

AI News: June 1996

News

Israel and areas under the jurisdiction of the Palestinian Authority

Civilians at risk amid cycle of violence

A new cycle of political violence targeted mainly at civilians started in February 1996 resulted in escalating human rights violations in Israel, the Occupied Territories, and Lebanon. In February and March 1996, four suicide bombs were set off by Islamist groups opposed to the peace process between Israel and the Palestinian Authority. Two bombs in buses in Jerusalem, one in a crowded shopping mall in Tel Aviv and another at a hitch-hiking post near Ashkelon caused 63 deaths, including those of the suicide bombers. Forty-five of those killed were civilians.

Measures introduced by Israel and the Palestinian Authority in response to the bombings caused a shattering blow to the region's already fragile human rights situation. Around 1,000 people were arrested, 300 by Israel and 700 by the Palestinian Authority. Reports of torture committed by both were received. The Israeli General Security Service has long practised systematic torture on detainees suspected of supporting Palestinian opposition groups. One detainee, 'Adnan Yunis 'Abd al-Majid Abu Tabaneh from Hebron, was reportedly held in painful positions and deprived of sleep for 64 hours, violently shaken on two occasions and threatened that he would be shaken to death, or would leave the prison in a wheelchair.

Reports of the use of torture by the Palestinian Authority's security service are increasing. Adib Ziadeh, a student, who was arrested in Ramallah on 8 March 1996, was held in Jericho where he was allegedly beaten with a stick, whipped, hit and kicked by his interrogators and deprived of sleep.

Detainees held by the Palestinian Authority were almost invariably held outside any legal process.

They were rarely charged and sometimes given no access to lawyers. Only one detainee is known to have been brought to trial and he was sentenced after a grossly unfair night-time trial before the State Security Court.

Following the bombings the number of detainees held by Israel in administrative detention increased.

These included members of the families of the suicide bombers, apparently held solely because of their family connection. In acts of collective punishment, at least eight family houses of suicide bombers or their alleged recruiters were destroyed; others were sealed.

In south Lebanon, the conflict between Israel and Hizbullah (Party of God) escalated dramatically.

Following the death of a boy in an explosion in south Lebanon, blamed on but denied by Israel, Hizbullah fired rockets on towns in northern Israel. Three days later, Israel launched a major attack on targets in Lebanon, causing about 400,000 people to flee south Lebanon, while Hizbullah continued its attacks on northern Israel. By the ceasefire at the end of April, at least 170 Lebanese civilians had died and about 350 were wounded. Those dead included two women and four children killed by an Israeli attack on an ambulance near Tyre in south Lebanon on 13 April 1996 and an estimated 100 civilians killed as a result of Israeli shelling of the compound of a Fijian battalion of United Nations peacekeeping troops at Qana in south Lebanon on 18 April 1996. About 40 Israeli civilians were wounded in attacks by Hizbullah during April and thousands left their homes in northern Israel. Since operation "Grapes of Wrath" started, about 15 members of Hizbullah and no Israeli soldiers were reported dead.

AI members worldwide expressed concern about the escalation of human rights abuses to the Israeli Government, the Palestinian Authority, Hamas (Islamic Resistance Movement) and Hizbullah. In particular AI strongly condemned and called for an immediate end to deliberate or indiscriminate killings of civilians. In April and May, AI undertook fact-finding visits to Israel and Lebanon in order to continue AI's campaigning for an end to human rights abuses.

Indonesia

Prisoner of conscience dies in custody

Prisoner of conscience Thomas Waingai died in jail on 12 March 1996 while serving a prison sentence in Cipinang Prison in Jakarta. He is believed to have died of stomach cancer. Thomas, who was 59 years old, had spent the previous eight years of his life in jail. His only crime was the peaceful expression of his belief that the Indonesian province of Irian Jaya, where he lived, should be independent.

Thomas was arrested, along with 60 others including his wife Teruko, on 14 December 1988 during a peaceful flag-raising ceremony in Jayapura, the capital of Irian Jaya. The ceremony took place to proclaim Irian Jaya an independent state of "West Melanesia". He was charged under Indonesia's sweeping Anti-Subversion Law and sentenced to 20 years' imprisonment in September 1989. Teruko, who was accused of sewing the "West Melanesian" flag, served five years in prison before being released in November 1993.

