

## Amnesty International Newsletter - June 1994 Newsletter

### WorldWide Appeals

#### Tibet

Pictured above are three nuns Ngawang Dedrol, 25, Ngawang Chendrol, 18, and Gyaltzen Kelsang, 23 who were among 11 nuns from Garu Nunnery, north of Lhasa, in Tibet, who have been sentenced to terms ranging from two to seven years' imprisonment for their alleged part in a demonstration (as reported in the April Newsletter). According to unofficial sources in Tibet the pro-independence demonstration never actually took place. The nuns were all taken to Drapchi Prison in Lhasa, officially known as the Tibet Autonomous Region Prison No. 1, where political prisoners whose cases are considered most serious are held. AI believes that the Garu nuns are prisoners of conscience.

Please send appeals to:  
Chairman Gyaltzen Norbu-  
Tibet Autonomous Regional Peoples Government  
Gyaltzen Norbu Zhuxi,  
Xizang Xizhiqu,  
Renmin Zhengfu,  
1 Kang andonglu  
Lasashi 85000,  
Xizang Zizhiqu

#### Senegal

Lamine Samb, 32, a teacher of Arabic and reportedly a leading member of the Islamic group *Moustarchidina wal Moustarchidati*, died two days after his arrest on 17 February 1994, most probably as a result of torture.

He was among some 150 members of *Moustarchidina wal Moustarchidati* arrested after a violent demonstration against government economic policies on 16 February. Most of those detained, including Lamine Samb and the leaders of two opposition parties, were arrested at their homes. Many of those still in custody are being held because they were denounced under torture by other detainees. There appears to be no evidence of their personal involvement in acts of violence and AI believes they may be prisoners of conscience.

Lamine Samb was in good health when arrested, but two days later he was taken to hospital in a coma and died shortly afterwards. He was buried on 25 February despite protests from the family that the cause of death had not been ascertained.

In recent months, AI has raised several well-founded allegations of torture with the Senegalese authorities, including the reported use of electric shock treatment on an opposition member of parliament. However, the authorities have taken no steps to bring those responsible to justice.

Please send appeals, calling for an independent public inquiry into the death in custody of Lamine Samb and into other allegations of torture and for those responsible for torture to be brought to justice, to: Son Excellence Monsieur Abdou Diouf, Président de la République, La Présidence, Avenue Roume, BP 168, Dakar, Republic of Senegal.

Iraq

**Seven brothers "disappeared" after being arrested on 1 October 1980 from different locations in Baghdad.**

Wahab and Ahmad were both secondary school students aged 16 and 18 when they were arrested from their home in Baghdad, along with their brother Hussain, a 33-year-old chemist. Four of their other brothers were arrested on the same day at their workplaces: Ibrahim, a post office worker aged 31; Iyad, a bank clerk aged 32; Isma'il, a pharmacist aged 50; and 'Abd al-Ridha a 35-year-old Baghdad Airport employee.

No official reason was given for their arrest, nor were their families notified of where they were being held or whether any legal proceedings were followed in their cases. AI believes that they may have been arrested as "hostages" in lieu of another brother who had fled Iraq after being suspected of opposition to the government.

No one has seen or heard of the seven brothers since their arrest 14 years ago. The Iraqi authorities have not responded to requests by AI for information about these cases.

Due to UN sanctions against Iraq, **please send appeals** to Iraq's diplomatic representative in your country calling for the immediate clarification of the fate or whereabouts of 'Abd al-Ridha Naji al-Hashimi, Hussain Naji al-Hashimi, Ibrahim Naji al-Hashimi, Isma'il Naji al-Hashimi, Ahmad Naji al-Hashimi, Wahab Naji al-Hashimi and Iyad Naji al-Hashimi. Also call for their immediate release unless they have been convicted of recognizably criminal offences.

## News

### Rwanda

AI has condemned the mass killings which took place in Rwanda following the death of President Habyarimana, killed in an attack on his aircraft on 6 April, along with the President of neighbouring Burundi. The armed forces and vigilante gangs, allied to extremist Hutu political parties close to the former President, carried out massacres of anyone suspected of opposing his government. Some reports put the death toll at 100,000 and rising.

