

HARMING THE HEALERS

Violations of the human rights of health professionals

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Violations of the human rights of health professionals

Health professionals around the world continue to face obstacles in carrying out their healing function. Despite international human rights standards as well as humanitarian laws protecting their status, in numerous countries pressure is placed on doctors, nurses and other health workers to force them to cease or modify their professional, human rights or non-violent political activity.

Amnesty International has documented such repressive measures over many years. In addition to the organization's continuing program of actions on behalf of victims of human rights violations, the *Commission médicale* of the French section of Amnesty International organized a major conference in Paris in January 1989 to discuss "medicine at risk"¹. A short report was published as a discussion paper for this conference² and a book arising from the conference was published in French and English³. The conference produced a number of recommendations concerning the protection of doctors under threat as well as giving concrete support to a number of participants who themselves had been threatened or persecuted⁴.

In 1991, AI issued a report on the situation of health professionals at risk, including seven case studies of doctors, nurses and other health workers who had been subjected to gross human rights violations⁵. In 1996 AI published further cases in a report on the role of doctors in the exposure of human rights violations⁶. In the following year, Amnesty International published a report on nurses and human rights which drew attention to cases of nurses who had been victimised by states⁷. Other organizations have reported on the plight of health professionals including some professional bodies which have drawn attention to doctors and nurses under pressure. These will be discussed below.

Targeting of health professionals

Doctors, nurses and other health workers can be subjected to a range of repressive measures for a variety of reasons. These reasons include:

- their real or perceived peaceful or violent political activities against the government;
- their activities in human rights groups;
- their professional activities or criticisms of government health policy;

¹The conference was entitled "*Médecine à risques: risques de servir la répression ou d'en être victime*", UNESCO, Paris, 19-21 January 1989.

²*Medicine At Risk: the Doctor As Human Rights Abuser and Victim*. London: AI Index: ACT 75/01/89.

³Commission médicale de la section française d'Amnesty International, Marange V. *Médecins tortionnaires, médecins résistants*. Paris: La Découverte, 1989; published in English as: *Doctors and Torture: Collaboration or Resistance?* London: Bellew, 1991.

⁴*Ibid.* The recommendations focussed on the role of international medical ethics, other international mechanisms, national safeguards and the importance of disseminating relevant information.

⁵*Health personnel: victims of human rights violations*. London: AI Index: ACT 75/01/91, 1991.

⁶*Prescription for change: health professionals and the exposure of human rights violations*, London: AI Index 75/01/96, 1996.

⁷*Nurses and human rights*. London: AI Index: ACT 75/02/97, 1997.

- their alleged membership or support of banned political or social organizations;
- their ethnicity, nationality or gender;
- their provision of treatment to sick or injured members of illegal or armed opposition figures;
- the perceived deterrence value of making an example of the health professional;
- accidental reasons (for example, being in the wrong place at the wrong time).

Medical personnel can also be, like other citizens, arrested and prosecuted for criminal activities though such prosecutions are not relevant here.

In many, perhaps most, cases, persecution cannot simply be attributed to any one unique reason. Doctors who are actively engaged in human rights monitoring may also be engaged in political activism. Similarly, those who criticise health standards or government policy on health may also be seen as making a political point, or reflecting involvement in opposition or human rights groups. While the rights of doctors to participate in political activity must be protected in the same way that any citizen's political rights should be protected, the particular focus of this paper is the risk of health professionals being victimised because of their professional or human rights activities. Nevertheless, cases of imprisonment of health professionals because of non-violent political activities are also included here.

The forms of pressure asserted against health professionals range from the overt and physically dangerous such as death threats or threats against family members, abduction and disappearance, killing, and torture through to denial of promotion, transfer to undesirable locations, and dismissal. In some cases, doctors or nurses face continuing harassment in the conduct of their professional activity through the presence of police or military officers in the clinic or hospital and their refusal to respect the confidentiality of the medical consultation.

Review of some recent cases known to Amnesty International

During the past few years, Amnesty International has appealed on behalf of many health professionals. This section reviews some of these cases but does not pretend to be comprehensive. The cases given below represent only a selection of cases of repression involving health professionals. Moreover, a wide range of acts of repression, such as dismissal, forcible transfer and a range of verbal or written threats, fall outside Amnesty International's mandate and therefore are not systematically documented by the organization. The cases considered below (in alphabetical order according to country) are those in which health professionals have been subjected to imprisonment, "disappearance", ill-treatment or similar abuses.

Cuba

A prisoner of conscience on whose behalf Amnesty International appealed in the 1990s was **Dr Omar del Pozo**, a 49-year-old Cuban physician arrested in April 1992 on charges of "revealing state security secrets" and sentenced to 15 years' imprisonment⁸. Amnesty International saw no persuasive evidence that he had had any access to "state secrets" and believed that he was imprisoned because of his political and human rights activities. He was released from prison on 6 April 1998. He was president of a non-violent opposition group, the

⁸See *Medical concern: Dr Omar Del Pozo Marrero*. London: AI Index: AMR 25/10/95, 31 August 1995.

Unión Cívica Nacional (National Civic Union). Dr del Pozo was suffering from hypertension, a stomach ulcer, heart and kidney problems. He was also said to be suffering from malnutrition which had led to the loss of much of his hair and several teeth.

Dr del Pozo was one of some 100 political prisoners to be released following the Pope's visit to Cuba in January 1998. However, in his case and those of 13 others, early release was conditional on the prisoners agreeing to go into exile. Following negotiations between the Cuban and Canadian governments, the 14 were permitted to emigrate to Canada.

Another Cuban doctor, **Dr Desi Mendoza**, was arrested in June 1997 and imprisoned in connection with a public health critique he had made of the handling of a dengue fever epidemic in Santiago de Cuba in the east of the country. During the trial in November 1997 he was reportedly accused of having behaved in a way which was "politically opposed to the Cuban social system" and he was sentenced to eight years in prison in November 1997. He was released on 20 November 1998 for "humanitarian reasons" due to his ill-health. His release followed the visit to Cuba from 9 to 11 November 1998 of the Spanish Foreign Minister, Abel Matutes, to whom Amnesty International had handed a list of prisoners of conscience prior to his visit. The release of Dr Desi Mendoza was conditional on him leaving the country and he subsequently went into exile in Spain.

Most recently, Dr. Oscar Elías Biscet González, president of the *Fundación Lawton de Derechos Humanos*, Lawton Foundation for Human Rights, an illegal humanitarian organization, was arrested on 3 November 1999 and sentenced to three years' imprisonment on 25 February 2000 on charges of making an "insult to the symbols of the homeland", "public disorder", and "incitement to commit a crime"⁹. (Further details of his case are given on p.24)

Egypt

⁹ Respectively, '*ultraje a los símbolos de la patria*', '*desordenes públicos*', and '*instigación a delinquir*'. See *Cuba: Eleven remain in detention following government crackdown on dissent during Ibero-American Summit in Havana*. London: AI Index: AMR 25/02/00, 31 January 2000.

Dr Ibrahim Khalil al-Za'farani, Secretary General of the Alexandria branch of the Egyptian Medical Syndicate and head of its human rights committee, has been repeatedly arrested and imprisoned over the past five years¹⁰. Dr al-Za'farani was arrested in January 1995, together with 28 other alleged members of the *Muslim Brothers* organization. Subsequent arrests of other members of the organization took place in July and October that year and those arrested included a further 11 doctors¹¹. **Dr 'Abd al-Mun'im Abu al-Futuh 'Abd al-Hady and Dr Mahmoud Ahmad 'Omar al-'Arini** were two of these doctors for whose well-being and freedom Al appealed¹².

Dr al-Za'farani was re-arrested on 22 January 1998 within hours of returning home after his release from serving a three-year prison term. He was not given any reason for his re-arrest and was held under a renewable administrative detention order.

He was released from detention in March 1998¹³ but was arrested again on 14 February 1999 together with eight other members of the Muslim Brotherhood. He was transferred to Mazra'at Tora prison, south of Cairo, after initially having been held at the State Security Investigations Department in Alexandria.

¹⁰ See *Four doctors in detention, Egypt*. London: AI Index: MDE 12/05/95, 13 February 1995.

¹¹ *Prisoners of conscience: 12 medical professionals, Egypt*. London: AI Index: MDE 12/07/97, 8 April 1997.

¹² *Prisoners of conscience in need of medical attention, Egypt*. London: AI Index: MDE 12/05/99, 12 February 1999. A third doctor, Mahmoud 'Ali Abu Rayya, was also included in this appeal.

¹³ *Release of Dr Ibrahim Khalil al-Za'farani and continued imprisonment of 11 other doctors, Egypt*. London: AI Index: MDE 12/21/98, 20 April 1998.

Dr al-Za'farani was charged with "belonging to a secret organization that was established against the law and possession of leaflets that promote the group's ideas". As a member of the Muslim Brotherhood who neither uses nor advocates violence, Dr al-Za'farani was considered by Amnesty International to be a prisoner of conscience. Dr al-Za'farani was released from detention on 28 April 1999 following an order from the Higher State Security Prosecution¹⁴. One of those arrested in 1995, **Dr Al-Sayyid Mahmoud 'Izzat Ibrahim 'Eissa**, remains in custody and details of his case are given below (p.25).

Libya

A Libyan physiotherapist, **al-Sayyid Mohammad Shabou**, aged 34, was forcibly returned to Libya from Saudi Arabia in May or June 1998 during a visit to that country, despite having been granted refugee status in the United Kingdom in November 1997. He is reportedly still being held in Abu Salim prison in Tripoli¹⁵. Amnesty International was concerned at reports that al-Sayyid Mohammad Shabou was tortured in detention and continues to campaign for his release (see page 32).

Myanmar

In Myanmar, doctors and nurses have been very active in the pro-democracy and human rights movements which have mobilised large numbers of citizens and which culminated in March 1988 in wide-spread demonstrations calling for an end to 26 years of one party military rule in Burma (re-named Myanmar by the military government in June 1989). The demonstrations continued until 18 September 1988 when military forces crushed opposition and imposed military control. A new ruling body known as the State Law and Order Restoration Council (SLORC) was subsequently created. The SLORC promised elections and these took place in May 1990, resulting in over 80% of parliamentary seats being won by the opposition National League for Democracy (NLD). The military government refused to accept the result and did not relinquish power. Both prior to, and following, the election, there were widespread arrests of opposition supporters. Although some releases took place in 1992 and 1993, further arrests were made. A number of those arrested were medical professionals.

