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**TO: PRESS OFFICERS**

**FROM: PRESS AND PUBLICATIONS**

**DATE: 8 APRIL 1993**

**WEEKLY UPDATE SERVICE 33/93**

Contained in this weekly update are two external items on India and one on China.

**NEWS INITIATIVES**

**IMPORTANT CHANGES TO TEXTS RECEIVED THIS WEEK** - Two texts have now been sent out to you with mistakes - our apologies for this. Please amend them as soon as possible.

Most importantly, the Morocco weekly update item (AI Index: MDE29/WU 02/93) sent in the last issue did not include an embargo. PLEASE NOTE it is embargoed for 0001 hrs gmt Wednesday 14 April 1993. Please make sure you add the embargo date before you send it to any media. Please also bear in mind that this is not a high-priority news release.

The Chad Q&A, which was sent out to you today, had the wrong index number. The correct number is: AFR 20/13/93.

Sorry about these mistakes.

**INTERNATIONAL NEWS RELEASES**

**Chad - 21 April**

(New Information)

The document to go with this campaign has been sent out to sections dated February. Please inform your section campaign coordinators and anyone else who may receive it that it is EMBARGOED FOR 21 APRIL.

Another, short document about recent killings has also now been finalized. It will be sent to you by telex, fax or e-mail on Tuesday next week.

Chad Campaign, document, news release, Q&A and ENR. The news release and Q&A have been sent to you. Please note the change of index number of the Q&A (see above).

**Bangladesh - 28 April**

Document on serious human rights violations in Bangladesh, accompanied by a news release.

**Tadzhikistan - 5 May**

Publication and news release on killings in the context of civil war - with striking similarities to Bosnia-Herzegovina.

**Indigenous People - 12 May**

(New Information)

News release planned to accompany Focus article on Human rights violations against indigenous people worldwide. Indigenous people will be one of the main themes of our work on the World Conference.

**Guatemala - 19 May**

(New information)

A document or publication with a news release on a full range of recent human rights violations (in the past year or so) in Guatemala.

**Egypt - 26 May**

(New information)

A document or publication and news release on all our concerns in Egypt. These include very high numbers of prisoners and torture.

**TARGETED AND LIMITED NEWS RELEASES**

**Morocco - 14 April**

Document and weekly update item - the IS will be sending this only to selected media (largely Arabic speaking). The weekly update item was sent to you yesterday in Weekly Update 32 - unfortunately the embargo was missed off. PLEASE ADD THE EMBARGO DATE before sending this item out to media.

**China - 16 April**

Document and embargoed weekly update item on torture, timed to coincide with China reporting to the UN Committee Against Torture (CAT). China is scheduled to appear on 23 April - media are entitled to attend and we will be encouraging contacts to do so.

**War Crimes tribunals, Former Yugoslavia - 19 April**

See internal item in Weekly Update 32 for details of change of plans re war crimes tribunal external document, media action and weekly update.

**Brazil - 7 May**

Document on prison massacre, including new forensic information. Weekly update item to go with it. Sections are also being asked to carry out campaign work in connection with this document.

**Unconfirmed news initiatives**

News releases or embargoed weekly update items are being considered on the following subjects:

Malawi (May)

World Conference (early June)

Nagorno-Karabakh (to go with possible action, May)

Aceh, Indonesia (14 July)

**Section Initiatives**

**French Section - European Press Officers' Meeting**

The second European Press Officers' meeting will take place in Paris this year. The date of this meeting is now fixed for 15 and 16 May as the majority of you asked for. It will be focused on two themes: Audiovisual work (production and TV experiences) and how to improve it; and the UN World Conference on Human Rights in Vienna.

