

PUBLIC

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28 October 2002

Further information on UA 194/02 (AFR 34/008/2002, 25 June 2002) and follow-up (AFR 34/010/2002, 1 August 2002; AFR 34/013/2002, 30 August 2002; AFR 34/018/2002, 26 September 2002) - Fear for safety/Fear of torture or ill-treatment/incommunicado detention/health concern

LIBERIA Hassan Bility (m), journalist and human rights defender
Mohammad Kamara (m)
Ansumana Kamara (m)
Sheikh K.M. Sackor (m), human rights defender

Hassan Bility and Sheikh K.M. Sackor are believed to have been moved between various places of detention in the capital, Monrovia, including the National Bureau of Investigation and the National Security Agency. There has been no official confirmation of where they are being held and they have consistently been denied access to lawyers, relatives and medical care.

There are fears that Hassan Bility and Sheikh K.M. Sackor were tortured and ill-treated following their arrests respectively on 24 June and 25 July. Both have been denied medical treatment for injuries that they may have sustained as a result. Hassan Bility also suffers from malaria. Mohammad Kamara and Ansumana Kamara have received some visits since they were arrested with Hassan Bility.

The government initially announced that the four men were to be tried under military jurisdiction and accused them of belonging to the armed opposition Liberians United for Reconciliation and Democracy (LURD). No charges have, however, been brought against the detainees, who have had no access to defence lawyers and have yet to be brought before any court, despite several writs of habeas corpus submitted on their behalf.

On 23 October, however, Daniel Chea the Minister of National Defense, announced that on 28 September the government had established a tribunal which convened on 3 October to consider the case against these four and some 20 other detainees. According to the statement, the tribunal sat *in camera* and concluded after three weeks that Hassan Bility and the other detainees were "prisoners of war". Such a definition has no basis under international law, notably the Geneva Conventions of 1949, in particular, because the current armed conflict is internal and not of an international nature.

The reported consideration of these cases by the tribunal, held *in camera* and in the absence of those accused, cannot be considered to have constituted a trial. No evidence has been produced against the detainees or tested before a competent, independent and impartial court.

All four men are members of the Mandingo ethnic group which the government indiscriminately associates with the LURD. Hassan Bility has been detained twice in the past, his newspaper, *The Analyst*, has twice been closed and the authorities continue to curtail its reporting. The detainees have been held solely because of real or perceived criticism of the government and their legitimate activities, including journalism and defence of human rights. There is no known evidence that they have used or advocated violence.

On 25 October, a coalition of some 20 human rights groups - the Liberian Coalition of Human Rights Defenders - launched a week-long campaign in solidarity with

Hassan Bility and Sheikh K.M. Sackor, who are both human right defenders, and the others detained with them.

FURTHER RECOMMENDED ACTION: Please send appeals in English or your own language:

- urging that the authorities immediately disclose the places of detention of Hassan Bility and Sheikh K.M. Sackor;
- calling for Hassan Bility, in particular, to be granted urgent medical treatment;
- urging that all detainees be protected from torture and ill-treatment and that they be allowed access to legal representation, relatives and adequate medical care;
- pointing out that the authorities have consistently failed to charge them with any offence and bring them before a competent, independent and impartial court, in accordance with international standards of fair trial;
- urging the authorities to immediately release them, if, as it appears, there is no foundation to the accusations against them.

APPEALS TO:

(Please note that fax numbers may be difficult to obtain, but please keep trying)

President of the Republic of Liberia

His Excellency Mr Charles Taylor
Office of the President
Executive Mansion

PO Box 9001, Capitol Hill
Monrovia, Republic of Liberia

Fax: + 231 226 544 / 228 026 (if someone answers, ask for a fax tone)

Salutation: Dear President Taylor

Minister of National Defense

Daniel Chea
Minister of National Defense
Ministry of National Defense
Monrovia, Republic of Liberia

Fax: + 231 226076 / 227 909 (c/o Ministry of Foreign Affairs)

Salutation: Dear Mr Chea

Minister of Justice

Counsellor L. Koboi Johnson
Minister of Justice
Ministry of Justice
Ashmun St, PO Box 9006
Monrovia, Republic of Liberia

Fax: + 231 227 872

Salutation: Dear Mr Johnson

COPIES TO:

European Union Resident Adviser in Liberia

Ambassador Godfrey E. Rudd
PO Box 10-3049
Monrovia, Republic of Liberia

Fax: + 231 226 274

US Embassy in Liberia

Ambassador John Blaney
111 United Nations Drive

Monrovia, Liberia

Fax:+ 231 226 148/49

and to diplomatic representatives of Liberia accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 9 December 2002.