

The Wire

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Turkish lawyer faces ‘harassment by trial’

Eren Keskin is a lawyer and a human rights activist in Turkey. She has been subjected to repeated harassment as a result of her work. The harassment includes death threats – “We are measuring your coffin” was one telephone message; attempts on her life; physical assault by police officers; detention, imprisonment, and repeated prosecutions. However, Eren Keskin told AI that the most difficult punishment to bear occurred in November 2002, when she was barred from practising as a lawyer for a year, partially with the endorsement of her own colleagues.

AI’s February 2003 report, Turkey: End sexual violence against women in custody! (EUR 44/006/2003), contained many cases brought to AI’s attention by the work of lawyers Eren Keskin, Fatma Karakas and Ayla Akat, partners in the project “Legal aid for women raped and sexually assaulted in custody”. The project was the brainchild of Eren Keskin, who spent some months in prison in 1995 for writing and publishing “separatist propaganda”. AI considered her to be a prisoner of conscience and campaigned on her behalf. She told AI at the time, “Wherever there are women suffering around the world,

I now feel closer to them after my prison experiences... I felt very strongly the support of Amnesty International during my months in prison. But imprisonment has not changed my opinions or my determination to work for human rights and for women's freedoms.”

While in prison, Eren Keskin spoke to many women who told her about their experiences of sexual assault and torture in custody. As a result of these prison conversations, she started bringing lawsuits on behalf of women. Her publicizing this issue led to her becoming a target of verbal sexual harassment herself. She has received threats of rape over the telephone, and after she spoke at a conference in Cologne, Germany, in 2002, asserting that members of the military had raped and sexually assaulted women, she was the subject of a media smear campaign. Newspaper columnist Fatih Altayli stated in a radio interview, “If I do not sexually assault Eren Keskin at the first opportunity, I would be a coward,” and, “I think that when Eren Keskin comes she’s owed some abuse”.

Although the majority of the dozens of cases brought against Eren Keskin have resulted in her acquittal, they could be characterized as “harassment by trial”. They consume an inordinate amount of her time and she faces the ongoing threat of imprisonment.

As a result of the tireless work of human rights defenders to break the silence on this previously taboo subject, some cases have now been brought against police officers accused of sexually assaulting women in custody. The public prosecutor has opened cases against the alleged torturers of Hamdiye Aslan, N.C. and S.Y., who were all allegedly sexually assaulted in police custody in 2002. However, Eren Keskin is still unable to resume her work. In January 2003 an administrative court rejected an

application by her lawyers to overturn the ban on her practising as a lawyer. She faces further cases against her, which could lead to her being imprisoned if convicted.

War for wealth kills millions

While the international community looks on, Congolese civilians pay the price as the Democratic Republic of Congo is plundered

“I am convinced now...that the lives of Congolese people no longer mean anything to anybody. Not to those who kill us like flies, our brothers who help kill us or those you call the international community.” - Salvatore Bulamuzi, whose parents, two wives and five children were all killed in attacks on the town of Bunia, north-eastern DRC.

More than three million people are believed to have died as a result of the war launched in the Democratic Republic of Congo (DRC) in 1998, and the killing continues.

Under cover of the war, forces from Rwanda and Uganda and their Congolese allies have plundered eastern DRC's natural wealth on a vast scale. The northern and eastern regions of the DRC, which are under the control of Congolese armed groups sponsored by Rwanda and Uganda, are rich in many precious resources, including the mineral coltan, gold, diamonds and timber. These resources have been systematically pillaged by the warring parties. Senior members of the Rwandese and Ugandan armies and their Congolese allies have gained most from the riches.

Wealth for this small military, political and commercial elite has come at a huge price. Hundreds of thousands of Congolese civilians have been tortured and killed during fighting to secure control of natural resources. Combatants of the various forces in the region have killed or tortured independent miners and traders for their minerals or money. Many of the hundreds of thousands of inhabitants who have been driven from their homes into neighbouring countries or other parts of the DRC have died from malnutrition, exposure and disease which have been aggravated by lack of access to humanitarian assistance. Children as young as 12 have been forced into hard labour in mines. Thousands of women have been raped. Human rights defenders who have reported or criticized such abuses have been detained, beaten, forced to flee, or killed.

