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1997 UNITED NATIONS COMMISSION ON HUMAN RIGHTS: THE COMMISSION AT 50 -- A NEW BEGINNING OR EARLY RETIREMENT?

GENEVA -- In its 50th year the United Nations Commission on Human Rights must analyse its failures, build on its success and approach the next millennium with a renewed determination to confront human rights violations wherever they may occur, Amnesty International said at a press conference today.

"This is not a time to continue with business as usual," said Nicholas Howen, Director of Amnesty International's International Organizations Program. "The Commission must act decisively against those governments which suppress human rights or it risks becoming irrelevant to the problems of the real world."

"Past sessions have been marked by an almost complete lack of accountability of many violating states, an institutionalised amnesia about repeated violations by particular governments and an unwillingness to deal with countries seen as "untouchable" for a variety of political reasons."

Amnesty International is challenging the Commission to ensure that no country is immune to scrutiny. It is unacceptable for member states to turn a blind eye to gross human rights violations reported in these countries by the Commission's own experts. This self-interest serves only to weaken the Commission itself, international law and the credibility of the UN as the global protector of human rights.

At the Commission, which runs from 10 March to 18 April, the organization will raise the cases of countries where there is a pattern of systematic, persistent and severe human rights violations, with a particular focus on -- Algeria, Colombia, Indonesia and East Timor, Nigeria and Turkey. The organization has raised all these five countries at previous sessions of the Commission, yet there has been little improvement in their human rights record, largely because the Commission has preferred to take a spectator's role.

"The Algerian authorities have so far largely been protected from condemnation because of the high level of violence by armed opposition groups in the country," Mr Howen said. "Yet the Commission must show that torturing and extrajudicially executing citizens -- no matter who they are or what crimes they may have committed- only fuels the appalling conflict and is prohibited under international law."

"Powerful European allies and North America shield Turkey from international scrutiny because of its position as a member state of NATO and its value as a buffer state against a perceived Islamist 'threat'. How can the Commission call itself the main UN human rights body if it consistently ignores the overwhelming weight of calls for change by the UN's own experts?"

Vested economic interests from governments in many parts of the world prevent any serious follow-up action and strategy to previous statements from the Chair on Indonesia and East Timor, fearful that human rights violations committed in their own countries could be next in line for scrutiny. The Commission's experts and the Commission have made very clear recommendations to the Indonesian Government. These have been ignored in a deliberate snub by the government.

The Indonesian government has expressed a willingness to cooperate with the mechanisms of the UNCHR and to continue implementing their recommendations. Yet, as the situation on the ground deteriorates, the authorities show little signs of fulfilling their obligations to the UN.

The Nigerian government has also failed to implement last year's recommendations, instead using delaying tactics and brinkmanship. It consented to a visit by the Special Rapporteurs on extrajudicial executions and independence of the judiciary only two weeks before this year's session, but at the last minute reportedly denied them access to political prisoners. The Special Rapporteurs postponed their mission. Diplomatic games cannot mask the climate of fear and intimidation in Nigeria.

"The Commission must react to this unacceptable behaviour by appointing a Special Rapporteur on Nigeria to ensure that last year's and other recommendations are implemented by the Government," Mr Howen said. "The Nigerian people will be looking particularly to the African Members of the Commission not to force yet another weak consensus resolution which again does not reflect the gravity of the situation."

The 1996 Chairperson's statement on Colombia at last recognised the grave human rights situation in the country. This year the High Commissioner for Human Rights is opening an office in Bogotá. The effectiveness of this office will depend on its ability to monitor human rights violations and issue detailed public reports.

"The Commission must show that the setting up of the High Commissioner's office in Bogotá is not the end of public scrutiny but a clear demonstration to the Colombian people that it will continue to monitor and act. In particular to ensure the implementation of key UN recommendations including measures to tackle impunity, to dismantle paramilitary groups and to ensure the security of human rights workers," Mr Howen said.

"In its 50th year, the Commission should be evaluating its own shortcomings and seizing the opportunity to become a more effective human rights body," Mr. Howen said. "At the very least, this year should see an agenda item which will scrutinize governments' cooperation with the Commission and implementation of its recommendations."

