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INTRODUCTION

Amnesty International is a worldwide voluntary movement that works to prevent some of the gravest violations by governments of people's fundamental human rights. The main focus of its actions is to work toward the release of all prisoners of conscience - those persons detained anywhere for their beliefs or because of their ethnic origin, sex, colour or language who have not used or advocated violence; fair and prompt trials for all political prisoners; the abolition of the death penalty, torture and other cruel, inhuman or degrading treatment of prisoners; and an end to extrajudicial executions and "disappearances". The organization opposes abuses committed by opposition groups which are contrary to minimum international standards of humanitarian conduct, such as hostage-taking, torture and killings of prisoners and other deliberate and arbitrary killings.

Amnesty International has members, subscribers and regular donors in over 150 countries and territories, with more than 8,000 local groups in over 70 countries in Africa, the Americas, Asia, the Pacific, Europe and the Middle East. To ensure impartiality, each group works on cases from countries other than its own, selected for geographical and political diversity. The organization is independent of any government, political persuasion or religious creed. It does not support or oppose any government or political system, nor does it support or oppose the views of victims whose rights it seeks to protect. It is concerned solely with the protection of human rights regardless of the ideology of the government or opposition forces or the beliefs of the victims.

The human rights standards embodied in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and other human rights instruments adopted by the United Nations (UN) are central to the work of Amnesty International although the specific rights which it seeks to protect are found in the International Covenant on Civil and Political Rights. The organization recognizes that all human rights and freedoms are indivisible and interdependent and works to promote all the human rights enshrined in the above international instruments through human rights education programs and campaigning for ratification of human rights treaties. Amnesty International considers that the responsibility of the international community to protect the human rights of all people is of paramount importance in the deliberations and work of the Commission on Human Rights (the Commission).

This will be the first session of the Commission since the World Conference on Human Rights was held in Vienna in June 1993. Although key points from the Vienna Declaration and Programme of Action are currently under consideration in the General Assembly, other aspects should impact on the work on the Commission. In particular, Amnesty International hopes that the reaffirmation of the universal nature of all human rights and that their promotion and protection is a legitimate concern of the international community.

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community will be reflected in the debate at this session of the Commission.

One way in which states can demonstrate their commitment to the promotion and protection of human rights is by ratifying or acceding to international human rights treaties and doing so without limiting reservations, declarations or understandings which undermine the guarantees contained in the treaties and call into question the willingness of the state to comply fully with its international obligations under these treaties. Amnesty International believes that it essential that all members of the Commission ratify or accede to these standards as a matter of priority. The Commission, as a body, should ensure that, in line with the recommendations of the World Conference, the UN Secretary-General is contacting states that have not ratified or acceded to international human rights treaties, including the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women, which the World Conference recommended be universally ratified by 1995 and 2000 respectively.

International human rights standards should also serve as a guide in the debates of the Commission to ensure objective and impartial discussion of human rights violations wherever in the world they occur and whatever aspects of human rights - civil, cultural, economic, political or social - they concern. Amnesty International deeply regrets the highly politicized nature of some debates and hopes that all participants will focus on the urgent need for the Commission to act objectively to assist the victims of human rights violations. It hopes that members of the Commission will refrain from using procedural motions to attempt to curtail important debates. These motions are rarely based on substantial procedural points but are used by a small number of governments to try and ensure that the human rights situation in certain countries is not publicly discussed.

In October 1993 Amnesty International launched a world-wide campaign aimed at the eradication of political killings and "disappearances" which are, by their nature and scale, among the greatest threats to human rights in the world today. International human rights standards designed to prevent them are only effective if they are implemented. International mechanisms developed to investigate their occurrence only produce results if governments take their recommendations seriously. Amnesty International hopes that all participants in the forthcoming session of the Commission will be vocal in their condemnation of political killings and "disappearances", give their full support to the Commission mechanisms which are trying to halt these violations and look for new ways in which the international community can be effective in achieving their eradication.

THE WORLD CONFERENCE ON HUMAN RIGHTS

It is important that the Commission decide at its forthcoming session on how it will deal with the recommendation made by the World Conference that it should annually review progress towards the full and prompt implementation of the Vienna Declaration and Programme of Action. Although the agenda is already heavy, this will be an important part of the Commission's work from the 50th session and Amnesty International recommends that a new agenda item be established for this purpose. It further urges the Commission to request the UN Secretary-General to prepare progress reports annually, based on information from governments, intergovernmental organizations, specialized agencies and non-governmental organizations, on steps taken towards implementation for future sessions of the Commission. These reports would form the basis for the major report on the implementation of the World Conference recommendations which the Secretary-General has been requested to prepare for 1988, on the occasion of the 50th anniversary of the Universal Declaration of Human Rights.

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THE THEMATIC MECHANISMS

The thematic mechanisms which are particularly relevant to Amnesty International's concerns are those addressing "disappearances"; torture; extrajudicial, summary or arbitrary executions; arbitrary detention; religious intolerance; freedom of opinion and expression; and racism. The Vienna Declaration and Programme of Action underlined the importance of preserving and strengthening special procedures including the thematic mechanisms and asked all states to cooperate fully with them. It recommended that they be given sufficient resources and be enabled to hold periodic meetings to harmonize and rationalize their work.

During 1993 Amnesty International has submitted information to the Working Group on Enforced or Involuntary Disappearances on 34 countries including Colombia, Guatemala, India, Peru, Philippines, Tadjikistan, Turkey and Sri Lanka. The Working Group has made no visits during the year. Amnesty International has submitted information to the **Special Rapporteur on extrajudicial, summary or arbitrary executions** concerning 60 countries, including China, Colombia, Guatemala, Peru, South Africa, Turkey and the USA. The Special Rapporteur visited Peru and Rwanda in April 1993 and his report will be before the Commission. The **Special Rapporteur on torture** received no invitations to visit this year but Amnesty International submitted information on more than 70 countries including China, India, Indonesia/East Timor, South Korea, Sudan, Turkey and the former Yugoslavia. Amnesty International submitted information concerning some 60 countries to the Working Group on Arbitrary Detention including China, Malawi, Myanmar, Saudi Arabia and South Korea. Amnesty International also submitted information on human rights violations in the context of the right to freedom of religious belief to the Special Rapporteur on religious intolerance concerning Bangladesh, China, Greece, Iraq, Pakistan and Saudi Arabia.

At its last session, the Commission decided to appoint a Special Rapporteur on the promotion and protection of the rights to freedom of opinion and expression (Resolution 1993/45) and a Special Rapporteur on contemporary forms of racism, racial discrimination and xenophobia (Resolution 1993/20). Although the special rapporteurs were appointed, it appears that they have apparently been unable to start work because the Centre for Human Rights has insufficient resources to provide the necessary staff and other resources. The under-resourcing of the human rights program has apparently also constrained the work that all the thematic mechanisms have been able to undertake during the year.

Amnesty International welcomed Resolution 1993/47 encouraging governments to respond expeditiously to requests for information from the theme mechanisms and to consider inviting the thematic special rapporteurs or working groups to visit their country. The organization considers it is of particular importance that the Commission continues to make efforts to ensure that governments comply swiftly with recommendations made by the thematic mechanisms following on-site visits, that they extend full cooperation to Working Groups and Special Rapporteurs and make public steps that have already been taken.

