

PHILIPPINES

Edilberto Bensen, his pregnant wife Haydee, and their 10-year-old daughter, Mary Grace, were shot dead on 28 August 1991 at their home in Murcia, Negros Occidental, by armed men believed to be soldiers.

According to eye-witnesses, about 20 men, two of them armed, believed to be members of the 61st Infantry Battalion (6) of the Philippine Army, arrived at the Bensens' house at around 9pm. They ordered Edilberto Bensen to come out and killed him with a burst of gunfire. His wife and daughter were also shot dead.

Edilberto and Haydee Bensen were active trade unionists; relatives and neighbours believe this is why they were killed. He was a district leader of the National Federation of Sugar Workers and she was a member of the Association of Women Workers¹.

Military officials claimed that the family had been killed by the New People's Army (NPA), the armed wing of the Communist Party of the Philippines. They said that Edilberto Bensen had angered the NPA by joining a militia group used by the army for counter-insurgency operations. But family and friends have denied these allegations and stated that Edilberto Bensen refused to join the militia.

The official Commission on Human Rights (CHR) conducted an investigation into the case. In March 1992 it reported that the investigation had been suspended and the case dossier "archived". The CHR appears to have accepted the army's explanation of the killing. However, neither the military nor the CHR have provided evidence that the NPA was responsible and the perpetrators remain at large. Please appeal for the investigation into the killings to be reopened and for the perpetrators to be brought to justice, to: President Fidel Ramos, Malacañang Palace, Manila, Philippines.

¹Kilusang Manggagawa sand Kababayan-an

DJIBOUTI

Ali Aref Bourhan: a former president, he is serving a 10-year sentence imposed after a grossly unfair trial at which he was convicted of plotting to overthrow the government. He is a prisoner of conscience.

Ali Aref Bourhan was arrested in January 1991 with over 130 other members of the Afar ethnic group and accused of leading a plot to overthrow President Hassan Gouled Aptidon's government. An AI representative observed his trial by a security tribunal in July 1992. In a report published in December 1992, AI severely criticized the tribunal for violating international standards of fair trial. Most of the judges were government officials, the rights of the defence were restricted, and the convictions of Ali Aref Bourhan and 13 other defendants were mainly based on evidence obtained under torture.

AI believes Ali Aref Bourhan was imprisoned on the pretext of a fabricated "plot" because the government apparently saw him as a threat. His appeal to the Supreme Court has not yet been heard.

Ali Aref Bourhan, 58, married with two children, was active in politics for the last 20 years of French colonial rule, becoming president of the council of government shortly before Djibouti attained independence in 1977. He has been a businessman since then, but is known as an opponent of one-party rule. With many government opponents boycotting new multi-party elections in December 1992, the ruling party has stayed in power.

Please send appeals for the immediate and unconditional release of Ali Aref Bourhan to: S.E. Monsieur Hassan Gouled Aptidon/Président de la République/La Présidence/BP 6/Djibouti/République de Djibouti

IRAQ

'Aziz al-Sayyid Jassem: a 51-year-old Shi'a Muslim and writer from al-Nasiriyya, has been detained for almost two years, apparently because he failed to write articles supporting the Iraqi Government following the invasion of Kuwait. There has been no definite news of his fate or whereabouts since January 1992.

'Aziz Jassem, a well-known Iraqi writer and journalist, and a member of the Ba'th Party since 1963, was arrested in Baghdad on 14 April 1991 by plain clothes members of the security forces. He was taken to *Mudiriyyat al-Ann al-'Amma*, General Security Directorate, in Baghdad, where he was reportedly held in solitary confinement and tortured. His family received no news of him for over a year. He was apparently in poor health, suffering from diabetes and a heart condition. Reports that he was transferred to Iraqi intelligence headquarters in Baghdad in July 1992, and that he has since been permitted regular visits from his family, cannot be confirmed.

Arab writers and journalists have appealed on 'Aziz Jassem's behalf, but although the authorities acknowledged his arrest, they have refused to provide details of the charges against him or information on his fate or current whereabouts.

The author of numerous books on subjects including womens' rights and the Kurdish question, 'Aziz Jassem also edited and wrote for various government publications including *al-Qadisiyya*, *al-Ghad* and *al-Thawra*. He had been briefly detained several times in the past reportedly because of his writing.

