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Call to UN on El Salvador

In a strongly-worded message to the General Assembly of the United Nations on 3 December 1980, *AI* pointed to overwhelming evidence that Salvadorean troops were responsible for the detention and murder of six opposition leaders in November. The message urged member states to condemn the killings as actions which "defied and outraged" the minimum standards of government conduct. It also stated that government forces had been implicated in the murders of an estimated 6,000 people in El Salvador during 1980.

AI addressed the message to the UN Secretary General, Kurt WALDHEIM, and to the President of the UN General Assembly, Rudiger VON WECHMAR.

In it, *AI* asked that the detentions and murders be brought to the attention of member delegations at the UN. It cited Resolution 5 of the Sixth UN Congress on the Prevention of Crime and Treatment of Offenders—then under discussion by the General Assembly—in which the congress "Deplores and condemns the practice of killing and executing political opponents and of suspected offenders carried out by armed forces, law enforcement or other governmental agencies, or by paramilitary or political groups acting with tacit or other support of such forces or agencies".

The six murdered leaders were members of a coalition of opposition parties, *Frente Democrático Revolucionario* (FDR). They were detained on 27 November after up to 200 uniformed army and National Police troops had surrounded San Salvador's Jesuit high school, *Externado San José*. The troops ransacked the Archbishop of San Salvador's human rights office, *Socorro Jurídico*, in the same building and arrested those attending a news conference in the school.

Within 24 hours the mutilated bodies of the six FDR leaders were found in roadside ditches on the outskirts of San Salvador.

Twenty-three other people seized at the news conference, including the Jesuit director of the school, were later released by the security forces.

The murdered men were: Enrique ALVAREZ CORDOBA, President of

the FDR and former Minister of Agriculture, and Juan CHACON, Doroteo HERNANDEZ, Humberto MENDOZA, Manuel FRANCO and Enrique BARRERA.

The Government of El Salvador almost immediately denied any responsibility for what had happened at the Jesuit school and for the arrest and subsequent murder of the six leaders. The military operation of 27 November was officially attributed to extremist forces "outside government control", the same explanation adopted by government representatives to account for an estimated 6,000 cases of people seized and murdered in which government forces were implicated.

Within three days of the killings the army was again implicated when gunmen shot and killed a Roman Catholic priest of the Diocesan order, Father Marcial SERRANO, who was organizing a peasant food cooperative about 25 km outside San Salvador.

Within a week the security forces were implicated in killings with international repercussions, when the bodies of three nuns and a lay missionary, all United States nationals, were found in a shallow grave near San Juan Nonoalco. They were naked and are reported to have been raped, strangled and shot.

On 2 December two of the women, Maryknoll nuns, Sister Ita FORD and Sister Maura CLARKE, had been met at San Salvador's International Airport by Sister Dorothy KAZEL, of the Ursuline order from Cleveland, Ohio, USA, and a lay missionary, Jean DONOVAN, who were to drive them to the city of La Libertad.

The four women were halted on the

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Baljit SINGH, above, who said he had been blinded by police in Bihar, India. According to the state's Chief Minister, Jagannath MISHRA, police officers in Bihar blinded 31 suspected criminals during the past year. Press reports said that the suspects had been deliberately blinded with needles and acid. Fifteen police officers have been suspended and charged with "negligence".

The case came to light when the prison authorities asked the government for more jail warders to care for the blinded prisoners. The Supreme Court in Delhi ordered the prison authorities to report on the number of blind men awaiting trial and the Indian Parliament called for a report and an inquiry.

The press in India has published the names of 32 suspected criminals who are said to have been blinded. Two men described how—while in police custody—they were held down and had their eyes pierced and soaked in acid. One man said that after his eyes had been punctured with a bicycle spoke they were covered with acid soaked pads and bandaged.

Bihar's Chief Minister said on 30 November that an inquiry had begun and that suspected police officials had been ordered to leave the area.

The Indian Prime Minister, Indira GANDHI, is reported to have ordered the blinded victims to be paid 15,000 rupees (about £900 sterling) as compensation.

DEATH PENALTY

AI has learned of 52 people being sentenced to death in 14 countries in November and of 33 executions in three countries.

United Kingdom Talks on Maze conditions

An *AI* delegation headed by the Secretary General, Thomas HAMMARBERG, met the Secretary of State for Northern Ireland, Humphrey ATKINS, and other United Kingdom officials on 28 November 1980 to discuss the prison conditions of about 350 prisoners taking part in a protest in the Maze Prison, Northern Ireland; seven of the prisoners are now on hunger-strike.

The protesting prisoners have been convicted or are awaiting trial for politically motivated offences, which are dealt with in special, non-jury courts. None have been adopted as prisoners of conscience by *AI*.