Dr Ma Thida (b. 1966), a surgeon and writer, was adopted by Amnesty International as a prisoner of conscience in 1993. She was a member of Myanmar's political opposition and former campaign assistant to Daw Aung San Suu Kyi, leader of the opposition National League for Democracy. She was one of many health professionals who in 1988 strongly opposed the use of armed force to crush mass demonstrations calling for an end to military rule, and was among a number of doctors who treated those injured in the demonstrations. Dr Ma Thida was arrested in 1993 and sentenced to 20 years in prison in October that year. In 1995, reports received by Amnesty International said that Dr Ma Thida had been diagnosed with tuberculosis and been temporarily admitted to hospital, and that she had three small ovarian tumours which required surgery. She subsequently recovered from the tuberculosis. She was released on 11 February 1999.

Sentenced at the same time as Ma Thida were **Dr Aung Khin Sint** and his assistant Than Min. They also both received sentences of 20 years' imprisonment for distributing "threatening literature". They were adopted by Amnesty International as prisoners of conscience. He served

¹⁴ *Dr Ibrahim Khalil al-Za'farani, Egypt*. London: AI Index: MDE 12/25/99, 17 June 1999.

¹⁵ *Forcible repatriation and continued detention of health professional, Libya*. London: AI Index: MDE 19/3/99, 14 May 1999.

only 16 months of this sentence before being released by a military decree in February 1995. However, he was re-arrested on 23 July 1996, reportedly on the grounds that he continued to be politically active after his release from prison. Recently, Amnesty International learned that Dr. Aung Khin Sint had been hospitalized with uncontrolled diabetes. He has previously been hospitalized in Yangon General Hospital in 1997, when authorities publicly stated that he was suffering from "high blood pressure, weak heart and diabetes " and he was also hospitalized in early 1999.

There have been further arrests of health workers in the past 18 months. On 30 October 1998, Amnesty International also expressed its worry at the arrest and detention of **Dr U Saw Mra Aung**¹⁶, a medical doctor then aged 80, and an elected member of Parliament. In mid-September he had been appointed as Head of the symbolic People's Parliament by the few National League for Democracy (NLD) leaders who are not currently in detention. He remains in custody and Amnesty International continues to campaign for his release (see page 33 below). He is currently experiencing hearing problems and peripheral neuropathy.

Dr Htay Hlaing¹⁷, a 51-year-old member of the National League for Democracy, was arrested together with other NLD activists on 6 September 1998. He was reported to be suffering from nephrotic syndrome and not to be receiving adequate medical care in detention. Information that an NLD activist detained together with Dr Htay Hlaing, U Aung Min, died in Military Intelligence custody on 21 October 1998 increased concerns for Dr Hlaing's well-being. However, he was released on 29 October 1998.

Dr Daw Shwe Bo, a 45-year-old female physician, together with two other unnamed female medical doctors, was arrested in Pegu in central Myanmar between 19 and 23 July 1999, together with 16 other people¹⁸. The three doctors were among a group of activists who were reportedly involved in preparations for a pro-democracy march on 19 July 1999. Between 16 and 18 July, pamphlets were distributed announcing the march and messages were spray-painted on walls in Pegu calling for support of the opposition NLD, for prices to be lowered, and for civil servants' salaries to be raised; the leaflets that were distributed called for non-violent action only. She was formerly a township medical officer, but was reportedly forced to resign after she joined the National League for Democracy. Dr Daw Shwe Bo was sentenced to life imprisonment in December 1999.

¹⁶ *Medical letter writing action: Dr U Saw Mra Aung, Myanmar.* London: AI Index: ASA 16/29/98

¹⁷ *Medical letter writing action: Dr Htay Hlaing, Myanmar.* London: AI Index: ASA 16/30/98

¹⁸ *Medical letter writing action: Dr Shwe Bo and two other female physicians, Myanmar.* London: AI Index: 16/26/99, 2 September 1999.

Dr. Zaw Min, a medical doctor who worked at a private clinic in Insein township, Yangon, has been detained since July 1989. He remains in detention on the order of the Minister of Home Affairs despite the expiry of his 10 year prison sentence. Dr Zaw Min was arrested on 30 July 1989, when he was reportedly beaten by soldiers and Military Intelligence officers. He was sentenced to 20 years' imprisonment on charges including organizing workers to act against the Government illegally, and publishing anti-government literature. His sentence was commuted in 1993 under a general amnesty to 10 years' imprisonment. Despite the expiry of his sentence, he remains detained under provisions of the 1975 State Protection Law (Law to Protect the State from Disturbing Elements), which allow the executive to permit the continued detention of a person without charge or trial for up to six years. He is serving his sentence at Mandalay Prison, Mandalay State. Amnesty International considers him to be a prisoner of conscience imprisoned for his peaceful political activities, and continues to call for his immediate and unconditional release from detention.

Dr. Zaw Myint Maung, 48, a medical doctor at a private clinic in Mandalay, and National League for Democracy (NLD) MP elect, is serving a 17 year prison sentence. He was arrested in November 1990 for attending a meeting to discuss the formation of a parallel government that took place after the military authorities refused to recognize the results of the 1990 elections. He was disqualified as a member of parliament, and sentenced to 25 years' imprisonment, which was later reduced to 10 years' imprisonment under a general amnesty. Dr. Zaw Myint Maung was given a second sentence of seven years' imprisonment in 1996, while still detained, after authorities tried prisoners who they alleged had written to the United Nations Special Rapporteur on Myanmar about prison conditions in Insein Prison, and had collaborated in the writing of a magazine, listened to the radio and circulated news inside the prison. A number of prisoners were held in small concrete cells designed to hold military dogs during the authorities' investigation, and were deprived of food, water and adequate bedding. Dr. Zaw Myint Maung was sentenced to a further seven years' imprisonment on charges of "disseminating false information ... knowing that the news is not correct". Authorities alleged he was a member of an organization to protect the rights of prisoners, that he had contributed two poems to a magazine published by prisoners, and had signed a letter calling for the release of Daw Aung San Suu Kyi. He is serving his sentence at Myitkyina Prison in Kachin State. Amnesty International believes that he is a prisoner of conscience and is calling for his immediate and unconditional release.

Nigeria

Dr Beko Ransome-Kuti, a medical doctor, former head of the Nigerian Medical Association, and a human rights and pro-democracy activist, was arrested on 27 July 1995 and was sentenced to a 15-year period of imprisonment following a secret trial by a military tribunal. Dr Beko Ransome-Kuti had been convicted of being an accessory to treason for distributing information about the proceedings of a Special Military Tribunal which unfairly tried and convicted 43 people in connection with an alleged coup attempt in March 1995.

Amnesty International adopted Dr Beko Ransome-Kuti as a prisoner of conscience and also made appeals for him to be safeguarded from harsh prison conditions and medical neglect. This followed reports in January 1998 that he required emergency hospital treatment when he became ill in Katsina prison, northern Nigeria, with an acute peptic ulcer and heart problems. On 16 June 1998 he and other prisoners of conscience were released; by early 1999 all those convicted in the same trial had been freed. One of them, retired General Olusegun Obasanjo, was elected head of state in May 1999.

Dr Ransome-Kuti's successor as head of the Campaign for Democracy, **Dr**

Frederick Fasehun, was also arrested in 1996 and held incommunicado, though he remained uncharged. He was said to be suspected of involvement in bomb attacks in Lagos. No evidence was ever presented to sustain these charges. He was charged with treason in March 1997 with 15 others, including prominent pro-democracy leaders, and was released unconditionally on the death of General Sani Abacha in June 1998.

Syria

In Syria, a number of professional associations became targets for government suppression in 1980 when they undertook strike action in favour of an end to emergency rule and for the implementation of basic human rights standards. The authorities closed down the professional associations and arrested large numbers of their members. Amnesty International undertook a series of actions in favour of around 100 health professionals held for many years in connection with these protests¹⁹.

Doctors are still being arrested in connection with political views or membership of political organizations. **Muhammad Ghanim**, a medical doctor by training, was born in Latakia in 1958.

¹⁹See: *Forgotten victims: health professionals imprisoned in 1980, Syria*. London: AI Index: MDE 24/06/95, 19 June 1995.

He was arrested first in 1985 and again on 31 January 1992. He was charged with membership of the Party for Communist Action (PCA). He was subsequently tried by the Supreme State Security Court (SSSC) and sentenced in June 1994 to 15 years' imprisonment with hard labour (see page 36 below).

Another doctor, '**Abd al-'Aziz al-Khayyir**, was arrested in Damascus on 1 February 1992 by members of *al-Mukhabarat al-'Askariyya* (Military Intelligence) in connection with the PCA. 'Abd al-'Aziz al-Khayyir is reported to have been sought by the authorities for some time prior to his arrest in relation to his connections with the PCA and was arrested around the same time as 13 others who have links with the party.

'Abd al-'Aziz al-Khayyir was eventually tried and sentenced in August 1995 by the SSSC to 22 years' imprisonment (the longest sentence known to have been handed down thus far by the SSSC) on charges of membership of the PCA. He has been adopted by Amnesty International as a prisoner of conscience (see page 36 below).

Turkey

The situation of doctors in Turkey is a particularly striking one since there is a widespread problem of pressure on doctors to collude in the medical cover-up of torture while at the same time there is a significant section of the medical profession which is actively promoting human rights and professional ethics. In some cases, doctors have themselves become victims of repression.

Dr Cumhuri Akpınar works at the Ankara branch of the State Forensic Medicine Institute and is a former executive member of the Ankara Medical Chamber. He was first arrested on 8 January 1999 and re-detained after having been conditionally released pending trial on 15 January. Dr Akpınar was subsequently charged under Article 169 of the Turkish Penal Code with aiding an illegal organization via preparing forensic reports, and produced in court on 4 March 1999.

His trial was observed by the president of the World Medical Association, Dr Anders Milton, a representative from Physicians for Human Rights, Dr Charles Clements, representatives from several embassies and around 100 Turkish physicians who had travelled to Ankara from different parts of Turkey. According to reports received by Amnesty International, the trial was adjourned to 23 March after heated discussions between the judges presiding over it and the group of 45 defence lawyers. In court the prosecutor presented his case only in writing and each defendant spoke in his own defence.

Amnesty International called for the charges against Dr Akpınar to be dropped. The organization is not aware of any evidence to connect Dr Akpınar with an illegal armed organization, as suggested by the prosecution, and believed that his medical documentation of ill-treatment may have been the real reason for his prosecution. After several hearings, Cumhuri Akpınar was acquitted on 30 December 1999²⁰.

