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## State political killings: Call for action by UN

The theme of killings systematically ordered and carried out under the auspices of the authorities was presented by *AI* before the representatives of more than 90 nations at the 37th session of the United Nations Commission on Human Rights in Geneva, which ran from 2 February 1981 to 13 March.

In an oral intervention to the session—attended by the 43 members of the commission and 49 national observers—*AI* stated that during the 1970s more than half a million people were known to have been the victims of political killings without any form of legal process.

Such killings, the session was told, might take place in detention and be the result of torture, frequently after the victim had “disappeared”—or they might be committed openly with the assassination of an individual in public or the killing of peaceful demonstrators.

*AI* said it wanted the United Nations to be aware that systematic and deliberate political killings continue to take place under governments now in power. It cited as examples Guatemala, El Salvador and Bolivia, and urged the commission to act more forcefully against governments who practised organized murder against their citizens.

“Murder is a crime under any legislation and in any legal system,” *AI* said. “If governments refuse to cooperate with international organizations; if they refuse to carry out an adequate investigation after a person has been found murdered; if those who submit information or publish facts about killings are being harassed and threatened by the authorities; if the authorities do not use their power to protect but to kill their citizens; in such cases it must be up to the United Nations to hold these governments accountable and to publish its findings.”

The Commission later appointed a Special Representative to investigate the reports about murders, abductions, “disappearances” and terrorist acts in El Salvador and a Special Envoy to make a thorough study of the human rights situation in Bolivia.

In another oral intervention to the commission, *AI* stressed the right of the families of the “disappeared” to know what had happened to their relatives. The Working Group on Enforced or Involuntary Disappearances had produced a remarkable first report in the limited time available to it (see March 1981 *Newsletter*). But so far it had covered only a small part of the vast amount of information before it and only a few governments had replied in substance to its questions.

*AI*, therefore, strongly underlined the necessity of allowing the working group to continue its work. (The commission has decided to extend the working group’s mandate for another year—see April 1981 *Newsletter*).

Under the procedure set up by the UN Economic and Social Council to investigate situations “which appear to reveal a consistent pattern of gross and reliably attested violations of human rights”, *AI* had submitted written information on Afghanistan, Argentina, Ethiopia, Indonesia, Paraguay and Uruguay. (The information on Afghanistan referred to “disappearances” under the previous government, and the failure of the present government to investigate them.)

Information submitted under this procedure is reviewed by the commission in private session. At the end of the private session the Chairman of the commission announced that decisions had been taken on Afghanistan, Argentina, Bolivia, the Central African Empire, Chile, El Salvador, Ethiopia, the German Democratic Republic, Guatemala, Haiti, Indonesia, Japan, Mozambique, Paraguay, the Republic of Korea, Uganda and Uruguay □

## *El Salvador* Army issues ‘death list’

An apparent death list of the names of 138 people, including priests, human rights activists, university rectors and former members of the Government of El Salvador was published by the Salvadorian army in early April 1981.

Many of those named are believed to be abroad but some are still in the country. All were described by the army as “traitors”.

Leaders of the Roman Catholic Church and the human rights movement in El Salvador have said that the list marks the 138 people named for assassination.

In a news release on 9 April 1981, *AI* said it had cabled President José Napoleon DUARTE, calling on the Salvadorian Government to guarantee the safety of the 138 people.

It said that the Salvadorian army had a long history of summary executions, torture and abduction, and that there was evidence that paramilitary squads operated with the complicity of the security services.

*AI* said that publication of the list by the military suggested that official sanction was being given to those who wanted to eliminate opponents of the authorities as well as people who had been denouncing violations of human rights by the security forces.

In its telegram, *AI* called on President Duarte to dissociate himself from the army’s “alarming and unprecedented” action in publishing the names.

The list included the names of Guillermo UNGO, Ramón MAYORGA and Hector DADA, who were members of the government which held power briefly in 1979 after the overthrow of General Carlos HUMBERTO Romero. Another name was that of Roberto CUELLAR, founder of the legal aid office of the Roman Catholic Archbishopric of San Salvador.

*AI*’s telegram also urged the authorities to open an investigation into the reported massacre in early April of more than 20 people in a suburb of the

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## Uganda Opposition politicians arrested

More than 100 people have been detained in Uganda under the Public Order and Security Act (1967) since President Milton OBOTE returned to office in December 1980 following the elections. There have also been reports of torture, further widespread arrests, "disappearances" and killings carried out by the Uganda army against suspected opponents.

Most of these detentions occurred in the period following a number of attacks on police stations and military posts in early February 1981 by the Uganda Freedom Movement (UFM) and the Movement for the Struggle for Political Rights (MOSPOR). These movements have said they were responsible for subsequent attacks, assassinations, abductions and sabotage.

The most prominent detainees are opposition politicians from the Democratic Party (DP) and the Uganda Patriotic Movement (UPM).