The protest, which began in September 1976, is in support of a demand by the prisoners for "special category status"—often referred to as "political status". The protesters refuse to wear prison uniform or do prison work; for the past two years they have refused to clean their cells, which they smear with excrement.

For the past four years the prisoners

concerned have lost all privileges and have consequently been confined to their cells with no facilities for exercise or recreation.

AI, which does not take a position on the demand for a special status for any prisoners, has on a number of occasions expressed to the UK authorities its concern about the cumulative effects of certain punishments imposed on prisoners who refuse to do prison work or wear prison uniform, in particular depriving them of exercise and occupational facilities. It has emphasized that facilities essential for physical and mental health should be available unconditionally to all prisoners at all times.

At its meeting with Humphrey Atkins, *AI* reiterated these concerns, now aggravated by the serious threat to lives posed by the hunger-strike. *AI* proposed that the deadlock might be solved by a more flexible government approach on punishments and privileges. It urged the government to examine all options which would prevent lives being lost.

Yugoslavia Law student arrested

A 19-year-old law student from Zagreb, Dobroslav PARAGA, was arrested and detained on 21 November 1980, after he had signed a petition to the Yugoslav State Presidency calling for an amnesty for all political prisoners.

Investigation proceedings against him are reported to have begun on charges of "hostile propaganda", an offence under Article 133 of the penal code, punishable by up to 10 years' imprisonment.

He is also said to be under investigation for alleged contacts with Yugoslav emigres and for possessing emigre journals.

A foreword to the petition, signed by 43 people from the Republic of Croatia, states that the amnesty "would be a solid foundation for the creation of an atmosphere of mutual trust and dialogue and would be in the general interest of society".

The petition asks for the amnesty to cover also people who have committed "political" offences but have not yet been acted against legally, and those now under investigation.

The signatories include lawyers, academics, artists, writers, several leading churchmen and former prisoners of conscience, including the historian and former partisan general Franjo TUDJMAN and the writer Vlado GOTOVAC. The last two have been under investigation since July 1980 on charges of "hostile propaganda", in connection with interviews they gave to foreign journalists between 1977 and 1980, in which they expressed views critical of the Yugoslav political system; both are still free.

The petition is the third of its kind to the State Presidency in a year. In June 1980, 36 Yugoslav intellectuals called for an amnesty for all people imprisoned for committing "the offence of expressing prohibited political views". In October, a petition signed by more than 100 Yugoslav scholars, lawyers, writers, journalists and students called for the deletion from the penal code's Article 133 of a section making it a criminal offence to depict socio-political conditions in Yugoslavia in a "false and malicious" manner.

Turkey More deaths in custody reported

AI has received more reports of prisoners dying in custody in Turkey and of people not involved in terrorist activities being detained for political reasons; there has also been another execution, the third since the military coup of 12 September 1980, all following convictions for terrorist killings—these are the first executions in Turkey since 1972. (see November 1980 *Newsletter*).

On 1 December *AI* wrote to the Turkish head of state, General Kenan EVREN, expressing concern at the reports.

At least eight people are said to have died in custody since the coup, all allegedly as a result of torture. *AI* received detailed information about the treatment of four of these prisoners immediately before their deaths.

The third reported execution since the coup was of Serdar SOYERGIN, hanged in Adana on 26 October, after being convicted of a terrorist murder. Exactly how many people are now under sentence of death is not known but at the time of the coup there were at least 34 and several death sentences have been passed since then.

EUROPEAN PARLIAMENT CALLS FOR DEATH PENALTY MORATORIUM

The European Parliament has adopted an emergency resolution asking member-states of the European Community to "suspend all capital punishment" until it has held a full debate on the death penalty.

The resolution, carried by a two-thirds majority and adopted on 21 November 1980, was prompted by three recent death sentences in France. Although the death penalty is still retained by several European Community member-states, France is the only one to have carried out executions in the past eight years.

A full debate on the death penalty in the European Parliament is expected in early 1981 on the basis of a draft resolution proposed by the Socialist group, which calls for the total abolition of the death penalty in all European Community countries.

Campaign for Prisoners of the Month



Each of the people whose story is told below is a prisoner of conscience. Each has been arrested because of his or her religious or political beliefs, colour, sex, ethnic origin or language. None has used or advocated violence. Their continuing detention is a violation of the United Nations Universal Declaration of Human Rights. International appeals can help to secure the release of these prisoners or to improve their detention conditions. In the interest of the prisoners, letters to the authorities should be worded carefully and courteously. You should stress that your concern for human rights is not in any way politically partisan. In *no* circumstances should communications be sent to the prisoner.

