



Poland Releases Nine Prisoners of Conscience

The release of nine *AI*-adopted prisoners of conscience in Poland on 22 July was welcomed by *AI* on 3 August in letters to Edward GIEREK, First Secretary of the United Polish Workers' Party, and Stanislaw GUCWA, Speaker of the *Sejm* (parliament). The nine civil and human rights activists—Jacek KURON, Adam MICHNIK, Jan LITYNSKI, Antoni MACIEREWICZ, Piotr NAIMSKI, Mirosław CHOJECKI, Seweryn BLUMSZTAJN, Wojciech OSTROWSKI and Wojciech ARKUSZEWSKI—had been held in preventive detention since mid-May on suspicion of having contact with “hostile organizations” abroad and disseminating “false literature”. A tenth *AI*-adopted prisoner, Jozef LIPSKI, was released earlier in July (August *Newsletter*). All ten were members or helpers of the Workers' Defence Committee set up to provide legal, financial and medical help to workers imprisoned after the June 1976 food strikes and riots in Radom and Ursus.

At the same time, *AI* expressed satisfaction that a judicial review had led to the release of Marek MAJEWSKI and Adam ZUKOWSKI from Ursus, and Czesław CHOMICKI, Waclaw SKRZYPEK and Zygmunt ZABROWSKI from Radom—five *AI*-adopted workers imprisoned after the June 1976 disturbances.

The authorities announced an amnesty on the day of the *AI* prisoners' release, which is Poland's National Day. However, their release is unlikely to have occurred as a result of the amnesty decree. Those prisoners eligible for release under the amnesty include mothers in charge of children, elderly persons, minors and sole supporters of disabled or elderly persons, serving sentences of up to 3 years' imprisonment.

The amnesty does not appear to extend to political offenders, but *AI* has not yet been able to establish if and to what extent prisoners of conscience are excluded from the amnesty □

AI PUBLISHES REPORT ON NICARAGUA

AI published a report on the Republic of Nicaragua* on 16 August which records the organization's monitoring of the state of human rights in that country since martial law and the suspension of constitutional guarantees were imposed on 28 December 1974. The report also incorporates the findings of a two-man mission sent to Nicaragua by *AI* in 1976.

AI's specific concerns in Nicaragua are political imprisonment and prisoners of conscience, denial of due process of law, the use of torture and the death penalty—applied extra-judicially as the country's penal law makes no provision for executions.

The report examines the basis of the December 1974 measures and the structure and procedure of the military court system which, with the suspension of constitutional guarantees, exercises jurisdiction over

civilians in matters of internal security. One section deals with prisoners indicted by the military courts, and includes a number of case studies.

The report also deals with the system of police courts, part of the executive branch of government which provides for the administrative, rather than judicial, imposition of up to 180 days' imprisonment. The *AI* report details the legal basis of the system and its procedures. Under this system it is possible for terms of imprisonment to be imposed virtually consecutively so that a prisoner may have only a few days of freedom between each imprisonment.

A major chapter deals with the wholesale killing or unacknowledged detention—“disappearances”—of *campesinos* (peasant farmers) during counter-insurgency operations of the National Guard. It documents the detention of 303 *campesinos* in the northeast of Nicaragua between May 1975 and January 1977, none of whom, to *AI*'s knowledge, have been heard of since their arrest.

The final section of the report covers torture and includes case studies incorporating material from the Nicaraguan and Central American press, material censored from the Nicaraguan press, and written statements from prisoners and ex-prisoners as well as members of the Roman Catholic clergy.

The report considers that it is “highly probable that the majority of prisoners consigned to the custody of the military tribunals had in fact been tortured”.

AI's report concludes with a number of recommendations to the Nicaraguan government.

It finds there is no basis in Nicaraguan law for prolonging the decree of suspension of constitutional guarantees and recommends that such guarantees be restored so that all

criminal matters now in military courts would be transferred to civilian courts and press censorship would be suspended.

It also recommends that prisoners who have not been indicted by the military or civil courts be immediately released; that local military commanders in the countryside be requested to account for reported detentions of *campesinos* within their regional jurisdiction, and that military commanders responsible for abuses committed by their forces, as well as the direct perpetrators of such acts, be prosecuted.

On the problem of torture, the *AI* report recommends that the Nicaraguan government allow an international investigation of torture allegations so that the perpetrators of any proven acts of torture or maltreatment may be prosecuted and the victim awarded damages.

