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Some 10,000 of the Kurdish civilians who fled from Iraqi military attacks are now living in this refugee camp near the Turkish border town of Habur.

IRAQ

Kurdish civilians massacred

Hundreds of unarmed Kurdish civilians were deliberately killed and thousands wounded in August 1988 when Iraqi Government forces attacked Kurdish villages in northern Iraq.

AI believes that these killings reflect a deliberate Iraqi policy to eliminate large numbers of Kurdish civilians, both as punishment for their imputed political sympathies and in retaliation for the activities of opposition forces.

According to AI's information, thousands of Iraqi troops launched military attacks using tanks, helicopter gunships, artillery and chemical weapons on hundreds of Kurdish villages principally in the provinces of Duhok, Mosul and Arbil. The military offensive began in mid-July 1988 following the Iranian Government's acceptance of a ceasefire in its conflict with Iraq.

On 28 August, government forces reportedly entered several villages near the town of Duhok and arrested over 1,000 people, some of whom were suffering from burns and injuries sustained in chemical weapon attacks. According to AI's information, those detained were then summarily executed and buried in mass graves near the area. Two similar incidents involving the execution of hundreds of Kurds wounded in chemical attacks had been reported to AI earlier in the year.

Thousands of villagers had fled the affected areas to seek refuge in Turkey in August, but on 4

September the flow of refugees was reported to have halted as Iraqi forces reached the northern border. On the same day, several thousand Kurds fleeing from similar attacks were reported to have crossed the north-eastern border into Iran.

Many of the refugees described the military attacks in northern Iraq to reporters from the Turkish and western media, as well as to Turkish relief workers. The vast majority gave consistent accounts of the use of chemical weapons by Iraqi forces.

AI received no response to its urgent appeals to the Iraqi authorities to put an end to the killings. On 7 September, AI issued an unprecedented appeal to the United Nations Security Council to act immediately to stop the massacre of Kurdish civilians by Iraqi forces.

On 16 September the Iraqi authorities, who have repeatedly denied that chemical weapons were used against Kurdish civilians, refused a UN team permission to travel to Iraq to investigate these reports. Two days earlier, the Turkish authorities had announced that such a team would not be welcomed in Turkey. □

COLOMBIA

Judge forced to flee

A civilian judge was forced to flee Colombia at the beginning of September after receiving repeated death threats. She had been investigating mass killings in March 1988 of banana plantation workers in the Urabá region of Antioquia.

Only hours before leaving the country the judge, Marta Lucía González, had issued warrants for the arrest of three members of the armed forces and two alleged leaders of the country's largest narcotics ring in connection with the massacres.

Warrants were also issued for the arrest of eight alleged civilian members of a paramilitary "death squad" and the mayor and police chief of Puerto Boyacá, in Magdalena Medio Region, where the squad is said to be based.

Evidence emerged that those responsible were part of a vast "narco-terrorist organization"—an alliance of major drug traffickers, landowners, industrialists and members of the armed forces. The civilian security agency DAS, which is assisting judicial inquiries, has concluded that the "narco-terrorists" were formed out of a common interest in combatting guerrilla groups and left-wing political organizations.

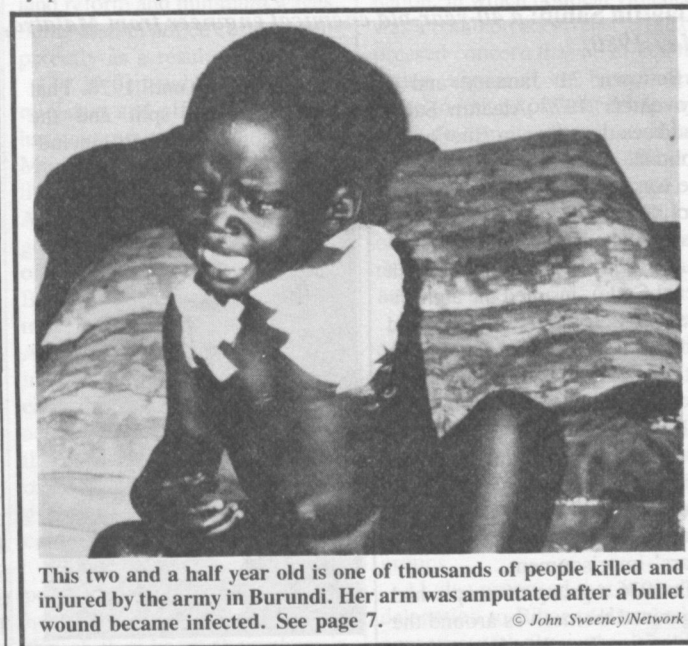
Over 250 peasants have been killed in 28 massacres carried out by paramilitary "death squads"

since the beginning of 1988. The Colombian Procurator General, Dr Horacio Serpa Uribe, has stated that "given the freedom with which [the 'death squads'] operate they must have the protection and/or acquiescence of powerful sectors of society and even of some authorities".