Miguel TROVOADA, São Tomé and Príncipe

Prime Minister from July 1975, when Portuguese rule ended, until April 1979, when he was demoted to Minister of Industry, Commerce and Fishing. He has been imprisoned for a year.

From 1975 to 1979, Miguel TROVOADA became more and more isolated from other members of the government, led by President Manuel Pinto da COSTA, who advocated increasingly hostile policies towards the "West".

In August 1979 there were serious disturbances because of widespread fears that a proposed population census was a prelude to forced labour.

A special meeting of the political bureau of the ruling party, *Movimento para a Libertação de São Tomé e Príncipe*, Movement for the Liberation of São Paulo and Príncipe, held Miguel Trovoada partly responsible for the disturbances; he was accused of "economic sabotage" and of plotting against the President.

Fearing arrest, he sought refuge for himself, his wife and two children in the offices of the United Nations Development Program. He remained there for nine days, until 4 October 1979, when soldiers forced their way in and arrested him. He is now being held in São Tomé's central prison.

No charges against him have been brought, nor has any evidence been published to indicate that he was linked with the 1979 disturbances or with plots against the President.

Please write courteously worded letters appealing for the release of Miguel Trovoada to: Sua Excelência Dom Manuel Pinto da Costa, Presidente da República Democrática de São Tomé e Príncipe, Gabinete do Presidente da República e do MLSTP, Democratic Republic of São Tomé and Príncipe.

LI Ching-sun, Taiwan

A prominent journalist and former newspaper editor, aged 63, arrested in November 1970 on charges of sedition; sentenced to life imprisonment, later commuted to 15 years'.

At the time of his arrest LI Ching-sun, also known as Li Johnson, was Deputy Director of the state-owned national radio and chairperson of the executive council of *Ta Hua Wan Pao*, *Great China Evening News*. He had previously been Editor of the *Central Daily News*, the daily paper which represents the views of the Kuomintang, ruling party of the Republic of China (Taiwan), of which he is believed to have been a long-standing member.

He was tried under martial law legislation by a military court in December 1971, on charges that included membership of the Chinese Communist Party, passing government secrets to Chinese communists and attempting to foment a revolt in Taiwan. None of the charges referred to activities more recent than in 1949, when the Kuomintang Government left mainland China for Taiwan, as did Li Ching-sun, who was born on the mainland. He said he had confessed to the charges against him under duress.

AI believes that the real reason for Li Ching-sun's detention is that he occasionally wrote articles critical of the government for corruption and inefficiency.

He is being held in a prison on Green Island, off the southeast coast of Taiwan and, according to a recent report, has diabetes and low blood pressure.

Please send courteously worded letters appealing for the release of Li Ching-sun to: His Excellency CHIANG Ching-kuo, Office of the President, Chieh Shou Hall, Chungking Road S, Taipei, Taiwan, Republic of China.

Hector Raul MARTEAU, Argentina

Now aged 36, married with two children, he was a philosophy student at Córdoba University before his arrest on 1 April 1975. He has been detained for five years without charge or trial.

Hector Raul MARTEAU was held for a month before being placed at the disposal of the National Executive Power—that is, he was detained without charge or trial under State of Siege provisions on an order signed by the President.

The Argentine Government has stated that his arrest was connected with student activities in Tucuman Province. During the 1970s he had been a leader of the National Union of Students in Tucuman, which was affiliated to the "62 Trade Union Organizations" and the Sugar Workers' Federation, *Federación Obrera de la Industria Azucarera*.

According to the Argentine Constitution, prisoners held at the disposal of the Executive Power may choose exile rather than face indefinite imprisonment, if they possess a visa for a country of exile. Hector Marteau has a visa for France and has applied three times to go into exile. The authorities have refused his applications, saying he represents a "threat to the security of the nation".

Hector Marteau has been held in a number of prisons, the latest being Rawson Prison, in the southern province of Chibut.

Please write courteously worded letters appealing for his release to: Exmo. Sr. Presidente de la Nación General (R.E.) Jorge Rafael VIDELA, Casa Rosa, Balcarce 50, Buenos Aires C.F., República Argentina.

Prisoner Releases and Cases

The International Secretariat learned in November of the release of 90 prisoners under adoption or investigation; it took up 60 new cases.

AI's latest annual report—Amnesty International Report 1980—documents the extent of imprisonment, murder and execution for political reasons, "disappearances", detention without trial, torture and other forms of repression that took place in the 12 months up to 30 April 1980. The 416-page report has entries on 110 countries and shows how the problem of human rights violations cuts across national and ideological boundaries, affecting countries north and south, east and west, industrialized and developing.

