



# AMNESTY

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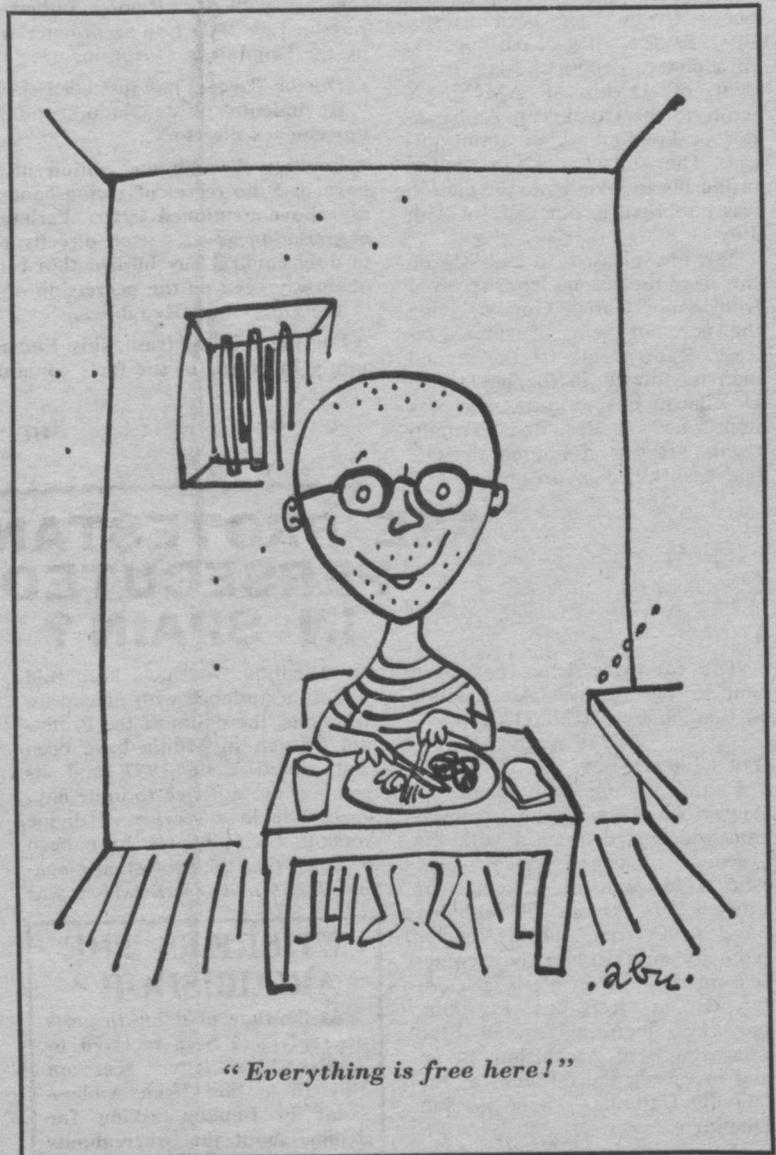
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## Amnesty Notes

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# Prisoners Freed in Dominica

**SEÑOR DON MANUEL TAVAREZ**, the noted Dominican lawyer has been released from prison. He was set free on July 26 under the terms of an amnesty decreed by the Dominican Government.

After receiving information that Señor Tavarez had been arrested in 1959 for alleged participation in a plot to depose the late President of Dominica, AMNESTY wrote to the Dominican Ambassador in London asking about this case. The Ambassador's first letter, promising to investigate the matter, was published in our issue of 25th July.

We are pleased to publish on this page the second letter received from Señor García Godoy, giving the news of Señor Tavarez's release. Ramón Imbert—the second man mentioned in the letter is a Dominican businessman, who was imprisoned under the Trujillo regime. It was rumoured that he had been killed in prison.

## Ambassador informs "Amnesty"

Embassy of the Dominican Republic, London  
August 4, 1961

Dear Mr. Benenson,

In addition to the contents of my letter dated July 18, 1961, and promising to supply you with further pertinent details in an immediate future, I have the pleasure of informing you that Dr. Manuel Tavarez, together with Mr. Ramón Imbert and several other persons, was set free on July 26 last, in accordance with the amnesty promulgated recently by the Dominican Government.

Doctor Tavarez has just been elected President of the opposition party "Movimiento 14 de Junio," and Mr. Imbert is also included in the movement's directory.

