

EXTERNAL

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Amnesty International
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NIGER: SUMMARY OF AMNESTY INTERNATIONAL'S CONCERNS
SINCE 10 OCTOBER 1991

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Since the attached document entitled: *Niger: Summary of Amnesty International's Concerns in 1991* was prepared, more information has become available about the work of the National Conference which opened in July 1991 to discuss fundamental political reforms. In particular, more detail is available about the investigations carried out by its *Commission des crimes et abus politiques*, Commission on Political Crimes and Misdemeanours, which is one of six commissions set up by the conference. The conference ended in October, but the commissions will continue their work during a transitional period which is scheduled to last until January 1993.

The Commission into Political Crimes and Misdemeanours was empowered by the conference to investigate past political crimes and abuses; it has suspended various officials from office for alleged involvement in past human rights violations, has ordered their arrest and urged the resignation of the head of state himself on the grounds that he is suspected of complicity in these violations. The conference ordered a *Haute Cour de Justice*, High Court of Justice, to be set up to try former government or security officials.

The first inquiries carried out by the commission investigating past human rights violations concerned the killings of three student demonstrators in February 1990 and the arrest, torture and killings of hundreds of Tuareg between March and May 1990 (see *Niger: Summary of Amnesty International's Concerns in 1991*). The government had previously failed to initiate any inquiry into the killings of Tuareg despite repeated calls for one to be set up.

President Ali Saïbou appeared before the commission and, while accepting responsibility for the student deaths in February 1990, denied personally ordering the security forces to use live ammunition against demonstrators. The President also denied ordering the killings of Tuareg in 1990; he expressed horror at the information presented by some of those who testified to the commission about extrajudicial executions of Tuareg. The commission recommended that President Ali Saïbou should resign and face treason charges because of his role in these human rights violations; it also recommended that leading members of the armed forces should be charged with criminal offences in connection with them.

However, on 11 October 1991, the National Conference voted to maintain President Ali Saïbou in power during a transitional period which will last until January 1993, thereby rejecting the commission's recommendation for his resignation. This decision provoked protests among the Tuareg community. It is still unclear what action, if any, will be taken against those implicated in the killings of Tuareg.

In October 1991, the conference announced an amnesty for all offences connected to the October 1983 coup attempt. As the last prisoners arrested in connection with this coup attempt were released in December 1989, the main purpose of the amnesty was to allow the former security adviser to the head of state, Amadou Oumarou, known as "Bonkano", and three others who had been sentenced to death *in absentia* to return to Niger to testify before the National Conference. Amadou Oumarou alone returned and testified before the conference. He explained that in 1983 he was planning a palace coup to replace President Seyni Kountché as head of state and admitted to having profited financially from deals made when he held government office. He was placed under house arrest after appearing before the National Conference, ostensibly for his own safety while investigations continue into accusations of embezzlement. He apparently remains under house arrest.

It is not clear what status the findings of the commission have - two other officials have been placed under house arrest on suspicion of corruption; it is not known whether they have been formally charged with any offence or whether they have had a chance to challenge their restriction in a court of law.