

HUMAN RIGHTS ACTIVISTS UNDER FIRE

Human rights activists are in the front line of the struggle for freedom and justice. They stimulate awareness of human rights, monitor government actions and collate information about human rights violations. They take legal action against perpetrators, provide assistance to victims and mobilize their communities in campaigns to stop the violations. In short, they work to protect the weak and hold the powerful to account.

The *Amnesty International Report 1994*, published last month, exposes the enormous gap between what governments say about human rights and what they actually do. It could not have been put together without the contribution of thousands of human rights activists, many of whom have had to defy their governments or risk their lives to search for the truth.

Their contribution has rarely been more needed than it is today. In a world experiencing rapid political change, these are the very people who could help create an atmosphere in which the promises of new governments and the "new world order" could be realized. Yet in many countries human rights activists have been among the first victims of repression in times of tension, seen as a threat by governments in a world increasingly being torn apart along lines of wealth, nation, ethnicity, colour and creed.

Paradoxically, the governments who are guilty of such actions are often among the loudest in declaring their support for human rights.

At first glance it would seem that few countries take human rights more seriously than Tunisia. Human rights are constantly praised and cited in speeches and articles by public figures and there is an elaborate official human rights bureaucracy. Several government ministries have human rights units. There is a human rights ombudsman, a human rights committee, a presidential human rights adviser and a human rights medal. Tunisia has ratified nearly all UN human rights instruments, sends its reports to the relevant committees on time and the government has instructed that all police stations keep on hand the Universal Declaration of Human Rights.

Yet a closer look inside the country reveals a blatant contempt by the authorities for the human rights of its citizens. In recent years thousands of suspected government opponents have been arbitrarily arrested, held in illegally prolonged incommunicado detention, tortured and imprisoned after unfair trials. Those who have publicized these violations and spoken out against them have been punished with the same abuses.

In 1992 the government dissolved the Tunisian Human Rights League, one of the oldest human rights organizations in the Arab world. It was only allowed to reform in 1993 provided it conformed to a restrictive new law on associations. In March 1994 Moncef Marzouki, former president of the League, was arrested and charged with spreading false information. Also arrested was Abderrahmane Hani, a human rights lawyer. They were the only two people who had announced their intention to stand in the Presidential elections of March 1994. Abderrahmane Hani was released after being held for more than two months. As of June, 1994, Moncef Marzouki was still detained. The Tunisian authorities also expelled a number of foreign journalists and lawyers, and refused an Amnesty International delegate permission to enter the country.

[pic: Moncef Marzouki, a leading human rights activist in Tunisia, now in jail facing charges of spreading false information and insulting the judiciary because of an interview he gave to a foreign journalist. He is a prisoner of conscience.]

Given such intimidation and repression of human rights activists on the ground, it is even more imperative that human rights groups around the world work together to support human rights activists who are under fire.

International organizations have to take collective responsibility for the defence of human rights activists in all corners of the globe. They must work to create the space for human rights activism in countries where it remains virtually impossible today. Those who can operate in relative safety must protect those who are most vulnerable. More effective links must be forged between individuals who risk their lives or liberty if they speak out and those who are able to publicize human rights issues and apply pressure on repressive governments.

[pic cap Nizar Nayyuf, one of 10 prisoners of conscience sentenced to jail in Syria because of their support for a voluntary human rights organization. Nizar Nayyuf, a sociologist, was sentenced to 10 years' imprisonment for a leaflet which criticized the government's human rights record.]

In Colombia, those brave enough to stand up for human rights are aware that others like them have paid for their courage with their lives. The regular security forces or paramilitary organizations operating with their support have extrajudicially executed thousands of people in recent years, and human rights activists have increasingly been targeted. Anyone who takes an active interest in defending human rights, or investigating massacres, "disappearances" or torture, is at risk. What they are doing is perfectly legal, yet it can result in torture or death. Human rights activists, people who campaign for better conditions in the shanty towns, lawyers conducting independent inquiries, victims' relatives seeking the truth and perhaps some redress, judges, trade unionists, teachers and Indian leaders have all been singled out and deliberately killed.

There has also been a systematic attempt by the military authorities to discredit leading human rights organizations by falsely accusing them of having links with armed opposition groups. For example, some 150 human rights workers and trade unionists were endangered in August 1993 when they were named on a list of "subversives" compiled by military intelligence which was passed to a Colombian television station. A number of human rights lawyers and activists have felt forced to abandon their activities and seek refuge in other areas of the country or abroad.

