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BURMA

Students detained on return home

The detention has been reported of at least two students following their repatriation from Thailand to Burma in a joint program set up between the two countries in December.

Reports have also been received of the death of a third student shortly after his release from military custody in Rangoon, where he was said to have been held incommunicado and severely ill-treated.

All three had been actively involved in widespread demonstrations between March and September calling for an end to authoritarian military rule. Hundreds were reportedly killed by security forces and hundreds arrested (see *Amnesty International Newsletter* October 1988).

repatriated on 26 December, and Tu Ain Tin from Rangoon who was returned on 7 January, and is concerned that there may be more.

Although they were ostensibly not forced to return, their alternatives were either to fight alongside anti-government ethnic rebel groups in malaria-infested jungle or to face illegal entry charges in Thailand.

Some who went back on 7 January had repeatedly expressed fears for their safety if returned.



Students leaving for Burma, 26 December. Among them was Thant Zin who was arrested on his return.

Many people fled to Thailand.

Further killings and arrests were reported after the army took power in a coup on 18 September.

Since the repatriation program was agreed on 14 December, about 300 people have returned. However AI has learned of the arrest by Burmese security forces of Thant Zin from Mergui who was

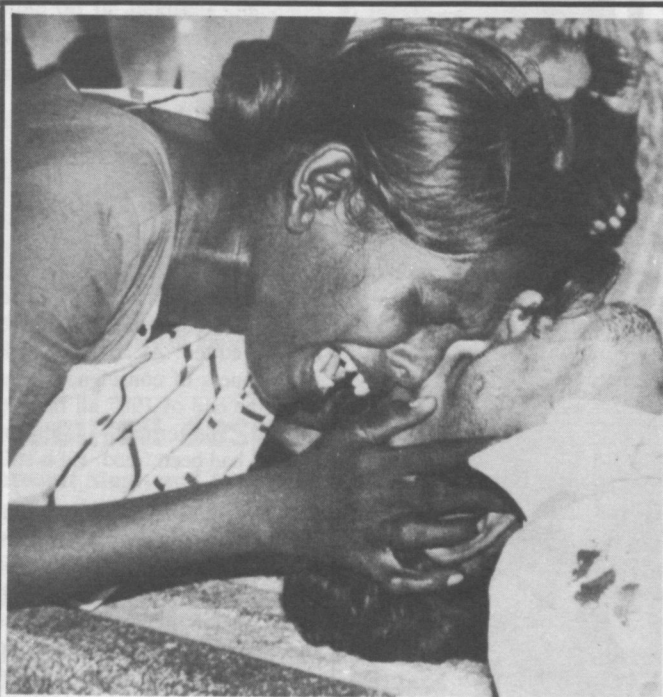
AI believes that repatriation under these circumstances could amount to *refoulement* and has appealed to the Thai authorities not to return students against their will if there are fears for their safety.

AI also appealed to the Burmese Government to release or charge the two students reportedly arrested and to investigate the death of the third student, Zaw Min Tun.

Two others, Sao Myo Wyn Tu and Kyi Moe, whom AI believed had also been detained, were only questioned on their return. They later thanked AI for "helping to guarantee their safety". □

Prisoner news

AI learned in January 1989 of the release of 191 prisoners under adoption or investigation. AI took up 266 cases.



A woman weeps over the body of her husband. He was one of over 20 reportedly unarmed civilians killed by police in Batticaloa, Sri Lanka, in December 1987. Security forces are said to have committed widespread human rights abuses during the state of emergency, imposed in May 1983, which was lifted in January.

AI is concerned that legislation now in force prevents legal action against those involved in restoring law and order between August 1977 and December 1988 provided they acted "in good faith". See page 8.

UNITED ARAB EMIRATES

Boy held without charge

A 14-year-old boy has been detained without charge or trial in the United Arab Emirates for over a year. He is reported to have been severely caned.

Mahmud Sulaiman 'Abdi, a Somali national, was arrested by plainclothes police officers on 23 December 1987 and is currently being held at the Central Prison of al-Wathba outside Abu Dhabi. He was allegedly given 200 strokes of the cane while in detention, as a result of which he fainted and had to be taken to a prison clinic.

Mahmud's parents have not been told the reasons for his detention except that he is being held under a presidential decree.

Mahmud has lost a lot of weight and has no access to educational or recreational facilities.

AI has asked the authorities for details of any charges to be brought against him, and of the legal basis for his detention as a minor. It has also asked about his alleged caning and the reasons and

legal basis for such a punishment. It is seeking further information about 17 other juveniles reportedly held in the same prison.



