

EXTERNAL (for general distribution)

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The texts of the following appeals cases are external. The "WHAT YOU CAN DO" part of each case is given as internal guidance for letter writers.

Indonesia - Village children lend their support in fight against eviction in 1991

@AI WEEK 1994

CHILDREN AND YOUNG PEOPLE

CASES FOR APPEALS

ASIA

1. INDONESIA - Junyonto
2. INDIA - Bangladeshi girl
3. CHINA-TIBET - Sherab Ngawang
4. PAKISTAN - Salamat Masih

AMERICAS

5. BRAZIL - Marcos José do Espírito Santo and Hemisfério Peres Ferreira Espirito
6. COLOMBIA - Javier Gonzalez and Jairo Murcia and "Asprilla"
7. HAITI - Jocelyne Jeanty
8. USA - Robert Carter
9. VENEZUELA - Yolanda Landino

EUROPE

10. BULGARIA - Anton Stefanov Assenov
11. TURKEY - Ercan Bayir

MIDDLE EAST

12. IRAQ - Zikri Mafkhosh Mustafa

AFRICA

13. BURUNDI - Tharcisse Bigirmana
14. RWANDA - 40 children from Sainte Famille church

INDONESIA

Dasmen, the mother of Junyonto, aged nine

Torture

On 16 January 1993 nine-year old Junyonto was detained on suspicion of stealing a wallet. Junyonto was tortured by police in Indramayu, West Java, and then forced to watch, and to join in the torture of his parents.

In the police station he was beaten on both feet and burned with cigarettes until he told the police he had stolen the wallet and given it to his parents. The following day his mother, Dasmen, and his father, Sudarmono, were detained. Dasmen was beaten and kicked repeatedly by police but still denied any knowledge of the wallet. Her interrogators then tied her legs together, suspended her upside down from the ceiling, and tugged and pulled at her hair while continuing their questioning. Then the police brought in Junyonto and forced him to beat his mother. She lost consciousness, still denying any knowledge of the wallet, and was rushed to hospital where she remained in a coma for three days. Sudarmono was tortured the next day. Junyonto, who was made to watch, said that his father was repeatedly kicked and punched until he collapsed. He was rushed to hospital but was dead on arrival.

A local outcry forced the police to promise that those responsible would be brought to justice. Five police personnel were officially reported to have been detained and transferred to the Military Police for questioning. Nothing more was heard after these announcements. By mid-1994 it was not known whether any of the suspects had been charged.

Background Information

Torture and ill-treatment are hallmarks of the Indonesian Government's response to peaceful political protest or perceived threats to "public order", inflicted as punishment for exercising the freedoms of speech and association which are, in principle, guaranteed by the Constitution. The victims include demonstrators, workers on strike, human rights activists and university students, as well as people threatened with eviction from their homes. Members of poor communities have also been ill-treated by security personnel carrying out so-called "cleanliness" and "order" campaigns. Journalists and photographers reporting demonstrations or the activities of the security forces have also been ill-treated.

The reported ill-treatment often entails beating, kicking and threats. When protesters or suspected political opponents are detained for questioning, more severe forms of torture, including electric shocks and rape, are not uncommon.

Torture and ill-treatment are prohibited under the Indonesian Criminal Code, the Code of Criminal Procedure and by various ministerial regulations. According to the authorities, they are also proscribed by armed forces service oaths. However, these laws and regulations have not prevented torture and ill-treatment, or provided effective avenues for redress. Nor have they been effective in ensuring that the perpetrators are brought promptly to justice.

WHAT YOU CAN DO

Write to:

PRESIDENT

President Suharto
President RI
Istana Negara
Jl. Veteran
Jakarta Pusat
Indonesia

MINISTER OF JUSTICE

Haji Utoyo Usman S.H.
Menteri Kehakiman
Jl. H.R. Rasuna Said Kav. 6-7
Kuningan

Jakarta Selatan
Indonesia

Copies of your appeals to:

Chairman, National Commission on Human Rights

Lt. Gen. (ret.) Ali Said
Departemen Kehakiman RI
Direktorat Jenderal Pemasyarakatan
Jl. Veteran No. 11
Jakarta Pusat
Indonesia

Say in your letter that you have read about the torture and ill-treatment of nine-year old Junyonto;

Urge the government to conduct a prompt, thorough and impartial investigation of this case;

Ask that the results are made public and ask to be kept informed of the progress of the case;

Ask that the perpetrators are promptly brought to justice before a civilian court.

INDIA

Indian women protesting against
the rape of women

Bangladeshi girl, aged 11

Rape allegedly by police

c. Times of India

A medical examination confirmed that an 11-year-old Bangladeshi girl was raped in north-east Delhi, during the week 6 to 15 June 1993. This was allegedly carried out by police attached to Seemapuri police station. The girl had allegedly previously been raped by a relative and other men introduced to her by the relative. The girl alleges that five police raped her in the Seemapuri police booth.

Police were criticised for "*not acting with due diligence and promptness*" by a Magistrate from Shahdara court, New Delhi. They reportedly took four days to find an interpreter to take the girl's statement. During an identification parade called so that the girl could identify her attackers, the police attempted to put up 35 people, though the Metropolitan Magistrate ruled that there should be only ten.

One of those picked out by the girl in the identification parade managed to escape arrest due to the length of time it took for the magistrate to prepare a report on the identification parade and send it to the area police chief and the concerned courts dealing with the case. The accused was picked up by police a few days later and an inspector was subsequently transferred. The investigating officer, a Sub-Inspector from Seemapuri police station, was criticised by the Metropolitan Magistrate for his lack of action in the case and it was requested that a senior inspector from outside Seemapuri police station should be appointed. It is not known whether these instructions were carried out.

Subsequently, the **Hindustan Times** of 14 July 1993 reported that five police constables had been arrested and charged with rape and criminal intimidation of the girl, three of whom were in jail and two of whom were remanded to 14-day judicial custody. It is not known whether legal proceedings have been instituted against them.

The Home Ministry in New Delhi have said that prompt action will be taken, but we would like to maintain pressure on the authorities to ensure that those responsible for this rape are promptly brought to justice and that the victim is granted adequate compensation.

Background Information

Rape and the Law

In Section 375 of the Indian Penal Code (IPC), rape ordinarily carries a minimum term of seven years' imprisonment. In 1979 the Indian Government referred revision of the law on rape to the Law Commission of India. The Commission's 84th Report suggested changes to the law relating to rape. Some of these were incorporated into the Criminal Law (Amendment) Act (1983). Amongst other things this Act introduced a new offence: "*custodial rape*".

Consequently, since 1983, Section 376(2)(a) of the IPC provides a more severe punishment for police officers who commit rape on the premises of any police station, or while a woman is in their custody: 10 years' imprisonment is the mandatory punishment, but life imprisonment and a fine may also be imposed. The harsher sentence also applies to some other instances of rape including where a man is found guilty of raping a pregnant woman, a girl under 12 years of age, or of gang rape. Another important change brought about by the Criminal Law (Amendment) Act (1983), was that the burden of proof regarding consent was shifted to the accused in cases where rape occurs in custody. The accused police or other official must therefore prove that the woman did consent rather than the woman having to prove that she did not.

There have been numerous reports of custodial rape in India, but convictions of police remain rare. In September 1993, a police officer was sentenced to life imprisonment for the rape of a pavement dweller in West Bengal, but such a harsh sentence is seldom imposed. In December 1993, four police officers including an inspector were sentenced to eight years "*rigorous imprisonment*" for the rape of a 23-year-old school teacher in Tamil Nadu in July 1988. The case was reported in an Amnesty International report published in March 1992, *India: Torture, Rape and Deaths in Custody*.

