
AMNESTY INTERNATIONAL NEWS SERVICE 50/95

TO: PRESS OFFICERS
FROM: IS PRESS OFFICE
DATE: 8 MARCH 1995

AI INDEX: NWS 11/50/95
DISTR: SC/PO
NO OF WORDS: 3052

NEWS SERVICE ITEMS: EXTERNAL - **UN SOCIAL SUMMIT** (to be used proactively as press officers see fit)

INTERNAL - **SUDAN** (this item was sent to Campaign Coordinators in all Sections on 6 March and is now being sent to press officers to help respond to the Sudan Government's criticism - see note below)

AI'S RESPONSE TO CRITICISM BY SUDANESE GOVERNMENT - EXTRA NOTE:

The Sudan Government reacted aggressively to Amnesty International's campaign. In a 23-page statement released on 16 February, the Sudanese accused the organization of insulting Islam and demanded that it apologise to Muslims worldwide. The government declared that Amnesty International is banned from visiting the country unless the organization apologises. There is nothing to apologise for.

Although AI regrets this response from the Sudanese authorities it is not unexpected. The Sudanese authorities always respond to criticism by trying to hide behind Islam. There is nothing Islamic about arbitrary detention, torture or political killing.

The government likes to claim it is open about human rights. Yet when we or other human rights organizations -- for example, Pax Christi which was also recently prevented from visiting Sudan -- issue critical reports we are immediately banned. This is short-sighted on the part of the government and does nothing for its credibility.

INTERNATIONAL NEWS RELEASES

Campaign on Women - 7 March - SEE NEWS SERVICE 12/95, 34/95, 37/95, 42/95 & 44/95

Brazil - 27 March - SEE NEWS SERVICE 29/95

RWANDA - 6 April - SEE NEWS SERVICE 37/95

SYRIA - 11 April - SEE NEWS SERVICE 32/95

TARGETED AND LIMITED NEWS RELEASES

CAMBODIA - 14 MARCH - SEE NEWS SERVICE 37/95

EVENTS AND MISSIONS

The details below are for your information only, and there may or may not be media work involved. Can you please not publicize anything until further notice from the IS.

MISSION TO BURUNDI 13 - 27 March - SEE NEWS SERVICE 37/95

MISSION TO KENYA 16 March - 2 April - SEE NEWS SERVICE 37/95

AI INDEX: IOR 41/WU 02/95
8 MARCH 1995

AMNESTY INTERNATIONAL AND THE UNITED NATIONS WORLD SUMMIT FOR SOCIAL DEVELOPMENT

The first-ever United Nations (UN) World Summit for Social Development, initiated by the General Assembly in December 1992, is taking place this month in Copenhagen, Denmark and more than 100 heads of state are expected to attend the Summit itself on 11 and 12 March.

The summit will be preceded by a NGO Forum from 3 - 12 and a meeting of high-level government officials from 6 - 10 March. The summit is one of a number of important UN conferences held in recent years - the World Summit for Children (New York, 1990) the World Conference on Environment and Development (Rio, 1992), The World Conference on Human Rights (Vienna, 1993), the Global Conference on Small Island Developing States (Barbados, 1994), the International Conference on Population and Development (Cairo, 1994) and the Fourth World Conference on Women (Beijing, China, to be held in September 1995).

The summit will adopt a Declaration and Programme of Action which recognise the interdependence of social and economic development and that social development is central to the needs and aspirations of people throughout the world.

Although the specific rights on which Amnesty International campaigns fall within the range of civil and political rights, the organization promotes awareness of, and adherence to, all the rights embodied in the Universal Declaration of Human Rights and elaborated in standards such as the UN International Covenants on Economic, Social and Cultural Rights and on Civil and Political Rights. All human rights are universal and indivisible and the specific rights which are the focus of Amnesty International's actions are inextricably linked to other human rights.

Build on the commitments made in Vienna

The series of global UN meetings that have been held in recent years should be seen as a continuum of discussions where governments reaffirm their commitment to all human rights and elaborate ways in which they can be implemented. All human rights are intrinsically linked. Each of these global conferences must take into account and build on the commitments made at previous conferences.

