
AMNESTY INTERNATIONAL NEWS SERVICE 12/94

TO: PRESS OFFICERS
FROM: IS PRESS OFFICE
DATE: 21 JANUARY 1984

AI INDEX: NWS 11/12/94
DISTR: SC/PO
NO OF WORDS:3316

NEWS SERVICE ITEMS: EXTERNAL - GREECE, TURKEY, AFGHANISTAN, MYANMAR, USA, SOUTH KOREA

PLEASE NOTE: The refugee team at the IS have asked if press officers could please notify section refugee coordinators about the enclosed external items on Turkey and Afghanistan. Thanks.

PLEASE NOTE: Enclosed is information about recent events organised by the Irish Section and AI Slovenia. If any other press officers have news of recent or forthcoming media activities (as well as further updates on activities/media coverage for the "Disappearances" and Political Killings Campaign) that they would like to be included in the news service please send me details, thanks - Dina.

NEWS INITIATIVES - INTERNAL

INTERNATIONAL NEWS RELEASES

UN Peacekeeping operations - 26 January - SEE NEWS SERVICES 170 AND 05/94

Burundi - 27 January - SEE NEWS SERVICE 05/94

UK - 9 February - SEE NEWS SERVICE 170

Kuwait - 24 February - SEE NEWS SERVICE 170

TARGETED AND LIMITED NEWS RELEASES

Zaire - 2 February - SEE NEWS SERVICE 170

FORTHCOMING NEWS INITIATIVES

Women - 8 March - SEE NEWS SERVICE 161

Saudi Arabia - 31 March more details to follow

Colombia - 16 March - SEE NEWS SERVICE 123 + UAs AMR 23/56-57/93

South Africa - 23 March - SEE NEWS SERVICE 05/94

SECTION ACTIVITIES

Irish Section

On 19 December the Irish section held the 1994 Sean Macbride Memorial Debate, chaired this year by Bob Geldof, who has been an active supporter of Amnesty International for some time. Now in its third year, the debate is an annual event organized by the Irish section with an Irish University. This year it was held in conjunction with the Trinity College Historical Society in Dublin. Mary Lawlor said the evening was a great success and received excellent media coverage.

POLITICAL KILLINGS AND DISAPPEARANCES CAMPAIGN - SECTION INITIATIVES

AI SLOVENIA

In anticipation of Human Rights day the press office, in conjunction with a Slovenian free-lance producer put together five radio and TV spots featuring six well-known Slovenians who had each been asked to adopt a particular Campaign case. These were broadcast from 6 December onwards as a lead up to the big press conference on Human Rights day to introduce the whole campaign. Brian Phillips and Alenka Mirčovic were among the speakers and the conference received excellent coverage in all the major dailies, and on the main radio and TV stations.

As three out of six cases featured were victims of political killings, the press office placed obituaries in two of the daily newspapers, which they found extremely successful and plan to repeat this with other newspapers.

The 10 December was also commemorated with a production of Death and the Maiden by Ariel Dorfman at the Ljubljana Theatre. AI Slovenia had cooperated with the translator of the play and provided information about human rights violations in South America.

News Service 12/94

**AI INDEX: EUR 25/WU 01/1994
21 January 1994**

GREECE: AMNESTY INTERNATIONAL WELCOMES THE ABOLITION OF THE DEATH PENALTY

Amnesty International welcomes the law, passed by the Greek parliament on 16 December 1993, to abolish the death penalty without restriction. Article 33 of this law provides for the abolition of the death penalty in wartime as well as in peace-time.

The last execution in Greece, for murder, occurred on 25 August 1972, during the time of military rule. Since then a number of death sentences have been imposed by Greek courts, most recently in June 1986 and February 1988, but all have been commuted to life imprisonment by the President.

Amnesty International also welcomes reports that the Greek Government is considering ratification of the Sixth Protocol to the European Convention for the Protection of Human Rights and Fundamental Freedom, which Greece signed in 1983, which concerns the abolition of the death penalty.

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News Service 12/94

AI INDEX: EUR 44/WU 03/1994
21 January 1994

TURKEY: AI FEARS FOR THE SAFETY OF IRANIAN AND IRAQI REFUGEES AND ASYLUM SEEKERS

Amnesty International is concerned by recent reports indicating an alarming deterioration in the safety of Iranian and Iraqi refugees and asylum-seekers in Turkey.

In recent weeks, the Turkish authorities have expelled Iranian asylum-seekers whose cases were under consideration by the Office of the United Nations High Commissioner for Refugees (UNHCR), and an Iranian refugee has been killed in circumstances suggesting the possible involvement of Iranian agents. He was the third Iranian political opposition figure to be killed in Turkey since mid-1993. A number of Iraqis have also recently been expelled to northern Iraq, including some who had been recognized by the UNHCR as refugees and were awaiting resettlement in third countries.

