



# AMNESTY INTERNATIONAL

NEWSLETTER

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THE FORMER YUGOSLAVIA

## Unrest spreads as civilian death toll mounts

**H**UNDREDS, perhaps thousands, of civilians have been tortured or killed in the armed conflicts which have accompanied the breakup of Yugoslavia. Fighting in Croatia in 1991 was followed in April by a bloody civil war in Bosnia-Herzegovina, which has been the scene of widespread torture and killings as well as the detention and forced expulsion of thousands of civilians solely because of their ethnic origins. The detainees, mainly Muslims but including Serbs and Croats, have been held in squalid conditions.

Fighting had not spread to the Serbian province of Kosovo, but tensions between the Serbian authorities and the majority ethnic Albanian population escalated dangerously in September and October, when the authorities closed Pristina University and most secondary schools to ethnic Albanians. More than 6,000 university and school teachers had already been dismissed for refusing to recognize the legitimacy of



Policemen beat an ethnic Albanian demonstrator in Pristina, the capital of Kosovo, during protests against the closure of schools and the university ©AP

Serbian authority in Kosovo and for rejecting the official curricula. About 250 students or teachers were beaten by the police

between 1 September and 10 October during demonstrations and protests against the closures. At least 100 more ethnic Albanian

demonstrators were beaten by police in Pec on 12 October, some were badly injured. Eighteen-year-old Sabrie Rustaj reportedly had her ear torn off and an arm broken, and Samile Pupovci's leg was fractured. Peaceful demonstrators have been arrested and imprisoned for up to 50 days.

There have also been reports of unfair trials. In September, 19 men went on trial in Pec on charges of organizing to secure the secession of Kosovo from the Republic of Serbia. One defendant, Mentor Kaçi, reportedly admitted to buying two guns and to receiving money to buy other arms, but said that they were intended to be used only for self-defence in case the fighting should spread to Kosovo. He and other defendants withdrew statements made during interrogation, saying that they had been extracted by threats and torture. Their lawyers said they had been denied contact with their clients and refused access to court documents and other written evidence. All 19 men were found guilty and sentenced to between one and seven years in prison. □

## Jordan grants AI groups legal recognition

THE Jordanian Government granted legal registration to AI groups on 1 October during a visit by an AI delegation. The 250 Jordanian members will now be able to undertake a wide range of campaign activities. The government also reiterated its commitment to human rights protection.

The AI delegation visited AI groups in Amman and Irbid and attended the opening session of "AI Week", organized by members in Amman and opened by Queen Noor al-Hussein. Delegations of children from around the country performed songs and plays on human rights themes, then conducted a three-day seminar on the UN Convention on the Rights of the Child; a Public Security Department helicopter showered the surrounding areas with thousands of copies of the Convention.

AI's Secretary General Ian

Martin was received by King Hussein bin Talal and Crown Prince Hassan bin Talal and met the Prime Minister, Deputy Prime Minister and Minister of Education, as well as with members of parliament. The AI delegation discussed Jordan's role in human rights promotion regionally and nationally and AI's membership

development in the country. AI welcomed the lifting of the state of emergency but urged the authorities to strengthen safeguards for detainees; introduce the right of appeal before the State Security Court; and end all executions. AI welcomed the government's expressed commitment to human rights education. □



Children played a big part in the success of Jordan's first-ever "AI Week", which was opened by Queen Noor al-Hussein

Please  
help!

## WORLDWIDE APPEALS

An appeal from you to the authorities can help the victims of human rights violations whose stories are told below.

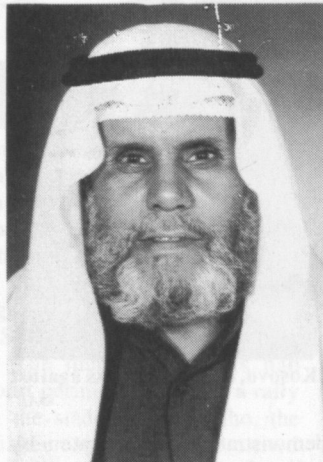
You can help free a prisoner of conscience or stop torture. Your message can bring liberty to a victim of "disappearance". You may prevent an execution.

The victims are many, the violations wide-ranging. Every appeal counts.

