

AI Index: NWS 11/75/93

Distr: SC/PO

No. of words: 3500

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TO: PRESS OFFICERS

FROM: PRESS AND PUBLICATIONS

DATE: 1 JULY 1993

WEEKLY UPDATE SERVICE 75/93

Contained in this weekly update are external items on Turkey, Kuwait, Ethiopia and Malawi.

UN WORLD CONFERENCE ON HUMAN RIGHTS

We are preparing a thorough evaluation of media coverage during the UN World Conference on Human Rights. We would appreciate it if you would send us details of any TV and radio coverage in your country as well as copies of newspaper clippings. Thanks.

Sierra Leone

The Sierra Leone weekly update item issued on 17 June, AI Index: AFR 51/WU 02/93, referred to political detainees at Pademba Road Prison, in particular a list of 264 detainees which AI has sent to the government. An external document, including this list as an appendix, was sent in today's weekly mailing as: Sierra Leone: Political detainees at the Central Prison, Pademba Road, Freetown, AI Index: AFR 51/04/93, dated 21 June 1993. If you need copies sooner, please contact the IS press office.

NEWS INITIATIVES

INTERNATIONAL NEWS RELEASES

Annual Report - 0600 hrs gmt, 8 July

URGENT - CHANGE TO NEWS RELEASE An urgent note was sent to press officers, advising them of the urgent change to the annual report news release, in the light of developments at the World Conference. The new version of the news release has already been sent to you, as follows. The second and third paragraphs of the original text should be deleted, and the following text inserted in their place:

"The World Conference has restated the human rights principles of the past, instead of dealing with the violations of today and the threats of the future," said Amnesty International.

"The real yardstick of the World Conference will be action, not words. What are governments now going to do to stop the torture, the "disappearances" and the killings?

"When we compare the fine speeches and final document with the damning evidence of political repression in this report it is clear that governments have yet to prove that the World Conference will make a difference to the lives of people around the world."

The rest of the news release remains unchanged.

FORTHCOMING NEWS INITIATIVES

Indonesia (Aceh) - 28 July

Document and news release to go with action on massive numbers of political killings.

TARGETED AND LIMITED NEWS RELEASES

Saudi Arabia - 1 July

A weekly update sent out yesterday included an item to go with the document: Saudi Arabia: An Upsurge in Public Executions, AI Index: MDE 23/04/93. The document and weekly update item are embargoed for 1 July and have been sent out to selected international media by the IS Press Office. Please note that the document has been sent out in the weekly mailing.

Weekly Update NWS 11/75/93

2. EUR 44/WU 05/93 EXTERNAL

1 July 1993

TURKEY: RENEWED HOSTILITIES LEAD TO SERIOUS ESCALATION IN HUMAN RIGHTS ABUSES IN SOUTHEAST TURKEY

Amnesty International is gravely concerned that a serious escalation in human rights abuses by both Turkish government forces and by guerrillas of the Kurdish Workers' Party (PKK) may result from the increasing tension and military build-up in the mainly Kurdish southeast provinces of Turkey.

Amnesty International has clearly documented patterns of torture, death in custody as a result of torture and political killing of government opponents in the region in recent years. The organization has also addressed the PKK concerning the frequent killing of prisoners by PKK guerrillas.

The Turkish government did not reciprocate the unilateral ceasefire declared by the PKK in March this year, and continued operations against the guerrillas. However, Amnesty International noted a significant reduction in human rights abuses on both sides during the course of the ceasefire which lasted for two months. The ceasefire disintegrated when PKK guerrillas killed 32 members of the security forces and four civilians whom they had taken prisoner. In the following days, full-scale attacks were carried out by both sides greatly increasing tension in the area and throughout the rest of Turkey, tension increased by subsequent co-ordinated attacks on Turkey's embassies in Europe and bomb attacks in the tourist town of Antalya in which 28 civilians were injured.

Meanwhile newspaper reports describe the transfer of soldiers and equipment to the southeast and there are signs that comprehensive security operations have already begun. Based on detailed information and evidence received by Amnesty International in the past, it can be anticipated that an important part of such operations will be security raids on villages - particularly villages which refuse to join the village guard system and which are therefore suspected of giving support to the guerrillas (village guards are armed and paid by the government to fight the PKK). Security operations in villages are usually carried out by gendarmes, special team members, village guards or all three acting together. Normally no judicial authority such as a judge or prosecutor is present. The members of the village are assembled in the village square and those selected for interrogation are either taken away to a police station, gendarmerie or other place of detention, or are interrogated in the village itself. Unprotected by the most basic safeguards against torture, such villagers are frequently exposed to the most brutal treatment - sometimes resulting in terrible injuries or even death.

