

THE 86TH INTERNATIONAL LABOUR CONFERENCE

Amnesty International's concerns relevant to the Committee on Application of Standards

The important standard-setting function of the International Labour Organisation (ILO) is embodied in its set of Conventions and Recommendations, international instruments open to ratification by member states of the ILO which regulate some aspect of labour, social welfare or human rights. Over a number of years Amnesty International has followed the work of the ILO's supervisory system, namely the Committee of Experts¹ and the Committee on Application of Standards², which try to ensure that those states which have ratified ILO Conventions implement them in both law and practice.

In November 1997 the 270th session of the ILO's Governing Body agreed to place on the agenda of the 86th (1998) International Labour Conference (ILC) an item relating to the consideration of a possible ILO Declaration of principle concerning fundamental rights. At the subsequent Governing Body meeting in March 1998 the Director-General of the ILO was authorized to prepare a draft in consultation with the tripartite constituents of the ILO (namely Workers, Employers and Governments). The Declaration would be based on the fundamental principles and objectives of the ILO which are laid out in the seven "core" ILO Conventions³. Amongst these Conventions are those, particularly Convention Nos 87 and 98, under which Amnesty International has often raised its concerns at the annual ILC.

Amnesty International had welcomed the campaign, launched by the ILO's Director General in May 1995, to achieve universal ratification of the seven core Conventions, but notes

¹Members of the Committee serve in their personal capacity and are appointed by the Governing Body of the ILO. Their fundamental principles are those of independence, impartiality and objectivity in noting the extent to which the position in each State appears to conform to the terms of ILO Conventions which they have ratified. The Committee meets in private session annually in December, and produces a Report containing their observations in March.

²A tripartite Committee consisting of representatives of governments, employers and workers which meets during the Conference to consider and discuss measures taken by member States to give effect to the provisions of Conventions which they have ratified. Governments are able to provide further information; indicate further measures proposed and seek guidance on overcoming difficulties experienced in discharging their obligations. The Committee's report is presented to the Conference and discussed in plenary.

³Convention No 87 on freedom of association, Convention No 98 on collective bargaining, Convention Nos 29 and 105 on the abolition of forced labour, Conventions Nos 100 and 111 on equal treatment and Convention No 138 on minimum age.

that as of March this year only 35 members of the ILO had taken the step of ratifying all seven of these instruments.

Ratification is a basic first step which every government should take to demonstrate its will to make a commitment to the rights enshrined in international standards. However, by itself ratification does not prevent human rights violations. An even greater will on the part of governments is required for such standards to be fully and effectively implemented in order to protect human rights. Given the repeated observations on particular countries contained year after year in the *Report of the Committee of Experts on the Application of Conventions and Recommendations* -- which are in turn often reflected in the concerns that Amnesty International highlights at the ILC -- it appears that in too many cases the will to implement commitments made is clearly not present.

Situations where Amnesty International and the ILO both have concerns often involve the most serious violations of human rights, not only in respect of ILO standards, but also others such as the United Nations Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights which include the specific rights which Amnesty International works to protect. In this 50th anniversary year of both the Universal Declaration of Human Rights and ILO Convention No 87, Amnesty International urges the Committee on Application of Standards to give serious consideration to the situations of grave and persistent human rights violations described below.

Convention No 87 on freedom of association and No 98 on collective bargaining

COLOMBIA (ratified Convention No 87 in 1976)

The situation in Colombia was discussed at last year's session of the Committee on Application of Standards under Convention No 87. The Committee expressed profound regret at the climate of violence which affected the life and physical integrity of trade unionists. In recent years Colombia's deepening human rights crisis has been the focus of increasing international attention. Extrajudicial executions, "disappearances" and torture committed by the security forces and their paramilitary allies are widespread. Armed opposition groups commit numerous violations of international humanitarian law. Impunity underlies the crisis, with those responsible for human rights violations continuing to pursue a counter-insurgency strategy in itself characterized by systematic abuses of human rights.