**The Republic of Nicaragua—An Amnesty International Report (including the findings of a mission to Nicaragua, 10-15 May 1976)*, published by Amnesty International Publications, 10 Southampton Street, London WC2E 7HF, England, is available from *AI*'s national sections. 76 pages, price 75p

AI INTRODUCED TO NEW PAKISTAN GOVERNMENT

AI wrote on 13 July to General Zia-ul-HAQ of Pakistan to introduce the organization to the new military government, which assumed power on 5 July and declared martial law throughout the country. In the letter, *AI* Secretary General Martin ENNALS drew attention to *AI*'s report on Pakistan, published in May, and in particular to the specific recommendations made to the former government (June *Newsletter*).

AI noted that the new government had immediately ordered the release of 33 political leaders from prolonged detention in Azad Kashmir. Three of these cases are described in the *AI* report, which expressed *AI*'s serious concern about the disappearance of the politicians.

The Secretary General informed General Haq that *AI* members would continue writing to the new administration to urge the implementation of recommendations made in the report. *AI* welcomed the government's statement that leaders of the former government and of the opposition, who had reportedly been taken into protective custody after the 5 July take-over, would be released shortly. Concern was expressed that a decree had been introduced on 10 July which increased punishment for students and trade unionists taking part in political activity, and

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AI Introduced to New Pakistan Government

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which provided the punishment of death or the amputation of a hand for persons convicted of theft and banditry. AI asked for copies of the relevant martial law ordinances (August *CAT Bulletin*).

AI welcomed the decision to abolish trial of political prisoners by special tribunal and regretted that an exception had been made in the case of Abdul WALI KHAN, leader of the banned National Awami Party, who faces trial by special tribunal in Hyderabad Jail. AI urged the government to consider ordering the trial of Mr Wali Khan and others in an open court under ordinary procedures where all legal safeguards apply, or otherwise ordering their release.

Following the government's decision, four prisoners of conscience mentioned in the AI report (pages 68-72) were released on 23 July. Former Prime Minister Zulfikar Ali BHUTTO and opposition leaders arrested after the military take-over were also released on 28 July □

AI BARRED FROM OBSERVING TRIAL IN CZECHOSLOVAKIA

AI protested to the Czechoslovak authorities on 18 August against the decision to prevent its accredited observer from attending the trial of five arrested associates of the Charter 77 movement.

Writing to Federal Minister of the Interior Dr Jaromir OBZINA, AI expressed concern at the refusal by the Czechoslovak authorities to grant a visa to its official delegate, British lawyer Bernard SIMONS, to observe the trial of Vaclav HAVEL, Jiri LEDERER, Ota ORNEST, Vladimir LASTUVKA and Ales MACHACEK. All five were arrested earlier this year for participating in Charter 77, the Czechoslovak civil and human rights movement founded in January.

AI stated that it believes that each of the five defendants has been faced with criminal prosecution directly for exercising the rights of conscience proclaimed in international human rights instruments to which Czechoslovakia is a party.

In view of AI's judgement that they are prisoners of conscience and of Czechoslovakia's legal norm that all trials should be open to the public, the organization expressed regret at the evident intention to exclude its observer and urged Dr Obzina to take steps to enable its observer to attend the trial □

FIVE LIFE SENTENCES IMPOSED IN SOUTH AFRICA

Sentences ranging from 7 years to life imprisonment were passed in the Pietermaritzburg Supreme Court on 25 July on nine men charged under South Africa's Suppression of Communism and Terrorism Acts. The nine—all members of the banned nationalist organization, African National Congress (ANC)—had been on trial since

July 1976. A tenth defendant was acquitted.

Life sentences were passed on five of the defendants after the court heard that all had previously served prison sentences for their political activities. All nine will serve their sentences on Robben Island, off the coast of Cape Town. Prisoners convicted under the Terrorism Act do not qualify for remission and must therefore serve the full length of their sentence.

During the trial, a number of defendants alleged that they had been tortured by security police during interrogation. Detainees arrested with the nine defendants appeared as prosecution witnesses and also alleged that their statements had been obtained under torture. These state witnesses included Harold NXASANA, whose wife had appealed to the Durban Supreme Court in April 1976 to allow a doctor and a magistrate access to her detained husband, following rumours that he had been severely beaten and partially paralyzed during interrogation. Another man detained with the nine defendants, Joseph MDLULI, died in detention in March 1976 (May, June, July 1976 *Newsletters*).

• In another South African trial involving charges under the Terrorism Act, Breyten BREYTENBACH, the Afrikaans writer and poet, was acquitted on 15 July in the Pretoria Supreme Court. In acquitting Mr Breytenbach, the presiding judge, Mr Justice BOSHOFF, found that the prosecution had been unable to prove either that Mr Breytenbach had been involved in "terroristic activities" or that he had persuaded a prison warden to help him to escape from Pretoria Central Prison. Breyten Breytenbach is already serving a 9-year sentence following his conviction under the Terrorism Act in 1975 □

AI URGES UNITED STATES GOVERNOR TO PARDON WILMINGTON 10

AI appealed to United States Governor James B. HUNT Jr. of North Carolina on 9 August to grant a free pardon to the group of prisoners known as the Wilmington 10, who were sentenced in 1972 to up to 34 years' imprisonment on charges of "unlawful burning" and "conspiracy to assault emergency personnel".

