

EXTERNAL

AI Index: AFR 33/02/96

UA 228/96

Excessive use of force / Fear for safety 27 September 1996

LESOTHO

Workers from the Lesotho Highlands Water Project worksite in Butha-Buthe, including the workers committee:

Christopher MABASO
Edwin MOTINYANE
Molikeng PHOLOANA
Justice TSENOLI
Liharahalibonoe PEETE
Gabriel KHABANE
Oscar MAPHUROANE
Ephraim LETLAKANE
Thibeli MAKOA
Ezekiel PHAKOE
Ntsasa TLOUOE

and others attempting to assist the workers

Amnesty International is deeply concerned for the safety of workers employed at the Lesotho Highlands Water Project (LHWP) in Butha-Buthe in the aftermath of a police operation in which at least four, and possibly as many as 15 workers, were shot dead. Hundreds of workers remain in fear of arbitrary arrest and violence at the hands of the police.

On 14 September 1996 heavily armed police stormed a workers' camp at Butha-Buthe, in the context of a prolonged labour dispute between workers and management at LHWP (see background). The workers were in the workers' compound when the police surrounded the compound and cut through the perimeter fence. Amnesty International has been informed that the police teargassed the men and immediately began shooting, using live ammunition. Police later stated that workers had placed detonators around the fence and that two AK47s were found inside the compound. There is no independent confirmation of this. Although post-mortems have apparently not yet been performed on those who died, there are reports that the injuries among the dead and wounded indicate they were shot while fleeing from the police gunfire.

As many as 600 workers fled to nearby St Paul's Roman Catholic mission for safety, and hundreds remain there. The police arrested a number of workers at the Project site. According to legal sources, those arrested included a driver who tried to use the company ambulance to assist the injured and who was shot at by the police. The detainees were reportedly "heavily beaten up" in custody before being released uncharged.

The police are reported to have visited the homes of workers' families, apparently hunting for workers, in particular members of the "workers' committee". Members of non-governmental organizations (NGOs) trying to assist those injured in the shootings and others in hiding have also been harassed by the police.

BACKGROUND INFORMATION

Confusion remains as to the final death toll. Amnesty International has received the names of four of those killed. Their bodies are in the mortuary in Butha-Buthe. There are disturbing reports that further bodies

may have been improperly removed from the scene by police, who occupied the site for 24 hours after the shootings and refused anyone access to it. Unconfirmed eyewitness reports refer to between 10 and 15 bodies at the scene.

On 16 September local NGOs presented a petition to the Lesotho Government calling for the police to stop "killing, assaulting and hunting down with the intention to kill the workers", and for other urgent measures to be taken, including the establishment of an independent commission of inquiry into the massacre. A week after the killings the government announced that it would establish an inquiry constituted by a civil servant from the Department of Home Affairs, which has functional responsibility for the police, and a (foreign) adviser to the police. NGOs, workers and others concerned about the incident have rejected this proposal as grossly inadequate and partial.

The LHWP is under the control of the Lesotho Highlands Development Authority (LHDA), which, in turn, is answerable to the Ministry of Water, Energy and Natural Resources. The LHDA had contracted out the work of the project to a consortium of five foreign companies. Factors behind the labour dispute include grievances around wage levels and disparities, racism towards the workers, and management's use of the police to intimidate workers during negotiations over these grievances.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in English or your own language:

- appealing to the authorities to ensure the safety of members of the Lesotho Highlands Water Project workforce, hundreds of whom have sought sanctuary at St Paul's mission following the 14 September 1996 shootings at Butha-Buthe, and to immediately instruct the security forces to desist from threatening the workers and others assisting them;
- expressing concern that, on 14 September, at least four and possibly more workers were shot dead by the police, who appear to have used excessive force in contravention of international human rights standards;
- appealing to the authorities to establish a fully independent, public commission of inquiry, whose members should include persons with legal and investigative skills;
- appealing to the authorities to immediately suspend from duty pending the inquiry all security personnel involved in authorising or using live ammunition against workers, and in allegedly assaulting workers arrested on 14 September.

APPEALS TO:

Mr Pakalitha Mosisili
 Deputy Prime Minister and Minister of Home Affairs
 PO Box 174, Maseru 100, Lesotho
Fax: +266 31 04 44 and +266 31 03 19
Telegrams: Deputy Prime Minister, Maseru, Lesotho
Salutation: Dear Deputy Prime Minister

Mr Shakane R Mokhehle
 Minister of Water, Energy and Natural Resources,
 PO Box 426, Maseru 100, Lesotho
Telegrams: Minister of Water, Maseru, Lesotho
Salutation: Dear Minister

Mr Sephiri Motanyane
Minister of Justice and Human Rights, Law and Constitutional Affairs,
PO Box 402, Maseru 100, Lesotho

Fax: +266 31 03 65

Telegrams: Justice Minister, Maseru, Lesotho

Salutation: Dear Minister

COPIES TO:

Commissioner Makoaba, Commissioner of Police, Royal Lesotho Mounted Police
Headquarters, P O Box 13, Maseru 100, Lesotho

Mr M Marumo, Chief Executive, Lesotho Highlands Development Authority, Box
7332, Maseru 100, Lesotho. **Fax: +266 31 00 60**

Lesotho Council of NGOs, Private Bag A445, Maseru 100, Lesotho.

and to diplomatic representatives of Lesotho accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 20 November 1996.