Four elected DP members of parliament have been detained, including Yoweri KYESIMIRA, former Makerere University Professor of Social and Political Studies and Minister of Transport under the BINAISA government; and two doctors, E. MUZIRA and A.K. LUBEGA.

Among the defeated UPM parlia-

mentary candidates who were also detained are Jaberu BIDANDI-SALI, former Minister of Local Administration; the Reverend Christopher OKOTH, former Deputy Minister for Internal Affairs; and Aloysius Bakulu-Mpagi WAMALA, UPM publicity secretary and a former Makerere University lecturer in philosophy. One UPM detainee, Rhoda KALEMA, former Deputy Minister of Culture and Community Development, was reportedly released after three weeks in custody.

Most of the detainees are believed to be held incommunicado in Luzira prison. Aloysius Bakulu-Mpagi Wamala is reported to have been tortured in the Nile Mansions hotel and to have died of his injuries. The hotel has an army interrogation centre on the third floor.

AI is investigating the cases of these and a number of other detainees who may be prisoners of conscience. It has urged President Obote to ensure that they are treated humanely in detention and that they are either charged and given a fair trial or released unconditionally. It has also urged him to set up an independent inquiry into allegations that Uganda's army was involved in the killing in early April of 60 civilians—including a schoolgirl—in and around Kampala □

## Costa Rica Guatemalan exiles arrested

Six Guatemalan exiles are reported to have been arrested by Costa Rican police at the headquarters of the *Frente Democrático contra la Represión* (FDCR), Democratic Front against Repression, in San José on 24 March 1981.

The six are members of the FDCR, a broadly based Guatemalan opposition organization: Miguel Angel ALBIZURES, a leader of the Guatemalan trade union federations CNT and CNUS; Israel MARQUEZ, former Secretary General of the trade union at the conflict-ridden Coca Cola bottling plant in Guatemala City; Byron BARREIRA and Marco Tulio BARRIOS, journalists; Oscar ZEA and Guillermo BOSQUE.

The arrests are said to have taken place when Costa Rica's judicial

investigation police raided the FDCR headquarters without a warrant, ransacked the office and confiscated files and office equipment.

A number of Salvadorian and Honduran refugees are also reported to have been arrested at about the same time and to be held with the Guatemalans; all are reported to be held incommunicado in an ordinary criminal prison where they are said to have inadequate food and sleeping facilities.

On 26 March 1981 AI telexed Costa Rica's Minister of the Interior, Arnulfo Carmona BENAVIDES, calling on the authorities not to send the Guatemalans back to Guatemala, where they faced certain death.

On 10 April the refugees were reported to have been expelled to Nicaragua.

## Iran Baha'i members executed

Two members of the Baha'i religion—Mehdi TAFTI and Hedayatollah BEHQANI—were executed in Iran on 15 March 1981 and there are reports that a third member—Colonel VAHDAT—is in danger of being executed.

The three had appeared before Islamic Revolutionary Tribunals, accused of espionage on behalf of Israel, a charge commonly brought against Baha'is in Iran; the international headquarters of the Baha'i religion are in Israel.

On 24 March 1981 AI wrote to President BANI-SADR of Iran, expressing concern about the executions. It pointed out that its concern in this case was twofold: the use of the death penalty and the treatment of members of a minority religion which suggested "a deliberate government policy of religious persecution, in violation of Article 18 of the International Covenant on Civil and Political Rights to which Iran is a State Party". This article states: "Everyone shall have the right to freedom of thought, conscience and religion. . . ."

AI asked to be informed of the whereabouts of 11 other Baha'is, including members of the National Spiritual Assembly of the Baha'is of Iran, who were arrested in Teheran on 21 August 1980. Appeals to the authorities for information by their relatives and friends have brought no response and nothing is known about their present situation.

The Baha'is are the only large religious minority in Iran not recognized under the new constitution and they appear to be liable to persecution, imprisonment and execution. AI has previously expressed concern to the Iranian authorities about the imprisonment of Christians and Jews and the execution of Jews in circumstances where religious affiliation appeared to be an important factor.

• In an AI report on Iran published on 9 May 1980, AI stated that "the guarantees necessary for a fair trial are effectively lacking in cases heard by the Islamic Revolutionary Tribunals". It considers that it is impossible to accept without question the results of trials which have taken place before them □

# 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.

**Sylvio CLAUDE, Marie-France CLAUDE, Gabriel HERARD, Haiti**

*Sylvio CLAUDE is the founder and leader of the Parti démocrate chrétien haitien (PDCH), Haitian Christian Democrat Party; his daughter Marie-France is its Vice-President. Gabriel Hérad is a bank employee.*

On 13 October 1980 Sylvio and Marie-France Claude and several members of their family were arrested without warrant after their home in Port-au-Prince had been raided by members of the Haitian National Security Volunteers—the *tontons macoutes*. They were all released the same day except Sylvio Claude. He had previously been arrested in August 1979, accused of making subversive broadcasts on the radio; he was adopted by *AI* as a prisoner of conscience (see February 1980 *Newsletter*) and released in April 1980 without charge or trial.

