

Public Statement

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Fiji: Human Rights At Risk

Fundamental human rights guaranteed in international law and Fiji military decrees issued after a coup in May appear to have been violated by military and prison authorities in Fiji; at least nine people were killed and 30 injured, and relatives have been denied access to many of those injured.

At about 1 pm on 2 November 2000, members of the Fiji army's special Counter Revolutionary Warfare unit (CRW) took at least three soldiers from regular units hostage at Queen Elizabeth Barracks in the capital Suva, and shot dead, reportedly at close range, two unarmed soldiers from other army units. At about 6.30 pm, regular army forces loyal to the military commander launched a counter-attack, freeing all hostages and regaining control of the barracks. At least 30 people were injured in fighting, and Fiji's military commander, Commodore Ratu Voreqe Bainimarama, narrowly escaped being killed or captured by rebels. Eight soldiers - five CRW members and three others - were subsequently confirmed dead, but it appears that some dead CRW members may not have died from injuries sustained in fire-fights. The aim of the estimated 20-40 CRW rebels carrying out the apparent mutiny remains unclear, but some of them had reportedly been released from prison only a week earlier. They had initially been held for their suspected role in a coup on 19 May 2000 in which the elected government was taken hostage and hundreds of Indo-Fijian families suffered racist attacks from coup supporters.

Amnesty International is concerned by Fiji media reports asserting that up to five CRW soldiers arrested after the mutiny were beaten to death, and that at least 10 other arrested CRW members were beaten by members of the army. There are reports that some of them were not at the barracks during the mutiny but arrested elsewhere. Two of the dead CRW officers were seen uninjured at a police station during the night of their arrest, before being driven away by regular troops, apparently to Queen Elizabeth Barracks. There are also reports suggesting that senior army officers intervened to stop the beating of CRW members by other soldiers at Queen Elizabeth Barracks. At least 10 CRW members were seen leaving a police station without apparent injuries during the night of 2-3 November in the custody of military officers. Six of them are now believed to be recovering in hospital from injuries sustained in beatings. According to relatives of Apaitia Waqaniboro, an injured CRW soldier who has been denied family visits, hospital staff told his wife he was being treated in intensive care for fractured ribs, "lung trauma", a broken jaw and a swollen eye. Apaitia Waqaniboro had reportedly been intercepted by army patrols in the company of Major General Sitiveni Rabuka as the two left the barracks in Rabuka's car a few hours after the mutiny began on 2 November. Sitiveni Rabuka, who led two military coups in Fiji in 1987 and lost general elections as Prime Minister in 1999, is being investigated by police over his presence at the barracks.

On 4 November 2000, the Chair of the Fiji Human Rights Commission, Justice Sailosi Kepa, announced that the Commission would hold an inquiry into the circumstances of the deaths of five soldiers and one civilian, allegedly after severe beatings, within hours of their

arrest on 2 and 3 November. The Commission's inquiry could be crucial, as anonymous phone calls to a pathologist, seeking to influence the outcome of autopsies on dead soldiers, and the denial of access for relatives to injured CRW suspects, may indicate attempts to cover up the true circumstances of their apprehension and treatment by regular army members.

Nine CRW members, reportedly admitted after their arrest to Suva's Colonial War Memorial Hospital with chest and head injuries, and an unknown number currently detained in Suva's Korovou Prison, have been denied visits by relatives since their arrest or admission to hospital a week ago. Some suspected rebel soldiers now detained at Korovou Prison in Suva were initially held at the army's Queen Elizabeth Barracks where families were also denied visits. Reports that army and prison doctors have been called in to provide medical assistance to those now held at the prison appear to support Fiji media reports that they were severely beaten by regular troops who arrested them. The Fiji Times of 9 November 2000 cited military commander Bainimarama as saying the visiting restrictions were imposed because the men are being "treated as murderers". He was quoted as saying "The men are injured and are still recovering from wounds they received so why should their wives want to see them?"

Military decrees do not permit arbitrary detention or blanket visiting restrictions for families and lawyers, and only courts may extend detention of suspects held on remand beyond an initial period of 48 hours. According to the families of imprisoned injured CRW members, Korovou Prison officers on 8 November 2000 cited the absence of written instructions from military headquarters for their refusal to honour informal assurances given on 7 November that families would be allowed to visit relatives the following day, and on subsequent Mondays, Wednesdays and Fridays. Amnesty International is not aware of any law or decree under which the military's permission is required for prison officers to allow families visiting rights.

Amnesty International is concerned that these developments follow earlier reports from Fiji that excessive force was used in the arrest in August of George Speight and his supporters, who led an attempted coup in May 2000, and into which the interim Minister of Home Affairs has ordered an inquiry. However, to Amnesty International's knowledge, no such inquiry has been ordered by the Interim Administration into reports that some police and army officers took part in attacks on Indo-Fijian families by indigenous Fijians supporting the coup on 19 May 2000. The administration has recently recognized the widespread looting and burning of Indo-Fijian homes, shops and farms in racist attacks by indigenous Fijians which caused hundreds of Indo-Fijians to flee their homes.

Amnesty International appeals to the Fiji authorities to respect the fundamental principle of international law that no emergency decrees, mutinies or other threats to national security permit any exception from the universal prohibition of torture and extra-judicial executions. International standards on prisoner treatment, including the prohibition of torture and other cruel, inhuman and degrading treatment or punishment, continue to apply under Fiji's current military decrees and the country's 1997 Constitution.

Amnesty International believes that all alleged involvement of security forces in human rights violations should be equally subject to thorough, independent and impartial investigations, and that suspected perpetrators should be brought to justice, in a fair trial in accordance with

international standards. These standards apply equally to those alleged to have participated in the apparent mutiny and to those involved in crushing that mutiny.

Amnesty International calls on prison authorities and the military leadership in Fiji to allow immediate access to any family members, family lawyers and independent doctors requesting a visit to soldiers in hospital or prison.

Amnesty International also urges the ruling civilian Fiji Interim Administration, the military leadership and the Fiji Police Service to ensure that the Fiji Human Rights Commission receives full cooperation and all necessary assistance to carry out an effective, thorough and impartial investigation, in line with international standards on such investigations.

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