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HUMAN RIGHTS ABUSES WITH SMALL ARMS

Illustrative cases from Amnesty International reports 2000 - 2001

Introduction

Thousands of people worldwide are killed every year by weapons categorized as “small arms” or “light weapons” — handguns, assault rifles, sub-machine and machine-guns, grenades, mortars, shoulder-fired missiles and landmines. Many more are injured. Most of the victims are unarmed civilians who find themselves in the path of rival armies or criminal gangs. Transnational networks of brokers, dealers, financiers and transporters are the key players in small arms markets, yet most states do not even register them, let alone require each of their deals to be licenced.

In response to the scale of the problem, the United Nations (UN) is convening an international conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects in July 2001. The aim of the conference is to agree a UN Programme of Action containing recommendations to governments. Amnesty International welcomes this initiative, which should provide an important opportunity for developing an international program of action to address the proliferation and misuse of small arms.

However, the UN draft Programme of Action which will be put to the conference does not even mention some of the key contexts in which small arms are used to cause suffering on a massive scale. Small arms are now the principal weapons used in most armed conflicts characterized by mass human rights abuses by government and opposition forces. Conflicts are prolonged and intensified by influxes of these weapons. Law enforcement agencies — the police, prison authorities, paramilitaries and the army — often use these arms when carrying out a range of human rights violations including torture, “disappearances” and killings.

Small arms are made easily available in large part because of the poor regulation of supply. The result is a proliferation of weaponry which contributes to gross violations of human rights, crimes against humanity and war crimes, in many parts of the world.

This document illustrates the range of worldwide human rights abuses carried out with small arms. The cases cited are extracted from the Amnesty International Annual Report 2001 (AI Index: POL 10/001/2001) and from external documents published by Amnesty International during 2000 and 2001 (text in italics).

Principles the UN forgot

Existing United Nations agreements on the use of small arms are thin on the ground. But even those which do exist are not mentioned in the current UN draft Programme of Action.

According to the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, for example, law enforcement officers should apply non-violent means as far as possible before resorting to the use of force. The intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life.

These Principles are applicable to all law enforcement officials; that is, all those who exercise powers of arrest and detention. In many countries, law enforcement officials regularly violate these Principles using small arms. The result is not only enormous human suffering, but often an increase in the demand for illegal weapons to counter state forces.

The Basic Principles also require states to establish rules and regulations on the use of firearms by law enforcement officers which should:

- specify the circumstances under which police officers are authorized to carry firearms, and prescribe the types of firearms and ammunition permitted;
- ensure that firearms are used only in appropriate circumstances and in a manner likely to decrease the risk of unnecessary harm;
- prohibit the use of any firearms or ammunition that cause unnecessary injury or present an unnecessary risk;
- regulate the control, storage and issuing of firearms and ammunition, including procedures for ensuring that police officers are accountable for firearms and ammunition issued to them;
- provide for warnings to be given, if appropriate, when firearms are to be discharged;
- provide for a system of reporting and investigation whenever police officers use firearms in the performance of their duty.

Many states have failed to incorporate these Principles into domestic law and practice. The UN Small Arms Conference provides an ideal forum in which to urge universal observance of the Basic Principles and to affirm that international transfers of small arms should not be authorized to countries where state forces are deliberately or persistently using small arms in ways contrary to the UN Basic Principles.

Amnesty International's position at the UN Conference

- Amnesty International is opposed to the transfer of arms to state forces and to armed opposition forces that contribute to serious human rights abuses, such as arbitrary arrests, "disappearances", torture and political killings.
- Amnesty International welcomes the UN's decision to convene a conference in July 2001 on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, but is concerned that the UN draft Programme of Action which will be considered by the conference excludes one of the most important aspects of illegality – namely the violation of international human rights law and international humanitarian law using small arms.
- Amnesty International urges governments to adopt and implement laws and regulations in all countries to prohibit arms exports unless it can be reasonably demonstrated that such arms will not contribute to serious human rights violations, crimes against humanity or war crimes. It also calls for suitable mechanisms at the international level to provide effective control of the trade in small arms.

What is Amnesty International calling for?

Transparency

- All small arms and light weapon transfers should be included in a UN Register for global transfers; regional transfers should be included in regional registers.
- States should publish comprehensive and detailed annual reports on arms transfers and identify and set up mechanisms to ensure effective parliamentary scrutiny of arms transfer policy.
- Systems should be established for adequate and reliable marking of arms during manufacture or import and for adequate record-keeping on arms production, possession and transfer. These should include state-to-state, and international arrangements for tracing arms by relevant authorities.

Loopholes should be closed

- There should be strict national registration of each arms manufacturer, broker, transporter and financier, even if they only operate through “third countries”. Those convicted of criminal offences involving money laundering, trafficking, and firearms-related violence should be removed from the register.
- Licences for export, transit and import should be controlled on a case-by-case basis, and should include full details of brokers, transporters and financiers involved. They should be issued by the sending, receiving and transit governments after direct consultation with each other and with the home governments of any brokers, transporters and financiers involved, *only if* the arms transfers proposed will not reach anyone likely to violate international human rights and humanitarian law standards.

Accountability

- National laws should conform to international law and standards, including standards on the use of force.
- Each national legislature should be notified in advance of arms transfers and of follow-up checks made on how the transferred arms will be used in order to prevent serious human rights abuse.
- An international framework should be agreed, based on international law which includes rigorous criteria for arms transfers, mechanisms for reviewing their implementation, and model regulations governing the import, export and transit of state-to-state transfers.

International assistance

- International aid projects to prevent the proliferation and misuse of small arms should promote strict adherence to international human rights standards and humanitarian law.
- Projects should include concerted efforts to increase the capacity of law enforcement agencies to control the proliferation and misuse of small arms, in accordance with international standards, including the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.
- An international fund should be established to provide resources to assist countries in the collection and destruction of small arms which are not in legal civilian possession or acquired for legitimate national defence or internal security purposes.

[Note: The summary paragraphs emboldened below have been extracted from the Amnesty International Annual Report 2001.]

Afghanistan

Human rights abuses, including arbitrary detention and torture, continued to be reported in the context of the ongoing conflict between warring factions. Fighting in the northern provinces intensified during the second half of the year as the *Taleban* and anti-*Taleban* forces fought for control of territory. Forced displacement of the civilian population was used by the *Taleban* to gain control of territory in areas north of Kabul, creating a severe humanitarian crisis.

Illustrative case from 2001

*"First they rounded up the people in the streets. They then went from house to house and arrested the men of the families except for the very old men. Nothing could stop them, and they did not spare any of the houses. In one house, the mother of a young man whom the Taleban were taking away held unto him saying she would not allow him to go away without her. The Taleban began to hit the woman brutally with their rifle butts. She died. They took away the son and shot him dead. They were our neighbours. When they arrested the people, they tied their hands behind their back and took them away. They took them to areas behind Bazar Kona and fired at them. They executed a lot of people."*¹

Albania

Illustrative case from 2001

*"...I raised my hands for [police officers] to search me when at that moment they struck me on the head with their rifle butts. One of the officers asked for my name and when I told him...they continued to beat and kick me and put me, handcuffed, into one of their vans...they threw me out of the van into a field, still handcuffed, and continued to beat me with their rifle butts, and I heard them say that they would kill me"*²

Algeria

More than 2,500 people, including women and children, were killed by armed groups which define themselves as "Islamic groups", and by security forces and paramilitary militias. Concerns about impunity increased as members of armed groups were granted amnesty or exempted from prosecution without adequate investigations to determine whether they were responsible for serious human rights violations.

Illustrative case from 2001

The civilian population has been terrorized by bomb and mortar attacks on markets, cafes, trains, buses and other public places and made to fear travelling by road by the presence of roadblocks at which gunmen selectively kill the occupants of passing vehicles. Individual and collective killings by armed groups calling themselves "Islamic groups" have seen men, women, children and babies shot dead, decapitated and mutilated, burned to death or blown apart by bombs. Women abducted by these armed groups have been raped. Unarmed civilians have been

¹ See: Amnesty International *Afghanistan: Massacres in Yakaolang*, AI Index: ASA 11/008/2001.

² Tonin Kolthi, an opposition activist, see: Amnesty International *Albania: Torture and ill-treatment - an end to impunity?* AI Index: EUR 11/001/2001.

*shot dead, sometimes in their homes in front of their families, by security forces or paramilitary militias.*³

Angola

Government forces and troops of the *União Nacional para a Independência Total de Angola* (UNITA), National Union for the Total Independence of Angola, were responsible for large-scale human rights violations including killings of civilians. Thousands of people were displaced by the armed conflict and increased insecurity.

Illustrative case from 2000

*During the attack, the assailants had shot through the locked door of the house of a 27-year-old primary school teacher, Mukwata Kolinus Faniso, then entered the house firing. They killed the teacher and badly injured his wife. Jan Kavura Thikoko, aged over 70, emerged from his house to see what was happening. The attackers reportedly asked his name and, after he replied, shot him dead at point-blank range. In a nearby homestead, another elderly man, Kushamura Kapinga, was also killed and another teacher narrowly escaped detection and possible death because his wife hid him in the bedding. After the attack the villagers abandoned their homes and went to live in the bush some distance to the south where attacks were less likely but where living conditions were precarious.*⁴

Violations of humanitarian law

Both government forces and UNITA were responsible for abuses including mutilations and killings of civilians. It remained difficult to confirm many of the incidents and the identity of the perpetrators. However, UNITA was responsible for the majority of the attacks and ambushes, as well as for laying landmines which killed hundreds of civilians and maimed many more, particularly women and children. Government officials, traditional authorities and members of religious groups were targeted. There were numerous reports that UNITA hacked and burned to death hundreds of people during raids on villages.

- Eyewitnesses stated that in February UNITA hacked to death more than 20 people and then buried their bodies during a raid on the town of Santa Clara, Cunene province. The victims were elderly people and children who were unable to flee.
- In March UNITA members mutilated and severed the ears, arms and legs of 12 independent miners in Tchinguvo, Lunda Norte province, and killed 40 others.

Argentina

Reports of killings by police and of ill-treatment and torture of detainees in police stations continued.

Illustrative case from 2001

On 9 March a known police informer brandishing a gun forced his way into Mary Ortiz's home. He reportedly attacked her, threatening her and telling her to stop her campaign for justice. Mary's husband, Pedro Ortiz, was attacked in February, only a few days after appearing on television to denounce police killings. Two men claiming to be police officers attacked him with a knife outside his home, cutting his arms and telling him to keep quiet: "Callate la boca. No sigas

³ See: Amnesty International *Algeria: Truth and justice obscured by the shadow of impunity* AI Index: MDE 28/11/00.

⁴ See: Amnesty International *Angola/Namibia: Human rights abuses in the border area*, AI Index: AFR 03/001/2000

hablando o te hacemos boleta”, “Keep quiet. Don’t keep talking [about the killings] or we will kill you”. The police shot dead the Ortiz’s 16-year-old son in March 2000.⁵

Austria

There were continued allegations that police officers had ill-treated detainees and used excessive force.

Excessive use of force

The Special Criminal Deployment Group appeared to have violated the principle of proportionality of force during another police operation in Vienna in the early hours of 3 March. Two masked police officers in civilian clothes, who were reportedly not identifiable as police officers, brandished guns and dragged two men out of a car and on to the ground.

Bangladesh

Torture, including rape in custody, continued to be reported, and impunity for past human rights violations persisted.

Illustrative case

Violent army operations in the Chittagong Hill Tracts began in March 1980 when it was reported that 22 soldiers were ambushed by the Shanti Bahini in the village of Kaukhali west of Rangamati where Bengali families were being resettled. The army retaliated by deliberately firing on two groups of unarmed tribal people killing a number of villagers after they were ordered to line up. From then on, Bengali settlers began to attack the tribal people apparently at the instigation of the army or in conjunction with the operations of army personnel. The conflict lasted until 2 December 1997, when a peace accord was signed. During the conflict, the army reportedly recruited armed groups known as Village Defence Parties (VDP - also called village defence police) from the new settlers and provided them with firearms to resist the Shanti Bahini. Official figures indicate that more than 8,500 rebels, soldiers and civilians were killed during two decades of insurgency. The number of civilians killed is estimated at 2,500.⁶

Torture/ill-treatment

Widespread and persistent reports of torture were routinely ignored by the authorities. Victims included children, women, the elderly, political dissidents and criminal suspects. Police frequently attacked demonstrators and beat journalists reporting on the protests.