²⁰A narrative of the case of Dr Akpınar can be found on the following Internet website: <http://www.geocities.com/SoHo/Lofts/8653/cumhur/cumhur.html>. (Amnesty International is not responsible for the content of this site.)

Amnesty International continues to be deeply concerned about the arrest and detention of **Dr Alp Ayan**, psychiatrist at the Human Rights Foundation of Turkey (HRFT) in Izmir, as well as Günseli Kaya and 12 others. Dr Ayan has been working for torture victims' rehabilitation for 10 years. Günseli Kaya is the secretary in the HRFT office. Both are also active in the Izmir branch of the Human Rights Association (HRA), and were board members of HRA Izmir between 1993 and 1998. They were detained with 74 others in a village near Izmir while trying to attend the funeral of one of 10 prisoners killed on 26 September 1999 in Ankara Closed Prison.

On 3 October 1999, Dr Alp Ayan and Günseli Kaya appeared in court and were remanded to Bergama and U_ak prison respectively, after the court declared the case outside its competence, referring it to the Izmir State Security Court. This court also declared the case outside its competence, meaning that the prisoners had to wait for a decision by the Appeal Court which took several months.

Amnesty International believed that Alp Ayan and Günseli Kaya may have been detained because of their human rights activism and considered them possible prisoners of conscience. Amnesty International therefore asked the authorities to provide further information on the circumstances of the detention, to clarify the charges against them, and to release them from prison until a competent, independent and impartial court established the necessity of their imprisonment in compliance with international human rights standards. Amnesty International continued to express dismay at the fact that human rights defenders remain subject of constant harassment in Turkey. Alp Ayan and Günseli Kaya were released on 20 January 2000 pending trial.

On 19 October 1999, **Dr Zeki Uzun** was arrested in his private gynaecological clinic by anti-terror police, a unit of the state security police, taken to the police station and interrogated. Zeki Uzun was detained for seven days, during which he was kept in a very small cell with concrete floor. Only twice a day he was allowed food and drink, and he had to perform toilet functions in the cell. He was repeatedly subjected to maltreatment and torture including kicks and blows against the head and chest, squeezing of the testicles, near suffocation by placing of a plastic bag over his head, as well as various verbal threats. A medical report from the Izmir Atatürk Educational Hospital subsequently concluded that Zeki Uzun had not been tortured. However, he was not examined by a medical doctor. Shortly after his release on 26 October, doctors of the Turkish Medical Association examined Dr Uzun and found signs that he had been subjected to "physical and psychological trauma" during the detention period, signs which were consistent with the alleged torture.

Subsequently Dr Uzun was charged with supporting the illegal organization PKK by giving treatment to two of its members. Dr Uzun has had three court appearances, most recently on 13 April 2000, but remains at liberty. In the last trial hearing the prosecutor called for the acquittal of Zeki Uzun. Should Dr Uzun be imprisoned, Amnesty International would adopt him as a prisoner of conscience. The case was scheduled to continue on 23 May 2000.

Continuing the pattern of harassment of those active in the defence of human rights, **Professor Veli Lök**, an orthopaedic surgeon and the Izmir Representative of the Human Rights Foundation of Turkey (HRFT) appeared before the Izmir Penal Court of First Instance No 2 on 11 February 2000 for making a statement in connection with the case of Dr Alp Ayan and Günseli Kaya. Professor Lök is accused of "publishing his opinion about the decisions taken by the court before the trial has been concluded with a final decision" under Article 30/2

of the Press Law. A further hearing was held on 11 April 2000 and the trial postponed until 13 June 2000.

Professor Lök was born in Izmir in 1932 and he graduated from Istanbul University Medical Faculty in 1956. He started to work on documentation of signs of torture and medical treatment of torture survivors in 1987 when the Human Rights Association (HRA) in Turkey was founded. He is a founding member of the HRFT and became Izmir representative for the Foundation in 1991.

Amnesty International believes that the charges against Professor Veli Lök and several other doctors who have been prosecuted in recent years for activities consistent with medical ethics, represent a pattern of intimidation by the Turkish Government in order to prevent doctors from exercising their profession impartially and independently for human rights cases or organizations. The organization is therefore calling for all charges against Professor Lök to be dropped.

Viet Nam

A Vietnamese physician, **Dr Nguyen Dan Que**, long active in human rights and pro-democracy advocacy, was the subject of prolonged concern by human rights and professional organizations. He is an endocrinologist who spent long periods adopted by Amnesty International as a prisoner of conscience and was the subject of a number of appeals by colleagues around the world during his long period of imprisonment. He was born in 1942 in northern Viet Nam. On graduating in medicine from Saigon University, he joined the staff of the medical school where he specialised in thyroid diseases and diabetes. Under the sponsorship of the World Health Organization he carried out research in Paris, Brussels and London. He returned to Viet Nam in July 1974 and, after the end of the Viet Nam war in 1975, became Director of the Cho-Ray Hospital in Ho Chi Minh City (formerly Saigon).

After making criticisms of the direction of national health care policy he was dismissed from his post and, in February 1978, was arrested and accused of rebelling against the regime and forming a reactionary organization. He was released in 1988 after 10 years of detention without trial. Following his release, Dr Nguyen Dan Que joined Amnesty International as an international member and became a founder member of an organization called *Cao Trao Nhan Ban* (High Tide of Humanism Movement) which was established in mid-1990. Its manifesto called for various democratic reforms and Dr Nguyen Dan Que was arrested a month after the publication of the manifesto. He was tried in November 1991 at the People's Court in Ho Chi Minh City. He was charged with, among other things, planning to overthrow the government. One of the charges against him was membership of Amnesty International.

Dr Nguyen Dan Que was sentenced to 20 years' imprisonment and five years' of house arrest for his peaceful political activities. He was kept for periods in solitary confinement and experienced extended periods of ill health²¹. Dr Nguyen Dan Que is married with children.

In April 1993 the United Nations Working Group on Arbitrary Detention declared that his detention was arbitrary and in contravention of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights to which Viet Nam is a signatory.

²¹ *Medical concern: Dr Nguyen Dan Que, Viet Nam*. London: AI Index: ASA 41/02/95; his case was also one of the cases featured in the 1991 publication *Health personnel: victims of human rights violations* (see note 4 above).

Amnesty International learned that Dr Nguyen Dan Que and two other prisoners of conscience, Nguyen Van Thuan and Professor Doan Viet Hoat, were among more than 5000 prisoners set free in an annual Presidential Amnesty for National Day on 2 September 1998. Since that time he has been unable to practise medicine as his professional documents have not been returned to him, so he has no right to work.

Another victim of punishment for exercising the right to freedom of expression was **Vo Van Pham**, born in 1947, a Vietnamese nurse who is married with six children. He was arrested in July 1991 and subsequently found guilty of "participating in the establishment [of an] organization aimed at overthrowing the people's government [and] caus[ing] grave consequences". He was sentenced to 12 years' imprisonment as well as to two years' probation at the end of his prison term. Amnesty International considered Vo Van Pham a prisoner of conscience detained solely for the peaceful expression of his beliefs and issued several appeals for his release²². He was released in 1999 after serving nearly eight years of his sentence.

Disappearance of health personnel

According to the Declaration on the Protection of All Persons from Enforced Disappearance²³, an enforced disappearance occurs when "persons are arrested, detained or abducted against their will or otherwise deprived of their liberty by officials of different branches or levels of Government, or by organized groups, or private individuals acting on behalf of, or with the support, direct or indirect, consent or acquiescence of the Government, followed by a refusal to disclose the fate or whereabouts of the persons concerned or a refusal to acknowledge the deprivation of their liberty, which places such persons outside the protection of the law." This form of repression is particularly devastating for families and friends of the victim as they do not know if their loved one is alive or dead.

In 1999, Amnesty International expressed concern at the reported arrest and subsequent 'disappearance' of a medical doctor and a humanitarian worker in Ethiopia. **Dr Tassew Begashaw**, a doctor working for a private clinic in Addis Ababa, Ethiopia, was arrested in Addis Ababa on 15 August 1999. A member of the Oromo ethnic group, Dr Tassew Begashaw is reportedly being accused of giving medical treatment to a suspected member of the Oromo Liberation Front (OLF). According to unofficial sources he was held incommunicado at Maikelawi criminal investigation centre in Addis Ababa. At time of writing Dr Tassew Begashaw's whereabouts and situation are still not known and AI continues to appeal on his behalf (see p. 28 below).

Dr Hafir Shala, aged 38, an ethnic Albanian from Kosovo province, was reportedly arrested by police on 10 April 1998. The car in which he was travelling was stopped by police in the village of Slatina near Pristina and he and his two companions were arrested. According to statements by these companions, they were driven to the police headquarters in Pristina by uniformed police, whereas Hafir Shala was driven there in a separate vehicle occupied by three men in civilian clothes. According to reports the vehicle was seen to enter the police headquarters in Pristina. Despite efforts by his family and lawyer, no information concerning his whereabouts has been released by the authorities.

²²See for example, *Imprisoned nurse: Vo Van Pham alias Vo Thanh Long, Vietnam*. London: AI Index: ASA 41/05/97, 4 February 1997.

²³Proclaimed by the General Assembly in resolution 47/133 of 18 December 1992.

Dr Hafir Shala worked as a physician in the Medical Centre of Glogovac in the Drenica region of Kosovo province. He is reported to be a member of the Democratic League of Kosova (LDK), the largest ethnic Albanian party. He was also an active member of the Mother Theresa Humanitarian and Charitable Association. He remains “disappeared”.

Imprisonment as punishment for professional critique

In some cases, doctors have been prosecuted for their professional critique of government policy or action. The case of Dr Desi Mendoza, Cuba, has already been cited (see above p.3). Another case of imprisonment, possibly for making a professional critique, is that **Professor Yury Bandazhevsky**. Professor Bandazhevsky, a physician, was arrested in Gomel on 13 July 1999 under a presidential decree usually invoked only in cases of violent suspects and terrorists. He was informed three weeks after his arrest that he was charged under Article 169 (3) of the Belarusian Criminal Code for allegedly taking bribes from students seeking admission to his research institute. If convicted, he would face between five and 15 years’ imprisonment and confiscation of his property.

Amnesty International believes that Yury Bandazhevsky may have been imprisoned for his outspoken criticism of a state-funded research program into the effects of the explosion of the Chernobyl nuclear reactor on the population’s health. In his capacity as both the rector of the Gomel Medical Institute and a respected academic, Yury Bandazhevsky has been active in this field of research for a number of years. As a member of a special research committee he had recently written a report about the research being conducted into the Chernobyl disaster by the Institute of Radiation Medicine (part of the Belarusian Ministry of Health), criticizing the manner in which the research had been carried out and the fact that money had been spent on research which had not produced any important scientific findings. On the night of his arrest police officers reportedly searched his home and confiscated his computer, books and files. He was released on 27 December 1999 from pre-trial detention under the condition that he does not leave Minsk.