In response to AI's enquiries, an official at Cipinang Prison said in September last year that Thomas' health was "good enough". Just five months later Thomas died on his way to hospital. Reports say that he received no medical treatment after refusing to be taken to a military hospital.

Thomas' body was flown back to Irian Jaya for burial on 18 March. Mourners, who were prevented from paying their last respects by the security forces, rioted in the town of Abepura near Jayapura. At least three people, including a policeman, were killed and over 100 people were arrested. Most were released after questioning, but 39 were still in detention in mid-May for their role in the riots.

Côte d'Ivoire

Government opponents sentenced under new law

In Côte d'Ivoire, dozens of government opponents have been sentenced to prison terms under a law passed in 1992 but not previously invoked. The law states that anyone who calls or leads a gathering is held accountable for any violence that occurs, irrespective of whether they are personally responsible for inciting or perpetrating violence.

The law was used against a background of growing political unrest in the run-up to presidential elections in October 1995. The election, in which President Henri Konan Bédié was returned to power, was boycotted by the main opposition parties. They objected to a requirement that all presidential candidates were to have resided in the country for five years preceding the election and to have been born of Ivorian parents. The law was widely perceived to have been designed to prevent former Prime Minister Alassane Ouattara from standing as a presidential candidate.

In September, despite a government ban, there were further opposition demonstrations in the weeks leading up to the election. At least 10 people were killed and many others were shot and wounded by the security forces. Hundreds were arrested as several of the protests became violent, resulting in destruction of property.

More than 200 people charged under the law are still detained awaiting trial several months after their arrest. Some of those sentenced, or awaiting trial, are possible prisoners of conscience. For example, on 12 October 1995, nine persons arrested in Abidjan during a demonstration that turned violent, were sentenced to one year, even though the prosecutor recognized that there was no evidence of their personal involvement in any act of violence. Six of them were released on appeal in January 1996 but the three others are still in prison.

AI is appealing for the release of all prisoners of conscience. Those charged with a recognizably criminal offence should be given a prompt and fair trial.

- The Americas is the first region in the world to have a legally-binding instrument prohibiting "disappearance". The Inter-American Convention on the Forced Disappearance of Persons finally entered into force in March this year. "Disappearances" persist in the Americas. AI alone acted on more than 200 cases in 1995. The organization is now calling on all members of the Organization of American States to promptly ratify the Convention.

- AI fears that the first executions for 20 years may take place in the Philippines later this year, following the signing of a new law in March 1996. This allows for death row prisoners to be executed by lethal injection. The death penalty was restored in 1993 in response to high crime rates. Since then more than 150 prisoners have been sentenced to death.

Iran

Sheikh Makki Akhound, a possible prisoner of conscience, is serving a three-year prison sentence after an unfair trial. He is also believed to have been sentenced to 75 lashes. During his initial incommunicado detention he was held incommunicado and said to have been severely tortured.

Sheikh Makki Akhound, aged 30 and married with three young children, was arrested during the first half of 1994. After about six months in solitary confinement he was unfairly tried before the Special Court for Clerics, on charges which apparently related to having connections with, and supporting the views of, Grand Ayatollah Shirazi, a senior Iranian religious figure. During 1995 and 1996, dozens of followers of certain Iranian religious figures were arrested, including at least 23 followers of Grand Ayatollah Shirazi. Some have been released, some remain in detention under investigation, and others have been tried and sentenced to prison terms.

Sheikh Makki Akhound is reportedly suffering from various ailments including ulcers, heart disease, high blood pressure and nervous problems. He has not been allowed access to a doctor or a lawyer of his choice. He is believed to be in urgent need of medical attention.

+Please write, calling for clarification of the precise reasons for the arrest of Sheikh Makki Akhound and of the charges against him; asking for him to be humanely treated, given access to appropriate medical treatment and to be released if held as a prisoner of conscience; and urging an immediate investigation into his alleged torture, to: Leader of the Islamic Republic/

His Excellency Ayatollah Sayed 'Ali Khamenei/ c/o The Presidency/ Palestine Avenue/ Azerbaijan Intersection/ Tehran/ Islamic Republic of Iran.

Viet Nam

Dong Tuy, a 63-year-old prisoner of conscience, is in very poor health and needs urgent medical attention. He was sentenced to 11 years' imprisonment on 12 August 1995 after already having spent 13 years in detention between 1975 and 1988 because of his peacefully held political opinions. AI is calling for him to receive proper medical attention and for his immediate and unconditional release. Since his imprisonment, Dong Tuy has suffered from a series of illnesses either exacerbated or caused by the harsh conditions of his detention. These include stomach and lung problems, scabies, beri beri, high blood pressure, poor concentration and trembling limbs.

