

# MINNESOTA LAWYERS INTERNATIONAL HUMAN RIGHTS COMMITTEE

VOLUME 1, NUMBER 5

MEMBERSHIP NEWS

AUGUST 1987

## COMMITTEE RECEIVES GRANT FOR INTERNATIONAL CONFERENCE ON DEATH INVESTIGATION STANDARDS

From October 21-23, 1987, the Minnesota Lawyers Committee will host an international conference entitled, "Promoting Human Rights through Adequate Inquiry Procedures," at Spring Hill Center in Wayzata. Participants will include medical, legal and human rights experts from around the world who have been active in the development of international death inquiry standards. The conference will be funded in part by a \$10,000 grant from the Danish Ministry of Foreign Affairs.

Since its inception, the Committee has been at the forefront of the development of international standards for the investigation of suspicious or arbitrary killings. Thousands of deaths occur each year from deliberate killings by national armies, insurgent forces, police, death squads sanctioned by authorities, and prison killings. Most of these killings remain undetected and unpunished because there is no internationally promulgated legal standard governing their investigation.

In April, 1986, the Committee released a report entitled The Minnesota Protocol: Preventing Arbitrary Killing through an Adequate Death Investigation and Autopsy, which addressed standard procedures for autopsies and the disinterment of skeletal remains. The Minnesota Protocol was well-received at national and international conferences of forensic scientists. In addition,

the Committee recently supplemented the Minnesota Protocol with standards for the creation of investigative commissions and police procedures for the collection and analysis of evidence. A final version of the Minnesota Protocol is currently being printed by Minnesota Blue Cross & Blue Shield.

The Committee is working with other international groups including the U.N. Centre for Social Development and Humanitarian Affairs, to extract principles on the prevention and investigation of extra-legal arbitrary and summary executions for adoption by the United Nations. A representative from the U.N. Centre will attend the conference, the goal of which is to reach consensus on a set of death investigation principles for international adoption. The conference will open on Wednesday, October 21 with a public reception and dinner for the international participants. Lawyers Committee members are invited to attend the reception and dinner for \$25 a person. (More information about the reception will be provided in the next newsletter.) The participants will then spend two days discussing the need for standards, reviewing existing formulations of principles and strategizing about the implementation of such principles. Approximately 20 experts are expected to attend the conference which is being co-sponsored by Spring Hill Center.

### IN THIS ISSUE

Committee Sponsors Conference . . . . .	1
Human Rights Missions . . . . .	2
Volunteers Needed . . . . .	3
Calendar of Events . . . . .	3
Ruta Arrives in U.S. . . . .	3
Oakdale Report Released . . . . .	3
Letter-Writing Requests . . . . .	4
Project Updates . . . . .	5
Human Rights Conference in Greece . . . . .	5
From the Director's Desk . . . . .	5
Job Opportunity . . . . .	6

### Publications on the Minnesota Protocol:

Rebecca Knight Giusti, "The Minnesota Protocol: A Home-Grown Response to an International Problem," Corporate Columns, Blue Cross & Blue Shield of Minnesota, March-June, 1987.

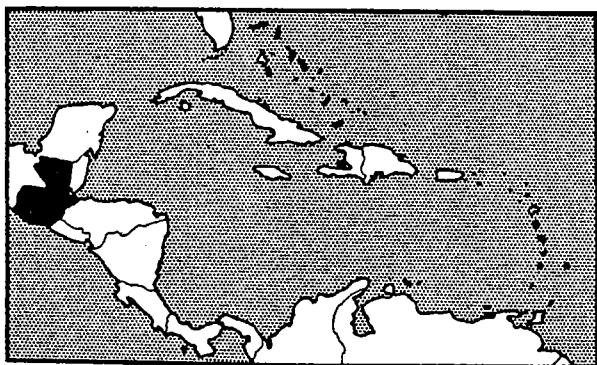
Barbara A. Frey, "Minnesota Lawyers Committee Proposes Death Investigation Standards," 11 Human Rights Internet Reporter, No. 3 at 12, September, 1986.

L.C. Thomas and G.F. Peterson, "A Proposed Model Autopsy Protocol," The Police Surgeon, Journal of the Association of Police Surgeons of Great Britain No. 30, November, 1986.

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# RECENT HUMAN RIGHTS MISSIONS



## DELEGATION FINDS DOORS CLOSED IN SEARCH FOR GUATEMALA'S DISAPPEARED

Four Minnesota attorneys, Judge Isabel Gomez, Tom Barrett, Mike Persellin and Louis Smith, visited Guatemala from June 5 until June 14 to monitor the judicial procedures being employed to investigate the fate of the "disappeared" in that country. While delegation members were encouraged by the efforts of a special investigating judge appointed to handle petitions of habeas corpus, they determined that significant limitations minimized the effectiveness of the investigations.

