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Israel/south Lebanon: Supreme Court must free Lebanese hostages

The use of 10 Lebanese prisoners as "bargaining chips" must come to an end, Amnesty International said today, calling on Israel's Supreme Court to reverse its November 1997 ruling that it was legal to hold them as hostages.

"This is the last chance for the Supreme Court to reject its decision, unprecedented in the world, that it is legal for a state to engage in hostage-taking," Amnesty International said.

"Some of these men are being held beyond their prison terms, in flagrant violation of international law. For example, Bilal 'Abd al-Husayn Dakrub has been held for over ten years beyond his release date," the organization continued.

The Israeli government is holding 21 Lebanese prisoners in exchange for the release of, or information on, Israeli soldiers who have gone missing in action in Lebanon. On 27 January a nine-judge panel of Israel's Supreme Court will rehear an appeal from 10 of these detainees against their continued detention. The hearing will take place behind closed doors.

Bilal 'Abd al-Husayn Dakrub, 'Ali Husayn 'Ammar, Ahmad Muhsen 'Ammar, Kamal Muhammad Rizq, Hasan Sadr al-Din Hijazi, 'Abd al-Hasan Hasan Surur, 'Abbas Hasan Surur, Ahmad Hasan Surur, Yusef Ya'qub Surur and Husayn Fahad Daqduq were sentenced to varying terms of imprisonment on various charges by Israeli military courts in the 1980s.

The 10 detainees have been held in near-complete isolation since 1996, only being granted access to their lawyer and delegates of the International Committee of the Red Cross.

In 1997 Ahmad Muhsen 'Ammar wrote to an Amnesty International group: "We have been removed from the world. We cannot see our families ... or any organization which can help us. We are only able to see people from the Red Cross. When I received a photo of my brothers and sisters I didn't recognize them as they had all grown. The child had become a young man and the young man had aged and had white hair. ... The civil war [in Lebanon] has finished and many big changes have taken place. It is now so different I feel I don't know my country any more - only the country of the past. I was only 19 when I went into prison and now I am 30."

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PUBLIC STATEMENT

Appeal for human rights to be respected in Assam

Alarmed by the increasing violence in the Indian state of Assam, Amnesty International is renewing its call on all involved in the conflicts there to respect human rights and abide by international humanitarian law.

The organization is also urging the central and state governments and the security forces to ensure that impartial investigations are carried out into all allegations of human rights violations by security forces and that anyone found responsible be brought to justice.

“Tension over land, resources, cultural identity and political power has reached a level where the most basic of human rights -- the right to life -- is being ignored,” Amnesty International said.

“It is essential that those with influence over events in this region -- including the Indian government, security forces, political parties, the leadership of armed groups and governments of neighbouring countries -- do everything in their power to end the abduction, torture and killing of civilians.”

Amnesty International is calling on all parties to the various conflicts in Assam to recognise that human rights are universal, and to ensure that the basic principles of international humanitarian law are fully adhered to in practice. In particular, armed groups should take the following steps:

ü Instruct all combatants under their command in the rules of humanitarian law;

- ÿ Order combatants to humanely treat prisoners, the wounded and those seeking to surrender, whether they are civilians or members of armed forces, and never to kill them;
- ÿ Prohibit deliberate, arbitrary and indiscriminate killings of non-combatants under any circumstances;
- ÿ Prohibit the taking of hostages under any circumstances;
- ÿ Conduct proper investigations into alleged abuses by their combatants in order to determine responsibility;
- ÿ Ensure that individuals suspected of committing or ordering deliberate and arbitrary killings are removed from any position of authority or duties which bring them into contact with prisoners or others at risk of abuse.

Background

On 29 December 1998, a woman leader of a tribal community was beheaded after being pulled out of a bus in Kokrajhar district of Assam. The attack was reportedly carried out by members of the Adivasi Cobra Militants of Assam (ACMA), an armed tribal group. The ACMA are reportedly also responsible for kidnapping civilians.

On 12 December, 20 members of the Muslim community were killed and several others injured in Kokrajhar district while felling trees. Some were reportedly attacked with machetes. So far, no group has claimed responsibility for the killings but it is suspected that the National Democratic Front of Bodoland (NDFB) may have been responsible. The group had previously threatened members of the non-tribal population not to fell trees. In November suspected NDFB members fired indiscriminately and threw grenades at people watching a mobile movie show in the neighbouring Barpeta district. Six people were killed and scores injured.

Human rights abuses -- including deliberate killings and hostage-taking of civilians -- have allegedly also been committed in Assam by the Bodo Liberation Tigers (BLT). Bodo tribal groups have been campaigning for an autonomous state of Bodoland for decades. Local observers believe that the increase in violence by armed Bodo groups against Muslims, originally from Bangladesh, and Santhal tribal people, who have settled in Assam from other parts of India, is intended to frighten them into leaving the area.

During 1994 and 1995, several thousand Muslim settlers were forced to flee the area because of attacks by armed Bodo groups. Many remain in relief camps where they continue to be vulnerable to attack. There are also concerns at an increase in violence by Santhal and other non-Bodo groups in retaliatory attacks. Since May 1998, attacks by Santhal and Bodo armed groups on members of each others' communities have increased and hundreds have been killed.

There have also been reports of increased killings by members of the United Liberation Front of Assam (ULFA) and allegations that security forces have been supporting the activities of surrendered ULFA members, called SULFA, by attacking existing ULFA members, their sympathisers and relatives.

ULFA has alleged that SULFA, sponsored by the state government, is carrying out a pattern of political killings, specifically targeting relatives of ULFA functionaries. In response, ULFA threatened in mid-December to attack government ministers and employees and activists of the *Asom Gana Parishad* (the ruling political party in Assam) if what they term the "secret killings" of its activists did not cease within a month.

Movements for autonomy and secession in Assam have been exacerbated by state corruption, a lack of economic development, large numbers of refugees and indigenous communities competing for land, and the security forces' failure to fully respect human rights when carrying out security operations.

In addition to human rights abuses by armed groups in Assam, Amnesty International has highlighted the suppression of human rights activity and the virtual impunity of the security forces, who have also committed widespread human rights violations under the Armed Forces Special Powers Act 1958, which gives them powers to arrest people without warrant and to shoot to kill. The Supreme Court last year upheld the constitutionality of the Act in the face of objections by Amnesty International and other human rights groups, but directed the government to strengthen human rights safeguards in the application of the law.

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