

£AZERBAYDZHAN

@Hostages in the Karabakh conflict: civilians continue to pay the price

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1 INTRODUCTION

Amnesty International is deeply disturbed by the human rights abuses which have taken place as a result of the conflict over Karabakh, an area within Azerbaydzhan populated mainly by ethnic Armenians. Since 1988 intercommunal violence has escalated into large-scale armed conflict which reportedly has claimed thousands of lives, many of whom were non-combatant civilians.

Amnesty International takes no position on the legitimacy of territorial claims, or the political objectives of the parties to the conflict over Karabakh. The organization works to oppose human rights violations falling within its mandate, and all parties to this conflict have been accused of human rights abuses. Information on the full range of abuses occurring as a result of the conflict is incomplete and frequently difficult to verify. However Amnesty International is particularly concerned about reports of the extrajudicial executions and other deliberate and arbitrary killings of civilians or combatants no longer taking part in hostilities; the ill-treatment or torture (including rape) of both non-combatants and combatants; and the taking of hostages.

This paper focuses on the practice of hostage-taking, which is expressly forbidden by the 1949 Geneva Conventions. Amnesty International repeats its appeals to all parties to the conflict over Karabakh to ensure that no one is detained as a hostage, or otherwise held solely on the grounds of their ethnic origin. It continues to urge all sides to uphold international humanitarian standards and to protect human rights. It strongly believes that all violations of human rights are to be deplored and that in no circumstances can abuses perpetrated by one party be used as justification for abuses carried out by another.

Background

The Azerbaydzhani Republic (formerly known as the Azerbaydzhani Soviet Socialist Republic) is in Transcaucasia, bordering Iran (the enclave of Nakhichevan also has a short border with Turkey). It joined the short-lived Transcaucasian Federation after the Bolshevik seizure of power in 1917, and when the federation disintegrated an independent Azerbaydzhani Republic was established in 1918. However the Red Army entered the country in 1920, and the subsequently created Azerbaydzhani Soviet Socialist Republic became part of the Soviet Union.

In September 1989 the republic's parliament declared Azerbaydzhani's sovereignty and the primacy of the republican law over USSR laws. Following the attempted coup in Moscow in August 1991 Azerbaydzhani declared independence from the USSR, on 30 August, and was recognized internationally following the demise of the Soviet Union at the end of December 1991. Azerbaydzhani was admitted to the Conference on Security and Co-operation in Europe (CSCE) in January 1992, and to the United Nations on 2 March.

The conflict over Karabakh has contributed to the recent instability of the Azerbaydzhani government. On 6 March 1992 President Ayaz Mutalibov resigned after his policies over Karabakh were criticized. Yakub Mamedov was appointed acting president pending elections on 7 June 1992, but was ousted on 14 May 1992 when President Mutalibov was reinstated. However large-scale demonstrations by the opposition Popular Front (PF) caused him to flee the following day, and Isa Kambarov was installed as acting president until the June elections which were won by PF candidate Abulfaz Elchibey with 59.4% of the votes cast.

Although ex-President Ayaz Mutalibov signed agreements on Azerbaydzhani's entry into the Commonwealth of Independent States (CIS), formed after the breakup of the former Soviet Union, the current parliament has refused to ratify the agreement and does not regard Azerbaydzhani as a member of the CIS.

The conflict over Karabakh

The administrative unit known as the Nagorno- [Russian for mountainous] Karabakh Autonomous Region was formed in Azerbaydzhani in 1923. It is separated from Armenia to the west by a six-mile land strip, and inhabited mainly by ethnic Armenians.

Intercommunal violence, including hostage-taking, broke out between the ethnic Armenian and Azerbaydzhani populations of the region following demonstrations at the beginning of 1988 calling for the area to be incorporated into Armenia. Such calls by ethnic Armenians in Stepanakert, the capital of Karabakh, were echoed at mass demonstrations in the Armenian capital of Yerevan, but the demands were rejected by both the Azerbaydzhani and USSR parliaments later that year.

Direct rule from Moscow, imposed from January to November 1989, failed to stop the conflict escalating, as intercommunal violence continued along with clashes between residents and Soviet forces drafted in. Following the failed coup in the USSR, in September 1991 the Nagorno-Karabakh Regional Council and the council of Shaumyan district, located to the north of the region and also part of Azerbaydzhani, declared the formation of the Nagorno-Karabakh Republic (NKR). In November that year the Azerbaydzhani government annulled the region's autonomous status. On 6 January 1992, following a referendum, the self-proclaimed NKR declared independence from Azerbaydzhani, but has not been recognized internationally.

