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Namibia: Caprivi treason trial - Justice delayed is justice denied!

Amnesty International is calling on the relevant Namibian authorities to promptly try the defendants in the Caprivi treason trial or release them.

In a new report released today, entitled: *Justice delayed is justice denied - The Caprivi treason trial*, to mark the almost four-year delay in trial proceedings, Amnesty International focuses on the 122 defendants in Namibia accused of high treason, murder and other offences in connection with the secessionist Caprivi uprising of August 1999. The defendants have remained in custody for close to four years, awaiting the resumption of their trial which is now scheduled for 27 October 2003.

"When the treason trial resumes in October, the right of the defendants to a fair hearing may be seriously undermined," Amnesty International said. As the report points out, the pre-trial rights of the defendants were violated following their arrest. Most of them were subjected to torture and ill-treatment, and harsh prison conditions. They were also denied access to lawyers, medical treatment and their families for approximately three weeks.

Amnesty International is concerned that at least 70 defendants may be prisoners of conscience. Some appear to have been arrested based solely on their actual or perceived non-violent support for the political opposition in the region, their ethnic identity or their membership in certain organizations.

"Given the widespread claims of torture and ill-treatment allegedly at the hands of the police and security forces, it is alarming that the Namibian authorities have failed to publicly report on their investigations into these allegations. The officers suspected of committing these violations have not been prosecuted, or at the very least, suspended from their duties pending the conclusion of an official investigation," Amnesty International said.

"Namibian authorities must ensure that all statements extracted by torture or ill-treatment will not be brought as evidence in court in accordance with Namibia's obligations under the United Nations Convention Against Torture (CAT)," the organization said. Namibian authorities are also obliged under the CAT to take effective measures to investigate all allegations of torture and ill-treatment promptly, thoroughly and impartially, make the results of the investigation public and bring the suspected perpetrators to justice.

Background

Following an armed attack launched by the secessionist group, the Caprivi Liberation Army, on government forces and buildings on 2 August 1999 in the Caprivi region of north eastern Namibia, the Namibian government declared a State of Emergency and detained over 300 people on suspicion of participating in the attack, sympathizing with the secessionists or assisting them to plan or launch the attacks. Of those arrested following the uprising, approximately 122 have remained in custody for close to four years awaiting the resumption of their trial on charges of high treason, murder and other offences in connection with the uprising.

Public Document

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