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AI REPORT DETAILS LEGAL AND PENAL ABUSES DIRECTED AGAINST POLITICAL AND RELIGIOUS PRISONERS IN USSR

Conditions in Soviet penal institutions "not only violate international standards for the treatment of prisoners, but fail to achieve the standards established in parts of domestic corrective labour legislation and theory," according to a 154-page AMNESTY INTERNATIONAL report published on 17 November.

The illustrated report, *Prisoners of Conscience in the USSR: Their Treatment and Conditions*, shows how many of the legal and penal abuses are directed particularly against political and religious dissenters in the Soviet Union.

"There has never in Amnesty International's experience been an acquittal of a political defendant in the USSR," the report says. Noting the absence of official Soviet statistics on the subject, the report estimates that there are now at least 10,000 political and religious prisoners in the USSR.

The report, one of the most detailed AI has ever produced on violations of human rights in a single country, was published simultaneously in English, Dutch and German. French and Swedish translations will appear in the near future.

Starting with profiles of five typical Soviet prisoners of conscience, the report analyzes the conditions under which prisoners are held in corrective labour institutions (as prisons and colonies are called) and psychiatric hospitals.

In a series of recommendations at the end of the report, AI urges Soviet authorities to undertake a program of penal reform, starting with a public discussion of the present system. As long as the day-to-day working of the Soviet penal system is treated as a state secret, the report says, it "will continue to generate suspicion and mistrust, certainly abroad and to some extent with the Soviet Union itself".

AI directs the brunt of its criticism at Soviet legal norms regarding the detention of persons charged with criminal offences and suspected of being mentally ill. According to the report, Soviet law is wholly inadequate in this respect and lays the way open for wrongful

incarceration, either on account of political considerations or through the errors and prejudices of psychiatrists and courts.

AI recommends a careful reform of the Soviet criminal and criminal procedural law with an aim of building in safeguards for the rights of genuinely or purportedly mentally ill persons.

The report takes issue with official claims that the Soviet penal law and theory have resolved the central dilemma facing any penal system: the relationship between punishing prisoners and reforming them.

According to Soviet law, the corrective labour system aims at the "correction and re-education" of prisoners rather than at "the infliction

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NEW KING OF SPAIN ANNOUNCES 'PARDON'

King JUAN CARLOS I, the new ruler of Spain, announced a "general pardon" on 26 November for prisoners in certain categories. But as this *Newsletter* went to press, there was no confirmation of journalists' reports that some 50 death sentences had been commuted under the pardon and some prison sentences reduced.

On 21 November, the day after the death of the new King's long-ruling predecessor in power, Generalissimo FRANCISCO FRANCO, the Chairman of AI's International Executive Committee, DIRK BORNER, urged the King in a cable to mark his accession to the throne with a general amnesty for all political prisoners.

More than 4,000 persons are believed still detained for political reasons in Spain or are on bail pending trial. Of these, some 500 have been detained in recent weeks, among them a number of priests, lawyers, students and trade unionists.

THREE LEADING OPPONENTS OF SOUTH AFRICAN REGIME SENT TO PRISON IN NEW WAVE OF POLITICAL TRIALS

South Africa's crackdown on black and white opponents of the regime, following the detention of more than 100 people under the Terrorism Act since September 1974, continued in November with a wave of trials. Most of the defendants have been taken up by AI as investigation cases:

- ◆ ERIC MOLOBI, a member of the Black People's Convention (BPC), was sentenced to 5 years' imprisonment by the Rand Supreme Court on 24 November after being found guilty on two charges under the Suppression of Communism Act. His cousin, FRANK MOLOBI, who had been detained without charge since April, was sentenced to 4 months' imprisonment on 17 November when he refused to testify as a state witness.
- ◆ RAYMOND SUTTNER, senior lecturer in law at the University of Natal, was sentenced to 7½ years' imprisonment in Durban on 13 November after pleading guilty to two charges under the Suppression of Communism Act. Two other persons detained with him, LAWRENCE KUNY and JENNIFER ROXBURGH, testified

- as state witnesses and were discharged.
- ◆ BREYTEN BREYTENBACH, a distinguished Afrikaans poet and painter (October *Newsletter*), was sentenced in the Pretoria Supreme Court on 26 November to 9 years' imprisonment on charges of attempting to create an underground organization in South Africa on behalf of the banned African National Congress. Mr Breytenbach, who was arrested on 19 August following his secret return to the country two weeks earlier from France where he had lived for several years, had pleaded guilty to some of the charges. He apologized in court for his conduct and asked the court to exercise leniency towards him.
- ◆ MALIBELLE MOLOKENG, president of the National Youth Organization, and six others went on trial under the Terrorism Act on 24 November.
- ◆ The trial of nine members of the BPC and the South African Student Organization (SASO), which began in January, resumed on 24 November. Two other SASO and BPC members, BERNARD BLOEM and SADIQUE VARIAVA, are also due to stand trial individually soon.