Hundreds of civilians have been killed during counter-insurgency operations and members of legal opposition groups, peasant and indigenous leaders, human rights activists and trade unionists continue to be targeted for their real or perceived political allegiances. The killing of so-called "disposables", including vagrants, street children, homosexuals and petty criminals,

by police-backed "death squads" continues in many cities and towns. Torture continues to be widespread, particularly in the regions most affected by the civil conflict. Social protest continues to be considered subversive by the Colombian armed forces and security forces who frequently respond to such protests with excessive use of force resulting in the deaths of unarmed civilians and, subsequently, threats and targeted killings of protest organizers. Many violations of human rights are committed in order to advance and protect the interests of economically powerful sectors by state forces and their paramilitary allies

At the 54th session of the UN Commission on Human Rights in March 1998, Colombian non-governmental organizations reported that 123 trade unionists had been killed in 1997 for politically motivated reasons. Several trade union activists "disappeared" after detention and a growing number were detained under the regional justice system, which the UN High Commissioner for Human Rights condemned at the same session for violating guarantees of due process.⁴ Amnesty International is seriously concerned that the regional justice system has on occasion been used as a method to undermine trade union activity and intimidate trade unionists into abandoning their lawful trade union activities.

In June 1997, a group of trade union leaders at a branch of the multinational company Goodyear in Cali, department of Valle, received written threats issued by a paramilitary group, Colombia without Guerrillas (*Colombia Sin Guerrilla*, COLSINGUE). The threats, which reportedly took place at a time when the trade union was in dispute with the company over working conditions, accused the executive members of the Goodyear Workers' Union (*Sindicato de Trabajadores de Goodyear*), and their families, of being communists and members of an urban unit of a guerrilla group. They included the statements "*Fuera el sindicalismo de Colombia*", "We want trade unionism out of Colombia" and "*Queremos una Colombia limpia de todo hijueputa guerrillero*", "We want a Colombia clean of all son of a bitch guerrillas".

Lawyers defending trade unionists have often been the target of human rights violations. On 18 April 1998, Dr Eduardo Umaña Mendoza, one of Colombia's most prominent human rights lawyers, was killed in his office in the capital Bogotá by unidentified gunmen posing as journalists. Dr Umaña had sought justice in many high-profile cases of human rights violations and led the defence of leaders of the *Unión Sindical de Obreros* (USO), Workers Trade Union, accused of being linked to guerrilla groups. Dr Umaña had denounced the use of the regional justice system against these trade unionists, the use of paid secret witnesses to frame the accused, the fact that the testimony of the same secret witnesses was presented as being that of several witnesses and that one of the secret witnesses was a member of a paramilitary group operating in the department of Norte de Santander. In a document made public after his

⁴Report of the United Nations High Commissioner for Human Rights, E/CN.4/1998/16, 9 March 1998

death, Dr Umaña denounced the fact that he had been subjected to death threats and that judicial officials had accused him of “sabotaging” the judicial proceedings against the trade union leaders.

Trade union leaders belonging to national trade union federations have also been the target of death threats. According to the Colombian Federation of Teachers (*Federación Colombiana de Educadores*, FECODE), at least 750 teachers had been forcibly displaced between 1995 and mid-1997 because of concern for their safety and over 2,000 received death threats. On 23 March 1998, members of a paramilitary force abducted Rosmira Gallego, a teacher, and four peasant farmers from their homes in the community of El Jordan in the municipality of San Carlos, Antioquia Department. Their bodies were discovered nearby the following day. The Antioquia Teachers Association (*Asociación de Institutores de Antioquia*, ADIDA), of which Rosmira Gallego was a member, has repeatedly denounced the death threats that many of its members suffer. Over the last year 40 teachers affiliated to ADIDA have received death threats and been forced to flee their homes.

The principal armed opposition groups, including the Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army (ELN), have been responsible for numerous violations of international humanitarian law. These include deliberate and arbitrary killings of perceived opponents and the taking and holding of hostages, which has become increasingly widespread as ransom money has become one of the principal sources of income for guerrilla groups. Some victims have been killed when ransom demands are not met. Guerrilla attacks on economic targets have frequently endangered the security of civilians working in these industries. Moreover, civilian personnel contracted by multinational companies have been the target of threats, abductions and arbitrary killings.