The Committee's delegation was sent to Guatemala to look into the progress of the petitions of habeas corpus submitted by Committee members on behalf of approximately 100 "disappeared" in Guatemala.

The Supreme Court appointed Judge Olegario Labbe, a trial court judge, to serve as the special investigating judge for more than 3,000 petitions for habeas corpus submitted on behalf of individuals, most of whom were "disappeared" under the prior military government. The delegation found that Judge Labbe and his office have made reasonable investigations, by Guatemalan standards, but that those investigations have often stopped at the door of the military commander in charge of the precinct to which the disappearance has been traced. Because of political realities, the Judge does not have the means to open the door that could give him the answer to the disappearance at issue.

The Minnesota Lawyers Committee's delegation worked diligently with Judge Labbe and his staff to review each of the cases it had submitted. A couple of the delegation even did some of their own amateur sleuthing to try to find the official autopsy reports relevant to one of the habeas petitions. They, too, found a closed door.

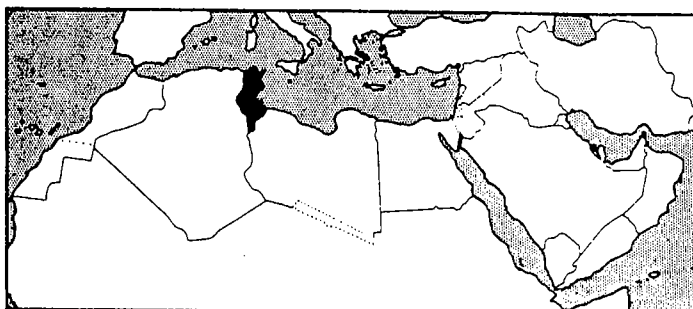
## MISSION TO TUNISIA REVIEWS CHARGES AGAINST HUMAN RIGHTS LEADER

Attorney John Borman and University of Minnesota law student Inger Tangborn visited Tunisia from July 25 until August 1, 1987 to investigate recent detentions of human rights leaders, labor leaders and members of the political opposition. Faced with a surge of fundamentalist Islamic dissent, the Tunisian Government has arrested hundreds of students and opposition leaders, many of whom have reportedly been tortured to extract confessions.

Borman, an attorney with Robins, Zelle, Larson and Kaplan, and Tangborn, who is fluent in French and Arabic, the two languages of Tunisians, spent their week interviewing government officials, human rights lawyers and families of detainees.

A primary concern of the mission was to investigate the efforts of the Tunisian government to supplant the well-respected and independent Tunisian League for Human Rights by establishing a government-sponsored human rights organization. Khemais Chamari, the Secretary General of the League was arrested April 28, 1987 and charged with "disseminating false information likely to disturb the public order and offending the person of the prime minister," charges apparently stemming from press interviews he gave to French and British media. Members of the League felt that Chamari's arrest had nothing to do with the interviews, but was simply the government's newest tactic in its attempt to undermine the League.

During their visit, Borman and Tangborn interviewed Chamari, who is free on bail, as well as several members of the League. They also interviewed the head of the new competing human rights organization.



## VOLUNTEERS NEEDED

There are almost 100 Cubans currently being detained by the Immigration and Naturalization Service (INS) in Minnesota. At the end of the summer, the INS will review all of their cases, and possibly recommend that some be released to halfway house programs or sponsors. The Cubans desperately need assistance in preparing for this important review. This may be their only chance to get out of detention for the next several years.

Specifically, the Cubans need help with the following:

1. Collecting letters of support from their family, friends and community leaders.
2. Contacting relatives who could sponsor them if released.
3. Assisting with their personal interview before a two-member INS panel in the fall.

It is extremely difficult for the Cubans to prepare for this review while they are in detention. It is a relatively easy task for someone on the outside to help, and would involve only a minimal time commitment.

We would like to assign one Lawyers Committee member to each Cuban currently in detention. If you are interested in helping, please call Marie Bibus at 341-3302.



Ioan Constantin Ruta, granted "presidential amnesty" on June 6th, 1987 by the President of Romania, was allowed to emigrate to the United States on June 23, 1987. Mr. Ruta, reunited with his wife Rodica and daughter Alina, was welcomed at the Minneapolis-St. Paul airport by attorneys Christine Solso and Sam Heins.