The charges arose from racial disturbances in Wilmington, North Carolina, in February 1971, during which a fire broke out at Mike's Grocery, a white-owned store.

The 10 people eventually convicted of this crime were Benjamin CHAVIS, Marvin PATRICK, Connie TINDALL, Jerry JACOBS, Willie Earl VEREEN, James MCKOY, Reginald EPPS, Wayne MOORE, Joe WRIGHT and Ann Shephard TURNER. All the prisoners are black, except Mrs Turner who has been released on parole. The prisoners were released on bail in 1972 and 1973, pending appeals against their convictions, but were re-imprisoned in February 1976 after the US Supreme Court refused to hear their appeals.

AI believes that the imprisonment of the Wilmington 10 is due to their political activities and their ethnic origin. AI adopted all 10 prisoners as prisoners of conscience after learning that the main prosecution witness, Allen HALL, had retracted his testimony against them and had stated that he was induced to testify falsely by promises made to him by the prosecuting authorities. Subsequently, two other prosecution witnesses—Jerome MITCHELL and Eric JUNIOUS—also retracted their testimony.

At a post-conviction hearing, which took place in Burgaw, North Carolina, in May this year, all three witnesses repeated their retractions in open court.

Bolivian lawyer Dr Luis REQUE attended the post-conviction hearing on behalf of AI. In the conclusions to his report he stated that "... there is reason to believe that the Wilmington 10 have been denied a fair trial. . . the just solution to this unfortunate situation would be for the Governor of the State of North Carolina, the Honorable James B. Hunt Jr., to grant them a pardon of innocence" □

SOUTH KOREA RELEASES 14 AI-ADOPTED PRISONERS

On 17 July the government of the Republic of Korea (South Korea) ordered the release of 14 political dissidents, including a number of prisoners of conscience adopted by AI. Those released included Father SHIN Hyun Bong, a Roman Catholic priest imprisoned last year in connection with the so-called "Myong-Dong incident" (February *Newsletter*), and Reverend YUN Ban Woong, a 67-year old Presbyterian minister imprisoned on the same charges. Also released were a number of students imprisoned for their outspoken criticism of the South Korean government.

The 14 prisoners were released conditionally on the instructions of the Prosecutor-General, who has the power to suspend prison sentences without the need for court approval. The Prosecutor-General announced that they had been set free because they had "shown signs of repentance". He said that the prosecution could release more detainees in future "for the same reasons".

These releases coincided with an unusual demand for the restoration of basic freedoms made by South Korean parliamentarians. On 6 July the South Korean National Assembly, which is dominated by a government majority, unanimously adopted a resolution calling for the release of prisoners arrested under the special presidential decree (Emergency Regulation Number 9) of May 1975 which prohibits all criticism of President PARK Chung-hee and his administration. The resolution called for the release of the prisoners to enable them to "take part in the cause of national development".

Despite the National Assembly resolution, Emergency Regulation Number 9 remains in force and many political prisoners are still in detention. They include a number of AI-

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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. It is important for the prisoner that messages to the authorities are worded carefully and courteously and that they are never sectarian.

George ANYONA, Kenya

George ANYONA, member of parliament for Kitutu East in western Kenya (Kisii district), was arrested in the Kenya parliament building on 4 May. He is detained indefinitely without trial under Kenya's Preservation of Public Security Regulations.

Mr Anyona is well-known in Kenya as the leading spokesman of the "opposition" group of parliamentarians within the Kenya African National Union (KANU), the only political party allowed in Kenya. He assumed this role after deputy speaker John Marie Seroney and parliamentarian Martin Shikuku were similarly arrested in parliament in October 1975 and detained since then (June Newsletter).

One of Kenya's most active parliamentarians, Mr Anyona has made several speeches in parliament attacking alleged corruption by senior government members, notably over the illegal hunting of wildlife, the smuggling of Ugandan coffee and re-allocation of a government railway contract. He has also criticized the break-up of the East African Community and the postponement of KANU central committee elections in which he was a candidate for the post of Assistant Secretary General. The day before his arrest he had asked if it was true that detainee Martin Shikuku was "hopelessly ill" and requested his immediate release "to save his life". A government spokesman denied the truth of the report.

Mr Anyona had been threatened with detention in the past but he apparently expected that parliamentary privilege would guarantee his immunity from arrest in connection with statements made in parliament. Kenya's Attorney General, Charles Njonjo, has attempted to remove parliamentary immunity of this nature and in January justified the use of detention "in the interests of defence, public security or public order".