On 12 July 1997, Misael Pinzón Granados, an African Palm Oil worker, was abducted by members of a paramilitary group operating in the municipality of Puerto Wilches, department of Santander, who stopped the bus on which he was travelling. His whereabouts have remained unknown since his abduction. Subsequently paramilitary group members reportedly interrupted a meeting held by workers of the African palm oil workers trade union (*Sindicato de la Palma Africana*, SINTRAPALMA), and the Agricultural Industry Workers’ Trade Union - Puerto Wilches Branch (*Sindicato de Trabajadores de la Industria Agrícola - Seccional Puerto Wilches*, SINTRAINAGRO), in Puente Sogamoso and reportedly shouted slogans against the unions and threatened to dismantle them.

On 17 September 1997 six managers of the Palmas Bucarelia and Agropecuaria Monterrey African Palm Oil companies were kidnapped by members of the 24 Front of the Colombian Revolutionary Armed Forces (*Frente 24 de las Fuerzas Armadas Revolucionarias de Colombia*, FARC). On 12 November the FARC kidnapped three employees of Oleaginosas Las Brisas African Palm Oil company. In January 1998 the FARC forced the three companies

to cease all their activities threatening to kill anybody who returned to work. According to media reports the FARC was demanding compensation for damages caused by paramilitary activity in the region over the previous two years. On 27 March FARC guerrillas entered the installations of the Palmas Bucarelia company and planted a bomb which damaged electrical equipment and demanded that the company halt work. There were no casualties as it was reported that the guerrillas forced the 80 workers to evacuate the company's installations. The African Palm Oil companies received further threats from the FARC and were ordered to halt operations on 6, 7 and 8 April 1998. Between 30 March and the end of April 1998 six of the eight employees were released. At the time of writing two employees remain kidnapped.

INDONESIA (ratified Convention No 98 in 1957)

The Committee on Application of Standards examined Indonesia under Convention No 98 at its last session, expressing deep concern over the increasingly serious violations of fundamental human rights and trade union rights in Indonesia. The current Committee of Experts *Report* and the latest conclusions of the Committee on Freedom of Association also reflect this concern.

The rights of workers to freedom of association in Indonesia remain severely restricted and independent trade union activists are frequently at risk of arrest and imprisonment. Training workshops by independent trade unions continue to be broken up by the military authorities on the grounds that the required permission for such training was not sought. Official recognition continues to be denied to independent labour organizations, making such organizations effectively illegal.

In the midst of a major political and economic crisis in Indonesia, several hundred peaceful pro-democracy activists have been arrested since January 1998, including trade union activists. At least two trade union activists remain in detention and awaiting trial. Eight members of the independent Indonesian Prosperous Workers' Union (*Serikat Buruh Sejahtera Indonesia* SBSI) were arrested in connection with plans by SBSI to hold a peaceful demonstration during the re-election of Indonesia's President Suharto in March 1998. The demonstrations were calling for an end to redundancies and sackings as a result of the economic crisis, a reduction in the cost of basic necessities, and the release of jailed independent labour leader, Muchtar Pakpahan. The arrests took place in several cities including Jakarta, Serang in West Java and Lampung in Sumatra.

Yudi Rahmat, 44, and Hermanto, 31, were arrested on the night of 8 March 1998 at a restaurant in Jakarta. The two men were held in military custody by the District Military Command (Kodim) in North Jakarta for over 12 hours before being transferred to police custody. While in military custody, the two men were denied access to defence lawyers and Hermanto claims that he was subjected to electric shocks. The two men are still in custody on

charges of “inciting” others to break the law by disobeying a government order, under Article 160 of the Indonesian Criminal Code⁵.

