

AI NEWS, NOVEMBER 1997 -- FINAL TEXT

Turkey

Creating a silent society

photo caption:

The President of the Istanbul branch of the HRA (right) joins protests against the gagging of human rights defenders

PLEASE REFER TO PRINTED NEWSLETTER FOR TURKISH CHARACTERS

The Turkish Government is attempting to shut down the Turkish Human Rights Association (HRA) and silence its leading activists for good. The authorities are forcing the closure of branch after branch of this courageous organization. Several HRA officials were rounded up and held in incommunicado detention.

Since May provincial governors have ordered the temporary closure of three HRA branches, and the permanent closure of four: Diyarbakir, Sanliurfa, Balikesir and Mardin.

The Turkish authorities have concocted a range of pretexts to justify these closures. The Diyarbakir branch was closed indefinitely on the grounds that "its activities threaten the unity of the state". Other branches were closed because the associations were "acting outside their authority" or because "illegal publications" had been found in the course of police searches. In fact, this latest round of repression appears to stem from a leaked "secret" Interior Ministry circular, dated 3 January 1997, which urged provincial governors and security chiefs to enforce a virtual information blackout in relation to southeastern Turkey where human rights violations have proliferated in the course of a long-running conflict between the state and the Kurdish Workers' Party (PKK). The circular encourages officials to stifle and disrupt the activities of the HRA, AI and other non-governmental organizations.

HRA staff have also been targeted. In June Yildiz Temurtürkan, Chairperson of the Ankara branch, was detained while participating in a demonstration against an incursion by Turkish security forces into northern Iraq. She was released a month later but is being prosecuted because the authorities have interpreted her participation in the demonstration as "support for the PKK". Aziz Durmaz, Chairperson of the Sanliurfa branch, was reportedly tortured in detention, and is now being tried on the basis of apparently fabricated evidence (see AI News, September 1997). Now, in an effort to disable the HRA permanently, the authorities have put the entire organization on trial. An AI delegate observed the first hearing in Ankara in September. Eleven senior HRA officials who had made speeches during Human Rights Week in 1996 calling for a peaceful resolution to the conflict in southeastern Turkey were charged with "disseminating separatist propaganda" and "inciting the people to enmity". The prosecutor is demanding the closure of all Turkey's HRA branches and the imprisonment for up to three years of the HRA officials, including Akin Birdal, president of the organization, who described the prosecution as an attempt "to create a silent society".

#### WHAT YOU CAN DO

The HRA was founded in 1986. It now has some 20,000 members and 59 local branches. It has outspokenly condemned human rights abuses committed by both the government and armed political groups. HRA officials have been arrested, abducted and killed; its offices have been ransacked and bombed.

Please write to Bülent Ecevit, Deputy Prime Minister, Office of the Prime Minister, Basbakanlik, 06573 Ankara, Turkey.

Express your dismay at the continuing pressure imposed on the HRA, and in particular the threat of closure presented by the trial at Ankara Criminal Court

No 4. You might point out that the activities of the HRA should be considered a credit to his government, which has publicly committed itself to the principle of freedom of expression and the respect of human rights.

## BRAZIL

The campaigning continues

“As someone who has had first hand experience as a prisoner, I see that Amnesty International has a fundamental position in the defence of human rights.” Diolinda Alves de Souza

Former prisoner of conscience Diolinda Alves de Souza took part in a European tour in August to campaign against the conviction of her husband, José Rainha Júnior.

A prominent member of the Brazilian Landless Rural Workers’ Movement, José Rainha Júnior was sentenced to over 26 years’ imprisonment in June. AI believes that his trial was unfair and that the charges of homicide against him were intended to curb his campaign for land reform.

Under Brazilian law, he will automatically be retried. AI has called for a fair second trial, stating that he will be considered a prisoner of conscience if reconvicted under similar circumstances.

Diolinda, who was jailed in 1996 in connection with her land reform activities, was presented with the AI document Brazil: Politically motivated criminal charges against land reform activists (AI Index: AMR 19/17/97).

Pic caption: Diolinda Alves de Souza holds a copy of an AI appeal issued on behalf of her husband

## ISRAEL

Released after 20 months in detention

Imad Sabi’, a 35-year-old Palestinian, was finally released by the Israeli authorities in August after 20 months’ administrative detention without charge or trial.