Dong Tuy was vice-president of the "Movement to Unite the People and Build Democracy", an organization formed in 1992 which advocated peaceful political reform in Viet Nam. He and eight other members were arrested in November 1993 when they tried to organize an international conference on development and democracy in Ho Chi Minh City. They were accused of "attempting to overthrow the government", and were sentenced to between four and 15 years' imprisonment. AI is concerned that they did not receive a fair trial. Their sentences were upheld on appeal. When asked if they wanted to plead for leniency, the defendants reportedly replied that they wanted justice.

+Please write, expressing grave concern for the health of Dong Tuy and calling for his immediate and unconditional release, to: President Le Duc Anh/ Office of the President/ 36 Ngo Quyen/ Ha Noi/ Socialist Republic of Viet Nam.

Federal Republic of Yugoslavia

On 6 March 1996 Ali Sadriu, an ethnic Albanian political activist in Kosovo province in the Federal Republic of Yugoslavia, was detained and beaten by police officers until he lost consciousness. He

was held in the town of Uroševac and questioned about his activities as a leading local activist of the Lidhja Demokratike e Kosovës (LDK), the main ethnic Albanian political party in the province.

The police officers who beat him reportedly told him several times that he should leave the province. Ali Sadriu was released the same day, without charge. He reportedly had severe bruising all over his body, particularly around his kidneys and had to receive medical treatment. This was reportedly the sixth time that Ali Sadriu had been detained for questioning about his political activities.

The LDK calls for Kosovo province, where ethnic Albanians constitute over 85 per cent of the population, to be granted the status of an independent state and has consistently advocated peaceful means to achieve this end. Ethnic Albanian political activists in Kosovo province are frequent targets of police harassment or ill-treatment.

Many ethnic Albanians have fled persecution in Kosovo province and officers of the predominantly Serbian police force are reported on numerous occasions to have threatened ethnic Albanians and urged them to leave.

+Please write, asking for a prompt, impartial and thorough investigation into the reported ill-treatment of Ali Sadriu by police officers in Uroševac on 6 March and that those responsible for his ill-treatment be brought to justice, to: Slobodan Milosevic/ President of the Republic of Serbia/ Andrijevica 1/ 11000 Beograd/ Yugoslavia.

Morocco and Western Sahara

Update

Kelthoum Ahmed Labid El-Ouanat, who featured in the May issue of Amnesty International News, and five other Sahrawi prisoners of conscience, have been released. The six were arrested following pro-independence demonstrations in Smara and other towns in Western Sahara. Each was serving a 20-year prison sentence imposed by the Moroccan Military Court in July 1993.

Guatemala

AI delegation to Guatemala calls on government to bring members of the armed forces before civilian courts

An AI delegation visited Guatemala in March 1996 and carried out investigations into the current human rights situation in the country. During its 20-day visit the delegation visited Guatemala City, and Quetzaltenango, El Quiché, and Alta and Baja Verapaz Departments. AI's delegation held meetings with local human rights organizations, the United Nations Human Rights Mission in Guatemala, and members of the Attorney General's and Human Rights Procurator's Office.

AI also interviewed victims of present and past human rights abuses, including victims of the massacres that took place in the 1980s. The delegation visited exhumation sites where clandestine cemeteries have been discovered containing the remains of hundreds of victims of army counter-insurgency campaigns. These campaigns resulted in the extrajudicial executions of thousands of civilians, mostly indigenous people, over the past 20 years. The Human Rights Procurator's Office told the AI delegation that more than 40 formal complaints were being processed and in some cases exhumations had already been carried out. One of the relatives of a victim of a massacre told the AI delegation: "Now that we are undertaking these exhumations, my husband's killers, who live beside me, don't laugh in my face any more."

The delegation saw little evidence of any advance in judicial investigations into these massacres in order to bring those responsible to justice. Practically all actions in relation to the exhumations of clandestine cemeteries have been carried out by relatives of the victims, independent forensic teams and local human rights organizations.

