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Iraq's bloody past exposed

"We just want to know the truth and bring to justice those who caused us such suffering." The Taleb family. After being arrested in 1979-1980, four of their children "disappeared". They do not expect to see their missing children alive.

Evidence of the fate of thousands of "disappeared" people is coming to light in post-conflict Iraq as mass graves are uncovered throughout the country.

Tens of thousands of people have "disappeared" in Iraq. "Disappearances" were particularly widespread during the Iran-Iraq war from 1980 to 1988. In the first 10 days of August 1983, an estimated 8,000 Kurds of the Barzani clan, all males aged between 8 and 70, were arrested in the province of Arbil and have not been seen since. In early 1988, during "Operation Anfal" in Iraqi Kurdistan, entire Kurdish families "disappeared" in hundreds of villages after they were rounded up by government forces. Immediately after the 1991 Gulf War, when Iraqi government forces crushed the uprisings led by the Shi'a in the south and the Kurds in the north, thousands more Iraqis "disappeared".

For many years AI has been gathering data and campaigning on human rights abuses in Iraq. In April, for the first time in 20 years, AI was able to interview witnesses and relatives of victims inside Iraq, something that was unthinkable under the previous government. They spoke to witnesses of mass executions, and to victims of torture and incommunicado detention, as well as to many who were searching for missing family members, including children.

The people of Iraq have a right to learn the full truth about the fate and whereabouts of the "disappeared", and to see the perpetrators of human rights violations brought to justice. AI is concerned that evidence related to the "disappearances" may be lost, destroyed or interfered with in the aftermath of the conflict.

Because they are so desperate for news, relatives have exhumed bodies from mass grave sites, unaware of or ignoring the fact that they may be disturbing vital evidence, preventing others from identifying bodies and potentially hindering the process of justice.

Thousands of official documents have been destroyed or lost in the looting of government buildings. In Umm al-Broom Square, in the centre of Basra, AI delegates came across a copy of a document issued by the Revolutionary Court which contained 141 names of detainees. Another list contained the names of 84 people who were executed between 1982 and 1984.

While some Iraqis are searching the mass graves, others believe that thousands of "disappeared" prisoners are still being held in secret underground prisons. When AI delegates visited a deserted prison in Basra, dozens of people were trying to dig up the ground with the most rudimentary tools, in the forlorn hope that someone they loved was hidden in an underground prison cell.

AI is seeking assurances that the US and UK forces in Iraq are doing everything in

their power to ensure that evidence such as mass graves and documentation is protected and preserved. US and UK forces should establish and publicize a mechanism to receive reports of suspected secret prisons. Where such reports appear reliable the US and UK forces should investigate them, as a matter of urgency, with a view to finding any detainees. Such investigations should be carried out in such a way as to preserve evidence and information that may be used in future investigations and prosecutions.

A failure to treat this issue properly and as a matter of urgency will continue the suffering of surviving victims of human rights violations as well as the families and loved ones of those who have “disappeared”. If vital evidence is destroyed the perpetrators of such abuses may well escape justice.

Afghanistan in turmoil as refugees return

*“Repatriation should be respectful, gradual and should take into account the absorption capacity of our country.”*Enayatullah Nazari, Afghanistan Minister of Refugees and Repatriation, speaking with AI delegates, 6 April 2003.

Afghanistan is still a country in turmoil. The security situation has steadily deteriorated with attacks on foreigners, such as the murder of an International Committee of the Red Cross staff member in Uruzgan province in March. Some non-governmental organizations (NGOs) and UN staff have withdrawn from aid projects in the south of the country. Fighting between various regional commanders continues, and forced recruitment and illegal taxation are rife in many parts of the country. Several thousand refugees and internally displaced persons returned to their homes in spring 2003. However, many more either remained in exile, left Afghanistan to escape persecution, or were forced from their homes and became internally displaced.

Far fewer refugees and asylum-seekers have been returning to Afghanistan this year, mainly owing to concerns about security and access to adequate food, water, shelter and employment. Returnees feel deceived by reports, coming from host countries and the United Nations High Commission for Refugee agency (UNHCR), that they could return to Afghanistan in safety and dignity. AI, which has a long-term presence in the country, has found that the conditions for a sustainable return do not yet exist in Afghanistan.

