
AMNESTY INTERNATIONAL NEWS SERVICE 160/93

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NEWS SERVICE ITEMS: EXTERNAL - USA, ISRAEL AND OCCUPIED TERRITORIES

NEWS INITIATIVES - INTERNAL

INTERNATIONAL NEWS RELEASES

Pakistan - 7 December - SEE NEWS SERVICE 137

India - 15 December - PLEASE SEE NEWS SERVICE 159

TARGETED AND LIMITED NEWS RELEASES

South Africa - 8 December - SEE NEWS SERVICE 151

Human Rights Day Speech - 8 December - The text of Pierre Sané's keynote speech will be sent to sections over the weekend. The speech is very long (approx 20 pages) and so it is better to send at the weekend, to take advantage of cheap phone lines and to prevent clogging up your fax/telex/e-mail lines at peak times. If you need the speech sooner, call the IS press office on Friday.

FORTHCOMING NEWS INITIATIVES 1994

Children - 7 January A news release is scheduled to go with a Focus article. We realise that some sections may find the date inconveniently close to national holidays; however, the text should be with you shortly, in plenty of time to plan media work ahead of the holidays.

Tunisia - 12 January

USA death penalty - 26 January Open letter to Bill Clinton, around anniversary of his inauguration as President. News item planned.

South Africa - 16 February SEE NEWS SERVICE 159

Women - 8 March A news release to go with a Focus article, embargoed for International Women's Day

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

POLITICAL KILLINGS AND "DISAPPEARANCES" CAMPAIGN
SECTION INITIATIVES WEEK 48

29 DECEMBER

Iceland section:

The section had a meeting with the Ministry of Foreign Affairs, which went very well. The Minister was presented with the campaign report and other information and the Ministry "will do everything it can at the meeting of the Human Rights Commission in February to strengthen the UN Working Group on Disappearances and the UN Special Rapporteur on Summary or Arbitrary Executions". The Foreign Minister will take the 14-point program to the prevention of "disappearances" to a government meeting and try to get other members of the government to sign it. The section is hopeful that he will seek its implementation at international level.

1 DECEMBER

Icelandic section:

There will be a meeting with the Minister of Justice and the campaign will be discussed.

3 DECEMBER

Icelandic section:

There will be a meeting with the Bishop of Iceland and again the campaign will be discussed.

MEDIA COVERAGE OF THE POLITICAL KILLINGS AND "DISAPPEARANCES" CAMPAIGN

Hong Kong:

From Hong Kong the section says that the campaign so far has been very useful in raising awareness about Amnesty as there was "little knowledge as to the function of the organization and indeed there were many misconceptions as to Amnesty's role". The media has been very supportive and the campaign has helped to focus their attention. Although not confirmed by their new press officer two English newspapers, HK Standard and the South China Morning Post, had features on the launch. Even though the latter is English it has equal Chinese/English audience and it seen as essential for the business person.

The event on the 27 November was mentioned on TVB Pearl (The Pearl Report) on the 15 November and the campaign was discussed. Furthermore the section expected a children's programme film crew and the ATV crew to be present at the exhibition.

Media Advisory

RIGHTS DAY

MAJOR AMNESTY INTERNATIONAL STATEMENT FOR HUMAN

SECRETARY GENERAL PIERRE SANÉ ASSESSES HUMAN RIGHTS IN THE 90S

Amnesty International's Secretary General Pierre Sané will be critiquing human rights in the 1990s in a major statement to be delivered at the London School of Economics on 9 December, on the eve of Human Rights Day.

Speaking at the Centre for the Study of Global Governance, Mr Sané will be highlighting the major human rights issues of the decade, detailing the failure of governments and the United Nations to tackle human rights crises, and outlining an agenda for action.

This year, Human Rights Day marks the 45th anniversary of the proclamation of the Universal Declaration of Human Rights by the United Nations.

Copies of the statement will be available at the event, or in advance on 9 December from Amnesty International. There will be opportunity for questions and interviews at the event, and a limited number of interviews may be arranged in advance through the Amnesty International press office.

Amnesty International's British Section will also be holding a Human Rights Day service to remember the "disappeared" on 10 December, featuring representatives from all the world's major religions. Dr. Nigel Rodley, UN Rapporteur on Torture, will introduce the 1994 UN Year of the Family and Jaihan Helou, the wife of Palestinian academic Professor Hanna Mikhail, will talk about her husband's "disappearance".

DETAILS OF HUMAN RIGHTS DAY STATEMENT

5:30 pm, Thursday 9 December
Old Theatre, LSE
Houghton Street
London WC2

Contacts:

Amnesty International press office -- 071 413 5810

LSE press office -- Doug Standring -- 071 955 7060

DETAILS OF HUMAN RIGHTS DAY SERVICE

7 pm, Friday 10 December

Shepherd Bush Central Gurdwara (Sikh temple)

62 Queensdale Road

London W11

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USA: TWO MORE JUVENILE OFFENDERS FACE IMMINENT EXECUTION

Amnesty International is shocked to learn that two more juvenile offenders face imminent execution in the USA. Christopher Burger is due to be executed in Georgia on 7 December and Joseph Cannon in Texas has an execution date of 26 January. Both were 17 at the time of the crimes for which they were sentenced to death.

