

£PAPUA NEW GUINEA

@Bougainville: Political Killings and "Disappearances" Continue

On or around 1 December 1994, just months after the declaration of a ceasefire between the Papua New Guinea Defence Force (PNGDF) and the secessionist Bougainville Revolutionary Army (BRA), two PNGDF soldiers were killed in an ambush at Kobuan Village, central Bougainville, by members of the BRA. Four days later, members of the PNGDF illegally detained and reportedly killed three men from Arawa in central Bougainville in retaliation for the December killings. Two other men, apparently believed by the PNGDF to support the armed secessionist movement, are reported to have been subsequently killed by the PNGDF although their bodies have not been returned to the victim's families. On 10 February, the PNGDF Commander Tony Huai announced that the army had begun an inquiry into the alleged killings. The commander stated that the investigation consisted of a senior officer and that prosecutions may follow.

Amnesty International welcomes the announcement by the PNGDF that it is conducting an inquiry into the alleged killings. However, given the failure of the Papua New Guinea (PNG) Government to investigate past human rights violations by members of the PNGDF on Bougainville, the organisation is concerned that this inquiry may not result in the truth being established and those responsible brought to justice.

Amnesty International is calling on the PNG Government to ensure that any inquiry meets international standards and that those suspected of having committed violations are brought to justice. The organisation is also calling on members of the international community, in particular member states of the United Nations (UN) Commission on Human Rights, currently meeting in Geneva, to put pressure on the PNG Government to do this.

This document provides details of the killings and "disappearance" and makes several recommendations to the PNG Government to ensure thorough and independent investigations into human rights violations by members of the security forces.

Background

Since the civil conflict began on the island of Bougainville in 1988, Amnesty International has documented serious human rights violations by government security forces and the government-backed so-called Resistance Forces, including extrajudicial executions and "disappearances". The organisation has also documented abuses by the secessionist

Bougainville Revolutionary Army (BRA).¹ The incidence of violations reported from Bougainville has declined since the beginning of 1994.

In August 1994, Sir Julius Chan became the Prime Minister of PNG, after a parliamentary election. The Chan government immediately initiated a process of peace negotiations with the BRA to end the six-year conflict, but a peace conference in Arawa in October was boycotted by key leaders of the BRA. In November however the government signed an agreement with 15 BRA commanders to continue the peace process. The agreement, the Mirigini Charter, has committed the government to restoring services on the island, and setting up a transitional provincial government for Bougainville during 1995. However, a resolution to the conflict has not yet been reached between key leaders of the secessionist movement and the government. The BRA still control some areas of central Bougainville and fighting continues. Recent outbreaks of violence have resulted in the deaths of at least one PNGDF soldier and one civilian.² In October, the government announced that it would lift the blockade of Bougainville, but restrictions persist.

During 1994, there were continued reports of suspected extrajudicial executions of suspected BRA supporters by the PNGDF. Most of these reported killings occurred prior to the signing of the ceasefire. The December killings and "disappearances" occurred after this and highlight continued concerns about impunity for members of the PNGDF and the need for monitoring of human rights violations during the current process of peace negotiations.

Extrajudicial executions and "disappearances"

On or around 1 December 1994, two PNGDF soldiers were killed in an ambush by members of the BRA at Kobuan village in Central Bougainville. On 4 December, in retaliation for the killings, at least three individuals, **Damien Ona, Apiato Bobonung** and **Robert**, were allegedly detained when the PNGDF stopped and searched the bus in which they were travelling. It is believed that the presence of weapons on the bus prompted the PNGDF soldiers to link the individuals on the bus to the killing of the two PNGDF soldiers by the BRA. The three are believed to have then been killed and their bodies were reportedly left in the sea, before being buried. Their bodies have since been recovered from a grave and returned to their families.

¹ For further details see Amnesty International Papua New Guinea: Bougainville: An Agenda for Human Rights, February 1995, ASA 34/01/95 and Papua New Guinea: "Under the Barrel of a Gun": Bougainville 1991 to 1993, November 1993, ASA 34/05/93.

² Sydney Morning Herald, 22 February 1995.

The next day, 5 December, **Shane Seeto**, from **Kobuan**, the same village in which the two PNGDF soldiers were ambushed by the **BRA**, was arrested. Shane was travelling to Arawa Hospital to seek medical treatment for a wound he sustained from a motor bike accident, when he was stopped by PNGDF soldiers. It is believed he was then taken to the military camp at Arawa.