Mr Anyona is a prisoner of conscience who has never advocated violence.

Please send courteously-worded requests for the release of George Anyona to: His Excellency Mzee Jomo Kenyatta, President of the Republic of Kenya, State House, P O Box 30510, Nairobi, Kenya.

HUNG Shui-liu, Taiwan

HUNG Shui-liu, an agricultural worker more than 60 years old, was arrested in Taiwan around 1950 for suspected "pro-communist activities". He has been detained for 27 years in Green Island New Life Camp, off the southeast coast of Taiwan. Mainly used for prisoners sentenced to life or long term

imprisonment, Green Island houses only a military garrison and long term or life prisoners. It is regarded as the most isolated and dreaded prison of Taiwan.

Mr Hung is one of about 30 people arrested for their alleged contact with the Taiwan Communist Party (TCP) during the period of Japanese rule. The TCP, which no longer exists, was formed in 1923. Although never a very large organization, it apparently tried to gain support among labourers and farmers in rural Taiwan.

Mr Hung was probably arrested under the Statute for the Punishment of Rebellion, under which most political prisoners are held in Taiwan. He is thought to have been sentenced in 1950, but it is not known what sentence he received, nor whether it was reduced following the April 1975 commutation of sentences ordered by Prime Minister Chiang Ching-kuo in memory of his late father, President Chiang Kai-shek.

AI took up his case for investigation in December 1975. Mr Hung has since become an AI-adopted prisoner of conscience as the government of the Republic of China has not provided any evidence of his involvement in violent activities.

Please send courteously-worded letters appealing for the release of Hung Shui-liu to: His Excellency Chiang Ching-kuo, Prime Minister, Executive Yuan, 1 Chung Hsiao E. Road, Sec. 1, Taipei, Taiwan, Republic of China.

Dr Marko VESELICA, Yugoslavia

Dr Marko VESELICA was arrested on 11-12 January 1972 in the Croatian capital of Zagreb and charged under article 100 of the Yugoslav Penal Code with "conspiring to overthrow the social and political system of Yugoslavia". He was sentenced to 7 years' imprisonment and is held in Stara Gradiska prison in Croatia.

Born in 1936 in Clavice, Dr Veselica has served as a member of the Yugoslav Federal Assembly in Belgrade and as a member of the Economic Commission of the Croatian Central Committee of the League of Communists (Communist Party). In July 1971 he was expelled from the League of Communists on accusations of nationalism, but retained his post as professor of political economics at the University of Zagreb. He was co-author of the book "The Political Economy of Yugoslavia" with Mrs Sava Babcević-Kucar, one of three high-ranking Croatian party leaders who lost their positions in a wave of party purges in December 1971. A prominent member of the Croatian cultural movement "Matica Hrvatska"

(Mother Croatia), he was also a frequent contributor to its publication *Hrvatski Tjednik* (Croatian Weekly).

The arrests of Dr Veselica and ten other intellectuals were directly connected with their membership of the administrative board of "Matica Hrvatska". The Zagreb District Prosecutor maintained at the trial that the accused had, by "violent and unconstitutional means" tried to turn "Matica Hrvatska" into an opposition party with the aim of secession from the Yugoslav federation, that it was a "counter-revolutionary group", that it was "organized on the principle of totalitarian centralism, and in fact represented a 'shadow government' orientated primarily towards assuming mass form and penetrating existing social structures".

Dr Veselica denied the charges, and the evidence suggests that he had not used or advocated violence. Dr Veselica was adopted by AI in November 1972.

During a mission to Yugoslavia in June 1976 an AI delegation was told by Yugoslav justice officials that Dr Veselica was employed in administrative tasks in his place of imprisonment. However, since then reports received by AI claim that he is required to work in the prison's furniture factory combing and unravelling mattress stuffing, among other tasks, despite an allergy that has caused boils and a generally poor state of health, exacerbated by stomach ulcers.

Please write courteously-worded letters appealing for the immediate release of Dr Marko Veselica to: President Josip Broz Tito, Beograd, SFR Yugoslavia.

South Korea Releases 14 AI-Adopted Prisoners

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adopted prisoners of conscience: the poet and writer KIM Chi Ha; former opposition presidential candidate KIM DAE Jung; a number of leaders and members of the Christian churches of South Korea and many students.

An estimated 200 people have been arrested for alleged violations of Emergency Regulation Number 9, but the exact number of persons currently imprisoned under the decree is not known.

AI continued to urge the South Korean government to order the prompt and unconditional release of all prisoners of conscience □

NATIONAL SECTIONS ADDRESSES

Two more AI national sections have recently changed their addresses:

Belgian Section (Dutch-speaking): Blijde Inkomststraat 98, 3000 Leuven, Belgium. Telephone: (016) 22 76 32.