In early January two Iranian asylum-seekers, who had sought protection from the UNHCR in Turkey, were taken by Turkish border police to the Turkey-Iran border and expelled from Turkey. Iranian asylum-seekers in Turkey are in an insecure situation and face harassment by Turkish authorities, including detentions and threats to return them to Iran. In the past two years there have been several cases of Iranians, including those recognized by the UNHCR as refugees, being forcibly returned - or of attempts being made to forcibly return them - to Iran.

Just over two weeks ago an Iranian refugee was killed in Turkey in circumstances suggesting the possible involvement of Iranian agents. On 4 January Taha Kermanj, a leading member of the Kurdish Democratic Party of Iran (Revolutionary Command), was shot dead near his home in Çorum. He had fled to Turkey early in 1993 from northern Iraq, where he had reportedly received death threats from Iranian agents. He had been recognized as a refugee by UNHCR and was awaiting resettlement to a third country.

Concern for Iranian refugees and asylum-seekers in Turkey is heightened by a 1992 protocol between the Turkish and Iranian Governments dealing with border security and the activities of opposition groups. Amnesty International fears this protocol could result in Iranians at risk of human rights violations in Iran being refused protection in Turkey. Amnesty International made its concern known to the Turkish authorities at the time the protocol was agreed.

In recent weeks large numbers of Iraqis - some reports suggest 200 - including asylum-seekers and some refugees recognized by the UNHCR, have been rounded up by the Turkish authorities on the grounds that they were "illegal" entrants and expelled to Iraq. The Turkish authorities take the view that, since northern Iraq is under the jurisdiction of the Kurdish authorities, all Iraqi refugees can be safely returned there. However, during 1993 there have been a number of politically-motivated killings in northern Iraq. Among those killed was a leading member of the Iraqi Workers Communist Party. Indeed, several members of left-wing political groups in northern Iraq have fled to Turkey in recent months and been recognized as refugees by the UNHCR.

Amnesty International has written repeatedly to the Turkish Ministers of Interior and Foreign Affairs, most recently at the end of December 1993, expressing concern about the expulsions of refugees, and asking the Turkish Government to take firm measures to prevent any further expulsions of refugees and of asylum-seekers whose cases are under consideration by UNHCR or who would face serious human rights violations if forcibly returned to their own countries. The internationally-recognized principle of *non-refoulement*, set out in the 1951 Convention relating to the Status of Refugees, obliges states not to return refugees to a country where they would be at risk of serious human rights violations. This principle of international law is recognized by the international community as binding on all states, whether or not they are party to the 1951 Convention itself. The Intergovernmental Executive Committee of the Programme of the

UNHCR, of which Turkey is a member, has adopted several Conclusions reiterating that the fundamental principle of *non-refoulement* must be scrupulously observed in all cases.

Amnesty International fears that these developments clearly demonstrate that, at present, Turkey cannot be regarded in any way as a safe asylum country for asylum-seekers from Iran or Iraq, and raise a grave overall concern about the protection of asylum-seekers in Turkey.

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News Service 12/94

AI INDEX: ASA 11/WU 01/1994
21 January 1993

AFGHANISTAN: AMNESTY INTERNATIONAL FEARS FOR THE SAFETY OF AFGHAN REFUGEES REFUSED ENTRY INTO PAKISTAN

Hundreds of civilians, including women and children, have been killed since renewed intense fighting erupted in the Afghan capital, Kabul, and the northern city of Mazar-e-Sharif in early January. Thousands of people have fled the areas of conflict in an attempt to cross the border to Pakistan and escape the fighting. However on 12 January, the Government of Pakistan ordered the border with Afghanistan at the Khyber Pass to be closed with immediate effect and for an indefinite period, after some 15,000 refugees had entered through the pass in the previous days. Following this measure, only those seriously wounded were reportedly permitted to enter.

Amnesty International is gravely concerned by the human rights abuses perpetrated in Afghanistan in the context of the civil war there. Reports received by the human rights organization indicate that defenceless civilians continue to be targeted by both sides in the conflict - the government forces loyal to President Burhanuddin Rabbani and troops of the new alliance of Prime Minister Gulbuddin Hekmatyar and the northern military leader General Dostum. Civilians are reportedly sometimes used as "human shields" by the fighting factions. Hospitals, mosques and residential areas have been repeatedly bombarded in Kabul leaving some 10,000 injured. Due to the widespread destruction of medical facilities, hundreds of injured reportedly remain unattended.

