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Mongolia: Legacy of deadly July riots– impunity and injustice

The Government of Mongolia has failed to effectively respond to human rights abuses that took place during the July 2008 riot in Sukhbaatar Square, Ulaanbaatar, and its aftermath leaving a legacy of impunity and injustice, Amnesty International said in a report released today.

Amnesty International's report describes how hundreds of people were taken to police detention centres where they were held in over-crowded cells without food or water for up to 72 hours during the riots. Police beat detainees while they were in custody and during interrogations to extract "confessions".

Over 700 people were arrested and over 100 more in the weeks following, for suspected offences committed during the riot.

One year on from the riot, the scope of the investigation conducted remains limited. Allegations of torture and other ill-treatment in detention, and excessive and unnecessary use of force by police have largely been ignored.

"Investigations into allegations of human rights violations have been delayed, ignored or inadequately investigated", said Roseann Rife, Asia-Pacific Deputy Programme Director at Amnesty International. "A year on from the riot and there is no accountability on the part of authorities and no justice for the victims."

Procedures for prosecution of ten police officers and four senior police officials suspected of using and authorizing the use of live ammunition during the riot was stalled by the defendants and their lawyers for over seven months until early November 2009. The case file is now being read by the families of the victims and their lawyers.

"There has been a failure on the part of the Mongolian government to seriously investigate allegations of torture and other ill-treatment of those held in detention following the riot or to prosecute those suspected of carrying out and ordering the use of live ammunition," said Roseann Rife.

Mongolia has failed to comply with its international obligations which require them to take a range of legislative, judicial, administrative and other measures to prevent human rights violations and bring those responsible to justice and ensure victims receive reparations in line with international standards.

The secrecy surrounding the operations of police and other law enforcement agencies is further damaging their reputation leading to mistrust and fear. Such sentiments will persist as long as the authorities fail to take concrete steps to conduct independent investigations and prosecute any alleged perpetrators of offences involving human rights violations, and implement reforms to ensure non-repetition.

Background

Amnesty International calls on the Mongolian government to:

Ensure that the Special Investigation Unit of the State General Prosecutors' Office is provided adequate funding and support to enable it to carry out prompt, independent, impartial and thorough investigations into allegations of offences involving human rights violations against officials and that procedures are in place to ensure that parties involved in the investigation are not able to stall or otherwise delay procedures unreasonably and prevent cases being prosecuted.

Ensure that any complaints or reports of human rights violations are investigated promptly, independently, impartially and thoroughly, and that those suspected of related offences are prosecuted. Investigations should be conducted by personnel who are competent, impartial and independent of the alleged perpetrators and the agency they serve.

Initiate a review of regulations, policy, and training to ensure that the practices of the police, including the use of force, in policing demonstrations are consistent with international human rights standards, including the UN Code of Conduct for Law Enforcement Officials and the UN Basic Principles on the Use of Force and Firearms.

Establish effective mechanisms to receive complaints, provide timely and accessible information on the progress of cases, and ensure that any person wishing to submit a complaint against law enforcement officials is not in any way obstructed from doing so. Where a complaint is rejected as inadmissible, the complainant should be given clear and detailed reasons for the decision, in writing, and information on appeals mechanisms and alternative avenues of recourse.

Ensure that victims of crimes committed by law enforcement officials have access to an effective remedy and receive adequate reparation, including compensation, restitution, rehabilitation, and guarantees of non-repetition in accordance with international standards.

On 1 July 2008 thousands of people protested at Sukhbaatar Square amid allegations of widespread election fraud. The riot was unexpected and unexpectedly violent. At least nine people were shot by the police, four fatally, and a fifth person died allegedly from smoke inhalation.

The Government called the country's first state of emergency since transitioning to a democratic system of government in 1990 for four days from midnight 2 July, 2008.

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