AI also documented recent cases of human rights violations, including threats and intimidation by members of the armed forces or members of the army-created Voluntary Civil Defence Committee

— formerly known as the Civil Defence Patrol — and Military Commissioners — civilian agents of the armed forces. Among those targeted are human rights defenders, lawyers, prosecutors and relatives of victims filing complaints against members of the armed forces involved in human rights violations. Others targeted included Vinicio Pacheco, a journalist of Radio Sonora, who was abducted and tortured on 28 February 1996 after he had denounced the participation of security forces in kidnapping and car theft. He was released the same day.

The visit took place just two months after the new government took office in January 1996 and after the new President Alvaro Arzú declared in his opening speech that one of his objectives was to fight impunity.

AI is proposing concrete measures to tackle the long-term problem of impunity in Guatemala. One of the measures proposed is making the necessary changes to legislation to allow for all the cases of human rights violations allegedly carried out by members of the armed forces against civilians, to be heard by civilian rather than by military courts. The organization questions the impartiality of military courts in hearing cases against military personnel, charged with human rights violations, when military judges are reportedly paid from the Defence Ministry budget and are often themselves serving members of the armed forces living on military bases.

international criminal tribunals

First trials before international criminal tribunals in 50 years

The first trial to be conducted by an international criminal tribunal since the Nuremberg and Tokyo trials began on 7 May 1996. Dusan Tadic, a guard at an alleged Bosnian Serb “death-camp” is appearing before the United Nations (UN) ad hoc Tribunal for the former Yugoslavia, in the Hague. Trials before the UN ad hoc Tribunal for Rwanda are scheduled to begin in Tanzania in July 1996. AI members have been supporting the work of the Tribunals since they were established by the UN Security Council in 1993 and 1994. AI continues to call on governments to enact the necessary legislation to cooperate with the two Tribunals and to ensure that they receive adequate long-term funding.

As of May 1996, states which have passed laws enabling their judges and police to cooperate with the Tribunal for the former Yugoslavia were: Australia, Bosnia and Herzegovina, Croatia, Denmark, Finland, France, Germany, Iceland, Italy, the Netherlands, New Zealand, Norway, Spain, Sweden, Switzerland, the United Kingdom and the United States. With regard to the Tribunal for Rwanda: Australia, Denmark, New Zealand, Norway, Switzerland and the United States have passed legislation. The Republic of Korea, Singapore and Venezuela have informed the Tribunals that no legislation was needed to cooperate with them.

AI NEWS: June 1996

Focus

Broken promises and shattered lives

The Russian Federation remains a country where serious and widespread human rights violations occur, both in peace-time and during the armed conflict in the self-proclaimed Chechen Republic. The country became a member of the Council of Europe in February 1996 and the government appeared to be engaged in a major diplomatic and public relations exercise to convince the international community that it had improved its human rights record. The facts tell a different story: torture and ill-treatment continue in police custody, in prisons and in the armed forces during peace-time; prison conditions are inhumane; prisoners of conscience remain detained; refugees, asylum-seekers and

internally displaced persons are not given adequate protection; prisoners are still facing the death penalty.

The lack of laws and regulations makes it impossible in many cases to implement the provisions of the Russian Constitution safeguarding the human rights of Russian citizens. For example, there is no law on a civilian alternative to military service, which places any conscientious objector under the threat of imprisonment.

Although the Constitution provides for an Ombudsman for Human Rights, and parliament appointed former prisoner of conscience Sergey Kovalyov to this position in January 1995, the parliament did not pass a law governing the status and powers of the post until 17 April 1996. Sergey Kovalyov, however, had previously been removed by a vote in parliament on 10 March 1995. The primary motive for the Ombudsman's removal appeared to have been his vigorous opposition to what he termed the use of disproportionate and indiscriminate force by the Russian federal forces in the Chechen Republic. On 23 January 1996 Sergey Kovalyov also resigned as Chairman of the Presidential Commission on Human Rights. Most other members of the Commission also resigned on or before 5 February 1996.

Massive human rights violations have taken place within the context of the armed conflict in the Chechen Republic.

From the very beginning of the conflict, in December 1994, the Russian authorities have shown a marked disregard for the rules governing armed conflict and the protection of the civilian population. An estimated 20,000 to 30,000 civilians have been killed in the conflict, many of them as a result of indiscriminate attacks by Russian Federation forces on densely populated residential areas. The Russian Presidential Commission on Human Rights stated that the total number of war-related deaths in the capital, Grozny, alone can be estimated at approximately 27,000 people. Men, women and children have been victims of extrajudicial executions and hostage-taking. Torture and ill-treatment have also taken place, particularly in so-called "filtration camps". Hundreds of people have been detained without trial. Allegations of rape have been made against the Russian forces.