Amnesty International is particularly concerned that the Vienna Declaration and Programme of Action, produced by the World Conference on Human Rights, thoroughly inform the discussions in Copenhagen.

The World Summit on Social Development is a unique opportunity for the governments of the world to fulfil the commitment they made on joining the UN - to promote higher standards of living, solutions to economic, social and health problems and universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion" (UN Charter, Articles 55 and 56). This commitment must be made with full acknowledgement that all human rights are universal and indivisible and that they are the legitimate concern of the international community.

Ensure that human rights treaties are ratified and human rights mechanisms are integrated

The World Summit for Social Development should call on governments to ratify, if they have not already done so, all international and regional human rights treaties without limiting reservations. It should call for the guarantees set out in these treaties and in non-treaty standards to be fully and promptly implemented. Careful attention should be given to human rights education, to ensure that people at all levels of society are aware of their human rights.

The UN and some of its specialized agencies, notably the International Labour Organisation, have developed mechanisms for monitoring and assisting in the implementation of human rights standards. The World Summit on Social Development should acknowledge the expertise, particularly of the Committee on Economic and Social Rights, as well as other treaty monitoring bodies, and request them to take into account the Declaration and Programme of Action in their work.

Ensure that human rights are women's right

Amnesty International believes that governments are not only obliged not to violate women's human rights but also to work to promote and protect their rights. The World Summit on Social Development should give particular attention to ensuring that women can fully enjoy all human rights. The Declaration and Programme for Action should include gender-specific provisions to ensure that the particular needs of women and girls are taken into full account.

The Declaration and Programme of Action should encourage governments and donor agencies to give high priority in development assistance projects to the implementation of human rights, particularly as they affect women and girls, both as individuals and as a social group.

Asylum, refugees and voluntary repatriation

The Vienna Declaration and Programme of Action reaffirmed the right to seek and enjoy in other countries asylum from persecution and stressed the importance of the Universal Declaration of Human Rights, the 1951 Convention relating to the Status of Refugees, its 1967 Protocol and regional instruments. It recognized that gross violations of human rights are a factor leading to displacement.

The World Summit on Social Development should reaffirm the right to seek and enjoy asylum from persecution, articulate fully the international principle of non-refoulement, encourage all governments that have not yet done so to

ratify relevant treaties and call for all repatriation to be on a voluntary basis and preferably carried out under international supervision.

ENDS\

INTERNAL

News Service 50/95

AI INDEX: AFR 54/WU 09/95
8 March 1995

**ADVICE TO AI SECTIONS
ON RESPONDING TO
POINTS RAISED BY THE SUDAN GOVERNMENT IN
"THE CROCODILE TEARS"**

Introduction

On 16 February 1995 the Government of Sudan issued a 23-page response, entitled "The crocodile tears", to AI's Sudan Campaign report. The response is primarily aimed at government delegations attending the United Nations Commission on Human Rights, currently meeting in Geneva. The release coincided with a visit to the Commission by 'Abd al-Aziz Shiddo, Sudan's Attorney General and Minister of Justice, where he made a public statement to the Commission in defence of Sudan's human rights record.

On 28 February 1995 the UN Special Rapporteur on Sudan addressed the Commission, outlining the main findings of his report submitted on 30 January 1995. These are outlined in the forthcoming Campaign Update Circular No.1 (AI Index AFR 54/08/95). In early March 1995 the Commission will debate and vote on a resolution on Sudan which, at the draft stage, contains the recommendation "that the human rights situation in Sudan be subjected to continual observation by the Commission through the placement of human rights monitors". The Sudan Government is therefore seriously concerned about the possible impact of AI's human rights campaigning because AI's findings reinforce and support the conclusions and recommendations of the UN Special Rapporteur.

As you will recall from earlier campaign documents, the Sudan government has persistently accused critics of its human rights record of "hating Islam" and of selectively criticising Sudan because of political opposition to its "Islamic orientation". This criticism has been levelled at AI before, as well as at the UN Special Rapporteur on Sudan.

