

AI NEWSLETTER

FEBRUARY '96 FOCUS

Mexico: violence and impunity

For more than two decades gross human rights violations have affected wide sectors of the population of Mexico. Despite the adoption of administrative measures for the protection and observance of fundamental human rights in recent years, gross violations continue to be reported on an alarming scale. The massacre of 17 unarmed peasants by the police on 28 June 1995, in the southwestern state of Guerrero, and the continuing and widespread practice of torture of detainees, show that these measures have been ineffective in stopping violations by government officials.

Among Mexico's population of more than 91 million, the poor and underprivileged, particularly indigenous peasants, continue to be the most frequent victims of human rights violations. However, evidence suggests that all citizens, including judges, bishops, journalists, active members of the opposition party, human rights defenders, Central American immigrants, gay activists, and even children, are at risk.

Impunity for perpetrators of gross human rights violations continues to prevail. Court sentences punishing those responsible for human rights violations hardly exist in Mexico. Officials accused of torture and ill-treatment, or other human rights violations, are frequently transferred or even promoted.

The consequences of the denial of the right to justice for victims of human rights violations are well illustrated in the southern state of Chiapas, where serious violations have persisted for many years.

There has been a substantial decrease in new cases of "disappearance" in Mexico in recent years, but sporadic reports of "disappearances" continue. At least 14 Tzeltal Indians remain "disappeared" after their reported arrest by army units during the uprising in Chiapas in January 1994, and during 1995 at least two people "disappeared" reportedly as a result of their peaceful civil-rights activism. The Mexican authorities have failed to carry out effective investigations in the majority of those cases where substantial information exists to suggest official participation in the "disappearance".

Serious irregularities and deficiencies in the criminal justice system and law enforcement agencies appear to facilitate a pattern of abuse by officials, particularly the police. This is fuelled by the continuing lack of full independence of the judiciary from the government and the ruling Institutional Revolutionary Party (PRI), which has governed Mexico for more than 60 years. Courts continue to accept confessions, often extracted under duress, as main evidence for sentencing.

Poor and inarticulate sectors of the population, especially indigenous people, are more likely to be denied a fair trial. Despite legislative reforms adopted by the previous administration to provide interpreters for defendants, most non-Spanish-speaking indigenous people continue to lack the mandatory assistance of an interpreter throughout proceedings.

Unfair trial proceedings also frequently affect people believed by the authorities to pose a threat to the political status quo. AI has documented scores of cases of unfair trials in Mexico, including those of prisoners of conscience. The organization has called on the President, Ernesto Zedillo Ponce de León, to adopt urgent and effective measures to improve human rights in the country.

The lack of independence of the judiciary was recently highlighted in the case of Judge Abraham Polo Uscanga. A member of the Supreme Court of Justice of the Federal District (SCJDF), he was targeted for his outspoken criticism of the lack of independence of the judiciary.

Dr Polo Uscanga was cautioned in January 1994 following his decision to release eight people falsely accused of terrorism in Mexico City, some of whom had been tortured to extract confessions.

On 23 March 1995 Dr Polo Uscanga refused to issue arrest warrants against leaders of an independent bus drivers' and mechanics' union of Mexico City's public transport system, on reportedly unfounded fraud charges. The trade union had recently carried out industrial action against government plans to privatize transport, and the authorities are believed to have targeted its leaders to prevent further actions.

Dr Polo Uscanga was reportedly threatened by the head of the SCJDF to change his verdict in order to arrest the trade union activists, as a result of which he resigned from his post on 1 April 1995.

The attacks against Dr Polo Uscanga continued after his resignation. On the evening of 27 April he was abducted on a street in Mexico City by unidentified armed men. He was beaten and slashed with a knife, interrogated about his political affiliations, and about why he had made public his complaints against the chief justice. He was then threatened not to make further complaints and released. As a result of the attack, Dr Polo Uscanga needed hospital treatment.

Dr Polo Uscanga made his case public, and reportedly became the victim of further anonymous threats and attacks. On 10 May he was nearly run over by a vehicle without number plates while crossing a street in Mexico City. Later, Dr Polo Uscanga publicly accused the head of the SCJDF of masterminding the threats and attacks against him.

On the evening of 19 June Dr Polo Uscanga's relatives reported that he had gone missing. His body, bearing a single gunshot wound to the back of the head, was discovered in his office on 20 June. Although the authorities initially suggested he had committed suicide, further investigations proved he had been murdered. Those responsible have not been brought to justice.