Chechnya:

The attack on Sernovodsk

The Chechen town of Sernovodsk came under intensive artillery attack in early March 1996. Russian forces, claiming Chechen fighters had set up a base there, bombarded the town, again without any apparent concern for the lives of the trapped civilian population. Between 10,000 and 16,000 people were believed to have fled Sernovodsk at this time. However, some 7,000 civilians remained. Many of those who stayed in the town were people displaced by the conflict from elsewhere in Chechnya. Hundreds were killed and injured. Witnesses claimed that the corpses of those killed were left on the streets for days because residents were unable to collect them for burial because of heavy sniper fire. The Russian military authorities did not permit representatives of the International Committee of the Red Cross access to the town during the attack. Russian troops which entered Sernovodsk were also reported to have carried out extrajudicial executions. One eyewitness said that a young woman was arrested on the street by several soldiers who then took her to a nearby house. Later her dead body was found there.

Similar indiscriminate attacks by the Russian federal forces were also carried out in March and April against civilians in the Chechen villages of Samashki and Shali.

'Filtration Camps'

Men between the ages of 16 and 55 were not allowed to leave Sernovodsk freely under any circumstances, but were moved to "filtration camps" – detention camps set up by the Russian army. There have been reports of widespread beatings and torture, including electric shocks, of detainees held in such camps throughout the war in Chechnya. According to reports, Magomed Maksharipovich

Meyriyev, an ethnic Ingush, was punched, kicked and beaten with rifle butts and truncheons by Russian soldiers at various locations, including Mozdok and Pyatigorsk camps, while detained from 3 January to 15 February 1995. He was also attacked and bitten by an Alsatian guard dog. Magomed Maksharipovich Meyriyev was eventually released along with 14 other people who had also reportedly been beaten.

The latest report (for 1994 and 1995) of the Russian Presidential Commission on Human Rights, stated that during the period up to 25 January 1995, when the majority of detentions took place, civilians were detained and brought to the “filtration camps” without being officially charged or their detention acknowledged in any way. According to official information, a total of 1,325 people passed through the “filtration camps” between 11 December 1994 and 22 July 1995. At present, according to witnesses, every Russian army checkpoint in Chechnya has a common list of 958 names of people wanted for “filtration”, and in addition every checkpoint has created its own list of local residents to be detained and transferred to “filtration camps”.

Hostage-taking

Forces loyal to Chechen President Dzhokhar Dudayev, reportedly killed in April 1996 by the Russian army, have also been responsible for human rights abuses. In June 1995 a group of armed Chechens killed more than 100 civilians in the southern Russian town of Budennovsk when they took some 1,000 people hostage at the local hospital. Some hostages were reportedly forced to act as human shields for Chechen fighters during a subsequent assault on the hospital by Russian government forces.

Hostage-taking is prohibited under international law in all circumstances.

Hostages were also taken in a number of separate incidents in early 1996. On 9 January a group of Chechens calling itself “Lone Wolf” entered the southern Russian town of Kizlyar in Dagestan and took over the central hospital and adjoining maternity home. Civilians from apartment blocks surrounding the medical complex were forced into the hospital. The group’s leader, Salman Raduyev, said the hostages would be shot if Russian troops did not withdraw from the Chechen Republic. At the same time hostages were also taken by Chechen fighters at an electrical plant near Grozny. Hostages taken in Kizlyar by Chechen fighters were then taken to the village of Pervomaiskoye.

AI condemned the hostage-taking by the Chechen fighters and called on them to release hostages immediately and unharmed.

In an attempt to rescue the hostages, on and around 19 January, the Russian army launched heavy artillery and Grad-rocket attacks on the village, apparently signalling their intention to end the hostage crisis by resorting to an indiscriminate attack, without regard for the lives of the civilians in the village or the hostages themselves. The Russian army reportedly secured the freedom of 82 hostages from Pervomaiskoye; the remaining hostages were later freed by the Chechen fighters. The number of civilian casualties remained unknown because the Russian army did not permit journalists and independent observers access to the village until the dead bodies of civilians had been reportedly cleared from the streets by Russian soldiers.