Looking through the edition of AMNESTY dated July 25, 1961, I have had the regret of seeing confirmed the apprehensions expressed in my above-mentioned letter. Perhaps it would be convenient that your organisation address itself directly to the gentlemen concerned, in order to duly confirm any information furnished to you by sources which are obviously keen on the perversion of facts relevant to the actual situation in the Dominican Republic.

For the sake of truth, this Embassy trusts that your readers will be amply informed of the facts contained in this letter.

Yours sincerely,

**HECTOR GARCIA GODOY,**  
Ambassador.

## ARE PROTESTANTS PERSECUTED IN SPAIN ?

The following letter has been sent to the Spanish Ambassador in London by AMNESTY:—

2nd August, 1961

YOUR EXCELLENCY,

I am writing on behalf of Appeal for Amnesty, an organisation which is concerned with the freedom of conscience of those who hold political, religious or other beliefs. As you will probably have seen from our newspaper publicity we have already been active in holding in Paris a Conference on Religious Freedom, pursuing inquiries about the whereabouts of Archbishop Beran and in raising the question of the fate of Catholic priests in San Domingo.

My purpose in writing to you at the moment is to ask about a situation which has been drawn to

our attention. We have been told that, in accordance with official instructions, the doors of the Protestant Church in Millila have been kept closed since 1957 and its members are not free to unite anywhere else in a service of divine worship. Secondly, we have been informed that the Protestant magazine *Light and Truth* which was

printed between 1956 and 1959 has since that date been banned and that, in consequence, the Protestants in your country are now without a magazine.

As these are matters which we propose to discuss in the future issue of our magazine AMNESTY (of which I enclose a copy) we should be very grateful for any comments you may wish to make in the meantime—either privately or for publication.

Yours sincerely,

Peter Benenson,  
Joint Director.

The Ambassador has sent a reply stating that he has written to Spain to make inquiries, and will write again as soon as he receives some information.

### WHERE IS THE ARCHBISHOP ?

At the time of going to press no reply had been received to AMNESTY's letter sent on July 10 to the Czech Ambassador in London asking for details about the whereabouts of Monsignor Beran, the Archbishop of Prague.

Do states have any general obligation of hospitality?  
\*SEE PAGE 7

## PERSECUTION OF THE UNIATES

by ION RATIU

author of "Policy for The West"

**I**ULIU HOSU, the senior Catholic Bishop of Rumania, according to latest reliable reports, is crippled with artero-sclerosis, and lives under forced domicile conditions at the Curtea de Arges Monastery in a remote part of the country. He is in bad need of medical care, his health having been seriously undermined by the many years spent in various government prisons from 1948 onwards. He was never tried, nor was there ever any charge formally brought against him.

At 76, Bishop Hosu is an old and sick man and the chances of his ever regaining complete freedom, this side of the grave, seem slender. But his case is not exceptional. He is merely the most prominent surviving member of a small and comparatively unknown religious community now declared extinct by the "fiat" of the Communist Government of Rumania.

Most of the 19 million Rumanians are Greek Orthodox. There are hardly any Protestants, and there is only a tiny community of Catholics of the Latin rite, almost all of whom live in Southern Moldavia. Apart from some 200,000 Rumanians of Jewish faith there is only one other important religious denomination: the Greek Catholics or Uniates.

According to official statistics there were, in 1946, about one and a half million Uniates. They owed allegiance to Rome and, doctrinally, were indistinguishable from Roman Catholics, but they fol-

lowed the Byzantine rite in the external observance of their faith.

The origin of this small community goes back to the end of the 17th century when Transylvania came under the Hapsburg rule. With this change Catholicism became once again equal in status with Calvinism and Lutheranism, both of which had been greatly fostered in the immediately preceding period by the Protestant princes of Transylvania. In his proselytising efforts, Emperor Leopold of Hapsburg made an appeal to the Rumanian people to join the Catholic Church and thus achieve equality with the other nationalities of Transylvania.

This appeal was heeded and the *Union* with Rome — hence "Uniates"—of 1698 had many beneficial consequences to the Rumanian nation, the most important of which, in all probability, is the strong Western orientation of Rumanian political aspirations and culture.

