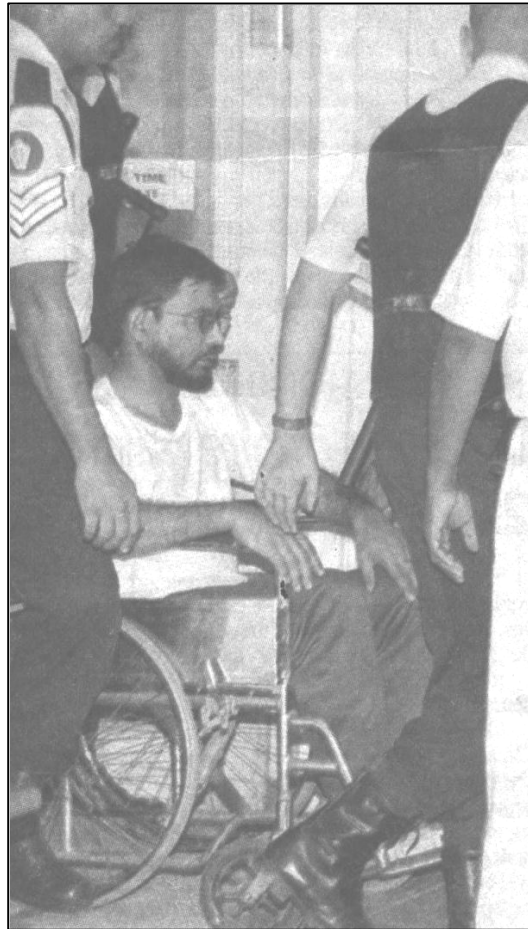


**ADDENDUM REPORT ON HUMAN RIGHTS VIOLATIONS IN
MAURITIUS**

The Trial of Cehel Meeah



*Cehel Meeah being taken to court after being tortured
in custody 7th Decmeber 2000*

Osama Daneshyar

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Introduction

This report follows on the report by IHRC observer Osama Daneshyar entitled, 'Equal in the Eyes of the Law: Police Brutality and the Abuse of Human Rights in Mauritius.' The original report was written subsequent to a visit by Daneshyar to Mauritius to report on the situation of prisoners in 2001. He returned on an observer mission for IHRC in 2002 accompanied by journalist Faisal Bodi. This is Daneshyar's update with specific reference to Cehel Meeah, the Mauritian politician currently detained by the authorities.

Daneshyar has since been appointed as Cehel Meeah's barrister.

For further reading about the case of Cehel Meeah and the human rights situation in Mauritius please visit:

Cehl Meeah - Mauritian Prisoner of Faith, Faisal Bodi, November 2002

<http://www.ihrc.org.uk/show.php?id=481>

Apocalypse Now, Faisal Bodi, November 2002

<http://www.ihrc.org.uk/show.php?id=424>

Equal in the Eyes of the Law: Police Brutality and the Abuse of Human Rights in Mauritius, Osama Daneshyar, May 2001

<http://www.ihrc.org.uk/show.php?id=43>

Mr Meeah is currently charged with giving instructions to Murder. It is being alleged that he was the mastermind behind the murder of three election volunteers of a rival political party in the Plain Verte constituency of Port Louis.

The only evidence currently before the Court against Mr Meeah is that of Hatim Uzzir. Hatim Uzzir had made a statement to the Police where he confessed to being part of an armed gang which had over a number of years gone around the Island Republic Robbing and Murdering their victims. Mr Uzzir himself confessed to 7 murders in his witness statement. He however has never being charged with any murder. In fact the most important murder that features in Hatim Uzzir's confession is the Murder of the three labour party activists in the Gorah Issac street for which Mr Meeah is now charged.

