



## Tunisian Workers to be Tried in State Security Court

On 17 August, *AI* expressed concern at the decision of the Sousse Criminal Court in Tunisia to transfer the cases of 101 trade unionists to the State Security Court in the capital, Tunis. *AI* said that this decision highlights official treatment of the case as a political one rather than an ordinary civil case. It follows a number of procedural irregularities which have occurred in the treatment of hundreds of trade unionists arrested in connection with the one-day general strike declared by the General Union of Tunisian Workers (UGTT) on 26 January.

The 101 trade unionists, including eight women, had been on trial in Sousse since 19 July and the prosecution had asked for the death sentence for 39 of the defendants.

*AI* researcher June RAY observed part of their trial as well as two other trials at Sfax in July.

One of the Sfax trials involved 12 trade unionists arrested in January and February, five of whom were sentenced to 2 years' imprisonment.

The second trial involved 27 trade unionists who were arrested following a strike in Gafsa in November 1977. Of those tried, 20 received sentences ranging from 4 months to 2½ years' imprisonment, one received an 8 month suspended sentence and six were acquitted.

No date has yet been set for the new trial of the 101, nor for other trade unionists currently detained in Tunis Civil Prison. These include former secretary general of the UGTT, Habib ACHOUR, and 10 members of its executive committee. Three of the charges against them carry the death sentence. All 11 have been held in solitary confinement since their arrest nearly seven months ago.

*AI* is particularly concerned at claims by many of the trade unionists, during their trials, that they had been subjected to torture or maltreatment while in police custody, and that confessions had been extracted from them under duress. *AI* called on the Tunisian government to initiate an independent inquiry into all allegations of torture. The defendants are being tried on a wide range of charges, including offences against state security and incitement to civil strife.

*AI* is concerned that many of the trade unionists are imprisoned for exercising their rights of freedom of association and freedom of expression.

In June, before the trials began, *AI* had launched petitions to President Habib BOURGUIBA, urging that the accused be

accorded their full legal rights, and that all prisoners of conscience be amnestied (July *Newsletter*). *AI* has now taken up the cases of some of the convicted trade unionists and is investigating others.

### CONCERN FOR DISAPPEARED DETAINEES IN GUATEMALA

More than 100 Kekchi Indians were killed and as many injured when government troops opened fire on demonstrating *campesinos* (peasants) in Panzos, Alta Verapaz province in Guatemala, on 29 May.

Those wounded were still in army custody more than 10 weeks later, and *AI* is particularly concerned for those detained Kekchi Indians named by army authorities as "agitators" responsible for unrest in the Panzos area. Kekchi leader Napoleon TORREZ was detained until 21 June. However, on his release he was abducted by a group of heavily armed men and has since "disappeared".

Troops arrived in the area three days before the Indians planned a demonstration against their threatened eviction from land they have traditionally farmed. Reports of the events of 29 May are confused—official statements claim that leftwing agitators incited more than 800 Indians to attack the troops and demand the forcible take-over of private farms. Official statistics give the number of *campesinos* shot dead as 35, with seven soldiers injured. Other sources, however, state that the army ordered evacuation of houses around the temporary garrison, warning the occupants of gunfire, and that present with the troops were landowners who had been in dispute with the Indians. Journalists affirm that the area was sealed off for several days after the incident, but the authorities claim this was because

*Continued on page 4, column 3*

### MORE ARRESTS IN CZECHOSLOVAKIA

More arrests of human rights activists in Czechoslovakia have recently come to *AI*'s attention.

Five people were arrested in April for possessing or distributing "anti-state" documents. Petr CIBULKA, a worker; Libor CHLOUPEK, a librarian; and Petr POSPICHAL, a printer's apprentice (all from Brno), were charged with incitement. Josef BRYCHTA, an official, and Pavel NOVAK, an engineer, both from Jihlava were charged with "subversion".

Jan SIMSA, a former Evangelical priest and Charter 77 signatory from Brno, who had been barred from exercising his clerical office in 1973, was arrested on 31 May during a police search of his home, and charged with "assaulting a public functionary". According to *AI* information, he defended his wife when a police officer tried to forcibly take a personal letter from her. Jan Simsa's health is causing great concern.

Jiri GRUSA, a 40-year-old writer, was arrested on 1 June and charged with "incitement". He is accused of writing a novel, *Dotaznik* (Questionnaire) which allegedly "incites anti-socialist feelings". The novel appeared in the *samizdat* edition *Petlice* (Padlock) and will also be published abroad.