USSR troops were withdrawn after the breakup of the Soviet Union in December 1991, leaving ethnic Armenian paramilitary units under the control of the NKR parliament in direct conflict with the Azerbaydzhani army. Fighting continues in spite of a ceasefire agreed by Defence Ministers of the Armenian and Azerbaydzhani republics in September 1992. The ethnic Armenian authorities have de facto control over the areas of Karabakh they hold, including the capital, Stepanakert. The precise boundaries between these areas and those controlled by Azerbaydzhani forces vary with the course of the hostilities.

States of emergency have been introduced periodically in the area. Most recently, on 2 April 1993, President Elchibey declared a state of emergency for two months over the Azerbaydzhani Republic.

Refugees from both sides, from the Karabakh area itself and those who fled from one republic to the other, are said to number hundreds of thousands. Casualty reports vary. One of the most recent, by the Azerbaydzhani Interior Minister in November 1992, put the death toll at 3,000 ethnic Armenians and 4,700 Azerbaydzhanis since the trouble began. In February 1993 the representative of the Republic of Armenia in Moscow reported that around 2,000 ethnic Armenian civilians had been killed in Karabakh between 1989 and 1992, and that some 1,000 members of the NKR "self-defence units" had died last year.

The Government of the Armenian Republic has not recognized the independence of Karabakh, although a resolution of the Supreme Soviet on 8 July 1992 resolved to consider unacceptable any international document that referred to Karabakh as being within the structure of Azerbaydzhani. That resolution also pledged support for the self-proclaimed Nagorno-Karabakh Republic: the Armenian Government has consistently stated that the concrete aid supplied is humanitarian, and necessary as a result of a blockade of the area, although other sources allege that military hardware and personnel are also transferred into Karabakh.

2 AMNESTY INTERNATIONAL'S CONCERNS

Reports of atrocities have been made against all parties to the conflict. Hundreds of non-combatant civilians are said to have been deliberately and arbitrarily killed. Many people from both sides allege they were tortured in detention, often while held hostage on grounds of ethnic origin, and male and female rape has been reported.

Hostage-taking and international law

This report focuses on the taking of hostages which is prohibited in all types of conflict by humanitarian law standards, including Common Article 3 which appears in all four Geneva Conventions of 1949. This article sets out minimum standards of humane conduct which must

be observed in both international and internal armed conflicts, and defines the people to whom its protection is extended in a clear and comprehensive manner:

"Persons taking no active part in hostilities, including members of armed forces who have laid down their arms and those placed *hors de combat* by sickness, wounds, detention or any other cause..."

Paragraph 1 of Common Article 3 requires that "in all circumstances" such people shall be "treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria". The article then prohibits certain acts "at any time and in any place whatsoever with respect to the above mentioned persons", including:

"...a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;

b) taking of hostages;

c) outrages on personal dignity, in particular humiliating and degrading treatment..."

The International Committee of the Red Cross *Commentary* to Common Article 3 of the Geneva Conventions describes various practices including the taking of hostages as "shocking to the civilized mind". It continues:

"The taking of hostages, like reprisals, to which it is often the prelude, is contrary to the modern idea of justice in that it is based on the principle of collective responsibility for crime. Both strike at persons who are innocent of the crime which it is intended to prevent or punish.

Amnesty International opposes the taking and holding of hostages by both governments and non-governmental entities.

Hostage-taking: individual cases in Karabakh

Hostage-taking has been widely reported during the conflict over Karabakh, by both ethnic Armenians and ethnic Azerbaydzhanis. Unofficial groups in both Armenia and Azerbaydzhani have lists of hundreds of people who are said to be missing or to be held hostage or captive following combat operations. In some cases the alleged hostages have been held directly by forces under the control of the respective administrations. In other cases they have been held by private families, seeking an exchange for one of their members, with the apparent complicity of the authorities.

Many of those held hostage are said to be non-combatant civilians, detained solely on grounds of their ethnic origin. The very limited personal information available on the great majority of hostage cases reported means it is often impossible to determine the circumstances of detention. However, in a number of instances the information which is available supports Amnesty International's fears that non-combatant civilians on both sides have been summarily and arbitrarily detained as hostages solely on grounds of their ethnic origin.