Foreign forces have deliberately stoked inter-ethnic conflicts and mass killings in order to secure rich mining zones and promote their economic interests. In Ituri, a north-eastern province of DRC until recently under Ugandan control, more than 50,000 people have died and more than 500,000 have been displaced since 1999 as a result of such fighting.

The power-sharing agreement concluded in early April 2003 by the main protagonists in the conflict offers a valuable opportunity to break with the terrible violence and human rights abuses of the DRC's recent past. AI calls on all parties to the agreement and any future DRC government to ensure that perpetrators of human rights abuses are not granted impunity.

Although the international community knows what has been happening in the DRC, it has consistently failed to respond in a decisive manner.

By moving to end impunity and hold to account those who enriched themselves by committing

violations of human rights and international humanitarian law, the world could yet deliver justice to the Congolese people.

See: Democratic Republic of Congo: “Our brothers who help kill us” – economic exploitation and human rights abuses in the east (AFR 62/010/2003)

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Liberia: a human rights and humanitarian catastrophe

The conflict in Liberia, which had already exacted a terrible toll on the civilian population, has worsened since January.

Hostilities have spread to areas previously unaffected as the armed opposition Liberians United for Reconciliation and Democracy (LURD) have advanced towards the capital Monrovia. A new armed group – the Movement for Democracy in Liberia (MODEL) – has emerged in the east along the Côte d'Ivoire border. This development has considerably increased the number of Liberian civilians and refugees of other nationalities now at risk.

Civilians have been killed, either deliberately or caught in cross-fire, raped, forced to leave their homes, abducted and forced to fight or carry looted goods, arms or ammunition. In February an estimated 180,000 internally displaced people were in camps and tens of thousands of others squatting in host communities; this number has since swollen dramatically. There were also an estimated 65,000 refugees from Sierra Leone and Côte d'Ivoire. Refugee and internally displaced people's camps have been deliberately attacked or caught in fighting, forcing their occupants to flee yet again.

Child soldiers

Forcible recruitment, including of children under the age of 18, has become rampant. Some of those resisting recruitment have been killed by government forces. Forcible conscription at displaced people's camps around Monrovia has become routine. Among hundreds of women gathered in Monrovia in April to protest against continuing conflict, those from displaced people's camps described government forces roaming the camps daily, forcibly recruiting men and boys and shooting at random at those who tried to flee. In March a large number of displaced people were reported to have been abducted from the Ricks Institute camp after it was attacked by the LURD and an estimated 25,000 were forced to flee.

Lack of access

Access by humanitarian agencies, whose staff have also been attacked and killed by armed groups, has become severely restricted. By April increased hostilities had prevented the delivery of emergency humanitarian assistance to about 70 per cent of the country, depriving thousands of desperate civilians of the most basic needs. In areas where access is possible, mainly around Monrovia, humanitarian agencies do not have sufficient resources to provide food, shelter and emergency health care.

Areas without assistance have included the volatile region bordering Côte d'Ivoire, where some 95,000 Liberians, Ivorian and other refugees had arrived since November 2002 to escape fighting in Côte d'Ivoire. Some of the 43,000 Liberian refugees who had decided to return to Liberia, despite the conflict there, have now been forced back to Côte d'Ivoire where they are particularly at risk from both Ivorian government forces and armed opposition groups.

AI called on the intergovernmental International Contact Group on Liberia, at its meetings in February and May, to give priority to tackling the human rights crisis in Liberia. AI drew attention to the particular vulnerability of refugees and internally displaced people, continuing arms sales to fighting forces despite UN sanctions, the importance of an international human rights presence to monitor and report on the human rights situation, and the need to end impunity for human rights abuses.

Torture still widely used in Mexico

Torture remains a deeply ingrained practice among Mexico's various law enforcement agencies with many people facing convictions on the basis of confessions obtained under duress. The situation for victims of such abuses is made worse by the deep-seated problems in the criminal justice and military justice systems which prevent victims from obtaining justice while allowing those responsible to benefit from impunity.