It is to be noted that the Murder took place the night before the General elections of 1996, when it was clear that the Mr Meeah's Islamic party was going to make substantial gains in the Muslim vote though out the Island. Immediately after the Murders the current deputy Prime minister and Leader of the MMM Party, Paul Beranger, had gone on national television and blamed Mr Meeah directly for the Murders. It is also to be noted that at that stage of the election campaign Mr Beranger's party was trailing Mr Meeah's party in all the Muslim constituencies, and the latter had infact taken over the MMM's traditional Muslim vote which has for decades guaranteed Mr Beranger's political survival. The Murder had led to the postponement of the elections, more significant however was the fact that the accusations of Mr Berranger had led to the collapse of the vote for the Islamic Party.

It appears that after the Murders one of the Murderers, named Tourab Bisesau, had approached Mr Paul Berranger and informed him that he was responsible for the murders and he had significant information. It is not clear what that information was but what is not disputed as Mr Berranger had confessed to it on national television, is that Mr Bisesau, was paid the equivalent of £20000, and sent to Madagascar for a few years where he was put up in 5 star hotel and had his expenses paid by Mr Berranger. It is not clear why Mr Berranger sought to assist in the harbouring of what he then knew was a Murderer. But what is now known is that Mr Bisesau was a former member of the MMM party, and he was asked to forge links with the Islamic Party (Hizboullah, no Lebanese connection) so as to act as a spy for the MMM. A cynic would think that the murders in Gorah Isaac were contract killings and Mr Berranger had simply paid for the killings after they had been carried out.

It was not until autumn 2000 when anyone had been arrested for the Murders. That was largely because Mr Berranger had helped the prime suspect escape from jurisdiction. Upon his return however Tourab Bisesau committed several Robberies many of which ended in the Murder of innocent civilians. He and Hatim Uzzir as well as other member sof the gang went around the small island robbing and killing. At the same time to deflect any attention from themselves they kept their links with Mr Meeah as he was even at that stage a respected Politician. Eventually they were arrested and it was Tourab Bisesau who confessed to all the murders including the Gorah Isaac killing. In confessing Mr Bisesau implicated Mr Meeah. At this stage of the proceedings Mr Uzzir was in hiding, but prior to his surrender he made a written confession which he signed and finger printed where he told of how he became involved in these murders. In that statement he categorically denied the involvement or Knowledge of Mr Meeah of any of their activities. It appears that the statement was written as he knew that he was going to be tortured by his captors, as often happens in the Island. After being tortured Mr Uzzir eventually confessed to 7 murders in addition to the killings in Gorah Isaac, this time changing his story and saying that he did the latter on the instruction of Mr Meeah.

It has to be noted that the statement given by Uzzir is substantially different to that of Mr Bisesau other than the fact that they both blame Mr Meeah. Mr Meeah was arrested and tortured in December 2000, in an attempt to extract a confession from him. Despite the severe torture which included being forcibly penetrated by a baton Mr Meeah never confessed to being involved in any Murders. Mr Meeah made a full statement giving the names of his torturers, but none of them were ever summoned or charged. In fact despite an order from the Police commissioner that they attend an ID parade, none of them did.

Mr Meeah was subsequently charged with giving instructions to murder and is currently going through committal proceedings. The Prosecution unhappy with the close connection between Mr Bisesau, and the Deputy Prime Minister Mr Berranger have decided to abandon him, he being simply not a credible witness.

The only remaining witness is Mr Uzzir. Subsequent to his confession Mr Uzzir has had a large sum of money paid to his wife believed to be in excess of £10000 equivalent, who is currently living in Police accommodation, and being given police transport wherever she wishes around the Island. In addition despite his confessions to 7 Murders Mr Uzzir has not been charged with a single count of Murder. Instead he has been charged with stealing cars, theft, and dangerous driving, entitling him to serve 8 years in custody rather than 42 years he would otherwise have had to serve had he been charged with Murder.

