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Torture in Iranian prisons

Details of the ill-treatment, torture and summary execution of political prisoners in five Iranian jails—including accounts of whippings and savage beatings of inmates and the torture of mothers in front of their children—have reached *AI* recently from sources inside the country. The information is contained in a report drawn up in Iran and based on testimony taken from released prisoners and prisoners' relatives. It is consistent with other information *AI* has received on what is happening in Iran. See page 4.

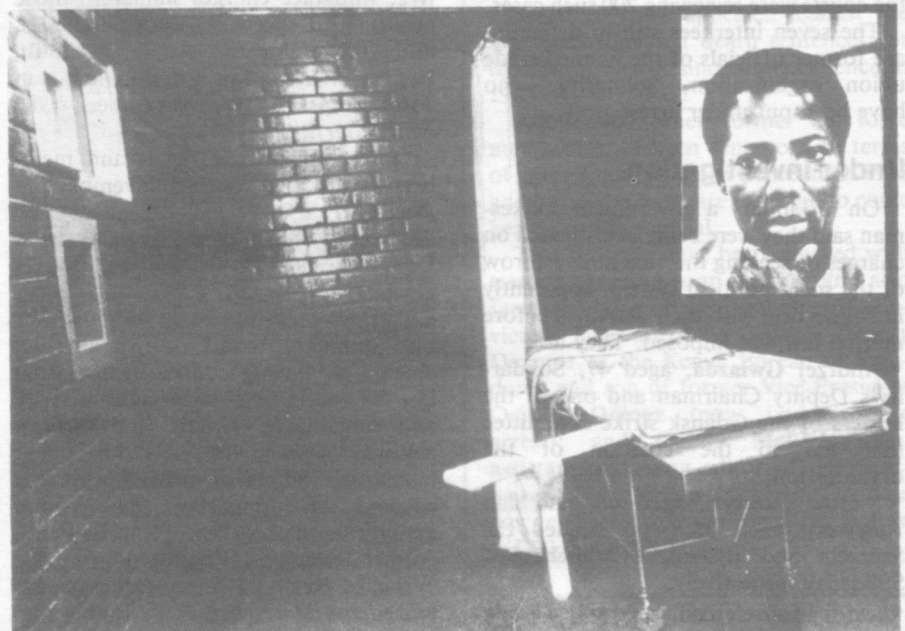
US prisoner executed by lethal injection

Charles Brooks Jr, aged 40, became the first person to be executed by lethal injection in the USA when he died on an operating trolley in Huntsville Prison, Texas, on 7 December 1982.

His execution was carried out in spite of worldwide appeals—including many by *AI*—urging the Governor of Texas, William Clements, to grant a reprieve; he refused. The US Supreme Court decided not to intervene in the case by a vote of six to three.

Charles Brooks had been convicted of the fatal shooting of a car mechanic in 1976. In a separate trial his accomplice was sentenced to 40 years' imprisonment. The prosecutors were never able to determine which man had actually fired the fatal shot.

Two doctors were present at the December execution, which was by intravenous injection of sodium thiopental, normally used as an anaesthetic. One of them—Dr Ralph Gray, Medical Director of the Texas Department of



The execution chamber at Huntsville Prison: Charles Brooks (inset) was strapped to the trolley and the drug used to kill him was fed through the tube entering the chamber through a hatch on the left.

Corrections—was quoted as saying that, although he had not given the injection, the drugs used came from his own supply, he gave guidance to the medical assistants who administered the injection (they were on his staff), and he monitored the prisoner's heartbeat until death.

In the first few minutes of the day of execution a medical assistant introduced a catheter into the prisoner's vein and injected a lethal dose of sodium thiopental as he watched the condemned man through a one-way mirror.

After five minutes Dr Gray listened to the prisoner's heart through a stethoscope and indicated that the injection should continue for a few more minutes.

Seven minutes after the injection began, Charles Brooks was pronounced dead by a prison doctor, Dr Bascom Bentley.

In its Declaration on Doctors and the Death Penalty, *AI* calls on doctors not to participate in executions by, *inter alia*: determining mental and physical fitness for execution; giving medical

advice; and making medical examinations during executions, so that an execution can continue if the prisoner is not dead. (*AI* adopted the declaration in March 1981—see September 1981 *Newsletter*.)

Both the American Medical Association and the Texas Medical Association have declared that active participation by doctors in executions is unethical.

The Secretary General of the World Medical Association, Dr André Wynen, said in response to news of the execution: "Regardless of the method of capital punishment the state imposes, no phys-

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Due for execution

Two other people were scheduled to be executed in Texas by lethal injection within two months of Charles Brooks' death:

- Thomas Barefoot, 38, due to have been executed on 25 January. His execution was stayed by the Supreme Court until 26 April to allow further argument in his case;
- Henry Martinez-Porter, aged 40, whose execution has been set for 10 February.

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Poland Martial law suspended

Martial law in Poland was suspended on 30 December 1982—a week after the authorities announced the release of all but seven of the remaining internees.

The suspension did not immediately affect at least 1,500 people (the official figure) currently arrested or convicted and imprisoned for political offences since 13 December 1981.

However, on 29 December the Polish authorities had stated that about 700 people imprisoned for violating martial law were eligible to apply for pardon under specially speeded up procedures. On 4 January a government official said the courts were reviewing 200 such cases.

