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# **AMNESTY INTERNATIONAL REPORT 1998 UPDATES**

**Selected events covering the period  
from January to June 1998**

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# Africa Update

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## Selected events in Africa from January to June 1998

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### Kenya

Since 14 January there has been a resurgence of *politically motivated* 'ethnic clashes' in the Rift Valley which is reminiscent of the political violence in the area during the run up to the last election in 1992. The difference this time is that the violence has begun after the election held in December 1997.

During a joint-research mission to Kenya in April, a delegation of three organizations -- Amnesty International, ARTICLE 19 and Human Rights Watch -- called Kenya "a powder keg waiting to explode" and warned the government to stop using "divide and rule" tactics that are likely to plunge the country deeper into violence.

The delegation, which interviewed more than 200 people from all sections of Kenyan society, found the situation particularly serious in the Rift Valley area, where killings continue sporadically after the recent mass attacks. More than 100 people have been killed and thousands displaced since the violence began in January 1998.

In the last week of April violence began again in Nakuru district of the Rift Valley and several people were killed including a 20-year-old girl who was hacked to death. Serious concern has been expressed in Kenya that the violence is not being adequately addressed.

On 16 May former Rwandese government minister Seth Sendashonga was shot dead in Nairobi. His assassination is believed to be connected to his frequent criticisms and denunciations of human rights violations in Rwanda. Amnesty International urged the Kenyan authorities to spare no effort in launching a prompt and impartial investigation and to bring the perpetrators to justice.

### Nigeria

General Sani Abacha, the military head of state, died on 8 June leaving behind a legacy of repression. Amnesty International urged the new head of state, Major-General Abdulsalam Abubakar, to break with the country's brutal past and seize the opportunity to demonstrate a new commitment to human rights. The organization appealed for the release of prisoners of conscience which would send a strong message to the Nigerian people and to the international community that this is a government ready to allow the exercise of fundamental freedoms.

In a nationwide broadcast on 9 June the new head of state said that the military government's "transition to civil rule" would remain on course but made no reference to the release of political prisoners. The transition has been widely discredited as a ploy to maintain the military in power. In April all five government-sponsored political parties -- the only parties allowed to participate in the transition -- declared General Abacha their presidential candidate, other presidential aspirants having been excluded or intimidated by government manoeuvres.

Scores of prisoners of conscience arrested in previous years are still detained in life-threatening conditions. At least 10 people were reportedly shot dead by police in protests in May in Ibadan and dozens of demonstrators and opposition activists have been arrested in recent weeks.

The government has still not announced whether death sentences on former deputy head of state General Oladipo Diya and five others, including a civilian, will be carried out. They were convicted in April of alleged coup-plotting after a grossly unfair and secret treason trial by special military tribunal -- which allows no right of appeal.

The government said in May that it had released 142 prisoners in fulfilment of a pledge made in November 1997 to release detainees not considered a threat to the state. However, the majority appeared to be common-law prisoners released because of their age or because they had been awaiting trial for years, but only four were prisoners of conscience -- detained solely on account of their beliefs.

## **Rwanda**

The public execution of 22 people in Rwanda on 24 April has further damaged hopes of peace and reconciliation in the country. Instead of eradicating the culture of violence, the government is perpetuating it.

Among those executed in front of large crowds were several people whose trials were grossly unfair. Déogratias Bizimana and Egide Gatanazi, the two first people to be tried for participation in the genocide in Rwanda, did not even have access to a defence lawyer. They were executed in Kibungo. Silas Munyagishali, former assistant prosecutor, and Virginie Mukankusi, the first woman to be tried for participation in the genocide, were executed in Kigali.

Amnesty International appealed again to leaders around the world to intervene to save the lives of more than 100 other people already sentenced to death -- and possibly thousands of others across Rwanda who could face the same fate.

The organization continues to campaign for those responsible for the deaths of as many as one million people during the genocide in 1994 to be brought to justice. It is also calling on the international community to assist Rwanda in providing trials which are prompt and fair and which exclude inhuman punishments.

