



Lydia Cacho

Lydia Cacho Ribeiro, president of the Women's Assistance Center in Mexico, which works to protect the rights of women and girls.
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URGENT ACTION

NEWSLETTER



"... Bearing in mind the multiple petitions and letters from many people as well as international and national organizations, such as the letter that you have sent, as well as the recommendations by the National Commission for Human Rights; I wish to inform you that since February 25 of this year, the government of Mexico has provided security and protection for Lydia Cacho Ribeiro.

"On March 4, Lydia Cacho Ribeira, filed her complaint before the Attorney general's office of Investigation and Organized Crime... Among other actions, permit me to inform you that since March 5 of this year, Federal investigation agents of this Institution were assigned to her case to preserve the safety and physical security of Lydia Cacho Ribeira . . ."

These words were excerpted from a government response sent by Mexico's Attorney General's Office. The reply was received by an Urgent Action letter-writer who had written a letter asking for protection for Lydia Cacho. On February 16, 2005, Urgent Action # UA 37/05 was issued on behalf of Lydia Cacho Ribeiro, president of the

Women's Assistance Center (CIAM), who was being threatened by a former police officer as a result of her work to protect the rights of women and girls. The man, whose wife and children are being sheltered by CIAM, reportedly made 42 threatening telephone calls. In one of them he allegedly said: "This is for Lydia Cacho for her to be aware that I'll be in Cancun soon, when she is least expecting me. . . The Attorney General's Office cannot do anything to me. . . whoever messes with me dies."

Releases!

BURUNDI: Etienne Ndikuriyo.

Amnesty International has recently learned that Etienne Ndikuriyo, journalist, was released on June 23, after nine days in detention. There are no further details available concerning the circumstances of his release or his treatment in detention. Etienne Ndikuriyo is the director of the internet news agency Zoom Net, and also works with an independent radio station, Bonesha FM.

(UA 167/05 issued Jun. 16, 2005 & re-issued Nov. 16, 2005)

ERITREA: Yergalem Afewerki, Eden, Elsa Tekle, Freweyni Gebreab, Hamelmal, Sirak Gebremichael, Berhane Tesfay, Ukbay, Abraham

Weldu, Gebremichael Yahoness, Pastor Simon, Teklemariam, and Akberet Nigussie.

Those listed above, all members of the Kale Hiwot Church in the capital Asmara, except Akberet Nigussie (f), who is a Rema Church office administrator, have been released without charge. Over 200 members of evangelical churches in Eritrea were detained in a mass crackdown by the authorities at the end of September and the beginning of October.

(UA 270/05 issued Oct. 13, 2005 & re-issued Nov. 1 & 29, 2005)

IRAN: Hojjatoleslam Ezimi Qedimi.

Hojjatleslam Ezimi Qedimi, aged 32, Muslim cleric, was reportedly released on bail to await trial on or around October 24. No date is known to have been set for his trial.

Hojjatoleslam Ezimi Qedimi is an ethnic Azeri Muslim cleric from Verziqan, near the capital of Azerbaijan province, Tabriz. He was reportedly arrested on August 5 in Tabriz at the mausoleum of an Azeri hero called Baghir Khan. Baghir Khan was one of the authors of Iran's 1906 Constitution, which led to the country's first elected parliament. Hojjatleslam Ezimi Qedimi was arrested as security forces broke up a celebration of the anniversary of the introduction of the Constitution.

(UA 219/05 issued Aug. 24 & re-issued Nov. 4, 2005)

NEPAL: Raju Sharma Dhakal.

Raju Sharma Dhakal, aged 17, student, was released on November 8, in the presence of representatives from Nepalese human rights organizations, and has returned to his family. He had been held for under

two months in Nakkhu jail in Lalitpur, Kathmandu District.

(UA 275/04 issued Sep. 29, 2004 & re-issued Nov. 9, 2004, Oct. 18 & Nov. 22, 2005)

The following 6 updates relate to some of the 190 political prisoners in Syria released under a presidential amnesty to mark the Muslim 'Eid holiday. Among the 190 were prisoners of conscience, whose unconditional release Amnesty International had been demanding for years.

