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Amnesty International

International Secretariat

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WEEKLY UPDATE SERVICE 27/92

Contained in this weekly update are external items on Zimbabwe, Myanmar/Burma, Tunisia and the United Kingdom.

* CORRECTION *

Please note correction to Facts and Figures document, AI Index:

ORG 10/04/92, sent to you last week. Page 2, section "At mid-June 1992:", last paragraph, second line, should read: "These appeals ... : 119 related to extrajudicial execution or "disappearance": ..."

(Change "judicial" to "extrajudicial").

1. NEWS INITIATIVES - INTERNAL

INTERNATIONAL NEWS RELEASES

Annual Report - 9 July

The embargo time is confirmed at 1300 hrs GMT. After the event we will be asking you for feedback about how the media coverage was, particularly in the light of the changed time.

The questions and answers sheet has been sent to you - apologies for the late arrival.

Syria - 22 July

Our first major report on Syria in some time will be released on 22 July. We consider this to be an extremely important document, because it makes clear that despite recent amnesties in Syria hundreds of political prisoners are still held in the country. We've discussed the publicity strategy with the research team, who say that high level international publicity is a key goal of releasing the report, and we would ask press officers to do as much work on this as possible.

There have recently been reports of new trials in Syria. So far we have no firm information, but we do refer to the subject in the news release.

GOOD NEWS ENR

The footage was sent out on 1992 Annual Report ENR. This is to confirm restrictions on the use of items 12 and 13 in the "Good News" footage which was sent (on the same tape) with the 1992 Annual Report ENR. (see note accompanying the ENR dated 3 June signed by Anne Jenkins)

Please note that the two items-clips on Benazir Bhutto and Kim Dae-Jung - have not been cleared for general use and must not be used or offered for external use during 1992. They are part of a new AI video "AI in Asia", which will be released publicly in Asia this month. Please ensure that they are not offered for other use to broadcasters for the rest of this year.

You may of course use these two clips internally to show to the membership, providing they are not broadcast.

FORTHCOMING WEEKLY UPDATE ITEMS

CSCE

The concluding document on the Conference on Security & Cooperation in Europe (CSCE) is expected to be signed at the CSCE summit meeting in Helsinki on 9 & 10 July. As of 8 July, the concluding document was still not available. We are hoping to get a response ready as soon as possible in case sections get queries.

2. AFR 46/WU 01/92 EXTERNAL

24 July 1992

INTERNAL

This item is dated 24 July and is to accompany a report on Zimbabwe, AI Index: AFR 46/02/92, which is being sent out in this week's Weekly Mailing. The IS will be sending it to key southern Africa and special interest media.

EXTERNAL

ZIMBABWE: POACHING AND UNEXPLAINED DEATHS

Amnesty International has called on the government of Zimbabwe to investigate, without further delay, a number of unexplained deaths, unlawful killings and deaths in custody.

In two of the cases it has been widely alleged that army officers died because they had information about army involvement in wildlife poaching and smuggling. Amnesty International is also concerned about security force killings of suspected poachers and allegations that the forces operate a "shoot to kill" policy.

In a report just published, the organization calls in particular for an investigation into the death of Edwin Nleya, a captain in the Zimbabwe National Army (ZNA), who was killed in suspicious circumstances in January 1989. A post-mortem examination and an army inquiry held behind closed doors attributed his death to suicide, yet an inquest carried out in December 1989 found that he had been murdered.

Amnesty International is also calling for an investigation into the death of Shepard Chisango, a lieutenant in the ZNA who died in police custody in June 1991. It has been widely alleged that both Captain Nleya and Lieutenant Chisango were murdered because they had information about the ZNA's involvement in wildlife poaching and smuggling activities in Mozambique. Since 1987 a number of individuals, some of whom were members of the security forces, have died while investigating illegal ivory poaching and trade.

The cases of Captain Nleya and Lieutenant Chisango are examples of the Zimbabwean authorities' failure to investigate when individuals die in suspicious circumstances or amidst allegations of security force involvement. Amnesty International is seeking clarification from the government on the progress of its investigations into the death of Captain Nleya. Amnesty International is recommending that his death and that of Lieutenant Shepard Chisango receive a thorough investigation and that a report be published without delay when inquiries are complete.

Amnesty International has information on nine deaths in custody which have occurred, allegedly as a result of torture or other ill-treatment, during 1990 and 1991, and where there has been no conclusive investigation. Amnesty International is urging that all deaths of prisoners should be promptly investigated by an independent body in accordance with internationally accepted standards.