The United Nations has been criticized by AI for failing to take effective steps to try to prevent the slaughter. The UN withdrew most of its peacekeeping force in mid-April, as massacres continued unabated. AI also called in April for the expansion of the UN operation's mandate so that it could investigate and report on human rights abuses, not only by police and gendarmerie, but by the army, the Presidential Guard and the rebel Rwandese Patriotic Front (RPF). AI demanded that any cease-fire arranged by the UN between the government and the (RPF) include a substantial contribution of civilian human rights monitors and real guarantees for the protection of human rights.

War broke out in Rwanda in 1990 between the Hutu-dominated government forces and the Tutsi-dominated (RPF). Before the events of April more than 2,300 people, mostly of the minority Tutsi ethnic group, had been reportedly killed by security forces and Hutu gangs. After the President was killed the RPF relaunched a military offensive to overthrow the interim government and claimed that it intended to bring the killings to an end.

AI urged other governments to consider what steps could be taken to ensure the safety of Rwandese whose lives were in danger.

## Trinidad

Death warrants were read to two prisoners by the authorities in Trinidad and Tobago only one day before their date of execution -- going against the normal practice of giving five days' notice.

Lincoln Guerra and Brian Wallen were informed on 24 March that they were to be hanged the next morning. Both prisoners had been convicted of murder in 1989, and had been on death row for 4 years and 10 months when their execution was scheduled.

Frantic efforts by lawyers resulted in a stay of execution shortly before it was due to be carried out; a hearing is pending.

A recent ruling on a Jamaican case, by the Judicial Committee of the Privy Council in London -- the final court of appeal for countries in the English-speaking Caribbean -- said that execution five years after conviction "constitutes inhuman or degrading punishment or other treatment" and that "difficult borderline decisions" would have to be made in cases nearing the five year limit.

The ruling also stated that appeals to the United Nations Human Rights Committee and the Inter-American Commission on Human Rights were not to be considered "frivolous procedures". Neither Lincoln Guerra nor Brian Wallen have been allowed time to make such appeals.

AI believes that Trinidad's authorities tried to short-circuit national and international standards in an attempt to win political favour with supporters of the death penalty.

## Guatemala

AI is deeply concerned at moves by the Guatemalan authorities which appear to threaten the country's already fragile human rights safeguards. In an ominous step, the army is to take over policing internal security matters. Consideration has also been given by top government advisors to impose a "state of exception", under which many key articles protecting human rights would be suspended.

These discussions came in the wake of a wave of political unrest and violence in the country following the April assassination of the President of the Constitutional Court, Eduardo Epaminondas González Dubón, the second major political assassination since President Ramiro de León Carpio took office. Eduardo González's intervention in reversing an attempted coup in May 1993 was seen as crucial in preserving civilian rule.

AI has written to the current President de León urging full respect for basic human rights and stressing that international law stipulates that even in time of war, public danger or other emergency, governments are obliged to protect fundamental rights.

In the Human Rights Accord signed by the Guatemalan Government and the armed opposition coalition on 29 March, 1994 the government undertook to protect human rights. It agreed to take firm steps to end impunity and to categorize "disappearances" and extrajudicial executions as particularly grave crimes under the country's penal code, and to provide for appropriate penalties.

AI also strongly urged the government to ensure that the results of the investigation into the killing of Eduardo Epaminondas González Dubón are made public and that those found responsible are brought to justice.

## China

Five years after the suppression of the 1989 pro-democracy protests in China, the government still has to account for the hundreds of civilians killed by the army in Beijing on 4 June 1989. Dissent in any form continues to be repressed and serious human rights violations continue.

Many of those killed on 4 June 1989 were peaceful demonstrators or bystanders, but the authorities still describe them as "rioters" or "counter-revolutionaries". Their relatives cannot mourn them openly. There has been no official enquiry into the circumstances of their deaths and those responsible have not been held accountable under the law.

Many prisoners of conscience jailed in 1989 are serving long sentences in prisons and labour camps. Sun Weibang, a restaurant owner in Shandong province, is serving a term of 12 years' imprisonment for telling a stranger his political views while watching a demonstration in 1989.

Sun Xiongying, a young College cadre in Fujian province, received 18 years' imprisonment for defacing a statue of Mao Zedong and displaying publicly some political posters.