More than 50 people died in custody, reportedly as a result of torture. Methods of torture reported included beatings with rifle butts, iron rods and bamboo sticks; hanging by the wrists from the ceiling; rape; "water treatment" in which hose-pipes were fixed into each nostril and taps turned on full for two minutes at a time; the use of pliers to crush fingers; and electric shocks. Police officers tortured people to extract money, to ensure compliance with their own illegal activities, as a favour to local politicians in return for a bribe, and to obtain confessions.

Belarus

Police ill-treatment

⁵ See: Amnesty International *UA 62/01 Fear for Safety / Death Threats* 16 March 2001 AI Index: AMR 13/007/2001.

⁶ See: Amnesty International *Bangladesh: Human rights in the Chittagong Hill Tracts*, AI Index: ASA 13/001/2000

During an unauthorized demonstration in Minsk on 25 March, between 400 and 500 demonstrators were reportedly detained for several hours by the police. There were reports that police officers used unnecessary force to detain some protesters. A number of people complained of being knocked to the ground, beaten with truncheons, kicked by police officers and verbally abused.

Belize

Reports of torture and shootings by police in disputed circumstances continued.

Police shootings

Reports of police shootings in disputed circumstances continued.

- Leslie "Mobley" Smith was reportedly killed by police on 19 August after they tried to arrest him. Police reports indicated that he was armed with a knife, but other witnesses apparently contested this. The Internal Affairs Desk of the Belize Police Force conducted an investigation and announced that it would pass the file to the Director of Police Prosecutions.

Bolivia

Human rights violations were reported in Cochabamba Department in the context of a state of siege. Human rights violations were reported in El Chapare region.

Torture/ill-treatment

Scores of people were detained in February; all were reportedly beaten by the security forces. Hours before the state of siege was declared in April, hooded police officers raided the homes of union leaders and members of the Coordinating Committee for the Defence of Water and Life in Cochabamba, arresting the leaders, beating members of their families, stealing household goods, and shooting at neighbours with pellets.

Illustrative case from 2000

During the evening of 7 and the early hours of 8 April it is reported that hooded police raided the homes of union leaders and members of the Coordinating Committee for the Defence of Water and Life (Coordinadora Departamental de Defensa del Agua y la Vida) in Cochabamba, arresting the leaders, beating up members of their families, stealing household goods and shooting neighbours with pellets. A number of other union leaders have since gone into hiding.⁷

Bosnia-Herzegovina

Illustrative case from 2001

In an apparent reaction to the disruption of the religious ceremonies, two Bosniac men reportedly threw a hand grenade at an orthodox church in Sanski Most in the Federation in the evening of 7 May, and were subsequently arrested and criminally charged.⁸

Brazil

The systematic use of torture and ill-treatment continued in police stations, prisons and juvenile detention centres. Killings by police and "death squads" linked to the security forces increased, especially in urban centres. Land reform activists and indigenous people involved

⁷ See: Amnesty International *Fear of ill-treatment / legal concern 11 April 2000* AI Index: AMR 18/01/00.

⁸ See: Amnesty International *Bosnia-Herzegovina: Political violence a severe setback for minority returns* AI Index: EUR 63/007/2001.

in land disputes were harassed, assaulted and killed both by military police and by gunmen hired by local landowners, with the apparent acquiescence of the police and the authorities.

Extrajudicial executions and 'death squads'

In Rio de Janeiro, two survivors of the 1993 Candelária massacre, when eight street children were killed by a "death squad", suffered violent deaths. On 12 June, Sandro do Nascimento hijacked a bus in Rio de Janeiro and held a number of people hostage, at gunpoint, for several hours. Police shot and injured him, then took him to hospital in a police car. He was found dead on arrival, as a result of strangulation.

Elizabeth Cristina de Oliveira Maia was shot dead outside her home on 26 September, just before giving evidence at the appeal hearing of one of the military police accused of involvement in the Candelária massacre. Her murder suggested the involvement of a "death squad", and increased the fears of other witnesses in "death squad" trials.

- The office of São Paulo's police Ombudsman published a study on the use of lethal force by the police in the state during 1999. The study showed, among other things, that 56 per cent of those killed had no previous criminal record, 51 per cent were shot in the back and 54 per cent were black.
- João Elizio Lima Pessoa was driving to his home in Aguas Lindas, Goiás state, on 7 February. The road was blocked by rocks and when he tried to clear them he was shot dead. His wife was also shot, but survived. João Elizio Lima Pessoa had been working with the Public Security Community Council, investigating "death squad" killings in the region.

Violence over land rights

Conflict over land rights continued to generate violence, as land activists were harassed, threatened and killed by military police carrying out evictions, or policing demonstrations. They were also attacked by gunmen hired by landowners, with the apparent acquiescence of the police authorities.

- On 9 September Sandoval Alves de Lima was shot dead in the street, in the municipality of Sapé, Paraíba state. He was one of the leaders of a land occupation at the *Fazenda Antas* estate in the neighbouring municipality of Sobardo. The gunman shouted out as he escaped on horseback that there were several more names on his death list.

Indigenous peoples

Indigenous peoples protesting over land rights suffered threats, harassment and assaults by gunmen hired by local landowners, working with the acquiescence of the police and local authorities.

- On 13 January up to 50 heavily armed gunmen (*pistoleiros*) in military uniforms converged on the village of Potrero Guaçu, Paranhos municipality, burning most of the 35 houses and many of the villagers' belongings. They reportedly raped several women and beat other villagers including a two-year-old child.

Bulgaria

There were numerous reports of ill-treatment and torture by law enforcement officials. Law enforcement officials continued to use firearms in circumstances prohibited by international standards, resulting in deaths and injuries.

Use of firearms by police

No attempts were made to reform the Law on National Police which permits the use of firearms in circumstances prohibited by international standards. Investigations into police shootings were usually terminated as a result of police actions being deemed lawful. The authorities failed to provide information on investigations into most of the cases previously raised by AI.

- In July in Sofia a police patrol arrested 19-year-old Traicho Dimitrov Lyubomirov in a friend's house. He was reportedly handcuffed and taken away. Several hours later his body was taken to the morgue with a bullet wound to his head. A police source reportedly claimed that the young Rom had been

apprehended while attempting to steal a car, that he had attacked a police officer and tried to take away his gun, and that the officer had fired the gun inadvertently.

Illustrative case from 2000

*Amnesty International is concerned about the shooting of Atanas Djambazov, a 14-year-old Roma boy, by a police officer. The police officer then reportedly failed to ensure that assistance and medical aid were provided to the injured boy. This is yet another case in which a Bulgarian law enforcement official has resorted to the use of a firearm in circumstances which are prohibited by international principles on the use of force and firearms, in violation of Bulgaria's obligations under the International Covenant on Civil and Political Rights (ICCPR) to guarantee the right to life, freedom from torture or cruel or degrading treatment or punishment, and the right to security of the person.*⁹

Burundi

Civil war continued throughout 2000, despite the signing of a peace agreement in August. Hundreds of unarmed civilians were killed by government armed forces and armed opposition groups. Scores of others were arrested and tortured.

Hundreds of civilians killed

Hundreds of civilians, many of them elderly, women or children, were killed by government armed forces.

- Between 25 and 28 June, at least 44 unarmed civilians were extrajudicially executed by soldiers in Itaba commune, Gitega province, in reprisal for military losses following clashes with the armed opposition. Most were killed with bayonets. Much of the local population had already fled the area; it appears that those who remained were considered to be members of the armed opposition and killed.

Refugees and internally displaced

Approximately 70,000 Burundians fled to Tanzania. Mines laid on the border by the Burundian armed forces prevented others from crossing the border.

Political trials

In November 1999, a grenade exploded in Bujumbura's main market, killing at least two people and injuring many more. The attack was attributed to the FNL and in the weeks that followed scores of people were arrested by the armed forces and gendarmerie.

Cambodia

Torture in police custody was reported, and the police were complicit in vigilante killings of alleged criminals. Human rights workers were threatened and intimidated during the course of their work.

Cameroon

Several hundred extrajudicial executions were reported by the security forces in combatting crime. There were no independent investigations into these or previous such killings.

Illustrative case from 2000

At the police criminal investigation service unit, the police judiciaire, in Yaoundé, most detainees had been tortured at the time of their arrest, in particular, by being struck with machetes.

⁹ See: Amnesty International *Bulgaria: The shooting of Atanas Djambazov, a 14-year-old Roma boy*
AI Index: EUR 15/01/00.

*They still bore marks, often fresh, on their feet, legs, arms and backs; some also had open wounds. One of the detainees had very recently had all his toe nails ripped out and another, who had been shot in the foot and the knee two months earlier, had still received no medical attention.*¹⁰

Canada

There were sporadic reports of the use of excessive force by police officers.

Police brutality

- Canadian federal and Ontario authorities failed to hold a public inquiry into the death in 1995 of Dudley George, despite calls to do so from the Ombudsman of Ontario, churches, trade unions, relatives of Dudley George, AI, the media, and the UN Human Rights Committee. Dudley George, an indigenous protester, was shot dead by a police marksman during demonstrations at Ipperwash Park. In 1997 an Ontario provincial police officer was tried in connection with the case and given a two-year conditional sentence for "criminal negligence". During the trial, the officer testified that he fired his weapon because he believed Dudley George was armed and threatening other officers. However, the judge concluded that the officer had knowingly shot an unarmed man.

Chad

Despite moves towards negotiation, the armed conflict in northern Chad continued to threaten the government of Idriss Déby. Independent information on human rights abuses in the area was difficult to obtain. However, there were several reports of the use of forcibly recruited child soldiers.

Torture and extrajudicial executions

In March, two prisoners who were reportedly attempting to escape from Abéché prison were shot and killed, although their feet were chained and they posed no threat. On 3 April a soldier, Yogeurna, was shot shortly after his arrest by police officers in Koumra, Moyen Chari region. Yogeurna had apparently been arrested for trying to steal branches from a mango tree.

China

Illustrative cases from 2000

A young couple driving through Yonghan township, in Guangdong province were shot at by police in the early hours of 15 January 2000 after passing a makeshift barrier erected by plain-clothed police who later claimed that they were acting on an internal public security directive to shoot anyone who did not stop.

In Henan province, a businessman from Shandong province, and his bodyguard were killed when police reportedly opened fire with machine guns on their car when it stopped at a tollgate. They had earlier been flagged down by a policeman accompanied by two casual employees, none of whom wore uniform or presented identification. When arrested, the police claimed they were a provincial anti-car theft group on a "heightened state of alert".¹¹

Colombia

¹⁰ See: Amnesty International *Cameroon: United Nations expert confirms that torture is "widespread and systematic"* AI Index: AFR 17/04/00.

¹¹ See: Amnesty International *Torture in China - a growing scourge in China: time for action* AI Index: ASA 17/04/01.

The human rights crisis continued to deepen against a background of a spiralling armed conflict. The parties to the conflict intensified their military actions throughout the country in campaigns characterized by gross and systematic violations of human rights and international humanitarian law. The principal victims of political violence were civilians, particularly peasant farmers living in areas disputed between government forces and allied paramilitaries, and armed opposition groups. Human rights defenders, journalists, judicial officials, teachers, trade unionists and leaders of Afro-Colombian and indigenous communities were among those targeted. More than 4,000 people were victims of political killings, over 300 "disappeared", and an estimated 300,000 people were internally displaced. At least 1,500 people were kidnapped by armed opposition groups and paramilitary organizations; mass kidnaps of civilians continued. Torture - often involving mutilation - remained widespread, particularly as a prelude to murder by paramilitary groups. "Death squad"-style killings continued in urban areas. Children suffered serious human rights violations particularly in the context of the armed conflict. New evidence emerged of continuing collusion between the armed forces and illegal paramilitary groups.

