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International Secretariat
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WEEKLY UPDATE SERVICE 43/91

Contained in this weekly update are external items on China and Macao.

1. NEWS INITIATIVES - INTERNAL

East Timor - 14 November 1991, for immediate release (New information)

We issued a news release for immediate release on Thursday 14 November, in response to the massacre of up to 100 people by Indonesian soldiers. This incident has been widely covered by the international media.

There is no document as yet to accompany this news release, but you can refer to the Statement to the United Nations Special Committee on Decolonization in August 1991 (AI Index: ASA 21/14/91). A more complete, detailed report is AI's 1985 report on East Timor, Violations of human rights: Extrajudicial executions, "disappearances", torture and political imprisonment (AI Index: ASA 21/16/85). Contact the IS press office if you have any problems.

Peru - 21 November (New information)
Peru - Human rights in a climate of terror AMR 46/56/91

PLEASE NOTE THIS CAREFULLY AND SEE ALSO THE NOTE TO PRESS OFFICERS. All materials you have been sent in connection with the forthcoming Peru campaign have a strict embargo. NOTHING should be printed or broadcast in advance of 0001 hrs gmt on Thursday 21 November.

If you believe the embargo has been broken significantly, please get in touch with IS press office as soon as possible.

14 November - Francophone summit

The Francophone sections are coordinating a project to coincide with the Francophone summit being held in Paris from 19 to 21 November. A special document has been prepared by the sections on our concerns in Francophone countries, focusing on the theme of freedom of expression and freedom of

conscience, thought and religion; a targeted news release has been sent out; and an AI delegation will be present in Paris at the time of the summit. For further information, please contact the project coordinator, Daniel Bolomey, in the Swiss Section.

27 November - Refugee concerns in Europe

Leading up to the meeting of European leaders in the Netherlands in December, we will be releasing a report on our concerns about the treatment of asylum seekers in Europe in the context of European political and economic harmonization. This will be of particular interest to European media; we would be interested in hearing from any European section press officers who have issued news releases on this subject in the past so that we don't use the same news angle. Could you please also ensure that your section refugee coordinators are aware of this publication date.

Uganda - 4 December (Tentative) (New information)

Possible targeted news release on abuses by the national army. This is still to be confirmed - we should know more by next week.

Myanmar - 10 December (New information)

International news release on abuses in Myanmar, timed to coincide with both Human Rights Day and Aung San Suu Kyi receiving the Nobel Peace Prize.

Ghana - 18 December

Ghana - Political imprisonment and the death penalty (New information)

Targeted news release for African media to go with our first major report on Ghana in recent times.

2. ASA 17/WU 03/91 EXTERNAL
13 November 1991

CHINA: GOVERNMENT ISSUES HUMAN RIGHTS REPORT

Amnesty International has welcomed the Chinese government's willingness to discuss human rights issues in a recently released "white paper", but noted that the document did not address any specific human rights concerns expressed by international human rights groups about China.

"The paper makes a number of statements about the range of rights guaranteed in theory by the Chinese constitution," said Amnesty International, "but it makes no mention of the limitations placed on these rights in practice."

The paper asserts that the judiciary is independent and describes in detail the procedures provided by Chinese law for the criminal process, but it does not comment on the practical implementation of the law. It doesn't mention the numerous human rights violations resulting from abuses of the law by officials, nor does it acknowledge that violations result from legislation aimed at curbing political opposition. The document makes no reference to individual cases of prisoners of conscience in China which have been raised by international human rights groups.

On the issue of dissent, the white paper states flatly that there are no "political prisoners" in China and that: "ideas alone do not constitute a crime; nobody will be sentenced to punishment merely because he holds dissenting political views." Amnesty International has documented many cases of prisoners of conscience sentenced to long terms of imprisonment for peacefully expressing their views, either in public, or in private among groups of friends.

The white paper, however, acknowledges that there is "still much room for improvement" regarding the protection of human rights in China. The paper claims that no country has the right to interfere in another country's internal affairs but states that China is ready to work with the international community "to uphold and promote human rights".

AI's concerns about human rights violations in China include the arbitrary detention and imprisonment of prisoners of conscience; the long-term arbitrary detention without charge or trial of political and religious dissidents under a system of administrative detention; unfair trials of political prisoners; torture and ill-treatment of prisoners and the lack of safeguards to prevent such abuses; the increased use of the death penalty and the very high number of executions -- some 1300 death sentences were recorded by Amnesty International between January and September 1991 and AI believes the real number to be several times higher. Amnesty International is once again urging China to look into these issues and take steps to remedy these violations of human rights.

The publication of this white paper is a new move in China's efforts to defend its human rights record. Since the beginning of this year, it has admitted official human rights delegations from Australia, France and the European Community, thus breaking with its previous refusal to discuss human rights with foreign governments.

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3. ASA 27/WU 01/91 EXTERNAL
13 November 1991

MACAO: CALL FOR HUMAN RIGHTS TO BE PROTECTED AFTER 1999

Amnesty International is concerned that human rights may not be adequately protected when Macao, a Portuguese colony, reverts to Chinese sovereignty in 1999. The Draft Basic Law of Macao, which is to become a Special Administrative Region of China, was published for comment in July 1991. It was drawn up by a committee composed of representatives of both Macao and China appointed by the Chinese Government.

In a memorandum submitted to the Macao Basic Law Drafting Committee and due to be published on 16 November 1991, Amnesty International says that major changes are required to the Draft Basic Law to bring it into line with international human rights standards.