Due to UN sanctions against Iraq, please send courteous letters appealing for clarification of the fate, whereabouts and legal status of 'Aziz al-Sayyid Jassem to Iraq's diplomatic representative or representative of Iraqi interests in your country.

PHOTO ENCLOSED

Central Asia

Human rights activists abducted

LEADING Uzbek human rights activist Abdumannob Pulatov was abducted on 8 December 1992 in Bishkek, Kyrgyzstan, by members of the Uzbek security services after participating in an international conference on human rights in the Central Asia countries.

He and two other conference delegates from Uzbekistan, Uktam Bekhmukhamedov and Takhir Bakayev, were seized in the city centre and forced into a van, apparently with the approval of the Kyrgyz authorities. They were driven to Tashkent, Uzbekistan's capital, where Abdumannob Pulatov was charged with "infringement upon the honour and dignity of the President". He was tried in January and sentenced to three years in a labour camp, but was immediately amnestied by the President and released.

Takhir Bakayev, an opposition activist, was returned to his home town of Bukhara and released. Uktam Bekhmukhamedov, an activist for Tadjik minority rights in Samarkand, was released after 10 days in administrative detention.

Before the human rights conference started, at least six opposition activists were detained in Uzbekistan and threatened with arrest if they tried to attend. Several delegates returning from the conference were detained for questioning in Uzbekistan. In Turkmenistan, at least 10 opposition activists spent nearly a week under house arrest to prevent them attending the conference.

AI regarded Abdumannob Pulatov as a prisoner of conscience and called for his immediate and unconditional release. AI also called for the Turkmen activists to be released. An AI representative attended the Bishkek conference.

SIERRA LEONE**Summary executions follow unfair trials**

TWENTY-SIX people were summarily executed by firing squad in Freetown, Sierra Leone's capital, on 29 December 1992, some following secret and grossly unfair trials and others apparently after no trials at all. At least three others were extrajudicially executed. Some were allegedly tortured before being killed.

The 26 were convicted of treason and sentenced to death by a special military court established three weeks earlier. They were apparently charged with involvement in alleged coup attempts in November or on 28 December. Unofficial sources said that some had not been tried at all.

The defendants were held incommunicado, had no defence lawyers and were denied all rights of defence or judicial appeal. The executions took place within hours of the sentences being confirmed by the National Provisional Ruling Council, the military government which seized power in April 1992.

At least two were alleged to have been killed before 28 December: James Bambay Kamara, a former police chief, and former army commander James Yaya Kanu. They had been detained since April 1991.

At least eight others arrested or declared "wanted" were feared to be at risk of summary execution. AI urged the government to give any other suspects fair and open trials and to commute any further death sentences.

CHINA**The judicial massacre continues**

AI HAS again recorded a very high number of death sentences and executions in China. During 1992 at least 1,891 people were sentenced to death, and at least 1,079 were executed. Hundreds more were executed in January 1993 as the Chinese New Year approached.

AI believes that these figures significantly understate the real number of executions and death sentences, but complete figures are officially classified state secrets. Moreover, there appears to be an official clampdown on reporting executions in the national media, except in the context of specific campaigns against crime.

One third of all criminal offences in China's Criminal Law may be punished by death. Trials are often grossly unfair. Defendants are not presumed innocent, only a minority have access to a lawyer and even then defence lawyers face severe restrictions on access to police files and on their ability to cross-examine witnesses.

Prisoners sentenced to death are held in separate cells and permanently shackled by the hands and feet -- itself a form of ill-treatment specifically forbidden by international human rights treaties.

Many prisoners are publicly displayed shortly before execution at mass sentencing rallies where they are humiliated in front of large crowds. Prisoners are often taken straight from the rally to the execution ground, standing on the back of lorries which drive along main thoroughfares. These "execution parades" are illegal and officials often deny that they take place. Nevertheless, photographs of these parades are displayed in public places.

More people are judicially but summarily killed in China every year than died in Beijing during the June 1989 massacre. Yet the judicial massacre goes on, little noticed by the international community.

