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# AMNESTY INTERNATIONAL NEWS SERVICE 144/94

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NEWS SERVICE ITEMS: EXTERNAL - SRI LANKA, INTERNAL - HAITI Q&A

**IMPORTANT NOTICE:** All press officers should suspend any media work with the United Kingdom report "Cruel, inhuman or degrading treatment during forcible deportation" that is embargoed until 14 July. This report had just been finalized last week and sent out by SwiftAir mailing on last Friday, 1 July. We are seeking legal advice about the contents of the report, so it is important that it is not released to the media. We will reschedule another embargo date once we've finished consulting lawyers about legal risks to Amnesty.

**Sections participating in Myanmar action on 20 July please note:** We have been able to obtain a really good photo of U Kyi Maung. I am getting copies made and will post one copy to the 20 sections who have informed us they are participating as soon as they are ready to help get newspapers to cover the story. Also, for those of you who don't already have them, there are two really good new photos of Aung Suu Kyi. Please contact Annabel Middlemas in the AV unit if you want copies. The news service will be with you soon.

NEWS INITIATIVES - INTERNAL

## INTERNATIONAL NEWS RELEASES

**\*\*United Kingdom - ON HOLD\*\* DO NOT USE THIS DOCUMENT, SEE NOTE ABOVE**

**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**

**Kosovo - 20 September - SEE NEWS SERVICE 137/94**

**Algeria - first week of October - SEE NEWS SERVICE 137/94**

**France - second week of October - SEE NEWS SERVICE 137/94**

## TARGETED AND LIMITED NEWS RELEASES

**Lusophone Summit - 27 June - PLEASE NOTE - This summit has been postponed. Hold on to the news service item, we will let you know when the summit is rescheduled. SEE NEWS SERVICE 124/94 for item**

**North and South Korea - 21 July - SEE NEWS SERVICE 135**

**\*\*Sri Lanka - 15 July\*\* - The item on Sri Lanka enclosed is embargoed for 15 July. It is being sent to Sri Lankan media only.**

**Brazil - 14 September - SEE NEWS SERVICE 137/94**

## FORTHCOMING NEWS INITIATIVES

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

AI INDEX: ASA 37/WU 03/94  
EMBARGOED FOR 15 JULY 1994

**SRI LANKA: OPEN LETTER TO POLITICAL PARTIES CALLS FOR PUBLIC COMMITMENT TO HUMAN RIGHTS**

As political parties in Sri Lanka start canvassing in the run up to parliamentary elections in August, Amnesty International's Secretary General today sent an open letter to all participating parties calling for them to make a public commitment to human rights protection.

"In the past decade, Sri Lanka has gone through a period of intense violence marked by flagrant and widespread violations of human rights, including mass political killings and 'disappearances'," said the organization's Secretary General, Pierre Sané.

"Although some checks and safeguards have recently been introduced, a tremendous amount of work still needs to be done to protect the human rights of all people in Sri Lanka during peace as well as during conflict."

In his letter, Pierre Sané made three key recommendations to the government that is elected:

- to bring the constitution of Sri Lanka into line with international standards as the current fundamental rights chapter does not, among other things, include the right to life.
- to stop security forces from being allowed to act with impunity by bringing those responsible for past human rights violations to justice. If government agents are allowed to get away with human rights violations, it is harder to prevent those violations in the future.
- to ratify international humanitarian standards, including the Second Additional Protocol to the Geneva Conventions which protects non-combatants in internal conflicts from murder, mutilation, torture or cruel treatment and prohibits hostage-taking. If ratified, this would apply to all parties involved in conflict.

Amnesty International also urged all political parties and parliamentarians, whether in power or in opposition, to assist in developing a climate within which the rights of all people in Sri Lanka will be respected and protected.

"Genuine initiatives to strengthen human rights protection will be more effectively pursued if they are not treated as party-political issues, and if they can be considered in a constructive light, whether they originate from within the ruling party, opposition parties, or others," Pierre Sané said.

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## INTERNAL

AI INDEX: AMR 36/WU 03/94  
6 JULY 1994

### HAITI: QUESTIONS AND ANSWERS REGARDING LATEST DEVELOPMENTS

A number of issues regarding Haiti have been in the news lately, and the following may be used as a For Response item by any sections approached by the press or others concerning AI's position on these issues:-

- Speculation that the US may be considering mounting a unilateral or multilateral invasion of the country in the near future;
- Changes in the procedures by which the US intends to deal with Haitian would-be asylum seekers picked up at sea by US boats
- The recent tragic loss of life of as many as 150 Haitians attempting to flee their country by boat.

