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**Amnesty International  
International Secretariat  
1 Easton Street  
London WC1X 8DJ  
United Kingdom**

**March 1994**

**The texts of the following eight appeal cases are external. The "TAKING ACTION" part of each case is given as internal guidance for letter writers.**

c. Associated Press

**Turkey - confrontations between security forces and  
marchers in May Day demonstrations in 1988**

## **@TRADE UNIONIST ACTION 1994**

### **CASES FOR APPEALS**

1. TURKEY - Münir Ceylan
2. COLOMBIA - Wilson Monsalvo Navarro and Elmer Charris Alvarez
3. HAITI - Cajuste Lexius, Phabonor St. Vil and Saveur Aurélus
4. MOROCCO - Abdelhaq Rouissi
5. BENIN - Basile Houndjo, Étienne Houndjo and Houngué Mahoussi
6. CHAD - M'Bailao Mianbe
7. INDONESIA - Marsinah
8. CHINA - Liu Jingsheng

Münir Ceylan  
convicted for calling workers  
to action on human rights in Turkey

**Münir Ceylan**

Münir Ceylan, president of Petrol-\_\_\_, a petroleum worker's union, has been convicted for writing a newspaper article. The article called for workers to take action to express their opposition to the rising wave of human rights violations in the context of the conflict between guerrillas of the Kurdish Workers' Party (PKK) in southeast Turkey.

The sentence imposed by Istanbul State Security Court has been postponed until June 1994, when Münir Ceylan will begin his 20 months term of imprisonment as a prisoner of conscience. He is also on the board of Türk-\_\_\_, one of the two main labour confederations in Turkey.

On 3 May 1993 Münir Ceylan was convicted of incitement to "enmity and hatred" under Article 312/2 of the Turkish Penal Code, for an article entitled "Tomorrow will be too late", published in the 22 July 1991 edition of *Yeni Ülke* (New Land), a newspaper which has since closed. The article does not advocate violence, or hatred, but merely calls on the workers' movement to do whatever they can to halt the rising wave of human rights violations in the mainly Kurdish southeast.

The Turkish petrol industry is based in the southeastern city of Batman, where, since 1991, there have been more than 350 political killings, many in circumstances which suggest that security forces may be involved. The victims have included 10 members of Petrol-\_\_ - the most recent being \_sa Özer, who was killed in a street in Batman on 11 January 1994 in an armed attack by unidentified assassins.

The initial conviction of Münir Ceylan on 3 May by Istanbul State Security Court No. 1 was confirmed by the Ninth Chamber of the Appeal Court on 14 December 1993.

Prosecutions under this article of the Turkish Penal Code are rare. Yet Amnesty International has noted a serious increase in trials, convictions and imprisonment of writers, artists, journalists, human rights activists and politicians for exercising their right to freedom of expression and for the expression of their non-violent opinions. Prosecutions under Article 8 of the Anti-Terror Law which forbids "separatist propaganda", irrespective of whether it contains any advocacy of violence, are commonly brought against writings or speeches dealing with Turkey's large Kurdish minority. In the conflict in the southeastern provinces between guerrillas of the illegal armed Kurdish Workers' Party (PKK) and the security forces, more than 10,000 people have died on both sides, including civilians.

Münir Ceylan is 43 years of age and married with two children.

Petrol-\_\_ was founded in 1950, and organizes workers in the petroleum, chemical and rubber industries. With 62,000 members and 24 regional branches, Petrol-\_\_ is one of the most active unions in Turkey, and in addition to the normal work in industrial relations, has a research and publishing program.

## Taking Action

Write letters, faxes, telegrams, telexes:

- asking that urgent steps be taken to reconsider the case of Münir Ceylan, who is due to be imprisoned for the peaceful exercise of the right to free expression;
- pointing out that if Münir Ceylan is imprisoned, he would be held in breach of Article 10 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, which safeguards freedom of speech;
- noting that Turkey has ratified ILO conventions 87 and 98 and asking what steps the authorities are taking to ensure that trade unionists like Münir Ceylan are permitted freely to organize and associate.

### APPEALS TO:

1. Prime Minister  
Mrs Tansu Çiller  
Office of the Prime Minister  
Ba\_bakanl\_k  
06573 Ankara, Turkey

**Telegrams:** Prime Minister, Ankara, Turkey  
**Telex:** 44061/44062/44063 bbmt tr  
42099 basb tr  
42875 bbk tr  
**Faxes:** +90 312 417 04 76 PRIME MINISTER

2. Minister of Justice  
Mr. Seyfi Oktay  
Adalet Bakanl\_\_\_\_  
06659 Ankara, Turkey

**Telegrams:** Justice Minister, Ankara, Turkey  
**Faxes:** +90 312 425 4066

3. Minister of Labour and Social Security  
Mehmet Mo\_ultay  
Cal\_\_ma ve Sosyal Güvenlik  
Bakanl\_\_\_\_  
06100 Ankara

**Telegrams:** Minister of Labour, Ankara, Turkey  
**Faxes:** +90 312 417 9765

**COPIES OF YOUR APPEALS TO:**

Petrol-\_\_  
Y\_id\_z Posta Cad.  
Eren Sitesi D Blok  
Gayrettepe 8020  
Istanbul, Turkey

**Tel:** 212 274 8891  
**Fax:** 212 274 7446

**Wilson Monsalvo Navarro and  
Elmer Charris Alvarez  
fear for their  
safety in Colombia**

c. Jenny Matthews

**Antioquia - April 1990**

**Banana workers in Uraba,**

Wilson Monsalvo Navarro and Elmer Charris Alvarez, both members of the *Sindicato de Campesinos y Agricultores de Guaimaro - Salamina - Magdalena* (Peasant and Farmer's Union of Guaimaro - Salamina - Magdalena) have received a series of verbal death threats in recent months. Wilson Monsalvo Navarro is the vicepresident of the Union in the department of Magdalena.