Refugees returning from Pakistan and Iran have reported widespread police harassment and arbitrary detention. Others including women and unaccompanied children have been deported from Iran. Afghan refugees denied asylum and forcibly returned from the UK and France to Afghanistan have found the situation unsustainable.

Returnees have been robbed of their possessions in Ghazni province while en route to Kabul. Others have had to pay a proportion of their UNHCR reintegration package to local commanders as “*osher*”, an illegal tax. Many returnees are simply unable to return to their original homes, either because their homes have been occupied while they were in exile, or because they have had to go to urban centres to find work. The life of a returned refugee is hard, made harder still by the fact that years of exile have often weakened the bonds of community.

AI is concerned that if refugees cannot go home safely and with dignity, and make a living, there is an increased likelihood that the situation will further deteriorate and they will once again be forced to seek refuge in other countries.

See AI's report, *Out of sight, out of mind: the fate of the Afghan returnees* (ASA 11/014/2003) and AI's new refugee webpage "Refugees have rights" on www.amnesty.org

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Human rights crackdown on dissidents in Cuba

Marcelo López Bañobre, a human rights defender with no past convictions, was sentenced in April to 15 years in prison for, among other activities, "sending information to international organisations like Amnesty International". His conviction was part of a crackdown in mid-March by Cuban security forces who rounded up 75 dissidents over the space of a few days. Most of the leaders of Cuba's dissident movement, people who had been activists for a decade or more, were detained. The government claims that they were foreign agents whose activities endangered Cuban independence and security but the dissidents were not charged with recognizably criminal offences. They were given hasty and unfair trials, and, shortly after being taken into custody, were sentenced to harsh prison terms of up to 28 years. AI considers them all to be prisoners of conscience.

On 11 April, after three years with no executions, three men were executed by firing squad. They had been involved in a hijacking in which no one was injured. Following a summary trial and appeals process they were executed less than a week after their trial began.

The clampdown on dissidents is seen as a reaction to the hard line taken against Cuba by the US administration of George W. Bush. Periodic accusations of biological weapons development and official statements from some US officials have left Cuba feeling increasingly under threat of US military aggression following the war in Iraq.

The economic, commercial and financial embargo on Cuba by the US has had a clearly negative effect on nutrition, health, education and many other spheres of life, harming the weakest and most vulnerable members of society rather than the authorities whom it is intended to influence. Meanwhile, specific embargo provisions such as the allocation of significant amounts of aid for "democracy-building" have helped the government to paint dissidents as foreign sympathizers and weakened prospects for a strong and independent human rights movement.

The embargo has fuelled a climate in which fundamental rights such as freedom of association, expression and assembly are routinely denied. As demonstrated in the recent crackdown, the embargo provides the Cuban government with an excuse for its repressive policies.

AI calls on the Cuban authorities to release all prisoners of conscience immediately and unconditionally, and to abolish the death penalty. AI calls on the US government to review the negative impact of the embargo on human rights in Cuba.

See AI's recent document, *Cuba: "Essential measures"? Human rights crackdown in the name of security* (AMR 25/017/2003).

China: migrant worker dies in custody

Sun Zhigang, a 27-year-old fashion designer and a migrant worker, died three days after his arrest in March 2003 in Guangzhou city, Guandong province. An autopsy showed that he had been badly beaten before his death.

When Sun Zhigang was detained on 17 March in the Tianhe district of Guangzhou

and was unable to produce a residence permit, he was taken to a local police station for questioning about his identity. On the following day he was moved to the Guangzhou city “custody and repatriation” transfer centre, which is part of a nationwide system in China for the detention and control of migrant workers in urban areas.

Sun Zhigang died in the clinic of the transfer centre on 20 March. A report of an autopsy conducted by the medical department of Zhongshan University indicated that Sun Zhigang had been beaten badly on his back, sides and other parts of his body, causing serious haemorrhaging. According to a 2 May article in the South China Morning Post, the report concluded that the cause of death was “traumatic shock due to extensive areas of soft-tissue injuries”.

Since the 1980s the “custody and repatriation” system has been increasingly used to detain migrant workers, who come from rural areas to the major cities in search of work and who are often accused of being a source of crime. Others detained include beggars, vagrants and others with no fixed residence or regular employment, including people who are disabled or mentally ill and homeless children.