#### **1. What is AI's position on the possibility of an armed intervention in Haiti?**

Amnesty International does not support or oppose invasions. However, should some form of armed intervention in Haiti occur, whether unilaterally or multinationally, AI's concern would be the protection of the human rights of potential victims of abuses. We believe it would be important for any forces involved in any form of armed intervention to be subject to scrutiny throughout any such military action by competent international observers, to ensure that the relevant standards of international and humanitarian law in armed conflict situations are respected. Any alleged abuses should be the subject of immediate inquiries by qualified impartial investigators, and any one found responsible for having contravened the relevant standards should be brought to justice.

#### **2. US officials announced on 5 July that Haitian asylum-seekers intercepted at sea by the US Coast Guard will no longer be summarily returned direct to Haiti, nor given a chance to present their claims on board US vessels anchored off-shore other nations in the region, or on shore on other nearby islands, but instead are to be sent to "safe havens" in other countries in the Caribbean and hold there until the political crisis in Haiti is ended. What is AI's view of this latest variation in US policy?**

The US announced in May that Haitian would-be asylum seekers picked up by US boats at sea were no longer to be returned summarily to Haiti without a chance to have their asylum claim heard, but would have their claims processed on ships off-shore neighbouring islands or on the soil of nearby nations at that time. AI said that it viewed this development as a step in the right direction, but no more than that. It remained concerned that asylum-seekers be provided with a hearing which included all the essential safeguards required by international standards for the protection of refugees.

Under the new "safe havens" policy announced on 5 July, AI considers it a positive development that Haitian would-be asylum seekers picked up at sea will no longer be in danger of refoulement to Haiti where their lives and physical integrity might have been in danger, particularly given the organisation's concern that refoulement may have taken place after inadequate and inequitable hearings of such persons' asylum claims. However, the organization is concerned that such persons may not now be accorded any opportunity of a hearing of their asylum claim, and are thus being denied access to legal options which they would be guaranteed if they were able to reach the US and seek asylum in the normal way. It is also of concern to AI that the new policy in fact amounts to discrimination against Haitians compared to other nationalities who do have access to proper asylum adjudication procedures.

AI is concerned that effective and durable protection be ensured for these refugees. We will be watching quite closely the conditions under which intercepted Haitians are to be held in the various nearby nations which have agreed to create havens, to ensure that the conditions are satisfactory, and do not in themselves violate rights of those held there. Such conditions should in AI's view be in accord, at a minimum, with the United Nations High Commissioner for Refugees (UNHCR) Executive Committee's Resolution 22, which sets out the conditions that should be respected when holding large-scale influxes of asylum seekers.

AI intends to raise these and other concerns regarding treatment of Haitian would-be asylum seekers as they develop, with US and other appropriate officials.

**3. Does AI have any comment on the recent tragic news that as many as 160 Haitians would-be asylum seekers drowned on 4 July as they tried to flee their country by boat?**

AI believes that the continuing high level of human rights violations in Haiti is clearly a principal reason leading so many Haitians to make desperate efforts to seek safety abroad. Reports of arbitrary arrest, torture and ill-treatment continue, while according to statistics gathered in situ by the now much reduced joint United Nations/Organization of American States International Civilian Mission (ICM), there were some 296 killings or suspect deaths between 31 January and 31 May alone. Those victimised include slum-dwellers living in areas believed to support the return of President Jean-Bertrand Aristide -- the poorest of the poor. Increasingly, the victims of such killings have been grotesquely mutilated, while the rape of friends and relatives of President Aristide's supporters has been another growing phenomenon.

"Disappearances" are also on the rise; between 31 January and 31 May, 91 cases were reported to the ICM. Those implicated in these and other abuses against civilians include members of the military, their *attachés* (civilian auxiliaries) and the rural section chiefs (who are themselves members of the armed forces.)

It is these abuses which have contributed to Haitians' well-founded fears as to the dangers they face in their own country, can help remove the impetus that has led so many to undertake high risk flight from their country, with tragic results on a number of occasions, most recently in the high loss of life reported on 4 July. It is these abuses which must be urgently addressed.