Amnesty International's concern is heightened by the history of murder and harassment against members of this union.

The union is made up of around 50 families who occupied an area of land known as the Playones Baldíos de Laura y Castro at the beginning of 1990. Ownership of the land is claimed by a local landowner who according to reports has brought criminal charges against three members of the union for land invasion.



Since the time of the occupation union members have faced death threats, harassment and accusations of being guerrillas from armed and security personnel, some of whom belong to the Army's Counterinsurgency Battalion No. 6. In 1991 Eudaldo Sierra Caballero, a union advisor, was tortured and murdered. On 15 October 1993 Jaime Rodríguez Fontalvo, an active member of the union involved in human rights work, was murdered by four armed individuals. Those responsible have not been brought to justice.

On 30 December 1993, Wilson Monsalvo Navarro received a telephone call in which he was warned that he would suffer the same fate as other union members who had backed the land invaders if he did not take care.

## **BACKGROUND INFORMATION**

In recent years widespread and systematic human rights violations have occurred in Colombia, including torture, arbitrary arrest, "disappearance" and extrajudicial execution. President César Gaviria Trujillo has repeatedly pledged his government's commitment to protect human rights. However, members of the Colombian armed and security forces continue to commit serious abuses with virtual impunity. Civic leaders, trade unionists, human rights activists are amongst the groups frequently targeted by the security forces for arbitrary arrest and other forms of human rights abuse. Peasant farmers campaigning for access to land or who own land disputed by powerful interest groups, such as landowners, are also often targeted.

## Taking Action

Write letters, faxes, telegrams, telexes:

- expressing concern for the safety of Elmer Charris Alvarez, Wilson Monsalvo Navarro and the members of the Peasant and Farmer's Union of Guaimaro - Salamina - Magdalena who have been receiving death threats;
- urging that there be full and impartial investigations into these threats, and that those responsible be brought to justice;
- urging that there be full and impartial investigations into the apparent extrajudicial executions of Eudaldo Sierra Caballero and Jaime Rodríguez Fontalvo;
- urging the authorities to take all the measures necessary to ensure that the union can pursue its legal activities without fear of intimidation;
- urging the *Instituto Colombiano de Reforma Agraria (INCORA)*, the Colombian Land Reform Institute) to find a solution to this land conflict; a solution which guarantees the physical integrity of the peasant farmers involved;
- noting that Colombia has ratified ILO conventions 87 and 98 and asking what the authorities are doing to ensure that Trade Unionists like Elmer Charris Alvarez and Wilson Monsalvo Navarro do not fall victim to human rights violations which may breach their rights to organize and associate.

### APPEALS TO:

#### 1. President of Colombia:

Señor Presidente César Gaviria Trujillo

Presidente de la República  
Palacio de Nariño  
Santa Fé de Bogotá, Colombia  
**Telegrams: President Gaviria, Bogotá, Colombia**  
**Telexes: 44281 PALP CO**  
**Faxes: + 57 1 286 7324/7434; 287 7937**  
**Salutation:Excelentísimo Sr. Presidente/Dear President Gaviria**

2. Procurator General:  
Dr. Carlos Gustavo Arrieta Padilla  
Procurador General de la Nación  
Procuraduría General  
Edificio Banco Ganadero  
Carrera 5, No. 15-80  
Santa Fé de Bogotá, Colombia  
**Telegrams: Procurador General Arrieta, Bogotá, Colombia**  
**Faxes:+ 57 1 284 0472**  
**Salutation:Sr. Procurador de la Nación/Dear Dr. Arrieta**
  
3. Minister of Defence  
Dr. Rafael Pardo Rueda  
Ministro de Defensa Nacional  
Ministerio de Defensa Nacional  
Avenida Eldorado - Carrera 52  
Santa Fé de Bogotá, Colombia  
**Telegrams:Ministro de Defensa Pardo Rueda, Bogotá, Colombia**  
**Telexes:42411 INPRE CO; 44561 CFAC CO**  
**Faxes:+ 57 1 222 1874**  
**Salutation: Sr. Ministro/Dear Minister**
  
4. Director of Colombian Land Reform Institute  
Dr Luis Hernando Murcia  
Gerente General INCORA  
INCORA  
CAN  
Santa Fé de Bogotá  
**Telegrams: Gerente General INCORA, Bogotá, Colombia.**  
**Salutation: Estimado Doctor / Dear Sir**

COPIES OF YOUR APPEALS TO:

Human Rights Organisations

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Señores  
CSPP  
Carrera 6a  
No. 14-98 Oficina 1102  
Apartado Aéreo 22803  
Santa Fé de Bogotá

and to diplomatic representatives of Colombia accredited to your country.

