAD; TOR;	Abulgasim Ahmed Abulgasim , aged 52, an engineer originating from the area of Kutum in North Darfur. He was reportedly a member of the SLM negotiation team at the Inter-Sudanese Peace Talks on Darfur which were concluded in Abuja in May 2006. On 26 September 2006 at around 7:00 pm, Abulgasim Ahmed Abulgasim was arrested by Saudi security forces at his residence in Al Faisalia area in the town of Jeddah, Saudi Arabia, where he had been living for close to 30 years. The Saudi authorities handed him over to the security service of the Government of Sudan. He was flown to Sudan and arrived at Khartoum airport at about 20:30 on 28 September 2006. His current whereabouts are unknown.	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
279.	Syrian Arab Republic	20/12/05	AL	TOR;	A group of up to 40 university students in the Governorate of Latakia. In April 2005, approximately 40 university students were detained by the Syrian security forces. They were reportedly arbitrarily detained on the basis of their membership in an unrecognized student group. They were not charged with any specific criminal offences. In May 2005, six of the students were released. They alleged that they had been beaten and subjected to electric shocks whilst they were in detention. According to the information received, five or six of the students remain in detention.	By letter dated 6/01/06, the Government reported that in order to verify the accuracy of the allegations, the Government would appreciate the names of the concerned individuals.
280.		23/12/05	JAL	FRDX; HRD; IJL; TOR;	Mahmoud Jamil , aged 43, a Kurdish lawyer and human rights defender. He has been arrested on three separate occasions in connection with his activities advocating for the rights of Kurdish people living in Syria. On each of these occasions, he has been subject to torture or other forms of ill-treatment. In 1992, he was initially arrested by the state security forces on suspicion of posting banners on walls containing statements demanding rights for stateless Kurds. He was detained for 21 days and did not have access to a judge during that time. He was kept in an overcrowded cell on the first day of his detention, and was then interrogated and tortured from noon until 10pm in Ras El Ein. He was allegedly punched by a superior officer in his right eye, causing it to bleed, kicked and punched in the spine by five men, beaten with a baton whilst lying naked in a rubber tire in a foetal position, electrocuted by wires attached to his toes then to	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					<p>his genitals until he lost consciousness. He was raped with a bottle. He was subsequently moved to Qamishli Prison, where he was beaten and punched during the first five days, deprived of food and prevented from using the toilet more than twice a day. He was subsequently released, after his wounds had healed. On 17 April 1996 he was arrested for the second time and was sentenced to four years in prison on charges of being a member of the Yakidi party and promoting cessation and sectarianism in Syria. During pre-trial detention he was kept in solitary confinement in a cell 170 x 180cm for 50 days. The guards often stole the food and money delivered to him by his relatives. A number of advocates wanted to defend him on a pro bono basis, but were not allowed access to him. On 8 April 2004 he was arrested for the third time following a spontaneous demonstration at the bazaar in Ras El Ein following the March 2004 uprising in Qamishli. He was arrested by ten men at 3am and beaten, punched and kicked before being forced into a car, and blindfolded. At the detention facility, he was beaten and the superior officer kicked him in the stomach. He was stripped to his underwear, blindfolded with plastic, put in a tire, beaten with sticks and whipped with metal cables for about one and a half hours. He was then put in a small room, denied water and prevented from sleeping. At 7 am on 9 April 2004, he was taken to Hassakeh Prison with eight others and kept in underground rooms. He and seven others were lined up naked against a wall and sprayed with</p>	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					<p>water from a hose. He was then taken to a room, pushed into a tire and beaten with cables and sticks. He was interrogated and treated in this manner for a period of five days. He was subsequently taken to Damascus with 85 other people. They were transported in three military trucks, blindfolded and had their hands tied behind their backs. The officers insulted them throughout the journey and threatened that they would not see their homes again because they were going to die. Upon arrival at Saidnaya Military Prison on 10 April 2004 they were all beaten by a large number of military police for over five hours. Mr Jamil was then detained with about 30 people in a cell measuring 6 x 6 meters. At 8pm, ten persons entered the cell and began beating and kicking the detainees. This treatment occurred four to six times a day for the next six days. The detainees were also forced to imitate dogs and donkeys. After six days, he and the other detainees were interrogated for the next month, and were regularly subjected to similar ill-treatment. During the period from 13 April to 26 June 2004, Mr Jamil was taken to Adra Prison, which is also known as the Central Prison of Damascus. He was brought before different military courts on a number of occasions. On 30 March 2005, he was released as a result of a presidential amnesty.</p>	
281.		21/02/06	JUA	WGAD; FRDX; TOR;	<p>Ali Nazeer Mustafa and Mr Husam Ali Mulhim both aged 21. They were arrested by Air Force Intelligence officers in Damascus, on 26 January 2006. They might be detained at the Air Force</p>	<p>By letter dated 30/08/06, the Government reported that Ali Nizar and Husam Ali took part in activities hostile to the State. Accordingly, the two men were arraigned before the Higher</p>

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					Intelligence Branch in Harasta, near Damascus. They are held incommunicado, and no formal charges against them are known to have been raised.	State Security Court, pursuant to arraignment order No. 2/9/100 of 4 April 2006. They are still on trial.
282.		06/04/06	JUA	WGAD; FRDX; TOR; HRD	Ali al-Abdullah , a journalist writing for several Arab newspapers, including <i>Al Nahar</i> , <i>Al Hayat</i> and <i>Al Quds En Arabi</i> , and a member of the Atassi Forum (subject of a previously transmitted communication, E/CN.4/2006/6/Add.1, para. 475). According to the Government's response he was released from detention. Unfortunately, this communication did not address the concerns expressed in the letter related, among other things, to incommunicado and then solitary confinement, and risk of torture or other forms of ill-treatment. On 23 March 2006, Ali al-Abdullah and his son Mohammad were arrested at their home in Ktene, south of Damascus. It is not known whether the officials carrying out the arrest showed an arrest warrant or other document justifying the deprivation of liberty and setting forth the charges against the two men. It is also not known where the two men are being detained.	At the time this report was finalized, the reply of the Government of 10/07/06 had not been translated.
283.		11/04/06	JUA	WGAD; IJL; FRDX; TOR;	Mohammed Ghanem , a novelist and journalist, resident in Ar-Rika, North Syria. On 31 March 2006, he was arrested by officers of an armed patrol of the Syrian Military Intelligence Department (SMID) at his residence. The SMID immediately transferred him to Damascus, where he is currently detained in the "Palestine Branch" of the Military Intelligence Security (Branch 235). It is not known whether he has been charged with any offense, and he has not been allowed to meet	By letter dated 10/07/06, the Government reported that Mr. Ghanem was arrested on 31 March 2006 for carrying out activities hostile to the State, calling for the dismemberment of Syria and the establishment of sectarian and ethnic statelets. Such activities are punished by Syrian law in accordance with articles 286 to 307 of the Syrian Criminal Code. Mr. Mohammed Ghanem was brought before the military prosecution department in Damascus

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					either his lawyer or members of his family.	on 7 April 2006 for an examination of the charges against him and not, as the OHCHR letter claims, for writing articles condemning human rights violations in Syria. Mr. Ghanem is a Syrian citizen and Syrian law guarantees his civil rights just like those of all Syrians. It also guarantees him protection against torture and inhuman treatment.
284.		04/05/06	JUA	WGAD; FRDX; HRD; TOR;	Fateh Jamus , a human rights defender and pro-democracy activist. On 1 May 2006, he was arrested and detained by State Security Officers at Damascus Airport, Syria. He had just returned from a trip to Europe during which he had spoken at an Amnesty International conference about human rights and asylum issues. He is currently being held in incommunicado detention at State Security Branch 255 in Damascus.	
285.		17/05/06	JUA	WGAD; FRDX; HRD; TOR;	Michel Kilo , president of the <i>Organization for the Defence of FRDX and the Press</i> , an organization that advocates for the right of freedom of expression and opinion in Damascus; and a journalist with <i>al-Quds</i> , an Arabic paper that is published in London. On 14 May 2006, Mr Michel Kilo was summoned to meet with the Syrian intelligence services. It is reported that since this date he has been in incommunicado detention and his whereabouts are unknown.	
286.		02/06/06	JUA	WGAD; FRDX; HRD; IJL; TOR;	Mr Michel Kilo (subject of a previously transmitted communication, see above), Mr Anwar Al Bunni , human rights lawyer and member of the Syrian Organization for Human Rights, Mr Ghaleb Ammar , board member of the Arab Organization for Human Rights (AOHR), Mr	By letter dated 30/10/06, the Government reported that a legal case has been brought against Mr. Al-Bunni for battery and assault of Ms. Ghada al-Hamawi. When this woman was examined by a police doctor, she was found to have bruising on the stomach and head and

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					<p>Mahmoud Merri, secretary of the AOHR, Mr Suliaman Al Shamr, member of the National Democratic Coalition, Mr Abbas Abbas, a journalist, Mr Khalil Hussein, leader of the organization "Kurdish Future" an organization that defends the rights of the Kurdish population in Syria, Mr Mahmoud Issa, former political prisoner, and Mr Nidal Darwish, board member of the Defence Commission for Human Rights and Democratic Freedoms in Syria. Mr Anwar Al Bunni, Mr Ghaleb Ammar, Mr Mahmoud Merri, Mr Suliaman Al Shamr, Mr Abbas Abbas, Mr Khalil Hussein, Mr Mahmoud Issa and Mr Nidal Darwish were also the subjects of an urgent appeal sent on 19 May 2006. The above mentioned people were arrested on 17 and 18 May 2006 and are currently detained in Adra Prison in Damascus. They have been charged with "weakening nationalist feelings and inciting racial or sectarian strife", under article 285 of the Syrian Penal Code. It is further reported that during their interrogation they were beaten by prison officers and that they have been allowed to meet with their lawyers only once since their arrest. Mr Anwar Al Bunni has allegedly been on hunger strike since his arrest on 17 May 2006 in protest at his arrest and detention. It is reported that he is currently in a weakened state of health.</p>	<p>abrasions on the stomach and in the pelvic area. She was prescribed 20 days of treatment and 10 days off work. The incident happened after lawyer Anwar al-Bunni refused to return the money he had taken from her pursuant to a contract engaging him as her defence counsel. The case is still before the courts.</p>
287.		19/06/06	JUA	WGAD; TOR;	<p>Abdullah Al Mansouri, chairman of the Ahwaz Liberation Organization (ALO), an active member of the international human rights organization Amnesty International and a Dutch citizen, and Mr Rasool Mezrea, a member of the ALO. On 11</p>	<p>By letter dated 20/10/06, the Government reported that he is called Falih Abdullah Niku Sharshat and he has a pseudonym, which is Falih al-Mansouri. He entered the Syrian Arab Republic on 8 May 2006, at Damascus</p>