**European World Conference Press Briefing in June**

**The British Section Press Office has been talking to the EC project office and the Francophone Belgium Press Officer about holding a European press briefing in Brussels for MEPs and for journalists who will be covering the World Conference. The date will probably be Tuesday, June 8th in the morning. The aim will be to look at the EC's role as a whole in terms of its internal shortcomings (Asylum issues, etc), external policies - aid/development, etc, and also to look at Europe's role within the UN.**

**Although the idea has been suggested by the British Section, it is hoped that all European Section Press Officers will be interested in being involved. For further information please contact either Daphne Davies, in the British Section Press Office or Johannes in the EC project office.**

**2. ASA 20/WU 03/93 EXTERNAL**  
**8 April 1993**

**INTERNAL**

**Please note, this item will be sent by the IS to selected international media, and will be made available to the Indian media by the delegate while she is in India to attend the IPU conference.**

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**EXTERNAL**

**INDIA: AMNESTY INTERNATIONAL RENEWS ITS CALL FOR ACCESS TO INVESTIGATE HUMAN RIGHTS ABUSES THROUGHOUT INDIA**

Amnesty International today wrote to the Indian Minister for Home Affairs urging the government to grant permission for the organization to visit all areas of India to research human rights concerns. Amnesty International was disappointed by the Indian government's recent refusal to permit an Amnesty International delegate to travel to Bombay, despite allowing her to attend the Inter Parliamentary Union conference in New Delhi from 12 to 17 April.

Amnesty International has been seeking permission for many years to conduct independent research in India and regrets the government's decision. A delegation from the organization was allowed to visit New Delhi in November last year, to discuss its concerns for the first time since 1978, and was given assurances by the Home Minister that the government did not, in principle, oppose such requests and that Amnesty International's requests to visit various states were given active consideration.

Amnesty International's delegate had intended to meet lawyers and members of non-governmental organizations in connection with events in Bombay which occurred in December 1992 and January this year. However, the organization remains concerned at the government's lack of determination to ensure that the perpetrators of such grave human rights violations are brought to justice - officials are known to have been convicted in only six of the cases listed in Amnesty International's report.

In November 1992, during Amnesty International's visit to New Delhi, the Indian government told the organization that requests for visits to other parts of the country would be considered on a case by case basis. In January, the Chief Minister of Punjab reportedly informed a delegation of Canadian Members of Parliament that his state government had no objection against an Amnesty International visit to Punjab. Earlier that month, the Minister for Home Affairs reportedly stated that Amnesty International would not be allowed to visit Punjab initially, but would be permitted to visit other states.

The organization's first priority is to visit Jammu and Kashmir following ongoing allegations of serious human rights violations there, such as killings in Sopore in January. Amnesty International would also like to visit Assam and the north-eastern states. The organization's request to visit Punjab is a longstanding one, but Amnesty International would equally like to have direct access to states such as Maharashtra, West Bengal, Tamil Nadu and Kerala, where the issue of organized armed opposition has not arisen.

Amnesty International's delegate to the forthcoming Inter Parliamentary Union Conference in New Delhi will be meeting government officials there to continue the dialogue initiated in November and will also discuss the organization's wish to be allowed access to India in order to carry out independent research.

3. ASA 20/WU 04/93 EXTERNAL  
8 April 1993

**INTERNAL**

**Please note - the IS will only be sending this out to those international media which have already covered the story of the Indian government criticizing AI. It will, however, be made available to the media in India.**

**EXTERNAL**

**INDIA: GOVERNMENT DENIALS LACK CREDIBILITY, SAYS AMNESTY INTERNATIONAL**

The Indian government's denial of police responsibility in torture cases lacks credibility, says Amnesty International, in view of its continuing refusal to allow Amnesty International representatives access to investigate at first hand the conflicting reports about human rights violations in the various states where they allegedly occurred.

In a recent statement, the Ministry of Home Affairs said that 145 of the more than 400 specific allegations of human rights violations made by Amnesty International in a report in March 1992 "have not been substantiated." It did, however, acknowledge that in more than a third of the cases which it has so far been able to verify with state governments (in 85 out of 230 cases) there was prima facie evidence necessitating further action against the police allegedly responsible for torturing and killing suspects in police custody.

Amnesty International welcomes the detailed investigations which the government is conducting into the allegations listed in Amnesty International's report. However, the organization remains concerned at the lack of determination on the part of the government to ensure that the perpetrators of such grave human rights violations are brought to justice - in only six of the cases listed in its report are officials to date known to have been and convicted. Compensation is known to have been granted in no more than 16 cases.