In May, Amnesty International wrote to the Turkish Government about just such an operation, carried out against the village of Ormaniçi in the province of Şırnak on 20 February 1993 in which a three-year-old child was killed by the blast from a hand grenade while the houses were being destroyed. Numerous male members of the village were very seriously tortured by security forces including village guards - resulting in some cases in the loss of toes and feet. The methods of torture described included hosing with cold water, rape with truncheons and bottles, electric shocks, being forced to eat excrement, and pulling out toenails with pliers - allegations supported by photographic evidence. One of the detainees, Ramazan Ekinci, died of his injuries on 17 March.

As in the case cited above such operations frequently involve the punitive destruction of houses, and persistent refusal to join the village guard system frequently results in a complete evacuation of the village. In recent years, hundreds of villages in southeast Turkey have been emptied and destroyed.

It is clear from news and testimony which have reached Amnesty International in recent days that such operations are being stepped up. On 21 June several hundred soldiers and special team members entered the village of Ortaşar, near Çınar in the province of Diyarbakır, assembled the male and female villagers outside the primary school, made them lie face down and told them that if they moved they

would be killed. According to an account received by Amnesty International the soldiers began hitting the villagers with the butts of their weapons. Electric cables attached to the armoured vehicles were used to give the villagers electric shocks, and cigarettes were stubbed out on them. The security forces tried to make some of the villagers run away while carrying a rifle, but the villagers refused to do so, fearing that they would be shot and claimed to be terrorists. Women and children were beaten. This reportedly continued all day until 10.30pm. Some villagers were detained - two of whom were released the following day and returned to the village "in an unrecognizable state" due to ill-treatment. It appears that the village became a target for this kind of military operation, because the villagers had refused to join the village guard militia.

Where villagers are taken away for extended detention in the custody of police and gendarmerie, they may be at even greater risk of torture. During 1992 at least twelve people died in custody apparently as a result of torture during the course of such police operations in southeast Turkey. The risk faced by detainees is much increased by the terms of the emergency powers legislation in that area which permit detainees to be held for 30 days - twice as long as in other parts of the country and clearly in breach of international human rights standards. The torturers have a freer hand, knowing that most of the signs of torture will pass before the detainee is released. A further victim has been claimed in just the last few days: Abdüsselam Orak died in Diyarbakır State Hospital on 23 June after 10 days' interrogation at Tatvan Gendarmerie Command for possession of an unlicensed firearm.

Political killings, which virtually halted during the ceasefire, have also resumed. During 1992 there were over 400 political killings - and over a hundred in the first three months of 1993. Many of the victims were critics or opponents of the government. These killings show two clear patterns. In rural areas villagers who have refused to join the village guard system have been targeted by village guards or other members of the security forces and killed. In urban areas, people whose relatives have joined the guerrillas, people who have been arrested for supporting the PKK or being a member of the PKK, people who work for political parties or newspapers which oppose government policy in the southeast are shot down in the street by unknown assassins - frequently not far from police stations or other security installations. There is now a considerable amount of circumstantial evidence suggesting that security forces are colluding with or protecting such assassins, and in at least one case, clear proof.

Such killings, which virtually halted during the ceasefire, have resumed. On 14 June 1993 Haşim Yaşa, a news vendor who had previously been threatened by the police for selling newspapers which opposed government policy in southeast Turkey, was killed there by unknown persons with three shots to his head. His nephew Eşref Yaşa, who had been threatened by the police for similar reasons and survived a similar attack in January 1993, was detained during preparations for Haşim Yaşa's funeral, and was allegedly beaten up at the local police station and later at Diyarbakır Police Headquarters. He was reportedly told by police there: "You survived last time, but you should have been finished off. We will kill you next time. It should have been you, not your uncle".

PKK guerrillas have also committed human rights abuses. During 1992 they reportedly killed more than a hundred prisoners - mainly village guards. Such killings, which more or less halted during the ceasefire, have also resumed. The PKK have admitted responsibility for a number of such killings in recent days. In some cases, they have attacked civilians. PKK admitted responsibility for bombing the house of Mehmet Yalçın, a member of the SHP as a result of which Mehmet Yalçın's mother and his 10-year-old daughter Devran Yalçın were killed in Suruç, near Şanlıurfa on 24 June. On 19 June three women, Gülsüm Aslan, Şerife Eğin and Hayriye Eğin, who had reportedly been abducted by PKK guerrillas from the village of Kuyular, in the Hani district of Diyarbakır, on the preceding day, were found dead.

