
AMNESTY INTERNATIONAL

NEWS SERVICE 18/94

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NEWS SERVICE ITEMS: EXTERNAL - AUSTRIA, GERMANY, MALAWI, MYANMAR

PLEASE NOTE: The enclosed news service item on Germany can be used in conjunction with the document Federal Republic of Germany: Police Ill-treatment of Detainees in Hamburg (AI INDEX: EUR 23/01/94)

PLEASE NOTE: I have not heard back from most of you about whether you need hotel bookings for the press officers meeting on 19, 20 & 21. I also need to have confirmation that you are coming (even if you don't need hotel bookings), so that I can organize the food for lunch on each day of the meeting. Please send faxes/e-mails or telephone asap to finalize this. Thanks, Paula.

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INTERNATIONAL NEWS RELEASES

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TARGETED AND LIMITED NEWS RELEASES

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FORTHCOMING NEWS INITIATIVES

Women - 8 March - SEE NEWS SERVICE 161
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AUSTRIA: AMNESTY INTERNATIONAL CRITICIZES PROPOSED CHANGES TO AUSTRIAN LEGISLATION ON CONSCIENTIOUS OBJECTION

Amnesty International has written to the Chairman of the Committee on Internal Affairs of the Austrian Parliament in order to express its concern about the new Alternative Service Law currently being discussed by the Committee.

Under the new legislation shortly to be presented to the Austrian Parliament, conscientious objectors to military service will be required to submit their applications for alternative service within four weeks of receiving notification of their fitness to perform military service. Previously an application could be submitted within two weeks after receipt of call-up papers. The effect of this change will be to disqualify from alternative service all those people who develop a conscientious objection in the period between notification of fitness to serve and call-up, a period of time which may be of several months or even years duration.

In its letter to the Committee, Amnesty International said that restricting the time period within which an application could be made took no account of the fact that a person's conscientiously-held beliefs may change over time. Both the United Nations Commission on Human Rights and the Committee of Ministers of the Council of Europe have recognized the principle that it should be possible for conscientious objectors to compulsory military service to apply for alternative service at any time.

Amnesty International stressed that it would regard as a prisoner of conscience any person imprisoned as a result of submitting, after the new time-limits proposed, a well-founded application for alternative service based on his conscientiously-held beliefs. The organization urged the Committee to re-examine the proposals before it with a view to removing the restrictions imposed by the new legislation.

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GERMANY: AMNESTY INTERNATIONAL CALLS ON HAMBURG AUTHORITIES TO REVIEW COMPLAINTS AGAINST POLICE OFFICERS

Amnesty International this week published a 10 page report criticizing the Hamburg authorities for failing to prosecute or discipline police officers responsible for ill-treating detainees in their custody.

The officers - members of the E-Schicht, a special police unit based at police station 16 in Hamburg - were the subject of 32 complaints of ill-treatment during the period 1989 to 1993. None of these complaints has resulted in officers being charged or disciplined, even though two of the victims, Lutz Priebe and Frank Fennel, were subsequently awarded compensation by a Hamburg court for the injuries they suffered at the hands of the E-Schicht.

In August 1989 Lutz Priebe suffered a broken nose when an officer at station 16 deliberately struck his face against the edge of a table. Frank Fennel was badly beaten by officers from the same station in July 1991. His injuries included concussion, multiple bruising and abrasions, and a bruised kidney, as a result of which he was in hospital for a week.

In examining Lutz Priebe's claim for compensation the Hamburg Regional Court described the police officers' explanation for his injuries as "unconvincing" and concluded that he had been the victim of deliberate ill-treatment. The same court ruled that Frank Fennel had been "badly and systematically beaten" by officers who had "taken the law into their own hands".

Amnesty International believes that the failure of the authorities to charge or discipline officers for ill-treating Lutz Priebe and Frank Fennel may encourage other police officers to believe that they can commit similar acts with impunity.

In a list of recommendations Amnesty International urges the Hamburg Ministers of Justice and of Internal Affairs to carry out a thorough review of all complaints of ill-treatment by officers of the E-Schicht based at station 16. The organization also calls upon the Hamburg authorities to examine existing guidelines on the use of force by police officers and the way in which these are interpreted by officers and by prosecuting authorities, in order to ensure that they conform with international standards.
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MALAWI: AMNESTY INTERNATIONAL REPRESENTATIVES TO ATTEND HUMAN RIGHTS SYMPOSIUM

Amnesty International representatives are due to attend a human rights symposium in Malawi from 3 to 5 February 1994, which is being organized by the new Legal Resources Centre (LRC) under the auspices of the Malawi Law Society. The LRC is headed by Vera Chirwa, a lawyer, who visited several Amnesty International sections in 1993 after her release from 11 years of imprisonment as a prisoner of conscience.

The symposium will bring together Malawian political parties, non-governmental organizations and international advisers for discussions about a new Constitution for the country, which will include an improved Bill of Rights. The all-party National Consultative Council will later meet to prepare the new Constitution to come into effect immediately after the May 1994 general elections - Malawi's first multi-party elections for 30 years.

A new Amnesty International publication on Malawi - Malawi: A new future for human rights (AI Index:AFR 36/02/1994) - reports on an Amnesty International visit to the country last November (the first for over 20 years), welcomes recent human rights improvements and recommends further reforms to Malawi's Constitution, laws and state practices.

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MYANMAR - NOBEL LAUREATE AND PRISONER OF CONSCIENCE AUNG SAN SUU KYI TO REMAIN IN
DETENTION

Speculation last week that Aung San Suu Kyi, winner of the 1991 Nobel Peace Prize, at present in her fifth year under house arrest in Yangon (Rangoon), may be released is premature, according to Myanmar's ruling State Law and Order Restoration Council (SLORC). A group of legal advisers from the SLORC told foreign reporters on Friday 21 January that Aung San Suu Kyi will not be released when her five-year term of detention expires on 20 July. At an earlier press conference, Lieutenant-General Khin Nyunt, First Secretary of the SLORC, had stated that Aung San Suu Kyi's case would be dealt with under "existing laws". This was interpreted by some commentators to mean that her release was imminent. Aung San Suu Kyi is detained under the provisions of the 1975 State Protection Law, which states that the maximum period of imprisonment for a person held under this law is five years. However, according to the SLORC's legal advisers, this can be extended to six years, without requiring an alteration to the existing law.

Aung San Suu Kyi founded the National League for Democracy (NLD) in Myanmar in 1988. The NLD won a landslide victory in elections held in Myanmar in 1990, but the SLORC has never allowed the Parliament to convene. The SLORC took power in Myanmar in 1988, following the violent suppression of a national pro-democracy movement. Aung San Suu Kyi has been under house arrest without trial in Yangon since July 1989 for allegedly associating with "anti-government rebels". Amnesty International believes that Aung San Suu Kyi is a prisoner of conscience, detained solely for the peaceful expression of her political views. The organization again calls for her immediate and unconditional release.

Amnesty International knows of at least 70 other prisoners of conscience at present imprisoned in Myanmar and calls upon the SLORC to release all prisoners of conscience, including Aung San Suu Kyi, immediately and without conditions.

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