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of suffering on them". Yet, the report says the law itself legitimizes the provision of prisoners with only the biologically-necessary minimum amounts of food, and most prisoners are kept in constant hunger.

The low quantity and poor quality of prisoners' food makes them vulnerable to illness and injury, the report says. This situation is often exacerbated by their work conditions.

Prisoners' compulsory labour is theoretically supposed to be the basic means of reforming prisoners. In practice, however, prisoners are required to work at hard physical tasks in conditions which are usually unpleasant and often unhealthy or dangerous.

The report's chapter on political abuses of psychiatry notes that once a person is suspected of being mentally ill, he is not only denied any right to affect the legal or medical decisions made in his case, but he need not even be told of the latter until the moment he is sent for confinement in a psychiatric hospital.

In a number of cases examining psychiatrists and courts have ruled Soviet citizens to be mentally ill on direct account of their having expressed or acted upon dissenting political or religious beliefs. Often when the friends and relatives of such persons have argued against the verdict of insanity, they have been told that "seeming normality" is not a decisive criterion of mental health.

Most political or religious dissidents whom *AI* knows to have been forcibly confined to mental hospitals have had no record of violent activity. Yet, at least until recently, Soviet courts have usually chosen the most severe course of treatment for such persons: confine to a special psychiatric hospital.

The report is deeply critical of the latter institutions, which it describes as being more like prisons rather than hospitals.

"In special psychiatric hospitals, where patients are kept in almost total isolation from society and where non-medical criteria influence the appointment of psychiatrists, the anonymity of psychiatrists and the unchallengeable character of their decisions invite medical practices which are positively dangerous for patients", the report says.

Prisoners of Conscience in the USSR: Their Treatment and Conditions.

154 pages, illustrated. Published 17 November 1975 by Amnesty International Publications, 53 Theobald's Road, London WC1X 8SP, England. Price: 85 pence (US \$2.00). Editions in Dutch, German, French and Swedish are or will soon be available from *AI* national sections in the respective countries.

CONFUSION OVER EXECUTION REPORT IN IRAQ

AI Secretary General MARTIN ENNALS wrote to President AHMAD HASSAN AL BAKR on 7 November asking for clarification of conflicting reports about the fate of LEON AARONSON, a 38-year-old Dutch male nurse arrested last March in the Kurdistan region of northern Iraq.

On 3 November the Iraqi News Agency said Mr Aaronson had been executed after a military court convicted him of spying for Israel and acting as an advisor to the Kurdish leader, MUSTAPHA BARZANI. Iraq's ambassador in the Netherlands later confirmed the sentence but denied it had been carried out.

Mr Ennals asked President Al Bakr to commute Mr Aaronson's sentence if he was still in detention.

An amnesty was declared for all Kurdish guerrillas, civilians and refugees following the Iran-Iraq agreement in March that ended the Kurdish rebellion. Despite fears of a massacre and widespread arrests—and some Kurdish prisoners were reportedly executed just before or immediately after the agreement—the only hard information concerning the Kurdish situation came in November when *AI* received reports that about 200 members of the Kurdish Democratic Party had been arrested during the past month after distributing leaflets. The International Secretariat is seeking further details about these arrests.

Mr Ennals' letter followed one he wrote to Iraqi Foreign Minister SAADOUN HAMMADI on 28 October seeking further details about ABDUL SATTAR NASIR, a 26-year-old writer arrested in January this year after an article critical of the Iraqi government was published in Beirut, Lebanon. Mr Ennals also expressed concern that Abdul Sattar had been tortured badly.

Publishing abroad is one way in which Iraqi writers may circumvent the country's rigorous censorship and restrictions on freedom of expression. Abdul Sattar was tried by a "publications" court. His case has now been referred to the State Security Court in connection with charges of espionage—an offence punishable by death.

APPEAL TO FREE US PRISONERS OF CONSCIENCE

AI asked President GERALD R. FORD of the United States on 16 November to free all American prisoners of conscience and declare an unconditional amnesty for US conscientious objectors who went into exile rather than participate in the Vietnam war.

The *AI* appeal followed the presentation by the country's United Nations representative, DANIEL PATRICK MOYNIHAN, on 12 November of a draft resolution (which the US subsequently withdrew) under which the General Assembly would appeal to all governments to free all political prisoners.