Detailed evidence compiled by the judge has established that an army major, head of the B-2 intelligence unit of the Urabá-based Voltígeros Battalion, provided the paramilitary group with the names of the workers considered to be guerrilla sympathizers. The workers were later killed.

The investigation also established that the major paid a hotel bill in Medellín for several "death squad" members who travelled to Urabá from Puerto Boyacá shortly before the killings. An army lieutenant and a corporal from the same unit are accused of organizing and participating in the massacres with the civilians.

At the end of September it appeared that none of those for whom warrants had been issued had been arrested. □



This two and a half year old is one of thousands of people killed and injured by the army in Burundi. Her arm was amputated after a bullet wound became infected. See page 7.

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CAMPAIGN FOR PRISONERS OF THE MONTH



Each of the people whose story is told below is a prisoner of conscience. Each has been arrested because of his or her religious or political beliefs, colour, sex, ethnic origin or language. None has used or advocated violence. Their continuing detention is a violation of the United Nations Universal Declaration of Human Rights. International appeals can help to secure the release of these prisoners or to improve their detention conditions. In the interest of the prisoners, letters to the authorities should be worded carefully and courteously. You should stress that your concern for human rights is not in any way politically partisan. In *no* circumstances should communications be sent to the prisoner.

MOROCCO

Abdelkader Amasri: a 37-year-old student from Tafrouit, he was arrested in 1975 and is serving a 20-year prison sentence imposed in 1977.

Abdelkader Amasri is one of around 200 members and former members of a coalition of three Marxist-Leninist groups known as the *Frontistes* who were detained between 1974 and 1976. They were reportedly held incommunicado for long periods, and a number were said to have been tortured, before being brought to trial in January 1977 on charges of belonging to an illegal association and plotting against the internal security of the state.

The prosecution argued at the trial that in advocating the formation of a people's republic in Morocco, the defendants intended to bring about the violent overthrow of the monarchy. Evidence produced in court consisted of left-wing literature and duplicating equipment. There was apparently no evidence that those charged had ever used or advocated violence.

An AI observer who attended the trial reported that the prisoners' rights of defence were severely restricted and that the tri-

al procedures had fallen far short of international standards for a fair trial. Defence lawyers were reportedly not allowed to communicate with the accused during the hearings. No opportunity was given for defendants or their lawyers to make statements about ill-treatment in pre-trial detention.

A total of 129 defendants were sentenced to between five and 30 years' imprisonment and 44 to life imprisonment (39 were sentenced *in absentia*). Many defendants received additional sentences of two years' imprisonment as a result of their protests about the conduct of the trial.

Abdelkader Amasri is in Kenitra Central Prison. In prison he has obtained a degree in philosophical studies.

■ Please send courteous letters appealing for his release to: His Majesty King Hassan II/Palais Royal/Rabat/Morocco; and to: Moulay Mustapha Belarbi Alaoui/Minister of Justice/Palais de la Mamounia/Rabat/Morocco. □

TURKEY

Alaattin Sahin: a 40-year-old chemical engineer from Malatya, he has been imprisoned since May 1980.

Between 31 January and 1 November 1977 Alaattin Sahin had been the editor-in-chief of the political journal *People's Way*. He was tried by an Istanbul Military Court on charges of having disseminated communist propaganda (Article 142 of the Turkish Penal Code), insulted the authorities (Article 159) and incited others to commit crimes (Articles 311 and 312) in 32 regular and 12 special issues of the journal.

He received sentences totalling over 130 years' imprisonment. After confirmation by the appeal court they were combined to the maximum possible sentence of 36 years' imprisonment.

In 1976 a group of people had organized themselves around the publication *People's Way* which

appeared legally until 1978. That year the group split and the majority of its members, includ-



Alaattin Sahin

Khamphan Pradith: a 53-year-old former civil servant, he has been detained without charge or trial since mid-1975.

Before his arrest, Khamphan Pradith held the post of Deputy Governor of Luang Prabang province for the Provisional Government of National Union of Laos. This government had been formed in 1973 to end the civil war in the country. It disintegrated during 1975, and by the end of the year a new state, the Democratic People's Republic of Laos, was proclaimed.

Khamphan Pradith was one of 10,000 to 15,000 civil servants and military personnel detained by the new authorities. Like many of them, he presented himself peacefully and voluntarily when the authorities requested people associated with the previous regime to participate in what they said would be brief "re-education" seminars to prepare for serving the new administration. Instead, he and many others were held for years without charge or trial.

Khamphan Pradith is among 1,000 or more still held. The authorities have given no explanation for his continued detention, but AI believes he is held because

of his non-violent disagreements with the policies and practices of the post-1975 government.

Khamphan Pradith has not seen his wife and children or any members of his family for 13 years. During this period he has been restricted to various "re-education" and labour camps in Houa Phan province in remote northeast Laos. Much of the time he has



Khamphan Pradith

been assigned to heavy labour with road construction gangs, despite deteriorating health, including severe stomach disorders and heart trouble, sometimes requiring hospitalization. At last report, he was bed-ridden at a place called Sop Pan.

Khamphan Pradith is a Christian and a poet. Since his arrest, he has written many poems contrasting the beauty of his natural surroundings with the sufferings he and fellow prisoners have experienced.

