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Further information on UA 254/99 (AFR 23/07/99, 28 September 1999) - Unfair trials / Prisoners of conscience

DJIBOUTI Moussa Ahmed Idriss, journalist, opposition leader and member of parliament
Ali Meidal Wais, journalist
Daher Ahmed Farah, journalist, opposition leader

New names: Nineteen relatives and supporters of Moussa Ahmed Idriss arrested at the same time as him

On 6 October 1999, Moussa Ahmed Idriss was found guilty of a new charge of violently resisting arrest. Nineteen of his relatives and supporters (previously given as 24) were found guilty of the same charge and also imprisoned. Amnesty International is concerned that they did not receive a fair trial and by claims from some of the defendants that they were beaten up in detention and forced to sign false confessions of having used violence.

Moussa Idriss has been sentenced to four months' imprisonment. All were fined 500,000 Djibouti Francs (US\$ 3,000)

Their lawyer, who was travelling from France, was refused a visa to enter the country, and the government refused to postpone the trial, which therefore went ahead with no legal representation for the defendants.

Moussa Ahmed Idriss, 66, co-director of *Le Temps*, The Times, and his relatives and supporters were arrested on 23 September by a large group of police who turned up at his house in the middle of the night. During a violent confrontation police shot one man dead and wounded several others including Moussa Idriss's wife and daughter who were injured by a grenade.

The police claim that six of their officers were injured during the violence but Amnesty International has received reports that there was no armed resistance to the police. In addition, police are not ordinarily authorised to serve court arrest warrants at night or to use violence to arrest anyone who refuses to go with them.

At the trial, where all the defendants pleaded not guilty, the magistrate failed to investigate allegations that some of the defendants had been ill-treated and forced to sign confessions, which were apparently admitted as evidence against them during the trial, and refused to acknowledge their retraction of these statements. At the same time he accepted without questioning written statements from the police, whom defendants were unable to cross-examine.

The original charge against Moussa Ahmed Idriss of *diffusion de fausses nouvelles*, "spreading

false news” is still under judicial investigation. No date has been set for the trial.

An appeal date of 20 November has now been set for Ali Meidal Wais and Daher Ahmed Farah. Both men were found guilty at a summary trial on 2 September of “spreading false news” likely to “demoralize the army” and given eight months and one year prison sentences respectively. Their lawyer, from *Avocats sans frontieres*, Lawyers Without Borders, has been given a visa.

The arrests of Moussa Idriss, Ali Wais and Daher Farah appears to be an attempt by the government to suppress the last two remaining opposition newspapers in the country. *Le Temps* is published by the opposition party *Opposition djiboutienne unifiée* (ODU), Unified Djiboutian Opposition. Moussa Ahmed Idriss is a member of parliament and president of the ODU party. Ali Wais is co-director of *Le Temps* while Daher Farah is president of the opposition *Parti du renouveau démocratique* (PRD), Party of Democratic Renewal and editor of *Le Renouveau*, The Renewal, the journal of the PRD. Amnesty International considers all three journalists to be prisoners of conscience.

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

- expressing concern that Moussa Ahmed Idriss and 19 of his relatives and supporters have been imprisoned and heavily fined after an unfair trial on 6 October 1999 at which they had no legal representation and where the magistrate ignored allegations of ill-treatment and forced confessions, apparently admitted as evidence against them;
- appealing for a re-trial at which they are represented by a lawyer of their choice, able to present their case properly and able to challenge the prosecution case and witnesses;
- calling for an independent and impartial inquiry into the allegations that the police wrongfully used disproportionate and lethal force in the arrest;
- continuing to appeal for the charges against Moussa Ahmed Idriss relating to press freedom issues to be withdrawn.

APPEALS TO:

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 (*note corrected name*)

Ministre de la Justice

Ministère de la Justice

BP 12

Djibouti, République de Djibouti

Telegrams:Ministre Justice, Djibouti
Faxes:+ 253 355420 (or 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 (note corrected name)
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 20 November 1999.