The seven internees still in detention are former officials of the banned trade union organization, Solidarity, who have been put under arrest.

Under investigation

On 4 January a government spokesman said they were being investigated on charges of seeking the violent overthrow of the socio-political system, apparently in connection with their activities before martial law was imposed. They are:

- Andrzej Gwiazda, aged 47, Solidarity's Deputy Chairman and one of the leaders of the Gdansk strike committee that led to the creation of the organization;
- Marian Jurczyk, aged 48, and Jan Rulewski, aged 38, who headed the Szczecin and Bydgoszcz branches of Solidarity respectively;
- Karol Modzelewski, aged 45, a trade union official from Wrocław and former Solidarity spokesman;

• Grzegorz Palka, aged 32, a member of its National Praesidium for the Lodz region.

• Severyn Jaworski, aged 51, Deputy Chairman of Solidarity's Warsaw branch;

• Andrzej Rozplochowiski, aged 32, a Solidarity leader from Katowice.

It has also been announced that the investigation of five former members of the now disbanded unofficial Polish civil rights organization KOR who were arrested in September 1982 would be completed by the end of January. The five, who face charges similar to those against the seven Solidarity officials, are: Jacek Kuron, Adam Michnik, Henryk Wujec, Jan Litynski and Jan Josef Lipski (see November 1982 *Newsletter*).

Other Solidarity officials and members were arrested during November and December. They include Wladyslaw Frasyniuk, a Solidarity official from Lower Silesia, who was sentenced on 24 November to six years' imprisonment and four years' loss of civil rights after his summary court conviction on charges of having contravened martial law by continuing trade union activity and organizing strikes and protest actions.

Another Solidarity official who was accused of organizing underground activity to martial law, Piotr Bednarz, former Deputy Chairman of the Wrocław Regional Executive, was sentenced on 27 December to four years' imprisonment and three years' loss of civil rights□

Czechoslovakia Leaflets land four in jail for 'subversion'

Four members of an unofficial group in Czechoslovakia who produced and distributed leaflets calling for solidarity with Polish workers have been sentenced to between one and four years' imprisonment for "subversion" and, in two cases, for "misappropriation".

On 17 November 1982 the Prague City Court sentenced Jan Wünsch to four years' imprisonment and two years' protective surveillance; Vaclav Soukup to three years' imprisonment and two years' protective surveillance; Jitka Tumova to 15 months' and Josef Wünsch to 12 months' imprisonment.

The four, members of the "Revolutionary Action Group", were arrested in January 1982. During investigation proceedings the original charge against them of "incitement" was changed to one of "subversion". A fresh charge, of "misappropriation"—relating to a duplicating machine and other articles—was introduced against the two principal defendants.

This case has been reported to *AI* as the most recent example of the Czechoslovak authorities introducing extraneous criminal charges when prosecuting people engaged in dissenting activities. Although *AI* has no way of assessing the grounds for these criminal charges in every instance, it believes that in all cases of people adopted by it as prisoners of conscience such charges were introduced to strengthen the case against the defendants and were irrelevant to the main points at issue.

Writer arrested

During 1982 several former prisoners of conscience were rearrested in Czechoslovakia, including Dr Jaromir Savrda, a 49-year-old writer and Charter 77 signatory. He was arrested again in September 1982—six months after his release from prison—and is awaiting trial in Ostrava prison, again on charges of "incitement". He was first arrested in September 1978 and sentenced in August 1979 to two and a half years' imprisonment on charges of disseminating "anti-state" texts.

• At the end of 1982 Miklos Duray, a 39-year-old geologist from Slovakia and one of the leading members of Czechoslovakia's Hungarian minority, was awaiting trial on charges of "subversion". He was arrested in November after police had searched his flat and found a copy of a paper he had written on the Hungarian minority; the original manuscript had been sent abroad. *AI* has adopted him as a prisoner of conscience□

Philippines Editor freed after appeals

The editor of the opposition Philippine newspaper, *We Forum*, and nine other people connected with it were released from military detention in Manila on 15 December 1982, following international expressions of concern to the government—including urgent appeals launched by *AI*.

The editor, Jose Burgos, staff members and contributors to the paper had been arrested 10 days earlier and taken to the Maximum Security Unit (MSU), Fort Bonifacio. The paper's printing press was confiscated and its offices closed.

The 10 were accused of involvement in a "conspiracy to overthrow the government through black political propaganda, agitation and advocacy of violence". Jose Burgos stated that the clampdown on his paper was prompted

by a series of articles entitled "The other version of FM's [President Ferdinand Marcos'] war exploits", which purported to describe the President's activities during the Second World War. Three of President Marcos' war comrades are reported to have brought a huge libel suit against *We Forum* over the articles.

AI was particularly concerned for the well-being of the 10 after learning of their detention at the MSU. It has received frequent reports of poor conditions, incommunicado detention, torture and ill-treatment there. One of the recommendations of the *Report of an Amnesty International Mission to the Republic of the Philippines*, published in September 1982, was that the use of the MSU as a place of detention should be discontinued□

Campaign for Prisoners of the Month



Donat MUREGO, Rwanda
A former Supreme Court judge, aged 46, he is serving a 10-year prison sentence imposed in November 1981.

