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AI WEEK 1995 - The front line Human Rights defenders at risk

China

Bao Ge was sentenced without charge or trial to serve three years "re-education through labour" because he wanted to set up a human rights organization in China.

In 1994, Bao Ge wrote of his plans to set up an organization called the Voice of Human Rights in an open letter to the Chinese government. The Chinese government's response was to arrest him.

According to his sister, Bao Ge was going to publish the names of over 100 people who wished to take part in the new human rights organization. They were going to call for compensation for the relatives of those killed during the 1989 massacre in Beijing. They also planned to investigate issues such as free labour unions, freedom of religion and the protection of women's and children's rights in China.

As a result of his open letter, Bao Ge was arrested in Shanghai on 3 June 1994. On 10 September 1994 he was sentenced to three years "re-education through labour" and was transferred to the Da Feng Labour Camp in Jiangsu Province.

"Re-education through labour" was first introduced in 1957. It provides for detention without charge or trial. Those sentenced are denied access to a defence lawyer and the right to defend themselves.

The power to impose the sentence is vested in administrative bodies composed of members of the Civil Affairs, Public Security and Labour departments of local government. In practice it is mainly the police who decide the sentences. There is a right of appeal, but it involves a lengthy and complex process which rarely proves successful.

This was not the first time that Bao Ge had got into trouble because of his human rights work and he had campaigned on other issues such as seeking compensation from Japan for victims of atrocities committed in China in World War II.

He was also a member of the Shanghai based Human Rights Association. The association existed as a "study group" until 1993 when its members unsuccessfully sought legal recognition. Several of the Association's members, including Li Guotao, its chairman, and Yang Zhou, a founding member, were also arrested in the spring of 1994 and sentenced, like Bao Ge, to terms of three years "re-education through labour". Most of them, including Bao Ge have been arbitrarily detained on many previous occasions. One member was detained six times - once for signing a "peace charter".

Amnesty International considers Bao Ge and other human rights defenders held in Chinese prisons to be prisoners of conscience, detained solely because of their attempts to campaign for better human rights in China.

Colombia

For those who protect human rights in Colombia, "disappearance", killings, threats and harassment are a daily expectation - or as human rights lawyer Dr. Rafael Barrios put it:

"...we all know that defending human rights puts us personally at risk. But we have to take up that challenge."

The majority of attacks against human rights workers are attributed to paramilitary groups who take their orders from Colombia's armed forces. The physical attacks and threats are accompanied by an orchestrated smear campaign to discredit and undermine human rights work. There are many brave people in a variety of organizations in Colombia who risk their lives working for human rights. One such organization, no different from many others, is the Civic Committee for Human Rights based in Villavicencio in the region of Meta. It was founded in December 1991 to investigate human rights violations in the region. Six months later the threats and intimidation started. The following year four leading members were gunned down and a health clinic associated with the Committee was forced to close after a series of death threats were made. In its second year the organization had to face continuing threats and the "disappearance" of three members. By February 1995 the Committee, which four years previously represented 32 social organizations, had only seven member organizations.

In February, Sister Nohemy Palencia, a Catholic nun and prominent member of the Committee received the following threat, left on an answerphone:

"Be careful, because you're going to die."

The threats and intimidation increased. Committee members were followed, the army made enquiries about their names and an anonymous tip-off that Sister Palencia and other Committee members were to be specially targeted was received. In mid-March another answerphone message was left:

"You swine, I'm going to kill you all. I'm going to bomb you..."

Sister Palencia decided it was time to leave the country. She returned to Colombia after only six weeks. However, her return to Villavicencio with other members of the Committee who were also forced to leave has so far been impossible. Amongst other threatened members of the Committee are Teresa Mosquera, the Committee secretary, Islena Rey, the treasurer and its president Josu F Giraldo who has been under constant surveillance. Consequently, the Committee now feels safer being based in Bogotá. This makes their work extremely difficult because it is far away.

The Civic Committee has asked the Ministry of the Interior to guarantee their safety in Villavicencio, but to no avail. The Committee, however, is determined to carry on its work as best as it can

cuba

Human rights work is severely restricted in Cuba where there is only one legal political party and the media are state-controlled. Since the mid-1980s, independent human rights groups have been set up but none have been allowed to be officially registered. While some of their activities are tolerated, activists from such unofficial organizations are never quite sure how far they can go before the authorities will take action against them.

There are signs that the government may be softening its attitude to some groups. Others, however, continue to be targeted.