President Vicente Fox has acknowledged that torture remains a problem in Mexico and has committed his government to tackling this and other serious human rights violations. However, it is time to convert such rhetoric into concerted action to tackle these fundamental issues.

One of the cases highlighted in AI's newly-published report (see below) is that of brothers Enrique and Adrian Aranda Ochoa who were arrested in June 1996 and forced – after several hours of torture at the hands of judicial police – to sign a confession they were not allowed to read. They were told that if they did not ratify their confession before the judge, their families would suffer the consequences.

Despite medical evidence of torture, their confessions were used to convict and sentence them to 50 years' imprisonment. More than six years later, an arrest warrant issued against one of the policemen involved in their torture has not been acted upon, while the brothers remain in prison awaiting the outcome of their final appeal.

In another case, environmental activists Rodolfo Montiel and Teodoro Cabrera, detained in May 1999, were tortured while in military custody. Electric shocks were applied to Rodolfo Montiel and death threats were made against him and his family. His testicles were pulled repeatedly until he fainted from pain. He suffered severe bruising and bleeding for several weeks.

Although both men were released in November 2001 on humanitarian grounds, there was no acknowledgement of the torture they had undergone, no assurances given that those responsible would be investigated and prosecuted, and no reparation was awarded.

These and other cases demonstrate how difficult it is to challenge evidence obtained under torture and force the criminal justice system to recognize the abuses. Detainees themselves are often unaware of their rights and accept as routine practice the use of torture or ill-treatment.

It is vital that the authorities begin to tackle not only the ongoing use of torture, but also the legacy of its use which has resulted in numerous unsound convictions. There must be an independent review of these and other similar cases in order to prevent further injustice.

See Mexico: Unfair trials, unsafe convictions (AMR 41/007/2003).

AI delegates able to visit Iraq for the first time in 20 years

AI delegates went to southern Iraq in April and May 2003. They visited a deserted detention centre in Basra, where former political prisoners recounted how they had been tortured and ill-treated there. All around the detention centre were ditches and holes in the ground where families had dug in the desperate hope of revealing secret underground cells where prisoners might yet be found alive.

AI delegates later visited the sites of some of the mass graves uncovered by families of the “disappeared” and interviewed dozens of relatives who gave detailed testimony.

AI members throughout the world have campaigned for decades for the truth to be made known regarding the fate of tens of thousands of people who “disappeared” in Iraq, and for the perpetrators to be brought to justice.

As AI’s delegates visited the country for the first time in 20 years, the recurring demand from Iraqis from all walks of life was “security”. Widespread looting continues; women said they were reluctant to walk alone to the market for their shopping for fear of attack; revenge killings are an almost daily occurrence and at night, no one feels safe.

The US and UK, as occupying powers in Iraq under international law, have a clear responsibility to maintain law and order, and to protect the Iraqi population. AI has called on the US and UK governments to fulfil their international human rights and humanitarian obligations as a matter of urgency.

Amnesty International Report 2003

“This report documents achievements as well as disappointments. It records the efforts of our members to campaign for change, to demand justice, to expose the travesty of political rhetoric, to hold governments to account – and above all, to tell the story behind the statistic, to give voice to the voiceless.” Irene Khan, AI Secretary General

The Amnesty International Report 2003 documents human rights abuses in 151 countries and territories during 2002 and supports the work of human rights defenders struggling to achieve a safer world.

This authoritative annual reference work from Amnesty International (AI Index: POL 10/003/2003) details human rights abuses around the world, in a country-by-country A-Z format.

In 2002, the “war on terrorism” and the threat of war on Iraq dominated the international political agenda, diverting attention from vital human rights issues. There were concerted efforts to roll back the human rights gains of recent decades in favour of a narrow security agenda. Draconian measures – by democratic as well as autocratic governments – weakened respect for international law. Human rights were curtailed, governments avoided scrutiny and divisions between people of different faiths and origins were exploited.

The year 2002 also saw significant successes for human rights defenders – including the establishment of the International Criminal Court, which marked a breakthrough in the struggle against impunity for the worst crimes known to humanity.

