

Amnesty International Newsletter May 1993
Whole Text

WORLD WIDE APPEALS
PHILIPPINES

Romeo Legaspi, a 58-year-old journalist, was abducted on 11 January 1993 by armed men believed to be linked to the Philippine National Police (PNP) in Olongapo City, Zambales. He has not been seen since.

Members of the PNP intelligence unit in Olongapo City filed libel charges against Romeo Legaspi last year, after he had alleged in the *Voice of Zambales* newspaper that the unit had been involved in illegal activities. The charges against Romeo Legaspi were dismissed, but the police continued to threaten him. In letters to family and friends, and in his personal diary, he said he was frightened of violent reprisals by the police.

Relatives and lawyers lodged a formal complaint about Romeo Legaspi's "disappearance" with the National Bureau of Investigation, and on 24 February they filed a *habeas corpus* petition before the Supreme Court. Since then family members have received anonymous death threats believed to come from the police.

The Supreme Court ordered the Regional Trial Court of Olongapo City to hold a preliminary fact-finding hearing on the case. At the hearing, which took place in March, police authorities denied arresting Romeo Legaspi and produced a signed document -- apparently "certifying" that the arrest had never taken place -- as evidence. However, a police lieutenant reportedly admitted under examination that he had signed the document on orders from the Station Commander, a prime suspect in the case.

Please send appeals urging the government to take immediate steps to locate Romeo Legaspi, and to bring those responsible for his abduction and "disappearance" to justice before a civil court, to: President Fidel Ramos/Malacañang Palace/Manila/Philippines.

RWANDA

Alphonse Nkuzurwanda, Célestin Palimehutu and Emmanuel Hakizimana "disappeared" after being arrested by government soldiers and police on 13 February. The three, all students at a Seventh Day Adventist university near Gisenyi in northwest Rwanda, were arrested the day after a radio was found in their possession. This apparently led the soldiers to suspect the students of having links with armed government opponents active in the *Front patriotique rwandais* (FPR). Their colleagues and local human rights activists fear that they may have been killed.

Their arrest coincided with a wave of arrest and killings of prisoners, particularly in the capital, Kigali, as the security forces were conducting identity checks and detaining people of Tutsi ethnic origin as well as suspected political opponents of President Juvénal Habyarimana. At least 19 of those arrested in Kigali were reportedly extrajudicially executed at a military barracks shortly afterwards.

The "disappearance" of the three Adventist students is by no means unusual, as respect for human rights continues to deteriorate in the face of ethnic violence and war. Hundreds of people, mainly Tutsi, have "disappeared" or been extrajudicially executed since the Tutsi-dominated FPR began fighting government forces in October 1990. The FPR has allegedly carried out deliberate and arbitrary executions of suspected supporters of the President, in apparent reprisal for killings by government forces.

Please send appeals urging the government to take immediate steps to locate Alphonse Nkuzurwanda, Célestin Palimehutu and Emmanuel Hakizimana and to bring those responsible for their "disappearance" to justice, to: Son Excellence Président Juvénal Habyarimana/Président de la République/BP 15/Kigali/Rwanda.

YEMEN

'Ali 'Abdul-Fattah Hashim, a writer and teacher, is being held in Sana'a Central Prison because he is suspected of assigning heretical dictation to his students and questioning Islamic tenets. He has been charged with apostasy and could face execution if he is convicted. AI believes he is a prisoner of conscience.

'Ali Hashim was arrested in April 1992 by security officers after a private law suit was brought against him, and was charged with apostasy after being interrogated about his religious beliefs. In August he was briefly transferred to hospital, where he was diagnosed as a depressive "with paranoid ideas" and given a range of sedatives and neuroleptic medications.

In September he was brought before the Sana'a Court of First Instance. He refused to participate in the proceedings, refused a lawyer and would not speak during the hearing. The judge eventually referred him to a medical panel for an assessment of his mental state. But no such examination appeared to have been conducted by the end of March, and 'Ali Hashim remains in Sana'a Central Prison, refusing medical treatment and in a vulnerable mental state.

'Ali Hashim had been politically active for more than a decade in the National Democratic Front (NDF), the principal opposition group in the former Yemen Arab Republic. He has been detained and tortured at least four times; in 1983, for instance, he was held in solitary confinement for eight months, where he was repeatedly beaten and forced to listen to recordings of other detainees being tortured. In 1986 he was held for two months in a Military Intelligence detention centre **in a coffin-like box, shackled hand and foot and denied access to toilet facilities.**

Please send courteous appeals urging the government to release 'Ali 'Abdul-Fattah Hashim immediately and unconditionally and provide him with adequate medical treatment, to: His Excellency 'Ali 'Abdullah Saleh/Chairman of the Presidential Council/Sana'a/Yemen.

NEWS ARTICLES

CHAD

The nightmare continues

Since the government of President Idriss Déby came to power in December 1990, more than 500 people have been extrajudicially executed, including both captured insurgents and unarmed civilians killed in reprisals for rebel attacks or simply because of their ethnic origin. More than 1,000 others have been detained, mostly for short periods, but no political detainee has been brought to trial. Torture and ill-treatment are rife; some prisoners have been tortured to death and dozens more have "disappeared".