Some of these cases are described below. Amnesty International is seeking further details on their current situation. If it emerges that they remain detained, and solely because of their ethnic origin, the organization will regard them as prisoners of conscience who should be released immediately and unconditionally.

Lev Vaganovich Avakov-Leonov

Lev Avakov-Leonov, an 85-year-old ethnic Armenian, was abducted from his home in Baku, the capital of Azerbaydzhani, by four unknown people who broke in on 21 March 1992. According to unofficial sources he was seen later in Agdam, a town near the disputed region of Nagorno-Karabakh, together with other ethnic Armenians held as hostages pending exchange for ethnic Azeris.

Lev Avakov-Leonov is a retired choreographer and performance director at the Akhundov Ballet and Opera Theatre in Baku. An ethnic Armenian born in Azerbaydzhani, his wife is Russian and they have an adopted daughter who is an ethnic Azeri. He is said to suffer from glaucoma and to have trouble walking.

The position of ethnic Armenians living in Azerbaydzhani, and that of Azeris in Armenia, has been exacerbated by the conflict over Karabakh. The only Armenians currently in Baku are said to be those in mixed marriages or other circumstances where, like Lev Avakov-Leonov, their names are not recognizably Armenian. However, ethnic origin is recorded in the internal passport carried by citizens of the former Soviet Union. About two months prior to his abduction

the local authorities are said to have carried out a passport check during which Lev Avakov-Leonov was identified as an Armenian. He is also said to have been subjected to verbal abuse and threats at that time.

At around 2.30pm on 21 March 1992 three men and a woman broke into Lev Avakov-Leonov's home, smashing windows and climbing in by way of the balcony. He was made to get out of bed, dressed, and taken away. His wife was reportedly beaten as she tried to resist the intruders. The family reported the abduction to the local police, but they are said to have refused to investigate the matter. However, they did suggest that Azerbaydzhani armed forces from the Nakhichevanchik area may have been responsible and that Lev Avakov-Leonov may have been taken to the city of Agdam, just outside the Karabakh area, where many hostages have been held.

On 28 March an anonymous man called the family, informing them that he had seen Lev Avakov-Leonov in detention in Agdam and that his health was poor. The family approached the Azerbaydzhani Ministry of Defence to inform them of Lev Avakov-Leonov's whereabouts and seek help in obtaining his return, but say officials there refused to consider the case.

The family then approached a foreign embassy for help and subsequently, on 29 April 1992, they received a visit from an official of the Azerbaydzhani procuracy. He told them Lev Avakov-Leonov had been exchanged in a hostage deal and was well, but said he could give no further details as these were secret. However, at the time of writing the family have not received any word from Lev Avakov-Leonov himself, and unofficial sources working on the Armenian side of hostage exchanges say he has not been exchanged or otherwise located. The family, faced with increasing threats to their physical safety, left Azerbaydzhani in June 1992.

Namik Abbasov, head of the recently-formed Azerbaydzhani State Commission on Hostages, Prisoners and Missing Persons, was quoted as saying at a Moscow press conference in March this year that 75 ethnic Armenian residents of Baku were being detained in Azerbaydzhani. He had yet to receive a reply from officials on any charge or charges pending against them.

Vilik Ilich Oganezov and Artavaz Aramovich Mirzoyan

Vilik Oganezov and Artavaz Mirzoyan, ethnic Armenian citizens of the Republic of Georgia, were arrested on 28 April 1992 by airport police at Baku, the capital of the Azerbaydzhani Republic, when they arrived there in transit to the Georgian capital of Tbilisi via Samara and Volgograd in the Russian Republic. According to unofficial sources they were held in a temporary detention cell of the airport police on suspicion of espionage, but no supporting evidence was found and they were not charged. On 1 May they were transferred to investigation-isolation prison No. 3 in Baku under the jurisdiction of the Ministry of Internal

Affairs. It is alleged that their lawyer was told by Azerbaydzhani officials that the two men were being held solely on grounds of their ethnic origin as hostages, in the hope that they could be exchanged for Azerbaydzhanis held by ethnic Armenians in the Karabakh region. Their situation is said to be particularly complicated by the fact that they have no ethnic Armenian relatives in Karabakh with whom any exchange arrangements could be made. It was reported at the end of 1992 that charges had still not been brought against them.

