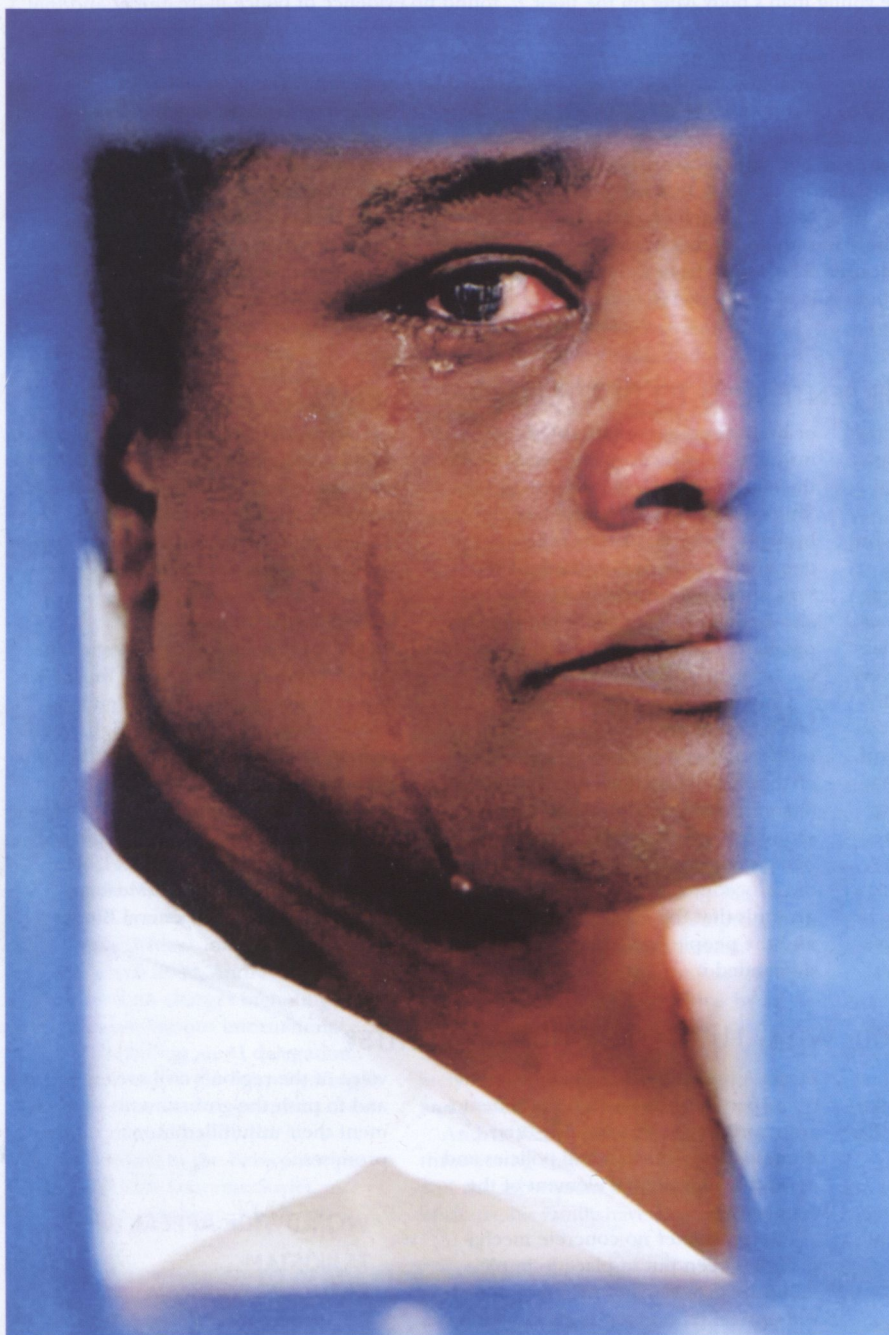


Amnesty INTERNATIONAL

November 2000 Vol. 30 No. 6

NEWS



THREE BOYS aged between 10 and 12 are held in an Istanbul police station on suspicion of theft. Officers reportedly urinate on them, make them lie on human excrement and sexually assault them. The children are then beaten and given electric shocks to try and make them confess. TURKEY 1997

AN 11-YEAR-OLD GIRL who has lost her way near Khartoum is questioned by four police officers. She is taken to a police station where one officer reportedly strips and rapes her in front of the other three. SUDAN 1999

A COUPLE are interrogated by police in Tamil Nadu. They are hung from the roof and beaten. The wife is stripped and threatened with rape. Officers bite her breasts and kick her genitals. They throw chilli powder in her husband's eyes and pierce his nails and tongue with needles. He dies of his injuries. INDIA 1998

A DETAINEE in a so-called "filtration" camp witnesses a 14-year-old girl being raped by several Russian prison guards in the corridor outside the cells in which he and other Chechen detainees are held. For four days she is locked in a cell, beaten and repeatedly raped by guards. CHECHNYA 2000

TAKE A STEP TO STAMP OUT TORTURE

EACH OF THE STORIES ON THE LEFT bears witness to the unique and often unimaginable suffering of very different people in very different circumstances. Yet taken together they give us a glimpse of one of the stark realities of today's world: the persistence and prevalence of torture.

