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WEEKLY UPDATE SERVICE 69/93

Contained in this weekly update are external items on Papua New Guinea, Turkey and El Salvador.

NEWS INITIATIVES

INTERNATIONAL NEWS RELEASES

UN WORLD CONFERENCE-RELATED NEWS INITIATIVES ONLY THROUGHOUT JUNE

WORLD CONFERENCE ON HUMAN RIGHTS NEWS

PLEASE NOTE: An interview with Pierre Sané in the German magazine Der Spiegel has been widely misreported. Pierre did not call for a Special Rapporteur to be sent to Germany, as has been reported. In the interview, Pierre was asked what he thought about a UN decision, already taken, to send a Special Rapporteur to Germany to investigate racism, and Pierre responded positively. We are hoping to get a fuller response to you as soon as possible, when we have received the full text of Der Spiegel here at the IS.

PLEASE NOTE: An oral statement to be given to the Plenary Session of the World Conference by AI was sent out to you on Friday. The statement **WAS NOT MADE** on Friday and at the moment it is unclear when or if we will be making the statement. Please do not make it available to journalists until you hear from us.

PLEASE NOTE: Some kind of membership action is being organized around the World Conference, with sections being asked to lobby embassies in Vienna. Please contact your Campaign Co-ordinators for more information.

PLEASE NOTE: The following numbers are now working in the Vienna Press Office: Tel: +43 222 219 3574/3573/3572, Fax: +43 1 219 357221.

Amnesty International's press office in Vienna will be based at AI's tent outside the Austria Centre.

Annual Report - 0600 hrs gmt, 8 July

Annual Report Summaries, Regional Updates, ENR and news release have all been sent to you.

Indonesia (Aceh) - 28 July

Document and news release to go with action on massive numbers of political killings.

TARGETED AND LIMITED NEWS RELEASES**Saudi Arabia - 1 July**

A weekly update item is being written to go with the document: **Saudi Arabia: An Upsurge in Public Executions**, AI Index: MDE 23/04/93. The document and weekly update item will be embargoed for 1 July and will be sent out to selected international media by the IS Press Office. Please note that the document has been sent out in the weekly mailing.

2. ASA 34/WU 01/93 EXTERNAL
22 June 1993

PAPUA NEW GUINEA: GOVERNMENT URGED TO RECONSIDER SECURITY ACT

Amnesty International today urged the Government of Papua New Guinea (PNG) to reconsider its Internal Security Act on the grounds that it is likely to lead to human rights violations. The organization said, "If the act becomes law - and is implemented as it now stands - it will be virtually impossible to ensure that human rights are properly safeguarded."

The international human rights organization is concerned by the broad definition of what constitutes support for "terrorism" under the act, and by the sweeping powers of arrest and detention it confers upon the security forces. It believes that the act could all too easily be applied to restrict or repress internationally recognized rights to freedom of expression and association.

The new legislation grants the head of state power to ban organizations which are, in his opinion, "promoting or encouraging, or (are) likely to or about to promote or encourage terrorism". Likewise, individuals alleged by the government to support banned organizations, or who display support in a public place, may be subjected to terms of three to seven years' imprisonment.

Appeals against the banning of an organization can only be addressed to the Head of State and the National Executive Council - the bodies which issued the decree - and not to an independent judicial authority. Most worrying, a document signed by the Police Commissioner certifying that an individual is a member of a proscribed organization constitutes *prima facie* evidence of membership of that organization.

The government has said that the act is necessary to combat law and order problems, but it defines "terrorism" as including the use of violence for political ends. Amnesty International is concerned that the vague language used to describe support for or encouragement of "terrorism" may allow the law to be invoked to suppress non-violent political dissent. It also said that "in any case, problems of criminality can never justify the application of laws which may lead to human rights violations".

The act also gives the police powers to arrest without warrant and detain suspects without charge for a period of ten days, renewable for a further 10 days. Amnesty International said that "long experience in monitoring the application of internal security legislation in countries such as South Africa, Malaysia and Northern Ireland has shown that when the security forces have power to detain suspects without charge or trial, further violations - such as torture or ill-treatment - frequently occur".

The act was rushed through parliament in May. However, since some provisions of the act restrict constitutional rights, a parliamentary majority agreeing each provision is still required before the proposed legislation can become law. Amnesty International is urging the government to reassess as a matter of priority the terms and provisions of the Internal Security Act; and to ensure that any national security legislation refers only to recognizably criminal offences and does not violate the rights to freedom of opinion, belief, expression or association. It further calls upon the Government of PNG to ensure that any such legislation provides proper guarantees for the safety and well-being of those arrested and detained by the security forces.

Amnesty International said: "It is alarming that as the world gathers in Vienna to discuss increasing safeguards for human rights the PNG authorities are planning to remove existing safeguards, thereby potentially undermining the rights of their citizens. Many of those gathered in Vienna are themselves survivors of human rights violations: some were victims of internal security legislation in other countries and could provide eloquent testimony of the ways in which such legislation has been used to suppress basic freedoms and of how it has resulted in torture and ill-treatment".

3. EUR 44/WU 04/93 EXTERNAL
22 June 1993

TURKEY: KURDISH WRITER'S CONVICTION CONFIRMED BY APPEAL COURT - A SERIOUS RETROGRADE STEP FOR HUMAN RIGHTS

A Kurdish writer is likely to become the first prisoner of conscience sentenced to a long prison term to be adopted by Amnesty International in Turkey in over two years.