Pavel ROUBAL, an engineer from Prague, was detained on 30 May for allowing "illegal" literature, including Grusa's novel, to be duplicated in his flat. He is charged with "incitement".

*AI* has learned that Jiri Grusa and Pavel Roubal were released from detention on 2 August but criminal proceedings against them are continuing.

All eight men have been adopted by *AI* as prisoners of conscience.

### FURTHER RELEASES OF INDONESIAN POLITICAL PRISONERS

On 26 July, the Indonesian government announced the release of 3,921 prisoners, as part of its program to release all untried political prisoners detained in connection with events that took place in 1965. The prisoners had been detained in prisons throughout Indonesia.

A large number were released from West Java and Nusakambangan Camp in Central Java, where it is thought 748 of the 1,700 political prisoners held were released. The prisoners had been held for periods of up to 13 years without trial or recourse to the normal constitutional safeguards.

*Continued on page 2, column 1*

## Further Releases of Indonesian Political Prisoners

*Continued from page 1, column 3*

In a statement on 28 July, *AI* welcomed the releases but said it would continue to press for the immediate and unconditional release of the remaining tens of thousands of political prisoners in Indonesia. *AI* also emphasized that those released should be granted full restoration of civil rights, and that the practice of forcibly sending some detainees to resettlement camps in isolated areas of the outer islands should be stopped immediately.

In addition, *AI* drew attention to recent violations of human rights in Indonesia, including the detention without trial of hundreds of students, intellectuals and moslem activists and the sentencing on 18 July of Sawito KARTOWIBOWO to 8 years' imprisonment on a charge of subversion for circulating a document critical of President SUHARTO. *AI* also called on the government to publish lists of all those prisoners released, as well as those still in detention. Until these lists are made public, there will be continuing doubt as to the numbers actually released and those still in detention in Indonesia.

## NEW COMORO GOVERNMENT FREES DETAINEES, ARRESTS OTHERS

When the new government of the Comoros—the three-island state in the Indian Ocean—came to power by a mercenary-led coup d'état on 13 May, it released all political prisoners, repealed the decrees of the overthrown government of Ali SOILIH and undertook "to restore fundamental liberties."

Two prisoners of the Soilih regime, Ali MROUDJAE, former Foreign Minister and Abbas DJOUSSOUF, are now government ministers under the new head of state, Abdellah MOHAMED. Ali Mroudjae was among 18 people detained since April 1976, accused of plotting to murder the president and overthrow the regime. Former parliamentarians and politicians, businessmen, police and army personnel were also detained. More people were arrested following demonstrations and alleged plots against the regime in 1977-1978. Abbas Djoussouf, Sheikh AHMED, a professor of religious and arabic studies and Ali Mohamedali NABWA, a journalist previously adopted by *AI* when he was detained in Tanzania, were arrested in January 1978. Twenty one of the released prisoners had been taken up by *AI* as "investigation" cases shortly before the coup.

After the coup some 150 supporters of the overthrown "Comorian Revolution" were imprisoned. They include Abubakr BOINA, former ambassador; Salim HIMIDI, former Interior Minister dismissed by President Soilih in early 1977; Rashid MBARUK, director of Radio Comoros and other politicians, civil servants and soldiers associated with the former government. On 29 May

ex-President Soilih was killed while attempting to escape from house arrest, according to official reports.

In June *AI* expressed its concern to the co-chairman of the Comoros Politico-Military Directorate, Ahmed ABDULLAH, about the new use of political detention and urged the government not to adopt a policy of revenge. *AI* said that it hoped the government would consider the early release of political prisoners in the interests of reconciliation and fulfil its undertaking to respect human rights.

## FORMER AI-ADOPTEE RE-ARRESTED IN BULGARIA

On 4 July, Christo Jordanov KOLEV (June 1976, *Prisoners of the Month Campaign*) was arrested and banished to Balvan, a small village in the district of Velik Trnovo, Bulgaria. His arrest came just five months after his release from seven years' banishment in Balvan. During his brief period of freedom, he had visited former prisoners of conscience and was allegedly involved in compiling a document on human rights violations in Bulgaria.

Christo Kolev has a long history of political imprisonment. A pre-war member of the Anarchist Communist Federation, he was tried 14 times prior to 1944 for his political activities. When the communists came to power in Bulgaria in 1945, Kolev again found himself in political opposition and was imprisoned and confined to labour camps for 10 years. During this time, he was allegedly tortured.

He was told that his banishment had been lifted on 14 February, one month after the decision had been taken, and moved to Sofia to be with his dying 96-year-old mother.