## Ill-treatment of three trade unionists in Haiti

### Cajuste Lexius

Three activists belonging to one of the largest independent trade unions in Haiti, the *Centrale Générale des Travailleurs* (CGT), Central General Workers' Union were arrested on 23 April 1993. Cajuste Lexius, the CGT's Secretary General, Phabonor St. Vil and Saveur Auréelus were on their way to deliver a press release written by their organization in support of a general strike, scheduled for 26 April, called by the *Assemblée Populaire Nationale* (APN), Popular National Assembly. The aim of the strike was to demand the return to power of President Jean-Bertrand Aristide. Both the ruling military authorities who had deposed the President and the Interior Ministry issued communiqués urging the population to ignore the strike call.

The three men were reportedly arrested by uniformed members of the police belonging to the *30ième Compagnie*, 30th Company, in front of Radio Caraïbe in Port-au-Prince, Haiti's capital. While being held at the police station they were severely beaten with batons and kicked by the police, and one police officer reportedly stood on Cajuste Lexius's chest.

On 26 April the three men were transferred to the *Service d'investigation et de recherches anti-gang*, the Anti-gang Investigation Service. Cajuste Lexius had been so badly beaten that he was unconscious for two days. On 27 April Cajuste Lexius was transferred to a military hospital on the recommendation of a physician who saw the three trade unionists on the day of their release. Phabonor St. Vil and Saveur Aurélus were released on 29 April. All three reportedly required medical attention because of the ill-treatment they received from the security forces. In particular, Cajuste Lexius apparently suffered a kidney failure and required a dialysis and was said to have open sores on his buttocks as a result of the beatings. He was eventually released without charge from hospital on 21 May but various documents belonging to him, including his passport, which had been taken at the time of his arrest, were not returned to him.

Article 26 of the Haitian Constitution of 1987 requires that "*a person may not be held in detention if, within forty-eight (48) hours of their arrest, they have not been brought before a judge called to rule on the legality of the arrest and if the judge has not confirmed that the detention was justified.*" However, the three trade unionists were not brought before a judge. Instead, they were transferred to the Anti-gang Investigation Service.

## BACKGROUND INFORMATION

Troops violently overthrew the democratically elected government of President Jean-Bertrand Aristide in a coup on the night of 29 to 30 September 1991 after only seven months in office. Since then Amnesty International has learned of widespread human rights violations committed by the security forces, including a large number of extrajudicial executions, torture and ill-treatment and mass arrests without warrant. These abuses have been carried out by uniformed security force agents or *attachés* (armed auxiliaries to the security forces).

Recent months have seen a marked upsurge in human rights violations in Haiti, particularly since the departure on 15/16 October 1993 of the UN/OAS International Civilian mission to Haiti.

President Aristide was due to return to power on 30 October 1993, according to the Governor's Island agreement signed by him and Commander-in-Chief of the Armed Forces, General Raoul Cédras, on 3 July 1993.

President Aristide did not return to power on 30 October 1993 and there has been no indication of any other firm date being set for his return. General Cédras and Police Chief Michel François are effectively ruling the country. Widespread threats and attacks by members of the security forces and *attachés* against President Aristide's supporters continue to afflict Haiti.

## Taking Action

Write letters, telegrams, faxes, telexes:

- calling for an investigation into the alleged ill-treatment of all three trade unionists and that those found responsible be brought to justice;
- requesting the authorities to take steps to ensure that this type of violation does not continue to occur;
- noting that Haiti has ratified ILO conventions 87 and 98 and ask what the authorities are doing to ensure that Trade Unionists like Cajuste Lexius, Phabonor St. Vil and Saveur Aurélus do not fall victim to human rights violations which may breach their rights to organize and associate.

### APPEALS TO:

1. Military commander of the Armed Forces:

Monsieur le Général Raoul CEDRAS  
Commandant-en-Chef des Forces armées  
d'Haiti  
Grand Quartier général des Forces  
armées d'Haiti  
Rue Geffrard  
Port-au-Prince  
Haiti

**Salutation: Monsieur le Général /  
Dear General**

**Telegrams: Commandant-en-Chef des Forces armées d'Haiti Cédras,  
Port-au-Prince, Haiti**

**Telephone: + 509 22 3935**

**Telexes: 20391 gqfadh**

**Faxes: + 509 23 9007, + 509 23 9407**

2. Chief of National Police:

Monsieur le Lt. Colonel Michel FRANÇOIS  
Chef de la Police Nationale  
Grand Quartier générale de la Police  
Port-au-Prince, Haiti

**Telegrams: Chef, Police Nationale, Port-au-Prince, Haiti**

COPIES OF YOUR APPEALS TO:

Human Rights Organization:

Commission de l'Orgith des Droits  
Humains et Syndicaux (CODDHUS)  
Route de Delmas et Delmas 11  
No. 121 bis, 2ème étage  
Port-au-Prince, Haiti

Newspaper (weekly):

Haiti en Marche  
173 N.W. 94 St  
Miami  
FL 33150, USA

and to diplomatic representatives of Haiti accredited to your country.

