



# Amnesty International

## newsletter

August 1976 Volume VI Number 8

## AI Mission Sees Adopted Prisoners in Yugoslavia

A high level AI mission met government officials and visited AI-adopted prisoners during a visit to Yugoslavia in June.

AI Secretary General Martin ENNALS was accompanied on the mission by Professor Frits RUTER and Professor Marius BROEKMEYER of Amsterdam University and Clayton YEO from AI's research department.

The delegation was received by Federal Secretary of Justice Ivan FRANKO. Meetings were arranged with federal and republic justice officials, the federal public prosecutor and lawyers.

The delegation expressed particular concern at the legislation under which most political prisoners are sentenced. It also criticized a number of articles in the Yugoslav

criminal code, such as article 118 ("hostile propaganda") which punishes with imprisonment criticisms of the government.

Specific prisoners discussed in detail included the former Cetnik leader Djura DJUROVIC and AI repeated earlier requests that the authorities release Dr Djurovic soon.

The AI delegation later described the meetings as "frank and useful".

Visiting Sremska Mitrovica and Lepogava prisons, the AI delegates discussed the treatment of prisoners with prison administrators and government officials.

During the visit to Sremska Mitrovica prison an AI delegate interviewed AI-adopted prisoners Mihajlo MIHAJLOV and Sava BANKOVIC. Four other political prisoners were visited briefly in their cells.

Similar interviews were at first refused at Lepoglava prison, but the delegates were later allowed to return and interview the prisoner Sime DJODAN.

AI will now submit to the Yugoslav government its comments and views on those subjects discussed during the mission.

• **Mission to GDR:** Professor Rüter travelled to the German Democratic Republic (GDR) from Yugoslavia on 28 June for talks with Dr ROEHL, secretary general of the GDR Association of Lawyers.

The visit was designed to introduce AI and its aims to the authorities and to raise matters in the GDR of concern to AI. Professor Rüter also intended to ask the GDR authorities to provide information on legal practices in the GDR and to discuss the possibility of a future high level mission to that country. He was not able to meet responsible officials of the GDR government during the visit.

A report on Professor Rüter's visit to the GDR, together with recommendations, has been submitted to AI's International Executive Committee □

### AI URGES AMNESTY FOR SPANISH POLITICAL PRISONERS

AI urged King JUAN CARLOS I of Spain on 18 July to declare a general amnesty for all political prisoners on 25 July, the day of Spain's patron saint, Saint James.

A campaign for a general amnesty has been one of the main features of Spanish political debate since the death last year of Head of State Generalissimo Francisco FRANCO.

AI welcomed the partial amnesty King Juan Carlos granted in November 1975 on his accession to the throne. Under this, many political prisoners were released or had their sentences reduced.

But arrests have continued in Spain since then and large numbers of prisoners are still in detention for their political beliefs.

Those currently in prison include leading members of the Communist Party, anarchists, and separatists, as well as many of those tried under military jurisdiction.

*continued on page 4, column 1*

### DEATHS OF ERIC BAKER AND IVAN MORRIS

Eric Baker, honorary president of AI and one of the original founders, died of a heart attack at his home in England on 19 July. He was 55 years old.

A life long pacifist, Mr Baker was AI's first director and was acting director general from 1967 to 1968. Chairman of AI's British Section 1965-71, he was also a member of the International Executive Committee 1968-75. He was acclaimed AI's honorary president at the 1975 International Council, in recognition of his constant devotion to the cause of human rights.

Mr Baker joined the Religious Society of Friends in 1939 and was a conscientious objector during World War II. Joint secretary of the Quaker Center in Delhi, India, from 1946 to 1948 he then became general secretary of the British National Peace Council from 1954 to 1959. His work at that time included the foundation of the Danilo Dolci Trust as well as helping to set up the Campaign for Nuclear Disarmament in 1959.

He organized the Campaign for the Abolition of Torture within the Quaker movement as well as within AI.

Sean MacBride former chairman of AI's IEC and present United Nations Commissioner for Namibia said:

*It has been my privilege to work with Eric Baker for over 15 years in the founding and development of AI. He was an indefatigable worker and our guide in all periods of difficulty. It was Eric who, in our councils, always kept us on the high road of principle, he was unflinching in his steadfastness to the tradition and ideals upon which AI was founded. He considered every problem objective in a quiet, constructive manner and his views invariably influenced us by reason of their cogency and of his absolute sincerity. His Quaker tradition enabled him to identify an injustice without equivocation.*

*At all periods of stress, in my capacity of chairman of the International Executive Committee it was always to Eric that I turned for advice. In his capacity as vice chairman of the IEC and later as honorary president, his influence in the growth and development of AI was always beneficial. He will be sorely missed, not only by his family and friends but by the whole Amnesty movement in Britain and throughout the world.*

• The death has also been announced of Ivan Morris, a founder in 1966 and chairman since 1973 of the United States Section of AI (AIUSA).

Professor Morris died of a heart attack in Italy on 19 July. He was 50 years old.

