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WEEKLY UPDATE SERVICE 42/93

Contained in this weekly update are external items on Turkey, Bolivia and Northern Ireland in the UK.

NEWS INITIATIVES

NEW INFO - USA - Juvenile Death Penalty

(New Information)

Gary Graham was yesterday granted a 30-day stay of execution. We have not received information on the reasons for this, but I'll keep you posted as we get new info in.

Please note that Gary Graham was scheduled to be executed in Texas on 29 April. Details of his case, which was based on very weak evidence, are included in UA, AI Index: AMR 51/22/93, UA AI Index: AMR 51/29/93, as well as documents: USA: Imminent execution of juvenile offender, AI Index: AMR 51/23/93, and USA: Imminent execution of juvenile offender (update), AI Index: AMR 51/28/93. Also see weekly update item in Weekly Update NWS 11/39/93.

INTERNATIONAL NEWS RELEASES

Tajzhikistan - 5 May

(New Information)

PLEASE NOTE CORRECTION: New information received means that one sentence in the news release should be altered - Second sentence, para 8 should read:

"The group was led by a convicted criminal who had spent a total of 23 years in prison for offences including murder. He was seconded to law enforcement duties and was killed in a gun battle at the end of March."

Publication and news release on killings in the context of civil war - with striking similarities to Bosnia-Herzegovina.

Indigenous People - 12 May

News release planned to accompany Focus article on Human rights violations against indigenous people worldwide. Indigenous people will be one of the main themes of our work on the World Conference.

Guatemala - 19 May

A document or publication with a news release on a full range of recent human rights violations (in the past year or so) in Guatemala. Unfortunately, the document is running behind schedule and will not be in the Weekly Mailing from the IS until 12 May, one week before the embargo. Please get in touch with the IS if you need a copy earlier.

Egypt - 26 May

A document or publication and news release on all our concerns in Egypt. These include very high numbers of prisoners and torture.

TARGETED AND LIMITED NEWS RELEASES**Somalia - 30 April****(New Information)**

A 10-page document with AI's recommendations on human rights connected with UN talks and urging Somali political groups to stop human rights abuses was sent to you by fax/e-mail/telex yesterday. A weekly update to go with it is enclosed in this document embargoed for 30 April. The IS press office has sent this out to international media.

Brazil - 7 May, 1600 hrs gmt

PLEASE NOTE - The document has been sent out in the Weekly Mailing dated simply May 1993. Please make sure that anyone who is likely to see it in your section knows that it is embargoed for 7 May.

Document on prison massacre, including new forensic information. Weekly update item to go with it is enclosed in this document. Sections are also being asked to carry out campaign work in connection with this document.

Malawi - 20 May

Document on human rights violations and the referendum and weekly update item to go with it, which will be sent to international media by the IS Press Office.

Unconfirmed news initiatives

News releases or embargoed weekly update items are being considered on the following subjects:

Nagorno-Karabakh (to go with section-level action, late May)

Aceh, Indonesia (14 July)

Section Initiatives

Europe - Peter Gabriel fundraising opportunity

PLEASE PASS THIS INFORMATION ON TO YOUR FUNDRAISING DEPARTMENT.

The Swedish Section have sent us a fax saying that they approached Peter Gabriel and his manager about collecting money and handing out information at his concert in Stockholm. Twenty AI members were able to attend the concert for free and collected around £1,000 sterling.

The Swedish Section have spoken to Peter Gabriel's manager about other sections being able to do the same thing during his tour in Europe, which takes in venues in France, the Netherlands, Belgium, Switzerland, Italy, Germany and the UK between now and early June.

We have sent details of the tour, provided by the Swedish Section, to John Bagley at the British Section (who is involved in the international fundraising working group). The original fax was from Maria Mirsch at the Swedish Section. Hopefully, this information should help your fundraisers - thanks for making sure it gets to the right people in your section.

French Section - European Press Officers' Meeting

The second European Press Officers' meeting will take place in Paris this year. The date of this meeting is now fixed for 15 and 16 May as the majority of you asked for. It will be focused on two themes: Audiovisual work (production and TV experiences) and how to improve it; and the UN World Conference on Human Rights in Vienna.

European World Conference Press Briefing in June

The British Section Press Office has been talking to the EC project office and the Francophone Belgium Press Officer about holding a European press briefing in Brussels for MEPs and for journalists who will be covering the World Conference. The date will probably be Tuesday, June 8th in the morning. The aim will be to look at the EC's role as a whole in terms of its internal shortcomings (Asylum issues, etc), external policies - aid/development, etc, and also to look at Europe's role within the UN.

Although the idea has been suggested by the British Section, it is hoped that all European Section Press Officers will be interested in being involved. For further information please contact either Daphne Davies, in the British Section Press Office or Johannes in the EC project office.