On 9 June 1993 the Ninth Chamber of the Turkish Appeal Court confirmed the sentence of two years' imprisonment for Edip Polat for "spreading separatist propaganda" under Article 8/2 of the Anti-Terror Law. This sentence was imposed by Ankara State Security Court for Edip Polat's book "We made each dawn a Nevroz" (Nevroz is the Kurdish New Year, lit. "new day"). The book contains recollections of life in Diyarbakir prison in the mid-1980s.

The sentence is a setback for human rights in Turkey. In a much publicised decision in April 1991, the Turkish parliament abolished the notorious Articles 141 and 142 of the Turkish Penal Code under which hundreds of prisoners of conscience had been imprisoned during the 1980s. The sentence on Edip Polat in June will make him the first long-term prisoner of conscience in Turkey to be adopted by Amnesty International since the abolition of these articles in April 1991.

Edip Polat was convicted under the Anti-Terror Law, which ended Articles 141 and 142, but also contained provisions under Article 8/2 which outlawed "separatist propaganda" - even when this involved the expression of a non-violent opinion.

There are a number of similar prosecutions currently proceeding under Article 8/2 of Anti-Terror Law: the Appeal Court has confirmed a sentence of five months against Salih Bal for an article which appeared in February 1992 in the magazine Medya Güne (Sun of the Medes) of which he is chief editor. A sentence of two years' imprisonment, imposed by Istanbul State Security Court on Osman Aytar, general publishing director of Medya Güne for another magazine article, is currently before the Appeal Court. A judgment is soon expected from the Appeal Court on a sentence of two years' imprisonment imposed by Ankara State Security Court on Do_u Perinçek, leader of the Workers' Party, for speeches made during the general election campaign of October 1991.

All such convictions are in contravention of Article 10 of the European Convention for the Protection of Human Rights and Fundamental Freedoms to which Turkey is a state party and which under the Turkish constitution, is an integral part of Turkish law.

Amnesty International is concerned that people like Edip Polat are still being prosecuted for the expression of their non-violent opinions and has on many occasions called on the Turkish government to take urgent steps to repeal Article 8 of the Anti-Terror Law.

None of those mentioned are in custody at the moment, but it is expected that arrest warrants for Edip Polat and Salih Bal will be issued in the near future.

4. AMR 29/WU 05/93 EXTERNAL
22 June 1993

EL SALVADOR: "DEATH SQUAD" KILLINGS CONTINUE

Amnesty International has written to the President of El Salvador in connection with the arrest of several police officers accused of opening fire at a demonstration of disabled former combatants in San Salvador on 20 May. At least one demonstrator was killed in the shooting.

Amnesty International welcomed the prompt action taken to arrest those accused of being responsible as a step towards ending the pattern of impunity which has persisted in El Salvador. However, the organization expressed concern that such actions could be undermined by the President's recent announcement that the government will not be investigating the activities of "death squads" -- the name commonly given to the government's own covert assassination squads and the civilian gunmen with whom they collaborated.

Amnesty International believes that far from being just a phenomenon of the 1980's, systematic "death squad" type killings continued up until the signing of the peace accords in January 1992. Since then death threats and similarly targetted assassinations bearing the hallmarks of killings by official "death squads" have continued with impunity.

Amnesty International argued that the necessity of a special investigation into the activities of "death squads" was underlined by the recent report by the Truth Commission, which called for "decisive action to eradicate this disgraceful phenomenon" which still posed a threat to society. [The Truth Commission also highlighted the close links between the military, hired assassins and extremists within the Salvadorean business community and some affluent families in the killing attributed to "death squads"].

The letter went on to note indications that "death squad" style killings are on the increase again. Both the *Procurador para la Defensa de los Derechos Humanos*, the Counsel for the Defense of Human Rights and the *United Nations Observer Mission in El Salvador* (ONUSAL) had documented killings where the likely motive was political. Though in most cases there is no evidence to link these killings with military or state bodies, the government's failure to take effective action to investigate or prosecute those responsible suggested at minimum acquiescence.

Furthermore, the evidence which has emerged in the past showing the involvement of state structures in "death squad" action has never been properly investigated. Amnesty International expressed dissatisfaction with official claims that investigations into "death squads" had been carried out in the past, as there was no concrete evidence of such an inquiry.

The organization stated its belief that the menace of the "death squads" will only be removed if there is a special investigation into killings - both old and new cases, whether political or not - where there is evidence that the victim was targeted for assassination. The inquiry should seek to establish responsibility for individual cases, the structures of the forces responsible and their possible links with state organizations. The results of the inquiry should be made public, including information about all steps which are taken to identify and prosecute those responsible and to dismantle the structures behind these killings. Failure to undertake these measures risks encouraging such killings and perpetuating a climate of impunity and fear.

Amnesty International urged that full investigations be carried out into past human right violations to clarify the full facts of each case, and to identify and prosecute those responsible. In order to make this possible the organization reiterated its call to the President to repeal the recently passed *Ley de Amnistía General para la Consolidación de la Paz*. Amnesty International also sought to establish a mechanism to investigate the cases of several thousand detainees who "disappeared" during the civil war and emphasized the importance for the relatives of the "disappeared" to be told what happened to their loved ones.

Finally the organization urged the President to give a public commitment as to when and how the Truth Commission's recommendations will be implemented, including reforms to the judicial system to ensure its independence and impartiality.

Amnesty International recognized the advances in human rights observance since the peace accords, but noted that it is too soon to judge whether these changes are permanent as gross human rights violations had not been eradicated. The lack of effective investigations and the failure to prosecute those responsible remains a serious problem. The recent arrest of the five policemen is a

positive step, provided that investigations fully clarify the incident and those responsible for unlawful killings are prosecuted. Amnesty International urged the President to show that the government of El Salvador is committed to ending impunity and eradicating human rights violations by implementing the measures outlined in the letter.