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"There's one thing to be said for imprisonment without trial—it's better than being imprisoned after a mock trial."
People without a country—what is done for them?

"Stateless . . ."

by Hilary Cartwright

Doing something to prevent individuals finding themselves without a country is an urgent problem. There are millions of them in the world today.

This problem was first raised before the United Nations in 1954 when the International Law Commission submitted to the General Assembly drafts of a Convention on the Elimination of Future Statelessness and a Convention on the Reduction of Future Statelessness. On the 4th December, 1954, the General Assembly passed a resolution expressing its desire to conclude a convention dealing with this problem as soon as at least 20 states had expressed their willingness to take part.

The Conference called as a result of this resolution met in two parts. The first was held in Geneva in March-April 1959, but it was unable to complete the work before it. A second series of meetings was held in August 1961 at the United Nations Headquarters in New York. Thirty-six states took part in these Conferences and a thirty-seventh was represented by observers. All five continents were represented, but the only Communist country present was Yugoslavia. The only African country was Egypt as part of the United Arab Republic. Most of the delegates came from Western Europe and the Americas, but the Middle East and Asia were also well represented. At both Conferences the United Nations High Commissioner for Refugees was represented by an observer, as were various inter-governmental organisations.

The Conference discussed the draft Convention and had before it observations submitted by governments and a preparatory documentation presented by the Secretariat of the United Nations. On the 28th August, 1961 the Conference was able to adopt a Convention on the Reduction of Statelessness.

The main provisions of this Convention are designed to ensure, as far as possible, that no one shall be born or remain stateless, or be deprived of his nationality in circumstances which would render him stateless. Contracting states undertake to grant their nationality to a person born on their territory who would otherwise be stateless, either automatically or on application. They further undertake to grant their nationality to the children of their nationals if those children are not born in a contracting state and would thus be stateless.

The Convention provides that loss of nationality shall be conditional upon the person’s concerned possessing or acquiring another nationality. Subject to very limited exceptions, no person shall lose the nationality of a contracting state if that loss would render him stateless. The exceptions refer to the individual’s own wilful act, or default.

Naturalised persons may be deprived of their nationality by governments retaining this right, in two circumstances: (a) if they have resided abroad for not less than seven years and failed to make a declaration of retention; and (b) if the nationality has been obtained by misrepresentation or fraud. States also retain the right of depriving an individual of his nationality on three grounds, but only if these grounds are part of the national law of the contracting party at the time of signature, or ratification of the treaty. These grounds are: (a) working in the service of another state in spite of an express prohibition; (b) taking an oath of allegiance to another state; and (c) conducting oneself in a manner seriously prejudicial to the vital interests of the state. Contracting states, retaining the right of deprivation, undertake to provide for the person concerned a fair hearing by a court or some other independent body.

Provision is made by the Convention for the examination of claims and the settlement of

(Continued on page 7)
ON 5th March, 1960, Cristóbal Vega Alvarez, the Spanish poet and journalist, had already served twenty years in prison because of his liberal political views. Yet on 6th March, 1960, one day after he was due to be discharged, he was faced with a new sentence of eight years—based, apparently, on nothing more circumstantial than having been in the possession of a newspaper of "democratic" views. For this he was sentenced by a Military Tribunal to the eight-year term which he is today working out behind the walls of the prison of Santa Maria in Cadiz.

The long story of Alvarez's arrests begins in March 1939, when he was detained at the prison in Utrera. From there he was taken to Avila, where, because of his journalistic activities under the Republic, he was court-martialed and sentenced to 20 years' imprisonment. In 1941 he was transferred to Astorga, and in 1942 to a penal detachment in Guipuzcoa, where the prisoners worked for a building enterprise called "Ferrocarriles y Construcciones A.B.C." (A.B.C. Railroads and Constructions.)

In 1943 he was released conditionally, and he remained a free employee of the A.B.C. Railroads. But after a short time he crossed to France where he worked on the editorial staff Reconquista de España (Reconquest of Spain), the paper of the Spanish National Union. During this period, in October 1944, he was a delegate to the Congress held in Toulouse.

At this time he was deeply interested in the activities of the "Spanish Maquis." He returned to Spain to live and work in this movement so that he could gain personal experience and documentation for a series of articles he was planning on the subject.

Once more he was arrested—this time in the mountains of Navarre. This time he had neither taken part in any action of violence, nor held office or command in the military units. Legally, even if tried as an ordinary soldier, he could only have been condemned to a maximum sentence of six years and a day. Nevertheless, the sentence climbed to 12 years and a day, then to 20 years and a day, until it was finally settled at 30 years penal servitude.