AUDIO-VISUAL NEWS

A script of an Electronic News Release video which has been prepared to go with the Tadjikistan report and news release embargoed for 5 May was telexed/faxed/e-mailed to you yesterday. Copies of the video are available from Dubbs in London. Please contact Louisa at Dubbs on Tel: +44 71 629 0055, Fax: +44 71 287 8796, if you wish to order copies.

2. EUR 44/WU 02/93 EXTERNAL
30 April 1993

TURKEY: RESPONSE TO TURKISH AMBASSADOR'S LETTER CONCERNING HUMAN RIGHTS ABUSES BY ARMED OPPOSITION GROUPS

Amnesty International wrote to Candemir Ünön, the Turkish Ambassador in London on 26 April, responding to questions from the Turkish authorities concerning the organization's views on "terrorist" organizations and policy on human rights abuses committed by armed opposition groups in Turkey.

The international human rights organization stated that it opposes abuses of human life, security and dignity by armed opposition groups. The four main areas of concern to the organization are: the taking of hostages, the torture or ill-treatment of prisoners, the killing of prisoners, and other deliberate and arbitrary killings.

The torture or killing of prisoners clearly violates international humanitarian standards and Amnesty International always opposes such acts, just as it has always unconditionally opposed torture and the death penalty by governments. In addition to this, the organization now works to put an end to other deliberate and arbitrary killings.

Amnesty International also responded to the Ambassador's question concerning the organization's definition of "deliberate and arbitrary killings". In an armed conflict, people who take no active part in the hostilities must be distinguished from those that do. People who are uninvolved in a conflict, including most civilians, must be distinguished from military personnel and others who are directly involved and may influence the course of the conflict. Deliberate killings of people not taking part in the hostilities (and offering no other immediate threat of violence) are always arbitrary - whether the victim is targeted individually or the object of an indiscriminate attack on members of a group.

In the development of its policy, Amnesty International was guided in particular by the protection of the individual enshrined in Article 3 common to the four Geneva Conventions of 1949. This forbids governments and their opponents alike to torture, to deliberately kill civilians to harm those who are wounded, captured or seeking to surrender, or to take hostages.

Amnesty International pointed out that in actively opposing the arbitrary killing of civilians, the organization is in no way condoning the killing of members of the security forces. However, Amnesty International's special responsibility is to defend those who cannot defend themselves - the civilian and the member of the security forces who has been taken prisoner by an opposition group are by definition defenceless.

Amnesty International has publicly expressed its condemnation of the killing of prisoners and other arbitrary killings by Kurdish Workers' Party (PKK), Turkish Workers and Peasants' Liberation Army (T_KKO), Turkish Revolutionary Communist Union (TIKB) and Revolutionary Left (Devrimci Sol). See in particular the papers published last year, Turkey: Torture, extrajudicial executions, "disappearances" May 1992, AI Index: EUR 44/39/92 and Walls of Glass November 1992, AI Index: EUR 44/75/92).

In response to the Ambassador's inquiry as to Amnesty International's position on the suppression of terrorism, it was mentioned that the term "terrorism" has been used by governments to cover a wide variety of acts carried out both by armed opposition groups and by other governments. Amnesty International focuses its action on a very specific range of human rights concerns, some of which are often characterized as "terrorist" acts: the organization always opposes torture, hostage-taking, executions of any kind and other deliberate and arbitrary killings whether carried out by agents of governments or opposition groups. In this regard Amnesty International opposes the acts in question while, in line with its position of impartiality, taking no position on the internal or international conflict in question.

It is the organization's hope that intervention from concerned people from other parts of the world can help to prevent the civilian, or captured soldier, policeman or village guard from being ill-treated, tortured or killed. Amnesty International believes that such interventions will carry more force if they are made by individuals who are not supporting any side in a conflict. The aim of the organization's condemnation of such killings is to help establish the principle that captors have a responsibility of care to their prisoners and should never ill-treat or kill them.

3. AMR 18/WU 01/93 EXTERNAL
30 April 1993

BOLIVIA: SUPREME COURT REACHES VERDICT IN SEVEN YEAR TRIAL

On 21 April, the seven-year trial of former President General Luis García Meza and his collaborators, on multiple charges relating to gross human rights abuses, concluded in Sucre, Bolivia. The Supreme Court gave sentences ranging from one to 30 years' imprisonment to 47 of the accused and six were acquitted. Amnesty International knows of 11 who have been arrested and are now starting to serve their prison sentences.

Amnesty International welcomes the verdict of the Supreme Court which clearly demonstrates that members of a repressive government can be brought to justice before a civilian court and held accountable for their actions under the criminal code of their country. The verdict of the Supreme Court which convicts former top officials as well as members of paramilitary groups for violations of human rights, offers encouragement for all those who campaign for such rights.

