Police use reckless force

FORTY-YEAR-OLD civil servant Philippe Lescaffette, (pictured right) had been at a demonstration in Paris following the killing in police custody of a 17-year-old youth, Makomé M'Bowole, in April 1993. He said police officers armed with clubs charged him, threw him to the ground and beat him. He had to spend four hours in a cell without medical attention and later needed 24 stitches in his face. Two police officers have been indicted on charges of unlawful use of violence.

Despite personal assurances some 18 months ago by the Minister responsible for the police that he would take a tough line with police officers who "made mistakes", a new AI report reveals that a shocking pattern of ill-treatment, shootings and killings by law enforcement officers in France is continuing. The victims are often juveniles and many are of non-European ethnic origin.

A national outcry followed the shootings at point-blank range by police of three unarmed young men in separate incidents in the space of four days in April 1993. All three youths — Eric Simoneté, Makomé M'Bowole, and Rachid Ardjouni — died from their injuries. Two of the youths were minors. Makomé M'Bowole was shot through the face. Two police officers have been charged with unlawful use of violence. Police use reckless force even though his life was not in danger.

The report also cites numerous instances of alleged ill-treatment by the French police, often containing elements of racism.

At the Gare du Nord railway station in Paris in February this year, a 41-year-old gynaecologist from the Central African Republic was stopped by two railway officers. After apologizing to their families, the Minister of the Interior, Charles Pasqua, reminded the police that they were given arms to defend citizens, not to attack them.

But as recently as June this year, another two young men — Joël Nebor and Frédéric Adom, both aged 25 — were repeatedly shot at point-blank range and killed by an off-duty police officer during an attempted robbery in Paris. AI is concerned that the officer apparently made no attempt to neutralize the robbers, but resorted immediately to lethal force even though his life was not in danger.

The report also cites numerous instances of alleged ill-treatment by the French police, often containing elements of racism. Philippe Lescaffette needed 24 stitches after attending a demonstration in Paris. Two police officers have been charged with unlawful use of violence.
WORLDWIDE APPEALS

An appeal from you to the authorities can help the victims of human rights violations whose stories are told below.
You can help free a prisoner of conscience or stop torture. Your message can bring liberty to a victim of "disappearance". You may prevent an execution.
The victims are many, the violations wide-ranging. Every appeal counts.

Please help!

SEVDA VAGIF KYZY NUKHIYEVA, now aged 15, has spent over a year as a hostage of ethnic Armenian forces in the self-proclaimed Nagorno--Karabakh Republic (NKR) in Azerbaijan. Al considers her a prisoner of conscience, held solely on the basis of her ethnic identity.

An ethnic Azeri, she was seized on 2 July 1993 with 18 other family members who had gathered for a wedding in the village of Gorazly in the Fizuli district of Azerbaijan. They were taken by NKR forces to the NKR's capital of Khankendi (known to the Armenians as Stepakanert).

Seven of Sevda's family are believed still held hostage. They include her mother, Raisa, and elder sister, Sevil, and two girl cousins aged seven and nine, all detained on the premises of the Khankendi children's hospital.

Fighting over NKR (an area established by ethnic Armenians within Azerbaijan but not recognized internationally) has claimed thousands of lives since 1988, and hundreds of people have been taken hostage by both sides to the conflict. Many of these have been unarmed civilians, held both by private individuals and by the authorities solely on the grounds of their ethnic origin, and used to bargain for the release of other hostages.

Please send appeals urging the immediate and unconditional release of Sevda Nukhiyeva and the other members of her family, to: Manvel Sarkisyan, Representative of the NKR in Armenia, ul. Grigora Lusavoricha, 17, Yerevan, Republic of Armenia.

AZERBAIJAN

LUIST LIZARDO CABRERA, a mechanical engineer, political activist and leader of the National Federation of Wood and Construction Workers, was detained in May 1989 by the police, while on his way home.

He was brought to trial for allegedly taking part in the bombing of an education centre in Santo Domingo. In July and November 1989, two courts ordered his release on the grounds that there was no evidence to suggest he had been implicated in the attack. In August 1992 the Supreme Court of Justice also ordered his release.

But Luis Lizardo continues to be held in La Victoria National Penitentiary, apparently following decisions taken by President Joaquin Balaguer and by the Chief of the National Police.