Amnesty Korean Committee: Fifth Floor, Donhwamoon Building, 61-1 Kwonnongdong, Chongnoku, Seoul, Republic of Korea

Prisoner Releases and Cases

The International Secretariat learned in July of the release of 68 prisoners under adoption or investigation and took up 116 new cases.

SUDAN ANNOUNCES AMNESTY

On 18 July President Jaafar Muhammad al NIMEIRI of Sudan announced that he had held reconciliation talks in the interests of "re-establishing national unity" with former Prime Minister Sadiq al MAHDI, self-exiled leader of the Ansari Muslim sect and of the rightwing opposition coalition Sudanese National Front. The reconciliation agreement reportedly includes an amnesty for all political detainees in Sudan, a review of the cases of all persons sentenced to prison terms by the State Security Court for attempts to overthrow the state, the return without reprisal of all Sudanese in voluntary political exile and future discussions on the extension of democratic rights in Sudan.

Sadiq al Mahdi had been given safe-conduct to Sudan for these talks, despite the sentence of death imposed on him *in absentia* in 1976 for organizing the abortive July 1976 coup attempt.

The French newspaper *Le Monde* reported that 900 political detainees had been released by 26 July and Sudan radio announced on 27 July that President Nimeiri had agreed to release "all the remaining political detainees, who number 400". Detained students would be assisted to re-enrol in educational institutions. President Nimeiri also stated that a commission was reviewing the cases of those sentenced under the State Security Law.

AI cabled President Nimeiri on 26 July welcoming this amnesty and urging that it be made total, with priority given to the release of long-term detainees about whom *AI* had received disturbing reports in the past. On 7 August a provisional order for a full amnesty was issued. *AI* is seeking to confirm that all political detainees have in fact been released.

AI has also been concerned at the nature of the State Security Court trials in which, since 1971, a considerable number of persons had been sentenced to death and executed, and others sentenced to long prison terms.

Two such trials were in process in Khartoum in June, July and August this year. In one, six persons were sentenced to death and executed in connection with the July 1976 incident, bringing the number of those executed to 104. The verdict on the other trial of 105 southerners allegedly involved in an army mutiny and other incidents in Juba in February this year has not yet been announced. In June and July there were also reports of arrests of numerous alleged members of the illegal Sudanese Communist Party □

HUNGARY FREES ROMAN CATHOLIC PRIEST

AI has learned of the release of Father Odon LENARD, a Roman Catholic priest sentenced in 1966 to 18 years' imprisonment for giving private religious lessons to about 70 school-aged children. According to a statement by the Vatican, Father Lenard was freed at the beginning of July.

He was the last Roman Catholic priest to be sentenced in Hungary on religious grounds. He had been adopted by *AI* as a prisoner of conscience in 1974 □

AI TESTIFIES TO UN GROUP ON SOUTHERN AFRICA

AI Secretary General Martin ENNALS presented a statement on human rights violations in South Africa, Namibia and Zimbabwe (Rhodesia) when he appeared before the United Nations Human Rights Commission *Ad Hoc* Working Group of Experts on Southern Africa in London on 3 August.

AI's statement drew particular attention to the existence in all three countries of laws such as South Africa's Terrorism Act, which provides for the detention of any person incommunicado and without charge for an indefinite period. *AI* said that such laws were framed in such a way as to invite, if not incite, abuse and to lead to the torture and ill-treatment of political detainees. *AI* said it was also disturbed that, in all three countries, such laws were supported by regulations which gave members of the security police prior indemnity or immunity against prosecution for any acts which they committed "in good faith".

Describing the use which is made of such laws, *AI* informed the UN Working Group that the past year had seen mass arrests and detention, renewed and consistent allegations of torture and widespread civilian killings in each of the three countries concerned □

AI APPEALS AGAINST POSSIBLE DEATH SENTENCE IN PERU

AI appealed in July against the threatened application of the death penalty against Peruvian peasant leader Raymundo ZANABRIA, charged with killing a police officer. Señor Zanabria may be tried under legislation which provides for summary trial proceedings and severely limits defendants' rights to defence and appeals.

Decree Law 20,828 of December 1974, which provides for the death penalty, holds that "the investigation, the judgement and the execution of sentence should take place within 48 hours of the initiation of the investigation". Execution is by firing squad □

MORE THAN 100 EGYPTIAN CASES TAKEN UP

The cases of more than 100 persons, arrested in Egypt following countrywide riots in January (March *Newsletter*), were taken up by *AI* in August. *AI* had learned that a total of 176 persons were to be charged under various articles of the penal code with offences which include setting up an organization with the aim of overthrowing the government, forming illegal political organizations and spreading false rumours against the government. It is believed that some charges carry sentences of life imprisonment with hard labour.