A man of deep commitment to the cause of human rights and a prominent scholar and translator, Professor Morris taught Japanese literature at Columbia University, where he was the former chairman of the department of East Asian languages and cultures. Author of many works on Japan, his most recent book was *The Nobility of Failure*.

Professor Morris was a former member of AI's International Executive Committee and had represented AI on several international missions, most recently to Mexico, Peru and Japan.

Under his chairmanship, AISUA grew from a small organization of 3,000 members to a current membership of 45,000, with regional offices in San Francisco, Los Angeles, Boston and Washington □

## AI PUBLISHES BRIEFING ON PARAGUAY

AI on 29 July said that government critics in the Republic of Paraguay were liable to arrest, long term detention without trial and torture.

The criticisms are contained in a 16-page briefing paper which is part of a series of such papers AI is producing to summarize the available information on political imprisonment and other violations of human rights in individual countries (June Newsletter).

The paper on Paraguay expresses concern at the steady persecution of political opponents since President Alfredo STROESSNER came to power in a successful coup in 1954.

The paper details:

- wide-scale arrests or disappearances of suspected political opponents and their relatives.
- long term detention without trial and restriction of any opposition activity considered of "subversive".
- routine torture of political prisoners under interrogation, sometimes resulting in death.

The paper estimates that the number of political prisoners held at any one time in Paraguay is more than 200. The number could reach 1,000 after a new wave of arrests.

*Amnesty International Briefing on Paraguay:* 16 pages, published by Amnesty International Publications, 53 Theobald's Road, London WC1X 8SP, England. Price 40 pence (US \$1.00) plus 20 pence (50 US cents) postage and handling. Annual inclusive subscription price for 10 individual country briefing papers: £6 (US \$15) post paid.

## 30 URUGUAYAN REFUGEES ABDUCTED IN ARGENTINA

More Uruguayan refugees were kidnapped in Buenos Aires, Argentina in July. Thirty refugees, believed to be mostly members of the leftwing, non-violent *Resistencia Obrera Estudiantil* (Workers' and Students' Resistance) were abducted by groups of uniformed men during the weekend of 17-19 July.

Among those kidnapped are Margarita MICHELINI, daughter of former Uruguayan Senator Zelmar MICHELINI and her husband Raul ALTUNA. Senator Michelini was abducted in Argentina two months ago and murdered two days later (June Newsletter).

Other children are also believed to be among those abducted.

## TAIWAN ARRESTS CRITICS

A former parliamentary candidate is among eight people arrested on 31 May in the Republic of China (Taiwan) on charges of "attempting to overthrow the government, disturb public security through violent means and to create chaos by sabotaging oil and power facilities".

He is YEN Ming-sheng, a candidate in the Legislative Yuan elections in 1975. Arrested with him were YANG Chin-hai and WU Chi-chuan, both of whom participated in Mr Yen's election campaign. Some sources

claim that neither Mr Yen nor his associates were engaged in sabotage.

Mr Yen openly criticized the government during last year's elections and called for an end of martial law. Reports say that he was subsequently warned by the Kaohsiung City procurator's office for making statements "detrimental to the country's interest".

Writing to Prime Minister CHIANG Ching-kuo on 5 July, AI urged that all evidence against the accused be made public and that they be given an open and fair trial or released unconditionally.

• *AI requests case details:* AI asked Prime Minister Chiang on 14 July for details of AI-adopted prisoners and investigation cases who may have benefitted from the government's act of clemency last year. AI Congratulated the government on the first anniversary of its commutation of sentences declared on 14 July 1975, and asked for details of those prisoners whose fate is unknown.

## 1,000 UNTRIED PRISONERS SENT TO INDONESIA'S BURU PENAL COLONY

More than 1,000 political prisoners have been shipped this year to Indonesia's notorious penal colony on Buru Island. The military command of the island now holds more than 11,000 political prisoners. Those prisoners already there had been transported to Buru between 1969 and 1971.

Indonesia's total political prisoner population is somewhere between 55,000 and 100,000. Most were detained for alleged involvement with an abortive military coup attempt in October 1956.

Most of the prisoners sent to Buru in the latest series of secret transportations have already been held without trial for more than 10 years. Most of them have not been charged. They include people who were children when first arrested.

Conditions on Buru are harsh. Prisoners are required to work every day in the fields to produce all their own food. Hardly any medicines are provided to combat infectious diseases.

The island is 2,000 kilometers away from the country's capital, Jakarta, and prisoners are unable to receive visits from their families.

AI condemned in July the latest transportation and called for firm international action to stop the Indonesian government from sending any more prisoners there. It also called for the unconditional release of all prisoners on the island who are held without trial.

## AI OBSERVER ATTENDS MAJOR MOROCCO TRIAL

AI sent French lawyer François JEMOLI to Morocco in July to observe the trial of 62 persons, among them individuals charged with attempting to escape from Kenitra prison.

A number of the accused had been held on political charges in Kenitra from March 1973. Other groups among the accused are charged with plotting to kidnap the heir to the Moroccan throne and with involvement in a bombing incident in 1973 at the offices

of the pro-government newspaper *Le Matin* and *Maroc-Soir*.