Amnesty International also regrets that the government's response lacks documentary evidence, such as reports of official inquiries carried out by magistrates or by medical doctors conducting post mortem examinations, to substantiate its denial that some of the alleged human rights violations took place.

The government maintains that in some cases the cause of death was suicide (and not torture as reported by Amnesty International), that marks of injuries found on the bodies of some victims had been inflicted before arrest and not during detention, and that in seven cases there was no evidence that the person named in Amnesty International's report had died in custody.

The government has named only one of the seven people whose deaths in police custody it denies: that of Virendra Bahadur Singh. According to Amnesty International's March 1992 report, he was taken away from his home on 9 June 1986 and interrogated for six days at Bakshi-ka-Talab police station in Lucknow district. The government confirms that he was arrested and was held in a police station, but claims that "he escaped after jumping the walls" of the police station. It says he is alive and now works as a taxi driver at Bakshi-ka-Talab.

Amnesty International, of course, hopes that what the government says is true. However, a press report issued at the time of the incident contradicts the government's version. The Telegraph, Calcutta, of 16 July 1986, reported: "Virendra Bahadur Singh, who had never indulged in criminal activities, was dragged out of his house on the night of June 9 and interrogated for six days at the Bakshi-ka-Talab police station... He reportedly died on June 14. The body was disposed of by the police and a rumour floated that the 'accused' had fled." Contradicting the government's acknowledgement to Amnesty International that "Shri Virendra Bahadur Singh was... arrested and kept in lock-up", The Telegraph report continued: "Later, the police said it had not even arrested him".

Amnesty International has noted one more response from the government in which it apparently denied the death of the victim. Swapan Das, a 14-year-old boy from Calcutta, was reportedly taken into custody by the Thakurpur police on 24 July 1989. His body was found hanging in an unfinished building the following day. The government's brief response to Amnesty International simply states: "the Government of West Bengal have found that no such death has taken place". However, the Indian press reported the boy's death at the time and even that a police officer had been arrested in connection with his murder. According to a report of 27 July 1989 in The Telegraph, Calcutta, "An officer of the special branch of the city police, Mr. Murari Mohan Mukherjee, was arrested last night in connection with the murder of a 14-year-old boy, Swapan Das.... The officer... was charged with murder and remanded to jail custody till August 9".

Finally, the government alleges that in many cases of custodial deaths listed in the Amnesty International report "the cause of death in custody had clearly been established as suicide, illness or injury sustained before the arrest". One case in which the government makes that assertion is that of Mahinder Kumar, who, according to the Amnesty International report, said he was arrested on 24 August 1987 by Vivek Vihar police and died the following day in Jay Prakash Hospital in New Delhi, allegedly from multiple injuries sustained under

torture. The government informed Amnesty International: "The Magisterial Inquiry concluded that he died due to blunt injuries inflicted by mob on him before he was arrested by police".

However, the Amnesty International report reproduces a photograph of the injured body of the deceased's friend, Ram Kumar, in the operating theatre of Jay Prakash hospital. According to the Indian Express of 26 August 1987, Ram Kumar and Mahinder Kumar were brutally tortured in Delhi's Vivek Vihar police station by 15 men who, Ram Kumar reportedly said: "started kicking us in the stomach and groin. They also laid us on our backs and put large rods across our legs... others stood on the rods and rolled them back and forth".

Ram Kumar also reputedly told the press that both he and Mahinder were hung upside down and beaten with sticks until: "Mahinder started vomiting blood". Seven police officers, including the Station House officer of the Vivek Vihar police station, were suspended, according to the Indian Express of 27 August 1987, which added: "They were believed to be directly involved in the torture which resulted in Mahinder's death".

Said Amnesty International: "It is unfortunate that the government continues to refuse us permission to carry out independent research on the ground in India. As long as this is the case, such conflicting evidence will not be satisfactorily explained and the Indian government's willingness to address the problem of torture must remain in doubt."