Murder by state forces

People were murdered by government forces or executed for political reasons in more than 30 countries in the 12 months reviewed by *AI's* annual report, published on 10 December 1980. The victims included peasant families in El Salvador and Guatemala; members of political, religious and ethnic groups in Iraq, Iran and Ethiopia; and people in all walks of life in such countries as Chile and the Philippines.

In a preface, José Zalaquett, Chairperson of the International Executive Committee (IEC) calls attention to the death tolls from executions and political murders recorded in the report, noting that there are "almost daily reports of new executions" and that political abduction continues to be used, frequently ending in the death and mutilation of the victim.

The report is organized on a country-by-country basis, with regional introductions.

AFRICA

There were momentous changes in a number of African countries. In some countries these brought improvements for human rights, but in others detention without trial, executions, killings and ill-treatment of detainees remained widespread.

Zimbabwe's independence saw an end to martial law regulations under which arbitrary arrest, detention without trial and torture had been widespread, with military courts passing death sentences after trials. Thousands of prisoners were released.

Three long-established governments were overthrown during the year:

- In August 1979 President MASIE NGUEMA of Equatorial Guinea was ousted and executed after a trial at which he was convicted of mass murder and other human rights violations.
- In September 1979 Emperor BOKASSA of the Central African Empire (now the Central African Republic) was overthrown, five months after the killing of some 100 schoolchildren in his capital had provoked international outrage.
- In April 1980 the government of President William TOLBERT of Liberia

was overthrown; 13 former ministers and officials were summarily tried and executed shortly afterwards.

Human rights violations in Zaire included a high death rate among political prisoners and people being held without trial, torture and frequent executions.

Other reports: large-scale political imprisonment, torture and killings continued in Ethiopia; *AI* received evidence of brutal conditions and treatment of prisoners in Cameroon; in South Africa, schoolchildren were among those held incommunicado without trial for long periods; young people captured inside Angola in 1978 were held incommunicado in Namibia throughout the year by the South African authorities.

Encouraging developments included work in September 1979 by representatives of some 30 states on a draft proposal for an African commission on human rights.

THE AMERICAS

Torture, "disappearances", arbitrary arrests and political killings were widespread, particularly in Argentina, Chile, El Salvador, Guatemala, Uruguay and Paraguay; in each of these countries, violations of human rights seemed to be a permanent feature of government policy in dealing with dissent.

In El Salvador, there were continual detentions and murders of men, women and children, both before and after the coup that produced a new government in October 1979.

In Guatemala, police representatives blamed an allegedly unofficial "Death Squad" for killing more than 1,200 people in the first six months of the year—but the evidence showed that the government itself had been responsible for the illegal and arbitrary executions.

Another major concern was the fate of "disappeared" people in Argentina, Chile, Brazil, Haiti and Mexico.

There were persistent reports of detention and ill-treatment of refugees and workers who arrive in new countries without proper documents. These included Mexicans and Haitians arriving in the United States of America (USA). There were reports of Haitians seeking refuge in the USA and being summarily sent back to Haiti, where some are said to have been imprisoned and tortured.

A report to *AI's* IEC concluded that there was severe police brutality to members of ethnic minorities in the USA.

On the positive side: the Organization of American States ratified the statutes of the Inter-American Commission on Human Rights; Nicaragua's new government incorporated international human rights standards into its laws; Peru's new constitution abolished the death penalty for peace-time offences.

ASIA

Political imprisonment continued on a vast scale in Asia, often in the form of detention without trial. In Malaysia and Singapore, for instance, political prisoners are not tried but are held indefinitely.

In Taiwan, political prisoners awaiting trial are usually held incommunicado for long periods, until they "confess" to the charges against them. In the Republic of Korea, international legal standards of fairness have been violated in trials of political dissidents. In Pakistan, summary military courts do not allow political prisoners to be represented by lawyers or to appeal against judgments.

Despite earlier expectations that new legislation in China would bring

more protection of basic rights, a trend towards the curtailment of civil liberties emerged.

Reports of political prisoners "disappearing" came from seven Asian countries, including **Afghanistan**, where thousands of people were believed to be held without trial—thousands more "disappeared" in 1978 and 1979.

A more positive development in **Indonesia** was the completion of a release program involving thousands of political prisoners who had been alleged to be involved in a coup attempt in 1965 and had been held without trial since. But from **East Timor**, occupied by Indonesian troops in 1975, there were reliable reports that a number of supporters of the Fretilin independence movement had "disappeared" in 1979 and may have been executed.

In **Viet Nam** and **Laos**, thousands of people were still held in "re-education" camps. An *AI* mission to Viet Nam in December 1979 was told that 26,000 people were being held; 2,000 of them were later said to have been released by the end of March 1980.