Donat Murego was one of more than 50 people arrested in the capital, Kigali, at the end of April 1980 and accused of complicity in an alleged plot against the head of state.

The judicial investigation into his case established that he had not been involved in any plot. He was charged instead under Article 166 of the Criminal Code with having distributed a tract advocating the overthrow of the government—because he had shown a number of people a letter written by an official in which senior army officers were accused of corruption. The letter did not advocate the overthrow of the government.

He and about 50 others were tried by the State Security Court in November 1981. Beforehand, he had been refused permission to have a lawyer or to see the prosecution evidence against him.

He was one of 26 defendants to be convicted and was given the maximum sentence applicable: 10 years' imprisonment and a fine. Afterwards, he submitted an appeal to the Cassation Court which was rejected on the grounds that it had not been received in time—although it was submitted only a week after conviction.

During pre-trial detention he was held incommunicado for over a year in complete darkness in a special cell in Ruhengeri prison. He is reported to have become seriously ill as a result and to have been refused adequate medical treatment.

He is believed still to be in Ruhengeri, in a special section for political prisoners, and to be denied visits by his wife and seven children.

Please send courteous letters, preferably in French, appealing for his release to: Son Excellence le Général J. Habyarimana / Président de la République/B.P. 15/Kigali/Rwanda.

Samlith RATSAPHONG, Laos
A director general in the Ministry of Education from 1973 to 1975, he has been detained for seven years in a "re-education" camp without charge or trial.

Samlith Ratsaphong was one of many officials, civil servants and army officers under the previous government sent to "re-education" camps between May and December 1975, after the Pathet Lao had taken control of Laos that year.

Most of these people were first summoned to supposedly brief "political seminars" before being despatched to the camps. Samlith Ratsaphong was ordered to attend one in July 1975 and then, on 1 August, he was sent to a camp in Houa Phan province, in northeast Laos, near the Vietnamese border (he is believed now to be in Camp 05); most high-ranking officers were sent to camps in the same province.

Few "re-education" camp inmates are reported to have been freed before November 1980; between then and mid-1981 more than 300 releases were reported. However, subsequent releases have been rare and the number of people still detained remains a matter of concern.

As Samlith Ratsaphong has not been charged or tried, there is no indication of when he may be released. The authorities have given no reason for his continued detention—but *AI* believes that he is being held solely because of his post under the previous government.

Please send courteous letters, preferably in French, appealing for his release to: Son Excellence Kaysone Phomvihane/ Premier Ministre/Vientiane/République démocratique populaire du Laos.

Demir KUCUKAYDIN, Turkey
The publisher of a short-lived political weekly, he has been in prison since 1974 because of articles which appeared in his newspaper; none of them advocated violence.

Demir Kucukaydin, who is serving a sentence of nearly 18 years, published *Kivilcim* (The Spark), a weekly paper

which first came out in February 1974 and aimed at establishing a "proletarian party" in Turkey. After only six issues had appeared, the publisher, editor, distributor and accountant were arrested.

They were charged on the basis of articles which had appeared in the paper and were convicted under Articles 141 and 142 of the Turkish Penal Code, which prohibit forming organizations or making propaganda aimed at achieving "domination of a social class over other social classes". (Demir Kucukaydin's original sentence of more than 40 years' imprisonment was reduced on appeal to one of 17 years and nine months.)

AI adopted all four as prisoners of conscience. Only Demir Kucukaydin is still imprisoned and *AI* knows of no other prisoner in Turkey who has been in jail for so long for actions such as those of which he was convicted. Further sentences are reported

to have been imposed on him during his imprisonment—for trying to escape, insulting a judge and sending a telegram to General Evren protesting against executions; *AI* has no details.

Recent reports say he has been in solitary confinement for several months. He is said to have been beaten repeatedly throughout his time in jail; his back is reported to have been injured as a result.

Martial law was imposed on the whole of Turkey after the military coup of September 1980. Since then *AI* has repeatedly called on the authorities to end the detention of prisoners of conscience and executions and to investigate allegations of torture. However, Demir Kucukaydin was imprisoned under a civilian government and is detained in a civilian—not a military—prison in Malatya.

Please send courteous letters appealing for his release to: President Kenan Evren/Devlet Baskanligi/Ankara/Turkey; and to Prime Minister Bulend Ulusu/Basbakanlik/Ankara/Turkey.

Prisoner Releases and Cases

The International Secretariat learned in December of the release of 119 prisoners under adoption or investigation; it took up 126 cases.

If you prefer, you may send your appeals to the embassies of these governments in your country.

The article below is based on a report received by *AI* from Iran which tells of the brutal treatment of political prisoners in Iranian jails. The contents of the report are consistent with other material *AI* has received on what is happening in the country. The information on one of the jails in particular, Evin Prison in Teheran, was subsequently confirmed during an interview *AI* had with a former prisoner who had been held there in October 1982 and had left the country soon after his release.

Torture in Iranian prisons

Details of the ill-treatment, torture and summary execution of political prisoners in five Iranian jails—including accounts of whippings and savage beatings of inmates and the torture of mothers in front of their children—have reached *AI* recently from sources inside the country.