As far as rape by the army and security forces personnel is concerned, Section 376(2)(b) confers the same enhanced punishment on any "*public servant*" who rapes a woman in his custody or in the custody of a subordinate public servant.

WHAT YOU CAN DO

Write to:

Mr S.B. Chavan
Minister of Home Affairs
Ministry of Home Affairs
North Block
New Delhi 110 001
India

Mr Madan Lal Khurana
Chief Minister of Delhi
Office of Chief Minister
New Delhi
India

Say in your letter that you have read about the case of an 11-year-old Bangladeshi girl who was allegedly raped by police in north-east Delhi, during the week 6 to 15 June 1993;

Urge the government to ensure that those responsible for the alleged rape are promptly brought to justice and that the victim is awarded adequate compensation;

Recommend that the government take steps to introduce legal reforms to safeguard the rights of detainees which it proposed to successive meetings of Chief Ministers in 1992, some of which relate to the treatment of women in custody, particularly;

-to prohibit the arrest of a woman after sunset and before sunrise;

-to provide for a prompt medical examination of a person accused of rape or an attempt to commit rape as well as the victim of a rape, with her consent, by an independent medical practitioner.

CHINA/TIBET

Tibetan
demonstrators in
on 10 December
Tibetan national flag

c. Tibet Image Bank

pro-independence
Lhasa
1988, carrying the

Sherab Ngawang, aged 12

Arbitrary Detention

Sherab Ngawang, a 12-year-old novice from Michungri Nunnery, was one of a number of teenage nuns arrested on 3 February 1992 while taking part in a peaceful pro-independence demonstration in Lhasa, capital of the Tibet Autonomous Region. While the nuns under the age of 16 were released, Sherab Ngawang remained in detention because she lied about her age and claimed to be 16. She apparently did this because she wanted to stay with those of her older friends who were not released.

She was reportedly sentenced to three years "re-education through labour", which is not a sentence imposed by a properly constituted court but by an administrative procedure which makes no provision for legal representation or the possibility of an appeal.

She is being held in the Trisam Detention Centre on the outskirts of Lhasa.

AI believes that Sherab Ngawang is a prisoner of conscience.

Background Information

There is a continuing pattern of detention by the Chinese authorities of Tibetan monks, nuns and novices, some only in their teens, who take part in peaceful pro-independence demonstrations in Tibet. They are detained solely for the non-violent exercise of the right to freedom of conscience and expression.

It is believed that although juveniles may be held in separate premises to adult detainees, they may be subjected to the same regime of work.

If this is the case the conditions of their detention are in violation of international standards and in particular do not accord with the provisions of the UN Convention on the Rights of the Child, to which China is a signatory.

WHAT YOU CAN DO

Write to:

1. Tibet Autonomous Region President:

Gyaltsen Norbu Zhuxi
Xizang Zizhiqu Renmin Zhengfu
1 Kang'andonglu
Lasashi
Xizang Zizhiqu
People's Republic of China

Salutation: Dear President

2. Tibet Autonomous Region Chief Procurator:

Yang Youcai Jianchazhang
Xizang Zizhiqu Renmin Jianchayuan
Lasashi
Xizang Zizhiqu
People's Republic of China

Salutation: Dear Chief Procurator

Say in your letter that you have read about the case of Sherab Ngawang, a 12-year-old novice from Michungri Nunnery, who was one of a number of teenage nuns arrested on 3 February 1992 while taking part in a peaceful pro-independence demonstration in Lhasa, capital of the Tibet Autonomous Region;

Say that Sherab Ngawang is a prisoner of conscience who has been arrested for the non-violent exercise of the right to freedom of conscience and expression and call for her immediate and unconditional release;

Express concern that Sherab Ngawang, is being detained in conditions which may not accord with the provisions of the UN Convention on the Rights of the Child, to which China is a signatory.

PAKISTAN

Salamat Masih, aged 13

Fear of death penalty

Salamat Masih, a member of the Christian minority, was originally arrested with two men, Manzoor Masih aged 35 and Rehmat Masih aged 37, in May 1993 and detained on charges of religious blasphemy. Salamat was accused of writing slogans on the local mosque at the incitement of the two men. However, local people have testified that Salamat Masih cannot read or write. Legal experts maintain that the charges which carry the mandatory death penalty were based on a local clergy's personal grievances. Salamat Masih was eventually released on bail in November 1993 and Manzoor and Rehmat were released in January 1994, although the charges remained pending against them.

In an attack following a court hearing on 5 April 1994 in Lahore, Manzoor Masih was shot dead and Salamat, Rehmat and one other Christian, John Joseph, were seriously wounded. The attack took place near the Lahore High Court just after the Christians had left a court hearing. The attack was reportedly instigated

by members of an Islamist party, the Sepah-e Sahaba. Since then three people have been arrested and charged in connection with the shooting.

Background Information

There have been frequent demonstrations in and around the court room throughout the duration of this case by members of Islamist parties demanding capital punishment for the accused. All three Christians went into hiding following their release on bail for fear of personal attacks. Fears for the safety of Salamat and Rehmat are heightened by the lack of police action to protect the Christians. The police have apparently arrested two people in connection with this case although it is not known if they have been charged.

There are several cases of blasphemy pending against various minority groups in Pakistan whereby individuals have been charged under section 295-c of the Pakistan Penal Code which was modified in mid-1991 to provide for the mandatory death sentence for anyone defiling the name of the Prophet Mohammad. Amnesty International is concerned about the safety of those accused of blasphemy, a charge which carries the mandatory death penalty if they are found guilty, and urges the government to ensure their safety.

WHAT YOU CAN DO

Write to:

1. President Farooq Leghari
Office of the President
Islamabad
Pakistan
[Salutation: Dear President]
2. Prime Minister Benazir Bhutto
Office of the Prime Minister
Islamabad
Pakistan
[Salutation: Dear Prime Minister]
3. Iqbal Haider
Minister of Law, Justice and
Parliamentary Affairs
Ministry of Law, Justice and
Parliamentary Affairs
Pakistan Secretariat
Islamabad
Pakistan
[Salutation: Dear Minister]
4. Maj. Gen. (retd.) Nasirullah Khan
Babar
Minister of the Interior
Ministry of the Interior
Pakistan Secretariat, Block R
Islamabad
Pakistan
[Salutation: Dear Minister]
5. Mr Mian Ahmad Manzoor Wattoo
Punjab Chief Minister
Lahore

Pakistan

[Salutation: Dear Chief Minister]

Say in your letter that you have read about the case of Salamat Masih who was arrested with Manzoor Masih and Rehmat Masih in May 1993 and detained on charges of religious blasphemy;

Urge the authorities to bring to justice without delay those responsible for the deliberate and arbitrary killing of Manzoor Masih and the injuries sustained by Salamat Masih, Rehmat Masih and John Joseph;

Express concern that Salamat Masih, a 13-year old boy, will still be tried on charges that carry the mandatory death penalty even though he has been released on bail;

Urge the government to take measures to ensure the safety of people accused of blasphemy in Pakistan including those mentioned in this action;

Call on the government to bring to justice any local police personnel found to have deliberately failed to protect the victims.

BRAZIL

Brazilian children holding banner saying "We want peace"

The killing continues: teenagers murdered in Mato Grosso.

