

# amnesty international

## FIJI

### CIVIL RIGHTS ACTIVISTS AND JOURNALISTS ARRESTED

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SUMMARY

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Five University of the South Pacific (USP) lecturers, a medical doctor and a former school teacher were charged with sedition and unlawful assembly on 1 November 1990 for their involvement in a peaceful protest on 18 October, during which one or more copies of Fiji's new Constitution were burned. One of the seven, Dr Anirudh Singh, was abducted on 24 October and questioned under torture about his role in the protest; the suspected perpetrators are five members of the Fijian army.

Three journalists were charged on 29 October 1990 under the country's Public Order Act (1976) for publishing a story on 26 October concerning reported plans by USP students and staff to protest against Dr Singh's abduction with the burning of further copies of the Constitution. The government claimed that the newspaper story was a fabrication and the three were accused of "knowingly publishing a false report" which could "create public anxiety".

The ten have been released on bail pending the outcome of their trials. Amnesty International believes that they have been charged for the non-violent exercise of their constitutionally-guaranteed rights to freedom of expression and freedom of assembly and association (Sections 4, 13 and 14 of Fiji's Constitution). If they were found guilty and imprisoned on these charges Amnesty International would consider them to be prisoners of conscience.

This summarises a three-page document, Fiji: Civil Rights Activists and Journalists Arrested (AI Index: ASA 18/01/90), issued by Amnesty International in November 1990. Anyone wanting further details or to take action on this issue should consult the full document

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## FIJI

### CIVIL RIGHTS ACTIVISTS AND JOURNALISTS ARRESTED

#### Introduction

Five University of the South Pacific (USP) lecturers, a medical doctor and a former school teacher were charged with sedition and unlawful assembly on 1 November 1990 for their involvement in a peaceful protest on 18 October, during which one or more copies of Fiji's new Constitution were burned. One of the seven, Dr Anirudh Singh, was abducted on 24 October and questioned under torture about his role in the protest; the suspected perpetrators are five members of the Fijian army.

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#### The Arrest of Seven Civil Rights Activists

Dr Anirudh Singh	- lecturer in physics at USP
Mr Ganeshwar Chand	- lecturer in economics at USP
Dr Sudesh Raj Mishra	- lecturer in education at USP
Dr Surendra Prasad	- lecturer in physics at USP
Trilochna Reddy	- lecturer at USP
Dr Ram Krishna Reddy	- medical doctor
Mr Ram Sumeshwar Yadav	- former school teacher

On 1 November the seven people named above were charged with sedition and unlawful assembly for their involvement in an apparently peaceful protest on 18 October against the newly promulgated Constitution of Fiji. As part of the protest, which took place following a prayer meeting on the day of the Hindu festival of Diwali, one or more copies of the

Constitution were burned. Government authorities reportedly called the burning of the Constitution "despicable and treasonous" and ordered the police to conduct an investigation.

According to reports, the Director of Public Prosecutions (DPP) deemed the burning of the Constitution during the protest to be a seditious act intended "to raise discontent or disaffection amongst the inhabitants of Fiji." The demonstration itself was said to be illegal. The accused were granted bail of F\$1,000 (US\$780) each but all were required to report twice weekly to the police; in addition, five of the accused were required to surrender their travel documents (passports) to police by 2 November.

### **The Abduction and Torture of Dr Singh**

Dr Singh is a lecturer in physics at USP and the chairperson of the Group Against Racial Discrimination (GARD), an organization which has criticized the newly promulgated Constitution of Fiji on the grounds that it discriminates against Fijians of Indian origin. He was one of several academics and students briefly detained by police for questioning on 22 October in connection with the 18 October protest.

On 24 October Dr Singh was detained by four men and held for about 11 hours in a wooded area on the outskirts of Suva. He alleges that he was tortured by three of them while being interrogated about his political activities. According to Dr Singh, his captors covered his head with a hood, placed a rope around his neck which they tied to his feet, and bound both his hands and feet, before beating him on the face, chest and arms. Later, when the hood had been removed from his head, he says his hair was roughly cut and some of it was burned with lighted cigarettes. He alleges that his hands, still bound, were held against the base of a tree and beaten repeatedly with a steel pipe by his captors as they questioned him about the addresses or current whereabouts of other people involved in the 18 October protest. Dr Singh was released from custody shortly before 8pm. After finding his way home he was taken to the Colonial War Memorial Hospital where he received treatment for multiple cuts and bruises on various parts of his body including his face and hands.

