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AI Conference Urges Pacific Countries to Observe Human Rights

An *AI* conference, held in Japan in June, urged the countries and people of the Pacific Ocean region to improve human rights in the process of developing a just and democratic society. The conference also called on *AI* not just to concern itself with prisoners of conscience but also to examine the systems that created such prisoners.

Delegates from many Pacific countries attended *AI*'s first Pacific Regional Conference and formulated the "Gotemba Declaration".

This called upon the governments and people of the region to:

- work for the ratification of the United Nations international covenants on human rights and ensure their implementation
- develop a regional appeal machinery for defendants who believed the existing legal structures in their countries did not properly protect their rights
- ensure the independence and impartiality of the judiciary and the freedom of the legal profession
- abolish the use of torture and the imposition of the death penalty in all cases and without reservation.

The Gotemba Declaration also asked *AI* to:

- concern itself with the systems that

created prisoners of conscience as well as with the release of such prisoners
—realize that an understanding of human rights in the region must be seen in the socio-economic, cultural and religious context of the region

—recognize the high priority of developing regional, national and local programs of education about human rights in the region, particularly among the grass-roots population of each country of the region

—help *AI* members in the region define terms such as "national security", "public order", "national stability" and "national development", and to indicate clearly where such terms have been abused to curtail human rights

—create a regional consultative body linked to *AI* to strengthen the struggle for human rights in the region and the establishment of just and democratic societies.

The Gotemba Declaration formed part of the conference report sent to *AI*'s International Executive Committee, and to the 9th International Council meeting in September 1976 □

New Wave of Arrests as OAS Meets in Chile

Chilean authorities arrested an estimated 385 people in May two weeks before the Organization of American States (OAS) held its sixth general assembly in the capital, Santiago, in June.

The authorities claimed the detainees were "anti-social elements" who had been planning to "frighten the delegates" to the OAS assembly. More than 185 people were arrested in Antofagasta, 1,370 kilometers from Santiago. An estimated 200 were also detained in Santiago.

This new wave of arrests is greater than any since October 1975 when church workers connected with the Committee for Peace and others were arrested.

A cable from *AI* to OAS Secretary General Alejandro ORFILA on the opening day of the assembly expressed concern and deep disappointment at the arrests. In a subsequent letter *AI* enclosed a list of 55 people known to have been arrested in May. *AI* also referred to the 1,200 people "missing after arrest" since the 1973 coup in Chile. It urged the OAS to convey its concern at

the human rights situation to the Chilean government.

During a discussion on the human rights situation in Chile, the OAS assembly called on its host country to continue "adopting and putting into practice the necessary means to effectively preserve and ensure the full enforcement of human rights".

Earlier in May the Chilean government had announced the release of 405 political prisoners, possibly as a gesture to the large number of OAS foreign ministers and observers from non-American countries arriving in the capital in June. But many of those prisoners had already been released. In the context of a prison population of about 5,000 the release total is not seen as significant.

• **24 Prisoners Hunger Strike in Chile**
Six *AI*-adopted prisoners were among 24 prisoners in Chile who went on hunger strike in June to protest against worsening conditions and the rejection of petitions to exchange their sentences for exile.

The prisoners were transferred on 6

Ukrainian Dissident Declared Sane

Psychiatrists at the Soviet Union's Serbsky Institute of Forensic Psychiatry reportedly declared Ukrainian historian and *AI*-adoptee Valentin MOROZ sane in June. He was reportedly transferred from the institute in Moscow to a labour camp in Mordovia.

Mr Moroz had been imprisoned since 1970 for writing Ukrainian nationalist literature and an essay condemning Soviet treatment of political prisoners.

During 1974 he carried out a 145-day hunger strike in protest against his ill-treatment in Vladimir prison and to demand transfer to a labour camp.

Prison officials warned Mr Moroz several times during 1975 that he might be transferred to a psychiatric hospital. In the spring of this year his wife was told that such a transfer would soon take place. Prison officials specified as a symptom of his "mental illness" that "he speaks with God", evidently—according to Mrs Moroz—a reference to his praying.

Mr Moroz was due to be moved from prison to a special regime corrective labour colony in June 1976. But on 10 May he was detained in the Serbsky Institute, where numerous dissenters have been diagnosed as mentally ill. One of the institute's psychiatrists told Mrs Moroz that her husband was mentally ill.

Fears that Mr Moroz might be falsely categorized as in need of compulsory psychiatric treatment led to an *AI* urgent action on 18 May to prevent his removal to a psychiatric hospital □

June from the Capuchinos Annex of Santiago's public prison to the Santiago Penitentiary where they are now held among common law offenders.

