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PAKISTAN: AMNESTY INTERNATIONAL CALLS FOR ALL POLITICAL PARTIES TO MAKE CLEAR COMMITMENT TO HUMAN RIGHTS

Amnesty International has called upon all the political parties running for election in Pakistan to make clear their commitment to the most fundamental duty of government: the protection of human rights.

In an open letter, Amnesty International has alerted Pakistan's political parties that substantial numbers of Pakistani citizens continue to be subjected to torture, unfair trials and extra-judicial killings.

Over the years, Amnesty International has brought case after case of human rights violations to the attention of successive governments in Pakistan, but they have failed to act to halt abuses or take effective measures to prevent their occurrence.

Amnesty International said: "Political parties have been mainly concerned about human rights violations affecting their own members. None of the parties have yet made the protection of the human rights of all Pakistani citizens a focus of their election manifestos. Much needs to be done and all parties need to coordinate their efforts if the human rights of all citizens are to be guaranteed."

In the letter, Amnesty International summarized a catalogue of human rights violations. These include the detention of prisoners of conscience and the widespread practice of torture. The organization said that torture is systematically used against ordinary citizens, political prisoners and criminal suspects in the custody of the police or the paramilitary or the armed forces. Amnesty International said that at least 75 persons reportedly died in custody apparently as a result of torture during 1992.

"None of the political parties have shown serious concern about the systematic use of torture in Pakistan", said Amnesty International. "Indeed, some of the political parties have themselves practised torture against their own dissidents or political opponents. Even rural landlords have tortured bonded labourers in their own private jails, apparently with the connivance of the government and some political parties."

Other violations include at least 20 extrajudicial executions in 1992 and more than 50 other deaths portrayed by the police as "encounter" killings but suspected as deaths after torture.

Those in authority almost always torture and kill with de facto impunity. Victims and their families face great difficulties when trying to file complaints against police torture or killings. Trials of police or army personnel are rare, and convictions rarer still. Pakistan law exempts from criminal prosecution the police and the law enforcement agencies for acts done "in good faith" but no safeguards against the abuse of this law are available.

Political activists and members of religious minorities, such as the Christian and Ahmadiyya communities, continue to be detained for the peaceful exercise of their political activities or religious beliefs.

Even when the law provides safeguards against human rights violations, these are not always respected. Political prisoners are sometimes held for long periods in unacknowledged detention and denied access to lawyers and family. They are charged with false charges, or not at all, and tried by special courts whose procedures do not conform to international standards for fair trial.

The government has extended the use of the death penalty over the last few years, making it mandatory for blasphemy and drug offences. In 1992, at least 19 people were hanged and about 130 sentenced to death; the majority were tried by Special Courts for

Speedy Trial or Special Courts for the Suppression of Terrorist Activities, the procedures of which do not meet international standards for fair trial.

Other inhuman punishments remain on the statute books: earlier this year two people were sentenced to be stoned to death; in 1992 at least seven people were sentenced to amputation of limbs. Sentences of flogging are carried out and fetters, including leg irons, continue to be used in violation of international standards.

Amnesty International has urged the political parties in Pakistan to publicly commit themselves to a human rights program that includes: impartial and prompt investigations of all allegations of extra-judicial executions, torture and death in custody; the release of all prisoners of conscience and the removal of legislation which allows their imprisonment; prompt and fair trials for all political prisoners in accordance with internationally recognized standards; commutation of all existing death sentences and a move towards the abolition of the death penalty and other inhuman or degrading punishments; and ratification of basic international human rights standards.

Amnesty International said: "We appeal to the political parties on behalf of the victims, their families and friends, and of those who defend human rights throughout the world, to take up this challenge; to make the protection of human rights their most urgent priority; to make an unequivocal commitment to ensuring that Pakistan ceases to be a country in which human rights violations may be committed with impunity."

ENDS/

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EMBARGOED FOR 23 SEPTEMBER 1993

EGYPT: GROSSLY UNFAIR MASS TRIALS AND DEATH SENTENCES ARE A TRAVESTY OF JUSTICE, SAYS AMNESTY INTERNATIONAL

In mass trials of hundreds of civilians in military courts currently underway in Egypt, trial procedures are grossly unfair and many of those being tried have been tortured to extract confessions which are being used in evidence against them, said Amnesty International today. The organization is calling on the Egyptian authorities to halt these trials immediately, to transfer the cases to civilian courts and to investigate all reports of torture.

