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Executions in Uzbekistan

“They find justice only in heaven”

The mother of a prisoner on death row in Uzbekistan, June 2003

Scores of people are executed every year in Uzbekistan after unfair trials. “Confessions” extracted under torture are routinely used as evidence in trials. Corruption is an integral part of the investigation, trial and appeal process. The clemency process and the executions are shrouded in secrecy, inflicting punishment not only on prisoners but on their families as well.

Many prisoners sentenced to death are alleged to have been wrongly convicted on the basis of evidence fabricated by the police or “confessions” obtained under torture. One lawyer told AI: “When a corpse is found, the police in that area are expected to promptly find the murderer. If they cannot solve the crime, it [the case] gets fabricated during the police investigation.”

In a letter smuggled out of prison Dmitry Chikunov described his ill-treatment at Tashkent Regional Police headquarters after his arrest on 17 April 1999 in connection with a murder investigation. “They tied my hands behind my back and put a gas mask over my head. Then the interrogator squeezed the breathing tube tight and shouted: ‘Now confess that you are a murderer’ ...”

He reported that officers threatened to rape him and his mother unless he “confessed”, and staged a mock execution at the scene of the crime after dark, threatening to shoot him until he finally agreed to sign a confession statement.

He was subsequently convicted of involvement in the murder of two men and sentenced to death, his appeal was turned down and he was executed in secret on 10 July 2000.

There is no mechanism in Uzbekistan’s domestic law to challenge the legality of a detention. This gives the police excessive power and leaves the process of arrest open to widespread abuse, such as discrimination, prejudice and corruption.

Corruption is so widespread that life and death can depend on the social and economic situation of the family. Relatives often put more trust in the effectiveness of bribery than in paying a lawyer.

Family members and friends often do not know for months, sometimes even years, whether a prisoner is alive or has been executed. They are not informed where their loved one is buried and therefore do not even have a location over which to grieve. Many search for years in the hope of finding the grave.

Local human rights defenders and family members struggling to save the lives of death row prisoners have faced harassment, intimidation and death threats.

AI opposes the death penalty in all cases and calls on the government of Uzbekistan to commute the sentences of all prisoners on death row to prison sentences and to impose a moratorium on all death sentences and executions. It also calls on the authorities to bring Uzbekistan’s domestic law into line with its international human rights obligations, to ensure

implementation of these laws and to ensure that the independence of the judiciary is not undermined by corruption.

For further information, see 'Justice only in heaven' – the death penalty in Uzbekistan (EUR 62/011/2003).

[Picture caption: Tamara Chikunova does not know where her son Dmitry is buried. Symbolically, she put a gravestone for him in a cemetery in Tashkent next to the grave of his grandfather. He was executed in secret in July 2000 after being tortured by police in 1999.]

Viet Nam restricts Internet freedom

Le Chi Quang, a 33-year-old law graduate and computer teacher, was arrested in an Internet café in Ha Noi in February 2002. According to the official charge sheet, which AI has obtained, the police "caught Le Chi Quang red-handed when he was on the Internet... in Ha Noi, sending e-mails abroad." He was accused of writing and distributing anti-government articles, referring to issues such as human rights violations, democracy and the Vietnamese government's foreign policy.

Before his arrest Le Chi Quang had circulated via the Internet information criticizing the government's border agreement with China – a sensitive issue which came under unprecedented internal criticism from dissidents and others. In November 2002 he was sentenced to four years' imprisonment and three years' house arrest on a charge of "propaganda against the State". Le Chi Quang suffers from chronic kidney disease and his health has seriously deteriorated since he has been in prison.

In the last two years, five other dissidents have been sentenced to long prison terms and at least four more are awaiting trial for offences linked to the sharing of information on the Internet deemed critical of the government. They have not been charged with a violation of Viet Nam's Internet laws, despite the fact that those laws offer ample opportunities. Under loosely worded national security legislation, they have been accused of espionage and related charges.

The launch of the Internet in Viet Nam in 1997 has offered new opportunities for people in the country wanting to express their dissenting views and political opinions. It has facilitated contact with Vietnamese living overseas through e-mail, discussion forums and websites and provided a new medium to disseminate information critical of the government and its policies. By August 2003, Viet Nam had 4-5,000 Internet cafés and the number of Internet users was estimated to be approaching 2.5 million. However, while the Internet provides a new and exciting means of exchanging views and information, it is also being used by the government as a tool of repression.