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					<p>May 2006, they traveled to Damascus to meet with Ahwaz refugees residing in Syria. Shortly after their arrival in Damascus, they were arrested by Syrian security forces. The legal grounds for their arrest are unknown or why they are being held incommunicado in the Palestine Prison in Damascus.</p>	<p>International Airport, using an Iranian passport - No. 5074822 - and an Iranian identity card - No. 875880. He was arrested on suspicion on 11 May 2006, in the Babila area of the governorate of rural Damascus. While he was being questioned, a notice arrived from the Interpol Office in Tehran addressed to the Interpol Office in Damascus. In it, the Islamic Republic of Iran requested that this person be handed over to it on the grounds that he and a number of his companions had formed a gang in the governorate of Khuzistan in 2005 which had proceeded to carry out bomb attacks and operations against the Government and public installations. The gang had further committed robberies, had killed 20 persons and injured 200 others, and had damaged public and private property. This individual was being sought pursuant to arrest warrant No. 85/12, dated 14 May 2006, which had been issued by the Al-Ahwaz city public court. During questioning, he admitted the charges against him. He was handed over to the Iranian authorities on 16 May 2006 in accordance with the Judicial Cooperation Agreement signed by the Government of the Syrian Arab Republic and the Islamic Republic of Iran on 15 May 1999.</p>
288.		29/06/06	AL	TOR;	<p>Sa'id 'Awda al-Saki, an Iranian Arab refugee, aged 35. On 11 May 2006, Sa'id 'Awda al-Saki was arrested in Damascus, Syria, at the request of the Iranian authorities. Three days later, he was transferred to Iran. In 2000 or 2001, Sa'id 'Awda</p>	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					al-Saki, who was then an activist with an Arab political group in the city of Ahvaz, fled Iran to Syria after four other activists from the same political group were arrested and executed. He was subsequently recognised as a refugee by the Office of the United Nations High Commissioner for Refugees (UNHCR) in Damascus. He had been accepted for resettlement in Norway, and was scheduled to travel there on 25 May 2006.	
289.		29/06/06	JUA	WGAD; TOR;	Sa'ad Noori Hussain al-Jiburi , aged 62, an Iraqi with Danish citizenship. On 6 June 2006, he was detained at Aleppo Airport on his way back from Iraq to Denmark. He is thought to be being held at the Palestine Branch (Far' Filistin) of Military Intelligence in Damascus in a small cell with 25 other Iraqis. No reasons have been given for his arrest or detention. Reports have been received that detainees are being routinely beaten and fed meals consisting of four loaves of bread between them every other day. There are additional concerns about Sa'ad Noori Hussain al-Jiburi's health as he suffered a stroke last year.	
290.		23/08/06	JUA	WGAD; FRDX; HRD; TOR;	Ali Shahabi , an intellectual, writer and teacher, who has been involved in promoting fundamental freedoms and democracy in Syria by taking part in public discussions forums, sit-ins and meetings dedicated to the defence of human rights. On 10 August 2006 at 10am, Mr Shahabi was reportedly summoned to the State security services in Damascus, as has been regularly the case over the last past months. He has not been seen or heard of since then. On 12 August 2006, Mr Shahabi's wife enquired about him at the State	

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					Security Centre at Kafr Soussa, Damascus, and was told that he was being held there, but that she could not see him. No explanation was reportedly given for his summons or continuing detention. On 17 August 2006, Mr Shahabi's wife tried a second time to visit him, but again was reportedly denied access to him, although security officers did take some personal items from her which they said they would give to him. She was told to make an official application to get permission to see him and to return again in another week. Mr Shahabi has reportedly not been charged with any offence. The conditions of his detention are unknown.	
291.		12/10/06	JAL	FRDX; TOR;	Online journalists Muhened Abdulrahman and Ali Sayed al-Shihabi . On 7 September 2006, Muhened Abdulrahman, a journalist working for independent news sites <i>Rezgar</i> and <i>Syrianforum</i> , was arrested by security services in Damascus on his return from the Village of Qamishly, where he had interviewed a Kurdish political leader. Since then, his whereabouts are unknown. On 10 August 2006, Ali Sayed al-Shihabi, editor on the site <i>Rezgar</i> , was summoned to a meeting with state security agents in Damascus. He has not been seen since then. On 12 August, Mr Al-Shihabi's wife enquired about him at the State Security centre at Kafr Soussa, in Damascus. She was told that Mr Al-Shihabi was being held there but she was not allowed to see him. Reportedly, he has not been charged with any offence and no explanation has been given for his detention.	

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292.	Tajikistan	Follow-up to past cases			Case of Muhamandruzi Iskandarov E/CN.4/2006/6/Add.1, para. 481	By letter dated 24/10/05, the Government reported that Muhamadruzi Iskandarov's complicity in the commission of a number of other serious and especially serious offences was proved by the preliminary investigation. As a result of the investigation, in June 2005 he was charged with the commission of offences under several articles of the Criminal Code of the Republic of Tajikistan. In the course of the proceedings, evidence collected both during the court hearings and in the judicial examination was examined fully, with the involvement of the defendant, M. Iskandarov, his defence counsel and other participants in the proceedings. The evidence was also subjected to the appropriate legal scrutiny. Allegations that illegal methods had been used during the pretrial investigation were examined during the hearing and a legal ruling was passed on their substance. In particular, during the trial it was established that at the pretrial investigation the defendants M. Iskandarov, D. Sakovarov and E. Ibrogimov had been assigned defence counsel, and the investigative actions had been performed with their involvement. During the investigation they made statements admitting their complicity in acts of terrorism and illegal storage of weapons and ammunition. During the pretrial investigation the defendants had lodged no complaints or objections concerning the manner in which the investigation was conducted or alleging the use of prohibited

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						<p>methods of investigation, although they had had every opportunity to do so. Witnesses, namely the head of the police task force, the head of the investigation team, a detective, the Procurator of Tajikabad District and a task force member, explained at the court hearing that from the moment they were taken into custody, the defendants had quite spontaneously, freely, and without any coercion made statements admitting their complicity. During the investigation no pressure of any kind of mental or physical force had been applied at any time. In accordance with due process, all the defendants had been provided with lawyers - two defence lawyers in the case of M. Iskandarov - and the lawyers had been present when they made their statements admitting their complicity in the offences. The fact that M. Iskandarov and D. Sakorov had made their statements without coercion or pressure of any kind during the investigation is confirmed by video recordings of their testimony during the pretrial investigation, in which they testify freely in the presence of their lawyers with regard to the offences committed, and also give replies to the lawyers' questions in which they admit their complicity. The testimony of K. Toirova, M. Iskandarov's mother, can be cited in confirmation of the facts in the statements made by M. Iskandarov, D. Sakovarov and E. Ibrogimov. In her testimony, K. Toirova confirmed that D. Sakovarov called on M.</p>

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						<p>Ahmadov in the Rasht District and passed on the instructions from M. Iskandarov. D. Sakovarov's own testimony confirms that, after receiving M. Iskandarov's instructions, he first called on M. Ahmadov in the Rasht District and passed on M. Iskandarov's instructions about the launching of the operation, and then repeated them to E.A. Ibrogimov. This testimony by D. Sakovarov tallies with the testimony given by M. Iskandarov, E. Ibrogimov, the witness K. Toirova, and other facts of the case. Taken together, all these facts disprove allegations that prohibited methods were used against these defendants during the pretrial investigation, and that they were prevented from communicating freely. No material evidence was obtained during the hearing to support M. Iskandarov's allegations that unauthorized methods had been used during the pretrial investigation. It may therefore be concluded that it was with the aim of misleading the investigation and evading prosecution that the accused, M. Iskandarov, argued at the hearing that he had supposedly been subjected to mental pressure, and had made the statements admitting his complicity under duress.</p>

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293.	Tanzania	01/09/06	UA	TOR;	<p>Agnès Ntamabyaliro, former justice minister for Rwanda. Ms Ntamabyaliro is currently in the custody of the United Nations International Criminal Tribunal for Rwanda in Arusha, where she testified on 21 and 29 August 2006. She is due to be rendered by the UN authorities to the Rwandan authorities on Friday, 1 September, where she faces charges of genocide. If convicted, she may be sentenced to the death penalty. It is alleged that because of her testimony before the ICTR, she may be subject to torture, inhuman or degrading treatment by the Rwandan authorities. After obtaining refugee status in Zambia, on 27 May 1997, Ms Ntamabyaliro was kidnapped by Rwandan government agents, disguised as members of the Zambian Immigration Service. From there, she was taken to Kigali where she was detained for nine years without charges or trial. It is alleged that she was subjected to severe mistreatment, including 28 days without food, having only access to tap water and 3 months without being able to shower or change her clothes and detained in a dark room. For the first two years, she was held in solitary confinement. All of these facts have been brought to the attention of the Prosecutor of the ICTR, who has not disputed them.</p>	
294.	Thailand	06/07/06	UA	TOR;	<p>A group of 231 ethnic Hmong Laotian refugees. On 5 June 2006, they were arrested near a refugee camp in the Village of Huay Nam Khao, in the Province of Phetchabun. They are now being detained at Khao Kho District jail. There are concerns that they may be forcibly</p>	

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					returned to Laos, where they would be at risk of serious human rights violations, including torture and ill-treatment. In this regard, a group of 27 ethnic Hmong refugees, including children, from Huay Nam Khaos refugee camp were forcibly returned to Laos on 5 December 2005 and have been detained incommunicado since then, reportedly in deplorable conditions.	
295.		24/11/06	UA	TOR;	Satyaphavan Aseervatham, Sasikaran Thevarajah and Sujith Gunapala , Sri Lankan nationals. The three men are currently detained at the Bangkok Immigration Detention Centre, and are at imminent risk of forcible return to Sri Lanka. They are reportedly members of the LTTE and have prior convictions for weapons smuggling in Thailand. Concern is expressed that the men may be at risk for torture or ill-treatment were they to be returned.	
296.		Follow-up to past cases			Anek Yingnuek (E/CN.4/2006/6/Add.1, para. 482).	By letter dated 30/11/06, the Government reported that On 9 August 2004, Mr Yingnuek was arrested by police officers of Phra Nakorn Sri Ayutthaya Police Station for gang robbery. On 14 November 2004, relatives of Mr Yingnuek filed a formal complaint alleging the police lieutenant-colonel and his colleagues brutally forced Mr Yingnuek to confess to the crime. Mr Yingnuek was medically examined after the complaint was brought to the consideration of the authorities concerned, but no physical injury was found. As the allegation concerned malfeasance committed by State officials acting in their official capacity, the case was submitted to the Office of the

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						National Counter Corruption Commission (NCCC) for further investigation in accordance with the Counter Corruption Act of 1999. Due to the seriousness of the allegation, the police lieutenant-colonel and his colleagues have been suspended from duty pending the investigation. The confinement measure imposed on Mr Yingnuek was in accordance with section 14 of the Correction Act B.E. 2479 (A.D.1936) which states that "there shall be no confinement imposed on the detainee except in case a person tries to escape detention".
297.					Urai Srineh (E/CN.4/2006/6/Add.1, para. 483).	By letter dated 30/11/06, the Government reported that the Department of Rights and Liberty Protection under the Ministry of Justice together with the National Police Office, have been appointed to conduct the investigation on the abduction of Mr Srineh. The evidence and information from the witnesses strongly indicates that Mr Srineh was not abducted or mistreated by police officers, and there is no evidence to support the allegation that police officers have been involved in the abduction. Mr Srineh was abducted by a group of unknown men who brutalized him in search of what he might know concerning the murder of six Cambodian migrants.

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298.					Hamzah bin Saud (E/CN.4/2006/6/Add.1, para. 484).	By letter dated 13/03/06, the Government reported that he was arrested on a number of criminal charges. The investigation and judicial process was conducted in accordance with the rule of law that guarantees that he was not subjected to unfair, ill-treatment or torture committed by the authority. He is being detained at the Bangkok Special Prison, and is awaiting the Criminal Court ruling.
299.	Tonga	08/12/06	JUA	WGAD; HRD; TOR;	Dozens of persons affected by the violent events surrounding a pro-democracy march , in Nuku'alofa. On 16 November 2006, what began as a peaceful pro-democracy march through central Nuku'alofa turned violent, when other persons engaged in extensive looting and arson, and property damage. The city was cordoned off by the Tonga Defence Service personnel and Police Officers from the Ministry of Police. Under the Emergency Powers (Maintenance of Public Order) Regulations 2006, they were granted wide ranging powers, including the ability to arrest and detain any person for a period not exceeding 48 hours. Security forces arrested scores of persons especially targeting pro-democracy leaders who had organised and participated in the march or had given speeches at Pangai si'i, even though they were not involved in the riots or the looting of shops. Prisoners reported that the vast majority of injuries to them occurred during arrest and in transit to the Nuku'alofa Police Station, primarily at the hands of the Tonga Defence Services. Injuries included facial cuts, swelling and bruising; ripped ears; broken and missing teeth; split lips	

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					<p>and heavily bruised ribs. The predominant weapons used by security forces were reported to be rifle butts. The Emergency Ward of Vaiola Hospital reported receiving a number of patients with serious injuries. At the Nuku'alofa Police Station prisoners were subject to verbal abuse from police officers while waiting to be processed inside the Station. Male prisoners were then strip-searched, sometimes in front of female officers. The prisoners were not offered access to lawyers, or such requests were ignored. Many families were unaware that their relatives were detained until they had been released several days later. Interrogations were held on the third floor of the Nuku'alofa Police Station and were reported to be frequently violent, including some detainees being beaten with furniture, slapped and punched in the face, forced to sign confessions, and subjected to threats of physical and sexual violence, with officers holding a large broom stick. Some prisoners were handcuffed continuously for up to four days. The worst conditions were reported to be in prison cells numbered 5 to 7, which contained the majority of persons who had been physically assaulted. Prisoners reported overcrowded conditions, particularly in the days immediately following the march. For example, in cell 7, up to 64 prisoners were held in a cell with a capacity for 16. Prisoners were forced to sleep on the floor, or on the wooden or wire slats of the bunks, without bedding materials. Toilet visits were restricted, and eventually led to filthy conditions amidst the stench of urine and faeces.</p>	