Christopher Burger and Joseph Cannon's cases were highlighted in an Amnesty International report, United States of America: The Death Penalty and Juvenile Offenders, published in October 1991. The report presented the organization's findings in the cases of 23 juveniles sentenced to death and suggested that safeguards in US capital punishment law had not been met in many cases. The majority came from acutely deprived backgrounds, many suffered gross physical or sexual abuse as children, were of below average intelligence or suffered mental illness or brain damage. A disturbing number had inadequate legal representation at their trials.

Christopher Burger would be the fourth juvenile offender executed in the USA this year. Since 1985, eight juvenile offenders have been executed, five in Texas alone.

Christopher Burger was convicted of the murder of Roger Honeycutt, a fellow-soldier. A co-accused, Thomas Stevens, was also sentenced to death and was executed in June 1993. At his trial, Burger was represented by a court-appointed lawyer who failed to investigate his client's background or present mitigating evidence at the sentencing hearing. The jury was not told that Burger had a low IQ, well below normal for his age; that he was mentally ill and brain damaged from physical abuse he received as a child, and had suffered a highly disturbed, unstable upbringing, attempting suicide when he was 15.

In 1987 the US Supreme Court denied Burger's appeal by a narrow 5-4 majority. In two strong dissenting opinions, four justices found that the trial lawyer had been ineffective in failing to present any evidence in mitigation. The actual circumstances of Burger's childhood would, in their opinion, have been highly relevant at the sentencing hearing.

Christopher Burger's childhood was deprived, unstable, and abusive. He was often beaten by his mother who herself suffered from chronic mental illness. She later admitted she sometimes had to lock her son in a room to keep herself from harming him. Christopher Burger's parents divorced when he was nine and he was placed in the custody of his father who often beat him. Unwanted by his father's new family, he was sometimes shut out of the home and shuttled back and forth between both sets of parents. At one stage he was left in the care of his mother's boyfriend for several months and was severely ill-treated. His mother remarried twice and Burger was beaten by one of his step-fathers. At the age of 11 or 12 Burger began to inhale organic solvents and smoke marijuana. In his mid-teens he presented clear symptoms of serious psychiatric disorders. According to a report on the case, at 15 Burger attempted suicide with the help of his mother. As soon as he was 17, Burger's father signed permission for him to join the army. Burger was in the army for eight months before the crime for which he was sentenced to death.

According to appeal documents, Burger's only previous criminal record was one offence of shoplifting a candy bar, being absent from school without permission and involvement in a minor car crash.

Joseph Cannon was convicted of the murder of Anne Walsh in September 1977. He suffered from an extremely disturbed childhood. He was diagnosed as schizophrenic and treated in mental and psychiatric hospitals from an early age and has a long and well-documented medical history of psychiatric disorders. Attempts to have him committed to a state mental institution failed because of lengthy waiting lists.

At the age of four Cannon suffered a serious head injury in a road accident. He suffered from a speech impediment and did not learn to speak clearly until he was six. He had learning difficulties at school, and was expelled from school in first grade, receiving no other formal education. He sniffed glue and solvent; drank and sniffed gasoline and, at the age of 10, was diagnosed as suffering from organic brain damage caused by the solvent abuse.

Between the ages of seven and 17, Cannon was severely sexually abused by relatives. In one of his many psychiatric interviews Cannon told a doctor that he could not remember anything good that ever happened to him. He suffered from severe depression, and has been treated with anti-depressant drugs for most of his life. He attempted suicide at the age of 15 by drinking insect spray.

In July 1989, Cannon's lawyers requested a stay of execution on the grounds that he was insane and incompetent to be executed. One psychologist who examined him diagnosed organic brain syndrome, and confirmed that Cannon had a subaverage IQ. He concluded that the prognosis of "future dangerousness" presented to the jury at Cannon's trial and medical testimony that Cannon could not be managed anywhere, was "wholly inconsistent with scientifically established knowledge and procedure". On the contrary, his IQ, aptitude and self image had all improved in prison. Another psychologist considered Cannon's case history "exceptional" in the extent of the brutality and abuse he had suffered as a child. He said: "Even in the worst of case histories one seldom encounters traumatization as heinous and extreme as those to which [Cannon] was subjected while growing up." According to the psychologist, such was the "depravity and oppressiveness" of his upbringing that Cannon has thrived better on death row than he ever did in his home environment.

