
amnesty international

**@Trade unionists appeal
cases**



Image Not
Available

December 1994
AI Index: ACT 73/05/94
Distr: SC/CC/PG

INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 8DJ, UNITED
KINGDOM

COLOMBIA

! Trade Union Leaders **Guillermo Marín, Luis Efrén Correa** and **Jairo de León Agudelo**

! Victims of political killings

Guillermo Marín, Luis Efrén Correa and **Jairo de León Agudelo** were killed in July 1994. Luis Efrén Correa, who was the vice-president of a textile company trade union *Sindicato de Trabajadores Satexco*, was reportedly killed by a hitman in Medellín on 23 July. Jairo de León Agudelo, who was president of the Salgar municipality branch of the Agricultural Worker's Union, *Sindicato de Trabajadores Agrícolas* was stabbed to death in Salgar on 26 July.

A new paramilitary group calling itself COLSINGUE *Colombia sin Guerrilla* - "Colombia without Guerrillas" has claimed responsibility for these killings, and that of Guillermo Marín, a trade union leader. Many paramilitary forces have been set up and trained by the security forces. In the past trade unionists, opposition political activists and popular activists have been labelled as subversive by members of the security forces and their paramilitary protégés. These accusations have often been followed by human rights violations. Witnesses alleged that the two individuals who stabbed Jairo de León Agudelo to death were members of the F2, an intelligence body of the National Police.

According to the CUT, *Central Unitaria de Trabajadores*, the Trade Union Confederation, 1500 union members have been killed since 1986. In less than 8 years, 2% of the organised labour force in Colombia has been eliminated. In 1993 there was a total of 170 killings of trade unionists. However, not all were necessarily killed as a direct result of their union activities.

On 7 August 1994, a new government came to power, promising to improve the human rights situation in Colombia. The new president, Ernesto Samper Pizano, stated in his inaugural speech, "*Whoever violates the law whether an agent or representative of the state will be punished in an exemplary fashion*". He also made a commitment to disband paramilitary groups.

On the morning of 26 September 1994, police intelligence agents interviewed Belisario Restrepo, president of the United Workers Federation of Antioquia, *Federación Unitaria de Trabajadores de Antioquia (FUTRAN)*, at FUTRAN's headquarters in the centre of Medellín, about the circumstances surrounding the killing of Guillermo Marín. Hours later, five heavily-armed men who claimed to be officials from the Attorney General's Office, *Fiscalía General de la Nación*, forced their way into FUTRAN's offices and demanded to see Belisario Restrepo. When they failed to find him, they opened fire at point-blank range on the union's Dispute Secretary, **Hugo Zapata**, and Human Rights Secretary **Carlos Posada**. Hugo Zapata was killed and Carlos Posada seriously injured.

Other trade unionists whose lives are at risk;

- **Cesar Carrillo**, president of the *Unión Sindical Obrera (USO)*, the union of Colombia's oil industry workers, received a death threat from COLSINGUE in September 1994;
- **Luis David Rodríguez Pérez**, a community leader and trade union activist from Saravena, Arauca department has been persistently threatened by members of the armed forces;
- **Francisco Ramírez Cuellar**, the president of Mineralco's employees' trade union SITRAMINERALCO has received repeated threats and has reported being followed by armed individuals.
- **Wilson Monsalvo Navarro, Elmer Charris Alvarez, and the members of the Peasant and Farmer's Union of Guaimaro - Salamina - Magdalena** have received death threats and harassment from security forces personnel.

Cesar Carrillo; trade union leader receiving death threats from COLSINGUE

ACTION:

Write letters, faxes, telegrams, telexes:

- " Express concern at the killing of union leader Hugo Zapata and serious wounding of union leader Carlos Posada on 26 September 1994 in Medellín;
- " Express concern at the killings of three trade union leaders in the department of Antioquia: Guillermo Marín, Luis Efrén Correa and Jairo de León Agudelo, apparently by a paramilitary group calling itself *Colombia Sin Guerrilla* (COLSINGUE);
- " Express concern that the lives of other trades unionists in Colombia may be in danger;
- " Urge that there be immediate and thorough investigations, the results of which should be made public and those found responsible brought to justice.
- " Urge that immediate steps be taken to dismantle the paramilitary force COLSINGUE and other paramilitary groups in accordance with President Samper's electoral promises and to undertake full and impartial investigations into any links between paramilitary and security forces;
- " Urge that the government take all possible measures to protect the lives of trade unionists and members of political opposition groups;

ADDRESSES:

President of Colombia Señor Presidente Ernesto Samper Pizano
Presidente de la República
Palacio de Nariño
Santafé de Bogotá, Colombia
Telexes: 44281 PALP CO
Faxes: + 57 1 286 7434/287 7939
Salutation: Excelentísimo Sr. Presidente / Dear President Samper

Procurator General Dr. Orlando Vásquez Velásquez
Procurador General de la Nación
Procuraduría General
Edificio Banco Ganadero
Carrera 5, No. 15-80
Santafé de Bogotá, Colombia
Faxes: + 57 1 281 7531
Salutation: Sr. Procurador de la Nación / Dear Dr. Vasquez

Minister of Defence Dr. Fernando Botero Zea
Ministro de Defensa Nacional
Ministerio de Defensa Nacional
Avenida Eldorado CAN - Carrera 52
Santafé de Bogotá, Colombia
Telexes: 42411 INPRE CO; 44561 CFAC CO
Faxes: + 57 1 222 1874 or 288 4906
Salutation: Sr. Ministro / Dear Minister

Minister of the Interior Dr. Horacio Serpa Uribe
Ministro de Gobierno
Ministerio de Gobierno
Carrera 8a, No.8-09, Piso 7
Santafé de Bogotá, Colombia
Telexes: 45406 MINGO CO
Faxes: + 57 1 286 0485
Salutation: Sr. Ministro / Dear Minister

S U D A N

- ! **Ali al-Mahi al-Sakhi**, President of the Central Foundry Workers Trade Union in Sudan
- ! Repeated arrest for peaceful political activities
- ! Detention without charge or trial
- ! Reportedly tortured

Ali al-Mahi al-Sakhi

Ali al-Mahi al-Sakhi, President of the Central Foundry Workers Trade Union in Sudan was once again arrested in June 1994. This is at least the third time that Ali al-Mahi al-Sakhi has been imprisoned since the military government took power in June 1989, each time for his political and trade union activities. On each

occasion Amnesty International has considered him to be a prisoner of conscience.

At the beginning of June 1994, Ali al-Mahi al-Sakhi was arrested with five other people near Khartoum. They were believed to have been detained for their political activities and peaceful opposition to the policies of the government. There are reports that they were tortured while being held in one of the secret detention centres.

Although two of the six men were reportedly released in September 1994, the whereabouts of Ali al-Mahi al-Sakhi and three other men are still unknown to Amnesty International.

The repeated detention of Ali al-Mahi al-Sakhi is part of a systematic campaign by the Sudanese government against all forms of opposition. Opponents may be detained without charge or trial on the basis of Constitutional Decree Two of 30 June 1989 which established a State of Emergency. The decree bans the "showing of any political opposition by any means to the regime of the Revolution for National Salvation".

Since seizing power the military government has effectively curtailed the independence of the trade union movement. Trade union leaders who are seen to oppose the government have been regularly intimidated or detained. In advance of trade union elections in 1992, arrests of trade unionists opposing the authorities ensured that only supporters of the government were elected. During the course of 1994, arrests of a number of other trade unionists, including Ali al-Mahi al-Sakhi, have continued.

Anyone detained by the Sudanese security authorities is at risk of ill-treatment, in particular those held in secret detention centres known as "ghost houses". Those whom the authorities suspect may have information about opposition activities are at risk of severe torture. In the past the authorities have blamed torture and ill-treatment on undisciplined security officials. Amnesty International's information, however, suggests that torture and ill-treatment in "ghost houses" is systematic.

INDONESIA

! **Muchtar Pakpahan**, National Chairman of the Indonesian Prosperous Workers' Union (SBSI)

! Prisoner of conscience

On 7 November 1994, **Muchtar Pakpahan**, National Chairman of the independent trade union the Indonesian Prosperous Workers' Union (*Serikat Buruh Sejahtera Indonesia* - SBSI) was found guilty of "incitement" and sentenced to 3 years in jail. Pakpahan and 10 other labour leaders and activists were detained after a week of massive, and sometimes violent, strikes and demonstrations in Medan, North Sumatra in April 1994.

Dr. Muchtar Pakpahan on trial,
21 September 1994

Amnesty International considers Muchtar Pakpahan to be a prisoner of conscience. It is satisfied that the allegations against him were politically motivated, even

though the charges brought were criminal. The actions described as "incitement" by the prosecution, such as urging workers to protest peacefully to demand an increase in the daily minimum wage and calling for official recognition of the SBSI, are in principle guaranteed in Indonesia's Constitution (Article 28). The prosecution did not allege that Pakpahan had urged others to commit acts of violence.