The information is contained in a report drawn up in Iran and based on testimony taken from released prisoners and prisoners' relatives. Some of the people concerned belong to various political groups; others have not been involved in any political activity.

Three of the prisons cited are in Teheran, where the report says jails are so overcrowded that new blocks are being thrown up and fresh sites sought, with houses being used to accommodate prisoners.

Sound of gunfire

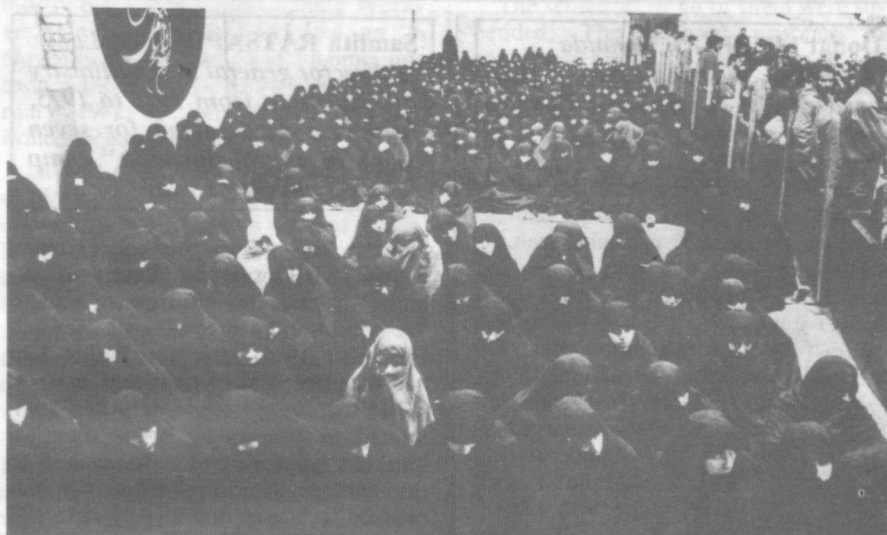
The three Teheran prisons cited are Evin, where 15,000 people are reported to be held and where "Every night you can hear the sound of gunfire"; Komiteh, known as the "Hen House", and Qasr, where 6,000 people are said to be packed into space designed to hold 1,500. Both Evin and Komiteh were used as torture centres by the pre-revolutionary regime's secret police, the SAVAK.

Another prison cited is Salehabad, a former dairy farm in which prisoners are said to be held in cowsheds. Information is given also about Vakilabad Prison, in a desert area near Mashad.

The report says that the majority of prisoners in Iran are held without charge, often blindfold, for days or weeks on end and often have no idea why they are being held.

"They could have been rounded up for 'looking' at the scene of a bomb blast, for reading a political pamphlet, for condemning the regime on a tapped telephone, for arguing with a neighbour who reported them or for actually having been involved in some movement against the regime."

Revolutionary Court officials and prison staff refuse to give information about many prisoners and it is "difficult to estimate or even guess how many missing people there are in Iran at any given time," the report says.



Women prisoners in Evin

It says hundreds of people can be seen queuing outside jails and courts in the hope of discovering the whereabouts of missing relatives.

"Evin, troubled by such 'crowd' problems, no longer allows anyone not on official business within a 2km radius of the jail."

The report presents a detailed description of what it says is going on in Evin, compiled from statements by a number of men and women who are said to have left the prison recently—one only a week before the report was drawn up. The statements have been combined, it says, so as to protect the ex-prisoners from possible reprisals.

"The worst thing in Evin is being held blindfold for days on end waiting for someone to tell you why you are there. Some people have been left blindfold for . . . months.

"One man has spent 27 months like this. None of the prisoners appear to know what he is being held for. After 27 months, he sits, largely in total silence, nodding his head from one side to the other. . . .

"Obviously, they keep people blindfold to add to the fear. But when they suddenly whip off the blindfold to question you, you are almost blinded; the light is painful and you feel dizzy.

"Night and day you can hear the sound of gunfire in Evin. If it's continuous firing then you know it could be mock executions. But if you hear lone shotgun fire at the end you know it is a real execution. From them you can esti-

mate how many have been killed. Generally, between 30 and 60 shots can be counted in a day. After the September [1982] bomb blast [in Teheran; 20 people died] you could count 100 or more such shots in 24 hours.

"The guards take people off for execution at any time of the day or night. The only warning for many . . . is a curt order from the guard to observe the final [Islamic] washing rites.

"Many about to be executed give frantic last messages for their loved ones to other inmates in the washroom. It's awful facing such people. What can you say? And how do you know the same won't happen to you? You feel totally helpless."

"Many new arrivals are said to be thrown into windowless 'isolation' cells designed for one person but, because of the lack of space, sometimes holding up to 20 people.

Worst section

Band-e Chah (Block Four) is said to be the worst section in Evin and 80 per cent of its inmates are thought to be senior Mujahideen members, the remainder being "difficult" cases.

"In Band-e Chah there is a special religious judge who hands out 'Islamic' thrashing sentences to most who won't cooperate at interrogation sessions. . . .

"The prisoners are held or tied down while the thrashing with a whip takes place. Most . . . are hit repeatedly across the genital area.

"There is a rule in Evin . . . that men and women of up to 40 years of age can be lashed all over the body and those over 40 can be lashed only on the feet."