The trial is one of a series of six major political trials currently taking place in Morocco.

• *General Amnesty Appeal:* AI urged King HASSAN II of Morocco to declare a general amnesty on his birthday, 9 July.

No amnesty has yet been granted but the king has announced that elections will be held later this year. Opposition parties may insist that a general amnesty should precede the elections.

## STUDENT LEADER DETAINED AFTER SOUTH AFRICAN RIOTS

Former AI-adoptee Madikwe Thomas MANTHATA was detained by South African security police on 3-4 July, reportedly under the Terrorism Act. His detention is believed to be connected with the recent riots in Soweto, during which more than 170 people died (see *CAT Bulletin*).

Mr Manthata is a former vice-president of the South African Students' Organization (SASO). School children and students played a leading part in the Soweto demonstrations and the government may seek to blame such organizations as SASO and its affiliate, the South African Students Movement (SASM).

Mr Manthata was previously detained by security police in November 1974 and held for eight months under section 6 of the Terrorism Act, which provides for indefinite detention without trial. He was adopted by AI and released in June 1975 without being charged with any offence. In October 1975, Mr Manthata was again detained without charge for two days.

During his eight months' detention, Mr Manthata was allegedly assaulted by security police. There are again fears for his safety.

## AI URGES RETRIAL AFTER DEATH SENTENCE IN BANGLADESH

An opposition party leader was sentenced to death in Bangladesh on 19 July by a military tribunal. The trial was held *in camera* in Dacca Central Jail and later in Rashahi Jail. Other party leaders received long terms of imprisonment.

All those sentenced were connected with the *Jatiyo Samajtantrik Dal* (JSD—Socialist Nationalist Party). Lieutenant Colonel (retired) Mohammad Abu TAHER was prominent in the Bangladesh liberation war of 1970.

Official reports state that he was sentenced to death on charges of attempting to overthrow the government.

Two other JSD leaders, party president Abdur JALIL and Abu YUSUF KHAN were sentenced to life imprisonment. Fourteen others received 12-year sentences, including JSD general secretary Abdur RAB.

The JSD is reported to have played an important role in the armed forces movement last November which returned to power Major General Ziaur RAHMAN, the present chief of army staff and deputy chief martial law administrator.

The JSD leaders were arrested for allegedly attempting to extend the movement to revolutionize the army.

AI urged President A M SAYEM of

*continued on page 4, column 3*



# Prisoners of the Month Campaign

Participants in the Campaign are reminded that appeals must only be sent to the officials named at the end of each case. In *no* circumstances should communications be sent to the prisoner.

## Daham MIRO, Syria

Daham MIRO, 55-year-old chairman of the Kurdish Democratic Party (KDP) in Syria, was one of eight KDP members arrested in 1973 for sending a memorandum to Syria's President Hafez Assad in protest against the deportation, under the Arab Belt plan, of 12,000 Kurds from their homelands in Syria. This plan aimed to replace the Kurds with Arabs. None of the detainees has yet been charged or tried.

The KDP, along with all other political parties is banned in Syria. Its avowed aim is to secure the rights of the Kurds and the abolition of racial discrimination without violence.

For some time, Mr Miro has suffered from rheumatism and eye disturbance caused by previous alleged ill-treatment. Recent reports state that his health has sharply deteriorated and he has been transferred to the Civilian Hospital in Damascus.

*Please send courteously worded letters appealing for his release to:* His Excellency President Hafez Assad, Damascus, Syrian Arab Republic.

## Younus LULAT, Zambia

Younus LULAT, a staff member and former student leader at the University of Zambia, was arrested on 25 February 1976 under Zambia's Preservation of Public Security Regulations. Five expatriate lecturers and some 17 university students were also arrested. Under the regulations, detainees are subject to indefinite detention without trial.

All were detained for their alleged sympathies for the MPLA (Popular Movement for the Liberation of Angola) government of Angola following student demonstrations on the university campus. The five expatriate lecturers were deported in March, but Mr Lulat and 16 students, all Zambian citizens, remain in detention without charge.

They were blamed for a series of pro-MPLA student demonstrations in January and February 1976 which resulted in the government's closure of the university. The demonstrators had protested against the government's refusal to acknowledge the MPLA as the legitimate government in Angola even after it became clear that South Africa was providing direct military assistance to the two Angolan nationalist movements opposed to the MPLA. However, none of the detainees has been charged with any offence connected with the demonstrations.

The students are held in normal detention prisons, but Mr Lulat has now been detained for some months at Mukobeko Maximum Security Prison in Kabwe. This prison is

normally used to imprison serious criminal offenders.

*Please send courteously worded letters appealing for his release to:* Mr Aaron Milner, Minister of Home Affairs, Lusaka, Zambia.

## POH Soo Kai, Singapore

POH Soo Kai, a 44-year-old doctor, was arrested on 4 June 1976 under Singapore's Internal Security Act and faces indefinite detention without trial. He has been adopted for a second time by AI.

