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Bolivia: trade unionists killed Call for end to human rights abuses

Following widespread reports of human rights violations in Bolivia since the military coup of July 1980, the United Nations Special Envoy on Bolivia visited the country from 21 to 27 October 1981.

The Special Envoy, Hector GROS Espiell, is expected to report his findings to the UN Commission on Human Rights early in 1982. He is reported to have said in La Paz that his report would be in three parts, dealing with:

- Violations during the governments of President Luis GARCIA Meza and the new President, General Celso TORRELIO, who took over on 4 September 1981.
- Excesses committed by state security bodies since General Torrelio took office.
- Government plans for implementing respect for human rights in Bolivia.

On 21 October *AI* issued a news release on an appeal it had cabled to President Torrelio, urging him to halt human rights abuses by government security forces and to investigate persistent reports of arbitrary arrests, killing and torture.

AI cited detailed reports it had received on the recent killings of the three men and of arrests and torture of students and trade unionists. Reports of arbitrary arrests and torture in Bolivia have been frequent since the 1980 coup (see especially July 1981 *Newsletter*).

Recent killings reported to *AI* were of:

Felix Filiberto RIVERA Cazas, a bus driver who was celebrating his engagement at a party at his home in La Paz on 10 October. Agents of the *Servicio Especial de Seguridad* (SES), special security service, broke down the door, forced Felix Rivera and two other men to kneel in the street outside and

shot him in the chest when he tried to stand up, according to witnesses.

Humberto VICTORIA, a former official of the miners' union, said by witnesses to have been beaten to death on 12 September on the orders of the army commander in Quechisla, in the department of Potosí. Humberto Victoria was said to have intervened when the commander broke up a wedding procession and tried to arrest some miners.

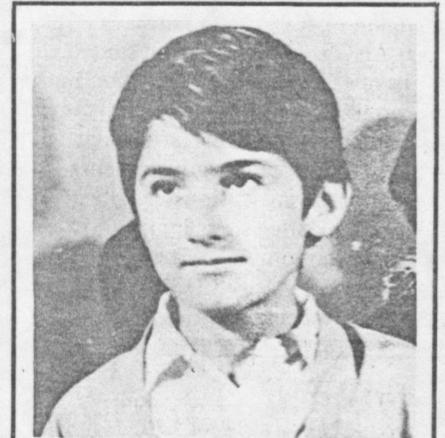
Julio COSSIO Meruvia, Secretary General of the FSTMB, the Bolivian Mineworkers' Union, who died in hospital on 17 August. Union officials say he was arrested after midnight on 8 August by soldiers of the Illimani Regiment stationed in Uncia near Catavi. He is said to have been brutally beaten in their barracks and tortured. At one stage, the officials say, he was tied to a jeep and dragged around a yard. His jaw was broken and he was taken to Oruro hospital in a coma, registered under a false name and placed under guard. His wife was allowed to visit him but after his death his body was not returned to his family for burial.

In the persistent reports reaching *AI* of human rights violations in Bolivia, the SES has been the unit most frequently associated with torture allegations.

Although General Torrelio has promised to disband the unit—formed after the 1980 coup—it continues to be active. For instance, most of the students and trade unionists detained after raids in La Paz during September were arrested by the SES.

One student, arrested on 23 September, was beaten so badly that his right ear was damaged and he suffered cerebral contusions; another, a young girl detained on 6 September, was tortured on a metal table with electric shocks and sexually molested; and a 75-year-old partially-sighted man was beaten.

On 30 October the Minister of the
Continued on back page



Ali Hama SALIH (above), a 12-year-old Iraqi Kurd, is said to have died under torture while in the custody of Iraq's security forces earlier this year. A schoolboy from the village of Ja'aferan, in Sulaimaniya Province, he was reportedly arrested on 25 February and detained for interrogation in the security force's headquarters in Karadagh. On 5 March his body is alleged to have been returned to his family severely marked by torture.