Two teenagers were found dead on 1 December 1993, two days after they had been detained, with two other youths, by military police officers in the town of Várzea Grande, Mato Grosso.

The bodies of Marcos José do Espírito Santo, aged 17, and Hemisfério Peres Ferreira, aged 16, were found in a lagoon in the outskirts of Várzea Grande. They had been shot several times. The commander of the 3rd Company of the Mato Grosso military police acknowledged having detained four youths on 29 November, but claimed that the two deceased had escaped. However two boys who survived accused the lieutenant and two other military police officers of the killings. Civil and military police inquiries were opened into the killings. However, the civil police inquiry was temporarily suspended at the request of the Commander of Military Police for Cuiabá, on the grounds that the case fell to military justice. In May 1994, the Civil Prosecutor appealed against this. As of June 1994, the three suspects remain on active duty.

Amnesty International is concerned that Marcos José do Espírito Santo and Hemisfério Peres Ferreira were extrajudicially executed.

The Survivor's Testimony

Amnesty International has received a copy of the testimony of one of the surviving youths. According to his testimony, the four boys were outside a café, *lanchonete*, in the Cristo Rei quarter of Várzea Grande. The youths were forced to lie on the ground and wait until the lieutenant in command of the local military police arrived. The lieutenant accused Marcos José do Espírito Santo of making death threats against him and threatened to kill all four boys. "*We are going to take you to the lagoon and kill the four of you. You won't have any mouths left*".

The lieutenant then told the bar owner, "*you have seen nothing*", and took the boys to the military police company headquarters in Cristo Rei, where they were allegedly seen by several military police officers. The lieutenant then ordered Marcos José do Espírito Santo and Hemisfério Peres Ferreira to lie on the floor of the car and locked the other two youths in the boot of the vehicle. The youths were then driven towards the "*Parque do Lago*", on the outskirts of the town. When the car stopped, the lieutenant allegedly pulled Marcos José do Espírito Santo out and ordered him to lie down. According to the survivor's testimony, they heard him pleading for his life, but he was shot several times. The police officers then took Hemisfério Peres Ferreira out of the car. Hemisfério apparently managed to run away but was shot and wounded by the police officers and fell into the lake where he was shot again and killed.

After the killings, the lieutenant told the other two boys that he would spare their lives but that they should stay silent or he would "*get them*". The youths were then taken back to the military police headquarters, where José do Espírito Santo's mother was waiting for her son. Seeing the woman, the lieutenant allegedly told the boys that he would handcuff them to pretend he was bringing them into detention and that if the mother spoke to them they should say that José do Espírito Santo had escaped. The youths were later released after further threats.

The youth later told José do Espírito Santo's mother what had happened and testified in court against the police officers. In his court testimony he said that he was very afraid because when he went to court to give testimony he was forced to meet face to face with the lieutenant and one of the police officers involved in the killings. The lieutenant allegedly told the police officer not to forget the youth's face and told the youth that he knew where he lived.

Background Information

In Brazil the military police forces are responsible for the control of crime on the streets, *policiamiento ostensivo*, and maintaining public order and internal security in each state. They may arrest criminal suspects, but are not necessarily involved in criminal investigations. Organized in batallions, they are responsible to the state secretaries of Public Security. Many human rights lawyers believe that the militarization of the police has led to a tendency to combat crime and public order problems with tactics more appropriate to a military operation than to normal police procedures.

Successful prosecution of police officers charged with human rights violations are rare and can take years. Cases against military police officers fall under the jurisdiction of the military courts. Draft legislation to

transfer jurisdiction for human rights crimes by military police from military courts to civil courts is awaiting consideration in the Brazilian Congress, but is opposed by the military lobby.

According to the Federal Attorney General's Office, between 1988 and 1991, 5,644 children and adolescents between the ages of five and 17 met violent deaths in Brazil. To Amnesty International's knowledge the vast majority of these crimes remain unpunished and in many cases no police inquiry was completed or sent to the judiciary. In the absence of full investigations, it is difficult to determine the causes and perpetrators of these crimes. However the Federal Parliamentary Commission of Inquiry into the Extermination of Minors concluded in February 1992 that the involvement of civil and military police in the killing of children and adolescents is "*far from exceptional*" and that police killings were the third largest cause of homicide of children and adolescents.

WHAT YOU CAN DO

Write to:

1. Minister of Justice

Exmo Sr Alexandre Dupreyrat
Ministro da Justiça
Ministerio da Justiça
Esplanada dos Ministérios, Bloco 23
70.064 Brasília, DF Brazil
Telegrams: Ministro Justiça, Brasília, Brazil
Telexes: 611003 MNJU BR, 611088 MNJU BR or 612313 MNJU BR
Faxes: + 55 61 321 5145, + 55 61 224 2448

2. State Governor, Mato Grosso

Exmo Sr Governador do Estado de Mato Grosso
Sr Jayme Verissimo de Campos
Palácio Paiaguás - Centro Político e Administrativo (CPA)
CEP 78.005-970 Cuiabá - MT, Brazil
Telegrams: Senhor Governador, Cuiabá, Mato Grosso, Brazil
Telex: 654265 sspbbr
Fax: + 55 65 624 4055

Say in your letter that you have heard of the killing of Marcos José do Espírito Santo and Hemisfério Peres Ferreira on 29 November 1993 in the town of Várzea Grande, Mato Grosso state, in circumstances that indicate that they were extrajudicially executed;

Request that their killings be promptly and thoroughly investigated and that those responsible are brought to justice;

Request that police officers suspected of involvement in the killings are immediately suspended from duty, pending the outcome of the investigation;

Request that specific measures be taken to protect the life and physical safety of all witnesses to these killings and of the victims' families.

COLOMBIA

c. Lucio Lara/Utopias

c. Miguel Diaz/El Tiempo

Children carrying coffin at a funeral

A threat in form of invitation to
funerals of street children

Javier González, Jairo Murcio and another child known as "Asprilla"

Political killing of homeless youths

On the night of 13 February 1994 Javier González, Jairo Murcio and another child known as "Asprilla" were sleeping in front of a warehouse when they were each shot through the head. This took place in the Timiza district of Bogotá. Amnesty International believes that the youths may have been the victims of extrajudicial execution and is concerned for the safety of the hundreds of other street children in Bogotá.

Amnesty International has received an increasing number of reports of killings of so-called "social undesirables" (*desechables sociales*) including "street children", vagrants, homosexuals and suspected delinquents in the principal Colombian cities. Murder operations directed against these people are routinely termed "social clean-up operations" (*operaciones de limpieza social*) and are generally attributed to shadowy "death squads". However, in a number of cases evidence has emerged that the so-called "death squads" were made up of members of the National Police, frequently operating with the support of local tradespeople.

On 11 August 1993 posters appeared in the centre of Bogotá announcing the extermination of the city's "delinquents" and inviting them to attend their own funerals. The posters were signed in the name of industrialists, shopkeepers and civic groups and appeared to be a reaction to a reported wave of petty crime in the city centre which the authorities attributed to vagrants, including "street children". Ironically, the posters appeared on the eve of a conference in Bogotá on violence and cruelty against children.

Background Information

In recent years widespread and systematic human rights violations have occurred in Colombia, including extrajudicial executions, "disappearances", torture and arbitrary arrests. Successive governments have repeatedly pledged to protect human rights and have introduced numerous measures ostensibly designed to ensure that the armed forces and police act within the law. However, members of the Colombian armed and security forces continue to commit serious abuses with virtual impunity.