In February, for instance, at least 45 civilians were executed in the area around Goré by the Chadian National Army. More than 100 unarmed people, six of them children, were massacred by government troops in the southern town of Doba after an insurgent attack in August 1992. The soldiers then looted the area, raiding homes, shops and businesses.

These vicious attacks appear to be aimed at intimidating or silencing non-violent critics of the government or the security forces.

An AI report published in April* documents the massive human rights violations perpetrated in Chad since late 1990, pointing up the failure of the Déby government to end the brutal legacy inherited from the dictatorship of Hisssein Habré. The report also summarizes the findings and recommendations of a commission of inquiry, set up by the present government, into the devastating human rights violations perpetrated during Habré's eight-year rule, when about 40,000 Chadlians were killed.

In January AI appealed to the government and to delegates at a national conference on political reform to take immediate action to protect human rights. The government was urged to emphasize that human rights violations are strictly prohibited and to advise the security forces that perpetrators will be brought to justice.

* *Chad: Never again? Killings continue into the 1990s* (AI Index: AFR 20/04/93)

GUINEA-BISSAU

Death penalty abolished

Capital punishment was abolished by a two-thirds majority in the National Assembly in February. The reform was part of a package of constitutional amendments proposed by a multi-party commission preparing for Guinea-Bissau's first democratic elections later this year or in early 1994. The opposition parties, which do not yet have a vote in the Assembly, were unanimously opposed to the death penalty.

An abolitionist movement which began over a decade ago gathered strength in 1986, when six people, including a former Vice-President, were executed by firing squad after an unfair trial. Pressure was again stepped up in 1991, when the newly-formed Guinea-Bissau Human Rights League began to campaign for abolition.

SOUTH AFRICA

Inquest rules police liable for detainee's death

A Johannesburg magistrate's court found a police officer criminally liable for the 1990 death in custody of Bethuel Maphumulo, and in March referred the case to the Attorney General for possible prosecution. The Maphumulo family and their lawyers had struggled for two years to convince the authorities to prosecute the police officers suspected of killing Bethuel Maphumulo.

This was only one of the cases which, according to independent pathologist Dr Jonathan Gluckman, indicate that the police have killed scores of people – predominantly young black men – in custody. In December 1992 the Minister of Law and Order released a report disputing Dr Gluckman's evidence of unlawful police actions and attacking his professional integrity.

The authorities' response may well have encouraged the police to commit further abuses. AI representatives visiting South Africa in January heard disturbing reports of torture by the South African Police. In the Natal Midlands, for instance, evidence placed before the courts indicates that police have taken prisoners to remote and unofficial detention centres and subjected them to electric shock torture during interrogation sessions.

In January the South African government signed the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. The detailed provisions of the Convention will not come into force until the government formally ratifies or accedes to it, but South Africa is now obliged to refrain from acts which would defeat the object of the treaty.

HAITI

US refuses entry to HIV-positive asylum-seekers

About 230 HIV-positive Haitian asylum-seekers, together with some 40 relatives, all of whom have "plausible claims" to asylum, have been refused permission to enter the United States of America (USA) because US government policy denies entry rights to those infected with the AIDS virus. This is contrary to international standards dealing with the protection of asylum-seekers. Those affected are being held at the US naval base in Guantánamo Bay in Cuba.

Since President Jean-Bertrand Aristide was overthrown in a violent military coup in October 1991, tens of thousands of Haitians have fled their country to escape the brutal military repression. Some 40,000 have taken to flimsy, overcrowded boats and headed for the USA. Until May 1992 those intercepted at sea were taken to the US naval base at Guantánamo Bay to assess whether they had a "plausible claim" for asylum. Those judged to have such a claim, and who were not HIV-positive, were allowed to continue on to the US mainland to pursue their asylum applications.

Conditions at Guantánamo, where there is no adequate medical care for AIDS sufferers and where infected individuals are being held in close proximity to one another, could constitute cruel, inhuman or degrading treatment. In December 1992 doctors at the base urged the Immigration and Naturalization Service (INS) to permit four asylum-seekers to travel to the mainland to obtain medical treatment for AIDS-related problems which could not be adequately treated on the base, but the request was turned down. An INS spokesperson reportedly told a journalist that there was no point giving them further treatment because "they're going to die anyway".

After prolonged but unsuccessful legal and humanitarian appeals for permission to enter the USA, the asylum-seekers began a hunger-strike on 28 January, which lasted for more than six weeks. AI appealed to the US authorities to ensure that the asylum-seekers receive appropriate medical attention and urged them to allow the asylum-seekers entry to the US so that they could effectively pursue their asylum claims with adequate legal advice. Although the US Government did not reply to AI, on 15 March it conceded in court that medical care at Guantánamo Bay was inadequate.