Detention with common law prisoners reportedly causes demoralization among political offenders. Those in the Santiago Penitentiary found their privileges as political prisoners withdrawn. The in petitions under decree law 504 to exchange their sentences for exile were rejected.

The prisoners were previously allowed more visits than common law detainees, permission to improve their own sanitary conditions and to cook food brought by their families.

Many of the hunger strikers are serving extremely long sentences. Of the *AI*-adopted prisoners, three are serving life sentences, one 28 years, another 54 years and the other is serving a life sentence plus 25 years □

IRREGULARITIES ALLEGED IN NAMIBIA TRIAL

Defence lawyers representing two men sentenced to death after a major political trial told the Windhoek Supreme Court on 2 June that vital defence documents had been leaked to the South African security police by defence attorneys' employees.

They stated that the two defendants, Hendrik SHIKONGO and Aaron MUSHIMBA, had been deprived of a fair trial and asked that the court take note of the irregularities when deciding on the question of an appeal.

Mr Shikongo and Mr Mushimba were sentenced to death on 12 May after a three-month trial at Swakopmund. Together with four other members of the South West Africa People's Organization (SWAPO), they were charged under the Terrorism Act in connection with the assassination in 1975 of Chief Minister of the Ovamboland "bantustan" Chief Filemon ELIFAS (June 1975 Newsletter).

The early stages of the trial were attended in March 1976 by an AI observer, Professor Otto TRIFFTERER of West Germany (April Newsletter) □

MASS TRIAL OF SOUTH KOREAN OPPOSITION LEADERS

South Korea's only living ex-president and a former opposition presidential candidate are among 18 prominent and respected opposition leaders whose mass trial continued in Seoul in June.

The 18 political, religious and academic leaders were arrested in March in connection with a declaration read out in a Seoul cathedral. It called for the release of political prisoners and the restoration of independence of the judiciary, as well as other democratic freedoms (April Newsletter).

Relatives of the accused appealed to AI on 25 May for help to ensure an "open" trial. They said that they had been unable to attend some hearings because the trial was being conducted in "an atmosphere of terrorism".

The relatives claimed that the authorities had illegally detained close friends of the defendants, restricted the number of seats in the courtroom by issuing admission tickets and prevented lawyers and relatives from freely seeing the accused.

The 18 have been charged under Emergency Regulation number 9 with agitating to overthrow the government. This regulation is the latest in a series of special presidential decrees designed to outlaw all forms of criticism of the revised 1972 constitution which allows President Park to hold office for life. The accused may face long prison sentences if found guilty, with suspension of civil rights to follow for up to 10 years.

Besides former President YUN Po Sun, aged 78, and former opposition presidential candidate KIM Dae Jung, aged 51, those on trial include former foreign minister CHUNG Il Hyung, aged 72, and the distinguished

Quaker leader HAHM Suk Hon, aged 75.

At one hearing, the defendants explained that the declaration of 1 March was motivated solely by a wish to restore democracy. They had endorsed the declaration because they opposed dictatorial rule.

Two women and the very elderly defendants are not under detention at present, but most of the accused are in prison. Kim Dae Jung is seriously ill with arthritis and neuralgia. Informed observers believe that his poor health is largely the result of an attempt made on his life during the presidential campaign of 1971 □

AI APPEALS FOR RELEASE OF FORMER ALGERIAN PRESIDENT

AI in June urged Algerian President Houari BOUMEDIENNE to release former President Ahmed BEN BELLA on 19 June, the 11th anniversary of his overthrow and arrest.

Mr Ben Bella has been detained under close surveillance for the past 11 years without any official charge against him.

He spent six years as a political prisoner in France before he became president on Algeria's independence in 1962.

As army chief of staff and defence minister, President Boumedienne seized power in 1965 on the grounds that the government had become a dictatorship □

SOUTH AFRICAN JUDGE CRITICIZES POLICE INTERROGATION METHODS

A South African judge accused security police in May of forcing or tricking detainees into signing false and incriminating statements. Judge Irving STEYN referred to statements made by witnesses and defendants during the trial of seven members of the National Youth Organization (NAYO) in Pretoria and criticized security police interrogation methods.

David NHLAPO and Amos MASONDO were jailed for 5 years under the Suppression of Communism Act but two others, Andrew MOLOTSANE and Malebelle MOLOKENG were acquitted on all charges.

Earlier, Bheki LANGA, Sandile MFENYANA and Phumza DYANTYI had been discharged, but Miss Dyantyi was re-detained as she left the court (June Newsletter).

The activities of South Africa's security police are also expected to figure in the trial of 10 alleged supporters of the banned African National Congress (ANC) in July. Two of the accused, Cleophas NDLOVU and Joseph NDULI, reportedly were forcibly abducted from neighbouring Swaziland by South African security agents. The South African authorities have ignored Swaziland demands for their return.