AMNESTY INTERNATIONAL’S POSITION

Despite two peace initiatives, in July 1995 and in March 1996, the conflict and human rights violations against civilians continued in May 1996. While AI takes no position on the reason for armed conflicts, or the resort to the use of force per se, it does call on all parties to a conflict to abide by international humanitarian law. The organization reports on and takes action against specific human rights abuses occurring in situations of conflict, including deliberate or indiscriminate killing of civilians.

AI is urging the Russian authorities to hold a comprehensive and impartial investigation into the wide range of human rights abuses which have occurred during the conflict in the Chechen Republic, and to bring those responsible to justice. The organization is also urging the Russian Government to comply

with the provisions of international humanitarian law regarding the protection of civilians during armed conflict.

The Death Penalty

The Russian Federation became officially committed to suspend all executions, pending the full abolition of the death penalty within three years, when it acceded to the Council of Europe on 28 February 1996. However, although this commitment was welcomed as an important step in the right direction by the international community, it appears that executions continue. Russia has one of the highest execution rates in the world.

Lev Razgon, aged 88, a writer who was imprisoned during the Stalin era for 17 years and is currently a member of the Presidential Clemency Commission, said in an interview at the end of March that the Russian authorities had not put the moratorium into effect and were “executing as many people as possible”. It was reported that in February of this year, 30 people were executed. On 1 April President Yeltsin reportedly turned down 15 petitions for clemency and these prisoners faced imminent execution.

Unofficial sources report that 90 people were executed in 1995, although the official figure presented to the Council of Europe was 16. AI has recorded the executions of at least 28 people during 1995. A further 34 faced imminent execution in November 1995 after their petitions for clemency were reportedly turned down by President Yeltsin. Only five prisoners were granted clemency by the President last year.

The news about the moratorium did not save Nikolay Pozhdayev’s life: he was executed on 18 January 1996 after spending six years on death row. As many as 710 prisoners remain on death row in the Russian Federation. AI is urging the Russian Government to ensure that all relevant government and judicial bodies are informed that a moratorium is in place. AI continues to make appeals to the authorities to respect the moratorium and to honour their commitment to abolish the death penalty within three years. The organization appeals to the Russian President to commute all death sentences and grant clemency to the prisoners on death row.

Torture and ill-treatment by law enforcement officials

AI has received numerous reports of torture and ill-treatment of criminal suspects in police custody throughout the Russian Federation, and within the context of the conflict in Chechnya. The report of the Russian Presidential Commission on Human Rights for 1994 and 1995 noted that in 1994 more than 20,000 Interior Ministry employees were disciplined for breaking the law when conducting investigations and interrogations, and there was reason to believe that this figure seriously underestimated the real scale of violations. The number of officials charged with unlawful detention, the use of force against suspects and witnesses, and the falsification of evidence, had almost doubled. The Commission concluded that, under the guise of fighting crime, there was a tendency to expand the powers of security and law enforcement agencies to the detriment of Constitutional rights and guarantees.

Ethnic minorities are particularly vulnerable. Sultan Kurbanov, a 31-year-old Chechen resident in Moscow was arrested on 16 January 1996 by two policemen who came to his apartment claiming he was wanted for questioning at the police headquarters and would be released after two hours. Instead he was driven to a warehouse depot in the Kuntsevsky district of Moscow, and beaten with truncheons and sticks by about 10 police officers who got out of a bus parked nearby. He was hit repeatedly including on his legs, head and face, by what he described as metal weapons. Later that evening a woman found Sultan Kurbanov lying “wounded and half dead” in a street in Kuntsevsky district. The local police refused to help her but allowed her to telephone his family. Sultan was then taken to Moscow City Hospital No. 1 by one of his relatives. The relative claimed he overheard nurses saying there had been a directive from the head of the hospital that no one of

Chechen origin was to receive medical treatment. The relative then said that Sultan was an Ossetian, and he received treatment. He needed stitches for wounds to his face and head.

REFUGEES

Legal provisions for refugees and asylum-seekers are inadequate. A pattern is emerging where many are at risk of repatriation to countries where they would be in danger of grave violations of their human rights. For example, Elgudzha Khutayevich Meskhia, an opponent of the Government of Georgia, sought political asylum in Russia, but was forcibly repatriated after being arrested in Russia at the request of the Georgian authorities. AI feared he would be at risk of torture or ill-treatment if returned to Georgia.