AI urged Mahmud Sulaiman 'Abdi's immediate and unconditional release if he were not to be charged with a recognizably criminal offence. □

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CAMPAIGN FOR PRISONERS OF THE MONTH



Each of the people whose story is told below is a prisoner of conscience. Each has been arrested because of his or her religious or political beliefs, colour, sex, ethnic origin or language. None has used or advocated violence. Their continuing detention is a violation of the United Nations Universal Declaration of Human Rights. International appeals can help to secure the release of these prisoners or to improve their detention conditions. In the interest of the prisoners, letters to the authorities should be worded carefully and courteously. You should stress that your concern for human rights is not in any way politically partisan. In *no* circumstances should communications be sent to the prisoner.

SINGAPORE

Kevin Desmond de Souza: *a law graduate, he has been detained since 19 April 1988 under the Internal Security Act (ISA), which provides for indefinite detention without charge or trial.*

Kevin de Souza, aged 26, was arrested with nine others on 19 April, the day after they issued a press statement in which they categorically denied accusations

and "confessed" to their alleged involvement. However, they said their statements were obtained after they had been ill-treated while under interrogation, and were heavily edited. AI adopted them as prisoners of conscience.

By the end of 1987 all but the alleged "mastermind", Vincent Cheng, had been freed. He is still detained.

In May 1988 Kevin de Souza challenged the legality of his rearrest and detention by filing a writ of *habeas corpus* in the High Court, but his application was dismissed. He appealed against the decision to the Singapore Court of Appeal, which ruled on 8 December that he and three others, who had also filed *habeas corpus* petitions, should be released. All four were, however, immediately rearrested and served with new detention orders. They remain in jail, as do others who were rearrested with them in April 1988.

■ Please write courteous letters appealing for Kevin de Souza's immediate and unconditional release to: The Honourable Lee Kuan Yew/Prime Minister/Office of the Prime Minister/Istana Annexe/Orchard Road/Singapore 0922.□



Kevin de Souza with his fiancée that they had participated in a Marxist conspiracy to overthrow the government, and described how some of them had been ill-treated while in detention.

He and 21 others had been arrested under the ISA in May and June 1987 for allegedly participating in the conspiracy. Soon afterwards they appeared on television

BULGARIA

Ismail Mehmedov Hyuseynov: *a 34-year-old ethnic Turk, he was arrested in May 1985 and has been banished to a village in northwest Bulgaria for refusing to change his name.*

AI believes Ismail Mehmedov Hyuseynov was the victim of an assimilation campaign, begun in December 1984 and directed at the Turkish minority in Bulgaria. The campaign included forcing ethnic Turks to change their names to Bulgarian ones.

Ismail Mehmedov Hyuseynov was arrested on 7 May 1985, reportedly for refusing to accept his new name, Samuil Demirev Dyulgerov, and for requesting permission to emigrate to Turkey. He was sent to Belene prison camp where he was allegedly severely beaten.

In 1987 he and other ethnic Turks in the camp went on hunger-strike and his weight fell from 85 to 45 kilos. After the hunger-strike he was released from Belene and sent into internal exile to a village near Vidin in northwest Bulgaria.

The conditions of his exile are tantamount to imprisonment. For example he is forbidden to leave the village and has to report to the



Ismail Mehmedov Hyuseynov

police twice daily. He was told he could return to his wife and family if he accepted his new name and retracted his request for permission to emigrate but he again refused to do so.

■ Please send courteous appeals for his immediate release from exile to: Chairman of the State Council/Todor Zhivkov/Blvd. Dondukov 2/Sofia/Bulgaria.□

SOUTH AFRICA

Amos Masondo: *a community activist and former trade unionist in his mid-30s, he has been detained without charge or trial since August 1986.*

He is being held under State of Emergency regulations which permit indefinite detention without trial.

At the time of his arrest Amos Masondo was publicity secretary of the Soweto Civic Association (SCA), and also active in human rights work on behalf of detainees and their families. In the early 1980s he was general secretary of the General and Allied Workers Union (GAWU).

Although the authorities have notified his lawyer of various reasons for his detention—referring to his role in the SCA and claiming that he had contributed to unrest in the country—he has not been charged.

In January he and 72 others in Johannesburg Prison went on hunger-strike to protest at their

continuing detention without trial. They have since been joined by over 100 others, and their hunger-strike was continuing at the time of writing.

Amos Masondo has previously been detained without charge a number of times, most recently in July 1985 when he was detained under the State of Emergency in force in some areas of the country until it ended in March 1986. He was reportedly tortured by the security police.

■ Please write courteous appeals for his release to: Mr Adriaan Vlok/Minister of Law and Order/Private Bag X463/Pretoria 0001/South Africa, and to: Acting President J.C. Heunis/State President's Office/Private Bag X213/Pretoria 0001/South Africa.□

BENIN

Rearrest after years in hiding

Two former prisoners of conscience in Benin have been detained after spending years in hiding to avoid arrest.

The two, Léon Yelomé and Moussa Mama Yari, both in their 30s, had been detained without charge or trial from 1979 until 1984 because of their student activities.