## CALENDAR OF EVENTS

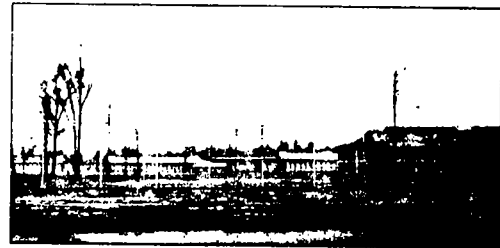
Wednesday, August 12: The Center for Global Education at Augsburg College will present the film "Heartstrings: Peter, Paul and Mary in Central America" featuring a special guest appearance by Peter Yarrow at 8:00 p.m. at O'Shaughnessy Auditorium, College of St. Catherine, Randolph Street and Cleveland Avenue, St. Paul. A special reception with Peter Yarrow, Mayor George Latimer, and Mayor Donald Fraser will take place at O'Shaughnessy Auditorium from 6:00 to 8:00 p.m. Tickets for film and performance are \$10.00 and \$12.50. Suggested minimum donation for the reception is \$25.00. Proceeds will go to the Center for Global Education; call 330-1159 for reservations.

Tuesday, September 15: Attorney John Borman and University of Minnesota Law Student Inger Tangborn will speak about the human rights observation mission to Tunisia which they undertook on behalf of the Committee from July 26 to August 1, 1987. The talk will take place at 12:15 p.m. at Robins, Zelle, Larson & Kaplan, 1800 International Centre, 900 Second Avenue South, Minneapolis. Bring a bag lunch.

Wednesday, September 23: Rosemary Strunk will discuss "Socially Responsible Investing" at 12:15 p.m. at Fredrikson & Byron, 1100 International Centre, 900 Second Avenue South, Minneapolis. Bring a bag lunch.

Oakdale Detention Center:

The First Year of Operation



A Report of the

Minnesota Lawyers International

Human Rights Committee

The Minnesota Lawyers Committee recently released its report on human rights abuses at the Oakdale Detention Center, pictured above. Copies of the report are available from the Committee for \$3.00 per copy.

# COMMITTEE REQUESTS LETTER-WRITING ACTION

## DETENTION OF KURIA CONTINUES

Gibson Kamau Kuria, the most prominent lawyer in Kenya willing to take political cases, remains in detention despite the efforts of human rights groups who have appealed for his release. Mr. Kuria was arrested on March 15, 1987 after he had issued notices to sue the government on behalf of three persons currently detained under Public Security regulations on the grounds they had been detained unlawfully and tortured.

Gibson Kamau Kuria frequently stated fears in the months before his arrest that he was in imminent danger of being detained himself and told people that he had already received threats to that effect. The day before his arrest, he told a foreign journalist:

"If I am picked up it is important that people know the reason why. I have determined that people's rights must be enforced, so I am going to press the government. I have decided not to compromise on principle, even if it means being detained. The fear is that if I am detained I am going to be accused of involvement in the Mwakenya organization. I have never had anything to do with subversive activities" [quoted in the Financial Times, London, 14 March 1987].

Appeal letters stating your concern that Gibson Kamau Kuria is being imprisoned because of his professional legal activities in the field of human rights may be sent to:

The Honorable Daniel Arap Moi  
President of the Republic of Kenya  
Office of the President  
P.O. Box 30510  
Nairobi, Kenya

The Honorable Matthew Muli  
Attorney General  
Office of the Attorney General  
P.O. Box 41002  
Nairobi, Kenya

Send a copy of your letter to:

Ambassador Sospeter O. Mageto  
Embassy of Kenya  
2249 R Street NW  
Washington, DC 20008.

Please send blind copies to the Minnesota Lawyers Committee.

## COLOMBIAN LAWYERS SUFFER RIGHTS ABUSES

The Minnesota Lawyers Committee is concerned about the apparent extrajudicial execution of two attorneys in Colombia and the death threats reportedly received by a third lawyer. Please take the time to send a version of the following letter of appeal to Colombian authorities:

Your Excellency:

I write to express my concern over the apparent extrajudicial killings of two lawyers in Colombia, and death threats to a third lawyer. According to information that I have received, lawyers Jose Francisco Ramirez Torres and Carlos Celin Tinoco were shot dead at different times on June 29, 1987 in the town of Valledupar. Both men were killed by men dressed in civilian clothes and riding motorbikes.

I am concerned about the safety of a third lawyer, David Guillermo Rivera, who has been receiving persistent death threats from anonymous callers. Callers have referred to legal activities on behalf of local Indian communities and political prisoners.

I respectfully urge you to adopt measures to ensure attorney David Guillermo Rivera's safety while he carries out his professional legal activities. Furthermore, I wish to urge that those responsible for the murders of attorneys Ramirez and Celin be brought to justice.