"While advocating the right and necessity of the United Nations to act to ensure respect for human rights throughout the world—and in this context we are heartened by the substance of the United States resolution—Amnesty International also calls upon each and every government to consider the political prisoners under its own jurisdiction and to release them from confinement," Secretary General MARTIN ENNALS said in his message to President Ford.

AI currently has six adopted prisoners of conscience in the United States. The number of US conscientious objectors to the Vietnam war who are living in exile is believed to number in the thousands.

RELEASES IN INDONESIA

Twelve *AI*-adopted prisoners were released from prison in Indonesia in October. They were all detained in January 1974 for alleged involvement in the riots in Jakarta that took place during the visit of the former Japanese Prime Minister KAKNEI TANAKA. Eleven of the released detainees are students. The other, ADNAN BUYUNG NASUTION is a well-known civil rights lawyer.

Announcing their release, Attorney General ALI SAID declared that there was no longer any reason for them to be detained. The amnesty, however, was not extended to more than 20 other prisoners arrested at the same time.

Only three of these have been tried, receiving sentences ranging from 4 to 6½ years. The evidence at their trials bore out that they had not been guilty of personal involvement in the January 1974 riots. They were convicted for criticizing the Indonesian government's social and economic development policies.

TANZANIA DECLARES AMNESTY

President JULIUS K. NYERERE of Tanzania announced a broad presidential amnesty on 1 November, following his re-election to a fourth term in office on 26 October.

The President pardoned 7,308 common criminals and reduced the sentences of a further 3,685. Political prisoners however were excluded from the amnesty, as were persons convicted of currency offences and cattle stealing.

AI has adopted a number of long-term detainees held without trial in Tanzania under the Preventive Detention Act. *AI* groups with prisoners in this category have been asked to appeal to President Nyerere to announce an amnesty for political detainees on 9 December, Tanzanian independence day.

In Zanzibar (which became part of the United Republic of Tanzania in April 1964), the High Court on 10-11 November upheld the death sentences passed on 24 persons for alleged complicity in the assassination of Sheikh ABEID KARUME, President of Zanzibar, in April 1972 (June 1974 *Newsletter*). It commuted the death sentences of 18 others to terms of imprisonment.

The High Court, which also heard appeals from persons sentenced to prison terms in the same case, upheld two of the original sentences, reduced four others and acquitted five people (who apparently have not yet been released).

Most of the appellants had been taken up by *AI* as investigation cases. Those whose appeals failed may now take their cases to the ruling Afro-Shirazi Party's supreme council and ultimately to the current President of Zanzibar, ABOUD JUMBE. *AI* groups have been asked to appeal to President Jumbe to commute the death sentences.

PRISONER RELEASES AND CASES

The International Secretariat learned in October of the release of 97 *AI*-adopted prisoners and took up 172 new 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.

Mirna del Rio, Bolivia

MIRNA DEL RIO is a teacher and an activist in the trade union movement. She heads the Rank and File Committee of the La Paz Teacher's Union, which is affiliated to the Bolivian Confederation of Labour (COB), the sole umbrella organization grouping Bolivian trade unions. She was detained with 29 trade unionists on 12 July while attending a clandestine meeting of the COB in the provincial town of Oruro. Twenty-five remain in detention, including the principal leaders of the mine, sanitation, construction, banking and factory workers, as well as student and teacher representatives.

These arrests relate directly to decree laws of November 1974 which suspended all political parties, trade unions and professional associations, and severely curtailed freedom of assembly by banning all meetings with political or trade union content.

Minister of the Interior JUAN PEREDA ASBUN accused the trade unionists of "conspiring to provoke social chaos and a general strike", and Mirna del Rio of being "an agitator among the teachers". None have been formally accused of specific crimes, permitted the services of lawyers or been the object of formal orders of detention issued by judicial authorities as required by Bolivian law. It is unlikely that any of these prisoners will be granted a trial.

Mirna del Rio is held in the women's prison in La Paz as is ANA MAFIA PANDO MARIN, leader of the Bank Employees Union.

Please send courteously worded appeals for her release to: General Hugo Banzer Suarez, Presidente de la Republica, Casa Presidencial, La Paz, Bolivia; *and to:* Coronel Juan Pereda Asbun, Ministro del Interior, Ministerio del Interior, La Paz, Bolivia.

Sardar MENGAL, Pakistan

SARDAR ATTAULLAH KHAN MENGAL is one of the *sardars* (tribal chiefs) of Baluchistan, as well as a leader of the opposition National Awami Party (NAP) in the province. Though the government claims that criminal charges exist against him, he has still not been brought to trial since his arrest 2½ years ago.