There are substantial grounds to believe that Mr Uzzir is simply playing the rotten Judicial system in Mauritius so that he escapes a murder conviction in return for delivering Mr Meeah's head on a silver platter. The worrying aspect of this case is the fact that these self confessed dangerous criminals will be walking the streets of this tiny Island in a few years. That is more so in the case of Mr Bisesau, where despite the fact that he is a self confessed dangerous murderer, he will be eligible for parole in little over 2 ½ years time. In fact it is an absolute farce in that Mr Bisesau is now more influential and powerful in the Prison where he is being held than the Prison guards themselves.

In an attempt to sure up an non-existent case the Prosecution following the close of the Defence case forced Mr. Pollin, a Co-Defendant of Mr Meeah, who has previously exonerated Mr Meeah of any blame, to take the witness stand to comment about a letter which passed between Mr Meeah and himself, following the latter's evidence. The evidence was called in an attempt to show that the evidence of Mr Pollin is false and he was coached by Mr Meeah. However what had happened was that Mr Meeah who has been in Solitary confinement for over 2 years in 23 hour lock up, asked for permission from the prison guard to write and send a letter to Mr Pollin whom he wished to give evidence at his trial at the Assizes. He sought to use him as a witness only because when giving evidence at the committal proceedings he was so favourable. It was never suggested by Prosecution that Mr Meeah had at any stage prior to the evidence of Mr Pollin had had the opportunity to speak to Mr Pollin.

Having given permission for Mr Meeah to write to Mr Pollin, Mr Meeah wrote a letter to the former in essence telling him to confirm what he said in the committal proceedings, at the Assizes. Further Mr Meeah gave the letter to the Prison Guard so that it can be vetted and approved to be handed to Mr Pollin. However, unsurprisingly, rather than finding its way to Mr Pollin the letter or at least a copy of it found its way into the hands of Mr Bisesau who in turn faxed it to his contacts who referred the letter to the Prosecution. the Prosecution then called numerous witnesses to give evidence on what they attempted to portray as a conspiracy to pervert the course of justice, even though no-one was ever arrested, interviewed or charged for the offence. The only object of the Prosecution tactics through out the committal proceedings have been to cloud the issues

in the case, prolong them and raise the prejudice by effectively running the trial in the media in conjunction with the court proceedings.

Having sat in court for 10 days in August/September it has become clear that everyone in the Building knows that the case is manufactured and has no merits, to Quote the Court Clerks words the case is "Bullshit" but the case is being proceeded with and will be committed to the Assizes where the Jury will be carefully selected to return a guilty verdict only because having failed to Politically destroy Mr Meeah, Mr Berranger who has the most to gain by his permanent incarceration wants him to be Judicially destroyed.

The measure of the conspiracy is the paranoid attitude that the senior Political and Judicial figures have taken to my presence on the Island. Although it is Mr Meeah's right to have any Barrister eligible to Practice in Mauritius and having requested that I visit him in Prison with a view to represent him, my application to be sworn at the Mauritian Bar for the Purposes of these Proceedings were frustrated. All it normally requires is for the Chief Justice to endorse a letter of request and having seen a copy of the Practising Certificate in the UK would authorise the registration of the Lawyer. That process normally takes ten minutes. Due to the fact that I was seeking to assist Mr Meeah the Procedure was not completed after two weeks. The Last I was told was that the process should be complete and I could be sworn on Friday 6th September, knowing that I was departing on Thursday 5th September, which was headline news on the national Radio. In fact I felt privileged that upon my arrival at the airport, my passport was taken by the chief immigration officers, photocopied and I was escorted to the gate, without having to undertake the normal immigration protocols and queue to have my passport stamped like all other visitors.

My impression is that the Mauritius authorities are very sensitive about this case, because they know the wily manner in which they have proceeded with the matter has been nothing more than a flagrant and unashamed attempt to frame an innocent man. Although they realise that the Public in Mauritius may not be capable of challenging the system, they have a deep unease about the outside world finding out, especially the English legal authorities to whose Jurisdiction Mauritius is subject.

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