The drawback with this means of sharing information is the relative ease with which those critical of the government can be traced in cyberspace and the personal risk this poses. The authorities are able to monitor the activities of their critics and track their electronic footsteps. Advocates of political reform risk long prison sentences on national security grounds, simply for expressing their peaceful political views via the Internet. The rights to freedom of expression, information and peaceful assembly are vulnerable to attack by those in power whatever the medium of publication.

For further information, see Viet Nam: Freedom of expression under threat in cyberspace (ASA 41/037/2003).

[Picture caption: University students surf the web and send e-mails at an Internet café in

Ha Noi, Viet Nam, January 2003]

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Rape committed with impunity in Burundi

Before going to sleep on 5 March, Eugénie asked her husband if they could sleep outdoors with the other families, as she was afraid that members of the CNDD-FDD (Nkurunziza) – at the time of writing, Burundi’s main armed political group – might come to loot and rape on their hill in Ruyigi province. He told her to calm down.

Later that night CNDD-FDD (Nkurunziza) fighters broke into their house. Eugénie tried to flee with her eighteen-month-old child but was threatened with a gun. She was raped by three men and told that she would be killed if she cried out. Her husband fled. The next day she went to the hospital with other women who had been raped in the same raid. One woman, Virginie, had been raped by more than nine members of the CNDD-FDD (Nkurunziza); she is now HIV positive.

The scale of rape is hidden by the difficulty many women find in admitting that it has taken place. Most people agree, however, that the number of cases is rising dramatically. One observer in Ruyigi told AI delegates that rape has reached epidemic proportions. “Everyone rapes – the military, the armed political groups, criminal gangs. In some instances it amounts to mass rape.” The sentiment is echoed across the country.

On 15 August 2002, Pascale, a widow living in a camp for internally displaced persons in Rural Bujumbura, was walking along the road with three children when she met a soldier from the Burundian army. The children ran away, but the soldier forced her to carry water for him to Kirombwe church. Inside, a group of soldiers was drinking beer. One soldier raped her and mutilated her with a beer bottle. She was bleeding heavily when they let her go, but she was unable to get medical treatment or an HIV test because she had no means to get to a hospital. She and other women from her camp have sought justice for the abuses they suffered, but more than one year later there has been no investigation and the perpetrators remain at liberty and in the armed forces.

Women in rural areas throughout Burundi are afraid of going to fetch water or wood, or of sending their daughters out, for fear of being attacked and raped by armed men. Many are afraid to sleep at home.

Rape is not confined to the areas most affected by the conflict. In Kirundo province, two girls, aged six and nine, were raped on 3 July. The suspected perpetrator, a 21-year-old civilian, was arrested and detained, but then released several days later. The family appealed to the local administration to pursue the case, without success.

Heavy stigma accompanies rape, discouraging women from even admitting the rape has taken place let alone seeking medical assistance. Men often abandon their wives following the abuse; women and girls are teased or ostracized, an unmarried girl or woman who is raped may find it difficult to marry.

Recently, national and international commitment to tackling the growing problem of rape has increased and women in Burundi can benefit from free medical care and anti-retroviral medication following abuse. There is also increased commitment to challenging social stigma. However, in many provinces these services are not available, particularly to women who live far from health centres or in areas of conflict. Even in the limited number of cases that are investigated, successful prosecutions of rapists are rare, and the judicial system and local administrators lack the willpower or capacity to hold perpetrators to account. The

military hierarchy protects its soldiers from prosecution. Impunity for abuses remains widespread, even when individuals are willing and able to pursue legal actions.

The names used in this article have been changed to protect the women.

[Picture caption: One of several rape survivors seeking justice in Burundi, 2003]

The ‘forgotten detainees’ of the Bahamas

‘We have to be more serious about the lives of people. They might be prisoners, but they are human beings.’

Minister of National Security, Cynthia Pratt, 2003

One in every 200 Bahamians is in prison and the rate of imprisonment is the eighth highest in the world. Despite recent reforms, detainees are dehumanized by a system that denies them access to the most basic elements of human dignity.