Resolution 1993/47 also invited governments to study recommendations made by the thematic mechanisms and keep the relevant mechanisms informed about progress towards their implementation. Amnesty International believes that the Commission needs to give priority attention to this since there is currently no mechanism for regularly monitoring the implementation of these recommendations. It

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proposes that a new sub-item should be created under agenda item 10 to examine governments' progress towards implementation.

Resolution 1993/33 on human rights and forensic science asked the UN Secretary-General to draw up a list of forensic and other appropriate experts who could be requested to advise international human rights mechanisms, governments and the UN Centre for Human Rights on monitoring human rights violations and training local teams. Amnesty International hopes that this list, detailing the experience of the experts, will be made available as a priority as a resource for the thematic mechanisms and that the Commission will urge that all international investigations of extrajudicial executions and deaths in custody involve forensic and other appropriate experts.

COUNTRY SITUATIONS

Amnesty International looks to the Commission to respond impartially and effectively to situations involving serious human rights violations wherever they occur.

This section concerns country situations which are on the Commission's agenda under items 3, 4, 5 and 12, under the advisory services item (19 on the draft provisional agenda) or were the subject of statements made by the Chairperson at the last session. All of these, in Amnesty International's view, require the continued attention of the Commission, although in a few cases, it is encouraging to note some positive developments over the last year. In addition, information has been included on five other country situations - **Algeria, China including Tibet, Peru, Indonesia and Turkey** where the level of human rights violations is so severe and persistent as to warrant the prompt attention of the international community.

A number of the human rights violations described below are occurring in the context of political violence or internal armed conflict, situations where the protection of human rights confronts its greatest challenge. While Amnesty International is absolutely clear in its condemnation of abuses committed by opposition groups, it believes that governments bear a responsibility to ensure that internationally accepted human rights standards are respected at all times and under all circumstances. Situations involving armed conflict are noted in the paragraphs below where appropriate. Information on opposition abuses can be found in the fuller descriptions of country situations contained in the documents given in the appended list.

As with the thematic mechanisms, the work of the Commission's country mechanisms can only be effective if the governments concerned take serious note of their recommendations and demonstrate that they are, at least, attempting to implement them. One basic but important step that every government should take in response to a resolution from the Commission is to invite the appropriate country or thematic mechanisms to visit and carry out on-site investigations of the human rights situation. Amnesty International is pleased to note that the Governments of Afghanistan, El Salvador, Equatorial Guinea, Guatemala, Myanmar and Sudan have extended such invitations. It is concerned that other governments, those of Cuba, Iran and Iraq, continue to prevent the Special Rapporteurs/Representative from visiting their country and that the Government of Indonesia has not extended invitations to the thematic mechanisms to visit East Timor.

COUNTRIES UNDER AGENDA ITEMS 3, 4, 5 AND 12

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Afghanistan

Amnesty International remains gravely concerned about widespread human rights violations being committed in the context of the continuing civil war in Afghanistan. These include hundreds of deliberate and arbitrary killings perpetrated by all parties in the civil war, arbitrary detention and trials in Islamic Courts which fall below international standards for a fair trial. This situation has led to thousands of Afghan asylum seekers, including those opposed to the new political system, women who have been forced to give up their jobs because they are seen as having violated Islamic law by some Mujahideen groups, members of certain ethnic and religious minorities and unarmed civilians fleeing the country. Resolution 1993/66 urged all the parties to create conditions that would facilitate the return of refugees and the full enjoyment of human rights, but Amnesty International believes that in many cases Afghan asylum-seekers could become the target of serious human rights violations if forcibly returned. It hopes that the Commission will give careful attention to this issue.

Bougainville

Since the Papua New Guinea security forces returned to Bougainville in April 1991, there have been persistent reports of human rights violations including at least 60 extrajudicial executions and dozens of cases of torture including beatings, rape and other forms of sexual abuse. The victims have been suspected members or sympathizers of the armed secessionist Bougainville Revolutionary Army. The government has failed to permit international fact-finding missions access to carry out investigations, as Resolution 1993/76 urged, and has made no attempt to carry out investigations of its own. If this cycle of impunity is to be broken, the Commission should, at the least, urge the government to promptly invite the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on torture to conduct on-site investigations in Bougainville.

Cuba

In Cuba, political and human rights activists continue to be subjected to short-term detention and, in many cases, long-term imprisonment as a result of their activities. At least 500 prisoners of conscience are believed to be in detention and trials continue to fall short of internationally accepted standards. The death penalty remains in force for a large number of offences; four death sentences have been imposed in recent weeks. The government's non-cooperation with Commission recommendations contained in Resolution 1993/63 has hampered the monitoring of the situation. While regretting the politicization of this debate, Amnesty International believes that the Commission should urge the government to extend its cooperation, at the minimum, by ensuring access for the Special Rapporteur and by inviting the Working Group on arbitrary detention to visit.

East Timor

The Indonesian Government continues to face both armed and peaceful opposition in East Timor, which it has occupied since 1975. The UN does not recognize Indonesia's claim to sovereignty over the territory. The military authorities in East Timor continue to commit violations with impunity employing means such as extrajudicial execution, "disappearance", internal banishment, arbitrary detention and torture including rape. Trials also consistently fail to meet internationally accepted standards of fairness as has been demonstrated in the recent case of Xanana Gusmão who was prevented from presenting a full

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defence at his trial. Amnesty International welcomes the government's reaffirmation in September 1993 of the importance of implementing the recommendations contained in the statement agreed at the 48th session of the Commission in 1992. It hopes that the government will provide full information on the progress made on these points to the next session. Resolution 1993/97 reiterated some of these points, for example with regard to further investigation into the killings at Santa Cruz on 12 November 1991. It also contained some essentially practical recommendations in view of reports of continuing human rights violations which the Commission noted with deep concern. These included requests to the government to invite the thematic mechanisms dealing with torture, extrajudicial, summary and arbitrary executions, "disappearances" and arbitrary detention to visit East Timor; to implement the recommendations made by the Special Rapporteur on torture following his visit to Indonesia and East Timor in 1992; and to allow greater access by human rights and humanitarian organizations. Amnesty International calls on the Commission to give priority to ensuring the government's early and full implementation of these recommendations and any other measures that will be effective in halting human rights violations in East Timor.

El Salvador

For the second year in succession the Commission has to decide at the beginning of its session under which agenda item El Salvador will be considered. Resolution 1993/93 stated that El Salvador would be taken under the advisory services agenda item should there be an improvement in the human rights situation. Amnesty International welcomes reforms initiated by the peace accords between the government and the Farabundi Martí National Liberation Front (FMLN) and designed to establish mechanisms to investigate both past and current human rights violations. However, during 1993 Amnesty International has continued to receive reports of a pattern of political killings several of which have been attributed to shadowy "death squads", believed to be associated with sectors of the military and the ruling party. Many of the binding recommendations contained in the report of the UN-appointed Truth Commission issued in March 1993, including setting up an inquiry into the continuing activities of the "death squads", have yet to be complied with. The immediate official response to the report was the promulgation of a sweeping amnesty law which provides impunity for the perpetrators of killings, torture and "disappearances" which occurred during the civil war. Amnesty International believes that the Commission should maintain its scrutiny of the situation under agenda item 12 until the human rights agreements are fully implemented.