Dr Poh was formerly assistant secretary general of the *Barisan Sosialis* (Socialist Front), once Singapore's most important opposition party. It was formed in 1961 by a leftwing group which had broken away from the ruling People's Action Party.

In February 1963, Dr Poh and other leaders of the *Barisan Sosialis* were among more than 100 opposition members, journalists, trade unionists and students detained in a massive security operation known as "Operation Cold Store". Dr Poh was detained without trial for 10 years, during which time he was adopted by AI. Three other adopted prisoners detained at the same time are still held without trial.

At that time the government alleged that Dr Poh had "actively, knowingly and willingly assisted the illegal Communist Party of Malaya" through promoting subversive activities. These allegations were never tested in open court and informed observers believe that the real reason for Dr Poh's detention was his opposition to the terms for Singapore's proposed merger with the Federation of Malaysia. His views were shared by many of the detainees held under "Operation Cold Store".

Singapore did join the federation in September 1963, but left abruptly in 1965. Dr Poh claims that history has vindicated his belief that the merger was bound to fail.

Dr Poh returned to his medical practice after his release in December 1973. He continued his outspoken criticism of the government up to the time of his re-arrest in June 1976, attacking it for curtailing the application of the rule of law and for detaining political prisoners without charge or trial.

The government now claims that Dr Poh's release in 1973 was an experiment to test whether "hard core communist detainees can safely be released". It alleges that Dr Poh has since been "directing activities from behind the scenes to get hard core detainees released and to establish a new (communist) united front group". It also alleges that he advised "student agitators", and that he had supplied medicine to a communist activist allegedly injured by his own bomb while trying to assassinate a

local factory manager. This latter allegation is based on a statement made by a former political detainee.

Dr Poh denies the allegation and believes that any evidence against him should be tested fairly in open court.

Dr Poh is currently detained in the Whitley Holding Center. Following his arrest he was subjected to daily interrogation by the Internal Security Department from 0600 to 2400 hours in a cold air-conditioned room, and he is believed to be in a state of exhaustion. His spectacles and watch have been taken away from him, and he is allowed no reading material. Dr Poh's wife was allowed to see him only once after his arrest.

*Please send courteously worded cards urging that Dr Poh Soo Kai should either be brought to a fair and open trial promptly, or be released immediately and unconditionally to:* Mr Lee Kuan Yew, Prime Minister, The Prime Minister's Office, City Hall, Singapore 6, Republic of Singapore and Mr Chua Sian Chin, Minister of Home Affairs, The Ministry of Home Affairs, Pearl's Hill, Singapore 2, Republic of Singapore.

## News of Past Campaigns

Soviet writer Andrei AMALRIK (*Prisoner of the Month* campaign, August 1972) was allowed to leave the Soviet Union on 15 July.

Mr Amalrik was originally adopted by AI in 1965, when he was arrested and charged with writing "pornographic" and "anti-Soviet" works. This charge was later changed to "parasitism" and Mr Amalrik was sentenced to 2½ years in exile.

Since then, Mr Amalrik received a further 3 years' imprisonment and 3 years in exile. On his return to Moscow in May 1975 he was subjected to further restrictions of movement before he finally left the country □

## Prisoner Releases and Cases

The International Secretariat learned in June of the release of 126 AI-adopted prisoners and took up 163 new cases.

## CHURCHMEN DETAINED IN SOUTH KOREA

About 15 clergymen were arrested in late June in South Korea as the trial of 18 dissidents continued in Seoul (July *Newsletter*). Nine of those on trial are church leaders.

The National Council of Churches in Korea (NCKK) claimed on 26 June that the clergymen, who had been arrested in the preceding days, were still detained. The NCKK said that the arrests followed a campaign, organized by the government, to link some Christians with international communism. Most of the arrested clergymen belong to an evangelical group committed to helping the poor.

There has been no official confirmation of the arrests. Among those believed detained is former AI-adoptee PARK Hyung Kyu, a Presbyterian minister who has been imprisoned several times for his criticism of the government.

AI is investigating all the reported arrests □

## AI Urges Amnesty for Spanish Political Prisoners

*Continued from page 1, column 3*

The total number of political prisoners in Spain has been estimated as more than 600. Of these about 350 are imprisoned for "crimes of opinions" and another 200 for "terrorism" or "military rebellion". But the numerous arrests over the past few months, resulting in short-term detention, means that the figures fluctuate continually.

Those who would benefit from a general amnesty include several prisoners who were released in the November 1975 amnesty and re-arrested this year. They face heavy prison sentences on charges of "illicit association" and "illegal propaganda".

- An announcement regarding the possibility of an amnesty was widely anticipated on 25 July. Sources in Madrid have indicated that this has been postponed, possibly until 30 July, in view of the continuing debate within the government as to the scope of such a measure □

## SRI LANKA POLITICIANS ON TRIAL FOR DISTRIBUTING LEAFLETS

Four members of the Sri Lanka parliament went on trial on 12 July for distributing a leaflet calling for a separate state for the Tamils.