The case of Alexander Nikitin

Alexander Nikitin (pictured above), a retired Russian naval officer who worked on a report on the dangers of nuclear waste in the Northern Fleet, for the Norwegian non-governmental group Bellona Foundation, was arrested on 6 February 1996 by the Federal Security Services (FSB) in St Petersburg. He has been charged with treason under article 64 of the Russian Criminal Code which states that "persons found guilty in these actions are sentenced to prison for 10 to 15 years, or to the death penalty." Alexander Nikitin's arrest took place in the context of an emerging pattern of persecution of environmental activists connected with the Bellona Foundation in Russia. On 27 March the Constitutional Court of the Russian Federation declared unconstitutional the actions of the FSB, which have limited the choice of attorney for those charged with revealing state secrets.

Prison Conditions

The conditions in some prisons, particularly for those awaiting trial, amount to cruel, inhuman or degrading treatment. Prisons are grossly overcrowded and thousands of prisoners have no individual bed and have to sleep in shifts, often without bedding. Many cells are filthy and pest-ridden, with inadequate light and ventilation. Food and medical supplies are frequently inadequate. The insanitary conditions mean that illness spreads rapidly; lung, circulatory and skin diseases, especially tuberculosis and scabies, are widespread. Mental illness is also common.

In July 1995, 11 prisoners died of heat-stroke in an overcrowded prison in Novokuznetsk, Kemerovo region. Up to 25 people were being held in cells meant for 10 and the air temperature rose as high as 48 to 51C. An attempted mass suicide had occurred at the jail in the previous year in response to fierce beatings taking place there.

In October 1995 as many as 274,700 people were being held in prison and remand centres throughout Russia. The system was designed to hold only 173,800. Some prisoners have waited years in such conditions before their cases have come to trial.

prisoners of conscience and Persecution of conscientious objectors

There is still no civilian alternative to military service. Military service is currently compulsory in Russia for men aged between 18 and 27. Conscientious objection to military service is recognized by the UN Commission on Human Rights as a legitimate exercise of the right to freedom of thought, conscience and religion. This right is also recognized in the Russian Constitution. However, parliament has still not introduced the necessary enabling legislation, or amended the Criminal Code to reflect this constitutional provision, and young men continue to risk imprisonment for refusing military service on conscientious grounds. The attempt on 8 December 1995 to pass a law on alternative service resulted

in the majority of deputies in the State Duma (parliament) voting against it. However, a law could be implemented by presidential decree.

AI was concerned that Vadim Hesse was arrested on 25 January 1996 for attempting to register his conscientious objection to military service in the Russian Federation. He was charged with “evading the regular draft to active military service” under Article 80 of the Criminal Code of the Russian Federation. On 5 December 1995 Vadim Hesse, aged 18, had submitted his appeal requesting to change his military service to alternative civilian service to the Military Recruitment Office of Noginsk district, Moscow Region. The district military commissioner allegedly accepted Vadim Hesse’s appeal, but nevertheless issued him with a call-up paper for 15 January 1996 to be conscripted for military service. Vadim Hesse refused to present himself at the conscription point. On 25 January 1996 the Noginsk District Court heard Vadim Hesse’s appeal against his conscription order. He was reportedly arrested at 6pm the same day in his apartment by police officers. Once in the police station, he was shown the warrant for arrest issued by the prosecutor of Noginsk District. AI considered him to be a prisoner of conscience and asked for his immediate and unconditional release. He was released from prison around 13 March.

Whatever the outcome of the presidential elections in June 1996, AI appeals to the future Russian President and the Russian Government to consider as a first priority the improvement of the human rights situation in Russia, both in peace-time and in the context of the armed conflict in the Chechen Republic. AI is also calling on the Government of the Russian Federation to develop a strategy to respect and implement its pledged commitments to the Council of Europe upon Russia’s acceptance in February 1996, on a wide range of human rights issues. The organization urges the government to work closely with the relevant international bodies, as well as with national non-governmental organizations in developing a comprehensive action program for implementation of all of its human rights commitments.

These include to:

- introduce and respect the moratorium on executions and fully abolish the death penalty within three years;
- end torture and ill-treatment;
- reform the legal and justice system;
- protect national minorities;
- improve conditions of detention;
- adopt a law on a civilian alternative to military service;
- respect freedom of assembly and of religion;
- release all prisoners of conscience and ensure fair and prompt trials for political prisoners and possible prisoners of conscience.