A long pole with a length of cord fastened at either end, like a bow, is said to be used to hold the older victim's feet: using the pole, two men twist the cord tightly around the feet like a tourniquet. "Then the soles of the feet are lashed. The punishment is carried out with such force that afterwards the victim's legs swell up like watermelons."

Another block in Evin is the *Zendan-e Zanan* (Women's Prison), where the children of many young women inmates are said to be held.

"There are around 40 children, aged from one to 12. They are kept because they are an asset to the prison authorities for gaining confessions: when the mother is lashed the child is made to watch.

"One such mother screamed that she was ready to confess when she could no longer stand the agony of her three-year-old daughter being made to watch in the grip of two guards.

"Often the guards slap the children about at the same time as [the mother's] lashing. . . . Anyone who has seen the terror of such children cannot easily forget it."

The following excerpts are said to have been compiled from three former inmates' accounts of Komiteh Prison, once SAVAK's principal torture centre.

'Hen house'

"The guards call the prison the 'Hen House', probably because many of us have to squat for days on end on the balconies (encircling a central courtyard).

"When you are taken there, you are left blindfold on one of the balconies. There is hardly room to sit, let alone lie down. All the cells behind are packed full too. You are left blindfold for days. No one will tell you what your fate is. . . .

"At night the guards drag people in and out of the cells through the midst of the balcony people. . . . Sometimes those they dragged out did not come back. . . ."

"Every night until the early morning hours people were tortured, either in the open courtyard or in rooms off it. The screams were terrible.

"On the balconies we whispered to those inside the cells. Some gave us messages for their families in the hope that word could be got out. Some . . . had been burned with irons; others said they had received electric shocks.

"Many times balcony people taken into the courtyard for whippings with wire cable kept on shouting obscenities against the regime. . . . often . . . until they were beaten into silence. They didn't return for hours."

"There is a 'court room' off the courtyard with a man called 'Haji Agah'

Salehabad: former inmates say they were held in cow stalls

Few people are said by the report to know of the existence of a prison at the former Salehabad dairy farm between Teheran and Qum. Locals have been told by officials that it is a "rehabilitation centre" for drug addicts. Of the 2,000 inmates, 60 per cent are suspected of Mujahideen or "communist" activity, according to the report. It cites two testimonies, both said to be by people who claimed allegiance to no political group.

One was given by a man who said he had been arrested after political leaflets from leftist and Islamic organizations had been found at his home. He was taken first to Evin, then to Salehabad.

"When I arrived, blindfolded, I was pushed into a cow stall with concrete walls and a mud floor covered with straw. There was five of us in a stall for one cow. There was no toilet and we had to urinate on the floor. . . . We slept almost on top of one another, without any bedding. . . .

"During some of the days, and every night, we would hear noises outside and screaming and crying. . . . On two occasions we heard shooting.

"After a week I was taken out into the yard. One of the guards said, 'Okay, start talking.' I asked where the court was and what I was being held for. I was punched in the face and hit over the head. . . ."

The next night, he said, he was made to run around the yard naked from the waist down. "They trained a whip on my buttocks and testicles and kept lashing at me. Then other men came and began beating me in the same manner with a hosepipe. I was hit like this for perhaps an hour. . . .

in charge. There is no trial as such; he just looks at your file, asks a few questions and then orders the guards to commence their work: that means, start the torture process.

"Usually this means having you run around the yard while they beat the lower half of your body with pipe or cables. There is a small pool in the yard where they also hold your head under and keep it there until your lungs swell and you feel you are drowning. Then they pull you out and tell you to run again."

The report also contains evidence said to be from relatives of a landowner arrested by Revolutionary Guards in Teheran and taken to Vakilabad Prison, near Mashad.

"When he was taken he weighed

"Two nights later they repeated the process. Wounds from the first time were reopened. I was semi-conscious when they dragged me back. . . ."

After about three weeks, he said, he was taken for questioning in a "court" by an imam.

"He said . . . I had mistakenly been brought there as a member of the *Fedayeen* (a leftist organization). . . . He warned that if I talked of what happened, I would be executed. He said he was sorry. . . . I was taken back to Evin and released 48 hours later.

"When I went to Salehabad I weighed 80kg. When I went home I weighed just over 50kg."

A second testimony is said to have come from a man arrested at home with friends, some of whom were involved with the Mujahideen.

"I was blindfolded and handcuffed and put in the back of an ambulance. When we arrived at Salehabad I was put in what I was later told was a cow stall. There were eight of us in there. . . . The first 48 hours. . . . [we] received no food or water. . . .

"After three days I was taken outside into a yard. . . . made to strip naked and ordered to run. Jeering guards then trained a jet of water from a hosepipe on my genital area. When I tried to avoid it, or stopped running, they hit me with a cable or hosepipe. . . . They kept stopping and asking 'Well, Mojahed, are you ready to talk?' They did this to me three nights running."

Six weeks later, he said, he was taken for questioning in court before an imam. Later he was taken to Evin and eventually released.

150kg [sic]. When we saw him after a three-month absence he was perhaps half that.

"He told us he had been hung for three days by the feet from the roof. . . . He was ill and said he had kidney trouble.

"We began pulling strings . . . to get an investigation started. Then we got a telephone call saying the captive had died. We went to pick up the body. It weighed only 40kg and was covered with sores and bruises from obvious beatings.