Despite some relaxation of social controls, there has been no fundamental change in the official human rights policy. While a few prisoners of conscience were released in response to international pressure, hundreds of arbitrary arrests were made and thousands of political prisoners remain in jail.

Unfair trials are still the norm, administrative detention is widely used to detain suspected opponents, torture and ill-treatment of prisoners are frequently reported and the death penalty continues to be used extensively.

AI is calling on the Chinese Government to launch an inquiry into the killing of civilians in 1989, to release all prisoners of conscience and to introduce fundamental reforms to put an end to human rights violations.

### Sri Lanka

The Sri Lankan authorities have responded to a Newsletter article published earlier this year, describing how 68 children and about 100 adults were "disappeared" on 9 September 1990.

General Hamilton Wanasingha, Secretary, Ministry of Defence, wrote to AI in January, shortly after the article was published, requesting a list of the names of the adults and children reported "disappeared" from Saturukondan and three other villages in Batticaloa District to "enable [him] to order an inquiry to be held at grass-root level".

AI immediately sent him a list and also urged the General to ensure that any inquiry should be held in full accordance with international standards and requested to be kept informed of the outcome. No further news had been received by the end of April.

AI thanks everybody who sent appeals to the Sri Lankan authorities.

### Turkey

In an alleged punitive attack on Kurdish civilians, bombings by Turkish warplanes and helicopters killed eight people, including three children, in Kumçat\_ village in \_\_rnak province.

Official statements claimed that the bombing on 26 March 1994 was accidental. However, at least three other Kurdish settlements were bombed the same day. The people of all the bombed villages had refused to join the corps of village guards, who are armed and paid by the government to fight guerrillas of the PKK (Kurdish Workers' Party). Village guards and their families risk attack by guerrillas. Those who refuse to join face violent reprisals from the security forces if they refuse to join. Hundreds of villages have been burned to the ground and dozens of villagers have "disappeared".

Survivor, 84-year-old Zilfe Bengin said: "I was collecting firewood when planes came. All the houses were destroyed. I was injured by shrapnel. The sound of bombing remains in my ears.

### Bosnia-Herzegovina

Muslim and Croat refugees arriving in Croatia from Banja Luka and other towns controlled by Bosnian Serb forces have told AI that they had been forced to leave their homes following armed attacks, deliberate and arbitrary killings, torture, ill-treatment, rape and other sexual abuse committed or condoned by Bosnian Serb forces.

Most human rights abuses in northwest Bosnia were associated with the eviction of people from their homes, or attempts to force them to leave. During a visit to Croatia in April, AI received disturbing

evidence of the complicity of the de facto Bosnian Serb authorities in encouraging the eviction of Muslims and Croats in favour of Serbs, usually those displaced by the war from other parts of Bosnia-Herzegovina. Many attacks against individuals in houses involved robbery by uniformed men who frequently used violence including rape and sexual abuse. The police responded only a day later, even when alerted while the perpetrators were still present, conducting only superficial investigations, according to refugees' testimony.

AI called on the Bosnian Serb authorities to take urgent and effective action to protect the non-Serbian population in the areas they control.

## Switzerland

Allegations of ill-treatment by the Swiss police are giving "substantial cause for concern," AI has told the United Nations (UN) Committee against Torture.

Meeting in Geneva in April to examine Switzerland's compliance with the UN Convention against Torture, AI drew the committee's attention to a new report\* whose findings add weight to statements by the European Committee for the Prevention of Torture and local human rights organizations which have also reported numerous such allegations.

Many of these concern foreigners and Swiss citizens of non-European descent. Racial abuse has been frequently reported in such cases.

Investigations into complaints of ill-treatment frequently lack thoroughness and rarely result in disciplinary or criminal sanctions against officers. Police commonly claim that injuries to detainees were caused while resisting arrest. There are also allegations that detainees are often threatened with counter-charges of defamation or resisting state officers if they pursue a complaint.

\**Switzerland: Allegations of ill-treatment in police custody* (AI Index: EUR 43/02/94)

## Saudi Arabia

The Saudi Arabian authorities are accused of widespread human rights violations over the past three years in two camps housing Iraqi refugees. In a report published in May\*, AI said that the camps' military authorities had carried out gross human rights violations with total impunity.