■ Please send courteous letters appealing for his immediate and unconditional release to: Premier Kaysone Phomvihane/Vientiane/Laos. □

ing Alaattin Sahin, joined Enlightenment, a group which later set up the Turkish Workers' and Peasants' Party (TIKP). The TIKP was strongly opposed to the political violence which occurred in Turkey in the late 1970s.

Following the military coup in September 1980 the TIKP was banned, as were all political parties, and many of its members were prosecuted and sentenced. However, most of them have been released after serving their sentences. Alaattin Sahin remains in Çanakkale E-type Prison, a special prison for political prisoners.

■ Please send courteous appeals for his immediate and unconditional release to: Prime Minister Turgut Özal/Basbakanlik/Ankara/Turkey. □



FOCUS

amnesty
international

The death penalty in South Africa

South Africa has one of the highest rates of judicial execution in the world. From 1978 until the end of 1987, the courts sentenced 1,593 people to death (including at least 98 people in the nominally independent "homelands").

During the same period the upward trend in the annual number of hangings has been almost unbroken, with the annual total of executions in South Africa and the nominally independent "homelands" exceeding 100 each year except for 1983.

In 1987, 164 people were executed at Pretoria Central Prison, the highest annual figure since South Africa's independence from Britain in 1910. This total does not include at least eight people who were executed in the four "homelands", Transkei, Ciskei, Bophuthatswana and Venda, whose executions are never included in official statistics. Nine of those executed were white. In one week in December 1987, 21 people were executed in groups of seven on three different days. Shortly after the Transkei was declared "independent", the "homeland" authorities changed the law to make it a capital offence for anyone to disseminate or propagate the view that Transkei was part of another country.

In February 1988, 267 people were awaiting execution, not including an unknown number in the "homelands". By early Sep-

tember at least 85 people had been executed.

Most South Africans sentenced to death have been convicted of murder. A smaller number have been sentenced to death for rape, robbery or housebreaking or kidnapping with aggravating circumstances, high treason, or "terrorism" as broadly defined under the 1982 Internal Security Act (ISA).

In murder cases where the court concludes that there are no extenuating circumstances, the death penalty is mandatory. The death sentence may not be imposed on a woman convicted of murdering her newly-born child or on a person who is under 18 at the time of the offence, or carried out on a woman who is pregnant.

Defendants in capital cases are tried in the Supreme Court before a judge with two assessors. Assessors, who are usually trained lawyers, participate in deciding questions of fact, such as whether there are aggravating or extenuating circumstances. The judge alone decides questions of law, and also has sole discretion over sentencing.

The judge selects the assessors,



Mamike Moloise, supported by two relatives, walks to Pretoria Central Prison on 18 October 1985, the day her son Benjamin was hanged. Benjamin Moloise, a poet, was convicted of killing a police officer. He denied the charge and claimed the confession he had made was extracted under torture.

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and certain assessors are repeatedly selected by the same judge. This raises questions about the independence of assessors especially, as is often the case, when they are retired lawyers dependent

on the position for income.

Those sentenced to death do not have an automatic right of appeal and must apply to the trial judge for leave to appeal against conviction or sentence. In ruling on such



Relatives of Simon Mogoerane, Marcus Motaung and Jerry Mosololi, three alleged ANC members executed for treason in June 1983. They were the first South Africans to be executed for treason since 1914. All three claimed they had been forced to confess in police custody.

© IDAF

applications, the judge must consider whether there is a reasonable prospect that the appeal court might reach a different conclusion to his.

If the judge denies leave to appeal, the convicted person may petition the Chief Justice for leave to appeal against the conviction and sentence. The Chief Justice can consider the petition himself or refer it to an appeal court judge. In either case, the decision is final. Except in the nominally independent "homelands" of Ciskei, Transkei and Bophuthatswana, which have their own final courts of appeal, the Appellate Division of the Supreme Court in Bloemfontein is the final court of appeal.

A defendant whose appeal has failed can petition the State President for clemency. The State President is empowered to extend mercy and to commute a sentence of death to another punishment. He also can require the original trial court to examine new evidence which might affect the conviction or sentence.

The proportion of death sentences imposed by courts and later commuted under executive prerogative rose from just under

10 per cent in 1978 to 45 per cent in 1983. Since then the rate has fallen steadily, with only 12 per cent of those sentenced to death being reprieved in 1987.

The increasing number of executions, particularly for offences arising out of political protests, appears to have given renewed impetus to opposition to the death penalty. During the past year, religious, trade union and anti-apartheid organizations, human rights groups and members of the legal profession have spoken out against the death penalty. Some have expressed total opposition to the death penalty; others oppose its use for politically motivated crimes.

In July 1987 the now-banned South African Youth Congress (SAYCO), with trade union and other political organizations, launched a campaign aimed at winning clemency and ultimately prisoner-of-war status for those under sentence of death for political reasons.