AFGHANISTAN

In February, government soldiers and militia attacked members of the Shi'a religious minority in Kabul, beating, raping, murdering or taking hostage scores of people.

A young nurse who witnessed one incident said: "There were 12 of them. They broke down the door, then they made advances towards my sister and me. My father tried to stop them, but they hit him. They cut off one of his feet and both his hands. One of them threw my father's hands to a dog." One woman said she had watched while soldiers cut the throats of four of her neighbours with bayonets, another said her husband and three daughters had been killed in front of her.

Both government troops and militias and Mujahideen opposition groups have reportedly attacked members of other ethnic, religious or political groups, committing rape and other torture, taking hostages, and committing extrajudicial executions and other deliberate and arbitrary killings.

TADZHIKISTAN

Hidden terror

In the remote former Soviet republic of Tadjikistan, a human rights disaster has gone unnoticed by the rest of the world. Over the last year, a bloody civil war between forces divided along both political and regional lines has claimed the lives of up to 20,000 people and left more than half a million displaced.

Since the capital Dushanbe fell in December to forces loyal to a government elected the previous month in the city of Khudzhand, hundreds of unarmed civilians have reportedly been extrajudicially executed or have "disappeared" after being taken into custody. The killings and "disappearances" are allegedly the work of the Interior Ministry and the People's Front of Tadjikistan, a paramilitary group which led the assault on Dushanbe in December and has since been given law enforcement duties.

On 15 December, for instance, uniformed soldiers from the Ministry of Internal Affairs reportedly boarded buses in front of a cinema in Dushanbe to carry out identity checks. About 20 people from the Garm or Pamir regions, where opposition to the government is strong, were taken off the buses and shot dead on the spot. Many people detained at the airport or in their homes have later been found dead in the streets or at the city morgue. Others have simply "disappeared".

Muso Isoyev, a well-known film actor who had taken part in anti-government demonstrations, was reportedly picked up at a bus stop in Dushanbe on 18 or 19 December by soldiers in an armed personnel carrier. His bullet-riddled body was found in the street the next morning.

Shogunbek Davlatmirov, the deputy director of the Tadjikistan Consumers' Union, was reportedly murdered on 21 December at Dushanbe airport. Davlatmirov was dragged off a passenger plane moments before take-off, reportedly by agents of the Interior Ministry, and was shot dead immediately afterwards.

On 25 January People's Front agents detained about 14 men at the Varzob state farm. The corpses of 10 of these men were delivered to the city morgue three days later, the others remain "disappeared". A medical professional told AI that many of the victims had been tortured or mutilated: one had apparently been killed by having the top of his skull sliced off. On 27 January men believed to be agents of the People's Front burst into the home of the Rizvonov family in Dushanbe and shot dead 11 people, including an 80-year-old woman and a four-year-old child.

The current government has denied that these and other abuses were perpetrated by the People's Front, claiming that a number of people had been impersonating People's Front agents in order to carry out "marauding and robberies".

However, statements by government officials indicated that the security forces had been authorized to carry out summary executions. In December a military commandant said on television that measures "up to and including execution on the spot" would be applied to "mafia-criminal structures, pillagers and marauders". In February People's Front leader Sangak Safarov told journalists that armed formations of the People's Front had orders to shoot "looters and marauders" on sight, and that they had carried out these orders "many times".

Some survive their arrest only to be tortured in custody. Four television journalists arrested in January and charged with "conspiracy to overthrow the government using the mass information media" were allegedly severely beaten during interrogation: one of them suffered a broken nose and had several teeth knocked out.

Many of the bodies in Dushanbe city morgue in January and February reportedly bore the marks of torture. An eyewitness told AI that the most common form of torture in evidence was the tearing out of fingernails, but some victims had apparently had limbs deliberately broken, ears cut off, or had been slashed across the face at eye level, apparently to blind them. The witness also said that some of the victims had their throats cut, had been partially skinned alive, or burned to death.

TURKEY

Officials of the independent Turkish Human Rights Association (THRA) have been targeted for vicious attacks, including abduction and murder, allegedly with the involvement of the security forces. Such attacks have often occurred in the southeastern provinces, where conflict continues between the security forces and Kurdish guerrillas.

On 27 February the bodies of the lawyer Metin Can, founder and President of the Elaz__ branch of the THRA, and his friend Dr Hasan Kaya were found 120 kilometres from Elaz__, beside a road on which there are several police control posts. Their hands had been bound with wire behind their backs and they had been brutally tortured before being shot with a single bullet to the head.

Both men had apparently been abducted six days earlier in Elaz__. They were last seen leaving home in Hasan Kaya's car, which was found abandoned near Elaz__ the following day. The case strongly resembles the 1991 abduction, torture and killing of Vedat Ayd_n, a board member of the Diyarbak_r branch of the THRA. There is evidence to suggest that the security forces were involved in his murder.

Earlier in February, unknown gunmen murdered Kemal K_l_ç, a member of the _anl_urfa branch of the THRA. A key witness was immediately detained and by late March had not been found by lawyers representing Kemal K_l_ç's family.