Amnesty International delegates who returned from a visit to Rwanda reported a steep rise in the number of "disappearances" across the country, including in the capital, Kigali.

The first few months of 1998 were also marked by continuing massacres of unarmed civilians by soldiers of the Rwandese Patriotic Army (RPA) and armed opposition groups, in the

context of the escalating armed conflict in the northwest. Hundreds of unarmed civilians were killed in January and February alone.

## Sierra Leone

The arbitrary detention, torture and killing which characterized the period of rule by the Armed Forces Revolutionary Council (AFRC), joined by the armed opposition Revolutionary United Front (RUF), after it came to power in May 1997 continued unabated into 1998.

Several prominent members of the community in Kenema, in Eastern Province -- including the chairman of the town council, B.S. Massaquoi -- accused of supporting a civil defence force loyal to ousted President Ahmad Tejan Kabbah were arrested in January and tortured; B.S. Massaquoi was killed by members of the RUF on 8 February.

Later that week the AFRC and RUF were removed from power by the West African force, known as ECOMOG, deployed in Sierra Leone. As the AFRC and RUF retreated from Freetown they killed, raped and mutilated hundreds of civilians. Horrific abuses were carried out in the east and the north of the country.

In Yifin, in Northern Province, at least two hundred unarmed civilians were killed when the village was attacked in late April. The number of those killed continues to rise as violence has spread throughout Northern Province.

Several hundred victims -- school children, housewives, farmers, traders -- are being treated in hospitals in Freetown, Makeni and Magburaka for crude amputations or attempted amputations, bullet and machete wounds. Many have had their arms, feet or ears cut off. Victims have reported women and children being rounded up, locked into a house which was then set alight. Women have been raped and suffered other forms of sexual assault. Men who refused to rape members of their own family were reported to have had their arms hacked off.

It has taken some of the victims days, if not weeks, to reach medical assistance. Many others -- possibly hundreds -- have fled into the bush. Some 250,000 Sierra Leonean refugees have arrived in neighbouring Guinea and Liberia since April 1998 -- many with amputated limbs, severe lacerations and suffering from disease, starvation and exhaustion after weeks in the bush.

An Amnesty International delegation which visited Sierra Leone in May met victims of these atrocities.

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# Americas Update

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## Selected events in the Americas from January to June 1998

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### Colombia

The murder of Dr Jesús María Valle in February and Dr Eduardo Umaña Mendoza in April, two of Colombia's most prominent human rights lawyers, are further examples of the escalation in attacks against human rights defenders. Human rights defenders are increasingly becoming victims of a sustained campaign of harassment and intimidation ranging from repeated death threats to arbitrary detention, "disappearance", and cold-blooded murder -- all designed to silence them and destroy their work.

The campaign of extermination is not only aimed at human rights defenders. Paramilitary organizations, working with the support or acquiescence of the Colombian armed forces, stepped up their attacks against the civilian population in rural areas of the country. On 4 May a 200-strong paramilitary force killed at least 18 residents of Puerto Alvira village, municipality of Mapiripán, Meta department. A further eight "disappeared" and four others were badly injured. Despite repeated warnings to the government from the National Ombudsman that an attack on the village was imminent, the authorities took no steps to prevent the attack or to protect the residents. In an incursion on 16 May, paramilitary forces killed or "disappeared" 36 people in the oil-refining town of Barrancabermeja, Santander department.

In May the army's XX intelligence brigade was disbanded after judicial investigations linked members of the brigade with serious human rights violations including the killing in November 1995 of Conservative Party leader Alvaro Gómez Hurtado.

### Guatemala

The murder of Auxiliary Bishop Juan Gerardi on 26 April reminded the world that Guatemala has still not escaped from its tragic past. His death came only two days after he had presided over presentation of the inter-diocesan Recuperation of the Historical Memory Project report on human rights violations committed during Guatemala's "dirty war". The report identified the army as responsible for some 90 per cent of the abuses investigated.

