

---

# AMNESTY INTERNATIONAL NEWS SERVICE 41/94

---

TO: PRESS OFFICERS  
FROM: IS PRESS OFFICE  
DATE: 3 MARCH 1994

NO OF WORDS:2045

AI INDEX: NWS 11/41/94  
DISTR: SC/PO

NEWS SERVICE ITEMS: EXTERNAL - UNITED NATIONS, TURKEY

NEWS INITIATIVES - INTERNAL

## INTERNATIONAL NEWS RELEASES

Women - 8 March - SEE NEWS SERVICE 161/26

## TARGETED AND LIMITED NEWS RELEASES

South Korea - 8 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 - 15 March\*\*** - PLEASE NOTE: The embargo time of the Colombia campaign launch is 1700 hrs GMT, Tuesday 15 March 1994. All materials are embargoed until then. SEE NEWS SERVICES 40/94 AND 123/93 + 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

**News Service 41/94**

**AI INDEX: IOR 41/WU 04/1994  
3 March 1994**

**UN Commission on Human Rights  
50th session  
Agenda Item 11**

**Delivered: 24 February 1994**

**UNITED NATIONS: ORAL STATEMENT ON HUMAN RIGHTS AND MASS EXODUS**

**Chairperson,**

**For a number of years the Commission on Human Rights has dealt with the issue of human rights and mass exodus. When this issue was first raised in the UN in the early 1980s the apparent purpose was for UN bodies to confront and put a stop to human rights violations which were leading to refugee movements, so that people did not need to flee their own countries in search of protection or, if they had already fled, were able to return home safely. However, the Commission's treatment of this issue over the past decade has proved largely irrelevant to tackling human rights violations resulting in refugee movements. While the Commission, along with other UN bodies, has recognized the link between violations of human rights and refugee movements, it has as yet made no concerted effort to follow up and take appropriate measures in its consideration of the human rights situation in countries around the world. Given that the number of refugees in the world continues to increase -- as the recent report on the State of the World's Refugees by the UN High Commissioner for Refugees (UNHCR) demonstrates -- such an effort is urgently needed.**

**While too little attention has been given to addressing human rights violations causing refugee movements, there has been, particularly in recent years, a great deal of attention paid to the consequences of such violations -- the arrival of large numbers of refugees and asylum-seekers in other countries. Governments complain about the "burden" of providing asylum, and increasingly seek to circumvent, avoid or ignore international obligations towards those who seek their protection. Indeed, some governments complain about the "burden" of hosting refugees while at the same time pursuing repressive policies which lead to people fleeing the country and thereby creating "burdens" for other countries.**

**In many countries governments are aggressively pursuing measures to restrict the access of asylum-seekers, to send asylum-seekers back to countries they have passed through and to narrow the range of those considered deserving of protection. In a recent report prepared for the 44th session of the Executive Committee of the Programme of UNHCR, Amnesty International argued that such measures, especially those taken by the member states of the European Union in their efforts to harmonize asylum policies and by the US Government towards the Haitians fleeing their country, were undermining established international standards for the protection of refugees and asylum-seekers.**

**The growing number of refugees in the world demands effective and concerted action by governments. Rather than being so preoccupied with the problems posed by receiving refugees and asylum-seekers -- often to the detriment of those in need of protection -- governments should also take action through UN mechanisms to address the repressive policies of other governments which frequently**

cause people to flee. Protection of those who have fled, as well as effective action to tackle human rights violations which lead to flight, are both essential in seeking solutions for the growing number of refugees in the world.

**What steps should the Commission take to achieve such solutions?**

Last year's resolution focused on supporting UN efforts to establish an early warning system and created a sub-item on human rights, mass exodus and the displaced. The Secretary General's report on human rights and mass exodus submitted to this Commission draws attention to the need for an effective early warning capacity so that action can be taken to avert potential refugee movements. However, there have been a number of UN initiatives towards this end since the early 1980s and, in the meantime, the number of refugees in the world has doubled. As Amnesty International indicated in its statement to the Commission last year, it is unlikely that the embryonic UN early warning structure, now based in the Department of Humanitarian Affairs, can address in a coordinated and effective manner human rights violations which are causing or are likely to cause refugee movements. What is needed is prompt and effective action to put a stop to such violations. The mechanisms of this Commission could play a crucial role in this regard if there were sufficient political will to confront the governments who commit these violations.

Recent events prove the point. For example, a few months ago in **Burundi** the army's assassination of the head of state triggered inter-ethnic killings and massacres of civilians by the army and provoked the exodus of three-quarters of a million people from the country in a matter of weeks. This tragedy should not have taken the world by surprise given the record of killings and massacres in Burundi – over 150,000 people, primarily ethnic Hutu, have been killed in Burundi since 1965. Yet the Commission has never publicly considered the human rights situation in Burundi. Now the UN is charged with the task of ensuring protection and assistance for the refugees from Burundi.

Similarly, in **China, Indonesia, Peru, and Turkey** repeated efforts by non-governmental organizations to have the Commission take action to address human rights violations have failed; yet thousands of people continue to flee these countries in search of protection. The persistent human rights violations in these countries means the potential exists for much greater numbers to flee.