Torture in detention

Félix Armando Fernández Estrada and Demetrio Ernesto Hernández Rojas were arrested in Mexico City on 20 October 1994 and tortured by the police to force them to confess to involvement in a bomb attack in the city centre in January 1994. The two had previously been arrested and tortured in 1984 for their political activities.

While in detention, Félix Armando Fernández Estrada and Demetrio Ernesto Hernández Rojas suffered electric shocks, semi-asphyxiation, beatings, and threats that they and their relatives would "disappear" or be killed.

Both men were denied any adequate medical treatment. Doctors later failed to certify injuries which could help substantiate charges against the police. However, an AI delegation identified several injuries on both men, especially on Demetrio Ernesto Hernández Rojas, which were consistent with the torture they described.

Demetrio Ernesto Hernández Rojas and Félix Armando Fernández Estrada were released without charge on 26 April and 5 May 1995 respectively. Those responsible for their arbitrary arrest and torture were never brought to justice. The victims have not received any compensation.

Indigenous people

A large number of the human rights violations suffered by Mexican Indians take place in the context of land-tenure conflicts. Peasants are frequent victims of the local authorities, including the security forces, who side with powerful local figures.

Human rights violations against indigenous people have occurred on a wide scale in the southern state of Chiapas for a number of years. However, many of the worst human rights violations there followed the army crack-down on the previously unheard-of and mostly indigenous Zapatista National Liberation Army (EZLN), after the uprising of January 1994.

On 1 January 1994 the EZLN took control of a number of municipalities in Chiapas. By the following week the armed forces had regained control of most of the towns occupied by the EZLN. Military actions included firing on civilians from the air. Security forces were also responsible for arbitrary arrests, torture of detainees, summary executions of prisoners and "disappearances". At least 145 people, including soldiers, rebels and civilians, died during the January 1994 military operations in Chiapas.

In one incident in the early morning of 7 January 1994, scores of Mexican troops arrived at the mostly Tzeltal Indian village of Morelia, close to Altamirano. The soldiers forced their way into homes, destroying the owners' belongings, and dragged the men outside. Many of the women and children were made to lie in front of their homes for about an hour. The soldiers took the men to the village

square and made them lie face down. Those who moved or complained were reportedly beaten. The men were forced to remain in the square until late afternoon.

Three Indian peasant leaders, Sebastián Santis López, Severiano Santis Gómez and Hermelindo Santis Gómez were taken inside a church where they were tortured. The men in the square heard their screams and some saw them later being forced into a military ambulance. This was the last time they were seen alive. They remained “disappeared” until 10 February 1994, when the bodies of the three, bearing marks of injuries consistent with summary executions, were discovered near Morelia. The Mexican authorities have continued to deny responsibility for the killings.

Indigenous women and children are also at risk. María Teresa Méndez Santiz, aged 20, Cristina Méndez Santiz, aged 18, and María Méndez Santiz, aged 16, all Tzeltal Indians, were tortured and raped on 4 June 1994 by soldiers of the Mexican army near Altamirano, in Chiapas; they had been taken to a nearby building and were accused of supporting the EZLN. They were released the same day. No one has been brought to justice.

Peace talks initiated in mid-January 1994 between the Mexican Government and the EZLN were temporarily suspended in February 1995, after the government launched a crack-down on EZLN leaders, and ordered police and army operations in the state of Chiapas to overtake territory controlled by the rebels. The operations lasted between 9 and 14 February, during which the rebels retreated to isolated mountainous regions. Serious human rights violations, including torture and extrajudicial executions by the security forces, were reported during and immediately after the operations. Police raids on suspected EZLN members were also carried out in other parts of the country during which dozens of people were arbitrarily arrested, including prisoners of conscience, and many brutally tortured. For example, eight shoe factory workers, including a sixteen-year-old youth and four women, were arrested on 9 February 1995 in Cacalomacán, state of Mexico, for allegedly belonging to the EZLN. They were brutally tortured in a secret detention centre to make them sign confessions, the contents of which they were not allowed to see. Two days later they were transferred to prison where they are still awaiting trial.

After the February 1995 raids the Mexican Government offered to continue peace negotiations with the EZLN, and by the end of the year both parties had resumed peace talks.