WHAT YOU CAN DO

Write to:

1. President of Colombia
Senor Presidente Ernesto Samper
Presidente de la Republica
Palacio de Narino
Santafé de Bogotá, Colombia

Telegrams: President Gaviria, Bogota, Colombia

Telexes: 44281 PALP CO

Faxes: + 57 1 286 7434/287 7939

Salutation: Excelentísimo Sr. Presidente/ Dear President Gaviria

2. Procurator General
Procurador General de la Nacion
Procuraduría General
Edificio Banco Ganadero
Carrera 5, No. 15-80
Santafé de Bogotá, Colombia

Telegrams: Procurador General, Bogotá, Colombia

Faxes: + 57 1 284 0472
Salutation: Sr. Procurador de la Nacion/Dear Procurator General

Say in your letter that you have read about the case of the killings of Javier González, Jairo Murcio and another child known as "Asprilla" who were sleeping in front of a warehouse when they were shot through the head;

Express concern at the killing on 13 February 1994 of Javier Gonzalez, Jairo Murcia and "Asprilla" in circumstances which suggest that they may have been the victims of extrajudicial execution;

Urge the authorities to initiate an immediate and thorough inquiry into the killings, that its results be made public and those found responsible brought to justice;

Urge that all possible measures be taken to protect the lives and well-being of youths living on the street.

HAITI

Jocelyne Jeanty, aged 4

Jocelyne Jeanty, aged 4 and Balaguer Métayer ("Chatte") aged 17

Fear for Safety/Ill-treatment and Illegal Detention

On 19 December 1993 four-year old Jocelyne Jeanty was reportedly ordered to lie on the ground with 18 other men, women and children in the courtyard of a house by a patrol of soldiers and "attachés" (armed auxiliaries to the security forces) who descended on the shanty town of Raboteau, Gonaïves, Artibonite department. The soldiers then proceeded to beat everyone there, including Jocelyne Jeanty.

Before leaving, the patrol reportedly continued to terrorise the victims by firing their guns into the courtyard. Two people died as a result of the patrol's actions: Evalière Bornelus was drowned when he attempted to flee from the firing, and Louisiana Jean, an elderly woman, died of shock.

The patrol then proceeded to the home of an elderly woman, Almerida Chery, whom they reportedly beat. Another woman, Raymonde Métayer, who was visiting the house, and a young girl, Lizina Laudius, were also beaten. The patrol then went to the home of Fritz Joseph who was beaten, as was Raymonde Joseph who was pregnant, and four children, Linda, Frislène, Evens and Francklin Joseph. Two other women in the same street, Mrs. Alexis and Ketteline Cezalien, were also beaten.

In November/December 1993 the military carried out a spate of arrests and attacks on inhabitants of Gonaïves, principally in Raboteau. At least 10 people were arrested during the raids.

By July 1994 one of the people, 17-year old Balaguer Métayer (commonly known as "Chatte") remained in prison. He is apparently being denied access to a lawyer and relatives and has been subjected to beatings while in custody. His detention is illegal, as according to the Haitian constitution, detainees must be charged within 48 hours or released.

Amnesty International is seriously concerned for the safety of all the inhabitants of the shanty town of Raboteau, following this spate of attacks and illegal arrests by the military in the area. The organization is also concerned for the safety of "Chatte" Métayer who remains illegally imprisoned.

Background Information

During early-mid 1994 there was a dramatic upsurge in the number of human rights violations reported in Haiti. Most of the victims appear to have been targeted because of their support for the return of President Aristide. The number of apparent extrajudicial executions during the last few months is reminiscent of September-October 1993 when *attachés* carried out a campaign of intimidation and abuse against President Aristide's followers, aimed at blocking his return, which had been projected for 30 October 1993.

Due to difficulties in monitoring, it is hard to give an accurate figure of the number of people who have "disappeared" in Haiti this year. However, according to a press release of the UN/Organization of American States International Civilian Mission to Haiti, issued on 22 April 1994, there had been 53 reported "disappearances" since the end of January 1994.

WHAT YOU CAN DO

Write to:

Commander-in-Chief of the Armed Forces:
Monsieur le Général Raoul CEDRAS
Commandant-en-Chef des Forces armées d'Haiti
Grand Quartier Général des Forces armées d'Haiti
Rue Geffrard
Port-au-Prince, Haiti
Telegrams: Commandant-en-Chef des Forces armées d'Haiti Cedras, Port-au-Prince, Haiti
Telephone: + 509 22 3935
Telexes: 20391 gqfadh
Faxes: + 509 23 9007, + 509 23 9407
Salutation: Monsieur le Général / Dear General

Gonaïves Military Barracks:
Colonel Bellony Groshomme
Caserne Toussaint Louverture
Gonaïves, HAITI
Telegrams: Colonel Groshomme, Caserne Toussaint Louverture, Gonaïves, Haiti
Salutation: Monsieur le Colonel / Dear Colonel

Say in your letter to the above addresses that you have read about the case of Jocelyne Jeanty and of how she and others were beaten by the military;

Express concern at reports that in December 1993 a combined patrol of soldiers and attachés terrorised inhabitants of Raboteau by forcing them to lie on the ground, beating them, and firing shots randomly;

Express concern that two people died as a result: Evalière Bornelus who drowned while attempting to flee, and Louisiana Jean, an elderly woman who died of shock;

Express concern at the continued illegal detention of Balaguer Métayer ("Chatte") following his detention in November 1993;

Express concern that he was reportedly beaten while in detention;

Urge that he be promptly charged with a recognizable criminal offence or else released and that he be given immediate medical treatment and access to a lawyer and relatives;

Urge that the physical security of all inhabitants of Raboteau be guaranteed;

Urge prompt and impartial investigations into these allegations, that the findings be made public and that those found responsible be brought to justice.

USA

Robert Carter, aged 17 at the time of the crime

Death Penalty

Robert Carter, an African American, was sentenced to death on 10 March 1982 for the shooting murder of Sylvia Reyes on 24 June 1981. He had no previous criminal record.

The only evidence that Carter was at the scene of the crime, and the only evidence of how the shooting occurred, was the confession Carter made after being kept in isolation during interrogation and after waiving his right to have a lawyer present.

During jury selection the prosecutor used peremptory challenges to remove 12 potential jurors who had slight reservations about the death penalty, even though they expressed confidence in their ability to judge the case on the facts and impose the death penalty if they felt it was appropriate. Lawyers representing Carter on appeal argue that he was deprived of the right to an impartial jury.

Robert Carter was represented by two court-appointed lawyers who failed to properly investigate the case, talk to Carter before the trial, locate potential witnesses or present mitigating evidence. They failed to properly request all possible exculpatory or mitigating information from the prosecutor and were consequently unaware (thus the jury remained unaware) that several of the prosecution witnesses had failed to identify Carter in identity parades.

Defence counsel also failed to request assessments of Carter's mental capacity or competence to stand trial. They did not challenge the validity of his confession even though they apparently suspected he might be mentally retarded. They failed to object to numerous trial errors and failed to explore the precise nature of Carter's involvement in the crime as compared with other possible accomplices. Some of their remarks to the jury were prejudicial to their client.

Robert Carter's upbringing was one of poverty and neglect. One of six children, he was brutally abused throughout his childhood by his mother and stepfather who whipped and beat their children with wooden switches, belts and electric cords. Carter's mother would sometimes surprise them at night while they slept by pulling down the bed-covers and whipping them.