Torture is usually carried out in secret. Torturers and those who protect them often go to great lengths to cover their tracks and silence the victims. Despite this, since 1997 AI has received reports of torture or ill-treatment by state officials in more than 150 countries.

Beatings are the most widespread form of torture or ill-treatment. The word may sound fairly banal: the reality is not. People are beaten with fists, sticks, gun-butt, makeshift whips, iron pipes, baseball bats, electric flex... the list goes on. The victims suffer bruises, internal bleeding, broken bones, lost teeth, ruptured organs. Some die. Others bear the physical and mental scars for the rest of their lives.

In many countries torturers continue to abuse and mutilate their victims, safe in the knowledge that they will never be tried or punished for their actions. AI's research clearly shows how the failure of governments to bring torturers to justice creates a climate which encourages continued abuse. Impunity for the torturers also means denying justice to victims.

Societies which tolerate discrimination and prejudice make it easier for some people to be viewed as "less than human", putting them at increased risk of torture. AI's case files testify to the link between discrimination and the risk of torture.

According to AI's research, many if not most of the victims of police brutality in Europe and the USA are black or members of other ethnic minorities. Discrimination against women often takes violent forms and then deprives them of the means of bringing their abusers to justice. The criminalization of homosexuality in many countries continues to put lesbian, gay, bisexual and transgendered people at greater risk of violent assault both by police and by others who believe that such violence is endorsed by the state.

In October AI launched a worldwide campaign to put an end to torture, *Take a step to stamp out torture*. Add your voice to the campaign.

- Contact your national AI office and ask for information about how to join the campaign.
- Become a member of AI and other local and international human rights organizations which fight torture.
- Make a donation to support AI's work.
- Register to take action against torture at

www.stoptorture.org

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FOCUS

Algeria – the cry for truth and justice



António Fonseca Mendes © private

Previous page:
Togolese woman
fleeing torture in
her country waits
for news of her
asylum applica-
tion in a US jail,
December 1998.
© AP/The Dallas
Morning News

SPAIN STILL IN THE DARK OVER DEATH IN CUSTODY

ANTÓNIO FONSECA MENDES, a native of Guinea-Bissau, who lived in Madrid and was holidaying with his sister in Arrecife, Lanzarote, died at a police station after being arrested on 20 May for alleged possession of drugs. A Spanish national also held in custody that night, and now in hiding, claimed he had been the terrified witness of António Fonseca's death by sustained punchings, kickings and use of a club. The emergency doctor who tried to resuscitate him expressed surprise to have found the young man's body lying on the floor in a poorly lit corridor. By the light of a torch he could not see if the body showed any signs of injury.

The first autopsy, conducted by a local forensic doctor, appeared to corroborate the police claim that no ill-treatment had occurred and that António Fonseca may have died of natural causes or after ingesting drugs. A second autopsy, by a professor of forensic science from Madrid, concluded that, on the contrary, there was no doubt that António Fonseca had received a fatal blow from a "blunt object" to the right side of the neck. No evidence of drugs was found.

The police have issued several varying and sometimes apparently contradictory statements, and the police commissioner of Arrecife accused António Fonseca's relatives of "manipulating" the body in the mortuary after the first autopsy to make it look as though he had been beaten by the police. This was categorically denied by the professor of forensic science as well as by the family. On 20 September the Minister of the Interior told the Spanish Parliament that an internal Ministry inquiry had found no evidence of police ill-treatment and that no disciplinary action would be taken against the officers. AI is concerned that such a statement should be made while the judicial investigation continues and while many serious questions about the death have yet to be explained.

AI, which has called for a prompt and thorough judicial investigation into the circumstances of António Fonseca's death, is concerned about a growing number of reports of race-related ill-treatment at a time when unprecedented waves of new immigrants are arriving daily in the Canary Islands, Andalucía and elsewhere.

PAKISTAN ELDERLY SUFI SENTENCED TO DEATH FOR BLASPHEMY

YOUSUF ALI, a Sufi mystic, was convicted of blasphemy and sentenced to death on 5 August. Contrary to international standards, laws remain on Pakistan's statute books criminalizing the expression and practice of specific religious ideas.

There are concerns that the trial may not have been conducted in accordance with international standards of fair trial. The judgment in the case shows little evidence for the assertion that Yousuf Ali claimed he was a prophet. He has denied making such claims and some of the prosecution witnesses admitted that they had not fully understood what Yousuf Ali had meant by his statements.

The blasphemy law of Pakistan contained in Section 295C of the Pakistan Penal Code prescribes the mandatory death penalty for anyone found to have "by words ... or visible representation ...

or by any imputation, innuendo, or insinuation, directly or indirectly, defiled the name of the Holy Prophet Muhammad." Charges have been brought under this law by religious fundamentalist groups to stifle the expression of religious diversity. The law has also frequently been abused to imprison people in cases where the real motives are business rivalry or land issues.

Chief Executive General Pervez Musharraf announced in April that, to reduce abuse of the law, procedural changes would be introduced whereby charges would need to be approved by a senior administrative official before being registered. However, in May the old procedures were reinstated, on the grounds that the *ulema* (Islamic scholars) and the people had "unanimously" demanded it.