## "Disappearance" of Abdelhaq Rouissi in Morocco

### Abdelhaq Rouissi

Abdelhaq Rouissi "disappeared" over 29 years ago on 4 October 1964. He was a former bank employee in the Banque du Maroc in Casablanca and an activist in the *Union marocaine de travail* (UMT), Moroccan Labour Union. There are no known witnesses to his arrest, but traces of blood were found in his bedroom. Confirmation that he had been arrested and was subsequently being held in a succession of secret detention centres came over the past three decades from testimonies of former "disappeared" people. Repeated and persistent calls to the Moroccan authorities by Amnesty International and other organizations, including Moroccan human rights organizations, for his immediate release or clarification of his fate have been met with a wall of silence.

Abdelhaq Rouissi had taken an active stand on political issues in opposition to the Moroccan Government. He had called for a boycott of the legislative elections of 1962 which called for the formation of a representative government under a strong monarchy and was opposed to the 1963 border conflict with Algeria.

AI is extremely concerned that Abdelhaq Rouissi, a prisoner of conscience, continues to be held in a gravely deteriorating state of health. The organization has recently received reports confirming that he is still alive and in secret detention. The reports suggest that he continues to be detained because his health is too poor for him to be released into the outside world.



AI is concerned that Abdelhaq Rouissi continues to be held in secret detention and calls on the Moroccan authorities to release him at once and to allow his family immediate access to him, for the first time in 29 years of "disappearance". The organization also calls upon the Moroccan authorities to provide Abdelhaq Rouissi with immediate and comprehensive medical care.

Abdelhaq Rouissi's family and Moroccan human rights organizations continue to call for his release. In October 1993 the family of Abdelhaq Rouissi and the families of two other "disappeared" staged a press conference in Casablanca calling for their release.

Since the early 1960s the Moroccan Government has used "disappearances" as a means of punishing certain suspected political opponents. Those who "disappear" have been held for years in secret detention centres in inhuman conditions. Many have died in detention and have been buried in secrecy. Their families are never informed and no inquiry is ever held. Although more than 300 victims of "disappearance" were released in 1991 at the time of a world-wide campaign against human rights violations in Morocco, hundreds of former "disappeared" remain unaccounted for.

## Taking Action

Write letters, telexes, faxes:

- demanding the immediate and unconditional release of Abdelhaq Rouissi, a prisoner of conscience detained solely for his trade union activities and his non-violent political beliefs;
- expressing your horror that Abdelhaq Rouissi has been held in secret detention since October 1964 and demanding that his family have immediate access to him for the first time in 29 years;
- expressing your concern at reports that his health is in a serious condition and seeking assurances that on his release he is afforded comprehensive medical care;
- urging the Moroccan authorities to release the hundreds of remaining "disappeared" and to put an end to the practice of "disappearance";
- noting that Morocco has not ratified ILO convention 87 which guarantees workers and employees the right to form and join organizations of their own choosing. Call upon the authorities to ratify this convention as an indication of their commitment to the human rights of all Moroccans including trade unionists.

### APPEALS TO:

1. The King **Salutation Sire / Your Majesty**  
Sa Majesté Hassan II / His Majesty King Hassan II  
Bureau de Sa Majesté le Roi  
Palais Royal  
Rabat, Maroc  
**Telegrams: King Hassan II, Rabat, Maroc**  
**Telexes: 31744 or 32908**
  
2. Minister of Justice **Salutation: Excellence / Your Excellency**  
M. Moulay Mustapha Belarbi Alaoui  
Ministre de la Justice  
Ministère de la Justice  
Palais de la Manounia  
Rabat, Maroc  
**Telegrams: Ministre Justice, Rabat, Maroc**  
**Telexes: 36888**

3. Minister for Human Rights  
M. Omar Azziman  
Ministre délégué auprès du Premier Ministre  
Chargé des droits de l'homme  
Bureau du Premier Ministre  
Palais Royal  
Rabat  
Maroc  
**Fax: 212 7 77 68 37**  
**Telex: 36161**

4. Minister of the Interior

**Salutation: Excellence / Your Excellency**

M. Driss Basri  
Ministre de l'Intérieur  
Ministère de l'Intérieur et de l'Information  
Quartier Administratif  
Rabat, Maroc  
**Telegrams: Ministre Interieur, Rabat, Maroc**  
**Telexes: 36161, 36731, 36969 ProCivile Rabat**  
**Faxes: 212 7 763011 or 212 7 766908**

5. Minister of Foreign Affairs

**Salutation: Excellence / Your Excellency**

M. Abdellatif Filali  
Ministre d'État chargé des Affaires étrangères  
Ministère des Affaires étrangères et de la Coopération  
Avenue Franklin Roosevelt  
Rabat, Maroc  
**Telegrams: Ministre Affaires Etrangères, Rabat, Maroc**  
**Telexes: 36014, 36707, 36117, 36064**  
**Faxes: 212 7 764679**

**COPIES OF YOUR APPEALS TO:**

M. Mohamed Mikou, Secrétaire Général  
Conseil consultatif des droits de l'homme  
24 place des Chouhada  
BP 1341  
Rabat, Maroc  
**Faxes: 212 7 726856**

and to diplomatic representatives of Morocco accredited to your country.