EUROPE

In Eastern Europe, people continued to be imprisoned for expressing their beliefs or opinions under laws defining such crimes as "anti-Soviet propaganda" (**Soviet Union**) or "instigation of anti-social behaviour" (**Romania**); in **Yugoslavia**, prison sentences of up to seven years were imposed for "hostile propaganda".

Soviet Union authorities launched a major drive towards the end of 1979 against all categories of dissenters. From the beginning of October 1979 to the beginning of April 1980 *AI* learned of more than 100 people being arrested or tried and sentenced.

Some dissenters were confined to psychiatric hospitals, where ill-treatment included the use of powerful drugs.

In the **German Democratic Republic**, people were imprisoned for persisting in efforts to get exit permits as well as for trying to leave without permission.

In some Eastern European countries, dissenters were subjected to repeated arrest and detention in police stations for short periods, during which they were often reported to have been ill-treated. This happened particularly in **Poland**, but also elsewhere, including

in **Romania** and **Czechoslovakia**.

Most prisoners adopted by *AI* in Western Europe were conscientious objectors to military service. Other *AI* concerns included a number of prosecutions for the non-violent expression of political views; torture and ill-treatment of detainees in police custody; special trial procedures in cases with a political background and conditions in high security prisons.

Persistent torture of political prisoners was reported in **Turkey**.

In **Spain**, an *AI* mission found that people detained incommunicado in police stations had been ill-treated and tortured.

Spain is one of several Western European countries with laws which can be used to imprison people for exercising the right to freedom of speech. A number of Spaniards, including editors and journalists, were charged during the year under laws against statements considered damaging or disrespectful to the courts, the armed forces or organs of the state. *AI* is also concerned about the application of laws in the **Federal Republic of Germany (FRG)** against "defamation of the state", and in **France** and **Portugal** against "moral complicity" in terrorist crimes; in **Italy**, people have been held without trial for long periods on suspicion of "subversive association" and then have had to be released for lack of evidence.

The operation of special courts in **Northern Ireland**, the **Republic of Ireland** and **France**—and the use of summary proceedings in France—were followed with concern. *AI* was also critical of certain legal procedures used in Italy, Portugal and Spain and it published a document on its work on the isolation in prisons in the FRG of prisoners suspected of politically motivated crimes.

MIDDLE EAST and NORTH AFRICA

In a year of political change and unrest throughout the Middle East, there were serious violations of human rights in the region—but, at the same time, growing concern for human rights was shown in initiatives by national and regional groups of lawyers and by increased coverage of human rights issues in the Arabic press.

In **Iran**, an estimated 800 to 1,000 people were executed between the revolution of February 1979 and the

end of April 1980—a large number of them were put to death without fair trial.

There was a sharp increase in executions in **Iraq** and extensive arrests of real or suspected opponents of the government continued. Among those executed or imprisoned were Shi'i Kurds and Communist Party members.

In **Syria**, reports of arrests, torture and summary executions followed the sending in of the army to quell violent unrest in the north.

An official Libyan call for liquidation of "enemies of the revolution" was followed by the murder of Libyans abroad and the death in custody of several political detainees in **Libya**.

In **Saudi Arabia**, long pre-trial detention, summary trials, the frequency of the death penalty for a variety of crimes, and ill-treatment of prisoners were among *AI*'s concerns. It learned of 79 executions during the 12 months.

Political prisoners were held in **Egypt**, mainly left-wing critics of the government, and there were allegations of ill-treatment.

In **Morocco**, arrests and trials of trade unionists followed strikes early in 1979. *AI*'s main concerns were: political imprisonment without trial, inadequate trial procedures, ill-treatment of prisoners and prison conditions.

Trade unionists were also still held in **Tunisia** and there were reports of political imprisonment, torture and ill-treatment of prisoners.

On **Israel and the Occupied Territories**, an *AI* report concluded that safeguards to protect people in custody from ill-treatment were deficient.

The annual report shows that *AI* sent 45 missions to 33 countries to gather information or meet government officials. Relying on members and supporters for finance, it spent £1,876,467 on its international program and £202,172 on relief to prisoners and their families; it worked on 4,131 individual cases of confirmed or possible prisoners of conscience.

ANNUAL REPORT

The Amnesty International Report 1980, 416 pages, is published in English by Amnesty International Publications, 10 Southampton Street, London WC2E 7HF, United Kingdom. Price: £5.00

Philippines

Prisoners go on strike

Six prisoners of conscience adopted by *AI* were among 132 political detainees who went on hunger-strike in Camp Bagong Diwa, near Manila, on 3 November; they were demanding improved conditions and a new government policy on releases.