He is now banished without trial under a new police law which came into effect on 1 March 1977: "The Law of the People's Militia". Article 39 of this law states that any Bulgarian adult who has been convicted of "crimes against the State" may be prohibited from leaving a specified town for up to six months. This law replaced a similar police law, which also imposed the same penalties. However, individuals banished under the law were in many cases released only after several years of assigned residence in remote places. There is fear that the new law will be applied in the same way.

## UN CONGRESS TO ACT ON DEATH PENALTY

The Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, which will meet in Sydney, Australia, in 1980, will have a full discussion on the question of capital punishment.

The fifth session of the UN Committee on Crime Prevention and Control, meeting in Vienna, Austria, from 5 to 16 June this year, decided that capital punishment should be a specific sub-item on the 1980 Congress

agenda dealing with UN norms and guidelines. It also decided to establish a special working group to discuss the death penalty on the basis of a paper, to be prepared by the UN Secretariat, in the context of the existing standards set by the UN: "The main objective to be pursued in the field of capital punishment is that of progressively restricting the number of offences for which the death penalty may be imposed with a view to the desirability of abolishing this punishment".

The committee took these decisions in response to a request from the UN General Assembly in 1977. *AI* had submitted a statement on the issue, referring to the Declaration of Stockholm, which had been formally circulated to the committee by the Swedish government, and to the conclusions of the *AI* Conference on the Abolition of the Death Penalty held in Stockholm in December 1977.

*AI* Legal Adviser, Nigel S. RODLEY, who represented *AI* as an observer at the committee's fifth session, expressed the hope that the process under way could lead to the result called for by the Stockholm Conference, that the UN "unambiguously declare that the death penalty is contrary to international law".

*AI* had also submitted to the committee a statement containing *AI*'s Draft Principles for a Code of Ethics for Lawyers, Relevant to Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. The statement drew the committee's attention to the recommendations on the draft principles adopted by the International Seminar on Torture and Human Rights held in Strasbourg from 3 to 5 October 1977.

## PROTEST AGAINST EXECUTION IN SINGAPORE

On 2 August *AI* cabled President Benjamin Henry SHEARES of Singapore protesting against the execution of TEO Hock Seng, who had been sentenced to death in 1976 for drug offences. The cable referred to an appeal by *AI* in July 1976 urging reprieve of his death sentence on humanitarian grounds.

Teo, a 26-year-old Malaysian, had been found guilty of attempting to bring more than 46 grammes of morphine into Singapore, an offence punishable by death under Singapore law. He was executed on 29 July.

*AI*'s cable expressed deep concern at the execution of Teo Hock Seng and urgently requested commutation of sentence on humanitarian grounds for all those sentenced to death in Singapore.

---

## Prisoner Releases and Cases

The International Secretariat learned in July of the release of 193 prisoners under adoption or investigation and took up 204 cases.

---

# 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.

## Pascal LISSOUBA, *People's Republic of the Congo*

Professor Pascal LISSOUBA, aged 47, former prime minister of the People's Republic of the Congo and a scientist well known for his work in genetics, has been imprisoned under harsh conditions since his arrest in March 1977.

In December 1963, several months after the "Three Glorious Days" revolution when the pro-French government of Abbé Youlou was overthrown, Pascal Lissouba became Prime Minister under President Massamba-Debat until he resigned in 1966 over differences of opinion with the President. He held several other cabinet posts between 1966 and 1969.

In 1968, President Massamba-Debat's government was replaced by the military government of Major Marien Ngouabi and, although the new government ostensibly pursued similar policies, Professor Lissouba and several other former government members were arrested and detained on several occasions.

In 1969, Professor Lissouba retired from political life in order to devote himself to research: he later became Professor of Cellular Biology at the Faculty of Sciences at Brazzaville University and was Dean of the faculty in 1972-1973.

In March 1976, when the military government was facing serious problems due to a national strike, Professor Lissouba was placed under house arrest and later deprived of his university position. He was freed a few months later and continued his research under the auspices of an international research organization. The government did, however, prohibit him from leaving the Congo for three years.

Professor Lissouba was re-arrested immediately after the assassination of President Ngouabi on 19 March 1977. The new military government set up a court martial to try those allegedly responsible for the assassination. A number of soldiers and civilians, including ex-president Massamba-Debat, were summarily tried, found guilty, condemned to death and immediately executed. Professor Lissouba was brought to trial and sentenced to life imprisonment with hard labour. He was given no opportunity to defend himself and was not allowed to appeal against the sentence.