Four other Iraqi Kurdish school children of between 12 and 13 years from the village of Kalar, Sulaimaniya Province, are also reported to have been arrested in February 1981. They were members of the Students Union of Kurdistan. Their families have had no word of their fate or whereabouts since their arrest. The charges against the four are not known.

On 9 November *AI* wrote to President Saddam HUSSAIN of Iraq, urging him to initiate an investigation into the death of Ali Hama Salih and the fate of the four other Kurdish children. Previously, *AI* members had written about them to the President and to members of the Iraqi Government, but no replies were received.

Nicaragua Opposition leaders imprisoned

Seven opposition and business leaders detained on 21 October 1981 were sentenced in early November to seven months' imprisonment for infringing a law declaring Nicaragua to be in a state of economic emergency.

Three of them are associated with COSEP, Nicaragua's association of chambers of commerce: Enrique DREYFUS, COSEP's President; Benjamin LANZA and Gilberto BOLANOS. The three were convicted of having infringed the provision in the economic emergency law that bans the dissemination of information that might "incite foreign governments and/or other institutions to take actions or make decisions injurious to the national economy", a charge based on a statement issued by COSEP on 20 October accusing the government of

leading Nicaragua into economic disaster through "a Marxist-Leninist adventure".

The others convicted are Eli ALTAMIRANO, Secretary General of the Nicaraguan Communist Party, and three officials of the party and its trade union affiliate, *Central de Acción y Unidad Sindical* (CAUS). Their sentence was based on statements by CAUS which attacked the government for "diverting the revolutionary process to a capitalist line", because it had banned strike action during the economic emergency; the statements also called for the ruling junta to be replaced by a "worker and peasant" government.

AI considers the seven convicted Nicaraguans to be prisoners of conscience and has appealed for their release □

El Salvador *AI* in Washington talks

Talks on the human rights situation in El Salvador were held between *AI* and officials of the United States administration in Washington DC on 9 October 1981.

The talks followed an exchange of correspondence earlier in the year about possible effects of US military aid to El Salvador on human rights there between *AI* and the US Secretary of State, Alexander HAIG, and the Deputy Secretary of State, William CLARK Jr.

Those taking part in the Washington talks included *AI*'s Secretary General,

Thomas HAMMARBERG, a member of its Research Department and the Director of the Washington office of AIUSA. The US administration was represented by Walter STOESEL, Under Secretary of State for Political Affairs; Thomas ENDERS, Assistant Secretary of State, Latin American Bureau, and Stephen PALMER, Acting Assistant Secretary of State, Bureau for Human Rights and Humanitarian Affairs.

AI will submit a memorandum shortly on the issues raised in the talks for comment by the US State Department □

France Drafting of new bill on COs

The French Government is drafting a bill, to be presented to parliament in the first half of 1982, which aims to broaden the grounds on which conscientious objection to military service is recognized.

At present people are recognized as conscientious objectors (COs) only if their refusal to perform military service is based on religious or philosophical grounds, and many applications are refused each year. Pending the introduction of the proposed

legislation, the Minister of Justice has ordered the suspension of all prosecutions of people who had applied unsuccessfully for CO status and the release of all COs who are at present in prison.

When the proposed legislation comes into force people will be given the opportunity to reapply for CO status. It is understood that about 2,500 people will be affected by the new provisions □

Syria 38 youths missing for over a year

Thirty-eight Syrian youths are still missing more than a year after they were transferred from a prison in the town of Deir al-Zor, eastern Syria, to an unknown destination.

The youths were detained on 15 March 1980 after a demonstration in the town which reportedly resulted in clashes between demonstrators and the authorities and the burning down of the local office of the ruling Ba'ath Party. The youths were transferred from Deir al-Zor prison three months later.

In an effort to trace their missing sons, the parents of the 38 sent an open letter to President Assad of Syria on 11 October 1980 appealing for their release and for information on their whereabouts. There has been no response to the letter. *AI* has taken up the cases of the 38 missing youths for investigation.