Since 1985, when arrests of students and others resumed, both men had been sought by the police and were in hiding. However they were rearrested in October 1988 and are again being detained without charge or trial. AI knows of almost 100 prisoners of conscience similarly detained.

Léon Yelomé and Moussa

Mama Yari are in incommunicado detention in Guezo military camp, Cotonou. They have reportedly been tortured.

Since 1985 relatives of suspected government opponents wanted by the authorities have themselves been detained, including Léon Yelomé's brother.

The parents of another former prisoner of conscience, Rémy Glélé Akpokpo, were held for several months. Their son died on 17 January 1988 in the Abomey police station, reportedly as a result of torture.□



FOCUS

amnesty
international

Children brutally treated in Iraq

Brutal treatment of children has become routine practice in the prisons of Iraq. Young people have been tortured, often to force them to reveal information about their relatives. Even infants have been ill-treated to compel members of their families to "confess" to alleged political offences.

A former political prisoner who was detained for five months at al-Karkh Security Directorate, and who was released in April 1985, told AI about the fate of his own family, brought before him and tortured to force him to reveal his political affiliation.

He said: "[my] mother [73 years old], three sisters and three brothers, with five children aged between five and 13, were arrested and brought in front of me. They were subjected to the *falaqa* [beating on the soles of the feet] and electric shocks..."

His testimony also described conditions under which infants have been held in some Iraqi prisons: "Usually they keep such children in a separate cell next to the mother's or father's cell and deprive them of milk in order to force the parents to confess. I saw a five-month-old baby screaming in this state."

Despite the requirements of international law and of Iraq's own legislation children have been victims of the death penalty, political killings, "disappearance", and arbitrary arrest and detention without trial, as well as torture and ill-treatment.

AI believes that Iraq is not fulfilling its obligations under international law; it also believes Iraq's own laws setting out the rights of the child are being flagrantly violated.

During a period of just six weeks in 1987 the authorities were repeatedly in breach of Iraqi legislation which prohibits the use of the death penalty in cases involving people under 18 years of age. Among the victims were a number of alleged supporters of the prohibited Kurdistan Democratic Party (KDP):

■ Rizgar 'Abdallah, aged 16, was one of 14 Kurds executed at Mosul Training Camp on 28 December 1987.

■ Ismail As'ad and Latif Adel, both aged 15, were among nine Kurds executed on 18 November 1987 in Fa'ideh Garrison.

■ Segvan Khaled 'Ali, aged 15, and Hewel Misho Miho, aged 17,



Despite the requirements of international law and of Iraq's own legislation, children have been victims of the death penalty, "disappearance", and arbitrary arrest and detention without trial, as well as of torture and ill-treatment and political killings. Sangar Fakhredin Najib, aged 10, is one of thousands of people—many of them children—who were the victims of chemical weapon attacks by Iraqi forces in the town of Halabja on 16 and 17 March 1988.

were among eight Kurds executed on 10 December 1987 at Fa'ideh Garrison.

In these cases, as in many similar incidents, sentence of death was carried out after summary proceedings before a military court.

'Abd al-Rahman Ahmad Haji was 17 when he was executed at Abu Ghraib Prison near Baghdad. He had been arrested in 1984 and tortured while in detention; he was executed on 1 November 1985 and his body delivered to his family on

5 November 1985. The Iraqi Government confirmed his execution, stating that he was convicted of crimes including sabotage.

Iraqi law stipulates that the death penalty must be commuted to a lesser sentence if the offender is a minor. The Iraqi Government nevertheless told AI that 'Abd al-Rahman Ahmad Haji had been granted a fair trial "where all judicial and legal measures were fully respected according to the Iraqi Constitution and the laws in force"

The majority of executions in Iraq in recent years have been "extrajudicial", that is, they have been political killings sanctioned by the authorities. Detainees have been executed en masse without prior legal proceedings; among them have been many children and young people.

In late March 1986 Kurdish forces opposed to the Iraqi Government were said to have made an attempt to assassinate the Governor of Arbil, who was wounded in the attack. In an act of retribution 15 students from secondary schools and from the University of Salah al-Din in Arbil were arrested and summarily executed in public in the city between 27 March and 3 April 1986.

In early January 1987, 29 children and youths from the Province of Sulaimaniya, aged between 17 and 23, were executed without trial. Among them were three youths aged 17 at the time of their execution: Dara Hussain Hassan, Dhir Mahmud 'Ali and Salah 'Omar.

Sources of information

Information on the application of human rights standards in Iraq is often difficult to obtain. Many of those who have been victims of human rights abuses fear to speak about their experiences; those whose families have suffered often fear that if they pursue relatives' cases with the authorities they too may be subjected to ill-treatment, or worse.