Detained on suspicion of membership of the Popular Front for the Liberation of Palestine, Imad Sabi’ attracted public attention through his eloquent articles to the press and his correspondence with Yuval Lotam, an Israeli officer. Yuval Lotam had refused to serve as a guard at Megiddo Prison in Israel, where most administrative detainees are held, and was himself imprisoned for 28 days in July. AI considered both men to be prisoners of conscience.

Imad Sabi’, who had been accepted for a master’s degree in the Netherlands in March 1996, was released on the condition that he would remain in the Netherlands for four years.

While AI welcomes Imad Sabi’s release, it regrets this forcible exile and the fact that his release, like his arrest, is of an arbitrary nature. Indeed last year the Israeli security forces rejected an identical request for his release on the grounds that Imad Sabi’ would continue to pose a security risk in the Netherlands.

## UGANDA

The destruction of childhood

“Please do your best to tell the world what is happening to us, the children. So that other children don’t have to pass through this violence.”

This is the message given to AI by a 15-year-old girl who escaped from the Lord's Resistance Army (LRA) in northern Uganda.

Between 5,000 and 8,000 children are believed to have been abducted by the LRA since 1995. Most are between 13 and 16 years old. Some 3,000 are thought to have escaped -- no one knows how many have been killed.

Captured children are effectively the slaves of LRA commanders. They are beaten, forced to fight well-armed government troops, and murdered. Girls are raped and forced to "marry" senior LRA soldiers. Children are used as porters and forced to carry heavy loads. They are treated with extreme brutality; death from exhaustion, hunger or thirst is common. Those caught trying to escape are killed. Those who do manage to escape are often hunted down by the LRA which carries out reprisals against escaped children and their families.

The LRA is an armed opposition movement fighting the Ugandan Government. It has bases in Sudan and is supported and armed by the Sudanese Government, who could intervene to free children, but has not done so. The LRA is an army of child soldiers, led by a man claiming possession by holy spirits, and uses extreme violence to terrorize civilians into providing support. Between 7 and 11 January 1997 the LRA massacred over 400 villagers in Lamwo county in Kitgum. According to survivors, the LRA said that they were punishing people for their lack of support. Several thousand northern Ugandan villagers have been raped, mutilated and killed by the LRA.

Abducted children who survive their ordeal face an immense struggle to rebuild their lives. The Ugandan Government has adopted a positive approach to rehabilitating former child soldiers. However, this is not sufficient to break the cycle of violence. Human rights abuses committed by all parties to the conflict in northern Uganda need to be confronted. AI is calling for redress for the victims of human rights abuses and for a commission of inquiry to investigate abuses. Establishing respect for the human rights of children lies at the heart of any solution to the current conflict.

See AI's report, Uganda: "Breaking God's commands"-- the destruction of childhood by the Lord's Resistance Army (AI Index: AFR 59/01/97)

Please write, calling on the Sudanese Government to end its support for the LRA while the LRA continues to abuse human rights, and to put pressure on the LRA to free children, to: President Omar Hassan Ahmad al-Bashir, President of the Republic of Sudan, People's Palace, PO Box 281, Khartoum, Sudan.

Pic caption: Picture by P.A., a former child soldier from Gulu district

## SRI LANKA

### A step forward for truth and justice

In a major step forward for human rights protection in Sri Lanka, the government announced in early September that it would make public the reports of three commissions of inquiry established to investigate past human rights abuses, and prosecute those against whom the commissions found prima facie evidence.

The commissions, which were appointed by President Chandrika Bandaranaike Kumaratunga in 1994 to investigate reported "disappearances" and "involuntary removals" (abduction by non-state agents) since 1988, handed over final reports of their findings to the President in September. According to a government statement, the commissions have "reported on a total of 19,079 complaints of disappearance... [and] have found that there is evidence of 16,742 persons having

been involuntarily removed and having disappeared thereafter". The commissions have also recommended relief measures in respect of dependents of the missing and "disappeared". The Presidential Secretariat announced that a new commission to examine any complaints outstanding would soon be established. It is estimated that some 6,000 further complaints remain to be investigated.