Sebastian Arcos Bergnes, for example, is Vice-President of the Cuban Committee for Human rights (CCPDH). Founded in a Cuban prison in 1976 it was the first unofficial human rights group in Cuba. He and his brother, Gustavo Arcos Bergnes, who is Secretary-General of the CCPDH, were arrested in Havana in January 1992, together with another member of the group's executive committee. Two of the men were released the next day but Sebastian Arcos Bergnes was brought to trial on a charge of "enemy propaganda" for which he was sentenced in October 1992 to four years eight months' imprisonment. He was accused of sending abroad what the authorities claimed were false reports that were "used in campaigns of defamation against Cuba promoted by the United States". He was released in May 1995, together with five other political prisoners. Their release followed the visit to Cuba of an international human rights delegation.

Sebastian and Gustavo Arcos Bergnes, who were both officials in the Castro government during the 1960s, had spent several years in prison during the 1980s after being caught trying to leave the country illegally and became involved with the CCPDH upon their release. From that time, they faced frequent harassment because of their activities, including so-called "acts of repudiation", - gatherings of pro-government supporters in collaboration with security forces who chant pro-government slogans and hurl abuse at those concerned.

On 10 December 1992 (Human Rights Day), another prominent CCPDH activist, Rodolfo Gonzalez Gonzalez, was arrested during what proved to be the start of a round-up of most prominent independent human rights and political activists at that time. He was eventually sentenced to seven years' imprisonment for "enemy propaganda", accused, like Sebastian, of sending supposedly false reports abroad. He was given early release in February 1995 but only on condition that he leave Cuba.

Amnesty International believes that until there is a fundamental change in official attitude, matched with reform of laws relating to the freedom of expression, association, meeting and assembly, human rights activists in Cuba will be unable to carry out their legitimate work without the persistent fear of arrest.

indonesia/east timor

Human rights workers throughout Indonesia and East Timor know that theirs is not the safest of careers.

Joe Antonio Never, an East Timorese student activist, received a four year sentence in February 1995, in part because he tried to send human rights information abroad.

A lawyer in Java was told by military intelligence that if he did not drop a case, he could be killed. Other lawyers have had the wheels of their car removed, office windows smashed, or have been beaten by men in plainclothes, suspected to be military intelligence.

A lawyer from Surabaya was detained in August 1994 because a meeting with a group of workers taking legal action against their company was said to be illegal. Lawyers working in areas of conflict such as Aceh and East Timor tell of harassing phone calls, being followed, and repeatedly being called for questioning.

Mindo Rajagukguk works in Jakarta with Hidup Baru (New Life), an organization which provides support to prisoners by conducting prison visits and helping relatives visit prisoners. The government keep a close eye on Mindo's work.

Mindo was first targeted by the authorities in October 1993 when she was arrested at home by three plainclothes military intelligence officers. She was taken to the district military headquarters, where over lunch, they asked about her activities.

Mindo asked if they had a warrant for her arrest. She was told that it was "in the car". During her questioning, the telephone rang. Mindo was horrified to hear the officer who answered the phone say "There is no Mindo here".

During the all-day interrogation Mindo was accused of many things including of being involved in the banned Indonesian Communist Party (PKI). In response to her denials she was told, "But you think like a PKI [member]". They also asked about the content of letters found on Mindo's sister, searched on a recent prison visit. Mindo was allowed to go home after she suggested she return with her sister the next day. At 7am the next morning, the sisters presented themselves, but the authorities let the matter drop.

A year later, Mindo was again called in for three hours of questioning, this time with her boss at Hidup Baru. Indonesia was hosting the Asia Pacific Economic Cooperation (APEC) meeting and the government was trying to ensure that no groups used the occasion to attract the attention of foreign media. Mindo and her boss were questioned as a part of this operation which included the arrest of many political and human rights activists.

Mindo and her boss were released in the early hours, but like all human rights workers in Indonesia they are still very aware of the risks involved.

mexico

Manual Manriquez San Augustin discovered at first hand the need to form a human rights organisation. Unfortunately the Mexican authorities are trying to ensure that he will have to help run his human rights organization from a prison cell for the next 24 years.

Up to June 1990, Manual Manriquez, was a mariachi by profession (a musician in a strolling band) He was also an Otomí Indian activist. Like many Otomí he spoke no Spanish.

As it frequently happens with members of the poorest sectors of the Mexican population, particularly the indigenous, the police selected him at random and chose to implicate him in their "investigations" into a case of murder.

