
AMNESTY INTERNATIONAL NEWS SERVICE 112/93

TO: PRESS OFFICERS
FROM: IS PRESS OFFICE
DATE: 6 SEPTEMBER 1993

AI INDEX: NWS 11/112/93
DISTR: SC/PO
NO OF WORDS: 1899

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EMBARGOED FOR 8 SEPTEMBER 1993

IRAQ: GULF WAR DETAINEES HELD AS PRISONERS OF CONSCIENCE

Amnesty International is today calling on the Iraqi Government to clarify the fate and whereabouts of hundreds of Kuwaiti and third-country nationals still unaccounted for since the end of the Gulf War and believed to be held in secret detention in Iraq.

The organization is calling for the immediate and unconditional release of all such detainees as prisoners of conscience. They have been denied all contact with the outside world, some may have been tortured and others may have died as a result of torture or have been executed.

Thousands of Kuwaitis and third-country nationals were arrested by Iraqi forces during the seven-month occupation of Kuwait in 1990-1991 and transferred to places of detention in Iraq. Despite large-scale repatriations in the months following the cease-fire -- which saw the return of over 7,000 prisoners of war and civilian detainees from Iraq -- information suggests that many people are still being held.

Since January 1992, Iraq has claimed that all prisoners arrested in the course of the conflict have been repatriated in accordance with its obligations under the United Nations Security Council cease-fire resolution -- although by its own admission at least 59 prisoners were repatriated after that date. Such contradictions in the government's statements heighten Amnesty International's fears for other prisoners still unaccounted for.

For its part, the Kuwaiti Government disputes Iraq's claims and continues to maintain that over 650 Kuwaitis captured in Kuwait during the conflict are still missing in Iraq.

In a report published today, Iraq: Secret Detention of Kuwaitis and Third-Country Nationals, Amnesty International highlights the cases of 140 individuals, including four women, whose fate and whereabouts have remained unknown since their arrest by Iraqi forces in Kuwait. Of these, 129 are Kuwaiti nationals, over two-thirds of whom are civilians. The remaining 11 include nationals of Bahrain, Saudi Arabia, Syria, Lebanon, Iran as well as members of Kuwait's bidun community (stateless Arabs).

Most of these detainees were held for a time in a prison or detention centre in Kuwait, and then transferred to unknown destinations in Iraq. In many cases there were witnesses to their arrest, while in others the detainees were reportedly sighted by fellow detainees who have since been repatriated.

Amnesty International does not make any distinction in the current status of civilians and military personnel remaining unaccounted for in Iraq, but considers their continued imprisonment more than two years after the end of the war -- regardless of original reasons for arrest -- to constitute arbitrary detention. The organization considers these detainees to be prisoners of conscience now held solely on account of their ethnic origin, or for their real or perceived association with states which Iraq's government considers to be its enemies, and is calling for their immediate and unconditional release.

Amnesty International is calling on the Iraqi Government to acknowledge the continued detention of all Kuwaiti and third-country nationals seized during the occupation of Kuwait, clarify their fate and exact whereabouts, and allow them prompt access to their families, doctors and representatives of international humanitarian organizations. The government should also clarify the legal basis for their continued detention, and where the government maintains that a detainee has been released, it should provide reliable verification of this.

The Kuwaiti Government is also being urged to make available all relevant information it has regarding the Kuwaiti and third-country nationals it believes remain in detention.

Furthermore, Amnesty International is calling for the urgent implementation of Resolution 1993/74 adopted by the UN Commission on Human Rights in March this year, which calls on the UN Secretary-General to take the necessary measures for the setting up of a human rights monitoring operation for Iraq.

Amnesty International believes such a mechanism is needed to ensure that fundamental human rights in Iraq are respected, and to ensure full compliance by Iraq with its obligations both under international law and under UN Security Council resolutions. The organization is deeply concerned that 18 months after the UN's own Special Rapporteur on Iraq first recommended the establishment of a human rights monitoring operation -- and after the General Assembly's endorsement of his proposal -- very little appears to have been done by the UN towards its implementation.

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AI INDEX: MDE 14/WU 02/93
EMBARGOED FOR 8 SEPTEMBER 1993

IRAQ: SCORES OF PROMINENT SUNNI ARABS ARRESTED

Scores of prominent people were arrested in Iraq in August, according to information received by Amnesty International. The majority of those detained are believed to be Sunni Arabs, including individuals from President Saddam Hussain's home town of Tikrit where many of his strongest supporters come from.

Most of the arrests took place in the second half of August, and were carried out by security and intelligence personnel. Those detained include retired army officers, prominent economists and lawyers, and former government officials, among them: 'Abd al-Karim Hani, a former Minister of Labour and Social Affairs; Majid Adham, a prominent expert in Iraq's oil sector; and Jassem Mukhlis, a well-known lawyer from Tikrit, together with his cousin, Sufian Mukhlis. None of them were known to have been associated with any Iraqi opposition movement.