AI therefore treats the confidences of those who have reported from Iraq with great care. It carefully establishes the authenticity of reports from sources which cannot be publicly named. These include the families of detainees and victims, former detainees, refugees from Iraq and journalists.

Children are victims of mass killing

These children were among some 5,000 residents of Halabja who died after chemical weapons were used by Iraqi forces in an aerial attack on the town on 16 and 17 March 1988. Similar attacks on civilian targets in northern Iraq have been reported since April 1987. The Iraqi Government has denied any responsibility for the killings.

In August 1988 hundreds of unarmed Kurdish civilians were killed and thousands wounded after attacks on villages in the provinces of Duhok, Mosul and Arbil. Among the victims were many children. According to AI's information, Iraqi forces used tanks, helicopter gunships, artillery and chemical weapons in the offensives. Tens of thousands of villagers were made homeless and fled affected areas to seek refuge in Turkey and Iran.

In October 1988 AI spoke to many Kurdish refugees in camps in southern Turkey who gave consistent accounts of the indiscriminate killing of unarmed citizens by Iraqi forces. AI believes the killings are part of a systematic and deliberate policy on the part of the Government of Iraq to eliminate large numbers of Kurdish civilians, both as punishment for their imputed political sympathies and in retaliation for the activities of opposition forces. The Iraqi Government refused permission for a United Nations team to enter Iraq to investigate these reports.



In November and December 1987 hundreds of people—perhaps as many as 360—were extrajudicially executed in seven separate incidents: 17 of them were less than 18 years of age at the time of their execution. In one of these incidents, 150 political prisoners—all Kurds from the Province of Sulaimaniya—were said to have been executed in Abu Ghraib Prison. Among them were eight secondary school students, one of whom, Dana Haji Sidiq Mar'uf, was aged 14 at the time of his execution.

When the families of those executed in Abu Ghraib Prison received the bodies of their relatives in January 1988 they were asked to pay 300 Iraqi dinars for each of the corpses. This demand, which has become customary when victims' bodies are returned, has been dubbed the "execution tax". It is levied to cover state expenses on items

such as bullets, coffins and transportation.

AI has frequently received reports of the "disappearance" in detention of detainees, many of whom are feared executed. Among the victims are many under 18 years of age.

Four school students were arrested in Basra in April and May 1981 and subsequently "disappeared". Muslem Hassan, Riyad Hassan and Nizar Najm were 16 years old at the time of their arrest; Samir Najm was 17 years old. They were among 114 people who "disappeared" following their arrest by the security forces between 1979 and 1982. AI submitted their names to the government in October 1983 for investigation. In their reply in December 1983 the Iraqi authorities declared that all the names were "fictitious".

Others who have "disappeared" include hundreds of male

members of Shi'i Muslim families, including minors. In the early 1980s, shortly after the outbreak of the Iran-Iraq war, the Iraqi authorities deported thousands of families to Iran, declaring that the families were of Iranian descent. The majority of the deportees were women, children and old people. In many cases male members of the families were detained in Iraq and subsequently "disappeared". In 1987 AI received information about the "disappearance" between 1980 and 1985 of 178 such people.

At least 17 of these "disappeared" detainees were under 17 years of age at the time of their arrest. Three—Hisham Mahdi Gula, Kadhim Sikar 'Abbas al-Rubai'i and Muhammad Shaker 'Odeh al-Jabburi—were 14 years old. 'Abbas Fadil Kadhim Shibil was 12 years old.

In 1983, thousands of Kurds "disappeared" following their

arrest by Iraqi forces. All were members of the Barzani community from the regions of Barzan and Merga Sur who had been forcibly resettled by the Iraqi authorities in four "housing complexes" in the Province of Arbil. In August 1983, 8,000 male members of the community were seized and driven away in military vehicles; their fate and whereabouts remain unknown. Among them were 315 children who were between eight and 17 years old at the time of their arrest.

Iraqi law stipulates that no one may be arrested without a warrant issued by the competent authorities. This has not prevented widespread arbitrary arrest of the government's political opponents and of people wholly unconnected with opposition organizations.

Many people have been seized and used as hostages for others sought by the authorities; among them have been children



How Trifa was poisoned

Trifa Said Muhammad, aged 14, was the victim of an attempt to poison a group of Kurdish opponents of the Iraqi Government.

In November 1987 she was among 10 Kurds in Marga, in the Province of Sulaimaniya, who were poisoned with thallium, a heavy metal used as rat poison. Thallium was said to have been put in a yoghurt drink by a female agent of the secur-

ity forces working at the home of a member of the prohibited Patriotic Union of Kurdistan.

Three of the victims died, among them Trifa's grandmother. The seven survivors suffered symptoms including vomiting, fever, neurological disorders and hair loss. The London consultant physician who treated three victims flown to Britain via Iran said their condition was the result of "acute

thallium poisoning". Trifa Said Muhammad suffered hair loss and severe pain in her legs three days after the poisoning. After three weeks she found her legs were paralysed. Suffering intense pain, she was transported by donkey to Iran. In March 1988 she was flown to the Netherlands for treatment.