Although official complicity has not been proved conclusively in these killings, substantial evidence links the security forces to hundreds of political killings carried out over the last two years. In addition, the very groups targeted – including the THRA – have been persistently harassed, detained and allegedly tortured by the security forces.

Also in February Mehmet Gökalp, THRA representative for Derik, was arrested and taken to Derik gendarmerie in Mardin Province, where he was allegedly beaten unconscious, suspended by the arms and subjected to electric shocks, while the gendarmerie First Lieutenant warned him to "resign from the Human Rights Association or we will kill you and your children". On 25 February Hac_ O_uz, President of the Siirt branch of the THRA was held incommunicado and interrogated at Siirt Police Headquarters where he was still detained in mid-March.

THRA branches outside the southeast have also suffered harassment – the Samsun branch was closed by the local governor during Human Rights Week in December 1992. Seven members of the board of the Ordu branch are being tried in Kayseri State Security Court for "making separatist propaganda" in a press statement. These human rights activists risk sentences of up to five years' imprisonment under Article 8 of the Anti-Terror Law – even though their statement did not advocate violence. AI would consider them prisoners of conscience if they receive prison sentences.

BOSNIA-HERZEGOVINA

Between last October and the end of March, more than 60 Muslims were abducted from the Sand_ak – the border regions of Serbia and Montenegro – by Serbian soldiers and paramilitaries from Serbian-controlled areas of Bosnia-Herzegovina. Yugoslav Army reservists reportedly allowed the soldiers and paramilitaries to enter the Sand_ak, and themselves looted houses abandoned by fleeing Muslim families.

In October, for instance, 16 Muslims from Sjeverin village on their way to work in a neighbouring Serbian town were abducted from their bus when it briefly crossed into Bosnian territory. Military sources in Serbia reportedly said that the 16 were taken to an area near the Bosnian town of Višegrad and killed, along with another Sand_ak Muslim.

In February about 20 Muslims from Bukovica in Montenegro were abducted and taken to Bosnia-Herzegovina. Six of them, all elderly women, were returned to Montenegro in March, but said they knew nothing of the fate of their companions, including a young woman and her two small children. Also in February about 25 men, mostly Muslims, were abducted from a train travelling from Serbia to Montenegro at a point where the line crosses Bosnian territory for some 10 kilometres.

Although the Serbian and Montenegrin governments condemned these abductions and said they were being investigated, the whereabouts of the victims were still unknown at the end of March.

Since the outbreak of the war in Bosnia-Herzegovina, local Muslim leaders have warned that the Sand_ak might be drawn into the Bosnian conflict, and thousands of local Muslims have fled the region following intimidation, threats or attacks. At the same time, Muslim refugees from Bosnia-Herzegovina have escaped to the Sand_ak. Serbian sources claim that Sand_ak Muslims joined Muslim forces fighting in Bosnia-Herzegovina. Muslim leaders deny this.

AI has urged the fullest co-operation by the relevant authorities to clarify the fate of those abducted and that those responsible for their abduction be brought to justice.

IRAQ

UN calls for on-site human rights monitoring

In March the 49th Session of the United Nations (UN) Commission on Human Rights passed a resolution condemning Iraq for massive human rights violations "resulting in an all-pervasive order of repression and ... widespread terror". The resolution called for the deployment of monitors to areas where they could independently verify the human rights situation in Iraq, reflecting a series of recommendations made by the UN Special Rapporteur on Iraq, whose mandate was renewed for a further year. The resolution also urged the Iraqi Government to set up an independent commission of inquiry into the fate of the tens of thousands of people who have "disappeared".

AI welcomes this resolution, which could set an important precedent for permanent UN monitoring in situations where there are grave and widespread human rights violations.

In 1991, following the Iraqi Government's vicious suppression of the mass uprising by Kurds and Shi'a Muslims, AI publicly urged the UN to "establish an international on-site human rights monitoring operation in Iraq to prevent torture, killings and other abuses by government forces". AI subsequently welcomed the UN Special Rapporteur's 1992 proposal for on-site monitors in Iraq, and has repeatedly urged the UN to take action in this regard.

SAUDI ARABIA

Christians held in untried detention

Hundreds of Christians, including women and children, have been arrested and detained over the last three years, most without charge or trial, solely for the peaceful expression of their religious beliefs. Scores have been tortured, some by flogging, while in detention.

Most of the Christians in Saudi Arabia are expatriate workers. Some form clandestine groups which meet to worship in private homes, since both public and private non-Muslim worship is officially banned. The possession of non-Islamic religious objects – including Bibles, rosary beads, crosses and pictures of Jesus Christ – is in practice prohibited, and such items are subject to confiscation. Publishing and distributing literature favourable to beliefs other than the Wahabiyya, the kingdom's official Islamic creed, is likewise prohibited.