Their action ended after 18 days on 21 November, when President MARCOS is reported to have promised that many detainees in the camp would soon be released.

A persistent demand by the camp's inmates has been for an increase in the food allowance, which has been set at four pesos since 1972, despite a considerable fall in the value of the peso since then.

Since June 1980 the number of detainees in the camp has trebled, leading to overcrowding and placing more strain on the inadequate facilities.

A further problem is that prisoners may only be released on the orders of the President, which has created administrative bottlenecks in the release process.

Five prisoners fell seriously ill during the Camp Bagong Diwa hunger-strike and two prisoners, José LUNETTA and Saturnino OCAMPO, were removed to the maximum security unit in Fort Bonifacio. During the strike *AI* expressed concern to the authorities about reprisals and urged that those prisoners who were ill should receive the necessary medical treatment.

On 6 November 20 political prisoners began a hunger-strike in Lahug Detention Centre, Cebu City, on the island of Cebu. They were protesting against, among other things, inadequate food provisions and a stricter release policy.

The strikers, mostly students, had been arrested and detained in May 1980 and are currently being tried before a military court. They are reported to have been given intravenous injections and forced to attend trial after the strike began; some were brought to court on stretchers.

Haiti

Big wave of arrests

More than 100 Haitian politicians, professional people, human rights activists and journalists were arrested on 28 and 29 November 1980 in one of the biggest waves of arrests since President-for-life Jean-Claude DUVALIER succeeded his father, François DUVALIER, "Papa Doc", 10 years ago.

One of those arrested was Gregoire EUGENE, founder and leader of the Haitian Christian Social Party. He was later deported and is now in the United States of America.

No official explanation of the arrests has been given, but Port Au Prince's police chief, Colonel Jean VALME, a powerful figure in the official hierarchy, is reported to have linked them to a "plot" by "national and international communist agitators".

Among the human rights activists arrested were the founder and chairman of the Haitian Human Rights League, Joseph LAFONTANT, and another league member, Joseph MAXI.

Professional people and academics arrested include Nicole MAGLOIRE,

gynaecologist; Henek TITUS, paediatrician; Jean CLAUDE, professor of philosophy; Lamartinière HONORAT, ethnologist, whose brother Jean-Jacques Honorat, an author, was also arrested.

Most of those arrested are journalists, including Marc GARCIA, news editor of *Radio Metropole*, and Richard BRISSON, an actor and journalist working for *Radio Haiti Inter* (RHI).

A number of other RHI journalists are among those arrested and troops were sent to arrest the station's director, Jean DOMINIQUE, but were unable to find him; members of his family, however, were arrested.

Two sons of Sylvio CLAUDE, leader of the Haitian Christian Democrat Party, were also arrested. He and his daughter have been held in prison since October 1980.

AI has received persistent reports that prisoners known or assumed to be opponents of the Duvalier government have been and are being tortured and it fears this may be happening to those arrested in the latest crackdown by the authorities.

News in Brief

SOUTH KOREA

The South Korean authorities announced on 10 December 1980 that the poet KIM Chi-ha and seven other prisoners of conscience adopted by *AI* were to be released the following day.

Kim Chi-ha was sentenced to death in 1974 after being convicted of anti-government activities; this was commuted to life imprisonment and he was released after a presidential amnesty in February 1975. His life term was reimposed after he published an article about the torture of fellow prisoners—this sentence was commuted to 20 years' in 1978.

Six of the prisoners were convicted under the Martial Law Regulations after holding a protest meeting at the Young Women's Christian Association in Seoul in November 1979; nine people convicted with them are believed to be still in prison.

The seventh prisoner is reported to have been a co-defendant of KIM Dae-jung, the opposition leader sentenced to death in September 1980.

YUGOSLAVIA

AI has learned that Professor Davor ARAS (see January, June 1980 *Newsletters*) was granted a pardon on the Yugoslav state anniversary on 29 November. His sentence was suspended in early 1979 because of his health; in early 1980 the Yugoslav authorities allowed him to travel abroad for major surgery, after which he returned to Yugoslavia.

URUGUAY

Humberto MONTANO, aged 75, of Uruguay, who was prisoner of the month in September 1980, has been released under *libertad anticipada*, the equivalent of parole. He had been detained since 1975.