MEMBERS OF THE OPPOSITION

Active members of grassroots organizations or political parties which challenge the rule and dominant power-structures of the PRI continue to face human rights violations.

Prominent among the victims of political repression in Mexico are the members of the opposition Revolutionary Democratic Party (PRD), a centre-to-left political party with a large following among the poor, including Indian peasants.

The PRD claims to have documented 292 murders of party activists between July 1988 and January 1995. In most cases, those responsible for the attacks acted with the acquiescence of local authorities and have remained unpunished.

In some regions of the country, even the highest authorities still resort to extreme violence to quell any challenge to their rule. In Guerrero state on 28 June 1995, 17 peasants were massacred and 19 injured by the Guerrero state police.

The victims were among a large group of unarmed peasants, including women and children, who were travelling in lorries to Atoyac de Álvarez, near Acapulco, in Guerrero, to participate in a demonstration to demand the release of Gilberto Romero Vázquez, a peasant activist who had “disappeared” on 24 May 1995. Many of them belonged to the Southern Sierra Peasant Organization, a peasants’ rights organization of which Gilberto Romero was a member.

According to reports, scores of state police officers, together with guardias blancas (hired gunmen), stopped the lorries at a road-block near the village of Aguas Blancas, Coyuca de Benítez municipality, and opened fire on the lorries for 15 minutes. According to reports later confirmed by local

authorities, the state governor had instructed the security forces to quell the demonstration in Atoyac de Álvarez, if necessary by violent means.

The June attack had been planned, to the extent that members of the state government were present to film scenes of the killing. The film was edited and tampered with in order to support initial claims by state authorities that the peasants had been killed during a shoot-out with the security forces. However, a doctor who attended the wounded at the scene reported that he saw no evidence that the peasants were carrying firearms. Investigations carried out by the government's National Human Rights Commission confirmed that the peasants had been killed while unarmed, and that at least one, Daniel López Castañeda, was summarily executed with a shot at close range after the perpetrators noticed he had survived the killings. Several senior members of the Guerrero state government were present during the attack, including the Director General of Internal Affairs, the Deputy Attorney General, a head of the state police forces, a public ministry agent and an officer of the secretary of internal affairs.

Official investigations into the killings by the Guerrero state authorities were fraught with irregularities. Local official forensic doctors falsified autopsy findings and failed to report wounds consistent with summary executions. Many of those responsible, including senior government officials, have not been brought to justice. Furthermore, after the incident, hundreds of police officers reportedly arrived in the region and during the following weeks local peasant activists were threatened and intimidated.

Human rights defenders and non-governmental organizations in Mexico have continued to raise human rights awareness among the population. As a result of their outstanding work, the government has been forced to recognize the seriousness of the human rights situation. Recently, human rights defenders have played a key role in preventing an escalation of human rights violations in the context of the conflict in Chiapas, but they have also suffered increasing harassment and threats. Alarming, the perpetrators appear to benefit from total impunity.

Prominent among those targeted for advocating human rights are those working for the rights of indigenous people, including members of the Catholic church. In June 1995 Bishop Arturo Lona Reyes, a well-known human rights defender and president of the Tepeyac Human Rights Committee in Tehuantepec, Oaxaca state, survived when shots were fired at a car in which he was travelling.

Dozens of human rights defenders, including journalists, have been threatened with death for criticizing the human rights situation in the country. These included, among many others, David Fernández Dávalos and José Lavanderos Yáñez, director and lawyer respectively of the church-based Miguel Agustín Pro Juárez Human Rights Centre in Mexico City. In November 1995 Emilia González Sandoval, a journalist and founding member of the Human Rights Defence and Solidarity Commission in Chihuahua, also received anonymous death threats.

Some human rights defenders have also been attacked for their activities. In September 1995 Marciana Campos Juárez, a member of the Miguel Hidalgo Human Rights Committee, in Hidalgo, Guanajuato state, was beaten and raped by an individual who had threatened her in the past.

Those targeted for death threats and attacks include members of grassroots organizations. Sisters Rocío and Norma Mesino Mesino were both forced to leave their community in Guerrero, in July 1995, after death threats followed their complaints about the killings of 17 members of their peasant organization the previous month. Murder attempts have also been made against their father, Hilario Mesino Acosta, a peasant leader. No one has been brought to justice for any of these attacks.