Speaking in support of the campaign, the General Secretary of the South African Council of Churches (SACC), the Reverend Frank Chikane, said: "We oppose

the death penalty in general, but particularly in the case of political trials, because we question the very legitimacy of the apartheid regime." The Southern African Conference of Catholic Bishops expressed the hope that, were the State President to grant clemency in these political cases, it would "terminate the spiral of violence in which both the state and its opponents have become enmeshed".

In July 1988 the SACC issued a statement expressing total opposition to the use of the death penalty and urging the State President to declare a moratorium on executions and appoint an independent commission to consider the abolition of the death penalty in South Africa. The parliamentary opposition Progressive Federal Party has also called for a commission of inquiry and for a moratorium on all pending executions. In response, the Minister of Justice said that such a commission would not be warranted, but added that the government might seek the views of the judiciary on the issue of not making the death penalty mandatory in cases where the court concludes there are no extenuating circumstances.

At a gathering of human rights organizations to discuss the death penalty in May 1988, lawyers emphasized the injustices inherent in this form of punishment in South Africa: the lack of proper guidelines defining extenuating circumstances and the mandatory nature of the death penalty when there are no extenuating circumstances, the inadequacies of the legal aid system and other procedural issues which prejudice the position of the poor, mainly black defendants, the lack of automatic right of appeal against death sentences, as well as subjective factors such as racial prejudice on the part of some members of the judiciary.

Judges' voices have also been heard in calls for an end to the death penalty. In August 1988 Mr Justice Booysen, at a meeting of law students in Durban, said that passing the death sentence was "the most chilling experience" of his life. He added that he had had to impose the death sentence twice in the past two years. "If I had the choice," he said, "I would amend the Act so that I would never have to do it again; as long as it is part of the law I am obliged to." A number of senior barristers have refused positions on the bench because of their opposition to the death penalty.

The Society for the Abolition of the Death Penalty in South Africa, operative in the early 1970s, was revived in 1988 by members of human rights organizations and the legal profession. □

" . . . Death row is a separate walled-in building on a knoll above the main prison. A catwalk runs over the whole place, making it a sort of echo chamber, where you can hear everything that goes on. The condemned person is visited by the hangman, an unidentified white contractor paid for each execution carried out, a week before his execution.

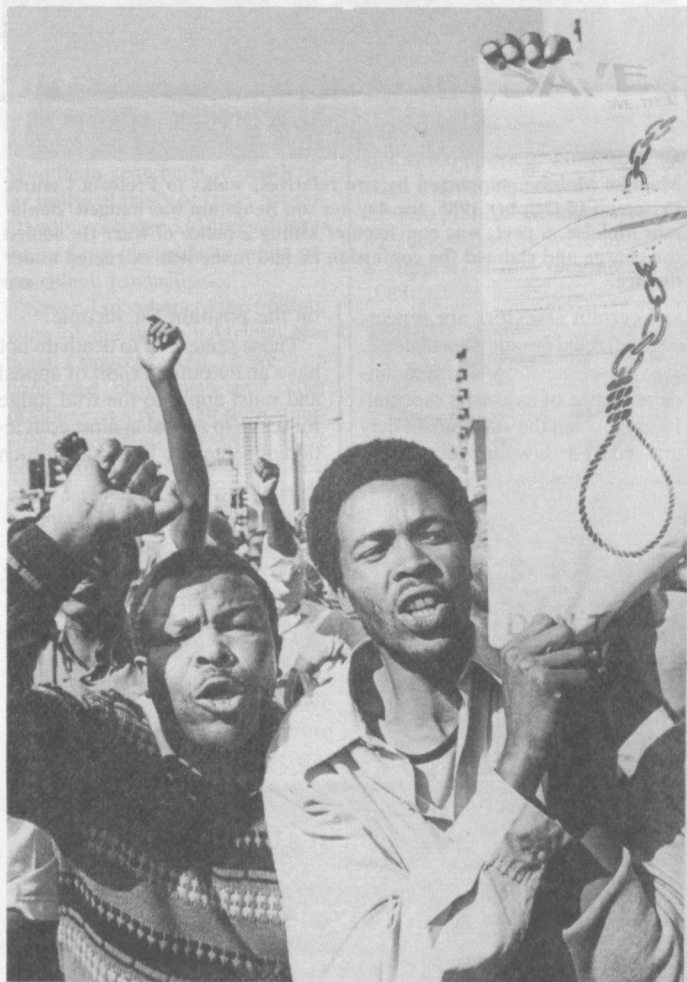
"At that stage those who are to die together are put into one cell, they call it the pot, where the lights are never turned off and where guards watch them constantly. From this stage the singing and praying goes on night and day to support the condemned person up to his execution.

"The ritual of execution begins well before dawn with the arrival of the prison governor, a chaplain, a doctor, and a number of warders. The cells are opened and the people to be hanged are put in handcuffs and leg chains. At the last moment there is often quite a lot of brutality. Some prisoners resist very hard.

"They are taken down a long, barred corridor, through a series of gates, with a lot of clanking and unlocking. A low murmuring song of the other prisoners will accompany them and often those who are to be executed also sing rhythmically as they take their last walk . . .