Alvarez is said to have been an "exemplary" prisoner. All the reports requested by the military and prison authorities carry the same phrase: "His conduct is exceptionally good." Alvarez always worked in prison so as to benefit from the system of redemptions through work" which is in operation in Spanish prisons. In spite of this and the right to conditional freedom granted, subject to good behaviour, he had been in prison for 11 years before he could claim to be discharged conditionally on 5th March, 1960. It was then that he received his last sentence of eight years.

This last trial was, it seems, based on an incident that had happened as far back as 1946, when Alvarez was found with a certain newspaper, which was then confiscated. The name of the paper is not known, but it is described as a newspaper which anybody can read freely anywhere where there is a minimum of freedom, a "democratic" paper which was not directed at any institution or any person. Alvarez could have had no idea that this would be held against him let alone that it would warrant a full court-martial. Nevertheless, a Council of War was set up and decreed a period of no less than eight years' imprisonment for an "offence" for which any ordinary tribunal might, at most, have sentenced him to two months.

The crimes of C. Vega Alvarez, for which he has paid for so many years, seem to be that he had been a journalist before the Civil War, that he had lived with the "Maquis" to gain material for articles, and that he had been found with an unpopular newspaper.

Vega Alvarez has been described as representing the authentic liberal thought of Spanish intellectuals. He has had several works published, the last one being a book of poems. The irony is that most of his poetic output has come from behind bars, even though he is known to his admirers as "the Poet of Freedom."

WORK FOR DEMOCRACY IN ACTION: SUPPORT "AMNESTY"
Amnesty
No. 9 18th October, 1961

Comment

Organisers of the Amnesty Movement in France, Germany and Belgium arrived in London on Saturday, 7th October for the second meeting of the International Committee of the Movement; other national organisers sent good wishes. The principal object of the meeting was to decide the form of the Movement after the end of 1961.

The main function of the Amnesty Movement is to mobilise public opinion by disseminating information about individual prisoners. This in turn depends on steady and reliable sources of information for the Library. Where there is censorship, or no means of communication, the only effective way of obtaining information is by sending personal investigators. But money is needed for on-the-spot investigations.

How to raise money and finance the Movement? It was agreed that, at first, every penny must be used in building up the Library. Other schemes, though admirable, must be postponed.

It was decided to concentrate on commemorating the Universal Declaration of Human Rights on December 10th, the day set aside by the United Nations for this purpose. In London the ceremony will take place in St. Martin’s-in-the-Fields, and it is hoped that simultaneous ceremonies will be held elsewhere so that the international and idealistic character of the Movement is brought home.

It is essential for the Amnesty Movement to carry support from all parties, churches and countries. By building up the Library, with funds principally gathered on Human Rights Day each year, no existing organisations would be hurt and all would benefit.

Do we get an answer?

His Excellency the Cuban Charge d’Affaires,
The Cuban Embassy,
22 Mount Street,

Your Excellency,

I am writing this letter on behalf of APPEAL FOR AMNESTY, a newly-formed international organisation for the defence of freedom of opinion and religion. At London Headquarters we are compiling a library of biographical details of Prisoners on Conscience, that is to say, people who are held in prison solely because their views are unacceptable to their Government. We have received a letter asking us to include within the library a Cuban citizen by name Luis Miguel Linsuain. My informant writes to say that he has been held for some time incommunicado in Santiago de Cuba. We understand that no charge has been brought against him and that he has not been tried.

We should be obliged to learn from you what are the reasons for holding Luis Miguel Linsuain prisoner. If our information is correct and he is being imprisoned solely because his views are unacceptable to your Government, then we would ask you to transmit to your Government the fervent hope that he will be released from prison as soon as is possible.

Yours sincerely,

PETER BENENSON

Amnesty Notes

Fridtjof Nansen, the centenary of whose birth was celebrated on October the 10th, 1961, was a man of many parts, zoologist, explorer, don, diplomat, and humanitarian. As Norway’s first Ambassador to Britain, he started out on a career of international services, ending up as the first High Commissioner for Refugees. His untiring efforts on behalf of refugees led to the creation of an international passport to which he gave his name.

It is a sad comment on the state of the world that statelessness is once again on the increase. Paying tribute to Nansen would perhaps be best achieved by introducing an international passport, thus greatly diminishing or even extinguishing statelessness.