People held in the transfer centres have to pay for their food and accommodation and for their transportation to the place of “repatriation”. Those who cannot pay are forced to work instead. Many are reportedly held in such centres for months without prospect of release because they have no money and no relatives or friends to bail them out. The system effectively permits the arbitrary detention of individuals who are not suspected of committing any crime.

An official investigation into the death of Sun Zhigang stated that he had been wrongfully detained and that nurses at the detention centre clinic had instigated other patients into beating him. It was announced on 9 June that two people had received death sentences and 16 received prison sentences for their role in the death. While welcoming the initiative to bring perpetrators to justice, an unusual step in itself in China, AI is concerned that the investigation was not independent or impartial, raising doubts about the fairness of the trial. It is also deeply worrying that the death penalty was imposed in this case.

The depth of public interest in China surrounding this case has prompted several Chinese legal academics to appeal to the National People’s Congress asking it to review the law on “custody and repatriation”. AI is concerned that it is being used extensively to detain people arbitrarily who belong to the most vulnerable groups in society, and has urged the authorities to abolish the system.

Belgium’s record on torture under scrutiny of UN

AI calls on incoming government to address police ill-treatment as a priority

At around 1am on 3 February 2003, police officers arrived at the home of Bernardin Mbuku, a naturalized Belgian originally from the Congo, his wife, Odette Ibanda Mavita, also originally from the Congo, and their son. The officers claimed Bernardin Mbuku had caused a traffic accident and fled the scene. He and his wife were arrested, in the course of which they say they were subjected to physical assault and verbal, including racist, abuse.

Bernardin Mbuku was thrown to the ground, handcuffed painfully tightly and put in a police vehicle. His wife, about five months pregnant at the time, had a coat put over her mouth, received a blow to her back and was thrown violently into a second police

vehicle. Their two-year-old son was left alone in the apartment.

Odette Ibanda Mavita was released from the police station at around 4am, Bernardin Mbuku was released some hours later. He spent three days in hospital as a result of the injuries suffered during his arrest, which included a fractured arm. The couple has lodged a criminal complaint accusing the police of assault and battery, acts of public indecency and acts of racism and xenophobia.

In recent years, AI has collected numerous allegations that Belgian police officers have subjected people – a high proportion of them foreigners and black Belgian nationals – to physical and psychological ill-treatment, including racist abuse. Reported incidents have taken place in police cells, on the streets or during the deportation of unauthorized immigrants and rejected asylum-seekers.

Fundamental guarantees against ill-treatment in custody – the right of access to a lawyer upon arrest or during questioning, the right to have relatives or a third party notified of the arrest and place of your detention, and explicit rights to access to a doctor and to be informed of your rights – are all absent from Belgian law.

People – in particular unauthorized immigrants – often face difficulties in making formal complaints about their treatment by police officers and fear repercussions if they do so, including the threat of criminal counter-charges. Although investigations are invariably launched when formal complaints are made, they sometimes appear to lack thoroughness and are frequently unduly protracted, often inconclusive and rarely result in criminal sanctions against police officers. In a number of instances where officers have been prosecuted and convicted, the punishment has been nominal.

In May 2003 the UN Committee against Torture examined Belgium's initial report on its implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. AI took the opportunity to submit a briefing to the Committee on the organization's concerns about police ill-treatment. In its consideration of Belgium's report, the Committee expressed a number of concerns which reflected some of AI's own conclusions.

For more information see: *Belgium before the UN Committee against Torture: alleged police ill-treatment* (EUR 14/001/2003).

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Worldwide Appeals

Myanmar

Student imprisoned for peaceful demonstration

Law students Thet Naung Soe and Khin Maung Win were arrested for holding a peaceful demonstration in the capital of Myanmar on 18 August 2002. Students were demonstrating outside Yangon City Hall, where, on 8 August 1988, soldiers shot and killed hundreds of students, monks and other protesters peacefully demonstrating against one-party rule.

The day before the demonstration students had reportedly distributed a statement calling for the release of political prisoners, for progress in political dialogue between military ruling authorities and the National League for Democracy (the political party that won election in 1990, and to whom authorities failed to transfer power) and announcing that Thet Naung Soe was to hold a protest the following day as an exercise of the right to freedom of expression. Thet Naung Soe and Khin Maung Win

were arrested during the protest.