"The whole prison is silent at the end. You cannot really hear it, it is more of a shudder. Then, strangely enough, life continues."

Extract from an interview with Breyten Breytenbach who was released in 1982 after seven years' imprisonment for treason, two of which were spent near the cells of the condemned in Pretoria Central maximum security prison.



Members of the Post Office and Telecommunications Workers Association demonstrate against the hanging of Moses Jantjies and Wellington Mielies. They were sentenced to death in November 1986 for the murder of a Uitenhage township councillor and members of his family. Theirs was one of the first executions related to the protests in the black urban townships. © Afrapix



Relatives of Wellington Mielies and Moses Jantjies are informed by a prison official that their sons were hanged early that morning. © Afrapix

Racial discrimination

One of the most notable aspects of the use of the death penalty in South Africa is its disproportionate imposition on the black population (including people officially described as "Coloureds") by an almost entirely white judiciary.

With one exception—a black judge in the Bophuthatswana "homeland"—all South African judges are white. And assessors, who are appointed by the judge to sit with him on capital cases, with

few exceptions have been white.

Research carried out in the late 1960s by Professor Barend van Niekerk of Natal University into the judiciary and racial bias in sentencing, and more recent

research, strongly suggests that black defendants are more likely to receive the death penalty, especially when the victim is white.

Barend van Niekerk's 1969 survey of practising barristers in South Africa revealed that nearly half of the 158 who replied believed that a "non-European" was more likely to be sentenced to death than a "European", either on all or on certain capital charges. Furthermore, 41 per cent of those who took this view were also of the opinion that such differentiation was "conscious and deliberate".

Barend van Niekerk was tried but acquitted in 1970 of a charge of contempt of court for having published the results of his research. During his trial he referred to the fact that, between 1947 and 1966, 288 whites were convicted of rape of blacks and 844 blacks were convicted of rape of whites. None of the whites were sentenced to death but the 844 convictions of blacks resulted in 121 death sentences.

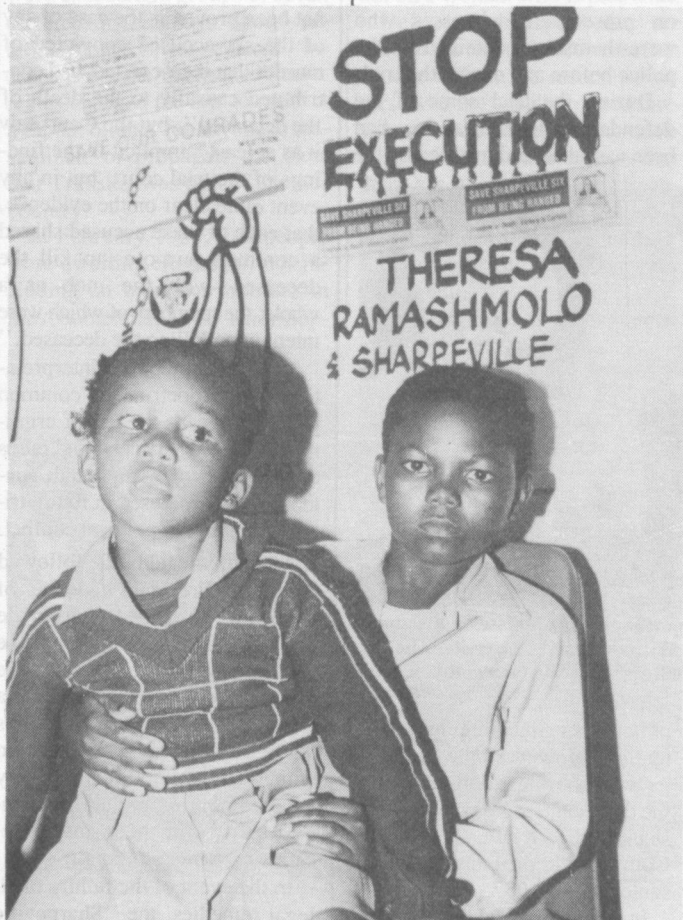
Statistics in murder trials are similarly revealing. Between June 1982 and June 1983, for instance, 81 blacks were convicted of murdering whites and 38 were hanged; of 52 whites who were convicted of murdering whites one was hanged. None of the 21 whites convicted of murdering blacks was hanged, while 55 of the 2,208 blacks convicted of murdering blacks were hanged.

The 1987 executions of two white men, Johannes Wessels and George Scheepers, for the rape and murder of two black women attracted attention primarily because very few whites had been executed for murdering black people and none for raping black women. □

"... Into the silence and darkness outside our windows there was a sudden whimpering and crying, deep sobs of crying moving across the yard. A woman, a young woman it sounded like, gulping deep whoops of weeping. I thought at first I was asleep, dreaming the nightmare cries... then cold with horror I realized where I was and what it was, and I followed the cries past my window in the yard down below and round the corner, disappearing inside. And I lay, cold still, imagining how she walked up the iron stairs and along the passage, and then through the two heavy doors leading to the gallows.

"They had to bring her through, said the [prison warden] later, strapped up in a strait-jacket. She was an African who had smothered her child. She had hysterics when they hanged her, he said. She didn't go well."

