

EXTERNAL (for general distribution)

AI Index: AFR 43/01/94

Distr: UA/SC

UA 16/94

Extrajudicial executions / Fear for safety

20 January 1994

NIGER

Warghiss FOUNTA, market gardener, aged 47

Karbey MOUSSA, market gardener, aged 28

Amnesty International is concerned about the killings by security forces on 24 December 1993 of Warghiss Founta and Karbey Moussa, two market gardeners (*maraichers*) of Tuareg ethnic origin. It is concerned that the two men may have been targeted on account of their ethnic group, and with an atmosphere of increasing tension in the north of Niger, the organization fears for the safety of other members of the Tuareg community.

The two market gardeners were reportedly killed by the army near Agades, the main town in the Tuareg-populated zone of Niger. Both were travelling on donkeys to the market at Agades to sell their goods when they were shot dead by members of the security forces at the oasis of Tchín-Tibizguit (6 kilometres from Agades). The soldiers apparently suspected the two men of involvement in the theft of a vehicle belonging to the *Office de la Radio-Télévision Nigérienne* (ORTN), Nigerien State Radio and Television Company. The ORTN vehicle had been stolen earlier on 24 December at the market by unidentified people who also wounded its driver. The car was found abandoned a few hours later. The ORTN first accused "armed rebels" - an apparent reference to members of the various Tuareg rebel organizations - but later blamed "bandits" (*brigands*).

The Mayor of Agades lodged a complaint about these killings, but it is not known whether an inquiry has been initiated.

If, indeed, the two men were targeted because of their ethnic origin, Amnesty International is concerned that their killings may signal a return to the persecution of Tuareg people. Unconfirmed reports suggest that since a truce expired on 11 December (see background), other Tuareg have been killed by the security forces and many others arbitrarily arrested. Between August 1992 and April 1993 some 70 Tuareg were held in custody without charge or trial.

The *Front de libération de l'Aïr et de l'Azawad* (FLAA), Liberation Front of Aïr and Azawad, a Tuareg rebel organization had also held more than 20 people hostage until April.

BACKGROUND INFORMATION

Tension has increased in the north of the country following the non-renewal on 11 December of a truce between the government and one of the rebel organizations, the *Front de Libération de Tamoust* (FLT), Liberation Front of Tamoust. The breakdown was caused by the refusal of two other rebel organizations to participate in the discussions. Also, on 27 November, French observers who had been present in Niger apparently to monitor observance of the truce left Niger.

After legislative and presidential elections in March, negotiations between the new authorities and the then united Tuareg rebel organization, the FLAA, led to a three-month renewable truce in June. However, disagreement among the Tuareg rebels about the truce led to the creation of two new groups. In October the three rebel factions came together again for negotiations which ended without agreement in November.

RECOMMENDED ACTION: Please send telegrams, telexes and airmail letters either in French or in your own language:

- expressing grave concern at reports that two market gardeners, Warghiss Founta and Karbey Moussa, have been extrajudicially executed by members of the security forces;
- calling for an immediate independent investigation into the death of the two men and urging that those responsible be brought to justice;
- urging the authorities to give clear public instructions to the armed forces prohibiting unlawful and arbitrary killings of unarmed civilians.

APPEALS TO

1) President

Son Excellence
Monsieur Mahamane Ousmane
Président de la République
La Présidence
NIAMEY, Niger

Telegrams: Président de la République, Niamey, Niger

Salutation: Monsieur le Président / Dear President

2) Minister of Justice

Monsieur Kandine Mallam Adam
Ministre de la Justice et Garde des Sceaux
Ministère de la Justice et Garde des Sceaux
Niamey, Niger

Telegrams: Ministre de la Justice, Niamey, Niger

Telexes: 5214

Salutation: Dear Minister / Monsieur le Ministre

3) Minister of the Interior

Monsieur Oumarou Ousmane
Ministre de l'Intérieur
Ministère de l'Intérieur
NIAMEY, Niger

Telegrams: Ministre de l'intérieur / Minister of the Interior

Telexes: 5214

Salutation: Dear Minister / Monsieur le Ministre

COPIES OF YOUR APPEALS TO:

Monsieur Abdourahmane Hama
Ministre des Affaires Etrangères et
de la Coopération
Ministère des Affaires Etrangères et
de la Coopération
BP 396 NIAMEY - Niger

and to diplomatic representatives of Niger accredited to your country

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 3 March 1994.