During his time in pre-trial detention Yury Bandazhevsky’s state of health deteriorated drastically. He reportedly suffers from a stomach condition, which was exacerbated by the inhuman and degrading conditions of his imprisonment, and depression as a result of his predicament. After being released his health continues to be poor and as a result of not having official residency in Minsk, where he must remain as a condition of his release, he cannot register for medical treatment. His wife, a physician, is reportedly treating him as best she can with the limited resources the family have. At time of writing the investigation into his case continues.

Action by non-governmental bodies for detained health professionals

Amnesty International has campaigned actively for detained health professionals since the organization's creation in 1961. Its activities in this field were stepped up following the establishment of the first Amnesty International medical group in 1974 and the subsequent development of an international health professional network, now active in more than 30 countries²⁴.

Apart from Amnesty International, a number of human rights organizations have also continued to document and campaign on cases. The International Federation of Health and Human Rights Organizations is a coalition comprising a number of national organizations²⁵. One of the national affiliates, the Boston-based organization Physicians for Human Rights (PHR), has undertaken detailed research into the situation of doctors and other health professionals at risk. For example, it has documented violations of medical neutrality in the former Yugoslavia including cases where medical facilities were attacked and where physicians and nurses were subjected to abuses²⁶. It also examined the dilemmas faced by doctors in Turkey and documented numerous examples of different forms of pressure being imposed on doctors²⁷. Recently, PHR documented violations of medical neutrality by Russian forces against Chechen medical personnel²⁸.

²⁴Information on the Amnesty International Health Professional network is available on the Internet at: <http://www.web.amnesty.org/rmp/hponline.nsf>

²⁵The affiliated organizations are: Physicians for Human Rights (USA), Physicians for Human Rights (UK), Physicians for Human Rights (Denmark), Johannes Wier Foundation for Health and Human Rights (Netherlands), Physicians for Human Rights (Israel), Palestinian Physicians for Human Rights, Physicians for Human Rights (South Africa), Centre for Enquiry into Health and Allied Themes (CEHAT, India), Health and Human Rights Foundation (HHRF, Bangladesh).

²⁶Physicians for Human Rights. *Medicine under Siege in the Former Yugoslavia 1991-1995*. Boston: PHR, 1996.

²⁷Physicians for Human Rights. *Torture in Turkey and its Unwilling Accomplices*. Boston: PHR 1996.

²⁸Physicians for Human Rights. **Press release: Random Survey Conducted by US Medical Group of Displaced Chechens Finds Widespread Killings and Abuses by Russian Forces**. Boston: PHR, 2000. Available via the Internet at: http://www.phrusa.org/research/chechen_displaced.html

The International Rehabilitation Council for Torture Victims (IRCT), based in Copenhagen, has also supported doctors at risk of repression, recently issuing a press release in the case of prosecutions launched against Turkish doctors²⁹ (discussed above, pp.9-11).

At a national level, NGOs have campaigned for doctors at risk including in situations where the NGO itself is put at risk by its campaigning.

Action by professional bodies

Medical and nursing associations are widely regarded as conservative bodies which are reluctant to intervene on “political” issues outside of those relating to working conditions, remuneration, health policy and similar themes. However, some associations have intervened in support of individuals or to pursue issues directly relevant to the protection of human rights.

Peru

The Peruvian Medical Association protested when doctors were arrested in 1992-3 in the context of the civil war between the Peruvian army and armed opposition, most notably the Partido Comunista del Peru (Sendero Luminoso) (PCP) [Communist Party of Peru - Shining Path]. Doctors faced impossible choices when members of the guerilla forces would seek medical care, sometimes under threat of force. Refusal to provide treatment would raise ethical issues as well as appearing to risk retaliation by opposition forces, while providing treatment risked retaliation by the army.

Several doctors were imprisoned in Peru in 1993 under anti-terrorism legislation and accused of having provided medical treatment to members of the armed opposition. This provoked concern among international human rights and medical organizations. The American Association for the Advancement of Science (AAAS) for example, sent a delegation to Peru in April 1993 to investigate the situation of Peruvian doctors³⁰. At the request of the Peruvian Medical Association, Dr Ian Field, then Secretary-General of the World Medical Association (WMA) and Dr Anders Milton, then Secretary-General of the Swedish Medical Association and WMA Council delegate, visited Peru in November and December 1994. The WMA delegation met with ministers, members of the judiciary, members of the medical profession and human rights representatives, among others and raised the cases of 24 doctors³¹. All were released after varying periods of detention.

²⁹IRCT press release: International Community Urged To Denounce Turkey's Persecution of Doctors Working against Torture, 28 February 2000.

Available via the Internet at: <http://www.irct.org/media.htm#turkey1>

³⁰ AAAS: *Report on Science and Human Rights*, XV (1), 1994, pp.2-3

³¹ *World Medical Journal*, 1995; 41(5):69-71.

Two doctors who faced long prison sentences were **Dr Nery Medina** and **Dr Fortunato Sumina**³². Dr Medina was a paediatrician and worked at Camaná public hospital in Arequipa province. He was director of the hospital in 1985, *Director de la Unidad Territorial* of Camaná in 1990-1991 and a leader of the *Izquierda Unida*, a legally-registered coalition of left-wing Parliamentary parties. Dr Sumina was an internist and surgeon at the same hospital and was also an active member of the *Izquierda Unida*. They were both arrested at the hospital in early September 1992 by members of DINCOTE, the anti-terrorism branch of the police—Dr Medina on 7 September and Dr Sumina on 8 September. The arrests appear to have been motivated by accusations made against them by individuals detained for links with the armed opposition, the *Partido Comunista de Perú (Sendero Luminoso)* PCP, Communist Party of Peru (Shining Path).

Although there was no credible evidence that either of the doctors had links with any armed group, they were jointly charged, convicted and sentenced for terrorism-related crimes in two separate trials. In the first case brought against them they were accused of having given medical attention to members of the armed opposition and of having collaborated with *Socorro Popular* (Popular Aid), a welfare organization attached to the PCP. In the second case, they were also accused of being leaders of the *Socorro Popular*, again on the verbal evidence of a member of the armed opposition.

The charges against them were based solely on accusations made by two men under investigation for PCP links. It is believed that these men made false accusations in order to benefit from Peru's *Ley de Arrepentimiento* ('Repentance Law') which had been introduced in May 1992 as part of a series of anti-terrorism measures. This law provided for the exemption from prosecution of those charged with terrorism or for commutation of their sentences in exchange for the provision of information leading to the arrest of other alleged PCP members. The law was criticized by independent human rights organizations for allowing uncorroborated evidence to be used in courts. It was repealed in November 1994.

Drs Medina and Sumina were initially sentenced in April 1993 in the first trial to 20 years' imprisonment. There was considerable community support for them. The Peruvian Medical Association also acted on their behalf and called for their release. In October 1994 the Supreme Court of Justice overturned the 20-year sentence and sent the case back to Arequipa High Court for re-trial. In the meantime, however, the doctors had been sentenced to 22 years' imprisonment in the second trial and this sentence had been ratified by the Supreme Court. The Arequipa High Court therefore decided that there was no need to re-hear the evidence in the first case as the charges were the same, and the 22-year sentence stood. Their trial *twice* on the same charge was contrary to the fair trial principle that no-one should be tried or punished again in the same jurisdiction for a criminal offence if they have been finally convicted or acquitted of that same charge.

Amnesty International believed that there was no evidence whatsoever that Dr Medina or Dr Sumina had links with the PCP and called for their immediate and unconditional release as prisoners of conscience. Nevertheless, Drs Medina and Sumina remained in prison until their release in December 1996 under the terms of a presidential amnesty.

Turkey

³² *Drs Nery Fermion Medina Quispe and Fortunato Graciano Sumina Taco, Peru*. London: AI Index: AMR 46/06/96, 25 March 1996.

Other professional bodies undertake systematic activities in support of doctors at risk. The Turkish Medical Association has for many years taken action in favour of human rights in general and Turkish medical professionals in particular. In 1996 the Association convened human rights meetings in Istanbul and Adana to raise awareness among local medical practitioners of human rights issues and professional ethics. The meeting in Adana gave rise to a three-year collaboration between Turkish and foreign doctors which eventuated in the elaboration of a detailed protocol for the investigation of torture. This document, the Istanbul Protocol³³, was presented to the United Nations High Commissioner for Human Rights, Mary Robinson, in Geneva in August 1999.

The Turkish Medical Association has also given support both to doctors under pressure from the authorities for their human rights work and those who have been ill-treated in custody. Most recently it was a Turkish Medical Association team which examined Dr Zeki Uzun and concluded that he had been tortured (see above p.10).

United Kingdom

The British Medical Association has continued to undertake a program of letter writing in support of doctors under threat³⁴ and was a sponsor of a resolution to the World Medical Assembly calling for WMA support for the creation of a Special Rapporteur on the Independence and Integrity of Health Professionals (see below, p.18). It has also published reports on doctors and human rights³⁵ and participates as an observer at meetings of the International Federation of Health and Human Rights Organizations.

Ethics and the prosecution of doctors for professional activities

While some health professionals attract the interest of the security forces for reasons totally unconnected with their professional activity -- their role within a political movement for example -- there are other cases where it has been the professional activities of the doctor or nurse (often in a human rights context) which has led to their arrest.

This focuses attention on elements of medical practice which some governments regard as illegitimate or blatantly illegal. Foremost among these is the provision of medical treatment to opponents of the government. As has already been mentioned in connection with Peru and Turkey (and has happened in the past with Chile, El Salvador and Guatemala) doctors who are seen by the authorities as sympathetic to, providing treatment for, or failing to report the presence of, members of opposition groups can be regarded as legitimate targets for prosecution.

This collection of charges needs to be examined closely. *Sympathy* with an armed opposition group cannot in law be regarded as illegal provided that such sympathy does not manifest itself in anything more than agreement with the goals of the organization or insistence on the rights of those prosecuted by the state to receive fair trial and protection from ill-treatment. More active forms of "sympathy" such as acts of violence, facilitating military objectives or providing concrete assistance in the carrying out of attacks might reasonably

³³ Copies of the protocol are available from the Physicians for Human Rights web-site: <http://www.phrusa.org/research/istanbul.html>

³⁴ British Medical Association. *Medicine Betrayed: The Participation of Doctors in Human Rights Abuses*. London: Zed Books, 1992. Appendix 1. BMA procedures for human rights interventions (pp.207-8).