4. ASA 17/WU 03/93 EXTERNAL  
8 April 1993

**INTERNAL**

This weekly update item accompanies an external document China - Torture and ill-treatment: Comments on the Additional Report of the People's Republic of China to the UN Committee Against Torture (AI Index: ASA 17/11/83). For further information on torture in China please refer to the report of December 1992 Torture in China (AI Index: ASA 17/55/82) and an update from March this year China - Update on Torture (AI Index: ASA 17/12/83).

The other countries due to present reports to the Committee Against Torture are Belize, Canada, Hungary, Panama, Peru, Spain and Sweden.

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**EXTERNAL**

**EMBARGOED FOR FRIDAY 16 APRIL 1993**

**China: Amnesty International calls for fundamental reforms to bring China into line with the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment**

In the week before China's record on torture will be scrutinised by UN experts, Amnesty International has dismissed the Chinese government's claim that it has taken effective measures to stop torture. In a report released today, Amnesty International said that, contrary to this claim, the government has not instituted the fundamental reforms needed to reduce the incidence of torture, which continues to be widespread and systematic.

China voluntarily ratified the UN Convention against Torture in 1988. The 10 member UN Committee against Torture (CAT), entrusted with monitoring how countries implement the legally binding obligations of the Convention, is set to meet in Geneva next week to review reports from China and seven other countries who have ratified the Convention.

China submitted its first report to the CAT in December 1989 and appeared before the Committee to answer its questions for the first time in April 1990. On that occasion the UN experts were dissatisfied with the generalities of China's report and asked the government to give written answers to more than 90 questions in an additional report. It is this additional report, submitted more than two years later, which is set down to be considered by the Committee on 22 April 1993. The additional report, however, provides little new information and is very similar to the first report examined in 1990.

China's additional report describes in detail the existing legal provisions and mechanisms aimed at prohibiting torture and guaranteeing certain rights to citizens in China, but it fails, like the first report, to address the question of how these provisions are implemented in practice. The report claims that cases of torture are scrupulously investigated and the perpetrators punished, though well-documented evidence shows this claim to be largely false. The impunity enjoyed by China's torturers is one of the factors which contribute to the continued widespread use of torture.

The information received by Amnesty International in recent years suggests that torture has become endemic in many places of detention in China and the extent of the practice is now far more widespread than it was ten years ago, with prisoners frequently suffering far more severe abuses. Continuing government campaigns to crush crime and political opposition during the past decade have contributed to this trend.

Torture and ill-treatment of prisoners in China are fostered by law enforcement practices and a justice system which deny prisoners some of the most fundamental human rights. To date, the authorities have taken no steps to review the laws and practices which are at the basis of many human rights violations, including torture.

In a report entitled Torture in China, published in December 1992, Amnesty International described the main factors which facilitate the use of torture in China. These include a system of administrative detention which allows the police, on its own authority, to detain people

**without charge or trial for weeks or months; incommunicado detention, without access to lawyers, judges or relatives, throughout the period of pre-trial detention; the prominent role played by confessions and presumption of guilt in the judicial process; the lack of impartial investigations into torture allegations and the impunity frequently extended to the torturers.**

**Amnesty International recommended the adoption of fundamental safeguards for prisoners' rights as a matter of extreme urgency to lessen the risk of detainees being subjected to torture and ill-treatment. It listed such safeguards and other measures needed to eradicate torture and called on the Chinese government to undertake a fundamental review of legislation and law-enforcement practices.**

**Amnesty International reiterates its call to the Chinese government to adopt effective legislative, administrative, and judicial measures to bring the country's legislation and practice into conformity with the requirements of the UN Convention against Torture.**

**It also calls on the government to declare, under Article 22 of the UN Convention against Torture, that it recognizes the competence of the UN Committee against Torture to receive complaints from individuals who claim that the government has violated its obligation under the Convention, and to lift its declaration under Article 20 which blocks the power of the CAT to investigate claims that torture is systematically practised in China.**

**The Committee against Torture was set up to monitor the implementation of the UN Convention against Torture. It is composed of 10 experts in the field of human rights serving in their personal capacity, who are elected by secret ballot from a list of persons nominated by State Parties to the Convention. Amnesty International has given its latest report and other documents to the experts and hopes the Committee will thoroughly probe all aspects of China's claims and the truth of its record.**