Pakpahan and the 10 other labour leaders and activists were charged under Articles 160 and 161 of the Indonesian Criminal Code. Article 160 prescribes a maximum of six years imprisonment for inciting others to disobey a government order or to break the law, and Article 161 prescribes a maximum of four years in jail for distributing written materials which do the same. The 10 others charged with "incitement" may also be prisoners of conscience, held solely for their non-violent activities. Of these 10 people, six have already received sentences ranging from five to 15 months in jail.

Arrests and intimidation are frequently used by the government to intimidate activists. Arrest for "incitement" has previously been used against SBSI officials and members of labour organisations to prevent them from carrying out their peaceful activities in support of labour rights.

These latest arrests are part of a broad and persistent pattern of military and police intervention in labour disputes in Indonesia, which has resulted in workers and activists facing ill-treatment, imprisonment, torture, rape and even death.

Two young labour activists have been killed since the beginning of 1993: **Marsinah**, a young woman and labour activist raped and killed in May 1993 in East Java; and **Rusli**, a 22-year-old worker, whose body was found floating in a river on 13 March 1994, a few days after he took part in a strike at a factory near Medan. Given strong indications of military and police responsibility in both deaths, Amnesty International is urging that those responsible be brought to justice promptly, before a civilian court.

ACTION:

Write to the Coordinating Minister for Political/Security Affairs:

- " Express concern that Muchtar Pakpahan and other labour activists have been imprisoned for their peaceful trade union activities.
- " Urge that they are immediately and unconditionally released.
- " Say that although they were convicted of "incitement" under Articles 160 and 161 of the Indonesian Criminal Code, their actions were permitted by Article 28 of the Indonesian Constitution.
- " Express concern that the killings of Marsinah and Rusli show that trade unionists are victims of human rights violations in Indonesia.
- " Urge that the government take measures to protect the rights of trade unionists going about their legitimate and peaceful activities.

Coordinating Minister for Political/Security Affairs:

Susilo Sudarman
Menteri Koordinator Bidang Politik dan Keamanan
Jl. Medan Merdeka Barat No.15
Jakarta Pusat
Indonesia

Salutation: Dear Minister Susilo Sudarman

Write to the Minister of Manpower:

- " Express concern that trade unionists and labour activists have been victims of human rights violations in Indonesia. Cite the cases of Muchtar Pakpahan and the other labour leaders, and the killings of Marsinah and Rusli.
- " Welcome the fact that Indonesia has ratified ILO Convention 98 on the Right to Organize and Collective Bargaining.
- " Ask the Minister to take further measures to protect the human rights of Indonesian trade unionists and to ratify ILO Convention No. 87 on Freedom of Association and Protection of the Right to Organize.

Minister of Manpower: Drs. Abdul Latief
Menteri Tenaga Kerja
Jl. Jenderal Gatot Subroto
Jakarta Pusat
Indonesia

Salutation: Dear Minister Latief

Write to inform the Chief Justice of your concerns:

- " Express concern that Muchtar Pakpahan and other trade union leaders were convicted of "incitement" under Articles 160 and 161 of the Indonesian Criminal Code, although they were not accused of using or advocating violence. Say their actions were permitted under Article 28 of the Indonesian Constitution.
- " Express concern that Muchtar Pakpahan and other trade union leaders have been imprisoned because of their peaceful trade union activities.

Chief Justice of the Supreme Court: M. Djaelani
Ketua Mahkamah Agung
Jl. Merdeka Utara No.9-13
Jakarta Pusat
Indonesia 10110

Salutation: Dear Chief Justice

NIGERIA

At least four Nigerian trade union leaders are believed to be held in incommunicado detention without charge or trial.

Chief Frank Ovie Kokori, Secretary General of the National Union of Petroleum and Natural Gas Workers (NUPENG), was arrested on 20 August 1994 in Lagos and transferred to Abuja. He has been refused necessary medication. Reports of his detention in July subsequently proved to be false. The authorities deny that he was detained in August.

- **Olu Aderibigbe**, Chairman of the Edo State Branch of the Nigerian Labour Congress (NLC), was arrested in Benin City on 24 August 1994.
- **Francis A Addo**, a Vice-President of the Petroleum and Natural Gas Senior Staff Association of Nigeria (PENGASSAN) and Chairman of the Port Harcourt branch of PENGASSAN was arrested in August.
- **Fidelis Aidelomon**, Chairman of the PENGASSAN branch of the Pipeline and Products Marketing Company, was arrested in August.
- **Wariebi Kojo Agamene**, President of NUPENG was arrested in September.

