

CONFERENCE FOR THE ABOLITION OF TORTURE

AI SETS UP NEW DEPARTMENT TO IMPLEMENT PARIS ACTION PROPOSALS AFTER TWO-DAY MEETING BRANDS TORTURE 'CRIME AGAINST HUMANITY'

AMNESTY INTERNATIONAL's Conference for the Abolition of Torture ended its meeting in Paris 10-11 December by branding torture as a crime against humanity and adopting proposals for a broad program of action to end its systematic use by governments and their agencies.

More than 250 participants from 40 countries attended the conference which was held in the Tour Olivier de Serres, to which the meeting was transferred after UNESCO withdrew the use of its own headquarters at the last minute (*see page 2*). They backed a series of recommendations for bringing anti-torture pressure on governments, international governmental, non-governmental and inter-governmental organizations, and national groups and individuals most directly involved with the problem, such as police, lawyers, doctors and military personnel.

The Conference's medical commission, one of four which devised the program, promptly put some of its own recommendations into practice by establishing three action committees, including a register of medical experts ready to undertake on the spot investigations into allegations of torture anywhere in the world.

Amnesty International announced at the end of the Conference that it was setting up a new department within the International Secretariat in London to implement all the decisions and carry the global campaign against torture into its next phase. AI launched an appeal for funds to finance the new drive. It called on governments, professional and trade union organizations, businesses, churches, charitable trusts and individuals to contribute money so that the effort to eradicate torture would continue unabated.

COMMISSION RECOMMENDATIONS

In addition to the medical commission there were Conference commissions on identification of the individuals and institutions responsible for torture, on the socio-economic and political factors behind the practice, and on international, regional and national legal factors. Among their many recommendations were that:

- all military, police and prison personnel be provided with an international code of practice forbidding the use of torture in all circumstances, including counter-insurgency situations. Governments would be required to punish firmly those who breached the code.

- technical assistance and military, para-military and economic aid be stopped to countries practicing torture.

- pending success of current efforts to establish an international court of criminal justice, there should be international tribunals, independent of governments, to conduct public hearings into allegations of torture, with defence safeguards for accused persons and institutions.

- channels be established for medical, legal

DECLARATION

The Paris Conference unanimously passed the following declaration supporting the November UN resolution which condemned torture and called on all governments to obey international conventions forbidding it:

We three hundred delegates and participants in the International Conference for the Abolition of Torture meeting in Paris, 10-11 December 1973, note with indignation and extreme anxiety the growing use and institutionalization of torture throughout the world, facts which have now been officially recognized by the General Assembly of the United Nations in Resolution 3059 (XXVIII).

We solemnly declare that:

1. The use of torture is a violation of all principles of human freedom and of the life and dignity of the human person, and as such must be identified as a crime against humanity.

2. There can never be any justification for torture. It creates an escalation of violence in the internal affairs of states. It spreads like a contagious disease from country to country. It has lasting effects on the mental and physical health of the victim and brutalizes the torturer.

3. It is our fundamental duty as human beings to express what is surely the conscience of mankind and eradicate this evil.

We call upon all governments to respect, implement and improve their own national and international laws prohibiting torture and to comply with UN Resolution 3059 (XXVIII); we also call upon individuals and organizations with moral, political, religious and professional responsibility to give an active lead to the campaign to abolish torture throughout the world.)

or other recognized international organizations to conduct on the spot inquiries into allegations of torture.

- all states that have not done so yet should sign and ratify existing international treaties against torture, particularly the UN Interna-

tional Covenants on Human Rights. All states should, under the Covenants, accept the jurisdiction of the Human Rights Committee to receive and examine communications from states or individuals claiming to be victims of violations of these rights.

- judges should be obliged to examine closely all allegations of torture and not admit evidence obtained as a result of torture.

- professional legal bodies should aid, and a special fund should be established for, lawyers in their own and other countries who are persecuted for defending political dissidents or for drawing attention to acts of torture.

- the production and sale of torture instruments as well as training in torture techniques for whatever reason should be forbidden.

- medical, scientific, technical and associated personnel should refuse to allow their professional or research skills and findings to be used for torture.

- doctors should refuse to commit persons to mental hospitals as a means of avoiding due process of law.

- doctors, lawyers and others who know of instances of torture should report them to their national or international organizations.

CRIME AGAINST HUMANITY

The final Conference report by Ambassador EDVARD HAMBRO of Norway, former President of the UN General Assembly, was preceded by a solemn declaration by the delegates that torture is a crime against humanity (see page 1).

"We must realize that a crime against humanity means also a crime against every one of us, a crime against you and me," Ambassador Hambro said. "Every time a helpless individual is being tortured, our own dignity is being diminished and degraded."