In August 1993 Luis Lizardo went on hunger-strike in protest at his continued illegal detention. He was temporarily hospitalized after he was allegedly beaten by police officers for his action. Other prisoners also claiming to be illegally detained joined the strike.

Luis Lizardo is a prisoner of conscience. Please send appeals calling for his immediate release, to: Dr. Joaquin Balaguer Ricardo, Presidente de la Republica, Palacio Nacional, Santo Domingo, Dominican Republic.

D OMIN ICAN R Epublic

MO RE THAN 90 asylum-seekers fleeing the fighting in neighbouring Rwanda were hacked to death soon after they arrived in Burundi's northeast Kirundo Province on 11 June 1994. Some of those responsible for the killing — including soldiers from Burundi's armed forces — were identified by eye-witnesses. No one has yet been brought to justice and there has been a campaign of intimidation in Kirundo to prevent official investigations.

According to eye-witnesses, men and boys among the new arrivals at Kiri, in Kirundo Province, were told by soldiers to get into trucks. They were driven to a nearby site and killed in successive groups by people armed with machetes and axes. Those involved in the killing were identified as members of Burundi's Tutsi minority, which has a dominant role in Burundi's armed forces. The asylum-seekers were reportedly all Hutu, the majority ethnic group in both Burundi and Rwanda.

Several shallow graves were found the next day. More than a month later a further mass grave, also believed to contain the bodies of those killed, was discovered a few kilometres away. When AI representatives visiting Kirundo pressed for an investigation, military commanders and other officials objected.

In July 1994 there were further killings of Rwandese asylum-seekers arriving elsewhere in northern Burundi: 31 "disappeared" in one incident and 41 more were killed in a deserted chapel on 16 July.

Tension remained high in the Kirundo province as pressure to carry out proper inquiries continued, and in mid-August an official of the United Nations High Commissioner for Refugees was shot by unidentified gunmen.

Please send appeals, in French if possible, calling for a full public inquiry into these killings, in particular the role of members of Burundi's armed forces, and for assurances for the safety of asylum-seekers in the future, to: Gédoén Fiyoko, Minister of Defence, BP 1870, Bujumbura, Burundi; and to: Monsieur Jean-Bosco Butase, Procureur Général de la République, BP 82, Bujumbura, Burundi.

Reminder: AI members should not send appeals to the authorities of their own countries.
Human rights scorned

The blatant disregard for human rights in Indonesia and East Timor

The face that Indonesia presents to the world is designed to fill its hotels with holiday-makers and attract investment. But behind the pleasant facade, another Indonesia fills its jails with people imprisoned simply for the peaceful expression of their beliefs and kills or tortures citizens it regards as an obstacle to economic development and national stability.

Young children have been tortured in custody, women have been raped and molested by their captors, men in their seventies have been hauled before the firing-squad after 20 years in jail on political charges, elderly women have been shot for protesting against eviction from their land. Hundreds of thousands have been arbitrarily killed.

Students, trade unionists, farmers, community leaders, journalists and human rights workers have all suffered under Indonesia's New Order Government which came to power after a military coup in 1965. Since then the country has experienced persistent patterns of human rights violations. The most relentless violations have taken place in East Timor - the former Portuguese colony which Indonesia has illegally occupied since 1975 — and in Aceh and Irian Jaya where the government faces armed independence movements. But violations occur throughout Indonesia, even in those areas widely considered as "harmonious", such as Java and Bali.

The military shares power with the President and is organized primarily to deal with domestic rather than external threats. It operates a complex system of surveillance and exerts control over the nation's political, social and economic situation. Although the government claims to rule democratically, there is little political freedom. President Suharto has been in power since 1968. Since then he has stood unopposed in five successive elections. Only two political parties apart from the government-backed party, Golkar, are allowed to exist and these have no chance of gaining power. Before national elections all candidates must be vetted by military intelligence and approved by the President. Together, the government and the army arbitrarily use repressive methods of social control. In law, the Indonesian judiciary is independent of the executive but in effect the courts simply reinforce executive and military power. In the past three years the government has faced increasing industrial unrest provoked by low wages and the prohibition of free trade unions. In rural areas, farmers have protested vigorously at being evicted from their land to make way for hydro-electric and real estate projects, and golf courses. Throughout Indonesia, students and journalists have played a major part in protesting against human rights violations. Such protests meet with a brutal response from the state machinery and often result in imprisonment, injury and death.