"These mass trials in military courts represent a travesty of justice in a country which traditionally has had a highly respected civilian judiciary", said Amnesty International. "Twenty eight death sentences have been passed by military courts since December 1992 and 14 executions have now taken place. If nothing is done to stop these trials - which clearly violate international law - they could be over within days or weeks, and more civilians could be sentenced to death."

Two Amnesty International delegates returned from Egypt on 10 September after observing sessions of the trials of two groups of people before military courts, which follow an upsurge in political violence in Egypt. The scores of civilian defendants were charged en masse with membership of a banned Islamic organization "Talab' al-Fatah" (the Vanguard of the Conquest), calling for the overthrow of the government and of the constitutional system. This offence in itself carries a possible death penalty according to the vaguely-defined "terrorist" offences law introduced in 1992. Some defendants are also accused of murder or attempted murder, storing explosives or weapons, or possessing banned publications.

The defendants were reportedly tortured by state security officers while held secretly and illegally for weeks or months at state security buildings in Cairo. They are said to have been blindfolded day and night and suspended in painful positions or given electric shocks until they agreed to make statements. Amnesty International has detailed descriptions of the torture methods and forensic medical reports have confirmed that scars on many defendants are consistent with the methods of torture they describe.

According to Amnesty International these military court trials violate some of the most fundamental requirements of international law: the right to be tried before independent judges, the right to have adequate time to prepare a defence, and the right to appeal. These are the very requirements essential to uphold justice and human rights. Egypt pledged to guarantee all these internationally recognized rights when it ratified the International Covenant on Civil and Political Rights in 1982.

In July of this year, the United Nations Human Rights Committee reviewed Egypt's record in implementing this covenant. One of the conclusions of the 18 international law experts on the committee was that military courts in Egypt "should not have the facility to try cases which do not refer to offences committed by members of the armed forces in the course of their duties."

While Egypt's civilian judges are appointed for life by a judicial council to ensure their independence, military judges are serving military officers appointed by the Minister of Defence to a two-year term, which can be renewed for additional two-year terms at the discretion of the Minister of Defence. This does not provide adequate guarantees of independence. The military judges may have considerable experience in applying the Code of Military Justice to infractions by military personnel, but they do not have adequate experience in applying criminal laws to civilian defendants.

Defence lawyers in these cases have not been given sufficient time to prepare their clients' defence. In one case (Talab' al-Fatah group one - 55 defendants), the prosecutors had over six months from the time of arrest to prepare 3000 to 4000 pages of case files against the defendants, but the defence lawyers were not able even to look at the files until the military court's first session on 15 August 1993: they had to prepare the defence case in time for the next session on 25 August.

In another case (Zaynham case), the defence lawyers withdrew on 7 September following the military judge's refusal to allow cross-examination at a certain point in the proceedings. Rather than adjourning the case and allowing the Bar Association to arrange for the appointment of new lawyers, the military judge immediately appointed former military lawyers to be the defence lawyers, against the wishes of the defendants. Two of these defendants were subsequently sentenced to death on 15 September. Some leading Egyptian defence lawyers, some of whom the defendants in these cases wished to have represent them, reportedly are refusing to participate in these trials on the grounds that such military trials of civilians are inherently unfair and illegitimate.

There is no right to appeal against the decision of these military courts to a higher court, which violates a strict requirement of international law.

Amnesty International recognizes the fact that there have been many politically-motivated acts of violence in Egypt, and has strongly condemned deliberate and arbitrary killings by armed opposition groups in Egypt. While the government has the right and responsibility to bring to justice those responsible for such crimes, this cannot justify the use of torture or unfair trials by the authorities.

Amnesty International is calling on President Mubarak to cease issuing special decrees referring civilians to military courts (a practice started in October 1992), and for all those civilian prisoners tried by military courts to receive new trials in civilian courts with all internationally recognized guarantees of fair trial. ENDS/