Equatorial Guinea

Long-term human rights violations persist in Equatorial Guinea, including arbitrary arrests, detention without trial, unfair trials and torture which in some cases has resulted in death. In one incident on Annobon island in August 1993, which also involved the arrest and ill-treatment of political opponents, at least two people were reportedly extrajudicially executed by a member of the Equatorial Guinean security forces. Despite the recommendation in Resolution 1993/69 for the government to end the use of military courts, which are neither independent nor impartial and use summary procedures which severely curtail the right to an adequate defence, as well as to implement previous recommendations of the Independent Expert, no changes have occurred. The Commission should call for a detailed government response to points made in the Special Rapporteur's report and impress on the government the need for it to show a clear commitment to ending human rights violations.

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Guatemala

For the fourth successive year, the Commission must decide on the agenda item under which it will discuss Guatemala. Resolution 1993/88 says that this decision will be taken in the light of specific and significant measures to be taken by the government, as assessed by the Independent Expert whose appointment was announced this month. The human rights situation in Guatemala, which is characterized by the continued occurrence of torture, extrajudicial executions and "disappearances", has been of serious concern to Amnesty International for many years. Although the overall numbers of "disappearances" and extrajudicial executions have decreased in 1993, Amnesty International is concerned that the methods used and the types of victims remain virtually the same as in the past. Victims continue to include human rights monitors, journalists, trade unionists, students and academics, as well as peasants opposed to civil patrol service, the displaced and street children. Furthermore, Amnesty International has documented a marked increase in abuses such as death threats, intimidation and harassment. The new government in Guatemala, which has been in place since June 1993, has promised to protect human rights but it has yet to implement effective measures to end violations and bring those responsible for extrajudicial executions and "disappearances" to justice. In view of these circumstances, Amnesty International urges the Commission to give serious consideration to discussing the situation in Guatemala under agenda item 12.

Haiti

The terms of the agreement signed on 3 July 1993 between deposed President Jean-Bertrand Aristide and Raoul Cédras, Commander in Chief of the Haitian Armed Forces, included guarantees for the promotion and respect of human rights. However, the agreement now appears to be disintegrating with one of its key elements - the return of President Aristide to Haiti on 30 October 1993 - as yet unfulfilled. The incidence of human rights violations has increased significantly since the agreement was signed, and particularly in recent months leading to the suspension of the UN/OAS human rights monitoring operation. Amnesty International has received reports that between 3 July and 1 November 1993, as many as 200 people may have been extrajudicially executed by armed civilian auxiliaries to the security forces, known as *attachés*. Incidents of torture, arbitrary arrest, ill-treatment and threats also appear to have increased, many of them directed at journalists attempting to report human rights violations or at those expressing support for President Aristide's return. Resolution 1993/68 condemned the continuing seriousness of the human rights situation and stressed the importance of continued cooperation between the Special Rapporteur and the internal civilian observer mission of the UN and the Organization of American States to monitor the observance of human rights in the country. Following the withdrawal of the UN/OAS observers in October 1993, the danger of unchecked human rights violations has increased. In view of the current instability in Haiti and the high level of political violence in the country, Amnesty International urges the Commission to maintain its scrutiny of the situation under agenda item 12.

Iran

Serious human rights violations continue in Iran. These include long-term political imprisonment after unfair trials, the widespread use of torture and the death penalty, while killings of opposition activists outside Iran appear to have increased during 1993. The government continues to deny access to the country by the Special Representative and non-governmental organizations including Amnesty International and is still failing to implement the recommendations made by the Special Representative, as the Commission noted in Resolution 1993/62. In July 1993, the UN Human Rights Committee,

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completing its consideration of Iran's second periodic report, adopted comments deploring the extremely high number of death sentences and executions, many after unfair trials, and expressing its concerns about the many extrajudicial executions, "disappearances", torture and other human rights violations. Many of the Committee's conclusions, suggestions and recommendations, are entirely consistent with Amnesty International's own recommendations first proposed in 1986 and made public in 1987. It is imperative that the Commission urge the government to allow access to the country by its Special Representative and take concrete steps to implement these recommendations.

Iraq

The situation of gross human rights violations in Iraq continues to give rise to the gravest concerns. Numerous extrajudicial executions were carried out in the southern marshes throughout 1993 as government forces continued to implement a policy of deliberately targeting non-combatant civilians in their efforts to secure control of the area. Since attacks intensified in July 1993 more than 6,000 Shi'a Muslims have fled to Iran. Several thousand people from Iraq's southern cities and towns, as well as the marshes, were the victims of arbitrary arrest. Hundreds of detainees were reportedly executed inside prisons, among them the notorious garrison of al-Radwaniyya south of Baghdad where death under torture and mass executions are commonplace. In August and September 1993, scores of bodies of executed detainees were returned to their families in al-'Amara, Basra, Baghdad and other places; in some cases the bodies had been severely mutilated. Also in August 1993, scores of prominent people including retired army officers, economists, lawyers and former government officials, mostly Sunni Arabs, were reportedly detained. Amnesty International remains concerned for their lives, as it has been for hundreds of others who have "disappeared" in custody, including more than 100 Shi'a clerics and students arrested in 1991. Several hundred Kuwaitis remain in detention since the Gulf War and other foreign nationals are still imprisoned. The fate of some 200,000 Kurds, Arabs and others who "disappeared" during the 1980s has still to be resolved. The severity of the situation was recognized in Resolution 1993/74, which made a number of recommendations aimed at curbing continuing violations, including the provision of human rights monitors in locations that would facilitate information flow about the situation, a proposal which had already been welcomed by the UN General Assembly in 1992. The UN Secretary-General was asked to provide additional resources to fund this proposal. Amnesty International deeply regrets that the monitors have still not been deployed. It still believes this is an essential step that must be promptly implemented to assist the Special Rapporteur in carrying out his most difficult mandate.

Israeli-Occupied Territories

Under Resolution 1993/2, the Commission appointed a Special Rapporteur with a mandate to investigate the violation of human rights in the occupied Arab territories, including Palestine. Following the signing of the Declaration of Principles on Interim Self-Government Arrangements by the Israeli Government and the Palestine Liberation Organization (PLO) on 13 September 1993, which failed to refer to human rights, Amnesty International appealed to both parties to fully implement international human rights standards in the context of the agreement. It reiterated its concerns about human rights violations committed by both sides. In the case of the Israeli authorities, these include the detention or imprisonment of prisoners of conscience, specifically those accused solely of membership of Palestinian organizations, the continuing use of administrative detention, torture and ill-treatment, killings of Palestinian civilians, deportations and the destruction of houses. In the light of the long-time occurrence of human rights violations on a large

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scale in the Occupied Territories Amnesty International would urge the Commission to maintain its scrutiny of the situation, and to call for both parties to the peace agreement to demonstrate a lasting commitment to respecting human rights.

Myanmar

The State Law and Order Restoration Council (SLORC), the ruling military authority of Myanmar, continues to commit grave human rights violations with impunity. Hundreds of political prisoners remain imprisoned including Aung San Sui Kyi who will have been detained for five years in July 1994. Many have been convicted in unfair trials and violations persist throughout the country. These include arbitrary detention of civilians to serve as military porters, torture, rape and extrajudicial executions, particularly aimed at ethnic minority groups. Amnesty International has welcomed some positive developments over the year, including the release of some 2,000 political prisoners, but remains concerned that the government has failed to implement the recommendations contained in Resolution 1993/73. The degree and scope of violations continue to warrant serious concern and it is imperative that the Commission maintain the mandate of the Special Rapporteur and urge the government to restore respect for human rights by implementing all the recommendations contained in Resolution 1993/73.

