
AMNESTY INTERNATIONAL NEWS SERVICE 42/94

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NEWS SERVICE ITEMS: EXTERNAL - TRINIDAD, SOUTH AFRICA, LIBYA

PLEASE NOTE: Enclosed is the embargoed item on Bophuthatswana - see below.

NEWS INITIATIVES - INTERNAL

INTERNATIONAL NEWS RELEASES

Women - 8 March - SEE NEWS SERVICE 161/26

TARGETED AND LIMITED NEWS RELEASES

South Korea - 8 March - SEE NEWS SERVICE 32/94

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South Africa (Bophuthatswana) - 11 March - SEE NEWS SERVICE 36/94

Turkey - 6 April - SEE NEWS SERVICE 26/94

Hong Kong - 21 April - SEE NEWS SERVICE 36/94

FORTHCOMING NEWS INITIATIVES

Colombia - 15 March - PLEASE NOTE: The embargo time of the Colombia campaign launch is 1700 hrs GMT, Tuesday 15 March 1994. All materials are embargoed until then. SEE NEWS SERVICES 40/94 AND 123/93 + UAs AMR 23/56+57/93

South Africa - 31 March - POSTPONED INDEFINITELY

Saudi Arabia - 10 May - NOTE CHANGE OF DATE - more details to follow Burundi - 16 May - SEE NEWS SERVICE 36/94

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TRINIDAD: LETTER FROM DEATH ROW PRISONER

After a period of ten years on death row following a conviction for murder in 1983, Michael Bullock was eventually scheduled for execution on 24 August 1993. Amnesty International launched an urgent appeal against this decision and on 23 August Michael Bullock was granted a temporary stay of execution.

During his years on death row Michael taught himself to read and write and the extract below is taken from a letter he sent to the International Secretariat of Amnesty International in September 1993:

"...I am writing to let you know how much I am grateful for the love you and members of your organization had shown to me during what was supposed to be my last days on earth, from the 19/8/93 to the 24/8/93. I thank you and members of your organization for the urgent action plan you all had taken on my behalf, to temporary save my young neck from the long awaiting hangman noose..."

A decision by the Judicial Committee of the Privy Council on November 2 1993 ruled that anyone who had spent over five years on Death Row should have their sentence commuted to life imprisonment. Over 50 prisoners benefitted in Trinidad and Tobago from this judgment and had their sentences commuted in December 1993. As a result of this decision Michael Bullock is no longer facing a death sentence.

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EMBARGOED FOR 11 MARCH 1994

SOUTH AFRICA: AMNESTY INTERNATIONAL CALLS ON THE SOUTH AFRICAN GOVERNMENT TO ENSURE FREE POLITICAL ACTIVITY IN BOPHUTHATSWANA ON EVE OF ELECTIONS

Amnesty International is calling on the South African Government, transitional governing structures, the UN and other intergovernmental observer missions to take immediate steps to protect the residents of Bophuthatswana from arbitrary detention, assault or extrajudicial execution at the hands of the "homeland's" police force and to ensure that people there can participate freely and without fear in the forthcoming national elections.

Amnesty International considers that the South African Government, in particular, bears the overriding responsibility to protect the human rights of the "homeland's" residents.

In a report released today, Amnesty International documents a pattern of serious human rights violations in Bophuthatswana. Laws permitting repression of political activity are enforced against political activists with increasing severity. By law, the security forces can detain government opponents incommunicado and use whatever force they deem necessary to disperse public gatherings.

Amnesty International is gravely concerned by reports that at the beginning of March this year, President Lucas Mangope of Bophuthatswana, who is also the "homeland's" Minister of Law and Order, exhorted his police force to assault anyone involved in labour strikes and public political activities, and to disrupt any "voter education" activities.

During the past year a pattern of human rights abuses has occurred against African National Congress (ANC) officials, other political activists, human rights activists and church leaders when they have attempted to organize meetings, training courses and publicity events in Bophuthatswana about the forthcoming elections. Amnesty International's report details incidents that demonstrate the politically-biased nature of the "homeland's" police force and the great difficulties faced by any person or organization wishing to exercise their internationally recognized rights to freedom of expression and peaceful assembly.

For example, in November 1993, 49 detainees at Mogwase police station were kicked and punched by officers and beaten with wooden pickhandles; in February 1994, a police officer fatally shot 19-year-old Mary Keitumetse Gaolaolwe after police had earlier dispersed a peaceful gathering of 500 ANC supporters in the village of Mareetsane; and police repeatedly detained without trial Mafikeng ANC branch officials, including Nathaniel Ngakantsi, whose re-detention on 17 February 1994 sparked a public protest which was violently suppressed by the police, who indiscriminately assaulted members of the crowd.