More than 300 Christians, mainly from Asia and Africa, have been arrested since 1991. Mikhail Cornelius Mikhail, an Egyptian carpenter and member of the Coptic Orthodox Church, was arrested in October 1992 in Riyadh and charged with blasphemy. He denied the charges, but he was convicted and sentenced to seven years in prison and 1,000 lashes. During his trial the presiding judge allegedly offered him a lighter sentence if he converted to Wahabiyya, but Mikhail refused. On 31 January he was released and deported to Egypt after suffering a total of 500 lashes administered over a 10-week period.

AI has repeatedly raised its concerns with the Saudi Arabian authorities about the arrest and detention of Christian worshippers solely for the peaceful expression of their religious beliefs. No response has been received. There are estimated to be some 300 million indigenous people in 70 countries around the world. Among the most defenceless of all the victims of human rights violations, they have paid a terrible price for contact with the dominant society. They have been massacred and terrorized to force them from their ancestral lands, caught up in bitter civil conflicts and left without redress for the abuses they suffer. Their supporters have also suffered human rights violations.

FOCUS

The United Nations (UN) has designated 1993 as the International Year of the World's Indigenous People. The International Year will be commemorated at the UN World Conference on Human Rights in Vienna this June. AI is calling on governments of countries where indigenous people reside to initiate an independent national review in 1993 of the extent to which indigenous peoples' fundamental human rights are respected.

1992 was the 500th anniversary of the arrival of Europeans in the Americas. While official commemorations were held throughout the region, indigenous groups, backed by human rights organizations, used the occasion to publicize the violations, the discrimination and the displacement that indigenous peoples have suffered. Yet despite the publicity and the focus on the plight of indigenous people, it appears that governments in the Americas have taken few practical steps to protect indigenous rights.

Unless the international community takes urgent steps there is a real danger that the UN's International Year will also pass without any significant progress towards protecting the human rights of indigenous peoples throughout the world.

The cases described here are only a few among many which AI has documented. However, they represent the common experience of indigenous peoples in countries across the world. No matter where they live, or what their circumstances, indigenous peoples are united by the urgency of their need for human rights protection.

A SHAMEFUL LEGACY

In the pitch black night soldiers kicked in the door of Banapati Deb Barma's home and raped her until she lost consciousness. The 25-year-old was one of 14 tribal women raped in June 1988 when the army raided their village, Ujan Maidan, in the northeast Indian state of Tripura. The youngest victim was only 12.

The Tripura state government denied the women had been raped and attempted to cover up the crime. Two years later, a Supreme Court investigation confirmed the mass rape had occurred and that the army and the state government had tried to conceal it. The case is still pending. Rape by the security forces is one of the most frequently reported human rights violations in Tripura state.

More than 220 hill tribes live in the seven remote states of northeast India: Assam, Nagaland, Manipur, Arunachal Pradesh, Meghalaya, Mizoram and Tripura. They are socially and culturally distinct from inhabitants of other parts of India. Several tribal groups in the northeast have taken up arms in pursuit of independence or autonomy, and some have resorted to killing and kidnapping civilians.

Rape is only one among many types of violent human rights crimes civilians have suffered during army operations in northeast India. Soldiers have arbitrarily detained, tortured, extrajudicially executed or "disappeared" thousands of tribal people in recent years.

Across the world indigenous and tribal peoples are often caught in the conflict between government troops and armed opposition groups. In some countries indigenous communities have been virtually destroyed as a result.

In the late 1970s and early 1980s the Guatemalan army massacred tens of thousands of non-combatant Indian peasants in its efforts to crush the armed opposition. Whole communities were branded subversive and their members killed. Many Indians fled to the cities, where they sought anonymity by abandoning the traditional clothing that would have identified their place of origin and ethnicity and made them a target for the security forces.

The Nuba people who inhabit a mountainous area in the centre of Sudan have suffered gross human rights violations during the 10-year civil war between the rebel Sudan People's Liberation Army (SPLA) and government troops. The war has been fought in the Nuba Mountains as well as in southern Sudan. Some Nuba have joined the SPLA, which escalated its activities in the area in mid-1987, and many have since been suspected by the authorities and pro-government militias of supporting the rebels. The SPLA have also been responsible for abuses against Nuba who they regard as sympathetic to the government.

The conflict in the area has been intense and bloody, compounded by long-standing political, religious and racial tensions. However, since the present government took office in June 1989 the situation has deteriorated sharply. Hundreds of extrajudicial executions of Nuba villagers have been reported, as well as "disappearances", and arbitrary detentions. In March and April 1992, for example, over 40 villagers were extrajudicially executed in the Jebel Tabaq area in the western Nuba mountains. Tens of thousands of people have been forcibly relocated in camps which the government have described as "peace villages". The government's military offensive against the mountain communities of the Nuba is apparently intended to destroy the SPLA in the area by driving out the Nuba themselves.

The indigenous communities of Peru, caught in a seemingly endless conflict between government troops and the armed opposition, have suffered abduction, torture and killing on a mass scale at the hands of both government troops and the armed opposition.