The way forward: The issue of human rights violations in Mexico has still not been satisfactorily resolved. AI delegations visited the country in January and October 1995 to investigate reports of human rights violations. In November a high-level delegation visited the country and met government officials.

The present administration has the opportunity to reverse past patterns of abuse. AI urges the Mexican Government to take steps to ensure full respect for human rights before the year 2000. A first step would be to implement the following recommendations:

RECOMMENDATIONS

IArrests should be carried out under strict judicial control and only by authorized personnel.

IAll detainees should receive an oral and written explanation, in a language they understand, of how to avail themselves of their legal rights. Interpreters should be provided at all stages of criminal proceedings.

IAll detainees should be brought before a judge promptly after arrest and be given prompt and regular access to relatives and lawyers throughout their detention or imprisonment.

IThe government should provide legal assistance, free of cost, to all defendants without resources, immediately after arrest.

IInterrogation of detainees or criminal defendants should take place in the presence of a lawyer.

IDetainees and prisoners, either under civilian or military jurisdiction, should be held only in official, known detention centres and prisons and relatives should be kept informed of the detainee's whereabouts at all times.

IConfessions obtained under torture, ill-treatment or other forms of coercion, should never be admitted in legal proceedings, except as evidence against the perpetrators. Adequate medical treatment for detainees and prisoners should be provided.

IAll reports of allegations of torture or other gross human rights violations, including "disappearances" and summary, extrajudicial and arbitrary killings, should be promptly, thoroughly and impartially investigated. Any official found responsible should be suspended from duties and brought to justice.

IThe government should ensure full respect and effective protection for human rights defenders, and for victims and witnesses of human rights violations.

IThe government should order effective investigations into the fate of the "disappeared".

IThe government should recognize and, where applicable, ratify international human rights standards. Domestic law and practice should fully conform with international human rights standards.

See AI's report Human rights violations in Mexico: A challenge for the nineties (AIIndex: AMR 41/21/95).

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Australia

At about 12.30am on 8 December 1995, Maurice Roland Fisher, a 17-year-old Aboriginal prisoner in Brisbane was found hanging from a bedsheet tied to the bars of his cell window during a routine cell check. It reportedly took guards 15 minutes to find the master key to the cell door. This was the second reported Aboriginal death in the Sir David Longland Correctional Centre during 1995. Maurice Fisher, who had been detained since August 1995, had not been assessed as a suicide risk.

At least 15 Aboriginal people died in prisons during 1995, the highest recorded number in any single year since records were first collected in 1980. The highest increase against previous years was in the state of South Australia where at least six Aboriginal people died in jail in 1995. Another five indigenous Australians reportedly died after being pursued in police car chases.

Maurice Fisher's death raised the total number of custody-related Aboriginal deaths in Australia to at least 87 since May 1989, the end of a nine-year period investigated by a Royal Commission into Aboriginal Deaths in Custody. Most of these deaths involved young Aboriginal males, and many of them were found to have killed themselves, often while still awaiting trial. In its final report the Royal Commission made 339 recommendations, almost all of which were endorsed by Australian federal and state governments.

Currently, indigenous Australians make up only 1.2 per cent of the total adult population over 14 years of age. However, according to data available at the time of writing, Aboriginal and Torres Strait

Islander people appear to have accounted for more than 24 per cent of all Australian deaths in custody or police operations during 1995.

In February 1993 AI issued a report on the extremely disproportionate levels of incarceration and criminalization of Aboriginal people. Aboriginal juveniles in particular suffer appallingly high levels of arrest and incarceration, especially for minor offences. Last October, for example, a 15-year-old Aboriginal boy who had stolen an ice-cream spent 18 days in a maximum security remand centre in Perth, Western Australia, 600 kilometres from where he was arrested in Kalgoorlie. Aboriginal children are currently 18.6 times more likely to be held in detention than other Australian youths, and in some states they account for more than half the number of juveniles in custody. Among hundreds of prisoners of conscience briefly detained in 1994 and 1995 were Chief Michael Adekunle Ajasin, the 87-year-old leader of the National Democratic Coalition (NADECO), and about 50 other people who were arrested during a private meeting at the leader's home in Ondo State before being released uncharged.

Leading human rights lawyer Chief Gani Fawehinmi was detained without charge for two weeks in June 1995, after publicly declaring that he would defy any restrictions on freedom of speech and assembly. In September 1995 he was again arrested, charged with holding an unauthorized political meeting and released on bail.