In 1972 the NAP came to power in Baluchistan demanding greater autonomy for Pakistan's four provinces. Mr Mengal became chief minister of the NAP opposition-dominated provincial government which was dismissed by the federal government in February 1973 on grounds of inadequacy. The ensuing political tension led to an increase in acts of violence in the province.

When they pressed their demands by threats of non-violent civil disobedience actions in the summer of 1973, the NAP leadership was arrested. Mr Mengal was arrested on 16 August 1973 in the provincial capital, Quetta.

Mr Mengal is a heart patient. In August 1975, he was transferred to Jinnah Hospital, Karachi for treatment, but recently he was returned to Karachi Central Jail, despite the fact that his state of health is still causing concern. *Please send politely worded appeals for his release to:* His Excellency Zulfikar Ali Bhutto, Office of the Prime Minister, Islamabad, Pakistan.

Dr Djura DJUROVIĆ, Yugoslavia

Dr Djura DJUROVIĆ, aged 75, is a retired lawyer from Belgrade, and suffers from a weak heart. He was sentenced in October 1974 to 5 years' strict imprisonment on charges of hostile propaganda. Dr Djurović was accused of having sent manuscripts of anti-state nature to a fictitious emigré organization in Paris which was believed to have been created for the purpose of this trial. The trial was timed to counterbalance the negative political impact of an earlier trial of 32 Yugoslav communists accused of having attempted to form a pro-Soviet communist party in Yugoslavia.

Dr Djurović was the most senior former Cetnik living in the territory of Yugoslavia. The Cetniks, who were a rival guerilla organization during the last war, opposed Marshal Tito's communist-led partisans. For his wartime activities Dr Djurović had already served a 17-year sentence between 1945 and 1962—though there was no proof that he had committed violence.

Professor FRITS RÜTER, a lawyer from the University of Amsterdam, attended Dr Djurović's trial as an *AI* observer (November 1974 *Newsletter*) and reported as follows: his conviction was a foregone conclusion for political reasons; his defence lawyers were denied those legal rights guaranteed under Yugoslav law; the court had shown itself strongly prejudiced against the accused and the request of the defence for an adequate graphological analysis of the manuscripts allegedly written by Dr Djurović was denied.

In June this year the Supreme Court of Serbia rejected Dr Djurović's appeal and confirmed his 5-year sentence. According to *AI*'s recent information Dr Djurović's health is deteriorating and, since his transfer to the prison of Pozarevac, he is now sharing his cell with a notorious criminal who is accused of stealing from him the special food that he needs.

Please send courteously-worded cards appealing for his release to: His Excellency President Josip Broz Tito, Bulevard Oktobarske Revolucije 70, Belgrade, Yugoslavia.

CHILE DISSOLVES PEACE COMMITTEE

AI has expressed grave concern over the dissolution in Chile on 17 November of the Committee for Peace following a written request by President AUGUSTO PINOCHET to the Roman Catholic Cardinal Archbishop of Santiago, RAUL SILVA HENRIQUEZ, asking him to disband it.

Since it was established after the coup in September 1973, the committee, an inter-denominational group of clergy and laymen, has provided legal aid for political prisoners and financial and moral support to their families and to the families of others who have died or "disappeared".

AI's concern, expressed in a cable to Cardinal Henriquez, extended to the safety of those people who have been working for the committee. Many priests and laymen connected with it have been detained during the past month, including the executive secretary of the committee, Father FERNANDO SALAS, another executive member, Father PATRICIO CARIOLA, and the head of the legal department, JOSE ZALAUQUET.

The Second Interparliamentary Conference of the European Community and Latin America, which was held in Luxembourg 19-21 November and which was attended by an *AI* delegation, also expressed concern at the dissolution of the committee. A cable signed by 24 participants from 13 countries—among them GEORGE SPENALE of France, President of the European Parliament, and LUIS AUGUSTO LEON of Argentina, President of the Latin America Parliament—urged General Pinochet to re-establish the committee.

OBSERVER SAYS GERMAN TRIAL OF TURKS 'POLITICAL'

A Swiss lawyer who attended the opening session of the trial of four Turks in Cologne, Federal Republic of Germany, in September on behalf of *AI* said in her preliminary report delivered in November that the trial is unmistakably political in character.

The four, OMER OZERTURGUT, HATICE YURTAS, MUSTAFA TUTKUN and YUKSEL UGURLU, are charged with "participation in a criminal organization" the Turkish Liberation Front (October *Newsletter*).