The rights of children in detention are systematically denied. At the Carmichael Immigrant Detention Centre children are arbitrarily detained for many months. They receive no education or exercise and are denied adequate contact with their families. The government of the Bahamas is not fulfilling its obligations under the UN Convention of the Rights of the Child and other international human rights treaties.

Some of the detainees at the Carmichael are asylum-seekers. AI is concerned that initial screening of refugees is extremely superficial and fails to inform them of their rights. They are then often held in detention for long periods, without recourse to any judicial procedures and with little or no access to visitors.

At Fox Hill Prison some prisoners have been detained without trial for years and some have died in conditions which amount to cruel, inhuman and degrading treatment. Kazimierz Kwasiborski died in August 2002 after being left alone in a cell without medical attention following an asthma attack. The provision of a medical inhaler could have meant the difference between life and death.

The government has committed itself to protecting the human rights of those detained in its custody and AI is calling on the authorities to build on human rights related reforms such as those brought about by a recent prison commission. With 32 per cent of the prison population infected with tuberculosis and 20 per cent HIV-positive, an adequate prison healthcare system would benefit not only prisoners, but the wider community. Tackling issues such as extreme overcrowding will not only provide humane conditions but also improve the ability of the criminal justice system to convict and rehabilitate the guilty and acquit the innocent.

For further information see AI’s document, *Forgotten detainees? Human rights in detention in the Bahamas* (AMR 14/005/2003).

[Picture caption: Detainees at the Carmichael Immigrant Detention Centre, Bahamas, 2003]

Human rights defenders in the Americas under attack

Bolivia, April 2003 – 17-year-old Hugo Daza shot dead by an army officer during a demonstration over water prices. Journalists who filmed or transmitted images of the killing received threats.

Mexico, August 2003 – lawyer and indigenous activist Griselda Tirado Evangelio murdered.

She had defended many cases in her community including rape of indigenous women, corruption and disputes over land.

Saint Lucia, October 2003 – human rights lawyer threatened with rape and execution by a member of the public on account of her work to expose police brutality.

AI has documented more killings of human rights defenders in the Americas than in any other region of the world. It has reported on violations against activists in most countries in the region. On the 5th anniversary of the UN Declaration on Human Rights Defenders, AI is calling the attention of the world to the continuing plight of those who make a stand for human rights across the Americas region.

Human rights defenders throughout the Americas have campaigned to compel governments to deal with gross inequalities in the distribution of wealth and access to healthcare provision, education, food and water. They have fought to protect the environment and defend economic, social and cultural rights. They have sought justice for crimes against humanity, extrajudicial killings, “disappearances” and torture. They have insisted on democratic reform and exposed corruption.

Unfortunately, in Latin America and the Caribbean, there exists a tradition of repression of the brave individuals who defend human rights. Activists have “disappeared”, been killed, tortured, subject to arbitrary arrest, death threats, harassment and defamation. Their families have been targeted, threatened and even killed.

Despite the development of international human rights standards, including the UN Declaration on Human Rights Defenders, the persecution continues. Since August 2002, at least 15 human rights defenders and scores of trade unionists have been killed in Colombia. In Guatemala, 18 human rights defenders were killed between 2000 and 2003. In Honduras one human rights lawyer and several environmentalists were killed between 2001 and 2003. In many other countries in the region, excessive and indiscriminate use of force during demonstrations has resulted in scores of killings, injuries, detentions and reports of torture.

The global drive to push forward national security measures in the context of the “war on terrorism” has created new dangers for human rights defenders. In the USA and several countries in Latin America and the Caribbean new security measures have been misused to restrict and hamper the work of human rights defenders and sometimes to target defenders themselves.

As long as governments are unwilling or unable to take allegations of attacks and intimidation of human rights defenders seriously and deliver reforms that prevent violations against them, the killings will go on. AI calls on all governments in the Americas to draw up and put into practice a concrete plan to make the principles of the Declaration on Human Rights Defenders a reality, and put an end to the persecution of those who fight for justice and truth.