SYRIA: Seraj Khalbous.

Seraj Khalbous, aged 19, was released in October. He had been hospitalized for emergency treatment, because of the torture he had been subjected to at the Political Security Branch in al-Fayha in the capital, Damascus. He was allowed to return home, and is reported to be seriously ill.

(UA 246/05 issued Sep. 21, 2005 & re-issued Oct. 11 & Nov. 28, 2005)

SYRIA: Muhammad Ra'dun.

Muhammad Ra'dun, aged 56, lawyer, head of the Arab Organization for Human Rights-Syria, was released on November 3. He had been arrested on May 22, 2005 in connection with statements made by the human rights organization he heads, on human rights in Syria.

(UA 140/05 issued May 25, 2005 & re-issued Jun. 3, Jun. 20, Jul. 14, Aug. 18, & Nov. 9, 2005)

SYRIA: Arwad Muhammad 'Izzat al-Boushi.

Arwad Muhammad 'Izzat al-Boushi was released on November 3. A Syrian-born Canadian national, he was jailed in July 2002, on his return to Syria after 23 years living abroad, apparently because he was a member of the outlawed opposition group the Muslim Brotherhood. He maintained that he had been a peaceful member of the organization more than 24 years ago, and had severed all links with it before he left Syria for Canada in 1980.

(UA 362/03 issued Dec. 10, 2003 & re-issued Oct. 20, 2004 & Nov. 9, 2005)

SYRIA: 'Ali al-'Abdullah.

Prisoner of conscience 'Ali al-'Abdullah (m), aged 55, journalist and member of Jamal al-Atassi Forum, was released on November 2.

(UA 139/05 issued May 25, 2005 & re-issued Jun. 3, Jul. 1, Nov. 1, & Nov. 9, 2005)

SYRIA: Haythem Muhammed Yasin al-Hamwi, Muhammed Khaled Shehada, Yahya Taha Sharabajee, and Mu'atez Muhammed Zuheyr Murad.

These four men were released on November 2, 2005.

(UA 248/04 issued Aug. 16, 2004 & re-issued Nov. 8, 2005)

SYRIA: 'Abdel al-Salam Assaqa.

'Abdel al-Salam Assaqa (m), aged 46, was released on November 2. He had been arrested in August 2004, apparently because of his reported sympathies with the outlawed Muslim Brotherhood.

(UA 270/04 issued Sep. 21, 2004 & re-issued Nov. 8, 2005)

UNITED ARAB

EMIRATES (UAE):

'Abdullah Sultan al-Subaihat, Mohammad Ahmad Saif al-Ghufli, Sa'eed 'Ali Humeid al-Kutbi.

Amnesty International has learned that 'Abdullah Sultan al-Subaihat, aged 45, Mohammad Ahmad Saif al-Ghufli, aged 44, and Sa'eed 'Ali Humeid al-Kutbi, aged 45, were released without charge by the authorities in Abu Dhabi on October 25. The men had reportedly been held incommunicado by the Amn al-Dawla (State Security) since their arrest on August 2. It is not known whether they were tortured or ill-treated in detention.

(UA 218/05 issued Aug. 23, 2005 & re-issued Nov. 4, 2005)

Executions / Stays / Commutations

USA/OHIO: John Spirko.

Governor Bob Taft granted a 60-day reprieve to John Spirko on November 7. This is the second time in two months that Governor Taft has delayed Spirko's execution. According to press reports, Governor Taft granted the reprieve at the request of Attorney General, Jim Petro, to allow time for DNA testing of evidence from the crime scene. Spirko's attorneys sued in federal court during the first week of November to require the testing.

(UA 221/05 issued Aug. 24, 2005 & re-issued Sep. 9, Nov. 1, & Nov. 10, 2005)

USA/TEXAS: Jaime Elizalde.

The execution of Jaime Elizalde, aged 34, Hispanic, which was scheduled for November 2, has been postponed. This is to allow time for him to be questioned about his recent statements that he committed the murder of another man for which someone else is serving a life sentence.

(UA 275/05 issued October 20, and November 2, 2005).

YEMEN: Fuad 'Ali Mohsen al-Shahari.