On 9 March 1998, Farah Diba, aged 23, who is the head of the Women and Child Labour Department of SBSI, was arrested in Jakarta during a demonstration against price increases. She was arrested with three activists including independent journalist Wandi Nicodemus, and student activists Kuldip Singh and Widi Wahyu Widodo. The four have since been released but are still facing charges under Law Number 5/PNPS/1963 and Article 218 of the Criminal Code. Article 218 punishes those who refuse to disperse during a demonstration with a maximum of four months and two weeks imprisonment. Law Number 5/PNPS/1963 was originally promulgated as a Presidential Decree in 1963 and became law in 1969. It allows for the imprisonment for up to five years of those who engage in political activities which do not support the state, which disturb security and order. The law requires prior permission for meetings and demonstrations. The vague wording of the law allows for government critics to be charged and imprisoned for peacefully taking part in demonstrations. Until recent months, it had fallen into disuse, but it was revived in early 1998 as part of measures taken by the authorities to curtail opposition to President Suharto’s re-election.

On 10 March 1998, two other members of SBSI, Sukirman and Sanusi were arrested in Jakarta. Three members of SBSI from Serang, in West Java, Sumantri, aged 28, Suseno, aged 32, and Mahmud Hadi, aged 27, were also arrested on 10 March. They have all subsequently been released but are believed to be still facing charges under Article 160 of the Criminal Code.

In addition to the renewed attacks on the SBSI, the union’s leader, Muchtar Pakpahan is still on trial for subversion following his arrest in July 1996. His trial began in December 1996 but has progressed slowly mainly because of ill-health. Muchtar Pakpahan is among several peaceful government critics being tried under Indonesia’s Anti-subversion Law which carries the death penalty. Dita Indah Sari, head of the Centre for Indonesian Workers’ Struggle, (*Pusat Perjuangan Buruh Indonesia*, PPBI) was convicted in 1997 of subversion and sentenced to five years imprisonment for her role in organising a labour demonstration in Surabaya in 1996. She is considered by Amnesty International to be a prisoner of conscience.

MYANMAR (ratified Convention No 87 in 1955)

The Committee on Application of Standards has for several years been concerned with the non-compliance of the Myanmar authorities with Convention No 87. At last year’s session the situation in Myanmar was identified by a special paragraph in the Committee’s report as one of particular gravity and a case of continued failure to implement the Convention.

⁵ Six years’ imprisonment for inciting people to break the law or disobey a government order

Amnesty International remains concerned by the continuing contempt shown for the basic human rights of the people of Myanmar by the State Peace and Development Council (SPDC, Myanmar's military government, formerly called the State Law and Order Restoration Council, SLORC). Both short-term detention and long sentences of imprisonment are used as methods for repressing peaceful political activities, including those of trade unionists. Scores of prisoners of conscience remain in prisons where conditions are characterized by overcrowding and lack of proper food, sanitation and medical care, and where torture is common. Repression of ethnic minorities continues despite 17 cease-fire agreements signed with armed ethnic minority groups and radical restrictions of the rights to freedom of speech, assembly and movement remain for all citizens of Myanmar.

During 1997 the SPDC continued its crackdown on political and trade union activists, in particular members of the National League for Democracy (NLD), the largest legal opposition political party. On 13 June 1997, Myo Aung Thant, an executive committee member of the Federation of Trade Unions - Burma (FTUB), was arrested at Mingaladon international airport, Yangon, by National Intelligence Bureau personnel on his return from Thailand. His wife and children were also reportedly arrested at the same time but it is not known if they are still held. U Khin Kyaw, also an executive committee member of the FTUB, and his wife, were arrested later that day at their home in Yangon. The FTUB is not legally recognized in Myanmar, where independent trade union activity is prohibited. Myo Aung Thant is a member of the All Burma Petro-Chemical Corporation Union, formed during the 1988 pro-democracy movement and U Khin Kyaw is a member of the underground Seaman's Union of Burma. According to FTUB sources, the two detained trade unionists had been documenting economic and social hardships, including the widespread use of forced labour in Myanmar, and passing the information to the international trade union movement.

During a press conference on 27 June 1997, Lieutenant General Khin Nyunt claimed that Myo Aung Thant, in conjunction with five NLD members, had contrived to pass money from organizations funded by the US government to the NLD. He also asserted that Myo Aung Thant had been among a group who had helped produce a video in March 1997 showing Daw Aung San Suu Kyi in Karen national dress appealing on behalf of Karen refugees who had fled to Thailand. The video was smuggled out of the country. General Khin Nyunt went on to explain that Myo Aung Thant and Khin Kyaw had attended a meeting in Ranong, southern Thailand on 4 June 1997, which he claimed had been convened in order to plan "terrorist" attacks, but that this "plot" had been thwarted when Myo Aung Thant was arrested at Mingaladon international airport.