Manual Manriquez was arrested without warrant by the Federal District's judicial police in Mexico City on 2 June 1990. He was kept in incommunicado detention for four days. When a doctor was allowed to see him he reported that Manual Manriquez had been tortured. Manual Manriquez described how in the four day period he was brutally tortured with beatings, near asphyxiation, burns and electric shock. He also explained despite the fact that he could not speak Spanish, he was constantly questioned in that language and was eventually forced to sign a confession written in Spanish.

The "confession" was the only evidence at his trial and later appeal. Despite the evidence of torture reported by the doctor and the fact that there was no evidence against Manual Manriquez other than the "confession" - he was found guilty of murder and sentenced to 24 years in jail. The sentence was upheld at the appeal.

Amnesty International firmly believes that Manual Manriquez was chosen as a suspect and subjected to torture because of his ethnic identity. The organisation further believes that his ethnicity also explains how he was able to be imprisoned despite the lack of any evidence other than the fact that he was tortured into signing a "confession". This is why he is considered to be a prisoner of conscience.

Since his arrest in 1990 Manual Manriquez, who now speaks Spanish, has greatly developed his work in campaigning against human rights violations targeted at Mexico's indigenous peoples. In September 1991 he co-founded The Ricardo Lopez Juarez Committee - an organization for the defence of peasants.

The committee is very active and successful in drawing attention to the common practice of torturing confessions from indigenous peoples and peasants. So much so that Amnesty International fears the Mexican Authorities will further "punish" Manual Manriquez by refusing his fourth and final appeal against his 24 year sentence.

myanmar

Khin Zaw Win wanted the world to know about human rights violations in Myanmar. As a result he was sentenced to 15 years in prison.

Khin Zaw Win is also known as Kelvin. He was arrested on 4 July 1994 while boarding a flight to Singapore at Yangon International Airport. At the time of his arrest he is believed to have been carrying documents relating to the political opposition in Myanmar. He is known to have close links and sympathy with the political opposition.

After his arrest he was taken to a Military Intelligence detention centre and then transferred to Insein Prison in Yangon. Almost two months after his arrest the state-controlled newspaper New Light of Myanmar gave the first official version of the accusations levelled against Khin Zaw Win. The paper alleged that:

"Documents against Myanmar, some computer discs with anti-government material and facts... were seized from Khin Zaw Win...[and he]...made arrangements for sending fabricated news on Myanmar to...[the] representative of UN Commission on Human Rights during his visit in December 1992"

Although the government denied that he would be charged with passing information to the Myanmar Special Rapporteur of the UN Human Rights Commission, the Special Rapporteur noted:

"...the fact that this was widely reported even by the Government newspaper ...would have a strong psychological effect on people not to contact me."

In addition, the state-controlled radio station Radio Myanmar alleged that he had also been attempting to smuggle a quantity of precious stones. The Myanmar authorities have in the past used alleged criminal activities as a pretext to imprison anti-government activists. Amnesty International is concerned that these charges may be politically motivated.

On 6 October 1994 Khin Zaw Win was sentenced to serve 15 years in jail. He was found guilty of:

Causing or intending to spread false news, knowing it to be untrue (sentence 7 years)

Membership or contact with illegal organizations (3 Years)

Possession or control of secret official information (2 years)

Smuggling offences (3 years)

Amnesty International believes that Khin Zaw Win is a prisoner of conscience detained for carrying out peaceful political activities and for daring to attempt to publicize the human rights situation in Myanmar.

nigeria

To work for human rights in Nigeria means that you must be ready to be shot at, bombed, jailed and routinely harassed. Critics of the military government's human rights record had to brave such tactics before and after a failed transition to civilian rule in 1993.

For many years Chief Gani Fawehinmi, a prominent human rights lawyer and government critic, Dr Beko Ransome-Kuti, President of the Committee for Defence of Human Rights, and Femi Falana, President of the National Association of Democratic Lawyers, have been leading human rights protection work in Nigeria. They have been arrested and detained many times. Gani Fawehinmi was first arrested in 1969.

In June 1993, Head of State General Ibrahim Babangida annulled the results of the presidential election - the culmination of a lengthy transition to civilian rule. Protesting journalists, human rights activists and trade unionists were among hundreds of prisoners of conscience detained. Dr Ransome-Kuti and Femi Falana working under the umbrella of the Campaign for Democracy, an alliance of pro-democracy groups, and Gani Fawehinmi were arrested and charged with sedition and conspiracy. After two months and an international outcry, charges were dropped and they were released.