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					Prisoners were required to wash in a bathroom sink without soap. The average daily diet was reported to consist of half a loaf of bread each, a can of tinned fish between the prisoners in the cell and a glass of water. Up to 50 children, as young as 13 years, were reportedly detained at one point. This included approximately 30 children being held in prison cell number 7 together with 30 other adults. By 30 November, eight persons were reported to have been killed in the ensuing violence. Approximately 120 to 140 persons were taken into custody, and by 29 November, 109 suspects were still detained. Fifteen children were still in custody on 1 December. Around 355 suspects have been charged by the Ministry of Police with various offences, including arson and theft. Persons involved in the pro-democracy march or who gave speeches at Pangai si'i on the day of the riots were told that they should expect to be held until 20 December 2006.	
300.	Tunisia	12/05/06	JUA	FRDX; HRD; IJL; TOR;	Ayachi Hammami, Raouf Ayadi et Abderrazak Kilani , avocats, ainsi que d'autres membres du Conseil de l'ordre des Avocats. Le 11 mai 2006 au matin, des agents de la police auraient agressé plusieurs avocats devant la Maison du Barreau à Tunis. Me Ayachi Hammami aurait perdu connaissance à la suite des coups violents qu'il aurait reçus. Me Raouf Ayadi et Me Abderrazak Kilani, membres du Conseil de l'Ordre des avocats, auraient également été blessés. Ils auraient été hospitalisés avec retard car les services d'urgence n'auraient été autorisés à accéder aux lieux où se trouvaient les blessés	

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					<p>qu'une heure après les faits. Au moment des faits, Me Ayachi Hammami, Me Raouf Ayadi et Me Abderrazak Kilani ainsi que d'autres avocats auraient tenu un sit-in devant leurs locaux en signe de protestation contre des attaques dont l'ordre des avocats aurait fait l'objet les jours précédents. Selon les informations reçues, le 8 mai le Ministère de la justice aurait présenté au Parlement un projet de loi, préparé de façon unilatérale, portant création d'un Institut de formation des avocats, alors qu'une commission mixte associant le Conseil de l'ordre des Avocats et le Ministère de la Justice aurait au préalable travaillé sur un projet de loi commun. La création de cet Institut ferait partie d'un programme de modernisation de la justice financé par l'Union européenne qui prévoirait la participation active du Conseil de l'ordre des Avocats dans la définition et la gestion de cette institution. Le 9 mai, une délégation du Conseil de l'ordre des Avocats qui se serait dirigée vers le Parlement en vue d'informer les députés de leurs propositions aurait été bloquée par les forces de police qui, en usant de violences verbales et physiques, auraient quadrillé le quartier et barré la voie aux membres du Conseil de l'Ordre en les empêchant de rejoindre le Parlement. Le 9 mai au soir, la Chambre des députés aurait adopté le projet de loi en question, dans la version élaborée de façon unilatérale par le Ministère de la Justice et sans avoir pu connaître les propositions du Conseil de l'ordre des Avocats. Depuis lors, il serait interdit aux avocats de se rendre à la maison du barreau.</p>	

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301.		31/05/06	JUA	FRDX; HRD; TOR;	<p>Ligue tunisienne des droits de l'homme (LTDH) et certains de ses membres. Le 27 mai 2006, à l'occasion de l'ouverture prévue du 6ème congrès de la LTDH dont la tenue aurait été interdite par les autorités, les principales villes de Tunisie abritant des sections locales de l'organisation notamment Bizerte, Gafsa, Jendouba, Monastir auraient été le théâtre d'impressionnants déploiements des forces de police, visant à empêcher les membres de la LTDH de rejoindre la capitale. Parallèlement à Tunis, de nombreux barrages policiers aurait été établis pour bloquer les rues menant au siège de la LTDH. En outre, plusieurs membres de la ligue auraient été victimes de violences verbales ou physiques, en particulier Khedija Cherif, Héla Abdeljaoued et Samia Abbou, auraient été frappées et insultées par les forces de l'ordre. Souhayr Belhassen, vice-présidente de la LTDH, aurait été giflée et insultée par des policiers en civil qui aurait arrêté son véhicule, alors qu'elle accompagnait plusieurs observateurs internationaux à leur hôtel. Mme Belhassen a fait l'objet d'un appel urgent envoyé le 20 avril 2006 par le Rapporteur spécial sur la promotion et la protection du droit à la liberté d'opinion et d'expression et la Représentante spéciale du Secrétaire Général concernant la situation des défenseurs des droits de l'homme. D'autres défenseurs des droits de l'Homme et représentants d'institutions internationales invités au congrès parmi lesquels Hélène Flautre,</p>	<p>Par une lettre datée du 05 octobre 2006, le Gouvernement a répondu que le 5 septembre 2005 le tribunal de première instance de Tunis avait suspendu le Congrès de la LTDH, en raison de violation par le comité directeur des statuts et du règlement intérieur de la ligue. En quête d'un règlement à l'amiable, les plaignants ont retiré leur plainte afin de trouver une solution au litige. Cependant, le Comité directeur a décidé de tenir un congrès les 27 et 28 mai 2006. Les plaignants ont alors de nouveau saisi la justice qui a suspendu, le 18 avril 2006, par jugement en référé, le Congrès de la ligue. À la demande d'un huissier de justice mandaté par les plaignants, le Procureur de la République territorialement compétent a autorisé l'assistance de la force publique pour l'exécution du dit jugement. C'est dans ce contexte que l'intervention autorisée de la police s'est déroulée selon les procédures usuelles prévues par la loi.</p>

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					présidente de la Sous-Commission des droits de l'homme du Parlement européen, et Abdelhamid Amine, président de l'Association marocaine des droits humains (AMDH) auraient également été brutalisés et empêchés d'accéder aux locaux. Enfin, certains quotidiens locaux ou nationaux réputés proches du pouvoir, notamment le Temps, Echourouk ou Assabah, auraient publiés les communiqués de presse de présidents autoproclamés de sections non reconnues de la LTDH visant à calomnier et menacer les membres de l'organisation.	
302.		Follow-up to past cases			Moncef Louhichi (E/CN.4/2006/6/Add.1, par. 495).	Par une lettre datée du 10 mars 2006, le Gouvernement a répondu que M. Louhichi a été interrogé, dans un commissariat de police, au sujet de son implication dans une affaire de transport de personnes soupçonnées de trafic illicite, ainsi qu'au sujet de son frère, Houcine Louhichi. Son interrogation s'est déroulée dans des conditions normales. L'examen du dossier médical par le Ministère public auprès du Tribunal de première instance de Jendouba, a révélé que M. Louhichi était atteint d'une tumeur cérébrale qui serait probablement à l'origine du décès. Le Ministère public a néanmoins ordonné l'ouverture d'une instruction judiciaire afin d'élucider les circonstances du décès et engager éventuellement les poursuites pertinentes à l'encontre de toute personne dont l'implication dans ce décès serait prouvée. L'affaire a été enregistrée sous le n° 13174/2 et est encore en cours.

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303.					<p>Ligue tunisienne des droits de l'homme (LTDH) (E/CN.4/2006/6/Add.1, par. 497).</p>	<p>Par une lettre datée du 8 mai 2006, le Gouvernement a répondu que sept présidents de sections locales de la LTDH contestant les mesures de fusions-dissolutions de sections prises par le Comité directeur de la Ligue, en violation des statuts de l'association, ont saisi début septembre 2005 la justice.</p> <p>Le 5 septembre 2005 le tribunal de première instance de Tunis a décidé la suspension du Congrès de la LTDH, initialement prévu du 9 au 11 septembre 2005, en raison de violation par le Comité directeur des statuts et du règlement intérieur de la ligue. C'est en application de ce jugement que la direction actuelle de la Ligue a été avisée de l'illégalité de réunions de certains sections locales prévues les 16, 19 septembre et 2 octobre 2005. S'agissant de Mohamed Ataya, il convient de souligner qu'il a prétendu avoir été repoussé par un agent de l'ordre devant le siège de la section de la Ligue tunisienne des droits de l'Homme (LTDH) de Mahdia.</p> <p>M. Ataya a demandé au trésorier de la section, Mohamed Sioud, de le transférer à l'hôpital universitaire de la région où il a subi des examens médicaux qui ont confirmé que son état de santé était normal et qu'il ne présentait aucun signe de violence présumé.</p>

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304.					Ali Ramzi Beltibi (E/CN.4/2006/6/Add.1, par. 498).	Par une lettre datée du 30 janvier 2006, le Gouvernement a répondu que M. Beltibi a été arrêté, conformément aux procédures légales requises, le 17 mars 2005, pour avoir publié sur Internet, au nom d'un groupe terroriste un communiqué proférant des menaces d'attentat contre les membres du gouvernement et les ambassades étrangères en Tunisie. Traduit devant le Tribunal de première instance de Tunis, il a été condamné à cinq ans d'emprisonnement et à une amende de mille dinars. L'accusé a fait appel contre le dit jugement. Sa condamnation a été confirmée en appel, le 28 juin 2005 par la Cour d'appel de Tunis. La Cour de cassation a accepté, le 15 décembre 2005, le pourvoi quant à la forme tout en le rejetant sur le fond. S'agissant du prétendu mauvais traitement que l'intéressé aurait subi pendant son arrestation, aucune preuve n'est venue étayer cette allégation. Le rejet de sa demande d'examens médicaux s'explique par le fait que le tribunal n'accepte pas, en général, une telle requête s'il n'a pas connaissance des raisons objectives étayant la crédibilité d'une telle allégation.
305.					Mohamed Attia, Zakia Dhifaoui, Mokhtar Trifi, Messaoud Romdhani, Taoufik Guedda, Makki Ayadi, Mouldi Romdhani, Naceur Ajili, Abdellaziz Serví, Fathi Letaief, Mohamed Salah Nehdí, Chadhli Maghraoui, Abderrahmane Marsani, Fethi Maghraoui, Chokri Dhouibi, Abdellatif Bouhjila et Naceur Bejaoui (E/CN.4/2006/6/Add.1, par. 499).	Par une lettre datée du 4 décembre 2006, le Gouvernement a répondu que le 2 octobre 2005, certains membres de la Ligue ainsi que d'autres personnes ont tenté de tenir une réunion au siège du « Mouvement Attajdid » à Kairouan. Avisés du caractère illégal de cette réunion, ils ont exprimé leur refus avant d'accepter de quitter les lieux, sans provoquer

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						<p>d'incidents, à l'exception de Messaoud Romdhani (Président de la section de la LTDH à Kairouan) qui a prétendu avoir été agressé par des agents de police. Messaoud Romdhani s'est rendu au poste de police de la ville pour déposer une plainte, où il lui a été demandé, comme l'exige la procédure, de présenter un certificat médical attestant le préjudice corporel prétendu; chose qu'il n'a pas effectué jusqu'à ce jour.</p> <p>S'agissant du cas de Zakia Dhifaoui, il y a lieu d'indiquer que bien qu'elle ait refusé au départ de quitter le siège du «Mouvement Attajdid », elle a fini par accepter de se conformer à la demande des agents de l'ordre. D'ailleurs, elle n'a déposé aucune plainte et n'a été ni interpellée, ni auditionnée. Quant à Mokhtar Trifi (Président de la LTDH), il est à préciser qu'il est libre de ses mouvements et qu'il n'a jamais été empêché de rejoindre les sections de la ligue. Pour ce qui est de Abdellatif Bouhjila, il y a lieu d'indiquer qu'il a été condamné à une peine de 11 ans d'emprisonnement pour appartenance à une bande de malfaiteurs ayant pour but de porter atteinte aux personnes et aux biens, ainsi que pour tenue de réunions clandestines. Contrairement aux allégations qui vous sont parvenues, M. Bouhjila bénéficie, depuis son incarcération le 24 septembre 1998, d'un suivi médical approprié. Il a subi une opération chirurgicale réussie pour l'excision d'adénome sclérosé et de kyste. Des traitements</p>

