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PLEASE NOTE: CORRECTION - SEE NEWS SERVICE 106/94 ITEM ON EL SALVADOR. The dates of the visit are 3 June - 9 June.

PLEASE NOTE: The enclosed item on Rwanda/Burundi is the oral statement delivered by AI at the UNCHR special session which is taking place today. A document on our special recommendations to the special session was faxed and e-mailed to section campaign coordinators last Thursday. There is no separate news item to go with this document.

NEWS INITIATIVES - INTERNAL

INTERNATIONAL NEWS RELEASES

China - 1 June - SEE NEWS SERVICE 81/94

Turkey - 30 June - SEE NEWS SERVICE 104/94

Pakistan - 27 July - PLEASE NOTE NEW DATE. SEE NEWS SERVICE 81/94

TARGETED AND LIMITED NEWS RELEASES

Guatemala - 25 May - SEE NEWS SERVICE 99/94

MOROCCO - 30 MAY - SEE NEWS SERVICE 105/94

Austria - 7 June - SEE NEWS SERVICE 105/94

Denmark - 15 June - SEE NEWS SERVICE 105/94

Myanmar - 20 July - SEE NEWS SERVICE 99/94

FORTHCOMING NEWS INITIATIVES

Annual Report - 7 July - SEE NEWS SERVICE 51/94

News Service 107/94

AI INDEX: EUR 44/WU 12/94
24 MAY 1994

TURKEY: FOUR-YEAR PRISON SENTENCE FOR GIVING TESTIMONY ON HUMAN RIGHTS VIOLATIONS TO EUROPEAN PARLIAMENT

Amnesty International is calling for the release of Mehdi Zana, the former mayor of Diyarbakır and a former prisoner of conscience for more than 10 years, who has been sentenced to a further term of imprisonment.

He was sentenced to four years' imprisonment by the State Security Court in Ankara on 12 May, charged under the Anti-Terror Law for making "separatist propaganda" in his testimony to the Human Rights Sub-Committee of the European Parliament and a press conference he held afterwards.

"We consider Mehdi Zana to be a prisoner of conscience", Amnesty International said. "His imprisonment violates his right to freedom of expression, safeguarded in Article 10 of the European Convention on Human Rights, to which Turkey is a State Party".

Mehdi Zana, 54, is currently a defendant in a number of similar trials in Istanbul and Ankara. He was sentenced in April to two years' imprisonment by Istanbul State Security Court for a speech which he gave in June 1992 at a meeting of the People's Labour Party (HEP) in Bursa. None of the sentences imposed upon him have yet been confirmed by the Court of Appeal.

A prominent figure in the Kurdish community, Mehdi Zana has always pursued a conciliatory approach to the Kurdish question. In his statement to the European Parliament on 3 December 1992 he stated: "Like all Kurds sentenced for the 'crime of separatism' I have been stripped of my political rights for life ... I should perhaps make it clear that while I continue to campaign peacefully for the recognition of the rights of the 15 million Kurds living in Turkey, I am not a member of any party or movement".

After serving more than 10 years in prison, Mehdi Zana was released in April 1991 following a conditional amnesty. While in the notorious military prison in Diyarbakır, he was severely tortured for long periods, tried by civilian and military courts on a variety of charges and sentenced to a total of 42 years and nine months' imprisonment subsequently reduced in the amnesty of 1991. However, this reduction will be cancelled under the provisions of the Anti-Terror Law, if his new conviction on political charges is confirmed.

Mehdi Zana's wife, Leyla Zana, is one of six Kurdish deputies who had their parliamentary immunity lifted in March and are currently in prison awaiting trial on charges of separatism. If they are convicted they would be sentenced to death.

The conflict in southeast Turkey between government forces and guerrillas of the Kurdish Workers' Party (PKK) has claimed more than 11,500 lives since it began in August 1984. In a press briefing in July 1993 the Prime Minister and the Chief of Staff called on members of the press to support them in the "total war" against separatism. Part of this strategy appears to be an attack on freedom of expression, as the second half of 1993 and the first months of 1994 saw a dramatic increase in detentions and prosecutions of lawyers, human rights activists, political activists, trade unionists, academics, writers, publishers and journalists.

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News Service 107/94

AI INDEX: AFR 47/WU 07/94

United Nations Commission on Human Rights
Special Session - May 1994
Oral statement

Delivered: 24 May 1994

A CALL FOR UN HUMAN RIGHTS ACTION ON RWANDA (AND BURUNDI)

Amnesty International welcomes this special session, but sadly, the Commission on Human Rights has contributed to the failure of the international community to prevent mass slaughter in Rwanda.

The Commission's own Special Rapporteur on extrajudicial executions made 12 detailed recommendations following his mission to Rwanda in April last year. Yet one month before the current wave of killings, this Commission failed to ensure that the government implemented these measures. The Commission ignored the same expert's warning that "Lessons should be drawn from the past and the cycle of violence which has drenched both Burundi and Rwanda in blood must be broken".

The Security Council has just voted to increase its peace-keeping force in Rwanda, but has taken few specific human rights measures. The world looks to this special session to put human rights at the heart of the UN response to the crisis in Rwanda. This requires immediate measures to protect civilians and the development of a longer term human rights program to help prevent such mass killings ever happening again.

