

PUBLIC

AI Index: AFR 23/01/99

This is a limited action. Please restrict appeals to 25 per section

EXTRA 15/99

Potential

DJIBOUTI Aref Mohamed Aref, 46, human rights lawyer

Aref Mohamed Aref, a human rights defender and lawyer who was barred from travelling to the Paris Human Rights Defenders Summit in December 1998, has been summoned to appear in court in Djibouti on 15 February 1999 on charges of fraud - an imprisonable offence. Amnesty International believes the charges to be politically motivated and would consider him a prisoner of conscience if he were imprisoned.

BACKGROUND INFORMATION

On 5 December 1998 the Djibouti security forces stopped Aref Mohamed Aref from boarding a plane to Paris to attend the Human Rights Defenders Summit. They confiscated his passport, without giving a reason, and have still not returned it to him. Although he has made a complaint in court he has received no response. He had previously attended the African Human Rights Defenders conference in South Africa, in November 1998.

Following this the authorities have revived charges of fraud (*escroquerie*) against Aref Mohamed Aref, connected with a civil case in which he had been involved in 1994. He denies the charge.

Amnesty International has written to the Minister of Justice expressing concern about the charges and asking if he will receive a fair trial or be able to obtain legal representation, as his French defence lawyer is barred from the country. The government has not replied.

As a result of the charges being brought against Aref Mohamed Aref, he has been provisionally suspended from the Bar, in an unfair and politically motivated action. Although he has appealed to the Supreme Court against the suspension the court has delayed a ruling on the matter. His suspension from the Bar prevents him from defending political prisoners or practising his profession and earning his livelihood.

Aref Mohamed Aref, himself a prisoner of conscience from 1991-1992, has been the leading (and virtually only) human rights lawyer in Djibouti for some years. He does not belong to any opposition party but is known as an outspoken critic of human rights violations by the government and of the failures of the judicial system. He is well known in French and African legal circles and has been an Amnesty International delegate at conferences on the International Criminal Court and an observer at a genocide trial in Rwanda.

RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in French, English or your own language:

- appealing to the Djibouti authorities to ensure that Aref Mohamed Aref, a human rights defender and lawyer, is not imprisoned at his trial on 15 February 1999, as he would be a prisoner of conscience;
- calling for the court hearing set for 15 February to be consistent with international standards of fair trial, including the right to defence counsel of his choice;
- asking that international observers are allowed to attend the trial;

- expressing concern that Aref Mohamed Aref was arbitrarily barred from attending the Paris Human Rights Defenders Summit on 5 December 1998 and calling for his passport to be immediately returned;
- referring to the UN Declaration on Human Rights Defenders (adopted in December 1998), appealing for the government to support his right to defend human rights and to practise his profession as a lawyer.

APPEALS TO:

(Please note that fax tones may be difficult to obtain)

Son Excellence Monsieur Hassan Gouled Aptidon
Président de la République
La Présidence
BP 6

Djibouti

République de Djibouti

Telegrams: Président, Djibouti, Djibouti

Faxes: + 253 350174

Salutation: Monsieur le Président de la République / Dear President

Monsieur Mohamed Dini Farah
Ministre de la Justice
Ministère de la Justice
BP 12

Djibouti

République de Djibouti

Telegrams: Ministre Justice, Djibouti, Djibouti

Faxes: + 253 355420

Salutation: Monsieur le Ministre / Dear Minister

COPIES TO:

Monsieur Ismail Omar Guelle
Chef du Service de documentation et de sécurité (SDS)
La Présidence
BP 6

Djibouti

République de Djibouti

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Monsieur Mohamed Moussa Chehem
Ministre des affaires étrangères
Ministère des affaires étrangères
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Djibouti

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and to diplomatic representatives of Djibouti accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.