

AMNESTY INTERNATIONAL @CONCERNS IN EUROPE May - October 1993

INTRODUCTION

This bulletin contains information about Amnesty International's main concerns in Europe during the period May - October 1993. However, sometimes there will be references to developments outside this period, if they have not been reported previously, or if new information has been received before the bulletin is printed. Not every country in Europe is reported on: only those where there were significant developments in the period covered by the bulletin.

The five Central Asian republics, Kazakhstan, Kyrgyzstan, Tadjikistan, Turkmenistan and Uzbekistan continue to be dealt with by the Europe region and to be included in this bulletin because of their membership of the Commonwealth of Independent States (CIS) and the Conference on Security and Cooperation in Europe (CSCE).

A number of individual country reports have been issued during the period covered by the bulletin and references are made to these under the relevant country entry. In addition, more detailed information about particular incidents or concerns may be found in Urgent Actions and News Service Items.

References to previous bulletins in the text are as follows:

AI Index: EUR 01/01/93	Concerns in Europe: November 1992 - April 1993
AI Index: EUR 01/04/92	Concerns in Europe: May - October 1992
AI Index: EUR 01/03/92	Concerns in Europe: November 1991 - April 1992
AI Index: EUR 01/02/91	Concerns in Europe: May - October 1991
AI Index: EUR 01/01/91	Concerns in Europe: November 1990 - April 1991
AI Index: EUR 03/02/90	Concerns in Europe: May - October 1990

ALBANIA

Prisoners of conscience

In June Idajet Beqiri, leader of an opposition political party, the National Unity Party, was held under house arrest after the party's newspaper published an article by him which the prosecution said was insulting to the President of Albania. The article, headlined: "Sali Berisha, you are the murderer of Albania!" claimed that the President's policies were bringing the country to the brink of civil war. In July Idajet Beqiri was sentenced to six months' imprisonment. The sentence was confirmed on appeal in August and he was sent to serve his sentence in Tirana prison. However, he was released early, in October.

At least 16 men were sentenced to prison terms of between 15 and 45 days on charges of taking part in unauthorized demonstrations in July and August in Tirana and Laç. Although some demonstrators were reportedly violent, it appeared that at most two of those who were brought to trial were charged with using or advocating violence. Fatmir Kumbaro, a leading member of the main opposition party, the Socialist Party (formerly the communist party), was charged with organizing an unauthorized demonstration on 30 July in Tirana and sentenced to four months' imprisonment. His sentence was reduced on appeal and he was released at the end of September after serving two months' imprisonment.

Allegations of police ill-treatment

There was an increase in incidents in which police were reported to have ill-treated people, generally in the course of anti-government demonstrations. In some cases demonstrators were peacefully exercising their right to freedom of assembly and expression. In others, where there were clashes between police and demonstrators, police sometimes used excessive force in controlling or detaining demonstrators and failed to distinguish between violent and peaceful demonstrators. In August an Amnesty International delegate visited Albania and obtained information about police ill-treatment from interviews with victims. They included Socialist Party supporters beaten during demonstrations on 30 July and members of Albania's Greek minority in Gjirokastër.

Three men were killed by police in separate incidents in May, June and August. Although police officers were arrested and charged in these cases no one had been brought to trial by the end of November.

In October Amnesty International published a report, *Albania: human rights abuses by police* (AI Index: EUR 11/05/93). The organization called on the authorities to set up a mechanism for the independent and impartial investigation of complaints against the police; to take steps to ensure that police officers were informed of and required to observe international guidelines for law enforcement personnel; and to review legislation governing the right to public assembly and demonstration.

The death penalty

Two men convicted of murder were executed in September. A local newspaper reported that more than 20 people remained on death row. In November parliament passed legislation which reduced the number of offences punishable by death to six.

ARMENIA

Hostage-taking

Fighting continued in and around the disputed region of Karabakh, an area of Azerbaydzhan populated mainly by ethnic Armenians, as did reports of hostage-taking by both Azeris and Armenians (see *Azerbaydzhan - Hostages in the Karabakh conflict: civilians continue to pay the price*, AI Index: EUR 55/08/93).

Although Amnesty International appreciates that the Government of Armenia has no jurisdiction over this area, it continued to urge the Armenian authorities to exert all influence possible to ensure that international human rights and humanitarian principles are observed by all those associated with the conflict. Amnesty International also expressed its concern about reports that Azeri civilian hostages were being held on Armenian territory by private individuals. For example, according to members of their family two Azeri men were taken hostage by ethnic Armenians in the neighbouring republic of Georgia on 3 September, and taken across the border to Armenia.

Yolchu Akhmed ogly Gyoyushov (born in 1938, married with five children) and his relative Ramazan Gasm ogly Mamedov (born in 1942, married with two children) were said to have been tending cattle in the fields near their village of Kvemo-Bolnisi in the Bolnisi district of Georgia when they were seized by ethnic Armenians. Their family living in Azerbaydzhan report tracing them through Armenian intermediaries first to the village of Sarchapet in Armenia, then to the city of Vanadzor (formerly Kirovakan, also in Armenia), but say they have been unable to obtain their release or exchange.

Amnesty International wrote to the Armenian authorities emphasizing that hostage-taking is expressly forbidden under the Geneva Conventions of 1949, to which Armenia acceded in June 1993. The organization urged them to investigate the allegations made above concerning the situation of Yolchu Gyoyushov and Ramazan Mamedov, and asked to be informed of the outcome of any such inquiry. Amnesty International also urged them to take all necessary measures without delay to identify any other people who may be so held, to ensure their immediate, safe release, and to bring to account anyone found responsible.

The death penalty

Before the breakup of the Soviet Union persons sentenced to death in Armenia were sent for execution to another republic as Armenia itself, like several other former republics, did not have the necessary facilities. According to a report of 16 November in the Russian newspaper *Komsomolskaya pravda* (Young Communist Truth) these are still lacking. The report, from the Armenian capital of Yerevan, stated that no executions had been carried out for four years and that a total of seven people were on death row. They included a man named Seiran Markosyan who had recently, while on death row, killed a fellow inmate who was also awaiting execution. Such prisoners were usually kept in solitary confinement, but the two men had been sharing a cell owing to overcrowding.

AUSTRIA

Alleged ill-treatment of detainees by police and prison officials

The case of Ahmet S.

In May Amnesty International expressed concern to the Austrian authorities about a number of reports it had received in which detainees in Vienna Provincial Court Prison (*Landesgerichtliches Gefängnis Wien*) had alleged ill-treatment by prison officials. One such case was that of the Turkish prisoner Ahmet S. who had alleged in a complaint to the Vienna Independent Administrative Tribunal (*Unabhängiger Verwaltungssenat Wien*) that on 3 March he was hit in the face and kicked outside his cell, and shortly afterwards beaten with a rubber truncheon in the segregation cell of the prison. Amnesty International asked the Austrian authorities for information on the outcome of the judicial investigation into the alleged ill-treatment of Ahmet S. In September the organization was told that an investigation by the Vienna Public Procurator had resulted in charges being brought against four officers of Vienna Provincial Court prison.

The case of Werner Hirtmayr (see *Amnesty International Report 1993*)

In June the Vienna Independent Administrative Tribunal ruled that excessive force had been used by police officers in arresting Werner Hirtmayr following his arrest in February 1992. Werner Hirtmayr had suffered torn ligaments to his right knee necessitating surgery. In August Amnesty International asked the Austrian authorities whether an earlier decision not to bring charges against the officers accused of ill-treating Werner Hirtmayr would be re-examined in the light of the decision by the Vienna Independent Administrative Tribunal. No reply had been received by the end of November.

The case of Rudolph Reumann (see AI Index: EUR 01/01/93)

In September the Austrian authorities informed Amnesty International that the Salzburg Public Procurator had brought charges against two officers accused of ill-treating Rudolph Reumann in August 1992. The two officers were charged under Article 312 of the Austrian Penal Code which makes it an offence to "torment or neglect a detainee" (*Quälen oder Vernachlässigen eines Gefangenen*).

AZERBAIDZHAN

Hostage-taking

Reports of hostage-taking on grounds of ethnic origin continued (see *Azerbaijan - Hostages in the Karabakh conflict: civilians continue to pay the price*, AI Index: EUR 55/08/93). Amnesty International continued to emphasize that hostage-taking is expressly forbidden by the 1949 Geneva Conventions, to which Azerbaijan acceded in June 1993, and urged all those associated with the conflict over Karabakh to exert all influence possible to ensure that international human rights and humanitarian principles were observed.

Arrest of political prisoners and alleged ill-treatment in detention

In June over 30 people died when government troops tried unsuccessfully to disarm a mutinous military unit in the city of Gyandzha, and later that month President Elchibey left the capital, Baku, after a subsequent rebellion by the unit's head. Many supporters of President Elchibey were subsequently held for short periods for taking part in demonstrations, forbidden under the state of emergency then in force, or for other expressions of political dissent. At least three former senior government officials involved in the attempt to disarm the rebel unit were arrested, and charged with exceeding their authority and using armed force against the Azerbaijani people. Ikhtiyar Shirinov, former Procurator General, Gabil Mamedov, former Deputy Interior Minister and Sulkheddin Akperov, former Deputy Security Minister, were all said to have been beaten severely, the latter to the point of unconsciousness, in the first weeks after their detention. Numerous other reports of ill-treatment in police custody were also received in the period under review.

Amnesty International welcomed any efforts by properly-constituted legal authorities to investigate the deaths in Gyandzha, but expressed concern that no one be brought to criminal accountability for lawfully exercising their legitimate authority. Amnesty International also urged the authorities to ensure that no one was imprisoned for the legitimate exercise of their right to freedom of expression, and to investigate fully all allegations of ill-treatment in detention.

The death penalty

During the period under review one person already on death row died in custody and ten other death sentences came to light, although in the absence of official statistics the real total may have been higher. Amnesty International continued to call for all pending death sentences to be commuted.

Five Russian servicemen from a unit based in Armenia were sentenced to death on 12 May, without right of appeal, accused of taking part in fighting in Karabakh. On 3 September the Azerbaijani parliament voted to hand the men over to Russia. Five men sentenced to death on 30 November 1990 had their petitions for clemency, their last recourse against execution, turned down in October. Amnesty International feared that the men, who had been convicted of banditism and murder, faced imminent execution. At least two other men, both ethnic Armenians, died on death row during the period under review. Arno Mkrtchyan, who had been sentenced to death without right of appeal in March 1992, died at the end of September, officially of cancer. Armen Avanesyan died the following month, but the cause of his death was not known to Amnesty International at the time of writing. He had also been sentenced to death for murder.

BELARUS

The death penalty

On 6 July the Belarus parliament abolished the death penalty for all economic crimes. This reduced the number of peacetime offences carrying a possible death sentence to 12. No official statistics on the use of the death penalty in 1993 were published, to Amnesty International's knowledge.

Amnesty International welcomed the abolition of the death penalty for economic offences, and continued to urge moves towards total abolition. The organization also called for any pending death sentences to be commuted, and for the full statistics on the application of the death penalty to be published in line with international recommendations.

Homosexuality

In July 1992 the Minister of Justice outlined at the United Nations (UN) Human Rights Committee in Geneva a proposal to amend Article 119, part one, of the Belarus Criminal Code to decriminalize consenting homosexual acts between adult males. In the context of a pending review of the criminal code, Amnesty International wrote to the Minister of Justice in October 1993 to ask if Article 119, part one, had been repealed but to date no reply has been received. The article is believed to be still in force, although Amnesty International knows of no one currently imprisoned solely for consensual homosexual acts between adult males.

Conscientious objection to military service

Belarus has no civilian alternative to compulsory military service, although Amnesty International knows of no one imprisoned solely for refusing call-up on grounds of conscience.

However, in the light of recent parliamentary debates on a new constitution Amnesty International urged the Belarus authorities to enshrine in the new constitution the right to conscientious objection to military service as recognized by Resolution 1989/59 adopted by the UN Commission on Human Rights on 9 March 1989, and to take steps to provide a civilian alternative service of non-punitive length for all citizens with a religious, political, ethical or other conscientiously-held objection to military service.

BOSNIA-HERZEGOVINA

Deliberate and arbitrary killings in the context of the Croat-Muslim conflict

In the spring the fragile alliance between the Croatian Defence Council (HVO) and the mainly Muslim Bosnian Government Army, the *Armija BiH*, collapsed as all-out fighting started between the two forces. There were many reports of deliberate and arbitrary killings of civilians. Some of these incidents are described below.