In countries where state officials feel free to act with impunity, human rights activists are often the only force standing between the mass of ordinary people and the unbridled power of the state. No one else would take up the cases of peasants wrongly evicted from their land. No one else would petition the courts to obtain the release of those unlawfully imprisoned. No one else would try to find out what has happened to the men and women who "disappear" after being seized from their homes by the military.

In Mexico, peasants and indigenous people in the southern state of Chiapas have suffered years of human rights violations in a context of land disputes and electoral fraud. The whole country was shaken when, on 1 January 1994, an armed opposition group took control of several towns in the state. Heavy fighting between the Zapatista National Liberation Army [for transl: Ejército Zapatista de Liberación Nacional] (EZLN) and government troops ensued, and the EZLN still controls large areas of mountainous territory. One of the men chosen to mediate between the Mexican government and the EZLN is Monsignor Samuel Ruiz, Bishop of San Cristobal de las Casas, who has won widespread respect among local Indian communities over many years. In March he received a written death threat: if he did not leave the area he would be silenced "for good". The very next day a peasant leader who had also been involved in negotiations was killed and his son badly injured by unidentified armed men.

[pic cap: Bishop Samuel Ruiz, a mediator in the armed conflict in the Mexican state of Chiapas, has been threatened with death. Other prominent supporters of peasant and Indian rights have been murdered.]

Human rights activists on the ground are a crucial source of data about what is really happening in any particular country. International organizations, whether they be non-governmental like Amnesty International or intergovernmental institutions like the UN, are heavily dependant on that information. It is clear that governments which are responsible for human rights violations cannot be trusted to provide the whole truth and without the local and independent sources they would get away with far more than they do at the moment.

This is particularly important at a time when the world is changing so rapidly. The end of the Cold War has led to new democratic institutions being formed for the first time in generations in many countries. Human rights groups have sprung up in dozens of places where they could not operate openly before. The new freedoms, however, are proving to be fragile. Many of these countries are now teetering on the edge of violence and disintegration, with human rights being sacrificed in the pursuit of power and privilege.

Such is the case in some of the countries which emerged from the former Soviet Union. In Uzbekistan, for example, the authorities have been busy promising new freedoms and rights -- while their security forces have been busy using the methods of old. In December 1992, for instance, the Uzbek secret police abducted the chairman of the Human Rights Society of Uzbekistan, Abdumannob Pulatov, from a human rights conference in Kyrgyzstan and took him back to Uzbekistan. He was convicted of slandering the Uzbek President, although he was immediately amnestied and released.

The role of human rights activists is key in countries going through major reforms or transitional periods. They help create the space in which the institutions of civil society can be built and within which the right to peaceful dissent can be exercised and protected. Their ideas can contribute to establishing new laws and institutions that can better protect the rights of all, and their actions can help ensure that those responsible for human rights crimes in the past and present are held to account.

Yet all too often, the authorities see such activists as a problem rather than part of the solution for creating a better future.

In Nigeria human rights activists were among the first to be arrested following the military government's decision to annul the result of a presidential election held in June 1993. The authorities claimed that the election was invalid owing to malpractices. In early July, human rights activists Beko Ransome-Kuti, Femi Falana and Chief Gani Fawehinmi, all prominent members of the Campaign for Democracy, were arrested after the Campaign for Democracy called for a week of protest against the government's decision. All three had been arrested several times before. On 12 July they were charged with sedition and conspiracy and remanded in custody until 30 September. On 28 July bail was granted and the conditions of bail met, but the authorities refused to release them. They were eventually freed on 29 August shortly after an interim government took power. In October Beko Ransome-Kuti was rearrested and charged after further peaceful demonstrations. His trial was adjourned until 1994.

When activists are trying to publicize violations in territories seeking independence or occupied by foreign forces they are also liable to be victimized by the government. For example, over the years some Palestinian human rights workers in the Israeli-Occupied Territories have been subjected to restrictive measures including arrest and administrative detention, apparently for carrying out their human rights work. Shawan Rateb Jabarin, from Sa'ir on the West Bank,

a field-worker for al-Haq, a human rights organization was administratively detained between March and May 1994.