Dr Dorothy Lewis, a psychiatrist at the New York University School of Medicine, who examined Carter in June 1986, found that Carter is "significantly retarded". She found that Carter had suffered several severe head injuries as a child resulting from accidents and abuse. In one incident shortly before Sylvia Reyes' murder, Carter was shot in the head by his brother, the bullet lodging near his temple. He afterwards suffered seizures and fainting spells.

Dr Lewis found that Carter's mental disabilities limit his capacity to understand or reflect on what he or others are doing and, when confused, he displays poor judgment. Lewis described his thinking as "childlike". The brutal abuse he received as a child left him unusually subservient to and compliant with persons in authority. Yet no inquiry was ever conducted to determine whether Carter knowingly and voluntarily waived his right to a lawyer and his right not to incriminate himself following his arrest. The jury was not invited to consider as mitigating evidence Carter's age at the time of the crime; the fact that he was mentally retarded, brain damaged and had suffered brutal physical abuse as a child; or that this was his first offence.

Background Information

Robert Carter's case highlights AI's concern that in the USA the death penalty is applied disproportionately on the poor, on minorities, on juvenile offenders, on the mentally ill or retarded, and on those without adequate legal counsel.

Like most prisoners under sentence of death in Texas, Robert Carter 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. The Texas statute was changed in September 1991, and now allows for

consideration of any mitigating circumstances. However, the new law does not apply retroactively to prisoners such as Robert Carter.

The USA carries out more executions of juvenile offenders (people sentenced to death for a crime they committed when they were under the age of 18) than almost any other country in the world, and it probably has more juvenile offenders on death row (as of 25 May 1994 at least 34 in 12 states; 11 of these in Texas) than in any other country. More than 72 countries that retain the death penalty in law have abolished it for juvenile offenders; the only other countries in which such executions are reported to have been carried out in the 1990s are Saudi Arabia and Yemen. The USA has carried out more executions of juvenile offenders than almost any other country. Twenty-four of the 36 US states with the death penalty have laws allowing the imposition of death sentences on juvenile offenders.

The execution of people aged under 18 at the time of the crime is expressly forbidden under international law. Such treaties and standards include the International Covenant on Civil and Political Rights (ICCPR) ratified by the USA in June 1992, the American Convention on Human Rights (ACHR) signed by the USA in 1977 and the United Nations (UN) Convention on the Rights of the Child.

Amnesty International opposes the death penalty in all cases, as a violation of the right to life, and the right not to be subjected to cruel, inhuman or degrading punishment.

WHAT YOU CAN DO

Write to:

Texas Board of Pardons and Paroles
Executive Clemency Unit
Texas Department of Criminal Justice
Pardons and Paroles Division
PO Box 13401, Austin, TX 78711
USA

Fax: +1 512 467 0945

Phone: +1 512 406 5852

Telegrams: Texas Board Pardons/Paroles, Austin, Texas 78711, USA

Salutation: Dear Board Members

The Honorable Ann Richards
Governor of Texas
Office of the Governor
PO Box 12428, Capitol Station
Austin, TX 78711
USA

Salutation: Dear Governor

Fax: +1 512 463 1849

Telegrams: Governor Richards, Austin, Texas 78711, USA

Telex: 910 874 1849

Telephone: +1 (512) 463 2000

Copies to:

The Letters Editor
Austin-American Statesman
Box 670
Austin, TX 78767
USA
Fax: +1 512 445 3679

Express concern that Robert Carter was sentenced to death in Texas for a crime he committed when he was 17 years old, and that this is contrary to international standards which prohibit the imposition of a sentence of death on people under the age of 18;

Urge that Texas bring its laws into line with these international standards;

Urge that no further executions of 17 year old offenders be carried out in Texas;

Acknowledge the seriousness of the crime for which juvenile offenders are sentenced to death in Texas, and cite arguments against the death penalty, for example, it is imposed disproportionately on the poor and minorities and it has no unique deterrent effect.

Note that most juvenile offenders currently under sentence of death in Texas are black or Hispanic and from a background of poverty; and note that the USA is one of only three countries known to have executed juvenile offenders in the 1990s. (The other two being Saudi Arabia and Yemen).

Point out that most 17 year-old offenders on death row in Texas were sentenced before September 1991, under a law which severely restricted the jury's opportunity to consider mitigating circumstances, including youth, at the sentencing phase of a capital trial, and that in Amnesty International's view, this should be considered additional grounds for granting clemency.

VENEZUELA

Father and brother of Yolanda, Mario Landino and his son Henry Landino who are victims of torture

The case of Yolanda Landino aged 14 and her brothers and sisters

"Disappearance"

Yolanda Landino "disappeared" on 27 March 1993, following a military raid of her house, in the peasant community of "5 de Julio", municipality of Catatumbo, Zulia state, Venezuela. She was 14 years old.

On that day Yolanda was at home with Eurides Contreras, her mother, and eight of her brothers and sisters: Maritza, 15; Yajaira, 13; Luis Alberto, 11; Mario, 9; Mariela, 7; Daniel Antonio, 4; Ruth María, 5, and the new-born Franklin. They were waiting for news about her father Mario Landino and her brother Henry, who had "disappeared" on the previous day.

At 11.00 am a group of around 60 members of the Venezuelan army - several of whom were hooded - raided the community. They broke into the Landino's house without a search warrant, and ordered all the family members to gather in one spot. They accused them of being guerrillas, and interrogated Mrs. Contreras and the older children, under threats and ill-treatment, about the activities of Mr. Landino and other family members, who they accused of "helping the Colombian guerrillas". Those who asked the questions were hooded, and on several occasions hit the children with blows and slaps. Yolanda managed to leave the house, but was reportedly captured in the area later on that same day. She was never seen again, nor has she communicated with any of her family members since her "disappearance".

The soldiers remained in the community for three days, during which time the Landinos remained in home detention. Maritza and Yajaira were transferred by a group of hooded soldiers to a site in the woods about 200 metres away from their home, where they were interrogated, under death threats and blows, about their father's activities. They also threatened Yajaira with rape. Before leaving the community a soldier told the Landinos that Yolanda - whom they accused of being a guerrilla - had been arrested, and that she would be killed.

The soldiers also raided three other homes in the community, and according to reports they detained and tortured at least three men, including Nelson Fuentes, an elderly peasant, who was brutally tortured in front of other members of the community.

Background Information

Catatumbo is a region in the state of Zulia bordering Colombia. The Venezuelan army alleges that Colombian guerrillas frequently cross the border to supply themselves with goods provided by local peasants, whom they accuse of being "collaborators". The army's presence in the region has increased over the last years, and Amnesty International has been receiving an increasing number of reports of gross human rights violations by members of the Venezuelan security forces.

Yolanda's father Mario Landino, 47, a Bari Indian and peasant activist, had been abducted together with her brother Henry Landino, 18, on 26 March 1993 by a military patrol in the nearby town of El Cruce, where Mr. Landino was purchasing some goods for the cooperative of which he was president. Both men were blindfolded, handcuffed and transferred to an unknown destination, where they remained in secret detention, together with around 30 other men, reportedly arrested in the area, in or around the same date. They remained "disappeared" for eight days, after which their detention was acknowledged by the army, who accused them of "collaborating with Colombian guerrillas".

Mr. Landino and his son suffered brutal torture, which consisted in: semi-suffocation with plastic bags containing ammonia; strangling with ropes; beatings and blows in various parts of the body; burning with flame; eliciting painful burns in the eyes with a caustic substance and death threats. Both men, and other detainees, were injected at least twice with an unknown substance.