Basile Houndjo

Hounguè Mahoussi

Étienne Houndjo

## Basile Houndjo, Étienne Houndjo and Hounguè Mahoussi imprisoned without charge or trial in Benin

Three members of the peasants' union *MIGBE-AYA* ("We reject poverty") have been detained in Benin since December 1992. AI has no information to indicate that they have either been brought before a court or even charged with any offence. They are believed to be held simply because they advised a resident of a neighbouring village to bring a complaint before a judicial authority, following an attempted armed robbery said to have involved two gendarmes.

Basile Houndjo, Étienne Houndjo and Hounguè Mahoussi appear to be prisoners of conscience detained solely for advising an aggrieved person to exercise his right to seek redress. It is unclear whether they are also held on account of their membership of a peasants' union. The union, "MIGBE-AYA", has been protesting against the payment of a municipal tax since 1992.

The three have now been detained for over a year in the civilian jail at Athiémé, where detention conditions are reputed to be harsh. They are said to have been held in chains during the first two months of their detention. By February 1994 they were reported to be held in a cramped and overcrowded cell. They are allowed visits from their families but have never been given permission to see their lawyer.

Their detention seems to be connected with an incident which occurred on the night of 12/13 November 1992 in the village of Gbedji-Dahè (70 kilometres north-west of Cotonou, the capital of Benin). Early in the morning of 13 November four people (including two uniformed gendarmes) attacked Léonard Hounkpévi's shop. Their motive was robbery. However the attackers were resisted by the victim's family and friends, who managed to arrest and disarm both the gendarmes. The other two escaped.

Léonard Hounkpévi immediately reported the incident to the mayor and head of the village. The village head failed to take any action and released the two gendarmes in the early hours of the morning. The head of the Houéyogbé detachment, to which the two gendarmes belonged, arrived the next day and expressed his disapproval of the robbery. He made the local people hand over the weapons they had confiscated, and tried to persuade Léonard Hounkpévi not to bring a prosecution.

Léonard Hounkpévi refused to hush up the incident as the assailants had robbed him of nearly 500,000 CFA Francs (F.Fr. 10,000 or US\$ 2,000). He sought advice from members of the peasants' union "MIGBE-AYA", who lived in a neighbouring village. One of them took him to see a Cotonou lawyer who drew up a complaint and sent it to the prosecutor attached to the court of Lokossa in south-east Benin. However, the prosecutor refused to accept the complaint, which had to be submitted a second time in order to obtain a formal acknowledgement of receipt.

A few days after this complaint had been filed, on 27 November 1992, a squad of about 15 gendarmes from several detachments in the district surrounded Léonard Hounkpévi's shop at five o'clock in the morning and arrested him. Some of the gendarmes then went to the detainee's family home, where one gendarme in plain clothes and one of Léonard Hounkpévi's brothers, Mègnissi Hounkpévi, were shot dead during an argument. According to one witness, the gendarme was shot by a member of the security forces who was aiming at another of Léonard Hounkpévi's brothers. This account is alleged to be borne out by an autopsy whose findings have not been made public, which is said to reveal that the gendarme was indeed hit by a bullet from a weapon which could only have been in the possession of a member of the security forces.

Some days later, on 9 December, three trade unionists, Basile Houndjo, Étienne Houndjo and Hounguè Mahoussi, were summoned by the public prosecutor of the Lokossa court. This was in connection with the inquiry which had been opened following the filing of Léonard Hounkpévi's complaint. Without any explanation, they were immediately taken off to the civilian prison at Athiémé, where they have been detained ever since. Léonard Hounkpévi was provisionally released on 8 October 1993 apparently for lack of evidence against him.

Since their arrest, the trade unionists have continued to be refused the right to see their lawyer. The lawyer has been denied access to the detainees' dossier and does not know whether or not his clients have been charged. According to unofficial sources the trade unionists have been questioned about the shooting of the gendarme. None of them were on the scene of the incidents of 12 or 27 November; their only connection to the incident is that they encouraged Léonard Hounkpévi to issue a complaint, a right recognized by Benin law.

Amnesty International is concerned that the three trade unionists have not been able to appear before a magistrate in order to challenge the legal basis for their detention. It seems that they are being detained without charge and contrary to the judicial procedures in force. All the information currently available to AI points to their being prisoners of conscience.

## Taking Action

Write letters, telexes, preferably in French:

- expressing concern about the detention of Basile Houndjo, Étienne Houndjo and Hounguè Mahoussi since December 1992; seeking information about the reasons for the arrest and continuing detention without charge or trial of these three trade unionists;
- urging the authorities to investigate allegations that the three detainees have been held in chains and seeking assurances that if it is confirmed, action will be taken to stop this practice which is a form of cruel, inhuman or degrading treatment;
- explaining that if they have been arrested solely on account of encouraging someone to make a legal complaint against a member of the security forces, then Amnesty International considers them to be prisoners of conscience and would therefore demand their immediate and unconditional release;
- noting that Benin has ratified ILO conventions 87 and 98 and ask what the authorities are doing to ensure that Trade Unionists like Basile Houndjo, Étienne Houndjo and Hounguè Mahoussi do not fall victim to human rights violations which may breach their rights to organize and associate.

