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PUBLIC STATEMENT

GUINEA-BISSAU

TIME TO THINK ABOUT HUMAN RIGHTS

Human rights are still at risk in Guinea-Bissau, where peace is slowly returning after months of war. As the 50th anniversary of the Universal Declaration of Human Rights (UDHR) on 10 December approaches, AI is urging those involved in implementing the 1 November peace agreement to make a special effort to protect human rights.

The peace agreement between President João Bernardo Vieira and Brigadier Ansumane Mané, leader of the rebel soldiers, contains no provision for human rights. Amnesty International is urging those involved in implementing the peace agreement to address the question of human rights as the cornerstone of a lasting peace.

The Government and Military Junta; the peace negotiators; members of the Economic Community of West African States (ECOWAS) and the Community of Portuguese-speaking Countries; the United Nations and Organization of African Unity, whose representatives also signed the peace agreement – have a responsibility to ensure that human rights are protected during the transition to peace. Civilians who actively promoted the search for peace also have a role to play in promoting human rights protection.

Despite the fact that there is no reference to human rights in the peace agreement, it is still possible for those involved to agree on special measures to protect human rights which are necessary to the success of any peacekeeping operation. The following are some of the most important of the recommendations which Amnesty International has made in letters to the parties to the agreement and to those involved in mediating it.

The Joint Commission set up to implement the peace agreement, which is composed of representatives of the government and the Military Junta, should make a firm commitment to ensure that the following measures to protect human rights are carried out:

- All those responsible for law enforcement should respect fundamental rights and freedoms, as defined in the Guinea-Bissau Constitution and in international human rights standards.
- The government should consult with the United Nations High Commissioner for Human Rights and with the African Commission on Human and Peoples' Rights regarding the deployment of international human rights officers. Their mandate should include adequate powers to investigate and bring violations to the attention of the relevant authorities.

- Human rights activists in Guinea-Bissau should be assured of freedom to carry out their work without hindrance.
- The Joint Commission should be assisted by an independent human rights expert to ensure that any decisions on human rights issues are impartial.
- The Joint Commission should ensure the release of civilians arrested merely on suspicion of supporting the political opposition. These releases should be monitored by an appropriate agency such as the International Committee of the Red Cross. Anyone detained in the context of the conflict who is charged with a criminal offence should be given a prompt and fair trial.

The ECOWAS states contributing peacekeeping forces (and the forces of Senegal and the Republic of Guinea in Guinea-Bissau) should ensure that:

- they adhere scrupulously to the highest international humanitarian and human rights law and standards at all times, including in relation to the detention of prisoners and the use of force;
- the ECOWAS peacekeeping force has a disciplinary mechanism which is empowered to investigate any allegations of human rights abuse by peacekeeping troops;
- any personnel against whom the disciplinary mechanism finds evidence of involvement in human rights abuse should be immediately suspended and given a fair and prompt trial in accordance with international standards of fairness.

Amnesty International is also calling for those who committed human rights violations since the start of the conflict to be brought to justice and fairly tried. During the fighting and during the truce, Guinea-Bissau security forces and Senegalese soldiers tortured prisoners and carried out political killings. The rebels also held prisoners, some of whom were beaten. The new government should make it a primary task to ensure that, in contrast to the practices of the past, no official gets away with violating human rights.

Background

Fighting engulfed the Guinea-Bissau in June and July 1998 following a mutiny by a large faction of the army led by the former Chief of Staff of the Armed Forces, Brigadier Asumane Mané. Troops from neighbouring Senegal and Republic of Guinea were brought in to support the government. A truce, signed on 26 July and reaffirmed on 25 August, was broken in October. After a few days the rebels, assisted by armed opponents of the Senegalese government, gained control of most of the country.

Throughout the six months since the conflict began, many civilians, both inside the country and among the refugee community, have tried continually to bring the parties together for talks and to propose ways to secure a future for Guinea-Bissau in which civil and political, social and economic rights are respected.

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