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# AMNESTY INTERNATIONAL NEWS SERVICE 279/94

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NEWS SERVICE ITEMS: EXTERNAL - **AFGHANISTAN** (See news schedule below. An additional background information sheet to go with this news release will be sent out tomorrow). **JAMAICA** (This item is being sent to some media in Jamaica by the research team)

## **INTERNATIONAL NEWS RELEASES**

Afghanistan - 15 December - SEE NEWS SERVICES 274 AND 267

Sudan - 25 January - SEE NEWS SERVICES 275 AND 261

Turkey - 8 February - SEE NEWS SERVICE 261

Northern Iraq - 28 February - SEE NEWS SERVICE 266

## **TARGETED AND LIMITED NEWS RELEASES**

News Service 279/94

AI INDEX: ASA 11/WU 07/94  
EMBARGOED FOR 15 DECEMBER 1994

AFGHANISTAN: AMNESTY INTERNATIONAL CONDEMNS INTERNATIONAL COMMUNITY FOR IGNORING  
CONFLICT IN AFGHANISTAN

Amnesty International delegates recently returned from Afghan refugee camps in Pakistan with grim reports of mass murder, arbitrary detention and torture -- including widespread rape of women and children -- being carried out by almost all armed political groups in Afghanistan.

"The human rights catastrophe in Afghanistan has reached appalling proportions and yet governments around the world are ignoring the tragedy," Amnesty International said today.

"Most Western governments sent enormous supplies of arms and military facilities to Afghanistan during the Cold War and they now remain silent while these same arms are used to kill unarmed civilians," the human rights organization said.

"Muslim states -- so vocal about human rights violations of Muslims in Bosnia-Herzegovina and other parts of the world -- have done little to stop the killings and torture, including rape of young Muslim girls and boys in Afghanistan."

Since April 1992, at least 15,000 people have died in Kabul alone and hundreds of thousands have been displaced -- being buffeted between the brutal and corrupt check-points of armed Mujahideen groups. Thousands more have "disappeared".

Those remaining in the city have been subjected to a virtual food blockade which was imposed on Kabul by forces of Prime Minister Gulbuddin Hekmatyar several months ago and remained in force until earlier this month, when a United Nations (UN) food convoy arrived in the city. Amnesty International is urging the international community to ensure that no further food blockades are imposed on the people of Kabul.

Members of armed political groups reportedly continue to enter civilian houses in Kabul and other parts of the country killing male members of the family who resist their entry. They confiscate property and then subject women and children to prolonged beatings and rape. Some armed groups reportedly sell such children to customers from other countries.

In mid-1992, Nahid -- a 16-year-old girl -- threw herself to her death from the fifth floor balcony of her family home rather than be raped by armed Mujahideen members who had come looking for her. In March this year, a 15 year-old girl was repeatedly raped in her house in Kabul's Chel Sotoon district after armed guards entered the house and killed her father for allowing her to go to school. Thousands more Muslim women, young girls and boys have been subjected to brutal torture and rape in all parts of Afghanistan since April 1992, when the Mujahideen groups took power in Kabul.

Widespread beating of unarmed civilians suspected of belonging to rival ethnic groups reportedly continue. All armed groups reportedly have private detention centres where they subject prisoners to prolonged detention and torture. Former detainees said they had been beaten with rifle butts, tied to

dead bodies for several days and forced to eat what they were told was human flesh.

There is no civilian political structure in place in Afghanistan, so armed political groups are able to act with total impunity. The judicial system is virtually non-existent in most parts of the country and armed group leaders sentence prisoners to execution, stoning to death or whipping on prisoners with no legal safeguards. In a few areas, Islamic courts are reported to completely dispense summary justice, leading to public flogging or executions. Others are unlawfully imprisoned in detention centres on grounds of political opinion, religion or ethnic origin.

The lucky ones have managed to cross into Pakistan, paying Pakistani soldiers bribes to get through the officially closed border and ending up in grossly under-equipped refugee camps. Even there they are not safe -- Afghans with professional or academic backgrounds report continuous death threats from Afghan armed groups.

Amnesty International is urging the UN Secretary-General and High Commissioner for Human Rights to make sure that practical recommendations made by international human rights bodies are acted upon. In particular, urgent attention should be given to the recommendations of the UN Special Rapporteur on Afghanistan that he should be given access to prisons, and that the UN Special Rapporteur for the right to freedom of opinion and expression should be invited to undertake an investigation into the killing, earlier this year, of journalist Mir Wais Jalil.

The human rights organization is also calling on member states of the European Union and the Organization of Islamic Conference to condemn the human rights violations in Afghanistan and to take action to bring the human rights catastrophe to an end.

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News Service 279/94

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12 DECEMBER 1994

JUDICIAL COMMITTEE OF PRIVY COUNCIL DECISION BRINGS CLOSER POSSIBILITY OF EXECUTIONS IN JAMAICA

Amnesty International regrets today's decision by the Judicial Committee of the Privy Council (JCPC) to dismiss Albert Huntley's appeal against the re-classification process of his sentence for murder, which he had argued violated his constitutional rights.

This re-classification, provided for in the Offences against the Person (Amendment) Act of 1992, has been retroactively applied to those already under sentence of death. The process re-classified their offences into capital or non-capital murder.

"We are concerned that many of these prisoners were convicted on very weak evidence in the first place and the perfunctory reclassification under the new law has done nothing to redress these concerns," Amnesty International said.

Prisoners had the right to appeal against this classification before a panel of three judges, but the human rights organization is not convinced that this provided an adequate safeguard. Although nearly 40 percent of approximately 270 prisoners on death row had their sentences commuted to prison terms, most had their cases reclassified as capital murder.

Huntley, convicted of murder and sentenced to death in 1983, went to the JCPC to appeal against the decision of the Jamaica Court of Appeal in November 1993 which dismissed his claim that the review of his case had violated his right to protection under the law and to a fair hearing. He argued that he had not had the opportunity to be heard or to have legal representation of his choice during the initial classification review proceedings by a single judge.

The JCPC dismissed Huntley's appeal, finding that "the desirability of expedition outweighs the advantages, if any, which the defendant would receive as a result of being in a position to make representations at the first stage as well as the second".

"Despite the dismissal of this appeal which also applies to other prisoners in Jamaica, the government should allow prisoners the possibility of using all the avenues of appeal still open to them," Amnesty International said.

There have been no executions in Jamaica since February 1988 and the current death row population is just over 150. However, many of these prisoners should have had their sentences commuted under the JCPC November 1993 decision on another Jamaican case - Pratt and Morgan - that stated that execution more than five years after sentencing would constitute "inhuman or degrading punishment or other treatment". The failure to implement the decision goes against the clear guidelines given in the JCPC ruling.

Amnesty International is urging the government to implement the Pratt and Morgan decision and immediately commute the sentences of prisoners who have been under sentence of death for over five

years.

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