In September 1990 soldiers and members of a civil defence group killed villagers from several small communities in Ayacucho department, because they had refused to join civil defence patrols. The bodies of 18 people, including children, were later discovered in secret graves.

A Peruvian Senate commission investigated the killings and found the security forces responsible. In February 1992 an officer was charged with aggravated homicide in the civilian courts. However, in September 1992, a military tribunal absolved the officer of all responsibility. He returned

to active service.

Cases like this, where those implicated in killing, abducting and torturing indigenous peoples are shielded from justice, are common in many countries around the world. Tacit protection has often been extended beyond the ranks of government troops, to members of "death squads", hired gunmen in the pay of powerful local interests and civilian vigilantes.

In April 1992 in Bangladesh, over 100 defenceless tribal villagers were reportedly killed by a mob of armed civilians and paramilitaries. According to survivors, the village of Logang was surrounded, villagers were herded into their homes and their houses were set on fire. Babies were reportedly snatched from their mothers' arms and thrown into the flames. Scores of villagers were burned alive; those that tried to flee were shot.

The killings at Logang were the latest in a long-running conflict between the Bangladesh government and the *Shanti Bahini*, an armed tribal group. The Chittagong Hill Tracts, a sparsely populated area where successive Bangladesh governments have tried to resettle non-tribal people from the densely populated plains, has been the site of armed conflict between government forces and advocates of regional autonomy since the mid-1970s. Tribal people in the region have suffered widespread human rights violations at the hands of government forces.

The *Shanti Bahini* have attacked and killed scores of military and paramilitary personnel as well as non-tribal Bengali settlers. The security forces and armed Bengali settlers have launched murderous reprisal attacks.

The Logang killings followed the death of a young Bengali. The government has maintained that no more than a dozen tribal people died, but a group which included lawyers, journalists, human rights activists, and the Deputy Attorney General of Bangladesh, found that more than 200 tribal children, women and elders had been killed.

The outcry which followed the massacre prompted the government to set up an inquiry. In October 1992 it published a brief report endorsing the government's earlier statement that only 12 tribal villagers had been killed. It attributed responsibility to members of the civil defence force, paramilitaries and armed Bengali settlers, some of whom were said to be detained and awaiting trial.

No action was apparently taken against members of the security forces, who were not only allegedly responsible for some of the killings, but had also reportedly surrounded Logang and prevented the terrified villagers from fleeing. AI believes that the inquiry report does not fully explain a reprisal killing of the dimension reported in Logang and described by a large number of witnesses and is seriously concerned about the manner in which the inquiry was conducted.

The struggle for land

Indigenous peoples whose traditional lands are sought for commercial and agricultural exploitation have suffered widespread abuses.

In 1991 the Brazilian government coined the slogan *Indian is land* to acknowledge that land rights are central to the social, economic, cultural and political survival of Brazil's indigenous peoples. The Brazilian Constitution contains comprehensive guarantees of the rights of indigenous peoples. However, this has not prevented the widespread abuses which indigenous peoples suffer. Members of indigenous communities have been abducted, tortured and killed by hired gunmen, often with the backing of state police forces, for their lands or the resources on them. These abuses have gone almost entirely unpunished, and state authorities have acquiesced, colluded or even participated in them. Despite the widespread and persistent nature of these attacks, the authorities have failed to bring those responsible to justice, or to resolve tensions between the indigenous and non-indigenous population.

Domingos Paulino, a leader of the Gavião Pukobyé Indians from the Governador indigenous area, was shot dead on 1 December 1992 in Amarante, in the northeast Brazilian state of Maranhão. He was known for his opposition to granting logging permits inside indigenous areas, a policy favoured by other indigenous leaders. Domingos Paulino had been receiving death threats from loggers who frequently crossed his community's land on their way to the lands of the Guajajara Indians, where they had logging contracts. Although the Indian leader was allegedly shot by a known timber merchant, no arrests were made by police.

The Barabaig, a pastoral people from central Tanzania, have suffered extensive official harassment and intimidation, including ill-treatment and imprisonment during a 20-year land dispute with the government. Large tracts of their traditional grazing land have been acquired by the government for a major wheat-growing project, run by the state National Agricultural and Food Corporation (NAFCO). The Barabaig argue that the land has been taken from them illegally and are engaged in a long-running court action against the government.

Serious cases of torture, beatings and other abuses by NAFCO staff have been reported but the government has failed to take any action against the perpetrators. In August 1992 NAFCO officials reportedly forced three Barabaig youths to have sexual intercourse with Barabaig women. Two of the young men then escaped. The third, Ginadi Gidagudeda, was severely beaten. A few days later, NAFCO officials tried to force a boy to have sexual intercourse with his mother. When he refused he was severely beaten. Another woman had a stick forced into her vagina. Although these incidents were reported to the police and some of the officials responsible identified by name, no action has been taken against them.

In contrast, Barabaig have often been arrested and imprisoned for allegedly trespassing. In one case in 1992, 10 women were sentenced to five years' imprisonment by a primary court in Bassotu for gathering wheat left after the harvest. A seven-year-old child with them was sentenced to be caned.