"The Crocodile Tears"

This latest government response to AI is in two parts:

- Part One addresses what it describes as AI's "call for the abolition of Islamic laws".
- Part Two addresses "the alleged violation of human rights".

Neither part raises difficult substantive points in relation to AI's campaign message and no change of campaign strategy is required. The answers to many of the government's comments are already contained in the following AI documents:

- Questions and Answers (AFR 54/05/95, 6 January 1995)
- the main report: "The tears of orphans" (AFR 54/02/95, 25 January 1995)

- two of the briefing leaflets: "Hiding behind Islam" (AFR 54/52/94) and "The Penal Code" (AFR 54/54/94), 25 January 1995
- Background Information and Campaign Strategy (AFR 54/33/94, September 1994)

If there are signs that the government statement is being picked up and reproduced by the media, the IS may issue a public response. However, at present, this is not thought to be necessary. AI should continue to assert our own campaign message strongly and coherently.

Advice on specific points

Below are AI "answers" which can be used if you find that people in your country (such as NGOs, journalists etc) are drawing on the Sudan Government's response to question what AI is saying. The "answers" are intended as briefing points.

Please also refer to the documents listed above. The page numbers refer to the Sudan Government's document.

1. "The call for the abolition of Islamic laws"

The government says that because AI calls for the abolition of cruel, inhuman and degrading punishments in law the organization is "insulting" Islam (p 1/2).

In the very same sentence it denies that it attempts to deflect criticism of human rights violations by accusing critics of a desire to insult Islam!

It accuses AI of perpetrating "a flagrant violation of International Human Rights Law, in particular Article 18 of the International Covenant on Civil and Political Rights which provides that everyone should have freedom of religion" and demands that AI withdraw the call "and openly apologise for having violated the right of all Muslims to freedom of religion and for having offended their feelings". It further calls on all intergovernmental bodies such as the UN and OAU to review their formal relations with AI.

The government says that AI is "not mandated to interpret (sic) international covenants" (p16).

AI response: AI is not calling for the repeal of Islamic laws but for the removal of certain penalties from the law. The government argues that these penalties are defined by the revealed word of God in the Quran and as such are binding on all Muslims. This is one interpretation of Islam. There is by no means complete agreement within Islamic legal thought on this issue. As far as AI is concerned, the penalties of flogging, amputation, mutilation and death by retribution are cruel, inhuman and degrading punishments and as such are banned under international human rights law. This view is shared by the UN Special Rapporteur on Sudan and the UN theme mechanism which works against torture.

AI is not seeking to limit the rights of Muslims to freedom of opinion: it is seeking to protect the right of persons of any religion, including Muslims, to be free from ill-treatment and physical abuse enshrined in law.

2. According to the government, AI does not justify why it has chosen to issue a report on Sudan. The organization is "selective" because it has not published reports on other countries which do seriously violate human rights.

Evidence of AI's selectivity comes from the fact that AI refuses to grade countries according to their record on human rights (pp 2-4).

AI response: AI publishes reports on many countries each month. AI's annual report covers most countries in the world. The fact that AI refuses to grade countries according to their record on human rights is quite the opposite of what the government claims. It indicates that AI is not selective: from the perspective of the victim any violation of human rights is serious. The situation of human rights in all parts of Sudan is serious by any definition, both in the war zones and in areas less affected by war.

3. According to the government, AI is holding it responsible for violations committed before it assumed power (pp4-5).

AI response: This is simply not true. Nowhere in the report does AI do this.

4. According to the government, AI is interested in publishing allegations against Sudan irrespective of their credibility. The response claims that "the campaign against the human rights record in Sudan erupted for the first time" immediately following the application of Sharia (Islamic) law. The government claims that when AI asked to come to Sudan in 1994 (it was actually December 1993) both AI and the government agreed to a visit in the last week in March 1995. Yet AI then went ahead and launched its campaign without waiting to verify its allegations. If AI had visited Sudan, says the government, the organization would have found that there was no substance to such reports. The fact that AI released its report when it did is deliberate "as AI would have had nothing to say once it had visited". The government claims that there are a number of other reports, for example the report of the UN Working Group on Enforced or Involuntary Disappearances dated 30 December 1994, which refute AI's allegations (pp5-7).

