
AMNESTY INTERNATIONAL NEWS SERVICE 38/94

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NEWS SERVICE ITEMS: EXTERNAL - ISRAEL AND OCCUPIED TERRITORIES, RWANDA, INDONESIA, PERU

PLEASE NOTE: - At the press officers meeting some people said they would like to see the text of the European Parliament's response to questions from an MEP on Colombia. A hard copy of the text is now available from the press office, any press officers who are interested let me know and I will fax it to you. Thanks - Dina

NEWS INITIATIVES - INTERNAL

INTERNATIONAL NEWS RELEASES

Women - 8 March - SEE NEWS SERVICE 161/26

TARGETED AND LIMITED NEWS RELEASES

South Korea - 9 March - SEE NEWS SERVICE 32/94

Jordan - 22 March - SEE NEWS SERVICE 37/94

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 - 16 March - SEE NEWS SERVICE 123 + 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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**AI INDEX: MDE 15/WU 04/1994
25 February 1994**

ISRAEL AND THE OCCUPIED TERRITORIES: AMNESTY INTERNATIONAL CALLS FOR JUDICIAL INQUIRY INTO MOSQUE MASSACRE

Amnesty International is calling on the Israeli Government immediately to set up a judicial inquiry into the massacre of Muslim worshippers in the Haram al-Ibrahimi Mosque in al-Khalil (Hebron) at dawn on 25 February 1993. This inquiry should conform to relevant international standards and its methods and findings should be made public.

According to initial reports, at least 38 people were killed by an Israeli settler who entered the mosque and opened fire on worshippers at prayer. Serious questions are being raised as to how it was possible for an armed individual to enter the mosque, which is supposed to be guarded by Israeli forces and has long been known as a potential target for similar acts of violence. In recent months there have also been repeated complaints about Israeli settlers being allowed to carry out other acts of violence in al-Khalil and elsewhere with impunity, sometimes in full view of Israeli forces.

The Israeli authorities have strongly condemned settlers' violence, including this massacre, and have rejected any responsibility for it. However, only an independent, thorough and impartial judicial inquiry could remove any suspicion that, despite public pronouncements, the Israeli authorities are effectively condoning such violence.

Amnesty International is also seriously concerned by reports that at least seven other Palestinian civilians have been shot dead by Israeli forces in the West Bank and Gaza Strip during demonstrations or riots in protest at the massacre in al-Khalil. It calls on the Israeli Government to ensure strict compliance by its forces with international standards on the use of force, so as to avoid further unnecessary deaths.

Amnesty International also reiterates its appeals to Palestinian armed groups to respect basic principles of humanitarian law and not to take reprisals against Israeli civilians.

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RWANDA: AMNESTY INTERNATIONAL CALLS FOR AN END TO THE RECENT OUTBREAK OF VIOLENCE

Amnesty International is calling on Rwanda's authorities and political leaders to take urgent measures to end the current upsurge in killings and prevent any such recurrence. At least 37 people are reported to have been killed and dozens more injured on 22 and 23 February 1994 during political violence in the capital, Kigali, and in the southern prefecture of Butare.

The violence was triggered off by the assassination, on 21 February, of the Minister of Public Works, Energy and Hydraulics, Félicien Gatabazi, who was also a leader of the Parti socialiste démocrate (PSD), Democratic Socialist Party. The minister and his two bodyguards were shot dead by unidentified gunmen. In an apparent revenge attack on 22 February a mob in Félicien Gatabazi's home district of Mbazi, in Butare prefecture, lynched a leader of the Coalition pour la défense de la République (CDR), Martin Bucyana, and his driver. The mob apparently blamed the minister's assassination on the CDR, whose private radio station is accused by other political parties of fanning hatred and violence towards members of the minority Tutsi ethnic group. The CDR is an ally of President Juvénal Habyarimana's Mouvement républicain national pour la démocratie et le développement (MRND), Republican National Movement for Democracy and Development, which until 1991 ruled Rwanda as a one-party state under the 1978 Constitution.

Amnesty International is urging political leaders to publicly condemn the killings and call on their supporters to end the violence. The human rights organization is calling on the government to set up an independent and impartial commission of inquiry, composed of people known for their integrity, to investigate these killings. Those identified by the commission as having encouraged the violence or perpetrated the killings should be brought to justice and the victims should be compensated. Amnesty International recommends that instructions be given to the security forces by the government to prevent attacks against all sections of the Rwandese community, without discrimination, and to ensure that the armed forces use methods only strictly necessary for the execution of their duties. Amnesty International also recommends that the United Nations (UN) peacekeeping force in Rwanda should assist Rwandese leaders in implementing measures that will prevent further violence.