• Detainees Released then Banned

Two AI-adoptees, Johnny RAMROCK and Weizmann HAMILTON were each banned for 5 years under the Suppression of Communism Act after their release from detention in May. Both are members of the "black

consciousness" organization AFRO. They were first detained without charge under the Terrorism Act in February 1975.

Their banning orders, which may be reimposed upon expiry, require them to report to the police each day and allow their absence from their homes only on weekdays and between the hours of 06.00 and 18.00 hours. They may no longer communicate with one another or with any other banned person □

Prisoner Releases and Cases

The International Secretariat learned in May of the release of 99 AI-adopted prisoners and took up 127 new cases

AI APPEALS TO INDIA TO FREE ALL POLITICAL PRISONERS

AI appealed to the Indian government on 24 June to free all prisoners held without charge or trial on 26 June, the first anniversary of the declaration of a state of emergency.

AI also urged the government to restore constitutional safeguards and implement fully the provisions of the Universal Declaration of Human Rights.

Amendments to the constitution and emergency laws such as the Maintenance of Internal Security Act have introduced indefinite detention without trial and denied the fundamental right of *habeas corpus* to Indian citizens.

Estimates based on official Indian statistics published in the various states alone indicate that there are now at least 40,000 prisoners held without trial. Many of these had been detained since the emergency declaration.

The government has said that prisoners detained under the emergency are being released. But reports continue of large scale arrests.

AI called for an independent inquiry into ill-treatment of prisoners. Specific reports alleged that prisoners have been hung upside down with their hands behind their backs, reportedly burned with candles and cigarets, or subjected to electric shocks.

AI also repeated a previous request that an AI delegation be allowed to visit India to discuss various measures affecting fundamental rights under the emergency

• **AI Concerned at Hunger Strike:** AI sent cables to India's Home Affairs Minister Brahmananda REDDY and West Bengal's Chief Minister Siddarta Shankar RAY on 9 June to express concern at reports that six political prisoners in Calcutta's Presidency Jail had been on hunger strike since 27 May. The prisoners were protesting against the withdrawal of basic amenities provided in the jail code to under-trial prisoners.

The six—Himansu HALDER, Amal BOSE, Sandip DAS, Sukumar BANERJEE, Sanat Kumar BOSU and Gourhari DUTTA—are among 1,700 under-trial prisoners currently detained in Presidency Jail.

AI urged full restoration to under-trial political detainees of all jail code provisions on humanitarian grounds □

Prisoners of the Month Campaign

Participants in the Campaign are reminded that appeals must only be sent to the officials named at the end of each case. In *no* circumstances should communications be sent to the prisoner.

Roberto MOTTA, Brazil

Robert MOTTA, a lawyer of Florianopolis, Santa Catarina, was among more than 30 people arrested on 4 November 1975 in a full scale campaign conducted by security forces against members of the illegal Communist Party.

Another prisoner arrested at the same time described how some of the detainees had been followed before the arrests, which strongly resembled kidnapping. "The security agents acted without official authorization. They broke into our houses and stole books and personal possessions. . ."

Prisoners were severely tortured during interrogation and several people are known to have died in custody.

Torture sessions lasted 11 hours. Loaded revolvers were held against prisoners' heads, and they were beaten in the stomach, head and genitals. Prisoners were then returned to their cells where they were hung by their wrists. They remained unable to sit or lie down for hours.

Senhor Motta attempted suicide after this treatment and after repeated threats to torture his family.

AI has recently learned that he has attempted suicide a second time. His mental and physical health is so grave that doctors fear he will not recover unless released. He has not been tried and has been adopted by *AI*.

Please send courteously worded letters appealing for his release on the grounds of his very poor health to: Ilmo Senhor Presidente, General Ernesto Geisel, Casa do Brasilia (DF), Brazil.

Porfiry Antonovich ROMANKOV, Soviet Union

Porfiry Antonovich ROMANKOV, aged 78, is a member of the dissenting wing of the Baptist Church in the Soviet Union. He was arrested in April 1973 in his native town of Gomel in Belorussia. Charged under article 222 part 1 of the Belorussian criminal code (infringement of person and rights of citizens under appearance of performing religious ceremonies) he was sentenced to 5 years in an ordinary regime corrective labour colony.

Although there is very little information about Mr Romankov, given his age and the conditions of hard labour in corrective labour colonies, it is unlikely that he will be in good health.

Please send courteously worded appeals for the release of Mr Romankov on the grounds of his age to: SSSR, RSFSR, Moskva, ul. Pushkinskaya 15a, Prokuratura SSSR, Generalnomu Prokuroru R A Rudenku (Procurator General of the USSR).