Contact your local AI office or orderpub@amnesty.org to obtain the Amnesty International Report 2003.

Arms out of control

As the world's most powerful nations meet at the G8 summit on 1 June 2003 in France, AI launches the fourth edition of The Terror Trade Times (ACT 31/002/2003) and a new AI report, A Catalogue of Failures: G8 Arms Exports and Human Rights (IOR 30/003/2003).

The states of the G8 have said they will curb the illegal arms trade and help protect human rights: these publications show how they have failed to live up to this promise. Packed with articles revealing transfers of military, security and police equipment from the most powerful and rich states to countries such as Colombia, Zimbabwe, Democratic Republic of Congo, the Philippines and Iraq, The Terror Trade Times shows how these arms deals contribute to massive human rights violations. A Catalogue of Failures: G8 Arms Exports and Human Rights examines ways in which the military and security trade of the G8 states is leading to violations of basic human rights.

Contact your local AI office or orderpub@amnesty.org to obtain The Terror Trade Times and find out what you can do to help make governments listen.

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Worldwide Appeals

Brazil

Juveniles at risk in prisons

The situation in FEBEM, the Brazilian juvenile detention system in São Paulo state, has deteriorated sharply since the start of 2003. There have been numerous riots in the Franco de Rocha detention centre in the city of São Paulo. Warders have allegedly incited disturbances in response to the appointment of a new director of FEBEM who promised to investigate torture and ill-treatment of inmates and to the suspension of 34 warders after an incident in January. According to reports, warders deprived inmates of basic necessities, locked them up for long periods, beat them, and then unlocked their cells. Other centres in the FEBEM system have experienced similar levels of violence. None provide the educational, medical and recreational facilities to help reintegrate juvenile offenders into society that are required by law under Brazil's Statute of the Child and Adolescent (ECA).

In mid-April, over the Easter period, 247 juveniles held within the FEBEM system were illegally transferred to adult detention centres throughout the state.

Furthermore, the São Paulo authorities have undermined the work of human rights defenders who monitor the system by attacking them in the news media.

Please express concern about the failure of the FEBEM system to reach the minimum standards required by Brazilian law (the ECA), and call for prosecutions under Brazil's torture law of all FEBEM employees suspected of torture or ill-treatment.

Write to: Exmo.Sr. Governador do Estado de São Paulo, Sr. Geraldo Alckmin,
Palácio dos Bandeirantes, Av. Morumbi 4500, Morumbi, 05698-900, São Paulo - SP,
Brasil

Socialist Republic of Viet Nam

Well-known dissident re-arrested

Well-known dissident and medical doctor Nguyen Dan Que, 61, was arrested outside his home in Ho Chi Minh City on 17 March 2003 while reportedly on his way to an Internet café. Security officers later returned to his house and took away documents, a computer and a phone. His arrest followed a statement he issued on 13 March 2003, published abroad, which asserted that there was no freedom of information in Viet Nam and supported legislation put to the US House of Representatives in February proposing steps for the promotion of freedom of information in Viet Nam.

Official media reported that Dr Que had violated Article 80 of the Criminal Code which stipulates between five years and life imprisonment, and an optional death penalty for espionage.

Dr Que has been allowed no visitors while in detention. He suffers from a bleeding ulcer, kidney stones and high blood pressure requiring medication.

Following Dr Que's release in 1988 after 10 years' detention without trial for criticizing the national health care policy, he founded a movement calling for peaceful democratic change. In January 1990 Dr Que became AI's first member in Viet Nam.

Arrested again in June 1990, Dr Que was sentenced to 20 years' imprisonment in November 1991. Charges against him included that he used "his capacity as a member of AI to translate documents into English and send them abroad." Dr Que was released under a special amnesty in September 1998. He has been adopted as a prisoner of conscience by AI throughout his long years of detention.