On 30 June Amnesty International wrote to Abdullah Öcalan, General Secretary of the PKK, and to Tansu Çiller, Prime Minister of Turkey, raising these and other concerns, and renewing an earlier appeal that all possible steps should be taken to ensure that the military conflict in southeast Turkey should not become the context for further grave human rights abuses.

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3. MDE 17/WU 01/93 EXTERNAL

1 July 1993

INTERNAL

Part of this weekly update item refers to the case of 14 people accused of involvement in an alleged Iraqi Government plot to assassinate the former United States (US) President George Bush during his visit to Kuwait in April 1993. This alleged assassination plot was used as justification for a US air strike against Baghdad last week.

Because of the high level of interest in this case the IS will be sending this report to selected media today.

For further information see UAs: 165/93 of 19 May; 185/93 of 10 June; 192/93 of 15 June and 202/93 of 22 June.

_____EXTERNAL

KUWAIT: AI FEARS IMMINENT EXECUTIONS, CONCERNED THAT DEFENDANTS IN BUSH ASSASSINATION CASE WILL NOT GET FAIR TRIAL

Amnesty International is concerned that 20 people already under sentence of death could face imminent execution following procedures which did not conform to international standards for fair trial, and that 12 others now on trial also risk execution.

Twenty-four death sentences, two of them *in absentia*, have been passed in Kuwait since April 1992, when the trials of defendants accused of "collaborating" with Iraqi forces during the occupation of Kuwait opened before the State Security Court. Among those facing the death penalty are seven Iraqis and 10 Jordanians of Palestinian origin sentenced between 6 and 19 June 1993.

Of the 24 death sentences passed, one was reduced to life imprisonment by the Court of Cassation in December 1992, but another was upheld, ratified by the Amir and carried out on 5 May 1993. It was the first judicial execution carried out in Kuwait since 1989. Amnesty International expressed fears that this execution may signal the Kuwaiti Government's willingness to carry out other death sentences imposed on prisoners convicted on charges of "collaboration". These fears were borne out on 8 June, when the Kuwait News Agency (KUNA) quoted the Minister of Foreign Affairs as saying that "Any death sentence will be executed after the signature of His Highness the Amir of Kuwait".

Defendants tried by the State Security Court are denied the full right to appeal available to defendants in ordinary criminal cases. In contrast to those defendants, who are entitled to a review by the Court of Appeal on issues of fact and law followed by a further review of possible legal errors by the Court of Cassation, State Security Court defendants are limited to a review of their convictions by the Court of Cassation. The statement by the Foreign Minister appears to suggest that review by the Amir of the convictions and sentences will be *pro forma*, thus denying the defendants their right to seek pardon or clemency.

In the past, defendants before the State Security Court have been denied prompt access to their lawyers, and denied the right to challenge the lawfulness of their detention before a court and to obtain their release if that detention was unlawful. They have allegedly been tortured and convicted on the basis of confessions obtained under duress, on the basis of written evidence not made available to defendants or their lawyers, or on the basis of hearsay testimony of secret witnesses.

In a separate case, 11 Iraqis and three Kuwaitis appeared before the State Security Court on 5 June, charged with involvement in an alleged Iraqi Government plot to assassinate the former United States (US) President George Bush during his visit to Kuwait in April 1993. The prosecution asked for the death penalty to be imposed on 12 of them. At the start of the trial, two of the defendants admitted some of the charges against them. One of seven court-appointed defence lawyers intervened, requesting that these admissions be struck from the court record since none of the defendants had been allowed access to lawyers before the trial. At the second session of the trial on 26 June, the two defendants mentioned above reiterated the statements they had made earlier, while other defendants denied the charges against them. The trial is scheduled to resume on 3 July.

Amnesty International is concerned that if convicted, 12 of these defendants may be sentenced to death and executed following unfair trials. In addition to its concerns about the violation of the defendants' rights during pre-trial detention (including being denied the basic right to have a lawyer defending them at all stages of the proceedings), and the failure of proceedings before the State Security Court to conform to international standards for fair trial, the organisation believes that the defendants' right to a fair trial may have been seriously jeopardized by other factors. Even before the trial began, Kuwait's Public Prosecutor announced at a press conference on 16 May that the defendants were "criminals who allied with the devil and conspired with him to try to assault Kuwait's honoured guest ... [and that] investigations proved without doubt that it was the Iraqi intelligence service which moved this rotten group of accused persons to execute the plans of the evil Iraqi regime ...", so putting into question the defendants' right to be presumed innocent until proven guilty according to law. In addition, statements made by the US Government justifying the air strike on Baghdad on 26 June on the grounds that its investigations, which included extensive interviews with the suspects, provided "compelling evidence" that there was an Iraqi intelligence assassination plot, and the statement of the Kuwaiti authorities welcoming the air strike, also appear to undermine severely the defendants' presumption of innocence.