Refugees in these camps have suffered arbitrary detention, torture and ill-treatment, as well as possible extrajudicial executions and forcible return to Iraq. Various forms of collective punishment, including the deprivation of food and water, have also been systematically used, particularly in response to protests about living conditions.

Thirty-one year-old Muhammad Khudayr Tu'ma was accused of sedition and enticing refugees in Artawiyya to protest against conditions in the camp in August 1991. He died hours after his arrest following severe torture.

Hussein Jawad, another refugee, was forcibly returned to Iraq shortly after his protest; his fate and whereabouts there remain unknown.

In Rafha camp, at least nine refugees were killed during attempts by guards to quell a protest in March 1993. They included Jabbar Muhammad al-Etyam, a taxi driver from Diwaniyya reportedly shot in the back of the head at point blank range.

In the aftermath of the Gulf War, thousands of Iraqi army personnel surrendered to the allied forces. They were joined by thousands of other Iraqi nationals fleeing the country following the crushing of a mass uprising against the Iraqi Government in March 1991.

The Saudi Arabian authorities offered temporary shelter to thousands of these refugees, whom the government dubbed "welcome guests". The estimated 32,000 refugees -- including whole families from Iraq's Shi'a Muslim southern provinces -- were transferred from holding areas at the border to two makeshift camps in Saudi Arabia, Rafha and Artawiyya.

Artawiyya was closed down in December 1992 and the refugees moved to Rafha, whose current population is estimated at some 23,000 following the repatriation or resettlement to third countries of several thousand refugees.

\*Saudi Arabia: Unwelcome "guests": The Plight of Iraqi Refugees

Tunisia

In a new wave of repression in Tunisia human rights activists, trade unionists and other government critics have been detained, foreign media banned and journalists expelled from the country.

The only two people to announce their intention to stand against President Ben Ali in last March's Presidential elections were arrested in February and March and remain detained. Moncef Marzouki, the former President of the Tunisian Human Rights League, and Abderrahmane Hani, a lawyer, are charged with criticising the authorities in interviews to the foreign media. Ahmed Kahlaoui, a trade unionist, is also detained on charges of distributing unauthorized leaflets. Hamma Hammami, leader of the unauthorized Tunisian Workers' Communist Party was arrested in February and charged with unauthorized political activities, carrying a false identity card and assaulting two policemen. After two flagrantly unfair trials he was sentenced to nine years and seven months' imprisonment. No convincing evidence was brought to substantiate the charges and he is considered a prisoner of conscience. An AI delegate mandated to observe the trials in April was refused entry to Tunisia.

**Amnesty International Newsletter - June 1994**

**Focus**

### UN PEACE-KEEPING OPERATIONS

#### 1. Introduction

"People were running away from the demonstration before the firing even started, including these people here who were hiding behind a pick-up truck, one a small boy. His head was blown off...that's his brain smeared all over the ground there... They were children, they obviously had no weapons."  
(Eyewitness Paul Wilson speaking on ABC radio, describing the reported killing of 20 unarmed demonstrators and bystanders by United Nations peacekeepers in the Somalia capital, Mogadishu, on June 13 last year).

This was one of several incidents in Somalia which drew the world's attention to the role of the United Nations (UN) peacekeeping operations and brought into question the UN's own behaviour in the field of human rights.

There is no doubt that UN troops -- and forces acting under UN authority -- are being deployed in increasingly violent contexts. The cardinal rule of peace-keeping has traditionally been that operations are only deployed with the consent of all concerned parties. But this presumption of consent has started to become blurred in recent years as the UN has become more involved in conflicts of an internal nature.

In these situations, the 'consent' of the parties -- whether governmental, non-governmental opposition groups or military or paramilitary bodies -- may be impossible to seek, verify or maintain. And where the absence of consent actually approaches hostility, even if only from a small sector of the population, then the UN's role begins to approach that of an active combatant and its overall role risks being coloured by this factor.

In both Somalia and Bosnia-Herzegovina, the UN has attempted to act as neutral broker for a peace settlement while also attempting to deliver humanitarian assistance to the civilian population caught up in the conflict. But the very act of delivering or attempting to deliver assistance has not necessarily been seen as a neutral act, accepted by all the warring factions or the population at large, and UN troops and

civilian personnel in the field have been increasingly under fire in the line of duty. Peace-keeping troops have faced increasing attacks and higher numbers of casualties -- including deaths -- in recent years. As a result UN Member States are understandably reluctant to risk the safety and lives of their own soldiers in such operations. In the long-term, attacks on UN troops and civilian personnel may be defined as a crime under an international convention.