* * *

Amnesty "earnestly requested" President Nkrumah of Ghana, by cable, that those he recently arrested be brought to trial. We received the following answer: "Re your cablegram, 4.10.61, the Government will soon publish full facts about the arrests." All very promising no doubt, but meanwhile President Nkrumah’s political opponents are still behind bars without a trial.

* * *

Willi Brandt, the mayor of West Berlin, recently told Ion Ratiu, on the plane from Berlin to Bonn, that the humanitarian aspect of the crisis must be coped with. Families must be allowed to be reunited whatever the political decisions of the Great Powers about the “Ulbricht Wall.” There is a precedent: the agreement between Communist Poland and the Federal German Republic concerning families hit by the introduction of the Oder-Neisse Line.
Three case histories

Petru Dumitriu

Ly Phat Truong—William Bechtel

THE Rumanian Pasternak,” as most French critics have dubbed him, Petru Dumitriu, author of “Family Jewels,” recently published by Collins, has asked AMNESTY to intervene for his relatives and friends in Rumania, all of whom are in prison.

No wonder. Up to 1960, Petru Dumitriu was the top pampered writer of the Communist régime of Rumania: a State Prize-winner for literature in 1949, 1952 and 1955, a Director of the State Publishing House for Literature, Chairman of the Board of Publishing Houses coming under the Ministry of Culture. Thanks to his exceptional position of “trust,” Dumitriu was allowed to go to Berlin, accompanied by his present wife. He promptly fled to the West as he could no longer bear “to suffocate under the atmosphere of a Communist State.” But his defection was too much of a good thing. It hurt too much. It could not go unnoticed. So the Communist rulers of Bucharest immediately arrested all his close relatives:

Irina-Ileana Dumitriu—born 12th March, 1959, Dumitriu’s daughter.

Ileana Medrea — Dumitriu’s sister.

Petru and Tereza Dumitriu—the writer’s father and mother, born 1891 and 1894.

Henriette Yvonne Stahl—Dumitriu’s former wife and a well-known writer.

Marietta Sadova — one of Rumania’s best known actresses and a close friend of Petru Dumitriu.

These people are blameless. Whatever Dumitriu’s guilt, if his search for free expression could be thus termed, they cannot—in a civilised community—be punished. Their association with him is purely accidental. Let the Rumanian Communist government open the prison gates and set these people free. Let them allow Dumitriu’s daughter to join her parents here in the West.

ION RATIU.

THE request to Governments to grant political asylum to individual political refugees is becoming an increasing occupation for AMNESTY. Late last month an attempt to gain permanent refuge in Cambodia for a political opponent of Mr. Ngo Dinh Diem, the dictator of South Vietnam, has not yet proved successful but hopes are high.

Mr. Ly Phat Truong, a chemist aged 48, recently fled from South Vietnam to Pnom Penh, the capital of Cambodia, without a passport. He was arrested by the Cambodian police for having entered the country illegally, was charged, tried and sentenced to three months’ imprisonment.

He has now appealed to the Cambodian government that on the conclusion of his prison sentence he should be allowed to remain in the country illegally, was charged, tried and sentenced to three months’ imprisonment.

In accordance with AMNESTY policy, if the request is turned down the Cambodian government will be approached with a view to obtaining agreement that Mr. Truong should be released to a third country willing to grant him political asylum. If that agreement is forthcoming the problem remains of finding an agreeable third country.

LOUIS BLOM-COOPER.

A FEW hours after swallowing a heavy dose of poison on the 3rd November, 1960, Dr. Felix-Roland Moumie, the exiled President of the Cameroons, died in hospital in Geneva. The next month, the Swiss police issued an international warrant for the arrest of William Bechtel, a suspected member of the “Red Hand,” the clandestine organisation of the French Algerian “ultras.”

Bechtel, it appeared, had dined with Moumie in a Geneva restaurant the evening before he died —and Bechtel had previously been reported to the police for, among other things, threatening a Berne lawyer who had professional relations with Algerian

(Continued on page 6)
To the Editors of "Amnesty"

DEAR SIRS,

The elements of the answer to the problem of Germany were made known by genuine democrats in East Germany some years ago. They were promptly imprisoned for their pains and in prison they remain. It is possible that some of them may be dead. We just do not know. The black-out appears to be complete.

Professor Wolfgang Harich and an unknown number of his associates were arrested in and after March 1957. Harich, then 36 years of age, was given ten years for "treason." At the time of his arrest he held the Chair of Social Sciences at East Berlin University, perhaps the most important academic position in East Germany.

