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INDIA/BHUTAN – Fear of torture

Rongthong Kunley Dorji, a Bhutanese national, has been in Tihar jail in Delhi, India, since April, awaiting the outcome of extradition proceedings. AI fears that if returned to Bhutan he would be at risk of torture.

Rongthong Kunley Dorji left Bhutan in 1991 shortly after being pardoned by the King of Bhutan and released from prison. He had been tortured in detention – he claims that he was submerged in a drum full of water until he nearly drowned, and that he was beaten with sticks and fists all over his body. Since 1991 he has been living in Kathmandu, Nepal, and is registered there as a person seeking political asylum. The United Nations High Commissioner for Refugees also considers him a “person of concern”.

In 1994, Rongthong Kunley Dorji established the Druk National Congress (DNC), a political organization in exile whose stated aims are the establishment of a democratic system of government and the protection of human rights in Bhutan. The Bhutanese authorities apparently only framed charges against him after he set up this organization, nearly three years after he had left the country. The charges thus appear to be politically motivated.

The fear that, if returned to Bhutan, he could again be tortured was heightened by reports that a number of people suspected of involvement with the DNC were tortured following a spate of arrests in eastern Bhutan in the past few months.

Please write to the Indian authorities reminding them of their obligation, under their recent signing of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the International Covenant on Civil and Political Rights, not to return Rongthong Kunley Dorji to Bhutan where he may be at risk of torture. Also express concern that the charges against him may be politically motivated. Send letters to Mr I. K. Gujral, Prime Minister and Minister of External Affairs, Office of the Prime Minister, South Block, New Delhi 110 001, India.

Mexico – Prisoner of conscience

Gerardo Demesa Padilla, a leading member of the Committee for the Unity of Tepoztlán (CUT), a civil rights organization, was sentenced to eight years’ imprisonment on 19 September 1997. AI believes that the reason for his conviction is his peaceful opposition to a large tourism development, including a golf course, in Morelos State. He is a prisoner of conscience.

The Morelos development project is sponsored by the state’s central government, some of whose members reportedly have connections with the private investors involved in the project. Local people claim that the project will damage their community’s environment and cultural heritage, and have therefore rejected central government plans to impose the project.

Gerardo Demesa Padilla was convicted of killing a supporter of the project in December 1995, despite witnesses’ accounts and forensic evidence substantiating his claims of innocence.

The people of Tepoztlán have suffered brutal repression for their opposition to the government project. In April 1996, scores of people were seriously injured when the Morelos state police violently dispersed a peaceful demonstration against the project. One member of the community, CUT activist Marcos Olmedo Gutiérrez, was shot and wounded by the police, who took him away. His body was discovered the following day with a gunshot wound to the back of the head. Although several members of the state police were reportedly dismissed, the authorities have failed to prosecute the officers who ordered the attack.

Please write, appealing for the immediate and unconditional release of Gerardo Demesa Padilla, for all those who have violated the human rights of the Tepoztlán people to be brought to justice, and for immediate action to prevent future such violations. Send letters to Lic. Ernesto Zedillo Ponce de León, Presidente de la República, Palacio National, 06067 Mexico DF, Mexico.

United Arab Emirates – Death Penalty

John Aquino, a Philippine national, was sentenced to death by a criminal court in the Emirate of ‘Ajman in June 1990 for the murder of an Indian national. The incident took place in September 1989 when the men were under the influence of alcohol. John Aquino is said to have acted in self-defence.

The verdict was upheld by the Court of Appeal and the case went to the Federal Supreme Court in Abu Dhabi at the end of 1996. On 1 February 1997 the Federal Supreme Court ruled that the death sentence would be upheld unless John Aquino received clemency from the family of the victim by 8 March 1997. Under Shari‘a (Islamic) law in the United Arab Emirates, relatives of the victim can either ask for the death penalty or pardon the defendant and be paid Diya (“blood money”).

At the request of John Aquino’s lawyers, the Federal Supreme Court agreed to allow him until 27 September 1997 to seek clemency from the victim’s family. At the end of September 1997 a similar decision was taken and John Aquino was allowed until 13 December 1997 to convince the family of the victim to pardon him and accept “blood money”. Failing this, the case will be referred to the President, Al-Sheikh Zayed bin Sultan Al-Nahyan, for ratification.

Please write, urging that the death sentence against John Aquino be commuted, and pointing out that there is no reliable evidence to show that the death penalty deters serious crimes. Send letters to His Highness Al-Sheikh Zayed bin Sultan Al-Nahyan, President of the United Arab Emirates, Ruler of Abu Dhabi, Manhal Palace, PO Box 280, Abu Dhabi, United Arab Emirates.