South Africa

Serious human rights violations continue to occur, including arbitrary arrests, widespread torture and politically-motivated assaults and killings by the army and police. Among other points, Resolution 1993/9 called upon the South African authorities to exercise effectively their responsibility to maintain law and order and to stop the violence. Although the government ratified the Convention against Torture on 21 January 1993, other measures taken in line with the resolution remain inadequate. The state's failure for the most part to bring to justice those responsible for human rights violations underscores the importance of the immediate establishment of independent judicial investigations to bring the perpetrators to justice, and the need to hold all members of the security forces fully accountable for their actions. Amnesty International calls on the Commission to urge the government during this transitional phase to take prompt action to institute these reforms.

Sudan

Amnesty International welcomed the transfer of consideration of the situation in Sudan to the public agenda at the last session of the Commission under Resolution 1993/60. The resolution called for the appointment of a Special Rapporteur and expressed the Commission's deep concern at serious human rights violations in Sudan including summary executions, detention without due process and torture. During 1993 Amnesty International has continued to document very serious violations of human rights in the context of the government's repression of political opposition in areas affected by civil war. In northern Sudan non-violent opponents of the government continue to be detained without charge or trial in secret detention centres from where there are persistent reports of torture. In the war zones Amnesty International is concerned that all parties are using deliberate assaults on civilians as a tactic integral to the fighting. There are reports of extrajudicial executions by government forces in the Nuba mountains and southern Sudan. Government created militias, known as Popular Defence Forces (PDF), have been responsible for the abduction of children. Amnesty International believes that the Commission should strongly urge the government to demonstrate its commitment under international human rights treaties

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and standards to provide for the effective protection of human rights and reiterate its call to all parties to the conflict to abide by the provisions of the Geneva Conventions.

Togo

While the last Commission was in session the human rights situation in Togo dramatically worsened, and reports of widespread killings contributed to the adoption of a resolution under item 12 on this country for the first time. Resolution 1993/75 deplored the violence perpetrated against peaceful demonstrators by the armed forces and called for necessary measures to be taken to create conditions conducive to the safe return of refugees to the country, and for guarantees of security for all Togolese, including political opponents. Evidence received by Amnesty International indicates that the policy of impunity for human rights violators, including those responsible for political killings, torture, arbitrary arrest and detention without charge or trial, has continued throughout 1993, despite the holding of presidential elections in September, and has led to a further upsurge in the number of killings by the security forces. Amnesty International believes that the Commission should urge the government to halt human rights violations by addressing the problem of impunity and act promptly to bring those responsible to justice.

The former Yugoslavia

The situation in the former Yugoslavia continues to challenge the international community to find ways of preventing gross and widespread violations of human rights. Amnesty International's current concerns include the safety of Muslims and Croats remaining in Banja Luka and other Serbian-controlled areas of **Bosnia-Herzegovina** who are at serious risk of torture, ill-treatment, rape and arbitrary killings. Deliberate and arbitrary killings of civilians by both Bosnian-Croat and Bosnian Government forces in central Bosnia have been reported. Substantial numbers of Muslims remain in detention in the Mostar area which has been the scene of continual hostilities between Bosnian Croat and Bosnian Government forces since May 1993. Large numbers of Muslim and Croat refugees leaving Serbian-controlled northwestern Bosnia have effectively been forcibly expelled.

Amnesty International continues to receive almost daily reports of the torture and ill-treatment of ethnic Albanians in **Kosovo** in police stations or on the streets by the largely Serbian police force and Serbs, notably political opponents of the government, have also been victims of police brutality. Defendants in current political trials may not receive a fair trial. Ethnic Albanians from Kosovo returning from the former Yugoslav Republic of Macedonia may be at risk of forcible return to the Federal Republic of Yugoslavia (FRY).

The Commission must ensure that its very practical recommendations made in Resolution 1993/7 are implemented regarding a strong international presence to monitor and protect human rights in the FRY, particularly in Kosovo, Sandžak and Vojvodina. The Special Rapporteur must be able to base staff in the FRY to enable him to fulfil his mandate. The Commission must work towards the return of an international monitoring presence in Kosovo, Sandžak and Vojvodina including the establishment of a UN observer mission, as recommended last year, and the return of the long-term mission established by the Conference on Security and Cooperation in Europe (CSCE) which was forced by the FRY government to leave in July 1993.

The Commission has also consistently emphasized that individuals who commit violations of human right

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or humanitarian law must be brought to justice. Now that the ad hoc international war crimes tribunal for the former Yugoslavia has been established, the Commission has a continuing role in encouraging the Security Council to take measures to give adequate political and financial backing for the tribunal's work so that perpetrators are brought to justice quickly, justly and fairly.

Zaire

In Zaire the pattern of human rights violations, which escalated in early 1990 after opposition parties were legalized and some political reforms introduced, has continued during 1993. As described in Resolution 1993/61, these violations include arbitrary detention, torture, extrajudicial executions, "disappearances" and discriminatory measures against members of minorities. To date, President Mobutu and his allies have taken no steps to prevent these violations but, rather, has encouraged or condoned them. The resolution recommended that its thematic mechanisms keep a close watch on the situation. Amnesty International believes that the Commission should, as a priority, strongly urge the government to extend invitations to all the thematic mechanisms to visit the country in time for them to prepare reports and recommendations for consideration at the 1995 session of the Commission.

COUNTRIES UNDER THE ADVISORY SERVICES ITEM

Amnesty International notes that the countries below offer some interesting possibilities for the development of the advisory services program. Two of the countries, Albania and Romania, have been transferred to this item after major changes in government and to the human rights situation. Two others, Cambodia and Somalia, have been through situations of major armed conflict which have been or are the subject of wider UN intervention. It may well be that the Commission, through advisory services, has a practical and important role to build institutions for the promotion and protection of human rights in such situations, but it must ensure that these programs are well coordinated with other UN operations which should themselves have human rights considerations as a priority component. The resolution on Georgia set an interesting precedent by requesting an evaluation of the need for technical assistance which Amnesty International considers might well be used in other cases.

Amnesty International believes that there must be well-attested information to show that a government has the clear intention to use assistance as part of a program to effect real and measurable advances in law and in practice to the protection and promotion of human rights before mandating the provision of advisory services. Advisory services should never be used to avoid scrutiny of a particular country situation by the Commission.

Albania

Incidents of police violence in Albania have increased with beatings of peaceful demonstrators and the indiscriminate ill-treatment of both violent and non-violent protesters during clashes. Although police officers have been charged with causing three deaths in 1993, they have yet to be tried. Amnesty International remains concerned about the detention of 15 prisoners of conscience and the use the death penalty, with at least two executions during 1993. Resolution 1993/65 called for the government to continue adopting legislative and administrative reforms related to the protection of human rights. Amnesty International considers that the Commission should carefully review the progress that has been

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made and urge the government to take further steps through the technical cooperation program to end human rights violations, particularly with regard to the conduct of the police.

Cambodia

The new government which came to power in Cambodia in September 1993 has inherited a fragile peace and a legacy of gross human rights violations. Above all, there is an urgent need for the provision of an independent judiciary and a properly trained and regulated police force. The new constitution, promulgated in September 1993, contains welcome references to international human rights standards but lacks specific measures committing the government to provide protection for vulnerable groups, particularly ethnic minorities. Resolution 1993/6 recognised the need for a continued UN presence in Cambodia after the withdrawal of the UN Transitional Authority in Cambodia (UNTAC) by providing advisory services and a special representative whose mandate included maintaining contacts with the government and people. It is regrettable that no appointment has yet been made to this post. It is essential that the Commission takes every step to ensure that adequate resources are made available for monitoring the situation and for providing assistance, which should have as its priority training for the judiciary and police.

