
AMNESTY INTERNATIONAL NEWS SERVICE 131/94

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NEWS SERVICE ITEMS: EXTERNAL - SOUTH AFRICA, DENMARK

PLEASE NOTE: You may get calls about a Rwandan man called Javier Africa. If you need to find out information about him, please see a document produced in March 1993, AI INDEX: AFR 47/04/94.

NEWS INITIATIVES - INTERNAL

INTERNATIONAL NEWS RELEASES

****Turkey - 22 June** - SEE NEWS SERVICES 118/94 AND 104/94**

The CSCE item enclosed in News Service 130/94 is part of a factsheet, AI Index: EUR 44/50/94, which is being sent out to lobbyists in the near future. It has just been finalised by the Legal Office and may be too late to help you, but it is a good summary of what the CSCE is, should you be asked about it by media. Paula

United Kingdom - 14 July - SEE NEWS SERVICE 129/94

Pakistan - 27 July - PLEASE NOTE NEW DATE. SEE NEWS SERVICE 81/94

Myanmar - 20 July - PLEASE NOTE THIS IS AN INTERNATIONAL NEWS RELEASE SEE NEWS SERVICE 99/94

India - 16 August - SEE NEWS SERVICE 129/94

TARGETED AND LIMITED NEWS RELEASES

Mozambique - 23 June - SEE NEWS SERVICE 115/94

Lusophone Summit - 27 June - SEE NEWS SERVICE 124/94 for item

**** North and South Korea - 29 June ** - More information to follow**

FORTHCOMING NEWS INITIATIVES

Annual Report - 0600 hrs GMT 7 July 1994 - SEE NEWS SERVICE 51/94

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AI INDEX: AFR 53/WU 06/94
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SOUTH AFRICA: HUMAN RIGHTS ABUSES UNDERSCORE URGENT NEED FOR ACTION AGAINST PERPETRATORS WITHIN THE SECURITY FORCES

Police officers and men acting with their acquiescence have continued to carry out political killings, attacks on homes and assaults of detainees in custody in the northern part of KwaZulu/Natal province since the national elections held at the end of April, according to Amnesty International.

Some of the perpetrators have been linked to the anti-elections campaign of terror which affected the area and other parts of the province prior to the elections and resulted in hundreds of deaths.

There is also continuing evidence of systematic torture by the police, particularly in the Vaal Triangle area south of Johannesburg. The reports, which include allegations of electric shock torture - corroborated in one case by the discovery of the equipment used - implicate members of specialized police investigation units.

These disturbing reports are emerging while the government is attempting to address the issue of past human rights violations through a proposed Commission of Truth and Reconciliation and by granting amnesties to human rights violators.

This information about abuses emphasizes the urgent need for security force officers -- in particular senior officers -- responsible for gross and persistent human rights violations to be suspended from duty and brought to justice.

"Unless this is done, the crucial task of reforming the state security forces, and the legal, administrative, and other frameworks within which they operate, could be seriously jeopardized," Amnesty International said.

In letters sent this month to President Mandela and some other members of the cabinet, Amnesty International acknowledged the tremendous pressure on the government to overcome the legacies of the apartheid era and to fulfil its obligation under the new constitution to provide for amnesties for politically-motivated crimes. However it called for pardons to be granted only after perpetrators of human rights violations have been brought to justice.

The human rights organization welcomed the government's decision to ratify UN human rights treaties, and said this would involve ensuring that the guarantees in these treaties and other UN human rights instruments are incorporated into South African law and practice. In the context of the work of the proposed Commission of Truth and Reconciliation, Amnesty International emphasized particular guarantees including:

- victims of such serious violations as torture, "enforced disappearance" and extra-legal execution, have a recognized right to have their or their surviving family members' complaints fully investigated and to receive redress and compensation.
- the government is obliged to remove those potentially implicated in the abuses from any position of control or power over complainants, witnesses and investigators.
- perpetrators of such abuses as extra-legal, arbitrary and summary executions and enforced disappearances are prohibited from benefitting from special amnesty laws or immunities from prosecution.

Amnesty International urged the government to make sure that victims and family members can attend any hearings held by the proposed Commission of Truth and Reconciliation, even if sessions are closed to the general public.

The organization accepted that in the current interests of reconciliation, mitigating circumstances could be established in the legislation establishing the Commission of Truth and Reconciliation, as a basis for granting pardons after the perpetrators have been brought to trial and convicted.

However, Amnesty International urged the government that, notwithstanding the granting of pardons, known perpetrators must be prohibited from holding positions which could in any circumstances give them authority over prisoners or responsibility for the use of force now and in the future.

"If the cycle of impunity is to be broken and a repetition of serious human rights violations prevented, those responsible for the abuses must be brought to justice", said Amnesty International – referring to the experience of other countries which have undergone similarly dramatic political transitions.

In view of the implications of the ongoing crucial investigations into the involvement of police officers in largescale political killings during the past four or more years, Amnesty International also urged the government to implement in South African law and practice the UN Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions.

Finally Amnesty International appealed to the government for clemency for the hundreds of prisoners under sentence of death in South Africa. Notwithstanding the government's decision to refer the issue of capital punishment to the new Constitutional Court, the organization called upon the government to make a bold decision to abolish the death penalty, on the grounds that it is a violation of the right to life and a form of cruel, inhuman and degrading punishment.

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DENMARK: AMNESTY INTERNATIONAL CHALLENGES POLICE TO RESPOND TO RECOMMENDATIONS ON ILL-TREATMENT

The Danish authorities have so far dodged the key issues raised in Amnesty International's report on police ill-treatment in the country, the human rights organization said today as it challenged them to respond to its three key recommendations.

"The police authorities have reacted in a defensive way and have avoided talking about the real issues in the report," Amnesty International said.

"Debating how many hours we spent talking to the police during our investigation or dismissing the report as one-sided without having read it will not get to the bottom of the problem of police ill-treatment."

The organization said the authorities should respond by acting on the report's key recommendations to:

- immediately ban the use of the leg lock
- ensure that independent investigations are carried out into individual complaints of ill-treatment
- establish a commission of inquiry into police use of force and restraint

Over the past two days, some police authorities have also used the media to challenge the details of specific cases featured in the report. The fact that the police have disputed some of the information about individual cases only reinforces the need for new investigations into those cases.

"We want the authorities not simply to argue in the glare of the media, but to make sure that full, independent investigations are carried out into the individual cases with the results made public," Amnesty International said. "And if those investigations show that someone was ill-treated by police, the police officer should be charged and the victim compensated."

And even before those investigations are under way, the authorities should ban the use of the leg lock in police work.

"There is no excuse for the police continuing to use the leg lock, which we believe is used as much to humiliate as to restrain people and has led to damage lasting months, or in one case, a lifetime."

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