These trade union leaders were arrested in August and September 1994. They are believed to be held in administrative detention under the State Security (Detention of Persons) Decree, No. 2 of 1984, as amended in by Decree No. 11 of 1994. This allows the Inspector General of Police and the Chief of General Staff to order the detention without charge or trial of any person considered a threat to the security of the state for an initial period of three months. Military governments have routinely treated the initial period as indefinitely renewable, detaining people incommunicado for months or years without charge or trial.

On 28 September Justice C.O. Idahosa, in the High Court in Benin City, ordered the release of **Olu Aderibigbe** and 30 other detainees. The authorities have ignored the order.

Their detention follows a strike by oil industry workers to protest at the arrest of Moshood Abiola, winner of the annulled 1993 presidential elections. Abiola and leaders of NADECO - the National Democratic Coalition - were arrested and charged with treason in May 1994 when they demanded that the military government hand over power to the elected president.

Amnesty International is concerned that the trade union leaders may be prisoners of conscience detained for their peaceful trade union activities.

THE OIL UNION STRIKE

On 4 July 1994 workers in the oil industry came out on strike in protest at the arrests of Abiola and NADECO leaders. They were soon joined by senior oil staff and employees in other businesses. The strike disrupted supplies of domestic fuel, electricity and water, and closed oil refineries. Eventually it disrupted Nigeria's oil exports. A general strike called by the Nigerian Labour Congress (NLC) on 3 August was called off the next day when the government promised to release Moshood Abiola. Moshood Abiola has not been released. On 18 August the government replaced oil union and NLC leaders with appointed administrators and ordered strikers back to work. Later in the month it announced the arrests of saboteurs attempting to blow up oil pipelines. Under threat of dismissal and without financial backing, the strike collapsed. It was called off on 4 September.

ACTION:

Write to the Nigerian authorities and send copies of your letters to Nigerian Newspapers;

- " Express concern at the detention without charge or trial of;
 - **Chief Frank Ovie Kokori**, Secretary General of the National Union of Petroleum and Natural Gas Workers (NUPENG)
 - **Olu Aderibigbe**, Chairman of the Edo State Branch of the Nigerian Labour Congress (NLC).
 - **Francis A Addo**, a Vice-President of the Petroleum and Natural Gas Senior Staff Association of Nigeria (PENGASSAN) and Chairman of the Port Harcourt branch of PENGASSAN.
 - **Fidelis Aidelomon**, Chairman of the PENGASSAN branch of the Pipeline and Products Marketing Company.
 - **Wariebi Kojo Agamene**, President of NUPENG.
- " Express concern that Frank Ovie Kokori has been denied appropriate medical treatment;
- " Seek assurances of the detainees' physical safety and guarantees that they are not being subjected to torture or ill-treatment;
- " Urge that their whereabouts in custody be made public and they be granted immediate and regular access to their families, legal counsel and any necessary medical attention;
- " Urge that they be immediately and unconditionally released unless they are to be charged with a recognisably criminal offence and brought promptly to trial;
- " Urge that detainees be held in conditions which conform to the UN Standard Minimum Rules for the Treatment of Prisoners.

Chief of General Staff: Lieutenant-General D. Oladip Diya
Chief of General Staff
State House
Aso Rock, Abuja
Federal Capital Territory
Nigeria

Inspector General of Police: Alhaji Ibrahim Coomassie
Inspector General of Police
Nigeria Police Force Headquarter
Garki, Abuja
Federal Capital Territory
Nigeria

Minister of Labour and Productivity: Dr Samuel Ogbemudia
Minister of Labour and Productivity
Ministry of labour and Productivity
Abuja
Federal Capital Territory
Nigeria

Nigerian News Media: The News, PMB 21531, Ikeja, Lagos
Tell, PMB 21749, Ikeja, Lagos
Vanguard, PMB 1007, Apapa, Lagos

Port Harcourt: Daily Sunray, 220 Aba Road, Port Harcourt
Edo State: Nigerian Observer, PMB 1334, Benin City

KOSOVO - YUGOSLAVIA

! **Bilall Idrizi**, member of the Independent Trade Union of Police Officers of Kosovo and a leading member of a Priština branch of the union.

On 27 October 1994 Bilall Idrizi was stopped by three state security officers in a street in Priština and made to get into a car. A coat was thrown over his head. The officers ordered him to keep his head down or he would be killed.

He does not know where he was taken. Sometime later the car stopped and he was taken into a building where he was interrogated. He was asked about his reasons for resigning from the police force and his motives for becoming a member of the trade union and about the union's activities. When his answers failed to satisfy them, they ordered him to strip naked and then proceeded to punch him and beat him with a rubber truncheon. They also allegedly tortured

him with an electric truncheon all over his body, including his genitals.