Georgia

Human rights violations committed by both parties to the armed conflict have occurred in Abkhazia in the north-west of Georgia. Violations by government forces have included the arbitrary arrest of non-combatants, often solely because of their ethnic origin, beatings, torture including the ill-treatment and rape of detainees, and extrajudicial executions, mainly between August and November 1992. Resolution 1993/85 urged the government and the authorities in Abkhazia to ensure that human rights and fundamental freedoms are fully respected and mandated an evaluation of the need for advisory services in implementing international human rights standards. Amnesty International hopes that the Commission, in its consideration of the evaluation, will take into account the need for the government to develop mechanisms for the independent investigation of past violations, as well as developing institutions to prevent their further occurrence. The Commission should closely coordinate its initiative with the Conference on Security and Cooperation in Europe (CSCE) which has a mission of long duration already working in the country.

Romania

It has been reported that police officers and soldiers of the armed forces continue to torture and ill-treat detainees. Members of ethnic minorities are particularly vulnerable. Others have been imprisoned for their homosexuality, restrictions remain on freedom of expression and trials continue to fall short of international standards. In November 1993, the UN Human Rights Committee concluded its examination of Romania's third periodic report and expressed its concern about police failure to inform detainees of their rights, failure to investigate reports of ill-treatment and bring those responsible to justice and the lack of an independent judiciary. Resolution 1993/72 urged the government to continue their efforts to ensure respect for human rights in law and in practice but reforms relating to the judiciary and the police forces remain inadequate. For example, although police were present at the public lynching of three Roma on 20 September 1993, no action has been taken to bring the perpetrators to justice. Amnesty International considers that the Commission should carefully review what progress has been made and

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urge the government to take further steps through the advisory services program to end human rights violations, including those affecting ethnic minorities.

Somalia

Gross and widespread human rights abuses have been committed in Somalia by several of the armed groups which emerged in January 1991 at the end of the brutal 21-year dictatorship of President Mohamed Siad Barre. The UN peace-building operation UNOSOM II, commencing in May 1993, has aimed at restoring peace and helping rebuild the country, including the law enforcement system. The Commission's contribution to this process, contained in Resolution 1993/86, included the appointment of an Independent Expert whom the UN Secretary-General later proposed should act as an ombudsman on human rights, but he has not been able to travel to Somalia or elsewhere to develop these mandates. In September 1993, the Security Council approved the establishment of a human rights office in UNOSOM II, which was also recommended in the resolution, but no information is available about whether it has been set up. It is still of the utmost importance that all the human rights components of the UN operation are fully coordinated and directed at building a human rights infrastructure that will prove effective in preventing the recurrence of human rights abuse. A further development during the year which has caused concern has been reports of incommunicado detention without charge and the possibly unlawful use of lethal force by UN troops in Somalia. Amnesty International believes that the potential for the UN to end human rights abuse in Somalia will be gravely undermined if its troops act in breach of international human rights and humanitarian law and has urged the UN and the countries concerned to investigate these reports.

COUNTRIES RAISED IN STATEMENTS BY THE CHAIRPERSON

Statements by the Chairperson of the Commission may be a useful device for recording a consensus opinion about a country situation but they lack the authority of a resolution. If attention is needed to a particular situation over a number of years, the Commission should record its concerns in a resolution. In some cases, members of the Commission may feel that there is not an appropriate agenda item for a resolution if item 12 is regarded as too stringent and the advisory services item inappropriate for situations where the provision of assistance is not the main aim. However, at its last session, the Commission showed considerable flexibility in the formulation of resolutions under item 12 which could be further developed. An alternative for those countries where the Commission's priority is the implementation of recommendations made by the thematic mechanisms is a new sub-item to agenda item 10, as proposed above in the section on the thematic mechanisms (see page 4).

Sri Lanka

At the last session of the Commission, for the second successive year, the Chairperson made a statement which reflected the Sri Lankan Government's stated intention to review and revise the emergency legislation relating to arrest and detention and to undertake the prosecution of those found responsible for "disappearances" and other human rights violations in the country. This commitment was restated by the government at the Sub-Commission on Prevention of Discrimination and Protection of Minorities in August 1993. Although the number of "disappearances" and killings reported during 1993 has reduced, the full range of human rights safeguards promised by the government have not been put in place and there has been a significant upsurge in the instances of arbitrary arrest of members of the Tamil

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community in the capital Colombo and its suburbs since June 1993. In the latest wave of arrests by the security forces, starting on 15 October, thousands of Tamil people have been arbitrarily detained, apparently in connection with investigations into the assassinations of opposition leader Lalith Athulathmudali and President Ranasinghe Premadasa on 23 April and 1 May respectively. The government has consistently failed to effectively prosecute members of the security forces responsible for human rights violations in Sri Lanka and impunity remains a serious problem. Amnesty International believes that the slow progress being made by the government in implementing recommendations from the Working Group on Enforced or Involuntary Disappearances after two visits to Sri Lanka warrants priority attention by the Commission. The Commission should call on the government to demonstrate its commitment to safeguarding human rights by implementing without delay these recommendations. Amnesty International considers that this could be done under a new sub-item to agenda item 10.

Tadzhikistan

The statement of the Chairperson expressed concern at reports of human rights violations during the armed conflict in Tadzhikistan and called on all parties to respect the human rights of the Tadzhik people. Since the current government came to power in November 1992, Amnesty International has continued to receive reports of human rights violations including extrajudicial executions and "disappearances" being committed by law enforcement officials or paramilitary forces acting with apparent government complicity against people identified with the opposition parties and movements in Tadzhikistan. Some opposition activists are currently in pre-trial detention while others have already been tried and sentenced. Amnesty International is concerned that some of these people may be detained solely for the non-violent exercise of their right to freedom of opinion, and that others have been tortured or sentenced to death. Amnesty International believes that the Commission should take more concrete steps under item 12 of its agenda to address the situation of human rights in Tadzhikistan. These should include urging the government to instigate full and impartial investigations of instances of human rights violations, to publicly disclose the results of any investigations and to invite relevant theme mechanisms of the Commission to visit the country.

OTHER COUNTRY SITUATIONS

Amnesty International wishes to draw to the attention of governments the severe and persistent violations of human rights in the countries described below. It urges the Commission to give priority consideration to instituting scrutiny of these situations at its next session.

Algeria

Political violence in Algeria has escalated during 1993, especially after the government indefinitely renewed the state of emergency in February. In its attempts to contain armed Islamist opposition groups, the government has taken steps which have resulted in serious violations of human rights. These include persistent reports of extrajudicial executions in which the security forces are alleged to have killed opposition militants who pose no threat to their lives, for example, because they had already surrendered or been wounded. Unarmed civilians, including suspected sympathizers of opposition groups, have reportedly been shot dead at home or in the street by members of the security forces. Torture, which had been virtually eliminated, is now used systematically during illegally prolonged incommunicado detention. At least nine people are believed to have died in custody this year as a result of torture.