Trifa Said Muhammad may suffer permanent disability as a result of the poisoning.

► of members and supporters of opposition organizations.

In May 1983 some 130 male members of the Al-Hakim family were arrested by the Iraqi authorities. All were relatives of Ayatollah Muhammad Baqer al-Hakim, spokesman for the exiled Shi'i opposition, who is closely associated with the Shi'i underground movement *Al-Da'wa al-Islamiyya* (Islamic Call). Membership of Islamic Call is a capital offence in Iraq.

AI believes that many al-Hakim family members may be prisoners of conscience. The organization knows of the execution of six family members in May 1983 and of 10 in March 1985. Another family member died in custody during June 1985.

Twelve members of the al-Hakim family were under the age of 18 at the time of their arrest. Maytham 'Abd al-Razzaq al-Hakim was 12 years old; Nureddin 'Abd al-Razzaq al-Hakim was nine years old. The fate of the adult members of the family leads AI to fear for the safety of such children.

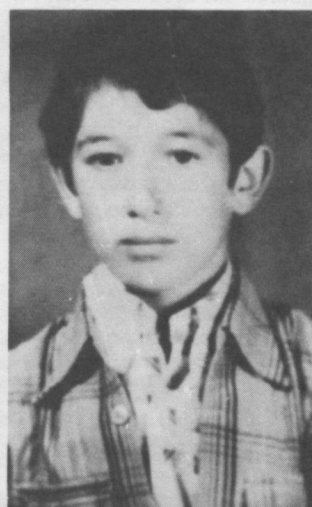
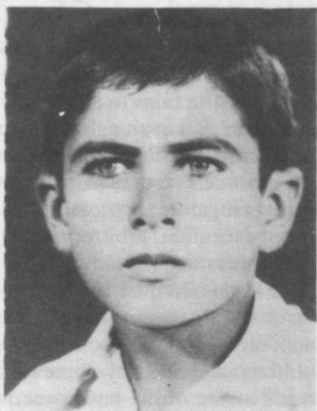
Sometimes young people who are relatives of suspected opponents of the Iraqi Government have been arbitrarily arrested on a massive scale. In September and October 1985 some 300 Kurdish children and youths were arbitrarily arrested by security forces in the town of Sulaimaniya.

According to AI's information, they were held in retaliation for the political activity of relatives who allegedly were either army deserters or members of the Pesh Merga forces - armed Kurdish units.

The children and youths were apparently seized as hostages to force relatives to give themselves up to the authorities. Others appear to have been held in order to extract information from them about their relatives' activities. The fate and whereabouts of most of these children are unknown, although three were said to have died as a result of torture and ill-treatment in detention in late 1985 and 29 others were executed without trial in January 1987.

In September 1987 the Iraqi authorities confirmed the execution of seven of the youths following their trial by a special court on charges of having committed "criminal and subversive acts". Suggestions that they had died in other circumstances were, said the authorities, "false and baseless".

Children have also been imprisoned with their parents and relatives. AI has received information about six children imprisoned between 1982 and 1987 with their relatives, who were



'Disappeared'

These are the haunting images of four of the thousands of members of the Barzani community who "disappeared" following their arrest by Iraqi forces in 1983. Among some 8,000 seized were 315 children and juveniles aged between eight and 17. Nothing has been heard of them since.



Tens of thousands of Kurdish families fled from their homes in Iraq to neighbouring Turkey to escape attacks by government forces in August 1988

alleged KDP members. None of these children was more than 13 years old at the time of their arrest.

■ Mirza Rasho was six years old when he was imprisoned in 1985. He is currently held in Mosul.

■ Lami Khan 'Abd al-Baqi Taha was 12 when she was imprisoned in 1985. She is now held in Duhok.

■ Ladhgin Sabri Hussain was 10 years old when imprisoned in 1985. He is currently held in Mosul.

■ Muhammad 'Omar Najm was 11 when imprisoned in 1985. He is now held in Tikrit.

■ Jum'a 'Abd al-Baqi Taha was 11 when imprisoned in 1985. He is now held in Duhok.

■ Mardan Rasho was 13 when imprisoned in 1985. He is now held in Mosul.

Iraqi laws prohibit torture and prescribe penalties for torturers or those who initiate torture. Yet detainees are routinely and systematically tortured and ill-treated while in the custody of the security forces and AI knows of no cases in which the perpetrators of such abuses have been prosecuted.

At least 30 different forms of torture have been used in Iraqi prisons. These range from beatings, including *falaga*, to burning, administration of electric shocks, and mutilation. Torturers have gouged out the eyes of their victims, cut off their noses, ears,

breasts, and penises, and axed limbs.