Amnesty International is also concerned about the killing of poachers by anti-poaching patrols: between 1984 and 1991 the government estimates that security forces killed 145 suspected poachers. Security force personnel and National Park game wardens are shielded from criminal prosecution for acts carried out in the course of anti-poaching activities since an indemnity law was introduced in May 1989. It appears that the Protection of Wildlife (Indemnity) Act has encouraged the use of lethal force against poachers, including possible extrajudicial executions.

3. ASA 16/WU 03/92 EXTERNAL

8 July 1992

MYANMAR/BURMA: RELEASE OF FURTHER PRISONERS OF CONSCIENCE AND OTHER POLITICAL PRISONERS

Approximately 250 prisoners of conscience and other political prisoners have been released since 25 April by the military government of Myanmar. The government has not yet made public the names of all those released. The releases began on 25 April and continue to be reported.

Amnesty International welcomes these releases, but is concerned about the continuing imprisonment of some 1500 political prisoners, including prisoners of conscience, which the organization has documented since the present government took power in September 1988 and believes the true number of political prisoners to be considerably higher.

For further information, see Weekly Update NWS 11/17/92, MYANMAR/BURMA: AMNESTY INTERNATIONAL WELCOMES THE RELEASE OF A NUMBER OF PRISONERS OF CONSCIENCE.

4. MDE 30/WU 03/92 EXTERNAL

8 July 1992

TUNISIA: AMNESTY INTERNATIONAL DELEGATION MEETS WITH PRESIDENT

An Amnesty International delegation led by the Secretary General Ian Martin visited Tunisia between 30 June and 6 July to discuss Amnesty International's concerns with the Tunisian government. The Secretary General was received by President Zine El Abidine Ben Ali and the delegation also met the Ministers of the Interior, Defence, Justice and Foreign Affairs, as well as M Aiyad Ouaderni, Principal Presidential Adviser on Human Rights, M Rashid Driss, President of the Comité supérieur des droits de l'homme et des libertés fondamentales (The Higher Committee for human rights and fundamental liberties) and other presidential advisers and officials.

The delegates discussed Amnesty International's concerns regarding prolonged incommunicado detention beyond limits in Tunisian law, allegations of torture and deaths in custody, the recommendations made in Amnesty International's report Tunisia: Prolonged Incommunicado Detention and Torture (AI Index: MDE 30/04/92) and other Amnesty International concerns in Tunisia.

The Tunisian government presented information about violence and planned violence which it had been confronting, but stated that it did not regard this as providing a justification for human rights violations by its security officials. The President said that he fully shared the objectives of Amnesty International and had taken action to ensure that abuses which had taken place were the subject of investigation and that those responsible would be brought to justice. Amnesty International welcomed the President's commitment and assurances given in the meetings and sought information about the status of investigations into specific cases. The government confirmed that the trials of those charged with attempting to overthrow the state and other offences against state security would be open to the public and international observers. Amnesty International confirmed its intention to observe the trials.

Amnesty International expressed its concern about amendments made to the Tunisian law on associations in March 1992, which it considers to be in violation of the right of freedom of association guaranteed in international human rights treaties to which Tunisia is a party. Amnesty International regrets that this law resulted in the government dissolving the Tunisian League for Human Rights, whose work it regards as of great importance to the protection of human rights in Tunisia.

The delegation also discussed difficulties experienced by the Amnesty International Tunisian Section in importing and distributing publications. The President said that the section could import and distribute Amnesty International publications in Tunisia, including the Amnesty International Report 1992, in accordance with the formalities required by Tunisian law.

5. EUR 45/WU 05/92 EXTERNAL

8 July 1992

UNITED KINGDOM: AMNESTY INTERNATIONAL CONDEMNNS KILLINGS BY ARMED GROUPS IN NORTHERN IRELAND

Amnesty International condemns the killings and alleged torture on 30 June 1992 of three people, Gregory Burns, Aidan Starrs and John Dignam, by the Irish Republican Army (IRA). They had been kidnapped by the IRA several days beforehand and interrogated. The IRA claimed that they were police and army informers who had killed a woman last year to stop her from exposing their activities. The three were reportedly IRA members. A priest who saw the body of one of the men stated that he was hooded with a black plastic bag, naked and that there were marks on the body, blood on the hands and neck and a small blue wire around the ankles. The three were apparently bruised from beatings and had been shot in the back of the head.

Similar arbitrary and deliberate killings of alleged informants - which Amnesty International equally condemns - have been carried out by Protestant armed organizations: three such killings have occurred so far this year. On 15 January 1992 David Boyd was shot dead by the Ulster Freedom Fighters (UFF) who operate on behalf of the Ulster Defence Association (UDA). The UFF alleged that he was a police informer. On 2 April the Ulster Volunteer Force (UVF) stated that it had killed one of its own members, Peter McClements, because of alleged "treason". On 15 April the UFF shot dead Edward McCreery alleging that he had been found "guilty of collusion" with the police.