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In addition, an anti-terrorism decree promulgated in September 1992 defines terrorist offences in such broad terms that it is unclear what conduct is prohibited. It established special courts which are unfair at every stage of the proceedings. Judges have often accepted as evidence confessions which defendants have alleged in court were extracted by torture. Lawyers have received only limited and delayed access to their clients' files and their requests for investigation into torture allegations have been ignored. Detainees do not have full rights to defence and appeal. In the first 10 months of 1993, more than 300 people have been sentenced to death and thousands to heavy terms of imprisonment. Twenty-six people have been executed, the first executions since 1989. In view of all these concerns, Amnesty International asks the Commission to give priority attention to urge the government to bring its law and practice into conformity with international human rights standards and halt this serious deterioration in the human rights situation.

China including Tibet

At its last session, a draft resolution calling on the Government of China to take measures to ensure the observance of human rights and to improve the administration of justice was not discussed after the representative of China moved a procedural motion to take no action which was adopted by 22 votes to 17 with 12 abstentions. Amnesty International regrets that the debate was curtailed in this way and that the Commission did not adopt the draft resolution, even though the text barely conveyed the severity of human rights violations in China including Tibet.

More than four years after the suppression of the 1989 pro-democracy protests in Beijing, human rights violations continue unabated. Thousands of political prisoners, many detained solely for the peaceful expression of their political or religious views, remain in jail. Hundreds of arbitrary arrests have been carried out over the last year and shocking accounts of torture in police custody continue to emerge. Unfair trials are still the norm and the police continue to use administrative detention to hold political suspects without charge, in violation of Chinese law. A series of major political trials of at least 30 political activists, secretly arrested in 1992 and believed to be held illegally without charge for about a year, are due to take place before the end of 1993 in Beijing and other cities. In the first six months of 1993, Amnesty International recorded the imposition of 804 death sentences, including 392 confirmed executions, many imposed for economic and other non-violent crimes.

Human rights violations also continue in Tibet. Over 100 Tibetans have been detained since April 1993, including a tourist guide and a Buddhist monk arrested in May, just before a visit of representatives of the European Community. The tourist guide was apparently planning to pass on information about human rights violations in Tibet to the delegation. Amnesty International urges the Commission to give priority to identifying steps that the international community can take to prevent the continuing incidence of human rights violations in China including Tibet.

Indonesia

Severe violations of human rights in East Timor, of which the Commission has taken account (see page 7) are replicated in Indonesia. The Indonesian security forces have been responsible for a similar pattern of unlawful killings, arbitrary arrest, torture, "disappearance" and imprisonment after unfair trials, often for no more than the peaceful expression of opinions or religious views. For example, an estimated 300 Islamic teachers, among them at least 50 imprisoned since the mid-1980s solely for their religious

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opinions, are serving long prison sentences for advocating stricter adherence to Islamic precepts and protesting the subordination of Islamic religious beliefs to the state ideology Pancasila. An estimated 2,000 civilians, including children and the elderly have been unlawfully killed and at least 1,000 people arbitrarily detained in Aceh, northern Sumatra since 1989 in the context of the counter-insurgency operations. In September 1993, four villagers were killed on the island of Madura, eastern Java, by security forces during a peaceful protest against the building of a dam which will result in the flooding of four villages.

Although in recent years the government has taken some positive steps, for example by allowing more open debate on human rights issues, the structures, policies and attitudes which cause grave human rights violations and have contributed to their institutionalization remain largely unchanged. The government, particularly the military command which constitutes its political core, has made it clear that basic human rights will be subordinated to national security, stability and economic development. Unchecked by domestic legal or political mechanisms, the security forces have continued to act with impunity. Amnesty International believes that it is time for the Commission to give priority to bringing a halt to these violations.

Peru

In Peru the government's efforts to contain attempts by the armed opposition to violently overthrow the state have resulted in a pattern of systematic human rights violations, although the pattern changed after constitutional rule was suspended in April 1992. In contrast to previous years, Amnesty International has noted a reduction in the reported number of "disappearances" and extrajudicial executions. However, figures reported to the organization for January to October 1993 - 30 unclarified "disappearances" and 32 extrajudicial executions - are far short of the government's stated aim of abolishing these crimes. In addition, the government has yet to ensure the thorough and independent investigation of at least 4,000 such cases documented since 1983.

A new pattern of systematic human rights violations emerged in 1992. At least 5,000 prisoners have been tried or await trial under judicial procedures which flagrantly violate international standards. Wide-ranging decrees introduced in 1993 broadened the definition of terrorism-related crimes, granted the police virtually unlimited pre-trial powers, accelerated trial procedures and significantly lengthened sentences. Trial procedures established under these decrees include military judges hearing civilian cases, although they are not known to receive formal and accredited legal training for such cases. Trials are held in secret, police and military personnel involved in the detention and questioning of suspects may not be called as witnesses and until November 1993 habeas corpus petitions were prohibited. The broad wording of the legislation has led to the unjustified arrest of hundreds of people who do not appear to have any links whatsoever to the armed opposition. In addition, the 1993 Constitution extended the scope of the death penalty to include "the crime of treason.. and of terrorism" and opened the way for capital punishment to be applied following trial procedures which are a travesty of international standards. Amnesty International firmly believes that priority attention to human rights violations in Peru by the international community is long overdue, and essential to end the pattern of impunity which has characterized the situation for so many years.

Turkey

The systematic and widespread use of torture and the arrest and imprisonment of political activists solely for the non-violent expression of their opinions have been long-term concerns in Turkey. In November 1993, the UN Committee against Torture published a statement on the results of its inquiry into torture in Turkey under article 20 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in which it said that "the existence of systematic torture in Turkey cannot be denied".

Since late 1991 the situation has seriously deteriorated. More than 500 political killings, an unprecedented number, have occurred, as well as an increased number of "disappearances". A series of more than 50 alleged political killings by police have occurred in the cities of western Turkey during raids on "safe houses" of the urban guerilla organization, Devrimci Sol. Most killings, however, have taken place in the southeastern provinces where fighting continues between security forces and Kurdish guerrillas belonging to the Kurdish Workers' Party (PKK).

Many of these victims have apparently been targeted simply because they are known to be critical of government policies. Indeed, the killings and "disappearances" appear to be a systematic campaign to eliminate those openly working for Kurdish rights through legal channels as well as people who may have links to the PKK and the government has allowed the conflict with the PKK to become an excuse for the armed forces to act with impunity. In some cases the evidence has shown direct security force responsibility. In others, circumstantial evidence suggests that the security forces carried out or instigated the killings, or possibly acted with the passive or active collusion of other parts of the state system. Both central and local authorities regularly deny any official involvement in the killings, yet prosecutors' investigations are in most cases perfunctory and thorough, independent investigations to identify the perpetrators have never been carried out. Amnesty International calls on the Commission to give priority attention to the human rights situation in Turkey.

ADVISORY SERVICES AND TECHNICAL ASSISTANCE

Amnesty International has welcomed positive improvements to the functioning of the advisory services and technical assistance programs, particularly in the formulation of projects. It hopes that the report of the UN Secretary-General to the next session of the Commission will show continued progress and greater transparency in the formulation, implementation and evaluation of projects.

The advisory services program is mandated by the Commission and funded under the UN's regular budget while technical assistance programs are administered by the UN Centre for Human Rights and financed from the Voluntary Fund for Technical Cooperation, in respect of which Resolution 1993/87 requested a Board of Trustees to be appointed. The Vienna Declaration and Programme of Action stressed the need for the strengthening of these programs to provide assistance on specific human rights issues to governments on their request.