Amnesty International believes that South Africa's Independent Electoral Commission (IEC) needs to speak out and act swiftly. The 1993 IEC Act clearly empowers the Commission to "make provision for the conduct of free and fair elections for the National Assembly and any other legislature to be elected" as contemplated under the new constitution. This includes the legislature for the region which will cover most of current Bophuthatswana territory. The South African Government is obliged to ensure that the IEC's election monitors and voter education staff have access to the territory without fear of violence from the "homeland's" security forces.

On 1 March this year, South Africa's Transitional Executive Council (TEC) indicated its intention to take action to protect the lives of the residents of Bophuthatswana and ensure free political activity. Welcoming this announcement Amnesty International is calling upon the TEC, the South African Government, the IEC and intergovernmental organizations' observer missions to take urgent steps to:

- ensure the repeal of all South African legislation which restricts free political activity and ensure that the Bophuthatswana authorities repeal similar provisions in the "homeland's" Internal Security Act and other laws inconsistent with free political activity;

- authorize the Commission of Inquiry chaired by Mr Justice Richard Goldstone to conduct an urgent inquiry into the use of force by the Bophuthatswana Police against participants in public gatherings and against people taken into custody, and to establish an investigative unit with sufficient powers and resources to conduct proper investigations into complaints against the Bophuthatswana Police;
- ensure that prior to the elections the Bophuthatswana Police are placed under the supervision and control of the South African Police, with the advice and assistance of international policing experts, including members of the intergovernmental organizations' observer missions;
- make efforts to begin the retraining of the Bophuthatswana Police in methods of public order policing consistent with internationally recognized standards regarding the use of force and firearms;
- ensure that such crucial pieces of legislation as the 1993 Electoral Act and the Independent Electoral Commission Act are incorporated into the "homeland's" body of law, and that members of the IEC and monitors appointed under its authority, as well as international observers, can operate in Bophuthatswana territory without fear of violence or obstruction from local authorities or the security forces;
- provide the necessary protection for those who wish to vote in the elections, in order to ensure that they do not become victims of arbitrary detention, assault or extrajudicial execution.

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LIBYA: AMNESTY INTERNATIONAL CONCERNED AT INTRODUCTION OF NEW JUDICIAL PUNISHMENTS

Amnesty International is gravely concerned about the introduction of the punishments of amputation and flogging in Libya and the possible extension of the scope of the death penalty.

According to press reports new laws to this effect were approved by the General People's Congress, Libya's highest legislative body, in late January and came into effect on 18 February. They have been described as "purification" laws to protect Libyan society from non-Islamic behaviour. No details about the laws have been disclosed, however, in other countries where Islamic law is applied, murder is punished by qisas (retribution), which means punishment by execution; theft is punishable by amputation of the limbs and adultery is punishable by flogging, and in some cases by execution; being an apostate is also punishable by death.

In April 1993 Colonel Gaddafi urged the General People's Congress to approve the judicial punishments of amputation and flogging. In June 1993, in a speech broadcast on Libyan television, Colonel Gaddafi repeated his call for the implementation of the Islamic punishments of flogging, amputation and the extension of the scope of the death penalty; these punishments would replace imprisonment. Amnesty International expressed its concern over this and issued urgent appeals to the Libyan government in both April and July 1993, urging it not to employ laws which would lead to inhuman and degrading treatment. The Libyan government did not respond to these appeals.

No judicial amputations are known to have been carried out in Libya since Colonel Gaddafi came to power in 1969. Individuals convicted of theft, prostitution or adultery have usually been tried and sentenced to imprisonment. Despite the fact that the Penal Code allows for the death penalty, its application has been limited. The Great Green Document of Human Rights in the Era of the Masses, Colonel Gaddafi's ideological guideline for human rights, states that: "members of the Jamahiri society hold sacred the life of a human being and protect it. The goal of the Jamahiriya is to abolish capital punishment. In view of this, the death sentence should only be passed against an individual whose very existence constitutes a danger or is deleterious to society." In November 1992, Libya executed six men, the first officially announced executions in over five years. The executions were shown on state television.

In May 1970 Libya became a State Party to the International Covenant on Civil and Political Rights (ICCPR), and in May 1989 it became a State Party to the UN Convention against Torture, without making any reservations to that treaty. The extension of the death penalty to other crimes such as membership of a "heretical" group violates Libya's obligation to the ICCPR, which restricts the death penalty in countries where it has not yet been abolished to the "most serious crimes". Widening the scope of the death penalty would also contradict the provisions of the Libyan Great Green Document on Human Rights in the Era of the Masses, which sets the abolition of the death penalty as the aim of Libyan society.

Amnesty International opposes the death penalty as a violation of the right to life guaranteed by the Universal Declaration of Human Rights. It also considers the judicial punishments of amputation and flogging to be cruel, inhuman and degrading treatment. As such, their implementation would violate Libya's obligations under the Convention against Torture.

Amnesty International urges the Libyan government to abolish these penalties and replace them with other punishments not involving torture or cruel, inhuman or degrading punishment.

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