Some three weeks after his murder, a communiqué claimed responsibility for Bishop Gerardi's death on behalf of *"Jaguar Justiciero,"* the Avenging Jaguar. Such names have been used over the years to claim responsibility for death threats, "disappearances" and murders in the name of so-called "death squads." In fact, Amnesty International has found that the vast majority of violations carried out by so-called "death squads" have been the work of regular security force agents acting in plain clothes, but under superior orders. The organization has called for whoever was behind this latest "Avenging Jaguar" communiqué to be identified and brought to justice.

Reports of death threats subsequently directed at Archbishop Próspero Peñados and others have led to concerns that human rights defenders, particularly those involved in Guatemala's Historical Clarification Process, may be in imminent danger.

On 10 February, Manuel Martínez Coronado, an impoverished peasant farmer of indigenous descent, became the first person to be executed by lethal injection. The execution was broadcast live -- radio and television audiences could hear the condemned man's three children and their mother sobbing in the lethal injection chamber's observation room as the execution took place. Although the authorities had claimed that execution would be painless and "*over in 30 seconds*", Martínez Coronado took 18 minutes to die.

## **Mexico**

Increasing numbers of foreign human rights observers have been expelled from Mexico in recent months. The introduction in May of special visa requirements for foreign human rights defenders visiting Mexico makes it more difficult to monitor the human rights situation in the country.

The new measures, unprecedented in the Americas, not only requires those intending to carry out human rights research to provide the authorities with details of their work plans but restricts visits to 10 days. This would in practice severely hinder international human rights defenders to follow up information concerning alleged violations. In addition, the requirement to give 30 days notice prior to travel clearly prevents a timely reaction by human rights defenders and NGOs to emergency situations.

## **United States of America**

On 14 April, in flagrant defiance of the International Court of Justice (ICJ), the State of Virginia executed Ángel Francisco Breard, a Paraguayan national born in Argentina, who was sentenced to death after being deprived of his treaty-based right to consular assistance.

No other US death penalty case in recent memory more tellingly reveals the glaring double standard which exists between the US human rights rhetoric abroad and its own domestic practices. The US government portrays itself as a world leader in the protection of human rights yet when confronted with an explicit order from the world's highest court to halt the execution, the US chose instead to back out of its binding treaty obligations.

The US government has executed 28 people so far this year. Robert Carter was the last person to be executed on 18 May in Texas. He was not only a juvenile offender, but he also received poor legal representation at his trial, and was diagnosed as mentally retarded and seriously brain damaged; he was also abused as a child. On 3 February Karla Faye Tucker became the first woman to be executed in Texas since 1863.

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# Asia/Pacific Update

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## Selected events in Asia/Pacific from January to June 1998

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### Cambodia

Despite Pol Pot's death on 16 April, perpetrators of human rights abuses still escape the courts with impunity and ordinary people are still not free from fear.

On 30 April Amnesty International expressed cautious optimism at news that the Security Council may soon debate a resolution on crimes against humanity and war crimes in Cambodia. While noting that a draft resolution will seek to bring to justice *some* of those responsible for these crimes, it urged that any tribunal established should not be politically selective -- it should be able to try *all* those who have committed such crimes in the last three decades. The organization has long argued that impunity has played a destructive role in Cambodian society and that future protection of human rights for Cambodians is dependent on ensuring justice for all those guilty of human rights violations.

The attack on a United Nations human rights worker in Phnom Penh on 3 April was yet one more incident in a long list of human rights violations by security personnel, who know that they can get away with carrying out such actions. Human rights defenders are working under increasingly difficult and dangerous conditions, facing both veiled and open threats.

### Indonesia

President Suharto's 32-year rule through repression and exclusion culminated in the President stepping down on 21 May, amid widespread calls for political and economic reform.

The Suharto Government left a legacy of hundreds of prisoners of conscience and political prisoners convicted after unfair trials, legislation allowing for the imprisonment of peaceful critics, a weak and dependent judiciary and a military able to act above the law.

The resignation of Suharto was widely perceived as a step towards greater political freedom. Amnesty International believed that the momentum for genuine reform should not be squandered. Governments who in the dying days of Suharto's presidency were urging fundamental political change in the country should follow through on its implementation.

