

AI Index: NWS 11/34/91  
Distr: SC/PO  
No. of words: 2740

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

TO: PRESS OFFICERS

FROM: PRESS AND PUBLICATIONS

DATE: 13 SEPTEMBER 1991

WEEKLY UPDATE SERVICE 34/91

Contained in this weekly update are external items on India, Mongolia, Fiji and the CSCE meeting in Moscow and an internal item on ICM.

#### EMBARGOES

Section press officers were sent a letter in July asking for feedback about embargoes, in the light of several big embargo breaks recently. Could you please get your response back to us as soon as possible, as we will soon be moving on to the next stage in the discussion.

In the meantime, we have asked press officers to try to ensure that their press and media contacts do not get the China news release and document until one day before the embargo date, 26 September 1991.

#### URGENT REQUESTS

We would ask section press officers sending URGENT faxes or telexes, particularly news releases sent for comment or approval, to the IS press office to clearly mark urgent on their messages, so that the press office can be contacted immediately when they arrive. Otherwise, there can be a delay of several hours between a fax being sent and it reaching the press office.

#### 1. NEWS INITIATIVES - INTERNAL

ICM - 29 August to 7 September

Contained in this Weekly Update is an internal item giving advice on handling media inquiries about the mandate changes. Earlier this week you were sent a news release and two sets of questions and answers about ICM decisions. If anything is still not clear, please contact the IS press office.

Mexico - 18 September

Mexico - Torture with Impunity AMR 41/04/91

The news release and questions and answers were sent out to you in last

week's Weekly Update, NWS 11/33/91. Please note the embargo date of 18 September 1991.

China - 26 September

The news release, AI Index ASA 17/56/91, has been sent out to you today. The questions and answers sheet for the last two China reports (May 1990, ASA 17/26/90 and ASA 17/28/90) contains much of the information needed for interviews on our concerns generally. A short questions and answers dealing with our specific concerns on administrative detention and on the recent meetings where other governments have raised human rights issues will be sent shortly.

USA - 9 October

USA - The Death Penalty and Juvenile Offenders AMR 51/23/91

International news release to accompany the external document.

African Charter - 21 October

An advice to editors on AI's activities to mark the fifth anniversary of the African Charter on Human and People's Rights coming into force will be sent to sections next week. The advice to editors will not be embargoed, although it is intended to encourage specialist media to write about the charter on or around 21 October, African Human and People's Rights Day. The IS will be sending the advice to editors to media in Africa and specialist media in London, and section press officers are encouraged to contact their African specialist media as well.

Egypt - 23 October

Egypt - Ten years of torture MDE 12/18/91

News release to go with an external document on torture, including strong individual cases and photo material.

Weekly Update NWS 11/34/91

2. ASA 20/WU 04/91 EXTERNAL  
10 September 1991

INTERNAL

This information was sent to Indian media by the IS earlier this week.

EXTERNAL

INDIA: AMNESTY INTERNATIONAL DENIES REPRESENTATIVE KILLED IN ASSAM

A negotiator who was involved in the exchange of prisoners for hostages taken by the United Liberation Front of Assam (ULFA) was killed in the state Sunday (8 September) together with a hostage whose release he was trying to secure. The ULFA advocates separatism for Assam and has increasingly resorted to violence, including the taking of hostages.

The negotiator, Bipul Mahanta, had apparently identified himself as an Amnesty International representative, although he was not, in fact, representing the organization in the negotiations and is not a member of the human rights organization. Amnesty International does not, as a matter of policy, participate in exchanges of prisoners or hostage negotiations, in this or any other case.

Amnesty International said it condemns human rights abuses committed by governments and opposition groups alike - including the taking of hostages - a position that was underscored at its recent biennial council meeting in Japan.

The organization said it deeply deplored the killing of the negotiator and hostage and the threat to the remaining hostages. "We oppose the torture and killings of prisoners held by anyone -- whether these acts are carried out either by governments or armed groups," Amnesty International said.

"We condemn the torture and killing of prisoners regardless of any reasons that may be given to justify them," the organization said.

Bipul Mahanta was apparently killed at his home. The body of T.S. Raju, one of eight hostages held by the ULFA, was found near a railway crossing in Sibsagar District.

In Assam, Amnesty International has been concerned about persistent reports of serious human rights violations, especially since the government imposed direct rule in the state in November last year. At that time, the entire state was declared to be "disturbed" under the Armed Forces (Special Powers) Act and the army called in to help civilian authorities.

Amnesty International has received many reports of human rights abuses in the area, especially during "Operation Bajrang", launched in late November to arrest suspected members and sympathizers of armed opposition groups, notably the ULFA.