AI response: AI makes every effort to verify and cross check its information. The report describes a pattern of human rights violations which has become well-established over the past five years. AI has published innumerable reports on Sudan -- many of them before the government introduced its own version of Sharia law. To say that the "campaign against the human rights record in Sudan" started in 1991 is demonstrably false.

The government is selective in the reports it cites. The UN Special Rapporteur issued a highly critical report in January 1995. Even the report the government cites only says that the Working Group did not receive new reports of disappearances. This is quite different to saying that no disappearances took place. The government has still not accounted for 230 people who were arrested and subsequently disappeared in Juba in mid-1992.

Please also refer to AI's repeated attempts to visit Sudan and the government's repeated postponements, outlined in the Questions and Answers (AI Index: AFR 54/05/95). The government has withdrawn its agreement that AI could visit the Sudan in late March 1995. The invitation was made on 20 January 1995, not long after the government received copies of AI's report. It appears that the invitation was made in order that it could be subsequently withdrawn. In early February 1995 an invitation to Pax Christi, a Catholic human rights organization which has also issued critical reports on Sudan, was also withdrawn. The government's withdraw of these invitations is hardly the action of a government genuinely open to visits by impartial human rights organizations.

Despite the government's lack of cooperation, AI remains more than willing to visit Sudan.

5. According to the government, AI's report is full of sweeping generalizations (pp7-10).

AI response: On the contrary, any generalizations AI makes are arrived at after considering hundreds of detailed case histories, many of which are outlined in the report.

6. The government claims the independence of the judiciary has been maintained (pp10-11).

AI response: While the judiciary may have the legal status of independence, repeated purges of judges regarded as hostile to the government have created a compliant judiciary of government supporters.

7. According to the government, the UN Special Rapporteur has established that the allegations of sexual abuse by Brigadier Mohamed Ahmad al-Rayah were not true. The government cites as evidence the fact that the Special Rapporteur's report to the Commission on Human Rights in 1994 does not mention the case (p11).

AI response: the fact that the Special Rapporteur has failed to pursue the case does not prove anything. AI was not aware that Brigadier al-Rayah had requested that the judicial investigation ordered by the government no longer proceed. AI hopes that this is not the result of pressure placed on the Brigadier by the authorities.

8. AI fails to mention that following his release after a few days in detention in 1994, Sadiq al-Mahdi, the former Prime Minister of Sudan, appeared on Sudan TV saying that he had not been tortured. The government cites this as evidence that AI's allegation that torture is systematic is groundless (pp13-14).

AI response: at no stage in 1994 did Amnesty International claim that Sadiq al-Mahdi was undergoing torture. Any detainee arrested by security officials is at risk of torture. The fact that Sadiq al-Mahdi was not tortured does not prove that others have not been tortured.

9. According to the government, the "displaced" are no longer displaced (p14).

AI response: there are still occasional reports of displaced people resisting the demolition of their homes. This resistance has been met by heavy-handed action by the authorities. In October 1994 the authorities opened fire on displaced people rioting in defence of their homes, leading to loss of life.

10. According to the government, the fact that AI records detention which only lasts for a few hours indicates that AI is short of information (p15).

AI response: such examples are included in AI's report precisely because they illustrate the all-pervasive nature of security harassment in Sudan. Suspected opponents of the government are made to report regularly to security offices and are at constant risk of harassment and intimidation.

11. According to the government, the recommendations of UN agencies favouring Sudan are ignored (pp 17-19). The government then cites two statements by the UN Working Group on situations, made in 1991 and 1992, as "favourable".

AI response: the examples chosen by the government are procedural resolutions. The government ignores the highly critical public resolutions which have come out of the General Assembly and the Commission on Human Rights in recent years.

ENDS\