Some of the 176 persons are known to have been released provisionally, while others have escaped arrest. *AI* has adopted all those believed to be still in detention—a total of 110 people □

AI URGES AN END TO HANGINGS IN RHODESIA

AI British Section Director David SIMPSON, attended a meeting at the British Foreign Office on 20 July. Other members of the deputation met by Evan LUARD, Parliamentary Under Secretary of State, included representatives of the United Nations Association, the International Defence and Aid Fund and the Anti-Apartheid Movement.

The deputation asked Mr Luard to urge the British government to demand that the immediate cessation of executions in Rhodesia be made a non-negotiable precondition to any settlement with the Smith regime. The deputation also urged that a royal reprieve be granted to any Zimbabweans under sentence of death.

Mr Luard said that these proposals were being seriously considered by the British government □

AI THANKED FOR WORK DURING INDIA'S EMERGENCY

On 23 July Shri Jayaprakash ("J.P.") NARAYAN, president of Citizens for Democracy who was imprisoned during the Emergency in India, sent the following message to the Executive Committee of *AI*'s Indian Section during its first meeting since the Emergency was lifted:

"I am very glad to learn that the Executive Committee of the Indian Section of Amnesty International is meeting on July 23 1977 for the first time since the emergency to take stock of the situation and to consider how best we in this country can contribute to this great movement. I am also glad to note that the Bombay Branch of the Section is reactivating itself. India owes a great debt of gratitude to Amnesty International particularly for its efforts to secure the release of political prisoners and for their human treatment in jail during the dark days of the emergency. We can repay this debt, if at all, only by exerting ourselves in the same cause in co-operation with Amnesty International and thus strengthening the organization which has won deserved international recognition for its dedication and impartiality in its exertions in a noble cause."

• 'Torture during Emergency Rule' Investigated in India: See CAT Bulletin, page 1 □

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MONTHLY BULLETIN

Samizdat Book on Soviet Psychiatry reaches AI

In July *AI* received a 265-page manuscript entitled "Punitive Medicine" from the Soviet Union. The typescript is a copy of a new extensive *samizdat* ("unofficial") study of violations of human rights through the misuse of psychiatry in the Soviet Union. The new book is scholarly and analytical in content, and will make an important contribution to international understanding of the problem.

The manuscript was written by Alexander PODRABINEK, a leading member of a Moscow human rights group formed in January to investigate political misuse of psychiatry. In a preface to the book, Mr Podrabinek states that part of the manuscript was confiscated during a police search of his home in March. He was able to save the bulk of the text, which he has decided to make public in incomplete form in order to preserve it.

The result of some three years' research, the book focuses on the legal, sociological, medical and historical aspects of the problem and is based on copious documentation from both official and unofficial sources.

The book does not contain dramatic new revelations about current abuses of psychiatry in the USSR, as did the "Bukovsky Papers" in 1970. Mr Podrabinek lists some 200 cases of politically motivated confinement in psychiatric hospitals, but most of this information had been available previously from other sources. However, the book is unique among works by Soviet authors because it examines methodically the origins of the abuses and the institutional mechanisms by which they operate.

Mr Podrabinek was jailed for 15 days

in March for his activity within the unofficial group investigating these abuses, and on 19 July he was warned by officials that he might be imprisoned for up to seven years for anti-Soviet agitation and propaganda. There are no grounds in Soviet criminal law for prosecuting Mr Podrabinek for writing the book.

Calling on international organizations including *AI* and, in particular, the Congress of the World Psychiatric Association, which met in August in Honolulu, Mr Podrabinek draws attention to the state of part of the psychiatric profession in his country: "Very many Soviet psychiatrists are implicated in the practice of punitive medicine. Some are directly involved: those who make the full diagnoses which lead to a dissenter's compulsory confinement or which are used to justify his continuing confinement, and those who prescribe harmful medical treatment or otherwise participate in ill-treatment of political inmates of psychiatric hospitals. Others are indirectly involved: those who keep silent about obvious abuses and in many other ways passively facilitate their continuation."

AI has prepared a summary of the book for distribution to the organizations to which Mr Podrabinek appealed as well as to the public □

rule have emerged since press freedom was restored and the state of emergency lifted in March.

The new government announced in April that a commission of inquiry would be set up to look into "all complaints of excesses, malpractices, abuse of authority during the emergency" (June *CAT Bulletin*).

An unofficial committee appointed by Jayaprakash NARAYAN, president of Citizens for Democracy and a prominent political figure imprisoned during the emergency, reported in June that at least 19 political prisoners had been killed by the police. The committee, headed by former Bombay High Court Judge V.M. TARKUNDE, had been asked to investigate the deaths of 77 Naxalites (leftwing revolutionaries) who, according to the state authorities, had been killed in armed encounters.