Amnesty International urges all armed political organizations in Northern Ireland to end arbitrary and deliberate killings of civilians and torture.

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ADDITION TO WEEKLY UPDATE SERVICE 27/92

Contained in this addition to the weekly update are external items on Nicaragua and the CSCE.

1. SECTION INITIATIVES

Spanish Section - news release

The Spanish Section is planning a news release on 22 July 1992, to coincide with a summit meeting in Madrid of Latin American heads of state. The Section will also be sending the Annual Report and other relevant recent information on each country taking part in the summit to their embassy in Spain.

The news release will be embargoed for 0001 hrs on Wednesday 22 July, the day before the start of the summit, which is also the embargo date of the Syria international news release.

For more information on the news release or the section action, please contact the Spanish press officer, César Diaz.

2. AMR 43/WU 02/92 EXTERNAL

10 July 1992

INTERNAL

The proposed reforms described in this item are due for ratification or veto by the President of Nicaragua by 11 July 1992.

EXTERNAL

NICARAGUA: AI CONCERNED AT PROPOSED TIGHTENING OF LAWS ON HOMOSEXUALITY

Amnesty International has written to the government of Nicaragua to express its concern at proposed reforms to the Penal Code which AI fears could allow for the imprisonment of people for advocating homosexual rights or for homosexual acts in private with a consenting adult of the same sex.

On 11 June 1992 the Nicaraguan Assembly approved an amendment to Article 205 of the Penal Code which provides that "anyone who induces, promotes, propagandizes or practices in scandalous form sexual intercourse between persons of the same sex commits the crime of sodomy and shall incur 1 to 3 years' imprisonment". The approved amendment is awaiting ratification by the President, who has the power of veto.

In a letter to President Violeta Barrios de Chamorro, Amnesty International stated its concern that, by extending the crime of "sodomy", as currently defined in Article 205, to cover the "promotion" of homosexual acts, the proposed amendment appeared to open the way to the prosecution and imprisonment of individuals for exercising their right to freedom of expression, for example by advocating homosexual rights or making available sex and health education information. If imprisoned for this reason, such individuals would be considered by Amnesty International to be prisoners of conscience.

If ratified, the amendment to Article 205 could also allow for the imprisonment of individuals for consensual homosexual sex in private between adults. Article 205 of the current penal code, which criminalizes acts of "sodomy which outrage public morals", includes provisions apparently aimed at outlawing sexual acts which are public, coercive or involve minors. The amendment approved by the Assembly replace these provisions with an even broader and more undefined provision criminalizing homosexual sexual acts practised "in scandalous form". Amnesty International is concerned that the amendment apparently offer no guarantees that Article 205 will not be applied to individuals engaging in freely consensual homosexual relations between adults and in private; if imprisoned for these reasons, Amnesty International would demand the unconditional release of such individuals as prisoners of conscience.

Although the stated motivation for reforming certain articles of the penal code was to combat the perceived increase in sexual offences, the amendment extending the application of Article 205 appear intended to criminalize the expression of homosexual identity in a broad range of forms, in a way that could lead to the violation of fundamental human rights.

Amnesty International urged the President to clarify the intended scope and application of the proposed penal code amendment awaiting ratification, and to ensure that the Nicaraguan penal code will never permit the imprisonment of people for non-violent advocacy of homosexual rights or for consensual and private homosexual acts between adults.

Amnesty International has for many years opposed the violation of human rights of homosexuals through its work to stop torture, the death penalty and extrajudicial execution, and by calling for the release as prisoners of conscience of people detained because of their advocacy of homosexual rights. Amnesty International has recently expanded its mandate to include, as prisoners of conscience, individuals who have been imprisoned solely because of their practice of consensual homosexual acts between adults in private.

3. IOR 52/WU 02/92 EXTERNAL

9 July 1992

INTERNAL

This item was sent to the Finnish Section yesterday.

EXTERNAL

CSCOE: REFORMS AND DISAPPOINTMENT AT SUMMIT MEETING

Amnesty International has welcomed some important reforms agreed at today's summit meeting of the Conference on Security and Cooperation in Europe (CSCE) in Helsinki, but is disappointed at the lack of support for stronger human rights protection in Europe.

"The CSCE has taken some steps forward in developing its potential role as peacemaker and peacekeeper. But three months of negotiations have produced remarkably little progress on human rights," said Amnesty International on the day when heads of state from over 50 CSCE member states sign the landmark Helsinki Summit Declaration.

The 52 CSCE participating states have just completed their first major Follow-Up Meeting since the end of the Cold War. Popularly known as Helsinki II, the meeting has reviewed all aspects of CSCE concern including human rights, security, environmental and economic issues.