This account was written by Hugh Lewin, who spent seven years as a political prisoner in Pretoria Central Prison, South Africa, where the majority of the country's executions are carried out.



Four-year-old Linidwe Diniso with her brother Tembili, aged 10, at a meeting in protest at the death sentences passed on the "Sharpeville Six". Oupa Diniso, their father, is one of the six. © Afrapix

Unfair trial

Because of poverty, most black defendants appear before courts unrepresented. In practice the court will appoint defence lawyers for defendants in capital cases, although this is not required in law.

Court-appointed barristers are usually the most junior members of the bar and are paid at a substantially lower rate than barristers hired by the accused. The fees court-appointed barristers receive allow only a minimum amount of time for consultation with the accused before a trial begins and do not permit the appointment of a solicitor who, in the South African legal system, is crucial for the proper preparation of the defendant's case.

In murder trials the onus is on the accused to show that extenuating circumstances exist. Again, inexperienced court-appointed lawyers may be less competent to prepare this often crucial aspect of the accused's defence. The inability of a large number of black people to pay for their own defence lawyers jeopardizes their cases.

Trials are conducted in either of the two official languages, English or Afrikaans, which are not the mother tongues of most black people. Having to rely on interpreters can often put black defendants at a serious disadvantage.

During the last 10 years an increasing number of defendants have been sentenced to death after political trials or trials for politically motivated killings during the nationwide protests in the urban black townships.

Several members of the military wing of the banned African National Congress (ANC) have been convicted of treason and other offences as a result of their guerrilla activities, and some have been executed. In other political cases, which did not result in the loss of life, those convicted have had their sentences commuted by the State President.

Defendants in these cases are often held incommunicado for long periods before their trials, under section 29 of the Internal Security Act (ISA). Some have been physically tortured. Before the Criminal Procedure Act was amended in 1977, the prosecution was required to show that a confession was freely and voluntarily made before it could be admitted as evidence. Now any defendants who claim that their confessions were made under duress have to prove their allegations.

Prosecution witnesses themselves may have been detained under section 31 of the ISA, which allows the Attorney General to order their detention incommunicado until they have testified

in court. Convictions in political trials have often hinged on the evidence of state witnesses who have undergone prolonged detention. Under interrogation detainees have been deprived of sleep, drink, food and toilet facilities, forced to stand for long periods, given electric shocks, beaten, whipped and threatened.

Despite this, and the fact that detainees who refuse to testify as state witnesses face up to five years' imprisonment, the courts continue to place reliance on the evidence of witnesses held in detention, including in cases where the death penalty may, and has been, imposed. Confessions extracted from defendants in custody, which they allege were obtained under torture, have also been accepted as evidence in death penalty cases.

The nationwide political protests which began in the urban black townships in 1984 brought a new category of condemned political prisoners to the death cells in Pretoria Central prison: those caught up in political or unrest-related murders of police officers, black township councillors and suspected police informers or other murders apparently connected with political conflict. At least 51 such prisoners were awaiting execution at the beginning of 1988.



Prakash Diar, lawyer for the "Sharpeville Six", addresses a meeting of the "Stop the Hangings" campaign at Witwatersrand University. The campaign for the abolition of the death penalty is gathering momentum in South Africa. © Afrapix

Among these 51 people were six known as the "Sharpeville Six" who were convicted of involvement in the killing in September 1984 of the Deputy Mayor of Sharpeville, Khuzwayo Dhlamini. Their trial for murder in 1985 highlighted many of the unfair aspects of political trials: pre-trial incommunicado detention, the acceptance by the court



London demonstration against the death sentences on the "Sharpeville Six". International protests erupted in March 1988 when State President Botha denied clemency to the six. © IDAF

of confessions allegedly extracted under duress, and the reliance on prosecution witnesses who were themselves detained by the police before and during the trial.

During the trial some of the defendants alleged that they had been assaulted and tortured by the

trine of 'common purpose'. The Court acknowledged that "it has not been proved in the case of any of the six accused convicted of murder that their conduct had contributed causally to the death of the deceased", but the Court saw it as at least "implicit in the findings of the trial court, but in any event quite clear on the evidence, that each of these accused shared a common purpose—to kill the deceased—with the mob as a whole, the members of which were intent upon killing the deceased."

The Appeal Court's interpretation of the doctrine of common purpose spreads the net of criminal liability very widely, and raises the prospect of many death sentences being imposed in future trials arising out of political conflict.

A lengthy legal battle followed the State President's denial of clemency to the "Sharpeville Six" in March 1988 as the defence lawyers attempted to have the trial reopened. They sought a retrial primarily on the grounds that at least one key prosecution witness, Joseph Manete, may have committed perjury and implicated two of the accused, because of police coercion.

In the event of the failure of all legal remedies, the "Sharpeville Six" would have to appeal again to the State President for clemency. □

police during incommunicado detention. However, the court rejected these allegations and six of the defendants were convicted and sentenced to death. The Appeal Court upheld the convictions and sentences in 1987.