You could also encourage others in your country, especially trade unionists and farmers, to send appeals to the Benin authorities.

**APPEALS TO:**

1. Son Excellence  
Monsieur Nicéphore Soglo  
Président de la République  
La Présidence  
COTONOU  
République du Bénin      **Telex: 5222**
  
2. Monsieur Yves Yehouessi  
Ministre de la Justice, Garde des Sceaux  
Ministère de la Justice  
BP 967  
COTONOU  
République du Bénin
  
3. Monsieur Robert Dossou  
Ministre des affaires étrangères et de la coopération  
BP 318  
COTONOU  
République du Bénin      **Telex: 5200: Fax (+229) 30 03 45**

**COPIES OF YOUR APPEALS TO:**

Commission béninoise des droits de l'homme  
BP 04-0607  
COTONOU  
République du Bénin

Send a copy of your letter of appeal to the Embassy of Benin in your country.



## M'Bailao Mianbe gunned down in Chad

On 26 June 1993 M'Bailao Mianbe, President of the General Administration Employees Union, *Syndicat des Agents de l'Administration Générale* was driving to work when he was followed and gunned down by four armed men in military uniform travelling in a military jeep.

At the time, M'Bailao Mianbe was also Director of the *Secrétariat permanent à la réinsertion des militaires déflatés*, Permanent Secretariat for the Reintegration of Demobilized Soldiers, a state committee responsible for reducing the size of the armed forces and reintegration of demobilized soldiers, and leader of an opposition political party.

M'Bailao Mianbe is believed to have been killed because of his work as director of the committee dealing with the reintegration into society of demobilized soldiers, a project financed by the French government. Two days prior to his assassination he had discovered the theft of 24 million cfa francs (US \$ 88,000) from the Secretariat account and had announced his intention on national radio to identify those responsible.

On 28 June the government announced that people suspected of having been involved in the killing had been arrested but did not give their identities. No further details are known,

and no one is known to have been charged in connection with M'Bailao Mianbe's death. In similar cases the government has announced arrests and investigations and several years later there has still been no action. AI therefore has reason to believe that this may be the case for M'Bailao Mianbe.

Under the government of President Idriss Déby, which came to power in December 1990, political parties, trade unions and independent organizations were allowed to form for the first time in years. However, by the end of 1991 signs had emerged that the government did not intend to abide by the aims of the National Charter. The National Charter outlined government objectives of guaranteeing fundamental rights and freedoms, including freedom of opinion and association, the right to organize trade unions, freedom of the press, freedom of movement and the right to property. Although human rights groups and other non-governmental organizations including trade unions, were formed, their members have been repeatedly subjected to assaults, killings and arrests by the security forces. The government has not taken any steps to prevent these violations or to bring those responsible to justice. When arrests of suspected perpetrators have been announced, no trials have occurred and in the vast majority of cases the suspects have been released and investigations abandoned. AI is concerned at the continuing pattern of extrajudicial executions in Chad.

During 1992, trade unions organized a series of strikes in protest against unpaid salaries and redundancies by the government. The government responded by arresting trade union leaders, many of whom went into hiding to evade the security forces. After a strike organized by *Union des syndicats du Tchad* (UST) in September, two of the strike leaders were arrested and held for 48 hours. According to the *Confédération internationale des syndicats libres*, International Confederation of Free Trade Unions, three other union officials and 14 other members were sacked by the government for their involvement in union activities.

After a call for a general strike in October the authorities suspended the activities of the UST saying its activities were "incompatible with the economic state of the country." The UST Chairman and Deputy Secretary General were detained for a few days, and the authorities announced they were looking for 20 other leading members. At the end of November 1992 these measures were partially lifted.

After the killing of M'Bailao Mianbe and other killings of government critics or opponents the authorities have failed to allow a public and independent inquiry to identify the killers and bring them to justice. This has led Chadian human rights groups and others to conclude that members of the security forces are protected from investigation and punishment.

## Taking Action

Write letters, telexes, faxes:

- saying that you have read about the unclarified case of the killing of M'Bailao Mianbe.  
Briefly outline the background to the case of M'Bailao Mianbe and the circumstances of his death;
- expressing concern that this is not the only killing of a trade unionist by gunmen suspected to be members of the security forces;
- explaining any connection you have with trade unions in your country. You may also wish to outline the importance of allowing trade unions to represent their members without fear of persecution or repression;
- calling for a full, judicial inquiry into the circumstances surrounding M'Bailao Mianbe's death; for immediate suspension of members of the security forces and others suspected of involvement in his death pending the findings of the investigation; for its findings to be made public; and for persons found responsible for ordering or carrying out the apparent extrajudicial execution of M'Bailao Mianbe or implicated in causing his death to be brought to justice;
- noting that Chad has ratified ILO conventions 87 and 98 and ask what the authorities are doing to ensure that Trade Unionists like M'Bailao Mianbe do not fall victim to human rights violations which may breach their rights to organize and associate.