Khan Abdul Ghaffar KHAN, Pakistan

Khan Abdul Ghaffar KHAN, the 86-year-old campaigner for Pakhtoon autonomy within Pakistan, is believed to be seriously ill in Kohat military hospital, North West Frontier Province. He was transferred from Kohat jail to the military hospital earlier this year with heart trouble and a serious eye disease.

Mr Khan was arrested in April 1975 in Peshawar, North West Frontier Province, under a detention order which allows a person to be detained without trial for up to 3 months. He has been detained ever since without charge or trial.

His arrest took place during a round-up in early 1975 of opposition leaders which had included Mr Khan's son, Wali KHAN, leader of the now banned opposition National Awami Party, who is currently on trial. These arrests created a vacuum among organized opposition in North West Frontier Province. It is possible that the arrest of Mr Khan was due to fear on the part of the authorities that, despite his age and failing health, he might play a more prominent political role in the absence of the younger opposition leaders.

Mr Khan led the Muslim *Khudai Khidmatgar* (Servant of God) Redshirt movement, founded in North West Frontier Province as a nationalist force for independence from Britain. At that time, he was closely associated with Mahatma GANDHI and earned the nickname of "Frontier Gandhi". Since the partition of India in 1947, he has consistently campaigned for an autonomous Pakhtoonistan for North West Frontier Province and Baluchistan. As a result, he has spent 16 years in various jails and 8 years in self-imposed exile in Afghanistan.

Since the onset of ill-health, Mr Khan has appealed to the Pakistan government for permission to go abroad for medical treatment. More recently, he asked to be treated at a special hospital in Peshawar. So far the government has not responded.

Please send courteously worded letters, appealing for Abdul Ghaffar Khan's release, to: His Excellency Zulfiqar A. Bhutto, Prime Minister and Minister of Defence and Foreign Affairs, Office of the Prime Minister, Islamabad, Pakistan.

News of Past Campaigns

KIM Chi Ha (April *Prisoners of the Month Campaign*) accused the South Korean authorities of prosecuting him on "trumped up charges" when his trial resumed in Seoul on 15 June. He said they sought to label him as a communist on the basis of notes on fictional characters for a book he intended to write in the future.

Kim Chi Ha told the panel of three judges that the Korean Central Intelligence Agency

(KCIA) had forced him to sign a document which was later distributed publicly with the intention of proving that he was a self-confessed communist. He has consistently maintained that he signed the document under severe pressure.

He went on to say that his "Declaration of Conscience", smuggled out of prison in August 1975, effectively refuted the contents of the earlier forced confession. The declaration clearly set out his views on communism and democracy.

The prosecution objection that the declaration was irrelevant to the case was overruled.

A number of journalists attended the hearing but the South Korean press has not published defence arguments □

'DEATH SQUAD' ARRESTED IN GUATEMALA

Four "bodyguards", allegedly connected with former President Carlos ARANA OSORIO, were arrested in June in Guatemala after the body of a government development agency official was found in May.

Lieutenant Waldemar OROZCO DE LEON was abducted in June 1975 by heavily armed men after receiving threatening telephone calls. No request for ransom was made and there was evidence that security forces took part in his kidnapping. *AI* launched an appeal campaign for Lieutenant Orozco shortly after his disappearance.

Lieutenant Orozco was an official of the government development agency *Desarrollo de la Comunidad* which encourages the growth of agrarian cooperatives. The agency's work is supported by President Kjell LAUGERUD. But Vice-President Mario SANDOVAL ALARCON and former President Arana have both denounced such work, equating "cooperativism" with "communism".

Lieutenant Orozco's body was found buried in the courtyard of a factory owned by Elias ZIMERI NASSAR, a principal business partner of former President Arana. Señor Zimeri's son, Jorge ZIMERI SAFFIE has reportedly been an Arana bodyguard.

During the Arana regime, the Zimeri factory was repeatedly denounced as a headquarters of the death squad *La Mano Blanca* (the White Hand).

The four detained men, allegedly "bodyguards" working for the Zimeri family, were Mario Rolando RIOS FLORES, Raul Antonio YANES AGUIRRE, Enrique LEMUS and Brigido ESQUIVEL LOPEZ. Elias Zimeri was not detained and his son is believed to be in Miami in the United States.

Police sources claimed that the four men were part of an armed group led by Jorge Zimeri that carried out "abductions, assassinations and attacks against government functionaries and private persons". Police uniforms and car registration plates were

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found, as well as a considerable quantity of arms.

The abduction and murder of Lieutenant Orozco was specifically attributed to Jorge Zimeri and to two active duty army officers, Lieutenant Fernando MORALES PINEDA and Lieutenant Antonio REYES RODAS. But the police said they had no authority to detain army officers and that their detention must be carried out by the military.