On 4 June Amnesty International, together with Human Rights Watch, called on President Habibie to distance himself from the abuses of his predecessor and mentor and release all of those still in jail for peacefully expressing their views. As of 1 June, he had only released four: Muchtar Pakpahan, a labour leader; Sri Bintang Pamungkas, a former parliamentarian and head of the Indonesian United Democratic Party (PUDI); Nuku Soleiman, a political activist; and Andi Syahputra, printer of an underground magazine.

In addition to stating that some prisoners will be released, the government has also indicated that certain legislation, including the Anti-Subversion Law, will be reviewed -- although this has not happened yet. The court-martial of 19 soldiers for their involvement in the killing of six university students in Jakarta on 12 May has begun but there are no signs yet that the government of President Habibie is going to bring the military to justice for all past human rights violations.

## Malaysia

The Malaysian authorities stepped up efforts to expel undocumented foreigners from Malaysia. On 26 March the police mounted a major operation to forcibly deport more than 500 Indonesians from Aceh province who were held in immigration detention camps around the country. The deaths of eight Indonesians and injuries suffered by many others raised serious questions about the level of force used during the operation.

Concerns that asylum-seekers among the group could be at risk of human rights violations were heightened when the Acehnese deportees were detained incommunicado for questioning by the Indonesian military on their return to the country. Most were later released, but remained under the scrutiny of local military personnel. The fate of some members of the group remained unknown.

On 1 April, Amnesty International protested the decision to sentence opposition parliamentarian Lim Guan Eng to three years' imprisonment on charges which the organization believed to be politically motivated. The case against him appeared to reflect a desire not only to silence a prominent critic, but also to deter others from expressing dissenting opinion. Lim Guan Eng was imprisoned overnight before raising bail. He remains free pending his final appeal.

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# Europe Update

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## Selected events in Europe from January to June 1998

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### Federal Republic of Yugoslavia - Kosovo province

More than 250 ethnic Albanians have been reported as killed since the conflict began in February this year between police and armed ethnic Albanians, including the Kosovo Liberation Army (KLA), in the Kosovo province of Yugoslavia. This number grows each day. The police have killed, tortured and ill-treated ethnic Albanians in response to attacks upon them. Around 40 Serbs, 14 of them police officers, were reported to have been killed by armed ethnic Albanians since the beginning of the year. More than 50,000 ethnic Albanians were reported to have been displaced from their homes.

Between 28 February and 6 March police killed at least 80 ethnic Albanians in the villages of Likošane, \_irez and Donji Prekaz in the Drenica region of Kosovo. Although evidence was incomplete, it was clear that many of the victims -- who included at least 12 women and 11 children -- had no connection with the attacks. Indeed, Amnesty International visited the country in March and collected testimonies describing police officers killing a number of the victims.

Police beat ethnic Albanian demonstrators, including women, who protested about the killings and the increasing police violence. In March one such demonstrator was shot dead in Pe\_ and five others were wounded by police. Clashes with police and the Yugoslav Army continued after these incidents and reports continued to come in of possible unlawful killings. In late March, for example, three unarmed ethnic Albanian men were reportedly shot as they fled the village of Glodjane near De\_ani. Children were used as human shields in the same incident. There were also reports of the abduction and ill-treatment of Serbs by the KLA.

Although in many cases it appeared that the police policy was to shoot rather than take prisoners, police arrested dozens of men who were accused of "terrorism". Some men, who were reportedly abducted by police, remain missing. In May, Amnesty International demanded justice and not "trial by truncheon" as detainees faced convictions in unfair trials after being tortured during interrogation.

### Turkey

The irresponsibility of the Turkish authorities created the climate for the shooting on 12 May of Ak\_n Birdal, President of the Turkish Human Rights Association (HRA) Ak\_n Birdal was wounded by six bullets from the guns of two assailants who entered the headquarters of the association in Ankara.