Fuad 'Ali Mohsen al-Shahari, aged about 45, was executed by firing squad on the morning of November 29. His son was with him during the execution, in Taiz, and told Amnesty International afterwards that **the family thanked the organization "for all your efforts and standing by Fuad and with us."** Amnesty International campaigned tirelessly on behalf of Fuad al-Shahari for over nine years, and appealed continually to the President to commute the death sentence, right up until Fuad al-Shahari was executed.

(UA 139/04 issued Apr. 6, 2004 & re-issued Apr. 7, Sep. 13, & Nov. 28)

Other News

IRAN: Mohsen Bawi; Imad Bawi; Zamel Bawi; Hani Bawi; Moslem Bawi; Hajj Salem Bawi; Asad Bawi; their cousin, Mansour Tayouri; and Hassan Boughedar; members of the extended Bawi family.

Imad Bawi, law student, and his brother Zamel Bawi, have reportedly been sentenced to death. It is not known what they were convicted of, or whether there will be an appeal. If there is no appeal, and the sentence goes directly to the Supreme Court for ratification, they could be executed at any time. The brothers' father, Hajj Salem Bawi, was reportedly released on August 28. He apparently met three of his sons while he was held in Amaniya Prison, and he could see that they had been ill-treated. The five Bawi brothers and their cousin Asad Bawi were reportedly arrested on August 11, and their father Hajj Salem Bawi later that day when he made enquiries about their whereabouts. It is not known precisely when Mansour



Fuad 'Ali Mohsen al-Shahari was executed on November 29 in Yemen. His family thanked Amnesty International "for all your efforts and standing by Fuad and with us."

Tayouri or Hassan Boughedar were arrested. The Bawi family are prominent in Ahvaz, in the eastern province of Khuzestan, which is home to most of Iran's Arab minority. Relatives have reportedly claimed that at least three of the detainees have been tortured physically and psychologically.

(UA 233/05 issued Sep. 9 & re-issued Nov. 2, 2005)

The following two updates relate to the United States' so-called War on Terror. For more on Amnesty International's perspective on this topic please go to: www.amnestyusa.org/waronterror/

USA: Jose Padilla (also known as Abdullah al-Mujahir).

After more than three-and-a-half years in solitary confinement in a US military prison, Jose Padilla has finally been charged. He has been indicted in the United States District Court in Florida on counts of "conspiracy to murder, kidnap, and maim persons in a foreign country; conspiracy to provide material support for terrorists; and material support for terrorists." Four other men are to be tried with him on the same charges. The indictment alleges that they were involved in preparations for "violent jihad", and that they "operated and participated in a North American support cell that sent money, physical assets, and mujahideen recruits to overseas conflicts for the purpose of fighting violent jihad." These lesser charges make no mention of the alleged conspiracy to detonate a "dirty bomb" in a US city, for which Jose Padilla was held in US military custody as an "enemy combatant".

(UA 166/03 issued Jun. 11, 2003 & re-issued Feb. 16, 2004, Mar. 10, Sep. 13, & Nov. 24, 2005)

USA: Ahmed Abu 'Ali.

The trial of Ahmed Abu 'Ali, aged 23, US national, began on October 31, in the US district court for the Eastern District of Virginia, Alexandria Division. He faces charges of being a member of al-Qa'ida and participating in a conspiracy to assassinate President Bush. AI has sent an observer to the trial. In pre-trial hearings, defense lawyers for Ahmed Abu 'Ali had filed motions to have the case suppressed or dismissed because of claims that his videotaped confession was obtained through torture in Saudi Arabia. On October 24 US District Judge Gerald Bruce Lee ordered that the trial should go ahead. Ahmed Abu 'Ali claims that he was tortured while held incommunicado by the Saudi Arabian security forces: this included whipping him on the back and kicking him in the stomach. He says that his confession was a result of this torture. Two doctors who examined him found evidence that he was tortured physically and mentally, but federal prosecutors have referred to another medical report which found no evidence of mistreatment.