The accused are A AMIRTHALINGAM, former member of parliament for Vaddukodai, V N NAVARATNAM, member of parliament for Chavakachcheri, K P RATNAM, member of parliament for Kayts, and K THURAIRATNAM, member of parliament for Point Pedro.

They were charged under the Emergency (Prevention of Subversion) Regulations for possessing and distributing "Resolutions adopted at the first Annual Convention of the Tamil United Front" without the permission of the inspector general of police.

The document had called for the establishment of a separate state for the Tamils in Sri Lanka.

At the end of July, defence lawyers challenged the constitutional validity of the emergency regulations.

AI had earlier urged Prime Minister Sirimova Ratwattee Dias BANDARANAIKE to reconsider the decision to put the parliamentarians on trial and to release them unconditionally. AI said that distributing leaflets of the type described would fall within the limits of article 19 of the United Nations Declaration of Human Rights, covering freedom of expression □

## BICENTENARY APPEAL

AI urged President Gerald FORD of the United States to mark the bicentenary of American independence, 4 July 1976, by granting an unconditional amnesty to all those men liable to imprisonment because of their refusal to fight in the Vietnam war.

AI had previously urged such an amnesty on 1 November 1974 □

## AI LISTS 99 MEDICAL PERSONNEL DETAINED IN 22 COUNTRIES

Ninety nine medical personnel who are imprisoned or otherwise restricted for political reasons in 22 countries were included in a list published by AI on 21

July. Some have been victims of torture and many are detained without trial.

Most of the medical personnel—doctors, dentists, nurses, medical students, hospital staff, etc—were not arrested as a direct result of their professional practice at a particular time or place. But some have been detained because of their refusal to compromise their professional ethics in the face of political pressures.

The list is confined only to those cases known to AI on 30 June and is by no means complete as to numbers and countries.

The introduction to the list emphasized that there are almost certainly more medical personnel detained in the world and equally certainly more countries that are holding medical personnel in custody. The fact that a country or a particular person from the medical profession is not included only means that such cases have not yet been taken up by AI or come to its attention.

The 22 countries named are Argentina, Brazil, Bulgaria, Chile, Cuba, German Democratic Republic, Haiti, Indonesia, Mali, Morocco, Namibia, Paraguay, Poland, Rhodesia, Romania, Singapore, South Africa, Spain, Taiwan (Republic of China), Union of Soviet Socialist Republics, Uruguay and Yugoslavia □

## AI CONCERNED AT DETENTION OF LIBYAN STUDENTS

AI asked the Libyan government on 8 July to allow an independent inquiry to investigate allegations that 23 Libyan students have been ill-treated since their arrest after demonstrations in April (May Newsletter).

Reportedly, 60 to 90 students were arrested after the demonstrations at Benghazi University. But AI only has details of 23. They are believed to be detained in Tripoli Central Prison without charge or trial.

AI said the students should be released if they were not to be charged with any offence □

## MALAYSIAN JOURNALISTS CHARGED WITH "COMMUNIST SUBVERSION"

Two leading Malaysian journalists were arrested on 22 June under Malaysia's Internal Security Act on allegations of communist subversion. The act allows indefinite detention without trial.

The journalists, Abdul SAMAD bin ISMAIL, managing editor of the *New Straits Times* and SAMANI bin Mohamed AMIN, news editor of the Malay language *Berita Harian*, have both been adopted by AI.

Mr Samad Ismail is Malaysia's leading political commentator in Malay and English language newspapers. He was a close adviser and speech writer to the late Prime Minister Tun ABDUL RAZAK. One month before his arrest he received one of Malaysia's highest literary awards for his contributions to national literature.

Mr Samad Ismail and Mr Samani Amin were arrested a few days after the detention in neighbouring Singapore of the editor and former assistant editor of *Berita Harian*, Singapore. Although it shares the same name, the Singapore edition of the newspaper is published separately from the Malaysian. It

has its own editorial board and board of directors.

Official statements appeared simultaneously in Singapore and Malaysia accusing the journalists of involvement in a plot to influence Malays in the area towards communism.

The Singapore editors later "confessed" on television and in the press that they had deliberately written biased news reports and articles as part of a communist scheme "masterminded and directed" by Mr Samad Ismail in Malaysia. The allegation ignores the fact that Mr Samad Ismail had no control over the editorial policy of *Berita Harian*, Singapore.

Informed observers believe that political reasons lie behind the arrests. There is great concern that the Malaysian journalists face indefinite detention without trial and that the true facts may not emerge.

The Malaysian parliament has recently debated government proposals to amend the constitution so that those detained under national security laws will no longer have the right to defence counsel, nor the right to know the allegations against them □

## 400 Bolivian Mineworkers Detained

More than 400 Bolivian mineworkers have been detained since 10 June and others have been forcibly exiled or killed.