Vilik Oganezov was born in 1947 and is by profession a plasterer. Artavaz Mirzoyan was born in 1948 and taught in a secondary school. Both men are from Tbilisi, Georgia and each has two children.

The Human Rights Commission of the Georgian parliament has details on at least 17 other of its citizens of Armenian origin said to have been detained as hostages by Azerbaydzhani law enforcement officials while they were in transit through Azerbaydzhani. At the same Moscow press conference mentioned above, Namik Abbasov, Chairman of the Azerbaydzhani State Commission on Hostages, Prisoners and Missing Persons, is said to have confirmed that such people have been detained as hostages.

Saltanat Zulal gyzy Mamedova, Lyatifa Ibad gyzy Mamemdova, Sabukhi Dzhakhangir ogly Aliyev, Salim Dzhakhangir ogly Aliyev, Shovket Ibad gyzy Dzhafarova, and Samir Tadzhir ogly Dzhafarov

The six ethnic Azerbaydzhanis named above, three women and three children from the same family, were reportedly detained by ethnic Armenian forces in February 1992 while fleeing fighting.

Saltanat Zulal gyzy Mamedova (born 1931), her daughter Lyatifa Ibad gyzy Mamedova (born 1958) and the latter's two sons Sabukhi Dzhakhangir ogly Aliyev (born 1981) and Salim Dzhakhangir ogly Aliyev (born 1987) were reportedly detained on 25 or 26 February 1992 together with another daughter Shovket Ibad gyzy Dzhafarova (born 1958) and her son Samir Tadzhir ogly Dzhafarov (born 1988). The family were fleeing from Khodzhal, a town in the Karabakh area populated mainly by ethnic Azerbaydzhanis which fell to ethnic Armenian forces at that time. Almost 300 people are said to have died as a result of the fighting there, according to the Azerbaydzhani parliamentary commission set up to investigate the events. Many of the dead are alleged to have been unarmed civilians deliberately and arbitrarily killed by Armenian forces while attempting to flee. Reporting the commission's preliminary findings on 25 February 1993, the Procurator General of Azerbaydzhani said that 30 people were still being held hostage.

The six family members are last reported to have been seen in May 1992 in the village of Venk (known to Armenians as Vankulu) in the Agdarinsky (known to Armenians as

Mardakertsky) district in the Karabakh area. Many ethnic Azerbaydzhanis were said to have been held there, not only from Khodzhalı but also from Lachin and Shusha, two other towns currently under the control of ethnic Armenian forces. The current situation of these six people is not known.

During a visit in April 1992 to Stepanakert, the capital of the Nagorno-Karabakh Autonomous Region, representatives of the human rights organization Helsinki Watch reported that the Minister of the Interior openly acknowledged that twelve ethnic Armenian families in the region were holding Azerbaydzhani hostages.

Alisher Gyulaly oğly Binaliyev, Dzhabar Gyulaly oğly Binaliyev, Akhmed Mamed oğly Ilyasov, Aly Rais oğly Badishev, Osman Khamdi oğly Khamdiyev and Gadim Pazli oğly Pazliyev

The six men named above, all members of the Meskhetian Turkish minority and said to be non-combatant civilians, were also detained on 25 or 26 February 1992 while fleeing from Khodzhalı. No personal details are available on these men, although from their names Alisher and Dzhabar Binaliyev would appear to be related. They remained reported missing as of October 1992, and Amnesty International has been unable to obtain further information on their current situation.

The Meskhetian Turks formerly lived in Meskhetia, an area in the south of the Republic of Georgia which borders Turkey. In November 1944 the entire population was rounded up and deported to the Central Asian republics of the former Soviet Union, where they were forced to live in special settlements. In 1956 the regulations obliging them to remain only within these settlements were lifted, but the ban on returning to their homeland was not. In June 1989 Meskhetian Turks living in the Fergana valley, Uzbekistan, became targets of ethnic violence and this population was evacuated to other parts of the former USSR. Some are said to have been moved into the Azerbaydzhani-populated areas of Karabakh.

If the reports of their detention on ethnic grounds are correct these six Meskhetian Turks were presumably taken hostage owing to their supposed support for or affinity with the ethnic Azerbaydzhanis, who are a Turkic people.