According to testimony collected from witnesses by Amnesty International, on 16 April Muslims in predominantly black uniforms, apparently paramilitaries, shot at least nine Croatian men, including both civilians and disarmed HVO soldiers, after taking control of the village of Trusina near Konjic. Children were also injured as a soldier reportedly fired indiscriminately inside one house. One witness stated that the Muslim soldiers made women carry ammunition to their positions, apparently as a human shield. United Nations (UN) agencies reported that on the same day in Ahmići, near Vitez, HVO forces ambushed and shot 20 unarmed Muslim civilians who were fleeing an HVO attack. Muslim houses in the village were also razed with the apparent intent of killing the occupants. The bodies of 89 people, mostly elderly people, women or children, were later recovered from them. According to local Croatian sources, on 28 July Muslim paramilitaries allegedly summarily executed at least 22 Croats in the village of Doljani, near Jablanica. Local doctors and others who recovered the bodies claimed that five of them were civilians. On 14 September an *Armija BiH* unit attacked the village of Uzdol, near Prozor. Soldiers of the UN peacekeeping forces discovered the bodies of 34 Croats who had apparently been deliberately killed in their houses or while trying to flee the attack. At least six more Croats were reportedly killed in a similar manner in a nearby village. HVO forces attacked the lightly defended Muslim village of Stupni Do near Vareš on 25 October. After the village fell the HVO soldiers reportedly killed and mutilated Muslims in the village. Three days later, UN peacekeeping forces reported the discovery of the charred and mutilated bodies of 25 Muslims, most of whom they believed to be civilians.

Arbitrary detentions of civilians and ill-treatment of detainees

Arbitrary detentions of civilians continued. Although all three sides were responsible for the detentions, there was a new wave of detentions as the fighting between the HVO and *Armija BiH* escalated and by the summer most reported detainees were held in this context. According to UN estimates the HVO held around 15,000 people, mainly Muslim men, at the peak of the detentions in July 1993. The UN Special Rapporteur for the former Yugoslavia, Tadeusz Mazowiecki, reported that the HVO was still holding 4,200 detainees at the end of October. Detentions by Bosnian Government forces were difficult to confirm as access for international agencies was restricted, partly because the places of detention were isolated by fighting. Tadeusz Mazowiecki reported that Bosnian Government forces were holding around 1,100 detainees at the end of October and that Bosnian Serb forces were detaining around 500.

The patterns of detention followed those which first appeared in Bosnia-Herzegovina in 1992. Although men of military age appeared to have been the most frequent targets, it seems that many of them had not borne arms or been mobilized. There were continued reports that detainees were being held in undeclared locations or that many were hidden when international agencies were allowed access. Many remained unregistered by the International Committee of the Red Cross. The detentions frequently appeared to be part of a policy of clearing areas of unwanted minorities. In many cases the members of these minorities were Muslims or Croats who had already been deliberately displaced by Bosnian Serbs. Where detainees were released it was largely in exchanges or in other circumstances which meant that they were effectively expelled from the area controlled by the detaining forces. This was especially clear in the HVO-controlled areas of southern Bosnia-Herzegovina (Western Herzegovina) where large numbers of people, predominantly Muslims, but also including Serbs and Roma, were

systematically detained from the spring onwards. In most of the known releases the detainees were either exchanged for Croats held by Bosnian Government forces or deported to Croatia where they were reportedly accepted on the basis that they were "in transit" to a third country.

According to Tadeusz Mazowiecki, some prisoners held by the HVO were reportedly severely beaten in detention. Other sources alleged that many of the prisoners who had been tortured or ill-treated or held in conditions amounting to cruel, inhuman or degrading treatment were withheld from inspection by international agencies. It was particularly difficult to confirm conditions of detention in places controlled by the Bosnian Government. All three sides were alleged to have forced detainees to perform work near front lines.

Allegations of rape and other abuses

In parallel with the detentions reported above, Muslims were also expelled by the HVO directly to Bosnian Government controlled areas. Large numbers of Croats were displaced although most appear to have been deliberately evacuated by the HVO as it retreated. In many cases the expulsions by the HVO, which centred on Mostar, were accompanied by allegations of deliberate and arbitrary killings and rapes. Those expelled were reportedly made to cross front lines which were under fire, with threats that they would be shot if they tried to return (there were also reports that some Serbs had been expelled in similar circumstances earlier in the year). Tadeusz Mazowiecki reported that Muslim women expelled by the HVO had been strip-searched before being made to cross the lines and that in one case two women were allegedly raped. He also reported that on 23 September HVO soldiers opened fire on two civilians they were forcing to cross the bridge, killing one man. There were numerous other allegations of rape, mostly by the HVO or Bosnian Serb forces, although it remains difficult to confirm many individual incidents or the full scale of the violations, as victims are frequently inaccessible or unwilling to report the abuses. In one case a Muslim woman from Mostar told Amnesty International how she saw one of her neighbours, a Croatian woman, being dragged by HVO soldiers to a flat where they allegedly raped her as a "punishment" for having helped her Muslim neighbours. Allegations continued that Bosnian Serbs as well as the HVO were detaining women in houses or other buildings where they were repeatedly raped by soldiers.

Amnesty International appealed to all sides to release civilian detainees who had not used or advocated violence. It also called on them to take urgent action to prevent human rights abuses by forces under their control; to carry out thorough and impartial investigations into past abuses and to ensure that those suspected of perpetrating human rights abuses are brought to justice.

BULGARIA

Allegations of torture and ill-treatment

Ill-treatment of ethnic Macedonians in Lozenitsa

On 24 April, 50 to 60 ethnic Macedonians gathered in the village of Lozenitsa near Melnik, intending to visit the Rozhen Monastery to commemorate the 78th anniversary of the death of Iane Sandanski, a local hero, in fighting against the Ottoman rule at the turn of the century. Local authorities reportedly did not allow the assembly to take place on the ground that their association, OMO "Ilinden", was not registered.

At around 10.30am, five or six police vehicles came into the village and members of special police units reportedly ran after people who were standing along the street beating them with truncheons and automatic rifle butts. Some people were thrown to the ground, kicked and beaten. Some of those who managed to escape into their cars had their windows and windshields smashed by police officers.

Amnesty International urged the Bulgarian Government to initiate an independent and impartial inquiry into the alleged ill-treatment of people in Lozenitsa, to make public its findings and to bring to justice all those identified as responsible.

The case of nine Roma men in Stara Zagora

On 23 June nine Roma men were detained by armed guards and police officers while picking cherries in an orchard outside Stara Zagora. They were reportedly beaten indiscriminately with truncheons, fists and boots. The nine men were then taken to the Stara Zagora agricultural cooperative where they were reportedly beaten again. Slavi Atanasov Minchev, Denko Angelov Atanasov and Milko Raikov Kolev in particular were subjected to severe beating.

On 25 June three of the Roma men were examined by a forensic specialist in the Military Health Institute of Stara Zagora who concluded that their injuries "resulted from blows with hard objects, whose length considerably exceeds the width, at the time and in the manner as alleged by the men who were examined".

Amnesty International called on the Bulgarian authorities to initiate independent and impartial investigation of the allegations of torture and other ill-treatment of the nine Roma and to bring to justice those responsible.

Conscientious objection to military service

In October Amnesty International called on President Zhelyu Zhelev to address the National Assembly on the need to adopt a law on alternative service for those who have conscientious objections to performing military service and to suspend all prosecution for evasion of military service on the grounds of conscientious objection until such a law has been adopted. Although the right to perform an alternative service is recognized by the Bulgarian Constitution (Article 59, paragraph 2) there is still no law which would enable conscientious objectors to duly address their requests to perform an alternative service to the competent authorities.

At the same time Bulgarian newspapers reported that prosecutions for evasion of military service have continued.

CROATIA

Freedom of expression

Stjepan Kralj was imprisoned for 15 days in September under Article 16 of the Law on Petty Offences Against Public Law and Order, which refers to "spread[ing] false information". He had been convicted in April following allegations of corruption he made against a government minister. The real reason for his prosecution may have been other allegations he had made, which were included in a later indictment under Article 197 of the Croatian Criminal Code which also refers to "spreading false information", that the same minister had protected the assassins of a Serbian trade unionist. A Serb, Milovan Škorić, was sentenced to 60 days' imprisonment in June under Article 16 of the petty offences law after making allegations about the existence of detention camps for Serbs in Croatia, although he was not sent immediately to serve the sentence. In September he was sentenced under Article 197 to six months' imprisonment, suspended for two years, for the same act. A female journalist, Jasna Tkalec, was sentenced to three months' imprisonment under Article 197 in June for an article, published in 1991, in which she accused the Croatian authorities of pursuing aims similar to those of the Second World War Croatian fascist *Ustaša* regime. At the end of November she remained free pending appeal.

Forcible return of Muslim asylum-seekers from Bosnia-Herzegovina

By the summer of 1993 Croatia (excluding the rebel-Serb controlled areas) had received around 280,000 refugees, mainly from Bosnia-Herzegovina, on top of 247,000 displaced persons from rebel Serb-controlled areas of the country. There were continuing reports that the Croatian authorities were forcibly returning or attempting to forcibly return male Bosnian refugees of military age to Bosnia-Herzegovina. Although the Croatian authorities insisted that only those Bosnians "illegally" in Croatia were arrested, they did not acknowledge the difficulties many Bosnians faced in registering as refugees. New refugees arriving from Bosnia-Herzegovina also experienced obstacles: they were required to obtain entry visas in advance, which were only issued on the production of letters from guarantors in Croatia or a third country. The visas explicitly excluded any possibility that the person could apply for protection as a refugee in Croatia. Although this policy theoretically applied to all refugees, it appeared that Bosnian Croats, such as a group of 4,000 which fled Muslim-Croat fighting in Travnik in June, were allowed to enter Croatia without such advance clearance. Amnesty International was concerned that the Croatian actions were partly a consequence of the policies of other European governments, who also placed restrictions on the reception of refugees from Bosnia-Herzegovina and it expressed these concerns in a report published in July, *Bosnian refugees: A continuing need for protection in European countries* (AI Index: EUR 48/05/93).

CYPRUS

Conscientious objection to military service

Conscientious objectors continued to be sentenced by military courts - on 22 November Nikos Alekou Paissi, a Jehovah's Witness, was sentenced to eight months' imprisonment, which he is currently serving in Nicosia Prison. Conscientious objectors who refused to do their periodic military service were also sentenced. Giorgios Anastasi Petrou was sentenced to six months' imprisonment in July for refusal to do reservist service - this was his fourth term of imprisonment for exercising his right to conscientious objection. However, in November the Appeal Court reduced this sentence to one month. Amnesty International continued to appeal to the Cypriot Government to release all conscientious objectors and to establish a fully civilian alternative to military service, of non-punitive length.

Conscientious objector imprisoned in northern Cyprus

In September the conscientious objector Salih Askero_ul was arrested by the Turkish Cypriot authorities in northern Cyprus and charged with failing to enlist for military service, making disparaging statements about the institution of military service and insulting the armed forces. His Greek Cypriot wife and baby daughter were forcibly expelled from northern Cyprus. Two foreigners, Martin Handke and Andreas Rabl, who were in northern Cyprus to monitor the trial of Salih Askero_ul, were arrested while distributing leaflets on the case, together with a local photographer Ahmet Serdar Gül. They were held for nine days before being released. On 9 November Salih Askero_ul was sentenced by the Security Forces Military Court to three years and three months' imprisonment for failure to enlist, and for "propaganda against the armed forces". Amnesty International appealed for his immediate and unconditional release.

THE CZECH REPUBLIC

A defamation law comes into force

Amnesty International wrote to President Vaclav Havel on 18 November urging him not to sign a new law, adopted by the Czech Parliament on 10 November, which would infringe people's right to freedom of expression. The adopted law contained several amendments to the criminal code.

Article 40 of the new law, replacing Article 102 of the criminal code, states: "Whoever defames the Czech Republic, its parliament, government or constitutional court, will be punished by imprisonment of up to two years."

Amnesty International considered that this article would clearly violate the right to freedom of expression set out in Article 19 of the International Covenant on Civil and Political Rights and Article 10 of the European Convention on Human Rights, both of which the Czech Republic has ratified and is legally bound to observe.

Amnesty International was concerned that the implementation of the new provision of the criminal code could result in the prosecution of people who have exercised their right to the free expression of political or other beliefs without resorting to or advocating the use of violence. If imprisoned, such people would be considered by Amnesty International as prisoners of conscience.

On 23 November President Vaclav Havel signed the adopted amendments to the criminal code. At the same time, it was reported, he asked the Czech Constitutional Court to review the constitutionality of Article 40.

DENMARK

Shootings at a demonstration

On 18 May police in riot gear and civilian clothes shot into crowds, wounding at least 11 people, during a violent demonstration in Copenhagen following the second Danish referendum on the Maastricht treaty. The circumstances in which the police resorted to lethal force were disputed. Following the shootings, Amnesty International urged the Danish Government to initiate an independent, impartial inquiry into the shootings to consider, among other things, whether the actions of the police were in conformity with international standards; and to make the results of the inquiry public. In June, an Amnesty International representative visited Denmark to inquire into the shootings. During the visit, the representative met people who had been shot, witnesses, journalists, lawyers, the Director of the Copenhagen Police, and the Attorney General, who was charged with conducting an investigation into the events of 18 May, based on information gathered by the police.

