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Imran Ezhiev is head of the regional department of the Russian-Chechen Friendship Society for Ingushetia and Chechnya and a regional coordinator of the Moscow Helsinki Group. Although he has been detained more than a dozen times in the course of the last five years, he has not stopped his human rights work. On September 17, 2000, he was detained by police for a week, and has stated he was tortured and threatened with "disappearance."

(UA 46/04, Feb. 6 2004, & re-issued Jul. 16, 2004)

URGENT ACTION

NEWSLETTER



"They tortured me with electric shocks, they pulled out my teeth and fingernails, but they did not dare to kill me. Without AI's Urgent Actions I would not be alive today."

Releases!

MOLDOVA: Sergei Gurgurov.

Sergei Gurgurov, aged 27, was released on bail on December 9 by the Chisinau Appeal Court, with the condition that he is not to leave his town of residence. Sergei Gurgurov was not well enough to attend the court hearing, as his health has reportedly been severely affected by police torture, but was sent home on a stretcher that day. The next day he underwent medical tests at the emergency medical hospital in Chisinau to determine what treatment he will require. Sergei Gurgurov had been transferred to the prison hospital in Prunkul on December 2, but the hospital is badly equipped and was not able to carry out the tests necessary to determine the extent of his injuries. ***The Director of AI Moldova visited the office of the Parliamentary Advocates and was able to see for himself the large number of letters that have been sent by members of the UA Network.*** AI's Urgent Action had attracted a lot of attention in Moldova.

(UA 292/05 issued Nov. 18, 2005 & re-issued Dec. 13, 2005)

PAKISTAN: Nawaz Ali, Akhter Nadeem, Dr. Allah Nazar, Dr. Allah Nazar, and 16 Members

of the Baloch Students Organization (BSO).

Fourteen of the 16 BSO members arrested in Turbat on August 7 and 8 were released on November 1. Majed Samad Baloch and Fazal Karim Baloch are still in custody and have been sentenced to one year's imprisonment each on charges of sedition and public disorder. Both men remain in custody at Turbat District Jail. They are filing an appeal. Their lawyer says they are not being tortured or ill-treated. Akhter Nadeem and Nawaz Ali were released without charge on November 2. Dr. Yusuf Baloch was released on November 19.

Dr. Allah Nazar is now held in Turbat District Jail, Balochistan. It is not clear whether he is receiving adequate medical care, and he is still suffering the after-effects of torture, but as he is now in judicial custody, he is at much less risk of torture than he was in police custody. On December 1 he was flown to Turbat in a military airplane and produced in front of the Makran regional Anti-Terrorist Court, reportedly to face a murder charge which his lawyer says is fabricated. It is not known when his trial will begin. ***Members of the BSO have welcomed the support given to these cases by Amnesty International and have asked us to***

pass on their thanks to all who have campaigned on their behalf. AI will continue to monitor the cases of Dr. Allah Nazar, Akhter Nadeem and Nawaz Ali, and in particular urge prison authorities in Turbat to ensure proper medical care for Dr. Nazar.

(UA 111/05 issued May 5, 2005 & re-issued Jun. 8, Aug. 17, 26, Oct. 26, & Dec. 9, 2005)

Executions / Stays / Commutations

PAKISTAN: Shahzad, Muhammad Ashraf, Umer Hayat, Mubarak Ali.

The execution of the four men named above, which was scheduled to take place on December 21, has been stayed indefinitely.

(UA 314/05 issued Dec. 14, 2005 & re-issued Dec. 23, 2005)

IRAN: Rostam Tajik.

Rostam Tajik, Afghan national aged 20, was publicly executed on December 10 in a park in the city of Esfahan, central Iran. He had reportedly been sentenced to *qisas* (retribution specified by the victim's family) for the May 2001 murder of a woman, carried out when he was 16 years old. The Supreme Court had reportedly upheld the sentence. On December 9, the Special Rapporteur on

extrajudicial, summary or arbitrary executions of the United Nations Commission on Human Rights, Philip Alston, called on the Iranian authorities not to proceed with the execution. He reportedly said, "At a time when virtually every other country in the world has firmly and clearly renounced the execution of people for crimes they committed as children, the Iranian approach is particularly unacceptable ... It is all the more surprising because the obligation to refrain from such executions is not only clear and incontrovertible, but the Government of Iran has itself stated that it will cease this practice."

(UA 306/05 issued Dec. 6, 2005 & re-issued Dec. 12, 2005)

QATAR: Shaikh Hamad bin Jassem bin Hamad al-Thani, and 18 other men.

Shaikh Hamad bin Jassem bin Hamad al-Thani was granted a royal pardon and released in September. One of the 18 men sentenced to death with him, Bakhit Marzouq al-Abdallah, is now known to have been granted a royal pardon and released in January 2005.