Amnesty International is continuing to urge all parties to the conflict in Karabakh to ensure that no one is detained as a hostage, or otherwise held solely on the grounds of their ethnic origin. The organization has also appealed to all sides to protect non-combatants from all acts of reprisal and violence and to treat prisoners in their custody humanely. It has called for all alleged abuses to be investigated fully and impartially, with the results made public and the perpetrators brought to justice.

Hostage-taking: allegations of ill treatment in custody

Hostages in the Karabakh conflict are in an invidious position: not only are they held with virtually no possibility of contact with friends or relatives, but their physical safety is frequently conditional on the acts of others and can be gravely undermined by the illegal nature of their detention. Ample opportunity exists for those holding them to act with impunity, and there are numerous reports of hostages from both sides being ill-treated while in detention.

For example a number of Azeri civilians trying to escape from Khodzhalı claim they were ill-treated by Armenian forces while being held hostage in late February/early March 1992. Durdana Agayeva said she and other women had been beaten when held in a cell containing some 30 women in a police station in the Armenian-populated town of Askeran. Gulaya Orudzheva reported that while she was held she saw two young Azeri men shot in cold blood, other prisoners beaten, and one woman raped.

Ethnic Armenian Eleanor Grigoryan was said to be bleeding from wounds on her leg, arm and breast when she spoke in March 1992 after having been recently released. She said she had been held for one month with her four-year-old son Dmitry, and to have been passed round various Azerbaydzhani military units during which time she was repeatedly raped and otherwise sexually assaulted. Her son was also said to have been subjected to abuse, including cigarette burns on his hand.

Amnesty International's other concerns in the Karabakh conflict

Deliberate and arbitrary killings

In addition to hostage-taking and reports of ill-treatment in detention, Amnesty International has persistently deplored instances in which civilian non-combatants are said to have been deliberately and arbitrarily killed. In the Khodzhalı incident described above, for example, hundreds of Azeri civilians are said to have died in this way. Not long after this, ethnic Armenian villagers from Maraga in the north-east of Karabakh reported that after Azerbaydzhani troops entered on 10 April 1992 at least 45 non-combatant inhabitants were killed deliberately by these forces. In both cases bodies are said to have shown signs of mutilation, and survivors were taken away as hostages. Reports such as these often only come to outside attention through the presence of foreign observers, and many more go unverified owing to inaccessibility and the combat situation. If true they would indicate a frightening pattern of ferocity against a helpless civilian population.

The judicial death penalty

Amnesty International condemns all deliberate and arbitrary killings, by both government and opposition forces, and in addition opposes as a matter of principle the judicial death penalty, believing this also to be a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment or punishment.

Speaking in October last year the Deputy Chairman of the Azerbaydzhani Supreme Court said that the Karabakh conflict is the main factor responsible for a sharp rise in the number of death sentences passed recently in the republic: the figure increased from 3 in 1990 to 18 in 1991, and 18 more in the first six months of 1992. All but one of these sentences were for premeditated, aggravated murder. For example five ethnic Armenians - Grachik Petrosyan, Gagik Arutyunyan, Arno Mkrtychyan, Arvid Mangasaryan and Garnik Arustamyan - were sentenced to death without right of appeal by the Supreme Court in the capital, Baku, on 19 March 1992 after being convicted of the murder of an Azeri journalist and three military personnel in the Karabakh area. They are still awaiting the outcome of petitions for clemency: other co-defendants who received terms of imprisonment are said to have been freed in hostage exchanges. Other sentences passed since then include that on Private Yemin Ramiz ogly Salimov of the Azerbaydzhani army, who was sentenced to death by a military tribunal in the city of Fizuli earlier this year, for battlefield desertion. It is not known if he has lodged an appeal, or a petition for clemency.

3 AMNESTY INTERNATIONAL'S RECOMMENDATIONS TO ALL PARTIES TO THE CONFLICT

Governments adopt and are bound by international human rights and humanitarian law standards and governments bear a responsibility to ensure that these are respected at all times. Violence by opposition groups can never justify the abandonment of these fundamental principles. Abuses by such groups should never be used as a means to divert attention from, still less to justify, human rights violations by governments. Amnesty International equally deplores such abuses by opposition groups to which humanitarian law standards also apply. All parties to the conflict are bound by minimum standards set out in humanitarian law, particularly Common Article 3 of the Geneva Conventions quoted above.

