

## Worldwide Appeals

November 2008

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### Sidebar text

TO ALL OUR SUBSCRIBERS: The redesigned *Wire* launches in December and we are looking forward to sharing the exciting new format with you. The print edition will appear six times a year and will include research, campaigning materials and much more. If you wish to subscribe to *Wire* please contact our sales and marketing team at ppmsteam@amnesty.org With warm wishes, the *Wire* Team

## WORLDWIDE APPEALS

### SRI LANKA – Journalist silenced by terrorism legislation

Jayaprakash Sittampalam Tissainayagam (known as J.S. Tissainayagam) has been detained for more than seven months under Prevention of Terrorism legislation in relation to his legitimate work as a journalist. Amnesty International considers him to be a prisoner of conscience. He suffers from a serious eye condition and risks losing his sight without proper specialist treatment.

On 7 March, J. S. Tissainayagam was detained when he went to the Terrorist Investigation Division (TID) detention centre in Colombo to enquire about the arrest on the previous day of a colleague and his wife. J.S. Tissainayagam was not issued with a detention order, as required under Sri Lanka's Emergency Regulations, and filed a petition against his arbitrary arrest and detention with the Supreme Court. At a hearing on 27 March, the Court cited a previous ruling by the Chief Justice that detainees should not be held by the TID for more than a week, and ordered a review; this took place on 31 March. However, the government subsequently presented a detention order to the Chief Justice claiming that J.S. Tissainayagam was acting on behalf of the Liberation Tigers of Tamil Eelam (LTTE) and that he could lawfully be held for up to 90 days. On 7 June he was sentenced to a further three months' detention.

On 25 August J.S. Tissainayagam was charged in the High Court with offences under the Prevention of Terrorism Act no. 49 of 1979 (PTA). These charges related to articles he had written in the magazine North Eastern Monthly about the effect that the unrest in Sri Lanka was having on the civil and political life of its citizens. The charges included aiding and abetting terrorist organizations through raising money for the magazine and inciting ethnic disharmony. The PTA is incompatible with international human rights law and standards and has been used against political opponents. The case is typical of a pattern of attempts by the government to silence human rights defenders in Sri Lanka, including through detention without charge or trial. **Please write**, expressing concern that J.S. Tissainayagam has been targeted for his journalism and calling for his immediate and unconditional release as a prisoner of conscience. **Send appeals to:** His Excellency the President Mahinda Rajapaksa Presidential Secretariat Colombo 1 Sri Lanka Fax: + 94 11 2446657 Salutation: Your Excellency

(Photo caption: Jayaprakash Sittampalam Tissainayagam © Private)

## **ISRAEL/OPT – Teenage girls held without charge or trial**

Salwa Salah and her cousin Sara Siureh, both aged 16, have been held since June in administrative detention in Israel without charge or trial.

The two girls, who turn 17 this month, were arrested by Israeli soldiers on the night of 4-5 June 2008 from their homes in Bethlehem, in the occupied Palestinian West Bank. The Israeli military commander placed them under administrative detention for four months without charge or trial, and without any arrangements in place to bring them to trial.

On 5 October their administrative detention orders expired but were extended for a further three months until 3 January 2009. The Israeli army claims that Salwa and Sara were involved in activities which constitute a “security threat” but has provided no evidence to substantiate the allegations, thereby denying them the possibility of challenging the allegations before a court of law.

Palestinian children are not protected by the legal and procedural safeguards that apply to Israeli children (under the age of 18) and are instead subject to Israeli military orders and procedures which do not comply with the UN Convention on the Right of the Child, to which Israel is a party. The UN Committee on the Rights of the Child has expressed concern that Israeli legislation discriminates between Israeli and Palestinian children.

