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Violations of human rights in Haiti — new AI report

Potential opinion leaders have been singled out by the authorities in Haiti for arbitrary arrest, torture and political killing, according to information compiled by AI and published in its new report on Haiti.

Haiti Briefing, issued on 13 March, shows that journalists, opposition leaders and trade unionists have been targeted by the secret police and President Jean-Claude Duvalier's militia, commonly known as the "*tontons macoutes*" ("bogeymen").

Most arrests and detentions take place outside any legal framework, without reference to courts, constitution or law.

Until 1977, arbitrary arrest, torture and killing were widespread and indiscriminate, affecting thousands of victims. Since then, most victims known to AI appear to have been chosen more selectively. "Disappearances" and deaths in custody, beatings and other forms of torture have not been reported on the same scale, but still occur.

Political prisoners are often held incommunicado for long periods, naked or almost naked, in damp, dark and dirty cells in the *Casernes Dessalines*, military barracks which also houses the SD (*Service détectif*), the secret police. This barracks, near the presidential palace, is one of the biggest buildings in the capital, Port-au-Prince.

Some prisoners have been held for several years without any public acknowledgement of their detention by the authorities. In the relatively few cases in which political prisoners have been given trials and these have been witnessed by international observers, they have not met international standards for fair trial.

Victims include those who stand up for human rights as well as people suspected of challenging government policy on other issues.

• **Gerard Duclerville**, a lay preacher arrested in December 1982, apparently because his work with the poor was considered to be subversive. He said was beaten until he asked his torturers to kill him "and get it over with". Released after appeals from the Roman Catholic



Sylvio Claude, founder and leader of the opposition Christian Democrat Party in Haiti, has spent most of the past six years in prison, under house arrest or in hiding. Members of his family have been detained on a number of occasions, two of his daughters have been beaten while under arrest and several relatives are now in exile. His case illustrates many aspects of political detention in Haiti.

Church in Haiti and other organizations, he said he needed skin grafts and other hospital treatment as a result of the beatings.

The work of the only independent human rights group in the country, the Haitian Human Rights League (*Ligue haïtienne des droits humains*), was almost completely halted after a violent raid by men believed to be "*tontons macoutes*" in 1979. Many people are reported to have been injured during this raid, including members of the Roman Catholic Salesian Fathers, in whose school the meeting was held.

AI's briefing names political prisoners known to have been in prison in recent years who have "disappeared" while in custody.

It cites the testimony of a former soldier and former policeman that prisoners were killed by strangling at police headquarters and their bodies then shot and dumped in Port-au-Prince.

Former members of the "*tontons macoutes*" later testified that arbitrary

killings were justified by those responsible by describing the victim as a "*kamokin*" (traitor) or as having "said bad things against the government".

Many people are reported to have been imprisoned for trying to flee the country illegally. *Haiti Briefing* quotes an eye-witness account of such people being arrested and beaten until they were bruised and bloody, after bad weather forced their boat back to shore.

Among prisoners or former prisoners of conscience whose cases are described in the report are **Sylvio Claude**, founder of the opposition Christian Democrat Party, members of his family, his defence lawyer, associates and aides. Others include newspaper, radio and magazine journalists and publishers, and members of the armed forces said to have been found in possession of opposition newspapers or accused of contact with the opposition.

Army Sergeant **Bienvenue Theodore**, seized in 1979, is believed to be still imprisoned without charge or trial reportedly after rebuking a soldier who said he wanted to shoot strikers during a labour dispute. Sergeant Theodore was reportedly accused of being a traitor and plotting against the government.

Since its briefing was written, AI has learned of more arrests, including those of people who took part in church-run projects to help the poor. It received reports of at least 25 arrests in November 1984, including those of experts working on rural development projects and a protestant minister seized on his return from the USA. The government has released few details on these arrests, most of which are believed to be for non-violent activity □

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This month's File on Torture is on Iran

Syria

POCs — 40 reported freed but 150 still held

Forty people adopted by *AI* as prisoners of conscience are reported to have been freed towards the end of 1984 and in January 1985. All had been held without charge or trial — some for over four years — under the State of Emergency Law in force since 1963.

They were among a group of Syrians arrested from March 1980 onwards, for membership of the banned Communist Party Political Bureau (CPPB), and included teachers, students, labourers, shop owners, a lawyer and an engineer.

The CPPB, a prohibited wing of the Communist Party in Syria, was founded in 1973 after a split with the Soviet-oriented wing which is represented in the ruling National Progressive Front. It has faced periodic suppression and members have been arrested because of its opposition to the policies of the present government and especially to Syria's intervention in Lebanon since 1976.

In October 1980 prominent party members were arrested after the signing of Syria's Treaty of Friendship and Co-operation with the Soviet Union and attempts to form an internal opposition

coalition in Syria.