Amnesty International believes that the item on human rights, mass exodus and the displaced must allow for consideration of actual country situations. There must be provision for a focused debate and follow-up action to bring pressure to bear on governments whose practices lead, or are likely to lead, to refugee movements. Amnesty International still considers, as it indicated at last year's Commission, that, in view of the pressing importance of this issue, it deserves a separate full agenda item. As well, the reports of UNHCR on its protection activities throughout the world should be formally put before the Commission. In this way the Commission could be informed of issues or situations in which it could take appropriate measures to ensure that people are not forced to flee in search of protection, that when they do flee to escape serious human rights violations they are provided with the protection they need, and that they are able to return home voluntarily in conditions of safety and dignity. This would not mean that the Commission was duplicating UNHCR's role, but rather playing a supportive function.

Finally, the Commission should ensure that the mandate of the Secretary-General's Representative on Internally Displaced extends to addressing human rights violations contributing to displacement and that this mandate is secure and treated in the same way as a regular thematic mechanism of the Commission.

The Vienna Declaration and Programme of Action recognized that human rights violations can lead to displacement of people, and reaffirmed the right of everyone to seek and to enjoy in other countries asylum from persecution and the right to return to one's own country. The Commission must ensure this year that the resolution on human rights and mass exodus takes concrete steps towards implementing these provisions.

Thank you.

**News Service 41/94**

**AI INDEX: EUR 44/WU 05/1994**

**3 March 1994**

**TURKEY: KURDISH MPs IN INCOMMUNICADO DETENTION**

On 2 March 1994 Hatip Dicle, parliamentary deputy and president of the Democracy Party (DEP), and DEP parliamentary deputy Orhan Do\_an, were taken into police custody as they left the parliament building in Ankara. Television pictures showed that Orhan Do\_an was roughly handled as he was put in a police vehicle. Both deputies are currently being held incommunicado at Ankara Police Headquarters. Amnesty International has written urgently to the Turkish Prime Minister Tansu Çiller, appealing that Hatip Dicle and Orhan Do\_an be given access to their families and lawyers.

They were among six Kurdish deputies whose parliamentary immunity from prosecution was lifted the same day by a vote in parliament, so that they can be tried on charges of separatism under Article 125 of the Turkish Penal Code, which provides for the death penalty. Of the four other deputies, Ahmet Türk (DEP) has been taken ill and moved to hospital, while Leyla Zana (DEP), S\_rr\_Sak\_k (DEP) and Mahmut Al\_nak (Independent) have not yet left the parliament building, which is surrounded by police.

Amnesty International's immediate concern is that the detainees should not be subjected to any form of ill-treatment. The practice of torture during incommunicado interrogation in police custody in Turkey has been described by the European Committee for the Prevention of Torture and the UN Committee against Torture as "widespread" and "systematic". In 1993 there were at least 24 deaths in police custody which were apparently a result of torture.

Since the deputies are being prosecuted for public statements about the issue of Turkey's Kurdish minority, and in view of the persecution of officials of DEP and its predecessor, the People's Labour Party (HEP, closed in 1993 for spreading separatist propaganda), Amnesty International will closely monitor any legal proceedings and take appropriate action over any concerns the organization may have regarding the fairness of the trial or infringements of the right to freedom of expression.

Amnesty International unconditionally opposes the death penalty. While there have been no executions in Turkey since 1984, the organization feels that there is no place for complacency on this question. The death penalty has not been abolished, and in September 1993, for the first time in nine years, a death sentence was approved by the Judicial Commission of the Turkish parliament. This sentence, imposed upon Seyfettin Uzundiz, convicted of murder, has to be approved by the full assembly of the Turkish parliament before it can be carried out.

DEP is a legal parliamentary party which advocates Kurdish autonomy. Its officials have been subject to frequent detention and prosecution, and have also frequently made credible allegations of torture. Several members and officials have died in custody. They have also been the target of political killings, often in circumstances which suggest possible security force involvement. Over 60 DEP members have been killed. On 4 September 1993 Mehmet Sincar, DEP MP for Mardin, was killed by unidentified assassins in the city of Batman in broad daylight hours after heavy police protection had been mysteriously lifted. After Mehmet Sincar's funeral, Leyla Zana was apparently targeted in a bomb attack on Mehmet Sincar's house in K\_z\_Itape, Mardin province. The house and surrounding districts were under extremely tight surveillance by security forces who apparently made no attempt to prevent the attack or capture the assailants. Arrests, and even killings, of DEP candidates intensified with the approach of the local elections which will take place on 27 March. DEP has now withdrawn from those elections.

Tension has been increased by a bomb attack on 12 February, attributed to the Kurdish Workers' Party (PKK), on 12 February on students at a military academy in Tuzla, Istanbul, in which five people were killed. The headquarters of DEP was the target of a bomb attack on 18

February, apparently as a reprisal for the Tuzla bomb. Following a statement by Hatip Dicle, apparently justifying the Tuzla bomb as having been directed at a military target, Prime Minister Tansu Çiller reportedly stated on 22 February that she considered Hatip Dicle to be a "traitor", and that "the time has come to take care of this issue of the PKK sheltering under the parliament roof". The DEP's stated policy does not advocate political violence, but because its political goals resemble some of those of the PKK, the party is regarded in some quarters as the PKK's "parliamentary wing" although the DEP denies any link with the PKK.

**ENDS/**