Members of tribal communities in the Philippines have suffered widespread human rights violations because of the economic and political

significance of the lands they inhabit.

Upland areas of Luzon have for years been important base areas for the armed opposition New People's Army (NPA). Government efforts to defeat the NPA have entailed full-scale military operation which have resulted in a number of deaths of unarmed civilians, including members of tribal communities. Organizations established to defend tribal community interests have been labelled by the military as fronts for the armed opposition and their leaders or members have become the victims of extrajudicial execution and other violations.

In February 1993 a 26-year-old human rights worker and tribal activist was shot dead. Chris Batan, a member of the one-million strong Igorot tribe of the Cordillera mountains in northern Luzon, was a worker with Task Force Detainees of the Philippines, a national human rights organization. He was also active in the Cordillera People's Alliance, which campaigns for the economic, social and political rights of the Cordillera Peoples.

Chris Batan was killed while travelling to Betwagan, Sandang, Mountain Province, to investigate human rights violations committed under former President Marcos. Colleagues travelling with him reported that as they approached Betwagan Bridge, five or six armed men opened fire on them, hitting Chris Batan in the leg. As his friends tried to help him, the gunmen moved nearer and shot him in the chest. Witnesses have identified them as members of the Citizen Armed Force Geographical Unit, a government-backed militia used by the military in counter-insurgency operations.

The Basarwa are the aboriginal inhabitants of large areas of Botswana and other parts of southern Africa. Their economy is based on hunting and gathering and they are socially disadvantaged compared with the majority Batswana, who are settled agriculturalists.

In March 1992 the Botswana Christian Council reported that Basarwa who were alleged to have poached wild animals were being tortured in custody by officials of the Department of Wildlife and National Parks (DWNP). The torture described consisted of pulling a rubber ring tightly around the testicles and placing a plastic bag over the head. The pain caused the victims to excrete involuntarily and they were then beaten.

Discrimination

Indigenous peoples are often economically disadvantaged and marginalized from the societies in which they live by geographical, cultural and linguistic factors. Discrimination renders them more vulnerable to abuse than other sectors of society. They may be more likely to be prosecuted or convicted for certain offences and less able to obtain adequate legal representation. In some countries, they are more likely to suffer harsher penalties than non-indigenous people convicted of similar offences. Racial prejudice also results in a lack of official respect for the lives of the people and their culture.

In 1991 an official study issued a damning indictment of the treatment of indigenous people in Canada's Manitoba Province. The Aboriginal Justice Inquiry of Manitoba, led by two senior judges, noted that although less than 12 per cent of the province's population was indigenous, they made up 50 per cent of the prison population. The inquiry reported: "The justice system has failed Manitoba's Aboriginal people on a massive scale. It has been insensitive and has arrested and imprisoned Aboriginal people in grossly disproportionate numbers... Aboriginal people ... spend more time in pretrial detention and spend less time with their lawyers, and if convicted are more likely to be incarcerated".

The Aboriginal Justice Inquiry also examined the case of John Joseph Harper, a member of the Wasagamack Indian group, who was killed in March 1988. John Joseph Harper, who was unarmed, was killed during a struggle with a police officer when the officer's gun discharged. At the inquest the judge found the shooting was accidental and exonerated the police officer. However, the inquiry found that racism had played a part in the case, and concluded that the police "did not search actively or aggressively for the truth about the death of J.J. Harper".

Discrimination in a criminal justice system which retains the death penalty can cost indigenous people their lives. In the United States the poor often do not have adequate legal representation. Native Americans are among the disadvantaged US minority groups. Some 44 Native Americans are now on death row. Most were represented by court-appointed lawyers who, in many cases conducted an inadequate defence. In most cases examined by AI, later investigation by lawyers representing defendants in post-conviction appeals revealed extensive mitigating evidence, which should have been presented during the trial.

In Australia, an official commission investigating Aboriginal deaths in custody reported in 1991 that Aboriginal people were arrested at 29 times the rate of other Australians. The commission noted "glaring deficiencies" in the standard of care of Aboriginal detainees which in some cases contributed directly to their deaths.

In April 1992 AI representatives visiting Australia found that Aboriginals were being held in police lock-ups and prisons where conditions were so poor that they amounted to ill-treatment. Aboriginals were held for weeks at a time in police lock-ups designed only to hold prisoners for a few hours before taking them to court. In several, conditions were poor: overcrowded, ill-equipped, and lacking facilities for exercise, or family visits. In one prison, Alice Springs Prison in the Northern Territory, AI's representatives found that over 80 per cent of the inmates were Aboriginal. Prisoners were held in dormitories divided by wire mesh into separate sections, each containing six or seven prisoners who shared an unscreened urinal and a cold water tap. It was hot and smelled strongly of urine and sweat. Prisoners were confined to these dormitories for 16 hours a day.