Paramilitaries

- In February, 200 paramilitary gunmen raided the village of El Salado, Bolívar department, killing 36 people, including a six-year-old child. Many victims were tied to a table in the village sports field and subjected to torture, including rape, before being stabbed or shot dead. Others were killed in the village church. During the three-day attack, military and police units stationed nearby made no effort to intervene. Instead, a Navy Infantry unit reportedly set up a roadblock on the access road to El Salado, thus preventing humanitarian organizations from reaching the village. Arrest warrants were issued against 11 paramilitary members, including AUC leader Carlos Castaño, in connection with the massacre. Marine Colonel Rodrigo Quiñones, commander of the Navy's 1st Brigade, was promoted to General while investigations into the possible criminal responsibility in connection with the massacre of troops under his command were still under way.

Armed forces

- Six children aged between six and 15 on a school outing were shot dead by the army in August. Several others were seriously injured. An army patrol opened fire on the school party in Pueblorrico, Antioquia department, allegedly in the belief that they were guerrilla fighters. Fourteen soldiers were under investigation by a military court at the end of the year. None was arrested.

Collusion between the Colombian security forces, particularly the army, and paramilitary groups continued and, indeed, strengthened. Instances of collaboration included the sharing of intelligence information, the transfer of prisoners, the provision of ammunition by the armed forces to the paramilitary, and joint patrols and military operations in which serious human rights violations were committed.

Plan Colombia

A controversial aid package, known as Plan Colombia, was presented by the Colombian government to the international community. The Plan, originally designed to seek aid to support the peace process, was transformed into a predominantly military plan ostensibly aimed at combatting illicit drug cultivation. In July the Plan received the backing of the US government which approved a US\$1.3 billion, principally military, aid package. In approving the aid, the US Congress added human rights conditions and a requirement that the US government periodically certify that the Colombian armed forces were acting to punish human rights violators and to sever their ties to the paramilitary. In August, US President Bill Clinton waived most of the human rights conditions on the grounds of US national security interests. AI opposed the military aid program which it believed would escalate the human rights crisis and the armed conflict and deplored the decision to waive human rights conditions.

Other members of the international community, including the European Union, pledged support for the peace process, human rights and development programs, but made clear that such support was independent of Plan Colombia.

Congo (Democratic Republic of the)

War continued to ravage the Democratic Republic of the Congo (DRC). Thousands of civilians were unlawfully killed and tens of thousands more, displaced from their homes and cut off from humanitarian aid within the DRC, were facing starvation by the end of 2000. Tens of thousands fled to neighbouring countries. Torture, including rape, was widespread. All sides used the war to justify the repression of political dissent and the imprisonment of opponents was routine. At least 35 executions were carried out by the DRC government. The armed opposition also carried out executions.

Torture/ill-treatment

- On 25 May Isaac Akili, a former soldier, was detained by security service agents in Kinshasa and interrogated for three hours, during which he was beaten around the head with rifle butts and tortured with electric shocks. He was also shown a hole that had been dug in the ground and told that it was going to be his grave. He was later transferred to the CPRK where he remained at the end of 2000, accused of endangering state security.

Unlawful killings

Unarmed civilians were reportedly killed by government forces as a result either of direct attacks or of indiscriminate bombings. However, it was often difficult to obtain independent confirmation of incidents in conflict zones.

Unlawful killings

- Between 5 and 10 June, at least 700 civilians were killed when fighting broke out between Rwandese and Ugandan troops in Kisangani. Some people were shot dead; many others were killed in indiscriminate shelling. Some captured soldiers were also extrajudicially executed.

Congo (Republic of the)

A measure of stability returned to the country after cease-fire agreements between warring militia were signed at the end of 1999. Around half those militia were estimated to have been demobilized during 2000, with many being reintegrated into the army. However, a proposed national dialogue involving all sides to the conflict did not take place.

Demobilization of militia

Following the signing of two cease-fire agreements in November and December 1999, the process of demobilizing an estimated total of 25,000 militia fighters began. These included members of the *Cocoyes* (loyal to former President Pascal Lissouba), the *Cobras* (loyal to President Dennis Sassou Nguesso), and the *Ninjas* (loyal to former Prime Minister Bernard Kolélas). All those who surrendered and handed in their weapons were guaranteed an amnesty by the government, including those responsible for serious human rights abuses during the armed conflict.

In April in the northern town of Owando, 700 weapons were reportedly handed in by the militia known as the *Faucons* (Falcons), loyal to former Prime Minister Joachim Yhombi Opango. In July, 800 members of the *Cocoyes* were reportedly demobilized in the western town of Mossendjo. In December the follow-

up committee responsible for overseeing the implementation of the cease-fire announced that 13,000 weapons had been handed in and that 12,000 militia fighters had been demobilized during 2000.

However, some groups reportedly refused to demobilize, including militia in the Niari region, traditionally a stronghold of the *Cocoyes*. Many of those who had been demobilized found themselves homeless and without the means to support themselves properly. In October the government announced a reintegration program, part-funded by the UN, aimed at reintegrating 5,000 former militia members into civil society.

Côte d'Ivoire

During 2000 the security forces committed some of the most serious human rights violations to take place in Côte d'Ivoire in three decades. Killings and torture were carried out with total impunity. At least 57 opposition supporters, whose bodies were found in a mass grave in Youpougon in October, were reported to be victims of extrajudicial execution. An inquiry was set up to investigate the massacre but no information about its nature or progress was available by the end of the year, and no arrests or investigation were known to have been initiated.

Excessive use of force and extrajudicial executions

The security forces reportedly killed protesters and extrajudicially executed political opponents.

- In Abidjan, on 24 October, General Gueï's presidential guard fired on hundreds of peaceful demonstrators who were calling on the military government to respect the results of the presidential election two days previously. The security forces also fired at demonstrators who had fled into a lagoon at Carena, in Abidjan. The bodies of more than 20 men and women were subsequently retrieved from the lagoon, some of them with bullet wounds.

Illustrative case from 2001

Maître Soumahourou described the manner of his arrest to the Amnesty International delegation:

“On 2 May 2000, five soldiers arrived at my home, they kicked in the door. One of the soldiers who stood in the doorway, pointed a machine-gun at me and said “Open up, or I’ll fire”. My children were crying and the soldiers told me to follow them. A soldier followed me into my bedroom to prevent me telephoning. I got dressed in front of him and the whole time, the soldier held a gun pointed at me.”¹²

Czech Republic

Illustrative case from 2000

Between 26 and 28 September 2000, in Prague, over 850 people were detained following street protests which were organized to coincide with the annual meeting of the World Bank (WB) and the International Monetary Fund (IMF). The protests, which had attracted between 10,000 and 12,000 people from around the world, as well as Czech activists, were mired with violence on 26 September after a group of around 400 protesters attempted to break through a police cordon guarding the conference centre where the WB/IMF meeting was being held. They threw paving stones and Molotov cocktails at the police, who responded with tear gas grenades, firecrackers and water cannon. According to a Czech News Agency report at least 54 policemen and over 60 other people were injured in the clashes.¹³

¹² See: Amnesty International *Cote D'Ivoire: Some military personnel believe they have impunity above the law* AI Index: AFR 31/03/00.

¹³ See: Amnesty International *The Czech Republic: Arbitrary detention and police ill-treatment following September 2000 protests* AI Index: EUR 71/01/01.

Dominican Republic

A pattern of unlawful killings by police and military continued in 2000. In many cases, the authorities alleged that the victims were killed in exchanges of gunfire with criminal suspects, but this version was disputed by witness testimony and other evidence.

Illustrative case from 2000

On the night of 17-18 June 2000, in Guayubín, Montecristi province, six Haitian citizens and one Dominican were killed after soldiers of the Department of Border Investigation Operations of the AFDR (Departamento de Operaciones de Investigaciones Fronterizas de las Fuerzas Armadas de la República Dominicana) fired repeatedly on the truck in which they were travelling. The driver of the truck, which had already crossed the border from Haiti, apparently did not respond to this group of soldiers' orders to stop; after a pursuit of reportedly more than twenty kilometres, during which the soldiers opened fire, the truck crashed. The bodies of five of the deceased bore signs of multiple bullet wounds, while the remaining death was believed to be a result of the crash. At least 14 of the roughly 35 Haitian passengers were wounded, either by bullets or the impact of the crash.¹⁴

East Timor

The legacy of the massive human rights violations and widespread destruction of infrastructure and property by the Indonesian security forces and pro-Indonesian militia in September 1999 continued to impact heavily on East Timor.

Illustrative case from 2000

In the months prior to the vote, pro-Indonesian militia groups, supported by the Indonesian security forces, waged an organized campaign of terror against the population in an attempt to force the population to choose to remain a part of Indonesia. In the aftermath of the vote the violence escalated dramatically. Hundreds of East Timorese civilians were unlawfully killed, over two hundred thousand people were forcibly expelled from the territory and hundreds of thousands of others became internally displaced.¹⁵

Ecuador

Torture and ill-treatment remained a concern.

Possible extrajudicial executions

There was serious concern at the number of possible extrajudicial executions in the city of Guayaquil during 2000. One human rights organization alone documented 18 cases of people whose bodies were found in the city's outskirts and who had been shot dead in circumstances which suggested they might have been extrajudicially executed. The majority had a criminal record and many showed signs of torture.

Illustrative case from 2000

They were detained after a gun battle between an army patrol and an apparently recently-formed armed group known as Fuerzas Armadas Revolucionarias Ecuatorianas - Defensores del Pueblo (FARE-DP), Ecuadorian Revolutionary Armed Forces - Defenders of the

¹⁴ See: Amnesty International *Dominican Republic: Killings by security forces* AI Index: AMR 27/01/00.

¹⁵ See: Amnesty International *East Timor: UNTAET, justice and refugees one year after the ballot* AI Index: ASA 57/004/2000

People. Two alleged FARE-DP members and two soldiers died in the shootout, in the Ecuadorian Amazon jungle in Orellana Province, between the towns of Francisco de Orellana and Cononaco.

Egypt

Armed groups

In October, two members of an armed Islamist group were killed when members of the security forces raided a flat in Aswan. The circumstances surrounding the deaths suggested that the two men may have been extrajudicially executed. No further incidents of clashes between security forces and armed Islamist groups were reported. The leadership of the main armed Islamist group, *al-Gama'a al-Islamiya*, Islamic Group, maintained that it had halted its armed operations.

El Salvador

The *Policía Nacional Civil* (PNC), National Civil Police, were responsible for human rights violations including killings of civilians and ill-treatment of demonstrators.

National Civil Police

Members of the police force were responsible for human rights violations including abuse of authority, torture and ill-treatment, and killings of unarmed civilians. In some cases investigations were initiated and charges brought against police officers. However, the sentences imposed often did not reflect the gravity of the violation. The PNC was also responsible for injuring health workers taking part in peaceful demonstrations against the privatization of health care. A journalist covering the demonstration was shot in the legs with rubber bullets and needed hospital treatment. Many people, including patients in neighbouring hospitals, suffered from the effects of tear gas used by the police.

Eritrea

A cease-fire in June followed by a peace treaty in December ended the border war with Ethiopia. The UN began to supervise the return to Eritrea of southern areas captured by Ethiopia in heavy new fighting in May. Eritrean troops pulled out of Ethiopian areas they had occupied in May 1998. Each side accused the other of human rights abuses during these occupations, but many of the allegations were difficult to substantiate. There were reports of detentions and extrajudicial executions of political opponents, which were difficult to verify.

The war with Ethiopia

The border war with Ethiopia resumed in May after a year's tense confrontation along the 1,000-kilometre border. Both sides had continued to expand their forces and to buy weapons. Eritrea continued to conscript nationals for military service, allegedly recruiting some children under 18 years old. Some people tried to evade military service by fleeing the country and several Jehovah's Witnesses were detained when they refused to serve in the armed forces. There was no provision for conscientious objection.

In May Ethiopia attacked and captured large parts of southwestern Eritrea, forcing Eritrean troops out of areas they had occupied since the war began in May 1998. The UN Security Council called for a cease-fire and imposed an arms embargo on both sides. After three weeks of fighting with heavy casualties, a cease-fire was signed in June under the auspices of the Organization of African Unity (OAU). Ethiopian troops withdrew to a buffer zone 25 kilometres from the border. Some 60,000 Eritrean civilians and hundreds of soldiers had fled to Sudan and about 370,000 civilians were internally displaced by the fighting. Despite mutual recriminations and accusations, the cease-fire held and there was no further fighting. Refugees and internally displaced civilians began to return. Almost half the population was at risk of famine.

