

PUBLIC

AI Index: AFR 23/10/99

This is a limited action. Please restrict to 50 appeals per section.

UA 307/99

Fear of arrest as prisoner of conscience

26 November

DJIBOUTI Aref Mohamed Aref, aged 46, lawyer and human rights defender

Amnesty International believes that former prisoner of conscience Aref Mohamed Aref, a prominent defender of human rights in Djibouti and Africa, is at risk of being imminently arrested for his peaceful criticisms of the government. If this happens he is likely to face a lengthy period in detention awaiting trial or be sentenced to a long prison term.

This follows new moves by the authorities to silence opposition critics and comes after a television interview he gave in October 1999 to a French journalist in which he expressed his non-violent views and criticized human rights violations in Djibouti - the journalist and cameraman were subsequently deported and their film confiscated.

On 22 November 1999, during questioning by the police (*gendarmerie*) about the interview, he was told that proceedings had been opened against him on the charge of defamation (*diffamation*). This means he could be summoned again for questioning at any time, possibly remanded in custody, and be unfairly tried under a defamation law inconsistent with international standards on freedom of opinion and expression.

BACKGROUND INFORMATION

Aref Mohamed Aref, a prisoner of conscience from 1991 to 1992, has been the leading (and virtually only) human rights lawyer in Djibouti for some years. He has been an Amnesty International delegate at preliminary meetings on the establishment of an International Criminal Court and other missions and is a member of the African Human Rights Defenders network, established in Johannesburg in December 1998.

In February 1999 he was jailed for six months after an unfair trial for alleged fraud (*escroquerie*) connected to a civil case in which he had been involved in 1994 (see Extra 15/99, 8 February 1999 and follow ups). Amnesty International believes the charges, which he denied, were politically motivated. He was released by the newly inaugurated president Ismael Omar Guelleh in May under an amnesty.

In December 1998, security forces prevented him boarding a plane to Paris where he was due to attend a Human Rights Defenders Summit. His passport, confiscated at the time, has still not been returned to him and the ban imposed on him practising law is still in force (see News Release: 24 June 1999, AFR 23/05/99).

In September 1999, Amnesty International issued an Urgent Action after a government crackdown on the last two remaining opposition newspapers in Djibouti, when three journalists from the papers were arrested. All have now been sentenced to prison terms and their newspapers banned because they published articles critical of the government (see UA 254/99, AFR 23/07/99, 28 September 1999 and updates).

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

- expressing concern that human rights defender Aref Mohamed Aref is at risk of imminent arrest and imprisonment following recent questioning by police after he gave a television interview in which he expressed his non-violent opinions and criticized human rights violations in Djibouti;
- calling for the withdrawal of judicial proceedings against him on the charge of defamation - a law which is not consistent with international standards of freedom of expression;
- asking that his passport is returned to him and that he is allowed to practice his profession as a lawyer;
- appealing for protection of the right to freedom of non-violent opinion and expression.

APPEALS TO (please note that fax numbers in Djibouti are sometimes difficult to obtain):

President

Son Excellence Monsieur Ismael Omar Guelleh
Président de la République
La Présidence
BP 6

Djibouti, République de Djibouti

Telegrams: Président, Djibouti

Faxes: + 253 350174

Salutation: Monsieur le Président de la République / Dear President

Minister of Justice

Monsieur Ibrahim Idriss Djibril
Ministre de la Justice
Ministère de la Justice
BP 12

Djibouti, République de Djibouti

Telegrams: Ministre Justice, Djibouti

Faxes: + 253 353840 (via Ministry of Foreign Affairs)

Salutation: Monsieur le Ministre / Dear Minister

COPIES TO:

Prime Minister

Monsieur Barkat Gourad Hamadou
Premier Ministre
BP 2086

Djibouti, République de Djibouti

Faxes: + 253 351208

Minister of Foreign Affairs

Monsieur Ali Abdi Farah
Ministre des affaires étrangères
Ministère des affaires étrangères
BP 1863

Djibouti, République de Djibouti

Faxes: + 253 353840

and to diplomatic representatives of DJIBOUTI accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 7 January 2000.