"The prison authorities said he had died from kidney and liver trouble. We were told to stop trying to investigate the deceased's charges.

"We had to pay 50,000 Rials (about £380 sterling) to collect the body. We decided it was wiser to try to forget." □

South Africa Magistrate clears security police over Aggett suicide

A magistrate in Johannesburg has exonerated the South African security police from any responsibility for the death of Dr Neil Aggett, a trade union official found dead in his cell in the Johannesburg headquarters of the security police in February last year.

The magistrate, P.J. Kotze, brought in a verdict of suicide at the end of the long-running inquest in which it had been alleged that Dr Aggett had been beaten up, electrically tortured, deprived of sleep, and, shortly before his death, continuously interrogated for more than 60 hours.

An AI observer attended part of the inquest proceedings in October 1982.

Lawyers representing Dr Aggett's parents had urged the magistrate to return a verdict of "induced suicide", arguing that his death was a direct result of security police ill-treatment.

However, the magistrate dismissed evidence from several former detainees that Dr Aggett had been tortured, pointing to minor inconsistencies in their testimonies. He accepted the security police version of events and absolved them of all blame.

He suggested that some "moral responsibility" for Dr Aggett's death could be attached to another detainee who had been in a cell opposite to Dr Aggett. This man, Auret Van Heerden, told the court that he had witnessed a marked deterioration in Neil Aggett's mental and physical condition as a result of his alleged ill-treatment and long interrogation, and had feared that he might take his own life. The magistrate criticized him for not telling the security police of his fears at the time.

Auret Van Heerden gave evidence at the inquest in October 1982, shortly after his own release from more than nine months' detention without trial. He

was not permitted by the magistrate to testify about his own alleged torture in detention.

Dr Aggett, aged 28, who worked as a full-time trade union official for the mostly black Food and Canning Workers' Union, was detained late on 26 November 1981 and held incommunicado without charge or trial until 5 February 1982 in John Vorster Square Police Headquarters.

He was one of more than 40 officials of black trade unions, community workers and students detained without trial in late 1981 and held incommunicado for several months. At the time, the authorities suggested that there would be a major political trial involving many of those arrested but ultimately all but two of those associated with black trade unions were released without standing trial. The two were Dr Aggett and Alan Fine, an official of the Hotel, Liquor and Catering Trade Employees' Union, who was charged and brought to trial in August 1982. He was acquitted.

Three leading members of the SA Allied Workers Union were also charged, in May 1982, after several months in detention—but the charges were later dropped without explanation before they came to trial.

• On 30 September 1982, while the inquest was in progress, the Detainees' Parents Support Committee published a memorandum, *Security Police Abuse of Political Detainees*, based on 70 statements from former detainees who allege torture or ill-treatment by the security police. The committee, formed in 1981 by relatives and friends of detainees, submitted the memorandum and the statements on which it is based to the Minister of Law and Order and called for an official investigation □

South Korea Conditional freedom for 23 POCs

Twenty-three people adopted by AI as prisoners of conscience were among 48 political detainees to be conditionally freed under a presidential amnesty granted for Christmas 1982.

The sentences of all of them were suspended. The released prisoners of conscience are:

• The opposition leader **Kim Dae-jung** and seven of his co-defendants sentenced for sedition by a martial law tribunal in



Kim Dae-jung

September 1980. Kim Dae-jung's original death sentence was commuted to life imprisonment and then, in March 1982, to 20 years' imprisonment. He is now in the USA for medical treatment.

His seven co-defendants were: the Rev. **Moon Ik-kwan** and the Rev. **Lee Moon-young**; four students, **Lee Shim-bom**, **Lee Hae-chan**, **Sul Hun** and **Cho Sung-oo** (prisoner of the month in May 1982); and **Song Ki-won**, a writer.

• **Chung Dong-nyon**, a student detained on charges related to the Kwangju disturbances in May 1980. His original death sentence was commuted to life imprisonment and then, in March 1982, to 20 years' imprisonment.

• The remaining seven prisoners in the People's Revolutionary Party Case of 1974: **Lee Tae-hwan**, **Na Kyung-il**, **Kim Han-dok**, **Yu Jin-gon**, **Chon Chang-il**, **Lee Sung-jae** and **Kang Chang-dok**.

• Three students detained since May 1980 for violations of martial law: **Lee Ho-yul**, **Pak Il-nam** and **Cho Tae-won**.

• Five students sentenced to between 18 months' and three years' imprisonment in January 1982 for organizing anti-government demonstrations on university campuses. They were tried in the Kwangmins case with a publisher, **Lee Tae-bok** (serving life imprisonment—see May 1982 Newsletter) □

OAS General Assembly

The Twelfth Regular Session of the General Assembly of the Organization of American States held in Washington, D.C., from 15 to 20 November 1982 considered two major human rights documents of concern to AI: the Annual Report of the Inter-American Commission on Human Rights (IACHR) and a Draft Convention Defining Torture as an International Crime.

The latter was first proposed at the Assembly's 1978 session and first circulated to governments for comment in 1980. After limited discussion the latest session resolved to circulate it for a third year—but set a 30 June 1983 deadline by

which further observations by member states should be received, for incorporation into a revised text to be considered by the 1983 General Assembly.