However, Minister of the Interior Leonel VASSAUX MARTINEZ contradicted police reports and said the Zimeri family had no connection with such events. General Vassaux Martinez, who had been minister of defence under President Arana, said the only problem of violence in Guatemala was due to left-wing guerrillas □

EIGHT ON TRIAL IN GHANA FOR SUBVERSION

Two *AI* investigation cases were among six military officers and two civilians tried in May and June by a military tribunal in Ghana. All are charged with subversion, which is punishable by death under a decree promulgated shortly after the present military government came to power in 1972.

The *AI* cases under investigation, Captain Kojo TSIKATA and Michael Charles Kwame HAMENOO, were both detained during a wave of arrests in November 1975 and held until May 1976 without charge or trial. Prominent Ghanaian author Kofi AWOONOR is also under investigation. He was arrested in December and has yet to be charged or tried.

AI has been disturbed by allegations that some prisoners detained since November have been tortured (May *Newsletter*). In June *AI* sought permission to send an observer to the current trial, which continues at the time of writing □

RHODESIA FREES FORMER PRIME MINISTER

Former Prime Minister Garfield TODD was released from restriction in Rhodesia on 5 June. Mr Todd had been confined since February 1972 to his remote Shabani farm by Prime Minister Ian SMITH's Rhodesian Front government.

An *AI*-adoptee, Mr Todd was prime minister of Southern Rhodesia from 1953 to 1958 when the country was still part of the Central African Federation. He was restricted in 1972 after he and his daughter, Judith, had spent more than one month in detention without charge. They were released after Miss Todd went on hunger strike, but they were both immediately restricted. Miss Todd later left Rhodesia.

No reason for Mr Todd's restriction has ever been given by the Smith government, but his arrest occurred during the visit to Rhodesia of the Pearce Commission. This was sent to Rhodesia by the British government in 1971-72 to assess popular reaction to the settlement proposals agreed by

Mr Smith and British Foreign Secretary Sir Alec DOUGLAS HOME. The settlement was rejected by the majority of the population.

Announcing Mr Todd's release, a government spokesman stated that a special tribunal had decided that there were no longer adequate security grounds for his continued detention.

However, *AI* estimates that more than 700 political detainees continue to be held without charge by the Smith regime □

Vacancies at International Secretariat

The International Secretariat has vacancies for the following staff:

Two Researchers for Africa Department.

One to work mainly on West Africa and the other on East and Central Africa. Both posts require extensive knowledge of the politics and contemporary history of the area and concern for human rights issues, together with some experience of international organizations. Ability to write good English essential, as well as fluent French, especially for the West Africa post. A knowledge of Portuguese would be an advantage. Candidates must be available for interview in Paris or London. Salary £3,699 per annum.

Publications Editor for the Information and Publications Department. Experienced, English mother tongue journalist/writer with interest in world affairs to edit reports, research papers, monthly *Newsletter*, campaign material. Must be able to edit hard and analytically, mark up copy for production, work knowledgeably with production units, coordinate production of translations in other countries and write good, translatable articles, brochures, etc. Fluency in Spanish and/or French distinct advantage. Salary £3,669.

Information Assistant. To deal with inquiries from journalists, help compile information dossiers for the media, write news releases, arrange news conferences, provide national section press officers with all material necessary for their work, and other information duties. Experience in journalism and good typing essential. Candidates should be fluent in English and at least one other language, preferably French or Spanish. Salary £3,276.

Translators. Two half-time translators required. One French mother tongue, the second Spanish mother tongue. Salary £1,835.

Secretary. With excellent shorthand/typing and fluent French and Spanish to work with translators. Salary £3,024.

Further information on all the above posts is available from Caroline Reeson, Amnesty International, International Secretariat, 53 Theobald's Road, London WC1X 8SP, England.

DETAINEE DIES AFTER RELEASE FROM GDR PRISON

AI-adoptee Sigmar FAUST died shortly after his release from a German Democratic Republic (GDR) prison on 22 or 23 March.

The 31-year-old writer could not publish his books in the GDR as they were out of line with official ideology. He was first imprisoned in 1971 on suspicion of "incitement hostile to the state" and released under a general amnesty in 1972.

He was again arrested in May 1974 after applying for permission to leave the GDR and collecting signatures for a petition to human rights organizations.

Mr Faust was tried *in camera* and sentenced to 4 years 6 months' imprisonment in Cottbus prison, where he produced a news sheet for fellow prisoners.