Mr. Landino remained in prison until March 1994, when he was provisionally released for lack of evidence. His son Henry Landino remains in prison awaiting trial, despite the lack of evidence for the charges brought against him.

WHAT YOU CAN DO

Write to:

President of the Republic

Dr. Rafael Caldera
Presidente de la República
Palacio de Miraflores
Caracas, Venezuela

Sr. Presidente/Mr. President

Minister of Defense

General Rafael Montero Revett
Ministro de Defensa Nacional
Ministerio de Defensa Nacional
Fuerte Tiuna, Conejo Blanco
El Valle, Caracas, Venezuela
Fax: (582) 6628829

Sr. Ministro/Dear Minister

Copies To:

PROVEA
Apartado 5156
Caracas 1010-A
Venezuela

Say that you have read about the "disappearance" of Yolanda Landino;

Urge the authorities to make an immediate and impartial investigation into Yolanda Landino's "disappearance", and into the human rights violations perpetrated by members of the Venezuelan army against her family, including Mario Landino, her father, and Henry Landino, her brother;

Urge for the clarification of Yolanda's whereabouts; for those responsible to be brought to justice, and for compensation to be provided accordingly;

Express serious concerns about the brutal torture suffered by Mario Landino and Henry Landino, and about the unfounded charges brought against them based on their forced confessions;

Call for the immediate and unconditional release of Henry Landino.

BULGARIA

Anton Stefanov Assenov - aged 14

Ill-treatment

On 19 September 1992, at around 3pm Anton Stefanov Assenov, aged 14, and his father Stefan Assenov Ivanov, members of the Roma community in Bulgaria, were ill-treated by police officers at the bus station in Shumen and later at the local police station, apparently because of their ethnic origin.

Anton Stefanov Assenov was reportedly taken to an empty room at the station by a plainclothes police officer, who did not identify himself. The police officer later claimed that he had caught the boy gambling. He allegedly beat Anton Stefanov Assenov with his fists and kicked him in the legs. Anton's parents, Stefan Assenov Ivanov and Fidanka Yordanova Ivanova attempted to enter the room where their son was being detained but were not allowed to do so. In the meantime two uniformed police officers arrived at the bus station and reportedly started beating both the father and the son with truncheons. Anton Assenov and Stefan Ivanov were then taken to the police station where Anton was beaten again. He was then handcuffed to a radiator for two hours before being released. He was not formally charged with any offence.

Two days later Anton Stefanov Assenov was examined by a doctor who stated that the injuries, bruises on his head, back, chest and right armpit, were consistent with the alleged beatings.

Anton's parents filed a complaint with the Regional Department of the Ministry of Interior. They received a reply in which the conduct of the police officers was assessed as appropriate and without excessive use of force and which stated that the boy had been beaten by his father.

Background Information

Amnesty International is concerned about reports that members of the Roma community in Bulgaria have been increasingly subjected to torture and otherwise ill-treated by police officers. The organization believes that in many cases such treatment might have been motivated by the victims' ethnic background. The treatment of Roma by the authorities is the most important human rights problem in the country today.

The Roma community in Bulgaria, which is believed to number around 600,000, is the second largest ethnic minority in Bulgaria after the ethnic Turks. The political changes initiated in Bulgaria in 1989 were not followed by an improvement in the social conditions of the Roma community which has been traditionally the lowest strata of the society. On the other hand, the lifting of previous restrictions on freedom of expression has transformed more subtle forms of discrimination into open racial hatred and violence against Roma.

Shumen is a city in northeastern Bulgaria, some 90 kilometres west of the Black Sea port of Varna. Roma in Shumen have alleged that the local police frequently, while making arrests, beat them.

Amnesty International is also concerned that Anton Stefanov Assenov was interviewed by the police without any legal or other appropriate assistance.

The Bulgarian Code of Penal Procedure offers special protection to children who are accused of having committed a crime. It contains a special section with rules for the investigation of crimes committed by minors. In such cases a preliminary investigation should be conducted by an examining magistrate with appropriate training (Article 377). The parents or guardians of the child, if they request it, may attend the interrogation of the accused minor (Article 381). When necessary, in the interrogation of an accused who is a minor, a pedagogue or a psychologist may participate and, with the permission of the examining magistrate, pose questions to the accused (Article 380).

WHAT YOU CAN DO

Write to:

1. **Prime Minister**
Lyuben Berov
Prime Minister
Council of Ministers
Bulevar Dondukov 1
1194 Sofia
BULGARIA

2. **Minister of Justice**
Petar Kornazhev
Minister of Justice
Bulevar Dondukov 2
1194 Sofia
BULGARIA

3. **Military Prosecutor in Varna**
Colonel Tzvetkov
Chief Prosecutor of Varna District
Military Prosecutor's Office
57 Vladislav Varnenchik Blvd.
9000 Varna
BULGARIA

4. **Military Prosecutor of Bulgaria**
General Lilko Yotzov
Chief Prosecutor of the Armed
Forces of the Republic of
Bulgaria
2 Vitosha Blvd.
1000 Sofia
BULGARIA

5. **Director of National Police**
Colonel Ivan Batsarov
Director of National Police
Bulevar Slivnitsa 235
1000 Sofia
BULGARIA

Write to the Bulgarian authorities, including Bulgarian representatives abroad, expressing concern at the alleged ill-treatment of Anton Stefanov Assenov and Stefan Assenov Ivanov and that it may have been motivated by their ethnic origin;

Urge the Bulgarian authorities to undertake a full and impartial investigation into the case and to make the findings public;

Urge the authorities to adhere to international standards pertaining to the human rights of all prisoners and detainees, particularly:

International Covenant on Civil and Political Rights, ratified by Bulgaria in 1970, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, ratified in 1986, European Convention for the Protection of Human Rights and Fundamental Freedoms, ratified in 1992, European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, ratified in 1994 as well as Code of Conduct of Law Enforcement Officials adopted by the UN General Assembly in 1979 and Body of

Principles for the Protection of all Persons under Any Form of Detention or Imprisonment, adopted by the UN General Assembly in 1988.

TURKEY

Ercan Bayir, aged six, and 16 other children

Deliberate killing of civilians

Six-year-old Ercan Bayir and 16 other children were injured when Turkish warplanes and helicopters attacked the Kurdish village of Kumçat_ (Kurdish name: Besuke) in __rnak province on 26 March 1994. Five adults and three children - Nevroz Bengin, 6, Zahide K_raç, 2, and Fatma Bedir, 3, were killed.

Official statements claimed that the bombing was accidental but the inhabitants of Kumçat_ said that they had been subjected to death threats from the security forces in the days before the raid because the adult men had refused to join the corps of village guards - villagers who are armed and paid by the government to fight guerrillas of the PKK (Kurdish Workers' Party). At least three other Kurdish settlements, separated by considerable distances, were bombed over the course of two days. Those villages had also refused to join the village guard system. Survivors from the village of Sapanca (_iri_) made a statement received by Amnesty International: *"Since 1984 our village has always refused to join the village guards... as a result of our consistent refusal we have constantly been under pressure from the state forces"*.

During the course of these raids 17 children were among the 36 people killed. The children killed in the other villages were: from Gever village, near Güçlükonak: Mirza Y_ld_r_m, 3, Mehmet Y_ld_r_m, 15, Abdülkerim Y_ld_r_m, 2, _aban Y_ld_r_m, 9, _rfan Y_ld_r_m, 6, Hunaf Y_ld_r_m, 3, Çiçek Benzer, 2, Ali Benzer, 6, Ay_e Benzer, 1, Ömer Benzer, 12, Abdürrahman Benzer, 4, Hane Altan, 15, and Kerim Altan, 3 and from the bombing of Çalayan and Hisar villages, near Cizre, an unnamed three-month-old baby.