On 15 August 1997, Myo Aung Thant was "*sentenced to Transportation for Life for committing High Treason, (3) years imprisonment for breaching the Unlawful Associations Act and another (7) years under the Emergency Provisions Act*" at Insein Special Court. Article 57 of Chapter III of the 1957 Burmese Penal Code defines transportation for life as

“equivalent to transportation for twenty years”. According to unofficial sources, the trial lasted less than ten days and was held in closed sessions. Political trials in Myanmar are generally held “*in camera*” and the accused rarely have access to legal counsel of their choice. Amnesty International is concerned that Myo Aung Thant did not receive a trial in accordance with international standards for fair trial. Information about the whereabouts of Khin Kyaw is not known, but Amnesty International fears for his safety given the harsh conditions and high incidence of torture in Myanmar’s prisons.

Convention No 107 on indigenous and tribal populations

BRAZIL (ratified ILO Convention No 107 in 1965)

The current Committee of Experts *Report* draws attention to continuing problems with the implementation of Convention No 107, in particular in the context of disputes over the land rights of indigenous people in Brazil. While taking no side in disputes over land, Amnesty International has repeatedly expressed concern over the resulting pattern of human rights abuses and the almost complete impunity enjoyed by the perpetrators, which include gold miners, loggers and other commercial interests, and hired gunmen. Amnesty International believes that the failure to arbitrate promptly in disputes between the indigenous and non-indigenous community leaves the indigenous groups vulnerable to violence against them.

Amnesty International has sought government action to halt violent attacks on indigenous communities after Decree No. 1775⁶ changed procedures for demarcating indigenous land. Under Brazil’s 1988 Constitution, all other titles to indigenous land are considered null and void. Nevertheless, the Decree provides procedures for administrative challenges by non-indigenous claimants to indigenous areas already demarcated and ratified by presidential decree. Amnesty International has expressed concern that the uncertainty created by the Decree might open the way to violent incursions on indigenous lands, which in the past has led to assaults, targeted killings and massacres of indigenous communities.

The Catholic church’s Indigenous Missionary Council (*Conselho Indigenista Missionário, CIMI*) annual report, published in November 1997, identifies a sharp rise in violence against indigenous groups in the last year, which they attribute to the effects of the Decree. The report cites 26 deaths and 13 cases of attempted murder of indigenous people, some of which were the result of land invasions by non-indigenous groups. There were a further 29 cases of death threats, illegal imprisonment and kidnapping, as well as trespassing against indigenous communities allegedly carried out by local landowners, loggers and miners.

⁶Adopted in January 1996

Amnesty International is extremely concerned at official attempts to restrict the freedom of association and expression of indigenous people. The Tupiniquim and Guarani people in the Aracruz area of Espírito Santo state have been contesting claims to their lands by a local paper manufacturing enterprise, Aracruz Celulose. A government commissioned report confirms large tracts of the area occupied by the company to be indigenous lands. Impatient with delays in legal demarcation the Tupiniquim and Guarani people began demarcating their own land in January 1998. On 18 March 1998 some 50 Federal Police were sent to the area to stop the Indians doing so. Police closed off the area, arresting several members of the landless peasant movement who had travelled to support the indigenous action. Subsequent administrative rulings by FUNAI, the state agency responsible for protecting the interests of the indigenous population, forbade access to indigenous areas to anyone not explicitly authorised by FUNAI.

Those who work with indigenous groups as defenders of indigenous rights have been subject to official harassment. In the early morning of 18 March 1998, Winifridus Overbreek, a Dutch environmental engineer working for CIMI on food production with the Tupiniquim and Guarani people, was arrested by Federal Police. After being questioned for seven hours he was accused of interfering in the internal political affairs of Brazil, and charged under two laws governing foreigners in Brazil. He was informed that his visa would be reduced from two years to eight days, and that he would be expelled from the country. Following appeals, he was allowed to stay in the country pending a police investigation.