In a controversial decision, the Appeal Court confirmed the appropriateness of convicting the six for murder on the basis of the doc-

BURUNDI

Thousands massacred

Thousands of unarmed civilians were killed by soldiers in northern Burundi in mid-August following intercommunal disturbances.

Most of the victims belonged to the Hutu community, which constitutes over 80 per cent of the country's population, whereas most members of the armed forces, the government and others in power come from the minority Tutsi community.

The intercommunal violence, arising from long-standing tensions between the communities, began with killings of Tutsi by Hutu. Government sources claim that as many as 5,000 people lost their lives. However, AI has received reports that when the army moved into the area soldiers killed 20,000 unarmed Hutu men, women and children.

The government claims that most killings occurred during intercommunal strife, but most of the survivors in hospital in Burundi and neighbouring Rwanda, where thousands fled, are report-

ed to have bayonet and bullet wounds: only the army is known to possess bayonets and substantial numbers of guns.

The victims include large numbers of children under 10, which disputes government claims that military operations were conducted only against armed insurgents.

Several Hutu intellectuals have been arrested for protesting against the killings. At least six of 27 signatories of an open letter to President Pierre Buyoya were arrested at the beginning of September. The letter attributed the massacres to the security forces and called for the Hutu to be allowed free participation in national affairs.

AI has called on President Buyoya to prevent further killings and to institute an independent commission of inquiry into the August massacres. □



Body in Nyabarango River, southern Rwanda. Hundreds of corpses floated down the river from Burundi after the massacres. © John Sweeney/Network

UNITED ARAB EMIRATES

Iraqis detained and tortured

An Iraqi national who was held incommunicado without charge or trial for six weeks in the United Arab Emirates (UAE) was released on 20 June.

Ala' 'Abd al-Rasul Judi, aged 40, had been working as a driver in the emirate of Abu Dhabi since 1977. He was arrested in early May at the Ministry of Interior's Department of Immigration and Passports, where he had been summoned by officials to discuss his residence permit.

In 1987 AI received reports that a number of Iraqi nationals in the UAE were detained and held incommunicado for periods ranging from several days to one month. Most were detained after officials had summoned them to discuss their residence or work permits. When they were released several of the detainees alleged that they had been tortured.

These detainees were apparently held in connection with investigations into the activities of Iraqi political groups. Some were

asked to inform on other Iraqis in the UAE, in some cases in return for payment. Detainees were asked if they had links with the Shi'ite opposition group Islamic Call, membership of which is a capital offence in Iraq. In all of the cases brought to AI's attention, the Iraqi detainees were dismissed from their jobs and expelled from the UAE shortly after release.

All those detained in 1987 have now been released, but the UAE authorities have not responded to AI's appeal for further information on cases raised by the organization. □

Death penalty

AI has learned of 29 people being sentenced to death in six countries and of 46 executions in seven countries during August 1988.



Guatemalan peasants travelled for several days to give testimony to AI's delegation to the country in July 1988, two and a half years after civilian President Vinicio Cerezo took office. © Photo: Ingrid Ouchi

AI visits Guatemala

An AI delegation visited Guatemala in July 1988 to assess the human rights situation. The visit took place mid-way through civilian President Vinicio Cerezo Arévalo's five-year term of office.

The delegation had talks with a number of officials including the President of the Supreme Court, Dr Edmundo Vásquez Martínez, Human Rights Attorney Lic. Gonzalo Menéndez de la Riva, Judge Olegario Labbé,

appointed in May 1986 to investigate *habeas corpus* writs filed with the Supreme Court, and members of the Human Rights Commission of the Congress.

The delegation also met a wide range of independent individuals and institutions including the Mutual Support Group formed in 1984 by relatives of people who have "disappeared" in Guatemala, as well as victims and witnesses to recent human rights violations. □

INDIA

Unlawful killings and torture

AI has received reports of deliberate unlawful killings and ill-treatment and torture, including beatings and rape, by police in the Indian state of Bihar.

Many of the victims were members of the Scheduled Castes and Scheduled Tribes and other underprivileged groups, including landless labourers campaigning for land reform and minimum wages. Some died in police custody, apparently as a result of torture.

On 20 September AI wrote to ministers and officials of the Bihar government, and to the Home Ministry in New Delhi, asking them to investigate these reports. Among other things, AI asked the government to investigate reports of an incident on 1 June 1988 in Banduwar village, Palamu district, in which three people died. At least one was apparently shot in cold blood. In a number of cases the police were said to have acted in conjunction with, or with the assistance of, local landlords or their private armies, whose growth has apparently been encouraged by the police.

In some cases the police appeared not to have intervened to halt or prevent attacks even though they knew about them in

advance, or had police stations or outposts within a kilometre of the places where they occurred.

While acknowledging that the Bihar police faced a difficult situation, in which political violence was a common occurrence, AI expressed concern that no effective action appeared to have been taken to halt or prevent the many well-documented abuses. Although some police officers have been suspended, charged or imprisoned, convictions of police officers are extremely rare and in most cases there has been no action.