Once Rumania came under Communist domination, in 1945, the new regime did everything possible to reorientate the country towards Moscow. Inevitably the Uniate church, with her close Western ties, came under the axe. In no time very little freedom was left for the Uniates under the new dispensation.

From 1946 to 1948 a sustained campaign, punctuated with mass arrests of priests and parishioners, persecution, torture and even death, gathered momentum. In 1946 there were 1,725 churches,

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## This is what AMNESTY is all about

**T**HE organisation known as **APPEAL FOR AMNESTY 1961**, was launched by a group of lawyers, writers and publishers in London, all of different backgrounds, political attitudes and religious views.

It aims for the release of all people, in whatever country, who are held prisoner for their opinions and their conscience, who are physically restrained from expressing genuine non-violent views.

It aims to build up in all countries a publicity campaign which will set a tide of opinion running in favour of all Governments—of whatever shade of opinion, in whatever part of the world—guaranteeing the freedom of men to express their opinions and practice their faiths, however opposed to their nation's Establishment.

Membership of the founding group is reserved to those who are determined to ensure that the conduct of **APPEAL FOR AMNESTY 1961** remains wholly impartial — between countries, parties, politics, ideologies, religions. Its aim is not to speak for non-Communist prisoners in Communist lands, nor for Communist prisoners in other totalitarian lands, but to agitate for the rights of both—and, indeed, those who are neither.

The Joint Directors are: Eric Baker, former Joint Secretary of the Quaker Centre in Delhi and Secretary of the National Peace Council in London; and Peter Benenson, who in 1956 took the initiative which led to the formation of "Justice," the all-party body of lawyers to uphold the Rule of Law.

There is a tremendous lot more to be said about **APPEAL FOR AMNESTY 1961** that cannot be said in this column.

If you want to know more, as we hope you do, write to Mitre Court Buildings or 'phone London Central 7867/9429.

## Comment

# THE VALUE OF PROTEST

THIS issue of "AMNESTY" carries two letters from Ambassadors. That from the Dominican Ambassador brings the excellent news that Dr. Manuel Tavarez has been released from prison under an Amnesty. Whenever a distinguished political or religious figure is arrested, it is current fashion for his sympathisers abroad to write letters of protest to the Embassies of his country. There have been so many letters of protest about so many people in the last few years that the currency has become rather debased. Embassies often no longer bother to take these protests seriously.

The objective of AMNESTY 61, through the use of this newspaper, is to restore the value of a Diplomatic Letter. We are doing this four ways. First, by deliberately refraining from publishing feature material about a prisoner until we have given the Embassy concerned time to check the allegations. Second, by giving the Embassy space in the paper to publish its Government's side of the story. Third, by publishing the Embassy's reply, or noting clearly its failure to reply. And fourthly, by phrasing our letters to Embassies, not as protests, but as inquiries for information.

The last point is perhaps the most important—and may give some clue to the timing of Manuel Tavarez's release. No Government worth its salt is going to have its internal policy dictated by citizens of another country. And it is no longer compatible with the dignity of small countries, or with the growth of international institutions, for individuals or groups in a large country to intervene in the affairs of a small country. Indeed, continuation of this 19th-century European tradition is in part responsible for the

strong feeling of "racial" solidarity among African and Asian states.

What time-honoured tradition, written constitutions and good sense combine to sanction a foreigner to do are two things. First, he is always, and properly, entitled to seek information from the Embassy about the whereabouts and welfare of a prisoner. Secondly, if a prisoner has been sentenced by a court, or is being held administratively without trial, a foreigner is entitled to write or cable, directly or through the Embassy, asking the Executive to show clemency.

What the growth of international institutions since the last war permit a foreigner to do, is to deliver his *protest* to the appropriate *international* body. A growing number of international bodies concerned with the human rights, representing members of a religious faith, like Protestants, Catholics, Jews and Moslems, or professions like lawyers, writers, etc., have "Consultative Status" at U.N.O. (and on various other world organisations such as the I.L.O. and UNESCO). Protests and representations by these international bodies are proper and often efficacious, AMNESTY, which has now become an international body, will shortly appoint Diplomatic Counsellors to take up individual cases at U.N.O., New York, Geneva and Strasbourg.