[Picture caption: Cover of the Portuguese version of AI’s document, “Essential actors of our time”: Human rights defenders in the Americas (AMR 01/009/2003)]

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Worldwide Appeals

USA

Death sentence after misconduct by the prosecution

Hung Thanh Le, a Vietnamese national, is scheduled to be executed in Oklahoma on 6

January 2004 after a trial marked by prosecutorial misconduct.

Hung Thanh Le was sentenced to death in Oklahoma County in 1995 for the murder of Hai Hong Nguyen in 1992. Hai Hong Nguyen and Hung Thanh Le fled their native Viet Nam and met in 1985 in a refugee camp in Thailand before settling in the USA.

At a US capital sentencing hearing, the prosecution argues for execution and the defence can present any mitigating evidence in support of leniency. Hung Thanh Le's relatives testified about his good character, and three jail guards testified about his model conduct in the local jail. However, Hung Thanh Le's lawyers had done almost no investigation into his past. As a result, the testimony presented was brief, and included no expert evidence on the possible impact of his background. It later emerged that a Vietnamese woman who was on the jury had not wanted to impose a death sentence, and had tried to explain to the other jurors how Hung Thanh Le's actions may have been affected by his cultural and personal background. Since the trial, a Vietnamese psychologist has concluded that Hung Thanh Le was suffering from Post-Traumatic Stress Disorder at the time of the crime as a result of his life experiences. Hung Thanh Le was a teen-ager when he left Viet Nam.

The trial was riddled with prosecutorial misconduct. The prosecution made inflammatory remarks, mis-stated the law as it related to mitigating evidence, referred to facts that were not in evidence and repeatedly dehumanized the defendant in arguing for execution. Oklahoma County prosecutors have repeatedly been criticized by the appeal courts. In Hung Thanh Le's case, a federal judge wrote in 2002 that "at some point the repeated violation of ethical responsibility threatens the violation of our justice system". Despite finding that the prosecution's arguments were "improper" and "irrelevant", the appeal courts have allowed Hung Thanh Le's death sentence to stand. It is left to the clemency authorities to provide a remedy.

Please urge the governor to stop the execution of Hung Thanh Le.

Send appeals to: Governor Brad Henry, 212 State Capitol, 2300 N. Lincoln Blvd, Oklahoma City, OK 73105, USA. Fax: +1 405 521 3353.

Indonesia

Abepura victims still waiting for justice after nearly three years

"Not long after we arrived one of the persons... was tortured. Later he died and we were all ordered to close our eyes as he was taken out of the cell. They [the police] took turns entering the cell and torturing us".

Testimony given to a Papuan human rights organization by a man held in Jayapura Police Resort (Polres) in late 2000

No one has yet been held accountable for the torture and death of a number of students arrested by police in Abepura in 2000.

Police raided student hostels and other sites around Abepura, an area on the outskirts of Jayapura, the capital of Papua Province, in the early morning of 7 December 2000.

The police fired shots during the raids on the hostels and beat and kicked students, many of whom were asleep when the raids began. Around 100 people were detained and many of them tortured or ill-treated. Two students, Johny Karunggu (aged 18) and Orry Doronggi (aged 17) died as a result of torture they suffered at Jayapura Polres. Elkius Suhuniap (aged 18) was shot and killed as he tried to flee when police officers surrounded his house. The raids followed an attack on Abepura Police Sector, in which two police officers and a security

guard were killed. It is thought that none of those arrested or killed were involved in the attack.

An investigation into the case began in February 2001. In February 2003, the Attorney General's Office announced that it had completed its investigation, and named the former Jayapura Police Chief and Police Mobile Brigade Commander as suspects. There was no mention of 23 other people named as suspects by an earlier inquiry by the National Human Rights Commission.

In October 2003, it was announced that six prosecutors had been appointed. However, the trial has not yet commenced.

Please write, welcoming the steps taken to bring the Abepura case to justice, but expressing concern about delays in bringing the case to court. Call for action to ensure that all those suspected of committing human rights violations in the case be brought to justice in trials that meet international standards for fairness.

Send appeals to: President Megawati Sukarnoputri, Presiden RI,
Istana Merdeka, Jakarta Pusat 10110, Indonesia. Fax: + 62 21 345 2685/380 5511.

Iraq

Iraqi held by UK troops dies in custody

At least one Iraqi arrested by UK troops in September 2003 has died in custody, and his body reportedly showed signs of torture.