³⁵ See for example: *The Torture Report* (London: BMA, 1986), *Medicine Betrayed: The Participation of Doctors in Human Rights Abuses* (London: Zed Books, 1992), *The Medical Profession and Human Rights: Handbook for a Changing Agenda* (London: Zed Books, in press, 2000).

result in prosecution under existing domestic laws forbidding acts harmful to property or to the person.

Providing medical care to armed opponents of the government should not in itself be a prosecutable offence since the most fundamental tenet of medical ethics is that a person in need of medical care should receive such medical care irrespective of "age, disease, or disability, creed, ethnic origin, gender, nationality, political affiliation, race, sexual orientation or social standing"³⁶. In some cases, governments have framed charges against doctors precisely in terms of their "treating" an armed government opponent.

Failing to report having given treatment to, or having been asked to give treatment to, or having known of the presence of, an armed opposition figure is a considerably more complex issue. It could be argued that, in principle, the confidentiality of the medical consultation would be threatened if the law forced doctors to report visits by any particular individual or class of individual, such as a member of a particular political association, armed militia, or ethnic group. In fact some countries do have laws requiring doctors to report patients to the police if those patients have wounds which may have come from a firearm, knife or similar weapon, presumably since such wounds may be indicative of a crime.

The ethics of such reporting in a democratic state is not universally supported by medical professionals since it breaches medical confidentiality and is clearly not inherently in the patient's interest. However, a doctor who wished to maintain confidentiality contrary to the requirement of the law would need to be prepared to justify his or her decision before a court. In other words, in a state based on the rule of law, decisions based on medical ethics might need to be justified within a legal framework. Experience suggests that doctors will report acts which may reasonably be regarded as criminal or injuries which may have been sustained as a result of criminal acts, where a court orders such disclosure.

However, in some countries obeying rules requiring reporting could be so dangerous to the patient that it would arguably be unethical for a doctor to routinely obey such reporting laws since to do so could "make doctors accomplices to wrong-doing"³⁷. In some extreme cases it might put the individual patient at risk of torture or death. Moreover, as has been seen in Peru, doctors who are put under pressure to provide treatment clandestinely may feel at risk of violent retribution from armed opposition forces if they report on medical treatment they have given (while risking prosecution by the government if they do not).

Prosecutions of doctors for providing medical care, for failing to report having given treatment or, in one case from Turkey, for aiding an illegal organization via preparing forensic reports³⁸ have been marked, in practice, by lack of *bona fides* on the part of the government. Prosecuting authorities have shown little interest in protecting the principle of medical confidentiality or of medical ethics in general. On the contrary, police and other state agencies have put pressure on doctors to act in breach of medical ethics by failing to carry out examinations in a competent way, falsifying reports (in particular to cover up evidence of torture), and have put pressure on physicians to breach confidentiality as well as attempting to seize medical records from clinics providing care to torture victims.

Proposed mechanism for protecting health professionals

³⁶Declaration of Geneva of the World Medical Association, Ferney-Voltaire, 1983.

³⁷Reyes H. Medical neutrality: Confidentiality subject to national law: Should doctors always comply? *Medisch Contact*, 1996 (8 Nov); No.45, 1456-1459.

³⁸*Medical letter writing action: Dr Cumhuri Akpınar, Turkey*. London: AI Index: EUR 44/07/99, 28 January 1999.

In 1997 the World Medical Association adopted a proposal submitted by the British Medical Association to urge the United Nations to create a Special Rapporteur for the Independence and Integrity of Health Professionals. The adopted resolution set out the goals of this mechanism as being:

- to monitor the role of health professionals working in situations where either their rights to give, or the rights of their patients to receive, treatment are threatened;
- to make appeals for the protection of health professionals when they are in danger solely because of their professional or human rights activities;
- to defend patients who are in danger of suffering human rights violations solely because of seeking medical treatment;
- to encourage reporting of human rights violations by health professionals;
- to analyse information about health professionals voluntarily adopting discriminatory practices.

At time of writing this proposal remains in discussion and has not been considered in any depth within United Nations circles.

Conclusion

Doctors and nurses and other health workers continue to be subjected to repressive measures because of their human rights or professional activities or for their non-violent political beliefs or actions. Amnesty International and other human rights organizations, including the International Federation of Health and Human Rights Organizations, Physicians for Human Rights, the International Rehabilitation Council for Torture Victims and many others have documented and campaigned on cases involving health professionals over many years.

Some professional bodies have also undertaken campaigning on behalf of health workers at risk. In 1997, the World Medical Association adopted a proposal to urge the United Nations to create a Special Rapporteur on the Independence and Integrity of Health Professionals and elaboration of this proposal continues.

There remains a need to lobby on behalf of health professionals who have disappeared following abduction, who have been imprisoned for their non-violent views or activities or who have otherwise been seriously victimised for professional, human rights or political activities. Amnesty International calls on governments to accord to those working in the health sector the same rights as those due to all citizens and in particular to respect the requirements for ethical behaviour on the part of health professionals. The organization is calling on governments to account for those health professionals who have "disappeared" and for the release of those who are prisoners of conscience. It also calls on professional bodies and non-governmental organizations to maintain and expand campaigning to protect health professionals at risk.

Cases studies

The following cases of health professionals are currently being campaigned on by Amnesty International members. They include cases of health professionals who have “disappeared” following abduction, who have been imprisoned for their non-violent views or activities or who have been otherwise victimised for professional, human rights or political activities.

Recommended actions and addresses for appeals are included with each case or group of cases.

Algeria

Name: Chérif Bellahreche
Profession: Rheumatologist
Arrested: 8 November 1994
Concern: "Disappearance"

Chérif Bellahreche, head of the rheumatology department at the Centre Hospitalier Universitaire (University Hospital Centre) in Constantine, was born in 1953 and disappeared after arrest on 8 November 1994. He is married and has two children.

According to the eye-witness report of a colleague, a doctor, he was arrested at work, in the middle of a consultation, by four men in civilian clothes who entered his surgery and stated only that they were from "la sécurité". They whispered something into Dr Chérif Bellahreche's ear and he told his colleague to carry on working. He asked the four men for time to change from his work clothes, then he was taken away by them in the back of his own car. His wife contacted all the *commissariats* (national police stations) for information, but in vain as they claimed not to have his name on their lists. In mid February 1995, she heard from unconfirmed sources that he had been moved to Algiers. There has been no further news since then. He had been politically active in the past and was elected as a FIS (*Front Islamique du Salut*) member of parliament in the aborted elections of 1991.

Name: Mustafa Benkara
Profession: Surgeon
Arrested: 31 March 1994
Concern: "Disappearance"

Mustafa Benkara was born in 1953 and is married with two children. He was the chief surgeon at Medea Hospital at the time of his abduction. His wife, Horia Benkara, also works at the Medea Hospital as an anaesthetist. Dr Benkara had been a candidate for the Front de Libération Nationale (FLN), National Liberation Front, in the 1991 legislative elections.

Mustafa Benkara was arrested at the Medea Hospital, south of Algiers, on 31 March 1994. During the first 10 days following his arrest, his family was told unofficially that he was alive and well, but they stopped receiving news soon afterwards. When his family asked for him at the "Medea Police Station" they were given conflicting information. They were told that he had been taken back to his place of birth for "investigation", but one month later officials at the same police station said that they had never heard of him. In July 1994, the family was reportedly informed by an official at the Ministry of Justice that Dr Benkara had been seen alive by someone in the military. The family also heard rumours in the two years after his "disappearance" that Mustapha Benkara had died in detention. Dr Benkara was previously arrested at the

beginning of 1993, allegedly because he was suspected of having been forced by an armed group to treat one of their injured members.

Name: Yacine Boulasbaa
Profession: Nurse
Arrested: 24 December 1995
Concern: "Disappearance"

Yacine Boulasbaa, a qualified nurse and employed as paramedical officer at the Majan Hospital in Bab El Oued, Algiers, was born on 3 August 1971, and "disappeared" after arrest on the night of 24-25

December 1995. He is single and lived with his mother, father and younger brother.

He was arrested at home at about one o'clock in the morning by members of the security forces, who had been searching the block of flats he lived in, apparently looking for another, specific person. They reportedly left the area taking away Yacine Boulasbaa and several other young men from the neighbourhood. His family have been unable to obtain any information from the authorities about the reasons for his arrest, his whereabouts or fate.

Profession: Orthopaedic surgeon
Name: Ali Lakhdar-Chaouch
Arrested: 1 April 1997
Concern: "disappearance"

Ali Lakhdar-Chaouch worked at the Kouba Hospital in Algiers. He was born on 2 March 1970, is single, diabetic, and was living with his parents in Baraka. Ali Lakhdar-Chaouch was arrested on 1 April 1997

at Kouba Hospital, situated in a working class suburb of Algiers, a stronghold of the banned Islamic Salvation Front. He was taken around 2 am, while he was on duty, by members of the security forces and has not been seen since.

His family has been unable to obtain any information from the authorities about his whereabouts and legal status or fate, despite persistent efforts with several different authorities. His face appeared around the world as newspapers in different countries featured a Reuters News Agency photograph of a demonstration held on 20 October 1997, in Algiers by families of "disappeared" men and women, in which one, unidentified woman, is holding a photograph of Ali Lakhdar-Chaouch.

Profession: Physician
Name: Abdallah Kheznadji
Arrested: 27 September 1995
Concern: "disappearance"

Abdallah Kheznadji, doctor and departmental head at the Héliopolis Hospital in Guelma, "disappeared" after arrest on 27 September 1995. He was reportedly arrested by uniformed members of the security forces along with several other doctors at the Héliopolis Hospital; one of the doctors arrested with him was released a month later. Abdallah Kheznadji's family has been unable to obtain any information from the authorities about his whereabouts and legal status or fate.

Profession: Anaesthetist
Name: Mabrouk Maadadi
Arrested: 18 June 1995
Concern: "Disappearance"

Dr Mabrouk Maadadi lived and worked in Rass el Qued. He "disappeared" after arrest in June 1995. He was arrested at the hospital where he worked by policemen who first took him to his flat, which they searched, and then to a detention centre.

His wife was allowed to take him food and clothing for a few days. After this, she was informed that he had been transferred but was unable to establish where he had been taken or what happened to him. The authorities have

still not provided his family with any information or explanation as to his whereabouts and legal status or fate.