Allegations of ill-treatment

In July, the Danish Minister of Justice sent a report to the Parliamentary Legal Affairs Committee in follow-up to the judicial investigation into the ill-treatment by Danish authorities of Babading Fatty and Himid Hassan Juma (see *Amnesty International Reports 1991, 1992 and 1993*). The Minister of Justice stated that the treatment of Babading Fatty and Himid Hassan Juma was "unfortunate" and "unsatisfactory", though not due to "mistakes" or negligence by any individual. Amnesty International wrote to the government, outlining its continuing concerns in these cases, which include: the judicial inquiry's limited definition of physical ill-treatment; the failure of the authorities to initiate formal disciplinary proceedings against any of the police officers or prison guards involved; failure to pay compensation to the victims for the ill-treatment suffered; and failure to complete a review of the regulations on the use of force and restraint and safeguards against ill-treatment.

Amnesty International received several reports of ill-treatment by police. Further information was received about the case of Benjamin Schou, a youth who suffered cardiac arrest and severe brain damage allegedly as a result of ill-treatment by police during his arrest in 1992. The case was the subject of a civil action which had not come to court by the end of November. A 50-year old woman who was suffering from back problems, reported that, after requesting repeatedly to see a doctor when brought to a police station on a warrant in a civil case, she was ill-treated, and deprived of food and drink for approximately 12 hours. A number of people have alleged that they were ill-treated by police in or around Christiania, a former military base in Copenhagen which was taken over by squatters in the 1970s.

In September, Amnesty International expressed its concern to the government that the imprisonment of Greenlanders for prolonged and indefinite periods in Denmark after conviction for serious offences in Greenland, could amount to cruel, inhuman or degrading treatment or punishment. In response, the Danish and Greenland Governments announced their intention to form a joint commission, whose work would include examination of the imprisonment of Greenlanders in Denmark.

ESTONIA

Estonia became a member state of the Council of Europe on 14 May (see also Ratifications).

The death penalty

In May Amnesty International learned that President Lennart Meri had commuted the death sentence passed on Vladimir Botchko. In December 1992 the Harju county court had found the 34-year-old man guilty of the rape and murder of a five-year-old girl in the town of Paldiski. The death sentence imposed on Vladimir Botchko was the first to have been passed by a county court since the new constitution of Estonia came into effect in July 1992. Previously all capital crimes had been tried by the Supreme Court as the court of first instance. Amnesty International had appealed for commutation of the death sentence passed on Vladimir Botchko.

In the same month Estonia signed the Sixth Protocol of the European Convention on Human Rights concerning abolition of the death penalty (see also Ratifications). Article 1 of the Protocol states: "The death penalty shall be abolished. No one shall be condemned to such penalty or executed." Article 2 spells out the only exception to Article 1: a state party may provide for the death penalty "in respect of acts committed in time of war or of imminent threat of war". According to the official commentary on the text, the language of Article 1 implies that a state which becomes party to the Protocol is obliged to remove the death penalty from its laws. (This obligation, however, would not apply to the exception contained in Article 2.) The Sixth Protocol still has to be ratified by the Estonian parliament (*Riigikogu*).

In October the Tallinn City Court sentenced Vassili Otshtalenko to death for the rape of two young girls and the murder of one of the victims. In November Amnesty International appealed for commutation of the death sentence. The organization also continued to appeal for commutation of the death sentence passed on Ruben Melkonjan (see AI Index: EUR 01/01/93).

FRANCE

Allegations of ill-treatment, police shootings and deaths in custody

On 6 August Amnesty International wrote to the Ministers of the Interior and Justice regarding the persistent reports of ill-treatment by police, shootings of unarmed people by police and deaths in custody. The cases cited were all the subject of judicial action. The organization wished to express its concern not only about the individual incidents themselves but also the apparent standards of policing in France.

Amnesty International was especially concerned because in its view the reports of the shootings and deaths in custody (see AI Index: EUR 01/01/93) showed that the police had used a degree of force that could not be considered to accord with even the minimum standards of international law. By the end of October no trials had yet taken place of officers who might have been responsible for the shootings of Eric Simonté in Bissy, Rachid Ardjouni in Wattrelos, Makomé M'bowole in Paris and Fabrice Omont in Cherbourg and the death in custody of Pascal Taïs in Arcachon.

There were demonstrations and violent incidents in Paris in April after a police officer shot and killed Makomé M'bowole, a 17-year-old Zairean, in a police station. Numerous complaints of physical ill-treatment, sometimes accompanied by racist insults, were made by those arrested at that time.

Philippe Gibes and Salim Hadjadj were arrested by four or five policemen on 7 April near a demonstration in Paris. Philippe Gibes stated that he was handcuffed, punched, kicked and beaten with a truncheon. Salim Hadjadj alleged that he was racially abused and beaten unconscious. Both men claimed that they were forced to kneel for one and a half hours, handcuffed and facing the wall in the police station. Salim Hadjadj was taken to hospital for treatment.

Yves Zaparucha, a 24-year-old student, was arrested on his way home after he had earlier taken part in a demonstration. He claimed that he was violently beaten and then dragged to the nearby police station. During the journey he received numerous kicks, punches and blows from truncheons. He was handcuffed and made to kneel facing the wall. After transferral to another station he noticed that he was urinating blood. He was taken urgently to hospital where he was held for six days.

Philippe Lescaffette, a 40-year-old civil servant, claimed that a group of policemen armed with clubs knocked him down and beat him on the ground. He suffered severe injuries to his ear and had to have 24 stitches for facial injuries.

Thomas Darnal, a 29-year-old musician, was arrested on his way to work on 8 April by a group of plainclothes officers with police armbands. He claimed he was thrown to the ground, repeatedly hit with truncheons, punched and kicked. Officers made racist remarks. An escorting officer punched him in the testicles. While in detention he was taken to the hospital to receive four stitches for a facial injury as well as treatment for bruising and a serious injury to his left hand.

Judicial inquiries were still going on into all these complaints at the end of October.

On 30 June, a group of diners, including Tameen Taqi, the son of a former Bahraini diplomat, were stopped after leaving a restaurant. He was detained for not having identity papers. Witnesses stated that he was thrown to the ground, handcuffed and kicked and stomped on by officers. He alleged police also hit him with truncheons before he was taken to hospital. In July a police officer was charged with illegal violence against him and committed to prison.

In July Leila H., a 24-year-old French citizen of North African origin, complained to police in Cannes that two French border police in Menton had raped her in their post. She had been handed over to them by the Italian border police in Ventimiglia. In her statement she claimed that the two Italian policemen had first bodysearched her and then raped her (see Italy below). The senior investigating magistrate in Nice indicted and remanded in custody one policeman for sexual assault. This officer reportedly claimed that he had been "provoked". Another officer was freed.

In May Amnesty International learned that after an inquiry three policemen had been charged with using illegal violence against Lucien Djossouvi, a Beninois. He had complained in September 1989 that

three officers had seriously assaulted and racially insulted him (see AI Index: EUR 01/01/91). No trial had taken place four years after he had made his complaint.

In May two police officers were convicted of injuring two motorists in a Strasbourg police station. Sukhder Parek, an Indian, and Veejayvan Jaganathan, a Mauritian, complained that the officers had punched and hit them with a metal ruler, causing head injuries, a fractured eardrum and a broken finger. The officers received fines and suspended prison sentences of two months and one month respectively.

In April President François Mitterrand expressed to Amnesty International representatives his severe disapproval of reported violence in police stations.

Amnesty International noted that in January 1993 the French Government decided to make public the European Committee for the Prevention of Torture's report on its visit to France in October and November 1991. The report was published with the French Government's response. Under the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, the Committee is responsible for examining the treatment of people deprived of their liberty. The Committee concluded that "a person deprived of his liberty by the forces of order runs a not inconsiderable risk of being ill-treated". The Committee also observed, regarding ill-treatment allegations, that "...foreigners and young people appeared to be a preferred target...".

Conscientious objection to the national service laws

Amnesty International remained concerned about the punitive length of alternative civilian service, twice the length of ordinary military service, and the lack of any provision for conscripts to claim conscientious objector status after joining the armed forces. The vast majority of conscientious objectors who entered prison continued to be Jehovah's Witnesses who based their objection to military and civilian service on religious grounds.

Christophe Lascaray (see AI Index: EUR 01/01/93), from the Basque region, had based his objection to military service on his anti-militarist and political beliefs. He did not apply for civilian service because, among other objections, he considered its length to be punitive. He was released in June after serving over seven months of a 13-month prison sentence for insubordination (*refus d'obéissance*). Michel Lucia's initial application for conscientious objector status had been rejected on the grounds that it was made outside the stipulated time limits (see AI Index: EUR 01/01/93). However, in June, following an appeal against this decision, he was granted conscientious objector status and the right to perform civilian service, apparently on an exceptional basis.

GEORGIA

Allegations of human rights violations in Abkhazia

In July Amnesty International published a report entitled *Georgia: Alleged human rights violations during the conflict in Abkhazia* (AI Index: EUR 56/07/93), which detailed numerous reports that Georgian armed forces had been involved in arbitrary detentions, ill-treatment in custody and extrajudicial executions during fighting over Abkhazia in the north-west of the country.

Similar allegations were subsequently received against Abkhazian forces after they broke a July ceasefire in September, capturing the Georgian-held regional capital of Sukhumi and eventually extending their control over all of Abkhazia. Following the fall of Sukhumi it was reported that Abkhaz soldiers sought out Georgian non-combatant civilians, and tortured and summarily executed them because of their ethnic origin.

Amnesty International urged the Abkhaz leadership to take immediate steps to initiate full and prompt inquiries into all allegations of extrajudicial executions, other deliberate and arbitrary killings, mutilations and torture; to make the findings public; and to bring to justice the perpetrators within the norms of international law. The head of the Abkhaz parliament, Vladislav Ardzinba, responded that measures were being taken to combat reprisals and that in consequence some 40 people had been arrested, presumably for offences against the civilian population.

The death penalty and summary executions

Following armed clashes in the west of the country between government forces and supporters of ex-president Zviad Gamsakhurdia, on 2 November head of state Eduard Shevardnadze issued a decree against banditry and looting which included a provision for summary executions. Nine people were subsequently reported by the Interior Ministry to have been shot for looting, on 7 November. Amnesty International urged that any official instructions authorizing summary executions be rescinded immediately, and that it be made clear to all law enforcement personnel that anyone operating a policy of summary executions would be prosecuted.

Despite official reports that the judicial death penalty had been abolished when the 1921 Constitution was restored in 1992 (see the above-mentioned report), it emerged in September that the criminal code had not in fact been amended to reflect this. It currently contains 12 offences carrying a possible death sentence, including one introduced during the period under review. This was the law of 8 July punishing genocide.

Arrests of opposition figures

At least 10 people known or perceived to be politically opposed to the government were reportedly arrested in October in the capital, Tbilisi. A state of emergency and curfew in the city made it difficult to obtain further information on the charge or charges against them, and on allegations that at least two had been ill-treated in detention.

GERMANY

Allegations of ill-treatment in police custody

Ill-treatment by the Hamburg police

During the period under review Amnesty International learned that no charges were to be brought against officers found to have ill-treated Lutz Priebe and Frank Fennel (see AI Index: EUR 01/01/93 and forthcoming paper to be published in January 1994).

Alleged ill-treatment of foreigners

Amnesty International continued to receive reports that police officers had ill-treated foreigners in their custody (see *The Federal Republic of Germany - The alleged ill-treatment of foreigners: a summary of recent concerns* (AI Index: EUR 23/03/93) and forthcoming paper to be published in January 1994).

The death of Wolfgang Grams

In July Amnesty International wrote to the Schwerin Public Procurator regarding the shooting of Wolfgang Grams. Wolfgang Grams, a suspected member of the RAF (*Rote Armee Fraktion*/Red Army Faction) was shot dead in June following a gun battle at Bad Kleinen railway station with members of the GSG-9 anti-terrorist unit. Some eye-witness reports suggested that Wolfgang Grams was shot in the head at close range by a member of the unit as he lay motionless on the ground.

Amnesty International noted that many of the statements made by government, justice and police officials following the incident had been confusing and in some cases contradictory and had added to public concern about the incident. The organization drew the authorities' attention to the relevant international standards regarding the use of force and the deprivation of life and urged that the judicial inquiry into the death of Wolfgang Grams be as wide-ranging as possible. The Schwerin Public Procurator informed Amnesty International that he was unable to give any details about the judicial investigation into Wolfgang Gram's death.

GREECE

Following elections on 10 October Andreas Papandreou of the socialist PASOK party succeeded Konstantinos Mitsotakis as Prime Minister.

No progress for 400 conscientious objectors

Greece failed to introduce a fully civilian alternative to military service, and continued to imprison conscientious objectors (COs). A typical case was that of Timotheos Adamou, a Jehovah's Witness, arrested on 26 May, and sentenced by a military court to four years' imprisonment. Amnesty International considered all imprisoned COs (some 400 in number) to be prisoners of conscience and called repeatedly for their immediate release.