Enforcement operations -- and the Somalia operation in particular -- have highlighted key questions for the UN and its member States in the area of peace-keeping. In particular, the importance of incorporating measures for the promotion and protection of human rights in any peace-keeping operation, and the issue of the humanitarian and human rights standards to which the UN forces should themselves be held accountable.

In enforcement situations, especially where the national government and state institutions have collapsed, international peace-keeping soldiers may increasingly be given military tasks as well as what are essentially civilian law enforcement and policing tasks.

Without proper instruction, advice and human rights supervision, it is quite predictable that troops will act and react in the military combat mode in which they are trained. Such a response may involve the disproportionate, excessive or even unlawful use of lethal force, in contravention of international standards guiding law enforcement personnel.

Not only are measures required to ensure that those responsible for any flouting of such standards are brought to justice, but the UN itself and all its personnel must set an example and demonstrate their own adherence to international and human rights standards at all times.

## 2. Somalia

The need for a more integrated approach to UN peacekeeping operations -- that is, where measures for human rights protection and promotion are included as a high priority -- is nowhere better illustrated than in the UN's response to the situation in Somalia. What started as an ostensibly humanitarian operation, albeit with major security tasks, became overwhelmingly militarized and political. Instead of achieving its aims of ending the inter-clan killings which were obstructing famine relief and the rebuilding of the shattered country, the UN operation led to a five-month war between its troops and the armed Somali political group headed by General Mohamed Farah Aidid. Peace-keepers and relief workers were the victims of violent attacks (in one incident, General Aideed's militias ambushed and killed 24 UN soldiers) and hundreds of Somali civilians including women and children were killed by UN troops. Hundreds more have been killed and mistreated by Somali militia forces.

Allegations of the unlawful use of lethal force in some of these incidents have never been fully investigated by the UN. In addition, UN troops arrested and held detainees in Somalia without adhering to basic international legal safeguards and standards -- standards which had been adopted under UN auspices. The last of these detainees were released in January. None were charged with any crime.

AI wrote to the UN, and to the governments of Pakistan, Canada, Belgium and the United States about allegations of abuses by their troops in Somalia. Neither Pakistan nor the USA appear to have taken any action. In Belgium, a commission of inquiry was held, and military courts have investigated 13 cases there. A Canadian military investigation resulted in prosecutions against seven soldiers. In the first concluded court martial in March, a Canadian soldier was found guilty of the torture and manslaughter of a Somali teenager and imprisoned for five years.

We hope that the Canadian action will be seen as a positive example by the UN and countries participating in this UN operation. It is vital that a humanitarian operation like this must at all times meet the UN's own human rights standards. Those who commit abuses should have no impunity from being brought to justice.

AI has also urged the UN to start a program of human rights assistance in Somalia as soon as possible, including public education about human rights. UNOSOM's legal arm should assist in developing constitutional and legal protection of human rights and the UN should organize training in international human rights standards for UN troops and civilian police.

#### A new role

In other countries, such as Bosnia-Herzegovina, Cambodia, El Salvador, Liberia, Rwanda and South Africa, the UN has been presented with new opportunities for more comprehensive approaches to peace-keeping, including in some cases the formulation of specific UN mandates to address human rights issues.

Yet while the UN's peace-keeping operations have mushroomed dramatically over recent years, the UN has not really come to terms with this new role. Human rights work in peace-keeping operations has been carried out in haphazard ways and much of the thinking and existing organizational structures remain mired in the history of traditional peace-keeping, rather than the future of peace-building.

This has meant that many of the newer operations, or the UN Member States that decide the parameters of their activities, are sometimes making up the rules to new situations as they go along -- with mixed results.

Recently, most operations and any human rights components have been worked out in New York at UN headquarters, with a marked lack of involvement, consultation or cooperation with the UN's own human rights bodies and experts or its Centre for Human Rights based in Geneva -- and with hardly any reference to other UN programs such as the Vienna-based crime prevention and criminal justice program.