PARAGUAY

Secret archives reveal fate of political prisoners

COMPELLING evidence that senior police and government officials were responsible for torturing, killing and "disappearing" political opponents during the 34-year rule of President Stroessner has been discovered.

In December 1992 criminal court judges found thousands of documents compiled by the police intelligence unit², DIP-C, in a police centre on the outskirts of the capital, Asunción. The documents are believed to contain information about the fate of dozens of political dissidents believed to have been tortured and killed by DIP-C agents.

The names of several political opposition figures reported as "disappeared" during the 1970s appear on lists of prisoners held in DIP-C headquarters. The date of their arrest appears on the lists, but there is no release date. The Paraguayan authorities had always denied knowledge of "disappeared" prisoners' detention.

In a second visit to the site in January, criminal court judges discovered dozens of personal identity documents buried in the grounds of the police centre. Some reportedly belong to people who "disappeared" during the Stroessner administration.

After the DIP-C archives were discovered, the Attorney General, Dr Luis Escobar Faella, began proceedings to issue an arrest warrant for General Stroessner and request his extradition from Brazil, where he has lived since his overthrow in 1989.

Dr Escobar Faella stated: "In the archives of horror belonging to the sinister police of the previous government there are documents which prove that Stroessner knew all about what was going on³".

²Departamento de Investigaciones de la Policía

³Spanish for translators?

ISRAEL/SOUTH LEBANON**Over 400 Palestinians deported**

On 17 December 1992 the Israeli government deported over 400 Palestinians from the West Bank and Gaza Strip to Lebanon. In February they remained stranded in harsh conditions in a makeshift camp in an area between the "security zone", controlled by Israel with its allied militia the South Lebanon Army (SLA), and the rest of Lebanon. The Lebanese government has refused to accept them.

Israel maintains that the deportees belong to the Islamic Resistance Movement (Hamas) and Islamic Jihad, and that the deportation measure is for a period of up to two years. The Israeli High Court of Justice upheld the deportation orders. Israel later said that 16 had been deported by mistake and could return, most to face charges or continue to serve prison terms. AI had appealed to the Israeli government not to deport any Palestinian in retaliation for the death of Nissim Toledano, an Israeli Border Policeman taken as hostage on 13 December and subsequently killed by Hamas. AI has condemned his killing.

After the deportations, AI called on the Israeli government to allow the deportees to return safely to the Occupied Territories, where they should be released or, if suspected of offences, charged and brought to trial promptly and fairly. AI also asked the Lebanese government to give them any protection they requested as a result of their deportation.

PERU**Journalist tried on false charges**

JOURNALIST Magno Sosa Rojas, a prisoner of conscience, is currently on trial on charges of terrorism which AI believes to be false. This is the latest of several attempts to stop him investigating and reporting human rights violations.

Magno Sosa was detained in September 1992 and accused of links with the armed opposition group, Communist Party of Peru (Shining Path).

In August the Political-Military Command of Ayacucho department had issued a communique accusing Magno Sosa of "trying to implicate members of the army in acts which are inconsistent with the task of pacification". The communique criticized an article he had written denouncing the army for the abduction and murder of a teacher from Ayacucho.

This is the second time Magno Sosa has been detained. In August 1991 he was accused of terrorism and detained for several weeks before being released for lack of evidence. He had also received several death threats from paramilitary groups believed to be linked to the army.

In June 1991 a paramilitary group forced workers at Radio Wari in Huamanga, Ayacucho department, to transmit a death threat to Magno Sosa. He then moved to Lima, the capital, but continued to receive threats: on one occasion a car pulled up alongside him and the driver told him he would be safer if he kept quiet. AI has repeatedly urged the government to guarantee his safety.

CHILE**Supreme Court upholds impunity**

WIDESPREAD criticism greeted the Chilean Supreme Court's decision, in October 1992, to transfer investigations into the "disappearance" of Alfonso Chanfreau Oyarce to the military courts. The decision prompted several congressmen to accuse Supreme Court members of violating the constitution.

Over 1,000 people "disappeared" in Chile under the military government. Most "disappearances" occurred in the 1970s, many at the hands of the Directorate of National Intelligence, DINA¹. Those responsible have escaped justice because the military courts have used a 1978 amnesty law to block investigations.