There have been many detailed media reports of torture and rape of people arrested during army operations. More than half of the 23 people that Amnesty International knows to have died in custody in Assam in the last five years have died during the army operations since November 1990. One person died two days after being arrested in January and, although the army claimed he died as a result of epilepsy, the post mortem report showed

he had 28 injuries on his body. Torture methods commonly reported in Assam include electric shocks, hanging people upside down, and beatings.

Reports of the rape of women by army personnel have been particularly frequent - even a 70-year-old woman is reported to have been raped by soldiers. The allegations have been so serious and persistent that the Assam High Court issued an order in March this year prohibiting the army from taking any woman to their camps for interrogation, not even when in police custody. More recently, in July, India's Supreme Court ordered the army in the northeast specifically to take measures to protect women from torture and harassment during army operations.

The Armed Forces Special Powers Act, under which nearly all these arrests were reportedly made, gives wide powers to junior army officers to make arrest without warrant and without regard to normal legal safeguards. The rule that people who are arrested should be brought before a magistrate within 24 hours of arrest has consistently been ignored. Recently, the Supreme Court upheld a ruling by the Assam High Court that the army should bring all arrested persons before a magistrate within that period.

The act also provides arbitrary powers to shoot to kill and anyone acting under its provisions is immune from prosecution. No member of the armed forces is known to have been brought to justice under Indian legal provisions which prohibit confessions being extracted under torture.

These laws have even been described by the United Nations Human Rights Committee as "disturbing" and "completely unacceptable".

Weekly Update NWS 11/34/91

3. ASA 18/WU 01/91 EXTERNAL  
13 September 1991

FIJI: CHARGES AGAINST THREE JOURNALISTS DROPPED - SEVEN CIVIL RIGHTS  
ACTIVISTS REMAIN ON TRIAL

Amnesty International welcomes the dropping of malicious publication charges against three journalists in Fiji, but remains concerned about sedition charges still facing seven civil rights activists who participated in non-violent protests against the country's new constitution.

The human rights organization said it would consider the seven to be prisoners of conscience if they were convicted and imprisoned since they had been charged for the non-violent exercise of their rights to freedom of expression and freedom of assembly and association (see Fiji: Civil Rights Activists and Journalists Arrested, ASA 18/01/91)

The three journalists, Taniela Bolea, the publisher of Fiji's Daily Post newspaper, Robert Wendt, the paper's chief sub-editor, and Subash Verma, a reporter, had been charged under a broadly worded section of Fiji's Public Order Act (1976) for a story printed on 26 October 1990 about planned demonstrations against the country's new constitution. They were accused of "knowingly publishing a false report" which could "create public anxiety". Media reports said that the charges had been dropped "after pressure from international groups". The decision to drop the charges against the three was announced by the Director of Public Prosecutions on 15 August.

The seven civil rights activists were charged with sedition and unlawful assembly for their involvement in a peaceful protest on 18 October 1990. Their protest was against the newly-promulgated constitution of Fiji, which has been criticized in Fiji and abroad as racially biased against Fijians of Indian origin. As part of the protest one or more copies of the new constitution were burned. Government authorities called the burning "despicable and treasonous". The Director of Public Prosecutions later deemed it to be a seditious act intended "to raise discontent or disaffection amongst the inhabitants of Fiji". The seven defendants were formally charged on 1 November 1990 and then released on bail, but they continue to face restrictions on their right to travel. The trial is still in its preliminary stages and is expected to continue for several more months. Defence lawyers are seeking to appeal a ruling by the Magistrates Court that the case must be heard in that court rather than in the High Court.

One of the seven charged, Dr Anirudh Singh, was abducted by members of the Fiji Military Forces on 24 October 1990 and subjected to severe torture for more than ten hours in a forest outside Suva, before being abandoned by his captors. Five soldiers, including an army captain, were later tried and found guilty of abducting Dr Singh and causing him grievous harm. They were given suspended sentences, fined and released in November.

4. ASA 30/WU 01/91 EXTERNAL  
13 September 1991

MONGOLIA: AI SENDS REPRESENTATIVE TO CONSTITUTIONAL CONFERENCE

An Amnesty International representative will be attending the conference being held in Mongolia's capital Ulan Bator to discuss the Republic of Mongolia's new draft constitution.

In the organization's first visit to Mongolia, staff members of the International Secretariat will also raise human rights issues detailed in a 10-page memorandum previously sent to the standing parliament of Mongolia, known as the Small Hural.

The organization is concerned that the new draft constitution does not abolish the death penalty and, while condemning torture, does not explicitly forbid other forms of cruel, inhuman or degrading treatment.

The new draft constitution also requires mandatory military service, and does not provide for alternative civilian service for conscientious objectors. Amnesty International believes that anyone imprisoned for their conscientious objection to military service would be a prisoner of conscience and urges all governments to provide a civilian alternative.

AI's representatives will be in Mongolia from 7 September 1991 and will remain in the republic for up to 14 days.