AI has welcomed the steps announced by the authorities. In a letter to the President, the organization stressed the need to implement them and end the climate of impunity among the security forces. This need is underlined by continuing reports of "disappearances", particularly from the Jaffna peninsula where some 760 cases have been reported since the beginning of 1996. This is the highest number of "disappearances" reported in the country since 1990. Inquiries into these recent "disappearances" by a Board of Investigation set up in the Ministry of Defence are proceeding.

pic caption: Relatives of "disappeared" in Jaffna waiting to give testimonies to AI representatives visiting the area in August 1997

## Bosnia-Herzegovina

### Human rights workshops for Sarajevo's youth

After living through more than three years of war, Sarajevo's teenagers know more than most European children their age about what it means to be deprived of basic human rights. In a recent appeal to the Chinese Government to guarantee the rights of the child, a group of 12 to 14 year olds from a Sarajevo neighbourhood youth centre wrote: "We are the children who survived a war where basic human rights were denied: by killing us on the streets, by wounding us when we stood in queues for water and bread. We could not go to school. We could not play in the street. Some of us had to become refugees -- and many like us are living in other parts of the world. The children of Sarajevo are honest and sincere. They know that the human rights of children should come before anything else."

The appeal was produced at the conclusion of one of several human rights campaigning workshops conducted for youth clubs and youth leaders in Sarajevo by a staff member from AI's International Secretariat in June of this year. The workshops aimed to introduce young people to human rights activism through the stories of their contemporaries in other parts of the world whose cases had been taken up by AI. The workshop at the "Be My Friend" organization was based around the story of Gyaltzen Pelsang -- a 15-year-old novice Buddhist nun from Tibet who was adopted as a prisoner of conscience by AI in 1993. After being imprisoned for 20 months for the peaceful expression of her beliefs, Gyaltzen Pelsang left the country and is now living in exile. During the workshop, the participants were asked to imagine that Gyaltzen Pelsang had come to Sarajevo. They were encouraged to think about what they would want to tell her of their own experiences of human rights violations, and about the kind of society they wanted to live in 10 or 20 years from now. In their subsequent collective appeal to the Chinese authorities, the children expressed their belief "that all young people in China like Gyaltzen Pelsang and others should have the right to speak, to express their opinions freely, and to practise their religion."

Enthusiastically embarking on their first experience of human rights activism, the participants ended the workshop by asking the Chinese Government "to help us ensure that our world civilization goes forward and not backward."

## WORLDWIDE APPEALS

## Syria

### Prisoner of conscience

Faraj Ahmad Birqdar, a poet and journalist aged 45, was arrested in March 1987 and held in incommunicado detention for nearly seven years. During this time he was badly tortured. He reportedly suffered vertebral damage following repeated use of the “German Chair”, a metal chair with moving parts which causes acute hyperextension of the spine and severe pressure on the victim’s neck and limbs. He is believed to have suffered a lumbar fracture and is unable to walk unaided.

He was brought before the Supreme State Security Court in 1993 and tried on charges of belonging to the unauthorized Party for Communist Action. On 17 October 1993, after trial hearings whose procedures fell far short of international standards, he was sentenced to 15 years’ imprisonment. He has no right of appeal.

The Syrian authorities have denied that Faraj Birqdar was tortured, but have failed to carry out an independent and impartial investigation into his allegations, as required by international standards. Similarly, the authorities claim that he was a member of a “terrorist” group, even though he is known never to have used or advocated violence.

Faraj Birqdar is one of some 150 prisoners of conscience in Syria currently serving lengthy prison sentences passed after conviction on similar charges.

Please write, calling for the immediate and unconditional release of Faraj Ahmad Birqdar and for an independent and impartial investigation into his allegations of torture; expressing your concern about his ill health; and seeking assurances that he has access to the necessary medical care, to:  
His Excellency/ President Hafez al-Assad/ Presidential Palace/ Abu Rummaneh/ Al-Rashid Street/  
Damascus/ Syrian Arab Republic.

## Guatemala

### Human rights defenders in danger

Marlon García is a Guatemalan photographer working with local human rights organizations to establish the fate of the thousands of people who "disappeared" and were thrown into unmarked graves during counter-insurgency operations by the Guatemalan army in the late 1970s and early 1980s.

On 10 September 1997 he was staying at the Lakeview Hotel in El Estor, Izabal Department, with members of the Guatemalan Forensic Anthropology Team (EAFG) and the Association of Relatives of the Detained/Disappeared of Guatemala (FAMDEGUA). According to reports, a group of unknown individuals arrived at the hotel and insisted that Marlon García leave with them. Only when members of EAFG and FAMDEGUA intervened did the individuals stop harrassing the photographer.