### KUWAIT

*Nuri 'Abd al-Karim Layedh Muhammad, a 62-year-old driver, and his two sons, Sabah and 'Abd al-Karim: Iraqi nationals resident in Kuwait, they "disappeared" in March 1991 shortly after Iraqi forces withdrew from Kuwait. They have not been seen since. Their family fears that they may have been tortured to death or extrajudicially executed, or that they are still held in incommunicado detention.*

Sabah, aged 28, and his brother, 'Abd al-Karim, aged 21, were both taken away from their home in al-Fahahl on 7 March by seven



**Nuri 'Abd al-Karim Layedh Muhammad**

or eight men in masks and civilian clothes and one in a military uniform. 'Abd al-Karim was still recovering from serious gunshot wounds sustained during the Iraqi occupation. After the brothers had been taken away, their family filled out forms reporting the "disappearance" at al-Bayan police station. The Public Prosecutor's office said that neither brother was on the list of those who had been detained and were facing charges. However, on several other occasions the Kuwaiti authorities have denied holding individuals who were subsequently found to have been in incommunicado detention.

Nuri 'Abd al-Karim, a diabetic, has two wives and 15 children. He was taken away from his home on the night of 29 March by a man who reportedly came to give him information about his two "disappeared" sons. The family has since continued to search for Nuri

'Abd al-Karim and his sons at various detention centres, police stations, prisons and hospitals but the three remain "disappeared".

Numerous Iraqis, Palestinians and others became victims of human rights violations at the hands of Kuwaiti government forces and armed Kuwaiti civilians, particularly during the four months of martial law following the Iraqi withdrawal. The Kuwaiti authorities have not fully investigated these abuses.

■ Please send courteous appeals asking for urgent clarification of the fate and whereabouts of Nuri, Sabah and 'Abd al-Karim Layedh Muhammad and, if they are in detention, for them to be released or fairly and promptly tried on recognizably criminal charges, to: His Excellency Ahmad al-Hammoud al-Jaber/ Minister of Interior/ Ministry of Interior/ Safat/ Kuwait □

### INDONESIA

*Francisco Miranda Branco: a 41-year-old civil servant in Dili, East Timor, he was sentenced to 15 years' imprisonment on 23 June. He had been convicted under Indonesia's sweeping Anti-Subversion Law.*

At the trial state prosecutors argued that subversion charges were warranted because the defendant had sought "to give a wrong picture of the facts in East Timor to prove that the Indonesian Government did not respect human rights in the province". Francisco Miranda Branco denied charges of subversion and stated before the court: "I uphold the principles of non-violence and peace, which is why, after the outbreak of civil war in East Timor...I decided that...I would no longer take sides with any party...which is my position up to the present day".

Francisco Miranda Branco is one of eight people imprisoned for organizing or participating in a peaceful procession to Santa Cruz cemetery in Dili, the capital of East Timor. During the 12 November 1991 procession Indonesian troops opened fire, killing an estimated 100 people and wounding many more. Many of the victims were school students and other young people. The

eight people arrested and put on trial were also accused of membership of the "Executive Committee", which had been created to deliver a petition to Portuguese parliamentarians scheduled to visit East Timor in October 1991. The petition reportedly appealed for a dialogue to be established between the Indonesian and Portuguese Governments and representatives of the East Timorese people. The terms of reference for the visit, agreed under the auspices of the United Nations, specified that all those wishing to make contact with the parliamentarians should be free to do so. All eight are prisoners of conscience, detained solely for peaceful political activity, including the defence of human rights.

■ Please send appeals asking for the immediate and unconditional release of Francisco Miranda Branco and his seven fellow prisoners of conscience to: President Suharto/ Istana Negara/ Jl. Veteran/ Jakarta/ Indonesia □

### MALAWI

*Saidi Safari: a prisoner of conscience, he died in custody in Mangochi police station in November 1991. The police offered no explanation for his death and, despite the clear requirements of Malawian law, there has been no inquest.*

In October 1991 five young women in this predominantly Muslim area of southern Malawi were arrested for wearing trousers, which is prohibited by the Decency in Dress Act. The women were fined by a magistrate and detained at Mangochi police station until the fine was paid.

Saidi Safari, a local Muslim trader, came forward to pay the fines but was himself arrested shortly afterwards — possibly for making critical remarks about the incident. After he had been held incommunicado for a month his

family were allowed to visit him and found him in good health. Two days later he was dead. When his body was taken to Mangochi Hospital, staff were only told by police that he had died in the night. The authorities have not responded to widespread allegations that he was beaten to death.

There has been a consistent pattern of uninvestigated deaths in custody in Malawi, usually resulting from torture, harsh conditions or denial of medical treatment. The authorities have apparently never held an inquest

into any prisoner's death — including that of Saidi Safari — despite the requirement of the Inquests Act that they do so.