AI is still concerned about 150 CPPB members, detained without charge or trial, whom it has adopted as prisoners of conscience. They include **Riad al-Turk**, the party's First Secretary, whose current whereabouts are unknown (see March *Newsletter*), and **Ahmad Fa'iz al-Fawwaz**, a doctor and member of the party's Central Committee, now detained in Kafr Sousseh Prison.

AI has received reports that some CPPB members, including Riad al-Turk, have been tortured during interrogation. In July 1983 appeals were sent on behalf of three party members who had reportedly been tortured by Military Intelligence — one is reported to have died in hospital the same day. *AI* urged the authorities to set up a public inquiry into this reported death and make the findings public. It also sought assurances that, if the prisoner had indeed died, attempts would be made to bring those responsible to justice.

No response has been received from the Syrian authorities to any of *AI*'s appeals□

Pakistan

Execution after closed trial

Nasir Baluch, 44-year-old Pakistan People's Party (PPP) activist, was hanged in Karachi Central Jail shortly after dawn on 5 March. He was one of five people charged with abetting the hijack of a Pakistani airliner in March 1981 and tried by a special military court meeting *in camera* (see January 1985 *Newsletter*).

Three of the defendants, **Essa Baluch**, **Mohammad Ayub Malik** and **Saifullah Khalid**, who had also been sentenced to death — although only after the intervention of the martial law authorities in the military court's proceedings — had their sentences commuted to life imprisonment on appeal to President Zia-ul-Haq.

Prisoners in Karachi Central Jail are reported to have held an all-night vigil on the eve of Nasir Baluch's execution and several political prisoners who had smuggled out an appeal on his behalf were reportedly transferred to other prisons in Sind province.

On 3 March another prisoner held at Karachi Central Jail was sentenced to death. **Ayaz Samoo**, in his early 20s and said to be a PPP member, was convicted by a special military court of murdering a pro-government politician, Zahoarul

Hassan Bhopali, in September 1982. His trial was also *in camera*.

AI has received complaints of irregularities in his case, including discrepancies in police statements on the date of his arrest — the police report noted this as having occurred on 12 December, the day after a report of his arrest had appeared in a Karachi newspaper — and the alleged involuntary nature of his "confessional" statement which was reportedly used as substantial evidence in his trial.

● Politicians and political party supporters opposed to the government of President Zia-ul-Haq who had organized protests in support of a boycott of February's national and provincial elections in Pakistan remain in detention. They were among several hundred people engaged in non-violent opposition activities to be arrested during January and February□

Prisoner releases and cases

AI learned in February of the release of 125 prisoners under adoption or investigation; it took up 195 cases.

South Korea

Another two years for Kang Jong-kon

The preventive custody order on **Kang Jong-kon**, prisoner of the month in January 1985, was renewed for a further two years on 14 February.

He has already been in detention for almost 10 years — a five-year prison sentence imposed on him in 1976 expired in 1981 and since then he has been held under the Public Security Law. This law allows the Minister of Justice to issue two-year preventive custody orders for the detention of prisoners previously convicted under the National Security Law, where it is considered by the authorities that the prisoner might commit an offence if released.

In March 1983 Kang Jong-kon filed a lawsuit against the Ministry of Justice challenging the validity of his continued detention. His appeal was rejected by the Seoul High Court in October 1983. However, the Supreme Court later returned the case to the Seoul High Court saying that the Ministry of Justice's decision to keep Kang Jong-kon in preventive custody was not based on reasonable grounds.

Refused to sign 'conversion' statement

The Ministry of Justice is believed to have cited his refusal to sign a formal statement of "conversion", renouncing his allegedly pro-communist views and his criticism of the law, as reasons for his continued detention. *AI* has learned that the Seoul High Court invalidated the detention order on Kang Jong-kon in December 1984, but the Ministry has appealed against this ruling.

The organization is concerned that Kang Jong-kon is being detained for his conscientiously-held beliefs and for refusing, on principle, to sign a statement of conversion. It has adopted him as a prisoner of conscience.

Restrictions lifted

House-arrest restrictions on opposition leader **Kim Dae-jung** were lifted on 6 March.

He was put under house arrest after his return to South Korea on 8 February (see March *Newsletter*). The same day *AI* sent a telex message to the authorities saying that it again considered him to be a prisoner of conscience and calling for his release□

DEATH PENALTY

AI has learned of 94 people being sentenced to death in 16 countries and of 80 executions in 12 countries during January 1985.

Campaign for Prisoners of the Month



Each of the people whose story is told below is a prisoner of conscience. Each has been arrested because of his or her religious or political beliefs, colour, sex, ethnic origin or language. None has used or advocated violence. Their continuing detention is a violation of the United Nations Universal Declaration of Human Rights. International appeals can help to secure the release of these prisoners or to improve their detention conditions. In the interest of the prisoners, letters to the authorities should be worded carefully and courteously. You should stress that your concern for human rights is not in any way politically partisan. In no circumstances should communications be sent to the prisoner.