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						<p>nécessaires lui ont été prodigués pour la régulation de la tension artérielle et le soin de ses dents. Des examens sur les reins, le thorax et le cœur ont révélé que son état de santé était normal. Par ailleurs, il a bénéficié de son droit à la correspondance et à la visite de ses proches conformément à la réglementation en vigueur. Il refuse parfois la visite de certains proches pour simuler une atteinte à son droit de visite. Quant à Naceur Bejaoui, il a été incarcéré à la prison civile de Tunis, en exécution de jugements définitifs le condamnant à 19 ans d'emprisonnement pour constitution d'une bande de malfaiteurs dans le but de porter atteinte aux personnes et aux biens et fournitures d'un lieu de réunion à cette bande. Ayant rempli les conditions juridiques, il a été libéré le 25 février 2006, avant l'accomplissement de sa peine et ce, par bénéfice d'une remise de peine en 2002 et 2005 et d'une mesure de libération conditionnelle en 2006. Tout au long de son incarcération, l'intéressé a bénéficié d'un suivi médical régulier. Il a subi en 2005 un examen de gastroscopie qui a révélé qu'il était atteint d'une ulcération d'estomac. Des soins appropriés lui ont été prodigués et il a bénéficié régulièrement de la visite de ses proches.</p>

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306.					Mokhtar Trifi, Mohamed Jmour, Khémaies Chamhari, Mounir Fallah, Chawki Laarif et Salah Belhouichet (E/CN.4/2006/6/Add.1, par. 500).	Par une lettre datée du 05 octobre 2006, le Gouvernement a répondu que le 8 novembre 2005, des personnes appartenant au « Comité national pour le soutien des grévistes de la faim » se sont rassemblées devant la maison de la culture « Ibn Khaldoun » à Tunis, afin d'y tenir une réunion qu'elles n'ont pas déclarée au préalable à l'administration de l'institution, alors qu'il est d'usage de faire une réservation. Malgré cela, certaines personnes ont persisté à s'y introduire de force et à semer le désordre sur la voie publique. Alertés par l'administration de ladite institution, les agents de la police ont dû alors intervenir pour maintenir l'ordre et rétablir la liberté de passage. Mokhtar Trifi, Mohamed Jmour, Khémaies Chamhari, Mounir Fallah, Chawki Laarif et Salah Belhouichet, ont pu pénétrer à l'intérieur de la maison de la culture « Ibn Khaldoun ». Les agents de la police sont alors intervenus pacifiquement pour les persuader de quitter les lieux.
307.	Turkey	22/06/06	JUA	FRDX; HRD; TERR; TOR;	Resit Yaray , board member of the Batman branch of the Human Rights Association (HRA); Mr Mursel Kayar , member of the Batman branch of the HRA; Mr Ali Oncu , member of the Diyarbakir Branch of the HRA and chairperson of TES-IS; Mr Edip Yasar and Mr Mecail Ozel , members of the Diyarbakir Branch of the HRA; Mr Necdet Atalay , former Spokesman of the Diyarbakir Democracy Platform, Secretary General of the Machine Engineers' Association, and a HRA member; Mr Erdal Kuzu , lawyer and	By letter date 04/09/06, the Government reported that Resit Yaray and Mursel Kayar participated in riots which took place in the Province of Batman from 30 to 31 March 2006. Mr Yaray and Mr Kayar were responsible for breaking and entering the Turkish Telecom building, and that they were subsequently apprehended with the rest of the group. On 2 April 2006, they were officially arrested upon the decision of the Penal Court of First Instance, in the Province of Batman, pursuant

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					<p>Secretary General of the Mardin branch of HRA; and Mr Hüseyin Cangir, Chairperson of the Mardin branch of the HRA. On 29 March 2006, Mr Resit Yaray and Mr Mursel Kayar were arrested and detained in the Directorate of Security in Batman, as they were trying to observe riots that were taking place in Batman. While in custody Mr Resit Yaray and Mr Mursel Kayar were beaten by police officers. On 2 April 2006 Mr Resit Yaray and Mr Mursel Kayar were charged with “assisting and supporting illegal organizations” and transferred to Batman Prison, where they remain. The first hearing of the trial of Mr Resit Yaray and Mr Mursel Kayar is scheduled to take place on 30 June 2006 before Diyarbakir Aggravated Penalty Court. Furthermore, on 29 March 2006, Mr Necdet Atalay was arrested and is currently detained in Diyarbakir D Type Prison. He has been charged with “assisting and supporting illegal organisations” and the first hearing of his trial will take place on 13 July 2006. On 30 March 2006, Mr Mecail Ozel was arrested and detained by police officers in Ofis, Diyarbakir. It is alleged that he was held incommunicado until 3 April 2006. On 4 April 2006, Mr Mecail Ozel was brought before the Diyarbakir Criminal Court, charged with “assistance and support to illegal organizations” and transferred to Diyarbakir Prison, where he is currently being held. The first hearing of Mr Mecail Ozel’s trial will take place on 13 July 2006. On 2 April 2006, Mr Erdal Kuzu, and Mr Hüseyin Cangir, Chairperson of the HRA Mardin branch, were arrested in the city of</p>	<p>to Article 100/3-a-9 of the Criminal Procedure Code. Mr Yaray and Mr Kayar were to be tried at the 5th Penal Court of Diyarbakir on charges of willfully assisting illegal organizations. Mr Ozel had been involved in marking the doors of private residences of law enforcement authorities in order to highlight them and their families as targets in Diyarbakir and for responding violently to police intervention. Mr Ozel was subsequently detained and his family was officially informed of his detention on the same day as his arrest and he was allowed access to his lawyer. On 3 April 2006, Mr Ozel was referred to the 4th Penal Court by the Public Prosecutor, where he was to be tried on charges of willfully assisting illegal organizations. At the hearings of 17 May 2006 and 15 June 2006, it was decided by the Court that Mr Ozel should remain in detention pursuant to Article 100/3 of the Criminal Procedure Code. An investigation had been initiated by the Chief Public Prosecutor in response to a complaint lodged by Mr Ozel alleging that he had been subjected to torture whilst in prison. Similarly, an investigation was initiated by the Office of the Chief Public Prosecutor into claims that Mr Cangir and Mr Kuzu had been arrested and detained. Mr Oncü was detained on 4 April 2006 and officially arrested on 5 April 2006 for his involvement in the incidents which took place during the funerals in Diyarbakir. On 13 July 2006, a decision was taken by the 6th Penal</p>

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					Kiziltepe, when they tried to prevent attacks by security forces against civilians. They were seriously beaten during their detention and were released several hours later. On 4 April 2006 Mr Ali Oncu and Mr Edip Yasar were arrested and detained by the anti-terrorism branch of the security forces. On 5 April 2006 they were charged with "assisting and supporting illegal organizations" and were transferred to Diyarbakir Prison where they remain in detention. Mr Edip Yasar's trial is scheduled to begin on 13 July 2006.	Court of Diyarbakir to release Mr Oncü and the court hearing was suspended until 10 October 2006.
308.		Follow-up to past cases			Mehmet Tarhan (E/CN.4/2006/6/Add.1, para. 505).	By letter dated 20/02/06, the Government reported that the judgement against him in relation to the charges of insubordination was reversed on 25 October 2005 by the Military Court of Appeals. Considering the claim of the defendant that he was gay, the Military Court of Appeals decided that a medical examination is required in order to determine whether he was eligible for military service. However, the Military Criminal Court ruled that this would amount to discrimination based on sexual preference, contrary to European Court of Human Rights jurisprudence. Consequently, the Military Criminal Court ruled on the continuation of his imprisonment. This decision can be challenged at the Military Court of Appeals.

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
309.					<p>A group of approximately 500 individuals (E/CN.4/2006/6/Add.1, para. 506).</p>	<p>By letter dated 27/03/06, the Government reported that the assembly and demonstrations which took place on 6 March 2005 in Istanbul, did not comply with conditions as prescribed by the Law N° 2911. The law enforcement authorities repeatedly warned the demonstrators of the consequences of staging an unlawful assembly. The demonstrators abused their right to peacefully assemble as they chanted slogans that supported terrorist organisations and attacked law enforcement officials with metal sticks and stones. Seventy persons who resorted to violence during the demonstrations were detained in order to be brought before the court. It was established that 23 of the detainees had previously been convicted of offences including membership in terrorist organisations and 13 others had been subjected to legal actions for violating Law N° 2911. A disciplinary inquiry was initiated by the Ministry of Interior to determine whether the law enforcement authorities acted within the limits of law during their intervention. Four inspectors were appointed by the Ministry of Interior to conduct this inquiry. As a result, three officials were reprimanded for failing to supervise and train the personnel under their authority. Furthermore, six officials received penalties imposing loss of pay for disproportionate use of force and degrading acts when dispersing the demonstrators. In addition to the disciplinary inquiries, a judicial investigation</p>

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
						was commenced by the Chief Public Prosecution Office of Istanbul against seven law enforcement officials for failing to act within the limits of law by using force against demonstrators. By letter dated 10/08/06, the Government reported that the trial of the seven law enforcement officials is still underway at the 4 th Penal Court of First Instance of Istanbul, with registry No 2005/345.
310.					H.B. and A.A. (E/CN.4/2005/62/Add.1, para. 1772, and E/CN.4/2006/6/Add.1, para. 512).	By letter dated 10/08/06, the Government reported that an investigation had been initiated by the Office of the Chief Public Prosecutor of Izmir upon their complaints. As a result of this investigation, on 16 December 2006, the Office of the Chief Public Prosecutor gave a decision of non-prosecution (No. Hz.2003/6610 Kr. 2004/22895). A disciplinary investigation was also commenced by the Provincial Police Disciplinary Board of Izmir against five suspected law enforcement officials, as a result of which the Board decided that there were no grounds for disciplinary action.
311.	Turkmenistan	15/03/06	JUA	TOR; FRDX	Two journalists Dzhumadurdy Ovezov and Meretmuhammet Khommadov , both working for <i>Radio Liberty</i> , a US-funded radio network. Dzhumadurdy Ovezov and Meretmuhammet Khommadov have been held incommunicado since they were arrested on 7 March 2006 by police. The reason for their arrest and their whereabouts are not known.	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
312.		17/03/06	AL	TOR;	<p>Kyarizov, currently imprisoned in LB-K/12. He was arrested by plain clothes armed men and taken to the National Security Committee (NSC) on 30 January 2002 after a meeting at the Cabinet of Ministers of Turkmenistan in Ashgabat. However, an official warrant for Mr Kyarizov's arrest was issued only on 6 February 2002. In the meanwhile, he was held incommunicado in the NSC's investigatory prison. The first time he was allowed to see his lawyer was on 13 February 2002. During the investigation and trial from 30 January 2002 to 4 April 2002 he was detained by the Turkmenistan National Security Committee. During that time, Mr Kyarizov was interrogated many times continuously for 24 hours, while his interrogators would take shifts. Interrogations continued even when he had caught pneumonia and suffered two heart attacks. Moreover, the Chairman of the Turkmenistan National Security Committee (NSC), exerted psychological pressure on Mr Kyarizov. He threatened that he would use force on Mr Kyarizov unless he admitted on national TV that he embezzled state property. On one day between 30 January 2002 and 2 February 2002, another NSC officer took away Mr Kyarizov's outer coat, bedding, and pillow, following which he was forced to sleep on a bare iron bed in an unheated prison cell until the end of his trial on 4 April 2002. The officers said that, if Mr Kyarizov continued to refuse to confess, the NSC would take revenge on his family, including his baby. On another occasion, around 2 February 2002, NSC officers brought one man to Mr</p>	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					<p>Kyarizov's prison cell and tortured him in front of Mr Kyarizov by applying electric shocks to his genitals through a needle. Mr Kyarizov asked that the torture be stopped and agreed to make the requested public confession on television. For the next two days, Mr Kyarizov had to witness bleeding of the tortured man's ears and throat. On 2 February 2002, Mr Kyarizov made the requested confession on National TV. On approximately 13 February 2002, Mr Kyarizov's brother was arrested as well, but no charges were brought against him. He had electric shocks applied to his head through a metallic helmet to give evidence against Mr Kyarizov. One day between 2 February 2002 and 4 April 2002, two other officers summoned Mr Kyarizov's wife, Yuliya, and her older sister to the Committee for interrogation, where they showed the death ward to the women and a NSC investigator threatened them with execution, unless Yuliya and her sister testified against Mr Kyarizov. Following the trial Mr Kyarizov was taken to a prison hospital located in Mary on 8 April 2002, where his family could visit him at established times. On 11 February 2003, despite the fact that his health remained very poor, Mr Kyarizov was transferred to LB-K/12 Prison in Turkmenabad in Seidy region, where he remains. His relatives are permitted to see him, but their requests for visits are not always granted. Throughout the more than three years of imprisonment, Mr Kyarizov has been kept in a tiny cell with 50 to 60 other inmates. It is very hot and stuffy inside the prison in the</p>	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					summer (the prison itself is in the desert), and very cold in the winter. Hygienic conditions are extremely poor. The food provided in the prison is poor, which made Mr Kyarizov lose up to 30 kg. There is not enough drinking water and the water the prisoners receive contains sand and high levels of salt. During his imprisonment, Mr Kyarizov has become partially paralyzed as the result of an untreated stroke. As an effect of this condition, there are times when he is unable to move unassisted. There is only one nurse for the entire prison, which has a population of 2500 inmates. Officially, for almost 4 years of his incarceration, Mr Kyarizov was examined only once (on 9 April 2002) by doctors of the Turkmen Ministry of Health and Medical Industry Hospital with Scientific Medical Centre of Physiology.	
313.		24/07/06	JUA	WGAD; FRDX; HRD; TOR;	Ms Ogulsapar Muradova , human rights activist associated with the Turkmenistan Helsinki/Foundation (THF) and journalist for Radio Free Europe/Radio Liberty, Mr Amankurban Amanklychev and Mr Sapardurdy Khajiev , human rights defenders, both members of the THF. Mr Amanklychev was arrested on 16 June 2006 by police officers, when he was working on a documentary with two French production companies, dealing with the deterioration of the health and education systems in Turkmenistan, and the personality cult of the President of the Republic. Mr Khajiev and Mrs Muradova were arrested at their homes on 18 June 2006. Ms Muradova was accused of "subversive activities". They all remained detained incommunicado in a	

