



ANNUAL REPORT OF THE COMMITTEE OF CONCERNED SCIENTISTS, INC. FOR THE YEAR 2004

In our 33rd year, the Committee of Concerned Scientists continued to play its role as vocal advocate for scientific colleagues around the world. We worked actively to protest the illegal or repressive treatment of individuals, often punished for their pro-democracy positions or critical attitudes towards their own governments. Again and again we acted to help scientists, engineers, physicians, scholars and students suffering from the abuse of power. An account of the events of 2004 and our responses, encompassing 16 countries on four continents, follows.

RUSSIA

In January 2003, Russian Orthodox activists vandalized an exhibition in the Sakharov Museum titled "Caution! Religion." The exhibition featured highly controversial works including an image of Christ on a Coca-Cola advertisement entitled "Coca-Cola: This is my blood." The activists were later acquitted. Officials of the church condemned the exhibition and the parliament ordered the state prosecutor to act. The first commission charged with evaluating the exhibition did not find it guilty of incitement to religious hatred, but the second did, unanimously, conclude that the exhibition had incited religious hatred. As a result, Yuri Samodurov, the director of the Andrei Sakharov Public Center and Museum, as well as colleagues Ludmila Vasilovskaya and Anna Mikhalkhuk, were indicted for violating Article 282 of the Criminal Code of the Russian Federation. We wrote on behalf of Dr. Samodurov and his colleagues, arguing that the exhibition, being held in a museum, was not meant to incite hatred, and that in the interests of freedom of speech, the exhibit's organizers should not be punished.

The suffering of Dr. Igor Sutyagin, a civilian researcher on whose behalf we have written repeatedly, has not yet ended. He was first arrested in October 1999 on espionage charges related to research he conducted for a British consulting firm. As a civilian, Dr. Sutyagin did not have a security clearance, nor did he have access to classified materials. The Russian authorities have argued that his exact conclusions indicate that Dr. Sutyagin must have used classified documents, but Dr. Sutyagin asserts that he only used public documents, such as newspaper articles. He was first tried by a regional court in 2001, which ruled that the prosecution had failed to present sufficient evidence. But the case returned to the Federal Security Service

(FSB), which has as yet not found evidence of any treasonous activity by Dr. Sutyagin's. His case has been delayed for years, due most recently to the prosecution's several requests for postponements. It is of concern that the court did not set the date for the next hearing. In April 2004, a Russian jury found Dr. Igor Sutyagin guilty of high treason. He has spent the last five years in jail.

In August 2002, a humanitarian worker, Arjan Erkel, Head of Mission for *Médecins Sans Frontières*, providing medical aid to refugees from nearby Chechnya, was abducted by three gunmen in the city of Makhachkala, capital of Dagestan. In 2003, we wrote to urge that the authorities spare no effort to rescue Arjan Erkel and that they share what information they possessed with Mr. Erkel's organization, *Médecins Sans Frontières*. In April 2004, Arjan Erkel was freed after 20 months of being held hostage in Dagestan. The details surrounding Erkel's release have not yet been released. He recovered with his family in Holland. *Médecins Sans Frontières* stated that they are "extremely grateful to everyone who has shown solidarity with Arjan, from the hundreds of thousands of people in Russia, Dagestan and around the world..., to the many representatives of national and international organizations and government officials who have shown their support." Erkel was also a featured speaker at this year's AAAS Human Rights Reception.

In June 2004, the Russian Supreme Court overturned Dr. Valentin Danilov's acquittal of espionage and in December he was sentenced to 14 years in a maximum security prison. We wrote in protest of the overturning of the judgment in his favor and a second time in protest at his severe prison sentence. Dr. Danilov is the head of the Thermo-Physics Center at Krasnoyarsk State Technical University and was arrested in February 2001 after being accused of selling top secret satellite information to a Chinese company. Dr. Danilov has consistently maintained that this information has been available in scientific journals and had been declassified for over 10 years. He had been acquitted by a jury at the end of December 2003, but ordered to stand trial again. At the second trial Dr. Danilov was not permitted to argue that the information he is accused of passing on to China was not secret and he was convicted of espionage and embezzling funds. It appears Dr. Danilov is being persecuted as part of a campaign to intimidate scientists and keep them from seeking remuneration for the results of their research.