■ Please write expressing concern about the large numbers of deaths in custody and the failure to initiate independent investigations into them and calling for an inquest or other independent judicial inquiry into the death in custody of Saidi Safari to: His Excellency the Life-President Ngwazi Dr H Kamuzu Banda/ Office of the President and Cabinet/ Private Bag 301/ Lilongwe 3/ Malawi □

**Reminder: AI members should not send appeals to the authorities of their own countries**



# FOCUS

amnesty  
international

**According to the United Nations, there are 17 million refugees in the world — enough to populate an entire country. Although this statistic makes the staggering scale of the refugee crisis clear, it also masks countless individual stories of persecution, loss and suffering.**

■ There is an elderly Bosnian Muslim woman in a refugee camp in southern Hungary. She and her family were evicted from their village at gunpoint then forced onto trains and deported from Bosnia-Herzegovina into Hungary. She is often cold and hungry and has to say her prayers in a barracks room that has been crudely converted into a temporary mosque. Although she knows she cannot return safely, she desperately wants to go home. How many months or years will she have to wait?

■ A young Sri Lankan Tamil is held in a detention centre near an airport in Europe. He is frightened because he doesn't speak the language and hasn't received any legal advice, and he is ill because of the torture inflicted on him while he was detained in Sri Lanka. But his worst fear is that he will be forcibly returned, perhaps to face further torture. Will the authorities believe him? Or will they send him back to Sri Lanka?

■ A young Haitian clings to the sides of a flimsy wooden boat, barely afloat in the stormy Caribbean. All the money he had went to pay for this risky passage. A known supporter of the ousted President, he was trying to escape from the soldiers who had come looking for him after he spoke up against a military government that, tortured or executed thousands of innocent people. A United States (US) Coast Guard ship is approaching. It will save him from the rough seas, but the "rescue" will only be temporary if the US authorities return him directly to Haiti, as they have done with many thousands of others.

Millions of refugees around the world are asking themselves these same questions. Will anyone believe my story? Will I be able to stay in this country until it is safe for me to return?

Refugees share a common experience — they have had to flee their homes and are now strangers in other countries, where they are often unwelcome.

Many are trying to escape civil unrest, famine or natural disasters, but when they flee because they are at risk of torture, arbitrary arrest or political killing, AI can act on their behalf.

## A WORLDWIDE CRISIS

The plight of refugees is particularly acute in today's world

because of the massive numbers of people involved and the speed with which large refugee movements can take place. In April 1991 more than a half million refugees fled from Iraq into Iran, Turkey and Syria in the space of a few weeks. In March 1992 thousands of Muslim refugees escaping repression in Myanmar were crossing the border each day, and by May over a quarter of a million of them had crowded into refugee camps in Bangladesh. Since a bloody civil war erupted in Bosnia-Herzegovina in April 1992, more than a million Bosnian Muslims, Croats and Serbs have fled to neighbouring countries. A similar exodus has taken place from Somalia, where more than a million people — almost a fifth of the population — have fled over the past few years.

On every continent and in countries around the world people are seeking asylum — permission to stay in a foreign country which provides protection from being returned to face repression at home. Governments are obliged under international law not to force refugees to return to countries where their lives or freedom would be at risk, but they do not always meet this obligation. Some governments or their citizens justify hard-line attitudes to refugees by claiming that the presence of significant numbers of foreign nationals threatens their own cultural cohesiveness, stability or security; refugees are also accused of being a drain on the social welfare system and of competing for scarce jobs in times of rising unemployment.

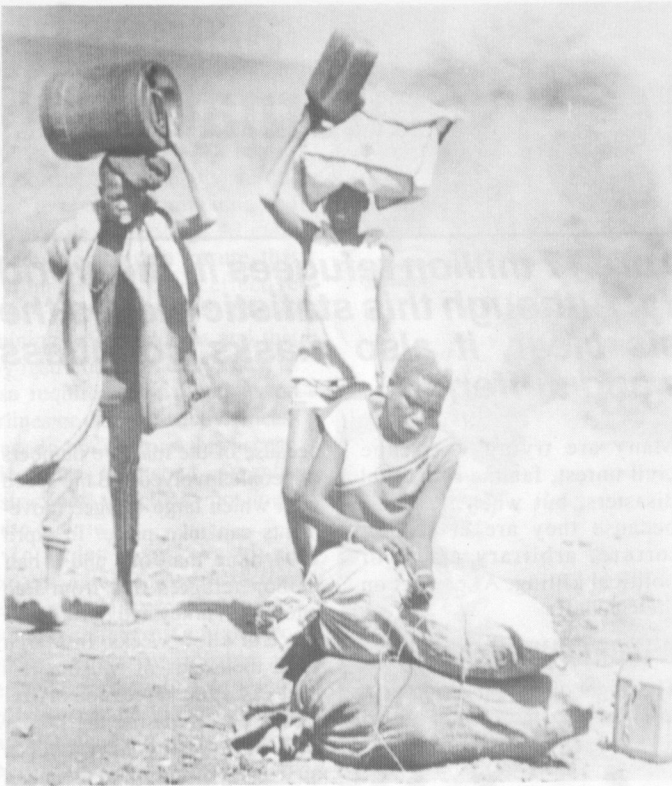
And yet no government and few individuals would argue that it is right to force refugees to return to countries where their life or freedom is in danger. These people must be granted protection — a consensus that is reflected in international law. But while accepting the principle, many governments seek to limit its application. Some of the world's wealthiest and most