AI's observer, Maître ELISABETH ZIEGLER-MULLER, also said in her report that the preventive detention of the four for a year and a half after May 1974 in solitary confinement since June 1975 appears abnormal by West German standards.

She said some defence lawyers have

been threatened with expulsion from the court by the judge when they have intervened on behalf of their clients. The political nature of the trial was underscored by the fact that the prosecution introduced as evidence literature found in the defendants' possession, including the works of Lenin.

Noting that two members of the Turkish Liberation Front had been acquitted in an earlier trial, Maître Ziegler-Muller said that if the present trial decides the organization is criminal, "this will create a situation which is legally absurd".

The trial is expected to last until mid-December, and *AI* is making arrangements to be represented at the closing session. Meanwhile, one of the four accused, YUKSEL UGURLU, has been released from detention.

AI CALLS FOR RELEASE OF ALL POLITICAL DETAINEES IN RHODESIA TO MARK 10TH YEAR OF UDI

AI Secretary General MARTIN ENNALS cabled Rhodesian Prime Minister IAN SMITH on 10 November, the eve of the 10th anniversary of Rhodesia's unilateral declaration of independence (UDI) from Britain, urging the release of all political detainees and an end to the use of the death penalty in Rhodesia.

In a news release on the same day, *AI* expressed concern at the rapid increase in the number of people detained without trial in Rhodesia during 1975. The total number of political detainees is now estimated to be more than 600—at least 300 of whom are being held under detention orders issued this year.

AI noted that following the Lusaka, Zambia, talks (January *Newsletter*) between Mr Smith and Bishop ABEL MUZORIWA of the African National Council (ANC), at which the Rhodesian

prime minister announced his intention to "release the African leaders from detention and restriction, and their followers as well", only 90 political detainees had in fact been freed out of a total of more than 300 then held.

Latest reports suggest that up to 300 supporters of the JOSHUA NKOMO faction of the ANC have recently been released. However, 200 followers of Bishop Muzorewa, Mr Nkomo's rival for the ANC leadership, are said to have been detained at the same time.

Two *AI*-adoptees, CHARLTON NGCEBETSHA and VOTE MOYO, are definitely known to have been released from Wha Wha Prison in early November.

MURDER THREAT IN BRAZIL

Brazil's Supreme Federal Tribunal has ordered the further detention of CESAR QUEIROZ BENJAMIN, a young political prisoner whom one of the country's notorious death squads had threatened to murder on his scheduled release from prison on 10 November. On 9 November *AI* cabled President ERNESTO GEISEL urging him to intervene and protect the young man's life.

Cesar Queiroz Benjamin, now aged 21, was detained in 1971 at the age of 17 because of his alleged leftwing political activities as a student. When seen by his parents 40 days after his arrest, the youth's body bore marks of torture.

In all his subsequent trials, however, he was found not guilty of the charges levelled against him. In an appeal hearing last year, the supreme military tribunal ruled that because he was only 16 at the time of the events in connection with which he was charged, he was "not responsible". This decision was confirmed in April of this year.

The army, however, did not decree his release until recently. *AI* learned that the judge in charge of the case, Juiz FRANCISCO HORTA, told Cesar Queiroz Benjamin's family that an official from the secret service of the army had informed him that the young man would be murdered by a para-police vigilante death squad as soon as he left prison. The judge reportedly told the family that he could not be responsible for Mr Queiroz Benjamin's security.

EX-MINISTERS DIE IN BANGLADESH

AI cabled President MOHAMMAD SAYEM of Bangladesh on 7 November expressing concern at the killing of four former ministers of the overthrown regime of Sheikh MUJIBUR RAHMAN in Dacca Central Jail earlier that week.

Among the four were former Prime Minister MANSUR ALI and TAJUDDIN AHMED, who was Prime Minister of the government in exile during the country's liberation struggle.

AI appealed to the newly-installed President's government to take immediate steps to guarantee the full safety and protection of all persons now under detention in connection with their political activities. It welcomed the new regime's announcement that the jail incident on 3 November will be investigated and asked that the inquiry be a full-scale, independent one.

NEWS IN BRIEF

Somalia Frees 13 Teachers Thirteen school teachers—comprising the largest category of political prisoners in Somalia taken up by *AI*—have been released under a presidential amnesty, according to information received by adoption groups from Somali authorities in November. The 13 were sentenced in April 1974 to prison terms ranging from 7 to 10 years for taking part in a strike arising from their refusal to wear army uniforms during their training at the Haldene School, Mogadishu. All such strikes are banned under the country's 1970 national security law. Somalia has recently released other political prisoners, including former Prime Minister MOHAMMED IBRAHIM EGAL (November *Newsletter*).

