

1 August 2002

Further information on UA 194/02 (AI Index: AFR 34/008/2002, 25 June 2002) - Fear for safety/risk of torture or ill-treatment/Incommunicado detention New concern: Ill-health

LIBERIA Hassan Bility (m)- editor  
 Mohammad Kamara (m)  
 Ansumana Kamara (m)

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Hassan Bility, independent journalist of the Analyst newspaper, has been held incommunicado at an unknown place of detention since his arrest on 24 June. His health is deteriorating as he is suffering from malaria which if it goes untreated can be fatal. He does not have access to medical care.

The identities of two other men (not three, as stated in the original Urgent Action) arrested with Hassan Bility have been confirmed as Ansumana Kamara and Mohammad Kamara. The two are being held at the National Security Agency (NSA), an official detention centre, and have access to their relatives.

Amnesty International is concerned that Hassan Bility is at particular risk of torture or ill-treatment given the government's past human rights record with regard to human rights defenders in incommunicado detention. All efforts by relatives, lawyers or members of the human rights community to visit him in detention have been in vain. In a letter sent to a contact on 20 July, he indicated that he had no access to medical care for his deteriorating health. Before Hassan Bility was arrested, he was already suffering from malaria. The International Committee of the Red Cross (ICRC) is negotiating with the government to gain access to him and the other detainees to provide medical care and other humanitarian assistance. The government has so far refused to disclose the location of Hassan Bility to the ICRC.

None of the three men have been charged or appeared in court since their arrest on 24 June. The National Human Rights Center of Liberia and other non-governmental organizations submitted a writ of habeas corpus on 27 June, compelling the government to produce the men in court on 1 July. The government failed to produce the men on this date and on four subsequent occasions. On each occasion, government lawyers pleaded for extra time, which was granted by the judge in the Criminal Court. On one occasion the government denied that the men were in their custody.

On 9 July, the judge ruled that the matter be handed over to a military tribunal. He stated that the case was out of the hands of civil jurisdiction as the state had established, and the President of the Republic had "confirmed", that the three are "illegal combatants". Both the President and the Minister of Information had publicly accused Hassan Bility and the others of engaging in acts of terrorism against the state, running a terrorist cell for the armed opposition Liberians United for Reconciliation and Development (LURD) and being involved in a plot to assassinate the president. They stated that the men should be tried by a military tribunal.

On 24 July the military Court Martial Board issued a writ of habeas corpus requiring the government to produce the three men in court by 7 August. However, in response the Ministry of National Defense described the writ as "null and void", claiming that it did not have the authority to take such action.

Amnesty International is concerned that anyone perceived to be connected with Hassan Bility is in danger of harassment or detention without charge. On 29 July Dixon Gblah, head of Prisonwatch, a Liberian non-governmental human rights organization was briefly detained by police. 15 policemen arrested him at the Prisonwatch office because of his alleged links with Hassan Bility. He was released the following day without charge.

**RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:**

- expressing continued concern about the prolonged detention without charge of Hassan Bility, Mohammad Kamara and Ansumara Kamara;
- calling on the authorities to make public the whereabouts of Hassan Bility;
- urging the authorities to ensure that Hassan Bility and the other detainees have access to adequate medical care immediately, including by facilitating the ICRC's access to them;
- calling on the authorities to grant Hassan Bility access to his relatives and legal representation;
- expressing concern that the government has interfered in the judiciary by insisting that the case to be handled by a military court;
- calling on the authorities to produce the three men in a court of law and either to charge the men with a recognizably criminal offence or to release them immediately.

**Please note that the postal service to and from Liberia has been suspended until further notice. Please send appeals by fax where possible and/or to diplomatic representatives of Liberia accredited to your country.**

APPEALS TO:

President of the Republic of Liberia

His Excellency Mr Charles Taylor

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

**Salutation:** Dear President Taylor

Director of Police

Paul Mulbah

**Fax:** + 231 226 785

**Salutation:** Dear Mr Mulbah

Minister of Justice

Mr Eddington Varmah

**Fax:** + 231 227 872

**Salutation:** Dear Mr Varmah

**COPIES TO:**

EU representative in Liberia

**Fax:** + 231 226 274

American Embassy in Liberia

Ambassador

**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 12 September 2002.