- Prolonged incommunicado detention without trial of detainees and the denial of visits to them by families or lawyers are major concerns of *AI* in Syria and in recent years have heightened fears that some detainees may be dead □

Peru minister quits

Peru's Minister of the Interior resigned his post on 27 October 1981, following the death in police custody of a 19-year-old student, Ayerbo FLORES, in the highland city of Cuzco. In his letter of resignation, José María DE LA JARA said "the incident caused repugnance to my democratic conscience".

He was the first civilian interior minister in Peru after 12 years of military rule (1968 to 1980) and has been replaced by retired Air Force General José GAGLIARDI.

Torture by officers of the security forces nominally under the control of the Ministry of the Interior has been the subject of a number of appeals during 1981 by *AI* and by domestic Peruvian institutions. In July 1981 the Roman Catholic Episcopal Commission for Social Action issued a detailed denunciation of torture by special counter-terrorist forces of the paramilitary Civil Guard □

Prisoner Releases and Cases

The International Secretariat learned in October 1981 of the release of 87 prisoners under adoption or investigation; it took up 327 cases.

Campaign for Prisoners of the Month



Each of the people whose story is told below is a prisoner of conscience. Each has been arrested because of his or her religious or political beliefs, colour, sex, ethnic origin or language. None has used or advocated violence. Their continuing detention is a violation of the United Nations Universal Declaration of Human Rights. International appeals can help to secure the release of these prisoners or to improve their detention conditions. In the interest of the prisoners, letters to the authorities should be worded carefully and courteously. You should stress that your concern for human rights is not in any way politically partisan. In no circumstances should communications be sent to the prisoner.

Mohamed MURAD, Sudan

A lecturer in history at Khartoum University, he was arrested in August 1979 and is detained in Kober Prison under the National Security Law (NSL).

Mohamed Murad, 39, was among several hundred people arrested after trade union strikes, demonstrations and riots against the government's economic policies. The authorities claimed the strikes were instigated by the illegal Sudanese Communist Party (SCP) and arrested many known or suspected communists.

Mohamed Murad was held in Kober Prison under the NSL, which permits unlimited detention without charge or trial. In May 1980 he and four other detainees were tried by a security court and convicted of being members of the SCP and possessing SCP literature; he was sentenced to six months' imprisonment. As the term ran from the date of his arrest and he had already been held for more than six months, he was due for release after the court proceedings. However, immediately after leaving court he was rearrested without legal formalities and taken back to Kober Prison.

AI previously took up Mohamed Murad's case after he was arrested in January 1977 and detained without trial on political grounds in Kober Prison; he and other members of or sympathizers with the SCP benefited from the terms of the July 1977 General Amnesty Law, introduced as part of the government's policy of "National Reconciliation", although they were not freed until April 1978.

Mohamed Murad is a former lecturer at the Teachers' Institute in Omdurman, and a former executive member of the Sudan Youth Association. During the 1960s he received his PhD in history from a university in the German Democratic Republic.

Please send courteous letters appealing for his release to: His Excellency Field Marshal Gaafar NUMEIRI/

President of the Democratic Republic of the Sudan/Presidential Palace/Khartoum/Sudan.

Fathers Joseph Nguyen Cong DOAN, Joseph Le Thanh QUE, Joseph Hoang Si QUY and Roch Dinh Van TRUNG and Brother Peter Pham Huu LAI, Viet Nam

All five prisoners belong to the Roman Catholic Jesuit order and were arrested a year ago for "anti-government behaviour"; no formal charges are known to have been laid.

After the change of government in South Vietnam in April 1975, some members of religious orders or communities who had not left the country were required by the new authorities to report for a period of "re-education", especially priests who had been assigned to the armed forces as military chaplains. *AI* knows of priests who remain in "re-education" camps over six and a half years later.