A further trial of more than 40 people accused of complicity in President Ngouabi's assassination took place in January. Professor Lissouba was not present at this trial and was not permitted to give

evidence. No evidence was presented at this trial to show that Professor Lissouba was involved in the assassination. *AI* believes that, on the available evidence, Professor Lissouba was wrongly convicted and the real reason for his imprisonment was his previous political activities.

After his trial in March 1977, Pascal Lissouba was sent to a prison at Ouessou, in the far north of the Congo, where he has reportedly been held ever since. Conditions in the prison are very harsh: he is allowed no visitors or correspondence and, although he is known to be suffering from kidney disease and hypertension, he has received no medical attention.

*Please send courteously worded appeals for the immediate release of and the necessary medical attention for Pascal Lissouba, to: Son Excellence le Général Yhombi-Opango, Président de la République, Brazzaville, People's Republic of the Congo.*

## Carlos Mariano ZAMORANO Vega, *Argentina*

Carlos Mariano ZAMORANO Vega, lawyer and vice-president of the *Liga Argentina por los Derechos del Hombre* (Argentine Human Rights League), has been held in preventive detention without charge or trial since November 1974. He was one of the first people to be detained under the state of siege imposed the same month by the then government of Isabel Perón.

Since early 1977 he has been held in the maximum security Rawson prison in southern Argentina. However, in response to a writ of *habeas corpus* recently submitted on his behalf requesting the reasons for his continued detention, Zamorano Vega was said to be detained incommunicado in the Córdoba region—an area under the jurisdiction of the III Army Corps. According to conflicting official reports, his transfer took place in May or June of this year.

Since the reported transfer, the family and colleagues of Carlos Mariano Zamorano Vega have not been able to trace him and there are fears for his safety.

Zamorano Vega has now been detained without charge or trial for over 3½ years, despite the fact that in April 1977 the Federal Court in Buenos Aires appealed to President Jorge Rafael Videla to uphold its decision to order his immediate release as there were no grounds for his continued detention.

His health is giving cause for concern: he is reportedly suffering from an acute

ulcer and failing sight and hearing. *AI* is concerned that Zamorano Vega's transfer constitutes a serious threat to his safety. During previous prison transfers he was reportedly subjected to severe beatings.

*Please send courteously worded letters, appealing for the immediate release of Carlos Mariano Zamorano Vega, to: Su Excelencia General Jorge Rafael Videla, Presidente de la República Argentina, Casa Rosada, Buenos Aires, Argentina.*

## Balys GAYAUSKAS, *Soviet Union*

Balys GAYAUSKAS, a 51-year-old Lithuanian, was arrested in April 1977 in Vilnius for collecting materials on the post-war nationalist movement in Lithuania and helping present and former political prisoners and their families. On 14 April, he was tried in Vilnius and sentenced to 10 years in a corrective labour colony, and 5 years' internal exile for "anti-Soviet agitation and propaganda".

In 1973 Balys Gayauskas had completed a 25-year term of imprisonment for participating in postwar Lithuanian nationalist activities aimed at independence from the Soviet Union. In the corrective labour colonies, Gayauskas is reported to have been highly respected by his fellow political prisoners for his conviction that the struggle for human rights is everyone's concern, regardless of nationality.

On his release in 1973, Balys Gayauskas became active in helping political prisoners and their families. Before his arrest last year, Gayauskas was searched and interrogated several times during which the authorities confiscated lists of Lithuanian political prisoners and addresses of their families.

Balys Gayauskas received the maximum sentence and, as a "recidivist", must serve his 10-year sentence in a "special regime" corrective labour colony, the most rigorous category of labour camp in the USSR.

*Please send courteously worded letters appealing for the immediate release of Balys Gayauskas, to Mr A.K. Kairyalis, Procurator General of the Lithuanian SSR: SSSR, Litovskaya SSR, g. Vilnius, Respublikanskaya Prokuratura, Prokuroru A.K. Kairyalis.*

### Change of Addresses

Amnesty International  
Australian Section  
Box X2258  
GPO Perth  
Western Australia 6001  
Australia

Amnesty International  
Indian Section  
D-19 Annex, Gulmohar Park  
New Delhi-110 049  
India

## HELSINKI MONITOR ON HUNGER STRIKE

In late July *AI* learnt that Oleksa TYKHY, a 49-year-old teacher and member of the Ukrainian Helsinki monitoring group, had been on hunger strike for three months in support of his request for a judicial review of his case. Tykhy is serving his second term of imprisonment in a special regime corrective labour colony in Mordovia; his health is believed to have deteriorated.