Human rights organizations, including AI, have called for the repeal of the blasphemy law and for introduction of such procedural safeguards as those which were promised and withdrawn, as long as the law remains on the statute book.

WHAT YOU CAN DO:

Please write, calling for the immediate and unconditional release of Yousuf Ali as a prisoner of conscience, detained solely for the exercise of his right to freedom of religion. Urge also that the proposed procedural changes to the blasphemy laws be instituted pending repeal of the law, which violates the right to freedom of religion. Write to: Chief Executive General Pervez Musharraf, Pakistan Secretariat, General Block, Islamabad, Pakistan.

EUROPE MARSEILLE 2000: WHAT FUTURE FOR HUMAN RIGHTS?

ON 13-14 NOVEMBER Marseille, France, will host the Summit of the Euro-Mediterranean Partnership (EMP), the third since the birth of the EMP Agreement, established in Barcelona, Spain, in November 1995 and involving 27 European and Mediterranean countries. The stated objective of this Agreement was to make the Euro-Mediterranean basin an area of dialogue, exchange and cooperation guaranteeing peace, stability and prosperity and to develop a partnership on political and security, economic and financial, and social and cultural issues.

Since the EMP Agreement of 1995, the governments of the Euro-Mediterranean region have tended to focus on the aspects of the EMP Agreement which relate to security issues and to the creation of a free trade zone by the year 2010, and to forget the legally binding human rights clause (Article 2) of the EMP Agreement, which stipulates that: "Relations between the Parties, as well as all the provisions

of the Agreement itself, shall be based on respect for human rights and democratic principles, which guide their domestic and international policies and constitute an essential element of the Agreement."

Five years later no concrete mechanism has been put in place to implement the provisions of Article 2 and widespread human rights abuses continue to plague the Euro-Mediterranean region, undermining the credibility of the Agreement. Torture, ill-treatment and police brutality, unfair trials, unequal treatment of women, racism and discrimination towards minorities are part of a daily reality which stands in stark contrast with the pledges of the EMP Agreement.

Knowing that when it comes to human rights protection they cannot rely on those who govern them, human rights defenders from all over the Euro-Mediterranean region will be present in force at Marseille, both in the Civil Forum and in other forums, to make the

voice of the region's civil society heard and to push the governments to implement their unfulfilled human rights promises.