Fathers Doan, Que, Quy and Trung and Brother Lai were based in Ho Chi Minh City, at the Dac Lo church, which, up to 1975, had been a centre for students and educational facilities. Fathers Quy and Trung and Brother Lai also lectured at various universities in South Vietnam. With the advent of a new government in Viet Nam, after the reunification of North and South Vietnam, some of the Dac Lo church's educational functions ceased, although Masses continued to be said regularly; catechism classes also continued and the centre remained popular with young people.

On 12 December 1980 public security officials arrested Fathers Que, Quy and Trung and Brother Lai, all living at the centre.

On 8 January 1981 Father Doan, Superior of the more than 40 Jesuits working in Viet Nam as of 1980, was also arrested.

Please send courteous letters appealing for the priests' release to: His

Excellency Truong CHINH/President of the Council of State/Hanoi/Viet Nam.

María Mercedes ESPINOLA Baruch, Uruguay

Aged about 31, she is serving an eight-year prison sentence imposed after a secret trial in 1977. She is reported to have been severely tortured.

María Espinola was arrested by the armed forces on 29 June 1977 while a student at Montevideo University. She then "disappeared" and was later said to have been brutally tortured while in incommunicado detention. Three months later she was tried in secret for "subversive association" and sentenced on the basis of the 1972 Law of National Security, which subjects civilians to military jurisdiction.

María Espinola is being held in Punta de Rieles Prison, Montevideo. Two years ago *AI* received a report that she had been severely tortured, including by being suspended by her hair, given electric shocks on the mouth, forced to stand with heavy weights tied to her body and by "caballete", "saw horse", being forced to straddle a serrated bar which cuts cruelly into the groin.

She later suffered serious and lasting spinal problems, aggravated by enforced hard labour in the prison gardens, such as hoeing and carrying heavy cement slabs. She has been repeatedly punished by solitary confinement for not working "with the required zeal".

AI is concerned about her physical and mental health—the more so because of the fate of another young woman detainee, Gladys YAÑEZ, who was similarly ill-treated in the same prison and died in the Montevideo military hospital in September 1980.

Please send courteous letters appealing for her immediate release to: Exmo. Sr. Presidente de la República/Teniente General (R) Gregorio C. Alvarez/Casa de Gobierno/Montevideo/Uruguay.

Countless thousands of people have "disappeared" in countries all over the world in the decade and a half since the word first entered the human rights vocabulary, from the Spanish "desaparecido". In an effort to raise people's awareness of this form of repression, AI has organized a two-month campaign on "disappearances" to run until the end of January 1982. The article below deals with legal aspects of "disappearances".

'Disappearances' and the law

Although there is no international human rights standard which specifically prohibits "disappearances", there can be no doubt that these human rights abuses violate international law and a large number of international human rights standards relate directly or indirectly to them.

Among the provisions most frequently invoked by AI in connection with "disappearances" are: Article 3 of the Universal Declaration of Human Rights (right to liberty and security of the person); Article 8 of the declaration (right to an effective remedy) and Article 9 (right not to be subjected to arbitrary arrest). Similar provisions are found in the International Covenant on Civil and Political Rights (Article 9 in particular).

A "disappearance" also constitutes a violation of a number of principles contained in the UN Standard Minimum Rules for the Treatment of Prisoners, in particular Principle 92 (right of an untried prisoner to inform immediately his family of his detention) and Principle 7 (obligation of the authorities to enter details of prisoners in a registration book).

In addition, there are a number of human rights standards which *may* have been violated (one cannot be sure of this, because the fate of the prisoner is unknown). A victim may have been tortured (in violation of Article 5 of the Universal Declaration and Article 7 of the Covenant) or killed (in violation of Article 3 of the Universal Declaration and Article 6 of the Covenant).

Usually, no investigation of alleged cases of torture and no prosecution of torturers takes place (in violation of Articles 9 and 10 of the UN Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment).

Article 32 of Protocol I to the Geneva Conventions lays down the crucial general principle on "disappearances": "the right of families to

know the fate of their relatives."