After her release on 13 October, Marie-France Claude submitted a complaint about her father's illegal arrest. The PDCH organized a vigil to protest against the arrest and harassment of its members. The vigil—scheduled for 27 October—was banned by the government and Marie-France Claude was arrested. She is believed to be held in the *Casernes Dessalines*.

Father and daughter appeared in court on 16 February 1981, along with Gabriel Hérad, who had been arrested on 28 November 1980 with 50 others (see January 1981 *Newsletter*). No details of the hearing are available to *AI*. Gabriel Hérad is reported to have been tortured and is alleged to have made a statement that he had been involved in acts of arson on behalf of Sylvio Claude. The authorities have given conflicting information about the charges against the three, ranging from "communist" and "anarchist" to "terrorist" activities but *AI* believes they are being held for their non-violent political beliefs.

*Please write courteous letters appeal-*

*ing for the release of Sylvio Claude and his co-defendants to: Son Excellence Jean-Claude DUVALIER, Président-à-Vie, Port-au-Prince, Haiti.*

**Vasyl STUS, USSR**

*A leading Ukrainian poet and human rights activist, aged 43, he is serving a 15-year sentence of imprisonment and exile for his activities as a Helsinki monitor; he was convicted of "anti-Soviet agitation and propaganda" in 1980.*

Vasyl STUS, joined the Ukrainian Helsinki monitoring group while he was completing a previous sentence of eight years' imprisonment and internal exile—also for "anti-Soviet agitation and propaganda"—in the remote Magadan region of the Russian Republic. The group is one of several set up unofficially in different USSR republics to monitor the Soviet Government's compliance with the human rights provisions of the Helsinki Final Act of 1975.

In August 1979, after serving his earlier sentence, Vasyl Stus tried to become an active member of the group, in Kiev. He was rearrested in May 1980, during a nationwide crackdown on Soviet dissenters, and is now one of 32 Helsinki monitors serving terms of imprisonment and exile, all of whom have been adopted by *AI* as prisoners of conscience.

In 1965 Vasyl Stus lost his job as a literary researcher after he had spoken out against the arrest of intellectuals protesting against what they saw as the "Russification" of Ukrainian culture. He was unemployed until his own arrest in 1972.

He is serving his term of imprisonment in the special regime section of a corrective labour colony in the Perm complex, where, as a so-called "recidivist", he is undergoing the harshest regime of corrective labour. He is known to suffer from a stomach ulcer contracted during his previous term of

imprisonment.

*Please write courteous letters appealing for his release to: SSSR, Moskva, Kreml, Generalnomu Sekretaryu Tsk KPSS i Predsedatelyu Prezidiuma Verkhovnogo Soveta SSSR, BREZHNEVU L.I.*

**Tieble DRAME, Mali**

*A French teacher at the Lycée Prosper Camara in the capital, Bamako, he is being held in internal exile without charge or trial.*

Tieble DRAME and about 20 other teachers were arrested in July 1980 for being involved in a boycott of examinations by teachers belonging to an independent trade union. The union had been formed in 1979 after the teachers' official trade union sections in and around Bamako were dissolved by the government-controlled trade union confederation, *Union nationale des travailleurs maliens*. The examination boycott was in support of a pay claim for overtime.

Tieble Drame and 11 others were sentenced in September 1980 to three months' imprisonment for "opposition to the legitimate authority" and for organizing a demonstration in 1979.

In November 1980 Tieble Drame was released from the desert prison in Menaka, after completing his three-month sentence—but he was rearrested and brought before a court of appeal, which confirmed his sentence and those of the other 11 teachers sentenced with him. Instead of being released, they were all put at the disposal of the Ministry of the Interior and forcibly sent to do clerical work in remote desert areas. *AI* believes that five, including Tieble Drame, are still being held.

*Please send courteous letters, preferably in French, appealing for the release of Tieble Drame and the other teachers to: Son Excellence le Général Moussa TRAORE, Président de la République, Maison du Peuple, Bamako, Mali.*

For many years, including the 12 years of the present government's rule, AI has regularly received allegations of the routine torture of political suspects in the custody of Iraq's security forces. Many people are said to have died under torture and bodies of political detainees have been returned to their families bearing marks of torture; in some cases, badly mutilated bodies have also been dumped in the street outside the victims' homes. The authorities have always denied that prisoners were tortured in Iraq, and first-hand testimonies have been rare. But in October 1979 and March 1980 AI was able to interview and examine medically a total of 15 Iraqi exiles who said they had been tortured while in the custody of Iraqi security forces.

# Torture in Iraq

AI has published detailed medical findings that strongly support other convincing evidence that political prisoners are tortured in Iraq.