The trouble began when 42 leaders of the Bolivian Federation of Mineworkers (FSTMB) were arrested and troops moved into mining areas. After the 50,000-strong FSTMB had declared an indefinite strike over the detentions, troops detained many more mineworkers. In some cases they entered mines to remove mineworkers taking refuge there. Four miners were shot dead and many others injured on 22 June at Siete Suyos mine.

The same day, 25 of the originally detained federation leaders were forcibly exiled to Chile. They included FSTMB Secretary General Victor López ARIAS and members of the federation's executive board.

Reports received in July indicated that more than 450 miners and sympathizers were imprisoned in Bolivia and that the miners' strike might still be continuing. On 5 July a further 25 mining leaders were expelled to Chile.

Deploping the government action against the miners on 20 July, AI asked President Hugo Banzer SUAREZ to reconsider the total prohibition of trade union organizations. Trade unions in Bolivia were declared illegal in November 1974 and only the miners' union survived the ban □

## AI Urges Retrial in Bangladesh

*Continued from page 2, column 3*

Bangladesh and Major General Rahman on 20 July to exercise clemency towards Colonel Taher. AI also expressed concern at the trial of civilians in camera before military courts, where defence lawyers were reportedly under oath of secrecy.

AI urged the government to order a retrial before ordinary criminal courts, where full legal safeguards would apply to all prisoners sentenced. This appeal was followed by a visit to the Bangladesh High Commission in London where AI researchers repeated the plea for clemency.

AI had previously asked for an assurance that the trial would be public and that the accused would have full rights of defence and appeal to an independent court □

**AMNESTY INTERNATIONAL NEWSLETTER** is published monthly by: AMNESTY INTERNATIONAL PUBLICATIONS, 53 Theobald's Road, London WC1X 8SP, England. Printed in Great Britain by Hill and Garwood Ltd, Fourth Way, Wembley, Middlesex. Available on subscription at £6 (US \$15) per calendar year.





amnesty international

# campaign for the abolition of torture

August 1976 Volume III Number 8

MONTHLY BULLETIN

## UN Draft Law Enforcement Code Contains AI Proposals

The United Nations Commission on Crime Prevention and Control, meeting in New York in June, drew up a draft UN international code of conduct for law enforcement personnel containing important provisions of AI's Declaration of The Hague (July 1975 *CAT Bulletin*).

The draft code provides that "law enforcement officials should respect and protect human dignity and maintain and uphold the human rights of all persons". Any law enforcement official is forbidden to "inflict, instigate or tolerate any act of torture or other cruel, inhuman or degrading treatment or punishment".

A key article stipulates that "law enforcement officials must refrain from, prevent and rigorously oppose all violations of this code by taking appropriate action to the best of their capability". In addition, in situations where "violations have occurred, or can be expected to occur, law enforcement officials should report the matter within the chain of command, or take such actions as are lawfully open to them, includ-

ing where necessary, the reporting to any agency with reviewing or remedial power".

Furthermore, "law enforcement officials having custody of persons needing medical attention should secure such attention by medical personnel and take immediate action to meet the needs of the person in custody".

The committee's commentary defines law enforcement officials as "all officers of the law... who exercise police powers, especially the powers of arrest and detention... In countries where police powers are exercised by military authorities... or by state security services, the definition of law enforcement officials shall be regarded as including officers of such services".

The document will now go to the next session of the Commission on Social Development in January 1977 in Geneva.

The commission will then report to the UN Economic and Social Council meeting in April 1977, which should transmit it to the 32nd session of the General Assembly in autumn 1977.

AI, represented by its legal adviser Nigel S. RODLEY and UN representative Margo PICKEN, participated actively in the work of the committee, which was composed of 13 individual experts.

### \*Standard Minimum Rules Amended

In a separate development, the committee amended the UN Standard Minimum Rules for the Treatment of Prisoners to bring within the rules' scope all prisoners, regardless of whether or not they have been charged or tried. This initiative, promoted by the government of Greece, had long been an objective of AI and formed part of AI's proposals to the Fifth UN Congress on the Prevention of Crime and the Treatment of Offenders held in September 1975 in Geneva.

### REPORTS FROM KUWAIT ALLEGED PRISON MALTREATMENT

For the first time AI has received reports that prisoners in Kuwait suffer beatings, prolonged solitary confinement and inadequate medical care. Following the allegations in June AI wrote to Sheikh Sabah AL-SALEM AL-SABAH, the Emir of Kuwait, seeking assurances that the United Nations Standard Minimum Rules for the Treatment of Prisoners were observed in Kuwaiti prisons.

Two prisoners accused of acts of terrorism, Ahmed Abdullah HUSSEIN and Emad SHATLAH, have allegedly been held in solitary confinement in punishment cells since they were arrested on 14 July 1975.

Beatings of prisoners allegedly occur frequently on the slightest pretext. Some common law prisoners are reported to be mentally deranged as a result of their treatment during imprisonment. One in particular, known only to the other prisoners by the pseudonym Bin NEVRAN, is said to have been shackled in chains and handcuffs for the last 10 years.

It is also alleged that although there is a hospital at the Central Prison, only more wealthy prisoners have access to doctors or to common medicines.