Eight Iraqis working at the Ibn al-Haytham Hotel in Basra, southern Iraq, were arrested by UK soldiers on 14 September. Their arrest followed the alleged discovery of weapons in the hotel.

The eight were taken for interrogation at a UK military base near Basra and one of them, Baha' Dawud al-Maliki, a hotel receptionist in his twenties, died in custody three days later. Another, Kefah Taha, was admitted to hospital.

Baha' Dawud al-Maliki's body, which was identified by his father, was said to be severely bruised and covered in blood. Kefah Taha is being treated for renal failure and severe bruising to his upper abdomen and the right side of his chest, according to UK army hospital records. AI is seeking further information on the other six detainees.

AI has written to the UK Secretary of State for Defence expressing concern at the death in custody of Baha' Dawud al-Maliki and urging a prompt, impartial and independent investigation into his death and the treatment of the other men arrested with him. Following press reports and a response to AI from the UK Ministry of Defence that the matter was under investigation by the Royal Military Police, AI has called for the investigation to be carried out by an independent body.

Two UK soldiers were reportedly arrested in connection with the death but have been released without charge. They have now returned to their base in Catterick, UK.

Please write to the UK Prime Minister and the UK Secretary of State for Defence, expressing concern at the death in custody of Baha' Dawud al-Maliki and that his death may have been caused by torture while in the custody of members of the Royal Military Police. Call for a prompt, impartial and independent investigation by an independent body and for the results to be made public. Also, ask for clarification of the fate and legal status of the other seven

detainees.

Send appeals to: Rt Hon Tony Blair MP, Prime Minister, Prime Minister's Office, 10 Downing Street, London SW1A 2AA, UK. Fax: +44 20 7925 0918 E-mail: tblair@no10.x.gsi.gov.uk

Welcome releases in Sudan

Only two detainees are reported to remain in the political section of Kober Prison, Khartoum. The releases began a week after AI issued its report, Sudan: Empty promises? – Human rights violations in government controlled areas (AFR 54/036/2003), in July, with the release of some 30 detainees.

In September about 23 detainees were released, including members of the leading Islamist opposition to the government, the Popular National Congress (PNC), and Ethiopian refugees. Finally, on 13 October, the remaining PNC leaders were released by a presidential decree. Two were released from Kober Prison, and Hassan al-Turabi, leading ideologist of the “Salvation” Government from 1989 until he split from it in 1999, was released after being held in detention and then under house arrest for more than two years.

Meanwhile, the majority of those arrested for political reasons over the past year and held without trial in Darfur, western Sudan, were released in September in the context of the ceasefire signed on 3 September. However, since then more arrests have taken place in Darfur and those formally charged with offences or tried and sentenced by special and other courts remain in detention. Many have been tortured.

AI welcomes the releases and the positive signal of greater respect for the basic rights of individuals that they send. However, AI is still concerned that security legislation remains in place which allows incommunicado detention without charge or access to judicial review or lawyers for up to nine months. Such incommunicado detention creates the conditions under which torture is widespread. This legislation has been repeatedly used in the last years and is inconsistent with Sudan's obligations under international law.

See also *the Wire* August 2003.

Updates

Libya: Appeal hearing postponed again

An appeal hearing on 15 October on behalf of 151 students and professionals known as the “Muslim Brothers” has again been postponed – until January 2004. The appeal hearing has repeatedly been adjourned since its opening in the summer of 2002 after both the prosecution and those convicted appealed against the verdict.

Two of those convicted, Abdullah Ahmed Izzedin and Salem Abu Hanak, were sentenced to death on 16 February 2002 after an unfair trial before a People's Court in Tripoli. In the same trial, 73 others received life sentences and 11 received 10-year sentences. They were charged with supporting or belonging to the unauthorized Libyan Islamic Group, al-Jama'a al-Islamiya al-Libiya, which is not known to have used or advocated violence.

Please continue to send appeals on their behalf. See Worldwide Appeal May 2002.

Namibia: Another defendant dies in police custody

Caprivi treason trial defendant Oscar Lupalwezi died at the Katima Mulilo state hospital while in police custody, on 16 October. This makes 12 defendants who have died in police custody since 1999. His death certificate states that he died from “severe malaria”. He was tortured soon after his arrest in 1999 and denied medical treatment for six days.