The Annual Report of the IACHR included references to on-site observations by the Commission in Nicaragua, Guatemala and the USA (in camps housing Haitian refugees).

Separate sections of the report dealt with the situation of human rights in nine countries on which extensive reports had previously been submitted to the General Assembly.

AI attended the session as a special guest □

Romania POCs freed after decree

A 71-year-old poet and church leader, Traian Dors, is one of three Romanians adopted by *AI* as prisoners of conscience who are reported to have been freed after a presidential decree pardoning certain categories of offender was announced on 29 December 1982.

He is a leader of an unofficial sect of the Romanian Orthodox Church, the "Army of the Lord", and was sentenced in 1982 in connection with the transportation and distribution of religious works. (Four men arrested with him are reported to have been freed too.)

The two other prisoners of conscience said to have been freed are:

Matthias Lischka, aged 21, who was sentenced in October 1982 to 10 months' imprisonment for trying to leave Romania after being refused permission to do so; and Lucian Naum, aged 32, who was sentenced with 11 co-defendants in July 1982 to three years' imprisonment for having written to the authorities complaining that their applications to emigrate had been rejected, and for having asked for permission from the Procurator's Office to hold a public demonstration in support of their right to emigrate. (*AI* has no definite information on the situation of the 11 co-defendants, whom it also adopted as prisoners of conscience; 10 are reported to have been released.)

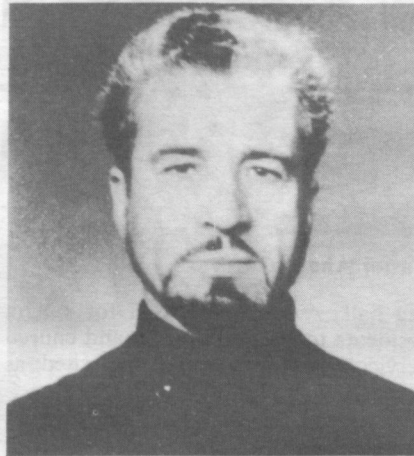
The presidential decree provides for the release of prisoners serving sentences of imprisonment or corrective labour of up to five years. Prison sentences of five to eight years are reduced by one sixth.

Although the majority of Romanians adopted by *AI* as prisoners of conscience received prison sentences of under five

years, a number may have been excluded from the pardon because they have served previous sentences for political offences and are thus regarded by the authorities as recidivists.

Two prisoners of conscience who appear not to have benefited from the pardon are:

- Father Calciu, aged 56, a Romanian Orthodox priest sentenced in 1979 to 10



Father Calciu

years' imprisonment on charges of "conspiracy" for alleged connections with an independent Romanian trade union movement, SLOMR; and

- Dragos Oloieru, aged 59, sentenced to eight years' imprisonment for "propaganda against the socialist state" after he had written to the authorities and to people abroad protesting against previous persecution.

Both are former political prisoners serving their second prison sentences□

Kenya Six sentenced to death over coup bid

Six death sentences have so far been imposed by courts martial trying former members of Kenya's air force for involvement in the force's unsuccessful coup on 1 August 1982.

Between November 1982 and January 1983 Corporals Bramwel Injeni Njereman, Walter Odira Ojode, Charles Oriwa Hongo and Charles Mirasi Odawa; and Sergeant Joseph Ogidi Obuon and Lieutenant Oburu Onyango were convicted of treason and given mandatory death sentences. All six are believed to have appealed against the sentences, the first death sentences for treason in Kenya since independence in 1963.

About 900 other former air force members have been sentenced to terms of imprisonment since September 1982 and hundreds more are expected to come before courts martial.

Two civilians have been charged with treason over the coup attempt and also face mandatory death sentences if convicted. They are Raila Odinga, Deputy Director of the Kenya Bureau of Standards and son of former Vice-President Oginga Odinga (now under house arrest); and Otieno Mak'Onyango, assistant managing editor of the newspaper, *The Sunday Standard*. No date has yet been fixed for their trial before the High Court□

DEATH PENALTY

AI has learned of 65 people being sentenced to death in 12 countries and of 73 executions in 11 countries during December 1982.

STOP PRESS

Turkey: Releases—All but one of the defendants in the Turkish Peace Association (TPA) trial have been released while their trial continues (see October 1982 *News-letter*). Gundogan Gorsev is still imprisoned in connection with another trial.

Executions—Nine people were executed in Turkey between 24 December and 24 January, bringing the total number of executions since the military coup of September 1980 to 30.

Israel and Occupied Territories: *AI* has learned that the restriction order on Bashir al-Barghuti, prisoner of the month in October 1982, was lifted on 21 December.

Afghanistan Ten 'rebels' executed

Ten people reported to be anti-government rebels were executed and another six were sentenced to death in Afghanistan during December 1982.

The 10 were executed on 4 December, after the Special Revolutionary Court had convicted them of, *inter alia*, "killing innocent people" and theft.

On 1 December the court had sentenced to death three reported members of the rebel *Hesbe Islami* group after convicting them of abducting a military officer in June 1981. The three are Niaz Mohammad, Barialay and Enzer Gol. Two of their companions aged 17 were sentenced to 15 years' imprisonment in view of their age.

On 29 December the court sentenced to death three other reported members of a rebel group based in Pakistan.