Military rule continued after General Sani Abacha seized power in November 1993 and government repression increased sharply in June 1994 when Moshood Abiola, the presumed winner of the 1993 presidential elections, declared himself head of state and was arrested on treason charges. Dr Ransome-Kuti was among several pro-democracy activists arrested and charged with treason at that time. He was detained incommunicado for over three weeks for publishing a pamphlet which said the military government was illegal. In August 1994 armed men shot and seriously wounded guards at Gani Fawehinmi's law chambers and unknown assailants, suspected to be government supporters or agents, petrol-bombed Dr Ransome-Kuti's home. In January 1995, Dr Ransome-Kuti and Femi Falana were detained for over a week after they had spoken publicly and critically abroad about human rights in Nigeria.

In May and June 1995, Dr Ransome-Kuti and Femi Falana were repeatedly detained without charge in a wave of detentions to stop pro-democracy and human rights activists commemorating the 1993 elections. In July Gani Fawehinmi was detained without charge for two weeks; he had recently returned from a clandestine trip abroad for urgent medical attention after being prevented from legally leaving the country.

Against a background of annulled elections, military rule and widespread human rights violations many individuals and organizations in Nigeria still do all they can to work for human rights. The Nigerian authorities, as it can be seen, do all they can to keep them quiet.

rwanda

Harassment, arrests, "disappearance" and killings of journalists and other human rights defenders have occurred before, during and after the massacres and genocide between April and July 1994.

In Rwanda human rights defenders include people from many walks of life. They include public prosecutors, judges, lawyers, journalists, politicians, academics and members of the security forces.

Before the massacres human rights defenders were often arrested. During the massacres and genocide, which led to the murder of over half a million Rwandese, human rights defenders were also targeted for assassination by former government forces and militia groups. A new government came to power in July 1994 but the persecution of human rights defenders continued.

In October 1994, for example, Gratién Ruhorahoza, the President of the Kigali High Court, ordered the release of 80 detainees accused of genocide on the grounds of insufficient evidence. Two days later two soldiers without warrants arrested the judge at his home. He has not been seen since - he has "disappeared".

In early 1995 Pierre-Claver Rwangabo, a provincial governor, spoke out publicly about prison conditions and arbitrary arrests in his province. As a result, a prominent newspaper labelled him as a member of interahamwe - the death squads responsible for the massacres between April and July 1994. In March 1995 he was gunned down and killed by unidentified gunmen. No enquiry was held into his death.

Le Messenger newspaper has been critical of human rights violations committed in Rwanda for many years. Before the 1994 massacres it had been critical of the former government's human rights record. In early 1995 the paper's editor Edouard Mutsinzi, published an article criticizing present government forces atrocities. Shortly afterwards he told friends that he had received anonymous threats related to the article.

Less than a month later, Edouard Mutsinzi was in a bar with his wife when a gang of armed men wearing military insignia ordered everyone except the editor to leave the bar. They then attacked him with knives and machetes - finally leaving him for dead. But Edouard Mutsinzi was not dead. His wife was able to get him to hospital where he recovered enough to be able to flee the country.

Understandably human rights defenders now fear for their lives - at a time when their work will be most valuable. Amnesty International calls on the Rwandese authorities to safeguard human rights defenders and support their work and to bring to an end their persecution and harassment.

sudan

On 24 April 1990 twenty eight Sudanese army officers were summarily executed for their part in an attempted coup. Ever since, their families have fought to protest against the executions and to demand that those responsible be brought to justice.

As a result, members of the protesting families, led by women, have been regularly detained, beaten and even threatened with rape and death.

Samira Hassan Ali Karrar, who the authorities appear to think is the group's leader, is a good example. She has been repeatedly detained and threatened.

The history of harassment began in October 1991 when women family members were meeting in a private house. Security forces broke up the meeting and everyone present - women, children and domestic servants - were arrested and detained for up to two days.

The next year, on the anniversary of the summary executions, the families of the dead officers staged a protest in the centre of Khartoum. They blocked traffic and distributed leaflets, photographs and poems commemorating their men. Ten women were detained for up to three weeks. They were also made to sign an undertaking; one of the women stated

"It said we were not to insult the revolution, nor to engage in any anti-government activity nor to leave Khartoum without permission. We ignored it."

The families did not give up. They continued to meet and in 1993 and 1994 security personnel broke up meetings and arrested those present. In 1994 30 men were among those arrested. They were released six days later and told of how they had been beaten with plastic hosing.

On 25 February 1995, 28 women dressed in unbleached cotton - mourning clothes - held a small protest march in Khartoum. After walking a few hundred metres, handing out leaflets and protest poems they were confronted by security officials and police. An eyewitness describes how police officers smashed a protester's head against a wall. Other women were cut and bruised.