TSHISEKEDI wa Mulumba, Zaire

A lawyer and former government minister and member of the National Assembly, he has been banished without charge or trial since November 1983 to a village more than 800km from his home in Kinshasa.

Tshisekedi wa Mulumba was arrested with his family when soldiers broke into his home during the night of 13 November 1983. He was served with an administrative order banishing him to Mupompa, a remote village in Kasai Oriental region. The order claimed that his activities endangered state security but gave no details.

It was the third time he had been arrested since January 1981. Then, he and other People's Commissioners, members of Zaire's National Assembly, were detained after they had signed an "open letter" criticizing aspects of President Mobuto Sese Seko's policies. They were deprived of their parliamentary seats and sent into internal banishment until December 1981.

The following March Tshisekedi wa Mulumba was rearrested for taking part in discussions about the establishment of a new political party — under its constitution, Zaire is a one-party state and the formation of other political parties is considered an offence.

In July 1982 Tshisekedi wa Mulumba and 11 other former People's Commissioners were each sentenced to 15 years imprisonment; they were freed in May 1983, under an amnesty.

In August 1983 he and others were detained briefly and severely beaten after meeting visiting members of the USA's House of Representatives.

He was arrested again on 13 November 1983. This time he was served with an order banishing him to Mupompa. He may not leave the village, send or receive letters, or receive visitors.

AI believes he has been deprived of his freedom of movement because of his non-violent political activities.

Please send courteous letters appealing for all restrictions on his movements to be lifted to: Son Excellence le Citoyen Maréchal Mobuto

Sese Seko / Président-Fondateur du MPR / Président de la République / Présidence de la République / Kinshasa-Ngaliema / Republic of Zaire.

Ismail BESIKCI, Turkey

A sociologist, he is serving a 10-year prison sentence because of a letter he sent abroad during a previous period of imprisonment, in which he referred to the Kurds as a separate ethnic group. He was charged with undermining the Turkish Government's reputation abroad.

Ismail Besikci was adopted by AI as a prisoner of conscience after being imprisoned in 1971 on charges of making propaganda for separatism. He was released after a general amnesty in 1974 — but in 1979 was again brought to trial and sentenced to three years imprisonment, this time for "conducting propaganda aimed at weakening the national unity of Turkey" and for "insulting" the memory of Kemal Ataturk — founder of the modern Turkish state.

Although Ismail Besikci is not a Kurd, his imprisonment both times was due to his recognition, in his writings, of the Kurds as a separate ethnic group, which is officially denied.

A 1924 law prohibits the use of any language other than Turkish in official communications; the teaching of Kurdish in schools is forbidden and publications in Kurdish are suppressed.

Ismail Besikci began his second sentence in September 1979 and was again adopted by AI as a prisoner of conscience.

He was released in April 1981, only to be detained again in June and charged, after 42 days incommunicado detention, with having "injured the reputation of the Turkish State abroad" in a letter to the President of the Swiss Writers' Association.

In March 1982 he was sentenced under Article 140 of the Turkish Penal Code to 10 years imprisonment to be followed by five years internal exile in Edirne.

He was moved from Canakkale to another civilian prison, in Gaziantep, in November 1984 and is reported to have been kept in solitary confinement for one month.

Please send courteous letters appealing for his release to: President Kenan Evren / Devlet Baskanligi / Ankara / Turkey.

Nguyen Chi THIEN, Viet Nam

A Hanoi-born poet whose poems have criticized the government, he has been imprisoned without charge or trial since 2 April 1979.

Nguyen Chi Thien, who turns 53 in June, has spent 23 years in detention since 1958, when he was sentenced to two years hard labour for "trying to ... discredit the regime by writing romantic poetry".

He completed this sentence in early 1961, but the following November, the Hai-phong Municipal Administrative Committee declared him an "underdeveloped citizen" and issued an order committing him to a period of "re-education" under new legislation providing for indefinite administrative detention. The precise reasons for this are not clear. He was held in a camp in Hoang Lien Son province until his release in September 1964.

In October 1965 he was rearrested and spent a further 13 years in "re-education", until late June 1978. Again, the reasons are not clear.

After release in June 1978, he returned to Hai-phong, where he taught English and French privately and continued to write poetry.

He was arrested again on 2 April 1979 after giving a manuscript of his poems to a foreign diplomat; a letter asking for his poems to be published accompanied the manuscript.

The poems, which include descriptions of Nguyen Chi Thien's experiences during his periods of imprisonment, convey his increasingly bitter criticism of the political system of first North then unified Viet Nam.

AI believes that Nguyen Chi Thien is imprisoned because his poetry contains open criticism of the Government of Viet Nam.

Please send courteous letters appealing for his release to: His Excellency Pham van Dong, Prime Minister / Chu tich van dong Bo truong/ Hanoi/ Socialist Republic of Viet Nam.

