
AMNESTY INTERNATIONAL NEWS SERVICE 77/93

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NEWS INITIATIVES - INTERNAL

PLEASE NOTE

This is the first News Service to replace Weekly Updates, continuing on weekly update indexing. The News Initiatives section will now only contain new information - retaining the titles of upcoming initiatives with a reference to previous services where there was further information (see below).

INTERNATIONAL NEWS RELEASES

Annual Report - 0600 hrs gmt, 8 July - SEE WEEKLY UPDATE 76/93

FORTHCOMING NEWS INITIATIVES

Indonesia (Aceh) - 28 July - SEE WEEKLY UPDATE 76/93

TARGETED AND LIMITED NEWS RELEASES

Libya - 8 July

Item enclosed will be sent to Middle East media by IS Press Office.

AI INDEX: MDE 19/WU 02/93 EXTERNAL
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LIBYA: AMNESTY INTERNATIONAL URGES AGAINST INTRODUCTION OF JUDICIAL AMPUTATION, FLOGGINGS AND EXTENDED USE OF DEATH PENALTY

Amnesty International wrote to Colonel Mu' ammar al-Gaddafi today urging him not to widen the scope of the death penalty and to commute all death sentences in Libya. The organization also urged that judicial punishments of amputation and flogging be neither imposed nor carried out.

In a speech broadcast by Libyan Television on 30 June, Colonel al-Gaddafi, the Libyan head of State, called for the introduction and implementation of the judicial punishments of amputation and flogging. He also appeared to call for widening the scope of the death penalty. His remarks follow a statement he made earlier in April 1993 when he urged the General People's Congress, Libya's highest legislative body, to officially announce laws providing for the judicial punishments of amputation and flogging. Amnesty International is gravely concerned that the introduction of these punishments in the Libyan Penal Code may be imminent.

In his speech delivered to a group of prisoners, Colonel al-Gaddafi said: "Henceforth, no one will be sent to prison because he is a thief. The thief's hand will be cut off and he has to do with only one hand. If he steals again, the other hand will be cut off." He went on to say: "prostitution (and adultery) will be punished by 100 lashes and (will be shown) on television". He also added that "anyone who drinks alcohol should be charged with being an agent of the enemy (with whom we are) in a state of confrontation. The sentence for that could be death because alcohol is obtained from foreign embassies or companies." Colonel al-Gaddafi also implied that "heretics" would be executed.

At present the Libyan Penal Code does not allow for the judicial punishments of amputation or flogging. It does, however, provide for the death penalty in cases of murder and certain violent crimes against the state. No judicial amputations are known to have been carried out in Libya since Colonel al-Gaddafi came to power in 1969. Individuals convicted of theft, prostitution or adultery were usually tried and sentenced to prison terms. In November 1992 Libya executed six men - the first officially announced executions in over five years. Their hangings were shown on state television.

In May 1970 Libya became a state Party to the International Covenant on Civil and Political Rights (ICCPR), and in May 1989 it became a State Party to the UN Convention against Torture, without making any reservations to that treaty. The extension of the death penalty to crimes such as drinking alcohol and membership of a "heretical" group would violate Libya's solemn obligations under Article 6(2) of the ICCPR, which restricts the death penalty in countries which have not yet abolished this penalty to "the most serious crimes". Widening the scope of the death penalty would also contradict the provisions of the Libyan Great Green Document on Human Rights in the Era of the Masses, adopted in June 1988, which states that the death penalty would be applied "only to he whose life constitutes a danger or corruption to society", and set abolition as an aim of Libyan society.

Amnesty International opposes the death penalty in all cases as a violation of the right to life guaranteed by Article 3 of the Universal Declaration of Human Rights. It also considers that the judicial punishments of amputation and flogging amount to torture or cruel, inhuman and degrading treatment. As such, their implementation in Libya would violate the country's solemn obligations under the Convention against Torture.

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USA: AMNESTY INTERNATIONAL WELCOMES INVESTIGATION INTO JAIL SUICIDES IN MISSISSIPPI

Amnesty International has welcomed an investigation by the United States (US) Justice Department into more than 40 alleged jail suicides in Mississippi between 1987 and early 1993.

The decision to investigate the deaths was made after hearings held in Mississippi in April, in which civil rights groups and relatives of jail inmates questioned the state rulings of suicide in all cases, alleging that some of the deaths were suspicious and accusing jail officials of abuses toward inmates. There have been least 44 alleged suicides by hanging - involving both black and white inmates - in 31 Mississippi jails since 1987; proportionately a higher number than in other US states.