These threats occurred soon after excavations began of a mass grave containing the remains of some of those killed during the Panzós massacre in which at least a hundred Kekchí indigenous people were killed by the Guatemalan army in May 1978.

Those involved in the exhumation of mass graves are consistently harassed and intimidated. The people responsible for such attempts to conceal the truth are usually former members of the security forces, who fear the results of the investigations.

Please write, calling for immediate measures to guarantee the safety of Marlon García and of all those involved in the quest to establish the truth about past human rights abuses in Guatemala, to:  
President of the Republic/ S.E. Álvaro Arzú Irigoyen/ Presidente de la República de Guatemala/  
Palacio Nacional/ 6ª Calle y 7ª Avenida/ Zona 1/ Guatemala City/ Guatemala.

## China

### Prisoners of conscience

Hada and Tegexi, both ethnic Mongols, are serving lengthy prison sentences in Inner Mongolia for peacefully using their right to freedom of opinion and association.

They were reportedly involved with the Southern Mongolian Democratic Alliance (SMDA) in the peaceful promotion of human rights, Mongolian culture and “the concept of a high degree of autonomy for China’s minority nationalities as guaranteed in the Constitution”. The Chinese authorities reportedly view the SMDA as a threat to “national unity”.

Several suspected SMDA members, including Hada, were detained in early December 1995.

Tegexi was detained on 12 December 1995 in the east of Inner Mongolia which he was visiting for work reasons. Later that month large numbers of people took part in peaceful protests against the detentions. Some were briefly held in custody and others remain under close surveillance.

Hada and Tegexi were held for three months without charge in illegal administrative detention before being charged. On 6 December 1996 they were tried for “conspiring to overthrow the government” and “espionage” and were sentenced to 15 and 10 years’ imprisonment respectively. Subsequent appeals against their sentences have been rejected. Hada is due for release in 2010; Tegexi in 2005.

Hada’s health has deteriorated as a result of his detention. He has suffered a recurrence of tuberculosis, and reportedly has high blood pressure and heart problems for which he has not received adequate medical treatment.

Since 1996, authorities throughout China have taken an increasingly severe attitude towards people suspected of “nationalist” activities, resulting in many detentions.

Please write, urging the immediate and unconditional release of Hada and Tegexi, and asking that all appropriate medical treatment be made available to Hada, to: Chairman of the Inner Mongolia Autonomous Regional People’s Government/ WULIJI Zhuxi/ Nei Menggu Zizhiqu Renmin Zhengfu/ 1 Xinhua Dajie/ Huhehaoteshi 010055/ Nei Menggu Zizhiqu/ People’s Republic of China.

## FOCUS

### KENYA

#### Time for change

Kenyan are demanding change. Their country’s human rights record is stained by repressive laws, torture, ill-treatment and police killings. Prison conditions are appalling. Courts impose cruel and inhuman punishments such as caning, while hundreds of people remain under sentence of death. The authorities have harassed and intimidated opposition politicians, student activists, journalists and human rights defenders.

In September 1997, following widespread national and international pressure for constitutional and legal reform in the run-up to the elections, the government conceded to dialogue with opposition politicians and a package of minimal reforms was agreed and enacted. These included removing sections of the Penal Code relating to sedition, restricting the power of local authorities to arrest and detain people, and repealing provisions for detention without trial.

These reforms have been cautiously welcomed within Kenya. However, many Kenyans continue to question the government’s real commitment to human rights reform, arguing that these minimal reforms owe much to political expediency and are likely to mean little in practice. At the same time as these reforms were being discussed, meetings by opposition politicians were violently

broken up, civic education meetings were stopped and the political violence in the coastal region, which has claimed the lives of over 50 people and displaced around one thousand others, continued. This violence mirrors similar killings in which the government was implicated during the previous elections.

It is clear that the reforms do not go nearly far enough in introducing wholesale political reforms and human rights safeguards.

This is something that urgently needs to be done. As frustration with the government has mounted, so have levels of violence. If the government wishes to stop such violence reaching endemic proportions, it must introduce comprehensive reforms now and engage in genuine dialogue with all those calling for reform. Only then can it hope to adequately address the huge range of human rights abuses perpetrated in Kenya.

#### TORTURE — A CLIMATE OF FEAR

“They told me to lick my blood off the floor and make it clean.”