Babafemi Ojudu, editor of the opposition newspaper, AM News, was arrested in July 1995 with other members of staff and detained incommunicado for 10 days before being released without charge. He said that he was beaten, deprived of medical care and regular food, and held in harsh conditions.

Most detentions have been short-term, but Sylvester Odion-Akhaine, secretary general of the Campaign for Democracy, is still held in incommunicado detention without charge or trial since his arrest in January 1995.

The Aboriginal Deaths In Custody Memorial, in the grounds of the former Fremantle Prison, now a museum, near Perth, Western Australia. The memorial is also known as the John Pat Memorial. John Pat, a 16-year-old Aborigine, died from head injuries in a police lock-up in 1983. Four police officers and a police aide who stood trial for manslaughter were acquitted. This photograph shows the mother and aunt of John Pat, standing next to the memorial during a ceremony in September 1995 to mark the anniversary of John Pat's death.

Part of the inscription reads:

This stone stands witness to the courage of the Aboriginal peoples in their fight for human rights in Australia. Erected on 28 September 1994 in memory of all Aboriginal people who have died in custody in Australia. Their families and communities had the courage to speak out for justice.

Uzbekistan

Families of prisoners under sentence of death in Uzbekistan often do not know whether their relative is alive or dead. An apparent breakdown in the procedures for giving notice of the refusal of clemency has compounded the brutality of a system which does not allow a prisoner a final family meeting before execution, and does not hand over the body for family burial.

Sometimes the first indication of a prisoner's execution is when a relative or lawyer arrives at a prison for a regular visit only to be told, without further explanation, that the prisoner is no longer there. In other cases, death notices have been received through the post without prior official notification that clemency has been refused. Subsequent requests for confirmation of the prisoners' fate may produce no response, leading families to cling to the hope that the death notice has been a bureaucratic error.

Such was the case of Dima Rassokhin (pictured right), who was 21 years old when he was sentenced to death in 1992 for murder. In early 1994 his mother made one of her monthly visits to the prison but was told Dima Rassokhin was no longer there. She received a death certificate, but no word about his

clemency petition. Appeals to officials to confirm his fate have been met with silence, and she clings to the hope that he is still alive.

AI continues to call for complete abolition of the death penalty in Uzbekistan. Until this is achieved, AI is urging the authorities to ensure that procedures for informing families of the outcome of clemency petitions are strictly followed.

Chile

The future of investigations into past human rights violations in Chile is under threat. Congress is considering legislative proposals which would widen the negative effects of the military's 1978 Amnesty Law.

The Figueroa-Otero Bill, presented to the full Senate on 7 December 1995, is the latest of several proposals which would close all court proceedings against those responsible for human rights violations during the first five years under the government of General Augusto Pinochet (1973 to 1990). This was the period of harshest repression in which thousands of people were tortured, over 2,000 extrajudicially executed and over 1,000 made to "disappear".

The Bill under consideration would further limit ongoing investigations into these cases by restricting their purpose solely to locating the remains of the "disappeared", ensuring total secrecy about these investigations, and allowing cases to be closed before the remains are located or the full truth established.

At the same time, the courts have been increasingly closing such cases before the full truth has been established: 24 cases of human rights violations were definitively closed between August and December 1995. These moves were clearly influenced by military pressure to secure total immunity from prosecution for perpetrators of human rights violations under the government of General Augusto Pinochet.

Pressure on the government increased after the Supreme Court confirmed in May 1995 the seven and six-year prison sentences passed on General Manuel Contreras and Brigadier Pedro Espinoza respectively, for the assassination of former Foreign Minister Orlando Letelier and United States citizen Ronnie Moffit in Washington DC in 1976. The sentences sparked intense and continuing protest from the Chilean Armed Forces.

The Bill to prohibit further prosecutions arose following negotiations between the government and the right-wing opposition National Renovation Party. However, the government has presented it as part of a legislative package, including reforms to the Constitution, to complete the transition to democracy and increase civilian control over key institutions.

AI is deeply concerned at continuing attempts in Chile to curtail human rights investigations. Truth, justice and compensation are three essential elements in the internationally recognized right of effective remedy for human rights violations. While Chile has made significant steps towards addressing relatives' right to compensation, should investigations and prosecutions be closed, victims of human rights violations and their relatives would be deprived of any legal means to establish the truth and justice.

