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# AMNESTY INTERNATIONAL NEWS SERVICE 284/94

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NEWS SERVICE ITEMS: EXTERNAL - **RUSSIA** (sent to Russian media), **SOMALIA** (sent to African and Arabic media), **CHINA**

## INTERNATIONAL NEWS RELEASES

Sudan - 25 January - SEE NEWS SERVICES 275 AND 261

Turkey - 8 February - SEE NEWS SERVICE 261

Northern Iraq - 28 February - SEE NEWS SERVICE 266

## TARGETED AND LIMITED NEWS RELEASES

News Service 284/94  
AI INDEX: EUR 46/WU 01/94  
16 DECEMBER 1994

RUSSIA: AMNESTY INTERNATIONAL APPEALS FOR RESPECT FOR HUMANITARIAN LAW

**Today, as the conflict in the self-proclaimed Chechen Republic escalates, Amnesty International called on both sides in the fighting to respect human rights and observe basic humanitarian standards.**

**Armed clashes have occurred between the Russian and Chechen sides as the Russian troops have moved towards the capital, Grozny, since entering the territory on 11 December.**

**The Chechen Republic declared independence in 1991, a move not recognized by Russia or the international community, and tension between the two sides has escalated during this year.**

**Although Amnesty International takes no position on territorial disputes, within the terms of its mandate the organization is calling on all parties to the conflict to protect both civilian and military victims of the fighting in accordance with international humanitarian and human rights law.**

**Such protection includes ensuring that civilians are not the subject of deliberate attacks and are not arbitrarily detained; that detainees of any kind are not subject to torture or cruel, inhuman or degrading treatment; and that non-combatants are protected from all acts of reprisal and violence.**

**Amnesty International is also calling on all parties to facilitate appropriate access to detainees by the International Committee of the Red Cross.**

**ENDS\**

News Service 284/94  
AI INDEX: AFR 52/WU 02/94  
16 DECEMBER 1994

#### **SOMALIA: AMNESTY INTERNATIONAL PROTESTS CRUEL PUNISHMENTS**

The stoning to death of a man in Mogadishu earlier this month by sentence of an Islamic court, which has already sentenced many people to amputations and floggings, could signal more such extreme and cruel punishments in the next few months, Amnesty International said today.

This informal religious court has already handed down sentences of amputations of limbs for 12 men and a woman, and of floggings for more than 160 others since its establishment in August.

These trials flagrantly violate internationally recognized standards of justice and Amnesty International is concerned by indications that informal religious courts such as this, which fail to guarantee the right to a fair trial and inflict cruel, inhuman and degrading punishments, could spread more widely in Mogadishu and other parts of Somalia, a war-torn country without any central government.

On 8 December after a summary trial, Abdullahi Weheliye Omar, 25, was brutally stoned to death for 20 minutes by a group of men in the crowd hurling concrete blocks at him at close range while he lay shackled. He had been convicted of rape by the court, which was composed of 12 religious leaders.

The execution, witnessed by a western journalist and filmed with the court's encouragement by a Somali cameraman, took place before a cheering crowd of hundreds of men, women and children.

The court which condemned Abdullahi Omar was established in August by increasingly active Islamist groups. It functions in a part of north Mogadishu controlled by militias of Ali Mahdi, chairman of the Somali Salvation Alliance (SSA) -- the clan coalition opposed to General Mohamed Farah Aideed's Somali National Alliance (SNA). A spokesman of the court is reportedly closely connected to Ali Mahdi and the SSA.

Defendants have no legal counsel, there is no right to appeal to any higher court or to petition for clemency, trials are informal and summary, procedures are arbitrary, and penalties are carried out immediately.

Another man pleading guilty to also raping the same woman was sentenced to 100 lashes, which left him unconscious and profusely bleeding. He escaped a stoning death sentence because he was unmarried and an Islamic legal provision invoked by the court decreed death for married rapists only. Abdullahi Omar tried to explain as he was being led to execution that he too was unmarried but this was ignored.