## In search of safety

### AI's work with refugees



Hong Kong: A Vietnamese mother carrying her child weeps as she is forced to return to Vietnam © AP



A refugee in northern Kenya stops to tie her belongings. She is one of more than 22,000 people who fled from Kapoeta in Sudan in May after Sudanese government forces captured the town from the rebel Sudanese People's Liberation Army  
©Popperfoto

highly developed countries are tending to make restrictive interpretations of the international definition of a refugee entitled to protection; the increasing use of visa requirements and mandatory detention policies can obstruct or deter asylum-seekers from entering particular countries. And many governments assert that asylum-seekers are people who are simply looking for a better standard of living in more affluent countries.

For all of these reasons, asylum-seekers often find themselves confronting sceptical government authorities. This is where AI's general information can have a crucial impact: extensive and impartial reports on human rights violations in countries around the world can be of vital importance in demonstrating why an individual has good reason to fear for his or her safety if returned to his or her home country. And when AI believes that a particular individual is at risk of serious human rights violations, it can intervene with government authorities to try and prevent that person from

being returned.

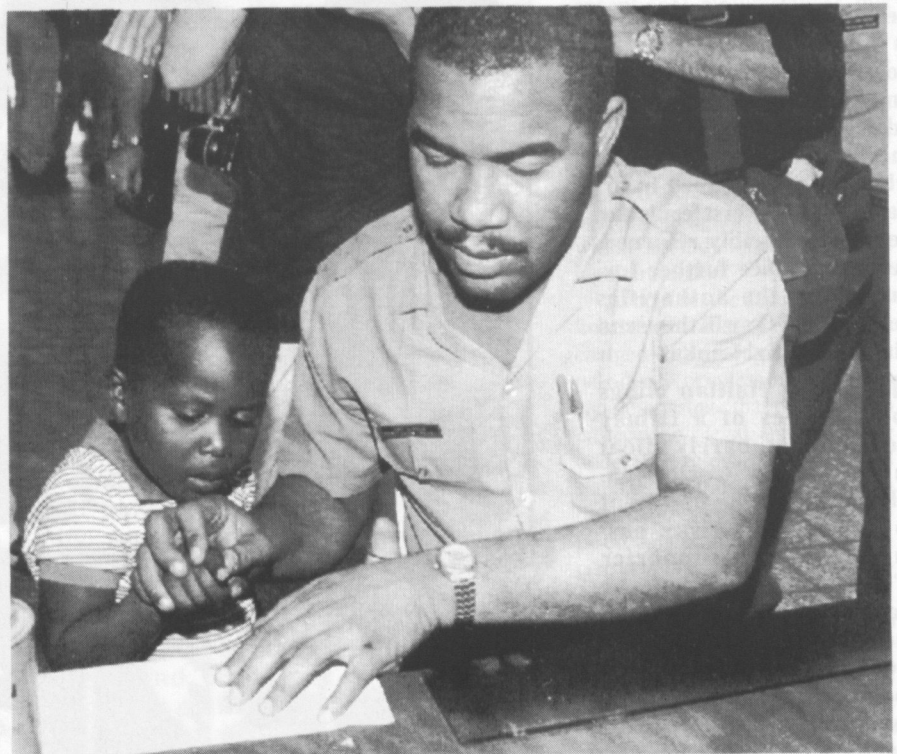
Much of AI's refugee work is done by staff and members in more than 30 of AI's national sections, who work on behalf of people seeking asylum in that country and take up AI's concerns with their own government authorities. This is not an exception to the rule prohibiting AI members from working on human rights violations in their own countries, because AI's underlying concern is to protect refugees from being subjected to imprisonment as prisoners of conscience, torture, "disappearance", or execution if they are sent back to their own or some other country.