The village guard system - children killed by PKK guerrillas

Membership of the village guard corps is theoretically voluntary in southeast Turkey, but villagers are faced with a terrible dilemma. Many are reluctant to serve as village guards for fear of reprisals from the guerrillas, but know that those who refuse are often subject to reprisals by the security forces or village guards from neighbouring villages who accuse them of actively or passively supporting the guerrillas.

Faced with ultimata from the security forces to join the village guards or suffer the consequences, the populations of many Kurdish settlements have fled, mainly to the larger towns of eastern Turkey where large numbers are living in crowded conditions with relatives or in temporary shelters. Following the bombings, an estimated 8,000 crossed the border to Northern Iraq.

Many children have also been killed by the PKK. On 27 October 1993 PKK guerrillas, abducted 32 men and boys from Yavi, in the Çat district of Erzurum, and killed them. Among those killed were Muhlis Ment_e, 13, Tahsin Polat, 10, Yusuf _ahin, 15, Selami Kudret, 15, Yusuf Yavilio_lu, 16, and Kamil Tiryaki, 17. The killing of prisoners is explicitly forbidden by Common Article 3 of the Geneva Conventions (1949).

Background Information

The conflict in southeast Turkey between government forces and guerrillas of the Kurdish Workers' Party (PKK) has claimed more than 12,000 lives since it began in August 1984. A state of emergency remains in force in 10 provinces in the region. Massive military operations in the southeast have been intensified since the beginning of 1994, and in addition to daily armed clashes the security forces are carrying out intense operations against villages, hundreds of which have been forcibly evacuated and burned to the ground.

In February 1993 it was announced that the State of Emergency Coordination Council decided that villages which might support the PKK or be open to PKK attack should be evacuated. The Emergency Region Governor has powers to evacuate residential areas using formal procedures which would include compensation and provision of alternative places of settlement. However, the current program of forced eviction is being conducted unofficially and in an arbitrary manner, accompanied by threats, intimidation, ill-treatment and destruction of livestock, food and property. These operations have resulted in many reports of torture, extrajudicial execution and "disappearance" (see: Escalation in human rights abuses against Kurdish villagers. AI Index: EUR 44/64/93, July 1993).

In May 1994, the Interior Minister for the first time officially acknowledged, in reply to a parliamentary question, that a total of 871 villages and settlements had "become empty" in the region under a State of Emergency, due to "various reasons" and that "immigration from rural areas ... has occurred".

WHAT YOU CAN DO

Write to:

The Prime Minister
Mrs Tansu Çiller
Office of the Prime Minister
Ba_bakanl_k
06573 Ankara, Turkey

State Minister for Women and the Family
Mrs Türkan Akyol
Office of the Prime Minister
Ba_bakanl_k
06573 Ankara, Turkey

Commander of the Air Force
General Halif Burhan
Hava Kuvvetleri Komutanl____
Bakanl_klar
Ankara, Turkey

Appealing for a thorough and impartial investigation of the circumstances surrounding the bombing of Sapanca, Kumçat_, and Gever villages on 26 March 1994;

Requesting that all possible safeguards are put in place to ensure that the safety of children is not put at risk during the course of security operations in southeast Turkey;

AI is also concerned about the deliberate killing of children by PKK guerillas.

Write to Kurd-A, a news agency taking an interest in Kurdish issues, or Ozgur Ulke, a newspaper which follows closely affairs in southeast Turkey and ask them to make public AI's concern about PKK killing of prisoners, including children.

Kurd-A
Marken Strasse 5/7
D-40227 Düsseldorf
Germany

Ozgur Ulke
Alemdar Mah
Basmusahip Sokak
Talas Han Kat 4
Cagaloglu
Istanbul
Turkey

IRAQ

Zikri Mafkhosh Mustafa, aged 13, and 314 other children

"Disappearance"

Zikri Mafkhosh Mustafa was 13 years old when he was arrested by the Iraqi army in 1983, in the housing complex of Qoshtapa. At the beginning of August 1983 Iraqi forces raided four housing complexes in Arbil province, northern Iraq. The complexes housed thousands of Kurds, all members of the Barzani clan, who had been forcibly resettled there in the mid-1970s. Zikri Mafkhosh Mustafa was one of 315 Kurdish children who "disappeared" during these raids. The children were all members of the Barzani clan. Ten years later, Zikri's fate and whereabouts are still unknown. All 315 children have "disappeared".

Background Information

The "disappearance" of children and young people has sometimes taken place on a large scale in the Kurdish areas of Iraq, with hundreds reported missing since their arrest. Youth is no protection from arrest and "disappearance". Some 8,000 males were rounded up during these raids, which lasted for more than a week. Their ages ranged from eight to 70. They were forced into military vehicles and driven away to unknown destinations.

At the time, Zikri Mafkhosh Mustafa and the others arrested with him were thought to have been taken to other camps in south-west Iraq, close to the border with Jordan. However, since then there has been no further news of their fate and whereabouts. The Iraqi Government has refused to provide any information about them, and their families fear that many of them may have been executed.

At the time of Zikri's arrest Iraq and Iran had been at war for three years. In July 1983 Iranian forces had occupied Iraqi territory. The Iraqi authorities held the Kurdistan Democratic Party (KDP), led by Mas'ud Barzani, head of the Barzani clan, responsible for assisting Iran to win the territory. The mass detentions and "disappearances" of August 1983 were apparently carried out in reprisal.

The 8,000 Kurds are all members of the Barzani clan from the regions of Barzan and Merga Sur in Arbil province in northern Iraq. In 1976 and 1977 these families had been forcibly resettled by the authorities in four "housing complexes" in the province of Arbil: Qoshtapa, Diyana, Harir and Bahark.

WHAT YOU CAN DO

Due to UN sanctions against Iraq, please send appeals via Iraq's diplomatic representative or the representative of Iraqi interests in your country, asking them to forward your letters. Enclose a copy of your letter to the authorities in Iraq, for the diplomatic representative, or Head of Iraqi interests in your country.

Write to:

Name/Address	Function	Salutation
H.E. Saddam Hussain President of the Republic Presidential Palace Karadat Mariam Baghdad, Iraq	President	Your Excellency

Please also address some letters direct to:

Barzan al-Tikriti Mission permanente de la République d'Iraq auprès de l'Office des Nations Unies 28a, chemin du Petit-Saconnex 1209 Genève, Switzerland	Ambassador	Your Excellency
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Say that you have read about the "disappearance" of Zikri Mafkosh Mustafa and 314 other children in August 1983.

Express concern that their fate and whereabouts remain unknown over ten years after their arrest by Iraqi armed forces and that they were detained solely on account of their ethnic origin;

Urge that a full and impartial investigation be made into the "disappearance" of Zikri Mafkosh Mustafa and 314 other children; that the investigation include details of the locations in which they were detained, the dates of detention in those locations and the legal authority for the detention; that the results be made public, and that those responsible are brought to justice and that in cases where victims have died, the authorities should provide their families with death certificates and, where available, autopsy and inquest reports.

BURUNDI

Tharcisse Bigirmana, aged 16

Attempted political killing/ill-treatment

Tharcisse Bigirmana, aged 16, was one of around 120 Tutsi adults and children who were rounded up on 22 October 1993 on Taba hill in Butaganzwa commune, Ruyigi province by a group of Hutu, including a local administrative official, armed with spears, knives and machetes.