Five women were previously stoned to death in January last year in the break-away Somaliland Republic in the north west. They were sentenced to death for adultery by an informal Shar'ia court set up by an Islamist group. This court was then dissolved by the Somaliland authorities and the Islamist group's leader was arrested, but was later released and no further steps were taken to bring him to justice.

Amnesty International considers amputation and flogging to be cruel, inhuman and degrading punishments -- violations which are prohibited by the International Covenant on Civil and Political Rights (ICCPR) and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Human Rights Committee, established under the ICCPR to monitor implementation of that treaty,

**has stated that the prohibition of torture and cruel, inhuman or degrading punishment "must extend to corporal punishment, including excessive chastisement ordered as a punishment for a crime". Somalia is a party to both treaties and all persons exercising governmental authority such as judges and police officers, are bound by these international instruments.**

**Amnesty International also opposes the death penalty unconditionally everywhere as a violation of the right to life.**

**The human rights organization is appealing to Ali Mahdi and other Somali political leaders to prevent any further executions, amputations or floggings.**

**Amnesty International is deeply concerned about the future for human rights in Somalia. The United Nations (UN) peace-keeping operation in Somalia, UNOSOM II, is now leaving, with its two-year UN Security Council mandate ending next March. In large part because of the security situation it has been unable to achieve many of its human rights objectives, including the reconstruction of the judicial system. The secular court structure being developed by the UN in Somalia, based on international standards of fair trial, is insufficiently established and is in danger of collapsing when the UN force pulls out unless this work is taken over by one of the UN agencies which will remain in Somalia.**

**Amnesty International is appealing to the UN and its Justice Division officials in Mogadishu to work to persuade the relevant Somali leaders to stop these cruel punishments as they violate basic human rights.**  
**ENDS\**

**News Service 284/94**

**AI INDEX: ASA 17/WU 15/94  
16 DECEMBER 1994**

**CHINA: NINE PRISONERS OF CONSCIENCE SENTENCED TODAY**

**Amnesty International is calling for the release of nine prisoners of conscience, sentenced today to some of the harshest prison terms passed against political dissenters in China for several years, after a closed trial lasting five months.**

**Their sentences ranged from three to 20 years plus additional terms of deprivation of political rights ranging from one to four years.**

**According to the court verdict, the three defendants who received the heaviest sentences were found guilty of "leading a counter-revolutionary group" and of "counter-revolutionary propaganda and incitement". They are not due for release until well into the next century.**

**"These people have been jailed solely for the peaceful exercise of their fundamental human rights and we are calling for their immediate and unconditional release," Amnesty International said.**

**The defendants' relatives reportedly only heard the verdict when the presiding judge came out of the court to read the sentences to those waiting outside. The court verdict indicates that at least some of the defendants had legal representation but it is not known whether the defendants were permitted to choose their own lawyer or had full opportunity to present their defence.**

**"This trial appears to have been grossly unfair -- it was closed to family members, the public and foreign observers -- and we are urging the authorities to release information about the trial procedures," Amnesty International said.**

**In total 15 alleged dissidents were tried for "counter-revolutionary" crimes, in what was the first major political trial in Beijing since 1991.**

**Five defendants were not sentenced but the charges against them were not dropped, and one has been put under "supervision" for two years which includes having to report regularly to the police.**

**Amnesty International is also seeking assurance from the Chinese authorities that those who were not sentenced were released unconditionally and is calling for the "supervision" order to be lifted.**

**All defendants were charged for allegedly forming or joining three underground dissident groups, writing and printing political leaflets and planning to distribute them before 4 June 1992, the third anniversary of the crackdown on the 1989 pro-democracy movement. Fourteen of them had been detained for more than two and a half years after being arrested in May and June 1992. The fifteenth had been "released on bail pending trial" in November 1992.**

**ENDS\**