The extent and level of the work undertaken by sections varies enormously. In sections with more limited resources AI members provide those who decide on asylum cases with AI's published information on human rights violations in the countries asylum-seekers come from. In some larger sections with years of experience in dealing with refugee issues, some of which have specialist refugee departments, AI

## Haitians seeking refuge in the USA

Since a military coup overthrew the democratically elected government of Haiti in September 1991, the security forces and civilians acting in collusion with them have arrested, tortured or murdered thousands of Haitians. In March an AI delegation discovered that the security forces were using threats of arrest or torture to extort money from civilians, while rampant corruption of the judicial system and its connivance with the military made it impossible for Haitians to seek reparation before the courts.

In the face of such repression, tens of thousands of Haitians have fled the country seeking refuge in the USA, which has adamantly refused to honour its international obligations to protect refugees. Thousands of Haitians have been intercepted in international waters by the US Coast Guard. About 37,000 intercepted between November 1991 and May were taken to the US Navy base in Guantánamo, Cuba, where their applications for asylum were examined in an unsatisfactory procedure. More than 25,000, including many children separated from their families, were forced back to Haiti. Many others have been returned directly to Haiti without even a cursory attempt to identify those who might be at risk of human rights violations — a flagrant



A four-year-old Haitian boy is fingerprinted by a Haitian police officer in February after he and his family were returned to Haiti by the US Coast Guard  
© Reuter

breach of international law.

Repeated allegations of human rights violations against returned asylum-seekers were made to AI delegates in Haiti in March: when they attempted to interview returned asylum-seekers, they found that many of them had apparently gone into hiding for fear of reprisals.

The US Government's policy is currently being challenged before the US Supreme Court, and AI is filing a brief to the court arguing that the policy is a blatant violation of international law, and pointing to the continuing and widespread human rights violations in Haiti.



The Dutch Section's refugee department at work

©Nancy de Winter

takes up cases of individual asylum-seekers. Sometimes this will involve providing crucial background information to lawyers representing asylum-seekers about the risks their clients may face if returned; sometimes AI takes up cases directly with the relevant authorities. Sections also monitor government policy and practice on the protection of refugees and asylum-seekers and publish reports highlighting deficiencies in such policies. AI may also contribute to discussions on the reform of laws or regulations relating to asylum-seekers and refugees. In 1991 AI's Austrian Section campaigned to draw attention to the deficiencies in Austrian refugee law and practice, highlighting the indiscriminate detention of "illegal" immigrants and making recommendations to the Austrian Government to remedy flaws in the procedures for determining asylum claims. The Hong Kong Section is continuing to lobby their government to improve the procedures used to "screen" the Vietnamese asylum-seekers.

AI does much more than just oppose the forcible return of people who risk serious human rights violations in their home country. Although this is the practical core of the organization's refugee work, underlying this concern is the simple message that human rights are international — not simply an issue of national politics but a legitimate concern of people and their governments in other countries. This idea has gained increasing acceptance since the Universal Declaration of Human Rights was adopted in 1948, and it is made more tangible when people actually flee repression

and cross international borders. By claiming protection abroad from the violations they suffer at home they demonstrate the powerful international dimension to human rights.

### AI's MANDATE

AI's policy on refugees arises directly from its mandate, which focuses on specific human rights violations. AI works for the release of prisoners of conscience,

fair trials for political prisoners, an end to torture and an end to all forms of execution. AI therefore opposes the forcible return of any person to a country where he or she is at risk of becoming a prisoner of conscience, or a victim of "disappearance", torture or execution, and seeks to ensure that states provide refugees with effective and durable protection against return to any such country, or to a third country which does not provide such protection. AI also bases its refugee work on the principle of *non-refoulement*, which is a norm of international law, binding on all states. It is set out in the 1951 Convention relating to the Status of Refugees, which says:

"No Contracting State shall expel or return a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion."

## Burmese Muslim refugees in Bangladesh

Over the past year, more than a quarter of a million Burmese Muslims have fled from Rakhine State in predominantly Buddhist Myanmar (Burma) to escape the brutal excesses of Myanmar's military government, which began a ruthless persecution of the Muslims in September 1991. Hundreds were killed, fields and crops were confiscated, homes and mosques were destroyed and women were dragged off to army camps and raped, while men, women and children were tortured or ill-treated after being conscripted for porter service or forced labour.

Myanmar and Bangladesh have signed an agreement for the repatriation of the

refugees, but it contains inadequate safeguards to ensure that repatriation is voluntary and there is no evidence that the human rights situation in Myanmar has improved.

In a letter sent in August 1992 to more than 20 governments worldwide, AI argued that it would not be safe to repatriate the refugees unless the UNHCR monitors both the repatriation and the refugees' situation after their return to Myanmar; AI also called on the international community to help the Government of Bangladesh provide protection to the Burmese Muslim refugees until they can safely return to Myanmar.