In November 1976 Tykhy became a founding member of the Ukrainian Public Group to Promote the Implementation of the Helsinki Agreements in the USSR. A month later, his flat and the homes of other members of the group were searched by police. The police claimed to have found an old rifle in his flat, later described as "an old German rifle, rusted almost through". Tykhy claimed that the rifle was planted. He was arrested on 5 February 1977 on charges of "anti-soviet agitation and propaganda" as well as illegal possession of a firearm, and was sentenced to 10 years in a special regime colony, the most severe category, followed by 5 years' internal exile (August 1977 *Newsletter*).

### • Chronicle 47 Published

On 30 August *AI* published *A Chronicle of Current Events, Number 47*, the samizdat journal of the human rights movement in the Soviet Union (July *Newsletter*).

*Chronicle 47* is the latest issue to be published in English outside the USSR and covers the period from 15 August to 30 November 1977.

*A Chronicle of Current Events, Number 47*, 192 pages, may be obtained from the distributor, Routledge Journals, Broadway House, Newton Road, Henley on Thames, Oxon RG9 1EN, England; or Routledge Journals, 9 Park Street, Boston, Mass 02108, USA. Price: £1.65 (US \$3.45).

Subsequent issues in English will also be available on subscription from the distributor, Routledge Journals, as they are published.

## POLITICAL PRISONERS BENEFIT FROM AMNESTY IN IRAQ

On 18 July, the Iraqi government announced an amnesty for about 7,000 prisoners, including 270 political prisoners. This was to mark the 10th anniversary of the establishment of the Iraqi Baath Party and the 20th anniversary of the overthrow of the monarchy. The amnesty will not include those accused of espionage, involvement in freemasonry (*AI* has the names of 14 former freemasons who have been held since 1974) or sabotage in the autonomous Kurdish region. According to official reports only 47 political prisoners will remain in prison after the amnesty. *AI* has asked the Iraqi authorities for the names of those political prisoners who will benefit from the amnesty.

## JAPAN URGED TO RATIFY UN COVENANTS

In a letter on 21 June to Prime Minister Takeo FUKUDA of Japan, *AI* welcomed the decision of the Japanese government to sign the United Nations International Covenants on Economic, Social and Cultural Rights and on Civil and Political Rights. In the light of this decision, *AI* urged the government to take early steps to ratify the two covenants and, in addition, to accede to the Optional Protocol to the Covenant on Civil and Political Rights.

Japan had been criticized by civil rights organizations and others for its failure to sign and ratify these two international covenants, which are designed to make more specific the human rights standards set out in the United Nations Universal Declaration of Human Rights.

Japan signed the covenants on 30 May but the government must present a bill seeking full ratification to the Diet (Parliament).

*AI* urged the government to take prompt steps to bring about full ratification with a view to ensuring that the covenants and the Optional Protocol have the greatest possible effectiveness for the protection of human rights in Japan.

In the same letter *AI* expressed concern and regret at the introduction of legislation broadening the application of the death penalty in Japan. On 12 May, the Diet passed legislation introducing the death penalty in cases involving killings which occur during the hijacking of aircraft or the seizure of diplomatic establishments. The new legislation came into force on 5 June.

The letter explained that *AI* opposes the imposition of the death sentence in all cases and urged the abolition of the death penalty in all countries, including Japan. Referring to its appeal of March 1977, *AI* again urged commutation on humanitarian grounds, of the sentence passed on Masao AKAHORI, who has been under sentence of death since his conviction for murder in 1958.

### News of Past Campaigns

Joseph Henry MENSAH, former Finance Minister of Ghana (January 1977 *Prisoners of the Month Campaign*), was found not guilty of sedition and released at the end of May, as a result of appeal hearings. Mr Mensah was sentenced to 8 years' imprisonment for sedition in November 1975 because of a pamphlet critical of the economic policy of General Acheampong's government, of which he admitted authorship.

Two of his colleagues, Kwame KARIKARI and Ibrahim Codjoe QUAYE, who were under sentences of 6 and 5 years' imprisonment respectively, for abetment of sedition, were also acquitted on appeal in May. The appeals were heard in March 1978 but the verdict was delayed until May, possibly on account of the situation in Ghana following the referendum of 30 March and the arrests which took place in April (July *Newsletter*).

## Concern for Disappeared Detainees in Guatemala

*Continued from page 1, column 2*

the Kekchi Indians had sabotaged telephone lines and "provoked land-slides", blocking the roads.

*AI* has the names of 51 of the dead. A Guatemalan commission composed of trade unionists and opposition groups, which has been investigating the incident has reported that within hours of the demonstration the army buried 68 people (including nine women and 10 children) in a mass grave at Panzos and that 46 seriously wounded people who died later were buried in a second mass grave. This group comprised 28 men, 10 women and eight children.