GEORGIA

In December 2003, Professor David Mirtskhulava, a former Minister of Fuel and Energy, who suffers from a severe heart condition, was arrested on charges of abuse of power in connection with fraud with Georgia's debts to Armenia for the supply of electric power estimated at several millions of laris. Prof. Mirtskhulava was arrested, but what should have been a 3-month term of pre-detention, was been extended to six months. On June 24th, the General Prosecution completed their investigation and informed the former minister about the final accusation. The same day Prof. Mirtskhulava was taken to the 7th jail of Tbilisi, despite his grave physical condition and on July 6th had to be moved to a cardiologic clinic for a medical checkup. Understanding from reliable reports that the prosecution of Dr. Mirtskhulava is being carried out because of personal and political motives, we wrote to ask that he be

exonerated and that he be released on humanitarian grounds, so he may receive the medical treatment his condition requires.

BELARUS

In May we wrote yet again on behalf of Dr. Yuri Bandazhevsky, a physician and medical researcher who had been imprisoned since June 2001. Because of two general amnesties, Dr. Bandazhevsky's prison sentence stood at six years, and he had become entitled to relegation. Bandeshevsky had been convicted on the basis of dubious evidence that he had accepted bribes from candidates for admission to the Gomel Medical Institute, which he headed. Following his initial arrest in 1999, CCS had urged a speedy, fair trial. But his trial fell short of international standards of jurisprudence. In fact, the prosecution failed to offer concrete evidence that Professor Bandazhevsky had been bribed. The co-defendant who had leveled this accusation retracted it during further police interrogation and at the trial, as well as in an open letter to the president of Belarus. Yet the court rejected his retraction and entered his original accusatory statement as evidence. In addition, the testimony of a former colleague who actually admitted to accepting bribes was entered as evidence against Bandazhevsky on her unsubstantiated claim that she took them on his behalf.

Bandazhevsky maintains that his conviction was provoked by the nature of his scientific work, which focused on the impact of the radioactive fallout of the 1986 Chernobyl nuclear disaster on the health of people living in the surrounding contaminated area. His findings included criticism of the governmental programs meant to address the problem.

TURKMENISTAN

On June 1, 2004, Turkmenistan's Ministry of Education was to implement President Saparmurat Niyazov's order to invalidate all higher education degrees received outside the country since 1993 and to dismiss all state workers holding such degrees. This action appeared to be due to an interest on the part of the government in purging all "foreign" influences from both the academic world and society in general. We appealed to the president of Turkmenistan to revoke his decree in fear that such a move would have serious negative consequences on the nearly 5,000 Turkmen students currently enrolled abroad. It would also have created grave difficulties for the non-Turkmen students who regularly return to their homelands for their higher education.

CHINA

In January 2004 we protested the imprisonment of biology professor Yan Jun, who had been given a two-year prison sentence on December 8th of 2003 for publishing so-called "subversive" essays on the Internet, condemning the lack of press freedom in China. In addition, Yan Jun wrote essays on behalf of the students arrested during the Tiananmen Square incident of June 4th 1989. We also received reports that Yan

Jun had been beaten by fellow prisoners necessitating his hospitalization in July of 2003.

In 2003 Jiang Yanyong, a seventy-two-year-old military doctor, became a national hero last year for exposing the Chinese government's efforts to hide the SARS outbreak. In a February 2004 letter Dr. Jiang pressed state leaders to admit that the Tiananmen Square massacre, when the Chinese authorities ordered the military to fire on civilians trying to keep troops from entering the city, was wrong. June 4th 2004, marked the fifteenth anniversary of Tiananmen and the government forbade any public commemoration of the event. Dr. Jiang had already been known for helping expose the official cover-up of the SARS epidemic in Beijing. This past June China's leaders took their revenge and imprisoned him in a room under 24-hour supervision, forcing him to attend indoctrination sessions meant to force him to recant his opinion about the Tiananmen crackdown. He refused to back down, however. We wrote a letter on his behalf and organized a petition and letter-writing drive which, together with the rest of the considerable international outcry about his case, resulted in his happy release after 45 days in confinement, on July 19th 2004. Nonetheless, Dr. Jiang remained under house arrest.

In October of 2004 we protested on behalf of physician Dr. Wang Bingzhang, who had been held by the government since July 2002 and whose physical condition had seriously deteriorated. Dr. Wang was dealt a life sentence for a number of offenses in February 2003, after a trial which was neither fair nor open. He had been imprisoned since then under severe and harsh conditions, including a year and a half in solitary confinement. He went on a hunger strike in January and subsequently suffered a severe stroke. He was very ill and risked a second, fatal stroke if he were to remain in prison much longer.

Wang Youcai, on whose behalf we worked over the course of several years, was released from prison in March -- five years before the expiration of his prison term. He drew this term for being one of the founders of China Democracy Party in 1998.