Amnesty International is concerned about continuing impunity in past cases of human rights violations against indigenous people, and about the failure of the Brazilian authorities to investigate these cases thoroughly and to bring those responsible to justice. The tenth anniversary of the massacre of 14 members of the Ticuna people, including children, in Boca do Capacete, in the municipality of Benjamin Constant in Amazonas state was marked on 28 March 1998. Local landowners are suspected of having committed the crime, as they were opposed to the misappropriation of this land for a Ticuna reserve. It has taken eight years to clarify whether the case should be handled by the state or federal courts but the case is now with a federal prosecutor. The charge has been changed from murder to genocide. The alleged perpetrators of the massacre are still at large in the local population, where they continue to pose a threat.

Convention No 111 on discrimination (employment and occupation)

AFGHANISTAN (ratified Convention No 111 in 1969)

The current Committee of Experts' *Report* once again notes with grave concern the human rights situation of women in Afghanistan, referring to reports received from several

NGOs including Amnesty International⁷, which it feels “indicate a lack of respect for the obligations to apply to girls and women the fundamental human rights covered by the Convention.” No replies have been received from the authorities to any of the Committee’s observations or to communications transmitted to them.

Amnesty International has for years been concerned about abuses of women’s human rights in all parts of Afghanistan, including the northern areas. During years of bitter civil conflict scores of women have been abducted and raped by members of various political groups. Thousands of women have been indiscriminately killed in fighting between the opposing sides and hundreds and thousands of women and children have been internally displaced, sometimes forcibly, or have fled the country as result of systematic human rights abuses. Amnesty International takes no position on the question of recognition of any political group in Afghanistan but calls on all such groups in the country to respect fundamental human rights, including those of women, in accordance with international human rights standards and the principles of humanitarian law.

Tens of thousands of women remain physically restricted to their homes under Taleban edicts which ban them from seeking employment, education or leaving home without a male relative. Other prohibitions include the closure of women’s *hammams* (public baths) and the barring of women from the streets during certain periods such as the fasting month of *Ramadan*. The Taleban have enforced these restrictions through the use of cruel, inhuman or degrading punishments or ill-treatment. Hundreds of women have been beaten by Taleban guards in detention centres or in public places including shops, streets and bus-stops for defying Taleban edicts.

Amnesty International considers women detained or otherwise physically restricted for reasons of gender to be prisoners of conscience. The organization has continuously raised with the international community the situation of Afghan women, urging all political groups in Afghanistan, as well as countries which support these groups, to acknowledge their responsibility for human rights abuses and to ensure that women are not treated as spoils of war or subjected to policies that deny them their fundamental rights.

IRAN (ratified Convention No 111 in 1964)

At its last session the Committee on Application of Standards expressed its concern about persistent non-implementation of Convention No 111 in Iran by including it as a special paragraph in its report. The current Committee of Experts’ report once again makes reference to discrimination on the basis of sex, religion and political opinion.

⁷Afghanistan: Grave abuses in the name of religion (AI Index ASA 11/12/96, November 1996) and Women in Afghanistan: The violations continue (AI Index ASA 11/05/97, June 1997)

Serious human rights violations have continued to take place in Iran against many people from a broad range of political opposition, including members of left-wing groups, monarchists, ethnic and religious minorities, lawyers, writers and journalists. Critics of the government face imprisonment after unfair trials before special courts as well as torture and execution. Judicial punishments amounting to torture or cruel, inhuman or degrading punishment -- including stoning, crucifixion, mutilation and flogging -- continue to be imposed. There has also been a pattern of human rights violations against Shi'a religious leaders and their followers opposed to the government, particularly since 1995.