Bangladesh: Burmese Muslim refugees arrive in Bangladesh in March 1992

©AP

In order to ensure that refugees at risk are identified and afforded protection, AI seeks to ensure that all asylum-seekers have access to fair and impartial asylum procedures. While recognizing that governments are entitled to control immigration and entry to their territory, AI calls on governments to ensure that asylum-seekers have effective access to fair procedures for examining asylum claims and that any restrictions on entry, such as visa requirements, sanctions on airlines or other restrictive measures, do not obstruct this access. AI opposes the use of any entry restrictions which do not meet these criteria.

In order to give asylum-seekers a fair and satisfactory hearing, asylum procedures must include certain essential principles. These principles are derived from the principle of *non-refoulement* and based on international standards such as those set out in the International Covenant on Civil and Political Rights and Conclusions adopted by the more than 40 government members of the Executive Committee of the Programme of the UN High Commissioner for Refugees (UNHCR). All asylum claims must be thoroughly examined by an independent and specialized authority; the decision-



Slovenia: Women and children wait to receive medical attention at a refugee camp. There are more than 14,000 refugees from Bosnia-Herzegovina under the age of 16 in Slovenia

© Reuter

makers must have expertise in international human rights law and international refugee law, and should take full account of human rights information drawn from the widest possible range of independent sources. An asylum-

seeker should be able to appear in person before the decision-maker when his or her case is first examined, and must have the right to legal counsel at all stages in the procedure. All refused asylum-seekers must receive

written reasons for the refusal and have the right to have their case reviewed in a judicial process before being expelled from the country, although in exceptional circumstances this review may be expedited.

AI opposes asylum-seekers being sent to a third country unless the government sending them there has ensured that in that country they will be granted effective and durable protection against *refoulement*, which should normally include legal protection.

AI opposes the detention of asylum-seekers unless they have been charged with a recognizably criminal offence, or unless the authorities can demonstrate that the detention is necessary, legal and legitimate under the relevant international standards. AI also calls for every detained asylum-seeker to be brought promptly before a judicial or similar authority to determine whether the detention is lawful and in accordance with international standards.

The Universal Declaration of Human Rights proclaims the right of all people to seek asylum from persecution. However, as long as governments obstruct access to their asylum procedures and send people back without a full and fair hearing of their asylum claim, this right can never be guaranteed, and refugees will continue to be at risk of being forcibly returned to countries where they may face arbitrary imprisonment, torture, "disappearance" or death. □

## European asylum policies

A number of European states, particularly the members of the European Community, are coordinating their asylum policies in ways that can obstruct access to their territory and make it more difficult for asylum-seekers to get a fair hearing. Some people are now prevented from boarding planes to leave their country because they do not have visas, and can be turned away without review simply because they come from so-called "safe countries".

In the UK, for instance, airlines face fines of up to £2,000 if they carry passengers who do not have the required travel documents or visas; in Italy asylum-seekers can be turned away by border police without being allowed to make an asylum claim; and in many countries those who decide whether asylum-seekers can stay know little or nothing about the human rights situation in the countries refugees come from. In Switzerland, for instance, asylum-seekers from countries defined by the authorities as "safe" get only a cursory hearing of their claim; similar provisions exist in Belgium and have been proposed in Germany. Asylum-seekers from "safe" countries might not be given the chance to describe their individual

experiences or the risks they would face if returned to the country they left. Moreover, AI fears that the designation of certain countries as "safe" could all too easily be influenced by immigration or foreign policy considerations, and not simply by the human rights situation in the countries asylum-seekers have fled.

AI's concerns about procedures in individual countries are heightened by the impending "harmonization" of asylum policy in the European Community. An agreement has already been reached whereby asylum-seekers may have to apply for asylum in the first country they land in even if the procedures in that country are inadequate. This trend could set a dangerous precedent at the international level.

AI recognizes that the number of asylum-seekers in Europe has grown considerably in recent years, but asylum procedures can be both fair and speedy if European governments, individually or collectively, implement certain essential principles to ensure that all asylum-seekers get a fair hearing, including the establishment of independent bodies — made up of experts on human rights and refugee law — to hear asylum cases.

IRAQ

# Attacks on Shi'a Muslims continue

SHI'A Muslims in southern Iraq have been increasingly under threat from the Iraqi Government. In July and August troops stepped up ground and aerial attacks on the southern marshes, where tens of thousands of government opponents and military deserters remain in hiding. Civilian targets in the area have been extensively and persistently bombed, and the military authorities have ignored due process of law, choosing to kill suspects rather than detain them. Scores of villagers were reportedly killed in the al-'Amara marshes by government troops attempting to enforce an evacuation order.