A number of standards relevant to "disappearances" are in the process of being created by the United Nations. One set, the Draft Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, is now before the UN General Assembly for approval. With respect to "disappearances", one of the most relevant sections is draft Principle 14, which provides that immediately after arrest a detainee shall be entitled to notify his family.

NATIONAL REMEDIES

In many countries in Africa, Asia and Latin America it often happens that when someone is arrested, the family, friends or a lawyer are not automatically informed. They have to find out for themselves, by making inquiries at different local police stations and detention centres. Often the relevant authorities will then acknowledge that the person is in their custody. They may do this explicitly or implicitly, say by encouraging relatives to bring food and clothing regularly to the prison. In other cases, they may deny that the person is in their custody or refuse to reply to inquiries or they may first acknowledge and then deny an arrest. This option to acknowledge or not to acknowledge a detention creates the preconditions for "disappearances", torture and killing.

The discretion to dispense with formal arrest procedures and in particular with the obligation to inform the family of an arrest may be customary or may be allowed by law. Emergency legislation or even ordinary legislation in many countries gives the authorities broad powers of arrest and detention, with a minimum of formalities, of people suspected of activities officially deemed to be prejudicial to internal security or public order. The legislation may permit long-term incommunicado detention and may even explicitly allow the authorities not to acknowledge an arrest.

In South Africa, under the Terrorism Act, the authorities are explicitly empowered not to inform relatives of a person's detention or whereabouts.

When asked, the South African authorities have in the past generally acknowledged a detention. But if the government were to decide to adopt a policy of "disappearances", the existing legislation would facilitate its implementation.

HABEAS CORPUS

If visits to police stations and detention centres have been fruitless, the main domestic remedy available to relatives and friends of a "disappeared" person is that of *habeas corpus* or *amparo*. (The remedy of *amparo* is generally broader than that of *habeas corpus* but the basic purpose as far as "disappearances" is concerned is the same.) *Habeas corpus* is a procedure whereby the courts can be asked to decide on the legality of a detention. This generally entails locating the prisoner, determining the motives for the arrest and ensuring that the prisoner is consigned to the courts within the legally prescribed time limits. If the court finds the reasons for the detention unlawful it can order the immediate release of the prisoner. As such, the remedy of *habeas corpus* is a basic mechanism whereby the judiciary can provide a check on abuses by the authorities. *Habeas corpus* can now be found in most common law systems and in Latin America.

According to Article 9 (4) of the International Covenant on Civil and Political Rights, anyone deprived of liberty by arrest or detention "shall be entitled to take proceedings before a court, in order that that court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful."

In practice, the right to *habeas corpus* is often subject to legal restrictions in "political" or "security" cases. In many states in Africa, for example, the right to *habeas corpus* does not apply to political detentions. In the Philippines *habeas corpus* continues to be suspended in security cases. In Argentina and Chile the government can seek a judicial declaration of presumed death of a "disappeared" person despite opposition from the family. Once such a judicial ruling has been made relatives can no longer initiate *habeas corpus*

proceedings or a criminal action. Even where no such legal restrictions exist, the effectiveness of the *habeas corpus* procedure depends to a large extent on the independence and courage of the judiciary.

In both Argentina and Chile the remedy of *habeas corpus* has turned out to be inoperative in clarifying the fate of "disappeared" people. In Argentina, of the thousands of *habeas corpus* writs filed over the past six years, not one has led to the discovery of the "disappeared" person. The responsible authorities usually reply that they have no information about the prisoner, whereupon the courts dismiss the application. In Chile, of 5,000 applications for *amparo* presented during the six years following the 1973 coup, only four were granted. Applications were rejected even in the face of strong evidence that a person had been arrested by official agents.

INDEPENDENT INVESTIGATIONS

A final way of clarifying the fate of "disappeared" people is through an independent investigation initiated by the government. But governments have been reluctant to set up such investigations. This appears to be the case even when a government responsible for "disappearances" has been overthrown (Afghanistan, Uganda, Nicaragua). In a few cases where meaningful investigations have been carried out, governments have refused to comply with the resulting recommendations.