Ethiopia

The border war with Eritrea resumed in May. Heavy fighting stopped with a cease-fire in June and a peace treaty was signed in December. Each side accused the other of committing human rights abuses against its own nationals. Armed conflict continued within Ethiopia between government forces and Oromo and Somali opponents, with many human rights violations and abuses reported. Suspected rebel supporters were detained, tortured or sometimes extrajudicially executed.

War with Eritrea

The border war with Eritrea erupted again in May after a year's tense confrontation along the 1,000-kilometre border. Both sides had continued to expand their forces and to buy weapons. Forced recruitment was reported in southern Ethiopia, with some children allegedly recruited.

In May Ethiopia attacked and captured large parts of southwestern Eritrea, forcing Eritrean troops out of areas they had occupied since the war began in May 1998. The UN Security Council urged a cease-fire and imposed an arms embargo on both sides. After three weeks of fighting with heavy casualties, a cease-fire was signed in June under the auspices of the Organization of African Unity. Ethiopian troops withdrew to a buffer zone 25 kilometres inside Eritrea, administered by a UN Mission in Ethiopia and Eritrea (UNMEE). Recriminations and allegations of human rights abuses by each side against the other's nationals in their country continued. More than 300,000 Ethiopians were displaced by the fighting.

A formal peace treaty was signed in December in Algeria in the presence of the UN Secretary-General. This provided for UN supervision of the withdrawal of Ethiopian troops and temporary UN administration of the buffer zone, neutral demarcation of the border, and examination of claims by both sides for compensation. The UN Secretary-General promised international help to both sides to recover from the destruction caused by the conflict.

Illustrative case from 2000

Ethiopian security forces have reportedly shot at, beat and kicked students, some of them teenagers, who are protesting against police brutality and demanding political and academic freedom. One student was reportedly shot dead on 18 April, and another is said to have died on 17 April. Hospital sources have said they can hardly cope with the number of those injured. Thousands of students and school children are still rioting on the streets of Addis Ababa, and are attacking state-owned property, throwing stones, blocking roads and burning cars. In response, security forces continue to round up people.¹⁶

Federal Republic of Yugoslavia/Kosovo

Illustrative case from 2000

On 13 February, at around 8am, two grenades were thrown into the area of north Mitrovica, called Bosnjacka Mahala, where a concentration of ethnic Albanians, Muslim Slavs and Turks continue to live. At least seven ethnic Albanians were wounded in the attack, two seriously, one of whom later died. Shooting then broke out in north Mitrovica. One observer stated that "it was impossible to make out who was firing at who but Albanians, Serbs and peacekeepers all seemed to be involved". At around 11am, two French soldiers were shot and injured near Mitrovica's eastern bridge. One soldier was shot in the stomach and the other in the arm. KFOR reported that Italian troops who were stationed very near to the injured French KFOR soldiers immediately returned fire and that KFOR troops then deployed in search of the shooters. KFOR

¹⁶ See: Amnesty International *Fear for safety /Use of excessive force by security forces* 18 April 2001
AI Index: AFR 25/006/2001.

officials were reported as stating that after the shooting of the two French soldiers, KFOR soldiers were explicitly authorized by their superiors to shoot at "snipers". During the shooting that ensued, a 37-year-old ethnic Albanian male, Avni Hajredini, was shot. As a result of injuries sustained in the shooting, Avni Hajredini died shortly after being admitted to hospital.¹⁷

Fiji

A violent coup attempt in May led to widespread human rights abuses and a flagrant disregard for the rule of law. Scores of civilians, police and army officers were injured; some were killed.

Illustrative case from 2000

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.¹⁸

France

Allegations of police brutality, notably involving asylum-seekers and others of non-European origin, persisted. Police shootings, some fatal, occurred in disputed circumstances.

Police shootings

A disturbing pattern of use of excessive and sometimes lethal force continued. Such incidents have often occurred during police investigations of car thefts in the urban conglomerations and depressed suburbs where many young people of North African origin live. In April and September rioting broke out respectively in southern Lille and in two areas of Seine-et-Marne after two such killings.

- Three nights of rioting followed the killing in Lille in April of Riad Hamlaoui, a French resident of Algerian origin. Riad Hamlaoui, the passenger in a reportedly stolen car, was shot dead by a police officer. The bullet was fired at close range, piercing his neck. Both he and the driver were unarmed. The driver had got out of the car but Riad Hamlaoui, still inside, was said to have made a "sudden movement" which, combined with the darkness of the night and condensation on the windows, had caused the officer to fear for his life. The officer was detained for investigation in connection with a charge of "voluntary homicide". Two reconstructions took place and in July the officer was provisionally released.

Gambia

¹⁷ See: Amnesty International *FRY(Kosovo): Setting the standard? UNMIK and KFOR's response to the violence in Mitrovica*, AI Index: EUR 70/13/00.

¹⁸ See: Amnesty International *Fiji: Human Rights At Risk*, AI Index: ASA 18/09/00.

At least 14 people were killed and dozens injured in April when security forces used excessive and indiscriminate force to break up student demonstrations. Members of the opposition faced harassment and arrest. Arbitrary detentions, ill-treatment and torture by the security forces were frequently reported.

Excessive and indiscriminate use of force

On 10 and 11 April, at least 14 people were killed and dozens injured, some severely, when security forces used excessive and indiscriminate force to break up demonstrations. Several of the dead were less than 18 years old. The unauthorized demonstrations were organized by the Gambian Students Union in Banjul, Brikama and other towns. They were called in protest at two incidents in March: the death, allegedly after torture, of a student, Ebrima Barry, and the rape of a 13-year-old schoolgirl, Binta Manneh, by a police officer. The demonstration in Banjul on 10 April became violent after the security forces tried to disperse crowds, including by using tear gas, batons and rubber bullets. It appeared that some demonstrators threw stones at security forces, burned tyres and set fire to buildings, including fire stations and police stations. The security forces reportedly fired into the crowd and autopsies apparently confirmed that live ammunition was used. Omar Barrow, a journalist and Gambia Red Cross volunteer, wearing Red Cross insignia, was among those killed as he went to help injured demonstrators.

Germany

There were reports of police ill-treatment of detainees, and of abusive use of restraints. A mentally disabled man was shot dead by police.

Police shootings

- A 28-year-old mentally disabled man of Vietnamese origin, referred to as Mr B. in the German media, who was in possession of a plastic toy gun, was shot dead by two police officers on 20 September in a wooded area near the town of Ulm. The man, who was a long-term resident of a home for the mentally disabled, had been reported missing earlier in the afternoon. The two police officers, who had been called to the area after receiving a report of a man roaming through the woods with a gun, reportedly shot at the man 21 times, hitting him eight times. AI expressed concern that the police officers appeared to have used little restraint in discharging their firearms in apprehending a suspect who had not returned fire.

Ghana

Detentions and alleged assaults by the military

Arrests and detentions were reported to have been carried out by the military. Some detainees were assaulted; others were unlawfully detained without access to lawyers or recourse to the courts in places such as the Castle, Osu - the presidential office and residence in Accra - and at Military Headquarters, Burma Camp in Accra. In some cases, the reason for the arrest was political - criticism of the military or offence to the President or his family.

- In January Kabral Blay Amihere, publisher of the *Independent* newspaper, was arrested at gunpoint by military police late at night in his car and detained overnight for questioning after his newspaper published an article deemed critical of the military.

Guatemala

Implementation of the 1996 Peace Accords continued to be slow. The recommendations of two recent human rights reports were not acted on and impunity continued to prevail for most human rights violations perpetrated during the civil conflict. Those attempting to investigate and bring to justice the perpetrators continued to face legal obstructions, harassment, intimidation and an escalating level of attacks, including several apparent "disappearances" and

extrajudicial executions. Several demonstrators protesting over social and economic issues were killed.

Attacks on human rights defenders

- In September, heavily armed men raided offices shared by two human rights groups: Families of the Detained and "Disappeared" of Guatemala, FAMDEGUA, and HIJOS, children of the "disappeared" who want their parents' fate clarified. The armed men forced their victims to the floor, held pistols to their heads, and threatened to kill them. Male victims were forced to strip. Office equipment and case records, including some concerning Dos Erres, were stolen.

Guinea

During the last decade, Guinea was a place of safety and refuge for hundreds of thousands of Liberians and Sierra Leoneans who had fled protracted armed conflicts in their own countries. Since September 2000 it has become a place of violence, death and fear for thousands of refugees and Guinean civilians who have been killed, beaten, raped and abducted by armed political groups. Refugees have also been singled out for killings, torture and ill-treatment, arbitrary arrests and intimidation by Guinean security forces and harassment by Guinean civilians.

Illustrative case from 2000

*Alfred Kaloko, a 35 year-old farmer and refugee from Sierra Leone, and his two-year-old son were shot in the back by uniformed men when they tried to flee the attack on Katkama refugee camp in December 2000.*¹⁹

Guinea-Bissau

Security officers were convicted of human rights violations committed during the armed conflict of 1998-1999 and sentenced to prison terms. Seven political leaders and about 200 soldiers were arrested following an army rebellion. There were reports of human rights abuses by soldiers.

Illustrative case from 2000

*On 17 May, after firing shots, soldiers entered the premises of the newspaper *Diário de Bissau*, which had published an opinion piece criticising the allegedly excessive spending by the wife of President Kumba Ialá. In a threatening way, soldiers questioned journalist Bakary Mané, who was alone in the office at the time. *Diário de Bissau* journalists often receive threats on account of their work. The newspaper's director, João de Barros, had received a death threat in December 1999 following complaints by soldiers regarding his coverage of the military.*²⁰

Guyana

There were reports of torture and ill-treatment by the police, and of police shootings in disputed circumstances.

Police shootings

¹⁹ See: Amnesty International *Guinea: Refugees must not be forced to choose between death in Sierra Leone or death in Guinea*, AI Index: AFR 29/003/2001.

²⁰ See: Amnesty International *Guinea-Bissau: Human rights under threat*, AI Index: AFR 30/003/2000.

There were several police shootings in disputed circumstances, some of which appeared to be possible extrajudicial executions. Inquests had still not reportedly taken place into many killings by police.

- On 7 January, Dexter Randolph was fatally shot by police officers in Tiger Bay in disputed circumstances. Eyewitnesses alleged that he was dragged from under a police vehicle and shot. The police asserted that he was armed.

Haiti

The human rights situation deteriorated sharply, despite some positive steps towards accounting for past human rights violations. The electoral period was marred by assassinations of public figures and by violent attacks by political partisans, most often self-described supporters of the *Fanmi Lavalas* (FL) party. Illegal security forces acting under the auspices of newly-elected local and regional officials emerged.

Violence in the electoral context

A number of electoral candidates, party members and their relatives were killed during 2000, most by unidentified assailants. Others went into hiding out of fears for their safety. Two children were killed in grenade and other explosions in the run-up to the presidential elections; no one claimed responsibility for these attacks.

- Jean Dominique, a prominent radio journalist and advocate of human rights principles, was shot dead by unknown assailants outside his radio station, *Radio Haiti Inter*, on 3 April. The station guard, Jean Claude Louissaint, was also killed.

Emergence of illegal security forces

Some of the local and regional officials elected in May and subsequent run-off elections established illegal security forces, which were responsible for a significant number of human rights violations. There is no legal basis or mechanism of control for these forces, and their members are generally supporters of the FL party to which most elected officials belong. In some instances officials claimed they were creating the forces to combat crime and bolster the Haitian National Police, which they accused of being ineffective; in others, their motivation was overtly political.

- On 2 November, three participants and two passers-by were wounded by gunfire when a meeting of the opposition coalition *Convergence Démocratique*, and the grassroots organization *Mouvman Peyizan de Papaye*, in the town of Hinche was attacked by supporters of two local FL-affiliated mayors.

Honduras

The National Police employed excessive force against demonstrators. Human rights defenders were again subjected to attacks and threats. Children were victims of grave human rights violations.

Children

In January, 17-year-old Edy Nahum Donaire Ortega was killed by a police officer. He had been detained for alleged theft and held in the police station in San Juan Antonio de la Cuesta, municipality of San Jerónimo, department of Comayagua. This was in violation of the law which prohibits the detention of minors in adult detention centres such as police stations. He escaped on his way back from being taken before a local judge. An officer of the National Preventative Police fired what he claimed to have been a "warning shot" into the air, but the bullet severed an artery in Edy Nahum Donaire Ortega's leg and he died from loss of blood. The officer was arrested on a charge of murder.