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

United Kingdom — Call for facts on report of torture in Northern Ireland

AI has called on the British Government to make public the facts on the reported torture of a man by police in Northern Ireland.

The organization has emphasized that the findings of official inquiries should not be confined to the authorities responsible for investigating the case.

AI carried out its own investigation and medical examination of 23-year-old Paul Caruana and found that there was strong evidence to support his statement that he was systematically ill-treated during interrogation last August.

Paul Caruana said police repeatedly punched him, forced his head against his chest, pulled his legs apart and put plastic bags over his head so that he could not breathe. They threatened to abuse his wife sexually, he said. The police questioning him spat and blew their noses in his face, covering it with spittle and mucus as he lay on the floor, he said.

After the first day of interrogation, he was taken to hospital and fitted with a cervical collar as a result of his injuries, but was then brought back and sub-

jected to more ill-treatment, he said.

The abuse was said to have taken place at Castlereagh Police Holding Centre in Belfast after he was arrested at a police checkpoint in Londonderry on 11 August under the Prevention of Terrorism Act. This allows police to arrest and hold someone for up to seven days if he or she is suspected of involvement with terrorist organizations.

The beatings started when he remained silent after police told him to "confess", Paul Caruana said.

The torture only stopped after his lawyer was allowed to see him 72 hours after his arrest, he said. He was released from custody on 16 August, five days after his arrest.

AI sent a doctor to examine him a month after his release. The doctor, who is from Denmark and was accompanied by another AI delegate from the Netherlands, concluded that there was consistency between Paul Caruana's account of ill-treatment and the signs and symptoms found. Similar findings had been reached by local doctors who examined him soon after his release and

who were consulted by the delegates.

AI asked the British Government in December 1984 to investigate the case fully and promptly, and to say whether the interrogation had been monitored on closed-circuit television by senior officers — one of the procedures introduced in Northern Ireland in 1979 after an official inquiry into reports of ill-treatment of security suspects. AI also asked why Paul Caruana was not allowed access to his lawyer after 48 hours, as required by the regulations.

The authorities replied that an internal police investigation had been carried out and the results sent to the Director of Public Prosecutions to decide whether there would be criminal proceedings in connection with the prisoner's treatment. The file would then be sent to the official Police Complaints Board to decide whether there would be disciplinary action.

In a news release of 27 March, AI said it had responded by calling on the government to clarify the facts fully after internal investigations were completed □

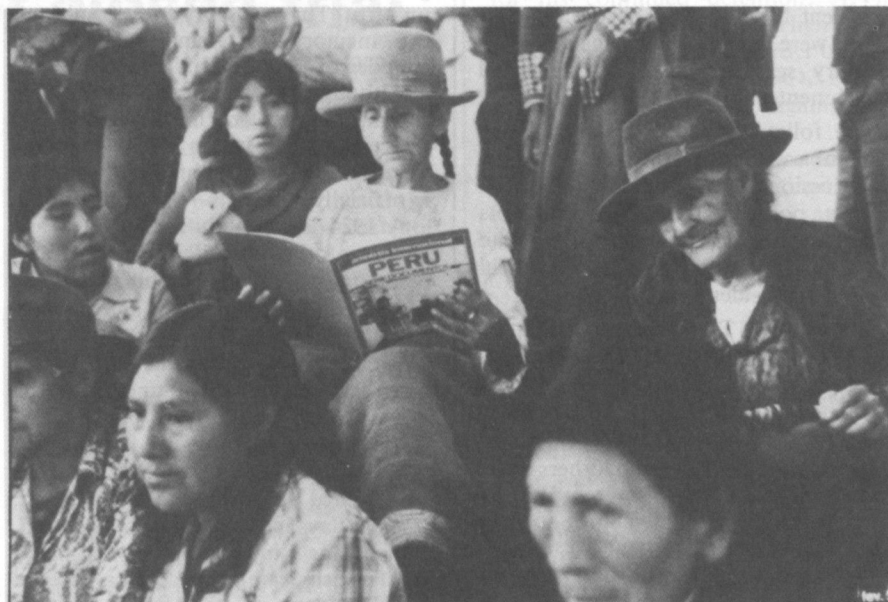
Releases in Mauritania

All prisoners of concern to AI in Mauritania have been released following three clemency measures decreed by the new administration under Colonel Maaouya Ould Sid'Ahmed Ould Taya. He replaced Lt-Col Khouna Ould Haidalla as head of state after a bloodless coup on 12 December 1984.

Those released included former government minister **Mohamed Yehdih Ould Breidelleyl**, held since March 1982 (Prisoner of the Month in March 1984) and a senior civil servant, **Deh Ould Abdel Jelil**, held since March or April 1984.

In a speech after the announcement of one of the clemency measures, the new head of state declared his government's intention to ensure individual security and respect for individual freedoms. He expressed the hope that the amnesty would "create a certain peace and release all national energy" □

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PERU BRIEFING: AI's latest publication on Peru continues to be read throughout the country by all sections of the population (see February and March *Newsletters*). The reader above was part of a group of people gathered on the steps of the cathedral in Ayacucho, the main city in the Emergency Zone.