Armed opposition has formed part of the struggle for independence in Aceh, Irian Jaya and East Timor. The government has responded with intensive counter-insurgency operations and a marked disregard for human rights. Armed opposition groups have also been responsible for arbitrary killing, torture and hostage-taking. AI condemns such abuses but stresses that they can never be used to justify violations by government forces.

The international community has so far shown little sustained interest in the human rights situation of the fourth largest population in the world. Indonesia has a vast store of natural resources and a huge supply of low-wage labour. Situated on critical sea-lanes linking the Pacific with the Indian Ocean, Indonesia is of considerable strategic importance. The crushing of the Indonesian Communist Party (PKI) in 1965 was opportune for the West at the height of the Cold War and it suited the rest of the world to turn a blind eye to the human rights record of the new military regime. Western governments have provided the New Order Government with economic, military and political support. Indonesia's Asian neighbours and members of the Non-Aligned Movement have also remained silent.
A riot of words

The repression extends from the local level to the national. For more than 18 months she fled from village to village, housed by the army. Finally, shortly after Jasin had visited her in March 1991, she was arrested and later found dead by the side of a road.

Riot troops beat a group of demonstrators during a demonstration which took place in Jakarta on 27 June 1994. More than 100 people were forcibly marched and many arrested as they marched peacefully towards the Ministry of Information to protest at the banning of three weekly magazines under government press restrictions.

Each year dozens of people die in custody after being ill-treated or tortured. Executions, by firing-squad, are also carried out. Between 1985 and 1994, government death squads summarily executed some 5,000 alleged criminals. In 1990, President Suharto said in his memoirs that he was decided to give a government policy: "shock therapy" to bring crime under control. The policy, mainly based on political opponents — of the 30 people executed since 1985, 27 were political prisoners. Most were sentenced after unfair trials and some have been waiting execution for more than 20 years.

Over one million people were detained during the 1965/66 uprisings. Thirty PKI prisoners detained at that time remain in jail — six of them died in December 1993, of the 30 still in jail. Some are mainly being executed, while others are being sentenced for systematic human rights violations.

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The tragedy in East Timor

Some of the wounded sheltering in a chapel during the Santa Cruz massacre which took place in East Timor on 12 November 1991. Government troops opened fire on peaceful demonstrators, killing up to 270 people. Many of the dead and "disappeared" have still not been accounted for.

IN DECEMBER 1975 Indonesian forces invaded East Timor. In the slaughter that followed, as many as 200,000 people — one third of the population — were massacred or died of disease or starvation. The massive military presence in the territory since then has meant two decades of terror for its people. Indonesian sovereignty has not been recognized by the UN or by East Timor's beleaguered population. Guerrillas have fought for independence in the mountains and students have demonstrated on the streets of the capital, Dili. Opposition has been met with killings, "disappearances", torture, political imprisonment, arbitrary arrest, intimidation and harassment.

An underground resistance movement carries on the fight despite the enormous risks. This movement was the inspiration behind a peaceful procession to the Santa Cruz cemetery in Dili in November 1991. Five to 10 minutes after the procession of about 2,000 people reached the cemetery, armed soldiers arrived. They marched towards the cemetery gates where they formed a line. As people began to panic and run the soldiers opened fire. An eye-witness said that when the shooting stopped he saw about 100 bodies lying on the ground. Many of them had been shot in the back. Over the next few days the killing continued. As many as 270 people are believed to have died and another 200 "disappeared".

One of the dead was Domingos Segurado, a teacher at the Portuguese language school in Dili and an activist in the underground resistance. A reporter who knew him described Domingos Segurado as "an extremely gentle man...trying to bring about change in a non-violent way".

The then Indonesian armed forces commander (now Vice-President), General Try Sutrisno, tried to justify the killings on the grounds that people in the procession had tried to "spread chaos". He said: "In the end they had to be shot. These ill-bred people have to be shot...and we will shoot them."

Evidence that came to light in the months after the massacre suggests that a number of the wounded who were taken to the military hospital in Dili were ill-treated or deliberately killed. One eye-witness has testified that some of the wounded at the hospital were hit with large rocks or crushed by military vehicles as they lay on the ground, and that others were given pills and lethal injections. An official government list of 84 people said to have died or "disappeared" after the massacre lends support to these claims. It includes the names of at least 14 people reported by independent sources to have been detained or hospitalized. This suggests that at least 14 people may have been killed in custody, although the true figure could be higher.