Name: Yahia Belkacem Sadoun Profession: Physician / retired Arrested: 29 August 1994 Concern: "Disappearance"	Yahia Belkacem Sadoun, born in 1927, is retired, married and suffers from diabetes. Abdelkrim Belkacem Sadoun, his son, is a medical doctor born in 1961. They were arrested by security forces at their home in Oran on 29 August 1994, and have "disappeared" since then. The arrest was reportedly carried out by members of the security forces wearing balaclavas who had arrived in police cars. Their flat was searched by the security forces. Neighbours witnessed the arrests, which took place in broad daylight (at around 6pm).
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According to their family, the "disappeared" were political activists. Although their political affiliation is not known, it is probable that they were supporters or sympathizers of the banned Islamic Salvation Front (FIS). Their family have contacted the authorities but have not obtained any information concerning the whereabouts and legal status of the "disappeared", or the reasons for their arrest.

Recommended actions: please send letters to the Algerian Minister of Justice (address below):

- expressing concern at the abduction and disappearance of Chérif Bellahreche, Mustafa Benkara, Yacine Boulasbaa, Ali Lakhdar-Chaouch, Abdallah Kheznadji, Mabrouk Maadadi, Abdelkrim Belkacem Sadoun, Yahia Belkacem Sadoun;
- asking what investigations have been carried out into their disappearance;
- urging that renewed efforts be made to account for their whereabouts.

Address

Minister of Justice
M. Ahmed OUYAHIA
Ministre de la Justice
Ministère de la Justice
8 Place Bir Hakem, El-Biar Alger
Algeria

Please send copies to:

Union Médicale Algérienne (UMA)
Dr Djamel OULD-ABBES, Président
8 rue Sergent Addoun
Alger
Algeria

China

Name: Kang Yuchun
Profession: Medical researcher

Arrested: 29 May 1992

Concern: POC / unfair trial

Kang Yuchun, aged 35, worked as a medical researcher in the psychiatry department at Beijing's Anding Hospital. He was detained on or around 29 May 1992 and his home searched. Pro-democracy leaflets were reportedly confiscated. According to unconfirmed reports, Kang Yuchun

was ill-treated during interrogation shortly after being taken in custody. His parents have been denied access to him since his arrest. The only information they received after his arrest was from officials at the hospital where Kang worked who said that the State Security Bureau was responsible for his detention and that "it was best for them not to pursue the matter". By late October 1993, they had still not been officially notified of the reason for their son's detention or the place where he was being held.

Kang was tried with 16 other co-defendants on charges of being members of counter-revolutionary organizations, most notably the Chinese Progressive Alliance, the Liberal Democratic Party of China, and the Free Labour Union of China. Among the accusations against him was that he commissioned people to write articles and set up Freedom Forum, the magazine of the Chinese Progressive Alliance. He was sentenced in December 1994 to 12 years in prison for "organizing and leading a counter-revolutionary group" and an additional seven-year imprisonment for "counter-revolutionary propaganda." His sentence was consolidated to 17 years - one of the harshest sentences to be passed down for several years.

Recommended actions: please write to the addresses below

- saying that you are writing about Dr Kang Kuchun who is currently serving a 17-year sentence of imprisonment;
- stating concern that he was convicted of "counter-revolutionary" activities after a trial which was not open and did not meet international standards for a fair trial;
- urging that he be released immediately and unconditionally on the grounds that he is a prisoner of conscience held solely for the peaceful exercise of his right to freedom of association and expression.

Addresses

Minister of Justice of the People's Republic of China
 GAO Changli Buzhang
 Sifabu
 Xiaguangli
 Beijingshi 10016
 People's Republic of China
Salutation: Your Excellency

Please send copies to:

Chinese Medical Association
 Zhonghua Yizuehui
 42 Dongsì Xidajie
 Beijingshi 100710
 People's Republic of China

All China Lawyers' Association
 No 72 Dong Si Jiu Tiao
 Beijing 100007,
 People's Republic of China

Cuba

Name: Dr. Oscar Elías Biscet
 González

Amnesty International May 2000

AI Index: ACT 75/02/00c

Profession: Physician

Arrested: 3 November 1999

Concern: Prisoner of conscience

Dr. Oscar Elías Biscet González, president of the *Fundación Lawton de Derechos Humanos*, Lawton Foundation for Human Rights, an illegal humanitarian organization, was arrested on 3 November 1999 and

sentenced to three years imprisonment on 25 February 2000 on charges of making an "insult to the symbols of the homeland", "public disorder", and "incitement to commit a crime". The first charge was reportedly brought against him because he hung a Cuban flag sideways on his balcony during a press conference at his home on 28 October 1999. The two other charges were added later.

Prior to his arrest, he and three others had been involved in organizing a march to protest alleged human rights abuses by the government and to ask for the release of political prisoners, to take place in Havana on 10 November 1999. The march was prevented from taking place by government supporters who reportedly beat and kicked two dissidents. Several protesters were detained by State Security agents.

Dr. Oscar Biscet is believed to have been detained more than two dozen times in the last year for his involvement in anti-government protests and meetings.

Recommended actions

Please write letters, preferably in Spanish or else your own language, to the addresses below:

- expressing concern at the arrest and prosecution of Dr Oscar Biscet for exercising his right to freedom of expression;
- saying that you regard him as a prisoner of conscience;
- urging that he be released immediately without condition.

Address

Attorney-General
Dr Juan Escalona Reguera
Fiscal General de la República
Fiscalía General de la República
San Rafael 3, La Habana
Cuba

Egypt

Name: Al-Sayyid Mahmoud 'Izzat Ibrahim 'Eissa
Profession: Al-Sayyid Mahmoud 'Izzat Ibrahim 'Eissa
Arrested: 23 November 1995
Concern: POC / fair trial

Medical doctor and lecturer at Zagazig University Faculty of Medicine, Al-Sayyid Mahmoud 'Izzat Ibrahim 'Eissa was sentenced on 23 November 1995 by the Cairo

Supreme Military Court to five years' imprisonment with hard labour.

Dr Al-Sayyid Mahmoud 'Izzat Ibrahim 'Eissa was among scores of alleged members of the Muslim Brothers organization arrested in January, July and October 1995. In 1995 and 1996 in three related trials, 96 alleged Muslim Brothers, including several prominent members of professional associations and former members of parliament, were tried before the Supreme Military Court. Sixty-one defendants were sentenced to prison terms ranging from one to five years. Amnesty International considered all 61 to be prisoners of conscience and called for their immediate and unconditional release. However, none of the prisoners has been released before the end of their sentences.

Over the past few years hundreds of alleged Muslim Brothers have been detained for weeks and months in so-called preventive detention before being released without trial. In 1999 more than 160 alleged Muslim Brothers were held, dozens of them for just under six months, the maximum period after which, according to the Criminal Procedure Code, a decision has to be taken on whether to proceed to trial. In December 1999 trial was opened against a group of 20 alleged Muslim Brothers, including several medical professionals, before the Supreme Military Court.

The Muslim Brothers, founded in 1928, is probably the biggest and most influential opposition force in Egypt. Its aim is the non-violent establishment of a system of rule in the country based on Islamic values and principles. Although the organization was banned in 1954, it was tolerated from the late 1970s by the Egyptian authorities. From 1995 the Egyptian government took measures against the organization, targeting in particular its presence in the professional associations.

Recommended actions: please write to the addresses below

- asking for the immediate and unconditional release of Dr Al-Sayyid Mahmoud 'Izzat Ibrahim 'Eissa;
- expressing concern at the continuing imprisonment solely for the non-violent expression of his beliefs and urging his immediate release from prison on the grounds that he is a prisoner of conscience.

Address

H.E. Mohammad Hosni Mubarak
 President of the Arab Republic of Egypt
 'Abdine Palace
 Cairo, Egypt
 Fax: +202 390 1998
 E-mail: webmaster@presidency.gov.eg

Manial El Roda
 Cairo, Egypt
 Fax: +20.2.362.1613
 E-mail: eoht@link.com.eg

Please send copies to:

Egyptian Organization of Human Rights
 8/10 Mathaf El Manial Street

Egypt

Name: Mahmoud Mubarak Ahmad
Profession: Physician
Arrested: 24 January 1995
Concern: Administrative detention

Mahmoud Mubarak Ahmad, a 28-year-old unmarried medical doctor working in a hospital in Kitkata, a village in Sohag in the south of Egypt, was arrested on 24 January 1995 by SSI officers. No one was informed of his arrest or his whereabouts until 14 July 1995 when his family learned that he was detained in Istiqbal Tora Prison. The family also learned that Mahmoud Mubarak Ahmad had been arrested while driving from Kitkata to Sohag and that he had been held in the SSI branch in Sohag first, then in Sohag Prison, before he was transferred to Istiqbal Tora Prison. He was reportedly accused of membership of a secret organization but at the end of 1995 a court ordered his release. Instead of being released he was issued with a new detention order and was transferred to al-Wadi al-Gadid Prison where he is still being held without charge or trial.

In 1999 the UN Working Group on Arbitrary Detention considered the detention of Mahmoud Mubarak Ahmad to be arbitrary (Opinion No 15/1999). The Working Group found "that Mahmoud Mubarak Ahmad has been under detention for four years without an arrest warrant or decision by a body vested with public authority justifying this deprivation of liberty" in violation of Egypt's international obligations .

Administrative detention in Egypt: Thousands of sympathizers, members and suspected members of unauthorized Islamist groups have been administratively detained without charge or trial, some for as long as six years, under Article 3 of the Emergency Law. Under this article, the Minister of the Interior may "arrest and detain suspected persons or those who endanger public order or security."

Recommended Actions: please send letters to the addresses below

- asking the Egyptian authorities to end the arbitrary use of administrative detention;
- calling on the authorities to immediately release Dr Mahmoud Mubarak Ahmad and all those who are at present in detention under the Emergency Law for whom release orders have been issued.

Address

President
His Excellency Mohammad Hosni Mubarak
President of the Arab Republic of Egypt
'Abedine Palace, Cairo, Egypt
Faxes: + 202 390 1998
E-mail: webmaster@presidency.gov.eg

Egyptian Medical Syndicate
Dar al-Hikmah
42 Kasr el Eini Street
Cairo, Egypt
Fax: +203 588 1412

Please send copies to:

Ethiopia

Professional Name: Physician Dr Tassew Begashaw

Arrested: 15 August 1999

Concern: "Disappearance"

Dr Tassew Begashaw, a doctor working for the private Tarika clinic in Addis Ababa, Ethiopia, was arrested in Addis Ababa on 15 August 1999. A member of the Oromo ethnic group, Dr Tassew Begashaw was reportedly at first being accused of giving medical treatment to a suspected member of the Oromo Liberation Front (OLF) and later of distributing leaflets for the OLF. He is being held incommunicado at Maikelawi criminal investigation centre in Addis Ababa. He has been taken to court while police investigations continue, and has been refused bail. He has not been formally charged with any offence. No information is yet available about his treatment or conditions in prison.