CENTRAL AFRICAN REPUBLIC

In the Central African Republic, Joseph Vermond TCHENDO, prisoner of the month in October 1980, and Ange PATASSE, a prisoner of conscience adopted by *AI*, were released after a Bangui judge had ruled on 27 November that there was no case to be heard against them and seven other political detainees; he ordered the release of all nine.



amnesty international

campaign for the abolition of torture

Spain: electric shock allegations

Medical evidence bearing out allegations by Spanish political prisoners, who were held incommunicado for up to 10 days and said they were subjected to exhausting interrogations and beatings, hung upside down on a bar and given electric shocks, is contained in a report published by *AI* on 3 December 1980.

The evidence emerged from interviews with former prisoners by an *AI* mission to Spain in October 1979 (see November 1980 *Newsletter*). The mission members were two doctors, a lawyer and a member of *AI*'s International Secretariat. It examined 14 people who had been held in Madrid, Barcelona and Bilbao under security laws enacted in 1978 and 1979. The doctors found that the medical evidence was consistent with the treatment the former detainees said they had been given.

One former prisoner, José Luis DELPECH Valle, 19, said he had been taken in handcuffs to a hospital in Barcelona after suffering a double fracture of the jaw within 15 hours of his arrest.

He said that, while being held incommunicado by the police, he was beaten repeatedly with a truncheon, kicked, stripped and offered a rope so that he could commit suicide in his cell.

He was arrested after taking part in a funeral procession, and was released in February 1979, after being held for five months.

A 27-year-old farmer, Juan María

TORRONTGUI, held in Bilbao, said that while being kept incommunicado in solitary confinement for eight days, he was subjected to a torture known as *el quirófano*, the operating table, in which the victim is beaten all over the body while being held on a table with torso and head hanging backwards over its edge. He said also that he was put through a mock execution and threatened with injections of sodium pentothal, the "truth drug". He was released for lack of evidence in March 1979, after three weeks in jail.

Both men, and others interviewed by the mission, have sought redress from the Spanish courts, so far without success.

AI's report was submitted to the Spanish Government in September 1980. It contained seven recommendations aimed at protecting prisoners from ill-treatment by bringing Spain's legal and administrative procedures into line with human rights guarantees in the country's 1978 constitution. The recommendations include:

- abolishing the powers given to the police under decree law 56/1978, which enable them to hold suspects incommunicado for up to 10 days before releasing them or bringing them before a judge;
- introducing *habeas corpus* legislation as provided for in article 17 of the 1978 constitution;
- restoring the constitutional right to legal counsel, now denied under special laws, to detainees under interrogation;

- increasing judicial control over the conduct of interrogations by providing more investigating judges and ensuring that the judge nearest to the place of an arrest takes the first judicial decision in the case;

- instructing public prosecutors to intervene actively, as is their right, to protect the rights of detainees;

- implementing penal code safeguards against maltreatment which allow public prosecutors to initiate legal action they consider justified;

- introducing a system of recorded medical examinations for detainees after arrest and immediately before transfer from police custody, providing intermediate examinations and establishing a legal right of detainees to be seen by independent doctors.

Since 1975, major reforms protecting human rights have been introduced in Spain. They have been pursued against a background of violent struggle between extremists of the left and right, nationalist groups in different regions and the security forces.

Please write courteously worded letters appealing for legal safeguards against the ill-treatment of Spanish prisoners to be implemented to:

Excmo. Sr. Don Francisco FERNANDEZ Ordóñez, Ministro de Estado de Justicia, Ministerio de Estado de Justicia, San Bernardo 45-47, Madrid; and to: Excmo. Sr. Don Juan José ROSON, Ministro de Estado de Interior, Ministerio de Estado de Interior, Castellano 5, Madrid.

Death penalty appeal

HIRASAWA Sadamichi

Appeals are being organized for an 89-year-old man who has spent the past 30 years under sentence of death in Japan; he is thought to have been on death row longer than anyone else in the world.

HIRASAWA Sadamichi, a painter, was sentenced to death in July 1950, after being convicted of killing

12 employees of a Tokyo bank with potassium cyanide.

An unofficial support group, the Save Hirasawa Committee, has challenged the verdict on a number of grounds: it says that he had an alibi; that his confession, later retracted, was obtained under duress; that there was insufficient evidence to convict him.

The convicted man lost his last appeal to the Tokyo High Court in 1955; since then he has made 12 requests to the Justice Ministry for his case to be reopened. Now Hirasawa Sadamichi and the

committee have decided to seek a pardon because they feel that even if a retrial was ordered he would not live to see it through.

Please write courteously worded letters to the Central Examination Committee on Rehabilitation and Protection—which reviews death sentences and advises the Justice Minister—urging that Hirasawa Sadamichi's death sentence be commuted on humanitarian grounds.

Write to: Mr Seiji Katsuta, Chairman of Chuo Kosei Hogo Shinsakai, c/o Ministry of Justice, 1-1 Kasumigaseki 1-chome, Chiyoda-ku, Tokyo, Japan.