### **The Arrest of Three Journalists**

Taniela Bolea - newspaper publisher  
 Robert Wendt - newspaper chief sub-editor  
 Subash Verma - newspaper reporter

Taniela Bolea, the publisher of Fiji's Daily Post newspaper, Robert Wendt, the paper's chief sub-editor and Subash Verma a reporter, were charged under the broadly worded Section 15(a) of the country's Public Order Act (1976) for a story printed in the Daily Post on 26 October 1990. Section 15(a) stipulates that: "Any person who... fabricates or knowingly spreads abroad or publishes, whether by writing or by word of mouth or otherwise, any false news or false report tending to create or foster public alarm, public anxiety or disaffection or to result in the detriment of the public... shall be guilty of an offence." The journalists face a maximum penalty of one year in prison or a fine of F\$1,000 if found guilty. Civil rights activists in Fiji said that the arrests might be part of a government effort to close down the newspaper which they said had proved to be an "irritant" to the government.

The story in question said that staff and students at USP were organizing a protest against the abduction and torture of Dr Singh and mentioned plans to burn copies of the Constitution as part of the protest. On the same day, the acting Minister of Home Affairs issued an order

banning all meetings, processions and assemblies on campus, in the interest of "public safety" and "public order". A university official, the USP Vice-Chancellor, later denied that any protest actions had been planned on campus. Representatives of GARD signed a statement, reportedly at the request of police, in which they denied any intention of staging further demonstrations or burning more copies of the Constitution.

The reporter Subash Verma was reportedly arrested on 27 October and remained in custody at the Central Police Station in Suva until being brought before the Suva Magistrate's Court on 29 October. His lawyer claimed in court that police had twice prevented him from meeting his client the previous day and that they had failed to clarify the nature of the charges that were being brought against him. Subash Verma claimed that prior to his arrest he had received several threatening phone calls from unidentified callers who referred to his 26 October story.

Taniela Bolea and Robert Wendt were reportedly arrested on 28 October and brought before Suva Magistrate's Court the following day with Subash Verma. The three were released on bail of F\$300 and their trial was scheduled to have resumed on 1 November 1990.

### **Amnesty International and the Government of Fiji**

Amnesty International contacted the Prime Minister of Fiji, Ratu Sir Kamisese Mara, on 24 October and again on 29 October 1990 expressing concern about the reported kidnap-style detention and torture of Dr Singh on 24 October. In its first letter to the government Amnesty International said that it believed that Dr Singh's detention may have been a consequence of his non-violent civil liberties work and said that there was concern for his safety. It called on the government to initiate promptly an impartial investigation into the circumstances of Dr Singh's detention with the results to be made public. In a reply dated 25 October the government said that the Prime Minister and the Minister of Information had condemned the abduction and torture. It said that police had begun an investigation but said that there was no evidence to "suggest, indicate or establish" the involvement of police or military personnel.

The organization wrote again on 29 October after receiving the new information that Dr Singh had been released after being tortured and questioned for several hours about his political activities. The organization welcomed the statements made by the Prime Minister and the Minister of Information condemning these acts. In response to the government statement that there was no evidence of involvement of police or military personnel, Amnesty International said it believed there was circumstantial evidence to suggest that the perpetrators were members of the security services. It called for an impartial investigation into the possible involvement of members of the security services.

In a letter dated 30 October the government reiterated that a police investigation had been initiated immediately after the incident but made no mention of the arrest of members of the security forces. The organization later learned that five soldiers had been arrested on 30 October in connection with Dr Singh's abduction and torture. They appeared in Suva Magistrates Court on 31 October and were charged with abduction and intent to cause grievous bodily harm. At their trial, which resumed on 7 November, all five pleaded guilty.