[BOX Pic cap Cuba

In Cuba, freedom of expression, association and assembly, as well as independent monitoring of human rights, remain severely restricted. Among the hundreds of prisoners of conscience currently held is Rodolfo Gonzalez Gonzalez, seen here between two government security officers as he waits to hear the results of his trial in Havana in March 1994. He was sentenced to seven years' imprisonment on a charge of "enemy propaganda". Rodolfo Gonzalez Gonzalez is a member of the executive of the unofficial Cuban Committee for Human Rights [for transl: Comit e Cubano Pro Derechos Humanos] (CCPDH). He was accused of disseminating anti-Cuban propaganda via the Miami-based Radio Mart ı, which is funded by the US Government. The authorities alleged that the reports on human rights violations he was passing to contacts in Miami were false and put the country's security in danger by giving a distorted and chaotic image of Cuban society. Amnesty International believes that Rodolfo Gonzalez Gonzalez is a prisoner of conscience punished for his work monitoring human rights.]

Governments that victimize human rights activists almost invariably have a great deal to hide. If they cannot tolerate people speaking out for the most basic rights of their fellow citizens, it is highly likely that they will not tolerate dissent and must therefore rely on fear and violence to maintain their power.

In Libya, the government allows almost no public criticism of its policies, and human rights activists are at risk even beyond the country's borders. Mansur Kikhiya, a member of the executive committee of the Arab Organization for Human Rights, and a prominent member of the Libyan opposition, was abducted in Cairo, Egypt, in December 1993. He was believed to have been seized by agents of the Libyan Government.

The Indonesian authorities have been equally determined to silence those standing up for human rights. One victim was Ahmad Jauhari, a 28-year-old lawyer and human rights activist. Late at night on 6 October 1993, a group of men came to his home in Rancamay, Bogor, but he was not there. While his wife and newly born child were inside, they violently attacked his house, throwing bottles and rocks through the windows. A note left behind by the attackers and signed with a skull and crossbones read: "Leave Rancamaya now, or be ready to die like a dog!" The attack appeared to be motivated by his work on behalf of farming communities in the Bogor area of West Java, and the way it was carried out raised suspicions of police involvement or complicity. Less than two weeks before the attack, Ahmad Jauhari had been detained and interrogated by the police for three days following a peaceful demonstration about a land dispute in Bogor.

[pic caption

Imprisoned for speaking out: 29-year-old human rights activist, Nuku Soleiman, jailed in February 1994 for criticizing Indonesia's President Suharto and for calling on him to accept responsibility for human rights violations committed under his rule. Nuku Soleiman was arrested during a peaceful demonstration in Jakarta in December 1993. During his trial, he described the atmosphere of the courtroom as one of terror and intimidation. In May, following an appeal, his sentence was increased from four to five years. AI regards him as a prisoner of conscience and has called for his immediate release. AI has also called for the release of a further 21 young people arrested during the demonstration and charged with similar offences. Their trials, on charges of insulting the President, began in March. Hundreds of political prisoners are serving long

jail sentences after unfair trials in Indonesia, where torture and ill-treatment of political detainees and peaceful protesters is common.]

One reason governments turn on human rights activists is that they know how damaging the effective monitoring of abuses can be in terms of their international image. Such is the case in China.

For the past two years a number of residents of Shanghai have been trying to establish groups to work for democratic reforms and the release of political prisoners. Almost everyone involved has either been arrested or repeatedly hauled into custody for questioning. Fu Shenqi, a veteran pro-democracy campaigner, was arrested in Shanghai in June 1993. He had spent a total of seven and a half years in jail since his first arrest in 1981 (at the time of the "Democracy Wall" movement), and had only been free since February 1994. On 4 July 1994, barely eight days after his arrest, Fu Shenqi was sentenced without trial to a further three years' re-education through labour". Fu Shenqi's crime? He was accused of "planning" to let people know about the detention of two other prisoners of conscience. His appeal was rejected after a hearing in which Fu Shenqi's lawyers were denied access to files, refused permission to call witnesses, and allowed only 10 minutes to state their case. Fu Shenqi's wife was also detained for about 15 days when she protested against the court's refusal to let either Fu or herself attend the court to hear the result of the appeal.

Turkey is another country whose government goes to great lengths to project a positive human rights image abroad. Yet members of the Turkish Human Rights Association are harassed, threatened, imprisoned, tortured and killed. Nine have been killed in the past 18 months. Mehmet Gökalp, the Derik representative of the Human Rights Association, has been arrested and interrogated eight times in the course of a year. He has been beaten and tortured and warned by the security forces that he would be killed if he did not resign from the Human Rights Association.

In countries where the human rights situation is rapidly deteriorating, it is especially vital that human rights monitors are able to operate freely. Without them, it becomes easier for the international community to turn its back on those most in need.