More than a year after his ordeal, 19-year-old Samuel talks in chilling detail about his torture by Kenyan police. Twice a day for two months Samuel was taken to a torture chamber, stripped naked and beaten all over his body. About twelve men, all wearing suits, were there -- four carrying out the torture and the others watching and applauding. They tied electric wire round his testicles and then pulled it repeatedly for about three minutes. The pain was excruciating.

Samuel was one of dozens of people from western Kenya arrested in 1995, accused of belonging to an underground movement, and held without charge or trial for up to a year. Most of them were tortured.

Anyone arrested in Kenya is at risk of torture or ill-treatment. Police routinely beat criminal suspects, especially those who are poor and not in a position to pay bribes or pursue complaints. The beatings stop only when the suspect “confesses” -- or dies. AI believes that at least five people died under torture in 1996 alone.

Political prisoners are often subjected to sustained torture. Grassroots political activists, especially those from ethnic groups regarded as anti-government, have been tortured so severely that some have been disabled for life. Suba Churchill Mechack, a student activist, was arrested four times in late 1995 and tortured during interrogation. “I was stripped naked and tortured by three special branch men [whom he named]. They... tried to pull out my toe nails with pliers, hit my knees with a hammer and twisted my fingers with spanners.” He suffered long-term internal injuries.

Torture in Kenya has been widely publicized by local and international human rights organizations and by the Kenyan press in recent years. Donor governments have also taken up the issue. This pressure has led to some action by the Kenyan Government. In February 1997 a new Police Commissioner publicly ordered all police officers to stop beating suspects during interrogation and to stop harassing journalists.

In a landmark case in March 1997, three police officers from Embu were sentenced to 10 years’ imprisonment for torturing a prisoner to death in 1994. The same month, Kenya acceded to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, a legally binding international treaty which outlaws torture. This exposes Kenya to scrutiny by other states.

These measures appear to have had some limited effect in reducing the incidence of torture, but much more needs to be done to eliminate the climate of impunity in which people believe that they can get away with torturing suspects. Determined action by those in authority is needed.

#### VULNERABLE GROUPS

Certain groups within Kenyan society are at particular risk. Children are imprisoned -- especially street children, thousands of whom live in Nairobi -- and abused by fellow prisoners as well as by police and prison guards. Refugees are arbitrarily arrested and sometimes deported. In July 1996,

over 900 Somali refugees were forcibly returned to Somalia by the Kenyan army just six days after seeking asylum; in July 1997, at least 80 Rwandese refugees were arrested, apparently without justification, in Nairobi.

Women who stand up for their rights are also particularly vulnerable. Female politicians, human rights activists and development workers have been intimidated, harassed and imprisoned by the authorities; some have been forced from their homes, raped and even killed in political violence instigated or condoned by those in power. Other women -- particularly detainees, refugees and the displaced -- have been raped, tortured and ill-treated by police and soldiers. Although Kenya has acceded to the United Nations Convention on the Elimination of all Forms of Discrimination against Women, the Convention has not been incorporated into law.

### KILLINGS BY POLICE

Hundreds of Kenyans have been killed in recent years by the very people who are supposed to protect them: the police. The number of killings indicates either that the police are operating a "shoot to kill" policy condoned at a senior level -- which the authorities deny -- or that they are out of control.

Poorly paid and ill-disciplined police officers have extorted bribes, arrested and ill-treated people who could not afford to pay them, violently attacked peaceful protesters and shot at unarmed suspects with live ammunition. Some victims of police killings have died in custody as a result of torture. Others have been shot dead by police even though they posed no threat. Several political opponents of the government have died in suspicious circumstances.

According to the Kenya Human Rights Commission (KHRC), a local non-governmental organization, 316 people were killed by the police between 1994 and 1996. In response to the launch of a campaign against police killings by the KHRC, the Commissioner of Police claimed that in "the few cases where police officers have been found to have overstepped their powers, appropriate action has been taken".

This statement is simply untrue. Stephen Muthuo Kahara was just 21 years old when he was shot dead by administration police in October 1996. He was a lay Christian preacher who heard the cries of his neighbour being assaulted and, along with a number of other villagers, went to help. He was reportedly shot at point-blank range as he lay injured on the ground by the side of the road. In response to AI's request for information, the Attorney General announced that "an inquest file was opened and has been placed before a magistrate for orders".