(EX 30/01 issued May 23, 2001)

SINGAPORE: Van Tuong Nguyen.

Van Tuong Nguyen, aged 25, Australian national, was hanged on December 2 at 6am. He had been sentenced to death for transporting 396.2 grams of heroin into Singapore. The death sentence imposed on Van Tuong Nguyen attracted considerable international attention, particularly after the President of Singapore rejected an appeal for clemency on October 21. In Singapore, though tight controls on the press and civil society organizations has meant that previous public discussion of the death penalty has been muted, local campaigners note that this year has seen the most vigorous debate in four decades. According to campaigners in Australia, opposition to the death penalty there reached an unprecedented level. Tens of thousands of signatures, letters, emails and SMS messages against the death penalty were sent to the government of Singapore. Candlelit vigils were held in each state and territory in Australia; the most recent was outside the parliament

building in the capital, Canberra. **The Death Penalty Coordinator for Amnesty International Australia, Tim Goodwin, said those attending vigils and services for Van Tuong Nguyen were "not just talking about Singapore, they are telling us they are determined and they want to see the death penalty eliminated regionally and globally. I think what this execution has done today is ...**

increased their determination to keep the fight up in Singapore and across the region and in the broader world."

(UA 279/05 issued October 24, 2005 and re-issued November 17, 2005)

USA/California: Stanley Tookie Williams.

Stanley Tookie Williams, black, aged 51, was executed on December 13. According to press reports, Williams spent his final hours meeting with friends, talking on the phone and reading from letters sent to him by well-wishers from around the world. Protestors reportedly gathered outside the prison throughout the night, with estimates of as many as 1,000 people. There were also small, scattered protests around the state.

(UA 294/05 issued Nov. 21, 2005 & re-issued Dec. 13, 2005)

USA/Maryland: Wesley Baker.

Wesley Baker, black, was executed on December 5, 2005 for the murder of Jane Frances Tyson, who was white, in 1991. There had been doubts about whether Baker fired the shots that killed Tyson.

(UA 296/05 issued Nov. 25, 2005)

USA/MISSISSIPPI: John Nixon.

John Nixon was executed in Mississippi on December 14. John Nixon was 77 years old at the time of his execution. **Before he was executed, John Nixon asked his attorney to convey his thanks to everyone for the many letters he received from overseas.**

(UA 304/05 issued Dec. 5, 2005)

USA/North Carolina: Kenneth Boyd.

Kenneth Boyd, aged 57, was executed as scheduled on December 2, 2005. He had an IQ of 77, placing him in the borderline mental retardation range. According to press reports, some 200 protestors,

including a group from Amnesty International, gathered outside the prison where the execution took place. (UA 288/05 issued Nov. 15, 2005)

USA/Virginia: Robin Lovitt.

Virginia's Governor Warner has commuted Robin Lovitt's death sentence to life imprisonment. **According to news reports, Governor Warner, who had not commuted a single death sentence since he took office nearly four years ago, said, "No case has been more troubling... There's no case I've spent more time thinking about, praying about," and that the state had to "ensure that every time this ultimate sanction is carried out, it is done fairly."** Governor Warner reportedly came to his decision because a court clerk had illegally destroyed much of the evidence in the case, preventing DNA testing that Lovitt's lawyers say could exonerate him. A spokesman for the governor reportedly told the Reuters news agency that he had received roughly 1,500 phone calls, letters and e-mails from across the world about the case, almost all of them urging clemency. (UA 285/05 issued Nov. 4, 2005)

UZBEKISTAN: Yuldash Kasymov, Alisher Khatamov, and Ismatillo Abasov.

The Supreme Court commuted 19-year old Yuldash Kasymov's death sentence to 20 years' imprisonment on November 22. However, Alisher Khatamov, aged 27, and Ismatillo Abasov, aged 46, are still on death row and at risk of execution. Shortly after the Supreme Court's decision, guards led Yuldash Kasymov out of his death row cell in Tashkent prison. **"They read out the Court's ruling to him. Yuldash Kasymov was in a state of shock; he could not believe what they were telling him. He thought they were joking and he was about to be executed,"** told **Tamara Chikunova, director of the human rights group Mothers against the Death Penalty and Torture, to Amnesty International on December 12. "When his brother Mansur visited him shortly afterwards Yuldash was overjoyed and was making plans for his future," she added. "He said he wanted to finish his studies in the medical institute."** At the end of

November, Yuldash Kasymov was moved to the prison in Andizhan. (UA 169/05 issued Jun. 20, 2005)

Other News

COLOMBIA: Population of Curumani municipality, Cesar Department and members of the non-governmental human rights organization Minga.