India

Human rights violations occurred throughout India, with socially and economically disadvantaged sections of society continuing to be particularly vulnerable. Inter-caste, communal, inter-religious and political violence claimed many lives in several states including Assam, Bihar, Gujarat, Jammu and Kashmir, Tamil Nadu and West Bengal. The government's continuing preoccupation with national security led it to pursue several initiatives for tackling "terrorism" throughout the country, including giving increased powers to a police force which continued to be identified with torture, corruption and other abuses.

Illustrative case from 2000

On 31 January 2000, two dalit men were killed in Jethuke village of Bhatinda district in the state of Punjab, when police opened fire on hundreds of people demonstrating about high bus fares and the detention of four leaders of the Bhartiya Kisan Union [Indian Farmers Union] (BKU) who were representing villagers in negotiations with the district administration on the issue.²¹

Indonesia

Political conflict had a negative impact on the pace of reform. Positive initiatives, such as efforts to investigate some past violations of human rights, were outweighed by a marked deterioration in the human rights situation in areas such as Aceh and Papua. Hundreds of extrajudicial executions were reported. Political activists and human rights defenders were among those subjected to human rights violations, including unlawful killings, torture and arbitrary detention. Human rights violations by the security forces also took place in other contexts including land and labour disputes, political demonstrations and in areas of religious or ethnic conflict, including in the Moluccas.

Illustrative case from 2000

Three members of an Aceh-based humanitarian organization were tortured and shot dead in the Kadang area of Lhokseumawe, North Aceh on 6 December 2000. A fourth person, Nazaruddin Abdul Gani, managed to escape and has since fled the country because of fears for his security. There are strong indications that members of the military were among those directly involved in the killings and that other members of the security forces were complicit in the violations. An investigation has been initiated by the authorities and a number of people, including members of the security forces and civilians have been detained.²²

Iraq

Extrajudicial executions

In October dozens of women accused of prostitution were beheaded without any judicial process in Baghdad and other cities. Men suspected of procurement were also beheaded. The killings were reportedly carried out in the presence of representatives of the Ba'ath Party and the Iraqi Women's General Union. Members of *Feda'iyye Saddam*, a militia created in 1994 by 'Uday Saddam Hussain, used swords to execute the victims in front of their homes. Some victims were reportedly killed for political reasons.

- Dr Najat Mohammad Haydar, an obstetrician in Baghdad, was beheaded in October after being accused of prostitution. However, she was reportedly arrested before the introduction of the policy to behead prostitutes and was said to have been critical of corruption within the health services.

²¹ See: Amnesty International *India: Persecuted for challenging injustice: human rights defenders in India*, AI Index: ASA 20/08/00.

²² See: Amnesty International *Briefing on the Current Human Rights Situation in Indonesia*, AI Index: ASA 21/006/2001.

- In October several women were beheaded in Mosul in northern Iraq. They included Fatima 'Abdallah 'Abd al-Rahman, Shadya Shaker Mahmoud and Iman Qassem Ahmad.

Political killings

Reports of political killings continued to be received.

- In Arbil, in KDP-controlled Iraqi Kurdistan, Sirbit Mahmud, leader of the Democratic Nationalist Union of Kurdistan, and Osman Hassan, a parliamentary deputy, were killed by unidentified gunmen in June and July respectively.
- Four IWCP members - 'Abdul Basit Muhsin, Mohammad Mustafa, Ibrahim Mohammad Rostam and Hawri Latif - and Omid Nikbin, a member of the opposition Iranian Workers' Communist Party, were killed by PUK security forces in July. The PUK said that their car had failed to stop at a checkpoint, that they had shot and injured two people, and that they were shot dead when the security forces returned fire.

Ireland

Shootings by the security forces

Investigations into disputed killings, which consist of police officers investigating actions taken by other police officers, cannot be considered independent. In addition, the current inquest procedure does not satisfy international standards which require a mechanism for public scrutiny of the legality of actions by government agents. The victims' families are severely disadvantaged: their lawyers are not provided with full autopsy statements, full forensic evidence or complete witness statements before the inquest. This hampers the families from effectively challenging the official version. All these documents are available to the *Garda* (police). Furthermore, legal aid is not available to the victims' families to pay for legal assistance and independent expert advice.

- John Carthy was shot dead in April 2000 after he had barricaded himself for 25 hours in his home, which was surrounded by dozens of police officers. John Carthy was reportedly suffering from depression and questions were raised concerning the police handling of the incident, including why his request to speak to his solicitor was not met and whether the force used by the police was excessive in the circumstances. John Carthy was the third person to be killed in recent years by police officers from the Emergency Response Unit (ERU), a specially trained and heavily armed response unit. An inquest into his death took place in October. The jury limited itself to a finding of death caused by being shot, having declined to issue a verdict on the circumstances, or any riders.

Israel and the Occupied Territories

More than 300 Palestinians were killed by the Israeli security forces; most were unlawfully killed during the new *Intifada* (uprising).

The *Intifada*

On 29 September Israeli police using excessive force killed five Palestinians and injured more than 200 others at the al-Aqsa Mosque precinct in Jerusalem. The shooting sparked daily demonstrations and riots in Israel and the Occupied Territories which were continuing at the end of the year.

Israeli security services killed at least 300 and wounded more than 10,000 Palestinians. The majority of those killed and wounded were demonstrators throwing stones or using slings; at least 100 of those killed were children under 18. The Israeli police, border police, special patrol force and IDF used excessive lethal force, firing rubber-coated metal bullets and live ammunition including high-velocity bullets at demonstrators. Some Palestinians were deliberately targeted and extrajudicially executed. The Israeli airforce and the navy used heavy weaponry, including helicopter gunships, tanks and naval vessels, to shell randomly Palestinian areas from where armed Palestinians had opened fire.

Armed Palestinians, including members of the *tanzimat* - Palestinian paramilitary groups linked to *Fatah*, the predominant group in the PLO - carried out attacks on Israeli soldiers and civilians in the Occupied Territories. A number of gunbattles took place between the IDF and Palestinian security services or paramilitary groups. Palestinian armed opposition groups such as Islamic *Jihad* also placed bombs which killed six Israeli civilians. Israeli settlers were reported to have killed six Palestinian civilians.

- Eleven-year-old Sami Abu Jassar was shot dead during a stone-throwing demonstration in Rafah, Gaza Strip, in October by Israeli soldiers who were based in a blockhouse 100 metres away and who were not in danger at the time.
- Two Israeli civilians were killed in a bomb attack near Jerusalem's Mahan Yehuda market on 2 November. Islamic *Jihad* claimed responsibility for the attack.

At a summit in Sharm al-Shaikh in October, Israel and the PA agreed that a fact-finding commission should study the causes of the violence and report back to the US government. The commission started work in November. At a special session in October the UN Commission on Human Rights set up a Commission of Inquiry into the violations of human rights in Israel and the Occupied Territories. In November the Israeli government set up a judicial Commission of Inquiry to investigate "clashes with the security forces in which Arab and Jewish Israeli citizens were killed and wounded".

Italy

Ill-treatment and shootings by law enforcement officers

There were frequent allegations of law enforcement officers physically assaulting detainees. Although the allegations related to both Italian and foreign nationals, many of the victims were of African origin or Roma. Criminal investigations were under way into a number of complaints of ill-treatment, and into several fatal shootings of unarmed suspects by police and *carabinieri* officers, including those of two 17-year-old youths - Mourad Fikri, a Moroccan national, shot dead by Rome police in May, and Mario Castellano, shot dead by Naples police in July.

Jamaica

Reports of police brutality and excessive use of force continued. At least 140 people were killed by the police, often in disputed circumstances.

Brutality by the security forces

In August the government of the United Kingdom withheld an export licence for the sale of 500 hand guns to the Jamaican police, citing concern about human rights violations by the police, including the very high incidence of fatal police shootings. The government of the USA also withheld the transfer of equipment, citing similar concerns.

Shootings

In several cases, witnesses and relatives of victims of police shootings were reportedly subjected to intimidation and death threats. In September, following protests about escalating crime levels, the Prime Minister established a new police anti-crime unit. By November there were several reports that the unit had committed extrajudicial executions.

- On 19 September, Williams Richards, a criminal suspect, was shot and killed in Kingston by members of the police unit, in an apparent extrajudicial execution. When AI delegates visited the site several hours after the shooting, forensic evidence had been disturbed and removed.

Jordan

Four people were unlawfully killed by public security police. There were at least 21 cases of family killings (also known as "honour" killings).

Kenya

One human rights defender was killed in suspicious circumstances. Torture of criminal suspects by security officials continued, resulting in a number of deaths in custody, including six prisoners on death row. Scores of killings by security officials in circumstances suggesting possible extrajudicial executions were reported.

Shootings

Scores of people including several children were shot and injured by police officers during police attempts to arrest criminal suspects.

- In January, seven-year-old Chesoritich Kalomermoi was reportedly shot and seriously injured by police officers who fired into her family's home in Baringo, Rift Valley Province, in an attempt to arrest her father.
- In April, 18-year-old Muslima Abdi Owl was shot and injured by police officers who opened fire on women and children protesting about the allocation of land in Garissa town, North Eastern province. The authorities accused the women of throwing stones at the police.

Killings by police

Police officers killed scores of people during 2000 in what appeared to be extrajudicial executions or indiscriminate use of force by police officers randomly opening fire when chasing criminal suspects. Although several police officers were arrested, investigations into a number of killings appeared to be summary, with senior police officers frequently justifying them on the grounds that the victims were criminals.

Lebanon

Illustrative case from 2000

On 18 April the army used water cannon, truncheons and gun butts to break up a demonstration outside the Military Court. At least 13 demonstrators and bystanders were injured and some were hospitalised, two seriously.²³

Lesotho

Political conflict continued during 2000 over the implementation of political reforms necessary for holding elections. There were new reports of torture and ill-treatment and of excessive use of force by law enforcement agents.

Excessive use of force

The security forces were involved in killings and injuries in disputed circumstances. There were allegations of excessive use of force.

- An LDF soldier, Corporal Monesapula, who was allegedly being sought by the combined police-military Counter Crime Unit (CCU) in connection with criminal investigations, was found dead with gunshot wounds to the head. He had reportedly fled from Ratjamose Barracks where he had been questioned by the Military Police on 16 January.

CCU members searching for guns opened fire with automatic weapons on Anthony Phafa, a Pitseng resident, after he denied possessing guns.

Liberia

²³ See: Amnesty International *Lebanon: Use of military court against student demonstrators a violation of rights*, AI Index: MDE 18/05/00

Torture, ill-treatment and other human rights violations continued to be carried out by the security forces, particularly the Anti-Terrorist Unit (ATU), and escalated from July 2000 as a result of renewed fighting in Lofa County, northern Liberia. Civilians have also been abducted by Liberian armed political groups or shot while trying to escape abduction. The international community continued to accuse the Liberian government of assisting rebel forces responsible for atrocities in neighbouring Sierra Leone.

Involvement in the Sierra Leone conflict

The international community continued to accuse the Liberian government of providing arms, ammunition and fighters, in violation of a 1998 UN embargo, to armed opposition forces in neighbouring Sierra Leone which have been responsible for large-scale atrocities against civilians. The Liberian government continued to deny the allegations, accused the US and United Kingdom (UK) governments of seeking to destabilize Liberia, and called for an independent investigation.

In June the European Union expressed concern about Liberia's role in the illicit diamond trade from Sierra Leone and its failure to stop arms reaching rebel forces in Sierra Leone through Liberian territory, and threatened to suspend aid to Liberia. In July the UN Security Council imposed an embargo on diamond exports from Sierra Leone. In October the US government imposed visa restrictions on senior Liberian officials; the Liberian authorities announced reciprocal measures.

A UN panel of experts, established in August to investigate the link between the diamond trade and the conflict in Sierra Leone, published its report in December. The panel found evidence of the Liberian government's support for rebel forces in Sierra Leone, including military training and weapons transfers, and of trafficking of diamonds through Liberia from rebel-held areas. Other governments were found to have been implicated. The panel made recommendations, including for an embargo on diamonds from Liberia and a travel ban on Liberian officials by UN member states.