To date, no investigations have taken place into the deaths of the 12 defendants. AI is concerned that some of the illnesses which preceded the deaths may have been aggravated by insanitary prison conditions and medical neglect.

Oscar Lupalwezi was one of 122 defendants awaiting trial, charged with high treason, murder and other offences. The trial of the remaining defendants resumed on 27 October 2003.

See Worldwide Appeal February 2002.

Please write, calling for an immediate independent investigation into the death of Oscar Lupalwezi and the other defendants who have died in police custody since 1999.

Send appeals to: The Honourable Albert Kawana, Minister of Justice, Private Bag 13248, Windhoek, Namibia. Fax: +264 61 221 615. E-mail: ntjiriange@moj.gov.na

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Press Freedom under threat

‘Journalists must seek and speak the truth, for we are the voice of the voiceless millions.’
Razia Bhatti, 1994, Pakistani journalist

Control of the media – and the consequent influence over peoples’ minds – is often sought by those seeking to maintain power. Journalists in many parts of the world are being harassed and charged with criminal offences. Newspapers are being closed.

Journalists are still being held in secret detention two years after a clampdown in **Eritrea**, when the government closed all independent media. The journalists are isolated and their families have no idea of their whereabouts, or their condition.

In **Belarus** the government has closed several newspapers this year. In May and June, five independent newspapers were suspended after official warnings from the Belarusian authorities.

In September, the transitional **Iraqi** Governing Council imposed restrictions on the Arabic TV stations Al-Jazeera and Al-Arabiya. The non-governmental organization Reporters Without Borders expressed concern that the Council will allow the media only “conditional freedom”.

In October, **US** authorities ordered journalists to agree in writing not to ask certain questions before visiting Guantanamo Bay, Cuba. This rule was dropped after protests from journalists.

The period leading up to elections is often a time when governments seek to control the media. This was seen before elections in **Rwanda** in August and in **Guatemala** in November. In **Algeria** where elections are due, journalists can face criminal charges for writing articles or cartoons exposing high level corruption. In **Russia** attempts were made to restrict press freedom prior to the elections but in October the Constitutional Court ruled that amendments to the electoral law made earlier in the year were unconstitutional.

In Guatemala, journalists have been targeted in an apparently systematic attempt to intimidate

them into not reporting sensitive issues such as corruption and the controversial candidacy of General Efraín Ríos Montt.

In **Indonesia**, despite recent reforms, journalists are threatened with imprisonment. Two journalists have been sentenced to suspended prison sentences of five and six months: one was convicted of defamation for publishing a caricature of the Speaker of the House of Representatives, the other was convicted of insulting the President. Three other journalists are currently facing charges in relation to an article criticizing one of Indonesia's most powerful businessmen. There are fears that cases such as these threaten press freedom in Indonesia.

In August the government in **Syria** revoked the licence of the privately owned satirical journal, Al-Domary, which was the only privately owned newspaper. The following month, the only independent daily newspaper in **Zimbabwe**, the Daily News, was closed by the government. The independent press in Zimbabwe is under increasing attack and repressive legislation is used to silence critical voices. The Daily News has appealed against the decision and plans to relaunch an online version from neighbouring South Africa.

In **Venezuela**, political tension has led to several journalists representing pro- and anti-government positions being threatened, harassed or attacked. The failure of the authorities to effectively prevent or investigate these incidents has contributed to a hostile working environment for journalists. Opposition supporting media have accused the government of promoting such attacks and seeking to curtail press freedoms with administrative restrictions.

In a clampdown in **Cuba** in March, human rights activists, authors and journalists were detained. Eighteen journalists have been sentenced to years in prison simply for expressing their opinion. A total of 75 people were arrested, charged and sentenced. They are all prisoners of conscience.

Fifteen journalists were killed in 2002 in **Colombia**, most by army-backed paramilitaries and armed opposition groups, according to the International Press Institute. Both paramilitary groups and armed opposition groups have also kidnapped, threatened and harassed journalists throughout the country. In the department of Arauca, the army-backed paramilitary group Bloque Vencedores de Arauca has named journalists as military targets. Earlier this year journalists were ordered by the armed opposition FARC and paramilitaries to leave the department immediately.