Among prisoners of conscience held during 1997 were at least 12 members of the Baha'i religious minority, four of whom were under sentence of death. More than 200 Baha'is in Iran have been executed, most during the 1980s, apparently because of their religious beliefs. Among those currently on death row on account of their religious beliefs or activities are Dhabihullah Mahrami and Musa Talibi whose cases Amnesty International brought to the attention of the Committee on Application of Standards at its last session. Both are Baha'is, and have been sentenced to death for apostasy. Amnesty International believes both men are prisoners of conscience, currently held solely on account of their religious beliefs. The organization is calling for the death sentences against them to be lifted and for their immediate and unconditional release.

Although apostasy is not a crime under the Iranian Penal Code, people who convert to Islam from other religions, and then reconvert (classified as "national apostates" by the late leader of the Islamic Republic of Iran, Ayatollah Khomeini), can face trial and execution. Ayatollah Khomeini in his writings defined the punishment for "national apostasy" as execution, if the person refuses to repent. The judicial system in Iran considers religious edicts, particularly those of eminent religious jurists such as Ayatollah Khomeini, to be a parallel source of law to acts of Parliament.

Dhabihullah Mahrami appeared before the Islamic Revolutionary Court in Yazd in August 1995 and was questioned about his religious beliefs, in the light of an announcement carried by the newspaper *Keyhan* in August 1983 stating that Dhabihullah Mahrami had become a Muslim, and about a document he signed in 1985 in the Department of Agriculture which stated that his religion was Islam. In the court session, he affirmed that he was a Baha'i. That court session was followed by three others in which he was requested to repent and accept Islam. When he refused to do so, he was charged with "national apostasy". He was convicted and sentenced to death on 2 January 1996. Following an appeal to the Supreme Court by his lawyer, the death sentence was overturned, apparently for reasons including that the Revolutionary Court was not the competent court.

Musa Talibi was arrested in June 1994 in Isfahan and sentenced to 10 years' imprisonment on charges of "acting against the internal security of ... Iran" and "attracting individuals to the misguided sect of Baha'ism, including two [nieces]". This sentence was later confirmed but, following an appeal, he was retried in February 1995 and sentenced to 18 months' imprisonment from the date of his arrest. However, it seems that the prosecution

objected to his lighter sentence, apparently on the grounds that Musa Talibi was an apostate and that this had not been taken into account. At a further trial in July 1996, Musa Talibi was sentenced to death.

In February 1997, according to media reports, Iran's Supreme Court officially confirmed the death sentences against both Dhabihullah Mahrami and Musa Talibi. A report from the Iranian news agency IRNA on 23 February 1997 cited the Head of the Revolutionary Court as saying that both men had been convicted of espionage.

Amnesty International is seriously concerned about the increasing number of executions taking place in Iran. During 1997 it recorded at least 143 executions, including possible prisoners of conscience, and an unknown number remained under sentence of death, some after unfair trials.

**AMNESTY INTERNATIONAL DOCUMENTS RELEVANT TO THE DISCUSSIONS OF
THE ILC'S COMMITTEE ON APPLICATION OF STANDARDS**

AFGHANISTAN

Grave abuses in the name of religion
(ASA 11/12/96, November 1996)

Women in Afghanistan: The violations continue
(ASA 11/05/97, June 1997)

BRAZIL

Politically motivated criminal charges against land reform activists
(AMR 19/17/98, August 1997)

Corumbiara and Eldorado de Carajas: Rural violence, police brutality and impunity
(AMR 19/01/98, January 1998)

Human rights defenders: Protecting human rights for everyone
(AMR 19/08/98, April 1998)

COLOMBIA

Human rights defenders under attack
(AMR 23/17/98, March 1998)

Selected Cases for campaigning against human rights violations
(AMR 23/18/98, March 1998)

INDONESIA

The PRD Prisoners: A Summary of Amnesty International's concerns
(ASA 21/56/97, October 1997)

East Timor: Truth, justice and redress
(ASA 21/81/97, November 1997)

Paying the price for "stability"
(ASA 21/12/98, 25 February 1998)

IRAN

Dhabihullah Mahrami: Prisoner of Conscience
(MDE 13/24/96)

Official secrecy hides continuing repression
(MDE 13/02/95)

MYANMAR

A Challenge for the international community
(ASA 16/28/97, October 1997)

Atrocities in the Shan State
(ASA 16/05/98, 15 April 1998)