Freedom of expression on trial

Prosecutions continued of at least 15 people who had exercised their right to freely express non-violent opinions in criticizing government policies relating to the neighbouring former Yugoslav Republic of Macedonia, and in their assertion that there is a Macedonian ethnic minority in Greece. If any of these people are jailed, Amnesty International will consider them prisoners of conscience.

Abolition of death penalty

On 6 December the Greek Parliament passed legislation abolishing the death penalty.

Alleged "disappearances" in Volos

In March two cousins, Tom and Roberto Natsis, ethnic Greeks with Albanian citizenship, reportedly "disappeared". They were last seen being arrested by an armed police officer in Zagora, near Volos, on 4 March. Despite initial confirmation by the police in Zagora that they were holding the cousins, police later made conflicting claims about where the cousins had been taken, and denied any knowledge of their whereabouts. In June Amnesty International raised the case with the Greek authorities, who replied in August denying that the brothers had ever been detained. The government reply gave no information as to the scope or methods of investigation into the cousins' alleged "disappearance".

HUNGARY

Allegations of torture and ill-treatment

In September, October and December Amnesty International called on the Hungarian authorities to initiate impartial and independent investigations into reported cases of torture and ill-treatment by law enforcement officers.

Alleged ill-treatment of Roma in Újpest and Örkény

On 6 May Káló István and members of his family were allegedly ill-treated by police officers in Újpest, a suburb of Budapest. Káló István and his wife, Káló Istvánné, were arguing with each other while returning to their home when they were approached by two police officers. One police officer reportedly asked Káló István why he had called him crazy and then hit him, his wife and Káló Anita, their 14-year-old daughter, with a rubber truncheon. Káló István tried to take hold of the truncheon to prevent further beating, but after the other officer reportedly took out his gun, the Káló family fled into their apartment. Later six or seven officers broke down the door of the apartment and started to beat the family, including 16-year-old Káló Mária and 12-year-old Káló Júlia, as well as a neighbour, Nani Gyulané, and her son, Nani Aladár. Having beaten Káló István all over the body they took him by the feet and dragged him unconscious through the courtyard into the street. He was taken to a police station, but was released the same day. In the 4th District Hospital he was treated for concussion, facial, head, chest, arm and leg contusions and extensive skin abrasions which he suffered as a result of the beating and other ill-treatment. Dozens of Roma were ill-treated by police officers on 21 May in Örkény, a town some 50 kilometres south of Budapest. Around 20 police officers came to search homes in the Roma neighbourhood after a German national was robbed in a nearby motel. The incident reportedly began when two plainclothes policemen checked Radics Márton's identity card. They then reportedly twisted his arm behind his back, threw him against a car and handcuffed him. His wife, Radics Mártonné, and other neighbours came out of their houses and the police reportedly started to beat them. Shortly afterwards a special police unit of around 100 officers arrived in Örkény. According to accounts given to an Amnesty International representative, they used force indiscriminately, beating and spraying with teargas the Roma in the neighbourhood. At least nine people were injured. Lakatos Lászlóné fainted and was taken to a hospital after an officer beat her, ripped off her tracheotomy tube and sprayed teargas into her face. Fehér Péterné, who was five months pregnant, was also beaten and sprayed with tear gas. She later required medical treatment for injuries suffered as a result of the ill-treatment and lost her child. Thirteen-year-old Radics Krisztián was taken to the police station in Dabas together with eight men. The boy was locked up in a cell from 9pm until 1.30am when his mother, Radics Mártonné, found him unconscious. He had reportedly been beaten by the police. The bruises on his body were described in a medical certificate issued after the incident.

The case of Mohammed Radwan

Mohammed Radwan, a Jordanian national, was arrested on 14 October in Budapest on charges of possession of and traffic in illegal substances. Police officers reportedly pulled a hood over Mohammed Radwan's head, pushed him against a police car, and then kicked and beat him. Because of injuries suffered during the assault, Mohammed Radwan's condition deteriorated and he was taken to a hospital in the evening of 15 October. Following an operation his ruptured right testicle was removed.

ITALY

Allegations of ill-treatment and rape in police custody; the alleged ill-treatment and shooting of two Roma children by carabinieri

Amnesty International sought information from the authorities on the investigation of a number of allegations of ill-treatment in police custody. Leila H, a French citizen of North African origin, alleged that on 15 July two Italian police officers raped her at a control post on the Italian-French border near Ventimiglia and afterwards escorted her to a nearby French border post where she was then raped by two French border police officers, one of whom later admitted assaulting her. In August two Italian officers were reportedly arrested in connection with possible charges of sexual assault. In a complaint to Rome's Public Prosecutor on 5 August Giancarlo Malatesta alleged that on the night of 23-24 July police officers repeatedly kicked and punched him, both on the street and in Viminale police station, Rome, and threatened him with further violence and counter-charges if he lodged a complaint. A medical certificate issued within hours of his release from custody apparently recorded multiple cuts and bruises to his body.

According to a formal complaint lodged by his mother, 13-year-old M.C. alleged that, after being stopped in a stolen car on 8 September, he was taken to the headquarters of Rome's traffic police where an officer struck his eye with the butt of a gun, inserted the gun in his mouth, threatening to kill him and then hit him repeatedly until restrained by a fellow officer. The boy claimed that while en route to San Camillo hospital, where he received eight stitches to an eye injury, the first officer threatened him with further violence if he complained about his treatment.

Mahrez Chanouf, a Tunisian, and Salim Sfouli, an Egyptian, were arrested by Milan police in the early hours of 19 August, following a car-chase which ended when they ran into a police car and crashed into a tree. Later that morning anonymous callers to a local radio station claimed to have witnessed the arrests, alleging that over a dozen police officers had repeatedly kicked and punched the two men over a period of some 20 minutes while they lay, handcuffed, on the ground. When Mahrez Chanouf and Salim Sfouli appeared in court the next day, accused of stealing a car and resisting arrest, they reportedly displayed cuts and bruises and alleged they had been repeatedly kicked and punched by numerous police officers both on the street and later in a police station. A forensic examination was apparently unable to determine the cause of their injuries. At a further court hearing on 25 August four police officers who had been first on the scene of arrest stated that the two men had tried to assault them and escape. An eye-witness told the court that the men had been beaten by the police and had made no attempt to escape. The court found that the police officers' statements contained clear contradictions and were unreliable. Mahrez Chanouf and Salim Sfouli were acquitted of resisting arrest and the charge of car theft was apparently dropped. The case was referred to the Public Prosecutor's office for investigation of Mahrez Chanouf and Salim Sfouli on possible charges of insulting the police and damaging property and of the four arresting officers on possible charges of abusing their authority and committing perjury.

The Ministry of the Interior responded to Amnesty International's inquiries regarding the allegations made by Daud Addawe Ali, a Somali citizen, that he had been ill-treated by police in Rome in March 1992; a medical examination carried out some 17 days after his arrest had concluded that he bore injuries consistent with his allegations (see *Amnesty International Report 1993*). The Ministry stated that Daud Addawe Ali had resisted arrest and denied that he had been ill-treated or suffered injuries in police custody. The Ministry indicated that the case had been passed to the judicial authorities who, however, made no response to the organization's requests for information.

On 23 September Tarzan Sulic, an 11-year-old Rom, was shot dead and his 13-year-old cousin Mira Djuric seriously wounded while in the custody of *carabinieri* in Ponte di Brenta barracks (Padua). In public statements made immediately after the incidents, the *carabinieri* said that the children had been detained after being found in possession of stolen goods but that they had refused to give their names and had been placed in a cell after they became violent and abusive. They claimed that the single shot which

hit both children was fired accidentally during a struggle between Tarzan Sulic and a *carabiniere*. An autopsy carried out on 25 September established that the bullet was fired at very close range, at a distance of between 15 and 20 cms away from the boy's head and that it followed a downward trajectory, entering via his left temple and exiting near his right ear, indicating that the gun was fired at a downward angle. The bullet then entered and lodged in Mira Djuric's chest. A formal complaint lodged by the Djuric family on 9 October claimed that both children were beaten by *carabinieri* and that an officer pointed a gun at the boy's head, threatening him with death, just before the gun was fired. Attached to the complaint was a photograph, taken while Mira Djuric was in hospital, which apparently showed bruising to her body. A judicial inquiry was still under way at the end of October.

Further progress towards total abolition of the death penalty (update to information given in AI Index: EUR 01/01/93)

In July the Chamber of Deputies approved a bill proposing the elimination of the death penalty from the Wartime Military Penal Code, thus abolishing the death penalty for all offences. The Code retains the death penalty for a wide range of offences. At the end of October an analogous bill was awaiting examination by the Senate.

Conscientious objection to military service (update to information given in AI Index: EUR 01/01/93)

In September the Chamber of Deputies approved draft legislation replacing Law 772 (the current law governing conscientious objection to military service) which would automatically grant conscientious objector status and alternative civilian service to all applicants, except those convicted of certain crimes of violence and holders of firearms licences. Amnesty International welcomed a number of the bill's proposed reforms but was concerned that the text made no provision for conscientious objection developed after joining the armed forces. Amnesty International believes that conscientious objectors to military service are exercising their fundamental human right to freedom of conscience and should, therefore, have the right to claim conscientious objector status *at any time*. At the end of October the bill was awaiting examination by the Senate.

KAZAKHSTAN

Prisoner of conscience: Karishal Asanov (update to information given in AI Index: EUR 01/01/93)

The case of Karishal Asanov, charged with "infringement upon the honour and dignity of the President" (Article 170-3 of the Kazakhstan Criminal Code), was retried in the City Court of Almaty, the capital, from 20 to 24 May. The court found him guilty and sentenced him to a three-year suspended prison sentence. At his first trial in the Almaty City Court in November 1992 Karishal Asanov had been acquitted, but the Supreme Court had ordered a retrial after upholding a protest by the procurator in the case.

Karishal Asanov submitted an appeal against the verdict of this retrial, which was heard by the Supreme Court on 20 July. The Supreme Court overturned the verdict on the grounds that there had been violations of Karishal Asanov's right to legal defence, but returned the case to the Almaty City Court for a second retrial. As of the end of October this trial had not taken place.

Karishal Asanov had been adopted by Amnesty International as a prisoner of conscience during the almost three months he spent in detention prior to his first trial. In September Amnesty International wrote to the authorities in Kazakhstan once again stating its belief that Article 170-3 places unwarranted restrictions on the right to freedom of expression, and has been invoked to punish Karishal Asanov for his political opposition to the authorities. Amnesty International called for the criminal charge against Karishal Asanov to be dropped and for Article 170-3 to be repealed.

The death penalty

It was reported in September that several people sentenced to death for murder had recently been executed. Their names were not reported.

Amnesty International continued to call on the Kazakhstan authorities to abolish the death penalty.

KYRGYZSTAN

The death penalty

Grigory Abramov (update to information given in AI Index: EUR 01/01/93)

President Akayev granted clemency to Grigory Abramov in October. Initially sentenced to 15 years' imprisonment for killing a security guard, Grigory Abramov's sentence had been amended to the death penalty on appeal in December 1992. The President's decision meant that the death sentence was commuted to 20 years' imprisonment.

Earlier, Amnesty International had learned from unofficial sources that the Clemency Commission at the Office of the President had first examined Grigory Abramov's petition for clemency on 18 June, but had been unable to come to a decision on whether to recommend commutation of the death sentence to the President. Clemency was apparently granted only after further consideration of Grigory Abramov's petition.

This was the fourth death sentence known by Amnesty International to have been commuted in Kyrgyzstan in 1993. In a letter received in June the authorities confirmed to Amnesty International that death sentences passed on three men in 1991 had also been commuted to 20 years' imprisonment (not 15 years' imprisonment as reported in AI Index: EUR 01/01/93).

LATVIA

On 5-6 June the first free parliamentary elections took place since the restoration of independence in 1991. Latvia's Way, an alliance of centrist nationalists, former communists and returned emigres, emerged as the biggest grouping with 36 of the 100 seats in the new parliament (*Saeima*); the Latvian National Independence Movement gained 15 seats and the Farmers' Union 12. At its first session on 6 July the new parliament reinstated the Constitution of the Republic of Latvia of 15 February 1922. The following day Guntis Ulmanis was elected President of Latvia. On 8 July the newly-elected president nominated Valdis Birkavs to be the new prime minister. Valdis Birkavs named his coalition cabinet on 20 July following negotiations between Latvia's Way and the Farmers' Union.

The death penalty

In June Amnesty International learned that Andres Sergunts had been executed on 7 April (see AI Index: EUR 01/04/92), following the rejection of his petition for clemency in February. The 33-year-old man had been sentenced to death in July 1992 on two counts of premeditated murder under aggravated circumstances. Amnesty International had appealed for commutation of his death sentence.