Corruption and economic interests also threaten the freedom of the press. A Russian journalist, Aleksey Sidorov, was stabbed to death in Togliatti while working on an article about criminal groups. The secretary general of the Union of Russian Journalists, Igor Jakovenko, said after the murder that "the censorship organ Glavit has been replaced by the censorship of the Kalashnikov rifle".

Freedom of expression must not be reduced to a tool for controlling, maintaining or gaining power. Governments must recognize that they cannot guarantee security through limiting the freedom of the press, their right to obtain information and their ability to scrutinize people in power.

Freedom of the press is an essential ingredient in protecting human rights. AI is calling on all governments to respect this right and respect their obligation to protect journalists.

[Picture caption: Russian journalist Grigory Pasko was charged with treason after filming a Russian navy tanker illegally dumping radioactive waste and ammunition in the Sea of Japan in 1993. He was imprisoned in 1997 and adopted as a prisoner of conscience. Following vigorous campaigning on his behalf, he was released in 2003 after serving two thirds of his sentence.]

Courts contribute to impunity in Ecuador

Juan Carlos Jahuaco was arrested, on suspicion of having stolen a cassette player from a car, by members of the National Police in Quito, Ecuador, on 24 March 2001. Two days later he was dead. According to the police, he escaped from the police car during his arrest. However, according to his relatives, forensic evidence showed that he died from beating. In May 2002, the courts declared the investigation, so far, to be invalid since it appeared that the alleged murder had been committed by the police. More than 18 months later, no date has yet been set for a hearing in the police court.

AI's analysis of the treatment of police officers accused of human rights violations in Ecuador has revealed that the police courts are neither independent nor impartial. The result is a widespread climate of impunity for such abuses.

This was a key concern raised by AI delegates with a wide range of officials, including the Attorney General and representatives of the President and Minister of the Interior, during a visit to Ecuador in October. The visit coincided with the launch of an AI report, *Ecuador: With no independent and impartial justice system there can be no "rule of law"* (AMR 28/010/2003).

The Chief Commander of the National Police dismissed the report saying, "it damaged the image of the country and the National Police before the international community". He insisted that the National Police did not commit torture and ill-treatment.

However, most of the authorities who received the report, including members of the National Police Court, expressed their commitment to addressing the issue of impunity. They agreed that the use of police courts for cases of human rights violations contravened the Constitution and international human rights treaties to which Ecuador is a party.

[Picture caption: At the same time as AI issued a new report, the section in Ecuador launched a campaign: "Commit yourself to know your rights and demand that the law is upheld". The country-wide campaign aims to raise people's awareness of their rights. People are asked to draw their hand and print their signature on a banner that will be displayed throughout the country over the next few months.]

UN drafts new treaty against 'disappearances'

Hundreds of thousands of people around the world remain "disappeared". They were arrested or abducted by state agents, but governments deny holding them. New cases are recorded in dozens of countries each year.

"Disappearances" cause extreme agony for victims and their relatives. Often the victims are tortured or killed. Their relatives are unable to find out whether their loved ones are alive or dead.

After more than two decades of campaigning by organizations of relatives of the disappeared", the UN Commission on Human Rights has begun drafting an international treaty against "enforced disappearance" – the UN term for "disappearances". As currently discussed, the draft treaty would include measures for preventing "disappearances", bringing perpetrators to justice and affording reparation to victims. Also under discussion is an urgent judicial remedy which relatives could invoke to discover victims' whereabouts and ensure their well-being.

The working group's next formal session will be in January 2004. AI is calling for the speedy

adoption of a treaty giving strong protection against “enforced disappearance”.

Human rights bus ends 100-day tour

AI Switzerland’s 100-day bus tour of central and eastern Europe reached its destination in the centre of Moscow on 13 October. As part of AI’s worldwide campaign on human rights in the Russian Federation, a young Swiss couple drove the bus through 14 countries to raise awareness of human rights. Sixteen thousand signed postcards were delivered to President Vladimir Putin calling on him to grant citizenship to ethnic minorities in the country. The bus, pictured here in Ukraine, was donated to a non-governmental organization that works with children. The diary of the tour can be seen on www.amnesty.ch