News in brief: In Syria, around 1,200 political prisoners suspected of links with the Muslim Brotherhood were released in November 1995. Some of those released had been in detention for 15 years without charge or trial. The releases were made under a presidential amnesty, commemorating the 25th anniversary of President Hafez al-Assad's accession to power. A new amnesty bill was approved by Parliament on 19 December 1995. The law concerns mainly non-political offences. AI welcomes the releases and has called on the Syrian Government to release all remaining prisoners of conscience and to initiate legislative changes to prevent the recurrence of human rights violations.

AI is urging the Government of Nepal and all members of the House of Representatives to do all they can to strengthen the provisions of a bill to establish a Human Rights Commission. While the organization welcomes the initiative to establish a commission, it is seriously concerned that an

exclusion clause contained in the bill could jeopardize the commission's independence and make its investigations subject to political influence. AI has also expressed concern about the narrow definition of "human rights" used in the bill.

Myanmar

Ye Htut was arrested on 27 September 1995 by Military Intelligence officers in Yangon. The only reason given for his arrest was that he had been sending "concocted news" to dissident groups abroad "in order to mislead foreign nations concerning Myanmar". In December he was sentenced to seven years' imprisonment. AI believes Ye Htut is a prisoner of conscience and is calling for his immediate and unconditional release.

The allegation against Ye Htut, as reported in the official newspaper *The New Light of Myanmar*, is that he "admitted" sending material to people abroad since 1991. However, his sister, who lives outside Myanmar, said that he only sent her non-political letters, Burmese magazines approved by the official censors, and clippings from the two official newspapers.

Surveillance by Military Intelligence officers of critics or people connected with critics of the government is pervasive in Myanmar. People meeting or communicating with foreign nationals are particularly vulnerable to surveillance and possible arrest and imprisonment. AI believes that Ye Htut is a victim of such surveillance, and that he has been arrested solely for exercising his rights to freedom of expression and to association.

Ye Htut was initially held at Ye Kyi Aung Military Intelligence office outside Yangon before being transferred to Insein Prison for trial. AI is particularly concerned for the well-being of Ye Htut because ill-treatment is common in Myanmar's detention centres. Conditions in prisons fall far short of international minimum standards, and torture and ill-treatment are common both during initial interrogation and after sentencing.

+Please write, calling for the immediate and unconditional release of prisoner of conscience Ye Htut, to: Senior General Than Shwe/ Chairman/ State Law and Order Restoration Council/ c/o Ministry of Defence/ Signal Pagoda Road/ Yangon/ Union of Myanmar.

Jordan

On the morning of 1 June 1995 the apartment of the al-Khalifeh al-Awamleh brothers, in Amman, was surrounded by scores of members of the security forces. These forces dispersed later in the morning. However, at about 5am the following morning the two brothers, Mahmud and Bashar, were awakened by members of the security forces climbing onto the balcony of the apartment.

A massive barrage of shooting took place, lasting about 15 minutes, before the apartment was entered. Mahmud al-Khalifeh al-Awamleh was hit by four bullets and died almost immediately. His brother Bashar al-Khalifeh al-Awamleh was severely wounded. Bashar stated that no warning had been given before the attack.

For the past four years the family had carried on a dispute with the government over a number of issues apparently related to jobs, land and accusations of corruption. The family had sent faxes inside and outside the country making accusations against King Hussein and the Prime Minister, Sherif Zayd bin Shaker.

AI delegates visiting Amman counted more than 100 bullet holes in the walls of the apartment. The organization wrote to the government in June 1995 calling for an inquiry to be set up. The government did not answer this request but stated that the brothers were shot while resisting arrest. Although Mahmud al-Khalifeh al-Awamleh had apparently fired shots from a pistol (allegedly kept for hunting) during the attack, this does not appear to justify the use of such massive firepower apparently without any prior attempt to make a peaceful arrest.

+Please write, calling for a thorough and impartial investigation into the circumstances surrounding the death of Mahmud al-Khalifeh al-Awamleh and for the findings to be made public, to: Sharif Zayd bin Shaker/ Prime Minister and Minister of Defence/ Office of the Prime Minister/

PO Box 80/ Amman/ Jordan.