### SOWETO DETAINEES "ILL-TREATED"

AI is currently investigating reports that many people detained after the June riots in Soweto, South Africa, have been ill-treated.

More than 1,000 people were reportedly

detained during and after the riots in the black townships outside Johannesburg. Official figures put the number of deaths at 176.

Reports reaching AI state that young children may be among those detainees subjected to ill-treatment and torture and that deaths in custody have increased the total number of deaths. Allegations also state that detainees' relatives have been harassed.

Continuing arrests and some releases are reportedly still occurring. Many people have disappeared and may be held incommunicado. There are also fears of torture, particularly for those detainees active in the "black consciousness" movement. AI has initiated several urgent actions on behalf of some of these detainees.

### DIPLOMATS AND RED CROSS VISIT URUGUAYAN PRISONS

International concern at the ill-treatment and torture of political detainees in Uruguay has led the Uruguayan government to invite foreign ambassadors to visit certain prisons. At least one West European government reportedly refused the government's invitation, stressing the need for an independent international investigation of torture allegations.

Ambassadors from Argentina, Bolivia, Chile, Republic of China (Taiwan), Colombia, Dominican Republic, Egypt, Guatemala, Lebanon, Paraguay, South Africa, South Korea, Spain and the United States, as well as the envoy from the Holy

See, visited Libertad Prison and the women's prison of Punta Rieles at the end of June. Earlier in June, similar visits were made by members of Uruguay's Council of State.

AI cabled interim President Alberto DEMICHELLI welcoming the move. At the same time AI asked that independent bodies be allowed to visit regularly those prisoners allegedly subjected to torture.

The International Committee of the Red Cross (ICRC) on 16 July rejected reports in the Uruguayan press that an ICRC inquiry team which visited four prisons and a military hospital in June had found the prisons to be "models of their kind". The ICRC stated that "because of the restrictions concerning the number of places visited and the conditions of the visits, the ICRC was not able to get a complete and objective idea of conditions in places of detention in Uruguay". It added that the delegates were not allowed to talk to prisoners of their choice without witnesses.

### PRE-TRIAL TORTURE ALLEGED IN GHANA

Defence lawyers in a subversion trial held before a Ghanaian military tribunal alleged in July that many prosecution witness witnesses and all the eight defendants were beaten or tortured before making statements. The defendants, six soldiers and two civilians, were charged with plotting the overthrow of the present military government in Ghana, which itself came to power by a coup in January 1972. They included two AI-

Continued on page 2, column 3

# appeals

## Hamma HAMMAMI, Tunisia

Hamma HAMMAMI, a 25-year-old leftwing Tunisian student, was arrested in September 1974 on charges of plotting against the security of the state and membership in a banned organization. He had previously been detained and interrogated in February 1972 and subsequently released with seriously impaired health as a result of torture.

In August 1974 judicial proceedings began against him *in absentia* but his trial was delayed after his arrest in September. He finally appeared in court in July and September 1975, together with a large number of other students arrested earlier in 1975 for criticism and demonstrations against the government.

Immediately after arrest he was reportedly subjected to brutal torture for some days. This included severe beatings on all parts of the body, burning with cigarettes and deprivation of sleep. He was denied medical care for nearly a month afterwards.

Mr Hammami was considered a leader of the protest movement and was sentenced to a total of 6 years' imprisonment. In court he mentioned his torture and protested against the lack of impartial legal representation. This led to a court decision that he spend the first two years of his sentence in solitary confinement.

After several transfers, Mr Hammami is currently in Le Kef prison and a recent report states that his health is very poor. He has been adopted by AI as a prisoner of conscience.

*Please send courteously worded letters, urging that Mr Hammami receive adequate medical treatment and appealing for his release, to: Son Excellence Habib Bourguiba, Président de la République, Tunis, Tunisia; and to: M Tahar Belkoudja, Ministre de l'Intérieur, Tunis, Tunisia.*

## Boris Dmitrievich EVDOKIMOV, Soviet Union

Boris Dmitrievich EVDOKIMOV, a 53-year-old journalist, is imprisoned in the Dnepropetrovsk special psychiatric hospital in the Ukraine. He was arrested in October 1972 and charged with anti-Soviet agitation and propaganda on the basis of writings allegedly sent to an emigre publication. He was examined at the Serbsky Institute of Forensic Psychiatry in Moscow and diagnosed as mentally ill. Institute psychiatrists recommended that he be confined indefinitely for treatment in a psychiatric hospital designated for "especially dangerous" mentally ill persons.

Mr Evdokimov was first sent to the Arsanalnaya special psychiatric hospital in Leningrad. In 1972 he and most other political prisoners there were transferred to other psychiatric hospitals, possibly because the cases of inmates Victor Fainberg and Vladimir Borisov had attracted widespread

international attention to the hospital.