Amnesty International's main recommendations, which have also been submitted to the governments of Portugal and China, are that the Draft Basic Law should be amended so as to ensure that after 1999:

- (1) all people in Macao should continue to benefit from the guarantees provided by human rights treaties which Portugal has already ratified;
- (2) all people in Macao are afforded effective guarantees against torture and other cruel, inhuman or degrading treatment or punishment;
- (3) the right to life is guaranteed to all people in Macao, and particularly that the current constitutional ban of the death penalty in Macao is maintained;
- (4) all people in Macao are guaranteed the right to a fair trial within a reasonable time;
- (5) all people in Macao are afforded those rights which will safeguard them against being detained as prisoners of conscience -- that is, for the non-violent exercise of their conscientiously held beliefs or on account of their ethnic origin, race, colour, sex or language; and
- (6) should a state of emergency be declared at any time in Macao, all people will retain the rights which, under internationally-agreed norms, may never be curtailed, such as the rights to life and to freedom from torture.

Amnesty International's memorandum also calls on the Portuguese government to confirm that the International Covenant on Civil and Political Rights (ICCPR) and other international human rights standards ratified by Portugal currently apply to Macao. Amnesty International is urging the Chinese government to ensure that these basic standards for human rights protection will continue to apply in Macao after 1999, and to confirm this by ratifying the ICCPR and other international human rights standards, so extending similar guarantees to all the people of China.

The Basic Law Drafting Committee is due to meet again in the coming months and to issue a revised draft of the Basic Law during 1992. The Basic Law itself is due to be adopted by China's National People's Congress in 1993.

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ADDITION TO WEEKLY UPDATE SERVICE 43/91

Contained in this addition to the weekly update is an external item on the UK.

1. EUR 45/WU 04/91 EXTERNAL
15 November 1991

INTERNAL

The UN Committee against Torture this week reviewed the United Kingdom's record. The hearing, and AI's submission to the committee, have already received extensive publicity in the UK. We would encourage press officers, wherever possible, to circulate this to the media in their country because it is an extremely important development within AI's work on the UK. It is not often that UK's human rights record is scrutinized at an international forum and it is even rare for that record to be found inadequate. The submission to the committee is being sent in the weekly mailing in the form of an external document - if you need a copy of the document before then please contact the press office.

EXTERNAL

UK: AMNESTY INTERNATIONAL CALLS FOR URGENT REFORMS IN NORTHERN IRELAND TO BRING UK INTO LINE WITH UN CONVENTION

Amnesty International is calling on the UK government to institute urgent reforms of interrogation and detention procedures in Northern Ireland in light of increasing allegations of ill-treatment in custody.

The human rights organization said in a new document that it was concerned by the increasing numbers of allegations of ill-treatment it was receiving.

Suspects arrested under emergency legislation are detained at specified interrogation centres where the procedures followed differ from ordinary police stations. Detainees are not allowed to see families at all, can be denied a lawyer's consultation for 48 hours, are cut off from the outside world (no reading material, radios) and are not allowed to take exercise.

Amnesty International has received repeated allegations that detainees are physically ill-treated and verbally threatened during interrogation. The allegations include punching on the head and body, slapping, hitting, shouting, banging on the table, verbal threats of violence to the detainee or family and verbal death threats. In some cases investigated by the organization, young people have been charged on the basis of confessions made during incommunicado detention which they have subsequently contested.

Amnesty International's appeal is supported by the conclusions of the UN Committee against Torture on 13 November that the UK may be in violation of its international obligation to prevent torture and ill-treatment in Northern Ireland. The committee was examining the first periodic report by the UK on the implementation of its obligations under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Terrorist suspects held under emergency and terrorist legislation in Northern Ireland lack "basic protection available almost everywhere else in the civilised world" the committee said. The 10-member committee of experts was referring specifically to the fact that, in contrast to the position under emergency legislation in the rest of the UK, lawyers in Northern Ireland have no right to be present during interrogation of their clients. Echoing the long-standing position of Amnesty International, the committee said that the presence of lawyers is an important measure which protects against ill-treatment of detainees.

The committee was also "enormously unpersuaded" by the UK government's continued refusal to institute video-taping of interrogation sessions. The experts remained unconvinced that the threat of terrorism justified removing the right of terrorist suspects not to have an adverse inference drawn from their decision to remain silent in interviews. The committee reminded the UK delegation that the "tragic conditions" prevailing in Northern Ireland do not permit the UK government to derogate from its fundamental obligations under the Convention, such as the absolute prohibition of ill-treatment under all circumstances.

Earlier in the hearing the Rapporteur Professor Peter Burns, who later delivered the committee's conclusions, presented his views that the conditions under which detainees are held in Northern Ireland interrogation centres "clearly creates all the necessary conditions for the abuse of authority by agents of the state". He described the power to detain suspects for seven days without an appearance before a judge as an "extraordinary period prone to give rise to the sorts of concerns this committee must deal with".

Amnesty International considers that existing safeguards in Northern Ireland are inadequate to prevent the ill-treatment of detainees and extraction of forced confessions. The organization welcomed the announcement by representatives of the UK Government at the committee hearing of the proposed introduction of statutory codes of practice governing police treatment of detainees in Northern Ireland. The organization is calling for these codes to be introduced as a matter of

urgency. The codes should permit access to lawyers immediately after arrest and the presence of lawyers in interviews, and suspects should be brought before a judge promptly after arrest.

The government announced several months ago that it was also considering establishing an independent commissioner who would visit holding centres to check conditions of detention. Amnesty International is waiting to see the details of this proposal. The organization is urging that such a commissioner should have the necessary powers and access to be effective.

The UK delegation assured the Committee against Torture that "the UK accepts completely its obligations under the convention". Amnesty International urges the UK government to demonstrate this commitment by reforming the law and practice in Northern Ireland to take account of the grave concerns repeatedly expressed by Amnesty International, and expressed by the Committee against Torture this week.