VIETNAM

Nguyen Dan Que, an endocrinologist, long-time political activist, and former Director of the Cho-Ray Hospital in Ho Chi Minh City, was arrested in March 2003. He remained in prison without trial until July, when a court in Ho Chi Minh City sentenced him to thirty months imprisonment. Dr. Que had spent ten years in jail without a trial, beginning in 1978. In 1990 he was again arrested and spent more than eight years in solitary confinement. We wrote at that time appealing on his behalf and then again when, even after his release in 1998, it was clear that Dr. Que and his family were being harassed by public security police. He was arrested anew in March 2003 and when the arrest was made public in a small column in an official newspaper, according to the police, Dr. Que was caught sending documents containing material that "runs against the State." It appeared that Dr. Que had e-mailed his brother in Virginia disparaging the Vietnamese government's claim that it guarantees freedom of information and making other comments of a critical nature. We wrote last year--and again this year, for we received new reports that he is

seriously ill and requires medical attention for high blood pressure, a peptic ulcer, and kidney stones. We also added our name to a petition on his behalf sent out in December by The Robert F. Kennedy Memorial Center for Human Rights.

Two other prominent writers and dissidents, Tran Khue, on whose behalf we appealed, and Pham Que Duong, were also convicted in July and sentenced to 19 month prison terms, but were released the day after their trials because of time served. A former literature professor, Prof. Khue had been detained since December 2002 and only charged with espionage in June 2004. It appears that Prof. Khue was being persecuted for working to legally register an independent organization, the National Association to Fight Corruption. In addition, he had been writing articles and open letters calling for political reforms and criticizing government policies.

SAUDI ARABIA

On March 15th of this year, eleven individuals were arrested for criticism of the government, including two professors associated with King Sa'ud University in Riyadh--Dr. Tawfiq al-Qussayyir, professor of Electronics, and Dr. Matrouk al-Falih, political scientist--and one former professor of contemporary literature at Imam Muhammad bin Sa'ud University, Dr. Abdullah al-Hamid, who is a prominent advocate of democratic reform. Seven of the group were released after promising not to continue their reformist activities. It was reported that those remaining refused to cooperate without legal representation. No formal charges had been made and it appeared that these individuals were being targeted merely for calling for a separate human rights committee, independent of the government. We protested that they were being punished for the peaceful exercise of freedom of opinion. And at the end of April, Dr. al-Qussayyir and at least four other individuals were indeed released from prison, but only after signing a pledge that they would liaise with government authorities before carrying out public activities. Dr. al-Falih, a professor of political science at King Sa'ud University, and Dr. al-Hamid, former professor of contemporary literature at Imam Muhammad bin Sa'ud University, both refused to sign the pledge and remained in a Riyadh prison.

IRAN

Amir Abbas Fakhravar, a medical student and journalist, was arrested in November 2002 and sentenced to eight years in prison for a book *Inja Chab Nist* in which he criticized the leadership of Iran. Appearing in court in March 2003 for an appeal hearing, he was severely beaten and transferred to Qasr prison. In Qasr prison Fakhravar was held among common prisoners and frequently attacked. January 2004 he was taken from Qasr prison to a military detention center for interrogation where he was subjected to torture. We asked the authorities that he be given access to competent medical care and that his whereabouts be revealed to his family and legal advisers.

We also appealed for the life of Dr. Hashem Aghajari, professor of history at Tarbiat Moddarress University in Tehran, who had been sentenced to death for apostasy in

November 2002, a sentence which prompted outrage within the international community and sparked large protests by university students. In response, the Ayatollah Ali Khamenei had ordered the Supreme Court to review the case. The verdict was then overturned by the Supreme Court in February 2003. But the court which originally condemned him upheld its original verdict and reimposed the sentence. We urged that Dr. Aghajari be released or, failing that, be permitted to serve out his four-year replacement sentence, imposed by the Supreme Court.

KUWAIT

Writer, journalist and researcher Yasser al-Habib, in retaliation for a controversial lecture on Islamic historical issues, was taken from Kuwait City on in November 2003 in an unmarked vehicle and held in the al-Niyabah al-Ammah Criminal Investigation Building. He was held incommunicado with no formal charges announced and he was reported to have collapsed under interrogation and hospitalized. We wrote this year urging that al-Habib either be formally charged with any criminal offenses or, if none were forthcoming, immediately released.

ZIMBABWE

In October 2004, Philani Zamchiya, president of the Zimbabwe National Students Union, was kidnapped by members of the Zimbabwe Republic Police in Harare, tossed into the back of a truck, beaten and seriously injured. Zamchiya was targeted for his activities in organizing a peaceful student demonstration. We urged a strong investigation of the police assault.

KENYA

Wangari Muta Maathai of Kenya, in whose case we have been active, received the Nobel Peace Prize this year.