In his Memorandum Opinion giving details of the ruling that trial should go ahead, Judge Lee decided that statements made by Ahmed Abu 'Ali were not the result of "gross abuse" or "inherently coercive conditions," and were therefore admissible as evidence in the trial. AI remains concerned at the allegations that Ahmed Abu 'Ali was tortured, and that his confession may have been extracted under torture or ill-treatment. AI is also concerned over the role of the US authorities in his interrogation in Saudi Arabia and over the conditions in which he was confined. AI will be monitoring the case closely, and will take further campaigning action as necessary.

(UA 340/04 issued Dec. 22, 2004 & re-issued Feb. 4, Feb. 23, May 27, & Nov. 8, 2005)

Urgent Action Newsletter Appeal: December 2005

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 January 10, 2006. Thanks! (*This appeal is based on UA 332/04 issued Dec. 10, 2004 & reissued Jan. 11 & Nov. 8, 2005*).

Fear for Imminent Execution/ Fear of Flogging

IRAN: Leyla Mafi (f), aged about 20

Leyla Mafi is no longer facing the death penalty for "morality-related" offences. However, she still faces a sentence of flogging, and three and a half years in prison. Amnesty International opposes the use of flogging as a judicial punishment, and considers it to be cruel, inhuman and degrading treatment amounting to torture.

In a verdict issued on March 27, which was not made public until June, the Supreme Court overturned the death sentence issued in 2004, but upheld a sentence of flogging. As a result of the Supreme Court's decision, the case was sent back to the Court of First Instance in the central city of Arak for a retrial. In October 2005, the presiding judge of Branch 104 of the General Court of Arak acquitted Leyla Mafi of the charge of incest (which carried the death penalty), and of controlling a brothel, on the grounds that she had made contradictory "confessions". However, she was convicted under Article 637 of the Penal Code of an "unchaste act with next of kin (other than fornication)", and was sentenced to receive 99 lashes, to be carried out at the headquarters of the Justice Department in Arak. Amnesty International does not know if this sentence has yet been carried out.

Leyla Mafi was also sentenced to three-and-a-half years' imprisonment by the court in Arak for "providing the facilities for corruption and prostitution by being available for sexual acts". The judge also ordered that following the completion of her prison sentence, she should reside for six months in a women's rehabilitation center.

According to newspaper reports, Leyla Mafi was forced into prostitution by her mother when she was eight years old, and was raped repeatedly thereafter. She gave birth to her first child when she was nine, and was sentenced to 100 lashes for prostitution at around the same time. At the age of 14 she became pregnant again, and received a further 100 lashes for prostitution.

Amnesty International welcomes the fact that Leyla Mafi's death sentence has been overturned but remains concerned that Iran continues to impose death sentences for adultery and fornication, despite having made an explicit and unreserved commitment under article 6(2) of the International Covenant on Civil and Political Rights (ICCPR) that it will impose the death sentence "only for the most serious crimes". The UN Human Rights Committee (in the case of *Toonen v Australia*) has made it clear that treating adultery and fornication as criminal offences does not comply with international human rights standards.

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

- welcoming the news that Leyla Mafi's death sentence has been overturned, but expressing concern that she faces a sentence of flogging;
- stating that you consider the use of flogging as punishment to be cruel, inhuman and degrading treatment amounting to torture, contrary to Article 5 of the Universal Declaration of Human Rights, which states: "No one shall be subjected to torture or to



Iran shares borders with Iraq, Turkey, Azerbaijan, Turkmenistan, Armenia, Afghanistan, and Pakistan.

cruel, inhuman or degrading treatment or punishment";

- calling for Leyla Mafi's flogging sentence to be commuted;
- reminding the authorities that imposing death sentences for crimes such as adultery and fornication violates Iran's explicit and unreserved commitment under article 6(2) of the ICCPR to impose the death sentence "only for the most serious of crimes".

APPEALS TO:

Leader of the Islamic Republic
His Excellency Ayatollah Sayed 'Ali Khamenei
The Presidency
Palestine Avenue, Azerbaijan Intersection
Tehran, Islamic Republic of Iran
Fax: 011 98 21 6 649 5880 (mark "FAO the Office of His Excellency, Ayatollah al Udhma Khamenei")
Email: info@wilayah.org OR info@leader.ir
Salutation: Your Excellency

COPIES TO:

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