The killing of at least 200,000 people in Rwanda since 6 April, most of them Tutsis, has been systematic and condoned at the highest level of the government and military. The initial victims were Hutus and Tutsi opposition leaders, some of whom were government officials and human rights activists.

The killings by the army within hours of the death of President Habyirama set the militia killing machine in motion. Supporters of the former ruling party¹, an allied Hutu party² and their youth wings³ systematically searched for and killed Tutsi and perceived Hutu opponents. Amnesty International has also received some reports of killings of government supporters by the Rwandese Patriotic Front (RPF) combatants and by civilians in areas under RPF control.⁴

¹ The *Mouvement républicain national pour la démocratie et le développement*, MRND, Republican National Movement for Democracy and Development.

² *Coalition pour la défense de la république*, CDR, Coalition for the Defence of the Republic.

³ Known respectively as *Interahamwe* ("They who attack together") and *Impuzamugambi* ("They who have the same goal").

⁴ See Amnesty International's latest document, *Rwanda: Mass murder by government troops in April and May 1994*, AI Index: AFR 47/11/94, 23 May 1994.

Official statements made since October 1990 reveal a genocidal intent to incite Hutu to kill Tutsi. Political rallies and radio addresses were used to convey the message that all Tutsi are enemies of the Hutu and supporters of the RPF. By early April 1994, the authorities had prepared their supporters both materially and psychologically to carry out the massacres.

Amnesty International has set out its detailed recommendations for UN human rights action on Rwanda, as well as Burundi, in a document which all members of the Commission have already received⁵.

The Commission's own experts should carry out first-hand and continuing investigations of the human rights situation. This will enable them to make practical recommendations for further action. We strongly support the proposal for the **appointment of a Special Rapporteur on Rwanda**. He or she should go to the region urgently and report back to the Commission, if necessary to a reconvened special session. [He or she should also report to the General Assembly and the reports should be made available to the Security Council.]

Learning from past experience, the Special Rapporteur must be given enough resources, including medical, forensic and other technical support and use people with expertise in investigating violations against women. The Special Rapporteur should be given the authority to base staff in the region.

The resources available to the Special Rapporteur should include the **Commission's own thematic experts** on extrajudicial executions, "disappearances", torture, violence against women, racism and the internally displaced. They should support the Special Rapporteur by carrying out coordinated missions to the region.

Amnesty International believes that an **effective human rights role for the UN operation** in the country would help to protect civilians and others taking no part in the fighting. The Commission has a vital role in making strong recommendations to the General Assembly and Security Council. The first stage is for the rapid return to Rwanda of the 52 UN civilian police monitors (CIVPOLs) who were evacuated to Kenya. Their number should be increased and their mandate expanded so that they can help to act as a dissuasive presence, report systematically on abuses committed by both sides and take up individual cases wherever possible.

Furthermore, UN troops and other personnel must not remain silent witnesses to the killings. They should be instructed to report what they see and what is reported to them. This would enable UNAMIR regularly to include human rights developments in the reports required by Security Council Resolutions 872 (1993) and 912 (1994).

As soon as feasible, a more comprehensive civilian human rights monitoring mission should be established with participation by the Organization of African Unity (OAU). [In the longer term civilian police and human rights monitors could provide human rights training and supervision for national police and security forces and other officials.]

The Commission should call for the **human rights guarantees in the Arusha Peace Accords to be strengthened and implemented**. If there were strong national and international machinery to ensure these commitments are honoured, the Accords could go some way towards preventing further human rights violations.

The Commission must play a role in ensuring that **individuals who have committed gross human rights violation are brought to justice** wherever they may be and victims and their families compensated. The Commission and its experts could assist in the reconstruction of the Rwandan judicial system, if necessary with outside judges and lawyers serving with local officials. The mass killings in Rwanda also show yet again why it is vital for the UN to move swiftly to create a permanent international criminal court to try those responsible for war crimes, crimes against humanity, including genocide, and other serious human rights violations wherever they occur in the world. All states are also obliged to extradite or prosecute individuals found on their territory who may have committed crimes subject to universal jurisdiction. [As the President of the International Committee of the Red Cross said a few days ago: "War criminals must no longer be granted asylum, anywhere".]

The Commission should encourage and provide expertise, for the **establishment in Rwanda of an independent and impartial commission of inquiry** consistent with strict international standards. This commission of inquiry would help to reveal the truth about the systematic violations, analyse the causes and make recommendations for effective steps to prevent them ever happening again.

⁵ *A call for UN human rights action on Rwanda and Burundi*, AI Index: IOR 41/02/94, May 1994.

In every aspect of the human rights response, Amnesty International urges the Commission to work closely with the OAU which is playing an important role in addressing this crisis. We also urge the Commission to support the high level political and coordinating role of the UN High Commissioner for Human Rights and his part in developing a long term human rights program for Rwanda and Burundi.

Finally Mr Chairperson,

Amnesty International continues to believe that this special session should also have considered the situation in Burundi. Of course, human rights measures should be tailored to the specific needs of each country. But the two countries are closely inter-related, with similar ethnic mix, a massive and fluid flow of refugees and some common causes for the violations. Human rights measures for one country will inevitably have a major impact on the other country.

If the Commission once again fails to heed the advice of its own expert on extrajudicial executions to act on both Burundi and Rwanda, the cycle of violence will never be broken.

Thank you.