On 26 February the Peruvian television program "*Encuentros*" (Encounters) gave the results of a survey on AI's briefing, using a sample of 1,000 people in the capital, Lima. They are reported to have shown that more than 70 percent of the sample had heard of AI's report and that more than 47 percent thought that "a pluralist commission should be appointed to investigate AI's denunciations".



FILE ON TORTURE

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Iran

Political detainees in Iran are reported to be tortured and ill-treated in hundreds of secret detention centres throughout the country. Many of these places were used for the same purpose by the SAVAK secret police during the late Shah's time, but Amnesty International has received information that more are now in use in premises run by the local *komiteh* (committee) or *Pasdaran* (Revolutionary Guards). The premises used include office buildings, houses and schools — Amnesty International has received a report that one of them was a theatre.

The number of reports of torture and ill-treatment received by Amnesty International, their persistence and consistency make it clear that these violations of human rights are continuing, widespread and, in some places, systematic.

Amnesty International has not been able to visit Iran since just after the 1979 revolution. Since then it has repeatedly raised its concerns with the authorities — as it had before the revolution — and has on a number of occasions asked to be allowed to send another mission to the country, most recently in September 1984.

The following material is based on a wide variety of sources, including personal interviews over the years with scores of former political prisoners living outside Iran.

Detainees at mercy of their captors

Political detainees are reported to be tortured immediately after arrest, during incommunicado detention in *komiteh* or *Pasdaran* centres and afterwards in prison.

The torture may begin as soon as they arrive at the centres — although by then some of them are reported to have been ill-treated already, beaten up in the vehicles delivering them.

Once at the centres they appear to be completely at the mercy of their captors and may be held incommunicado for periods of up to several months without charge or trial.

Torture may continue even after their transfer to recognized prisons, where *Pasdaran* also serve as guards.

There is no limit to how long detainees may be held without charge or trial. They have no access to lawyers — or doctors — nor is there any way they can challenge their detention in the courts.

Their isolation — and their sense of it — is increased by the knowledge that their families may not have been told where they are and may indeed have been warned not to make inquiries about them for a number of months — relatives have in fact been threatened with arrest themselves if they ignored this "advice". Amnesty International has also learned of relatives having been tortured in order

'I heard the crack of a whip and I felt as though my back were being cut by a huge knife'...



The scarred back of a former teacher arrested in September 1983. Although he had been critical of Iran's educational policies, he was not a member of any political movement. He told Amnesty International that during interrogation:

"They (*Pasdaran*) put a sack over my head and over that a piece of

cloth around my mouth . . . first of all they punched me hard and repeatedly in the face. Then they removed my shirt and told me to lie face down on a bench. I heard the crack of a whip and I felt as though my back were being cut by a huge knife.

"They gave me six lashes and then asked me questions . . . the pain was so bad that, had I been able to, I would have committed suicide. I was punched and kicked and thrown . . . against the wall. One of them jumped on my chest.

"This same treatment, beating and kicks, then five or six lashes, then questions, was repeated over and over for about two hours. They didn't believe me when I said I didn't belong to any organization."

In May 1984 this prisoner was examined in London by an Amnesty International doctor, who stated in his medical report that he had counted 18 distinct marks up to 30cms long on the man's back "consistent with whipping". There were also very small scars on each leg, "probably caused by kicks".

to induce prisoners to make confessions or provide information.

Vital safeguards lacking

Vital basic safeguards against torture are therefore lacking — limits on incommunicado detention, prompt appearance of the detainees before a judicial authority and prompt and regular access to lawyers, doctors and relatives; detention only in publicly recognized places (not secret centres); and regular governmental review of procedures for detention and interrogation.

Purpose of torture

Torture in Iran is usually inflicted on prisoners in order to extract confessions about political activities, names and addresses of political activists and safe houses.

Another motive for torture is to induce prisoners to agree to appear on television to recant their political or religious beliefs or activities. Bahais have been tortured in order to force them to recant their faith, to give televised confessions that they are spies, or to give names of and information about other Bahais.

Amnesty International believes that confessions extracted by torture should never be invoked in legal proceedings and indeed such practice is in clear contravention of Article 38 of Iran's Constitution, which states: "Any form of torture for the purpose of extracting confessions or gaining information is forbidden. It is not permissible to compel individuals to give testimony, make confessions or swear oaths, and any testimony, confession or oath obtained in this fashion is worthless and invalid. Punishments for the infringement of these principles will be determined by law".

Amnesty International knows of no specific cases where individuals have been charged or tried for the infliction of torture on or ill-treatment of prisoners.

Methods

The methods of torture most widely and consistently reported are beating and whipping — the latter may also be inflicted as an Islamic judicial punishment (*ta'zir*), and in practice it may be difficult to distinguish between the two.

