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Madagascar: Time for independent and impartial investigation of human rights abuses

As the first anniversary of last year's disputed presidential elections approaches, Amnesty International is calling for impartial and independent investigations into all reports of human rights violations and abuses unleashed in the context of the political unrest following the elections.

In a report launched today, entitled Madagascar: Justice is selective, Amnesty International underlines the need to bring to justice all suspected perpetrators of the human rights violations and abuses during the political crisis.

"Justice for the victims of human rights violations and their families is crucial to prevent new abuses from being committed," the organization said.

The report describes some of the gravest abuses, such as killings and torture, committed during the 2002 Madagascar crisis, by supporters of both ex-President Didier Ratsiraka and President Marc Ravalomanana. It also details some of the irregularities in the judicial proceedings against those arrested in the past six months, on suspicion of crimes committed during the crisis.

Hundreds of people have been arrested for alleged crimes during the political crisis. However, Amnesty International is concerned that most of them are or are perceived to be supporters of the previous government. Some of those arrested have reportedly been tortured or ill-treated during their arrest and subjected to arbitrary or unfair legal procedures.

"Amnesty International welcomes the stated commitment of the government to end impunity for past abuses. However, the government must demonstrate that justice is not selective in the arrest and trial of suspected perpetrators of human rights violations. Only independent and impartial investigations into all reports of human rights abuses and fair trials for the suspected perpetrators will ensure that justice is done and seen to be done," Amnesty International said.

Amnesty International further calls on the Malagasy government to:

bring to justice all suspected perpetrators (including within its security forces) of torture and other human rights abuses;

take measures to end arbitrary arrests and detentions;

ensure that anyone suspected of human rights abuses or other crimes is brought to justice according to internationally recognized standards of fairness and without recourse to the death penalty.

The international community should assist the Malagasy authorities in ending impunity in the country and in ensuring an independent and impartial justice, the organization added.

Background

After the first round of the December 2001 presidential elections, Marc Ravalomanana, mayor of the capital Antananarivo and opposition candidate against long-time President Didier Ratsiraka, denounced official results as rigged and claimed an outright victory. His supporters organized mass peaceful protests and went on a general strike.

In February 2002, Marc Ravalomanana proclaimed himself President in front of tens of thousands of his supporters. Clashes soon broke out between the security forces and his supporters who tried to install his appointed ministers in office.

Didier Ratsiraka then established his own government in Toamasina, capital of the Toamasina province in the east of the country, with the support of five of the six regional governors. Part of the security forces split in favour of each of the candidate. Blockades were erected by Ratsiraka supporters on the main roads linking the coastal provinces to the inland capital, preventing people and goods to move freely within the country.

Human rights violations increased steadily during this period. They included unlawful killings during clashes between both sides, extra-judicial executions and arbitrary arrests and torture of suspected political opponents in a context of increasing restrictions of freedoms of expression, association and assembly. In May, after a recount of the votes, the High Constitutional Court declared Marc Ravalomanana winner of the elections.

Marc Ravalomanana's armed forces re-took control by force of the provinces whose governors had by then declared their independence from the capital. Didier Ratsiraka left the island on 7 July. Since then, hundreds of suspected supporters of Didier Ratsiraka have been arrested, on allegations of crimes committed during the crisis. The majority of them have been charged and are in pre-trial detention.

Parliamentary elections, a condition set by international donors and mediators in this year's political dispute are due to be held on 15 December.

***The report, published in French with an English summary, is available at:
[http://web.amnesty.org/aidoc/aidoc_pdf.nsf/index/AFR350042002FRENCH/\\$File/AFR3500402.pdf](http://web.amnesty.org/aidoc/aidoc_pdf.nsf/index/AFR350042002FRENCH/$File/AFR3500402.pdf)***

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