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					<p>National Security Service pre-trial detention centre for more than two months, during which time they were subjected to ill-treatment. They themselves and their lawyers were never notified about the charges against them. They were also not allowed to meet with their lawyers. On 19 June 2006, high-level officials, such as the President of the Republic and the National Security Minister, publicly accused the three defendants of having conspired with foreigners in order to destabilise the State. Their trial took place in camera. Indeed, their lawyers were denied access to Court, as they were kicked out by soldiers just before the hearing, while trying to meet their clients. As a consequence, only the Prosecutor and the defendants were allowed to attend the hearing, which lasted only a few minutes. The Court building and the streets leading to it were cordoned off by armed soldiers, preventing the defendants' relatives and supporters from entering. On 25 August 2006, the Azatlyk District Court of Ashgabat condemned Mrs. Muradova and Mr Amanklychev to a six-year and a seven-year prison term, respectively, while Mr Khajiev was sentenced to a seven-year term in a high-security prison. All three were sentenced for "illegally possessing ammunition" (article 287-2 of the Criminal Code), on the basis that police officers claimed to have found arms in Mr Amanklychev's car. The three defendants decided to appeal this verdict on 29 and 30 August 2006. In the morning of 14 September 2006, members of the security forces came to the house of Ms</p>	

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					Muradova and took her three children, Sana, Maral and Berdy Muradova, to the morgue where they were asked to sign a document identifying and reclaiming Ms Muradova's body. The siblings requested an examination of the body by an independent doctor, which was denied. They went to the United States Embassy and returned with an American representative who was permitted to accompany them to view their mother's body which bore signs of ill treatment, with various wounds in the head and the neck. Ms Muradova's children are under surveillance and their phone line has been cut. They approached the police who refused to acknowledge their complaint. Concerns are expressed for the security of Ms Muradova's children as there has been no further contact with them since their telephone line was cut off.	
314.		19/09/06	JUA	FRDX; HRD; SUMX; TOR;	Amankurban Amanklychev, Ogulsapar Muradova, and Sapardurdy Khajiev , all of them associated with the Turkmenistan Helsinki Foundation (THF), a non-governmental organization based in Bulgaria that monitors and reports on human rights conditions in Turkmenistan. Ms Muradova is also a journalist for Radio Liberty (subject of a communication dated on 29 June 2006). Mr Amanklychkev was arrested on 16 June 2006, Ms Muradova and Mr Khajiev on 18 June 2006. They have been held incommunicado since. They were charged on 12 July 2006, considerably later than the three-day limit prescribed by the Turkmen Code of Criminal Procedure requires. Previously Mr Amanklychev	

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					had assisted in the production of a documentary critical about the human rights situation in Turkmenistan for <i>Galaxie Presse</i> , a French television production company that also supplied the camera. Following his arrest, various authorities, such as the national security minister and by the Turkmenistan News Service made statements accusing Mr Amanklychev of having been involved in subversion and espionage.	
315.	Uganda	08/08/06	JAL	SUMX; TOR;	Abdu Semugenyi , aged 55, businessman. Security agents arrested Abdu Semugenyi in April 2006, along with another man, while they were driving in the Village of Ntoroko, near Kasese in western Uganda. His arrest was motivated by suspected links with the Allied Democratic Forces, a rebel group. The two men were then transferred to the Karugutu barracks of the Uganda Peoples' Defence Force in western Uganda and, from there, taken to a so-called "safe house" maintained by the Joint Anti-Terrorist Task Force in Kololo, a neighborhood of Kampala. There Abdu Semugenyi was subjected to torture by state security agencies. On 4 May 2006, he died of electrocution. The authorities first denied holding Semugenyi. Subsequently, however, they claimed that he was killed while trying to escape. The authorities have so far refused to hand over his body to his family.	
316.	Ukraine	24/02/06	AL	TOR;	11 Uzbek asylum seekers, Orif Abdurakhimov aged 39, Erkin Gafurov , aged 35, Bakhrom Raufov , aged 37, Khayet Khamzaev , aged 29, Ilkhom Khasanov , aged 38, Shukhrat Khuzhaev aged 38, Ikrom Akhmedov , aged 24,	By letter dated 01/06/06, the Government reported that the citizens in question arrived in the country in the period between May and June 2005 from the territories of the Russian Federation and Moldova, both recognized to

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					<p>Bakhtier Ilyasov, aged 43, Dilmurod Iskandiyarov, aged 29 and Makhmud Melikuziev, aged 37. During the night of 14 to 15 February 2006, they were deported to Uzbekistan. On 7 February 2006, they had been detained by the Crimean police following an extradition request issued by the Office of the Prosecutor in Uzbekistan. The extradition request alleges that the 11 individuals were involved in the events in Andijan, which occurred in May 2005. Nine of the individuals were registered with the Migration Services as asylum seekers. The other two had also expressed their intention to claim asylum through a partner of UNHCR, but had not yet received the official documents to complete their applications. Concern is expressed that they are at risk of torture or ill-treatment in Uzbekistan.</p>	<p>be safe third countries. On 1 and 6 February 2006, these persons applied for refugee status with the Department of Migration Service in the Autonomous Republic of Crimea. Having duly considered their applications, on 13 February 2006, the department decided to deny their applications, as groundless and not meeting the provisions of the law of Ukraine on refugees. In accordance with Ukrainian and international law, the citizens of Uzbekistan were granted the right to appeal to the court against the decision, which they refused to do, as per the personal statements on file. In view of the fact that these persons, while staying in Ukraine, were involved in unlawful activities, violating the standing regulations and refused to voluntarily leave the territory of Ukraine, these citizens, by decision of 14 February 2006 of the Kyiv Regional Court of Simferopol, were removed from the territory of Ukraine. Therefore, the actions of the authorities meet Ukrainian law and do not violate international legal obligations. It needs to be emphasized that the matter was not about extradition of Uzbek citizens, but the substantiated denial of granting refugee status and expelling them from Ukraine, on legal grounds, to another State Party to the 1984 Convention against Torture. Ukraine has been assured by the Government of Uzbekistan of its full observance of its obligations under this Convention.</p>

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317.	United Arab Emirates	13/03/06	JUA	TOR; WGAD, IJL	<p>Sultan Salem Sultan Bunawwas, Magid Muhammad Khalifa al-Mazru`i, Salih Muhammad Hussein Ahmad, Salah Yusif Hamza al-Asmakh, Shihab Muhammad Abdullah al-Mihirbi, Ahmad Muhammad Thani al-Mazru`i, Khalid Jamal Ali al-Manna`i, Abd al-Basit `Ubaid Mubarak, Nawwaf Hassan Sa`id al-Khamairi, Ahmad Rashid Abdullah al-Naqbi, Gum`a Khadim al-Muhairi and Ahmad Hamid Ali al-Marri. On 22 November 2005, police raided a villa in Ghantout and arrested twenty-six men. The police apparently acted in response to allegations that the men were carrying out homosexual acts and that some of the men were wearing women's clothing or make-up. During the raid, police punched, kicked and beat some of the men. A few days after their arrest, a government official alleged that the men would be subjected to male hormone injections, although this claim was later denied by another government spokesperson. The police beat the men while they were in custody with the aim of forcing them to confess to homosexual conduct. Some members of the group were subjected to invasive forensic examinations in an effort to prove their homosexuality. In a trial in February 2006, twelve of the twenty-six men, including almost all of those who had endured invasive examinations, were sentenced to six years of imprisonment on charges relating to homosexuality and obscenity under a Sharia-based law, while a thirteenth was sentenced to a lesser sentence. Their case is now pending appeal, which should take place on 14</p>	

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					March 2006. The other thirteen men arrested were acquitted. The law of the United Arab Emirates stipulates that a person can only be found guilty of homosexuality if four witnesses unanimously agree they saw the act or if the accused confesses. It is reported that no witnesses testified against the defendants and that there was no other indication that they had engaged in homosexual conduct. The alleged confessions, which were presented as evidence, were extracted under invasive forensic examinations which could amount to torture or ill-treatment.	
318.		05/07/06	UA	TOR;	Asma Bikhham Bijam , a domestic worker. She was sentenced by a Shari'a court to one year's imprisonment and 100 lashes for committing adultery with a married man. On 19 June 2006, the Appeal Court upheld Asma Bikhham Bijam's sentence.	
319.	United Kingdom of Great Britain and Northern Ireland	26/06/06	JUA	TERR; TOR;	Two Algerian men, known as "V" and "I" . "V" and "I" were labelled as "suspected international terrorists" on the basis of secret intelligence to which they had no access and which they were therefore unable to challenge, and detained in high-security prisons. They were deported from the UK to Algeria on 16 and 17 June 2006 respectively, on the grounds that they presented a "threat to the national security". The two men have been held at an undisclosed location since their arrival in Algeria, and have been allowed no contact with their families, in violation of Algerian law and in spite of earlier assurances by the Algerian consulate in London that they were not	By letter dated 31/07/06, the Government reported that "V" and "I" were released by the Algerian authorities on 22 June 2006. The British Government is not aware of any allegations of mistreatment of the two men while they were in detention following their return to Algeria. The UK will not deport or extradite a person where there are substantial grounds for believing that there is a real risk of torture or other inhuman or degrading treatment, or that the death penalty will apply. All foreign nationals subject to deportation action are informed of the reasons of their intended deportation, and of their rights of