Amanollah son of Janeb, Abdol Majid son of Shaykh Nur, and Saleh Mohammad son of Momen were described as "terrorists and saboteurs" responsible for subversive acts in Kabul in November 1982, including the planting of bombs in a restaurant.

No right of appeal is allowed against sentences imposed by the Special Revolutionary Court, although they have to be confirmed by the Praesidium of the Revolutionary Council.

AI cabled President Babrak Karmal three times—on 3, 7 and 29 December—expressing concern about the executions and death sentences and recalling his assurances to the organization's February 1980 mission to Afghanistan of his concern to abolish the death penalty; it called for a halt to all executions□

Peruvian peasant leader freed

Pastor **Anaya Cuadros**, a leader of the peasant community of Jicamarca, near Lima, Peru, was released on 4 December 1982 when a Lima court dismissed charges of terrorism against him and eight other leaders of the community. He was a prisoner of the month in July 1982.

The nine community leaders were detained in February 1982 when 300 heavily-armed paramilitary Civil Guards raided Jicamarca. They were charged under Decree 046, which defines terrorism in broad terms; only Pastor Anaya was kept in custody.

The Civil Guard accused them of having incited people to occupy private land, of "political proselytization" and of training people for "subversive actions".

Evidence produced in the case consisted largely of newspapers, books and magazines found in the homes of the prisoners and in the community's meet-



Pastor Anaya Cuadros

ing hall. A brass bell used for calling residents to public meetings and church services was confiscated and cited as evidence.

The court dismissed the charges against the nine on the basis of an investigation into the case by the Lima *Fiscal Superior*, State's Attorney, whose public report concluded that no crime of terror-

ism as defined by Decree 046 had been committed.

The report also criticized Civil Guard actions in the case and questioned the basis upon which the charges had been considered to merit prosecution and trial.

Civil Guard officers were found to have acted in response to requests by land speculators who accused the peasant community leaders of using force to prevent occupation of land claimed by the speculators. The investigation disclosed that the speculators did not have title to the land in question and had themselves hired men to forcibly and illegally occupy land belonging to the community and cultivated by its members.

In its assessment of documents presented as evidence of terrorism, the report concluded that all were freely circulated publications and should not be "characterized as 'terrorist'".

It noted further that to consider possession of such material to be terrorism "would put at risk the security of anyone who had in their library works by socialist writers and would undermine the law, violating the Constitutional guarantee . . . that established the precept that holding opinions is not a crime" □

Lethal injection

Continued from page 1

ician should be required to be an active participant. A physician's only role would be to certify death once the state has carried out the capital punishment."

The number of prisoners under sentence of death in the USA rose to 1,137 in December 1982. Texas is one of six states with laws providing for lethal injection as a form of execution; the others are: Idaho, New Mexico, Oklahoma, Washington and Massachusetts.

Doctors' 'revulsion'

• In a letter sent to newspapers in Europe and the USA in January, members of *AI's* Medical Advisory Board (MAB) said members of the medical profession abroad shared the revulsion felt by many of their US colleagues at the use of medical science to kill prisoners.

"With more than 1,000 condemned prisoners on Death Row in the United States . . . it is vital that doctors adhere to the ethical standards which govern their profession and which are embodied in the Hippocratic Oath, and that doctors in all countries oppose any precedent for involvement in executions," they said.

"As doctors and members [of the MAB] . . . we want to urge all who are trained to relieve pain and suffering to refuse any part in a punishment which is inherently cruel, inhuman and degrading. The new method [of execution] is no more humane than any other, and it threatens a frightening precedent for the use of medicine to kill." □

Executions in Suriname reported

At least 15 people were summarily executed while in military custody in Suriname on 9 December 1982, according to reports received by *AI*.

They include Kenneth **Gonsalves**, Dean of the Suriname Bar Association; Cyril **Daal**, Chairman of *De Moederbond*, Suriname's largest trade federation; Andre **Kampervveen**, former Minister of Culture and Sport; and other prominent lawyers, journalists, university lecturers and politicians.

On 10 December *AI* sent a telex message to the head of Suriname's Government, Lieutenant-Colonel Daysi Bouterse, expressing concern about the reported executions.

A telex message from him on 10 January 1983 denied that there had been any executions. He stated that a number of people detained for involvement in activities "designed to overthrow the government by violent means" had been killed "in an unfortunate accident" after attempting to "escape from custody", and that the national army and the government would see to it that "such occurrences" were prevented in future.

Most of the 15 people known to have died on 9 December had been arrested by the army the day before, after disturbances in the capital, Paramaribo,

during which the headquarters of *De Moederbond*, two independent radio stations and the offices of an opposition newspaper were burned down, allegedly by government troops.

Two of those reportedly executed were former army officers who had been in military detention for nine months, accused of involvement in an attempted coup in March 1982. In November a military court had sentenced them to long terms of imprisonment.

Their three defence lawyers were among those arrested on 8 December and reportedly executed the next day.

AI has asked the Secretary-General of the United Nations to use his "best endeavours" (under the terms of the General Assembly Resolution 35/172 on Arbitrary and Summary Executions) to establish the full facts of the reported executions.

AI also expressed its concern about the matter to the Inter-American Commission on Human Rights □

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