When Chile returned to civilian rule in 1990, there were hopes that the Supreme Court, which had routinely upheld military court rulings, might reinterpret earlier decisions regarding the amnesty law. Those hopes were shortlived.

Investigations into the 1974 "disappearance" of Alfonso Chanfreau, a philosophy student and leader of the Movement of the Revolutionary Left², (MLR), became a test of the Chilean judiciary's ability to deal effectively with "disappearance" cases. The civilian judge was widely praised. She questioned senior members of the DINA, and her inquiry led to the tracing of Osvaldo Romo, a former DINA agent and key witness, who had been living in Brazil. He was returned to Chile last year.

The Supreme Court's decision leaves little hope that those responsible for Alfonso Chanfreau's "disappearance" will be brought to justice or that numerous other cases will be clarified.

CAMBODIA

Political killings increase

POLITICAL killings and grenade attacks against opposition political party offices increased dramatically in Cambodia at the end of 1992 as voters registered for the May 1993 elections and parties opened branches in the provinces. In the run-up to elections, the United Nations Transitional Authority in Cambodia (UNTAC) is overseeing the country's administration.

During its visit to Cambodia in November and December 1992, AI documented the rise in political violence. In one case, the widow of a political activist told AI that she had identified her husband's killers as State of Cambodia (soc) soldiers. AI has urged the soc Government to cooperate with UNTAC in investigating these incidents, and ensuring that those responsible are brought to justice.

At least 39 ethnic Vietnamese civilians living in Cambodia were killed and 11 others abducted by **Partle** of Democratic Kampuchea (POK, or Khmer Rouge) forces in 1992. On 27 December POK forces entered a village in central Kompong Chhnang province, asked villagers to identify ethnic Vietnamese, and killed 13 of them, including four children. Two Cambodians were also killed, and 13 people were injured. AI is gravely concerned by this pattern of gross human rights abuses. It has called on the POK to account for the 11 abducted and to stop deliberate and arbitrary killings.

LEBANON**Eleven charged for producing leaflet**

AT LEAST four possible prisoners of conscience, reportedly supporters of the exiled general Michel 'Aoun, remained in detention in Beirut in January. They were among up to 200 people arrested by the army shortly after Lebanon's Independence Day celebrations on 22 November 1992. Most of the others are believed to have been released.

José 'Aff, Emile al-Hachem, Nu'man Antoine and Mansour Sfeir were apparently charged in connection with a leaflet distributed on Independence Day. The leaflet called for Lebanon to become "truly independent" and for the removal of foreign military forces from the country. Seven others also face charges but were released on bail.

Some of those detained were reportedly tortured or ill-treated during interrogation.

AI has called for their release if they are being held solely on account of their peaceful exercise of the right to free expression, and for measures to protect them against torture or ill-treatment.

LAOS

Prisoner of conscience freed after 17 years

KHAMPHAN Pradith was aged 40 when he was detained by the Lao authorities in 1975 at the end of the Indochina war. A former civil servant, who became a poet and Christian in detention, Khamphan Pradith was held in a succession of camps. He spent at least the last 11 years of his detention in the Sop Pan "re-education" camp in the remote northeastern province of Houa Phan. He was never charged or brought before a court. Like many of his co-detainees, he relied on support from friends and relatives, and on fishing, to survive and supplement the meagre camp rations.

In December 1992 Khamphan Pradith was flown to Vientiane, the capital, for medical examinations and to await his "final and official release". Aged 57, he appears to be in fragile health. AI adopted him as a prisoner of conscience over 10 years ago.

At least one other prisoner of conscience detained in 1975 is still held in Sop Pan: Thuck Chockbengboun, aged 67 and a former civil servant. Although never formally charged, he was apparently questioned during 1992 about his pre-1975 activities.

YEMEN**Protesters killed and tortured**

IN DECEMBER 1992 security forces killed at least 15 people during anti-government demonstrations in Ta'iz, Ibb, Hudaida and Sana'a. Over 1,000 people were arrested, including prisoners of conscience.

The demonstrations were held in protest against rising prices of basic commodities and the government's general economic policy.

Some of the detainees were arrested several days after the demonstrations. Many were students, but civil servants, labourers and military personnel were also detained.