In the early hours of the morning Bilall Idrizi was forced to sign a declaration that they dictated to him. He "confessed" to having made preparations to assassinate Dr Ibrahim Rugova, leader of Kosovo's ethnic Albanians, and to collecting information to pass on to Albania's secret services. He was finally ordered to put his clothes on. The police officers told him that he was being taken out to be killed because he had failed to answer all the questions put to him.

He was driven blindfolded to a field where he was made to get out of the car and kneel on the ground. He could hear them cocking the triggers of their guns as they pretended to count down to his execution. They abandoned him in the field and he eventually made his way back to Priština.

Bilall Idrizi has filed a suit against three named and three unnamed officers for their part in this action against him.

Background: Since the end of October 1994 there has been a wave of arrests of ethnic Albanian former police officers in Kosovo province in Yugoslavia.

Some 4,000 ethnic Albanian police officers were dismissed or resigned from their posts after refusing to accept and recognize measures introduced by the Serbian government in 1990, which effectively abolished the province's autonomy. Since then, these officers have formed an Independent Trade Union of Employees of the Ministry of the Interior. Amnesty International knows of several former police officers and members of the trade union who were arrested in the November 1994. Some have been charged with seeking Kosovo's secession from Yugoslavia by force of arms.

Kosovo suffers from chronic, institutionalized police violence, which in the face of demands by ethnic Albanians for the province's secession from Yugoslavia, has created a potentially explosive situation. Since the beginning of 1994 police violence has increased. There have been numerous daily reports of incidents of beatings by officers of the largely Serbian police force. The police force appears to enjoy almost complete impunity. Many observers have expressed fears that the conflict elsewhere in former Yugoslavia might spread to Kosovo. Amnesty International has no position on the status of Kosovo province. The organisation is concerned solely with the rights of individuals.

ACTION:

! Write to the Minister responsible for Kosovo Province and to the prefect of Priština (where Bilall Idrizi was arrested):

- " Express concern at the arrest and torture of **Bilall Idrizi**, apparently for his peaceful trade union activities.
- " Urge the authorities to take effective measures to put a stop to torture immediately
- " Request that the complaint made by Bilall Idrizi be impartially, promptly and effectively investigated by a body which is independent of those allegedly responsible and has the necessary powers and resources to carry out its investigation.
- " Ask for an assurance that the named officers allegedly involved in the torture of Bilall Idrizi be suspended from active duty during the investigation and if found responsible, be brought to justice.

The Prefect: Na...elnik Kosovskog okruga
Aleksa Jokif
38000 Priština, AP Kosovo i Metohija, Yugoslavia

Minister in Serbian government with responsibility for AP Kosovo i Methohija:

Vekoslav Šoševif
Ministar Vlade Republike Srbije
Nemanjina 11, 11000 Beograd, Yugoslavia

! Write to the Authorities of the Federal Republic of Yugoslavia and the Authorities of the Republic of Serbia;

- " Express concern that a number of members of the Independent Trade Union of (former) Employees of the Ministry of the Interior, including Bilall Idrizi, have been arrested and tortured by police officers in Kosovo following their arrest;
- " Welcome Yugoslavia's ratification of ILO Conventions No. 87 on Freedom of Association and Protection of the Right to Organize (1948) and No. 98 on the Right to Organize and Collective Bargaining (1949). Ask the government to ensure that with these conventions are complied within Kosovo i Metohija and that trade unionists rights are protected.

Federal Minister of Internal Affairs: Vukašin Jokanovif
Ministar za unutrašnje poslove
Savezno ministarstvo za unutrašnje poslove
Kneza Miloša 92, 11000 Beograd, Yugoslavia

Federal Minister of Justice: Uroš Klikovac
Ministar za pravosudje
Savezno ministarstvo za pravosudje Bulevar AVNOJ-a 104
11070 Beograd, Yugoslavia

Minister of Internal Affairs of Serbia: Zoran Sokolovif
Ministar unutrašnjih poslova Republike Srbije
Kneza Miloša 101, 11000 Beograd, Yugoslavia

President of the Serbian Assembly: Dragan Tomif
Predsednik
Narodna Skupština Srbije
Srpskih vladara 14, 11000 Beograd, Yugoslavia

PLEASE NOTE: Please use the official name of Kosovo province; the Autonomous Province of Kosovo and Metohija - AP (Autonomna Pokrajina) Kosovo i Metohija in correspondence with the authorities.