WORLDWIDE APPEAL UPDATES

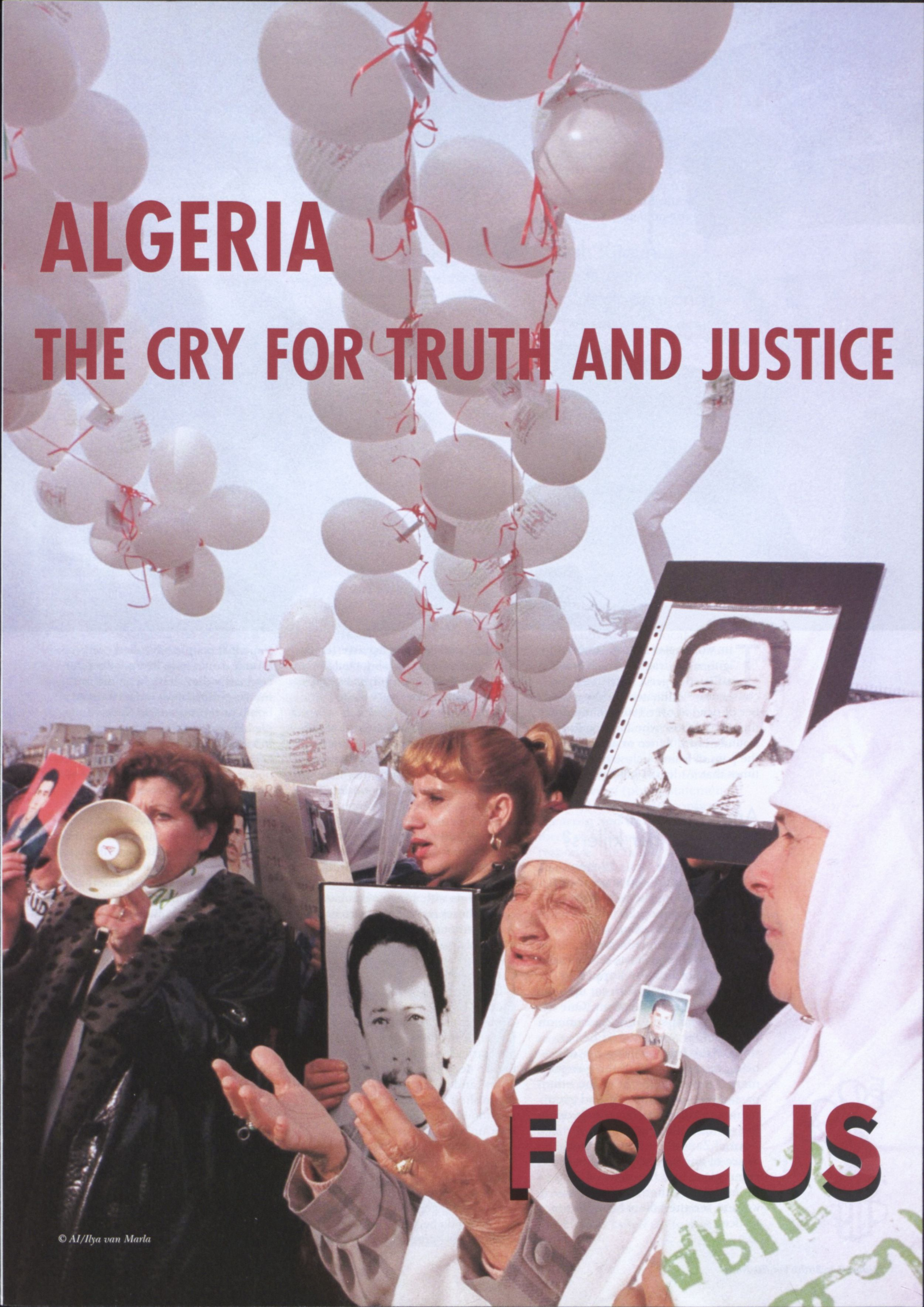
TAJIKISTAN DILFUZA NUMONOVA

The death sentence on Dilduza Numonova (June 2000 *Worldwide Appeals*) has been replaced with 15 years' imprisonment. Thanks to all who sent appeals.

SYRIA KHADIJA YAHYA BUKHARI

As a result of letters generated by the April 2000 *Worldwide Appeal*, AI has learned that Khadija Yahya Bukhari had been executed on 2 December 1992. The authorities claim that she had been involved in spying for the Israeli intelligence service in Cyprus.





ALGERIA

THE CRY FOR TRUTH AND JUSTICE

FOCUS



Members of a group representing victims of human rights abuses demonstrating in Algiers, 28 January 1999
© Reuters

THE WORLD HAS LARGELY CHOSEN to ignore the tragedy which has afflicted Algeria since 1992. Yet, conservative estimates put the number of dead at over 100,000 and the number of those who have been wounded in violence or afflicted by the pain of losing a close relative at 10 times that. At least 10,000 people have

"disappeared" after being arrested by the security forces, or abducted by state-armed militias or armed groups defining themselves as "Islamic groups".

Behind these figures lies the shocking reality of thousands of victims and their families crying out for the truth about the horrors which they have witnessed and for those responsible to be brought to justice. Their appeals have largely fallen on deaf ears and the Algerian authorities have failed to take the necessary measures to address their concerns. The need for full, independent and impartial investigations into a wide range of human rights abuses committed in recent years cannot be understated. Only when this issue is tackled will Algeria be able to begin the journey towards a lasting peace.

During the last couple of years the country has seen some positive developments. The level of violence has significantly dropped, and reports of arbitrary arrests, prolonged incommunicado detention, torture, "disappearances" and unfair trials have also diminished markedly. Since 1999 several thousand prisoners sentenced after unfair trials have been freed after retrials or pardons.

"Post conflict"?

The level of violence, however, is still appallingly high. Since early 1999, when Algeria began to be seen as a country in a "post-conflict" situation,

some 200 people have died every month. Some have been deliberately targeted; others have been the unfortunate victims of an indiscriminate bomb or mortar attack. Cases of people being arrested by the security forces at their homes or workplaces and then "disappearing" have continued to be reported, as have cases of torture and ill-treatment.

For thousands the pain of having lost a loved one is exacerbated by the fact that no investigation has been carried out into the killing or "disappearance", that the facts surrounding it have not been uncovered and that those responsible have not been brought to justice. Whether their relative was killed by the security forces or an armed group, the frustration and anger run deep. The principal desire is for the simple truth, however painful that may be. Many families continue to wait and hope, appealing in vain to the authorities to give them information on the fate and whereabouts of relatives who "disappeared" after arrest by the security forces or state-armed militias up to seven years ago.

Government promises

The healing process cannot begin until these families know the truth. The authorities must address the need for full, independent and impartial investigations into the thousands of killings, massacres, "disappearances", abductions, incidents of torture,

Amel Zanoune: where are her killers?

AMEL ZANOUNE WAS A 22-YEAR-OLD student in the fourth year of a law degree when she was killed by an armed group on 26 January 1997. She was travelling from Algiers to her family home in Sidi Moussa on the outskirts of the capital, when her bus was stopped by gunmen at a checkpoint set up to resemble those of the army. One of the group tapped Amel Zanoune on the shoulder and ordered her to step off the bus, accusing her of being in the employ of the government. Outside, in front of the other passengers, one of the armed group members killed her by cutting open her throat with a knife.

Amel Zanoune's family is not aware of any investigation that has taken place into her death. Like thousands of other families, they want to see the killers brought to justice.



extrajudicial executions and deliberate and arbitrary killings of civilians which have occurred in recent years – and which, although to a lesser extent, continue to occur.

Over the last two years, the Algerian authorities have pledged their commitment to resolving the problem of “disappearances”. However, they have failed to take any concrete and effective measures to investigate and shed light on not only the thousands of cases of “disappearance”, but also on the thousands of other human rights abuses which have blighted the country for almost a decade.

The international media has generally not been interested in the mainly faceless victims of the conflict in Algeria, and it has been almost exclusively news of high-profile cases, such as the assassination of foreign nationals, journalists and eminent figures, which has reached the outside world. In 1997 and early 1998 the horror of large-scale massacres prompted some reaction from the international community, but since then the world has lost interest and failed to ask the simplest of questions about why no one has been brought to justice and made accountable for these grave human rights abuses.