Thet Naung Soe and Khin Maung Win were sentenced to 14 and seven years' imprisonment respectively after an unfair trial. They were sentenced under the 1950 Emergency Provisions Act, a vaguely worded law that is frequently used to silence dissent in the country and effectively criminalizes peaceful political activity. They are among at least 1,300 political prisoners in the country, many of whom were sentenced for peacefully exercising their right to freedom of expression, assembly and association.

Please write, calling for the immediate and unconditional release of Thet Naung Soe and Khin Maung Win and urging the authorities to review the legislation under which they were sentenced and to revoke or amend it to conform to international standards.

Send appeals to: Senior General Than Shwe, Chairman, State Peace and Development Council, Ministry of Defence, Dagon Post Office, Yangon, Myanmar. Fax: +95 1 652 624.

Peru

Prisoners still held under old 'anti-terrorism' laws

AI is calling for the immediate and unconditional release of 19 prisoners of conscience, some of whom have already been listed in previous Worldwide Appeals. All 19 are unjustly accused of offences relating to "terrorism". They represent only a small fraction of those men and women who remain in Peruvian prisons on false charges of crimes of "terrorism".

Laws introduced in 1992 by the late President Fujimori, in an attempt to eradicate the armed opposition group Shining Path, led to hundreds of people being falsely imprisoned on "terrorism"-related charges. Ten years later neither the subsequent transitional government nor the current government have fulfilled their commitment to respect fundamental human rights by releasing those falsely accused.

AI has documented at least 1,100 cases. Many have been released by means of the Pardon Commissions. The current Pardon Commission must be given adequate resources to review all outstanding cases without delay. AI is also calling on the government to review the "anti-terrorist" legislation to ensure it is in line with international standards for fair trials.

See AI's report, *Peru: The "anti-terrorism" legislation and its effects – an unfinished business in the transition to democracy* (AMR 46/001/2003).

Please write, calling for the immediate and unconditional release of all those falsely charged with "terrorism"-related crimes, in particular: Justo Alvarado Alva, Teodoro Campos Quispe, Francisco Carhuallay Cruz, Felipe Carrasco Luque, Walter Cubas Baltazar, Marcos Espinoza Ayhua, Elmer Gutiérrez Vásquez, Gregorio Hilario Quispe, Jaime Huamaní Díaz, Carlos Jorge Garay, Benjamín Masgo Dueñas, Víctor Palma Suarez, Herminio Palomino Soto, Carlos Ortega López, Zenón Osnayo Tunque, Julia Rodríguez Suárez, Iván Ruiz García, Lucio Vilca Galindo and Apolinario Vilcapuma Huamán.

Send appeals to: Presidente Alejandro Toledo Manrique, Presidente de la República del Perú, Palacio de Gobierno, Plaza Mayor Scipión Llona 350, Lima 1, Peru. Fax: +51 1 426 6770.

Serbia & Montenegro (Kosovo)

Member of a minority community abducted and killed

Petrija Piljeviæ, a 57-year-old Serb woman living in Kosovo, was abducted by three uniformed men in the afternoon of 28 June 1999. Her neighbours saw her being taken from her flat in Priština/Prishtinë, crying and screaming.

Her two sons fled to Serbia. In August 2001 one of them, Dragan, was shown photographs of clothing taken from bodies exhumed in Kosovo. He recognized his mother's blue tracksuit, navy socks, cream blouse and black jacket. The press reported that she had been shot twice at close range. Her body was returned to her family and buried in Serbia.

No investigation appears to have been made into her death. The men who abducted her were reportedly wearing uniforms of the Kosovo Liberation Army (KLA). Up to 1,200 Serbs, Roma, Bosniaks and members of other minority groups in Kosovo are believed to have been abducted and killed by KLA members just before, during and after the 1998-1999 conflict in Kosovo. Since the war ended in July 1999, many other members of minority groups are reported to have been abducted. Few perpetrators have been brought to justice.

Four years after the war, minorities' freedom of movement is dependent on the protection of the NATO-led peace-keeping Kosovo Force (KFOR). They face discrimination in access to employment, medical care and education. Few members of minorities who fled the conflict have returned to their pre-war homes.

Please ask whether an investigation has been opened into the abduction and unlawful killing of Petrija Piljeviæ and, if so, what is the outcome. Express concern that relatively few people suspected of involvement in the abduction of members of minority communities in Kosovo have been brought to justice.