The human rights organization Minga has launched a campaigning initiative on behalf of the community of Curumani, Cesar Department, where at least 22 peasant farmers were killed by paramilitary gunmen on December 4 and 5, 2005, and the leader of an army-backed paramilitary group has responded by labeling the human rights group a "guerrilla organization." This amounts to a death threat, as the army or paramilitaries have often killed others labeled this way.

(UA 312/05 issued Dec. 12, 2005 & re-issued Dec. 20, 2005)

IRAQ: Kamal Sayid Qadir.

Kamal Sayid Qadir, aged 48, Austrian national, writer, was sentenced to 30 years' imprisonment for "defamation" on December 19, after an unfair trial. The charges arose from two articles which he had published on the internet, in which he criticized the leadership of the Kurdistan Democratic Party (KDP), one of the two parties holding power in the Kurdish-dominated region of Kurdistan. He has appealed and reportedly began a hunger strike in protest at being imprisoned for expressing his opinions. His health is apparently failing and he has asked for a doctor, but prison authorities have apparently ignored his request. This UA has been re-issued to a portion of the network for further action.

(UA 299/05 issued Nov. 30, 2005 & re-issued Dec. 22, 2005)

KAZAKSTAN/UZBEKISTAN:
Abdurahman Ibragimov, Tohir Abdusamatov, Sharofuddin Latipov, Nozim Rahmanov, Alisher Mirzaholov, Abdurauf Holmuratov, Ruhiddin Fahrudinov, Alizhon Mirganiev, Shoirmat

Shorahmedov, and Farhod Islamov.

Amnesty International has learned that the first eight of the Uzbekistan nationals named above have been forcibly returned from Kazakstan to Uzbekistan, in contravention of Kazakstan's obligations under international law. They were returned to Uzbekistan early on November 29. They are being held at various places of detention, where they are at risk of torture or other ill-treatment. Reportedly, four of them were holding asylum-seeker certificates issued by the UNHCR office in Kazakstan; the Moscow-based human rights organization "Memorial" identified two of them as Abdurahman Ibragimov and Tohir Abdusamatov. Abdurahman Ibragimov, Alisher Mirzaholov, Abdurauf Holmuratov and Alizhon Mirganiev are allegedly wanted by the Uzbekistani authorities for "participation in a banned religious organization." Ruhiddin Fahrudinov is a former independent *imam* (religious leader) at a mosque in Tashkent and, with Tohir Abdusamatov, was wanted for "attempting to overthrow the constitutional order."

(UA 300/05 issued Dec. 1, 2005 & re-issued Dec. 20, 2005)

MEXICO: Lydia Cacho Ribeiro.

On December 16 Lydia Cacho Ribeiro, President of the Centro Integral de Atencion a las Mujeres (CIAM), Women's Assistance Center, and human rights defender, was arrested by police at her home in Cancun. She was taken 1,500 km to Puebla. She was detained for 30 hours, on charges of defamation, before being released on bail. AI believes that her detention constitutes judicial harassment, threatens her right to freedom of expression, and makes her more vulnerable to threats and intimidation related to her human rights work. A portion of the UA Network has been asked to continue work on her behalf. Some UA activists have already heard from her in an email in which she writes about her most recent arrest: ". . . *In the most optimistic scenario, what was orchestrated was an order of false arrest in order to have the possibility of inflicting on me the worse possible punishment; a kind of vendetta for my having dared to speak for about*

the powerful ones. . ."

RUSSIAN FEDERATION:

Rasul Kudaev.

Rasul Kudaev's state-appointed lawyer, Irina Komissarova, has been removed from his case after she filed a complaint that he had been tortured. She has probably been replaced, but the new lawyer has made no contact with Rasul Kudaev's family. His lawyer had been the family's sole means of contact with him, so they now have no information about whether he has been charged or the state of his health. It is thought he is still denied adequate medical treatment.

(UA 280/05 issued Oct. 27, 2005 and re-issued Dec. 8, 2005)

SAUDI ARABIA: Abbas Majood Akanni, Murtala Amao Oladele, Abbas Azeez Oladuni, Nurudeen Owoalade, Nurudeen Sani, Mohammed Abdulahi Yussuf, Wahid Elebyte, Ahmed Abbas Alabi, Suliamon Olyfemi, Mafiu Obadina, Samiu Hamud Zuberu, Kasim Afolabi Afolabi, and Abdullamim Shobayo.

Twelve of the men named above, all Nigerian nationals aged 20 to 30, reportedly had their sentences increased from five years' imprisonment and 500 lashes, to seven years' imprisonment and 700 lashes on November 30 in a closed court. The flogging could be carried out at any time. Suliamon Olyfemi remains at risk of execution. All 13 men have been sentenced in proceedings that fell short of minimum international standards for fair trial. They have not had access to legal or consular representatives or adequate translation facilities throughout the trial proceedings.