As a result, the UN is presently ill-equipped to deal with conflicts such as those in the former Yugoslavia, often lacking the expertise and resources necessary to make an effective impact.

AI believes that the UN has failed up to now to build essential measures for human rights promotion and protection **consistently** into its peace-keeping activities. In its report, Peace-keeping and Human Rights (AI Index: IOR 40/01/94), AI has put forward a 15-point program of recommendations for the UN's peace-keeping activities.

There needs to be a coherent approach to these operations which **insists** on the protection and promotion of human rights having a central role -- even after the blue berets have left. It is essential that human rights are made an intrinsic part of all peace-keeping operations.

As the experiences of Angola and Somalia have shown, unless the UN tackles human rights violations when they first occur, the UN will always fall short of its stated aims of preventing wars and alleviating human suffering. Tackling human rights violations early on is essential and the only way to confirm that the UN is taking human rights seriously.

#### 4. Angola

In Angola, the human rights situation is again dire, with many hundreds of politically-motivated killings of prisoners and civilians by both the government and UNITA (the Uniao Nacional para a Independência Total de Angola) reported since November 1992 after UNITA rejected the results of the election there.

The UN's operation (UNAVEM II) had only a limited role in the Angolan Peace Accords. It was unable to ensure sufficient disarmament of the parties before the elections took place, or to ensure that

alleged violations of the Peace Accords, including politically motivated killings, were investigated and remedied.

The Accords stated that human rights -- particularly freedom of expression, association, movement and the prohibition of acts of violence against the civilian population -- should be respected. However, these rights were repeatedly violated because the Accords contained no impartial investigative and remedial mechanisms. The Accords were implemented on the basis of consensus between the government and UNITA with the result that each could veto action on any complaint made by the other party.

AI considers that the UN's inability to speak out or respond effectively in the face of such violations contributed to contempt for and the eventual breakdown of the peace process itself. The UN is still trying to restore peace in Angola, and AI has urged the UN Secretary-General to ensure that increased protection for human rights be included in any new peace agreement.

#### 5. Laying the Foundations for the Future

Human rights concerns must be addressed in the planning and implementation of any peace-keeping operation and mechanisms established within the operation to secure the full protection of human rights -- both during the transitional settlement period and in the longer-term, when the main UN operation comes to an end.

Some recent peace-keeping operations have been generally positive from a human rights perspective. They have been imaginative and have involved monitoring and verification of human rights. They have been able to address human rights problems on the spot and have had the potential to take immediate corrective measures and establish measures for longer-term institution building.

In both El Salvador and Cambodia, for example, AI believes that the presence of UN human rights officers may have served as a significant deterrent to possible human rights violations. But elsewhere, UN personnel have stood by while serious violations took place. Human rights have been neglected -- with disastrous results.

Despite the presence of peace-keepers along the Iraq-Kuwait border and in southern Lebanon, Croatia and Kashmir, AI and other human rights organizations have documented numerous human rights violations in those areas, including political killings, arbitrary detentions, "disappearances", torture and rape.

On bringing its concerns to the UN or in seeking confirmation of allegations, AI has in the past been told that UN personnel cannot publicly report on human rights violations as this would compromise their neutrality. AI believes that UN personnel cannot ignore human rights violations taking place in situations where the UN has a peace-keeping mandate.

The lack of active follow-up to a peace-keeping operation -- and particularly to the work of any human rights component -- can pose just as serious risks for the ultimate success of such operations. AI believes that the UN and its Member States must be prepared to stay the course.

AI is convinced that human rights protection is essential to the success of any peace-keeping operation and that, as long as the UN avoids tackling these issues effectively, it is seriously damaging its own credibility -- and thereby its capacity to undertake peace-keeping and peace-building operations in other contexts and countries in the future.

Speaking in Canada earlier this year, AI Secretary General Pierre Sané said: "As the world's human rights standard bearer, the UN can and must become a truly global and impartial organization with

the capacity to respond to humanitarian crises and contribute to the empowerment of peoples all over the world.

"This may come with a heavy price. But the cost of the deterioration of the world order will be far higher."