Violence engulfed most of Burundi in the aftermath of an attempted coup in October 1993 during which the country's first democratically elected president, Melchior Ndadaye, was killed by the soldiers.

As soon as news of the coup attempt became public, members of the majority Hutu ethnic group, from which the government draws most of its support, began attacks on members of the minority Tutsi ethnic group. The killings were widespread and indiscriminate.

Once news of the widespread killings of Tutsi became known, members of the armed forces who are predominantly Tutsi dispersed into the provinces both to protect Tutsi and to carry out reprisal attacks on Hutu.

Both security forces and Tutsi civilians were responsible for mass killings of Hutu. On numerous occasions, members of the army protected or assisted Tutsi civilians who carried out the attacks and in some cases supplied them with firearms. Army reprisals were often carried out in areas where no violence had occurred.

Tharcisse was forced with the others to go first to Masazi hill (the natural geography of Burundi which is very hilly means that people refer to the hill they live on rather than the village they come from) where they were held for some time outside a local bar. The bar which belonged to a Tutsi had already been destroyed.

Tutsi from Masazi hill were also taken and the group, now numbering about 180, were then taken to Nyange hill where they were made to lie on the ground and severely beaten. The next morning the local official returned with more Hutu and gave the order for the Tutsi to be killed.

Tharcisse, who lost 10 members of his family in the massacre, was one of two survivors. He survived despite severe neck wounds inflicted by machetes to both sides of the neck. He and the other survivor managed to escape after being left for dead and initially hid with a Tutsi family on Nyange hill. When this house was attacked by a group of Hutu that night, the boys hid in a banana grove behind the house. The next day they were found by some Tutsi who helped them to a displaced person's camp at Ruyigi, from where they were taken to hospital for treatment.

In early February 1994, Tharcisse returned on foot to his home. He found his family's house, possessions and land had been taken over by members of the local Hutu community. He was reportedly told that he could return to live on the hill provided he made no attempt either to regain any of his family's property or to bring the killers to justice. He walked back to the camp some 10 to 15 kilometres away. He does not know what to do.

WHAT YOU CAN DO

Write to:

Son Excellence le Président
Présidence de la République
BP 1870
Bujumbura
Burundi

Monsieur Fulgence Dwiman Bakana
Ministre de la Justice et Garde des sceaux
Ministère de la Justice
BP 1880
Bujumbura
Burundi

Minister of Justice and Keeper
of Seals

Chef de l'Etat-major général des forces armées
Ministère de la Défense nationale
Bujumbura
Burundi

Chef de l'Etat-major général de la gendarmerie
Ministère de la Défense nationale
Bujumbura
Burundi

The government and security forces in Burundi urging them to take action to ensure that defenceless people, particularly children and young people, are never again targetted for killing;

Urge the President and Minister of Justice to ensure that an impartial independent inquiry identifies anyone responsible for crimes against humanity, whether they are Hutu or Tutsi, civilian or soldier;

Urge that an education program be available to all young people to teach them that killing prisoners and defenceless people, in particular when they are targetted on account of their origins, is wrong and can never be justified;

Urge the heads of the army and gendarmerie to take immediate action to ensure that standing orders make it explicit that prisoners may never be killed and that lethal force may never be used against unarmed and defenceless people, alone uniquely because of their origins;

Urge your own government to do more to ensure that political killings do not recur in Burundi or other Central African countries, in particular by supporting programmes to bring about reconciliation between divided communities and to teach young people what respect for human rights entails.

RWANDA

c. Stephen Dupont

Injured child at orphanage for displaced at Byumba

At least 40 children from Sainte Famille church complex in Kigali

Abduction and massacre

At least 40 boys, the majority of whom were believed to be under the age of 18 were taken from the Sainte Famille church complex in Kigali by Hutu militia on 14 June 1994 and almost certainly killed. The names of the victims are not yet known, as is unfortunately often the case in incidents such as this in the recent tragedy in Rwanda.

According to reports, militia armed with Kalashnikov rifles arrived at the church complex in the government-held zone of Kigali, where thousands of Tutsi were sheltering and selected out Tutsi boys who they believed had received some school education. The militia apparently returned to the complex when they found they had taken two girls and substituted the girls by two more boys before leaving. According to witnesses in the Sainte Famille complex, the militia were known to the victims as they had previously lived in the same area and were thus able to identify those who had been to school. According to one report, the militia had with them a letter authorising the abduction signed by local army officials. The local priest reported hearing gunfire close by shortly after the militia had left with the children. They were not seen again.

Earlier in the day, militia had prevented UN military observers from evacuating some of those sheltering in the Sainte Famille complex although the operation had been agreed by both sides in the conflict.

On 13 June the UN Assistance Mission in Rwanda (UNAMIR) had succeeded in evacuating 300 Tutsis from the Sainte Famille complex into areas held by the Rwandese Patriotic Front (RPF). According to the local priest, some of those who had been evacuated subsequently spoke on the radio of massacres committed by the militia that they had witnessed at the complex. This, he said, had prompted the militia to return and take more Tutsi the next day.

According to numerous reports received by Amnesty International, similar occurrences have taken place in other areas of Rwanda, where displaced Tutsis were sheltering in large groups in government-held territory.

Background Information

Since the beginning of April 1994 it is estimated that at least 500,000 people, most of them members of the minority Tutsi ethnic group, have been killed in countrywide massacres precipitated by the killing on 6 April of President Juvénal Habyarimana.

The massacres have been systematic and condoned at the highest level. The Rwandese armed forces and government appear to be responsible for inciting, encouraging, perpetrating or condoning mass killings, particularly of members of the Tutsi ethnic group and Hutus believed to be political opponents and both sexes and all ages have been targeted.

Most of the killers are supporters of the former ruling party, the *Mouvement républicain national pour la démocratie et le développement* (MRND), Republican National Movement for Democracy and Development, particularly its allied militia, known locally as *Interahamwe*. Others belong to its allied *Coalition pour la défense de la république* (CDR), Coalition for the Defence of the Republic and its youth wing, *Impuzamugambi*. The militias have worked alongside government troops, in particular hunting down and killing Tutsi who are accused of being members or supporters of the rebel Rwandese Patriotic Front. The killings have gone far beyond people suspected of supporting the RPF and Tutsi of both sexes and all ages have been targeted in a campaign of killings committed with genocidal intent. The pro-government Radio-Libre Mille Collines has repeatedly encouraged the Hutu population to kill Tutsi children by broadcasting: "To destroy the big rats, you must kill the little rats."

Amnesty International is calling on the relevant bodies of the United Nations to take prompt action to prevent further human rights violations in Rwanda and set up a mechanism to investigate and establish whether genocide has been committed in Rwanda and, if so, to identify those authorities who have ordered, incited, encouraged or condoned it.

WHAT YOU CAN DO

Write to:

Your government and/or MP:

Say in your letter that you have heard of the case of the 40 boys who were under the age of 18 who were taken from the Sainte Famille church complex in Kigali by Hutu militia on 14 June 1994 and almost certainly killed;

Urge your government to support initiatives that will bring those responsible for mass killings and other crimes against humanity in Rwanda to justice under a fair system;

Urge your government to ensure that those responsible for organizing mass killings in Rwanda do not escape justice by making a public statement that such people will not be granted asylum in your country or allowed to reside there without facing prosecution;

Urge that an education program should be available to all young people to teach them that killing prisoners and defenceless people, in particular when they are targeted on account of their origins, is wrong and can never be justified.