Another disturbing phenomenon is that those who carried out these killings are consistently reported by the authorities either to have been killed or to have escaped arrest and to have been sentenced to prison terms *in absentia*. It is equally worrying that the authorities refuse to provide human rights organizations with the name of a single member of the security forces or paramilitary groups who has been prosecuted for any of these killings, for torture or for any other human rights violation committed in the course of duty.

Campaigning work of victims' families

During its visit to Algeria in May 2000, after four years of not being allowed into the country by the authorities, AI was able to hear first-hand concerns expressed by hundreds of victims and their families – concerns which had been regularly relayed to

the organization during the period in which it had no access to the country.

Relatives, especially mothers, of the “disappeared” continue to protest publicly, appealing to the authorities to provide information about the fate and whereabouts of their loved ones. In Algiers, mothers and relatives of the “disappeared” have been holding weekly demonstrations since mid-1998. Elsewhere, several incidents earlier this year seemed to have been aimed at intimidating families of the “disappeared” from pursuing this sort of public protest. Relatives of the “disappeared”, mostly women, were ill-treated and intimidated by the authorities in the western cities of Relizane and Oran in March 2000. The lack of human rights lawyers willing and able to act on behalf of families of the “disappeared” outside the main cities makes the victims all the more vulnerable.

Immunity from prosecution

Many families of those killed by armed groups are angry with the authorities for recent measures taken in a stated effort to turn the page on the crimes of the past. Following a secret agreement between the army and the *Armée islamique du salut* (AIS), Islamic Salvation Army – the armed wing of the *Front islamique du salut* (FIS), Islamic Salvation Front – and the *Ligue islamique pour la da'wa et le djihad* (LIDD), Islamic League for Preaching and Holy War, all the members of these armed groups (reportedly numbering over a thousand) have been granted immunity from prosecution. Any who may have been responsible for the killing of civilians and other crimes will consequently not be brought to justice.

In addition, members of other armed groups, such as the *Groupe islamique armé* (GIA), Islamic Armed Group, who surrendered to the authorities between 13 July 1999 and 13 January 2000, have also been granted immunity from prosecution. Under the terms of a *concorde civile* (law on civil harmony), members of armed groups who surrendered and “repented” before 13 January 2000

were to have their cases examined, on an individual basis, by special committees especially set up throughout the country. However, the vast majority of armed group members to have done so have been granted exemption from prosecution, some within days of having surrendered. The speed with which their exemption from prosecution was decided indicates that no thorough investigation was carried

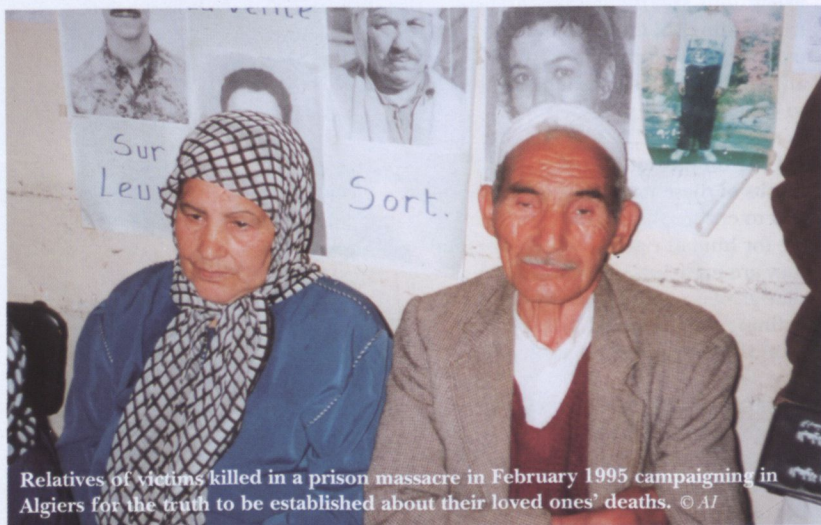
Salah Kitouni: who is responsible for his ‘disappearance’?

OVER FOUR YEARS AGO, Salah Kitouni, a 42-year-old journalist, was arrested at his home by police officers and held for questioning at the central police station of Constantine, eastern Algeria, for three days before being released on 6 July 1996. Another three days later, Salah Kitouni complied with a summons from the same police station to appear for further questioning – and then “disappeared”. His family has neither seen nor heard from him since. Despite repeated efforts, his family has been unable to obtain any information concerning his place of detention or the charges which may or may not have been brought against him.

In August 1996 the family filed a complaint with the local judicial authorities. Seven months later they received a reply informing them that Salah Kitouni had been transferred by the police service of Constantine to the Regional Investigation Centre of the Fifth Military Region on 11 July 1996. The authorities enclosed documented proof of this information – a *procès-verbal* (police statement) dated 29 March 1997 confirming his arrest and transfer by the police force of Constantine. Following this response, the family alerted all the relevant authorities in the country – the courts, the official human rights body, the presidency – in the hope of obtaining at least some information on his fate and whereabouts. To this day, however, they have received no reply.