Every judicial machine becomes clogged. The purpose of a Diplomatic letter to an Embassy *inquiring* about the fate of a prisoner is to encourage the Government concerned to speed-up the judicial processes. In this it is similar to the British institution of a Parliamentary Question. And we hope, judging by the tone of the two Ambassadorial letters published in this issue, that AMNESTY's letters of inquiry will eventually have the same sort of status.

## What will happen to Mr. Wang?

ONE of the principal purposes of "Appeal for Amnesty" is to establish the right of asylum for those who fear that by remaining in or returning to their own country they would lose either their liberty or their life. Consequently the plight of Mr. Wang Shou-Kang, a refugee from General Chiang Kai-Shek's government in Formosa, aroused the immediate sympathy of AMNESTY, whose members, together with members of "Jus-

### AMNESTY Correspondent

stice," have at once appealed on his behalf to the Home Secretary. At the time of writing there is every hope that he will be allowed to stay in Britain.

Born in 1929, he and his family lived through the turbulent years of the thirties and the earlier 1940s on the Chinese mainland, driven from town to town, until in August 1948 he joined the Naval College of Technology in Shanghai, and with the college was evacuated to Formosa only a few months later. Nor has he since been able to

communicate with his family, the Kuomintang authorities having forbidden him to do so. In 1958 he was sent with other Formosan naval officers to the Naval Post-graduate College in California where, in June of this year, he received his M.Sc. degree.

But Wang Shou-Kang had learnt more than engineering science during his three years in the United States. He managed to drive across the States to see for himself what a free society looked like. His conclusion was that it was not the high standard of living which

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## THE RIGHT TO ASYLUM

by LOUIS BLOM-COOPER, legal correspondent of "The Guardian"

SO the barricades have gone up across the line which divides the eastern and western zones of Berlin. Thousands of potential political refugees have now been deprived of recording their votes with their feet, except at the risk of their lives. Whatever may be the rights and wrongs of the Ulbricht regime's action in sealing off the East Germans from their countrymen in the West the right of asylum has become a more pressing topic these turbulent days around the divided city of Berlin, both for those who have pierced the Iron Curtain and for those who may hope to do so in the future.

States have always reserved to themselves the right to grant asylum to anyone they choose without incurring any international liability. Thus, the Canadian government has just accorded asylum to a Russian scientist who sought refuge in Canada. But States generally have never exercised this power until the individual refugee has set foot on the shores of the

State from whom he sought asylum. Yet in two instances in recent years States have actively encouraged and even assisted in the wholesale departure of people from various lands to the haven of another state. The liquidation of the Diaspora has been a prime aim of the Israelis who have persisted in an open-door policy for all Jews and particularly those who might still suffer persecution in their adopted lands.

The other instance is the Federal Republic of Germany which has actively sought to provide room for all East Germans who could find their way out of the Eastern regions of Germany. Since the end of the war two and a half million people have left East Germany.

These are examples of mass application of asylum in pursuance of a political philosophy rather than an application of an institution of a humanitarian character. Nevertheless it is beginning to demand new rules of international law concerning the right to asylum.

The right to asylum is certainly not a right possessed by the alien to demand that the State should

grant protection and asylum. The Constitutions of a number of countries expressly grant the right of asylum to persons persecuted for political reason; article 16 of the Constitution of the German Federal Republic is one such example. But international lawyers are generally agreed that such practice has not yet crystallised into a general principle of law.

Even the Universal Declaration of Human Rights, which in any case is not a legally binding instrument, does not confer any such right. Article 14 of the Declaration lays down that "everyone has the right to seek and enjoy in other countries asylum from prosecution." It does not, therefore, confer a right to receive asylum.

So long as the rules of international law are ineffective to protect human right from political or religious persecution it will not be possible to urge that the right to receive asylum is part of international law. One might hope that States individually would set out the right of asylum, subject to necessary qualifications with regard to the need to investigate the

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# AMNESTY NOTES

## Progress in Germany

The German Section of AMNESTY has already made good progress. It has registered its articles of association, as required by German law. Sub-sections have been started in Hamburg and Munich. Its headquarters will remain in Cologne, where its Director, Gerd Ruge, a well-known news commentator on Nordwest-deutscher Rundfunk, works. The Section plans its next meeting on 1st September, and has in the meantime asked the Library in London to supply six case-histories which can be publicised in the German Press.