His health deteriorated after he was placed in isolation and he suffered a heart attack earlier this year □

TUNISIA PETITION

Following the *AI* campaign for a general amnesty in Tunisia on 1 June (June *Newsletter*) more than 100 Tunisian intellectuals and artists signed a petition on 10 June calling on the government to free all political prisoners and to allow freedom of speech and freedom of the press, trade unions and political activity □

LESOTHO COURT FREES THREE AND REDUCES OTHER SENTENCES

Three supporters of Lesotho's main opposition Basutoland Congress Party (BCP) were freed by the Lesotho Appeal Court on 20 May. Matthews MONNE, Mosala MOSALA and Philip MOHALE had each been sentenced to 5 years' imprisonment in July 1975 after conviction on high treason charges. All three were *AI* investigation cases.

Their trial was Lesotho's second major treason trial. It followed a BCP-inspired attempt to overthrow the ruling National Party government of Chief Leabua JONATHAN in January 1974.

The Appeal Court also set aside 5 year sentences imposed on Lekopa MATELA, Mahlomola KHANYAPA and Thabo JESI, three other BCP supporters convicted at the same treason trial. Sentences of 3 years' imprisonment were substituted. Two years of each sentence were suspended □

IEC DISCUSSES ARRANGEMENTS FOR INTERNATIONAL COUNCIL

Practical arrangements for *AI*'s International Council in Strasbourg in September were discussed by the International Executive Committee (IEC) at its June meeting in London.

The IEC formulated resolutions and planned discussion papers for the council meeting. The IEC also considered action strategies prepared by researchers on individual countries and evaluated the Uruguay campaign (see *CAT Bulletin*) □

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South Africa: Police on Homicide Charges

In an unprecedented move by the South African judicial authorities, four police officers were charged in June with culpable homicide over the death of Joseph MDLULI, a black detainee and former member of the banned African National Congress (ANC).

Mr Mdluli was arrested in Durban on 18 March 1976 by the security police and died in custody less than 24 hours later (May Newsletter). Mr Mdluli's family claimed that the body bore marks of torture. In May, photographs said to be of the body of Mr Mdluli were produced in London by members of the ANC.

The family's solicitors said they believed that Mr Mdluli's death was caused by "unlawful acts of one or more members of the security police". One of the solicitors,

Griffiths MXENGE, was detained and is still being held.

South African Justice Minister James KRUGER promised in April that a full inquest would be carried out, and he has since been frequently questioned by members of parliament about the date of the inquest. On 11 June the minister himself announced in parliament that the suspected perpetrators of Mr Mdluli's death had been charged but gave no names.

Other black detainees have reportedly been killed under torture during the past several years. The relatives of some victims have been granted *ex gratia* payments, but this is the first time that legal proceedings have been taken against the alleged offenders □

Spain Prevents Publication of Torture Allegations

The Spanish government has effectively prevented the publication of any further allegations of police torture following the publication on 31 May of a dossier on torture compiled by Basque lawyers.

The dossier appeared in *Cambio 16*, a Madrid news magazine. On 1 June, the editor was advised that all such matters were now *sub judice* and that the publication of the facts could constitute a libel against the *Guardia Civil* (paramilitary police).

Another magazine, *Cuadernos para el Diálogo*, was prevented from publishing a torture dossier in its edition of 5 June.

Journalists throughout the country protested that reports by the news media were "a contribution to a more just society and could not impede the judicial investigations".

Protests also came from the Basque lawyers, who said that the government decision would keep the Spanish people in ignorance.

Official investigations have been opened into several cases. But so far only one alleged

torturer, Inspector Jose MATUTE FERNANDEZ of the Canary Islands, has been subject to judicial proceedings. Inspector Fernandez has been accused of torturing a prisoner to death in September 1975.

Another alleged torturer, whose case the government has promised to investigate, has recently been transferred to a *Guardia Civil* unit in the Basque country. A captain of the *Guardia Civil*, he was in charge of the interrogation of Maria Amparo ARANGOIA SATRUSTEGUI in April 1976 (see May 1976 *CAT Bulletin*). He is reportedly still responsible for interrogations.

The dossier compiled by the Basque lawyers indicates that the use of torture has increased since General Francisco FRANCO's death last November. The document names 30 arrested Basques reportedly tortured by members of the *Guardia Civil*.

The systematic use of torture in the Basque provinces was documented by an *AI* mission to Spain in July 1975 (see October 1975 *CAT Bulletin*) □

ICJ Report Confirms Torture in Iran

Detainees held in Iran are systematically tortured, while constitutionally provided legal guarantees are subject to the proviso "except when the SHAH determines otherwise", according to a recently published report*.

Confirming *AI's* own findings, the report results from two separate missions carried out in 1975, one by American lawyer William BUTLER and the other by French penologist Georges LEVASSEUR.

The report said that *SAVAK* (Iranian secret police) was a "state within a state"

responsible only to the Shah. Its officers themselves often performed the role of military magistrates.