The family has exhausted all conceivable methods of recourse to justice, and yet knows of no investigation having been opened into the case of Salah Kitouni despite the evidence available and Algeria's obligation under national law and international treaties to do so.

Some 4,000 families today find themselves in similar positions to Salah Kitouni's family, continuing to suffer the agony of not knowing the fate or whereabouts of relatives who “disappeared” after being arrested by security forces. For some the wait for the merest scrap of news has lasted up to seven years.



Relatives of victims killed in a prison massacre in February 1995 campaigning in Algiers for the truth to be established about their loved ones' deaths. © AI



Berber women
mourning singer
Matoub Lounes
© Reuters



Matoub Lounes: who killed him?

MATOUB LOUNES, a popular Berber singer, was assassinated and his wife and two sisters-in-law seriously wounded on 25 June 1998 near his village of Taourirt-Moussa, in Kabylia. The singer, who had spent most of the last few years in France, was fiercely critical of both the Islamists and the government and was a fervent supporter of the Berber cause. He had been shot and gravely injured by the army during the October 1988 riots and then had been abducted in September 1994 and held hostage by a GIA group for two weeks before being released.

Two years after his assassination, his family continues to call for a

thorough and impartial investigation into his death. The case has attracted much publicity because of the profile of the singer and the tough campaigning of the Matoub Lounes Foundation, headed by his sister, Malika. Hundreds turned out on the streets of Algeria – and in some instances were heavy-handedly dispersed by the security services – to commemorate the second anniversary of Matoub Lounes' death this year, and to demand an investigation into the assassination. Immediately following the assassination, the wife of Matoub Lounes stated that it was the GIA who had killed her husband. However, she has recently declared publicly that

she had made that declaration at the time after being pressured into doing so by the authorities, when in fact she had, and continues to have, no idea of who killed him. The Foundation has also declared that it does not consider the man currently accused by the authorities of Matoub Lounes' assassination to be connected with the affair.

The case of Matoub Lounes is but one of thousands of assassinations and other killings into which the authorities have failed to carry out satisfactory investigations. The lack of will to do so only contributes to the state of confusion which has beset the country for over eight years.

out to establish what crimes they may have committed in the period (varying between several months and up to seven years) during which they were active with armed groups. The fear is that impunity, which has always been widely enjoyed by security forces and paramilitary groups, now appears to have been granted also to members of armed groups, who may have been responsible for killing civilians, raping women and other human rights abuses.

WHAT YOU CAN DO:

Write to the Algerian authorities making the points outlined below:

- EXPRESS your sympathy with the victims and the families of victims of nearly a decade of violence in Algeria, and your support for their appeals for truth, justice and an end to impunity.

- CALL on the authorities to undertake full, independent and impartial investigations into the thousands of killings, massacres, "disappearances", abductions, torture, extrajudicial executions and deliberate and arbitrary killings of civilians which have occurred in recent years and which, although on a lesser scale, continue to occur.

- CALL on the authorities to make the results of these investigations public and to ensure that all those responsible for human rights abuses – whether they are members of security forces, state-armed militias or armed groups defining themselves as "Islamic groups" – be brought to justice.

- URGE the authorities to ensure that the security forces do not arrest, ill-treat or threaten victims or families of victims for demonstrating peacefully.

SEND YOUR LETTERS TO:

Son Excellence M. Abdelaziz
Bouteflika
Président de la République
Présidence de la République
El Mouradia
Alger, Algeria
(fax: + 213 2 60 96 18
or + 213 2 69 15 95)

Son Excellence M. Ali Benflis
Premier Ministre
Palais du Gouvernement
Alger, Algeria
(fax: + 213 2 73 64 06)

Son Excellence M. Ahmed
Ouyahia
Ministre de la Justice
Ministère de la Justice
8 Place Bir Hakem
El Biar, Alger
Algeria
(fax: + 213 2 92 21 95)



WORLDWIDE appeals

MALAYSIA FORMER DEPUTY PRIME MINISTER AND HIS BROTHER SENTENCED FOR SODOMY

Former Deputy Prime Minister **ANWAR IBRAHIM** was sentenced to nine years in prison for sodomy following an unfair trial in August 2000. The sentence is in addition to a previous conviction for attempting to cover up allegations of sexual impropriety, for which Anwar Ibrahim is already serving another six years' imprisonment. His detention sparked unprecedented public protests in Malaysia, many of which have been suppressed with force.

In September 1998 Anwar Ibrahim was dismissed from his posts of Deputy Prime Minister and Finance Minister following increasing political tensions with the Prime Minister, Mahathir Mohamed. He was later publicly vilified by Mahathir Mohamed as a "sodomist unfit to rule the country". During nine days of incommunicado detention before finally being brought to court, Anwar

Ibrahim was blindfolded, handcuffed and physical assaulted by the then Inspector General of Police.

Anwar Ibrahim's adopted brother, Sukma Darmawan Sasmitaat Madja, was also convicted at the same trial of sodomy and sentenced to six years' imprisonment plus four strokes of the cane. He remains free on bail pending his appeal. In 1998 he was sentenced to six months, having confessed to "allowing himself to be sodomized" by Anwar Ibrahim. He later retracted his confession, stating that it had been coerced under torture, but the court dismissed his claims without ordering any proper investigation.