Macedonia

Torture and ill-treatment by police was the principal concern. One man may have been extrajudicially executed and another died in custody allegedly after being beaten by police.

The Aracinovo incident

Dozens of men and at least three minors were beaten in their homes, and women and children were allegedly threatened with firearms. A number of men were taken to police stations and beaten. Some were coerced into making "confessions" under torture. Officers reportedly beat them with truncheons, threatened to burn them with hot metal, made them drink urine, and put plastic bags over their heads. The detainees were held incommunicado, some for as long as 11 days, before being taken before a judge. Relatives and lawyers were denied information about their whereabouts and access to them.

The authorities admitted only that excessive force had resulted in damage to property during the Aracinovo raids and paid some compensation. Recommendations by bodies such as the national Ombudsman that criminal investigations should be initiated into the police actions were not acted upon by the authorities.

- Sabri Asani was detained on 18 January by police in connection with the Aracinovo murders. He died on his way to the police station in circumstances suggesting he may have been extrajudicially executed. Officials claimed that he had suffered heart failure because he was intoxicated with drugs. However, pictures of his body indicated that he had been badly beaten and had most likely died of a bullet wound to the head. An autopsy was performed, but the authorities failed to make the report available to his family. No information on any criminal investigation connected with his death had been released by the authorities by the end of the year.

Malaysia

Reports of ill-treatment of detainees by police were not adequately investigated.

Illustrative case from 2000

Demonstrators had planned to march through the capital, Kuala Lumpur, on 15 April, to mark the first anniversary of the jailing of former Deputy Prime Minister Anwar Ibrahim. Prisoner of conscience Anwar Ibrahim was sentenced to six years' imprisonment after an unfair trial on politically motivated charges of "abuse of power". The Malaysian authorities announced a ban on the rally and positioned hundreds of police around the capital, some armed with M16 rifles. Several hundred peaceful protesters gathered during the day, chanting slogans and calling for "reformasi" (reform). They were dispersed with tear gas and water cannon spraying water laced with chemicals.²⁴

Mexico

Torture, death threats and political killings continued to be reported in 2000.

Hundreds of cases of torture, "disappearance" and extrajudicial execution from previous years remained unresolved.

Chiapas and Guerrero states

For most of the year members of indigenous communities in Chiapas continued to suffer acts of intimidation and violence, including death threats. Those responsible were reported to be members of the security forces or so-called "paramilitary" or "armed civilian" groups acting with the support or acquiescence of local and regional authorities. In Guerrero, members of the *Organización Campesina de la Sierra del Sur* (OCSS), a peasant organization, were harassed, threatened or killed in circumstances suggesting they were being targeted for political reasons.

- On 1 March, a dispute over land rights in the municipality of Nicolás Ruiz, Chiapas, turned violent when members of the Public Security Police reportedly aided *Alianza Campesina*, an armed civilian group linked to the PRI, to attack peasants affiliated to the opposition *Partido de la Revolución Democrática*, Democratic Revolutionary Party. At least three people received gunshot wounds and a fourth was beaten.
- In July, Marco Antonio Abadicio Mayo, an OCSS activist, was ambushed late at night and survived being shot in the chest and arm by a group of men, near Atoyaquillo, municipality of Coyuca de Benítez. The previous January he was allegedly beaten and threatened by members of the security forces and then released without charge. In April OCSS activists José Martínez Ramón and Felipe Nava Gómez were shot dead in Coyuca de Benítez.

Mozambique

Reports of human rights violations including torture and killings of suspected criminals by the police increased, while efforts to reform the criminal justice system and to retrain the police continued. At least 41 people were shot dead by the police during demonstrations.

Excessive use of force

In May the police used excessive force to deal with a demonstration. Six people were shot dead and several wounded in Aube, in the Angoche district of Nampula province, as they peacefully demonstrated outside the police station to call for the release of a RENAMO member arrested earlier. Domingos

²⁴ See: Amnesty International *Arbitrary and incommunicado detention/fear of ill-treatment/prisoners of conscience*, AI Index: ASA 28/06/00.

Francisco Damião, Feliciano José Carlos and Nanlissa Alberto died instantly while Mussa Aiuba died later in hospital. The bodies of two other demonstrators who had been shot were later found outside the town.

Torture/ill-treatment

Reports of severe beatings or other forms of torture in police stations in order to extract confessions increased, including in Maputo where the number of cases reported in previous years had slightly declined. Many of the incidents were not investigated.

- Marcelino Mutolo and his brother-in-law Luciano Homo were tortured in Inhambane city in January by members of the *Polícia de Intervenção Rápida* (PIR), Rapid Intervention Police, who were apparently investigating a vehicle theft. Marcelino Mutolo was held handcuffed to a pillar in a mosquito-infested cell and made to stand for hours before he and Luciano Homo were taken outside the city. The two men were pushed to the ground and severely beaten and had shots fired above their heads. Both men were released uncharged several days later. Marcelino Mutolo reportedly had to pay a large sum of money to the police. No investigation was known to have been initiated.

Suspected extrajudicial executions

There were further reports of extrajudicial executions of suspected criminals by the police, which did not appear to have been investigated by the authorities. The police often claimed that the victims were shot when trying to escape.

- Gildo Joaquim Bata, who was accused of possession of a gun, and Tomás Paulo Nhacumba were arrested in Maputo in March. The day after their arrest the police took them in handcuffs to Gildo Joaquim Bata's home and demanded money from relatives for their release. As the families were unable to pay, both men were apparently taken back to the police station and subsequently "disappeared". Three days later their bodies were found in the morgue where they had been registered under different names. The body of Gildo Joaquim Bata had a bullet hole in the forehead while that of Tomás Paulo Nhacumba had one bullet hole in the forehead and one in the heart. The police claimed that both men had been shot while trying to escape. By the end of 2000 no investigation had been carried out.

Myanmar

The military continued to seize ethnic minority civilians for forced labour duties and to kill members of ethnic minorities during counter-insurgency operations in the Shan, Kayah, and Kayin states.

Illustrative case from 2001

A Karenni Christian farmer from Kayah state was arrested by the army and accused of working for an armed opposition group after a battle in February 2000. He reported; "Three soldiers beat me with rifle butts on my head and punched my face. I got cut on my head and blood was running down from my nose. When I fell down, they kicked me with military boots. My hearing is still bad..." He was forced to accompany troops as a guide for one week during which time he was beaten every day with sticks and tied with a rope. He finally escaped, and after returning to his village he hid with his family in the jungle for two weeks before fleeing to Thailand.²⁵

Namibia

There was a sharp rise in human rights violations in the northeastern Kavango and Caprivi provinces, particularly early in 2000, following Namibian involvement in the Angolan civil war. Human rights violations were reportedly committed by the Angolan and Namibian armies, as

²⁵ See: Amnesty International *Myanmar: The institution of torture*, AI Index: ASA 16/026/2000.

well as by the Namibian police's Special Field Forces (SFF), including extrajudicial executions and torture.

Extrajudicial executions

Human rights violations, including extrajudicial executions, by the Angolan and Namibian armies, as well as by the SFF, were reported throughout 2000.

- Angolan soldiers reportedly shot dead Thaddeus Mubili, a villager from western Caprivi, on 22 January, after one of their number was injured by a landmine. Thaddeus Mubili had been helping the soldiers track suspected UNITA members who had attacked a village the previous day.
- A group of Angolans and Namibians, apparently members of a family group who live on both sides of the border river, reportedly crossed into Namibia west of the Kavango provincial capital, Rundu, on 10 January. The presence of the group aroused suspicion and Namibian soldiers arrived and started shooting. A six-year-old girl was shot dead and a man was shot in the buttocks.

Torture/ill-treatment

There were reports of torture and excessive use of force by Angolan and Namibian armed forces, as well as the SFF.

- Muyeve Thaddeus Munango was shot and wounded in the hand and leg on 4 February. He had been fishing in a river east of Rundu when an SFF officer reportedly ordered him to leave the river, then shot him and left him for dead. He regained consciousness and managed to reach his home, where villagers took him to hospital.

Nepal

Grave human rights violations by police, including extrajudicial executions, "disappearances" and torture, were reported in the context of the "people's war" declared by the Communist Party of Nepal (CPN) (Maoist) in 1996. There were also widespread abuses by members of the CPN (Maoist), including deliberate killings, hostage-taking and torture.

Extrajudicial executions

According to official figures, between November 1999 and October 2000, 221 people were killed by police in the context of the "people's war". The government claimed there were no civilians among them and that all members of the CPN (Maoist) were killed during exchanges of fire. However, there was clear evidence that dozens of civilians and many members of the CPN (Maoist) were unlawfully killed. There were also reports that riot police killed several civilians, including two children, when they opened fire during demonstrations in December.

The UN Special Rapporteur on extrajudicial, summary or arbitrary executions visited Nepal in February. In her report, she stressed the urgent need to put in place strong, independent and credible mechanisms to investigate and prosecute human rights abuses.

- Seven civilians and two alleged members of the CPN (Maoist) were killed on 14 January at Thaku, Achham district, when police went on a rampage in the village. Early that day, members of the CPN (Maoist) had coerced villagers into attending a "cultural program". When a police patrol thought to be from Kamal Bazar police station approached the village, the organizers fled. Police started shooting at random. Four villagers were shot dead while taking shelter in a tea shop, three others while running away. Two members of the CPN (Maoist) reportedly surrendered to the police and were interrogated for several hours. Villagers later heard shots. The next morning, police forced villagers to carry nine dead bodies to the river. The bodies were cremated there despite protests from the relatives of the dead villagers.
- On 22 February, 15 unarmed civilians were allegedly killed by police in Rukum district, apparently in reprisal for the killing of 15 policemen during an attack by members of the CPN (Maoist) on a police station at Ghartigaun, Rolpa district, three days earlier. Police dragged people outside their houses and

shot them. They also burned the houses. All those killed were reportedly supporters of the NCP, including Trivan Wali.

Nicaragua

Human rights defenders were threatened. Police officers injured demonstrators and detainees.

National Police

Police officers reportedly used excessive force, causing injuries to demonstrators, and ill-treated detainees. In March about 20 demonstrators protesting against law reforms were beaten and injured by members of the National Police who used rubber bullets and tear gas against them. Dozens of police officers were expelled from the force for corruption or abuse of authority, including beating people in their custody.

Nigeria

There was no investigation into continuing incidents of alleged extrajudicial executions or excessive use of force by the security forces which have taken place since the restoration of civilian government in May 1999.

Killings by the security forces

There were reports that the security forces used excessive force in response to protests against oil company activities and thefts from oil pipelines in the Niger Delta, resulting in several reported fatalities.

- In April police shot dead at least one person, 18-year-old Barinaadua Gbaraka, and burned down homes in K-Dere village in Rivers State after residents opposed a road-building project by the Shell oil company.
- In October at least eight youths were reportedly killed when troops guarding an oil facility belonging to the Agip oil company fired on protesters from the nearby town of Olugbobiri, Bayelsa State. About 50 youths in speedboats had reportedly intended to shut down production after disagreements over a road-building project.

Pakistan

Illustrative case from 2000

Amnesty International is extremely concerned that Pakistan's Ahmadiyya religious minority are at risk of violent attack, after 10 Ahmadis were unlawfully killed in Punjab province during the past two weeks. Gunmen shot dead five members of the Ahmadiyya community on 30 October, as they left their mosque after early morning prayers in Ghatialian village, near Sialkot. Among the dead was a 16-year-old boy. Ten others were injured. No one is known to have been arrested in connection with the attack.²⁶

Palestinian Authority

The Intifada

In September, the killing of five Palestinians in Jerusalem by Israeli security forces sparked demonstrations involving thousands of Palestinians in the Occupied Territories. Demonstrations were continuing on a daily basis at the end of the year. Stones and petrol bombs were thrown at Israeli soldiers during demonstrations and on a number of occasions armed Palestinians, including members of the PA security forces, fired on Israeli soldiers. The Israeli security forces responded to demonstrators by opening fire, using rubber-coated metal bullets and live ammunition. The Israel Defence Forces (IDF) also used

²⁶ See: Amnesty International *PAKISTAN: The Ahmadiyya community*, AI Index: ASA 33/17/00.

attack helicopters to fire on demonstrators. Between 29 September and the end of the year, at least 300 Palestinians were killed by Israeli security forces, most as a result of the excessive use of lethal force.