Abductions, disappearances, and outright killings by security forces of Indian farmers in Alta Verapaz and neighbouring El Quiché departments have increased dramatically during the past three years. Abuses have coincided with the development of the petroleum and mineral resources of the region, including oil production in El Quiché, and the initiation of mineral mining in the Alta Verapaz and Izabal departments to the east. A new highway is also being built to the north of Panzos to link these areas with the national road network; and a parallel oil pipeline will bring oil from El Quiché for use in mineral processing and refining.

The Indian peasantry who have traditionally farmed the region have until recently had no challenge to their occupation of the land, although lack of access to legal channels has prevented them from establishing formal right to the land. Much of the region has previously been treated as "frontier" area—technically national property—which has now been claimed by large non-Indian landholders, who have been attracted by the increased economic activities and land values. Indian communities which have refused to move off the land have frequently suffered the extra-legal violence of para-military death squads.

The Panzos incident is unusual in its nature, its scale, and in that official spokesmen sought to justify the killings. The more general pattern has been the abduction, torture and murder of individual leaders, as with the abduction of Napoleon Torrez, or single important families. A further illustration of the problem was the 12 June protest by Indian women from San Juan Cotzal, in Guatemala City, that over the past three years, 28 men from their families had been abducted and had disappeared, others were murdered outright, and huts and crops had been burned. They attributed the abuses to Guatemalan army troops working at the behest of local large landholders.

**AMNESTY INTERNATIONAL NEWSLETTER** is published monthly by: AMNESTY INTERNATIONAL PUBLICATIONS, 10 Southampton Street, London WC2E 7HF, 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

September 1978 Volume V Number 9

MONTHLY BULLETIN

# Torturers Jailed in Tanzania

On 10 July, two Tanzanian security officers, Corporal YOHANNA and Constable SALEHE, said to be from the Railway Police, were each sentenced to 3 years' imprisonment on charges of assaulting James MAGOTI, a bank manager, on 19 November 1976. Two other officers were acquitted.

The magistrate passing sentence stated: "From the submission of the prosecution and defence and the doctor's report, it was not disputed that Magoti was cruelly tortured in an effort to extract information on the whereabouts of the money". (Money had been stolen from the army, a theft for which some 40 suspects were arrested.) The magistrate said that a deterrent sentence was necessary (*Tanzania Daily News*, 11 July).

This was the first trial of torturers in Tanzania, despite previous allegations that torture has been used frequently by some security officers on the Tanzanian mainland as well as in Zanzibar.

The trial began in Dar es Salaam in October 1977. Evidence of torture was given by senior police officers from Ilala police station in Dar es Salaam where Magoti had been held from 15 November to 5 December 1976. Further evidence was given by doctors who had examined Magoti in Muhumbili Hospital and by the prisoner himself. Magoti has been detained without charge or trial since December 1976, under the Preventive Detention Act. He is held in Ukonga Prison, Dar es Salaam (December 1977 *CAT Bulletin*).

According to the testimony, James Magoti was taken from his cell in the Ilala Police Station on the night of 19 November 1976, handcuffed and blindfolded, by the two "railway detectives" subsequently convicted. He was returned to the police station the next day after interrogation in "an unknown place". A police officer stated that Magoti "was in a bad shape. His body had swollen up and he had bruises on his legs which made it difficult for him to walk".

Magoti testified that his "hands, legs, and private parts were swollen and painful". His back had multiple wounds. This was confirmed by a hospital doctor. Magoti said he had been tortured with an "electric-like" instrument.

Magoti's wife stated that she had obtained the hospital medical records and had complained about the torture of her husband. James Magoti had been taken to hospital eight times while in police custody. It is not known if specialized medical treatment continues in detention: detainees in Ukonga Prison reportedly seldom receive qualified medical treatment.

According to reports, several others suspected of the same theft were tortured,

including Magoti's wife and his brother, Adam Magoti, a Nairobi University student, who is also detained in Ukonga Prison. Three soldiers are currently on trial charged with this theft but nearly all the remaining suspects—all soldiers except the Magoti family—are still held under the Preventive Detention Act.

*AI* has taken up the cases of the Magoti brothers as "investigation cases" and *AI* groups have appealed to the Tanzanian authorities to investigate the reports of torture and their prolonged detention without trial in harsh conditions.

### RECENT TORTURE CASES IN BRAZIL

On 12 May Edval NUNES da Silva, a student and an active member of the Justice and Peace Commission in Brazil, was arrested with two others by the Recife police and held incommunicado for more than a month. During this period he was allegedly tortured.