The findings—published on 29 April 1981 in an AI Report, *Iraq: evidence of torture*,—are the result of intensive interviews and medical examinations of 15 Iraqi exiles who said they had been tortured by security forces in Iraq between September 1976 and August 1979.

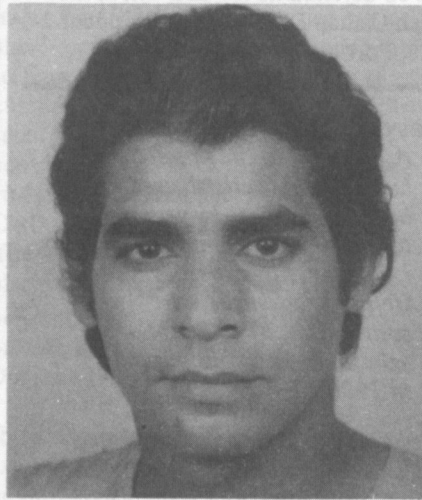
In a news release on 29 April 1981, AI said that all the information available, including details in the new report, provided convincing evidence that torture was continuing and widespread in Iraq.

The 12 men and three women examined by a panel of AI doctors included journalists, university students, a doctor, a hospital orderly, a factory worker, a writer, a telephone operator, a retired lawyer, a clerk and a young man doing his military service. Their ages ranged between 20 and 52 and they spent between one and 270 days in detention. The period of alleged torture lasted from one to 50 days and the victims were examined outside Iraq between seven and 37 months afterwards.

The treatment the 15 alleged they were subjected to ranged from crude physical assaults with fists, boots, truncheons and whips to sustained beating of the soles of the feet (*falaqa*), rape and threats of rape, systematic electric shock torture and mock executions.

All those interviewed said they had been kicked and beaten with fists or rubber truncheons, on the head, body and extremities and that they had been blindfold during all or most of the interrogations, with their hands tied behind their backs.

- Thirteen said they had been tortured with electric shocks. In a number of cases a truncheon-like instrument with a cable attached to one end was



**Burhan Al SHAWI. . . doctors found 35 scars on his body (see box).**

applied to the face, breasts and genitals.

- Twelve said they had been subjected to *falaqa*.
- Two people said they were burned with cigarettes and one that he had been burned with a small hard object the size of a pencil.
- A 31-year-old woman said she was taken into the prison garden in her nightclothes, blindfold and with her hands tied behind her. In near freezing temperatures she had been soaked with cold water and left hanging from a step-ladder for several hours.
- Four people described how they had been put through mock executions; one man said this happened to him three times.
- Almost all those interviewed said they had been deliberately humiliated or abused in various ways. Five said they had been partially or totally stripped; a woman said her interrogators kept her standing naked before them, without her blindfold. Three people said their genitals had been pawed; eight, including two women, said they had been threatened with rape and two with having a bottle inserted into the rectum—one detainee stated that he was in fact raped after he had been

bound hand and foot to a chair. Other prisoners said the interrogators had threatened to rape or torture members of their families, including children.

## DETENTION IN BAGHDAD

Burhan Al SHAWI, a journalist and writer aged 24, told the examining doctors that in November 1978 he was held blindfold continuously for nine days in security offices in the Kharkh district of Baghdad, where he was questioned about his political affiliations and asked to supply the names of people holding similar views.

He said he was sexually molested and beaten with fists, rods and a whip. After two days he began to be tortured every one or two hours. His head was whipped so hard that he lost consciousness. He began to lose all sense of time. Once he was tied to a chair, his chest against the seat and his limbs tied to the legs of the chair. He was then punched and beaten with a stick. He fainted several times. After regaining consciousness on one occasion he was aware that his trousers had been removed and realized that he had been raped. He was then made to sit on a cold bottle-like object which was forced up his rectum.

He said also that he was burned with a small hard object about the size of a pencil. (The doctors found 35 scars on the back of his left hand and on his thighs, legs, feet and abdominal skin. They state: "All the scars were compatible with lesions from burns, as alleged.")

Burhan Al Shawi said he awoke from his last spell of unconsciousness to find himself lying in a street near his home. He left Iraq illegally on 6 May 1979.

• Five people said they were held in solitary confinement for varying periods; two of them said this lasted throughout their imprisonment (nine days and 270 days).

An analysis of the medical examinations shows that 12 people complained of all or most of the following persistent mental symptoms: reduced power of concentration; loss of energy; nervousness; depression; fear; reduced self-control; desire for isolation; insomnia and nightmares. Eleven people said their memories had been impaired and four that they suffered from sexual impairment. Eight said they tended to get headaches. All these symptoms were said to have developed after torture and imprisonment.

The panel of doctors found that 10 of those interviewed showed signs of mental dysfunction at the examination and eight showed scars compatible with the torture alleged.

