

INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS

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DJIBOUTI: Arrests of independent trade union leaders continue

Brussels - Geneva - Paris, 14 March 2006 (ICFTU Online): The International Confederation of Free Trade Unions (ICFTU) and the Observatory for the Protection of Human Rights Defenders - a joint programme of the International Federation of Human Rights Leagues (FIDH) and the World Organisation against Torture (OMCT) - have expressed deep concern over the continuous deterioration in the situation of trade union rights defenders in Djibouti: repression of collective action, unfair dismissals, legal prosecution, arrests and arbitrary detentions of independent trade unionists have been multiplying since September 2005.

The arrests on 11 March 2006 of Mr Adan Mohamed, General Secretary of the Djibouti Workers' Union (UDT) and Mr Hassan Cher Hared, UDT International Relations Secretary, illustrate the gravity of the situation. One was arrested in his home, the other at work. They were both driven to the premises of the Criminal Brigade without being presented with any form of warrant.

According to the information received, the two trade union leaders were brought before an examining magistrate for questioning, charged with "supplying information to a foreign power" (Articles 137 and 139 of Djibouti's Penal Code) and then committed to the civil prison of Gabode. They have not had access to a lawyer or a doctor.

The ICFTU and the Observatory strongly condemn these arrests, which constitute a renewed reprisal against the work carried out by the UDT's members to defend trade union rights. These arrests follow on from those of Mohamed Ahmed Mohamed, Head of Legal Affairs of the Port Workers' Union (UTP) and Djibril Ismael Egueh, General Secretary of the Maritime and Transit Service Union (SP-MTS), on 5 March. They were also accused of "supplying information to a foreign power" after returning from a training course in Israel given by the Israeli labour confederation Histadrut. Both of their organisations are affiliated to the UDT. They are still being held at Gabode prison.

The arrests also come following the lodging of a complaint by the UDT with the ILO concerning the unfair dismissal and early retirement of 12 trade union leaders and representatives from the Port of Djibouti, including Mohamed Ahmed Mohamed, in September 2005. The complaint had been intercepted in the post by the intelligence services. Since then, economic and social rights activists in Djibouti, particularly UDT members, have been subjected to recurrent acts of harassment (see urgent appeals of the Observatory DJI 001/0206/OBS 016, 016.1, 016.2 and 016.3 as well as the reports of the ICFTU).

The Observatory and the ICFTU consider these arrests and the charges against Adan Mohamed, Hassan Cher Hared, Mohamed Ahmed Mohamed and Djibril Ismael Egueh to be arbitrary, in that they seek only to punish their defence of trade union rights in Djibouti.

The Observatory and the ICFTU thus urge the authorities of Djibouti:

- to ensure their immediate and unconditional release in the absence of any valid charges against them;
- to guarantee the detainees access to a lawyer and doctor, as provided for in Articles 64-4 and 65-2 of the Penal Procedure Code of Djibouti;
- to comply with ILO Conventions 87 and 98 on freedom of association and the right to organise and bargain collectively, by which Djibouti is bound pursuant to its membership of the International Labour Organisation;
- to comply with the provisions of the International Covenant concerning economic, social and cultural rights, ratified by Djibouti in 2002, as well as the provisions of the UN Declaration on Human Rights Defenders, adopted by the UN General Assembly on 9 December 1998, and most notably Article 5c), which states that in order to protect and promote human rights and fundamental rights, all persons have the right, individually or in association with others, at national or international level, to communicate with non governmental or intergovernmental organisations.

Djibouti: Annual Survey of Violations of Trade Union Rights (2005):<http://www.icftu.org/displaydocument.asp?Index=991222224&Language=EN>

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