Bosnia and Herzegovina

Nura Berbić (pictured above), a Bosnian Muslim, and her 69-year-old mother, Hasnija Demirović, went “missing” from Hasnija Demirović’s apartment in the Bosnian Serb-controlled town of Banja Luka on 14 August 1995. That afternoon two armed men, one of them wearing a military or police camouflage uniform, came to Hasnija Demirović’s apartment asking for information about the whereabouts of her daughter’s husband, Džemil. After being alerted by telephone, Nura Berbić went to her mother’s apartment.

At around 9pm that evening two cars were seen driving away from the apartment. Neither woman has been seen since and the police and other authorities have provided no information about their whereabouts despite their relatives’ persistent inquiries. Relatives believed that the abduction was associated with attempts by the authorities to confiscate the family business.

Most Bosnian Muslims have fled or been expelled from the area after being subjected to various forms of persecution, from dismissal from work and confiscation of property, to deliberate and arbitrary killings, arbitrary detention and forced labour in dangerous conditions.

+Please write, asking for an immediate, impartial and thorough inquiry into the abduction of Nura Berbić and Hasnija Demirović, to:

The Representative Office of the Republika Srpska/ Biro Republike Srpske/ Mo e Pijade 8/ 11000 Beograd/ Yugoslavia.

Saudi Arabia

The highest number of public executions ever recorded by AI in a single year in Saudi Arabia were carried out in 1995. By the end of December, 192 people had been executed. All the victims had been sentenced to death after trials which fall short of international safeguards for defendants facing the death penalty.

Defendants are denied the most basic rights during pre-trial detention, including the right to have access to lawyers and legal representation during trial. Courts have repeatedly failed to investigate claims of torture and appear to continue to consider “confessions” obtained under duress as admissible evidence.

The number of offences which carry the death penalty in Saudi Arabia has increased over the years. The death penalty was introduced for drug offences in 1987. Since then at least 170 prisoners have been executed in drug-related cases after trials in which the most basic international standards for fair trial were completely ignored. No convincing evidence has been produced that the death penalty deters would-be traffickers more effectively than other punishments.

Executions for other offences are also increasing. ‘Abdullah ‘Abd al-Rahman al-Hudhayf was executed on 12 August 1995, in Riyadh, after a secret trial. He was found guilty of attacking a security officer with acid and having links with the Committee for the Defence of Legitimate Rights, an organization based in London and banned in Saudi Arabia.

Executions in Saudi Arabia are usually carried out by beheading with a sword, often in public. Six Somali nationals were beheaded on 31 May 1995 in Jeddah. All six had been accused of murder, theft and taking drugs. Scores of prisoners are reported to be on death row. They include ‘Abd al-‘Aziz Muhammed Isse, who was found guilty of a crime which is said to have occurred before his arrival in Saudi Arabia. Although available from the airport of his arrival, this information was apparently not taken into account.

AI is gravely concerned at the rise in the number of public executions and is calling on the authorities to halt all executions. The organization is also asking the government to ensure that international safeguards for fair trial are observed during court proceedings.

Somalia: AI is urging Somali political leaders to stop human rights abuses committed by their own militias and supporters, and to declare that they will protect and promote the human rights of all Somali people.

Human rights have been violently abused in Somalia throughout the past 25 years. Since the state disintegrated in 1991, there has been no recognized central government or any legal system capable of preventing human rights abuses. The United Nations (UN) failed to restore human rights and, after its withdrawal in March 1995, abuses persisted, particularly during the frequent bouts of fighting between the armed clan-based factions in Mogadishu and other regions. There has also been inter-clan fighting in the self-declared breakaway “Somaliland Republic” in the northwest.

Human rights abuses by some of the political groups during 1995 included the deliberate and arbitrary killing of civilian clan opponents, arbitrary detention of non-violent political opponents, including journalists, and the taking hostage of humanitarian agency staff and other civilians. Women have been raped and prisoners tortured. Amputation and floggings have been inflicted as punishments, summary executions have been carried out and minority communities forcibly displaced.

In a new report issued in November 1995*, AI proposed a strategy for building human rights in the former Somali Republic. The task is primarily for Somalis themselves, but AI is also urging the international community – the UN, relevant governments, international intergovernmental and non-governmental organizations – to work to promote human rights in Somalia.

*See Somalia: Building human rights in the disintegrated state (AI Index: AFR 52/03/95, November 1995).