Amnesty International welcomes the far-reaching reforms which have given the CSCE the potential to respond rapidly to crises and conflict through the work of a strengthened Chairman-in-Office, the setting up of ad hoc steering groups to seek negotiated settlements, the use of "early warning" and dispatch of fact-finding missions, and a new peacekeeping role in close cooperation with other intergovernmental organizations. "Reforms of the human rights process, however, have been less far-reaching," said Amnesty International.

The centrepiece for addressing human rights issues should have been the biennial human rights implementation meetings to be held in Warsaw. "But this is a toothless protector," said Amnesty International. "The meeting has no political authority. It cannot decide on any action, or negotiate a concluding document or even send experts to investigate a situation. All it can do is debate and make recommendations to the already overloaded Committee of Senior Officials, where battles over the same issues will only have to be fought again, with uncertain outcome."

It is also unfortunate that with the end of the Cold War, the CSCE has not developed a more open and substantive working relationship with non-governmental organizations (NGOs), many of which are central to the protection of human rights in Europe. Helsinki II had been mandated to give NGOs a meaningful role in the future CSCE process and the concluding document does include some positive provisions. Amnesty International welcomes the fact that NGOs will now be able to give written presentations to the Warsaw implementation meetings and to the newly established High Commissioner on National Minorities, and will be informed when CSCE mechanisms are activated.

"However, it's a question of approach. What is to be the norm - secrecy or openness? Helsinki II has not answered this in an encouraging way" said Amnesty International. "The real discussions at future meetings will still take place behind closed doors unless there is a consensus on an ad hoc basis to invite an NGO to attend. There is also no presumption that CSCE documents, even those at the Warsaw human rights meetings, should be unrestricted.

"Despite a few specific improvements, Helsinki II still leaves NGOs on the outside of the CSCE trying to look in through opaque glass. If the CSCE really wants to develop its 'early warning' capacities, it needs to integrate NGOs into the human rights process".

A positive development is the establishment of the High Commissioner on National Minorities. The High Commissioner will be able to investigate and conciliate "tensions involving national minorit[ies]" at an early stage, but only if they have the "potential to develop into a conflict ... affecting peace, stability or relations between participating states". It is disappointing, however, that the High Commissioner's mandate is outside of the human dimension, and that states may refuse to allow him/her to enter their country. It is also unfortunate that the entire process is confidential with no opportunity for public discussion.

While Helsinki II was primarily concerned with structural reform of the organization, it also adopted some new standards.

Amnesty International welcomes the recognition for the first time that refugees and displaced persons are subjects of immediate concern to the CSCE. The participating states reaffirmed the importance of existing international standards for the protection of refugees. They committed themselves to identifying the root causes of displacement and dealing with situations before they produce mass refugee flows.

Amnesty International also welcomes the reaffirmation that states must observe the rules of international humanitarian law and also that individuals who violate such rules are "held personally accountable".

The concluding document also reaffirms that human rights are universal and apply equally to groups which are often marginalised in society such as indigenous peoples and migrant workers.

Amnesty International is, however, very disappointed that, once again, despite the ever increasing number of abolitionist countries in Europe, the CSCE has failed to make any progress towards abolition of the death penalty. Helsinki II has gone no further than reaffirming, in very weak language, commitments made in previous years to keep the question under consideration.

The real challenge for the CSCE is whether it can deal with violations of the wide range of human rights commitments outside of immediate crises. In particular, the CSCE must show that it has the political will to confront long standing and entrenched human rights problems which persist in the CSCE region.

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2ND ADDITION TO WEEKLY UPDATE SERVICE 27/92

Contained in this addition to the weekly update is an external item about Anette Fischer, Chairperson of the IEC, which was sent out to international media yesterday.

1. ORG 70/WU 01/92
12 July 1992

CHAIRPERSON OF AMNESTY INTERNATIONAL'S GOVERNING BODY DIES IN CAR CRASH

Amnesty International said today (Sunday, 12 July 1992) its worldwide membership had been saddened by the death in a motor accident yesterday of Anette Fischer, Chairperson of the movement's governing International Executive Committee (IEC).

Anette Fischer, aged 46, and her husband Carl Eli Fischer, were killed in a head-on collision in heavy rain in Florence, Italy, on Saturday morning as they were returning home to Denmark after a holiday.

Anette Fischer was elected Chairperson of the IEC in 1991; she had been elected to that body in 1989. A librarian by profession, she had been a human rights activist for more than 20 years. She was a member of the board of the Danish section of Amnesty International for six years from 1983, serving as its Chairperson from 1986 to 1989.

"The Amnesty International movement has lost a dedicated campaigner against human rights violations," said Ross Daniels, of Australia, Vice-Chairperson of the International Executive Committee. "We shall all miss her courage and her commitment to human rights."

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