Weekly Update NWS 11/34/91

5. ORG 50/WU 01/91 INTERNAL  
13 September 1991

ICM: ADVICE ON HANDLING MEDIA INQUIRIES ABOUT MANDATE CHANGES

All press officers should have received the news release issued in Yokohama and the two questions and answers sheets dealing with general mandate issues (AI Index: ORG 50/15/91) and with homosexuality (AI Index: ORG 50/16/91).

We suggest that you use the two questions and answers sheets to answer any general media questions about the changes to the mandate, particularly the positions on opposition groups and homosexuality. If you receive any questions about specific cases, especially relating to hostage taking or killings by opposition groups, please refer them to the IS press office at this stage.

Within the next one to two weeks, we will be sending more detailed information to clarify the implications of the mandate changes and help you deal with media questions.

Press officers are reminded that the text of the resolutions adopted at the ICM are internal documents, and should not be released to the media or members of the public.

We would be interested in hearing from sections on the media coverage of the ICM in their sections, particularly the mandate changes. Also, if you have released news releases other than the one released in Yokohama, could you please send us a copy for our records.

Weekly Update NWS 11/34/91

6. IOR 52/WU 01/91 EXTERNAL  
13 September 1991

INTERNAL

This item gives details of Amnesty International's involvement in the CSCE conference, being held in Moscow at the moment. AI information officer Marjorie Farquharson is in Moscow - for more detailed information, contact her on +70 95 237 2742. Her name and number can be given to journalists, on the understanding that her main role is to pass on information about AI and the CSCE generally, rather than on AI concerns in the USSR.

The latest information we have on AI concerns in the Soviet Union is contained in Concerns in Europe November 1990 - April 1991 (AI Index EUR 01/01/91) and USSR - Prospects for the Abolition of the Death Penalty (AI Index EUR 46/20/91). More detailed information on AI concerns at the CSCE can be found in the external document The Conference on Security and Cooperation in Europe - Directions for development of human rights in the CSCE process (AI Index IOR 52/02/91).

EXTERNAL

AMNESTY INTERNATIONAL ATTENDS CSCE CONFERENCE IN MOSCOW

Amnesty International is lobbying governments of European and North American countries attending the Conference on Security and Cooperation in Europe (CSCE) being held in Moscow at the moment to ratify international human rights agreements.

The top-level meeting is being attended by foreign ministers from 38 member states, including all European nations, Canada and the USA and the newly recognised Baltic states, Estonia, Latvia and Lithuania. The conference is the third held on the human dimension of the CSCE -- human rights -- after previous conferences in Copenhagen in 1990 and Paris in 1989.

Amnesty International wants the member states to look again at CSCE agreements which, AI believes, tend to undermine rather than add to existing international standards for human rights.

Rather than introducing their own agreements on human rights, Amnesty International wants members of the CSCE to ratify or accede to existing agreements, such as the International Covenant on Civil and Political Rights (ICCPR). Eight members are not yet party to the ICCPR and 10 have not as yet either ratified or acceded to the Convention against Torture.

Amnesty International is also calling on CSCE members to abolish the death penalty and introduce safeguards relating to conscientious objection and the protection of refugees.

No executions have been carried out in Western Europe since 1984 and eight CSCE members have ratified or acceded to the first international abolitionist protocol, the Second Optional Protocol to the ICCPR. AI is

urging all CSCE states to move towards signing the Protocol. "Western Europe can increasingly be considered a region virtually free of the death penalty," said the organization. "The whole of the CSCE should become so".

In Copenhagen last year, the CSCE agreed that member states should consider introducing alternatives to military service for conscientious objectors. Amnesty International is concerned that the conference did not recognise that people have a right to object to military service on grounds of conscientiously held beliefs. The organization wants to see member states affirming that right and introducing a civilian alternative.

Amnesty International is also concerned about refugee protection in some CSCE member states. Seven are still not party to the 1951 UN convention on refugees, the most fundamental international agreement, and other countries have border and airport procedures that lack essential safeguards. Several CSCE members are currently drawing up refugee determination procedures; AI hopes that they and all CSCE members will base their treatment of refugees on the principle of non-refoulement.

Amnesty International is also calling for greater access and openness in CSCE dealings with non-governmental organizations, and for public reporting and reviews of governments' records in implementing their obligations as CSCE members.

As well as lobbying members of the CSCE, Amnesty International is taking part in a series of parallel events going on around the conference. On Monday 16 September, Amnesty International will present a public seminar, *When the State Kills ...: International Perspectives on Abolishing the Death Penalty*.

Speakers will be Galina Starovoytova, a member of the USSR and RSFSR Supreme Soviets, Dr Roger Hood, director of the Centre for Criminological Research at the University of Oxford, and US death penalty campaigner and former AI Deputy Secretary General Larry Cox.