#### APPEALS TO:

1. Général Idriss DEBY  
Président de la République  
Présidence de la République  
N'DJAMENA  
République du Tchad  
  
**5307 PRESIREP KD**  
**TLX: 5201 PRESIREP KD**  
**Fax: 235 51 4501**
2. Monsieur Delwa Kassiré COUMAKOYE  
Premier Ministre  
Présidence de la République  
N'DJAMENA

**5307 PRESIREP KD**  
**TLX: 5201 PRESIREP KD**  
**Fax: 235 51 4501**

3. Monsieur Abderamane Izzo MISKINE  
Ministre de l'Intérieur et de la Sécurité  
Ministère de l'Intérieur  
N'DJAMENA  
République du Tchad

**TLX: c/o 5328 MINAFFET KD**

**COPIES OF YOUR APPEALS TO:**

Monsieur Mahamat Choua LOL  
Président du Conseil Supérieur de la Transition  
Conseil Supérieur de la Transition  
N'DJAMENA

Newspaper:  
Rédacteur-en-Chef  
N'Djaména Hebdo  
BP 760  
N'DJAMENA

c. Magnum

## Cigarette Plant in Kudus, Indonesia

### The killing of Marsinah, a labour activist in Indonesia

Marsinah, a factory worker aged 25, was tortured, raped and killed in East Java in early May 1998 because of her role as a labour activist.

There is clear evidence that her murder was planned and carried out with the knowledge and acquiescence of at least one military officer, and possibly others.

Answering insistent demands that the perpetrators be brought to justice, the authorities brought murder charges against nine company executives and staff, while charging an Army Captain with disciplinary offences.

Marsinah was found dead in a small shack at the edge of a field about 200 kilometres from her home in Porong, East Java, on 8 May 1993. Her body was bloodied and covered in bruises, and her neck bore the marks of strangulation. An autopsy revealed that she had been raped. Her attackers had also thrust a blunt instrument into her vagina causing severe bleeding.

In the days before her death, Marsinah had been actively involved in a strike at the watch factory where she worked. Military authorities, in particular the Captain later accused of involvement in Marsinah's murder, had intervened directly in the dispute, and interrogated the workers about their role in the strike. On 5 May 13 workers were summoned by the military and forced to resign or face charges for holding "illegal meetings" or "inciting" others to strike. That evening Marsinah went to the local military headquarters to look for her colleagues. A few hours later an eye-witness saw her being forced into a white mini-van. She subsequently "disappeared"; her body was found three days later.

Pressure from labour activists and human rights groups forced the police to open an investigation, but it was swiftly taken over by military intelligence authorities. At the outset the authorities strenuously denied that Marsinah's death was related to the labour dispute, and attempted to downplay all evidence of military involvement. However, in November 1993 it was announced that one of the ten people arrested in connection with the murder was the local military commander for Porong who had worked closely with company executives to bring the strike to an end. Despite evidence that he had been in the white mini-van at the time it was used to abduct her, he was not charged with murder but with a disciplinary offence for failing to report a crime to his superiors. He was to be tried in a military court that was not open to the public.

Nine civilians were charged with murder and brought to trial in civilian courts beginning in November 1993. Human rights lawyers voiced deep concern about serious procedural irregularities in the authorities' handling of these cases. For example, some of the principal suspects were arrested by unidentified men in plain clothes and held incommunicado while being interrogated. Both the police and the military initially denied any knowledge of their whereabouts but later admitted that the suspects were in their custody. Warrants for their arrest were only issued after they had spent 19 days in detention. Such irregularities, which violated both international law and Indonesia's Code of Criminal Procedure, suggest that the prosecutions may have been intended to whitewash the role of the security forces. One prominent human rights activist, T. Mulya Lubis, commented:

*The killing of Marsinah already represents an example of the wrongful and sickening use of authority..Now the investigation of her death is being conducted by means of abuse of authority that is even more sickening.*

(Asiaweek, 5.1.94)

## Taking Action

- Write to Indonesia's National Commission on Human Rights urging that it conduct a thorough and impartial investigation into Marsinah's killing, and into the reported procedural irregularities in the authorities' handling of the case.
- Write to the Minister of Justice, suggesting that if indeed there is evidence that the former military commander for Porong was involved in the killing of Marsinah, he be tried in a civilian court which is open to the public.
- Write to the Minister of Manpower noting that Indonesia has not ratified ILO convention 87 which guarantees workers and employees right to form and join organizations of their own choosing. Call upon the authorities to ratify this convention as an indication of their commitment to the human rights of all Indonesians including trade unionists.