Charges against the accused included assassination of political opponents, genocide, organization of irregular armed groups and misappropriation of public funds. Amnesty International's concern in the trial - known as the Responsibility Trial, Juicio de Responsabilidades - is related to the human rights violations that took place during the military government of General Luis García Meza between July 1980 and August 1981.

An Amnesty International delegate, Uruguayan jurist Dr Edgardo Carvalho, observed the concluding session where the Supreme Court pronounced its verdict and sentenced six of the accused. Among the six sentenced to 30 years' imprisonment were former President Luis García Meza and former Minister of Interior Luis Arce Gómez - both sentenced in their absence. This is the maximum sentence allowed under Bolivian law, without right to a pardon by congress (sin derecho a indulto). Luis García Meza and Luis Arce Gómez were found guilty on charges ranging from armed uprising (alzamiento armado), genocide, and organization of irregular armed groups (organización de grupos armados irregulares), to sedition and fraud against the state. The Court stated that the two convicted should serve their terms of imprisonment at the maximum security prison of Chonchocoro, near La Paz.

From the many issues raised at the trial, one exceptional ruling of the Supreme Court has emerged within the sentence: the rejection of the Court to the claim of "due obedience" obediencia debida, alleged by some of the accused. The rejection by the Court of the concept that they "were just obeying orders" is based on the country's Penal Code which establishes that due obedience is only applicable to orders which are not in contradiction with the Constitution.

In 1989 the main accused, Luis García Meza escaped and is still at large. The same year former Minister of Interior Col. Luis Arce Gómez was handed over to the USA authorities. In its verdict the Supreme Court stated that it pertains to the Executive Power to request his extradition from the United States, where he is serving a sentence related to drug trafficking.

Former members of paramilitary forces were accused of participating in a raid on the Bolivian Trade Union Central (COB) in July 1980 and a raid on a house in Harrington Street (Calle Harrington) in January 1981 where trade unionists and political members were killed. They received sentences ranging between 30 and 20 years' imprisonment. Former ministers of the García Meza government were sentenced to two years' imprisonment for subverting the constitution.

On 7 July 1980, General Luis García Meza led a military coup against the interim civilian government of President Lidia Gueiler. General García Meza was immediately installed as President and Colonel Luis Arce Gómez was appointed as Minister of the Interior. During the García Meza government, which lasted until August 1981, there were numerous reports of torture, arbitrary detentions; 22 people "disappeared" and 52 were victims of extrajudicial executions. The armed forces continued in power until September 1982 and in October 1982, Dr Hernán Siles Zuazo was inaugurated as President.

The nearly five-hour long judgment read by the Supreme Court on 21 April 1993 in Sucre was delivered to a crowded courtroom and broadcasted live on national television and radio relayed by loudspeakers in universities and trade union headquarters around the country. Besides the relatives of the victims, a wide spectrum of Bolivian society attended the hearing, including representatives of human rights organizations, parliamentarians, members of the ruling government, political parties, trade unions. Bolivian citizens took to the streets in a spontaneous demonstration of support to the Supreme Court.

4. EUR 45/WU 01/93 EXTERNAL
30 April 1993

INTERNAL

A WERAN Action was sent out by the Northern Ireland research team on 21 April to AI WERAN groups asking for them to write to Republican media in Northern Ireland to raise interest in the shooting of Damian McCartan. Because this is the first time that AI has taken membership action on a victim of human rights abuses by the IRA, there has been a lot of media interest in the UK. Following is some external information on the case.

EXTERNAL

NORTHERN IRELAND: THE SHOOTING OF DAMIAN MCCARTAN

Amnesty International has been informed that a Catholic man named Damian McCartan, aged 21, was shot by the Irish Republican Army (IRA) on 29 March 1993 for refusing to allow his car to be used by the IRA. He was shot three times in the legs, twice in the left leg and once in the right; he was hospitalized and his left leg had been broken. He is currently out of hospital, on crutches, waiting for the wounds to heal before treatment can be started. The Belfast brigade of the IRA issued a statement that Damian McCartan had been shot as "punishment" for endangering the lives of "IRA volunteers" and the capture of "war materials".

The organization is opposed to IRA practices of torturing, maiming and deliberately killing civilians, including targeted attacks on individuals and bombing attacks intended indiscriminately to cause deaths and injuries among the civilian population in violation of international standards.

The McCartan family lives in Belfast and since the early 1970s various members of the family have been killed in Northern Ireland in the context of civil strife, including at least five of them killed by Loyalist paramilitaries.

Amnesty International is appealing to all Republican and Loyalist armed groups to halt torture, maiming and killing of civilians.