In all cases the doctors found that the symptoms and signs found during the physical examination were consistent with the tortures described. In addition, the former detainees' accounts were markedly consistent with one another—even though they were arrested independently and at different times and places. Furthermore, the symptoms described corresponded to accounts given by people subjected to similar kinds of torture in other countries.

## Torture and the law

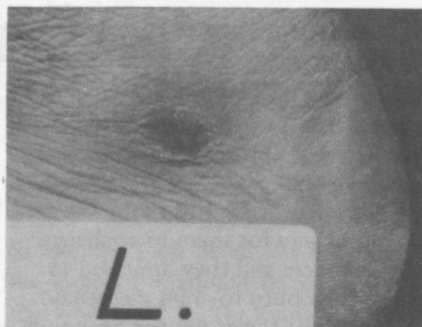
Torture is prohibited in Iraq by both domestic and international legislation.

In 1971 Iraq ratified the International Covenant on Civil and Political Rights which prohibits torture.

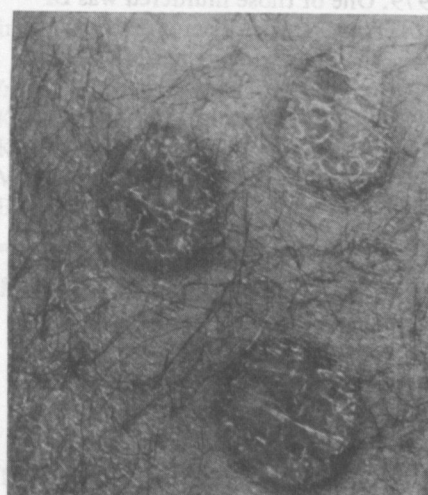
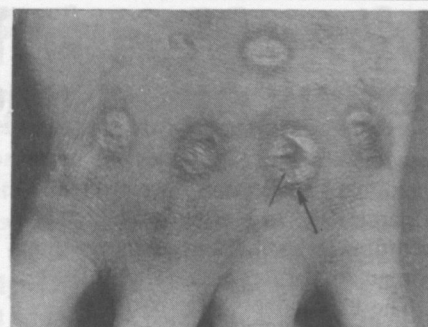
In September 1979 the Iraqi Government stated officially that it intended to comply with the UN Declaration on the Protection of All Persons from Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which had been adopted by consensus by the UN General Assembly in 1975.

The Iraqi Government's statement added that it intended to "continue the implementation, through its national legislation and other effective measures, of the provisions of the said Declaration".

But *AI's* report concluded that the Iraqi authorities had introduced none of the legislative or administrative



Marks found by the examining doctors on Burhan Al Shawi's left hand, leg and foot. He told them that while he was being burned with what he described as a hard object about the size of a pencil, he was aware of the smell of burned flesh and constant and excruciating pain that sometimes caused him to lose consciousness. The pictures show lesions on the left foot (top left), the back of the left hand (top right) and the left leg (bottom). According to the doctors' report, the circular lesions on the back of the hand present "a thin, atrophic and wrinkled centre (thin arrow) and a narrow hyperpigmented zone in the periphery (thick arrow)".



measures called for by the declaration.

In addition, the descriptions of arrest and detention procedures given by the 15 Iraqi exiles dealt with in the report indicate that the legal prohibition against torture in Iraq's constitution was not observed and that mechanisms safeguarding against torture are inadequate.

Most of them were arrested by plainclothes security officers, sometimes accompanied by police officers. In no case was an arrest order produced and in only one case did the arresting authority identify itself. In almost no case was the accused told the reason for the arrest at the time. Interrogation—by members of the security forces—started on the first or second day of detention in all cases.

Only four people said they had at some stage during detention been brought before a judge or magistrate. Two of the 15 were tried; of the 13 others, only two were told what they were accused of.

None of the accused was allowed access to a lawyer during detention. Contact with families was denied in most cases; in spite of persistent inquiries, families were often unable to get confirmation of the arrest or to discover the detainee's whereabouts.

*AI's* report included a series of recommendations to the Iraqi

Government. One urged that the President of Iraq should issue and "make widely and forcefully known" a policy statement that the government "condemns and will not permit torture in Iraq"; another, that nobody should be arrested except on a warrant from the appropriate authorities and according to strictly determined judicial procedures.

The government was also urged to take effective measures to ensure that prisoners were not held in incommunicado detention so as to avoid facilitating torture and ill-treatment and specifically to ensure that:

- all detainees had regular access to a lawyer and their family as soon as possible after arrest and before interrogation began;
- all detainees were brought before a court of law within 24 hours of arrest;
- all detainees had access to a doctor immediately upon arrest, at regular intervals afterwards and before release from detention, and were provided with proper medical treatment at all times—with the doctors' examinations being fully recorded.