In December 1996, three university students were shot dead in two separate incidents during student demonstrations. The killings provoked widespread revulsion and demands for the resignation of the Police Commissioner. He was subsequently replaced. A "thorough investigation" was announced. Twelve police officers were charged in connection with one incident and an inquest was held in the other.

However, unlawful killings by police have continued unabated; the KHRC recorded 11 killings by police in the first two weeks of 1997 alone.

### REPRESSION AND RESISTANCE

In theory, Kenya is a democratic state in which people have freedom of expression and association. In practice, many of those who criticize the government have been harassed, intimidated or worse.

Opposition politicians and their supporters have been arbitrarily arrested, interrogated and ill-treated. Meetings held by political parties, church groups, and civic and human rights organizations have been stopped or dispersed by police, sometimes violently. Critics of the government also face official harassment such as police raids on their homes and businesses, increased tax bills, denial of government contracts and dismissals from government posts.

The authorities have used a whole array of repressive laws to restrict Kenyans' human rights. While the Bill of Rights in the Constitution includes most basic rights, it also allows for these rights to be curtailed or ignored by the government in a wide range of circumstances. The Constitution allows the President to declare a state of emergency by issuing a notice in the Official Gazette and gives the President wide powers of political patronage.

Kenya has agreed to be bound by a number of international human rights treaties -- to bring Kenya's laws into line with these standards requires far-reaching legal reforms. The Constitution should be strengthened to guarantee fundamental rights at all times, and the courts should be empowered to be the guardians of the Constitution.

#### Opposition parties

The Kenyan Government was forced to abandon the one-party state system in 1991 by a combination of internal and external pressures. There have been some improvements in the human rights situation, opposition parties have been legalized, and elections held. However, opposition politicians, including members of parliament, have faced serious police harassment.

As the 1997 elections approach, violence against opposition politicians has intensified. Within one week in April 1997, there was a series of incidents in which members of parliament were targeted by police. Raila Odinga of the National Development Party of Kenya and Oburu Odinga of FORD-Kenya were injured by police who broke up a meeting in Eldoret. Charity Kariuki Ngilu, of the Democratic Party, who had been beaten by police in November 1996, was besieged in her home by police. On 14 April the bodyguard of Michael Kijana Wamalwa, the FORD-Kenya Chairman, was shot and wounded by police who were trying to prevent the opening of a FORD-Kenya office in Kakamega.

#### Reform efforts

Police and security forces have violently disrupted a number of pro-democracy rallies. On 7 July 1997, for example, 10 people were killed and scores injured when police and security forces reportedly used live ammunition, rubber bullets and tear-gas against crowds of peaceful demonstrators. The demonstrators were marking the anniversary of the banned pro-democracy demonstration Saba Saba (Seven Seven) in Nairobi on 7 July 1990, when 30 people were killed and over 1,500 arrested.

In early May 1997 heavily armed police and paramilitary officers brutally prevented more than ten thousand people attending a pro-democracy rally at Kamakunji, a park in a Nairobi suburb. Later that month, police also fired tear-gas into a crowd of several thousand people who were peacefully praying at a rally in Uhuru Park, Nairobi.

The closure of civic education seminars set up to inform Kenyans of their rights has been a feature of the pre-election period. On 21 April 1997, for example, police broke up a Catholic Justice and Peace seminar in Kalokot, Lodwar. Officials arrived with six administration police. Eight people were arrested and several beaten. The same month, it emerged that the orders to prevent human rights education programs taking place came from the highest level.

Journalists have also been assaulted by police and by members of the youth wing of the ruling Kenya African National Union (KANU) party. They have been arrested and have had their cameras destroyed. Opposition newspapers have been impounded and printing presses have been dismantled or firebombed.

#### The judiciary

The justice system has failed to defend people's basic rights. The President appoints the Attorney General and the Chief Justice. Magistrates who have made politically unpopular decisions have been transferred to remote areas. The judiciary has been criticized for being unduly influenced by

the government, although several magistrates have dismissed confessions obtained through coercion.

President Daniel arap Moi has stated that the courts should not interfere in land disputes or issues relating to political parties or universities. The Attorney General has said that these were President Moi's personal views, but the power of the President in Kenya is such that they cannot be ignored. Magistrates have been prevented from attending legal meetings. In 1996 and 1997 the Chief Justice barred delegations of judges and magistrates from travelling to Law Society of East Africa conferences. Legal seminars within Kenya have also been restricted.