In November Amnesty International asked the Minister of Justice for statistical information on the use of the death penalty in Latvia. The organization referred to three statistical publications, copies of which it had previously received from the President of the State Committee for Statistics, none of which included comprehensive figures regarding the application of the death penalty. In particular the organization emphasized its desire to receive detailed information on the use of the death penalty during the current year. Similar requests for such information which Amnesty International had made to the Minister of the Interior and the Chairman of the Supreme Court in February and August respectively had not met with any response. In the same month the organization wrote to the newly-elected President of Latvia urging him to exercise his constitutional right to commute the sentences of all those convicted of capital offences.

LITHUANIA

Lithuania became a member state of the Council of Europe on 14 May (see also Ratifications).

The death penalty

Amnesty International appealed for the commutation of three death sentences passed during the period under review. Vladimir Ivanov was sentenced to death by the Supreme Court of Lithuania on 21 July. He had been convicted of the murder of a woman and her four-year-old daughter. Valentinas Laskys was sentenced to death by the Supreme Court of Lithuania on 5 August. According to a report from the *Baltic News Service*, Valentinas Laskys was convicted of the murder of "at least three people over the last three years". Both Vladimir Ivanov and Valentinas Laskys are believed to have submitted petitions for clemency to the President of Lithuania, Algirdas Brazauskas. It is not clear whether appeals were heard against either of these two sentences. In a third case Vidmantas Zibaitis was sentenced to death by the Supreme Court of Lithuania on 2 September. According to a report in the *Baltic Observer*, the 22-year-old man was convicted of three murders in the Panevezys region, Kaunas and Minsk. In its appeals to the Lithuanian authorities Amnesty International asked whether the three prisoners' internationally guaranteed right to have their convictions and sentences examined by a court of higher jurisdiction had been respected. The organization also expressed the hope that abolition of the death penalty would be reflected in the new criminal code, currently under preparation.

Allegations of ill-treatment

In a letter to the Procurator General in May Amnesty International expressed concern at reports it had received that eight Polish men and one woman had been severely beaten at a Lithuanian-Polish border crossing on 25 April while local policemen stood by and watched. According to these reports the Poles were attacked with wooden sticks by a group of Lithuanian citizens after protesting when Lithuanian border staff attempted to let a number of cars jump the queue at the crossing in Lazdijai. The organization asked to be informed about the outcome of an investigation into the incident by a commission appointed by the Procurator General's office and the Interior Ministry.

In November Amnesty International was informed by the Minister of Internal Affairs that an investigation into the alleged beating of four Polish citizens had been halted in July because it had not been possible to identify those responsible. The investigation had subsequently been reopened, however, due to the emergence of new evidence linking two suspects with the assaults. Amnesty International subsequently asked the Minister of Internal Affairs whether allegations that police officers at the border failed in their duty to offer protection to the Polish citizens in question had also been examined as part of the investigation and if so, what findings had emerged.

Homosexuality

In June the Lithuanian parliament (*Seimas*) repealed part one of Article 122 of the Criminal Code which made homosexual acts between consenting adult males punishable by up to three years' imprisonment. Similar acts with respect to minors or involving violence or the threat of violence or exploiting the dependent situation or helplessness of the victim remain criminal offences under part two of Article 122, and are punishable by three to eight years' imprisonment. All three Baltic states have now decriminalized homosexuality. In July Amnesty International wrote to the Minister of Justice and asked whether anyone had been imprisoned at the time of the abolition of Article 122, part one, and if so, whether they had now been released. No reply had been received by the end of November.

Conscientious objection to military service

In July Amnesty International again raised its concern with the Lithuanian authorities (see AI Index: EUR 01/04/92) regarding the length of alternative (labour) service, currently 24 months. (The length of military service is 12 months.) No reply had been received by the end of November.

Special decree on preventive detention

In October Amnesty International wrote to the Minister of Justice regarding a special decree on preventive detention passed by the Lithuanian parliament on 13 July. According to reports, the decree allows any individual to be arrested for up to 60 days without charges being brought or evidence being presented. Amnesty International expressed concern that although the stated aim of the decree is to combat the growth of organized crime in Lithuania, its application could result in the arbitrary detention of persons on the basis of their political activities or beliefs. Amnesty International considers that the imprisonment of persons without charge or trial clearly violates Lithuania's treaty obligations under the International Covenant on Civil and Political Rights, to which it acceded in 1991. It is also inconsistent with Lithuania's obligations not to defeat the object and purpose of the European Convention for the Protection of Human Rights and Fundamental Freedoms, which it signed in May this year pending a decision on ratification, and with Lithuania's constitution. Amnesty International urged that Lithuania repeal the decree on preventive detention or amend it in order to bring it into line with its treaty obligations and other international standards.

LUXEMBOURG

Prolonged isolation of prisoners

In May Amnesty International was informed by the representative of the Procurator General responsible for prisons that Satko Adrovic and Lazlo Osko had been placed in solitary confinement (*régime cellulaire strict*) for disciplinary reasons (see AI Index: EUR 01/01/93). Both men are currently serving sentences in Schrassig prison for criminal offences. The organization was later informed by the Luxembourg authorities that Lazlo Osko had been released from solitary confinement on 28 April after serving five and a half months of an eight-month punishment, and Satko Adrovic on 3 August after completing eight and half months of a 12-month punishment. Also in May Amnesty International learned that Jean-Marie Sauber had been placed in solitary confinement on 7 April for a period of eight and a half months. The organization raised his case with the Luxembourg authorities the same month.

Prisoners in isolation in Schrassig prison spend 23 hours a day in their cells. For one hour a day they are transferred into another cell, open to the outside but covered by a wire mesh, where they are allowed to exercise alone. In raising such cases with the Luxembourg authorities Amnesty International has expressed concern that prolonged isolation may have serious effects on the physical and mental health of prisoners and may constitute cruel, inhuman or degrading treatment or punishment.

MACEDONIA, THE FORMER YUGOSLAV REPUBLIC OF

Forcible return of ethnic Albanian asylum seekers from Kosovo

In August police in the town of Tetovo in western Macedonia reportedly carried out systematic searches for ethnic Albanians from the neighbouring Kosovo province of southern Serbia in the Federal Republic of Yugoslavia (FRY). The police were apparently looking for men without valid documents for residence in the republic. Many ethnic Albanians were then put into police vans and taken to the border where they were handed over to Serbian police. According to a report of 30 August in the Albanian language newspaper, *Rilindja*, published in Zurich, 47 men had been returned up to 28 August. However, another source reported larger numbers, possibly over 100. There were also allegations that the men were ill-treated by Macedonian police prior to their return and also by Serbian police after being handed over.

There is a large ethnic Albanian minority in Macedonia which is concentrated in the western part of the country and in the capital, Skopje. Some of these people were born in Kosovo or other parts of the FRY, but have lived and worked in Macedonia for years. Others may have come during the break-up of the Socialist Federal Republic of Yugoslavia and Macedonia's moves towards independence. In recent years there have been increasingly frequent human rights abuses against ethnic Albanians, most commonly ill-treatment in police stations by Serbian police in Kosovo province (see the entry on the FRY in this bulletin and the report, *Ethnic Albanians - Victims of torture and ill-treatment by police in Kosovo province*, AI Index: EUR 48/18/92). Among the many ethnic Albanians who have crossed from Serbia into Macedonia in recent years are believed to be people fleeing such abuses, or men seeking to avoid call-up into the Yugoslav army because they object to the actions of the army. Others who have been in Macedonia for longer periods might also be at risk of abuses if returned to the FRY.

Amnesty International appealed to the Macedonian authorities not to send any ethnic Albanians to the FRY against their will without a full and fair examination, in the light of the prevailing situation in Kosovo, of each individual's reasons for seeking protection and the risks he or she might face upon return.

Alleged ill-treatment of ethnic Albanians

Amnesty International is investigating further allegations of the ill-treatment of ethnic Albanians by police, including the death of a 46-year-old man, Halil Latifi, who died in a police station in Skopje on 17 November, allegedly as a consequence of ill-treatment by police.

At the end of November Amnesty International had still not received any reply to its letter to the Prime Minister of 10 March, in which it called for an investigation into allegations of ill-treatment of ethnic Albanian prisoners in a prison in December 1992 (see AI Index: EUR 01/01/93).

MOLDOVA

The trial of the "Tiraspol Six": Ilie Ila_cu sentenced to death

The men known as the "Tiraspol Six" - Ilie Ila_cu, Tudor Petrov-Popa, Andrei Ivan_oc, Alexandru Lesco, Petru Godiac and Vladimir Garbuz - were arrested in 1992 in the self-proclaimed Dnestr Moldovan Republic (DMR), an area in Moldova which is seeking greater autonomy. The arrests occurred during a period of widespread armed conflict between the DMR and the Moldovan authorities, and the men were charged with murder and terrorism. All except Vladimir Garbuz have denied the charges, claiming that the case against them was fabricated to punish their political opposition to the DMR.

The trial opened on 21 April in Tiraspol, the self-styled capital of the DMR, and has continued since then with numerous adjournments. All the defendants except Vladimir Garbuz have refused to recognize the court, considering themselves citizens of Moldova rather than the DMR, and have withdrawn any confessions claiming they were obtained under duress. The prosecutor requested the death penalty for three of the men - Ilie Ila_cu, Tudor Petrov-Popa and Andrei Ivan_oc. On 9 December Ilie Ila_cu was sentenced to death, and his five co-defendants to terms of imprisonment ranging from two to 15 years. Tudor Petrov-Popa and Andrei Ivan_oc were sentenced to 15 years' imprisonment. Alexandru Lesco received a 12-year prison sentence, Vladimir Garbuz a six-year one and Petru Godiac a two-year prison sentence.

Amnesty International takes no position on territorial disputes. Its concerns in this case arise from reports that some of the men were beaten and otherwise ill-treated in detention (including being subjected to mock executions) in an attempt to force them to confess, and that they may not have received a fair trial in line with international standards. Such standards are particularly important when, as in this case, the trial takes place in an highly-charged political atmosphere and when the death penalty may be imposed.

Amnesty International had previously approached the DMR authorities over allegations of ill-treatment and lack of access to defence lawyers. Throughout the period under review the organization also urged the DMR officials to take all necessary steps to ensure that the defendants received a fair trial in accordance with international standards, and that the death penalty not be imposed in this or any other case on territory to which they lay claim. The organization urged the DMR authorities not to carry out the death sentence on Ilie Ila_cu. Amnesty International approached the DMR authorities solely in their position of *de facto* authority over the area of Moldova under their control, and not as a recognition of their status *de jure*.

For further information please see the Amnesty International report *Moldova: The trial of the "Tiraspol Six"* (AI Index: EUR 59/02/93).

NETHERLANDS, KINGDOM OF THE

Netherlands Antilles: unlawful use of police violence

On 18 October Amnesty International wrote to the Minister for Netherlands Antillean and Aruban Affairs in the Hague regarding the findings, reported in August 1992, of the "Commission of Inquiry into the alleged unlawful behaviour of the police". The Commission had concluded that there were "...instances of the unlawful use of violence on every island" [in the Netherlands Antilles], except Saba. In December 1992 Amnesty International had written to the Minister of Justice of the Netherlands Antilles urging the government to make the report public and requesting details of the implementation of recommendations (see AI Index: EUR 01/01/93), but no reply had been received.

Amnesty International urged the Minister for Netherlands Antillean and Aruban Affairs to exercise his constitutional discretion to ensure that appropriate measures were taken by the Netherlands Antillean Government to deal with a situation where, according to the Commission's report, there had been repeated serious violations of fundamental human rights and freedoms. These violations had taken place over many years and the possibilities of obtaining redress using national remedies appeared to be very limited. It emphasized to the Minister the responsibility of the Netherlands under international law for the compliance of the Netherlands Antilles with the human rights commitments of the Kingdom.

On 22 October Amnesty International wrote to the Minister of Justice for the Netherlands Antilles about its December 1992 request for information on the implementation of recommendations made in connection with the Commission's report on the use of unlawful violence. It also acknowledged the further information provided by the government to Amnesty International in May regarding two deaths in custody (see AI Index: EUR 01/01/93). Henry K. Every had died from some form of crushing injury to the chest. Leroy Neil had died of peritonitis while being interrogated by the police; previously he had shown evident signs of illness, such as vomiting and diarrhoea. The deceased were both in custody and the responsibility for their care lay with the police.

Amnesty International considered that the inquiry into Henry K. Every's death did not examine all the relevant information and failed to establish those responsible for causing his fatal injuries. In Leroy Neil's case it appeared clear that adequate care was not exercised by the police in interrogating a person showing evident signs of distress and who was terminally ill.

Amnesty International urged the government to institute a full inquiry to determine the facts and bring those responsible to justice. It pointed to the statement of the Commission into the alleged unlawful behaviour of the police that there had been a serious failure of the Netherlands Antillean authorities insofar as "...in obvious cases of serious offences, neither disciplinary nor criminal action is taken".

Amnesty International also requested information regarding the allegations of Gerardo E. Chong who was arrested in Bonaire in November 1992. He claimed that the police had beaten and menaced him and that at one point attempted to strangle him. A police officer shot and wounded him slightly in the head during the arrest.