AI called for prompt, impartial and independent inquiries into 10 specific cases documented in its letters to Bihar officials. It also asked whether the Bihar government had plans to restructure the Bihar police so as to enable them to protect more effectively the human rights of the underprivileged groups.

AI also proposed that it send a delegation to Bihar to discuss its concerns with the authorities. □

USSR

Scope of death penalty may be reduced

New draft laws on the death penalty may be made public in late 1988. They are said to restrict the death penalty to five crimes: treason, espionage, "terrorist" acts, sabotage and aggravated intentional homicide. Women, and men aged 60 and over, are likely to be exempt from the death penalty.

At present there are 18 capital crimes, including several economic offences that do not involve violence. The secrecy surrounding statistics on the death penalty makes it impossible to assess the impact of the new laws. Only three women are known to have been sentenced to death since 1979, and newspapers rarely report the age

of men in these cases. However, available reports suggest that abolition for economic offences could reduce the yearly total of death sentences by one third.

Soviet legislators have been re-examining the use of the death penalty as part of a major review of criminal law, announced in February 1987. For the first time

in decades Soviet newspapers have published the views of abolitionists. The press has also exposed cases where official incompetence and corruption led to innocent people being executed.

In one horrific case, 14 people were sentenced to death in Byelorussia between 1971 and 1984 for a series of rapes and murders which they did not commit. At least one was executed but the fate of the others has not been reported. Newspapers said the 14 were made to confess under torture.

Despite moves towards restricting the death penalty, there has been no visible drop in the number of death sentences passed and carried out since February 1987.

From the domestic and international press AI learned of 14 executions and 65 death sentences by the end of August 1988.

In at least five cases newspapers said courts had handed down death sentences and refused leave to appeal. In another seven cases people were sentenced to death for economic offences—although under the new laws the death penalty will probably be abolished for these crimes.

AI has appealed to the authorities to commute every death sentence that has come to its attention and is urging them to suspend the imposition of death sentences until the outcome of the legal review is known. □

BULGARIA

AI mission

An AI delegation visited Bulgaria between 18 and 25 September to participate in the 80th Inter-parliamentary Union Conference in Sofia.

During the visit the delegation met senior officials from the Foreign Ministry, the Ministry of Justice and the Ministry of Interior to discuss AI's concerns in Bulgaria.

AI had been seeking such meetings with government officials since 1985, following reports of large-scale arrests and imprisonments and, in a few cases, alleged killings by the security forces, in connection with a campaign of enforced assimilation of the ethnic Turkish minority. □

Prisoner news

AI learned in September 1988 of the release of 51 prisoners under adoption or investigation. AI took up 229 cases.

HAITI

Attacks on churches precede coup

At least 13 people were killed and several dozen injured on 11 September in St Jean Bosco Church in Port-au-Prince.

Armed civilians burst into the church and attacked the congregation with machetes and pistols

before setting fire to the church.

Security forces stationed nearby made no attempt to stop the at-

tackers, some of whom wore the red armbands associated with the supposedly disbanded *monton macoutes*, responsible for numerous human rights abuses under the Duvalier administrations.

In the following days other churches, radio stations and offices of opposition political parties were attacked.

Some of those claiming responsibility for the attack on St Jean Bosco Church boasted about their actions in television interviews. It was widely believed that they were employed by a leading municipal official.

AI called on General Namphy to initiate an immediate investigation into these events and to take measures to prevent further attacks. However, on 17 September the Government of General Namphy was overthrown in a military coup. Some of those involved in the attack on St Jean Bosco Church were murdered in the streets by angry mobs. The official said to have employed them fled. □



Father Jean-Bertrand Aristide, a Salesian priest, was celebrating mass when his church was attacked by armed civilians. He was an outspoken critic of the Namphy government and had suffered two previous attempts on his life. He is pictured above (left), two weeks after the attack. © A.P.

INDIA

Sikhs still detained after four years

One hundred and eighty six Sikhs have been held without trial for more than four years in Jodhpur Jail in the Indian state of Rajasthan.

The Sikhs were among 324 people arrested in June 1984 when the Indian army stormed the Golden Temple complex in Amritsar. Their trial, on charges of "waging war", began in January 1985 but was suspended in July 1985.

The government has still not produced any evidence to substantiate the charges, but on 20 September this year it ordered the release of 138 of the detainees.

AI believes that many of the remaining 186 detainees are prisoners of conscience. According to first-hand accounts, they include pilgrims and temple employees who were in the Golden Temple when the army stormed it. The organization is calling on the government to release these people immediately. It is also urging the government to give fair and prompt trials to those against

whom there is evidence of involvement in violent opposition.

At least 60 of the 324 people arrested in June 1984 were tortured during interrogation. An official commission recommended that they be compensated and that the police officers responsible be disciplined. The compensation was paid in early 1988. However, no disciplinary action has been taken although the Supreme Court had ordered an inquiry into police involvement, to be completed by the end of July 1988. □



Inderjit Kaur, one of the two women released by the Indian Government in March 1988. She spent a total of 45 months in prison, 38 of them in Jodhpur Jail, Rajasthan.