Some of these methods have been used on children. Seventeen-year-old 'Abd al-Rahman Ahmad Haji, who was executed in November 1985 in Abu Ghraib Prison, had been tortured by having his fingernails pulled out.

Torture of whole groups of children has been recorded. According to the testimony of a former detainee released from Fudailiyya Security Headquarters in late 1985, some of the 300 children and youths from Sulaimaniya held at the prison at the time were beaten, whipped, sexually abused and given electric shocks. Three

of them were transferred to military hospital; when they were returned to their cells, one died.

Testimonies from former prisoners at Abu Ghraib Prison record torture specifically designed to humiliate and injure women and girls. According to the testimony of a former prisoner released in September 1988, female prisoners have been hung upside down from the feet during menstruation; objects have also been inserted in the vaginas of young women, causing the hymen to break.

AI is concerned about the sharp contradiction between the Iraqi Government's formal commitment to the ICCPR's provisions covering the rights of children, together with its own laws safeguarding children's rights, and reports which indicate that children are victims of gross human rights violations.

AI has called on the highest authorities in Iraq to issue clear public instructions to all officials that abuse of human rights will not be tolerated. It has called for the establishment of an impartial body to investigate every case of alleged execution, arbitrary arrest, "disappearance", and torture.

AI has urged the Iraqi Government to ensure that all officials and members of the country's military and security forces are made aware of the law concerning human rights and are trained

to abide by internationally recognized standards. Where investigation reveals that these laws have been breached individual culprits should be brought to trial. □

International law violated

AI believes Iraq has violated international laws, including those specifically aimed at protecting children. In particular, the Iraqi authorities have violated the International Covenant on Civil and Political Rights (ICCPR), which recognizes the vulnerability of the young and children's need for special protection. Iraq ratified the ICCPR in 1971.

In August 1988 AI presented evidence of human rights abuses in Iraq—including evidence of the summary execution of children—to the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities. In a reply to the Sub-Commission Iraqi officials asserted that their government, "ha[d] done its utmost to adhere to its international obligations in accordance with international human rights treaties".



Hojatoleslam Sayyid 'Abd al-Hadi al-Hakim was executed on 5 March 1985 with two of his sons. A third son, 'Ali, was arrested in May 1983 when he was 15 and has since remained in detention without trial. His whereabouts are unknown.

JAMAICA

Death penalty concerns

The fairness of capital trials and inadequate legal representation for poor defendants facing the death sentence are among the concerns described in a new report, *Jamaica: the death penalty*.

Some prisoners under sentence of death are mentally ill; many are illiterate and come from the poorest sectors of society. A number have spent over 12 years on death row.

Many prisoners had inadequate legal representation: they were too poor to pay for private lawyers and were represented at trial and on appeal by legal aid lawyers. These lawyers were frequently assigned to cases at very short notice and spent little time preparing cases for trial, often failing to investigate alibi evidence or to interview witnesses.

The report found that many convictions were based solely on a visual identification of the accused. Prisoners have often claimed they were wrongly identified, or even framed by the police.

Final appeals may be made to the Judicial Committee of the Privy Council (JCPC) in the United Kingdom, but no legal aid is granted to prisoners for such appeals; they depend entirely on lawyers providing their services free.

The JCPC has generally taken

a narrow view of the scope of its jurisdiction and has declined to intervene in a number of cases, despite evidence of injustice. In 1985 the JCPC upheld by a 3-2 majority the death sentence imposed on Jamaican prisoner Frank Robinson who had not had a lawyer at his trial. His death sentence was later commuted by the Governor General. Between 1980 and 1988 only one capital case in Jamaica has succeeded on appeal to the JCPC.

In October 1987 the JCPC agreed for the first time to hear appeals in several cases raising the issue of poor quality identification evidence. Its decision is expected during 1989.

AI has called on the government to stop carrying out executions and to commute the death sentences of over 200 prisoners currently on death row. It also urged parliament to discuss the 1981 report of the government-appointed Fraser Committee which had recommended that steps be taken towards abolishing the death penalty. Fifty-nine prisoners have been hanged since 1980. □

IRAN

Appeal to end executions

AI has appealed to the international community to bring pressure on Iran to end the wave of political executions there.

It now has the names of over 1,200 political prisoners reported shot dead or hanged since last August.

AI's call for a halt to the killings came in a statement submitted to the 45th session of the United Nations Commission on Human Rights in Geneva on 30 January.

AI is also concerned that a new clampdown on drug trafficking has led to the execution so far this year of dozens of people convicted of the offence.

Death penalty

AI has received reports of 14 people being sentenced to death in five countries and of 16 executions in six countries during December 1988.