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					wanted for any crimes in Algeria and that they would be released after having spent a few hours in police custody at the airport to satisfy formalities. The men are held by a military intelligence agency, the Department for Information and Security (Département du renseignement et de la sécurité, DRS), which specializes in interrogating people thought to possess information about terrorist activities.	appeal. The British Government will continue to consider the question of deportation to Algeria of individuals who pose a threat to the national security of the UK on a case-by-case basis. Judging on the basis of assessments made of the current situation in Algeria and the developments that are taking place there, and in the light of past and present exchanges with Algerian authorities, deportations can take place in appropriate cases in full conformity with the domestic and international human rights obligations of the UK.
320.	United States of America	17/01/06	UA	TOR;	Kulvir Singh Barapind , aged 41, an Indian national. He is currently detained at the Fresno County Jail, Fresno, California, and is at risk of immediate forcible return to India. He has been the subject of extradition proceedings since September 1997. Mr Barapind was a senior member of the Sikh Students Federation (SSF), a group advocating for a separate Sikh state of Khalistan, and has previously been tortured by Indian police officers. On 12 June 1988, he was detained at the Rahimpur Bus Station by Nakodar City police and taken to the police station. When one of the inspectors learned of Mr Barapind's involvement in the SSF, he ordered him to be taken to a cell by three officers. There he was stripped, his hands were bound behind his back, he was suspended from the ceiling by a rope tied to his hands, and was punched in the stomach. He was then taken down, and was forced to sit with his legs outstretched. While one officer held him from behind, another held his legs, and a third	

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					<p>rolled a heavy wooden pole (“roller”) over his legs 10 to 15 times. The police officers then attempted to stretch his legs 180 degrees apart about four to five times. This session was repeated again on the next morning before he was transferred to Goraya Police Station. The same treatment was meted out to him there over a period of five days. He was questioned in order to extract information on the identities of other SSF members. On 17 June 1988, he was brought before a magistrate, charged with terrorist-related offences, and remanded in custody in the Central Jail, Jalandar. He was released on bail on 30 November 1988, and the charges were subsequently withdrawn. Subject to regular harassment by the police, he was again arrested on 21 July 1989, this time at his home by the Punjab police and the Central Reserve Police Force (CRPF), and taken to a CRPF camp in Phagwara. Accused by the agents of involvement in terrorist-related activity, he was taken to a cell, stripped, bound by his hands behind his back and suspended from the ceiling. When he refused to answer questions about the identities of senior SSF leaders, he was taken down, and subjected to the roller. Afterwards, with wires attached to his toe and little finger, an officer cranked a generator, causing him to be electrocuted. Shocks were also applied to his ear lobes, penis and testicles. Mr Barapind was subjected to the roller again that afternoon. In addition, his arms and legs were bound behind his back, and with one officer sitting on his buttocks, another struck the soles of his feet with a wooden</p>	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					<p>stick 30 to 40 times. His feet reportedly swelled to the point, causing his toe nails to fall off. On the evening of 21 July, he was transferred to the Criminal Investigation Agency (CIA), Kapurthala. The following morning, under the authority of Deputy Superintendent of Police (DSP), Mr Barapind was tortured in a similar manner as on previous occasions, in addition to being flogged on his buttocks with leather straps. He was threatened with death if he did not respond to their questions, and spent the night chained to the floor of the cell. On 31 July, he was released. In September 1989, security forces raided Mr Barapind's house, beat him with wooden sticks and attempted to arrest him before a crowd of villagers intervened to prevent him from being taken away. Following a raid on his house in April 1990 during his absence, Mr Barapind went into hiding until March 1993, at which time he fled to the United States.</p> <p>Subsequently his family members, including his father, brother and brother-in-law have been severely tortured, and his friends have been arbitrarily detained, in order to determine his whereabouts. Six of his accomplices, who were identified in First Information Reports filed by the Indian Government in its extradition request for Mr Barapind, were subject to extra-judicial executions; and at least two other proponents of a Sikh state and suspected terrorists, Mr Daya Singh Sandhu and Ms Kamaljit Sandhu, were tortured following their extradition from the United States to India despite the provision of diplomatic</p>	

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					assurances by the Indian Government. Moreover, the police officers implicated in the torture of Mr Barapind have escaped liability, and some have even been promoted.	
321.		10/07/06	AL	TOR;	At least 135 African American men in Chicago, Illinois. During the period from 1972 to 1991, at least 135 African-American detainees were subjected to torture or ill-treatment while they were detained at the Area 2 and Area 3 Police Headquarters in Chicago, Illinois. The detainees were subjected to techniques including electrically shocking men's genitals, ears and lips with a cattle prod and an electric shock box, suffocating individuals with plastic bags, mock executions and beatings with telephone books and rubber hoses. These acts were carried out with the aim of extracting confessions. The names of the alleged perpetrators are known to the Special Rapporteur. In 1990, Michael Goldston, an investigator with the Chicago Police Department's Office of Professional Standards concluded that systematic abuse occurred in Area 2 and Area 3 over a ten year period. He concluded that the type of abuse was not limited to beating, but also included psychological techniques and planned torture. Despite these findings and specific admissions, in	

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					<p>some cases, by the City of Chicago that crimes had been committed by its police officers, nobody was prosecuted for the alleged crimes. In 2002, a Special Prosecutor was appointed to further investigate allegations of torture and ill-treatment at the Area 2 and Area 3 Police Headquarters. However, the Special Prosecutor indicated in May 2006 that no prosecutions would likely be brought due to the application of the statute of limitations to the alleged crimes. Furthermore, the only officer to be subjected to internal disciplinary procedures in relation to the acts described above was the Commander, who was fired in 1993 due to evidence of the abuse of one detainee, Andrew Wilson. Andrew Wilson was suffocated with a plastic bag, shocked on his genitals, ears and lips with an electric shock box, burned with cigarettes, beaten and handcuffed across a hot radiator while being interrogated. In that case, Dr. John Raba, the Medical Director of Cermak Health Services at Cook County Jail examined Wilson after his interrogation and, taking note of the injuries, he requested the Chicago Police Superintendent to carry out an investigation. However, no action was taken. There are further concerns that a number of those individuals may have been convicted partly or solely on the basis of confessions obtained by torture or ill-treatment. In particular, at least 24 individuals are currently serving prison terms on the basis of confessions which may have been obtained by torture or ill-treatment. The names of these individuals are Ronald Kitchen, James Andrews, Edward James, Eric Smith,</p>	

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					Derrick King, Reginald Mahaffey, Jerry Mahaffey, Franklin Burchette, Tyshaun Ross, Michael Tillman, Tony Anderson, Stanley Wrice, Leonard Kidd, James Lewis, Howard Collins, Leonard Hinton, Lavert Jones, Steven Cavernaro, Eric Johnson, Eric Caine, Andrew Maxwell, Greyland Johnson, Cortez Brown and Keith Walker.	
322.		24/08/06	UA	TOR;	Bekhzod Yusupov , an Uzbek national, detained at Pike County Prison, Milford, Pennsylvania. He has been detained for two years and is currently at risk of imminent forcible return to Uzbekistan following an unsuccessful bid to seek asylum in the United States. He entered the US in 1999 and learned in January 2000 that he was sought by the Uzbek authorities on suspicion of involvement in activities in support of “illegal religious extremist movements”. An FBI investigation found on his shared computer downloaded video files of speeches by known terrorists, such as Osama Bin Laden, Ayman Al-Zawahiri, and Shamil Basayev, which depicted bombings and other acts of violence. In June 2003 he was convicted of falsely representing himself as a US national. US Immigration and Customs Enforcement is seeking diplomatic assurances from the Government of Uzbekistan that Mr Yusupov will not be tortured upon his return.	By letter of 23/01/07, the Government reported that it has not sought and does not intend to seek assurances from the Government of Uzbekistan that Mr Yusupov would not be tortured upon his return, as was conveyed to Mr. Yusupov and the Federal District Court hearing his petition for a writ of habeas corpus on 6 October 2006. Whereas the United States does not agree with the non-binding opinion of the Human Rights Committee that Article 7 of the International Covenant on Civil and Political Rights creates a non-refoulement obligation on States Parties, or share the Special Rapporteur’s view that diplomatic assurances are never reliable or effective in protecting against torture, it does not believe that diplomatic assurances are appropriate in every case or that they could serve as a substitute for a case by case analysis of whether US obligations under Article 3 of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment would be met. The US employs properly tailored diplomatic assurances related to torture that it deems credible from foreign

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						Governments in appropriate cases, but shares the concern that such assurances are not appropriate in this case with respect to the return of Mr Yusupov to Uzbekistan.
323.		15/12/06	UA	TOR;	Majid al-Massari , aged 36, a Saudi Arabian national, currently detained at the Federal Detention Centre near Seattle-Tacoma International Airport. His request to have his deportation stayed has been refused, and he is at imminent risk of forcible return to Saudi Arabia. In 2003, he was convicted for a drug-related offence, and on 17 July 2004, he was arrested and detained by Immigration and Naturalisation Service officials on the grounds that the conviction violated his immigration status. He has also been the subject of investigation for terrorism-related activities. Vocal in his opposition to the Saudi Government, he is the son of Dr. Muhammad al-Massari, a Saudi dissident based in the United Kingdom. The Saudi Arabian Government considers Dr. al-Massari a seditionist due to his opposition to the Government. Dr. al-Massari and several of his family members, including Majid al-Massari's brother, have reportedly been tortured by the Saudi Government in the past.	
324.		Follow – up to past cases			Mohammed C. (E/CN.4/2006/6/Add.1, para. 521).	By letter dated 04/04/06, the Government reported that operational and security concerns compel the United States to refrain from confirming or commenting on the circumstances of capture, transfer or detention of any specific individual believed to be held as an enemy combatant in the course of the war with the al Qaeda network and the remnants of

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						<p>the Taliban who continue to support them. However, President Bush has affirmed on a number of occasions that al Qaeda and Taliban detainees are treated humanely, and, to the extent consistent with military necessity, in a manner consistent with the principles of the Third Geneva Convention of 1949. As a result, representatives of the International Committee of the Red Cross (ICRC) routinely visit detainees individually and privately. United States Government personnel are not permitted to torture detainees or participate in torture by others. Torture is a violation of the laws of the United States. Allegations of torture will be thoroughly investigated. Where appropriate, in cases where the United States Government transfers detainees to other countries for detention or questioning on behalf of the United States, assurances that the detainees will not be tortured or subjected to persecution are being sought. The United States recognizes the special needs of younger detainees and the difficult circumstances surrounding their situation and treats young enemy combatants in a manner appropriate to their status and age.</p>
325.					<p>Abraham Al-Mashadani (E/CN.4/2006/6/Add.1, para. 522).</p>	<p>By letter dated 07/08/06, the Government reported that since Mr Al-Mashadani was detained by the MNF-1 for imperative reasons of security flowing from the conduct of an armed conflict, pursuant to Chapter VII Security Council resolutions, the Special Rapporteurs do not have a mandate to</p>

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
						<p>consider the issue. The United States disagrees that security internees who are detained in the context of armed conflict are entitled to take proceedings before a court, in order that the court may decide on the lawfulness of their detentions, pursuant to Article 9 of the International Covenant on Civil and Political Rights (ICCPR). In contrast, consistent with the Geneva Conventions, a detaining power can use an administrative board to review and decide challenges to their detention by protected persons. Additionally, by its terms, the ICCPR has no application outside the territory of a State and thus does not apply to security internments conducted by MNF-1. The Government of the United States notes that the MNF-1 released Mr Al-Mashadani in January 2006.</p>
326.					<p>Sami al-Lathi (E/CN.4/2006/6/Add.1, para. 523).</p>	<p>By letter dated 04/05/06, the Government reported that the United States does not agree that Article 7 of the International Covenant on Civil and Political Rights creates a non-refoulement treaty obligation, much less a non-refoulement obligation that would apply with respect to cruel, inhuman or degrading treatment or punishment. Nevertheless, it is long-standing United States policy not to transfer a person to a country if it determines that it is more likely than not that the person will be tortured. Mr al-Lathi was recently transferred for release to the Government of Egypt. Mr al-Lathi was briefly hospitalized following his return to Egypt. After his</p>

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
						<p>discharge from the hospital he was released and returned to his family. His health problems resulted from an injury sustained before United States involvement with him. According to Mr al-Lathi's statements to the United States, his injury was sustained in an automobile accident, and the damage has progressed over time. There are no indications that his condition was adversely affected by his detention. His injury could have been corrected through available surgical intervention. United States authorities repeatedly tried to persuade Mr al-Lathi to consent to this treatment. This is one of those unfortunate situations where the United States wanted to provide assistance, but the detainee would not permit them to do so. While Mr al-Lathi continues to make unfounded allegations of mistreatment during the period that he was detained by the United States, the US Government is not aware of any allegations of mistreatment by Egyptian authorities following his return. Additionally, Mr al-Lathi told Reuters in an interview published on 21 October 2005 that he had been well treated since his return to Egypt.</p>
327.	Uzbekistan	24/01/06	JUA	SUMX; TOR;	<p>Ismatillo Abasov, who appears to be at risk of imminent execution. Mr Ismatillo Abasov was sentenced to death by the Tashkent City Court on 31 January 2005 for "premeditated, aggravated murder". Mr Abasov has exhausted all judicial remedies. His conviction and sentence are based on confessions extorted under torture or other forms of ill-treatment. Mr Abasov has submitted a</p>	