By the end of October no replies had been received from either the Minister for Netherlands Antillean and Aruban Affairs or the Minister of Justice for the Netherlands Antilles.

POLAND

Conscientious objection to military service

At least four more conscientious objectors began serving their prison sentences after their appeals were rejected by the Supreme Court in Warsaw.

Jaros_av Jamrozik applied to perform alternative service in March 1992. His application, based on personal pacifist convictions, was turned down by the District Drafting Commission in June 1992. The authorities concluded that as a member of the Roman Catholic Church his personal convictions should be overridden by the fact that the Church does not object to military service. Jaros_av Jamrozik refused his call-up and was tried in January 1993 by the Silesian District Military Court in Wroc_aw. He was sentenced to imprisonment of one year and began to serve his sentence on 13 April in Kalisz prison. He was subsequently transferred to a prison in Pozna_.

Ryszard Baranek, whose request for alternative service had also been turned down, began his army service in March in Krotoszyn but refused to take weapons issued to him. He was tried and sentenced to imprisonment of one year. He began serving his sentence in July.

Dariusz Matczak, another conscientious objector, was tried in April and sentenced by the Wroc_aw Military Court to imprisonment of one year. He began serving his sentence in August.

Piotr Krzy_anowski and Piotr Dawidziak (see AI Index: EUR 01/01/93), conscientious objectors who were imprisoned in February, were released in August after serving half their sentences.

PORTUGAL

United Nations Committee against Torture criticized "relative impunity" for offenders guilty of torture and ill-treatment

On 16 November the United Nations (UN) Committee against Torture examined the Portuguese Government's Initial Report on the measures it had taken to implement the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Amnesty International submitted a report, published in October, *Portugal: Torture and Ill-treatment: Summary of Amnesty International's Concerns* (AI Index: EUR 38/01/93), for the information of the Committee. Its report drew particular attention to the continuing allegations of torture and ill-treatment, the slowness of the procedures to investigate such allegations, the small number of cases where offenders were brought to justice and the nominal sentences given in the exceptional cases where offenders were held accountable for serious crimes of torture and ill-treatment. These specific concerns were illustrated by some of the individual cases which were the subject of action by Amnesty International.

Allegations were made against officials from the main law enforcement agencies; a very small number concerned the prison service. The most common forms of torture and ill-treatment alleged were repeated kicks, punches, kneeling, pistol-whipping and beatings with truncheons. Detainees reported being beaten with rubber and flexible metal hose pipes. Others claimed to have had objects forced into their anus and to have been threatened with physical, including sexual, assault. Verbal racial abuse was common in cases involving ethnic minorities. In most cases allegations were supported by substantive medical and forensic evidence and in many cases complainants were taken by detaining officers to receive medical treatment while in custody.

The Committee requested clarification and information on a wide range of legal and constitutional issues raised in the Portuguese Government's report. Its report contained no information which would demonstrate the actual operation of the law, or its effectiveness, since no statistics were given showing the number of complaints of torture and ill-treatment which had originated either from the authorities, lawyers, victims or their families or friends. No statistics were provided as to the judicial or disciplinary action taken by the authorities to investigate or prosecute such complaints and with what results. Many members of the Committee requested such information but in its reply the government failed to provide it. The Committee also asked the government to comment on the illustrative cases raised by Amnesty International.

After hearing the government's replies the Committee issued its conclusions. The Committee welcomed government efforts to implement the Convention but regretted that, despite these efforts, ill-treatment and sometimes torture in police stations continued. It also criticized the frequent delays and length of inquiries into such allegations and considered that those responsible were not always brought to justice. It believed that this situation, as well as the lightness of sentences for people convicted of torture and ill-treatment, created "an impression of relative impunity for the authors of these crimes which is highly prejudicial to the application of the provisions of the Convention".

ROMANIA

Allegations of torture and ill-treatment

Amnesty International received more allegations of torture and ill-treatment in Romania. These were described in a report published by the organization in September, *Romania - Update to Amnesty International's Concerns* (AI Index EUR 39/07/93).

Homosexuality

Amnesty International has urged Romanian authorities on several occasions in the past to reform the penal code and abolish those articles which provide for the imprisonment of people solely because of their homosexuality. Article 200, paragraph 1, states that "sexual intercourse between persons of the same sex is punishable by one to five years' imprisonment". Paragraph 4 of the same article states that "propositioning or enticing an individual to an act provided for in paragraph 1 is punishable by one to five years' imprisonment". Article 204 incriminates all attempts to commit acts provided for in Article 200.

In July Amnesty International urged members of the Romanian Senate and Chamber of Deputies to abolish Article 200, paragraphs 1 and 4. A debate on a new law began in the Romanian Senate in November.

Authorities failed to protect the Roma community of H_d_reni

On 20 September three Roma were killed and more than 170 others were forced to abandon their homes and flee from the Transylvanian village of H_d_reni after a night of racial violence.

The violence followed a fight on H_d_reni main street in which a Rom, Pardalian L_c_tu_, was allegedly injured with a pitchfork, and a Romanian, Ghe_an Cr_cium, was stabbed and killed. Pardalian L_c_tu_ and his brother, Lucian Repa, allegedly responsible for the killing, fled to a house which was later set on fire by a crowd of between 400 and 500 Romanians and ethnic Hungarians. According to reports, two armed police officers arrested and handcuffed the L_c_tu_ brothers when they tried to escape from the burning house. The villagers who were gathered outside grabbed the two men and beat and kicked them to death. Another Rom who was afraid to leave the house died in the fire.

Reports stated that about 45 police officers arrived in the village soon after racial violence began. They allegedly failed to protect the local Roma community who were forced to abandon their homes as the crowd set another 12 houses on fire and vandalized a further four beyond repair.

Some Roma were reportedly ill-treated and harassed by police officers when they tried to return to H_d_reni.

Amnesty International urged President Ion Iliescu on 28 September to initiate a full and impartial investigation into the reported participation of law enforcement officials in these acts of racial violence and allegations that they failed in their duty to offer the fullest protection to citizens who were manifestly at risk.

RUSSIA

The conflict between President Boris Yeltsin and parliament came to a head in September when the president dissolved parliament and set fresh elections. The tense situation culminated at the beginning of October in armed clashes in Moscow, and over 100 lives were lost before government forces regained control. A two-week state of emergency was declared in the city: thousands of people were detained for brief periods, and thousands without residence permits were deported from Moscow.

Alleged ill-treatment in police and army custody

According to human rights groups in Moscow, scores of those detained by police or army units were beaten, often to the point of requiring hospital treatment.

Amnesty International has long been concerned about numerous similar allegations indicating that ill-treatment of detainees in police custody is systematic and widespread. The organization urged the authorities that all such reports be investigated swiftly and impartially, with the results made public and any perpetrators brought to justice.

Deportation of refugees

The state of emergency was also accompanied by a clamp-down on residence permits in Moscow, and almost 10,000 people without such documents were expelled from the city. Among those said to have been expelled were asylum-seekers who faced serious human rights violations in their home countries. Other asylum-seekers alleged police officers extorted large sums of money from them in order not to deport them for being without residence permits, which they had been unable to obtain owing to delays in processing their applications for political asylum.

Amnesty International urged the authorities to ensure that no asylum-seekers were returned to countries where they could face human rights violations, and that they be afforded the right to have their cases considered thoroughly and swiftly in conformity with international standards on the protection of refugees.

Legislative changes

A paper issued in September entitled *Russia: An overview of recent legal changes* (AI Index: EUR 46/21/93) reviewed legislative moves in areas of concern to Amnesty International. The organization welcomed amendments to the criminal code in April which decriminalized consensual homosexual acts between adult males, and exempted men over 65 and all women from the death penalty. However, Amnesty International noted with concern official statistics which indicated that at the end of August 505 people were awaiting execution, and continued to urge that all pending death sentences be commuted. It also urged the introduction without delay of a civilian alternative to compulsory military service. In the absence of such conscientious objectors continued to face imprisonment, despite a constitutional guarantee of the right to an alternative service.

THE SLOVAK REPUBLIC

Discriminatory regulations

In July the town council of Spišské Podhradie issued a decree which would have imposed a curfew "for citizens of Romany background and other suspicious people between the hours of 11pm and 4.30am". The same decree would have authorized police officers to enforce the curfew and impose fines on anyone who violated it.

Amnesty International expressed its concern to the Slovak authorities about the discriminatory nature of the adopted decree and called for its abolition. Amnesty International would consider people restricted by the curfew solely on account of their ethnicity to be prisoners of conscience, if only for short periods of time. Article 6 of the decree would have allowed the city police "extraordinary enforcement measures whenever articles of this law are violated". Amnesty International was further concerned that these undefined powers given to the local police might have led to further human rights violations including arrest and detention of Roma breaking the curfew.

The Slovak Ministry of Justice replied in September that the decree had been abolished by the Slovak National Council.

Prime Minister's apparently anti-Roma remarks

On 3 September, speaking in Spišská Nová Ves, Prime Minister Vladimír Mečiar reportedly made the following comments about the local Roma community:

"We should also consider the extended reproduction of socially unadaptable population...Thus, they should be perceived as a problem group that is growing in size - in your district they represent more than 13% of the population, but if we take the population activity of the 'whites' and of the Romanies the latter is substantially higher. So in the perspective this ratio will be changing in favour of the Romanies. This means that if we do not deal with them now, they will deal with us later."

In the light of past incidents of ill-treatment of Roma by police officers in Slovakia, Amnesty International was concerned that such references to the Roma population did not set a proper example to law enforcement officers who should protect the rights and freedoms of all people without discrimination. Amnesty International wrote to Prime Minister Mečiar urging him to refrain from making statements which contribute to an atmosphere in which human rights violations become acceptable, and to unambiguously demonstrate his government's firm policy that everyone has the inalienable right to enjoy their fundamental human rights without discrimination.

SPAIN

Allegations of torture and ill-treatment: cases and trials

On 1 March Hamid Raaji, a Moroccan, was stopped in Valencia by four municipal policemen for an identity check and search. He claimed that he was racially insulted and that an officer kneeed him in the groin. Four days later, his left testicle was removed in an emergency operation. He made a judicial complaint against the four policemen who were indicted on charges of causing him injuries, insulting him and coercion. On 2 December the Prosecutor requested a penalty of six years' imprisonment for one officer and eight years' disqualification from holding office for the other three.

On 4 August Carlos Viña Pena, a security company director and a serving officer in the Civil Guard reserve, was involved in a motor accident in La Coruña. He and the other driver were taken by the national police to the police station, allegedly to make a statement. He claimed that a uniformed police corporal assaulted him in the corridor and later beat him with a truncheon in an interrogation room. Six other officers apparently witnessed the incident. He received medical treatment in custody and the court released him the next day. On 10 August Carlos Viña made a judicial complaint accusing the police of causing him injuries. Medical evidence showed severe bruising to his right shoulder, shoulder blades, left arm and thighs.

On 25 September Josu Caminos, a bank employee, was stopped by national police officers manning a barricade in Pamplona. He claimed that when he asked why he had been stopped, officers seized him, threw him to the ground and kicked and beat him with truncheons. The next day he went to hospital suffering severe pains in his rib cage. He was discharged as no injuries could be seen. However, he suffered increasingly severe breathing difficulties and returned to the hospital where eight days later his right lung, which had become flooded with blood, was drained. A judicial investigation was opened.

In April the trial opened in San Sebastian of five Civil Guards charged with torturing a suspected ETA member, Juan Carlos Garmendia Irazusta, while he was held incommunicado under anti-terrorist legislation in 1982. In October all five officers were acquitted by a majority verdict on the grounds that the trial was outside the legally prescribed time limit. The court did not consider the substance of the charges against the officers before making its decision to acquit. The Prosecutor and the private party appealed to the Supreme Court. In May one of the defendants, a senior Civil Guard officer, entered prison to serve a four-month sentence passed in 1987 for torturing another prisoner in 1982. He had not previously served any part of this sentence and had been promoted (see AI Index: EUR 01/01/93).

On 14 June the trial began in Palma de Mallorca of two trade unionists, Antonio Copete and Antonio Valenciano, on charges of coercion, and of a Civil Guard officer, Bartolomé del Amor Ludeña, charged with causing Antonio Copete multiple injuries, including a burst ear drum. Antonio Copete alleged that in 1992, following a demonstration, the officer had assaulted him when he was handcuffed and under arrest (see AI Index: EUR 01/04/92). The trade unionists were acquitted. The Civil Guard officer was found guilty and sentenced to one year's imprisonment, disqualified from public office for one year and ordered to pay compensation.

The inquiries into complaints of ill-treatment by security forces of Mohamed Hegazy and Raed Shibli in Ibiza and a visiting rugby team in Benidorm were still open (see AI Index: EUR 01/01/93).