The official inquiry into the Santa Cruz massacre was deeply flawed. Two soldiers and eight police officers were eventually tried and received sentences ranging from eight to 18 months' imprisonment. The military officers in charge were not brought to justice. By contrast, some of the peaceful protesters arrested during and after the massacre were sentenced to life imprisonment for subversion.

Peaceful resistance continues, however, and is met with relentless violence from the state. On 14 July 1994 security forces violently broke up a demonstration at the University of East Timor. Dozens of students were severely beaten by police and military authorities and some were seriously injured. At least 22 people were arrested during and after the demonstration. There is serious concern that some of the detainees may be at risk of torture or have "disappeared".

In an outspoken appeal for East Timorese self-determination, Bishop Belo, leader of the Roman Catholic Church in East Timor, said: "It is necessary to give the opportunity to the people to speak. Are we happy with integration or are we not happy? [Would] we like to be independent or [would] we like to be integrated? It should be freely chosen by the East Timor people, not by Indonesians or by other people."
Government response is ‘complacent’

The Indian Government has been urged to reconsider its response to AI’s recommendations for halting human rights violations, made after the organization’s first research visit to an Indian state for 15 years.

While welcoming the fact that the government had replied to AI’s 42-page memorandum, AI said the response was “complacent”. The government broadly acknowledged that large-scale unrecorded detention and other human rights problems occurred, but dismissed the need to tackle them, describing some AI findings as unacceptable and saying its memorandum contained “sweeping allegations”.

An AI delegation visited Bombay, capital of Maharashtra, in January. It investigated arrest and detention practices, which often result in widespread illegal detention, ill-treatment and torture throughout India.

The delegation found that large numbers of people, including women and children, are routinely held in Bombay police stations without a proper record of their arrest or detention, even though this is prohibited in Indian law. Some of them were held as “hostages”.

Beating suspects to extract information is common. Other forms of torture, including electric shocks, sometimes occur. Elsewhere in India, this kind of unrecorded arrest often leads to the “disappearance” of the detainee. Existing legal safeguards, such as informing suspects of the legal grounds of their arrest, are routinely ignored by the police, who also frequently deny lawyers and relatives access to detainees.

AI is urging the state government of Maharashtra to implement a number of detailed recommendations, which include establishing a system of comprehensive and open police custody records. If such measures are not taken by Bombay police, there is little chance for improvement in other Indian states where police—faced with armed opposition group attacks on the security forces and civilians—are notorious for grave human rights violations.

Muslim leader found dead in suspicious circumstances

Haji Mohamad Ziaie, (pictured above) a 55-year-old Sunni Muslim leader from Bandar–Abbas, has been found dead in suspicious circumstances.

He was apparently summoned for interrogation at the Security Headquarters in Laar, in Fars province, on 15 July. Five days later, on 20 July, his mutilated body was found beside his car in a valley around the Shah–Mossallam area, some 200km from Laar. The body was reportedly beheaded and one arm and one leg had been amputated. Security officials in Laar were reported to have attributed the death to a car accident.

Haji Mohamad Ziaie was known to be critical of government policies. He was arrested in 1981 and was reportedly tortured and sentenced to death. Although he was released later, he continued to be harassed.

AI wrote to the authorities in August urging an immediate, thorough and independent investigation into the circumstances surrounding the death of Haji Mohamad Ziaie, and asking that the findings of the investigation be made public. No response has been received.

New bill increases scope of death penalty

A major new crime bill which extends the number of crimes punishable by death under federal law from two to about 60 was signed by President Clinton on 13 September 1994.

AI condemned the move as a major setback for human rights in the USA. It further adds to the grave concerns AI already has about the use of the death penalty there. Such a step is contrary to international human rights standards and treaties which encourage governments to restrict the use of the death penalty, with a view to abolition.

The organization is further concerned that a provision which would have allowed defendants to challenge their death sentences on grounds of racial discrimination, (the Racial Justice Act) included in an earlier version of the bill, was dropped from the final version. The crimes to which the federal death penalty will now be applied range from the murder of federal officials to non-homicidal offences, including the attempted assassination of the President and major drug-related crimes.