## Globe-trotting

The establishment of National Sections requires beforehand a visit from one of the International Secretariat. This is to ensure that those organising a Section know exactly what the international plans and objectives are, and, secondly, to insure that the new Section represents broadly *all* the main currents of political and religious opinion. From the beginning of September onwards Eric Baker and Peter Benenson will be making a number of visits to assist in the formation of National Sections. Eric Baker is going to Greece and Turkey. Peter Benenson goes to U.S.A. and to Italy in September, to Holland and

Austria in October. There are also plans to visit Scandinavia where support for AMNESTY is growing fast.

## Once is enough!

A supporter in Aberdeen has written saying that it will be quite sufficient to send him AMNESTY once every six months; that will be enough to remind him to subscribe! But, the purpose of AMNESTY is not to solicit subscriptions. On the contrary, we want to give AMNESTY supporters news of how the movement is spreading, and in particular, to carry the sort of material referred to in the Editorial Comment. The movement can only be effective if it has an organ of publicity which circulates quickly and widely round the world, keeping National Sections in touch with the others, stimulating supporters to use their own tongue and pen.

## Request from 'Down Under'

During August the THREE'S in Britain are, inevitably, marking time; and even their hard-working organiser, Mrs. Margaret (Miff) Archer, has gone for a well-deserved holiday. But holiday-time in Europe is mid-winter in the other hemisphere. The office in London received its first request last week for three names for a group starting in Australia.

## THE CASE OF MR. WANG

(Continued from page 4)

impressed him so much as the fact that here was a people who "talked freely and lived without fear."

Yet, even in the heart of this free society he could do neither. To make the journey across the States by himself had demanded some ingenuity; Formosan agents kept a close watch on Formosan students. Just how close was made clear to him when, during his first year in California, he fell in love with a Formosan girl who herself had emigrated to the U.S. a couple of years before, with the intention of eventually qualifying for American citizenship. He knew that to marry without the permission of the K.M.T. authorities would be to invite punishment: at the same time it was made clear to him that permission would not be given even if he applied for it.

The K.M.T., however, were by now becoming increasingly suspicious, and their constant surveillance made life unbearable both for himself and his fiancée.

In January 1961 they crossed the border into Mexico and, during a stay of only a few hours were married secretly. On 1st June he received his Masters' Degree and was ordered to report to a transit camp for repatriation to Formosa.

On 6th June he was given his Formosan passport, in preparation for travelling on 7th June. But instead, Wang Shou-Kang walked out of the transit camp and for the next three weeks he and his wife, living in constant fear of K.M.T. agents, sought help in finding some country where they could "live without fear." Canada refused point-blank to offer asylum—the chances of finding it in the States seemed slim; Denmark, Sweden and Israel when approached all said it would take time—a long time—to reach a decision.

On 13th July Mr. Wang was served with an order to leave the U.S.A. within two days; this was however extended, and on 24th July he left by air for London.

He has been granted permission by the British Government to remain in England until his application for asylum has been decided.

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## INVASION IN MITRE COURT

FOUR or five times a week I Mitre Court Buildings is invaded. This happens when AMNESTY's live-wire librarian, Mrs. Christiane (Chrystel) Marsh, comes to work. Often she has her family of two sons and two daughters, ages 11-20, in tow.

Mrs. Marsh is the right person for the right job. As she carried on with her immense task of reading the world's newspapers for information about the thousands of persons unjustly imprisoned she told me something of her own background.

Born in Magdeburg, 100 km. west of Berlin and now in the Eastern Zone, she left Germany on the 29th June, 1939.

"I left to get married," she told me, "but my departure was speeded up. I had been arrested, together with two friends, by the Gestapo. The other two were imprisoned for nine months but after three hours of continuous cross-questioning I was released, since, according to the Gestapo, I was 'too young, too stupid and only a girl.'"

There was no doubt about her answer when I asked her why she was willing to give so much time entirely without any financial reward.

"I know" she said "that there are many things in the world to worry about, but if only people could realise the magnitude of this problem they would be shaken. We now have information about 400 prisoners and only lack of volunteers and time prevents this list from growing faster than it does. If people begin to see the sheer numbers they would be shaken out of their apathy."

JOHN PELLOW.