AI believes Anwar Ibrahim to be a prisoner of conscience, convicted on politically motivated criminal charges aimed at discrediting him and removing him from public life. AI believes the prosecution

of Sukma Darmawan was motivated solely by the authorities' desire to secure a conviction against Anwar Ibrahim. If imprisoned, he would also be a prisoner of conscience.

Please write, calling for the immediate and unconditional release of Anwar Ibrahim and for the conviction of Sukma Darmawan Sasmitaat Madja to be quashed. Send appeals to: Datuk Dr. Rais Yatim, Law Division, Prime Minister's Department, Block 1, Federal Government Administration Centre, 62502 Putrajaya, Selangor, Malaysia (fax: +60 3 8888 3424).



Anwar Ibrahim
© Reuters

BELARUS OPPOSITION FIGURE SENTENCED TO SIX YEARS' IMPRISONMENT

ANDREY KLIMOV was arrested on 11 February 1998 and spent over two years in pre-trial detention before being sentenced to six years' imprisonment at a hard labour colony with confiscation of property. AI believes that the real reason for Andrey Klimov's imprisonment is his opposition activities.

On 17 March 2000, Andrey Klimov was convicted on charges including embezzlement. Various international observers, including an AI delegation, who were present at the court hearing in Minsk have expressed reservations about the fairness of the trial.

He was elected to the Belarusian parliament, the 13th Supreme Soviet, in 1995 for a five-year term, which was

unconstitutionally cut short after President Alyaksandr Lukashenka's forced dissolution of parliament in November 1996, a move which came under heavy criticism abroad. At the time of the dissolution, Andrey Klimov took an active part in the attempted impeachment of President Lukashenka, accusing him of violating the law and the Constitution. Andrey Klimov has been among a number of leading opposition figures who appear to have been deliberately harassed, intimidated, imprisoned and possibly abducted by the authorities.

Andrey Klimov is married and has three young children. Since his arrest, and the subsequent bankruptcy of his business, his family have also reportedly

suffered considerable financial difficulties.

Please write, calling for the unconditional and immediate release of Andrey Klimov as a prisoner of conscience. Send appeals to: President Alyaksandr Lukashenka, Respublika Belarus, 220016 g. Minsk, ul. Karla Marksa, 38, Administratsia Prezidenta Respubliki Belarus, Belarus (fax: +375 (172) 26 06 10 or +375 (172) 22 38 72, email: infogrp@president.gov.by).



Andrey Klimov
© AI

KENYA SENTENCED TO DEATH AFTER UNFAIR TRIAL

BONIFACE LUKOYE, 23 years old, was sentenced to death barely 24 hours after his arrest for robbing a tourist of property worth about 46,000 Kenyan shillings (around US\$660). He was convicted at a magistrates' court on 21 December 1999 after pleading guilty to robbery with violence, which carries a mandatory death sentence. He did not have legal counsel at any point following his arrest or during his trial. The trial was over very quickly. He is appealing against the sentence.

There are currently more than 1,000 people under sentence of death in Kenya, the majority of whom were sen-

tenced after unfair trials at magistrates' courts, where defendants do not have the right to legal aid. Although no one has been executed for more than 10 years, death sentences continue to be imposed. Scores of prisoners, including a number on death row, die each year as a result of the appalling prison conditions.

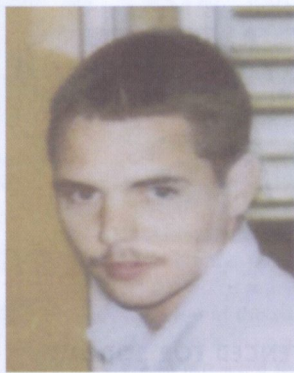
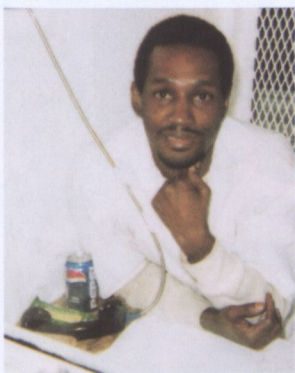
In February this year the Catholic Archbishop of Nairobi, Ndingi Mwana'a Nzeki, added his voice to the appeals of human rights defenders when he called for the repeal of the death penalty during the ongoing constitutional review in Kenya. At the time of writing, a bill to abolish the death penalty had been pro-

posed by Kiraitu Murungi, a human rights lawyer and opposition member of parliament, and was due to come to the Kenyan parliament in the current session. Kiraitu Murungi proposed a similar bill in 1995, which failed despite the support of some members of the government.

Please write, urging that Boniface Lukoye's death sentence be commuted. Add your support to the appeals of Kenyan human rights defenders, and call for the abolition of the death penalty. Send appeals to: President Daniel arap Moi, Office of the President, PO Box 30501, Nairobi, Kenya (faxes: +254 2 337 340).

APPEALS

*Remember:
AI members
should not take
up cases from
their own coun-
tries.*



Clockwise from left, Christopher Burger, Sean Sellers, Gary Graham, Chris Thomas – four of the 14 child offenders executed in the USA since 1990 – and Alex Williams, who came 48 hours from death in Georgia's electric chair in August for a murder committed when he was 17.
All © private

USA ROGUE STATE?