The conditions of secrecy under which Soviet special psychiatric hospitals normally operate make it difficult to trace Mr Evdokimov's movements after this. He reportedly spent some time in the Sychovka special psychiatric hospital in Smolensk. This has a particularly bad reputation for the treatment of inmates (September 1975 *CAT Bulletin*). He was reported at one time to be in the Chernyakhovsk special psychiatric hospital in Kaliningrad.

The last precise information on Mr Evdokimov was brought from the Soviet Union by former prisoner of conscience Leonid Plyushch, who was released from the Dnepropetrovsk special psychiatric hospital in January 1976. Mr Plyushch reported that Mr Evdokimov was one of at least 30 persons held in the Dnepropetrovsk for political rather than medical reasons. He reported that he had seen orderlies recruited from criminal prisoners beat Mr Evdokimov on one occasion when he refused to bribe them for permission to use the toilet or for some other small concession in treatment.

Mr Plyushch regarded Mr Evdokimov's physical condition as "very disturbing". He did not know whether Mr Evdokimov was treated with drugs, but there is reason to believe that he is being or has been treated, with neuroleptic drugs or with sulfazin, or with both.

*Please send courteously worded letters, asking for the release of Mr Evdokimov to: SSSR, Ukrainskaya SSR, g. Dnepropetrovsk, ul. Chicherina, Spetsialnaya Psikhiatricheskaya Bolnitsa, Nachalniku (to the Director), Polkovniku (Colonel) Babenko.*

## Conviction of Torture in Namibia

Torture has been used to help convict Namibians under the South African-imposed Terrorism Act, according to Patrick MacENTEE, Senior Counsel of the Irish Bar and international observer at a trial in Swakopmund, Namibia. Mr MacEntee observed the trial in May of three men and three women for the International Commission of Jurists (ICJ), which published his report in June.

Two of the male defendants were accused of complicity in the assassination of Chief Filemon Elifas of Ovamboland in August 1975 and were sentenced to death on 12 May 1976 (June 1976 *Newsletter*). Neither was accused of murder or any act of violence. One allegedly drove two unknown men to the scene of the assassination. The other allegedly supplied a vehicle, a radio and some blankets to the assassins. Both denied knowledge of the assassins' purpose.

Two women nurses were given 5 and 7 year sentences for making or collecting donations to the South West Africa People's Organization (SWAPO). The other defendants were acquitted.

Mr MacEntee states in his report that the trial had the "overriding political aim... of establishing the guilt of SWAPO rather than that of individual accused persons". He

heard allegations of torture both in court and in private.

Medical evidence was presented in court to show that all three male defendants had been tortured. In addition, Mr MacEntee was convinced that one prosecution witness had been tortured and that the fear of torture made the testimony of other indefinitely detained prosecution witnesses highly suspect.

AI has received additional torture allegations concerning a current trial in Windhoek, the Namibian capital. Ragel SHIFOTOLA, mother of three children and wife of a Namibian who has fled to Zambia, was arrested in Windhoek by the secret police on 18 April. She was held for 12 days and allegedly tortured during this period. She was beaten, bound and spun, blindfolded and subjected to electric shocks. She was released and re-arrested, appearing in court with nine men on 21 May charged under the Terrorism Act. It is probable that the prosecution will introduce evidence extracted under torture during her trial.

*Please send courteously worded letters, asking for a public judicial inquiry into the allegations of ill-treatment by South African security police of Namibians in pre-trial detention, to: the Honorable J.T. Kruger, Minister of Justice, Union Buildings, Pretoria, South Africa.*

## News from Past Appeals

Confirmation was received in June that at least one prisoner has been tortured since 20 people were detained in January 1976 after an alleged plot was discovered to overthrow the Bolivian government (April 1976 *CAT Bulletin*).

The Bolivian Red Cross was allowed to visit some detainees mentioned in the April Appeal. One of them, Antonio PEREDO, claimed he had been kept in handcuffs during his seven months' detention in San Pedro Prison. The Red Cross report said: "The political authorities indicated that Señor Peredo was treated in this manner in order to prevent attempts of suicide." Señor Peredo further alleged that he had been hooded, beaten and drugged during interrogation. Originally, the authorities had denied Señor Peredo's arrest.

Red Cross delegates were able to see Loyda SANCHEZ, who was imprisoned with her two children. Señora Sanchez said she had been assaulted by security agents at her arrest but that treatment had improved subsequently. Her children are now living with her grandmother.

## Pre-trial Torture Alleged in Ghana

*Continued from page 1 column 3*  
investigation cases, Captain Kojo TSIKATA and Michael HAMENOO (May 1976 *Cat Bulletin*).

Most of the accused were arrested in November and December 1975, but not brought to trial until May 1976. Some were denied access to their defence lawyers until the trial opened.

Captain Tsikata told the court that he had been shown the unconscious body of a prosecution witness on 18 December and advised to confess or face the same treatment. He also stated that he had been tortured on three occasions during December 1975 and twice in the following month. He produced a blood-stained shirt as evidence.

Ghanaian Director of Public Prosecutions K. GYEKE-DAKO denied that torture had been used and insisted that all statements by the defendants had been made before witnesses □