The authorities have not only consistently failed to investigate or condemn earlier fatal attacks on officials of the association, but the judicial authorities had apparently contrived to leak spurious but highly dangerous allegations about Ak\_n Birdal. These were contained in confessions alleged to have been made by a former military commander of the **Kurdish Workers' Party (PKK)** recently taken prisoner by the security forces. Although Turkish law provides that evidence collected during preliminary investigation is secret, these statements, which cited Ak\_n Birdal as well as numerous other prominent personalities critical of the government as being implicated as having actively supported the **PKK**, were given enormous publicity.

While Ak\_n Birdal was struggling very close to death the Prime Minister Mesut Yilmaz compounded the offence by describing the attack as an "internal dispute" among people connected with the **PKK**. In fact, seven men close to right wing political groups -- one of them a gendarmerie officer -- were shortly afterwards arrested and charged with planning and carrying out the attempted killing.

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# Middle East and North Africa Update

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## Selected events in the Middle East and North Africa from January to June 1998

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### Algeria

More than 1,000 people were killed in the first five months of the year in attacks by armed groups and in “anti-terrorist” operations by security forces and state-armed militias. Hundreds of civilians, including scores of women and children, were killed in attacks carried out mostly at night by armed groups who were able to flee undisturbed on each occasion.

The Algerian authorities blamed all these attacks on armed groups such as the *Groupe Islamique Armé*, GIA (Armed Islamic Group) but to date none of those responsible for these and other massacres that occurred in previous years have been brought to trial.

The army, security forces and state-armed militias killed hundreds of people in “anti-terrorist” operations, but in most cases the authorities did not provide any details concerning the identity of those killed or the circumstances in which they were killed.

In February and April the authorities admitted that scores of members of security forces and state-armed militias had been arrested for crimes, including murder and rape, which they had been committing since 1995 and which had previously been blamed on armed groups such as the GIA. However, the authorities refused to provide information about the specific cases or the identity of the perpetrators.

### Israel and the Occupied Territories

1998 has been marked by Israel continuing its effective legalization of practices which violate even the most fundamental human rights.

The new draft of the General Security Service (GSS) Law on 10 February continued to legitimize Israel’s torture of ‘security’ detainees during interrogation and allowed the perpetrators of such abuses to get away with it. On 18 May the UN Committee against Torture reiterated its call to Israel to cease immediately the use of torture and ill-treatment during interrogation.

The conclusions of an official inquiry into the Mossad’s botched assassination attempt of *Hamas* leader Khaled Mish’al, made public on 17 February, concentrated on the failure of the attack rather than its illegality. The committee’s statement that “*it did not question this policy*” effectively endorsed state-sanctioned murder.

The Israeli Supreme Court's ruling, made public on 6 March, authorizing the Israeli Government to hold 10 Lebanese detainees as "bargaining chips" to secure the release of Israeli servicemen missing in action, explicitly legitimized hostage-taking. These individuals have been held for up to 12 years without trial, often in secret and incommunicado detention.

On a more positive note, on 13 March, Mordechai Vanunu was allowed out of solitary confinement for the first time in more than 11 years. Amnesty International called for the Israeli authorities to go one step further and release him as redress for the persistent and past human rights violations to which he has been subjected. Many long-term administrative detainees were also released, but more than 120 remain detained.

## Syria

The release of prisoners of conscience Riad al-Turk, Aktham Nu'aysa and Khalil Brayez, and dozens of political prisoners on 30 May signalled a step forward for the Syrian Government.

Riad al-Turk, a lawyer in his late sixties, has been held since 1980 without charge or trial in connection with the unauthorized Communist Party Political Bureau (CPPB). He was reportedly subjected to torture during his detention and is believed to be in poor health. Aktham Nu'aysa, a lawyer in his late forties, had been serving a nine-year sentence in connection with his work for the Committee for the Defence of Freedoms and Human Rights (CDF). His trial in 1991 was grossly unfair and he was tortured during the initial stage of his detention. Khalil Brayez was a former army officer and writer in his sixties held for 27 years -- more than 12 years beyond the expiry of his sentence.

Amnesty International remained concerned, however, at the continued detention of scores of political prisoners, including prisoners of conscience, sentenced after unfair trials. Almost all were reportedly tortured and ill-treated.