The fate and whereabouts of these and other detainees have remained unknown since their arrest. Amnesty International is deeply concerned for their lives, as they are at great risk of torture, "disappearance" in custody or execution, and has issued urgent appeals on their behalf. The precise reasons for the detention of these individuals is not known, but their arrest forms part of a wider crackdown which began in the aftermath of the Gulf War, targeting sectors of Iraqi society traditionally thought to be loyal to the regime, the majority of whom are Sunni Arabs.

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AI INDEX: EUR 44/WU 08/93
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TURKEY: POSSIBLE POLICE INVOLVEMENT IN KILLINGS OF KURDISH MP AND LOCAL KURDISH POLITICIAN

Mehmet Sincar, Democracy Party (DEP) member of parliament (MP) for Mardin, and Metin Özdemir, Chairman of Batman DEP, were shot dead by three gunmen in broad daylight in the city of Batman, southeast Turkey, on 4 September 1993. Four other people, including Nizamettin To_uç, also a DEP MP, were also wounded in the attack.

The killers escaped from the scene of the crime. Later that day the Turkish Revenge Brigade (TIT - Türkçü Intikam Tu_ay_) contacted national newspapers saying that the killings were in retaliation for the guerrilla activities of the Kurdish Workers' Party (PKK) and that their intended targets were two other DEP MPs - Sedat Yurtta_ and Leyla Zana. The TIT further stated that they intended to continue attacks on Kurdish members of parliament.

Mehmet Sincar was killed while talking to local shopkeepers the day after attending the funeral of Habib K_I_ç, the former chairman of Batman DEP who had been killed on 1 September. Mehmet Sincar was the 54th and most high ranking member of the DEP and its predecessor the People's Labour Party (HEP - closed by the Constitutional Court in August 1993 on the grounds that it advocated Kurdish separatism) to be assassinated in just over two years.

Amnesty International has received persistent and credible reports of members of the security forces threatening to kill Kurdish activists. Members of a foreign delegation were present when a gendarmerie commander allegedly threatened Leyla Zana. Ramazan_at, who made a formal complaint of death threats and torture by Batman police, was shot dead by unidentified killers in a street three months later. A gendarmerie commander in the town of Silvan in Diyarbak_r province was recorded on tape planning the murder of a local politician. The recording was made in the presence of the former Interior Minister, _smet Sezgin. To Amnesty International's knowledge, no judicial proceedings were taken against the officer. In the tape in question, the gendarmerie commander said that after the proposed killing had taken place, he would endeavour to blame the PKK. On 5 September, the current Interior Minister Mehmet Gazio_ju reportedly stated in Batman: "According to preliminary information, it was the work of the PKK which is carrying out such actions to escalate tension in the area".

Other DEP MPs who were in Batman at the time of the killing report that they were under heavy police surveillance on the day before the killing, followed everywhere by at least two vehicles and many plain clothes policemen. All foreign observers who have visited the area note that police presence is particularly heavy in Batman, and that their movements are constantly monitored. It would normally be almost impossible for such a killing to be carried out with complete impunity in broad daylight in the centre of town. However, the DEP MPs report that all police presence disappeared on the morning of 4 September.

Further grounds for suspicion of police involvement is given by the circumstances of the arrest of Nesim K_I_ç (brother of Habib K_I_ç) at the airport when he arrived at Batman with Mehmet Sincar on 3 September. The arrest was reportedly carried out by police accompanied by a "confessor" (former PKK member who is collaborating with the security forces) from Mehmet Sincar's home town, and known to him. In a report issued in July 1993, a commission of the Turkish parliament investigating political killings expressed grave concern that "confessors" (who should be in custody on remand or serving prison sentences) are living in police residential blocks and collaborating with them. It also stated that apparently while under police protection these people were "responsible for numerous robberies, thefts and similar incidents".

Amnesty International is appealing to the Turkish authorities to ensure that the killings of Mehmet Sincar and Metin Özdemir are promptly, impartially and independently investigated and that those responsible are brought to justice. The organization also believes that the Turkish Government must now seriously address the allegation that security forces are colluding with or even inciting political

murderers. More than 300 execution-style killings of Kurdish activists have been carried out in southeast Turkey since 1991, with almost complete impunity.

Funeral marches for Mehmet Sincar will take place in Ankara on 7 September and in K_z_Itepe, Mardin province, on 8 September where he is to be buried. The Turkish press has reported that DEP representatives who spoke to security officials were told unofficially that police would open fire if crowds turned the marches into political demonstrations by shouting slogans. Security forces in Turkey have frequently fired on apparently unarmed demonstrators and Amnesty International is appealing to the Turkish authorities to issue clear instructions to all officials policing these events that they may use lethal force or firearms only as a last resort and in exceptional circumstances. This is in accordance with relevant international standards, and in particular the UN Basic Principles on the Use of Force and Firearms.

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