Please write, calling for Dr Nguyen Dan Que's immediate and unconditional release:
Prime Minister Phan Van Khai, Office of the Prime Minister, Hoang Hoa Tham, Ha
Noi, Socialist Republic of Viet Nam

Fax: + 844 804 3279 (Government Office)

Germany

Asylum-seeker injured during attempted deportation

Togolese asylum-seeker Doviodo Adekou, aged 59, was allegedly ill-treated by a deportation official in the town of Mettmann, North Rhine-Westphalia, on 1 October 2001. As a result of the incident he sustained a serious injury to his right eye and subsequently lost his sight in that eye. Although more than 18 months have since passed, there is no known outcome to the official investigation initiated into the incident.

The alleged ill-treatment took place at the Office for Foreigners' Affairs in Mettmann as deportation officials attempted to place Doviodo Adekou in pre-deportation detention. Several officials grabbed hold of his arms and pulled him face-down onto the floor of the office. One of the deportation officials then allegedly deliberately punched him in the region of his right eye, causing it to bleed heavily. An ambulance

was called and Doviodo Adekou spent nine days in hospital in neighbouring Wuppertal being treated for a rupture to the covering of the eye, which had caused bleeding within the eye.

Approximately one week before the incident, Doviodo Adekou had undergone a cataract operation on his right eye.

The alleged ill-treatment of Doviodo Adekou was the subject of a joint inquiry by the UN Special Rapporteurs on torture, racism and the human rights of migrants in September 2002.

Please write, expressing concern at the injury to Doviodo Adekou. Please ask for information about when the investigation into the alleged ill-treatment of Doviodo Adekou will be concluded and ask to be informed of the investigation's findings. Write to: Herrn, Dr Fritz Behrens, Innenminister, Innenministerium des Landes Nordrhein-Westfalen, Haroldstr. 5, D-40213 Düsseldorf, Germany

Zimbabwe

Assault and death of opposition activist

“They said that if I was the Tonderai Machiridza they were looking for then I was going to die.” - Tonderai Machiridza, the day before he died. –

Tonderai Machiridza, a 32-year-old member of the opposition Movement for Democratic Change (MDC), died five days after being arrested by police.

He was arrested by armed police in Chitungwiza, a high-density Harare suburb, along with three other MDC supporters on 13 April 2003. The four men were accused of harassing a police officer during the two-day stay-away organized by the MDC on 18 and 19 March 2003. They were taken to St Mary's Police Station where they were allegedly kicked and beaten by police with truncheons and handcuffs. Tonderai Machiridza sustained severe head injuries. His head was swollen, and he had severe headaches and a bleeding nose. The three others — David Chipunza, John Mazhambe and Lisbon Mutandwa — were also badly injured.

Soon after the assault, police took the four to Chitungwiza General Hospital for treatment. Tonderai Machiridza and John Mazhambe were kept in hospital where they were held under police surveillance, chained to their beds. After a court application, the High Court ruled that Tonderai Machiridza should be released on bail so that he could receive better medical treatment. He was moved to a clinic in Harare where he died from his injuries on 18 April, Zimbabwe's Independence Day.

Up to 250 MDC activists needed medical treatment for injuries after attacks by the police and state agents during the March mass stay-away.

Please write, expressing concern at the death of Tonderai Machiridza and the injuries sustained by David Chipunza, John Mazhambe and Lisbon Mutandwa. Call for an immediate investigation into the assault and for those responsible to be brought to justice. To urge Southern African leaders to condemn publicly human rights violations in Zimbabwe, send appeals to: His Excellency, The President, Dr Bakili Muluzi, Office of the President and Cabinet, Private Bag 301, Lilongwe 3, Malawi

Fax: + 265 1 788 456 / 1 789 273

First indictments by the Special Court for Sierra Leone

On 10 March 2003 a significant step was taken towards ending impunity for atrocities committed during Sierra Leone's 10-year internal armed conflict: the Special Court for Sierra Leone announced its first seven indictments for war crimes, crimes against humanity and other serious violations of international humanitarian law. An eighth indictment was announced in April.

Established by the UN and the Sierra Leone government, the Court will try those suspected of being most responsible for the widespread and systematic killings, rapes, mutilations, abductions and use of child combatants which occurred during the conflict.