Amnesty International wrote to the Attorney General of Mississippi in November 1992, urging that a full, independent inquiry be held into the death of Andre Lamond Jones, an 18-year-old black teenager found hanged in Simpson County Jail, Mississippi, in August 1992. Although his death had been ruled a suicide, doubts had been expressed about the circumstances and cause of death by relatives and a second pathologist acting for the family.

In March 1993, Amnesty International wrote to the US Justice Department asking for information about a federal investigation into the case. The Justice Department's Civil Rights Division replied in April 1993 that, after a full and thorough investigation, it had concluded that his death was a suicide and that no violation of the federal criminal civil rights statutes had been disclosed. The letter also stated that the Department was currently reviewing other suicides in Mississippi jails, and that the Special Litigation Section of the Civil Rights Division was examining conditions in the jails with particular attention to the issue of suicides.

Amnesty International wrote again to the Justice Department on 25 June 1993, welcoming its decision to investigate the deaths. In its letter the organization said that, however the deaths occurred "...there is troubling evidence of a lack of trust in the system which cannot be dispelled without a comprehensive and authoritative public review of the processes involved. This is of particular importance given the history of racial abuse in Mississippi and the fact that a large proportion of those detained in the state are black. Such a review must either clearly demonstrate the lack of wrongdoing or, if wrongdoing is exposed, ensure that those responsible are brought to justice and that shortcomings in the system that allowed wrongdoing to occur are rectified".

In its letter, Amnesty International said that Andre Jones' case continued to be the cause of widespread local concern and that it was imperative that the review of his case be seen to have thoroughly investigated all the circumstances surrounding his death. The organization said: "It would be important to know, for example, how Mr Jones could have hanged himself in the manner he did without a platform of some sort, as commented on by Dr Bryant, the pathologist acting for the family". Amnesty International also called for the inquiry to address a number of unanswered questions in another case of continuing concern: that of David Scott Campbell, found hanged in the Neshoba County Jail, Mississippi, in October 1990.

The organization noted that there had been disturbing reports of general conditions in Mississippi jails, including the isolation of vulnerable inmates (some of them juveniles), which it hoped would also form part of the Justice Department's investigation. Amnesty International also said that it had raised concerns in 1991 about a number of alleged assaults and other abuses of inmates in the late 1980s by officials at a youth detention centre and at the Harrison County Jail, Mississippi, where four suicides had taken place since 1987. These allegations, it believed, were also relevant to the inquiry.

Amnesty International said it hoped that the Justice Department's inquiry would also carefully examine the procedures for investigating in-custody deaths in Mississippi and that all such deaths should be fully and independently investigated, whether or not wrongdoing is alleged.

The organization has asked for more information about the terms of reference of the Justice Department's investigations, as well as further details of its finding that there was no criminal wrongdoing in the Andre Jones case. It has also asked to receive the full reports of the inquiries in due course.

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BANGLADESH: AMNESTY INTERNATIONAL APPEALS FOR COMMUTATION OF IMMINENT EXECUTION

Amnesty International is appealing to the highest authorities in Bangladesh to commute Munir Hussain's death sentence for murder which has been upheld by the High Court Division of the Supreme Court. His petition for leave to appeal has been dismissed by the highest court, and his appeal for clemency has been turned down by the President of Bangladesh. The prisoner is therefore at risk of being executed at short notice.

Amnesty International is not in a position to verify reports that the course of justice may have been influenced by undue media publicity. However, the organization is alarmed that the judgement of the Sessions Court which sentenced Munir Hussain to death has reportedly been announced through a loudspeaker for the benefit of pressure groups outside the court who campaigned for the imposition of the death penalty on Munir Hussain.

Munir Hussain, aged about 34, was sentenced to death in 1990 for murdering his wife, Rima, in April 1989. Munir Hussain's mistress, Hosne Ara Khuku, was also sentenced to death for abetting the murder. In July 1992, the High Court Division of the Supreme Court acquitted Hosne Ara Khuku, but confirmed Munir Hussain's death sentence. The death sentence was upheld by the Appellate Division of the Supreme Court in June 1993.

Amnesty International opposes the death penalty in all cases as a violation of the most fundamental right of every human being; the right to life.

Amnesty International knows of no execution being carried out in Bangladesh since mid-1992. The organization is appealing to the government and political authorities in Bangladesh for the commutation of Munir Hussain's death sentence and to continue the apparent move away from executions in the country.

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