The Conference, which was covered by more than 100 individual journalists and radio and television teams from all over the world, was opened by SEAN MacBRIDE, Chairman of AI's International Executive Committee and of the Conference itself. He told the delegates that the November UN resolution unanimously condemning torture (December Newsletter) was more important to AI than UNESCO's withdrawal of conference facilities.

The Conference also was addressed by former Greek government minister GEORGE MANGAKIS, himself a torture victim, and former Indian government minister Mrs LAKSHMI MENON, who was one of her country's representatives in Paris when the UN Universal Declaration of Human Rights was proclaimed there on 10 December 1948.

Messages of support were read out from UN Secretary General KURT WALDHEIM, President KENNETH KAUNDA of Zambia, Chancellor WILLY BRANDT of West Germany, and the Prime Ministers and Governments of Australia, Austria, Canada, Denmark, Finland, New Zealand, Norway and Sweden. There were also messages from prominent church and world figures, from organizations and ordinary people all over the world, and one from a number of political prisoners in the Dominican Republic.

Detailed reports of the four commissions and other Conference documentation have already been sent to National Sections. A full Confer-

ence Report will be published at the end of January.

UN GENERAL ASSEMBLY NAMES SEAN MacBRIDE AS NEW COMMISSIONER FOR NAMIBIA

SEAN MacBRIDE, Chairman of AI's International Executive Committee, has been named United Nations Commissioner for Namibia. His appointment was approved by the General Assembly on 18 December.

Mr MacBride, a former Irish Minister for External Affairs, will discuss details of the appointment with UN Secretary General KURT WALDHEIM in New York on 8 January. Among the topics will be Mr MacBride's relationship with AI and other international organizations with which he is associated after he takes up his new appointment on 1 February. Mr MacBride has been Chairman of AI since it was founded.

Earlier in December Mr MacBride was nominated to a commission being set up by the UN to investigate reports of atrocities in Mozambique.

UNESCO BAN FAILS TO HALT CONFERENCE

A last-minute withdrawal by UNESCO of the use of meeting halls in its Paris headquarters failed to disrupt the Conference for the Abolition of Torture which opened on schedule 10 December.

UNESCO blamed its action on the *Amnesty International Report on Torture* (December Newsletter) which discusses allegations of torture received against more than 65 countries over the past 10 years and which it alleged was a conference document by virtue of a statement appearing on the first page. Under UNESCO regulations and the terms of the contract for facilities which AI signed last April, member states may not be criticized inside UNESCO House or in documentation for conferences held there.

AI denied categorically that the statement that the report "was designed to provide basic source material for Amnesty's Conference for the Abolition of Torture in Paris in December 1973" constituted a breach of contract. It noted that the phrase had been employed in connection with the report since the campaign was launched in December 1972 - four months before the UNESCO contract was signed.

AI Chairman SEAN MacBride said he believed pressure from "some governments whose practices are exposed in the report" prompted the cancellation. Within 48 hours of the UNESCO decision, AI's French Section found an alternative conference site in the large and modern Tour Olivier de Serres, and preparations went on and were completed without interruption.

ANTI-TORTURE PETITION 'WIRED' TO UN

Seven officers and leading participants of the Paris Conference signed a certificate 10 December formally attesting to the fact that more than one million people from 85 countries had signed AI's International Appeal to the President of the UN General Assembly calling upon the Assembly to outlaw torture immediately (December Newsletter). A photograph of the certificate was then transmitted by wire to New York where it

was delivered the same day by Dr AMELIA AUGUSTUS, Executive Director of AI's United States Section, to Assembly President LEOPOLDO BENITES just before the start of the Assembly session called to commemorate the 25th anniversary of the Universal Declaration of Human Rights.

After the Conference AI announced that signatures were still coming in and that the number of countries represented had risen to 91.

AI OBSERVER CONDEMNS TRIAL IN SPAIN

AI has condemned the sentences of 12 to 20 years imprisonment passed by a Madrid court 29 December on 10 Spanish trade unionists accused of "illegal association". An AI representative, English barrister EDMOND MCGOVERN, was one of a number of international observers who attended the three-day trial of the 10, all of whom are adopted prisoners of conscience.

In Mr McGovern's view, the arrest of the 10 in the grounds of a monastery constituted a breach of Spain's concordat with the Vatican, which was also violated by trying worker-priest Father GARCIA SALVE without Church approval.

Mr McGovern said the 18 months the defendants spent in detention awaiting trial was unacceptable by any international standard. Freedom of peaceful association was enshrined in the Universal Declaration of Human Rights, and it was even doubtful whether the facts alleged by the prosecution actually constituted the "illegal association" offence defined in Spain's Criminal Code. The evidence the prosecution produced to prove the facts were completely inadequate and no witnesses were produced.