In Rwanda, where widespread slaughter followed the death of the President in April, world attention focused on the evacuation of foreigners and presented the carnage as a tribal dispute. The truth is more complex. For years political leaders have used violence to further their aims and those responsible for mass killings have never been brought to justice. Repeated appeals to the international community to take steps to avert the crisis -- particularly since armed conflict began in 1990 -- have failed to produce the kind of response that could prevent the killings. The UN failed to commit the staff, resources and training to implement solutions being suggested not only by non-governmental organizations but also by its own Special Rapporteur. The international community knew what had to be done and knew the problems but did not act until their own nationals were in danger.

In the recent upsurge of killings, human rights activists and opposition politicians were deliberately sought out and killed by the armed forces and "militias". For example, Charles Shamuakiga of the Association des volontaires de la paix, Association of Peace Volunteers, was rounded up by Presidential Guards in a truck on 7 April. He was killed soon after. The fate of scores of other Rwandan human rights activists is unknown.

In the former Yugoslavia, several human rights monitors and organizations have found themselves under fire. In July 1993, for example, Sami Kurteshi, a member of the Council for the Defence of Human Rights and Freedoms in Priština, in the Federal Republic of Yugoslavia (FRY), was beaten and arrested during a police raid on the Council's offices. The police confiscated materials

documenting human rights abuses committed by the largely Serbian police force against ethnic Albanians in Kosovo province.

The hostility of the Government of the FRY to international human rights monitoring was shown earlier in the year when it refused to allow the UN Special Rapporteur on the former Yugoslavia to base staff in the country. In July the government expelled the long-term monitoring mission of the Conference on Security and Co-operation in Europe. AI has twice been refused permission to visit the FRY in the last year.

In Split, Croatia, civilian and military police stood by as a human rights worker was attacked by uniformed soldiers. Tonci Majic, President of the Dalmation Committee for Human Rights, was badly beaten as he tried to monitor the illegal eviction of a tenant from a flat previously owned by the Yugoslave army, in February 1994.

The hope for humanity lies with the millions of men and women who have committed themselves in one way or another to defending human rights. We must do all we can to protect them now and keep them alive.

We must do all we can now and keep them alive. Human rights activists around the world have all too often been left to stand virtually alone, surviving only through sheer grit and courage. The international community, as represented by governments, has singularly failed to do what is needed to protect them. For more than eight years governments at the UN Commission on Human Rights have been unable to reach agreement on the text of a basic declaration aimed at recognizing and protecting the rights of human rights defenders. Meanwhile, those defenders continue to be tortured, imprisoned, "disappeared" and gunned down.

Amnesty International urges the world's governments to agree on a strong text of this declaration on human rights defenders and to adopt it as a matter of urgency. This would be a first step. Then governments must ensure that they fully implement its provisions and protect the activities of human rights workers in every country.

[picture caption/separate article]

When an AI representative met Egyptian lawyer 'Abd al-Harith Mohammed Madani in Cairo briefly on 24 April, 1994, he had little idea that this would be the last time he would see him alive.

The two men arranged another meeting for later that week, but the lawyer never turned up. 'Abd al-Harith Mohammed Madani, who had defended many Islamist political prisoners, was arrested on 26 April in his office in Cairo and taken to the Giza branch of the State Security Intelligence. He was allegedly so severely tortured that he had to be transferred to Qasr al-'Aini hospital where he was confined in a special wing with no access to the outside world. His family learned of his death on 6 May, when they were ordered to collect his body from a morgue. He was allegedly tortured with electric shocks, beatings and whippings.

In the months leading up to the death of 'Abd al-Harith, human rights defenders, particularly lawyers, had been increasingly harassed by the security police. According to reports, the Public Prosecutor has authorized the family of 'Abd al-Harith to file a civil suit against the police. AI called for an immediate and public investigation into the whole affair.

'Abd al-Harith's death provoked outrage in the legal community. Thousands of lawyers met at the headquarters of the Bar Association in Cairo to protest. Then, on 17 May, a number of them decided to organize a peaceful demonstration by marching from the Bar Association to the Presidency. Just as they were about to leave, the security forces fired canisters of tear gas and rubber bullets directly into the building. Thirty-six lawyers, most of them known for their defence of Islamist political prisoners, were arrested and interrogated. Some

have been charged in connection with organizing the demonstration. AI considers them to be prisoners of conscience and called for their immediate release.

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