Former AI Adoptee Held Again in Swaziland

Dr AMBROSE ZWANE, a former *AI* adoptee, was detained at the beginning of November in Swaziland, reportedly under the country's 60-day detention without trial legislation. Dr Zwane, leader of the banned opposition Ngwane National Liberatory Congress Party of Swaziland, has been detained without trial on two previous occasions since 1973.

Follow-up to Yemen Mission *AI* sent a confidential report, including a list of recommendations, to the government of the People's Democratic Republic of Yemen on 22 October and also sent a report and recommendations to the Yemen Arab Republic on 12 November. The reports are a follow-up to the *AI* mission which visited the two countries in May-June this year (August *Newsletter*).

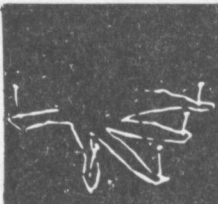
IEC Meets in London *AI*'s International Executive Committee met in London 31 October-2 November. Foremost on the agenda was the implementation of decisions taken by the International Council in St Gallen, Switzerland, in September (October *Newsletter*). The IEC also discussed *AI*'s relations with governments in general and surveyed specific concerns in the main geographical areas of the world. In addition, several decisions were taken in preparation for the launching of *AI*'s worldwide fundraising campaign in 1976.

ALL ADOPTEES IN EGYPT FREED

AI received confirmation in October and November that all adopted prisoners in Egypt have been released—although not necessarily acquitted. The prisoners freed can be divided into three groups:

- ♦ All 152 cases among the large numbers of students, workers, lawyers and journalists arrested following the New Year's Day riots in Cairo over the high cost of living and low wages (March and April *Newsletters*). Although freed, some of the 152 may still be brought to trial.
- ♦ The remaining five out of six persons arrested in November 1974 and charged with forming a leftwing "secret cell" (January and May *Newsletters*). Release of the other detainee was confirmed earlier this year. All were released provisionally: it is not yet known whether they will be brought to trial or acquitted.
- ♦ Seventeen persons arrested in June 1973 and charged with forming or being members of a communist organization (May *Newsletter*). Their trial was postponed repeatedly, and there is a strong possibility all will now be acquitted.

AI also received more information in November about the arrest in July of about 20 Trotskyites. Most have been released provisionally. Those still in detention may be considered for adoption.



amnesty international

campaign for the abolition of torture

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MONTHLY BULLETIN

'A LAMENTABLE EPISODE'—PRESIDENT GEISEL REPRESSION IN BRAZIL REACHES NEW CLIMAX WITH DEATH UNDER TORTURE

The steady deterioration of human rights in Brazil during 1975 has accelerated into a major political crisis since the death in custody in São Paulo on 25 October of the well-known journalist VLADIMIR HERZOG.

Mr Herzog, aged 38, died only hours after presenting himself voluntarily at the headquarters of the Second Army. A statement issued two days later by the Second Army Command claimed Mr Herzog hanged himself after confessing to having been a member of the banned Brazilian Communist Party (PCB). Two days before Mr Herzog's death, Second Army Commander General EDUARDO D'AVILA MELLO had called for all-out war against those he described as "red fascists".

Security police refused to allow Mr Herzog's family to open the sealed coffin which his body was returned so that Jewish pre-burial rites could be performed. (Mr Herzog was a Jew.) This refusal was repeated at the cemetery despite his widow's strong insistence that the body was prepared for burial in accordance with Jewish tradition.

At an ecumenical memorial service in which 15,000 people paid their last respects to Mr Herzog, the Roman Catholic Archbishop of São Paulo, Cardinal PAULO EVARISTO ARNS, declared: "Those who stain their hands with blood are damned."

President ERNESTO GEISEL of Brazil was quoted as saying he regarded Mr Herzog's death as a "lamentable episode".

The death sparked off massive public protests. In São Paulo, 30,000 university students went on strike. Thousands of Roman Catholics fasted for 24 hours on 14 November, following a call from the São Paulo archdiocese which strongly denounced illegal arrests, torture and killings. Special services were held in some 500 churches throughout the diocese.

Protests have continued from journalists and lawyers, notably members of the *Ordem dos Advogados do Brasil* (Brazilian Bar Association—OAB). Recent reports indicate that military officials have started an inquiry into Mr Herzog's death.

This year's intensified efforts by the security forces to crush all "leftwing subversion" began with the dismantling of two clandestine PCB printing presses in January. Lawyers, journalists, professors, students, trade unionists, doctors and officials and supporters of Brazil's only legal opposition party, *Movimento*

Democrático Brasileiro (MDB), were arrested in a large-scale crackdown that affected ever-widening circles of peaceful opponents of the regime.