Mr McGovern said in his report that the court treatment of the 10 created the impression that they were already convicted. He said the sentences demanded by the prosecution and imposed by the court were outrageous.

1,059 ADOPTED PRISONERS FREED IN 1973

The International Secretariat learned of the release of 1,059 AI-adopted prisoners during the calendar year 1973. Some 1,875 new cases were taken up during the same period, according to the year-end figures.

In November the Secretariat learned of 89 releases and took up 250 new cases. In December the figures were 19 released and 94 new cases taken up.

BANGLADESH FREES 37,000 PRISONERS

AI cabled its appreciation to Sheikh MUJIBUR RAHMAN, Prime Minister of Bangladesh, in December for his government's act of clemency in freeing an estimated 37,000 prisoners held for nearly two years on charges of collaborating with the Pakistan Army. Among those released were such prominent figures as the former civil governor of East Pakistan, Dr ABDUL MOTALEB MALIK who, along with his former cabinet ministers, was sentenced to life imprisonment for his pre-independence activities.

A statement by Secretary General MARTIN ENNALS said the prisoners had been one of AI's main priorities during the past two years and had been the subject of close contacts with high Bangladesh government officials. Last summer an AI mission visited Bangladesh.

"We are very happy to note that the recommendations submitted to Sheikh Mujibur Rahman, who himself was once adopted by Amnesty as a prisoner of conscience, are now embodied in the declaration of clemency," Mr Ennals said.

IEC PROTESTS EXECUTIONS IN CHILE

AI's International Executive Committee cabled the Chilean Government on 10 December to protest against the continuing arbitrary executions in the country and against excessive sentences of up to 30 years imprisonment passed on political opponents of the regime. The IEC, which sent the cable during the Paris Conference, pleaded for an immediate end to the executions.

The report of the three-man AI mission which visited Chile in November (December *Newsletter*) was presented on 1 January to the Chilean Government through its London embassy. The report will be published in February.

SWISS TRIBUNAL REVERSES ACQUITTALS

AI protested to Switzerland 31 December over the reversal by a Military Appeals Tribunal, in secret session, of a lower court's acquittal of four soldiers and five civilians of charges of fomenting a breach of military discipline (July *Newsletter*). The acquittal of another civilian was allowed to stand. All 10 had been arrested after distributing pamphlets calling for, among other things, the right of soldiers to organize.

AI, which sent an observer to the first trial, learned that the Appeal Tribunal met behind closed doors in Berne on 22 November and sentenced eight of the accused to three months' imprisonment and one to two months, with all sentences suspended for two years.

In a letter to President ROGER BONVIN of the Swiss Confederation, Secretary General MARTIN ENNALS expressed dismay at the "high-handed procedures" apparently adopted by the tribunal. "The accused were not present, nor was their lawyer, a particularly egregious denial of fundamental human rights, given that a conviction was substituted for an acquittal without possibility of appeal or retrial," Mr Ennals said.

NEW APPEAL FOR AMNESTY IN BRAZIL

AI is planning a concerted campaign to secure an amnesty for all political prisoners in Brazil. The campaign begins with an appeal for amnesty on 15 January when Brazil's electoral college is due to select the next president.

Other campaign focal points are 15 March, the president's inauguration date, and 1 April, the 10th anniversary of the military coup that brought the present regime to power.

OTHER AI ACTION IN DECEMBER

In December AI also:

- wrote to President HAFEZ ASSAD of Syria urging that all prisoners of war be treated in accordance with the 1949 Geneva Convention. The letter followed allegations that Israelis captured by Syria during the recent fighting had been tortured.

- urged Colonel I.K. ACHEAMPONG, Chairman of Ghana's National Redemption Council to commute the death sentences of former Foreign Minister KOJO BOTSIO and two other prominent Ghanaians convicted of subversion by a military tribunal.

- sent cables to the chief North Vietnamese

and US negotiators over Vietnam, LE DUC THO and Dr HENRY KISSINGER, urging them during their latest meeting in Paris to make all possible efforts to secure the immediate exchange by the two South Vietnamese parties of civilians still eligible for release under the terms of the January 1973 peace agreement. The two parties later agreed to resume the exchanges. The cable to Dr Kissinger also urged him to secure the unconditional release of non-communist political prisoners held by the Saigon regime.

- cabled Portuguese Prime Minister MARCELO CAETANO urging the immediate release on bail and access to defence lawyers of some 30 persons detained in recent weeks. The cable also expressed the hope that reports that they had been subjected to torture were unfounded.