US SECRETARY OF STATE Madeleine Albright defined "rogue states" as those countries which "for one reason or another, do not feel that they should cooperate with the rules that have been established by other nations of the world".

One rule established by the international community is that children, given their immaturity and capacity for change, must never be subjected to the death penalty. It is a principle – enshrined in numerous international instruments – which commands almost universal respect. On 14 August 2000, the UN Sub-Commission on the Promotion and Protection of Human Rights affirmed this when it stated that "the imposition of the death penalty on those aged under 18 at the time of the commission of the offence is contrary to customary international law." Such a norm is one that is a general practice accepted as law, and is binding on all countries, regardless of which treaties they have or have not ratified, and regardless of any conditions they have attached to such ratifications.

Since the Secretary of State voiced the above definition of "rogue state" on 18 September 1997, there have been 11 judicial executions of child offenders documented worldwide. Eight were carried out in the USA. The other three occurred in Pakistan, which made a first move to exempt children from the death penalty in July; Iran, one of the countries repeatedly labelled by US officials as a "rogue state"; and the Democratic Republic of the Congo – President Bill Clinton has not responded to AI's appeal

for him to condemn the execution of a 14-year-old boy there in January.

In August, President Clinton told a Democratic National Convention audience in Los Angeles that their country is "the leading force for human rights around the world" and "more decent, more humane" than ever. How can such claims bear scrutiny when the USA is the leading perpetrator of a punishment against children that is condemned in all corners of the globe?

Such use of the death penalty rejects any notion that wider adult society should accept even minimal responsibility in the crime of a child. The profile of the typical condemned teenager in the USA is not of someone from a stable, supportive background, but rather of a mentally impaired or emotionally disturbed adolescent emerging from a childhood of abuse, deprivation and poverty. Just a glimpse at the backgrounds of the 14 child offenders executed in the USA since 1990 suggests that society had failed them well before it decided to kill them.

In June, Madeleine Albright revealed that her department would no longer be using the term "rogue state", but would henceforth refer to "states of concern". In relation to the use of the death penalty against children, either label could describe the USA, where 80 more child offenders await execution. It is time for the USA to put an end to this illegal practice.

For further information, see USA: *Crying out for clemency – The case of Alexander Williams, mentally ill child offender facing execution* (AMR 51/139/00).

NEPAL GOOD NEWS!

BISHNU PUKAR SHRESTHA (see *Worldwide Appeals*, April 2000), whose whereabouts remained unknown for 10 months, was finally released from unacknowledged detention on 7 July. According to a report in *Kantipur* newspaper, his release took place in the presence of a member of parliament of the ruling Nepali Congress Party.

AI received reliable information indicating that for the majority of the time Bishnu Pukar Shrestha was held incommunicado within the Armed Forces Section of the Police Training Centre at Majaharajgunj, Kathmandu, an unofficial place of detention.

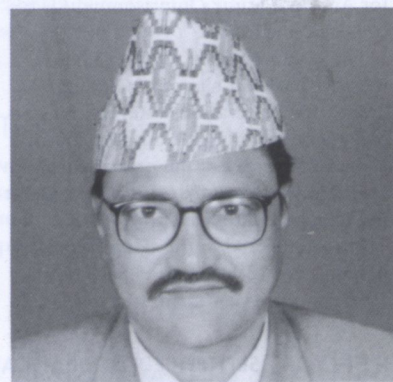
Bishnu Pukar Shrestha, a secondary-school teacher and human rights activist, "disappeared" on 2 September 1999 when he was abducted after stepping off a bus in Satumangal, Kathmandu. Witnesses saw six men in civilian dress, believed to be police officers, force him inside a Jeep with black tinted windows which then headed towards the city centre. When relatives made inquiries at local police posts and at police headquarters in Kathmandu, the police denied his arrest.

A habeas corpus writ was filed on

behalf of Bishnu Pukar Shrestha with the Supreme Court. Nine witnesses gave testimony in court about his arrest. The Court also ordered the Transport Department to reveal the details of the person under whose name the Jeep in which he was abducted was registered and, at a later hearing, for the owner to appear in court. But, 10 months after his arrest, the Supreme Court's action had not succeeded in establishing his whereabouts.

Appeals on behalf of Bishnu Pukar Shrestha were sent to the Nepal government authorities by members of parliament, the diplomatic community and local and international human rights organizations, including members of AI. In a letter to AI, dated 6 August 2000, Bishnu Pukar Shrestha wrote:

"It is the happiest moment for me to say thanks to you for your noblest job to release me from the dark room and bring me outside in the world... I owe for the tremendous job performed by you, the Secretary General, the staff and officials of Amnesty International for my release. I would like to extend my cordial thanks to all of them who were involved to bring me out of the mouth of death..."



Bishnu Pukar Shrestha © AI

COMING SOON! WORLDWIDE APPEALS ON THE WORLDWIDE WEB!

To find out more about other individuals whose cases have appeared as *Worldwide Appeals* over the last few years, go to <http://www.amnesty.org/act> now

Many have been released; many have had their sentences commuted or quashed; many of those who had "disappeared" have been freed. Many more still need your help – in November you can find out how.

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