The Human Rights Committee set up under the International Covenant on Civil and Political Rights has held in General Comment 7(16) on Article 7 of the Covenant, which Iran has ratified, that "... the prohibition (of torture and cruel, inhuman or degrading treatment or punishment) must extend to corporal punishment, including excessive chastisement as an educational or disciplinary measure."

Amnesty International has also expressed its concern to the Iranian authorities about the judicial punishment of amputation.

● On 7 February 1985, *Kayhan* reported that a man convicted of 41 cases of theft had had the four fingers of his right hand amputated in Qasr Prison the previous day by a new machine especially made for the purpose. Three similar sentences were due to be carried out on 8 February.

'Football'

After arrival at the detention centre, detainees are often at once beaten indiscriminately all over the body. This may be accompanied by "football" — the blindfolded detainee is pushed from one guard to another while being beaten, punched and kicked.

According to one former detainee: "This 'football' game is often used on people who have just been arrested. It breaks down the resistance, and can make one feel lonely and unstable."

In other forms of beating, the interrogators concentrate on particular parts of the body, especially the soles of the feet or the back, for prolonged periods. Prisoners are always blindfold during such beatings and usually have their hands and sometimes their feet bound together; they may also be tied to a bed. The thrashings may be administered with genuine whips or else cables of varying thicknesses may be used, ranging from telephone cable to heavy wire cable whose strands open into a claw at one end which rips the flesh.

Tabriz prison

"X", a member of the People's Mojahedine Organization, who was held in Tabriz Central Prison between February 1981 and September 1983, told Amnesty International in an interview that detainees there were beaten systematically with a claw-like steel cable on their backs, sides and chests. To increase the pain water was then poured over the wounds. The swollen wounds would then again be beaten or kicked, resulting in severe bleeding.

Detainees usually wore their underclothes at the time, he said, and shreds of cloth would get into the cut flesh. Because of inadequate sanitary and hygienic facilities and lack of medical care, the result would be infected, painful and malodorous wounds.

'When they stopped my feet were bleeding ...'

"Y", a woman student aged 26, detained at Evin Prison in Tehran between September 1981 and March 1982, described her first beating to Amnesty International:

"When I refused to confess, I was blindfolded and told to lie down on the floor. One of them (*Pasdaran*) whipped my feet with a heavy cable. I was wearing socks, but the first lash was so painful that I jumped up and ran around the room.

"Then they tied my hands behind my back, and my feet together, removing my socks. They covered my head with a blanket and beat me again on my back and feet, telling me to confess which political organization I belonged to and give the names of my political comrades.

"I don't know how long it continued. At one point I pretended to be unconscious, but they just beat me harder, accusing me of trying to fool them. When they finally stopped, my feet were bleeding badly, especially around the toe-nails.

"They told me they were going to have lunch and left me sitting on a chair, but I was shaking so violently I couldn't even stay on it, yet they wouldn't let me lie on the floor.

"All I wanted to do then was to drink water, and when I went to the lavatory I found there was blood in my urine."

Sexual abuse

Other forms of physical torture reported to Amnesty International since 1980 by former victims include being hung up for hours at a time, sometimes with the body contorted by having one arm stretched over the shoulder and tied behind the back to the opposite ankle; burning with electricity and cigarettes; and various forms of sexual abuse, including rape of both men and women prisoners.

A 23 year-old woman volunteer social worker, who was not a member of any political movement, gave Amnesty International the following account of her torture and ill-treatment. She was arrested twice by *Pasdaran* in Tehran. The second time, in late 1982, she was kept isolated in a *komiteh* building for five weeks, during which time she was repeatedly questioned about her presumed political affiliations and asked to name her friends. On one occasion she was forced to undress and submit to oral and anal sex. She was a virgin ...

"I had never been close to a man before. I didn't understand what was happening to me, I was terrified. I'd heard that if women were raped in prison they would never be released. When it was over I kept vomiting, and couldn't stop crying ..."

She was released a week later, but was unable to speak of her ordeal until she was able to leave the country over a year later.

She said she was independent, self-confident and "afraid of nothing" before her imprisonment. Now, she said, she was afraid of everyone and had

lost all confidence in herself, unable even to bring herself to go out in the street on her own, or to bear any kind of physical contact with men, including her male relatives.

Mock execution

Physical torture is frequently accompanied by threats of execution or mock execution. A female sympathizer of the *Rah-e Kargar* (Worker's Way) organization, imprisoned in Isfahan in September 1981, told Amnesty International:

"One night they called my name and I was shoved into a car. They told me I was going to be executed, and that I had little time left in which to 'repent'. After what seemed a very long time they took me from the car, and tied me, still blindfold, to a tree. They told me to confess, and I told them I had nothing to say. They told me to write my will, but I said I had nothing to write. Suddenly they fired shots all around me, or so I realized later. At the time I was so shocked I thought I was actually being executed. They repeated the mock execution twice more that evening trying to get me to confess, then beat, kicked and punched me, and pushed and shoved me violently against the trunks of trees until daylight."