Armed Palestinians, including members of the *tanzimat* - a paramilitary group linked to *Fatah*, the predominant political group in the PA - carried out attacks on Israeli soldiers and civilians in the Occupied Territories. Palestinian armed groups carried out bomb attacks, killing Israeli soldiers and at least six civilians in Israel and the Occupied Territories. The IDF used heavy weaponry, including tanks and attack helicopters, to shell randomly Palestinian areas from where armed Palestinians had opened fire. They also used heavy weaponry to conduct punitive raids against PA facilities, in response to killings of Israelis.

- In October, a crowd of Palestinians tortured and killed two Israeli soldiers, Yosef Avrahami and Vadim Nourezitz, who were in the custody of the Palestinian police. President Yasser 'Arafat announced that an inquiry would be conducted into the killings; no inquiry had apparently been started by the end of the year.
- In November, two Israeli civilians were killed in a bomb attack near the Kufar Darom settlement in the Gaza Strip. Nine others, including five children, were injured, some severely. The IDF responded by bombarding PA security installations and *Fatah* offices in the Gaza Strip. A Palestinian police officer was killed and at least 30 Palestinians were reportedly injured.

Paraguay

Respect for human rights deteriorated amid continuing political instability. As in previous years there were reports of excessive use of force by the security forces during land evictions, of illegal conscription of minors into the armed forces, and of unexplained deaths of military conscripts.

Illustrative case from 2000

Children as young as 12, illegally recruited into the Paraguayan armed forces and police, are routinely subjected to ill-treatment, Amnesty International said in a new report published today. "Physical and psychological punishments against conscripts of all ages, resulting in both mental and physical harm, are commonplace in the Paraguayan armed forces and police," the organization said.

"A number of adolescent recruits are known to have died as a result of ill-treatment or in a series of, as yet unclear, shooting accidents," continued the organization, whose report details at least six cases of under-18 conscripts who died in 2000 alone.²⁷

Peru

Illustrative case from 2000

Florinda Flores Linares's son, Carlos López Flores died from bullet wounds in November 2000. He had been working as a taxi driver when two police officers and a man wearing plain clothes stopped him and accused him being involved in drug trafficking. He was reportedly beaten and shot by the police officers. Florinda Flores Linares has filed an official complaint against the police officers with the aid of a Peruvian human rights organization. The case is now being investigated by the Ayacucho public prosecutor's office (la oficina del fiscal de Ayacucho).²⁸

²⁷ See: Amnesty International *Paraguay: No child's play -- Under-age recruitment in the armed forces must stop*, AI Index: AMR 45/003/2001.

²⁸ See: Amnesty International *PERU: Florinda Flores Linares*, AI Index: AMR 46/004/2001.

Philippines

An escalation of armed conflict in central Mindanao led to the displacement of over 400,000 civilians amid reports of indiscriminate bombings and human rights violations by the Armed Forces of the Philippines (AFP). The Moro Islamic Liberation Front (MILF) withdrew from the peace process following the capture of its main bases. Tensions in the region intensified further following a series of kidnappings of civilians by the *Abu Sayyaf* armed group on the Sulu archipelago. After protracted negotiations, military assaults on *Abu Sayyaf* positions on Jolo island led to the displacement of thousands of civilians and reports of human rights violations.

Extrajudicial executions

Criminal suspects were periodically killed by police while allegedly "resisting arrest" or "attempting to escape". Suspected members of the NPA were reported to have been extrajudicially executed, some while wounded, in the aftermath of clashes with AFP units.

- In June murder charges were filed against 10 members of a police unit who shot dead two Muslim men in Manila during an arrest operation against suspected MILF sympathizers.

Romania

There were numerous reports of torture and ill-treatment by law enforcement officials.

Use of firearms by police

Domestic legislation continued to allow officers to shoot "to apprehend a suspect who is caught in the act and attempts to escape without obeying an order to stay at the scene of the crime", in breach of international human rights standards. In September, the Ministry of the Interior issued new instructions on the use of force and firearms which restricted the above provision to cases of "crime, considered as serious". It remained unclear who would assess whether a crime was serious and on what basis.

- In May in Bucharest, a 20-year-old Romani man, Mugurel Soare, and his brother were chasing their former brother-in-law when they were stopped by three plainclothes police officers. Mugurel Soare was shot in the head, as a result of which he was paralysed and unable to speak. The officers later stated that Mugurel Soare had been armed with a knife and had stabbed a police officer in the abdomen, and that the officer shot him in self-defence. The officer reported his wound, a scratch, two hours later, but it required no treatment. Two witnesses reported seeing a man in civilian dress beating Mugurel Soare, hitting his head against a wall and sticking the barrel of a pistol against the back of his head. The witnesses were later taken to Bucharest 10th precinct police station, where they were held overnight and questioned by an investigator and police officers in an intimidating way. One witness was allegedly warned that he risked being accused of "incitement to scandal" if he maintained his version of the shooting incident.

Russian Federation

Serious and widespread human rights violations took place in 2000, including grave crimes against civilians on a massive scale during the renewed armed conflict in the Chechen Republic (Chechnya). Russian federal forces were responsible for gross human rights violations against the civilian population of Chechnya. Thousands of civilians were killed in indiscriminate attacks and there were widespread reports of torture, incommunicado detention and summary executions.

The Chechen conflict

The Russian authorities claimed that the situation in Chechnya had normalized following the scaling down of military activities in the first quarter of 2000. However, the human rights crisis in Chechnya continued. There were frequent reports that Russian forces indiscriminately bombed and shelled civilian areas. Chechen civilians, including medical personnel, continued to be the target of military attacks by Russian

forces. Hundreds of Chechen civilians and prisoners of war were extrajudicially executed. Journalists and independent monitors continued to be refused access to Chechnya. According to reports, Chechen fighters frequently threatened, and in some cases killed, members of the Russian-appointed civilian administration and executed Russian captured soldiers.

Rwanda

Reports of "disappearance", arbitrary arrest, unlawful detention, and torture or ill-treatment of detainees continued throughout 2000. A number of killings of unarmed civilians were also reported. In eastern Democratic Republic of the Congo (DRC), Rwandese military and allied forces, as well as Rwandese armed groups opposing them, were responsible for massacres of civilians, torture, including rape, "disappearances" and the systematic harassment of human rights defenders.

Killings of civilians

- In August, in Kinigi, Ruhengeri, 22-year-old Innocent Manragaba was killed by RPA soldiers, and two other civilian men were wounded. The unarmed men, who had undertaken a village night security patrol, were ordered to sit on the ground by the soldiers who then opened fire on them.

Torture/ill-treatment

Torture and ill-treatment were practised routinely in "*cachots communaux*" (local detention centres) and military detention sites, especially in the early stages of detention. An unknown number of civilians continued to be held illegally in military detention centres.

- In June, four students from Goma, eastern DRC - Mapendano Bahavu, Eric Sikubwabo-Sibomana, Lazare Lukute Tschonga and Obin Lukute Kiembo - were arrested at the Rwanda-Uganda border and held incommunicado for 16 days at the Kicukiro military detention centre, in Kigali. They were denied food for the first three days. At least two were tortured: one was severely beaten around his head with a piece of wood, and another had a gun held to his head.

Saint Lucia

There were reports of severe beatings in prison and of police brutality and excessive use of force.

Police brutality

There were reports of police brutality and excessive use of force. Unofficial reports claimed that there were at least seven fatal shootings by the police, some in disputed circumstances. No inquests were held into any of these deaths.

- In November, Alfred Harding was shot dead by police in La Clery after escaping from custody. The circumstances of the killing suggested that he had been extrajudicially executed. Witnesses stated that Alfred Harding was ordered by a police officer to lie down and was subsequently shot twice in the thigh and spine. According to reports, he was denied medical attention. Witnesses were reportedly intimidated by police. Following the shooting, the Minister of Home Affairs announced that an independent investigation would take place into Alfred Harding's death and the circumstances of his escape from custody. The Prime Minister announced an internal investigation. The results of both investigations had not been disclosed by the end of the year.

Senegal

Despite peace moves, there was continued tension in the disputed region of Casamance between members of the government and the *Mouvement des Forces démocratiques de Casamance* (MFDC), Democratic Forces of Casamance Movement, an armed opposition group claiming independence for Casamance. The number of human rights violations lessened in

comparison with previous years, although the security forces in Casamance were responsible for several cases of extrajudicial executions, "disappearances" and torture. Members of the MFDC also continued to commit human rights abuses against civilians.

Extrajudicial executions and 'disappearances' in Casamance.

- Momany Tendeng was reported to have been extrajudicially executed in January by soldiers near a military camp in Nyassia. Two other young people, Daniel Sambou and Denis Sambou, were shot dead in March by soldiers who forced other civilians to bury them.

Abuses by the MFDC

Despite the cease-fire agreement accepted by the MFDC leader, some elements of the armed wing of the MFDC continued to commit human rights abuses against civilians. In February, armed groups shelled the area of Niaguis, apparently to deter the population from voting in the presidential election.

Sierra Leone

The 1999 peace agreement collapsed after rebel forces captured UN peace-keeping troops in May. Killings, mutilations, rape and abduction of civilians, including women and children, by rebel forces increased. Government forces were responsible for extrajudicial executions, torture and ill-treatment.

Deliberate and arbitrary killings by rebel forces

Large numbers of civilians were killed by rebel forces from May, particularly in areas around Port Loko, Lunsar, Makeni and Magburaka.

- On 8 May RUF members killed about 20 people and injured dozens of others when they fired on some 30,000 people protesting outside Foday Sankoh's residence in Freetown against RUF attacks on UNAMSIL.
- A man from the village of Magbile recounted how his sons, aged 11, 21, 23 and 25, were shot and killed in June when they refused to join rebel forces.

Military assistance to rebel forces

The governments of Liberia and Burkina Faso were consistently cited as violating a UN arms embargo on rebel forces. They were accused of transferring arms and ammunition through their territories and trading diamonds from rebel-held areas. The Liberian government came under growing diplomatic pressure to end its support for the RUF.

International attention focused increasingly on "conflict diamonds". In July the UN Security Council imposed an 18-month prohibition on direct or indirect import of rough diamonds from Sierra Leone, other than those certified by the government. The international diamond industry introduced measures towards regulating trade.

A UN Panel of Experts was established in August to investigate the link between the diamond trade and the conflict in Sierra Leone, including the implication of the governments of Liberia and Burkina Faso. It published a report in December which unequivocally established the involvement of both governments by means of international networks of arms and diamond brokers, dealers and transporters based in many countries. It made recommendations for effective implementation of the bans on illicit diamond trading and arms transfers.

Solomon Islands

Illustrative case from 2000

On 14 July, gunmen in MEF and paramilitary police uniforms, moving round the coast in two speedboats, first fired indiscriminately at the huts of the coastal village of Aruligo, and then went to Visale, in the northwest of Guadalcanal. There they opened fire on staff and patients at the Visale clinic who were trying to escape from them, killing an old man and a teenage boy. The shooting reportedly damaged vital Red Cross medical supplies. The gunmen stole the clinic's solar-powered radio, which was the area's main communication link with the Red Cross and the capital, which is cut off from rural Guadalcanal by MEF roadblocks.²⁹

Somalia

Outbreaks of fighting in the south between armed clan-based militias linked to political factions were frequent throughout 2000. Scores of civilians were killed in inter-clan fighting. Human rights abuses also included kidnappings (often for ransom) of civilians and humanitarian agency staff.

Civilian victims of armed conflict

Throughout 2000 there were periodic outbreaks of fighting between clan or faction militias in the south, involving killings of civilians as well as combatants. Weapons were easily available.

South Africa

There were reports of ill-treatment, torture and unjustified use of lethal force by police and security forces. Asylum-seekers and suspected illegal immigrants were also victims of official ill-treatment or racially motivated attacks.

Human rights violations by the security forces

There were reports of torture, ill-treatment and unjustified use of lethal force by the security forces, including military units based in KwaZulu Natal province, primarily in the context of crime investigation and searches for illegal weapons. Incidents included the cases below.