Amnesty International is further concerned that Joseph Cannon was tried under a law which severely restricted the jury's opportunity to consider mitigating circumstances, including youth, at the sentencing phase of a capital trial. This law was changed in September 1991. However, the new law does not apply retroactively to prisoners such as Joseph Cannon.

The USA stands almost alone in the world in still executing offenders who were under 18 at the time of the crime. The USA has carried out more executions of juvenile offenders than almost any other country, and it probably has the most juvenile offenders on death row. The USA is one of only six countries worldwide reported to have carried out such executions in the past five years. The other countries are: Nigeria, Pakistan, Iran, Iraq and one in Saudi Arabia (although Islamic law forbids the execution of offenders under 18).

Amnesty International is calling on the Georgia and Texas state authorities to grant clemency to Christopher Burger and Joseph Cannon. The death penalty is a wholly inappropriate penalty for offenders who have not attained full maturity. However serious the crime, the imposition on a young person of a sentence of such finality, denying any possibility of rehabilitation or reform, is contrary to contemporary standards of justice and humane treatment.

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ISRAEL AND THE OCCUPIED TERRITORIES: AMNESTY INTERNATIONAL APPEALS FOR AN END TO ARBITRARY KILLINGS

Amnesty International is gravely concerned about the continuing spate of killings in the Occupied Territories perpetrated by both Israeli forces and Palestinian groups. Amnesty International is appealing to the Israeli Government and Palestinian armed organizations to respect basic principles of human rights and humanitarian law.

Since September 1993, when Israel and the Palestine Liberation Organization (PLO) signed the Declaration of Principles, the killings have continued unabated.

Palestinian civilians have been killed by Israeli forces, some in circumstances suggesting that the use of lethal force was not necessary or proportionate, or that those shot were victims of extrajudicial executions. Over 12 were killed in November alone.

Victims included Rami Ghazzawi, a high school student aged 16. He was shot dead by soldiers on 16 November while demonstrating and possibly throwing stones with others from his school in al-Bireh. Ahmad Abu al-Rish, a member of Fatah, was shot dead by an undercover unit on 28 November in Khan Yunes, although he was reportedly unarmed. The Israeli authorities were no longer seeking him for arrest and reportedly regretted his killing, although its circumstances remain unclear. Most recently, Hazem Miqdad, aged 16, was shot dead in the Gaza Strip on 30 November. Israeli officials reportedly said that he was killed accidentally during a chase.

Also in recent months, Israeli civilians and soldiers taken prisoner have been deliberately killed by Palestinians. Some have been shot, others have been victims of stabbings and the ramming of vehicles. Two Israeli civilians were deliberately and arbitrarily killed in November.

Responsibility for many such killings has been claimed by organizations including the Islamic Resistance Movement (Hamas); the Islamic Jihad; the Popular Front for the Liberation of Palestine; and the Democratic Front for the Liberation of Palestine. Members of Fatah have been ordered to stop all armed attacks against Israelis.

Victims of such attacks recently included Haim Mizrahi, a settler from Beit El in the West Bank, who was abducted on 29 October, stabbed and found dead in his burned car the following day. Fatah members were apparently responsible for this attack, but Fatah leader and PLO Chairman Yasser Arafat condemned the killing. Ephraim Ayoubi was shot dead on 7 November in an armed attack against the car in which he and Rabbi Haim Druckman were driving. Rabbi Druckman was injured. On 1 December, Shalva Uzana and Yitzhak Weinstock were shot and killed near al-Bireh when their car came under fire from another car. Hamas is reported to have claimed responsibility for this most recent attack.

Palestinians known to be affiliated to Fatah in the Gaza Strip were also killed. They included Muhammad Abu Sha'ban, a lawyer and political activist, killed on 21 September; Maher Kuhail, an aide to Abu Sha'ban, killed on 16 October; and As'ad al-Saftawi, a prominent Fatah leader, killed on 21 October. All three are reported to have been shot dead by masked Palestinians, possibly for reasons related to their political role in the Gaza Strip.

Amnesty International has asked Israel and the PLO to be bound by the 1979 United Nations Code of Conduct for Law Enforcement Officials, intended to safeguard basic human rights, including the right to life. However, Israel has so far maintained that the Code of Conduct is not applicable to the Occupied Territories. PLO Chairman Yasser Arafat stated to Amnesty International last October that the PLO was committed to respecting and incorporating into Palestinian legislation all internationally recognized human rights standards.

Amnesty International takes no position on any peace settlement between Israel and the Palestinians or on the legitimacy of resorting to arms in pursuit of political aims. However, it believes that governments and armed political groups must respect at all times fundamental principles of humanitarian law.

Amnesty International calls on Israel to ensure that its forces do not perpetrate killings which amount to extrajudicial executions or which are otherwise unjustifiable, and that prompt and adequate measures are taken against those responsible for such killings.

Amnesty International also appeals to all Palestinian organizations to end immediately attacks against civilians and violence to prisoners.

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