Six women were arrested including Samira Hassan Ali Karrar. Taken to security offices, they were verbally abused and some hit. Samira was threatened with death.

In a press release issued at the time of their arrest Amnesty International said

"These Sudanese women are determined to protest until they receive justice. Their public defiance is unusual, but their treatment as government opponents is not exceptional and underlines why we believe it necessary to put Sudan under an international human rights spotlight."

syria

In December 1991 the human rights situation in Syria was looking brighter. The sudden announcement that more than 2,000 political prisoners were to be released seemed to suggest that Syria's history of repression and human rights violations was coming to an end.

Against this background a group of people decided that the time had come to talk publicly about political issues and human rights. In association with the Committee for the Defence of Democratic Freedoms and Human Rights In Syria (CDF) they produced a leaflet protesting about human rights violations in Syria and the procedure used to elect President Hafez al-Assad a month earlier.

The CDF, an unauthorized organization set up in 1989, had been campaigning for political reforms including the abolition of the state of emergency and the release of all political prisoners.

The last time similar reforms had been called for - during a one-day strike by professional associations in 1980 - it led to the arrest of hundreds of professional workers, the closure of professional organizations and maybe even some executions. The fate of hundreds arrested then remains unclear. Over the last 20 years thousands of others - including members of Communist, Socialist, Ba'thist, Nasserist, Islamist or Kurdish organizations - have been subjected to unfair trial and torture.

Hopeful of a new attitude in 1991, lawyer Aktham Nu'aysa and 16 others were involved in the writing and distribution of the leaflet. The leaflet was issued and distributed on 10 December (International Human Rights Day).

Its authors and distributors say that the leaflet led to their torture and imprisonment.

All 17 involved were held in incommunicado detention after their arrest by Syrian security forces. They were tried by the Supreme State Security Court in early 1992. Aktham Nu'aysa was said not to have been able to walk into that court because of the results of torture.

The trial was manifestly unfair. They were charged with "publication of false information", "receiving money from abroad" for the CDF (a sum of about \$1,000) and "withholding information" about their activities. Defence lawyers were not allowed access to the defendants before trial and denied the time to prepare their case and produce witnesses.

Prosecution evidence consisted of confessions - extracted under torture according to the defendants - and the leaflet.

Three of the defendants were acquitted and released. Fourteen were sentenced to prison terms of between three and ten years. Aktham Nu'aysa was sentenced to nine years in jail.

Aktham Nu'aysa and his colleagues are prisoners of conscience and should be released immediately and unconditionally.

Turkey

Those monitoring the fast deteriorating human rights situation in Turkey have been harassed, detained, tortured, imprisoned, threatened, murdered and "disappeared".

The Turkish Human Rights Association (HRA) in particular has been targeted. Founded in 1986, and based in Ankara, it has over 50 branches throughout Turkey. The HRA reports on the human rights situation in Turkey and is internationally recognized as an independent and effective organization.

In the early 1990s the HRA suffered a series of bomb attacks. In June 1991, lawyer Mustafa Ozer was killed by a bomb placed in his car. Later that month one of the HRA's regional headquarters was blown up. Also in 1991, Vedat Aydin, an HRA branch member was abducted by armed men claiming to be police. His body, showing signs of torture, was found three days later. Another car bomb narrowly missed killing an HRA board member and his son in July the same year. In 1992 that same board member was shot dead in mysterious circumstances.

International response to these bombings and killings was intense. Since the mid 1990s harassment suffered by the HRA has generally been by judicial means. This does not mean that the violence has stopped:

"I was blindfolded, slapped, kicked and subjected to crude sexual insults"

This is how Meral Danis Bestas, Secretary of a HRA branch, describes her treatment at the hands of the police when she was detained because of her work.

Mahmut Sakar, the Secretary of the Diyarbakir branch of the HRA knows all about legal harassment of his work. Like many human rights activists in Turkey he fell foul of the legislation which outlaws "separatism". In December 1994 he was arrested along with three fellow workers for publishing a HRA report on recent human rights violations. He was charged and detained for producing "separatist propaganda". He was later additionally charged with membership of the PKK - an armed and violent opposition group. In all, eight people were detained and charged. Under the glare of international attention, all the defendants were released from pre-trial detention after it was announced in court that their statements incriminating them had been extracted under torture.

The charges stand, however, and the trial is expected to continue throughout 1995. After his release from pre-trial detention Mahmut Sakar sent the following message to Amnesty International:

"In the conditions under which we were living, the support you showed us meant a great deal and became an important psychological strength in meeting the difficulties in the course of our struggle"