A "no-fly zone" forbidding Iraq to operate airplanes and helicopters south of the 32nd parallel was implemented by the United Nations on 27 August. Although



Shi'a women collect reeds in the southern marshes of Iraq

©AP

this has apparently halted the aerial bombardment, Iraqi ground forces have continued to attack the Shi'a Muslims. More than 2,000 people, many of them civilians, have reportedly been rounded up in southern cities

and towns and transferred to unknown destinations.

AI has repeatedly urged the UN to resume discussion of how to implement monitoring of the human rights situation throughout Iraq. □

# Al visits Chad

AN AI delegation to Chad in September met President Idriss Déby and other government officials and compiled first-hand information about recent cases of extrajudicial execution, "disappearance" and torture. AI expressed concern both at the scale of recent violations and at the government's failure to take any effective action to prevent such violations or bring those responsible to justice.

AI urged the government to ensure thorough and impartial investigations into the hundreds of extrajudicial executions and dozens of "disappearances" reported since the beginning of the year, and called particularly for urgent government action to halt the practice of secret and incommunicado detention without charge or trial, during which many people have been tortured, killed or "disappeared". □

NIGER

# Tuareg civilians illegally detained

ABOUT 160 members of the Tuareg community have been detained in Niger on suspicion of complicity with the Tuareg rebel organization, the Air and Azawad Liberation Front (FLAA). Arrests began on 27 August in the northern town of Agadez, the day after a police inspector was shot dead, apparently by Tuareg rebels. They then spread to other towns. Around 50 Tuareg were released after interrogation; those currently held by the army include the Minister of Trade and Transport, Mohamed Moussa, and the Governor of Agadez, Moctar el Incha.

The army initially carried out the arrests without government approval, in protest at government inaction against Tuareg rebel groups and in support of army demands for the release of 44 policemen and soldiers held hostage by the FLAA since February. On 11 September, however, Prime Minister Amadou Cheffou granted the security forces "all means at their disposal to safeguard security".

Those imprisoned by the army, most of whom are Tuareg civilians held without any evidence linking them to the FLAA, are detained outside any legal framework. Prisoners held in similar circumstances in the past have been tortured, killed or "disappeared".

Since the beginning of August FLAA members have stepped up

attacks on civilians in northern Niger. In August and September, for instance, two Tuareg chiefs apparently suspected of cooperating with the security forces were killed.

Those arrested appear to be prisoners of conscience, held solely on account of their ethnic origin, and AI is appealing for their immediate and unconditional release. □

ALGERIA

# New anti-terrorism law limits safeguards

A NEW anti-terrorism law was signed by Algerian President Ali Kefi on 1 October. The decree, introduced after more than 150 people had been killed in attacks apparently carried out by Islamic armed opposition groups, increases the number of capital offences, doubles all other sentences for "terrorist acts" and institutes special courts to try "terrorist" offences.

Anyone convicted of organizing a "terrorist" association, as broadly defined by the provisions of Article 1 of the new law, can be sentenced to life imprisonment; a member or sympathizer of such an association is liable to a 10-to-20-year sentence and defending or reproducing the documents of such an association can result in five to 10 years' imprisonment.

Some articles of the new law endanger safeguards contained in the Algerian Criminal Procedure

Code, and may make it easier to imprison prisoners of conscience. The new law increases the maximum period of *garde à vue* (pre-trial incommunicado detention by the police) for those suspected of "terrorist" offences from 48 hours to 12 days. Three special courts are to be set up and legal procedures speeded up so that final judgements will always be given within five months of the end of *garde à vue*. The

prosecutor may decide that proceedings should be held *in camera*. Convicted defendants have the right to appeal to the Court of Cassation, but this court examines only the procedures followed, not the substance of the case. If this appeal is successful the case can be retried by another special court.