Respectfully,

Appeals to:

Senor Presidente Virgilio Barco  
Presidente de la Republica  
Palacio de Narino  
Bogota D.E., Colombia

Dr. Cesar Gaviria Trujillo  
Ministro de Gobierno  
Ministerio de Gobierno  
Calle 13 No. 8-38 Of. 315  
Bogota D.E., Colombia

Copy to:

Dr. Carlos Mauro Hoyos  
Procurador General de la Nacion  
Carrera 8 16-88  
Bogota, Colombia

Blind copies to the Minnesota Lawyers Committee

## PROJECT UPDATES

Rosenbaum Represents Committee at Symposium on South Africa: St. Paul attorney Ron Rosenbaum represented the Minnesota Lawyers Committee at a symposium on South African child-detainees sponsored by the Lawyers Committee for Civil Rights Under Law in Washington, D.C. on June 25 and June 26. Many prominent panelists, including senators and congressmen, the Reverend William Sloane Coffin, Ramsey Clark and Eleanor Smeal were present as South African child-detainees recounted their stories. Dean T. Simon Farisani, a four-time detainee and torture victim who currently is undergoing treatment at the Center for Victims of Torture in Minneapolis, also provided eloquent testimony concerning the treatment of detainees in South Africa. Rosenbaum said that the best estimates are that of the 25,000 South Africa detainees under the state of emergency, 10,000 are children under the age of 18. 1,000 of the 5,000 now detained are children.

Committee reacts to Uruguayan Amnesty Law: On July 29, Executive Director Barbara Frey signed a letter to Uruguayan President Julio Sanguinetti expressing concern with the broad amnesty granted to the Uruguayan military regarding alleged human rights violations under the prior military regime. The law, passed in December, 1986 in the face of military threats to ignore subpoenas to testify in human rights cases, grants amnesty even before any investigation can be made into alleged human rights violations. In its letter, the Committee encouraged the present government to protect those persons working to obtain signatures for a national plebiscite regarding the amnesty law, stating "this mechanism is one of the rights of the citizen within a democracy and it therefore must be promoted and protected effectively." Volunteer attorney Amparo Pla was instrumental in drafting the Committee's letter to President Sanguinetti in its original Spanish form.

## COUNCIL OF EUROPE SPONSORS CONFERENCE

An international conference entitled "Democracy and Human Rights" organized by the Government of Greece and the Council of Europe will be held from September 24-26, 1987 in Thessaloniki, Greece. The conference will deal with the relationship between democracy and the role of human rights in the foreign policy of nations, among other things. Members interested in attending on behalf of the Committee should contact Paul Fraser, 341-3302.

## FROM THE DIRECTOR'S DESK

Those of you who were at this year's awards dinner will recall Jan Smaby's eloquent plea for funding for an international conference on death investigation standards being co-sponsored by the Minnesota Lawyers Committee and Spring Hill Center. Recently, the Committee was the happy recipient of a grant from the Danish Foreign Ministry which will make this important event possible. (See article, page 1.)

The process of looking for funding for the "autopsy conference" has been an educational one for us all. Going into the process we were as enthusiastic as a bunch of entrepreneurs with a good idea. After all, the Minnesota Protocol, a report regarding procedures for adequate death investigations, was already a proven success: forensic scientists were talking about it; it prompted resolutions within the U.N.; and it was eagerly snapped up by investigators searching for the disappeared in the Philippines. And, best of all, it was written in Minnesota!

Needless to say, local funders were not so enthusiastic. In our funding proposal, we went out of our way to cut through skepticism about the results of such a project. But, skepticism did not turn out to be our main problem. Lack of understanding did. Lack of understanding of the problem, the solution and their relation to Minnesota. I would characterize the basic response from local foundations and corporations as "why should we spend money on a problem that does not have its cause or effect in Minnesota?"

Here is my answer. First, we in the developed world have an obligation to use our skills to benefit those in need around the world. Political killings affect us all for the worse and procedures that have been developed here could play a significant role in their deterrence.

Second, there is a group of people who care enough about the problem to have volunteered hundreds of hours of their professional time to developing the Minnesota Protocol. Such efforts should be supported and encouraged.

Third, this conference will help establish Minnesota as an international center of human rights research and activity. Human rights activities not only bring in thousands of dollars into our community, (such as the \$10,000 from the Danes), but they attract visitors and interest as well.

*Barbara A. Frey*

MEMBERSHIP NEWS is a publication of the Minnesota Lawyers International Human Rights Committee, a non-profit organization committed to promoting human rights and investigating human rights violations in the United States and abroad.

The Minnesota Lawyers Committee advocates against individual human rights abuses, researches and investigates human rights conditions in other countries, encourages the adoption of international human rights standards by all countries, and educates the membership, the Bar, political leaders and the public about human rights issues.

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## JOB OPPORTUNITY

Amnesty International is seeking a Campaign Coordinator in its London office to help design and ensure the implementation of international campaigns on human rights abuses in specific countries throughout the world. The Campaign Coordinator is also required to advise the International Secretariat about techniques for action.

Applicants must have experience of campaigning at a national or international level, must have a good knowledge of international affairs and fluent English. A working knowledge of French, Spanish or Arabic is an asset. Starting salary 12,075 British pounds rising to 14,929 British pounds. Send resume and qualifications to: Personnel Office, Amnesty International, International Secretariat, 1 Easton Street, LONDON WC1X 8DJ by August 14.

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