*AI's* recommendations included a call to the government to instruct prosecution authorities not to submit in evidence before court confessions or other statements obtained by torture □

## Zaire

### Seventeen prisoners executed

Seventeen prisoners sentenced to death for robbery and murder were executed in March 1981 after attempting to escape, according to an announcement by the Zairean authorities on 28 March 1981.

The 17 prisoners were part of a group of people accused of committing 17 robberies and three murders in 1979. One of those murdered was Dr NZITA Makansu, Director of Kinshasa's main hospital and a former Minister of Health.

The group received wide publicity in the Zairean press and in January 1980 the televised trial of 39 alleged members ended with 28 defendants being sentenced to death.

In April 1980 a court of appeal confirmed the death sentences on 22 defendants; they were later given leave to appeal yet again through the process known as "cassation".

In October 1980 President MOBUTU commuted the death sentences of all prisoners awaiting execution—but the 22 death-row prisoners belonging to the group did not qualify because their cases had not been finally confirmed by the courts.

In February 1981 the Supreme

Court rejected the cassation appeals of seven defendants who are known to have appealed. After this there was no other legal way for them to challenge their sentences and they appealed to President Mobutu to grant clemency.

The trial of the group has been publicized in Zaire as an example of justice following its full and correct course. However, *AI* is seriously concerned about the case not only because of the imposition of the death penalty but also because two prisoners are reported to have died after torture while in the custody of the President's personal security service at a special detention centre in Kinshasa called the *Deuxième cité de l'OUA*, the Second City of the OAU (Organization of African Unity). The other prisoners in the group were also said to have been ill-treated there before being moved to Luzumu Prison, outside Kinshasa, at the end of October 1980.

*AI* has received no information about the circumstances of the 17 executions announced in March 1981 or about the position of the remaining members of the group still under sentence of death □

## Chile

### War tribunals to be set up

War tribunals are to be set up to deal with certain cases of crimes which result in government officials or members of the armed forces and the police being killed or injured, according to decrees passed in February and March 1981 by the military junta governing Chile.

On 21 February the junta passed Decree Law No. 3627, under which regional military commanders are to set up war tribunals to deal with cases of "crimes of any kind that, as their main or subsidiary action, had resulted in the death" of government officials or members of the armed forces or police. The decree also lays down that the penalties are to be those applicable in time of war.

On 10 March this decree was amended by Decree Law 3655 to refer to crimes resulting in injury to (as well as the death of) the officials concerned—when it could be assumed that they were injured or killed because of the office they held.

The decrees have been passed against a background of increased violent activity—especially bank robberies—allegedly by opposition groups; several people have been killed.

Chilean human rights groups have said that the decrees will further restrict the right to a fair trial. The Code of Military Justice states that sentences passed by war tribunals can be reviewed only by a military commander—there is no right of appeal to a civilian court. Where death sentences are concerned, this would be particularly serious since military legislation calls for execution to be carried out within three days of sentence.

Military courts have functioned in Chile since the 1973 coup and have been widely criticized by independent lawyers and human rights groups for their arbitrariness when dealing with opposition members on trial. On the other hand, members of the security forces found guilty of serious crimes have often been amnestied by military courts, under the Amnesty Law of April 1978 □

#### DEATH PENALTY

*AI* has learned of 65 people being sentenced to death in 10 countries and of 59 executions in seven countries during March 1981.

## France

### Execution decision delayed

A decision on whether or not the death sentence on a man convicted of murder, Philippe MAURICE, is to be commuted will be made public after the coming presidential election in France, according to President Giscard D'ESTAING.

In a radio interview on 25 March 1981, he said that although the normal procedures of consultation with the courts and the defence would go on, his decision on the case would not be made public until after 10 May.

On 20 March *AI* had appealed to the President to exercise his constitutional power of clemency to commute the death sentence on Philippe Maurice, aged 24, who was convicted of murdering a policeman. An appeal against the sentence was rejected by France's highest court, the *Cour de Cassation*, Court of Cassation, on 19 March.

In its cabled appeal, *AI* called on President Giscard d'Estaing to act in view of his own expressed aversion to the death penalty, and in conformity with international standards.

During his campaign for the

presidency in 1974 Valéry Giscard d'Estaing said he felt "a profound aversion to the death penalty".

He has commuted four death sentences during his term of office and has refused clemency in three other cases; the three prisoners involved were executed, the last in September 1977.

Four months ago the European Parliament called on all members of the European Community to suspend capital punishment until a full debate had been held in the Parliament (see January 1981 *Newsletter*). The 21-nation Council of Europe's Parliamentary Assembly had already urged abolition of the death penalty earlier in 1980.

French courts have imposed a series of death sentences since the beginning of October 1980, including that on Philippe Maurice; four people are awaiting the outcome of their appeals to the *Cour de Cassation*:

- Jean-Jacques NICOLAS, aged 23,
- Paul LAPLACE, aged 58, Bruno ALBERT, aged 27, and Yves MAUPETIT □

## News in brief

### Ivory Coast

Forty-six Ghanaian nationals are reported to have suffocated to death in a crowded police cell in the Ivory Coast capital, Abidjan, on the night of 6 March 1981.