Threats to relatives

Many former prisoners interviewed by Amnesty International have reported receiving threats of the arrest or execution of relatives if they continued to refuse to confess.

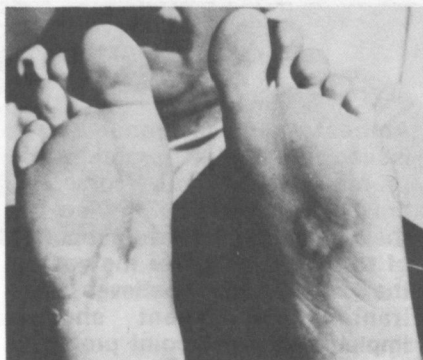
A member of the Baha'i faith, imprisoned at Shiraz in early 1983, told Amnesty International of a young woman prisoner there at the same time who was informed by prison guards that her husband had been severely tortured but that this would come to an end if she agreed to recant her faith. When she refused she was taken to see him and was shocked at his condition. He had lost weight drastically, had bleeding, running sores on his back and his toe-nails had been removed. Husband and wife were later executed.

Forced to watch executions

Other former prisoners have reported on the psychological effects of being forced to watch the execution of fellow prisoners, or even having to collect the bodies after executions.

"X" (the former prisoner in Tabriz Central Prison) told Amnesty International that about 60 of his cellmates were taken away for execution during the 32 months he spent there.

"When you're in a cell with other political prisoners you share an inti-



The photograph shows the scarred feet of a member of the Kurdish Democratic Party who was arrested in October 1983. He told Amnesty International that he was repeatedly beaten, kicked and punched while tied face downward to a bed. *Pasdaran* members trampled on his bare feet and then forced him to walk barefoot in the courtyard. He was also forced to lie, tied to a bed, with a cement block which he estimated weighed 20 kilos on his back for up to 12 hours. He was examined in Paris in June 1984 by an Amnesty International doctor, who concluded that the scars were consistent with the ex-prisoner's allegations of torture.

mate, special relationship with them. With time I got to know my fellow prisoners and love them. . . . Each time they would take prisoners away to be executed, and then new prisoners came to my cell, and I got to know them in the same way, and the same thing happened so many times.

"In the end it was so emotionally painful, that I found myself hoping I'd be the next to be executed . . . apart from the physical torture, the emotional and psychological torture was terrible . . . when there were executions, we had to load the bodies onto a lorry, with maybe a hand or limb missing from them. I had to do it three times, putting the corpses into bags and loading them onto a lorry.

"Sometimes there were relatives executed together, or else one only would be executed, and beforehand they would be allowed a final brief meeting. My cell was close to the execution yard, and I could overhear these meetings and the cries that followed the executions . . ."

The female prisoner "Y" told Amnesty International how she and other women prisoners at Evin Prison were led blindfold to a large hall, where she heard crying and wailing. A guard told them their blindfolds were to be removed, but that they were not to look to the side, but straight ahead. When they did so, they saw the body of a young man hanging by the neck from a tree:

". . . The hands were bandaged to the elbow, and his feet and legs were

bandaged up to the knees. A placard around his neck bore his name, and he was very thin. A guard poked the body with a stick to make it turn round and round . . . then we were taken to be interrogated . . ."

She described, too, how later during her seven-month detention in the prisons of Evin and Ghezel-Hessar, she had been held in a cell holding 120 women, including schoolgirls and old women. Many of them had been tortured, including some awaiting execution . . .

"One night a young girl called Tahereh was brought straight from the courtroom to our cell. She had just been sentenced to death, and was confused and agitated. She didn't seem to know why she was there. She settled down to sleep next to me, but at intervals she woke up with a start, terrified, and grasped me, asking if it were true that she really would be executed. I put my arms around her and tried to comfort her, and reassure her that it wouldn't happen, but at about 4am they came for her and she was taken away to be executed. She was 16 years old."

Mentally disturbed

Other forms of psychological torture or ill-treatment commonly reported to Amnesty International include being placed in a cell with a prisoner who has become mentally disturbed as a result of ill-treatment.

One young man, who was not a member of any political group, recounted his experiences as a prisoner from August 1981 to October 1982. He said he had been subjected to mock execution, sexual abuse and prolonged beating. Afterwards . . .

"I was again . . . held in solitary confinement. . . . I had so far spent two and a half months in detention and had had no bath or medical treatment, and received no visits from relatives during this time. Then another prisoner was put in the cell with me. This man had been badly beaten, was disorientated, confused and incontinent. His clothes were badly soiled with his own urine and excrement. We remained together for several days, and I was then given permission to take a shower and to wash the other prisoner at the same time."