The investigators found that *SAVAK's* "systematic use of impermissible methods of psychological and physical torture" of political suspects included electric shocks, beatings with maces, whipping, the presence of a gallows in prisoners' cells and broadcasting prisoners' screams to other prisoners.

The two missions were hampered in their investigations by the fear of released prisoners and other witnesses and the reticence of

350,000 Sign Petition

AI Urges Torture Inquiry in Uruguay

AI's petition to the Uruguayan government to allow an independent international investigation of torture allegations was handed to Uruguay's Permanent Mission to the United Nations in New York on 16 June, for relay to newly installed President Alberto DEMICHELLI.

Nearly 350,000 individuals in 70 countries had signed the petition, which marked the culmination of the worldwide *AI* campaign against torture in Uruguay conducted from February to April 1976 (see March-June 1976 *CAT Bulletins*).

AI also presented copies of the petition to UN Secretary General Kurt WALDHEIM and to Prime Minister of Luxembourg Gaston THORN in his capacity as president of the 1975 session of the UN General Assembly. *AI* appealed to them to use their good offices to "urge upon the government of Uruguay not only an independent international investigation into the facts in question, but also the immediate cessation of practices which constitute an affront to those minimum standards of civilization that the world community as a whole, through the United Nations, has pledged itself to uphold".

Main speaker at a New York News conference held to announce the presentation was exiled Uruguayan parliamentarian Wilson FERREIRA ALDUNATE. As leader of the *Blanco* Party, Señor Ferreira had received approximately 18% more votes in the 1971 presidential elections than Juan Maria BORDABERRY, but the country's complicated electoral system had prevented his taking office. Señor Ferreira sought refuge in Argentina after the dissolution of congress in June 1973, but fled that country following the kidnapping and assassination in May 1976 of his former colleagues Zelmar MICHELINI and Hector GUTIERREZ RUIZ

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officials about legal procedures. But they concluded that military tribunals uniformly ignored torture allegations. They found that no independent investigation of the many allegations had ever taken place.

These conclusions are entirely in accord with *AI's* own findings concerning torture in Iran (November 1974 and May 1975 *CAT Bulletins*).

*"Human Rights and the Legal System in Iran", International Commission of Jurists, Geneva, Switzerland.

appeals

MORE REFUGEES

TORTURED IN ARGENTINA

Twenty five further abductions of political refugees have occurred in Buenos Aires. On 11 June, about 40 armed men claiming to be the police broke into two small hotels where the refugees lived under the protection of the United Nations High Commission for Refugees (UNHCR). They kidnapped one Uruguayan and 24 Chilean refugees as well as the Paraguayan manager of one hotel.

All the kidnap victims were released 24 hours later after severe torture. They were stripped, beaten and subjected to electric prods, and threatened with death if they did not leave Argentina within 48 hours.

The abductions occurred two days after lists of political refugees were stolen from the Buenos Aires office of the UNHCR.

The danger to refugees in Argentina has become increasingly clear since the military coup of 24 March. Since then numerous refugees have been murdered, tortured or forcibly repatriated to their countries of origin.

Edgardo ENRIQUEZ, Chilean leftist leader, disappeared in Argentina on 10 April and was reportedly handed over to the Chilean political police on 27 April.

The mutilated bodies of five Uruguayans who had been living in Argentina were washed on to Uruguayan shores on 22 April.

AI Urges Torture Inquiry in Uruguay

Continued from page 1, column 3
(June 1976 Newsletter).

Señor Ferreira expressed his deep appreciation for AI's efforts to highlight the gross violations of human rights in his country and said this had provided invaluable moral support to his compatriots, especially those languishing in prison.

Signatories to the petition included many prominent individuals, including government ministers, judges, former prisoners of conscience, three Nobel Peace Prize laureates, scientists, academics, artists, leading Soviet dissidents, religious leaders and parliamentarians. The petition was also endorsed on behalf of numerous national and international organizations interested in human rights. Signatures from trade unions in Europe and Latin America represented millions of organized workers.

• President Bordaberry was forced to resign on 12 June 1976 after conflict with Uruguay's military leaders over the country's future. Señor Bordaberry had pressed for constitutional changes to institutionalize military rule and to abolish all political parties. The military favoured a gradual return to "democratic rule" over a period of 8-10 years.

Interim President Demichelli is expected to hold the post for only a few months until the military leadership and the Council of State appoint a long-term successor. AI has already asked President Demichelli what implications the current developments in Uruguay will have for the human rights situation □

In May, former Uruguayan parliamentarians Zelmar MICHELINI and Hector GUTIERREZ RUIZ were kidnapped in Buenos Aires and assassinated along with two other Uruguayan refugees, Mr and Mrs William WHITELAW BLANCO (June 1976 Newsletter). In addition, former President General Jose TORRES of Bolivia was assassinated in Argentina on 2 June.