Both girls are detained in Damoun prison, in the north of Israel, in violation of the Fourth Geneva Convention, which stipulates that Palestinian detainees must be held within the Occupied Palestinian Territories and not in Israel. They are among some 275 Palestinian children detained in Israeli jails, 13 of them detained administratively, without charge or trial. Administrative detention orders are issued by Israeli military commanders for terms of up to six months, which can be renewed indefinitely. **Please write**, calling for the release of Salwa Salah and Sara Siureh unless they are charged with recognizable criminal offences and are promptly brought to justice in full compliance with international human rights standards ratified by Israel. **Send appeals to:** Shimon Peres

President of the State of Israel  
The Office of the President  
3 Hanassi Street, Jerusalem 92188, Israel  
Fax: +972 2 561 1033 +972 2 566 4838 +972-3-5627265  
email: info@peres-center.org  
public@president.gov.il  
president@president.gov.il  
s\_peres@netvision.net.il

## **MOZAMBIQUE – Left for dead by police**

Abranches Afonso Penicelo died in hospital on 15 August 2007 following an attack by police officers. The previous day, five officers had arrived at Abranches Penicelo's home. He was forced into a waiting car and driven to a secluded area, some 140 kms away, where the officers beat him until he lost consciousness. He was then shot in the back of the neck, set on fire and left for dead. However, he survived and managed to crawl to a nearby road, where he was found by local people and taken to hospital. His family reported the case to the police that night after transferring him to a hospital in Maputo. Several superior officers went to the hospital to hear Abranches Penicelo's testimony, which was recorded by the family on a mobile phone.

Abranches Penicelo's death follows 10 years of harassment by police. In September 1997, officers searched the family home, taking jewellery, money, cars and other possessions. Abranches Penicelo and his brothers were arrested and accused of being highway robbers. His brothers were released without charge, but Abranches Penicelo

remained in detention for one year and five months. In December 1999 he was acquitted and the court ordered the restitution of the family's possessions. None of the items have been returned.

Abranches Penicelo was arrested again on 13 February 2007 and accused of robbery by the officer later suspected of killing him. He was reportedly beaten in detention. His case was dropped on 13 March 2007, but he was held for a further five days, despite the judge's order for his immediate release. The then Attorney General instituted a case against the police, and the case was to be heard on 7 August 2007, but for reasons that are not known to the family, the trial did not take place. A week later, Abranches Penicelo was killed.

**Please write** to the Attorney General, summarizing the case of Abranches Afonso Penicelo and expressing concern that he was killed by members of the police. Call for an immediate, impartial and thorough investigation into his death and for those responsible to be brought to justice. **Send appeals to:** Exmo. Sr. Dr. Augusto Paulino Procurador Geral da República Procuradoria Geral da República  
Maputo Mozambique Fax: +258 21 492 758/80 Salutation: Excelência (Your Excellency)

*(Photo caption: Abranches Penicelo © Private)*

### **TURKMENISTAN – Enforced disappearance after unfair trials**

Boris Shikhmuradov, former Minister of Foreign Affairs in Turkmenistan, was sentenced to 25 years' imprisonment in a closed trial on 29 December 2002. His sentence was reportedly increased to life imprisonment the following day by the People's Council (Khalk Maslakhaty). His brother, Konstantin Shikhmuradov, was also handed down a prison sentence of 17 years. They were convicted, along with at least 57 other people, for alleged involvement in an armed attack in 2002 on the then president, Saparmurad Niyazov.

Shortly after Boris Shikhmuradov's trial, his wife Tatyana told Amnesty International: "It is impossible to find out whether the lawyers were allowed to speak, whether any witnesses were questioned [and] who chaired the hearing." Since her husband's arrest, she has regularly written to government officials on behalf of her husband and brother-in-law. She has received no reply. Konstantin Shikhmuradov's wife Ayna has also petitioned officials and makes regular visits to the Department of the Execution of Punishments asking for information about her husband and Boris Shikhmuradov. She too has received no response.

When President Gurbanguly Berdymukhamedov spoke at the University of Columbia in New York, USA, in 2007, he was asked whether Boris Shikhmuradov and another prisoner were still alive. The president replied: "I am not involved with these issues... but I am positive that they are alive." This is the only piece of information that gives Tatyana and Ayna Shikhmuradova hope. **Please write**, calling on President Berdymukhamedov to immediately reveal the fate and whereabouts of Boris and Konstantin Shikhmuradov and other people who have been subject to enforced disappearance. Urge him to ensure that all those sentenced to long-term imprisonment following the alleged attack in 2002 are given fair re-trials, and that those responsible for the enforced disappearances are brought to justice. **Send appeals to:** President Berdymukhamedov 744000, g. Ashgabat Apparat Prezidenta, Prezidentu Turkmenistana, Turkmenistan Fax +993 12 35 51 12 Salutation: Dear President Berdymukhamedov

*(Photo caption: Boris Shikhmuradov © Private)*