Most detainees were released without charge within days, but at least 50 remained in detention at the end of 1992. Among them were airforce officers Muhammad Yahya al-Sabri and Sarhan al-Muhayya, who were held incommunicado in the military intelligence detention centre in Sala in the city of Ta'iz.

As well as those killed, scores of demonstrators were wounded when security forces opened fire. Among the victims was Khalid Muhammad Sa'sa'ah, a university student, who was apparently shot at point-blank range by a soldier in Ta'iz while trying to prevent the arrest of a fellow student. In January 1993 he was still in a critical condition in Ta'iz military hospital. A parliamentary commission set up to investigate the killings had not concluded its inquiries by the end of January.

There were reports of widespread torture and ill-treatment of the detainees. Muhammad Farhan al-Tub'i, a university student, suffered a broken jaw reportedly as a result of being beaten in a detention centre near Maydan al-Sab'een on the outskirts of Sana'a. In Hudaida, Fuad Muhammad al-Faqih and 'Adil Muhammad al-Kuhlani, both navy personnel, were allegedly subjected to electric shocks and continuous beatings while held incommunicado in the military intelligence detention centre.

In January 20 detainees were brought before the Sana'a Court of First Instance and charged with manslaughter and damaging public and private property. All denied the charges and asserted that statements they had made were extracted under duress.

TURKEY**Torture equipment discovered**

THE EUROPEAN Committee for the Prevention of Torture (ECPT) announced in December 1992 that it had found extensive proof that "torture and other forms of severe ill-treatment of persons in police custody remains widespread in Turkey and that such methods are applied to both ordinary criminal suspects and persons held under anti-terrorism provisions". These findings corroborate the view expressed by AI and vigorously denied by the Turkish authorities for over a decade.

The ECPT, established by the Council of Europe of which Turkey is a member, has the right to inspect any place of detention in countries which have ratified the European Convention for the Prevention of Torture.

The committee has visited Turkey several times in the past three years and during impromptu visits to interrogation centres discovered equipment apparently used to torture suspects. At Ankara police headquarters, ECPT delegates found a frame equipped with straps which was apparently used to restrain detainees during torture with electric shocks. In Diyarbakır Police Headquarters they found equipment used to hang detainees by their arms -- a torture method documented by AI. The ECPT stated that these discoveries "caused considerable consternation among police officers present; some expressed regret, others defiance".

PAKISTAN**Arrests and torture follow demonstrations**

THOUSANDS of political activists were arrested in Pakistan during anti-government demonstrations in November and December 1992. At least 12 journalists reporting the demonstrations and scores of leading government opponents taking part in them were reportedly tortured or ill-treated in police custody.

Mariana Baabar of *The News* was beaten in police custody in Islamabad. Salman Taseer, a leading member of the Pakistan People's Party (PPP), was hanged upside down and beaten with rubber batons. PPP leader Sohail Malik was kicked in the testicles and beaten with electric batons after his arrest on 22 December during a peaceful demonstration.

Several hundred prisoners of conscience were believed to be among those detained. They included 12 members of a local human rights monitoring group. Most detainees had been released by late January, but over 100 were then still detained.

Mass arrests of government opponents, including hundreds of prisoners of conscience, have repeatedly occurred under the government of Prime Minister Mian Nawaz Sharif since December 1990, and dozens of detainees have been tortured.

See: *Pakistan: Arrests and torture of political activists*, AI Index: ASA 33/01/93.

Photographs, March News

Uzbek human rights activist Abdumannob Pulatov

Procession of lorries taking prisoners to the execution ground, Chengdu, late 1992. This photograph was publicly displayed in Chengdu but local officials denied that "execution parades" occurred in the city. When questioned by a visiting foreign delegation, they suggested that overzealous local officials had ordered the parade.

'Aziz al-Sayyid Jassem

Ali Aref Bourhan

Vera Chirwa, now aged 65, was released 24 January after 12 years in prison in Malawi. She was the longest serving prisoner of conscience in Africa. Sadly her husband, Orton Chirwa, arrested with her in 1981, died in prison three months earlier.

Protestors on an anti-government demonstration in Sana'a, Yemen, in December 1992.

Khamphan Pradith

i. Dirección de Inteligencia Nacional

ii. Movimiento de Izquierda Revolucionario