On 7 July the Justice and Peace Commission of Olinda and Recife issued a statement condemning the brutal treatment Edval Nunes has received following which 3,000 students at Recife University went on strike in protest at his detention.

According to Lea and Lecy de Moura BRANDAO, two sisters arrested with Edval Nunes and released three weeks later, his is one of the worst cases of torture in Brazil in recent months.

As yet, no official reasons have been given for Nunes' prolonged detention. However, according to unofficial sources, police are trying to extract confessions which would incriminate seven priests who are also members of the Justice and Peace Commission. They are suspected of belonging to the outlawed *Partido Comunista Revolucionario* (Revolutionary Communist Party), which has been defunct for nearly five years.

*Continued on next page, column 1*

### STUDENT DIES IN IRANIAN POLICE CUSTODY

On 13 July, *AI* wrote to Parvis RADJI, Iranian ambassador to London, requesting further information on the death of a student, Ayoub MOADI, after alleged ill-treatment at a police station in Babolsar, Iran. Ayoub Moadi's family had apparently not been allowed to obtain his body for burial.

On 31 July, Ambassador Radji replied: "I am informed by the appropriate authorities concerned that Mr Moadi was among 24 Iranians arrested by the police and gendarmerie of Babol and Babolsar on charges of inciting anti-government demonstrations in those cities on 14 June 1978.

"While being held at the police station in Babolsar, he fell ill of an apparent heart condition and was immediately rushed to Shapour Hospital in Babol. Mr Moadi failed to respond to treatment and died at 4pm of the same day."

*AI* has requested a copy of a report on the post-mortem examination.

### RESURGENCE OF DISAPPEARANCES IN ARGENTINA

The apparent decline in abductions in Argentina earlier this year appears to have been reversed. *AI* has details of the disappearance in May of 38 people. In the first two weeks of August alone, a further 30 were reportedly abducted.

On 13 April, the Buenos Aires newspaper *La Nación* published a list of 232 people who had all been located by the Search Division for Disappeared Persons (*La División Búsqueda de Personas Desaparecidas*)—an office apparently set up under the auspices of the Criminal Investigation Department of the federal police.

At the beginning of August, the Argentine government published a further list of 201 people who had allegedly been found. In all cases, the only information given was the name and identity card number. Those human rights organizations in Argentina which collect *habeas corpus* writs have not been able to match up any of the 433 names with those in their own records and believe the government's lists to be composed of petty criminals and others who were imprisoned without their identities being immediately established.

*Continued on next page, column 3*

# appeals

## Miloslav CERNY, Czechoslovakia

Miloslav CERNY, a 38-year-old worker, was arrested on 10 March 1977 in Liberec, Northern Bohemia, for writing and displaying in public leaflets critical of the policies of the Czechoslovak authorities in connection with Charter 77. He was sentenced on 24 July 1977 by the District Court in Liberec to 3 years' imprisonment for "incitement" under article 100 of the Czechoslovak penal code. He is presently held in Bory Plzen prison.

According to information received by AI, Miloslav Cerny is being held in solitary confinement in a dark underground cell. After being sentenced to serve his prison term in the first corrective educational group, he was transferred on 15 May this year to the second, stricter category. He has not been allowed to write to his family and letters from them do not reach him. His sister is permitted to visit him once every three months. During the last two months he has been allowed to receive only one parcel.

Miloslav Cerny became an epileptic following a traffic accident in 1956 in which he suffered skull fractures and damage to his hearing. He is presently suffering from nervous and physical exhaustion. According to reports, the prison doctor has denied him the medicines he has had to take for 20 years, and as a result he has been suffering from epileptic fits in prison. To force the prison doctor to give him the vital medicines, Cerny went on an 11-day hunger strike which has aggravated his condition. He has reportedly lost 22 kilos in weight and most of his teeth.

Please write courteously worded letters, appealing for the release of Miloslav Cerny, and requesting that adequate medical care be ensured, to: Dr Gustav Husak, President of the Czechoslovak Socialist Republic, Praha-Hrad, CSSR; and to: Colonel Josef Jezek, Prison Governor, NVUMS Plzen PSC 306 35, CSSR.

## Recent Torture Cases in Brazil

*Continued from page 1, column 2*

Edval Nunes is being held in solitary confinement at one of Brazil's worst prisons, *Penitenciaria Professor Barreto Campelo*, in Itamaraca, waiting for official charges to be brought against him.