However, Amnesty International firmly believes that there must be well-attested information to show that the government concerned has a clear commitment to using advisory services or technical cooperation as part of a program to effect real and measurable changes in law and practice for the promotion and

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protection of human rights before any projects are started. A thorough analysis and needs assessment of the human rights situation in the recipient country should be carried out by someone with appropriate expertise as a first step. It is important that all projects are aimed at improving the protection and promotion of human rights throughout society and not designed simply to provide assistance to the government. Projects should involve non-governmental actors at all stages in their design, implementation and evaluation and should continue the current emphasis on legal protection, strengthening the independence of the judiciary and the capacity of national and regional institutions to protect and promote human rights.

The methodology of the assessment, the choice and implementation of the project and its evaluation should comply with methods and criteria developed by the Centre for Human Rights and be made public. All personnel should have appropriate expertise and be fully trained and resourced. In the case of advisory services projects, the needs assessment report and information evaluating its implementation at each stage should be made available to the Commission.

The Centre for Human Rights should be given adequate resources, including staff and information storage and retrieval facilities, to carry out projects to a high standard. It is also important that adequate funding is available, from the regular budget or the Voluntary Fund, to enable the Centre to develop the program to a scale where it can have a discernable impact on the promotion and protection of human rights. The Centre should continue to develop cooperation with the specialized agencies and other UN activities, including peace-keeping operations, to maximize available resources and expertise.

INTERNATIONAL HUMAN RIGHTS STANDARDS

Human Rights Defenders

The Vienna Declaration and Programme of Action recommended the speedy adoption of the draft Declaration on the rights and responsibilities of individuals, groups and organs of society to promote and protect universally-recognized human rights and fundamental freedoms, commonly referred to as the "Declaration on human rights defenders". The Commission's Working Group completed its second reading of the text in 1993 and it will be considered again at the pre-session meeting of the Working Group in January 1994. Amnesty International has followed, and participated in, the Working Group's meetings and has made several proposals regarding outstanding elements in the text. It wishes to ensure that the final text firmly reflects the right of those involved in human rights work to draw public attention to relevant issues concerning the promotion and protection of human rights at the national and international level. In addition, Amnesty International has proposed a clear statement in the text concerning the right for international trial observers to attend trials, which would be additional to the right to observe such proceedings at the national level. In view of the importance of establishing a mechanism reflecting the international community's support of the work of human rights defenders in all parts of the world, Amnesty International hopes that the Commission will do all it can to ensure that the draft Declaration is adopted at this session and transmitted to higher bodies of the UN for final adoption.

The draft Optional Protocol to the Convention against Torture

A Working Group to examine the question of a draft Optional Protocol to the Convention against Torture was established by Commission Resolution 1992/43. The Working Group has since met twice, in October

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1992 and October 1993, to consider the draft. This year's session began an article-by-article reading of the draft text and reached agreement where possible on the text of Articles 1 to 7. The main issues considered were the description of the purpose of the instrument and the principles of confidentiality and impartiality which guide the relationship between the proposed Sub-Committee and States Parties; qualifications of members of the proposed Sub-Committee; the method of electing the members; the relationship between the proposed Sub-Committee and the Committee against Torture; and the relationship between the proposed Sub-Committee and any similar regional system.

At its next session, the Working Group should be able to complete the first reading of the draft text and possibly begin the second reading. Amnesty International calls on the Commission to request the Working Group to meet again for two weeks prior to the 1995 session of the Commission to continue its examination of the draft, with a view to the early adoption of an agreed text.

HUMAN RIGHTS AND MASS EXODUSES

Following Resolution 1993/70, this issue will be examined under a new sub-item to agenda item 11, entitled "Human rights, mass exoduses and the displaced". Amnesty International had called on the Commission at its last session to establish a separate agenda item to consider human rights and mass exodus, through which it would be able to address more effectively human rights violations which cause refugees to flee their homes. During 1993 Amnesty International has continued to document serious and widespread human rights violations in many countries from which large numbers of people have fled and are currently seeking protection elsewhere. The organization believes that many of the most pressing refugee situations currently facing the international community have arisen as a direct consequence of such violations. For example, the Burundi army's assassination of the head of state in October, triggering inter-ethnic killings and massacres of civilians by the army, provoked the exodus of three-quarters of a million people from the country in a matter of weeks. The record of killings and massacres in Burundi should have alerted the international community. In other cases, while there may not have been a sudden mass exodus of refugees across an immediately adjacent frontier, Amnesty International is aware that several thousands of people have left their country over a period of time and sought asylum in other states. Elsewhere, human rights violations are contributing to large numbers of internally displaced persons who might eventually be forced to flee across an international frontier. Amnesty International believes that the Commission has not yet addressed this issue satisfactorily and would urge it to give careful attention to establishing concrete measures to address human rights violations which contribute to refugee movements. At a minimum, such measures should include taking up, as a matter of priority, country situations which are not yet on the Commission's agenda where serious human rights violations are leading to refugee flows. In accordance with Resolution 1993/70, Amnesty International submitted a number of documents to the UN Secretary-General for the preparation of his report under this item. These described the situation in Afghanistan, China, Colombia, Indonesia, Peru, Sri Lanka, Sudan, Tadjikistan, Tunisia, Turkey and Zaire, countries where the Commission should take effective measures to address the human rights violations contributing to refugee movements and displacement.

With regard to the internally displaced, the Commission should ensure that the mandate of the Secretary-General's Special Rapporteur extends to addressing human rights violations contributing to displacement, and that his mandate is secure and treated as a regular thematic mechanism of the Commission.

WOMEN

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Steps that were taken at the last session of the Commission to give greater attention to human rights violations against women have been expanded and reinforced in the Vienna Declaration and Programme of Action which stated that the enjoyment of full and equal human rights by women should be a priority for governments and the UN and encouraged the integration of objectives and goals relating to women between all relevant UN bodies. It also welcomed the Commission's decision in Resolution 1993/46 to consider appointing a special rapporteur on violence against women at its 50th session.

The issue of violence against women has received considerable attention over the last year from the two UN bodies primarily concerned with women's issues, the Commission on the Status of Women and the Committee on the Elimination of Discrimination against Women. In addition, the UN General Assembly is expected to adopt at its current session the draft Declaration on the elimination of violence against women which calls on governments to take steps to prevent, investigate and punish acts of violence against women, whether these acts are perpetrated by individuals or the state and to develop preventative measures of a legal, political, administrative and cultural nature that would promote the protection of women against any form of violence. Amnesty International believes that all these are important steps in bringing much needed attention to human rights violations against women. During the last six months alone, the organization has taken action to stop human rights violations under all aspects of its mandate against women in 50 countries in all regions of the world.

Amnesty International strongly supports the creation of a Special Rapporteur to address issues relating to the human rights of women. It urges the Commission to take this step at its 50th session and to do all it can to ensure that the Special Rapporteur can start work at the earliest date. The Special Rapporteur should give attention to, but should not have her mandate restricted to, an examination of violence against women. The Commission should call on the Special Rapporteur to integrate her work with the Commission on the Status of Women and she should be given the human and financial resources to do this, particularly in connection with the preparations for the Fourth World Conference on Women, to be held in Beijing, China, in 1995. The Special Rapporteur should also be urged to give particular attention to encouraging all states to promptly implement the Declaration on the elimination of violence against women when it has been adopted by the General Assembly.