OAS General Assembly

Critical reports on Argentina, Haiti

Highly critical reports on human rights violations in Argentina and Haiti were presented by the Inter-American Commission on Human Rights (IACHR) at the annual session of the General Assembly of the Organization of American States (OAS) from 19 to 26 November 1980.

Persistent attempts by the Argentine delegation to prevent the report on Argentina being discussed and the contents of the report were widely publicized in the news media.

When the Argentine delegation addressed the General Assembly it emphasized what it described as a "destructive preoccupation" within the OAS with "the internal affairs of member states" and later warned that Argentina might withdraw from the OAS if its human rights situation was the subject of General Assembly resolutions.

The 294-page special report on Argentina was presented in great detail by the IACHR. Its President, Dr Tom FARER, described both individual cases taken from the report and also broader human rights issues—for instance, which rights may be suspended by a government in time of crisis and which may not. He stressed the bounds of government responsibility that must be respected

"in order to prevent the subversion of all rights".

In Argentina, he said, the government had implemented a policy to "liquidate in its totality subversion and those who made it", claiming justification for torture and "disappearance" in a "war against subversion".

The IACHR said that at least 5,000 people had "disappeared", and that many of them had presumably been "liquidated". "Disappearance" was described as "an annihilation of due process of law".

Dr Farer stressed the moral and legal obligation of the Commission to report on human rights violations and to call on governments to "respect those core rights that cannot be suspended" under any circumstances. "Many [other governments] will be confronting subversion" he said; "other governments must decide whether to use the great means available to them or to invade that small area banned by our laws . . ."

Replying, the Argentine delegation categorically rejected the contents and conclusions of the report.

In an 81-page report on human rights in Haiti, the Commission concluded that many people were victims of torture in the country and that "numerous persons died in

summary executions or during their stay in prison".

In reply, Haiti's delegate stated the concern of his government to improve the situation in Haiti, but said the report had dealt either with cases for which there was "no proof" or with cases relating to the previous government.

In the General Assembly's resolution on the work of the IACHR, it agreed to "take note" of the individual country reports presented and to condemn the particularly grave human rights violations in the region, including the use of torture, arbitrary detention and "disappearance".

In addition to separate reports on Argentina and Haiti, the IACHR presented shorter reports, taken from its annual report, on El Salvador, Chile, Uruguay and Paraguay.

Countries were cited in the final General Assembly resolution on human rights only in the context of recognition of their government's cooperation in accepting on-the-spot IACHR missions.

- *AI* was one of several non-governmental organizations granted "special guest" status at the General Assembly. In a statement to the Assembly, *AI* outlined its concerns in those countries discussed in the context of the IACHR's work.

EL SALVADOR

Continued from page 1

highway not far from San Juan Nonoalco. Their vehicle was later found burned. Their bodies were discovered on 4 December.

Again the authorities denied all responsibility; there were confirmed reports that army and Hacienda (Treasury) Police roadblocks had stopped traffic on 2 December in at least three places between the airport and San Juan Nonoalco.

Sister Ford and Sister Clarke, who had lived in Chalatenango Province for many years, had received several death threats in the past and had been warned to leave El Salvador.

They are the first nuns to be murdered in El Salvador, although others have been detained and threatened. Since 1978, 10 priests have been murdered in El Salvador after having worked actively against human rights violations—including Archbishop Oscar ROMERO of San Salvador.

USSR

Pentecostalist gets 12 years'

A leading Soviet Pentecostalist, Nikolai GORETOI, was sentenced in November 1980 to seven years' imprisonment and five years' internal exile for "anti-Soviet agitation and propaganda". This is the maximum sentence provided under this article of criminal law.

Since the 1960s Nikolai Goretoi has acted as the representative of a group of more than 100 Pentecostalist families in the Krasnodar region of the Russian Republic which has applied to leave the Soviet Union, without success. He was also prominent in the Christian Committee for the Defence of Believers' Rights, an unofficial group set up to defend the rights of believers of all denominations in the USSR.

AI has learned of an unusually

large number of arrests and trials of religious believers in the USSR over the past 18 months. They have included Pentecostalists imprisoned for their religious activities or as a result of attempts to emigrate.

AI also knows of more than 60 Baptists imprisoned during 1980 for religious activities. Other denominations whose members have recently become prisoners of conscience for religious activities include the Russian Orthodox Church, Seventh Day Adventists and Jehovah's Witnesses.

STOP PRESS: Two Romanian prisoners of conscience adopted by *AI*, Ionel CANA and Gheorghe BRASOVEANU, are reported to have been released (see July 1980 *Newsletter*).

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