The Argentinian security forces appear to have full knowledge of these events. For example, Señor Michelini was kidnapped opposite a heavily guarded telecommunications building, while Señor Gutierrez Ruiz was abducted from an apartment near several guarded foreign embassies.

Since the mass abductions from the two hotels, the police have refused to offer protection to the victims, who could be murdered if the armed men return to carry out their threat. One police officer was quoted as saying that the police could not intervene because "some other security organization, perhaps the army, carried out the operation".

Please send courteously worded letters, expressing deep concern about the lack of protection for the lives of political refugees in Argentina and requesting that, at the very least, the government facilitate the safe departure of endangered persons, to: Exmo. Señor Presidente General Jorge R. Videla, Casa de Gobierno, Buenos Aires, Argentina; *and to:* Exmo. Señor Ministro de Relaciones Exteriores, Contralmirante César Guzzetti, Arenales 761, Buenos Aires, Argentina □

VICTIM'S LETTER CONTRADICTS COLOMBIAN PRESIDENT'S DENIAL OF TORTURE

Two days after Colombia's President Adolfo LOPEZ MICHELSEN declared in a Mexican newspaper interview in May that torture was not practised in Colombia, leading Colombian newspapers published the testimony of a tortured lawyer.

Gustavo ARIAS LANDONO, a Bogotá lawyer, wrote to the daily *El Bogotano* and other publications about the treatment he received during the seven days following his arrest on 24 April.

His letter, published on 22 May, said that heavily armed men ransacked his house and took him to an unknown destination in a military car. He was blindfolded, placed in a hot room and subjected to piercing noises, in attempts to extract a confession about his alleged activities within M-19, a leftwing guerrilla group.

Señor Arias Landoño insisted he knew nothing but the treatment became more violent. He was beaten on the stomach and his skin was sprayed with a substance which caused an "unbearable burning sensation". He was forced to drink salt water and his head was tightly wrapped in a wet towel until he felt "it was going to burst". The treatment was intensified when Señor Arias Landoño continued to assert his innocence.

After four days of almost uninterrupted torture, Señor Arias Landoño was transferred to the School of Artillery where torture continued. He was hung from the wrists while his stomach and testicles were beaten. His torturers threatened that his pregnant wife and his daughter would be tortured in front of him.

News from Past Appeals

Further confirmation was received recently of the torture of Rene NUNEZ TELLEZ (Appeal, October 1975 CAT Bulletin). A medical certificate signed by a doctor of the San Vicente de Leon Hospital states: "Today, 5 January 1975, medical attention was provided in this medical institution to Señor Nunez, 27 years of age, for head injuries and other injuries. The patient was brought by the National Guard".

Señor Nunez has now been formally charged and is awaiting trial. He is believed to be in a better physical condition, and he can now receive visits from his lawyer and family.

Allegations of similar treatment at the School of Artillery have been made by Hector Armando GUALTEROS, who was also interrogated about his alleged membership of M-19 and asked to admit that Señor Arias Landoño was his leader.

Señor Gualteros was arrested on 28 April 1976 and released two weeks later through lack of evidence. He said he met Señor Arias Landoño for the first time when he was taken back to his cell from the torture room □

AI ASKS ISRAEL TO INVESTIGATE DETAINEES' TREATMENT

AI has urged the Israeli government to set up an independent inquiry into the treatment of detainees. An increasing number of reports of ill-treatment and torture, particularly in the military-administered West Bank territory, prompted AI to write to Prime Minister Yitzhak RABIN on 28 May 1976.

AI also suggested that Mr Rabin set up a special parliamentary commission to examine complaints and other evidence from a variety of sources.

Reports had indicated that security forces committed acts of brutality against persons detained in what appeared to be routine security operations as well as during the recent unrest.

The London *Sunday Times* of 28 March reported that 60 Arab civilians had been allegedly rounded up in Jerusalem and systematically beaten. Injuries had included broken bones.

The doctor treating the victims had reportedly stated that the injuries were consistent with persistent and systematic beating. This testimony contradicted police claims that the injuries had resulted from attempts to resist arrest.

In other cases brought to AI's attention, medical evidence corroborated allegations of ill-treatment.

AI had previously requested clarification from the responsible Israeli authorities on several occasions about allegations of ill-treatment and torture, particularly of Palestinian detainees. Police investigations of such allegations were either inconclusive or had resulted in rejection of the complaints □

Egyptian Torturer Sentenced: A Cairo criminal court on 26 June sentenced former chief of Egyptian intelligence Salah NASR to 10 years hard labour for torturing the journalist Moustafa AMIN in 1965. (September 1975 CAT Bulletin)