SWEDEN

Ill-Treatment in custody

Tony Mutka died in custody on 20 July, during transfer from Hall prison, near Stockholm, to a distant hospital psychiatric unit. Wearing only his underpants, he was transported lying face down on the floor between the front and back seat of a vehicle. His hands were restrained in handcuffs behind his back; his legs were chained together and bent at the knees due to lack of space on the floor of the vehicle. Prison guards who were seated in the back seat above him, placed their feet on his body and held him by the handcuffs. One of the guards allegedly stood on his neck or head and shoulders during the transport. This was in fact demonstrated by the guards during a subsequent video-reconstruction of the events.

After approximately two hours, the van stopped at a hospital, where Tony Mutka was pronounced dead as a result of suffocation. Amnesty International expressed concern to the government about the death in custody of Tony Mutka, and urged it to pay compensation to his family, bring to justice those responsible for his death and take all necessary measures to ensure that a tragedy of this magnitude and nature not be repeated in the future. In November, three of the prison guards who were charged, were found guilty of breach of their duties. Despite the Prosecutor's request that they each be sentenced to terms of imprisonment, they received fines. The Prosecution was planning to appeal.

Expulsion of asylum-seeker

A Peruvian asylum-seeker, Mónica Castillo Páez was expelled from Sweden in August. She had fled to Sweden in 1990. Her brother had "disappeared" in Peru after detention and was presumed dead; his lawyer had been maimed by a letter-bomb; her cousin had been killed, allegedly by security forces, and she and her family had received threats from people thought to be acting with the support of the security forces. There were fears that Mónica Castillo Páez would be at grave risk if returned to Peru, but the Swedish authorities denied her asylum claim and expelled her. The aircraft on which she was travelling from Sweden to Peru made a scheduled stop in Amsterdam, where she disembarked and asked for asylum. The Dutch authorities have agreed to fully examine her asylum claim.

Prior to her expulsion from Sweden, Amnesty International urged the government not to forcibly return Mónica Castillo Páez to Peru. The organization has also urged the Dutch authorities to ensure that she will be given effective and durable protection.

SWITZERLAND

Allegations of ill-treatment in police custody

Amnesty International received several allegations of ill-treatment in police custody. A.B., a Swiss citizen of Moroccan origin, lodged a complaint with Fribourg's Prosecutor General alleging that on the night of 22-23 July police in Fribourg kicked and punched him, forced him to strip naked and spat on him. He had apparently been arrested on suspicion of involvement in a knife attack, but was released without charge after some four hours in custody. A medical certificate issued some three days following his arrest apparently recorded multiple bruising to his body resulting from injuries incurred several days previously. In July Sidat Sisay, a Gambian, alleged to the federal authorities that in January, while in transit from the Gambia to the USA for urgent medical treatment for severe lower back pain and walking difficulties, he had been forced to strip naked and was beaten and kicked on his back, leg and sides by three members of Geneva's airport police. He said they accused him of carrying a forged passport but that he denied this and that, after questioning him and examining his travel documents, two plainclothes officers confirmed the validity of his passport and advised he be allowed to continue his journey, as scheduled, on a flight leaving the next day. On reclaiming his travel documents from the police the next morning, the police and the airline concerned informed him his flight to the USA was cancelled. He was held in an airport cell for two days and put on a return flight to the Gambia. A medical certificate issued after his return recorded bruising to his lower back and chest and damage to his right knee, aggravating his existing medical condition; it concluded that his injuries were consistent with his allegations. In October the federal authorities informed Amnesty International that the first results of an inquiry opened in August refuted Sidat Sisay's allegations of ill-treatment.

A 58-year-old physically disabled woman stated in a criminal complaint that in April, following an alleged parking offence, Geneva police subjected her to ill-treatment resulting in a fractured wrist, bruising to her right side and mouth and an aggravation of her existing medical condition. In July she filed an appeal against the dismissal of her complaint by Geneva's Prosecutor General who had concluded that the police had been forced to resort to the legitimate use of force in order to restrain her. In May Joao Manuel Coelho Ribeiro, a Portuguese national resident in Switzerland, filed a civil suit seeking compensation for, *inter alia*, wrongful arrest and physical injury by Geneva police in May 1991. In July 1991 he had lodged a criminal complaint alleging ill-treatment by the police, attaching a medical certificate issued two days after his arrest, recording multiple bruising to his body. His injuries appeared consistent with his allegations of ill-treatment. His complaint was dismissed both by Geneva's Prosecutor General and by an appeal court which attributed his injuries to legitimate use of force by the police.

Conscientious objection to military service

Although a national referendum in 1992 voted to introduce, in principle, a civilian alternative to military service this was still not available and conscientious objectors remained liable to sentences of compulsory work or imprisonment (see AI Index: EUR 01/01/93). However, between July and October a public consultation was conducted on draft federal legislation containing various recommendations and options relating, for example, to the grounds on which conscientious objector status might be granted and the nature and length of civilian service. The proposed legislation was not expected to be examined by parliament until March 1994.

TADZHIKISTAN

Prisoners of conscience and political prisoners

An Amnesty International report, *Tadzhikistan: Human rights abuses against opposition activists* (AI Index: EUR 60/17/93), published in October, focused on the detention of a number of people identified with opposition political parties and movements. Some of these people had already been tried and sentenced, others were in pre-trial detention. Amnesty International was concerned that some of them were, or might have been, prisoners of conscience. It was also concerned by reports that four political prisoners, all of them television journalists, had been tortured, and that a death sentence had been passed on one political prisoner after a possibly unfair trial.

Extrajudicial executions and "disappearances"

Although extrajudicial executions and "disappearances" on a large scale, as described by Amnesty International in May in the report *Tadzhikistan - Hidden terror: political killings, torture and "disappearances" since December 1992* (AI Index: EUR 60/04/93), appeared to have ended by February, Amnesty International continued to receive occasional reports of further such human rights violations which were allegedly carried out by people connected with paramilitary forces operating with the complicity or tacit approval of the government.

On 26 May, for example, ethnic Pamiri police officers Alisho Arabshoyev and Davlatsho Zardabilov were detained by uniformed men at the airport in Dushanbe, the capital, just after they arrived on a flight from Gorno-Badakhshan, east Tadzhikistan. They were taken away to an unknown destination, and about five days later their corpses were found beside a school building in a Dushanbe suburb.

In April Ayniddin Sadykov, an activist with the opposition Democratic Party, "disappeared" after being taken from a bus in Dushanbe by armed men. In July member of parliament Saidsho Shoyev and his brother Siyarsho Shoyev "disappeared" after being seized by armed men from a Dushanbe street. In both cases the circumstances of the "disappearances" suggested government complicity: the car used by the abductors of the Shoyev brothers was reportedly identifiable from its number plates as belonging to the Ministry of Defence (for further details see AI Index: EUR 60/17/93).

Human rights abuses by opposition forces

In August Amnesty International wrote to representatives of a self-proclaimed opposition "government-in-exile" of the Republic of Tadzhikistan, based in northern Afghanistan, concerning reports of two incidents in which armed forces apparently subordinate to it allegedly carried out deliberate and arbitrary killings. In one incident the victims were reported to have been members of the armed forces of the Government of Tadzhikistan who had been taken prisoner and were summarily executed, and in the other the victims were reportedly unarmed civilians (for further details see AI Index: EUR 60/17/93).

TURKEY

Serious human rights abuses escalate in intensified conflict

In June Tansu Çiller became Turkey's first woman Prime Minister when she succeeded Süleyman Demirel, chosen by parliament to become President on the death of former President Turgut Özal in April.

The unilateral ceasefire which had been declared by the Kurdish Workers' Party (PKK) began to disintegrate when on 24 May guerrillas of the PKK ambushed, abducted and killed 32 soldiers and four civilians. Government security forces responded by stepping up their military operations, and on 8 June the PKK formally called off the ceasefire. Since then fighting has been more intense than ever before in the nine-year conflict. Kurdish and Turkish peasants were the main victims of human rights abuses committed by both sides.

An Amnesty International report entitled *Escalation in human rights abuses against Kurdish villagers* (AI Index: EUR 44/64/93) describes how villagers have been ill-treated and tortured during the course of security force operations against villages which refuse to participate in the system of government-appointed village guards. The report describes deaths in custody, and allegations of "disappearance" and extrajudicial execution in the southeast, as well as killings of prisoners and attacks on civilians by PKK guerrillas. In October PKK guerrillas killed 35 unarmed villagers including six children in Çat, Erzurum province.

Amnesty International continued to receive many reports of torture. From May to October there were 17 deaths following interrogation, apparently accompanied by torture, in police custody. This is a larger figure than for any such period since the years immediately after the military coup of 1980. The deaths occurred in various parts of Turkey, including Istanbul, Ankara, Aydı_n, and Diyarbakır and included four people arrested for common criminal offences. There were an increasing number of reports of very severe torture of people suspected of supporting the PKK in Istanbul, Ankara and Izmir.

Political killings continued unabated, and in many cases the victims were people who were members of organizations targeted by the government - in particular the Democracy Party (DEP), generally perceived as "the Kurdish party". On 4 September Mehmet Sincar, DEP member of parliament for Mardin, and Metin Özdemir, a local DEP official, were shot dead by assassins in broad daylight in the city of Batman. A telephone caller claimed responsibility for the attack in the name of a mysterious organization calling itself the Turkish Revenge Brigade which has also claimed responsibility for a number of other deaths, mainly of members of the Kurdish opposition movement. However, other DEP members of parliament who were in Batman at the time of the killing report that heavy police surveillance was mysteriously lifted on the morning on which the attack took place (see *Turkey: Attacks on DEP MPs continue* AI Index: EUR 44/92/93).

The death penalty - threat of renewed executions

On 17 November the Judicial Committee of the Turkish Grand National Assembly (TBMM) approved the death sentence of Seyfettin Uzundiz, convicted in 1992 of murder - the first death sentence to be approved by the Judicial Committee in nine years. Seyfettin Uzundiz's file will now be sent to the TBMM for approval, which requires a simple majority.

TURKMENISTAN

Prisoners of conscience

Further short-term detention of opposition activists (update to information given in AI Index: EUR 01/01/93)

Opposition activists were detained briefly on at least two further occasions to prevent them attending meetings with foreign visitors to Turkmenistan. On 20 April Nurberdi Nurmamedov, Ak-Mukhammed Velsapar and Murad Divanayev were arrested at their homes in the capital, Ashgabat, and held in police custody to prevent them meeting a delegation from the Conference on Security and Co-operation in Europe. On 18 August Nurberdi Nurmamedov, Aman Goshayev and Mukhammedmurad Salamatov were held in police custody for the duration of a brief visit to Ashgabat by a member of the United States Congress, while Ak-Mukhammed Velsapar, Khudayberdi Khalli, Yusup Kadyrov and Mamed Sakhatov were arrested and held briefly for questioning after attending a meeting with the congressman.

Probable prisoner of conscience: Karadzhar Karadzhayev

Karadzha Karadzhayev, a 37-year-old accountant, was arrested on 12 August and detained in investigation-isolation prison No. 1 in Ashgabat. He has been charged with gross embezzlement and slander. Amnesty International would not normally take up the case of a person charged with embezzlement, but the organization is concerned about allegations that the charges are false, and have been brought in order to punish Karadzha Karadzhayev for opposition activities. Amnesty International is seeking further information about the charges against him.

Karadzha Karadzhayev is not affiliated to any opposition political grouping, but he acted as financial backer for the now-defunct independent newspaper *Dayanch*. He was also involved in monitoring and reporting on human rights in Turkmenistan.

The death penalty

Yury Ayriyev (update to information given in AI Index: EUR 01/01/93)

Amnesty International learned from unofficial sources that Yury Ayriyev's petition for clemency was turned down by President Saparmurad Niyazov in June. Since this was Yury Ayriyev's last avenue of appeal against the death sentence passed on him for murder in November 1992, Amnesty International feared that he may have been executed very shortly after his clemency petition was rejected, although as of the end of October the fate of Yury Ayriyev had not been confirmed.

The above cases were included in a report entitled *Turkmenistan: A summary of concerns about prisoners of conscience, ill-treatment and the death penalty* (AI Index: EUR 61/06/93), published in November.

UKRAINE

The death penalty

In the period under review at least three death sentences came to light, and one of those sentenced was executed. However, in the absence of any official statistics the true figure for both sentences and executions was believed to be much higher.

Two men, Aleksandr Kozlov and Vladimir Vengerenko, were sentenced to death in November for premeditated, aggravated murder under Article 93 of the Ukrainian Criminal Code. The progress of any appeal or petition for clemency in their case is not known. A third man, Vladimir Yepikov, was executed during the period under review although the exact date is not known. He had been sentenced to death by Donetsk Regional Court on 29 January, also for premeditated, aggravated murder, and his appeal had been turned down by the Ukrainian Supreme Court on 15 May.

Amnesty International continued to urge the authorities to commute all pending death sentences, and to publish full statistics on the application of the death penalty. Figures on the number of sentences passed and carried out are regarded as a state secret, in spite of international recommendations that governments which retain the death penalty publish yearly figures on the way they have used capital punishment, broken down into categories.