(UA 323/04 issued Nov. 26, 2004 & re-issued Jun. 21, 2005 & Dec. 13, 2005)

SLOVENIA: Ali Berisha, Mahi Berisha, their four children: Dem, Egzon, Egzona, Haxhi.

On November 16, a Slovenian court ruled against the transfer of Ali Berisha and his family to Germany, where they would be at risk of being removed to Kosovo. The court annulled two decrees from the Slovenian Ministry of the Interior, which had stated that the family

should be deported and that they cannot be removed before the court ruling is finalized. The Ministry of the Interior has appealed against the court's decision. The Slovenian Supreme Court is now expected to rule on the case, but it is not

known how long they will take to come to a decision. Pending the Supreme Court ruling, Ali Berisha and his family are no longer in imminent danger of forcible transfer to Germany.
(UA 287/05 issued Nov. 11, 2005)

SYRIA: Yasin Taha (aka Yasin Muhammad al-Sayyari).

Yasin Taha is now known to have been deported to Tunisia, where he is in danger of torture and ill-treatment.
(UA 313/05 issued Dec. 14, 2005 and re-issued Dec. 15, 2005)

Urgent Action Newsletter Appeal: January 2006

Each month we include one case that may benefit from appeals sent by those in the UA Network who wish to work on an additional appeal. You are encouraged to write on behalf of this individual until February 10, 2006. Thanks! (This appeal is based on UA 332/04 issued Dec. 10, 2004 & reissued Jan. 11 & Nov. 8, 2005).

Fear for Safety / Forced Eviction

BRAZIL: Members of Guarani indigenous communities in Mato Grosso do Sul state and Guarani community of Ñanderu Marangatu (also known as Cerro Marangatu), Antonio João municipality

The Guarani indigenous community of Ñanderu Marangatu were evicted on December 15 from all their ancestral lands in Mato Grosso do Sul state, southwestern Brazil, under a court order. Some 150 Federal and Military Police officers enforced the eviction order. The Guarani now have neither land to grow crops nor homes to live in, and are camping in improvised shelters by the side of a road that runs past the ranches on the Ñanderu Marangatu indigenous territory.

The Guarani indigenous community did not resist the eviction, but staged a peaceful protest demanding the right to occupy their ancestral lands. Several of their properties were set on fire after they had left. According to a local news source, two Dutch journalists, who had been filming the eviction for Dutch national television, were detained by the Federal Police and taken to the town of Ponta Porã. They were released after paying a fine for working without appropriate documentation and told to acquire journalist visas from the Brazilian consulate in Paraguay.

The community had been allocated the Ñanderu Marangatu indigenous territory in October 2004. President Luiz Inácio Lula da Silva signed an official declaration ratifying Ñanderu Marangatu as indigenous land, on March 29, 2005, and this was greeted with celebrations by the indigenous community. However, court challenges have delayed the registration of the indigenous area, which is the final

formal step in the process of granting land rights to the Guarani. In this case an indigenous community have had their land officially ratified by the President, but are still unable to obtain the rights to their ancestral land. Given the late stage at which the transfer of their land to the Guarani was halted, the prospects for other indigenous groups looking to reclaim their lands in Brazil now look very bleak.

BACKGROUND INFORMATION

The Brazilian constitution obliges the federal government to transfer ancestral lands to the country's Indian population, and makes it responsible for the land's protection. The complex transfer process under which this is meant to occur is administered by the Fundação Nacional do Índio (FUNAI), the National Indian Foundation, a government body responsible for administering the protection of Indians and their land. It includes identification, delimitation, demarcation, ratification and registration of lands. Identification is carried out by a technical team overseen by an anthropologist nominated by FUNAI. The President of FUNAI will, if appropriate, approve the findings of the team's study. A period of 90 days is left for interested parties to contest the study. It then falls to the Minister of Justice to approve or decline the identification study. If approved, the Minister of Justice will make an official declaration determining its physical demarcation. The final steps are ratification of the area by presidential decree, and its official registration.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible:

- expressing concern for the safety and well-being of hundreds of members of the Guarani indigenous community of Ñanderu Marangatu, in Mato Grosso do Sul state, who were evicted from their ancestral lands on December 15 and have lost their homes and livelihoods;
- calling for the Guarani indigenous community to be reinstated on the lands they had lived on for five years before they reoccupied two more tracts of the Ñanderu Marangatu indigenous territory;
- expressing concern that attempts to block the official process for land transfer and demarcation are leaving other Guarani communities in Mato Grosso do Sul state vulnerable to the threat of eviction.

APPEALS TO:

Mato Grosso do Sul State Governor:
Exmo. Governador do Estado do Mato Grosso do Sul
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Parque dos Poderes - Bloco 8
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Salutation: Your Excellency

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