Investigations are underway into several individual cases of death, torture and disappearance. In one case, the death under torture of 19-year-old student P. RAJAN in March 1976, a police inspector has been charged with murder □

STUDENTS 'TORTURED' IN BRAZIL

Relatives of a number of students, arrested in Brazil in July after country-wide disturbances, have claimed the students were tortured in detention. About 18 people, mainly post-graduate engineering students at Rio de Janeiro's Federal University, were arrested on 2 July for allegedly belonging to the *Movimento para Emancipação do Proletariado* (Movement for the Emancipation of the Proletariat). Ten days later, allegations of severe torture were made by relatives of some of the detainees in the newspaper *Falho de São Paulo*.

Tortures allegedly suffered by the students included electric shocks, beatings and suspension by the hands for up to three hours. In addition, it is claimed that some victims were subjected to deafening noises for more than 24 hours or were held in freezing temperatures.

The arrest of the students follows several months of student demonstrations and disturbances in several of Brazil's cities.

In May the first mass student demonstration in Brazil since 1968 took place in São Paulo after the arrest on 28 April of five workers and two students, allegedly for distributing subversive leaflets to factory workers. A student-organized march of more than 10,000 people called on the government to grant a general amnesty for political

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CHILEAN EX-PRISONERS THANK AI FOR INTERNATIONAL SUPPORT

Two former political prisoners in Chile, who are now in exile, have sent an open letter to the members of *AI*'s Campaign for the Abolition of Torture and other organizations who intervened on their behalf during their imprisonment.

Gabriela SALAZAR, a physics student, and Hugo URRESTARAZU, a medical student, were arrested on 31 December 1975. On 15 January 1976 *AI* launched an urgent action appeal on their behalf after receiving news that they had disappeared.

It is now known that Miss Salazar was detained in the Villa Grimaldi torture center, before her transfer in February 1976 to an official detention camp, Cuatro Alamos. She was released in November 1976.

In their letter, the two ex-prisoners say:

"We are sure that your action, added to the action of several other anonymous or

known people, positively saved our lives. . . We will never forget the impression and feeling of relief we experienced in January 1976, in Villa Grimaldi, a place of torture and secret imprisonment in Santiago, when, due to a guard's carelessness, we heard a radio report about the appeals that many friends and people we never met were sending to [President] Pinochet in order to save our lives.

Our gratitude has a deep moral meaning. We feel that we have gained more friends, that unknown human beings have been close to us, that their solidarity is not an abstract word because we are carrying it in our still living bodies. . . We ask you to continue the action you have already begun" □

'TORTURE DURING EMERGENCY RULE' INVESTIGATED IN INDIA

Numerous allegations of torture and killings in India during the 20-month-long emergency

appeals

Solomón PEREZ LOPEZ and family— Nicaragua

Solomón PEREZ LOPEZ is a 55-year-old peasant farmer and schoolteacher in the village of Boca Dudú in Northern Zelaya province of Nicaragua. The largest province, Zelaya has few roads, little population and no large towns. It is inaccessible by road from the Pacific seaboard where most Nicaraguans live, and is populated almost exclusively by peasant farmers working small plots of land. Señor Pérez López is a deacon or "Delegate of the Word" of his local church and a member of the local "Catholic Action" group which aids the Roman Catholic priests in the area with social work.

He was arrested in February 1976 with his children Cruz, Mariano and María (aged 30, 25 and 15 respectively), his daughter-in-law Felicita MENDOZA (aged 25) and his granddaughter Linda PEREZ MENDOZA (aged 12) by the National Guard, Nicaragua's combined military-police force, apparently during counter-insurgency operations.

More than 250 other *campesinos* (peasant farmers) have been detained in northeast Nicaragua since martial law was imposed in December 1974. Many of them have been lay leaders in Roman Catholic church congregations. Government authorities report Zelaya province to be the scene of repeated confrontations between National Guard troops and guerilla insurgents but to *AI*'s knowledge, detention of the arrested *campesinos* has not been acknowledged nor have they been brought before the military courts.

AI has received the names of 44 persons, including 29 children, reportedly killed in cold blood in Varilla, Matagalpa province, by the "Hilario" patrol of the National Guard late in January.

Señor Pérez López and his family have disappeared since their arrest in February, but they may still be alive in one of the rural detention camps reported at Rio Blanco (Matagalpa province) or at Macuelizo, Siquia or Dudú (Zelaya province).

Please write courteously-worded letters requesting that the detention of Solomón Pérez López and his family be acknowledged and that facts be given regarding their legal status, to: Exmo. Sr. Presidente Anastasio Somoza Debayle, Casa Presidencial, Managua, Nicaragua.