- On 28 May São Paulo police arrested Ricardo ZARATINI, a 43-year-old engineer who was banished from Brazil in 1969, as one of a group of non-violent prisoners whose release had been demanded by the kidnapers of the then American Ambassador. Zaratini had allegedly returned to Brazil two years ago from exile in Mexico and was living in hiding in the São Paulo area.

Ricardo Zaratini was held incommunicado at the *Departamento Estadual de Ordem*

*Politica e Social* (DEOPS), the political police headquarters, for nearly a month and was reportedly tortured. The *Comité Brasileiro pela Anistia*, a national committee working for the release of Brazilian political prisoners, has alleged that three of Zaratini's ribs have been broken.

In June, Zaratini was transferred to Recife where charges dating from before 1969 are pending against him. Torture was reportedly increased and he remained incommunicado.

Ricardo Zaratini had been tried *in absentia* by courts in Recife and São Paulo during his exile. According to police reports, he will serve one and a half years in Recife before being transferred back to São Paulo to serve further sentences.

- Between 18 and 23 July, Brasilia Federal Police arrested Mario GONCALVES, Alcides Bartolomeu de FARIA, Flávio Lucio de FARIA, Belisa Guedes GONCALVES, Edilson and Vera Lucia BRAGA, four students and two post office workers respectively, all of whom are accused of belonging to "a certain Chinese league".

Four of them have reportedly been tortured. The tortures included beatings and "the fridge", a one meter by one meter cubicle cooled to freezing point in which people are held naked and given electric shocks.

One of the students, Alcides de Faria, who reportedly belongs to the legal socialist movement, began a hunger strike on the fourth day of his detention, demanding that the group be given access to lawyers and relatives. These demands have, so far, been denied and no official charges have been brought against any of the six.

## CHARGES BROUGHT AGAINST COLOMBIAN PRISON AUTHORITIES

After appealing on behalf of Colombian prisoner Carlos Reyes NINO, who was severely burned with kerosene during interrogation by agents of the "F-2" intelligence branch of the national police, AI has been informed by the Colombian authorities that criminal charges have been brought against agents involved in the October 1977 interrogation and against the prison authorities who denied Carlos Niño medical attention.

## ALLEGED ILL-TREATMENT IN JORDANIAN PRISON

AI has received information that Adnan al ASMAR, a 25-year-old student teacher, is in danger of losing his sight, reportedly as the result of beatings in Abdeli Security Prison in Amman, Jordan. He was arrested earlier this year on charges of belonging to the prohibited Jordanian Communist Party, but has not yet been tried.

Adnan al Asmar was transferred to hospital for eye surgery to treat a torn

retina. The operation was unsuccessful and he was, reportedly, imprisoned again. AI has appealed to King HUSSEIN for his immediate release on humanitarian grounds so that he may receive further medical treatment.

AI has received numerous reports of ill-treatment in the Abdeli Security Prison. Many prisoners allege to have been detained for several months in solitary confinement without daylight, being allowed out of their cells only for one hour per day.

In June, AI groups urged King Hussein to hold an immediate inquiry into the arrest and subsequent death in Abdeli Prison on 5 June, of Omar Musa Khalil AJOURY, a 20-year-old student, believed to be a prisoner of conscience, after an eight day hunger and thirst strike.

## Resurgence of Disappearances in Argentina

*Continued from page 1, column 3*

On 17 May, the daily Buenos Aires newspaper *La Prensa* published an advertisement, paid for by three Argentine human rights organizations, containing the names of 2,511 disappeared people and asking the government to investigate the cases. The government issued a statement saying that 87 of those listed had been released, but gave no further details.

Since that date, reliable sources state that 82 disappearances were notified in July alone, 68 of which related to previous months, and 14 to July. AI possesses the names of 10 of the missing people.

AI has also received details of the abduction of 38 individuals between 6-21 May. All the 38 were abducted in Buenos Aires province, some of them in the capital itself. They include whole families, trade unionists, former civil servants and a group of former pupils aged between 16 and 17. In a number of cases, writs of *habeas corpus* have been filed at both provincial and federal courts, without success.

In the 29 months since the March 1976 military coup in Argentina AI estimates that more than 15,000 people have disappeared. Lawyers and human rights organizations within the country estimate that, since then, between 20,000 and 30,000 *habeas corpus* writs have been filed at the Ministry of the Interior in efforts to locate missing people.

The Argentine authorities usually give one of three reasons for the disappearances: the person has gone "underground"; the person has chosen to emigrate without telling relatives; the person has been killed in a clash with the security forces. However, there is evidence that the vast majority of those who have disappeared were, in fact, illegally arrested by official law-enforcement bodies.

The government has never officially investigated any disappearance case.