His mother, on hearing that he had been detained, went to the military camp in Loloho, a distance of some five to 10 kilometres from Arawa. There she was told by the PNGDF that her son had been released and was at home. On discovering that her son was not at home, Mrs Seeto travelled to the PNGDF Arawa camp where she was told that Shane was not there. She was finally told that he had run away, and this was confirmed by the captain at the Loloho Camp, to where she returned. Amnesty International is concerned that Shane may have been killed by the PNGDF. His family have not received his body.

On 10 February, the PNGDF Commander Tony Huai announced that the PNGDF have been conducting an inquiry into the alleged killings of four and possibly five people by the soldiers. The investigation is believed to consist of a senior officer. The PNGDF has said that prosecutions may follow the inquiry.

In addition to the December killings, there are also reports that another individual, the brother of a **BRA** member, was killed by the PNGDF on 6 January in Siwai. No further details are available.

Investigations

Amnesty International is concerned that the long-standing lack of human rights investigation has resulted in a climate of impunity for members of the security forces responsible for human rights violations on Bougainville. The organisation believes that all reports of human rights violations must be impartially, independently and publicly investigated and that those found responsible must be held to account. In addition, victims of violations should be able to seek redress through the courts. Independent human rights investigators, including Amnesty International, should also be given unrestricted access to Bougainville.

In March 1994, the UN Commission on Human Rights adopted a resolution which stated that the PNG Government "has not provided information to the Commission about actions it has taken during the past year" to address human rights violations by security forces on Bougainville or to prosecute the perpetrators.³ The resolution called on the PNG

³ Commission on Human Rights, Fiftieth session, Agenda Item 12, Human rights violations in the Papua New Guinea island of Bougainville, E/CH.4/1994/L.93/Rev.1, 8 March 1994.

Government to invite the UN Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on torture to visit Bougainville to conduct independent investigations.

Despite this resolution, by the end of 1994, the PNG Government was not known to have investigated past alleged extrajudicial executions and "disappearances".⁴ The "disappearance" of Ken Savia, who was seized by government troops at Arawa General Hospital in February 1993, had not been investigated. Nor had the government investigated the alleged extrajudicial killing of six men when their boat was intercepted by government troops off Bougainville.

The government however continued to make public statements proclaiming its commitment for the protection of human rights. The new government of Sir Julius Chan quickly expressed support for greater protection of human rights on Bougainville. Speaking before the UN General Assembly on 26 September 1994 PNG's Deputy Prime Minister, Chris Haiveta, reaffirmed the government's commitment to establishing a Human Rights Commission, and said that the PNG Government saw "no difficulty" in providing a report on alleged human rights violations in Bougainville to the UN Commission on Human Rights. In his speech before the General Assembly, Mr Haiveta claimed that outsiders had already been allowed to visit Bougainville and to report on what they saw. However, to Amnesty International's knowledge the government has yet to invite the UN Special Rapporteurs to conduct investigations on Bougainville.

Speaking before the 51st Session of the UN Commission on Human Rights on 17 February this year, the leader of the PNG Delegation to the Commission, Bernard Narakobi, stated that the PNG Government would hold discussions with the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on torture. It was not clear whether this was an invitation to the thematic mechanisms to conduct human rights monitoring on Bougainville. Amnesty International's request to visit Bougainville, issued in November 1993 and renewed in February 1995 is yet to be answered.

The recent "disappearance" and alleged killings highlight the continued need for the PNG Government to conduct independent, thorough and impartial inquiries and for those responsible to be held to account. They also highlight the urgent need for the PNG Government to extend an invitation to the UN Special Rapporteur on extrajudicial, summary or arbitrary executions.

⁴ See Amnesty International *Papua New Guinea: "Under the Barrel of a Gun": Bougainville 1991 to 1993*, November 1993, ASA 34/05/93.

Conclusions and Recommendations

Amnesty International welcomes the announcement by the PNGDF that it is investigating the alleged "disappearances" and extrajudicial executions in Arawa in December. The organisation however urges the PNG Government to implement the following recommendations to ensure that justice is done and that members of the security forces do not continue to act with impunity;

- ◆ ensure that any investigation into the alleged "disappearances" and killings meets international standards of independence, impartiality and thoroughness;
- ◆ ensure that any witnesses testifying before an inquiry are afforded protection from violence, threats of violence or any other form of intimidation;
- ◆ make public the findings of the current military inquiry;
- ◆ ensure that jurisdiction over cases of alleged violations arising out of any inquiry into the violations is handed over to the civilian judiciary, and that those found responsible are brought to justice;
- ◆ issue invitations to the UN Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on torture, to conduct human rights monitoring on Bougainville;
- ◆ allow access for independent human rights monitors to Bougainville.