PEOPLE'S REPUBLIC OF CHINA

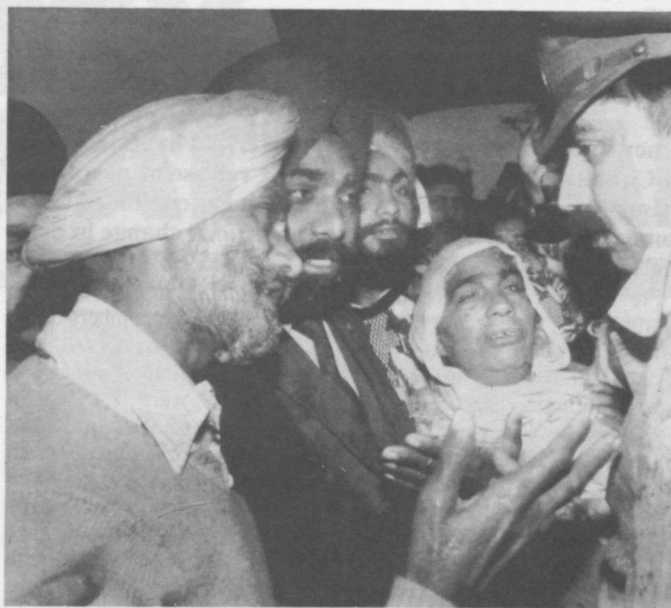
Prisoner freed

Yang Wei, a student in China, was freed on 9 January but he has been deprived of political rights for a year.

He had been sentenced in December 1987 to two years' imprisonment after his arrest for involvement in student protests (see *Amnesty International Newsletter* June 1988).



The Shanghai Foreign Affairs Office said that he would not be allowed to go abroad until his political rights were restored. Yang Wei's wife lives in the USA where they both went to study several years ago. □



Relatives of Kehar Singh are stopped outside Tihar Central Jail on 6 January, the day of his execution. © A.P.

INDIA

Executed despite doubts

Satwant Singh and Kehar Singh were executed on 6 January for the murder of late Prime Minister, Indira Gandhi, despite numerous appeals for clemency and amid doubts expressed by legal experts about the evidence relied on for Kehar Singh's conviction of conspiracy to murder.

Legal experts and commentators said the evidence in his case was entirely circumstantial and open to different interpretations.

There are also doubts about the reliability of the evidence provided by the main prosecution witness and about the fairness of the circumstances in which the police recorded her evidence.

Furthermore, the findings of the

Thakkar Commission of Inquiry into Indira Gandhi's death have never been published, and it is reported that another official commission suspects that other people were involved in the conspiracy.

AI urged the government to review all pending death penalty cases with a view to granting clemency, and ultimately to abolish the death penalty. □

YUGOSLAVIA

Prisoners released in pardon

Twenty-five people imprisoned for criticizing the government have been released following the announcement on 27 December by the Yugoslav Presidency of a pardon.

They had been convicted of "hostile propaganda" under Article 133 of the federal criminal code. Article 133 has been much criticized both in Yugoslavia and abroad because its loose formulation permits the imprisonment of people for their dissenting opinions. The official press recently reported that Article 133 was to be amended.

Many prisoners of conscience adopted by AI in past years were convicted under this article for criticizing the authorities or Yugoslavia's political system in private conversations, letters, diaries, or in public statements.

The pardons led to the release of, among others, prisoners of conscience Rizvan Xhaferi and Xhemal Qerimi, ethnic Albanians jailed in June 1988 for two and three years respectively for

"glorifying" Albania's state anniversary and criticizing Yugoslavia at a family celebration. Also released was Kosta Jolic, who had been serving a one-year prison sentence for saying to two fellow soldiers that Serbs were discriminated against in Yugoslavia and that the late President Tito was responsible.

Despite these pardons, however, AI knows of about 120 prisoners of conscience still detained—the great majority of them ethnic Albanians—but it believes there could be many more.

AI has urged the authorities to ensure that both Article 133 and other articles of the federal criminal code are revised so that they effectively guarantee the rights to freedom of expression, association and assembly. □

CUBA

New wave of arrests

A new wave of arrests of government critics has taken place in Cuba in recent months. While the release of people imprisoned under state security legislation has continued in the same period, there appears to be an official change in dealing with political dissent.

Previously critics have been charged under state security legislation. However, most of those arrested recently are being charged with public order offences.

Those arrested include former political prisoners and members of unofficial organizations, at least some of whom AI believes may be prisoners of conscience.

They include a number of people who were arrested in September 1988 outside the Comodoro Hotel in Havana while waiting to meet a delegation from the UN Commission on Human Rights.

Four were charged with public order offences and sentenced to between three and six months' imprisonment. One of them, Francisco Benítez Ferrer, is a former prisoner of conscience who had been released from prison just a few weeks earlier. Another, Gustavo Venta Pérez, who had been imprisoned twice for trying to leave the country illegally, was reportedly beaten by state security police while being transferred from a police station to state security headquarters. After his trial, at which he was allegedly not permitted a lawyer, he was sentenced

to six months' imprisonment.