UNITED KINGDOM

Fair trial issues

The Royal Commission on Criminal Justice in England and Wales issued its report in July (see *Amnesty International Report 1992*). Despite the Royal Commission's recommendation on the retention of the right of silence, the government announced it would introduce new legislation for England and Wales which would curtail the right of silence. Amnesty International is opposed to the introduction of such legislation and has called for similar legislation to be repealed in Northern Ireland.

Three former police officers, charged with conspiring to pervert the course of justice in the "Guildford Four" case, were acquitted in May after a jury trial. The trial of three former police officers, charged with the same offence in relation to the "Birmingham Six" case, was stopped in October when the judge decided that a fair trial would not be possible given prejudicial publicity.

In July UK citizen John Matthews was released when charges of involvement in a bombing in London were dropped, but was immediately expelled to Northern Ireland by order of the Home Secretary on the grounds of his being "concerned with terrorism". Amnesty International expressed concern to the Home Secretary that his labelling of John Matthews as a terrorist, based on secret information which could not be refuted, could make him a prime target for murder by Loyalist armed groups in Northern Ireland.

Trials took place in Northern Ireland of young people charged with murder on the basis of uncorroborated confession statements. One of the "Beechmount Five" was acquitted and the four others, after sentencing on much lesser charges, were released, having served more than two years in pre-trial detention. In the "Ballymurphy Eight" case one person was sentenced in March to 14 years' imprisonment for murder; the trial of the seven others began in November. Amnesty International delegates observed the proceedings in the cases of the "Beechmount Five" and the "Ballymurphy Seven".

Amnesty International published a paper entitled *Northern Ireland: fair trial concerns in Casement Park trials* (AI Index: EUR 45/07/93) in July about the trials of 41 people charged in connection with the murder of two soldiers during a funeral in Belfast in March 1988. It said that a wide-ranging independent inquiry should examine the cases of all those convicted in the Casement Park trials in order to ensure that no one had been wrongly convicted. In addition, the organization urged the government to refer the cases of Patrick Kane, Michael Timmons and Sean Kelly to an appropriate judicial authority for further review.

Allegations of ill-treatment and deaths in custody

Several cases were reported of ill-treatment by police and private security firm officers of people being deported. Jamaican-born Joy Gardner died after she was seized by police for deportation at her home in August. Tape was placed over her mouth and a body-belt tied around her waist restraining her arms. An independent post-mortem found that she died as a result of suffocation. The specialist police deportation unit and the officers involved were suspended, and internal inquiries were initiated into the police role in forcible deportations. Amnesty International expressed concern to the authorities about the circumstances of the death of Joy Gardner, and the alleged ill-treatment of another deportee, Dorothy Nwokedi, and urged them to initiate an independent inquiry into the treatment of people being detained for deportation.

The inquest into the death in custody in October 1991 of Zairian asylum-seeker Omasese Lumumba, held in July, found that he had been unlawfully killed, as a result of the "use of improper methods and excessive force in the process of control and restraint" by London prison officers. He had been detained in prison for three weeks in 1991 pending the determination of his asylum claim. No disciplinary or criminal proceedings had been brought against any of the prison officers involved. In November Amnesty International published a report, *Unlawful killing of detained asylum-seeker*

Omasese Lumumba (AI Index: EUR 45/13/93) calling for an independent public inquiry into Omasese Lumumba's death. The organization also expressed concern about the government's handling of asylum claims and the detention of asylum-seekers and urged it to implement a series of specific recommendations.

Killings by the security forces and collusion

In June two soldiers were convicted of the murder of Karen Reilly and the attempted murder of Martin Peake in September 1990 in a stolen car. Amnesty International sent a delegate to the trial in November of two soldiers charged with the murder of Fergal Caraher and the attempted murder of Míceál Caraher.

In September the European Commission on Human Rights declared admissible the application made by the families of three Irish Republican Army (IRA) members who were shot dead in disputed circumstances by the British soldiers in Gibraltar in 1988. The applicants argued that Article 2 of the European Convention (the right to life) required states to adopt clear, detailed rules strictly limiting the use of lethal force, and that the UK law was too vague to conform to Article 2. The applicants also contended that although there should be an effective procedure for establishing the full facts, the inquest procedure was inadequate.

Northern Ireland authorities recalled John Stevens to investigate matters of collusion between the security forces and Loyalist paramilitaries reportedly raised after the trial of Brian Nelson, Loyalist intelligence chief and military agent (see *Amnesty International Report 1991*).

Killings by armed political groups

Armed groups carried out deliberate and arbitrary killings and acts of torture. In October a bomb attack by the IRA on a fish shop in the predominantly Protestant Shankill Road on a busy shopping day resulted in the deaths of nine people and over 50 injured. Seven people were killed and 11 injured when gunmen from the Loyalist Ulster Defence Association, acting under the name of the Ulster Freedom Fighters (UDA/UFF), sprayed a crowded pub with machine-gun fire one week later, also in October.

Amnesty International urged Republican and Loyalist armed groups to abide by minimum humane standards and to halt deliberate and arbitrary killings and torture. In particular the organization expressed concern about the shooting and maiming of Damian McCartan and Edward Kane by the IRA and the killings of alleged informers and civilians by the IRA, the UDA/UFF and the Ulster Volunteer Force (UVF).

UZBEKISTAN

Prisoners of conscience

The Milli Mejlis case (update to information given in AI Index: EUR 01/01/93 and AI Index: EUR 62/09/93)

The trial of six defendants in the so-called *Milli Mejlis* case ended on 6 August with their receiving conditional sentences of varying lengths for "conspiracy with the aim of seizing power". They were convicted in connection with their attempt in 1992 to set up a non-violent social organization. These conditional sentences meant the release of defendants Babur Shakirov, Khazratkul Khudayberdi and Salavat Umurzakov, who had been in detention before and during the trial, and whom Amnesty International considered to be prisoners of conscience.

Pulat Akhunov (update to information given in AI Index: EUR 62/09/93)

On 17 August probable prisoner of conscience Pulat Akhunov was sentenced to a further three years' imprisonment after being convicted of illegal possession of narcotics and assaulting a prison guard. Amnesty International remained deeply concerned that these charges, and a charge of malicious hooliganism for which Pulat Akhunov had been given an 18-month prison sentence in December 1992, were fabricated by the authorities to punish him for his opposition activities.

In October Amnesty International learned that Pulat Akhunov had been transferred in September to a prison camp for especially dangerous criminals at Kyzylteppa, Navoi Region. Amnesty International feared that this transfer was arranged by the authorities deliberately to place Pulat Akhunov at risk of violence from fellow inmates. The organization called on the authorities to explain the reasons for the transfer, and to guarantee Pulat Akhunov's safety. It continued to call for judicial review of Pulat Akhunov's criminal convictions.

These cases were featured in a report entitled *Uzbekistan: Clampdown on dissent - an update: Prisoners of conscience on trial* (AI Index: EUR 62/26/93), published in September.

The death penalty

Amnesty International learned of three death sentences passed in Uzbekistan. Dmitry Rassokhin, an ethnic Russian, was sentenced to death by Tashkent City Court in July 1992 for the premeditated, aggravated murder of two Uzbek brothers. Venera Kasimova and Yashar Khasanov were tried together and sentenced to death also by Tashkent City Court in November 1992 for premeditated aggravated murder. Appeals by Dmitry Rassokhin and by Venera Kasimova and Yashar Khasanov against their convictions were turned down by the Supreme Court in April. Venera Kasimova was the first woman sentenced to death in the former Soviet Union to come to Amnesty International's attention since 1989.

Amnesty International campaigned for commutation of these death sentences and continued to press for abolition of the death penalty in Uzbekistan.

YUGOSLAVIA, THE FEDERAL REPUBLIC OF

Alleged torture and ill-treatment by police in Serbia

Police clashed with demonstrators when one of the main opposition parties, the Serbian Renewal Movement (SPO), led protests against the ousting of the Federal President, Dobrica _osi_, on 1 June. There were casualties on both sides and one policeman was killed. Police allegedly beat a number of demonstrators as they tried to flee. The following day police arrested about 30 people in the SPO headquarters including the party leader, Vuk Draškovi_, and his wife Danica. According to eye-witnesses, the couple were beaten as they were taken from the office to waiting cars. Later medical examinations confirmed that they had been severely beaten and that Vuk and Danica Draškovi_ received head and spinal injuries respectively. Both were released on 9 July following intervention by President Miloševi_ and criminal charges against them were dropped. Amnesty International called for an independent and impartial investigation into the case.

Other cases of ill-treatment were reported in different circumstances. For example, Ljubiša Petrovi_, a 65-year-old refugee from Bosnia-Herzegovina and activist in another political party, was arrested and reportedly beaten by police in _ajetina early on 12 August. A doctor confirmed injuries apparently consistent with him having been beaten. Ljubiša Petrovi_ died five days later; the autopsy reportedly confirmed the injuries, although it did not state that they had been the cause of his death. An actress, Nada Bulatovi_, was reportedly beaten by police while queuing for flour in Belgrade in October and received a broken arm and nose.

Kosovo province: Continuing reports of ill-treatment, fair trial concerns

Almost daily reports of ill-treatment of ethnic Albanians continued. Tension increased from July when the Yugoslav Government expelled the long-term monitoring mission of the Conference on Security and Co-operation in Europe (CSCE). In September Amnesty International called for the re-establishment of the mission in the document *International monitoring in Kosovo and beyond: Appeal to governments from the Secretary General of Amnesty International* (AI Index: EUR 70/23/93).

Following the expulsion of the CSCE mission there was a wave of arrests and ill-treatment of people whom the authorities claimed to be members of organizations which were seeking Kosovo's secession by violent means. Those arrested were mainly local political activists or former political prisoners, including former prisoners of conscience. Around 100 men were charged and trials commenced in October. None were accused of having used violence and in some cases charges of possessing or engaging in the smuggling of arms were denied by the defendants. Amnesty International had concerns about the fairness of the trials. Many defendants were convicted in part on the basis of statements which they withdrew at their trials, alleging that they had been extorted from them under torture during investigation proceedings. Lawyers stated that they were denied access to their clients for parts of the investigation.

A number of ethnic Albanians died in disputed circumstances: 42-year-old Arif Krasniqi died after being beaten by police on 30 August. In the first known case in Kosovo in recent years, two policemen were prosecuted and were subsequently found guilty of causing grievous bodily harm with the consequent death of Arif Krasniqi.

RATIFICATIONS

ANDORRA

On 17 September the Principality of Andorra acceded to the four Geneva Conventions of 12 August 1949. This instrument will come into force for the Principality of Andorra on 17 March 1994.

ARMENIA

Armenia acceded to the four Geneva Conventions and their Additional Protocols on 7 June and to the International Covenant on Civil and Political Rights, and its first Optional Protocol on 23 June. In July it acceded to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol.

AZERBAIDZHAN

On 1 June Azerbaydzhan acceded to the 1949 Geneva Conventions.

BULGARIA

In September Bulgaria signed the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment.

ESTONIA

In May Estonia signed the European Convention for the Protection of Human Rights and Fundamental Freedoms when acceding to the Council of Europe. The country also signed its Sixth Protocol concerning abolition of the death penalty.

GEORGIA

In September Georgia acceded to the four Geneva Conventions and their Additional Protocols.

GERMANY

The Federal Republic of Germany acceded to the Optional Protocol to the International Covenant on Civil and Political Rights in August.

HUNGARY

In November Hungary ratified the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment.

KAZAKHSTAN

A declaration of succession to the four Geneva Conventions and to their Additional Protocols was made by Kazakhstan on 5 May 1992. The declaration took effect retroactively from 21 December 1991.

LITHUANIA

In May Lithuania signed the European Convention for the Protection of Human Rights and Fundamental Freedoms when acceding to the Council of Europe.

POLAND

In May Poland declared that it recognized both the right of individual petition under the European Convention for the Protection of Human rights and Fundamental Freedoms as well as the compulsory jurisdiction of the European Court of Human Rights.

ROMANIA

In July Romania acceded to the first Optional Protocol to the International Covenant on Civil and Political Rights. In October Romania signed the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocol. In November it signed the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment.

SLOVAK REPUBLIC

In May the Slovak Republic succeeded to the first Optional Protocol to the International Covenant on Civil and Political Rights and to the International Covenant on Economic, Social and Cultural Rights.

SLOVENIA

In July Slovenia acceded to the first Optional Protocol to the International Covenant on Civil and Political Rights and in September it acceded to its Second Optional Protocol. In May Slovenia signed the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Sixth Protocol concerning the abolition of the death penalty. In November Slovenia signed the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment.

TADZHIKISTAN

A declaration of succession to the four Geneva Conventions and to their Additional Protocols was made by Tadjikistan on 13 January 1993. The declaration took effect retroactively from 21 December 1991.

TURKMENISTAN

A declaration of succession to the four Geneva Conventions and to their Additional Protocols was made by Turkmenistan on 10 April 1992. The declaration took effect retroactively from 26 December 1991.