Some thousands of Oromos are believed to be currently detained, some of whom may be prisoners of conscience with no connection to the armed opposition. Those accused of OLF links are frequently tortured in secret incommunicado detention, and Amnesty International has in the past received reports of torture and ill-treatment of political prisoners at Maikelawi criminal investigation centre.

Recommended actions

Please write letters, preferably in English or else your own language, to the address below:

- introducing yourself as a member of Amnesty International's health professional network;
- expressing concern at the arrest and continued detention of Dr Tassew Begashaw;
- seeking reassurances about Dr Tassew Begashaw's well-being;
- seeking information about his current state of health, and details of any treatment he is currently receiving;
- calling for immediate access of family, lawyers and doctors;
- calling for him to be either charged with a recognizable criminal offence and given a prompt and fair trial, or released without further delay.

Addresses

Mr Werede-Wold Wolde
Minister of Justice
Ministry of Justice
P O Box 1370, Addis Ababa, Ethiopia
Faxes: + 2511 550278 / 550722
Salutation: Dear Minister

Dr Adem Ibrahim
Minister of Health
Ministry of Health
P.O. Box 1234, Addis Ababa, Ethiopia
Fax: +2511 519366
Salutation: Dear Minister

Federal Republic of Yugoslavia

Name: Flora Brovina
Date: 22 April 1999
Concern: POC

Dr Flora Brovina, aged 48, married with two children, is a Kosovar Albanian arrested in April 1999 in Priština, Kosovo, accused of aiding the separatist guerrilla movement, the Kosovo Liberation Army (KLA). Dr Brovina was charged under two articles of the Yugoslav criminal code with 'association for the purpose of hostile activity', 'damaging the territorial integrity of the country'

and 'terrorism'. She was also accused of helping 'terrorists gangs of the KLA' through the manufacture and supply of uniforms and other material for the KLA. From the time of her arrest until June she was moved from house to house and her family was not informed of her whereabouts. In June 1999 she was transferred to a prison in Serbia proper. On 10 December 1999, Dr Flora Brovina was sentenced to 12 years imprisonment by a court in Niš after what Amnesty International believes was an unfair trial. Amnesty International has adopted Dr Flora Brovina as a prisoner of conscience.

Dr Brovina founded and became president of the Women's League of Kosovo. She also established a clinic and refuge for women and children in Priština. Dr Brovina is also a writer. Her poems are extremely popular in the region and she has published four books.

According to the authorities some 1,900 other ethnic Albanians are detained in prisons in Serbia. Some of them have already been tried and sentenced in trials in which the only evidence against them was their own confession which many alleged had been extracted under torture.

Recommended actions: please write letters to the address below:

- noting that Amnesty International is not aware of any statements Dr Brovina has made advocating the use of violence or any evidence of her involvement in violent acts;
- calling on the authorities to release Dr Brovina immediately and unconditionally.

Address

President of the Federal Republic of Yugoslavia
Slobodan Milošević
Predsednik SRJ
Bulevar Mihaila Pupina 2
11070 Beograd, FR Yugoslavia
Fax: + 381 11 636 775
email: slobodan.milosevic@gov.yu
Salutation: Dear President

Lebanon

Profession: Sam'aa Moussa Jeda'
Date: 19 August 1985
Concern: "Disappearance"

Sam'aa Moussa Jeda' was born on 30 April 1961. He is single, has two sisters and lived with his parents in Beirut. He was studying information technology at the American University in Beirut and worked at

the American University Hospital. He was also head of the first aid unit in Furn al-Shebbak, Beirut sector 103, in the Lebanese Red Cross. Sam'an Moussa Jeda' went missing on 19 August 1985 together with his cousin Kamal Sam'aa Jeda'. They were reportedly abducted by a group of armed men and that took them to Thakanat Fathallah in al-Basta in Beirut, an area reportedly controlled by Hizbullah.

On 19 August 1985, a bomb exploded in Karakun al-Druze in west Beirut. Sam'an provided emergency assistance for those who were injured and transferred to the American University Hospital. Sam'an and Kamal, accompanied by two women, rode in Kamal's car heading to east Beirut. They were chased by armed men and forced to stop, ordered to get out of the car and show their identity cards. The armed men reportedly ordered two women who were

in the car to walk towards east Beirut. The two men remained in the car which went towards west Beirut. At 2:45 pm on the same day, Voice of Free Lebanon radio broadcast detailed information about the abduction of Sam'an and Kamal, reportedly saying that they got the information from a telephone conversation they overheard. The families of Sam'an and Kamal have not heard any information about their loved ones since that date.

Disappearances in Lebanon: The Lebanese government recently decided to set up a commission of inquiry to investigate "disappearances" during the war between 1975 and 1990. A total of 17,415 people are listed as missing during that period. Amnesty International expressed concern about the membership of the commission and the short reporting time frame. Amnesty International stressed the importance of providing a commission of inquiry with enough resources to carry out its task, including forensic anthropologists and pathologists.

Recommended actions: please send letters to the address listed below

- seeking urgent clarification from the authorities of the whereabouts and well-being of Sam'an Mousa Jeda' and his cousin Kamal Sam'an Jeda'.

Address

His Excellency Joseph Chaoul
 Minister of Justice, Ministry of Justice
 Rue Sami Solh
 Beirut, Lebanon
 Fax: + 961 1 422 957

Libya

Name: Fakhri Younis 'Issa al-Fitouri
Profession: Physicist
Arrested: 15 May 1991
Concern: Torture / ill-treatment / unfair trial

Dr Fakhri Younis 'Issa al-Fitouri, aged 42, and married with four children, worked at the Children's Hospital in Benghazi. He was arrested in May 1991; it is believed his arrest was in connection

with his alleged links with an opposition group.

On 16 October 1990, Younis 'Issa al-Fitouri (father of Fakhri) was arrested along with his wife, four of his sons, their wives and children. They were all accused of attempting to overthrow the regime and of propagating subversive ideas from abroad. It is believed that the members of the al-Fitouri family may have been arrested solely because Dr Fakhri al-Fitouri had been in contact with Colonel Khalifa Hifter, one of the leading figures in the Movement for Change and Reformation, an opposition organization based abroad.

The family were among a group of 52 defendants who were taken to the Public Court in Benghazi on 19 January 1991. This court session was postponed after ten minutes, and when it was reconvened on 13 March 1991, it acquitted all 52 defendants due to a lack of evidence. All the defendants were subsequently released.

A short time after their release, 24 of the men previously arrested, including Dr Fakhri al-Fitouri, his father and three of his brothers were re-arrested reportedly after the Public Prosecutor had lodged an appeal against the verdict of acquittal. They remained in detention despite appeals of their lawyers that the detention was unlawful and that the defendants should be free while the appeal was being examined.

A new judge was appointed to the court to hear the appeal against the verdict. When Fakhri al-Fitouri stated in court that he had been tortured, he was reportedly silenced by a number of men from the Jamahiriya Security Institution, who are reported to have maintained a heavy presence in the court room. On 15 May 1991, the appeal division within the People's Court gave its verdict. The 23 men were sentenced to life imprisonment after a trial session which had lasted less than one hour.

Recommended actions: please send letters to the address listed below

- expressing concern at reports of torture and ill-treatment inflicted on Fakhri Younis 'Issa al-Fitouri;
- urging the authorities to make public full details about the trial;
- expressing concern that the trial procedures did not meet minimum standards for a fair trial as set out in international instruments;
- urging the authorities that Fakhri al-Fitouri be immediately retried in accordance with international norms for a fair trial.

Address

His Excellency Mu'ammarr al-Gaddafi
 Leader of the Revolution
 Office of the Leader of the Revolution
 Tripoli, Great Socialist People's Libyan Arab Jamahiriya

Salutation: Your Excellency

	Libya
Profession: Dentist	Dr 'Omran 'Omar al-Turbi, aged 40, studied at the University of Pittsburgh, Pennsylvania from 1981 to 1983 where he obtained a Masters degree in dentistry and public health. He was working as director of the
Name: 'Omran 'Omar Al-Turbi	
Arrested: 28 May 1984	
Concern: Prolonged detention without trial	

Benghazi Central Dental Clinic in Libya at the time of his arrest. He was highly successful in his field as he performed several intra-oral and maxillofacial surgeries on car accident patients. He is married with an 18-year old son and a 16-year-old daughter.

Dr 'Omran 'Omar Al-Turbi was arrested on 28 May 1984 and is believed to have been held since without charge or trial in Abu Salim Prison in Tripoli. It is believed that he may have been arrested in connection with his alleged membership of the opposition group *al-Jabha al-Watanya Li-Inqad Libya*, National Front for the Salvation of Libya (NFSL). Some three weeks prior to his arrest there had been clashes between the NFSL and the Libyan security forces which led to the arrest of hundreds of suspected NFSL members, some of whom were executed. There is no clear evidence that Dr al-Turbi was directly involved in the clashes.

Recommended actions: please send letters to the address below

- expressing concern that Dr al-Turbi has now been held for almost 16 years without charge or trial;
- urging that, unless he is to be charged and tried with a recognisable offence, he be released.

Address

Colonel Mu'ammar al-Gaddafi
Leader of the Revolution
Office of the Leader of the Revolution
Tripoli
Great Socialist People's
Libyan Arab Jamahiriya

Please send copies of your letters to the nearest diplomatic representative of Libya.

Other Actions

You could send a copy of the action to your dental association asking them to appeal to the Libyan leader about Dr al-Turbi's case. You should urge the association to write in polite and measured tones.

Libya

Professional Name: Physiotherapist Al-Sayyid Mohamad Shabou
Date: May / June 1998
Concern: Forcible return to Libya / torture and ill-treatment

Al-Sayyid Mohamad Shabou, 34-year-old father of two, trained as a physiotherapist at Tripoli University. He and his family subsequently left Libya and in November 1997, Al-Sayyid Mohamad Shabou and his family were recognized as refugees in the United Kingdom.