Write to: Jean-Christian Cady, Deputy Special Representative of the UN Secretary General (Police and Justice), UNMIK HQ, Room 215, 38000 Priština/Prishtinë, Kosovo/Kosova. Fax: +381 38 504 604 Ext 2099. E-mail: cady@un.org

Morocco/Western Sahara

Clampdown on civil society activists

Western Sahara civil society activists have been tried and imprisoned on apparently politically motivated charges. Several have reported being tortured or ill-treated during detention.

Dkhil Moussaoui and Bazid Salek were charged with public order offences. They were accused of instigating outbreaks of violence in Laayoune, Western Sahara, between 2000 and 2002. Bazid Salek was sentenced on 12 March 2003 to 10 years' imprisonment. His conviction was based solely on confessions that he later withdrew in court, alleging that they were extracted under duress. Dkhil Moussaoui was sentenced on 25 June to one year in prison.

In another case, Ahmed Nasiri was sentenced on 27 November 2002 to 18 months' imprisonment. He was reportedly beaten in police custody in an attempt to force him to sign police statements admitting he had instigated violence at an anti-government protest in 2001. Despite his refusal to sign them, the statements were the sole basis for his conviction. No investigations are known to have been carried out into the allegations of torture and ill-treatment raised by Bazid Salek and Ahmed Nasiri.

Until their prosecution, AI had no reason to believe that Bazid Salek, Dkhil Moussaoui and Ahmed Nasiri had used or advocated violence. The only evidence linking Bazid Salek and Ahmed Nasiri to acts of violence was confessions, which were allegedly extracted under duress. AI believes that all three men may be prisoners of conscience.

All three men are members of the Western Sahara branch of the Forum for Truth and Justice, an independent association set up in 1999 to campaign for the rights of victims and families of victims of torture, “disappearances” and other human rights violations. Many of its members have been targeted by the Moroccan authorities.

In recent months, Western Saharan civil society activists have faced increasing harassment and intimidation from the Moroccan authorities. Some have been held for questioning about their support for the independence of Western Sahara, a territory annexed by Morocco but also claimed by the Polisario Front, a self-proclaimed government-in-exile.

For further information see *Worldwide Appeal* December 2002.

Please write, calling on the Moroccan authorities to investigate the allegations of torture and ill-treatment; to release Bazid Salek, Dkhil Moussaoui and Ahmed Nasiri immediately unless they are promptly tried according to fair trial standards; and to end the harassment of other Western Saharan activists for their peaceful human rights work.

Send appeals to: M. Mohamed Bouzoubaa, Ministre de la Justice, Ministère de la Justice, Place Mamounia, Rabat, Morocco. Fax: +212 37 72 37 10 or 37 73 07 72 or 37 73 89 40.

Updates

AI’s campaign on the Russian Federation makes an impact

“Even children from London have sent faxes to the Governor”

When a group of reportedly 50 to 60 teenagers entered a nightclub in the village of Kholmisky, Krasnodar Territory, on 25 April and attacked people who appeared to be from the Caucasus region, AI launched a web action. The local authorities kept quiet about this deliberate targeting of ethnic minorities until the pressure from appeals by AI members and Russian human rights organizations and the subsequent media attention forced them to take action. Since then five people have been arrested in connection with the attack and the authorities are meeting with local Meskhetian leaders to discuss the incident.

To take action see www.amnesty.org

Activists released in Malaysia

In early June six reformasi (reform) activists, imprisoned for over two years, were released from detention under the Internal Security Act (ISA). Saari Sungib, Tian Chua, Hishamuddin Rais, Mohd Ezam Mohd Nor, Badrulamin Bahron and Lokman Noor Adam were all released from Kamunting Detention Centre between 1 and 12 June. Four of the six, however, have other charges or appeals pending.

AI believes the Home Minister’s decision not to renew their detention orders was strongly influenced by the inter-national campaign to free the activists.

See *Worldwide Appeal* April 2002

Kuwait: prisoner of conscience reunited with her family

In April Ibtisam al-Dakhil was released from Kuwait's deportation centre and joined her family in France. Intisar Khallati and Zannuba 'Abd al-Khadr 'Ashur were released on 1 June and deported to Basra, Iraq. Ibtisam al-Dakhil thanked all the members of AI who worked on their behalf.