Aboriginal communities in Australia are often overpoliced and police harassment and provoked arrests are widely reported, contributing to the disproportionate arrest and imprisonment of Aboriginal people.

Families of Aboriginal people who died in custody have also complained about police harassment. Arthur Murray, whose son died in custody in 1982, has repeatedly moved because of what he says was police harassment. In October 1992, he was arrested in Sydney for allegedly breaking a neighbour's window. He claims the arresting officer told him: "All you blacks are the same... I may as well give you a sock so that you can go and hang yourself". Arthur Murray, who is the organizer of the Aboriginal Deaths in Custody Watch Committee, denied the charge of breaking the window and has lodged a complaint against the police.

In Vietnam tribal peoples have suffered discrimination because of their religious beliefs. Since 1989 a number of pastors and lay elders of the Jeh, Jeraí and Koho tribes in Vietnam's central highlands have been arrested. All are members of Protestant churches whom the authorities apparently suspect of links with a small insurgent group known as FULRO. Some have been accused of charges such as "illegal preaching" or "opposition to the policy of the government under the guise of religion" and detained without trial. Others have been sentenced to terms of imprisonment or hard labour. Ten elders of the Jeh tribe were arrested in June, July and August 1990 and reportedly sentenced to three years' - imprisonment. They are apparently detained solely because of their alleged association with unofficial Christian groups involved in non-violent religious activities.

The past decade has seen an increasing awareness of indigenous rights in many countries, often leading to popular protests and campaigns. At the international level, the UN Working Group on Indigenous Populations has met annually since 1982 to review developments which affect the rights of indigenous peoples and to develop standards on indigenous rights. An increasing number of indigenous people have participated in the Working Group's sessions, from around 10 in 1982 to 300 in 1992.

Indigenous people have stood up for their rights in community, trade union and political organizations. But many such activists have been victimized.

Rigoberta Menchú, an indigenous leader from El Quiché in Guatemala who won the 1992 Nobel Peace Prize, was forced into exile in the early 1980s, after her father, mother and a brother had been killed by the security forces. When she returned to Guatemala in 1989 to participate in internal peace talks she received death threats. She was again threatened when she visited the country in 1991 and 1992. She is now a Special Ambassador for the UN International Year of the World's Indigenous People. Despite her high profile, even she is not safe in Guatemala.

Lakota Sioux Leonard Peltier is a leader of the American Indian Movement (AIM). He is currently serving two consecutive life sentences for killing two FBI agents on the Pine Ridge Indian Reservation, South Dakota, in 1975.

Before he stood trial, Leonard Peltier was extradited from Canada partly on the basis of affidavits by an alleged eye-witness which the FBI later admitted it knew were false. At the trial, evidence which might have assisted Leonard Peltier's case was withheld from the court by the prosecution. This evidence included testimony from a FBI ballistics expert which stated that the gun allegedly belonging to Leonard Peltier had a "different firing pin" to the gun used in the killings.

AI believes that justice would best be served if the US authorities were to grant Leonard Peltier a retrial.

Massacre in Colombia

Some groups of indigenous peoples have become victims of human rights violations because they are caught in the so-called 'war against drugs' or simply because they live in areas where land is sought to cultivate or produce drugs.

Twenty Paez Indians, including women and children, were massacred in the Cauca department of Colombia on 16 December 1991. Some 60 hooded gunmen burst into a building where the Indians were holding a community meeting and opened fire on them.

The killings followed a pattern of harassment and abuse against the Indians by gunmen apparently employed by landowners and drug traffickers. The Paez community had repeatedly reported this to the authorities but no action was taken.

Judicial investigations into the massacre were immediately opened; the Colombian Congress set up a special commission of inquiry and some civilians reported to be members of a paramilitary organization were arrested. However, the killings continued. One month after the massacre two lawyers who had been conducting an independent investigation of the incident were killed and an anthropologist working with them "disappeared". In May 1992 a third lawyer was killed. Oscar Elias López had been acting as legal adviser to the Indians affected by the massacre and had reported receiving numerous death threats.

In December 1992 the Procurator General's office opened formal disciplinary proceedings against two national police officers, including the local police commander, for their participation in the massacre of the Paez Indians. In a sworn testimony witnesses claimed that some 18 police agents and several civilians were responsible for the killings. However, no criminal charges have yet been brought against those officials implicated in the killings.

Brutal reprisals against Tuareg civilians

In Niger and Mali hundreds of Tuareg civilians have been killed by the security forces in brutal reprisals for the actions of armed Tuareg groups.

In May and June 1990 Niger government troops attacked Tuareg encampments and killed hundreds of people, including children. Tuareg detainees were killed in several different towns. The army killings followed violent protests by Tuareg in which six people were killed.

The Tuareg are a nomadic indigenous people whose traditional lands lie across the northern areas of Mali and Niger. Since armed attacks by Tuareg groups began in 1990 hundreds of people have been killed in the conflict by the security forces of Mali and Niger and by Tuareg insurgents themselves. Hundreds more have been rounded up by the security forces, imprisoned and tortured.

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