The Ghanaians—part of a large foreign workforce in Ivory Coast—are said to have been arrested during a series of police raids to combat a crime wave in Abidjan.

According to an Ivory Coast Government statement, the cell they were put into was “too small” and was “insufficiently ventilated”. Press reports say the cell is meant to hold about six prisoners. President Félix HOUPHOUET-BOIGNY has ordered an inquiry into the deaths and the punishment of officials found to be responsible. □

### Republic of Korea

The death sentences on three South Koreans—CHUNG Dong-nyon, a student; PAE Yong-ju, a taxi-driver; and PARK No-jon, a printer,—were commuted by President CHUN

Doo-hwan on 3 April 1981. *AI* had appealed to the President to commute the sentences, after learning that they had been confirmed by the Supreme Court on 31 March 1981.

The three were sentenced to death after a trial *in camera* by a military tribunal on charges related to the violent disturbances in Kwangju in May 1980.

*AI* is continuing to appeal for the commutation of all death sentences in the Republic of Korea and is especially active once they are confirmed by the Supreme Court (see December 1980 and February 1981 *Newsletters*) □

### Tanzania

In a second trial of security officers accused of causing deaths by torture in 1976 (see September 1980 *Newsletter*), eight senior officers were sentenced in March 1981 to between five and eight years' imprisonment. They had been convicted of the manslaughter of two peasants, Twiga NINDWA and Kang'ombe KALIJI, who died as a result of torture.

The two victims had been among

nearly 500 people arrested in Shinyanga in March 1976 during a special security operation ordered by a security committee headed by the then Prime Minister, Rashidi KAWAWA. Almost all of those arrested—on suspicion of being involved in murders and other offences in the region—were severely tortured at Mwang'holo interrogation centre in Shinyanga □

### Prisoner Releases and Cases

The International Secretariat learned in March of the release of 73 prisoners under adoption or investigation; it took up 86 cases.

### Petition

An *AI* petition for the abolition of the death penalty in the United States of America (USA) was signed by more than 70,000 people in a three-month period ending in early January 1981. The petition calls on the President, state governors and other federal and state officials to abolish the death penalty in the USA. Copies are to be presented to US embassies □

## Death penalty appeal

**Ncimbithi Johnson LUBISI, Petrus Tsepo MASHIGO, Naphtali MANANA, South Africa**

Ncimbithi Johnson LUBISI, aged 28, Petrus Tsepo MASHIGO, aged 19, and Naphtali MANANA, aged 24, were sentenced to death by the South African Supreme Court in Pretoria on 26 November 1980 after they and six others had been convicted of high treason. Leave to appeal against the death sentences was granted; no date for any appeal hearing has yet been set.

All the defendants were alleged to be members of the African National Congress (ANC), banned in South Africa since 1960. Six were sentenced to between 10 and 20 years' imprisonment. The State Prosecutor had asked for seven death sentences.

The trial was the sequel to several clashes in 1980 between ANC members and South African security forces. The most notable incidents were an attack on a police station at Soekmekaar on 4

January—nobody was killed—and the seizure of a bank at Silverton, Pretoria, by three ANC members on 25 January—this resulted in a short siege by the police and ended with the death of the three ANC men and two civilian hostages.

The three men sentenced to death carried out the Soekmekaar attack. In evidence they said they had deliberately avoided killing the two black police officers in the station; the judge said he did not believe them. It was also stated in evidence that the nine accused had left South Africa after the disturbances in Soweto and other townships which began in June 1976 and resulted in many black civilians being killed or injured by the police.

On 4 February 1981 the President of the United Nations Security Council, Jacques LEPRETTE (France), stated that the council had expressed “grave concern” about the three death sentences.

South Africa has a high rate of judicial executions. According to information given to parliament by the Minister of Justice, a total of 130 people were executed in 1980—all but one of them classified by the South African authorities as blacks,

“coloureds” or Indians.

In 1979, when 133 executions were carried out, the sentence of death was involved in two separate political cases. In April 1979 the authorities executed Solomon MAHLANGU, the first person to be sentenced to death in South Africa for a politically-motivated offence for more than 10 years. In November 1979 sentence of death was passed on James MANGE, an alleged member of the ANC, after he had been convicted of treason by the Supreme Court in Pietermaritzburg, Natal. The death sentence was later commuted to 20 years' imprisonment by the South African Appeal Court in Bloemfontein on 11 September 1980.