NIGERIA

At Obafemi Awolowo University, the students, protesting the suspension of two of their fellows for unionizing activities, were peacefully demonstrating when the police fired tear gas and then their guns into the crowd, killing one student and injuring several others. We wrote asking that the police be prevented from using lethal force on student protestors and that all efforts be made to find a peaceful agreement between the university and the students.

SYRIA

At the end of March, we received good news about one of our cases from 2003, when we were informed that all charges against agricultural engineer and Kurdish activist Khalil Sulayman had been dropped in January 2004. Sulayman had been arrested by military intelligence personnel in August 2003 at his workplace in the Department of

Agriculture in the village of Tell al-Dhaman, in the Governate of Aleppo. He was not formally charged at the time of his arrest and was held incommunicado in Damascus until December 2003 and we had written at that time on his behalf.

Massud Hamid, a journalism student and a member of the Kurdish minority, was arrested in July 2003 and tortured while in police custody. He was subsequently sentenced to three years in prison, for “belonging to a secret organization” and “attempting to incorporate part of Syria’s territory into a third country.” The cause of Hamid’s arrest appears to be photographs taken by him of a Kurdish demonstration in Damascus which had recently been posted on the internet. In November we appealed for his release.

LIBYA

A national tragedy in which 400 children were infected with HIV at a Libyan hospital and 40 of them died became the personal plight of foreign medical workers in the hospital. These workers, five Bulgarian nurses Kristiana Malinova Valcheva, Nasya Stojcheva Nenova, Valentina Manolova Siropulo, Valya Georgieva Cherveniyashka and Snezhanka Ivanova Dimitrova, and a Palestinian doctor, Ashraf Ahmad Jum’a, were arrested in 1999 on charges of having deliberately infected the children. In 2003, the case was dismissed on the basis of insufficient evidence, but in a second trial in 2004, they were convicted. The heartbreak of the children’s infections and deaths is undeniable, but it appears--according to expert witnesses who testified at the trial--that the infections were instead due to poor hygienic practices at the hospital. It was in fact established by a world-renowned medical expert in HIV, Professor Luc Montagnier, that the infections had already begun before these medical professionals started working at the hospital. We wrote to protest the death sentences handed down that day and to ask for the convictions to be overturned.

CUBA

The economist Marta Beatriz Roque of the Working Group for the Analysis of the Cuban Socio-Economic Situation, winner of the 2002 Pagels Prize from the NYAS and someone on whose behalf we have written repeatedly was, happily, released July 24th. She had been sentenced to 20 years in prison and kept under extremely harsh conditions. Her health had deteriorated, she had been denied medical attention, and many of her friends were deeply concerned about her physical survival. Later this year dissidents Oscar Espinosa Chepe (on whose behalf as well, we have written in the past), Marcelo Manuel López Bañobre, and Margarito Broche Espinosa were also released. All had been arrested and summarily sentenced in April 2003 in a mass political crackdown. The prison sentences they received ranged from 15 to 25 years. Many other dissidents remain incarcerated in Cuba to this day.

UNITED STATES

Under the leadership of R. Richard Newcomb, Director of the Office of Foreign Assets Control (OFAC) within the U. S. Department of the Treasury, OFAC issued an “Interpretative Ruling on Publishing Activities Involving Manuscripts from Iran.” This

ruling declared that editorial changes to submitted manuscripts from countries under an economic embargo, such as Iran, Libya, Sudan and Cuba, constitute a service and are therefore to be considered a prohibited action in the trade embargo. But the law states that no information or informational materials shall be considered part of the trade embargo. We thus wrote to Mr. Newcomb that in the legal context the ruling was misguided. A primary principle--that of preserving the free passage of intellectual property--is clearly upheld by the law as it stands and we urged that the restrictions on that passage be removed.

We circulated a petition on behalf of Branislav Djordjevic, a Yugoslavian physicist, who, while having been released Dec. 23, 2003 after 146 days in prison in Portsmouth, VA, still faced deportation from this country. The misconduct of his former attorneys, who dropped his case without informing him and did not tell him that the request for asylum had been denied, meant that he was ignorant of the status of his case until the deadline for leaving the country or appealing had passed.

CONCLUSION

In 2004, with much of world attention focused on the ongoing struggles in Iraq, the genocide in Darfur and other overwhelming tragedies, CCS remained vigilantly at its chosen post, keeping watch over individual beleaguered colleagues, many of whom face torture, harsh treatment and danger to their very lives in the prisons of the world.

We offer our particular gratitude to our co-chairs, Joel Lebowitz, Paul Plotz and Walter Reich, whose vigorous initiative, kindness and wise counsel have made possible--and effective--our ongoing efforts.

Respectfully submitted,

Maud Kozodoy
Executive Director

December 31, 2004