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					communication to the Human Rights Committee under the Optional Protocol to the International Covenant on Civil and Political rights (ICCPR). The Committee has requested the Government not to execute Mr Abasov while his case is under consideration by the Committee.	
328.		23/02/06	UA	TOR;	11 Uzbek nationals, Orif Abdurakhimov aged 39, Erkin Gafurov , aged 35, Bakhrom Raufov , aged 37, Khayet Khamzaev , aged 29, Ilkhom Khasanov , aged 38, Shukhrat Khuzhaev aged 38, Ikrom Akhmedov , aged 24, Bakhtier Ilyasov , aged 43, Dilmurod Iskandiyarov , aged 29 and Makhmud Melikuziev , aged 37. During the night of 14 to 15 February 2006, they were deported from Ukraine to Uzbekistan. On 7 February 2006, they had been detained by the Crimean police following an extradition request issued by the Office of the Prosecutor in Uzbekistan. The extradition request reportedly alleges that the 11 individuals were involved in the events in Andijan, which occurred in May 2005. According to the information received, nine of the individuals were registered with the migration services in Ukraine as asylum-seekers. The other two had also expressed their intention to claim asylum through a partner of UNHCR, but had not yet received the official documents to complete their applications.	By letter dated 28/02/06, the Government reported that, pursuant to the norms of international law, sovereign States, such as Ukraine, independently define the procedures for taking decisions on the extradition, deportation and return of individuals. The 1951 Convention relating to the Status of Refugees provides that the competence to decide whether to accept an application from a petitioner under provisions of the Convention lies with the State party to the Convention on whose territory the individual is applying for refugee status. The provisions of the Convention specifically do not apply to persons with respect to whom there are serious reasons for considering that they have committed a grave crime outside the country of refuge prior to their admission to that country as refugees. Article 33, paragraph 2, of the 1951 Convention relating to the Status of Refugees states that the prohibition of refoulement "may not be claimed by a refugee whom there are reasonable grounds for regarding as a danger to the security of the country in which he is, or who, having been convicted by a final judgement of a particularly serious crime, constitutes a danger to the

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						community of that country". The rights of Uzbek citizens who have been returned to their homeland are fully guaranteed in accordance with the norms of Uzbek domestic law and fundamental international human rights instruments, including the Universal Declaration of Human Rights, the International Covenant of Civil and Political Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to which Uzbekistan is party.
329.		22/05/06	JAL	HRD; TOR;	Mr Utkir Pardaev and Mr Shardov Pardaev , members of the Dzhizak regional branch of the Independent Human Rights Society of Uzbekistan (IRSU). On 24 March 2006, they were arrested and detained after they had been invited by National Security Service (SNB) personnel to accompany them as witnesses following the arrest of a local resident. During detention they were questioned and beaten and, when Utkir Pardaev requested to be represented by a lawyer, he was verbally abused by one of the SNB officials. Utkir Pardaev and Shardov Pardaev were released after several hours following a protest by local people who gathered outside the SNB office where they were being held. As a result of the beating, Shardov Pardaev sustained injuries and had to spend five days in hospital following his release.	
330.		30/06/06	JAL	HRD; IJL; TOR;	Mr Azam Formanov and Mr Alisher Karamatov , chairs of the Syr-Darya and Mirzaabad regional branches of the Human Rights Society of Uzbekistan (subjects of a joint urgent appeal	

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					dated 10 May 2006). Both men were arrested in Gulistan in the Syrdaryn region on 29 April 2006 and held in the office of the Gulistan City Police Department. They were transferred to Investigation Isolator UY 64/SI-13 of the City of Havast, near Yangier. During their detention a senior investigator of the Office of the Public Prosecutor of Dzhizak region and an inspector of the Syr-Darya Department of Internal Affairs beat them on their legs and heels with truncheons, put gas masks with closed air valves on their heads and threw them in the air to let them fall on their backs on the concrete floor. In a trial marred by shortcomings, such as severely restricted access to case files and extremely limited time to prepare the defence for the defendants and their lawyers, they were convicted to nine years imprisonment.	
331.		30/10/06	UA	TOR;	Rustam Muminov. On the evening of 24 October 2006, he was deported from the Russian Federation to Uzbekistan, following an extradition request from the General Procuracy of Uzbekistan, which was issued in February 2006. Rustam Muminov has been accused of membership of Hizb-ut-Tahrir.	By letter dated 05/12/06, the Government reported that Rustam Muminov emigrated to Tajikistan in the mid-1990s, where he received a religious extremist education. After his return to Uzbekistan, he maintained close relations with members of the religious-extremist organization <i>Khizb-ut Tahrir</i> and studied extremist literature, which contained calls to build a world-wide <i>khalifat</i> . In 1999 Rustam Muminov, who was a <i>mushrif</i> of the religious-extremist organization <i>Khizb-ut-Tahrir</i> , organised a unit of this organization in Dzahrkurgansk District of Surkhandarinsk Region, to which he attracted local inhabitants, such as the Mamatraimov brothers, K. Abishev, I. Mukimov and O. Normurodov (who

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						were later condemned for being <i>Hisb-ut-Takhrir</i> members). R. Muminov and his associates conducted propaganda work, recruited new members and called for civil disobedience. Moreover, Mr Muminov took part in the distribution of anti-constitutional leaflets calling for the overthrow of the State of Uzbekistan. R. Muminov, in 2003, after the detention and convictions of his associates, left the Republic and went into hiding in the Russian Federation. In 2005 Uzbek law enforcement organs opened a criminal case against Mr Muminov with reference to art. 159, para b (3) (attack on the constitutional order), 216 (1) (illegal organization of public associations or religious organisations), 244-1, (2) (preparation or distribution of materials constituting threats to the public safety and societal order) and 244 (2) (creating, leading, participating in religious-extremist, separatist, fundamentalist or other prohibited organisations) of Uzbekistan's Criminal Code. In the course of the investigation, the above information was confirmed.
332.		15/11/06	JUA	IJL; TOR;	Komiljon Usmanov. Mr Komiljon Usmanov disappeared at the beginning of May 2006. With the assistance of human rights organizations, his relatives found out that he was detained incommunicado by the Tashkent city department of Internal Affairs (GUV) for thirty days. During this time, he was under investigation without access to a legal counsel. On 6 November 2006, Mr Kamiljon Usmanov was sentenced to ten	

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					years in prison on charges including attempting to overthrow the constitutional system after a trial which was conducted with numerous violations of the Criminal Procedural Code of the Republic of Uzbekistan and international human rights instruments. In particular, the public prosecutor did not attend the first phases of the trial. The chairman judge in charge of the case performed the dual function of public prosecutor. During the trial the accusations were not corroborated with any fact or evidence as required by the Criminal Code of the Republic of Uzbekistan, and the court did not allow defence witnesses to appear, nor did it allow human rights defenders, journalists and many of the accused relatives to observe the proceedings. At the first court session, Mr Komiljon Usmanov rejected the accusations, stating that his confessions had been obtained as a result of torture and ill-treatment. Four witnesses stated that they had witnessed Mr Usmanov being subjected to torture in the GUV D facilities, including being hung from the ceiling from his feet and with his ears attached to electric wires. However, the judge refused to order any investigation into these allegations of torture. Kamiljon Usmanov and his lawyer, Rukhiddin Komilov, intend to appeal the case.	
333.		Follow-up to past cases			Nozim Rakhmonov, Azomodin Kosimjonov, Abdurakhman Ibragimov, Tohirjon Abdusamatov, Shoimat Shorakhmedov, Alisher Mirzakholov, Abdurauf Kholmuratov, Alijon Mirganiev, Rukhiddin Fakhrutdinov and Sharafutdin Latipov	By letter dated 30/01/2007, the Government reported that Nozim Rakhmonov and Sharafutdin Latipov, both active members of the Islamic Movement of Uzbekistan, helped to create and lead the illegal organization <i>wahhabi</i> starting from 1998, for which they

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					(E/CN.4/2006/6/Add.1, para. 540)	<p>were paid 150 USD per month. On 20 February 2006 a criminal case was opened against them and they both fully confessed that they were guilty, which has been corroborated by testimonies of associates with whom they committed the crimes, by material evidence that was confiscated and other materials found in the course of the preliminary investigation. On 8 May 2006 they were both found guilty by the criminal chamber of Tashkent City court of crimes under art. 244 (1) of the Criminal Code, i.e. for preparing or distributing materials constituting a threat to public safety and societal order, and sentenced to 5 years of imprisonment. None of them filed any complaints during the pre-trial investigation. They are currently serving their sentences in KIN-61 and KIN-29. Abdurakhman Ibragimov, Alisher Mirzakholov, Abdurauf Khalmuratov and Alijon Mirganiev, all active members of the Islamic Movement of Uzbekistan, also helped to create and lead the illegal organization <i>wahhabi</i> starting from 1998, for which they were paid 150 USD per month. From the moment of their respective arrests, all of them had full access to their lawyers and all investigative actions were conducted in the presence of their defence lawyers. They were also allowed to receive repeated visits from their family members. On 7 March 2006 all of them were accused of crimes under article 244 (2) of the Criminal Code, i.e. of setting up, leading or participating in a religious-extremist,</p>

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						<p>separatist, fundamentalist or other illegal organization. Abdurakhman Ibragimov, Alisher Mirzakholov and Alijon Mirganiev fully confessed to all incriminating acts. Abdurauf Khalmuratov partly confessed his guilt. On 17 May 2006 they were all found guilty by the court and sentenced to 6 years imprisonment. Tohirjon Abdusamatov, an active member of the Islamic Movement of Uzbekistan, also helped to create and lead the illegal organization <i>wahhabi</i> starting from 1998, for which he was paid 150 USD per months. On 4 April 2006 a criminal case was opened against him under articles 244 (2) and 248 (3) of the Criminal Code. On 14 June he was sentenced to 10 years of imprisonment, which he is serving in KIN-49. Shoirmat Sharakhmetov also helped to create and lead the illegal organization <i>wahhabi</i> starting in 1998. He was arrested by police on 22 December 2005 in Tashkent Region. In the course of the investigation it was found that he is suffering from schizophrenia and needs forced medical treatment, which was confirmed by a decision of the criminal chamber of Tashkent City court on 20 April 2006. He therefore was sent to Tashkent Psychiatric Hospital No. 1, where he still is. Azomodin Kasimjanov, member of "Akromiya", actively participated in the so-called demonstrations organized close to the court building in Andijan and in the armed group that attacked the military unit and the <i>akhimyat</i>. On 29 November 2005 a criminal</p>

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						<p>case was opened under a series of articles of the Criminal Code, including terrorism, premeditated murder, illegal possession of weapons etc. Two days later he was arrested and on 21 July 2006 the criminal chamber of Tashkent City Court sentenced him to 13 years imprisonment.</p> <p>Rukhiddin Fakhrutdinov was found guilty of crimes under a series of articles of the Criminal Code including terrorism, falsification of documents, illegal entering or leaving of the territory of Uzbekistan etc and sentenced to 17 years of imprisonment by the criminal chamber of Tashkent City Court on 15 September 2006. He partly confessed to having committed the crimes he was accused of. In addition, several witnesses, such as A. Kholierov, B. Abdukhalikov, D. Akhmedov confirmed that R. Fakhrutdinov had given them monthly lessons with the underlying aim of involving them in conducting jihad in order to overthrow the constitutional system of the Republic of Uzbekistan. The findings of the investigation were corroborated by confiscations of material evidence, searches and the results of a scientific expert conclusion of the confiscated literature.</p>
334.	Viet Nam	20/02/06	UA	TOR;	Pham Hong Son (subject of a previously transmitted communication, E/CN.4/2005/62/Add.1, para. 1970, and the Government's response, <i>ibid</i> , para. 1971). The health of Mr Pham Hong Son has been gradually deteriorating, he is seriously ill, and he still	By letter dated 20/03/06, the Government reported that on 18 June 2003, Pham Hong Son was brought to trial and sentenced by the Court of First Instance to 13 years' imprisonment for espionage (article 80 of the Penal Code). On 26 August 2003, the Ha Noi