The arrests were mostly without warrant and without notification of proper judicial authorities. A number of people have also disappeared without trace, supposedly victims of para-police vigilante groups.

Further large-scale arrests in October and November brought the estimated number of persons detained so far this year to over 1,500, of which more than 1,000 have occurred in São Paulo alone. The total number actually in custody at this time is difficult to estimate because some are released after a certain period of detention and torture—in some cases to await trial.

TORTURE ALLEGED

Allegations of widespread and systematic torture have been numerous since the wave of arrests began. The apparent objectives are to obtain confessions that the victims support or belong to the PCB and to incriminate others. Details of torture continue to reach the outside world despite attempts to silence the Brazilian news media.

Even the army itself has not been spared. In July and August more than 60 members of the military police were detained for suspected links with the PCB. According to official statements, Colonel JOSE MAXIMINIANO de ANDRADE NETO subsequently died from "heart failure" during interrogation and Lieutenant JOSE FERREIRA de ALMEIDA committed "suicide".

Early in November, the Brazilian Bar Association sent a 14-page document to President Geisel describing the experience of CELSO

NOGUEIRA MONTEIRO, a lawyer kidnapped on a São Paulo street by security officers. According to the document, he was subjected over a period of several days to beatings, near-drowning and electric shocks (mostly while suspended from the notorious *pau de arara*—"parrot's perch").

Having obtained all the information they could, his tormentors told the lawyer he would be released because his detention had become known. They added that they could have eliminated him and warned him not to speak about his experiences. Before his release, Mr Monteiro received intensive treatment to heal his wounds and cover up the signs of torture.

Earlier, in September, a 60-year-old journalist, RENATO OLIVERIA MOTTA, wrote to a military judge that he had been subjected to six weeks of violent electric shocks, beatings, a rack-like torture and a crucifixion-like torment which his torturers called "the Jesus Christ":

"Naked, on foot, my arms were stretched out above and bound to a crossbar. This was to disarticulate the muscle network and the kidneys, they told me."

He said his interrogators told him they would torture Jesus Christ himself if He returned to earth.

According to information *AI* has received, the practice of torture is being further refined and institutionalized. One report stated that on arrival at DOI (military police) headquarters, the prisoner is examined by a doctor who checks his or her health and then classifies the prisoner for one of three categories of torture. The third category is the "softest"—treatment beginning with electric shocks of 110 volts.

MASS BRUTALITY IN CHILE PRISON RAID

Ill-treatment and torture in Chile are not restricted to the torture chambers of the security police.

On the morning of 22 October 1975, all prisoners in the Public Prison of Valparaiso were removed from their cells and made to lie on the ground. They were kicked and beaten, and then made to run in circles. Each time around, they were beaten with clubs.

In the meantime the cells were thoroughly searched and prisoners' personal belongings confiscated. One prisoner was reported to be in a very critical state as a result of the treatment received, his face having been badly cut and his kidneys damaged.

For the purpose of this raid, which was termed *Operación Rastrillo* (rake), the *gendarmaria* guarding the prison were replaced by marines.

An estimated 100 political prisoners and several hundred common law prisoners are held in Valparaiso Public Prison. Some 40 of the political prisoners are currently on trial in the so-called Naval Trials, on charged with mutiny and rebellion, dating from August 1973, which was allegedly directed against superior officers who were plotting the September 1973 coup. Two of the 40 are civilians, the rest naval cadets.

NEW TORTURE ALLEGATIONS FROM TUNISIA

Since 1968 *AI* has received considerable evidence that torture is used systematically in Tunisia against opponents of President HABIB BOURGUIBA to obtain confessions of anti-regime activities. *AI* has recently received new allegations related to a period of reportedly intense torture in February-April 1975, when at least 52 political detainees were allegedly tortured.

The state political police (SSD) are accused of torturing at their headquarters 45 men now held at the civil prison in Tunis and seven women now imprisoned at Manouba. The methods of torture allegedly included beatings with pipes, rods and bottles, cigarette burns, hair pulling, submersion in barrels of water, and crushing under sheets of metal on which the torturers put their full weight. At the beginning of interrogation all detainees were suspended nude and swung upside down from a metal rod under the knees (the familiar "parrot's perch"), thus exposing all parts of the body.

The report also alleges extended brutality over several weeks in some cases and the denial of adequate medical care even to those prisoners who have suffered broken bones, organ malfunctions and nervous disorders.