Amnesty International has published a major report on the prevention of "disappearances" and political killings - unlawful and deliberate killings carried out by order of a government or with its acquiescence. The report also deals with political killings by armed opposition groups. Intended for use as a handbook for human rights activists worldwide during AI's current campaign and in the years to come, the report brings together the experience of local and international human rights organizations in combating "disappearances" and political killings.

In countries marked by these abuses, much of the credit for improvements belongs to the efforts of relatives of the "disappeared" and other unofficial organizations working, courageously and often at great risk, in defense of human rights.

Representatives of these organizations are often present at the annual sessions of the UN Commission on Human Rights, urging governments to take international action to stop "disappearances" and extrajudicial executions. Sometimes the Commission acts, but often action is blocked through the efforts of governments accused of human rights violations and other UN member states which side with them, putting perceived national interest ahead of human rights requirements.

To avoid accountability for their crimes, governments which practice "disappearances" and extrajudicial executions engage in secrecy, cover-ups, and attacks on institutions and organizations trying to protect human rights, such as the judiciary and human rights defenders. "Nationally, governments which engage in 'disappearances' and extrajudicial executions ensure impunity by undermining the country's remedial institutions; internationally they escape criticism by undermining the capacity of the UN to act", the report says.

The practical measures which all states should take to end "disappearances" and extrajudicial executions are described under three headings: prevention, investigation, and bringing those responsible to justice.

Under the heading of prevention, the report discusses such matters as establishing strict chain-of-command control over all members of the security forces; establishing the right and duty of officers to disobey an order to commit a "disappearance" or an unlawful killing; disbanding "death squads"; and providing protection against death threats. Important safeguards on the arrest, detention and release of prisoners include keeping accurate registers of prisoners; making accurate information available to relatives and lawyers; ensuring that relatives are able to exercise effective judicial remedies such as habeas corpus to locate and protect prisoners; and having independent visits of inspection to all places of detention.

The report discusses techniques for the investigation of "disappearances" and extrajudicial executions and the factors needed to ensure that official bodies carrying out such investigations can do so impartially and effectively. It describes measures needed to overcome the impunity of the perpetrators and bring them to justice, including ensuring an independent judiciary. Also discussed is the need for redress from the state for victims and their dependants.

The duties of prevention, investigation and bringing perpetrators to justice are consequences of the duty of governments to respect and to ensure human rights to everyone within their jurisdiction. As the report says, "the basic responsibility for action is with governments. Just as governments are acting unlawfully in ordering 'disappearances' and extrajudicial executions or allowing them to be perpetrated, so

governments must be pressed to end this lawless situation and uphold human rights. First and foremost, it is a matter of political will."

The report includes case studies on six countries - Iraq, Sri Lanka, Colombia, Zimbabwe, Turkey and Morocco. These six chapters provide examples of patterns of "disappearances" and extrajudicial executions and the experience of trying to combat them.

\*"Disappearances" and Political Killings: Human Rights Crisis of the 1990s - A Manual for Action

[BOX]

#### Action at the UN

Over the past decade the UN has adopted important international instruments aimed at stopping "disappearances" and extrajudicial executions. Most important are the Declaration on the Protection of All Persons from Enforced Disappearance, adopted by the UN General Assembly in 1992, and the Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions, adopted by the Economic and Social Council in 1989 and endorsed by the General Assembly the same year. These two instruments affirm the prohibition of "disappearances" and extrajudicial executions respectively and set forth the measures which all governments should take to prevent them, to investigate alleged occurrences and to bring the perpetrators to justice.

As described in the report, the two main UN mechanisms for tackling "disappearances" and extrajudicial executions are the Working Group on Enforced or Involuntary Disappearances and the Special Rapporteur on extrajudicial, summary or arbitrary executions. Located at the UN Centre for Human Rights in Geneva, these mechanisms can send urgent queries to governments after receiving credible allegations of "disappearances" and extrajudicial executions from victims' relatives and other sources.

[PHOTO CAPTION]

The techniques of forensic anthropology have helped relatives to identify the bodies of their loved ones who "disappeared" or fell victim to extrajudicial execution. Here a Kurdish woman mourns by the remains of her brother, one of 27 men and boys killed by Iraqi soldiers in August 1988 in the village of Koreme in northern Iraq. The body was discovered during the excavation of a secret burial site at Koreme in summer 1992. Photo copyright by the Argentine Forensic Anthropology Team.