In October, six members of the Association for Free Art (APAL), an unofficial group of artists and intellectuals, were arrested in Havana after scuffles broke out when they were laying a wreath and reading out a declaration at the ruins of a prison where a national hero, José Martí, was once held. The six were charged with disorderly conduct. Five were sentenced to between seven and 12 months' imprisonment and one was placed under house arrest.

On 29 November, Tania Díaz Castro, Secretary General of the recently established unofficial Party for Human Rights, her son Guillermo Rivas Díaz and his wife Aymé Lladó were arrested outside Combinado del Este Prison after getting into scuffles with guards.

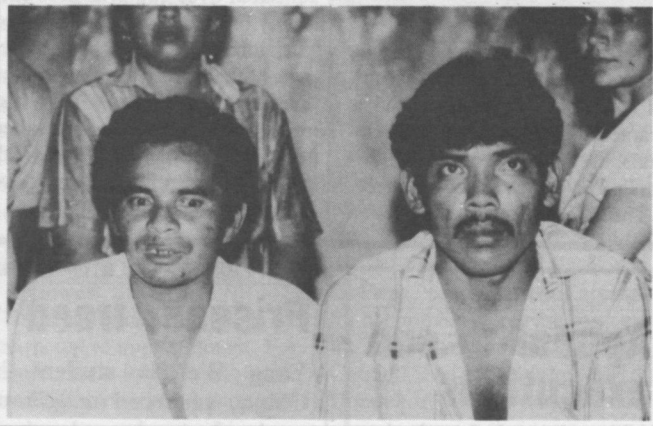
They were reportedly tried the same day, without access to lawyers; Tania Díaz and Guillermo Rivas Díaz were sentenced to one year's imprisonment and Aymé Lladó to three months. However, Guillermo Rivas Díaz and Aymé Lladó were released on 3 January and allowed to leave the country. □



When Venezuelan troops shot dead 14 unarmed fishermen last October on the Arauca river they said there had been a "confrontation with guerrillas". But a very different version of events was given by survivors Wolmer Pinilla and Jose Arias (below). They said the patrol had opened fire at close range without warning. Despite forensic evidence to support their story, they were arrested and accused of being guerrillas.

Following demands for justice by relatives (above at the mass grave), and after widespread allegations of a cover-up, the military court conducting the investigation released the survivors. Nineteen police and army personnel have since been accused of the killings and are now being held awaiting trial.

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UNITED NATIONS

New measures to protect prisoners

International standards aimed at curtailing arbitrary arrest and detention were adopted recently by the United Nations General Assembly.

The standards contain various provisions for access to the outside world, including lawyers and relatives. Access to a lawyer is to be given "without delay" except in a few cases. However even in these, access is not to be denied "for more than a matter of days".

Prisoners or, in some cases, others acting for them may challenge both the lawfulness and the conditions of detention.

There is also an automatic obligation on governments to offer prompt and proper medical treatment. Official inquiries are required whenever a death or "disappearance" occurs during detention.

The measures, which were adopted by consensus on 9

December 1988, are contained in the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment.

They cover all people deprived of their liberty by official action, despite attempts to restrict them to just those detained for suspected criminal offences.

The Assembly initiated the drafting process on 9 December 1975, the day it adopted its landmark Declaration against Torture, to better protect prisoners from torture. The experience of those working against torture is that prisoners are especially vulnerable to torture when they are held incommunicado and effectively at the mercy of their captors. □

SRI LANKA

State of emergency lifted

Emergency regulations in Sri Lanka, which gave extensive powers to the security forces, were withdrawn with the lifting of the state of emergency on 11 January.

AI had expressed concern about abuses committed by the security forces under emergency powers which permitted indefinite detention without charge or trial.

These powers had been extended last November when police officers of the rank of Assistant Superintendent were permitted to dispose of dead bodies without post-mortem or inquest.

At the same time the security forces had been given orders to shoot curfew violators and demonstrators on sight; eye-witnesses reported seeing many bodies being burned from late November, allegedly by the security forces.

Also that month, the government issued the Prevention of Death Threat Regulations, extending the death penalty to people convicted of threatening others with death or bodily harm. Any-

one charged under these regulations while they were in force can be tried "expeditiously" before a High Court Judge.

These laws were passed in a context of mounting violent opposition to the government in the run-up to the December presidential election, which was won by Ranasinghe Premadasa.

The election was boycotted by the People's Liberation Front which has been blamed for the deaths of hundreds of members of the ruling party, other parties supporting the Indo-Sri Lanka peace accord and the security forces.

While welcoming the lifting, AI is concerned that the Indemnity (Amendment) Act, passed in December, prevents legal action against those involved in restoring law and order from 1 August 1977 to 16 December 1988, provided they acted "in good faith". □