After Martin Bucyana was killed CDR supporters erected barricades in Kigali and killed or injured civilians suspected of being supporters or allies of the PSD. On 23 February, humanitarian organizations in Kigali reported that the bodies of 37 victims had been recovered. Although the PSD is dominated by members of the majority Hutu ethnic group, to which Félicien Gatabazi belonged, most of the violence is reported to have been directed at members of the minority Tutsi ethnic group. The CDR and other Hutu supporters have repeatedly accused the PSD and other political parties of supporting the Tutsi and the Front patriotique rwandais (FPR), Rwandese Patriotic Front, which derives most of its supporters from the Tutsi.

More than 2,000 unarmed civilians, most of them Tutsi, have been killed, reportedly by government forces and Hutu gangs, since armed conflict broke out between the RPF and government forces in October 1990. The victims have also included Hutu supporters of political parties which accept the principle of power-sharing with Tutsi. Virtually no-one is known to have been brought to justice in connection with these killings, most of which have been reported to the authorities or have occurred with their knowledge. There have been reports in recent weeks that firearms have been distributed to civilians by the authorities for use against their opponents. Amnesty International is concerned that the latest killings took place against a background in which the authorities have repeatedly condoned or failed to prevent widespread human rights violations and in which the perpetrators do not expect to be brought to justice.

In a peace accord signed in August 1993 the government and the RPF agreed to form a broad-based transitional government to include other political parties. A UN peacekeeping force, the UN Assistance Mission to Rwanda (UNAMIR), has been in the country since late 1993 to supervise the implementation of the accord, which provides for the integration of RPF fighters into the Rwandese security forces. UNAMIR's mandate includes contributing to the security of Kigali, although this appears to be limited, in practice, to preventing clashes between government forces and RPF fighters.

The recent violence is said by some sources to have been orchestrated to prevent the installation of a transitional coalition government, including RPF ministers, which would give significant power to the Tutsi and the RPF. The CDR would not have been represented in the transitional government however, because of its rejection of the terms and principles of the peace accord. The swearing in of members of the government and the transitional parliament was to have taken place earlier this week but was postponed because of the outbreak of violence. No new date has been set for the ceremony.

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PERU: OFFICERS AND GOVERNMENT OFFICIAL IMPLICATED IN LA CANTUTA CASE NOT YET INVESTIGATED BY INDEPENDENT TRIBUNAL

Amnesty International is profoundly dismayed that the case against the military officers and a government official implicated in the La Cantuta killings and the subsequent cover-up has not been investigated by an independent judicial authority. According to allegations made by dissident military officers, at least 20 members of the military plus one government official were implicated in the killings, but Amnesty International has learned instead that only nine officers were brought to trial before a secret military court. They received prison sentences ranging between one and 20 years.

According to allegations made by dissident military officers in April and May 1993, a "special detachment" within the Servicio de Inteligencia del Ejército, SIE, (Peruvian Army Intelligence Service), operating under the orders of a senior government official and highranking members of the armed forces, was responsible for the massacre of nine students and a lecturer from La Cantuta University in July 1992. The alleged existence of such a "special detachment" within the SIE has not been investigated by an independent judicial authority.

In addition, the dissident officers accused the "special detachment" of being implicated in two further cases of human rights violations: the massacre of some 15 men, women and children in the Barrios Altos neighbourhood of Lima in November 1991; and the extrajudicial execution of at least 26 students from the Universidad del Centro (University of Central Peru), in the city of Huancayo, during 1992 and 1993. According to recent reports, members of this "special detachment" were also responsible for the "disappearance" of nine peasants from three villages in Santa province in May 1992, and for the extrajudicial execution of the journalist Pedro Herminio Yauri in June 1992. None of these allegations have been adequately investigated by the government nor have the perpetrators been brought to justice.

Amnesty International has documented at least 5000 cases of "disappearance" and extrajudicial execution since early 1983. The organization once again calls on the Peruvian authorities to ensure that all officials, members of the security forces and those assisting them who have been implicated in ordering, planning or conducting these abductions and killings be fully investigated by an independent judicial authority. The organization believes that military tribunals in Peru have neither the competence, impartiality, nor independence necessary to investigate and bring to justice members of the security forces accused of human rights violations. An effective response to Amnesty International's call by the Peruvian Government would send a message to Peruvians and the international community that Peru is complying with the requirements enshrined in international human rights standards to which it is party.