Those indicted include leading members of the armed opposition Revolutionary United Front (RUF) and the Armed Forces Revolutionary Council (AFRC) which joined the RUF after a military coup in 1997. Also indicted is the current Minister of Internal Affairs who headed the government-allied Civil Defence Forces.

AI is encouraged that the indictments reflect investigation of crimes committed by all parties to the conflict.

The Special Court will, however, only try a small number of people: those who "bear the greatest responsibility" for crimes committed after November 1996.

Others responsible for serious crimes throughout the conflict, which began in 1991, continue to benefit from a sweeping amnesty provided by the 1999 peace agreement and subsequently passed into law. AI believes that this amnesty should be repealed.

It is also important that the Special Court contribute to strengthening the national justice system so that it can in future assume responsibility for ending impunity for such grave crimes.

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TORTURE – AN AFFRONT TO HUMANITY

Torture dehumanizes both the victim and the perpetrator. The pain and terror deliberately inflicted by one human being upon another leave permanent scars: shattered bones, twisted limbs, recurring nightmares that keep the victims in constant fear. The damage goes beyond the trauma and suffering of the person who is tortured and those around them: each case of torture weakens the values and solidarity that hold a society together.

Prohibition of torture is one of the most basic rules of international human rights law.

Yet despite all the efforts to stop it, torture remains widespread. The Amnesty International Report 2003, AI's annual survey of human rights around the world, contains reports from 106 countries of torture or ill-treatment by state agents. In some countries torture is practised systematically, in others it is relatively common, even though it is not used as an official method of repression.

Torture: a 21st century crime

Fifty-five years after it was proclaimed, the words of the Universal Declaration of Human Rights remain as relevant as ever – "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment". However, our understanding of what constitutes torture has grown.

AI's worldwide campaigns against torture in the 1970s and 1980s focused on stopping the torture of political prisoners by the state. Today it is recognized that torture and ill-treatment

can also be inflicted in many other settings. Abuses such as “disappearances”, harsh prison conditions and excessive use of force in law enforcement can constitute torture or ill-treatment. Violence in the community and the home, such as racist attacks and domestic violence, can also violate the prohibition of torture, when states fail to address these acts effectively through protection, prosecution and redress.

Despite their many forms, acts of torture share common features. Torture is cruel and inhuman; it is contrary to international standards of acceptable behaviour; it causes terrible suffering. It is prohibited at all times. It can never be justified.

Combating torture : a manual for action

Combating torture: a manual for action (ACT 40/001/2003) is an invaluable tool for all those who want to understand and fight against torture in the 21st century. A practical guide to the history and recent developments in the campaign against torture and ill-treatment, this manual is indispensable to anti-torture campaigners worldwide.

An ideal source for campaigning and reference, Combating torture: a manual for action contains information on:

- International and regional law
- Case studies from six countries
- Dozens of case examples
- Protection offered by international and regional law
- Protection offered to vulnerable groups
- Definitions of torture

26 June : Day of Action

In 1997, the UN General Assembly called upon all nations to recognize 26 June as a day of solidarity and support for survivors of torture everywhere.

AI and the other members of the Coalition of International NGOs against Torture (CINAT) mark this day as an important annual event. Under the title Together against Torture, AI's aim is to empower and motivate people to end torture.

Together against Torture

[FIVE PHOTOS AND CAPTIONS APPEAR HERE]

AI has produced postcards featuring these cases and an anti-torture poster. Contact your local AI section or visit www.amnesty.org to find out more and to join in the action.

New legal tool to combat torture

On 18 December 2002, the UN General Assembly adopted a new mechanism aimed at preventing torture: the Optional Protocol to the Convention against Torture.

The Protocol will allow independent international experts to conduct regular visits to places of detention in states that have ratified the Protocol. They will assess the conditions of detention and the treatment of those held and make recommendations for improvements. The Protocol also provides for a national mechanism for monitoring detention.

AI and many other anti-torture organizations have welcomed this new mechanism as an important tool in the effort to eradicate torture.

The Protocol is a radically new type of international mechanism as it seeks to prevent torture, rather than respond to incidents of abuse. The existing mechanisms – the UN Special Rapporteur on torture, the Committee against Torture and the Human Rights Committee –

may make recommendations to states on the prevention of torture, but they cannot make regular visits to a country.

