

£BANGLADESH

@Reprisal killings in Logong, Chittagong Hill Tracts, in April 1992

Amnesty International has received reports that several hundred defenceless tribal inhabitants of Logong village in the Chittagong Hill Tracts were killed on 10 April 1992. The deaths apparently occurred in reprisal for a killing of a Bengali youth by members of the Shanti Bahini (Peace Force), an armed tribal opposition group.

Amnesty International is concerned that some of those killed may have been victims of extrajudicial executions, that is deliberate and intentional killings by the security forces. Amnesty International is also greatly concerned about the apparent resumption of large-scale reprisal killings. Reprisal killings by the security forces were reported to Amnesty International in earlier years, for instance in August 1988 when soldiers were reported to have extrajudicially executed tribal villagers in Baghai Chari following a Shanti Bahini attack on an army patrol. In May 1989 members of the Village Defence Party (VDP) were reported to have tortured and killed non-combatant tribal villagers in Langadu in reprisal for a killing of a Bengali official by Shanti Bahini. Amnesty International reported on these incidents in 1990 (see Bangladesh: Reprisal killings of tribal people in the Chittagong Hill Tracts in May 1989, AI Index: ASA 13/02/90 and Bangladesh: Reprisal killings of tribal people in the Chittagong Hill Tracts in May 1989 - An update, AI Index: ASA 13/05/90). The Government of Bangladesh subsequently informed Amnesty International that the August 1988 killings had occurred as a result of "civil commotion" following an exchange between insurgents and the security forces and that the killings in May 1989 were committed in a spontaneous outburst by non-tribal people which the security forces had tried to contain. Members of the VDP had participated in the rioting, but according to the government, they had done so "as individuals ... and not in an organized manner". Criminal charges were said to have been brought against 39 alleged perpetrators, but Amnesty International has been unable to ascertain the specific charges brought against them.

Background

The Chittagong Hill Tracts of Bangladesh are a sparsely populated area in which successive governments of Bangladesh have sought to resettle non-tribal people from the densely populated plains. The indigenous tribal people have felt threatened by this migration and since the mid-1970s the Shanti Bahini, the armed wing of the tribal political organization, the Jana Sanghati Samiti, (JSS, People's Solidarity Association), has fought an armed battle for regional autonomy. It has attacked and killed scores of military and paramilitary personnel stationed in the Chittagong Hill Tracts as well as non-tribal Bengali settlers. In turn, the security forces have reportedly undertaken reprisal attacks on non-combatant tribal villagers

and killed many. Bengali civilian settlers in the Chittagong Hill Tracts have also reportedly attacked tribal villagers, often with the complicity or acquiescence of the security forces.

Amnesty International has raised its concerns about human rights violations in the Chittagong Hill Tracts with successive governments of Bangladesh. In August 1991 it published a document which described torture and extrajudicial executions of non-combatant tribal inhabitants of the Chittagong Hill Tracts by security forces during 1989 and 1990 (see Bangladesh: Human rights in the Chittagong Hill Tracts, 1989-1990, AI Index: ASA 13/04/91) and urged the Government of Bangladesh to implement preventive measures against future human rights violations in the Chittagong Hill Tracts and to pursue investigations into past violations. In December 1991 Amnesty International issued an update (see Bangladesh: Human rights violations in the Chittagong Hill Tracts: an update, AI Index: ASA 13/09/91). It described reported cases of unacknowledged detention, detention without trial, torture and deaths in custody, including possible extrajudicial executions. The Government of Bangladesh has not responded to the concerns raised in these reports.

Amnesty International condemns as a matter of principle the killing and torture of prisoners by anyone, including the human rights abuses committed by opposition groups such as the Shanti Bahini. Amnesty International's work is based on international human rights standards, which are binding on governments. Governments bear the responsibility for bringing all those who have committed criminal offences to justice and in doing so must ensure that basic human rights are protected. Violence by opposition groups can never absolve governments of their responsibility under international law to uphold fundamental human rights. In particular, the right to life and to be free from torture must be upheld at all times.

Reprisal killings in Logong

Logong in Panchari Upazilla, Khagrachari district, is a so-called "cluster village" in which tribal people from several far-flung hamlets were resettled in 1989-1990 as part of the government's counter-insurgency policy. In "cluster villages" the tribal population can be subject to closer surveillance, and the Shanti Bahini are cut off from a supply line within the local community. Logong consisted of about 600 houses with as many families. A camp of the Bangladesh Rifles is located just 250 yards from the village; Panchari military camp is about five miles away.

Accounts of the antecedent of the killings vary widely. A young Bengali died, either in a Shanti Bahini attack or after being injured during an attempted assault on some tribal women. His death was apparently attributed to Shanti Bahini activities and caused the Bengali settlers together with the Village Defence Party (VDP), a civilian force with official status, and the paramilitary Ansars to attack Logong at around noon on 10 April 1992. They reportedly

surrounded the village, herded the villagers into their homes and set fire to them. Hundreds were reportedly burned alive, while villagers who attempted to flee were reportedly shot dead. The paramilitary Bangladesh Rifles reportedly arrived on the spot shortly after the killings had begun, but did nothing to stop them. According to eye-witness reports, members of the Bangladesh Rifles surrounded the village and prevented people from getting away and others from going near the dead, dying and injured.