TORTURE ALLEGATIONS IN COMORO ISLANDS

AI has recently received reliable reports of the use of torture in the Comoro Islands, the three-island state in the Indian Ocean which declared unilateral independence from France in 1975.

The reports, which include eye-witness testimony, indicate that many Comorian citizens have been subjected to arbitrary

arrest and torture by military personnel and the paramilitary "Commando Moissy" unit. The alleged methods of torture include severe beatings on the body and feet, being forced to stand in the sun all day, crawling on stones, being thrown into wells and water-tanks, and being stripped in public. Although most of the torture victims appear to have been released soon after arrest, some have required hospital treatment and others are alleged to have died as a result of torture.

Torture is reported to be most widespread on the island of Anjouan, where reprisals continue against alleged supporters of the ousted President Ahmed ABDALLA. Most of the torture victims have been accused of being "counter-revolutionaries". But *AI* believes that many have not been involved in political activities. Unconfirmed reports claim that a number of political detainees, including former cabinet ministers, have been ill-treated on the island of Grande Comore.

AI asked President Ali SOILIH in May to investigate these reports and to take steps to prevent the practice of torture. No reply has yet been received. In August *AI* renewed its appeal to the Comorian president after further reports corroborated earlier allegations. *AI* urged the country's observance of the United Nations Declaration on the Protection of All Persons from Torture and Other Cruel or Degrading Treatment or Punishment. The Comoro Islands joined the United Nations in November 1975 □

ISRAELI JUDGE ATTACKS 'SUNDAY TIMES' REPORT

Shortly after the London *Sunday Times* published the results of its investigation into allegations of torture in Israel (August *CAT Bulletin*), Israeli Supreme Court Justice Moshe ETZIONI defended the Israeli judiciary at his country's embassy in London.

On 14 July he asserted that the *Sunday Times* report had implicitly insulted his colleagues by claiming that Arab prisoners were systematically tortured by Israeli interrogators. He claimed this implied that Israeli judges had not intervened to prevent this practice and had not prevented confessions allegedly obtained under torture from being used in court against defendants.

While disclaiming knowledge of the military courts, under whose jurisdiction would fall any cases involving allegations of torture in the occupied territories, Judge Etzioni argued, "I can't imagine that in a small country like ours this could be kept quiet".

Repeating a frequently cited defence for the Israeli position, Judge Etzioni said, "The Arabs in any case—if they are arrested—do not take much time before they confess. It's part of their nature" □

ICJ CRITICIZES PHILIPPINES ON TORTURE

The International Commission of Jurists (ICJ) published a report on 30 July criticizing the Philippine government for failing to restore civil and political liberties suspended

since martial law was declared in September 1972. The ICJ stated that among the rights still denied to the Philippine people are freedom of speech and the effective right to *habeas corpus*. The ICJ also stated that serious cases of torture are still occurring due to inadequate control over the methods used by certain interrogators, particularly in the "safehouses" in Manila.

On 1 August President Ferdinand E. MARCOS denied the ICJ's charges, saying that his government had never abandoned its regard and respect for human rights.

The systematic use of torture in The Philippines was described in *AI's Report of an Amnesty International Mission to The Republic of the Philippines, 22 November-5 December 1975* (second edition March 1977) □

PORTUGUESE COURT SENTENCES FEMALE TORTURER

Portuguese military officials announced on 26 July that Maria Madelena OLIVEIRA had been convicted of torturing and mistreating women detainees under the previous regime. She was sentenced to 4 years and 4 months' imprisonment, of which she has already served 25 months in pre-trial detention.

Senhora Oliveira is the first woman agent of the PIDE (the former Portuguese secret police) to be convicted on such charges. After the April 1974 coup, approximately 1,000 PIDE agents were arrested, but only a handful have actually been tried on charges related to torture. Only one PIDE agent is currently serving a sentence based on a conviction for torturing prisoners (February *CAT Bulletin*) □

Students 'Tortured' in Brazil

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prisoners and to restore democratic liberties. Strikes and demonstrations spread to universities in Paraná, Minas Gerais, Rio de Janeiro and Brasilia and many demonstrators were detained for short periods.

Some of the worst disturbances occurred at the University of Brasilia (UNB) when students went on strike after the rector, José Carlos AZEVEDO, took disciplinary action against students who had organized a national day of action (Dia Nacional da Luta) on 19 May. Senhor Azevedo reportedly sent dossiers on student activities to the security police, and called the military police to occupy the campus to restore order. In June, 2,000 police entered the campus to arrest 63 students, an action that led to more clashes during which workers were beaten and students arrested, regardless of whether their names had been included on the list of 63. Two arrested students, José Ralf CAMPOS and Antonio ROMAIANA BAROS were allegedly beaten by police before being detained. Some nine student leaders remain in detention in Brasilia □