Amnesty International calls on the Kuwaiti authorities to intervene immediately in order to ensure that the 14 defendants currently on trial on charges of involvement in an alleged assassination plot against the former US President are afforded all of the internationally recognized guarantees for fair trial. This should include a new trial in which the right of access to defence counsel at all stages of the proceedings, and the full right of appeal, are guaranteed. In any event, Amnesty International urges the authorities to ensure that any defendants convicted in this case are not sentenced to death. Further, the organization calls for the immediate commutation of the 20 death sentences imposed on defendants convicted of "collaboration" with Iraqi forces during the occupation of Kuwait, and that all such defendants be granted a full right to appeal against their sentences.

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4. AFR 25/WU 01/93 EXTERNAL

1 July 1993

ETHIOPIA: AMNESTY INTERNATIONAL REPRESENTATIVES TO VISIT

Amnesty International representatives will visit Ethiopia between 4 and 16 July 1993 to meet government officials and people concerned about human rights issues, especially those which fall within Amnesty International's mandate.

The delegation consists of Dr Willy Mutunga, chairman of the Law Society of Kenya, and a member of staff of Amnesty International's International Secretariat in London.

The purpose of their visit is to assess the current human rights situation in Ethiopia. Amnesty International representatives last visited Ethiopia in December 1991, seven months after the overthrow of President Mengistu Haile-Mariam, whose government had been responsible for massive violations of basic human rights over a long period.

Amnesty International's current concerns in Ethiopia include the detention of many government opponents, mostly without charge or trial and in some cases without official acknowledgment; the continuing detention without charge or trial of large numbers of officials of the former Mengistu government, armed forces and ruling party; the treatment of prisoners; and reports of extrajudicial executions by the government's security forces and by opposition groups.

Weekly Update NWS 11/75/93

5. AFR 36/WU 05/93 EXTERNAL

1 July 1993

MALAWI: AI APPEALS FOR HUMAN RIGHTS IMPROVEMENTS AFTER DEMOCRACY VOTE

Amnesty International is continuing to call on the government of Malawi to end human rights violations and make changes to the constitution to protect human rights in the future.

The call comes as Malawi abandons the last formal one-party system in Africa, after a two-third's majority vote for multi-party democracy in the 14 June referendum. On 29 June the Malawi parliament, restricted to the ruling Malawi Congress Party (MCP) for 29 years, changed the constitution to allow opposition parties.

"The constitutional change could mark a hoped-for end to the unremitting pattern of severe human rights violations throughout President Banda's long rule," said Amnesty International. The organization is continuing to press its pre-referendum demands for respect for human rights in Malawi:

- * release all remaining political prisoners, including three detainees held since the mid-1960s, a former government minister jailed for sedition in 1981, and a nephew of Life-President Banda held after a family dispute;
- * drop charges still pending against several democracy activists arrested in the past year;
- * repeal laws aiming to imprison peaceful critics of the government, such as the sedition law;
- * reform the courts to make them independent and able to guarantee fair trial in accordance with international standards - this would necessitate abolition of the so-called "Traditional Courts";
- * establish strong safeguards against torture or ill-treatment of prisoners;
- * commute all death sentences - over 100 people are on death row after routinely unfair trials by the "Traditional Courts" without the right to defence counsel;
- * ratify and implement international and African human rights treaties.

The referendum campaign ended with a vote declared fair by international observers, despite massive intimidation by government supporters in the MCP, the para-military Malawi Youth League and the police and security forces. Many opposition supporters were beaten up, threatened, arrested and in some cases killed. Several returning exiles were arrested. The government falsely claimed that there were no political prisoners - but Chakufwa Chihana, leader of the opposition Alliance for Democracy (AFORD), was only released from a two-year sentence for "sedition" - advocating multi-party democracy, in fact - some hours after the referendum campaign closed for voting to start. The government had persistently rejected a United Nations advisory team's recommendation on the referendum - to release political prisoners, allow refugees and exiles to return safely, and at least suspend the laws restricting basic freedoms.

The government has now declared an amnesty for exiles but few of the thousands of refugees who had fled Malawi since 1964 are likely to return until there are clear and permanent changes to the laws, judicial system and political system to protect human rights.