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					requires an operation for a hernia. He is coughing up blood. Requests for a medical examination to determine the nature of his illness have been denied.	Appeal Court tried him again, and due to his attitude of repentance, reduced his sentence to five years' imprisonment. He is serving his sentence, enjoys the right to medical care, and his health is normal.
335.	Yemen	20/12/05	JUA	SUMX; TOR;	Ms Fatima Hussein al-Badi who could face imminent execution if the President of Yemen rejects a final appeal asking for her death sentence to be commuted on the basis that her trial was unfair. Fatima Hussein al-Badi and her brother Abdullah Hussein al-Badi were arrested on 13 July 2000 for the murder of her husband, Hamoud Ali al-Jalal. They were sentenced to death on 17 February 2001 following a trial that fell short of international fair trial standards. Fatima Hussein al-Badi has maintained her innocence in the murder of her husband since her arrest: she was tortured by police in detention, but refused to "confess". Her brother denied that he and his sister were involved in the murder, but later "confessed" to police after he was assured that his "confession" would lead to Fatima's release. During the trial, they had no legal representation, and were forced to be quiet whenever they tried to speak in court. Both Fatima and her brother took their case to the Court of Appeal, which upheld the sentence against them on 12 August 2002. They then appealed to the Supreme Court, which upheld the decision. President 'Ali 'Abdullah Saleh then ratified the two death sentences. On 2 May 2005, Abdullah Hussein al-Badi was executed for his alleged role in the murder. In October, Fatima Hussein al-Badi	By letter dated 17/06/06, the Government reported that Fatima Hussein al-Badi and her brother Abdullah Hussein al-Badi, murdered her husband Hamud Ali Jalal. Evidence of guilt was provided at trial and by the defendant herself, who confessed to the murder. The trial was conducted in accordance with the law. The initial verdict was delivered on 17 December 2001 and the defendant lodged an appeal. After reviewing the procedures followed by the court of first instance and finding nothing amiss, the appeal court issued a ruling, on 12 August 2002, upholding the initial verdict. The case was referred to the Supreme Court, which in turn approved the appeal court ruling sentencing Ms Hussein al-Badi to death on 5 August 2004. Fatima Hussein al-Badi was not subjected to any form of mental or physical torture. A lawyer was appointed to present her defence from the very first stage of the proceedings until the Supreme Court delivered its ruling. The Yemeni judiciary takes every care to comply with, and abide by, the norms of international law. Yemeni law guarantees defendants the full right to a defence during every stage of judicial proceedings.

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					lodged a special personal appeal with the President, asking him to commute her sentence on the basis that her trial was unfair. The President is believed to be considering the appeal. If he rejects it, Fatima Hussein al-Badi could be executed within a few weeks.	
336.		08/03/06	JUA	SUMEX; TOR;	A. M. S. A. who has been sentenced to death for a murder committed when he was 16 years old. A. M. S. A. was arrested on 27 July 2001. He was tortured at a police station and confessed to the murder of his relative during an argument. During his trial at a lower court in the City of al Rwana, the defendant immediately protested that he was under 18. On the orders of a judge he was examined by a doctor, who confirmed that he had not yet passed his 17th birthday. Nevertheless, the court decided to sentence him to death on 19 October 2002. The sentence has been upheld by the Taiz Court of Appeal on 23 May 2005 and the Supreme Court on 27 February 2006. Mr Adil Saif al-Ma'amari's sentence is with President Ali 'Abdullah Saleh who has the power to ratify or commute the death penalty. He is said to be at imminent risk of execution.	
337.		01/11/06	JUA	WGAD; HRD; IJL; TOR;	Ali al-Dailami , Executive Director of the Yemeni Organization for the Defence of Human Rights and Democratic Freedoms. On 9 October 2006 Mr al-Dailami was arrested at the airport of Sana'a while he was heading to Copenhagen (Denmark), in order to participate in a conference organized by the Danish Institute for Human Rights about its programme of cooperation with some Yemeni NGOs. As of today, Mr al-Dailami remains	

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					detained by the political security forces (al-Amn al-Seyasi) at an undisclosed location without contact with his family or a lawyer.	
338.		Follow-up to past cases			I. S. (E/CN.4/2006/6/Add.1, para. 547).	By letter dated 21/06/06, the Government reported that he was released on 7/03/06.
339.					Yahya Al-Daylami (E/CN.4/2006/6/Add.1, para. 548).	By letter dated 28/12/05, the Government reported that Mr. Al-Daylami was arrested on 13 October 2004, pursuant to arrest warrant No. 2004/45, which was issued by the Department of Public Prosecutions in accordance with article 189 of the Yemeni Code of Criminal Proceedings No. 13 of 1994. According to the Government, the accused was allowed to meet with his family and relatives, and his lawyer was granted permission to see the case file, the evidence and the other substantiating documentation pursuant to an order issued by the judge of the competent criminal court. Furthermore, the Government states that the accused was protected during all stages of proceedings and points out that article 48 (a) of the Yemeni Constitution prohibits physical, psychological and mental torture as well as inhuman treatment. According to the Government, the accused was not sentenced to death for exercising his freedom of opinion, expression or belief, but rather for maintaining unlawful contact with a foreign State, maintaining intelligence contact with its agents in order to damage the Republic's political and diplomatic

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						standing, and for taking part in a criminal conspiracy against the constitutional authorities. These activities are punishable under articles 21, 128, paragraph 1, 129, 131, paragraph 2, 135, and 136, of the Criminal and Penal Code. The court convicted the accused at a public session held on 21 Rabi` II A.H. 1426, corresponding to 29 May A.D. 2005. A sentence of death was pronounced upon the convicted person, Yahya Hussein al-Daylami, and he was afforded the right to appeal within 15 days from the date of the verdict. After the verdict by the court of first instance, the case was referred to the competent criminal appeals division of the Central Appeal Court, which held several sessions, the last of which took place on 3 December 2005. The Appeal Court ruling confirmed the criminal court's initial verdict and ordered the judgement to be referred to the Yemeni Supreme Court.
340.	Zimbabwe	15/09/06	JUA	FRDX; HRD; TOR;	Wellington Chibhebhe , Secretary General of the Zimbabwe Congress of Trade Unions (ZCTU), Lovemore Matombo , President of the ZCTU, Ms Lucia Matibenga , 1st Vice-President of the ZCTU, Ian Makone , Organising Secretary, Movement for Democratic Change, Mr Ngondo , Mr Nkiwane , Mr Gumbo , Mr Chigwada , Mr Nyahunzvi , and Mr Shonhe . On 13 September 2006, they were arrested and detained by the Zimbabwe Republic Police. They were then transported to Matapi Police Station, where they were severely assaulted and tortured by police officers. The lawyer acting on their behalf was	

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					unable to obtain medical assistance for them, despite repeated requests. Two of the detainees were unconscious last night, and this morning, they were incoherent and unable to walk. An urgent High Court application was filed to obtain access to medical treatment for the victims. Five other trade unionists have also been detained. A large number of others are being detained at Harare Central Police Station.	
341.		07/12/06	JUA	WGAD; FRDX; HRD; IJL; TOR; VAW;	Members of “Women of Zimbabwe Arise” (WOZA) and “Men of Zimbabwe Arise” (MOZA). WOZA, and its subdivision MOZA, is a grassroots organization working to promote and protect women’s activism. On 29 November 2006, more than 60 WOZA members and four MOZA members were arrested while demonstrating peacefully and marching through central Bulawayo to the Government offices at Mhlanhlandlela. The march, composed of 200 participants, was to mark the launch of the People’s Charter and the “16 Days of Activism Against Gender Violence”, an international campaign running until International Human Rights Day on 10 December, as well as to protest against the Public Order Security Act (POSA). A large group of riot police officers assaulted the group with baton sticks, forcefully dispersing most of it. Many people – including a baby – were beaten, and received medical care at Mpilo Hospital. 41 persons were taken to Drill Hall by police officers who subsequently beat them, before releasing them without charge on the same day. The other marchers, including WOZA leaders	By letter dated 14/12/06, the Government reported that on 29 November 2006, the police arrested 40 members of WOZA. Among the arrested was their leader Jennifer Williams. The members of WOZA were taken to Bulawayo Central Police Station. They were all charged for contravening section 37 (1) (b) of the Criminal Codification Act, chapter 9:23 “Participating in gathering with intent to promote public violence, breach of peace or bigotry”. It is therefore not true that they were released without any charges on the same day. They were taken to court on the first of December 2006 where the Public Prosecutor declined to place them on remand, advising the police to proceed by way of summons. None of the arrested women was ever assaulted by the police and there is no record of any child having been among those arrested. If anyone was injured, it could be among those who ran away from the police and were never arrested. The police in this case are not answerable for something that happened without their knowledge. We do not

Para	Country	Date	Type	Mandate	Allegations transmitted	Government Response
					<p>Ms Jenni Williams and Ms Magodonga Mahlangu, were taken to Bulawayo Central Police Station, and 36 members, including six mothers with babies, spent the night there. On 30 November 2006, the six mothers with babies were released. As of 1 December 2006, 34 WOZA/MOZA members remained in police custody, beyond the 48 hour limit provided for by law. The WOZA and MOZA members, including the six mothers released, were charged on 1 December 2006 under two separate sections of the Criminal Law (Codification and Reform) Act: Chapter 46 section 2 (v) and Chapter 37. A lawyer for WOZA was also threatened with arrest for “interfering with the course of justice” whilst trying to attend to her clients. She only managed to see the group on 30 November 2006, in the afternoon, several hours after being in police custody.</p>	<p>have any report of a complaint against the Police from any member of WOZA who had engaged in the illegal demonstration. The group’s lawyer, Perpetua Dube was allowed to see her clients and at no stage was she ever threatened. There is also no record to indicate that she ever made a complaint about the alleged threat.</p>

Appendix

Model questionnaire to be completed by persons alleging torture or their representatives

Information on the torture of a person should be transmitted to the Special Rapporteur in written form and sent to:

Special Rapporteur on Torture
c/o Office of the High Commissioner for Human Rights
United Nations Office at Geneva
CH-1211 Geneva 10, Switzerland

E-mail: urgent-action@ohchr.org

Although it is important to provide as much detail as possible, the lack of a comprehensive accounting should not necessarily preclude the submission of reports. However, the Special Rapporteur can only deal with clearly identified individual cases containing the following minimum elements of information.

I. Identity of the person(s) subjected to torture

- A. Family Name
- B. First and other names
- C. Sex: Male Female
- D. Birth date or age
- E. Nationality
- F. Occupation
- G. Identity card number (if applicable)
- F. Activities (trade union, political, religious, humanitarian/ solidarity, press, etc.)
- G. Residential and/or work address

II. Circumstances surrounding torture

- A. Date and place of arrest and subsequent torture
- B. Identity of force(s) carrying out the initial detention and/or torture (police, intelligence services, armed forces, paramilitary, prison officials, other)
- C. Were any person, such as a lawyer, relatives or friends, permitted to see the victim during detention? If so, how long after the arrest?
- D. Describe the methods of torture used
- E. What injuries were sustained as a result of the torture?
- F. What was believed to be the purpose of the torture?
- G. Was the victim examined by a doctor at any point during or after his/her ordeal? If so, when? Was the examination performed by a prison or government doctor?
- H. Was appropriate treatment received for injuries sustained as a result of the torture?
- I. Was the medical examination performed in a manner which would enable the doctor to detect evidence of injuries sustained as a result of the torture? Were any medical reports or certificates issued? If so, what did the reports reveal?
- J. If the victim died in custody, was an autopsy or forensic examination performed and which were the results?

III. Remedial action

Were any domestic remedies pursued by the victim or his/her family or representatives (complaints with the forces responsible, the judiciary, political organs, etc.)? If so, what was the result?

IV. Information concerning the author of the present report:

- A. Family Name
- B. First Name
- C. Relationship to victim
- D. Organization represented, if any
- E. Present full address