However, the creation of a Special Rapporteur is not, by itself, a sufficient response by the Commission to the recommendations of the World Conference. It is also important, for example, that all the Commission's country and thematic mechanisms take much greater account of the characteristics and practice of human rights violations that are specific to or primarily directed against women or to which women are particularly vulnerable. This should go further than the request in Resolution 1993/47 for the thematic mechanisms to include gender-disaggregated data in their reports. On-site visits should include delegates with expertise in women's issues, who should preferably be women, as full members of the delegation and, wherever possible, use female interpreters to facilitate the collection of information from victims of rape and sexual abuse or in other circumstances where women may not feel able to speak freely to male delegates. It would be highly appropriate for the Special Rapporteur on violence against women to undertake joint missions with other thematic or country mechanisms to investigate situations where women are believed to be at risk.

In the light of widespread reports of the rape and sexual abuse of women in the former Yugoslavia, as well as similar situations elsewhere, Amnesty International recommends that the UN should make

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available established expertise and resources for the counselling of victims of rape and sexual abuse either through intergovernmental or non-governmental organizations working in the region or through support for local initiatives. In order not to stigmatize those receiving this assistance, rape counselling should preferably be incorporated in a wider program that also includes basic public health education on trauma. The needs and wishes of the victims should always be foremost and self-help initiatives in local communities or communities of refugees and displaced persons should be respected and supported.

Amnesty International also urges the Commission to begin consideration now of how it can best contribute to the Fourth World Conference on Women and its preparatory process. The Vienna Declaration and Programme of Action called for the human rights of women to play an important role in the deliberations of this Conference. Steps the Commission should consider include how it might coordinate its work with that of the Commission on the Status of Women; encourage cooperation between the Centre for Human Rights and the Division for the Advancement of Women; and encourage its thematic and country mechanisms to initiate a program of work to enable them to contribute to the World Conference on Women. In particular, the Special Rapporteur on violence against women should be expected to play a key role in the Fourth World Conference on Women.

STREET CHILDREN

Street children in many countries are subjected to serious human rights violations by security forces or "death squads" often composed of, or organized by, the police. Violations include arbitrary arrest, "disappearance", beatings, torture including rape and extrajudicial execution. Many of Amnesty International's concerns are reflected in Resolution 1993/81 which describes the plight of street children, including the violation of their fundamental right to life, and recognizes that legislative measures should be complemented with effective action to improve their situation. During 1993, Amnesty International reported violations affecting street children in a number of countries including Brazil, where eight were killed in the "Candelaria massacre" of 23 July 1993 allegedly by members of the military police; Colombia; Guatemala; and Bangladesh where a 13-year-old boy was reportedly raped by police constables while in custody. In order to break the cycle of impunity contributing to the proliferation of human rights violations directed towards street children, the Commission should urge governments to investigate all cases of violence against these children and bring the perpetrators to justice.

RESOURCES FOR THE UN CENTRE FOR HUMAN RIGHTS

Resolutions adopted by the General Assembly and the Commission, including Resolution 1993/52, as well as the Vienna Declaration and Programme of Action have all emphasized the importance of the Centre's role in coordinating the human rights activities of the UN. The Vienna Declaration and Programme of Action requested the UN Secretary-General and the General Assembly to take immediate steps to substantially increase the resources for the UN's human rights program and to allocate an increased proportion of the regular budget to the Centre. An increase in the budget for the regular activities of the Centre for Human Rights and an additional budget aimed specifically at the implementation of the recommendations from the World Conference are currently under discussion in the UN General Assembly. Whatever the outcome of those discussions, the Commission should ensure that the Centre for Human Rights is adequately resourced not only so that it can support the mandates decided by the Commission and other activities, such as the work of the treaty monitoring bodies, but also so that it is in a position to implement fully the recommendations of the Vienna Declaration and Programme of Action

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which simply cannot be done without additional resources.

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LIST OF AMNESTY INTERNATIONAL DOCUMENTS

The following documents are available from Amnesty International section offices, the International Secretariat or the Amnesty International UN office in Geneva.

GENERAL

Amnesty International Report 1993

Statements to the 49th session of the UN Commission on Human Rights

(IOR 41/07/93) March 1993

Statements to the 45th session of the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities

(IOR 41/33/93) September 1993

Getting away with murder: political killings and 'disappearances' in the 1990s

(ACT 33/25/93) October 1993

Women in the front line: Human rights violations against women

(ACT 77/01/91) March 1991

COUNTRIES

Afghanistan:

Political crisis and the refugees

(ASA 11/01/93) September 1993

Albania:

Human rights abuses by police

(EUR 11/05/93) October 1993

Algeria:

Hundreds sentenced to death and more than 20 executed after unfair trials

(MDE 28/WU 05/93) News Service 136/93 - 28 October 1993

Executions after unfair trials: a travesty of justice

(MDE 28/15/93) October 1993

Bangladesh:

Thirteen-year old boy raped by police in custody - other children illegally detained, held in shackles or tortured

(ASA 13/11/93) October 1993

Cambodia:

Arbitrary killings of ethnic Vietnamese

(ASA 23/05/93) September 1993

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Chad:

Never again? Killings continue into the 1990s

(AFR 20/04/93) February 1993

China including Tibet:

Gross violations of human rights continue

(ASA 17/WU 05/93) Weekly update NWS 11/53/93 - 28 May 1993

Appeal for Gendun Rinchen - A Tibetan tourist guide arrested and charged with counter-revolutionary crimes for monitoring human rights

(ASA 17/28/93) July 1993

People's Republic of China: August arrests in Tibet

(ASA 17/37/93) August 1993

Forthcoming political trials in Beijing and other cities

(ASA 17/WU 15/93) News Service 135/93 - 18 October 1993

Prisoner of conscience imprisoned in psychiatric hospital

(ASA 17/WU 16/93) News Service 136/93 - 19 October 1993

El Salvador:

Peace without justice

(AMR 29/12/93) June 1993

Political killings and death threats escalate in build up to electoral campaign

(AMR 29/WU 05/93) News Service 151/93 - 15 November 1993

Equatorial Guinea:

Political reform without human rights ("What do human rights have to do with democracy?")

(AFR 24/01/93) January 1993

Europe:

Concerns in Europe November 1992 - April 1993

(EUR 01/01/93) June 1993

Concerns May 1993 - October 1993

(EUR 01/01/94) January 1994

Georgia:

Alleged human rights violations during the conflict in Abkhazia

(EUR 56/07/93) July 1993

Guatemala:

Street Youths Francisco Tziac Soc and Julio César Reyes

(AMR 34/21/93) April 1993

Secret detention of hors de combat and non-combatant prisoners

(AMR 34/11/93) April 1993

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Impunity - A question of political will

(AMR 34/17/93) May 1993

Haiti:

Human rights gagged: attacks on freedom of expression

(AMR 36/25/93) October 1993

Indonesia/East Timor:

"Shock Therapy" Restoring order in Aceh 1989-1993

(ASA 21/07/93) July 1993

Seven East Timorese still in danger

(ASA 21/14/93) July 1993

Four shot dead by security forces during peaceful demonstration in Madura, East Java

(ASA 21/25/93) October 1993

State of fear

(ASA 21/15/93) July 1993

Unfair political trial of Xanana Gusmão

(ASA 21/05/93) July 1993

Iran:

Victims of human rights violations

(MDE 13/10/93) November 1993

Iraq:

Gulf War detainees held as prisoners of conscience

(MDE 14/WU 01/93) News Service 112/93 - September 1993

Scores of prominent Sunni Arabs arrested

(MDE 14/WU 02/93) News Service 112/93 - September 1993

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