- wrote to President ABDUL RACHMAN AL-IRYANI of the Yemen Arab Republic expressing concern at the death sentences carried out on eight people accused of assassinating Sheikh MUHAMMAD ALI UHMAN, a member of the North Yemen Presidential Council.

POSTCARDS FOR PRISONERS

THIS MONTH'S CAMPAIGN

General Liber SEREGNI, Uruguay

General Liber SEREGNI was the unsuccessful presidential candidate of the broad leftwing coalition Frente Amplio in Uruguay's 1971 elections. In June 1973, as the country's internal conflict sharpened, Parliament was closed and there was an overt military takeover - although a nominal civilian president was maintained.

In reaction to the coup there were massive demonstrations and strikes leading to 3,000 arrests. This was in addition to the estimated 4,000 political prisoners already detained in the country. Among the new arrests were those of General Seregni and two members of the board of Frente Amplio, General Licandro and Colonel Zufriategui, all still in detention.

No formal charges have been brought against General Seregni or any reason given for his detention. He himself has requested in writing that he be tried and sentenced if found guilty, but otherwise released. There has been no response either to this request nor to the appeal for *habeas corpus* lodged after his arrest.

General Seregni is held in solitary, allowed no contact with his family or fellow prisoners.

Please send courteously-worded cards in your private capacity (without mentioning Amnesty) appealing for his release to: Sr Don Juan María Bordaberry, Presidente de la República, Montevideo; and to: Coronel Dr N. Bolentini, Ministro del Interior, Montevideo; and to: The Head of the National Security Council, General Gregorio Alvarez, COSENA, Montevideo; and to: General Hugo Chiappe Posse, Comandante en Jefe de las Fuerzas Armadas, Montevideo.

Mukhtar RANA, Pakistan

Mukhtar RANA was a member of the Pakistan National Assembly representing the Pakistan Peoples Party whose leader is President Zulfikar Ali Bhutto. When the party came to power in December 1971, Mr Rana protested strongly against the continuation of martial law from the previ-

ous military regime of Yahya Khan. On 23 March 1972 he was arrested after delivering a speech criticizing martial law and its chief administrator. He was sentenced by a special military tribunal on 10 April 1972 to five years' imprisonment. A week later martial law was lifted and the Supreme Court declared all actions taken under it illegal. However the interim constitution which came into force with the lifting of martial law maintained that such actions were valid. So Mr Rana's conviction remained in force.

Please send courteously-worded cards appealing for his release to: President Z.A. Bhutto, the Presidency, Islamabad, Pakistan; and to: His Excellency, Mr Abdul Hafeez Pirzada, Minister of Law and Parliamentary Affairs, Islamabad.
Vladimir BUKOVSKY, USSR

On 30 December 1973 Vladimir BUKOVSKY celebrated his 31st birthday while serving a 12-year sentence in a labour camp. Mr Bukovsky was first adopted by AI in 1966 when he spent eight months in prisons and mental hospitals following his part in a demonstration in support of the imprisoned writers Andrei Sinyavsky and Yuli Daniel. He was arrested again in January 1967 for organizing a demonstration in protest at the imprisonment of Yuri Galanskov, Alexander Ginsburg and others. On his release in January 1970, he returned to Moscow and worked as secretary to a writer.

Mr Bukovsky remained in close contact with Western journalists and was particularly active in collecting and distributing material on the practice of interning political dissenters in Soviet mental hospitals, which he himself had experienced first hand. In January 1971 he sent abroad copies of official diagnoses of certain prisoners of conscience by Soviet psychiatrists, with an "Appeal to Western Psychiatrists". This documentation has been vital in arousing the attention and concern of people, including doctors, outside the Soviet Union to this problem.

Mr Bukovsky was re-arrested in March 1971 and examined at the Serbsky Institute for Forensic Psychiatry. He was declared sane and brought to trial on 5 January 1972 on charges of "anti-Soviet agitation and propaganda". At the one-day trial he received the maximum sentence under Article 70 of the RSFSR Penal Code: a total of 12 years, divided into two years' imprisonment, five years' confinement in a labour camp and five years' exile.

Having served two years in prison, Mr Bukovsky is now in a labour camp in the Perm region where his health and general situation are reportedly deteriorating. Although he has spent a great part of his youth in prisons and mental hospitals, he remains convinced of the need to protest against all violations of human rights in his country.

Please send courteously-worded cards appealing for his release to: Mr Leonid Brezhnev, General Secretary of the Soviet Communist Party, The Kremlin, Moscow; and to: Mr Roman Rudenko, Attorney General, Pushkinskaya ul. 15a, Moscow, USSR.