Amnesty International urgently calls on all the parties in the conflict to respect human rights, observe international humanitarian standards and respect the right to life and security of the civilian population. Amnesty International urges the government and all warring factions in Afghanistan to observe the international obligations regarding the safeguarding of human rights and humanitarian law.

Amnesty International is also appalled by the Pakistan Government's decision to close its border, at this crucial time, to people fleeing Afghanistan to seek protection. During a brief cease-fire on 8 and 9 January, the few remaining diplomats and foreign aid workers left the capital in a convoy and thousands of residents of Kabul fled. Some 80,000 people who fled from Kabul were reported to have reached Jalalabad, a city half-way between Kabul and the border with Pakistan, in the last few days.

Amnesty International has received reports of thousands of refugees desperately trying to seek refuge in Pakistan but unable to gain access. Most then reportedly returned to Jalalabad, but some 2,000 were said to be waiting at the border. According to reports, in recent days a few hundred Afghans have managed to cross into Pakistan by leaving the road and making their way along mountain tracks.

The Government of Pakistan, which was elected in October 1993 on a program of restoration of democratic rights and respect for human rights, has an obligation under international law not to send back people against their will to countries where they risk serious human rights violations. The forcible return of such people is a violation of the principle of *non-refoulement*, which is binding on all states. This principle of international law includes non-rejection at the frontier of the country where people seek protection. It must be scrupulously observed in all cases, including situations of large-scale influx of refugees.

Amnesty International recalls the assistance which Pakistan has provided over past years to large numbers of Afghan refugees, and welcomes the assurances the government has given that those who have fled recently and who have already entered Pakistan will not be forcibly returned to Afghanistan. However, the internationally recognized principle of *non-refoulement* also requires that no person seeking protection at the frontier should be refused entry to the country. Amnesty International therefore appeals urgently to the Government of Pakistan to re-open its borders so as to ensure that refugees are not turned back to Afghanistan.

The closing of the border at the Khyber Pass is the first such action by Pakistan which during the 1980s gave refuge to some 3.5 million Afghan refugees. After the fall of the government of President Najibullah in April 1992 many thousands of these refugees returned to

Afghanistan and the number remaining in Pakistan reduced to around 1.5 million. But since mid-1992 the civil war in Afghanistan has caused refugees to flee once again, leading to an increase in the number of Afghan refugees in Pakistan.

Press reports of 13 January speak of a joint initiative of the council (shura) of the eastern city of Jalalabad in Afghanistan and the federal government of Pakistan to set up two camps inside Afghanistan with a capacity of 100,000 people each to facilitate relief assistance to the displaced people. The Pakistan Commissioner for Afghan Refugees, during a meeting with representatives of the United Nations and non-governmental organizations (NGOs) providing relief assistance, declared that the government of Pakistan would not consider the new arrivals at the border to be refugees; he advised the UN and representatives of the NGOs to transfer their operations to sites inside the Afghan border. Those refugees who had already crossed into Pakistan before the closure of the border would be accommodated in tent villages near Peshawar, he said.

Amnesty International appreciates any measures which local authorities in Afghanistan, with the cooperation of the Government of Pakistan, may be able to take to provide assistance for those who have fled the fighting around Kabul and are displaced in other parts of Afghanistan. But such measures should not be cited as a reason for denying to people fleeing human rights violations their right to seek asylum abroad - a right which is set out in the Universal Declaration of Human Rights.

International standards relating to the protection of refugees recognize that a large-scale influx of refugees may pose serious practical and financial problems to the host country, and that in such situations it is the responsibility of the international community to help host countries provide refugees with the protection to which they are entitled under international standards. Amnesty International believes that the Pakistan Government has no excuse not to fulfill its obligations under international law regarding the principle of non-refoulement. However, the organization also is calling upon the international community to recognise its own responsibilities and provide the Government of Pakistan with whatever help it may require in order to ensure that the refugees receive the necessary protection, once the Pakistan Government permits them to enter the country.

Amnesty International is also calling on the international community to undertake every possible effort and to exert whatever influence its members may have to bring to an end the present widespread human rights abuses in Afghanistan.

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News Service 12/94

**AI INDEX: ASA 16/WU 01/1994
21 January 1994**

MYANMAR: AMNESTY INTERNATIONAL CALLS FOR THE IMMEDIATE RELEASE OF AUNG SAN SUU KYI AND OTHER PRISONERS OF CONSCIENCE

Aung San Suu Kyi, winner of the 1991 Nobel Peace Prize and at present in her fifth year under house arrest in Yangon (Rangoon), Union of Myanmar (Burma), may be released in July, according to recent reports.