- In July a woman police officer, Sergeant Nozipho Ntoni, was beaten, kicked, stamped on and threatened with a gun in her home by a senior police officer from Bisho police station in the Eastern Cape, with whom she was involved in a personal relationship. Bleeding from her injuries, she attempted to lay a charge against him at the police station, but was again assaulted by the same officer in the presence of other, junior-ranking, officers. The next day she reported the case to King William's Town police station whose officers attempted to arrest the perpetrator but were prevented by his brother, also a senior police officer. Following ICD investigations, the perpetrator was arrested and charged with assault with intent to do grievous bodily harm.
- Six soldiers and a Police Reservist were charged in a magistrates' court with murder in connection with the death of 33-year-old Basil Jaca at Flaxton Farm, near Ixopo. They were accused of beating Basil Jaca at his home on 1 July and assaulting him by repeatedly pushing a rifle into his anus, while demanding to know the whereabouts of a gun. The doctor who later examined him failed to refer him to hospital although Basil Jaca was bleeding, in great pain and barely able to walk. He died on 2 July.
- Four police officers were charged with murder and released on bail in connection with the suspected extrajudicial execution of an ANC parliamentarian, Bheki Mhkize, in July. He was shot dead when about a dozen members of the Public Order Police Unit based at Ulundi in KwaZulu Natal raided his home, apparently searching for weapons. Independent forensic and other evidence gathered by the ICD indicated that he was shot intentionally at close range by the police.

²⁹ See: Amnesty International *Solomon Islands: Patients and staff at rural clinics on Guadalcanal island*, AI Index: ASA 43/04/00.

Spain

Allegations of ill-treatment in prisons persisted, as did allegations of torture made by suspected members of the Basque armed group *Euskadi Ta Askatasuna* (ETA), Basque Homeland and Freedom. ETA committed numerous human rights abuses in which 23 people, the majority civilian, were shot dead or killed by car bombs and many others, including children, were injured. There was an increase in acts of "street violence" by groups reportedly close to ETA, including arson, bombings and death threats. The government proposed new penal measures, including increased penalties for minors convicted of politically motivated violence.

Illustrative case from 2000

Miriam Gómez and her friend, Beltrán Sánchez Pérez, were returning home to Bellavista (Seville) from a discotheque in a Renault-9. It was 5 am. Beltrán Sánchez, who was driving, did not have a driving licence or insurance and was trying to escape a Breathalyzer test. Two Civil Guards pursued the Renault-9 for four kilometres before one of them, a shooting instructor and head of the traffic division of Dos Hermanas (Seville), aimed his weapon at the car and fired a bullet which pierced the left rear door and struck the frame of the driver's seat before entering the passenger's left arm and chest, damaging the lungs and heart. Miriam Gómez died almost instantaneously.³⁰

Sudan

The civil war continued to devastate the lives of countless civilians during 2000. Those most affected were people living near oil fields where pro-government forces and armed opposition groups were fighting for control of oil production and territory. All parties to the conflict committed gross human rights abuses against civilians living in the contested areas including indiscriminate bombing, abduction, enslavement, forcible recruitment, torture and killings.

Illustrative case from 2000

On 18 June, uniformed soldiers opened fire on people at the seminar, 'The Current Crisis in Sudan and the Future Prospects', killing student 'Mirghami Mahmoud Al-Norman. Several students were injured including Salah Houli and Abu Shaiba. Policemen were also caught in the cross-fire. A number of students were arrested during subsequent clashes with the security forces and are to be charged. Speakers invited to the seminar, including human rights defender Ghazi Suleiman, went into hiding and then escaped.³¹

Swaziland

Opposition protests led to arbitrary detentions and ill-treatment by the security forces.

Torture/ill-treatment

The security forces ill-treated and used excessive force against political activists and protesters.

- In October some 200 villagers in Macetjeni and KaMkhweli were evicted from their homes at gunpoint by soldiers, apparently because they refused to accept the King's brother, Prince Maguga, as chief.

³⁰ See: Amnesty International *Spain: The fatal shooting of Miriam Gomez Cuadrado by a Civil Guard officer*, AI Index: EUR 41/05/00.

³¹ See: Amnesty International *Fear of Cruel, Inhuman or Degrading Treatment or Punishment/ Possible prisoners of conscience/ Human rights defenders at risk*, AI Index: AFR 54/06/00.

Sweden

At least two unarmed people were shot dead by police.

Shootings by police

- Magnus Carlsson, aged 19, was shot dead in Kalmar on 13 May after a car chase and a struggle with police officers. A police officer was accused of causing the death of another person or breach of duty, but was acquitted in October, after the court accepted that he had acted in self-defence.
- Mikael Pettersson, aged 31, was shot dead on 13 March at Vikbolandet near Norrköping after he crashed his car while being chased by the police and then tried to run away. The police officer reportedly fired a warning shot, then shot Mikael Pettersson because he was convinced that he was armed. No weapon was found at the scene. In October the police officer was convicted of breach of duty, aggravated assault and causing the death of another person through grave carelessness and sentenced to 18 months' imprisonment. The officer lodged an appeal which was pending at the end of the year.

Tanzania

Scores of opposition political activists were arrested and ill-treated on the semi-autonomous island of Zanzibar in the context of elections which were widely seen as unfair.

Illustrative case from 2000

On 30 October, when demonstrators, including CUF supporters, protested against the irregularities in the elections, police in riot gear opened fire with live ammunition, tear-gas and rubber bullets. Scores of people, including bystanders not involved in the protest, were reportedly injured, at least one seriously. Thirty-two people were arrested and charged with "causing a breach of the peace". More than 100 people have reportedly been arrested since the election.³²

Tunisia

Illustrative case from 2000

*In May 2000, days after he published an article critical of President Ben Ali's policies in the French daily *Le Monde*, journalist and former editor of the Arabic version of *Le Monde Diplomatique* Riadh Ben Fadhel was shot and seriously wounded in the chest by unknown gunmen. The attack, which bore the hallmark of an attempted extra-judicial execution, took place outside Ben Fadel's home, which is situated near the presidential palace and the residences of members of the presidential family, an extremely well guarded area.³³*

Turkey

A number of political killings were reported.

Illustrative case from 2001

"A few civil police suddenly collared me. When I asked them why they were arresting me, one of pulled out his gun and threatened me, saying 'don't speak or I'll kill you'. Marching me about 300 metres, they brought me to their vehicle. At this point they were continually punching

³² See: Amnesty International *Fear for safety/fear of torture*, AI Index: AFR 56/14/00.

³³ See: Amnesty International *Tunisia: Open letter and public document on the deterioration of the human rights situation in Tunisia*, AI Index: MDE 30/09/01.

*and kicking me, and striking me with the butts of their rifles. When I asked the reason for all this, they said 'you joined the protest'.*³⁴

Uganda

Gross human rights abuses by armed opposition groups, including killings and abductions, continued throughout 2000. Torture and possible extrajudicial executions by the security forces were reported. The Ugandan army was accused of human rights violations including torture in the Democratic Republic of the Congo (DRC). Meetings by political parties and others, peaceful demonstrations and strikes were disrupted by the security forces, sometimes violently.

Abuses by armed opposition groups

Lord's Resistance Army

There was an increase in abuses by the LRA in 2000, primarily against civilian targets. Killings, torture, including rape, and abductions, particularly of children, were reported throughout the year, mainly in the northern districts of Gulu and Kitgum. Abducted children were forced to become child soldiers, and girls were used by LRA commanders as sexual slaves. Nearly 80 per cent of LRA combatants were abducted children, according to estimates.

- In October Father Raffaele Di Bari, an Italian priest who had lived in Uganda for over 30 years, was killed by the LRA on the road to his home in Kitgum district. His death was followed by a grenade attack by the LRA on Opit Travellers Inn disco hall in Gulu town, which left nine people killed and scores injured.

Ukraine

The Ukrainian coastguard reportedly used excessive force against Turkish fishermen in the Black Sea, resulting in one death.

Excessive use of force

- On 22 March a Turkish fisherman, Gûrmiz Çınar, was killed and one of his colleagues was injured by a shell fired by the Ukrainian coastguard. The Turkish vessel was fishing illegally in Ukrainian waters around 200km from Odessa.

United Kingdom

Negotiations concerning the implementation of the Multi-Party Agreement in Northern Ireland continued, but killings, bombings and beatings persisted.

Abuses by armed political groups

There were dozens of "punishment" shootings and beatings by both Republicans and Loyalists. So-called "punishments" were also meted out to children. In April, a 15-year-old and a 17-year-old were shot and injured by Loyalists in Belfast and a 16-year-old suffered head injuries after being beaten by Republicans wielding iron bars in Belfast.

United States of America

Police brutality, disputed shootings and ill-treatment in prisons and jails were reported.

Police brutality

³⁴ See: Amnesty International *Turkey: Fear of torture*, AI Index: EUR 44/032/2001.

Police brutality and disputed police shootings of unarmed suspects were reported; a disproportionate number of the victims were from racial minorities.

An investigation continued into the scandal arising from the LAPD's Rampart division, in which officers were accused of having beaten, shot, robbed and framed people. More than 70 current or former police officers were under investigation and more than 100 criminal convictions had been thrown out, with scores more under review. In November, three officers were convicted of conspiracy and other offences involving framed gang members.

- Two New Jersey state troopers faced trial in connection with the 1998 shooting and wounding of three unarmed black and Hispanic men during a traffic stop on the New Jersey Turnpike. The troopers had fired 11 shots at the van in which the youths were travelling to college basketball trials. Earlier studies, showing that state troopers practised racial profiling, had forced the department to reform its practices and to monitor stops and searches for racial and ethnic bias.
- In November the US Justice Department announced that it was investigating an alleged pattern of abuses involving the Prince George's County Police Department, Maryland, following a spate of police shootings and complaints of brutality in recent years, including complaints filed by more than two dozen people who said they had been maimed by police dogs.

Venezuela

Several people were reported to have "disappeared" or been extrajudicially executed by the security forces during rescue operations following catastrophic floods in December 1999.

Human rights and the Vargas floods

Marco Antonio Monasterio and Oscar José Blanco Romero "disappeared" on 21 December 1999, during the flood rescue operations. They were reportedly detained by the army in the neighbourhood of Valle del Pino and transferred into the custody of the Directorate of Intelligence and Criminal Prevention Services (DISIP). By the end of the year their whereabouts had not been established. José Francisco Rivas Fernández and Roberto Hernández apparently suffered a similar fate. Luis Rafael Bastardo was extrajudicially executed on 25 December. A National Guard corporal admitted to shooting him deliberately and was sentenced in September to 10 years in prison.

Torture/ill-treatment

Torture and ill-treatment continued to be reported; most cases involved police officers beating victims.

- In August Ronny Yosmar Aquino and Alexis Medina, two transgendered friends, were detained without a judicial order in the city of Valencia, Carabobo state. They were reportedly forced to undress in the street and severely beaten. They were then held in incommunicado detention without access to a lawyer, doctor or their families. The detentions took place in the context of a campaign of intimidation directed at the transgendered community, during which José Luis Nieves was fatally shot on 29 July while recovering from wounds inflicted in an earlier shooting by a state police officer.

Zimbabwe

The election campaign leading up to June parliamentary elections saw what appeared to be a deliberate and well-thought-out plan of systematic human rights violations by forces allied to the government. Violations included more than 30 political killings and widespread torture and ill-treatment throughout the country. Violations continued after the elections, albeit on a smaller scale. In an apparent attempt to intimidate the population, a strong military presence was deployed immediately after the elections in those areas where the opposition had won a substantial number of votes. Incidents of torture, ill-treatment and political killings continued throughout the year, particularly in the run-up to two parliamentary by-elections.

Political killings

More than 30 people were killed during the election campaign; most were reported to be supporters of opposition parties. There were allegations that the state intelligence police, the Central Intelligence Organisation (CIO), was involved in several of the killings.

- On 15 April, David Stevens, a commercial farmer in the Macheke area and MDC supporter, was abducted from his farm and killed, allegedly by ZANU-PF supporters. A witness, who rushed to the local police station to report the abduction, reported that he was himself abducted from inside the police station and taken to the office of the local "war veterans" in Murehwa where he and David Stevens were severely beaten. They were then driven away, taken out of the car, and forced to march up a hill. The witness explained that, after they complained that they could walk no further, they started walking back towards the car. On their way back to the car, the captors shot David Stevens, in the presence of the witness, but left the witness after one of the captors pleaded for his life.