

EXTERNAL (for general distribution)

AI Index: AFR 43/02/94
Distr: UA/SC

UA 216/94

Torture / Fear of torture / Deaths in custody

7 June 1994

NIGER

Aghali Awaiss
Moussa Oubba
Halid Daoul
two other men (names unknown)

and other members of the Tuareg community

On 17 or 18 May 1994 five civilian men of the Tuareg ethnic group were arrested in the area north of Agadez. Aghali Awaiss, Moussa Oubba, Halid Daoul and two others, whose names are not known, are believed to have been tortured, resulting in the deaths of the two unidentified men. Other members of the Tuareg community are believed to have been arrested since then and may also be at risk of torture.

These arrests and others reported in recent days seem to be connected to a resurgence since May 1994 in violent attacks by members of armed Tuareg groups and subsequent government retaliation. According to official sources, the violence has led to the killing of at least 20 Tuareg. The armed Tuareg groups claim an even greater number of deaths amongst the military.

Amnesty International respects a government's right to arrest people suspected of acts of violence. However, in addition to its concern that those arrested by the army or gendarmerie (para-military police force) may be tortured or ill-treated, Amnesty International fears that some of the detainees may have been civilians arrested because of their ethnic origin rather than because of any evidence of their involvement in the violence.

BACKGROUND INFORMATION

Confrontation between armed Tuareg groups and the government has continued over several years, most notably from May 1990 until a truce was agreed in June 1993. There were few incidents between Tuareg rebels groups and government forces in late 1993. However, in February 1994, the *Coordination de la résistance armée* (CRA), Coordination of the Armed Resistance, the coordinating body of several armed Tuareg movements, issued a public demand for autonomy.

This demand was not been met in the government's subsequent proposal for increased decentralisation within a unified state. Peace talks are set for 15 June, when these conflicting positions will be discussed.

Reluctance of the government to bring to justice those responsible for the extrajudicial execution, torture and arbitrary arrest of Tuareg remains a cause for concern.

RECOMMENDED ACTION: Please send telegrams, telexes and airmail letters either in French or in your own language:

- expressing concern that two men arrested around 17 May 1994 with Aghali Awaiss, Moussa Oubba and Halid Daoul are reported to have died under torture and that the three men currently held at the prison in Agadez may also have been subjected to torture;
- urging the authorities to investigate these allegations of torture and deaths in custody and to bring to justice anyone suspected of responsibility for acts of torture;
- seeking assurances that Aghali Awaiss, Moussa Oubba and Halid Daoul and any

other detainees are protected from torture, and given immediate access to lawyers, families and appropriate medical treatment;
 - while recognising the government's responsibility to identify and bring to justice those responsible for criminal acts, urging them to ensure that any people arrested purely on account of their ethnic origin are released immediately and unconditionally.

APPEALS TO

1) President

Son Excellence

Monsieur Mahamane Ousmane
 Président de la République
 La Présidence
 NIAMEY, Niger

Telegrams: Président de la République, Niamey, Niger

Salutation: Monsieur le Président / Dear President

2) Minister of Justice

Monsieur Kandine Mallam Adam
 Ministre de la Justice et Garde des Sceaux
 Ministère de la Justice et Garde des Sceaux
 Niamey, Niger

Telegrams: Ministre de la Justice, Niamey, Niger

Telexes: 5214

Salutation: Dear Minister / Monsieur le Ministre

3) Minister of the Interior

Monsieur Oumarou Ousmane
 Ministre de l'Intérieur
 Ministère de l'Intérieur
 NIAMEY, Niger

Telegrams: Ministre de l'intérieur / Minister of the Interior

Telexes: 5214

Salutation: Dear Minister / Monsieur le Ministre

COPIES OF YOUR APPEALS TO:

Monsieur Abdourahmane Hama
 Ministre des Affaires Etrangères et
 de la Coopération
 Ministère des Affaires Etrangères et
 de la Coopération
 BP 396 NIAMEY - Niger

and to diplomatic representatives of Niger accredited to your country

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 19 July 1994.