Amnesty International reiterates its unequivocal condemnation of grave human rights abuses by armed opposition groups in Peru. These include the execution of people held by such groups; deliberate and arbitrary killings of civilians, and killings of members of the security forces who are hors de combat, or who have been incapacitated, have surrendered or been taken prisoner by these groups. Nevertheless, such abuses can never justify violations by the authorities of fundamental human rights.

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AI INDEX: ASA 21/WU 06/1994
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INDONESIA: HUMAN RIGHTS ACTIVIST JAILED, 21 OTHERS SET TO BE TRIED

Amnesty International is calling for the immediate and unconditional release of Nuku Soleiman, an Indonesian human rights activist, jailed on 24 February for criticizing President Soeharto, and for calling on him to accept responsibility for human rights violations committed under his rule. Twenty-one other peaceful protesters, detained in December 1993, are due to be tried on similar charges in the near future.

Nuku Soleiman, a university student and chairman of an independent human rights organization, Yayasan Pijar, was sentenced to four years in prison by the District Court of Central Jakarta on 24 February 1994, following a month-long political show-trial. He was charged under Article 134 of the Indonesian Criminal Code, a law inherited from the era of Dutch colonial rule, under which insulting the head of state is an offence punishable by up to six years in prison.

Amnesty International regards Nuku Soleiman as a prisoner of conscience, detained solely for the peaceful exercise of his right to free speech as guaranteed under international law and the Indonesian Constitution. The organization is calling for his immediate and unconditional release. It is also calling on the Indonesian authorities to drop charges against 21 other peaceful demonstrators arrested in a related incident on 14 December 1993, who are still custody awaiting trial.

Nuku Soleiman, aged 29, was arrested on 25 November 1993 during a peaceful protest outside Indonesia's national parliament in Jakarta. The demonstration coincided with a parliamentary hearing about the country's state-backed lottery, which had come under increasing criticism from opposition groups. Nuku was accused of distributing stickers in which the acronym for the lottery (SDSB) was given a new meaning deemed to be insulting to President Soeharto. The stickers said "Soeharto is the mastermind of all disasters" (Soeharto Dalang Segala Bencana) and cited numerous instances of serious human rights violations committed by Indonesian security forces since the President came to power following a military coup almost three decades ago.

Like all political trials in Indonesia, Nuku Soleiman's was a show-trial which failed to meet international standards of fairness. From the outset, the trial was marked by an atmosphere of intimidation. Military and police security presence in and around the court was heavy, and access was strictly controlled. Witnesses reported that many of the "spectators" allowed in were, in fact, members of military and police intelligence units in plainclothes. In his first defence statement (eksepsi) read before the court on 24 January 1994, Nuku Sulaiman said, "Just look around. Right from the first day of the session, it is as if the army and police are in command...In front of this building they have lined up a truck full of armed troops. At the entry to this hall, they block my friends, my relatives, and the general public who want to attend and witness this trial. In this particular hall they have assigned plainclothes officers to occupy a large number of the chairs for visitors. As the trial began, a group of police officers equipped with rattan clubs and canes marched in though there was not the slightest sign of unrest in this hall...I feel this as terror and intimidation. Does the Council of Judges not also feel the same? Is it not the case that such an atmosphere is bound to determine the verdict of the Court?"

The most blatant evidence of the court's lack of independence was its refusal to allow defence counsel to summon witnesses. The court agreed to hear the testimony of only one of 17 witnesses requested by the defence, while hearing 19 witnesses for the prosecution. In seeking to justify that decision, the presiding judge reportedly said, "This court does not need any experts because we know everything that is linked to this case." Defence lawyers walked out of the court in protest at the court's rejection of their witnesses, and urged that the trial be postponed pending an official ruling by the Supreme Court on the issue. The District Court ignored their request and continued with the trial.

Shortly after Nuku Soleiman's sentencing, officials of the office of the District Attorney in Jakarta announced that a further 21 young people would soon be brought to trial on similar charges. The 21 were arrested in Jakarta on 14 December 1993, during a peaceful demonstration in which they urged parliament to hold a special session to look into the President's responsibility for past human rights abuses. The authorities have indicated that they are to be charged with publicly expressing feelings of hostility toward the government, a crime punishable by up to seven years' imprisonment.

The articles under which Nuku Soleiman and the 21 other demonstrators have been charged are among the so-called Haatzaai Artikelen (Hate-sowing Articles), which prohibit public criticism of the government. They were introduced by the Dutch colonial administration in the early 1900s and incorporated into Indonesia's Criminal Code after independence in 1949. The Haatzaai Artikelen have often been used by the Indonesian authorities to imprison, or to threaten, alleged political opponents. Those targeted in this way include trade unionists, students, farmers and human rights activists.

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