# What do you think?

AS already announced in an earlier issue, a conference is to be held in Holland at the end of December to discuss the "frontiers of freedom." The task of the participants will be to attempt to formulate answers to the following five questions:—

1. What methods may a citizen legitimately employ to change his Government or its policy?
2. What are the legitimate limits to the free expression of opinion?
3. What are the legitimate limits of civic exemptions or privileges based on conscience?
4. What obligation has one state to admit the citizens of another?
5. Is the state ever entitled to deprive a citizen of his nationality, or to withdraw its protection from him?

As a guide to participants, questionnaires posing the main problems involved in each of these issues have been prepared at AMNESTY headquarters. Some of the questions relating to the right of asylum (question 4) appear on various pages in this issue.

Your comments on these questions will be received with interest at AMNESTY headquarters. Let us know what *you* think should be the answer.

A full questionnaire will be sent to you on request. Please write (or phone) to APPEAL FOR AMNESTY 1961, 1, Mitre Court Buildings, London, E.C.4. Tel.: CEN 7867/9429.

## The Right to Asylum

(Continued from page 5)

validity of a claim to be a political or religious refugee.

There is, however, an urgent need that States should establish by convention the right of the individual to seek and enjoy asylum and to set out rules under which individuals should be free to exercise those rights, even though States ultimately can deny the right of the individual to receive asylum. The resolution of the Bath meeting of the Institute of International Law in 1950 imposes upon States the duty of consultation with other States whenever wholesale admission of political refugees is morally obligatory.

This resolution, doubtless, was an expression of the overriding considerations of the sanctity of human life and freedom over the political and economic considera-

tions of the State receiving political refugees. But if this principle applies to mass movements of refugees it should be equally if not more applicable to the individual refugee.

A political prisoner might be able to wring a concession out of his government that he should be allowed to seek asylum in a foreign land. In those instances States should be under an obligation to consult with other States about the possibility of the conferment of asylum. The consulted States should be in turn obliged to consider the application.

Applications for asylum should not be confined to the case where the political prisoner has been able to set foot on the soil of the receiving country. In many instances it is impossible for him to leave his country of imprisonment and yet his right to seek asylum should not depend on the fortuitousness of his flight.

**Is a State obliged to admit unemployed people from under-developed countries?**

**\*SEE ABOVE**

# PERSECUTION OF THE UNIATES

(Continued from page 3)

1,771 priests, 75 arch-priests, 34 canons and 6 Uniate bishops. They were exhorted and appealed to by the Orthodox Church, at the instigation of and with strong backing from the Communist Government, to sever their links with Rome and re-enter the Mother Church.

The officially inspired line stressed "the fact" that the Union of 1698 was imposed upon the Rumanian people by the Hapsburg overlords. "Now," the Communist agents stated, "there is, for the first time, complete religious freedom in Rumania so that the Rumanian people can eliminate the shameful act of union from the annals of history."

At first there was no response at all, but when the re-union campaign got under way and physical coercion was brought to bear on the unfortunate priests, a few of them agreed to sign an act of re-union, which enabled the Government to issue, on the 1st December, 1948, the Decree-Law No. 358, by which (a) all the institutions of the Greek Catholic (Uniate) Church ceased to exist, and (b) the entire property of any description belonging to these organisations were confiscated by the state.

Almost all the Uniate priests have, at one time or another, passed through communist prisons. It is reported that some 500 of them are still in prison today. The others are forbidden, under heavy penalties, to say liturgy or to perform the sacraments.

The entire Uniate hierarchy opposed this forcible re-union and accepted the consequences, which meant, invariably, prison or banishment to remote monasteries where they were given forced domicile. All six Uniate bishops remained loyal to their consciences and to their vow of allegiance to Rome. They were tortured and imprisoned. Four are known to have since died.

# Are You Helping?

If AMNESTY is to be effective as an instrument for the achieving of greater political liberty it must have a wider circulation—and it must be solvent.

Many of you who are reading this will already have sent in a subscription to the paper. We ask you to help us get AMNESTY more widely read. Mention it to your friends—mention it to strangers if you have the opportunity, circulate it or leave it somewhere where other people will read it. You can do something now by filling up the coupon below with the names of people whom you know would be interested in AMNESTY.

We have ourselves circulated the paper on approval to those we thought might take a subscription. We now ask them to send in a guinea and in return they will receive AMNESTY until the end of the year.

As the weeks pass so the quality of the paper will improve. This fortnight's issue already carries features by a statesman, a distinguished scholar and some well-known journalists, not to mention Abu.

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