Lieutenant-General Khin Nyunt, First Secretary of Myanmar's ruling State Law and Order Restoration Council (SLORC) reportedly stated in an interview with Japanese journalists that Aung San Suu Kyi's case would be "dealt with in accordance with existing law". Aung San Suu Kyi is detained under the provisions of the 1975 State Protection Law, which states that the maximum period of imprisonment for a person held under this law is five years. This five year period ends in July 1994 for Aung San Suu Kyi, who was arrested in June 1989. She is detained without trial having been accused by Myanmar's military leaders of associating with "anti-government rebels".

Aung San Suu Kyi founded the National League for Democracy (NLD) in 1988. The NLD won a landslide victory in elections held in 1990. The SLORC, which took power in Myanmar in 1988, following the violent repression of a national pro-democracy movement, has never allowed the Parliament to convene. Twenty-nine members of parliament-elect, including 27 from the NLD, are now in detention in Myanmar. Amnesty International believes that Aung San Suu Kyi is a prisoner of conscience, detained solely for the peaceful expression of her political views. The organization calls upon the SLORC to release her immediately and without conditions.

Amnesty International also calls upon the SLORC to release the 70 other known prisoners of conscience at present detained in Myanmar, most of whom were sentenced after unfair trials. The organization draws particular attention to three prisoners of conscience, each sentenced in October 1993 to 20 years' imprisonment. Dr Aung Khin Sint, an NLD member of parliament-elect and his assistant, Than Min, were sentenced for allegedly writing and distributing "threatening and anonymous letters" to delegates to the National Convention, convened to draw up a new Constitution in Myanmar. Dr Ma Thida, a medical doctor and well-known writer, and former assistant to Aung San Suu Kyi, was accused, along with nine others, of distributing materials which had been published by opposition groups operating outside of Myanmar.

Amnesty International believes that, like Aung San Suu Kyi, these three people are detained solely for the non-violent expression of their political views. The organization calls upon the SLORC to release immediately and unconditionally, Aung San Suu Kyi, Dr Aung Khin Sint, Than Min, Dr Ma Thida, and all other prisoners of conscience in Myanmar.

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News Service 12/94

**AI INDEX: AMR 51/WU 03/1994
21 January 1994**

USA: JUVENILE OFFENDER EXECUTED, ANOTHER FACING DEATH IS GRANTED STAY OF EXECUTION

Amnesty International learned with deep regret that juvenile offender Christopher Burger was executed in Georgia, USA, on 7 December 1993, as scheduled.

Joseph Cannon, another juvenile offender who was scheduled to be executed in Texas, USA, on 26 January 1994, has been granted a stay of execution.

For further information see News Service item 160/93 (AI INDEX: AMR 51/WU 14/93, 2 December 1993) USA: TWO JUVENILE OFFENDERS FACE IMMINENT EXECUTION.

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News Service 12/94

**AI INDEX: ASA 25/WU 01/1994
21 January 1994**

SOUTH KOREA: LETTER FROM PRISONER OF CONSCIENCE

Kim Song Man was arrested in 1985 under the National Security Law. He was accused and convicted of working on behalf of North Korea against the state, and sentenced to death. In 1988 Kim's sentence was commuted to life imprisonment. Below are extracts from a letter he wrote to an Amnesty group in the USA.

"...In Korea a political prisoner is normally forbidden to send letters to a man in a foreign country except his family or his near relative. But in August I met and talked with the chief of the department of correctional affairs in the prison and obtained permission to send you letters. What moved him to change his mind and grant me the permission was the quantity of parcels which have been sent me by you for about two years. The great number of parcels didn't mean anything but your warm heart and extraordinary human sincerity. They moved him. It has been more than eight years since I wrote a letter to a foreigner. This is the first time for me to write an overseas letter in the prison...thank you from the bottom of my heart.

"My daily life is monotonous and changeless. An hour is given per day for outdoor exercise. The rest of the day I have to stay in the small single room. Everything in my life is all the same everyday. But there is one thing which changes clearly everyday in my routine life. It is the contents of books which I read everyday. Nowadays I read books on human relations and leadership...

"...What I consider as the most important thing is a life of social value. As long as I pursue a life of social value, I can feel the peace of mind and freedom. The conviction that my life is of social value and the vision of future society will come true makes me endure the present pain much easier..."

In December 1993 Kim Song Man was transferred to Andong Prison where he is being held in solitary confinement in a prison block where there are no other people except for himself and a guard. Despite this he is in good spirits and is able to write letters to, and receive letters from, his family.

Please encourage people to keep writing on his behalf.

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