For further information see Worldwide Appeal November 1996.

Saudi Arabia: released and deported without punishment

Gary Dixon, also known as Gary O'Nions, was released from prison in Saudi Arabia and deported to the UK on 7 May. Following an unfair trial, he had been sentenced to 800 lashes, a £400,000 (US\$665,000) fine and an eight-year prison sentence on charges of producing and selling alcohol. He was released after one year and did not receive the 800 lashes, nor pay the fine.

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Human rights and disability

The second meeting of the UN Ad Hoc Committee on a Comprehensive and Integral International Convention on Protection and Promotion of the Rights and Dignity of Persons with Disabilities took place in New York on 16-27 June 2003. AI talks to Bengt Lindqvist, former UN Special Rapporteur on Disability, to find out more about disability and human rights.

Why has it taken so long to put the rights of people with disabilities on the human rights agenda?

A paradigm shift of this radical nature always takes time. For the last hundred years disabled people were mainly viewed as objects of charity and care. The International Year of Disabled Persons, 1981, made the breakthrough for the concept of rights for people who happened to live with a disability. A process was started, which has now, at last, resulted in the recognition that disability-related problems are a responsibility for the human rights monitoring system within the UN.

In the future, disability will not be accepted as a basis for depriving people of their voting rights, property rights, family rights, the right to education and even the right to life itself.

What should mainstream human rights organizations be doing to strengthen human rights protection for disabled people?

To build on the current momentum we must develop capacity within the existing human rights monitoring system and at the same time work towards a convention on the rights of people with disabilities. Ad hoc meetings of governments have been convened to consider a convention. Mainstream human rights organizations can support the network of disability rights organizations that have been instrumental in getting this initiative to this stage. The involvement of NGOs has been encouraged by the disability movement and would be welcomed in the effort to get a convention initiated and passed.

There are many ways to build capacity within the existing human rights monitoring system. One approach is to work with disability rights organizations and human rights organizations to provide training on how to use human rights systems and how to monitor disability rights. Once people have access to the tools to engage with the human rights system and have concrete data on the human rights violations

experienced by people with disabilities, they can advocate for disability issues at various levels using a human rights framework. Disability Rights Promotion International, a new project that has been formed to facilitate training and monitoring, plans to start pilot projects next year.

The disability movement needs all the support it can get from the human rights NGO community. Human rights organizations can contribute by including a disability dimension in their own work. In the Disability Rights Promotion International project, we are now looking into various possibilities for creating alliances. AI and other great human rights organizations are more than welcome to join us in this effort.

Bengt Lindqvist was UN Rapporteur on Disability from 1984 to 2002. Born in Sweden, he lost his sight as a teenager and became engaged in activism for the rights of disabled people. He became the first blind cabinet minister in Europe and was a founder member of Disabled People International, a network of national organizations or assemblies of disabled people, established to promote human rights of disabled people.

Human rights defenders threatened in Aceh

Following the declaration of a military emergency in Nanggroe Aceh Darussalam Province (NAD), Indonesia, on 19 May 2003, the human rights situation in the province has deteriorated. Grave human rights violations, including extrajudicial execution, torture and “disappearances” are being reported.

Human rights defenders are facing increasing levels of threats and restrictions. Since 2000, 14 human rights defenders are believed to have been extrajudicially executed. Others have been arbitrarily detained, tortured or have “disappeared”. In not one case have the perpetrators been brought to justice.

In an interview with AI in June, Samsul Bahri (above), a member of the NAD branch of the Commission for Disappearances and Victims of Violence (Kontras Aceh) which has monitored and investigated human rights violations in the province since 1998, explains what the deterioration has meant to Kontras Aceh’s work.

“Even before the military operations started, it was difficult to carry out human rights work – there were always risks – but since the start of the military emergency it has become even more difficult. We are no longer able to work in our office because of the threats to our staff.

“Kontras has been warned by the local military commander that our members will be targeted for arrest. As a result, many Kontras members are in hiding. They are afraid to use phones because they believe they are monitored, and they are afraid to use the Internet. This has left them very isolated. But they are still able to send out information, and they want to continue to carry out this work in spite of the situation.

“Today the human rights situation in Aceh is my priority, but if the situation in Aceh improves my priority will be elsewhere. I have to work harder to improve the human rights situation in Aceh today, because I don’t want to be working on Aceh in the future.”