"Victims of human rights violations and members of the public do not understand why the Commission time and time again fails to act decisively against governments which suppress human rights. It is time for the Commission to demonstrate that its debates do matter and do make a difference."

COUNTRY BACKGROUND

Algeria

Thousands of people were killed in 1996 in the ongoing conflict involving security forces, militias armed by the state, and armed opposition groups. Many of the victims were unarmed civilians who were not involved in armed confrontations and who were killed in both targeted and indiscriminate attacks. Security forces continued to commit extrajudicial executions and to torture detainees in secret detention, usually to extract confessions. Scores of people “disappeared” after having been arrested by security forces, and hundreds who “disappeared” in previous years remain unaccounted for. In February 1997, more than 200 people were killed by militias and security forces in "anti-terrorist" operations.

Armed opposition groups, which define themselves as “Islamic groups” have also continued to threaten and kill civilians. During the holy month on Ramadan hundreds of people were shot, slaughtered, decapitated or mutilated in targeted attacks.

Colombia

In many respects, the human rights situation has considerably worsened since the 52nd session of the Commission. Extrajudicial executions, “disappearances” and torture carried out by members of the security forces and their paramilitary allies have persisted and, in some areas, increased dramatically. Hundreds of civilians have been killed during counterinsurgency operations and members of legal opposition groups, trade unionists, teachers, peasant and indigenous community leaders and human rights activists have been victims of political killings and “disappearances”. Torture and ill-treatment of both political and common prisoners is common in army and police installations throughout the country.

In late August, two guerrilla organizations, the Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army (ELN), launched their most aggressive offensives in decades. At least 200 people died as a result. Reports of deliberate and arbitrary killings of civilians associated with the armed forces and local authorities are increasing.

Indonesia and East Timor

1996 saw the heaviest crackdown on the opposition movement for many years, following the July raid on the Indonesian Democratic Party’s Jakarta headquarters. Since then, the Government has arrested at least 108 peaceful human rights, political and labour activists. Thirteen of these people are facing charges under the Anti-subversion Law, which carries a maximum sentence of death. Some of those detained have been subjected to torture.

Amnesty International remains concerned about the continuing imprisonment of prisoners of conscience, unfair trials, the torture and ill-treatment of political and criminal detainees, “disappearances”, extrajudicial executions and the use of the death penalty throughout Indonesia and East Timor. The government continues to bar almost all media and international human rights organizations from East Timor, where political killings are reported to have occurred during 1996. At least 200 political prisoners, many of them prisoners of conscience, continue to serve sentences of up to life imprisonment, imposed after unfair trials.

Nigeria

During the year, the Nigerian authorities continued to arbitrarily detain prisoners of conscience, while political prisoners faced the prospect of unfair trials by special tribunals. Detainees were denied access to lawyers, families and essential medical treatment. Torture and ill-treatment were widespread. The death penalty was used extensively under a judicial system which does not guarantee a fair trial.

Many Nigerians who had the courage to stand up for the human rights of their fellow citizens have paid a heavy price. Some are dead, executed after unfair trials or murdered, it is widely feared, by government agents. Others are imprisoned in harsh conditions, their lives and health at risk from malnutrition and medical neglect.

Turkey

1996 was a particularly bad year for human rights in Turkey. Torture has persisted and extrajudicial executions and “disappearances” also continued as strong evidence of state involvement emerged. Children as young as 14 were subjected to torture, including beatings, electric shocks and sexual assault. During the year, Amnesty International raised with the government detailed reports of more than 100 allegations of torture, 10 reported deaths in custody as a result of torture, 41 cases of alleged “disappearance”, 35 cases of extrajudicial execution, 15 prisoners beaten to death and nearly 200 writers prosecuted for the non-violent exercise of their right to freedom of opinion.

Killings by the PKK fell during the ceasefire from December 1995 to July 1996, since when killings of suspected “informers” and collaborators” claimed the lives of more than 50 prisoners. The DHKP-C has carried out arbitrary revenge attacks on civilians.
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