Just before he was taken away Harich wrote a remarkable memorandum which, translated by Sebastian Haffner, appeared in this country in The Observer on 17th March, 1957. In it he gave a vivid account of the history and ideas of an opposition group in the Socialist Unity Party that "has grown particularly in the cultural institutions of the G.D.R. —universities, technical and other colleges, newspaper offices, publishing houses. . . . Berthold Brecht sympathetically co-operated with our group up to his death and regarded it as the best hope of the party."

Although parts of Harich's formula need to be brought up to date—as one can be sure he would be the first to admit—there are grounds for supposing that his essential message is indispensable if the present deadlock in Germany is to be resolved without war. It seems to me, therefore, that it is a matter of some urgency that his memorandum be republished in some way and become widely known. And the matter of his release from prison is surely an AMNESTY case par excellence.

His thesis is simple enough—that the Socialist Unity Party be "freed from Stalinism and completely independent from foreign parties in its ideology and policy" and have "nothing in common with the Communist Party of the old type." That such a party should work for unity and ultimate fusion with a Social Democratic Party and government in the West that for their part were committed to "reversal of remilitarisation, Withdrawal from N.A.T.O. Removal of fascists and militarists from administrative positions in the Federal Republic. . . ." By this means, from below, Germany, anti-militarist, democratic and free of both power-blocs and military alliances might be reunited.

Surely this is the key to the future of Germany and therefore to world peace?

People like Harich and his friends in East Germany should be free to communicate with Germans like themselves in the West.

Yours sincerely,

PETER CADOGAN.

EDITOR'S NOTE: By all means let's support Harich's release for all we're worth. But is the Social Democratic Party of Willi Brandt "committed" to Germany's withdrawal from N.A.T.O.? And, anyway, is it a good thing, if it were?

OTHER PAPERS—PLEASE COPY!

A Norwegian newspaper has written to say that its editorial board has decided to form themselves into a THREE. The idea is to let the readers know what steps can be taken to build up pressure for a prisoner's release, and to bring relief to his family. It is hoped that newspapers and magazines in other countries will follow this helpful lead from Norway.

THREE CASE HISTORIES
(Continued from page 5)

political refugees. Two days after Moumie's death Bechtel disappeared from Geneva. A little later he was arrested in West Germany. As far as information received at AMNESTY headquarters shows, he has, as yet, neither been handed over to the Swiss police, nor brought to trial.

The whole case is shrouded in mystery. Bechtel's whereabouts are not known, nor are the reasons for his detention without trial. AMNESTY has no wish to take up cudgels on behalf of an alleged assassin, nor does it desire to attempt to intervene in the due course of the law. But it insists that Bechtel, guilty or innocent, be brought to trial. The motives for his continuing confinement are obscure, though they are undoubtedly political, and political considerations should not be used to prevent the administration of justice. Nor should they be used as a justification for withholding a man's liberty for an indefinite period.

MICHAEL HARNETT

HAVE YOU SEEN OUR CHRISTMAS CARDS?

If not, write TODAY to Amnesty Christmas Card Department, 153, Victoria Street, London, S.W.1. Free samples on request.
Matters of Moment

One word “AMNESTY” is the title of the permanent Movement with the sub-title, “AN INTERNATIONAL MOVEMENT FOR FREEDOM OF OPINION AND RELIGION.” An emblem has been chosen, shortly to appear on all publications.

* * *

Poland Today

Addressing letters to members of the Government demanding better conditions for writers seems to be a heinous crime in Poland today. The 53-year-old Polish novelist, Jerzy Kornacki, has been arrested and is held for this reason. Is there going to be a trial, and when?

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Stateless . . .

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disputes. The Contracting states agree to promote the establishment, within the framework of the United Nations, of a body to which a person can apply for the examination of his claim and for assistance in presenting it to the appropriate authority. Where a dispute arises between states it is to be submitted to the International Court of Justice if it cannot be settled by any other means.

The Convention is open for signature from the 30th August, 1961 to the 31st May, 1963. It will enter into force two years after the date of deposit of the sixth instrument of ratification. Any state, on ratifying, may make a reservation as to the enforcement and settlement of disputes. It may also make a declaration of retention of the rights of deprivation of nationality allowed by the Convention as described in this article.

APPEAL FOR AMNESTY welcomes the completion of this Convention. Its adoption will undoubtedly forward one of the chief aims of AMNESTY, the finding of new homes and jobs for political exiles. All AMNESTY supporters must do all they can to urge their Governments to sign and ratify this Convention.

HILARY CARTWRIGHT.

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This is what AMNESTY is all about

The 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 until 1959, 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.