In January 1998, the family travelled to Saudi Arabia on a two-week visa with documents issued by the United Nations. By remaining in Saudi Arabia until the Hajj (the annual pilgrimage to Mecca) in March, Al-Sayyid Mohamad Shabou and his family overstayed their visas and were arrested in March 1998. Despite an urgent appeal by Amnesty International on 23 April 1998 not to return the family to Libya, the family became subject to *refoulement* in the following months.

The wife and children of Al-Sayyid Mohamad Shabou, who were also detained in Saudi Arabia and subsequently forcibly returned to Libya, were released from prison in July 1998. They are now living in Tripoli with other family members. Al-Sayyid Mohamad Shabou remains in prison

Recommended actions: please send letters to the addresses below

- urging the Libyan authorities to release Al-Sayyid Mohammad Shabou unless he is charged with a recognizable criminal offence;
- asking the Saudi Arabian authorities to clarify the reasons of the expulsion of al-Sayyid Mohammad Shabou and the procedures followed.

Addresses

LIBYA

His Excellency Mu'ammara al-Gaddafi
 Leader of the Revolution
 Office of the Leader of the Revolution
 Tripoli
 Great Socialist People's Libyan Arab
 Jamahiriya
 Salutation: Your Excellency

SAUDI ARABIA

HRH Prince Naif Bin Abdul Aziz al-Saud
 Minister of the Interior
 POB 2833
 Airport Road
 Ruyad 11134, Saudi Arabia
 Fax +9661 403 1185
 Salutation: Your Royal Highness

Copies

Send a copy of your letter for information to the Foreign and Commonwealth Office, Whitehall, London SW1A 2AH, UK, with a covering note drawing attention to the fact that al-Sayyid Mohammad Shabou is a man with refugee status in the UK.

Please also send copies of your letters to diplomatic representatives of Libya and Saudi Arabia.

Myanmar

Name: U Saw Mra Aung

Profession: Physician
Arrested: 6 September 1998
Concern: POC

Dr U Saw Mra Aung, aged 82, is a member of a Buddhist ethnic minority group from western Myanmar near the Bangladesh border and is the Chair of the political party "Akarang League for Democracy". He qualified as a medical doctor at Bombay University in 1944 and is a member of the Royal College of Physicians in England. Before he retired around 1980, he worked at East Yangon Hospital. In the 1990s, he continued to work on a voluntary basis in a hospital.

Dr U Saw Mra Aung was arrested on 6 September 1998. Hundreds of other members of the opposition National League for Democracy and student activists were arrested. Some of them have reportedly been severely beaten during interrogation and are not being provided with adequate medical care in prison.

In a statement issued on 7 October 1998, Mary Robinson, the UN High Commissioner for Human Rights, said that the detentions of opposition activists in Myanmar were "very worrying", and expressed concern that the government continued to ignore basic human rights standards and the concern of the international community. The High Commissioner urged the government to undertake a process of reconciliation with the opposition and to cooperate fully with the human rights mechanisms of the United Nations.

Recommended actions: please send letters to the addresses below

- asking the authorities to release Dr U Saw Mra Aung immediately and unconditionally as a prisoner of conscience;
- asking for information on his current state of health and urging the authorities to provide him with any medical care he needs while he remains in detention.

Addresses

Lieutenant General Khin Nyunt, Secretary 1
State Peace and Development Council
c/o Director of Defence Services Intelligence (DDSI)
Ministry of Defence, Signal Pagoda Road

Dagon Post Office
Yangon, Union of Myanmar,
Fax: +95 1 85169, +95 1 229 50

Please send copies to:

Myanmar Medical
Association
249, Theinbyu Road
Mingalartaungnyunt P.O.
Yangon, Union of Myanmar

Union of Myanmar

Myanmar

Professional Name: Physician Than Aung
Arrested: 21 February 1997
Concern: POC

Dr Than Aung has been practising medicine for around 25 years in Yangon (Rangoon). On 17 February 1997, a person described as "a vagrant" reportedly suffering from advanced tuberculosis and asthma arrived at his consultation room in the

evening. Dr Than Aung administered an injection to prepare him for emergency resuscitation and sent him to the emergency department at Yangon General Hospital. On arrival at the hospital, the dying man was re-directed to New General Hospital which was on standby for emergency cases on that day. He died on the way. On 21 February, Dr Than Aung was arrested and charged under Section 304(a) of the Burmese Penal Code for causing death by negligence; on 12 April he was sentenced to four years' imprisonment.

Dr Than Aung is also a National League for Democracy (NLD) Member of Parliament-elect for Mingala Thauungnyunt constituency in Yangon Division. The NLD is the main opposition party in Myanmar. Amnesty International's information suggests that the imprisonment of Dr Than Aung is motivated solely by his leadership role as a member of parliament-elect in a legal political opposition party; AI is not in a position to judge the merits of the medical treatment administered by Dr Than Aung, but believes that any case based on evaluation of the circumstances of the patient's death could not justify such a sentence. The authorities in Myanmar frequently arrest opposition political activists and charge them with criminal offences in order to sentence them to long terms of imprisonment. Unofficial sources have described the charges against Dr Than Aung as "fabricated".

Recommended actions: please send letters to the addresses below

- introducing yourself as a concerned health professional;
- expressing concern for the well being of Dr Than Aung and asking for his immediate and unconditional release.

Address

Lieutenant General Khin Nyunt, Secretary 1
 State Peace and Development Council
 c/o Director of Defence Services Intelligence
 (DDSI)
 Ministry of Defence, Signal Pagoda Road
 Dagon Post Office
 Yangon
 Union of Myanmar
 Fax: +95 1 229 50

Please send copies to:

Myanmar Medical Association
 249, Theinbyu Road
 Mingalartaungnyunt P.O.
 Yangon
 Union of Myanmar
 Fax: +95 1 85169

Myanmar

Name: Khin Zaw Win
Also known as: Khin Zaw Win
Profession: Dentist / student
Arrested: 4 July 1994
Concern: POC

Khin Zaw Win, a qualified dentist, had received a scholarship from the Singapore Government in June 1993 to study for Masters' degree in Public Policy at the University of Singapore. His thesis topic was the political situation in Myanmar and he had returned home to carry out academic research. Khin Zaw Win had also worked for UNICEF including speech and report-writing, interpreting on trips outside of Yangon, and in 1992 he attended the UN-sponsored conference in China on the Rights of the Child.

On 4 July 1994 Khin Zaw Win was arrested while boarding a flight to Singapore at Yangon International Airport. He was believed to have been carrying documents relating to the political opposition movement in Myanmar at the time of his arrest. He is known to have had close links and sympathy with the political opposition, and to have himself been critical of the government. He was initially taken to a Military Intelligence detention centre and then transferred to Insein Prison in mid August 1994. Trial hearings reportedly began in September, and on 6 October Khin Zaw Win was sentenced to a total of 15 years' imprisonment by a civil court at Insein Prison. He was sentenced to seven years' imprisonment for "caus[ing] or intend[ing] to spread false news, knowing beforehand that it is untrue"; three years' imprisonment for membership or contact with an illegal organization; three years' imprisonment for possession or control of secret official information; and two years' imprisonment under Section 5 of the 1923 Official Secrets Act.

Recommended actions: please send letters to the addresses below

- urging the SPDC to release Khin Zaw Win immediately and unconditionally;
- urging the SPDC to ensure that Khin Zaw Win is not tortured or ill-treated, and that he has immediate access to his families, lawyers, and proper medical care.

Address

Lieutenant General Khin Nyunt, Secretary 1
 State Peace and Development Council
 c/o Director of Defence Services Intelligence
 Ministry of Defence, Signal Pagoda Road
 Dagon Post Office, Yangon,
 Union of Myanmar,
 Fax: +95 1 229 50

Please send copies to:

Myanmar Medical Association
 249, Theinbyu Road
 Mingalartaungnyunt
 Yangon, Union of Myanmar
 Fax: +95 1 851 69

Syria

Name: Muhammad Ghanim

Profession: Medical doctor

Arrested: 31 January 1992

Concern: Unfair trial / POC

Muhammad Ghanim, a medical doctor by training, was born in Latakia in 1958. He was arrested first in 1985. After his release he was placed under surveillance by the Syrian intelligence forces. He was arrested again on 31 January 1992 by

members of the Syrian military intelligence for his involvement with the Party for Communist Action (PCA). Following his arrest he was held in incommunicado detention at the Military Interrogation Branch in Damascus where he was reported to have been interrogated about his political activities and his involvement in the PCA. Muhammad Ghanim was charged with affiliation to *Hizb al-'Amal al-Shuyu'i* (Party for Communist Action, PCA), which the Syrian authorities describe as "an organisation intended to change the social and economic structure of the state and society's fundamental conditions", and "opposing the objectives of the Revolution". He was subsequently tried by the Supreme State Security Court (SSSC) and sentenced in June 1994 to 15 years' imprisonment with hard labour.

Profession:

al-Khayyir

Concern: POC

Medical doctor

1 February 1992

'Abd al-'Aziz al-Khayyir, a medical doctor, was arrested in Damascus on 1 February 1992 by members of *al-Mukhabarat al-'Askariyya* (Military Intelligence) in connection with the PCA. 'Abd al-'Aziz al-Khayyir is reported to have been sought

by the authorities for some time prior to his arrest in relation to his connections with the PCA and was arrested around the same time as 13 others who have links with the party.

'Abd al-'Aziz al-Khayyir was eventually tried and sentenced in August 1995 by the SSSC to 22 years' imprisonment (the longest sentence known to have been handed down thus far by the SSSC) on charges of membership of the PCA. 'Abd al-'Aziz al-Khayyir was tried along with four others who were referred to court on 13 April 1993. In 1992 the Syrian Embassy in London stated that, "Legal cases were raised against them in Syrian courts...they were referred to court and were given a public trial with their defence lawyers attending". Amnesty International received a copy of the charge sheet of 'Abd al-'Aziz al-Khayyir but it contains no details of the hearing or the verdict. The organization considers 'Abd al-'Aziz al-Khayyir to be a prisoner of conscience who was arrested, detained and convicted for his conscientiously held beliefs and political affiliation.

Recommended actions: please send letters to the address below

- expressing concern about the continued imprisonment of Muhammad Ghanim and 'Abd al-'Aziz al-Khayyir for their non-violent political views;
- urging the immediate and unconditional release of both prisoners.

Addresses

His Excellency Basher al-Assad
President
Presidential Palace
Abu Rummaneh, Al-Rashid Street
Damascus, Syrian Arab Republic

His Excellency Dr Muhammad Mustafa Miro
Prime Minister
Office of the Prime Minister
'Abd al-Rhman Shahbandar Street
Damascus, Syrian Arab Republic