Amnesty International calls on all authorities associated with the conflict to implement immediately the following recommendations (it addresses those in the NKR solely as having de facto responsibility for the actions of armed forces under their control, and not as a recognition of the area's status):

1. Respect for human rights law

All parties should ensure that international humanitarian and human rights principles are observed in the region. Such standards are laid out in, for example, the

International Covenant on Civil and Political Rights (ICCPR), by which Azerbaydzhan and Armenia are bound by virtue of their status as successor states of the former USSR. They are also present in the human rights commitments of the documents of the Conference on Security and Co-operation in Europe (CSCE). Both Azerbaydzhan and Armenia are members of the CSCE, and in joining expressly agreed to be bound by all detailed CSCE commitments. In addition Common Article 3 of the Geneva Conventions of 1949, which provides that in situations of armed conflict people taking no active part in the hostilities should always be protected from abuses including murder, torture and hostage-taking, are applicable to all governments and opposition groups.

2. State of emergency regulations

Any derogation from obligations relating to human rights and fundamental freedoms during a state of public emergency must remain strictly within the limits provided for by international law, including Article 4 of the ICCPR and CSCE commitments. Most importantly, the right to life and the right not to be tortured can never be suspended, not even during a state of emergency.

3. Leaders to exercise effective control to prevent abuses

i) Leaders of all parties must strengthen the chain of command and exercise effective control to prevent human rights abuses occurring. They must issue strict orders instructing their forces to abide by international human rights and humanitarian law standards, in particular those relating to hostage-taking and the humane treatment of civilians and others taking no part in hostilities. They must ensure also that the law enforcement agencies exert the necessary control to ensure that such violations committed by the civilian population under their control are not tolerated.

ii) Any individual in the armed forces suspected of committing or ordering abuses such as hostage-taking, deliberate and arbitrary killing, torture or ill-treatment, should be removed from any position of authority and all duties in which he or she comes into contact with detainees or others at risk of human rights abuses. Such perpetrators, as well as officials in civilian authorities, should be held to account for their actions.

4. Arbitrary detention

i) All civilians detained solely because of their ethnic origin or held as hostages for the purpose of negotiating prisoner exchanges, must be unconditionally released with adequate protection for their safety following their release.

ii) Leaders must condemn unequivocally the practice of hostage-taking by private individuals; take all necessary measures without delay to identify any people so held and ensure their immediate, safe release; and bring to account those responsible.

iii) All parties must identify all facilities under their control being used for detention, or those of any paramilitary forces owing allegiance to them. All such locations should be declared immediately and be open for regular inspection by international bodies including the International Committee of the Red Cross.

iv) While people remain in detention they should be given immediate and regular access to family, doctors and lawyers without fear of reprisals against the detainees or visitors.

5. Torture and ill-treatment of detainees

No one should be tortured or subjected to cruel, inhuman or degrading treatment or punishment. All detainees must be treated at least in accordance with minimum humane standards. These standards include basic provision of adequate water, food, clothing, shelter, hygiene and medical care. All parties must:

i) condemn publically torture, and issue clear instructions to law enforcement officials that torture or cruel, inhuman or degrading treatment or punishment are crimes punishable by law;

ii) urgently order an independent inquiry into all allegations of torture and other forms of ill-treatment, make the findings public, bring those found responsible to justice, and provide adequate compensation to victims.

6. The judicial death penalty

In line with international human rights standards:

i) Every prisoner accused of an offence punishable by death should be afforded all facilities, including free access to a lawyer of his or her own choice, for a fair trial before an independent, competent and impartial tribunal, and the rights of the accused should be protected at all stages of the judicial process.

ii) Everyone sentenced to death should have the right to seek pardon or commutation of sentence, and the right to appeal to a court of higher jurisdiction.

7. Bringing those responsible to justice

i) Full and impartial investigations into allegations of human rights abuses and breaches of humanitarian law should be initiated, in order to determine individual and collective responsibility and to provide a full account of the truth to the victims, their relatives and society.

ii) All parties to the conflict must ensure that those who ordered, carried out or acquiesced in human rights abuses or grave breaches of international humanitarian law are brought to justice.

iii) Given the highly charged atmosphere it is particularly important to ensure that all defendants are given a fair trial in conformity with accepted international standards. Furthermore Amnesty International would oppose the imposition of the death penalty on any person convicted.