Previously the death penalty was authorized under federal law only for murder during aircraft hijacking and drug-related homicides. There have been no executions under federal law since 1963.
MYANMAR

Mother and daughter arrested

A 49-YEAR-OLD writer and government critic and her daughter were arrested in the Burmese capital, Yangon (Rangoon) in early August.

Al believes both women — Daw San San Nwe and Ma Myat Mo Mo Tun — are prisoners of conscience, detained solely for the peaceful expression of their political views, and is calling for their immediate and unconditional release.

According to the state-controlled newspaper, The New Light of Myanmar, Daw San San Nwe met former members of a banned political party to “cause disturbances”, and “informed one-sided opposite views” to French journalists in April 1993.

Her daughter is alleged to have recorded “defamatory letters and documents”, made contact with “illegal” groups and to have sent anti-government articles to a journal published by an expatriate group.

Daw San San Nwe is well-known in Myanmar. As a member of the central executive committee of the National League for Democracy (NLD), she was first arrested in July 1989, and held in solitary confinement.

Released in April 1990, she continued to campaign for the NLD during the 1990 elections. Although the NLD won the elections, the Myanmar Government, the State Law and Order Restoration Council (SLORC), refused to relinquish power.

Daw San San Nwe resigned from the NLD in 1991, but her work remains banned, because she says, “the SLORC is not in favour of writers who have been active in support of democracy, and who have strongly resisted the system of one-party rule and exploitation by military might, [so] it is not surprising that my writings have been banned.”

MALAWI

Project brings hope for human rights

A MAJOR human rights project in Malawi has been jointly initiated by AI and the Public Affairs Committee, a Malawian independent church-linked organization. In August a symposium attended by local and regional human rights non-governmental organizations took place in Lilongwe to discuss the future of the human rights movement in Malawi. This was followed by human rights education training workshops. Funds were raised for the project by individual members of AI’s German Section.

SAUDI ARABIA

Hundreds of Sunni Islamists may be tortured in detention

I N A FURTHER crack-down on suspected Sunni Islamist opponents of the Saudi Arabian Government, hundreds of people were arrested by the security forces between 13 and 19 September. AI feared they may be subjected to torture and ill-treatment.

The latest arrests followed the detention of Sheikh Salman al-Awda and Sheikh Safr al-Hawali. Both are prominent religious figures and critics of the ruling royal family.

Others detained included 39-year-old religious scholar, Sheikh ‘Ayedh al-Qarani; businessman 'Abdullah al-Jalali, aged 70; and 40-year-old Dr Khalid al-Duwaish, a lecturer at King Said University. A number of students were also arrested.

Most of the arrests took place in the towns of al-Buraida, al-Unaiza and al-Bukayriya in al-Qaseem Province. Detainees were being held in incommunicado detention in al-Hair prison, General Intelligence headquarters in al-Ulaiha and in police stations in al-Qaseem and Riyadh.

Since April 1994, hundreds of Sunni Islamist opponents of the government have been arrested, following the transfer to London of the headquarters of the Committee for the Defence of Legitimate Rights (CDLR) and the opening in London of another opposition group: the Advice and Reformation Committee (Hay’at al-Nasihah wal Islah) led by Sheikh Usama bin Ladin.

The CDLR was founded in Riyadh on 3 May 1993 by six prominent religious scholars and professionals. It was banned on 11 May and many of its supporters and members were arrested, but released a few months later after signing an undertaking to disband the Committee.

Inter-ethnic violence increases

I N THE LAST six months, northern Mali has seen an escalation in the inter-ethnic violence which started with a Tuareg uprising in 1990.

Attacks and killings, mostly by armed Tuareg and Moorish groups, have been followed by reprisal killings of civilians from these ethnic groups by the armed forces, who are predominantly from the majority black population.

In the worst incidents, at least 50 civilians, mostly from the Moorish ethnic group, were killed by soldiers in Timbuktu and surrounding areas in June this year. In July a Moorish armed group shot dead at least 40 civilians in the village of Bamba.

AI has called on the Malian Government to condemn extra-judicial executions by the security forces, to take measures to prevent further such killings and to bring those responsible to justice. It has also called on the leaders of all armed factions to end deliberate and arbitrary killings.

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