### APPEALS TO:

1. Lt. Gen. (Retd) Ali Said  
Chairman of the National Commission on Human Rights  
National Commission on Human Rights  
Departemen Kehakiman RI  
Direktorat Jenderal Pemasyarakatan  
Jl. Veteran No. 11  
Jakarta Pusat  
Indonesia
2. Haji Utoyo Usman S.H.  
Minister of Justice  
Menteri Kehakiman  
Jl. Rasuna Said Kav. 4-5  
Jakarta Pusat  
Indonesia
3. Drs. Abdul Latief  
Minister of Manpower  
Jl. Jenderal Gatot Subroto  
Jakarta Pusat  
Indonesia



**Liu Jingsheng, a labour activist,  
detained without trial since 1992**

## **Liu Jingsheng**

Liu Jingsheng, a 39 year-old worker at the Tongyi Chemical Plant in Tong county, near Beijing, was detained on 1 June 1992 under suspicion of having taken part in an underground dissident group. He was later accused of having been involved in "counter-revolutionary" activities, including plans to form an independent trade union. He has been detained ever since in Beijing together with others accused of similar "crimes".

Liu Jingsheng was formally arrested on 27 September 1992 and charged with "*organizing and leading a counter-revolutionary group*" and "*carrying out counter-revolutionary propaganda and incitement*". This is punishable under two articles of the Chinese Criminal Law which are frequently used in China to jail prisoners of conscience. Liu Jingsheng was accused of having had a leading role in an underground dissident group formed by others in Beijing in early 1991 and in the establishment in late 1991 of a Preparatory Committee of the Free Labour Union of China, which called on workers to form free trade unions. He was also accused of having planned with others to distribute pro-democracy leaflets prior to 4 June 1992, the third anniversary of the crackdown on the 1989 pro-democracy movement. He is said to have written and printed some of the leaflets, and was preparing to distribute them when he was detained in early June 1992.

A veteran pro-democracy campaigner, Liu Jingsheng had taken part in the "Democracy Wall" movement of the late 1970s and co-edited the dissident journal *Explorations* with Wei

Jingsheng, who was arrested in 1979 and subsequently spent fourteen and a half years in prison.

Liu Jingsheng was also detained in 1979 but released after a few months. At the time of his arrest in June 1992, pro-democracy leaflets were said to have been seized at his home by the police. Liu Jingsheng is married and has a 10 year-old daughter. His relatives have been denied access to him since his arrest.

A Preparatory Committee of the Free Labour Union of China (FLUC) was reportedly set up in Beijing in late 1991. In January 1992, leaflets publicizing the existence of the FLUC Preparatory Committee were distributed in Beijing, encouraging workers to form independent trade unions. The leaflets said that workers' living standards had declined over the past decade and that the official trade union, the All China Federation of Trade Unions, acted as a tool of the authorities and had failed to defend workers' interests. The leaflets also said that China was a member of the International Labour Organisation (ILO) and had an obligation to respect workers' right to form free trade unions.

After some of its members were secretly arrested in June 1992, a statement by the FLUC reportedly circulated at the ILO Congress in Geneva in mid-June 1992. The statement described the grievances of workers in China, including the lack of legislation to defend their rights. It documented the way in which workers were deprived of their rights to freedom of speech, assembly, strike and employment in China and described the deterioration of workers' rights since the start of the economic reforms in the late 1970s, including the lack of provisions to guarantee basic workers' rights in the new private sector. The statement included a commitment to "*an economic and political system of justice and human rights*".

Others were detained in Beijing together with Liu Jingsheng in early June 1992. A joint indictment against 16 of them, including Liu Jingsheng, was issued on 29 July 1993 by the Beijing People's Procuratorate. Ten of them were accused of having formed or taken part in some dissident groups, which included the Preparatory Committee of the Free Labour Union of China. The six others were accused of involvement in the preparation or dissemination of pro-democracy leaflets during the first six months of 1992. One of the accused was granted bail pending trial in late 1992, apparently for medical reasons, while the 15 others remained in police custody. As of early 1994, they were reported to be held in the Banbuqiao Detention Center in Beijing.

They were due to go on trial in October 1993 but the trial was postponed and the indictment reportedly withdrawn due to lack of sufficient evidence for conviction. As of early February 1994, no new indictment had been issued. The detainees were still awaiting trial, having been held for over 18 months without being allowed access to their family.<sup>1</sup> It is not known whether they have been given access to a lawyer of their choice.

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<sup>1</sup> For further information on their cases, see Amnesty International report, *China - Dissidents Detained Since 1992: Political Trials and Administrative Sentences*, ASA 17/05/94, January 1994.

## Taking Action

Write to the Chinese authorities:

- expressing concern that Liu Jingsheng, a worker in Beijing, and others detained in connection with his case have been arbitrarily detained in Beijing since mid-1992 for the peaceful exercise of their right to freedom of expression and association, including their alleged participation in a group called the Preparatory Committee of the Free Labour Union of China;
- urging the authorities to release them immediately and unconditionally, in accordance with international human rights standards;
- calling upon the authorities to ratify ILO conventions 87 and 98, which would help ensure that no-one in China would suffer human rights violations because of their involvement in or work for Trade Unions.

### APPEALS TO:

Li Peng Zongli  
Guowuyuan  
9 Xihuangchenggenbeijie  
Beijingshi 100032  
People's Republic of China

**Premier Li Peng**  
**State Council**

Xiao Yang Buzhang  
Sifabu  
Xiaguangli  
Beijingshi 100016  
People's Republic of China

**Minister Xiao Yang**  
**Ministry of Justice**

### COPIES OF YOUR APPEALS TO:

The Embassy of the People's Republic of China in your country