#### TIME TO ACT

The 1990s have been marked by a series of disastrous armed conflicts around the world which the international community has frequently found itself unwilling or unable to bring to a swift and satisfactory conclusion. The attitude of governments seems to have been, "If only we'd been able to do something before things got so bad. We could have prevented this bloodshed, but it's far too late now."

The current escalating conflict in Kenya could well be the first stage of just such another preventable human rights catastrophe. The government has failed time and again to protect the basic human rights of Kenyans, as it has pledged to do by signing and ratifying international human rights treaties. It is therefore imperative that the international community does not abandon the process for real reform.

The time to add your voice to that of the people of Kenya is now. Please see the back page for details of what you can do.

Parts of this Focus have been extracted from the AI briefing, Kenya: the quest for justice (AI Index: AFR 32/25/97) and from the document, Kenya: violations of human rights (AI Index: AFR 32/27/97), both issued September 1997.

#### WHAT YOU CAN DO

You can help bring about an improvement of human rights in Kenya by joining our campaign and writing to:

#### YOUR GOVERNMENT

The international community has a clear responsibility to take steps to halt the escalation of human rights violations in Kenya.

Please write to your government's Minister for Foreign Affairs and Minister for Foreign Development. Also send a copy of your letter to the Kenyan Ambassador or diplomatic representative in your country.

- Remind them that action now by the international community will help to ensure that there will be no human rights disaster in Kenya.
- For the process leading up to the elections to continue without further human rights violations, international and local human rights monitors urgently need to be deployed throughout Kenya to raise cases of human rights violations publicly with the government. Urge ministers to place human rights at the centre of your government's policy towards Kenya by appointing human rights monitors in Kenya and ensuring that any election monitors have a strong human rights component in their work.
- Ask them to extend a measure of protection to the Kenyan people by condemning publicly acts of torture and ill-treatment, unlawful killings, and the suppression of peaceful public gatherings, by Kenyan security forces.

## THE KENYAN PRESS

Please write to the editors of:

The Daily Nation

PO Box 49010

Nairobi

The Standard

PO Box 30080

Nairobi

- Point out that AI is an independent worldwide movement with members in over 160 countries, including a large number of African states. AI members are bound together by the belief that human rights violations -- wherever they are committed -- diminish us all.
- State your concern at the high level of violations currently being reported in Kenya. The Kenyan Government must accept that it is accountable for human rights abuses committed by its officials.
- The Government should stop unlawful killings, torture and ill-treatment of Kenyan citizens by bringing to justice security force members found responsible for such acts.
- The Kenyan Government should repeal or amend those laws and elements of the Constitution which breach international human rights standards.
- The Kenyan Government should accept the legitimacy of civic education seminars and other peaceful public gatherings by Kenyans and guarantee the protection of these events from violent disruption.

Support the courageous work of those campaigning for a better society in Kenya. The Kenyan authorities do respond to concerted national and international pressure, as recent history shows. International solidarity can make a difference. Join us in our worldwide campaign to promote greater respect for human rights in Kenya.

Photo captions:

Police beat peaceful demonstrators in Nairobi Anglican Cathedral, July 1997

The arrest of 21 members of the human rights organization Release Political Prisoners, July 1996.

Police and security officers in Nairobi prevent more than ten thousand people from joining a pro-democracy rally, May 1997

A member of the General Service Unit kicks a disabled street boy

Alerting the world to the scale of human rights abuses in Kenya is just one part of AI's work for human rights in the country. These pictures, taken in September 1997, show some of the ways AI has been helping raise awareness of human rights among Kenyans.

Above and above right are a Kenyan theatre group, the 5Cs, and their performance of "Dying to be Free", a play funded by AI Netherlands' Special Project for Africa. The aim of the project was to encourage debate on the social and political abuses of power, such as the police brutality which is simulated here.

AI has also helped run a series of workshops with Kenyan human rights organizations. One, shown right, focused on tackling the systematic human rights violations against women in Kenya. Another workshop, for human rights and media organizations, below, dealt with the uses of information technology in promoting human rights and campaigning.

AI representatives were in Kenya to launch its campaign for human rights in the country. The final photo, bottom, shows the launch of the campaign: pictured are representatives from AI Tanzania and Finland, a staff member from AI's International Secretariat, and a representative from AI's womens network in the USA.