Some of the victims of torture described their ordeals during their September trial. Of the accused (which included a large number of people tried *in absentia*), 67 received prison terms from 6 months to 9 years, 12 were given suspended sentences and 10 were acquitted.

ICJ ACCUSES RHODESIAN SECURITY FORCES OF BRUTALITY

NIALL MACDERMOT, Secretary General of the International Commission of Jurists, accused the Rhodesian security police on 23 October of brutality against African guerrilla suspects during interrogation.

"I have received much evidence while in Rhodesia of violent brutality, not only by terrorists against the security forces and against civilians they suspect, but also by security police against Africans they suspect," Mr MacDermot told a news conference in Salisbury at the end of a one-week visit to Rhodesia. "The experience of the ICJ in many parts of the world shows that in emergency situations the security forces, and in particular their interrogators, will resort to torture and other ill-treatment to obtain information and confessions from suspects unless they are restrained from doing so."

Mr MacDermot, who had met lawyers, church leaders, government ministers and black nationalists, called for a decision at the highest governmental level to eradicate police brutality.

"I do not feel convinced that such a decision has yet been taken in Rhodesia. There is a reluctance to recognize the need for this for fear, as it is put, of undermining the morale of the security forces."

Appeals

SPANISH PRISONERS' LIVES AND HEALTH ENDANGERED

Fears have arisen for the lives and health of prison inmates in several parts of Spain following reports in recent months of increasingly severe treatment. Accounts reaching *AI* tell of beatings and widespread punitive use of isolation cells in Barcelona, Cadiz, Zamora and Madrid.

One report said that in mid-November there were 105 men held in punishment cells in Carabanchel Prison, Madrid. At least 11 men, five of whom are dangerously ill, have sustained injuries through numerous beatings, the report said.

In Zamora Prison, which has a special section for clerical prisoners, one priest is reported to be near death because of a severe beating.

AI is unaware at this time of the motives for either the beatings or the punishment of the prisoners. The motive would appear, however, to be political, in that these victims are political prisoners. Furthermore, the chief agents of the alleged beatings—the prison personnel—are sometimes helped by gangs of men in civilian clothes who are thought to be extreme rightwing vigilantes.

A case involving both civil and

political prisoners is reported from La Modelo Prison, Barcelona, where RAFAEL SANCHEZ MILLA, a mentally disturbed civil law prisoner, was allegedly beaten to death by guards on 19 October. Trying to attract attention from others during his beatings, he set alight some paper.

The incident was investigated by a magistrate, but the result of the investigation, as published in a local newspaper, was that a mentally deranged prisoner had set fire to his cell and had burnt himself to death. Prisoners who saw the corpse of Señor Sanchez, however, have told their relatives as well as the investigating magistrate that Señor Sanchez's head was battered.

In response to this apparent distortion of justice, other prisoners (both civil and political) began protests by refusing to work in the prison workshops. Riot police were summoned, and groups of prisoners were forced to run the gauntlet of policemen and prison guards. Since then, the prison guards have practised what the prisoners call "the police station". The guards select a few prisoners, take them from their cells, handcuff them and beat them.

In Cadiz, at Puerto de Santa Maria Prison, at least seven political prisoners are now held in special punishment cells under conditions which may have long-term effects on their mental and physical condition. When seven of their fellow inmates who had been detained in similar isolation cells for a month were allowed visits, relatives reported that the prisoners were in a weak condition, seemed almost blind and did not recognize the relatives. Of the seven prisoners remaining in these special cells, four have been there since August, one since July, one since April and one for an unknown period. *AI* believes that all seven are Basques.

Most of those who were put into the punishment cells at Puerto de Santa Maria Prison had been transferred in late August from Segovia Prison, where they had participated in a hunger strike against the trial of two militant Basques, one of whom was executed on 27 September. During transportation from Segovia the hunger strikers were savagely beaten and denied water, arriving at Puerto de Santa Maria in a state of dehydration. They were immediately placed in the special cells, where seven remain.

The medical condition of these seven (and perhaps others) would appear to be critical. One reliable Basque source has written to *AI*, saying that those recently released from punishment cells "look like Second World War concentration camp victims—heads shaven (presumably for hygiene), unwashed, thin, apathetic and with pitiful, hunger-drawn faces".

Please send courteously worded letters, asking protection for prisoners in Carabanchal, Puerto de Santa Maria, Zamora and La Modelo prisons, to: Director General de Instituciones Penitenciarias, Señor Gustavo Lescure Martin, Ministerio de Justicia, San Bernardo 57, Madrid.

Campaign for the Abolition of Torture
53 Theobald's Road, London WC1X 8SP
England