Amnesty International is particularly concerned about the scale of the killings. Reports consistently speak of hundreds of dead, but Amnesty International has not been able to independently verify these numbers. The tribal chairman of the Khagrachari District Council on 11 April visited the area, but was not permitted to see more than a restricted part of Logong where he saw 138 bodies ready for cremation. He and other local leaders were refused access to other parts of the village. They reportedly saw truckloads of other bodies being taken away. A group of visitors from Dhaka, including human rights activists, lawyers, journalists, legislators and the Deputy Attorney General of Bangladesh, was in the vicinity of Logong at the time of the incident to participate in a tribal festival. Though its members were prevented from fully investigating the killings, they spoke to a number of eye-witnesses. When they met with Brigadier Sharif Aziz in Khagrachari on 13 April, he reportedly admitted that the number of 138 dead reported to the group by the tribal leader was correct. A Joint Statement issued by some members of the group on 19 April, taking into account the various eye-witness accounts, said, "more than 400 houses were burnt to ashes and more than 200 children, women and elders were killed".

Survivors of the killings reported to members of the group of visitors that they had seen mothers feeding their children being shot dead and children being thrown alive into the flames. A 17-year old witness reported he had seen three children being thrown into the fire. A local Bengali doctor who went to the spot to help the injured reportedly said he counted 300 dead bodies and then could not bear the sight any longer. Another tribal person who escaped but whose wife was killed reported that when he returned to Logong to claim his wife's body on 11 April, he saw 39 bodies ready for cremation. He found his wife's body but was not permitted to remove it for cremation. Many of the survivors said that they had also seen dead bodies in the forest around the village.

Drivers of military trucks carrying dead bodies are by a local human rights group reported to have said that on the trucks among the dead there were injured people crying for help. The drivers reportedly did not divulge where the bodies were taken. They said, however, that the dead and injured were burned together.

Brigadier Sharif Aziz, commander of the Khagrachari cantonment, was allegedly informed of the incident at 8pm on 10 April and reached Logong three hours later. He reported to the national press on 11 April that he found 11 dead bodies in Logong, of which

ten were tribal dead and one Bengali dead. He said the killings had resulted from a Shanti Bahini attack and the ensuing fight between Shanti Bahini and local Bengalis.

The Chittagong Hill Tracts Students Association and the Chittagong Hill Tracts People's Association in a public statement on the killings issued on 14 April identified several people, including members of the Ansars and the VDP, who allegedly took part in the killings.

Official statements about the incident refer to 13 dead and 14 missing. International news agencies reported defence sources as saying that 12 tribal people were killed and 16 injured in an incident sparked by Shanti Bahini activities. Major General Mahmudul Hasan, regional commander in southeastern Bangladesh and in charge of the 24 Infantry Division, said in an interview with Reuters news agency that the gunbattle in Logong had been sparked by Shanti Bahini activities and that 13 people had been killed and 34 injured. He is reported to have said: "Human rights are strictly enforced in the Chittagong Hill Tracts, ... it is the only area in Bangladesh where law enforcing agencies respond very quickly to complaints of any sort of irregularity". Bangladesh Finance Minister Saifur Rahman, commenting on a demonstration against the alleged mass killings during the donor countries' meeting in Paris on 22 April, said the charges were totally untrue and added that similar accusations of repression in the Chittagong Hill Tracts had been made during the previous year's donor countries' meeting. "It is a contrived situation to embarrass my delegation here", Rahman said.

Amnesty International's concerns and recommendations

Amnesty International is concerned that some of those killed may have been victims of extrajudicial executions and that many of the injured may have been victims of attempted extrajudicial executions. Extrajudicial executions violate provisions of the constitution of Bangladesh as also a number of international human rights standards.

Extrajudicial executions violate Article 32 of the Constitution of Bangladesh which states that: "No person shall be deprived of life or personal liberty save in accordance with law." Extrajudicial executions are strictly prohibited by Article 6(1) of the International Covenant on Civil and Political Rights which states: "Every human being has the inherent right to life. This shall be protected by law. No one shall be arbitrarily deprived of his life." Principle 1 of the Principles for the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions lays down: "Governments shall prohibit by law all extra-judicial, arbitrary and summary executions and shall ensure that any such executions are recognized as offences under their criminal laws, and are punishable by appropriate penalties which take into account the seriousness of the offences. Exceptional circumstances including a state of war, internal political instability or any other public emergency may not

be invoked as a justification of such executions. Such executions shall not be carried out under any circumstances ...".

Amnesty International urgently calls on the Government of Bangladesh promptly to initiate a full, independent and impartial inquiry into the reported killings in Logong. The working methods and aims of the inquiry should fulfil the standards set out in the Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions. The inquiry should establish the circumstances in which the killings took place, and whether any of the killings were the result of unlawful and unnecessary use of lethal force by the security forces, including the Ansars and members of the Village Defence Party. The failure of the Bangladesh Rifles to take any preventive action should also be investigated. The terms of reference and the findings of such an inquiry should be made public at the earliest opportunity. Amnesty International urges the Government of Bangladesh to ensure that members of the security forces alleged to be responsible for extrajudicial executions are brought to justice.

Amnesty International further calls on the government of Bangladesh to ensure that all law enforcement personnel are clearly instructed that lethal force may not be used except in genuine life-threatening circumstances and only as a last resort, in accordance with the Code of Conduct for Law Enforcement Officials, adopted by the United Nations General Assembly on 17 December 1979, and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in September 1990.