The practical impact of such visits cannot be underestimated. They can improve prison conditions, prevent torture and ensure that prisoners and detainees have access to independent complaints and inspection procedures.

The Protocol received overwhelming support at the UN General Assembly. Yet as of 2 May 2003, only three countries had signed it and none had ratified. Now it is time for governments to follow up their expressions of support by signing and ratifying the Protocol, so bringing into force what has been described as “the final stone in the edifice” of the UN’s campaign against torture.

Impunity for torturers in Fiji

The Fijian army is obstructing the prosecution of soldiers accused of torturing prisoners to death.

On 2 November 2000, six months after a violent coup, members of the Fijian army's elite Counter Revolutionary Warfare Unit tried to stage a mutiny within the military headquarters in the capital, Suva. The mutiny, during which three soldiers died, was put down and many members of the unit were arrested. Several prisoners were severely beaten by soldiers after arrest. Four died as a result of the beatings, and at least six others needed hospital treatment. Family members, lawyers and non-governmental organizations were refused access to the prisoners for many weeks.

By May 2001, the Fijian police had gathered evidence to lay murder charges against soldiers suspected of beating prisoners to death. However, police said the military prevented them from interviewing and prosecuting these suspects. In November 2002, 15 soldiers convicted of mutiny were sentenced. The ringleader was sentenced to life imprisonment by a court martial and 13 others received prison terms of 18 months to eight years. At least 25 more men are awaiting court decisions in connection with the coup and mutiny. However, no one has been arrested in connection with torture and killings of the mutineers. In a climate of ongoing power struggles in Fiji, there seems to be no political will to prosecute soldiers who prevented another coup.

AI calls on the Fijian authorities not to be selective in their administration of justice and the prosecution of coup-related crimes, and to prosecute those responsible for the torture and killings of mutineers by the military. Justice for those who lost their lives at the hand of mutineers must be matched by justice for those who were tortured and killed by the military.

‘I was overwhelmed by physical and mental weakness’

Lebanese political prisoners subjected to torture, ill-treatment and unfair trials

“At the Ministry of Defence I was tortured and interrogated continually while verbal abuse continued. I was overwhelmed by physical and mental weakness and was vomiting blood and my urine was discoloured. It was impossible to sleep as I was handcuffed, cold and hungry.”

‘Umar Miqati, a mechanic, was one of scores of people arrested by Lebanese military intelligence and other security forces in early 2000. The arrests were part of a wave of clampdowns on Sunni Islamist activists following armed clashes in Dhinniyyah in December 1999, and were reportedly a result of US pressure on the Lebanese government to pursue “terrorists”. The Dhinniyyah detainees belong to Sunni Muslim opposition groups who are often labelled by the media and government officials as “terrorists” or affiliates of al-Qa’ida. They are particularly vulnerable to human rights abuses in Lebanon.

The detainees were held incommunicado for weeks during which time they were reportedly tortured and ill-treated, mainly to coerce them into making “confessions”.

Detainees were routinely held for prolonged periods in fixed positions in underground cells at the Ministry of Defence Detention Centre. Former Dhinniyyah detainees describe being subjected to beatings, electric shocks and the ballanco (hanging by the wrists, which are tied behind the back), being deprived of sleep, subjected to repeated humiliation and the use of sexually abusive threats against their female relations, and being forced to listen to the screams of other detainees being tortured. Apparently members of Military Intelligence wanted to obtain as much “evidence” as possible to be used in court against the detainees.

In 2001 the Dhinniyyah detainees were referred to the Justice Council, whose procedures fall far short of international standards. Since then only six of the dozens of defendants charged have been questioned by the court. The Justice Council has failed to order an investigation into allegations made by defendants about their torture and ill-treatment, rendering any conviction unsafe and unfair.

AI has repeatedly expressed its concerns at the persistent reports of the torture and ill-treatment of political detainees in Lebanon. AI calls upon the Lebanese authorities to undertake independent and impartial investigations into the Dhinniyyah detainees’ allegations and to ensure that they are given a fair trial.