The introduction of the new law follows months of increased tension between the government and members of Islamic opposition groups: more than 3,000 people remain in detention without charge or trial; the security forces have shot dead a number of innocent bystanders and people who failed to stop at police barriers; and there have been new reports of torture or ill-treatment of detainees. There has also been a series of violent attacks on police officers and others by supporters of Islamic armed opposition groups. □

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**An international conference is meeting in Switzerland to try and find solutions to the conflict raging in the former Yugoslavia. AI's Swiss Section has agreed to present the delegates with thousands of appeals for the respect of human rights throughout the former Yugoslavia, sent in by AI's worldwide membership. Please add your voice by sending your appeal to the address below:**

**The Delegates to the International Conference on the former Yugoslavia  
Care of Amnesty International  
Case Postale 254  
1211 Geneve 6 Eaux-Vives  
Switzerland**

**JAPAN: ABOLITIONISTS in Tokyo staged a public rally in August to mark 1,000 days without executions. Hundreds of prominent politicians and lawyers support abolition, but the Japanese Government cites opinion polls in favour of retaining the death penalty as the main obstacle to abolition. About 55 people are currently on death row in Japan.**

## SOUTH AFRICA

## Commission condemns unlawful killings



ANC supporters dash for cover as the Ciskei security forces open fire

©AP

**TWENTY-NINE African National Congress (ANC) supporters were shot dead and hundreds of others were injured when members of the Defence Force of the nominally-independent Ciskei "homeland" opened fire on a peaceful demonstration against "homeland" policies on 7 September.**

The march organizers had court permission to hold a rally in the stadium near Bisho, the Ciskei capital. As the crowd assembled, a group of marchers started to run out of the back of the stadium. Ciskei soldiers opened fire on them without warning, also shooting at marchers still trying to get into the stadium grounds. The soldiers fired hundreds of rounds of

ammunition and four hand grenades at the unarmed demonstrators in two bursts of fire which continued for several minutes.

On 30 September the South African Government released the report of a judicial commission of inquiry into the killings. The Commission, chaired by Supreme Court judge Richard Goldstone, concluded that the conduct of the Ciskei soldiers was "morally and legally indefensible" and that the firing was "indiscriminate" and "completely disproportionate" to any perceived or actual threat from the marchers.

The prolonged nature of the shooting and the fact that the soldiers used live ammunition and hand grenades led the

Commission to conclude "that the conduct of the Ciskei soldiers was deliberately aimed at causing as many deaths and injuries as possible". The Commission also criticized the conduct of some of the march organizers for violating the terms of the court order confining the rally to the stadium.

The Commissioners recommended an inquiry by Ciskei's military commanders into the training and discipline of Ciskei soldiers, and that the Ciskei Attorney General should investigate bringing criminal charges against soldiers responsible for killing or wounding demonstrators. The Commission also urged the authorities to allow complete freedom of expression and peaceful assembly. □

## CUBA

## Silencing dissent

OVER the past two years the number of prisoners of conscience held in Cuba has increased dramatically. Severe restrictions on human rights monitoring make it impossible to determine exactly how many are being held, but between three and five hundred people are believed to be in detention solely for exercising their rights to freedom of expression, association or assembly or their right to leave their country.

Many prisoners of conscience were active as human rights monitors or members of unofficial political opposition groups before being targeted by the Rapid Response Brigades, which were set up by the government to deal with any sign of "counter-revolution". Members of the Brigades carry out "acts of re-pudiation", which often involve accosting known or suspected dissidents in their homes or in the street, chanting pro-government slogans and sometimes physically attacking them. Many of the Brigades' victims have then been arrested by the security forces.

Detainees have often been held for weeks or months without access to defence lawyers before being brought to trial on charges such as rebellion, illegal association and "enemy propaganda" (a charge brought against those accused of producing, distributing or possessing any information regarded as subversive by the authorities).

Prisoner of conscience Yndamiro Restano, president of an unofficial opposition group known as the Harmony Movement, was convicted of rebellion and sentenced to 10 years' imprisonment in May. Sebastián Arcos Bergnes, Vice-President of an unofficial human rights group, was brought to trial in early October for "enemy propaganda"; the prosecution has called for a six-year sentence. Other people have been imprisoned solely for criticizing government policy or officials or for writing or shouting anti-government slogans.

AI is calling on the Cuban Government to release all prisoners of conscience immediately and unconditionally; to permit political detainees to see their lawyers immediately after arrest and regularly thereafter; and to incorporate international fair trial standards into Cuban law and legal practice. □

Further information on AI concerns in Cuba can be found in *Cuba: Silencing the voices of dissent*, AI Index: AMR 25/26/92.

## UZBEKISTAN

## Dissidents attacked

AT least six opposition leaders or independent journalists have been attacked by unknown assailants since the beginning of 1992. In June the chairman of the opposition *Birlik* organization, Abdurakhim Pulatov, was treated for skull fractures after four men beat him and a companion with metal bars outside a police station in Tashkent. The deputy chief of police and the deputy city procurator allegedly watched the attack but did not intervene to stop it.

The authorities appear to have made little effort to identify the perpetrators of these attacks. AI has called on the Uzbek authorities to ensure that the incidents are fully investigated and that those responsible are brought to justice. □

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