*Please write courteous letters expressing concern about the death sentences passed on Ncimbithi Johnson Lubisi, Petrus Tsepo Mashigo and Naphtali Manana, noting that appeals against the sentences are to be heard and urging the authorities to commute the sentences on humanitarian grounds. Address your letters to: Hon. P.W. BOTHA, Prime Minister, Union Buildings, Pretoria, South Africa; and to: Hon. H.J. COETSEE, Minister of Justice, Union Buildings, Pretoria, South Africa.*

# Political arrests in Pakistan

## Hundreds arrested after hijacking

Hundreds of members of political parties and their sympathizers are reported to have been arrested in Pakistan since a Pakistan International Airlines jet was hijacked on 2 March 1981—bringing the total number of arrests in the political field in Pakistan since the beginning of 1981 to well over 1,000.

The arrests have involved members of most of Pakistan's opposition parties, which are banned under martial law. The chief target has been the Pakistan People's Party (PPP), the main opposition party, now led by Begum BHUTTO, the wife of the former Prime Minister, Zulfikar Ali BHUTTO, who was executed in April 1979; his government was overthrown in July 1977 in a bloodless military coup led by General ZIA-ul-Haq, now the country's President.

Although there is some evidence that Murtaza BHUTTO, Begum Bhutto's son, was involved in the March hijacking—which ended when 54 political prisoners were released by the authorities and flown out of the country—no evidence has been provided to substantiate the government's allegation that the PPP was responsible; nor has any evidence been provided of a link between the PPP and the "Al Zulfikar" organization which the hijackers said they represented and which the government alleges is the armed wing of the PPP.

Reports of arrests in 1981 received by *AI* include the following:

- Some 40 people, mainly students and journalists, were arrested in Karachi in connection with plans to observe Zulfikar Bhutto's birthday on 5 January 1981.
- On 9 and 10 January a number of low-ranking PPP members were arrested under the Pakistan Army Act, under which they can be charged with subversion for passing on information to "an unfriendly country".
- On 14 February 20 students were arrested in Rawalpindi following violent clashes with the police after a march calling for the resignation of President Zia.
- On 16 February, after a week of increasing student demonstrations and

violence all over the country, four leaders of opposition parties were arrested. They belonged to the PPP, the Pakistan Democratic Party and the Tehrik-i-Istiqal, a centrist party led by Air Marshal (Retd) Asghar KHAN. At about this time 50 PPP supporters, mainly students and journalists, were also arrested and reportedly charged under the Pakistan Army Act with "anti-government activity".

- On 24 and 25 February about 100 politicians, mainly low-ranking officials of the Movement for the Restoration of Democracy, were arrested. The movement is a multi-party alliance which includes the PPP.
- On 7 and 8 March leading members of the PPP were arrested in the major cities of Karachi, Peshawar and Rawalpindi. The government stated that the arrests followed the PPP's involvement in the hijacking.
- In the succeeding three weeks hundreds of people were arrested, mainly PPP members and sympathizers □

## Army 'death list'

*Continued from page 1*

capital, San Salvador. Witnesses told reporters the killings were carried out by the national guard and the police.

- Some 1,500 people allegedly fleeing from Salvadorian security forces are reported to have been killed after they had been trapped by troops in a cave in the Morazan region in late March 1981; the victims are said to have been either gassed to death or to have died after the cave had been dynamited. News reporters seeking to check the story are reported to have been forbidden access to the north-eastern area of Morazan for over two weeks.

In a separate incident, Honduran troops are reported to have opened fire on a number of Salvadorians trying to enter Honduras near Ocoatepeque in early April 1981; according to the reports, those people who were wounded but not killed were turned over to the Salvadorian National Guard.

On 14 April 1981 *AI* telexed a statement to the Inter-American Commission on Human Rights (IACHR) expressing

its grave concern at the reports and urging the IACHR to "take all measures to ensure full investigation into these two incidents" □

## Honduras Salvadorian politician is arrested

Facundo GUARDADO Guardado, a leader of the Salvadorian *Frente Democrático Revolucionario* (FDR), the Democratic Revolutionary Front—a coalition of opposition parties formed in May 1980—was arrested in Tegucigalpa, Honduras, on 18 January 1981 on his return from a visit to Salvadorian refugee camps on the border between Honduras and El Salvador.

A former Secretary General of the *Bloque Popular Revolucionario* (BPR), the Popular Revolutionary Block, he was arrested on his way to Costa Rica to represent the FDR at an internat-

ional meeting of relatives of "disappeared" people and to speak on the plight of Salvadorian refugees.

Although the Honduran authorities initially denied that they had detained him, they eventually freed him on 31 March and deported him to Managua, in Nicaragua. This was after his name had appeared on a list of 15 political prisoners whose release was demanded by four members of a little known Honduran guerrilla organization which hijacked a Honduran airliner on 27 March during a flight to New Orleans. The hijacked airliner was diverted to Managua.

Facundo Guardado's deportation was followed by the arrest of his younger brothers, Sixto Francisco and José Antonio, and his sister, Teresa de Jesús; all were living in exile in Honduras. The Honduran authorities have denied that the three are in detention □

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