For further information see, *Indonesia: Protecting the protectors: human rights*

defenders and humanitarian workers in Nanggroe Aceh Darussalam (ASA 21/024/2003).

Opposition silenced in Togo elections

On 1 June, election day, Egbla Kossi Messan and another supporter of the Togolese opposition party, L'Union des forces du changement (UFC), reportedly discovered the local chief fraudulently filling ballot boxes at his home in Djangblé, a suburb of the capital, Lomé. When they protested the chief called the security forces who arrived as the two men were leaving on a motorbike. The security forces shot at the men, hitting them in the back. Egbla Kossi Messan died from his injury in hospital. His companion is still critically ill.

The Togo presidential elections were marred by violence and allegations of ballot rigging. In the months before the election peaceful meetings and demonstrations throughout the country were either banned or repressed by security forces.

On the day of the election clashes between members of the opposition and security forces in various parts of Lomé were broken up with tear gas, and in some cases live ammunition was used. Disturbances were not confined to the capital.

In Tsévié, 30km from Lomé, security forces clashed with voters when, according to witnesses, there were serious irregularities in the voting procedures. Witnesses saw ballot boxes being filled and many voters had not received their voting cards. When protesters burned tires and sacked the town hall, security forces responded by firing tear gas and live ammunition at the crowds. At least one student was killed and several were injured. The Minister of the Interior, Akila Ezzo Boko, described the confrontations as "minor incidents".

At least 10 soldiers were arrested, accused of voting for the opposition against the specific orders of their superiors. Some remain in detention.

Since the beginning of the year the authorities in Togo have put pressure on the media not to publish anything that could be considered hostile to the government. AI has heard of a dozen different cases of attacks on the media ranging from intimidation of journalists and newspapers being seized to Internet sites being blocked and radio stations being closed. It appears that the aim of the Togolese government is to force the independent press out of existence in a desperate attempt to repress any criticism.

In power since 1967, President Gnassingbé Eyadéma originally said he would not stand for re-election this time. However, the Parliament made deeply unpopular changes to the electoral code and the Constitution in 2002, enabling him to stand again and cling on to power. The cost to freedom of expression in Togo has been great. It remains to be seen what the backlash to this stifling of all dissident voices will bring.

See AI's documents, *Togo: Quiet, there's an election!* (AFR 57/003/2003) and *Togo: an election tainted by escalating violence* (AFR 57/005/2003).

Draft Constitution proposes equality rights for women in Swaziland

For decades women in Swaziland have suffered as a result of their minority status under the law and their low social status. However, there is real hope that this could begin to change with the introduction of a new Constitution.

On 31 May 2003, head of state King Mswati III made public a draft Constitution which, if adopted as law, could dramatically improve the legal, social and economic status of women. The target date for adopting the constitution is October 2003.

The proposed Constitution states that “Women have the right to equal treatment with men and that right shall include equal opportunities in political, economic and social activities”. Furthermore, it requires the government to “provide facilities and opportunities necessary to enhance the welfare of women to enable them to realise their full potential and advancement”.

Critically, in a situation where certain traditional practices have increased women’s social and economic exclusion, the draft states that “a woman shall not be compelled to undergo or uphold any custom to which she is in conscience opposed”.

Civil society organizations have welcomed these clauses in the draft Constitution which will serve to protect women’s rights. However there remains a concern that the proposed Constitution does not subject the King and his advisers to the authority of the Constitution. Since November 2002 the government has refused to be bound by court rulings. This prolonged “rule of law” crisis undermines the integrity of the current process of public discussion on the draft Constitution and may jeopardize its eventual adoption as law.

Stay of execution in the USA

Abu-Ali Abdur'Rahman received a stay of execution on 6 June. He had been scheduled to be executed in Tennessee on 18 June. He was convicted in 1987 of the murder of Patrick Daniels, who was stabbed to death in 1986.

See *Worldwide Appeal* March 2002. For further information see *USA: Not in the jury’s name: the imminent execution of Abu-Ali Abdur'Rahman* (AMR 51/075/2003).

Iraq: People come first

A 12-page full-colour illustrated briefing outlining the human rights abuses suffered by the people of Iraq and highlighting the actions of AI to combat those abuses.

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