Doctors' conclusions

In May 1984, 18 months after his release from prison, this former prisoner was interviewed and medically examined by an Amnesty International doctor. He complained of the following ailments, which he felt to be related to his experiences of imprisonment and torture: pain in the genitals, particularly in the scrotum; spinal pain, in the region of

cervical vertebrae and lumbar vertebrae; headaches, in the occipital and frontal regions; disturbed sleep with frequent nightmares; loss of concentration, with intrusive flashbacks of his prison experiences; chest pains.

Amnesty International doctors in Europe have examined a number of torture victims from Iran, often many months after their torture was alleged to have taken place. Photographs of scars on two such victims appear on page 1 and page 3. In these cases, as in others, the doctors concluded that the condition of physical scarring sustained was consistent with both the kinds of torture alleged and when it was alleged to have been inflicted.

Investigation ordered

In December 1980 Iran's revolutionary leader, Ayatollah Ruhollah Khomeini, ordered an investigation into allegations of torture. On 17 May 1981 the Torture Probe Commission reported, among other things, that some of the complaints of torture related to injuries sustained in armed street clashes; others related to *ta'zir* punishments, which could not be described as constituting torture; some of the physical scars had been self-inflicted; but "some persons' claims were found to be reasonable and those who were accused of having committed torture are being held now and their faults will be dealt with by [the] competent legal authorities."

Amnesty International believes that a new investigation into allegations of torture and ill-treatment in Iran is overdue. It has called on the authorities to initiate a thorough and impartial investigation, and to make public both the findings and the procedures followed in conducting such an investigation.

Iran's obligations

Iran's obligations under international instruments before the 1979 revolution prohibiting the use of torture remain in force today.

On 8 February 1978, the Iranian Government made a unilateral declaration against torture, thereby reaffirming its support for the United Nations Declaration on the Protection of All Persons from being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which was adopted by the General Assembly on 9 December 1975.

On 24 June 1975 Iran ratified the International Covenant on Civil and Political Rights, of which Article 7 states: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment . . ."

While certain individual Iranian Government representatives have indi-

cated that they consider provisions contained in United Nations instruments related to human rights to be incompatible with Islam, and that they therefore disagree with them, the government itself has taken no formal steps to revoke its commitment to the international agreements mentioned above.

Moreover, on 3 December 1984 Iran's representative introduced a draft resolution (A/C.3/39/L.68) to the Third Committee of the United Nations which would have reaffirmed the importance of the United Nations Declaration

WHAT YOU CAN DO

Amnesty International has issued a 12-point program of practical measures for the prevention of torture. In view of the detailed and recurrent reports of torture in Iran over the years, the organization believes the Iranian Government should implement the 12-point program as a sign of its commitment to stop torture and uphold human rights. The following 10 points are especially relevant:

- The highest authorities of Iran should issue clear public instructions to the Revolutionary Guards and all other officials involved in the custody, interrogation or treatment of prisoners that torture will not be tolerated under any circumstances.

- The government should ensure that all detainees are brought before a judicial authority promptly after being taken into custody and that relatives, lawyers and doctors have prompt and regular access to them.

- Relatives and lawyers should be informed promptly of the whereabouts of detainees. No one should be held in secret or unacknowledged detention.

- There should be regular, independent visits of inspection to places of detention to ensure that torture does not take place.

- The Iranian Government should establish an impartial body to investigate all complaints and reports of torture. Its findings and methods of investigation should be made public.

- Steps should be taken to ensure that confessions or other

evidence obtained through torture may never be invoked in legal proceedings.

- All acts of torture should be made punishable offences under the criminal law.

- Where it is proved that an act of torture has been committed by or at the instigation of a public official, criminal proceedings should be instituted against the alleged offender.

- It should be made clear during the training of all officials who are involved in the custody, interrogation or treatment of prisoners that torture is a criminal act. They should be instructed that they are obliged to refuse to obey any order to torture. The United Nations Code of Conduct for Law Enforcement Officials and the Standard Minimum Rules for the Treatment of Prisoners should be widely distributed.

- Victims of torture and their dependants should be afforded redress and compensation for their material and moral sufferings, without prejudice to any other civil or criminal proceedings.

Please write courteous letters urging the Iranian authorities to take effective measures for the prevention of torture in Iran, as indicated above.

Send your letters to: Ali Akbar Nateq Nouri / Minister of Interior / Tehran / Islamic Republic of Iran; and to: Hojjatoleslam Ali Akbar Hashani Rafsanjani / Speaker of the Majlis / Tehran / Islamic Republic of Iran. Send copies of your letters to Iran's Ambassador in your own country.

against Torture. It would have recognized that new techniques and machinery for torture "are detrimental to the fate of the individual and of the society as a whole," and it would have condemned all acts of torture and deplored and called for the prohibition of all means of torture, as well as their development, production or storage.

Although this draft resolution was subsequently withdrawn, it was a clear and positive indication that the Islamic Republic of Iran does not challenge the international legal obligation to prevent and prohibit the practice of torture.