UNITED NATIONS

The United Nations was initially mainly concerned with "disappearances" in Cyprus and Chile. In Cyprus, hundreds of people "disappeared" after the invasion of the island by Turkish forces in 1974. UN efforts during subsequent years were aimed at setting up an independent investigatory body in Cyprus to search for the "disappeared" and in April 1981 the Greek Cypriot and Turkish Cypriot communities eventually agreed on the terms of reference for such a body, which includes a representative of the International Committee of the Red Cross. No results of the work of this group have yet been made public.

In 1975 the UN General Assembly set up an Ad Hoc Working Group to inquire into human rights in Chile. The group visited Chile in 1978 and assembled a massive amount of information on "disappearances" following the 1973 coup. In 1979 an Expert on the Question of the Fate of Missing

CRIMINAL ACTION

Although in some cases the identity of the agents responsible for a "disappearance" has been clearly established by witnesses, successful criminal action against the perpetrators of "disappearances" is extremely rare. In Argentina, *AI* is not aware of one case in which an abductor has been brought to justice by the authorities. In Chile, more than 500 criminal cases concerning "disappeared" people were filed between 1973 and 1978 but not a single individual was punished.

and Disappeared Persons in Chile was appointed. His 1979 report to the General Assembly sets out the factors which led to Chile's responsibility under international law for the fate of the "disappeared":

- it had been shown beyond reasonable doubt that in at least 600 cases people were arrested by state authorities and subsequently "disappeared";
- the legislation under which the arrests were carried out was unlawful under international law because its restrictions on personal liberty and security were not, among other things, "foreseeable";
- the remedies available to the relatives of the "disappeared" people were in almost all instances ineffective;
- the government had taken no action to carry out investigations or establish responsibilities; on the contrary, it had waived responsibility of the guilty people, by decree;
- the government had refused to cooperate with the United Nations and other international organizations to clarify the fate of "disappeared" people.

The report concluded that the Chilean Government "owes it to the international community to explain and clarify the fate of these missing persons, to punish those responsible for the disappearances, to compensate the relatives of the victims and to take measures to prevent such acts from recurring in the future".

It is obvious that these considerations can be similarly invoked where systematic "disappearances" have taken place in other countries.

UN'S WORKING GROUP ON 'DISAPPEARANCES'

In 1980 the Commission on Human Rights set up a Working Group on Enforced or Involuntary Disappearances to gather information on "disappearances" anywhere in the world and to respond to this information effectively—but also to act with discretion. In its first report in January 1981 the group stated that it had received information on 11,000 to 13,000 "disappearances" in 15 countries: Argentina, Bolivia, Brazil, Chile, Cyprus, El Salvador, Ethiopia, Guatemala, Indonesia, Mexico, Nicaragua, Peru, the Philippines, South Africa and Uruguay. It pointed out that the number of cases varied greatly between these countries (7,000 to 9,000 cases concerned Argentina alone) and that the fact that a country did not appear on the list did not mean that no "disappearances" had occurred there. (For details of the report see March 1981 *Newsletter*.)

One of the innovations introduced by the working group is a procedure whereby after receipt of an urgent report of an abduction the chairperson of the group can immediately dispatch a telegram asking for clarification from the government concerned. The group reported that in a number of cases the people involved were subsequently released or that their detention was acknowledged.

In 1981 the Commission on Human Rights renewed the working group's mandate for another year—in spite of opposition from a number of delegations which felt that the issues in question should be discussed behind closed doors. The working group's second report is expected in early 1982 and the Commission will then have to decide again whether to continue its mandate. *AI* has strongly supported the creation and the continued mandate of the group. It has submitted and continues to submit to the group a large amount of information on "disappearances" that has come to its attention □

Information on "disappearances" should be submitted to the Working Group on Enforced and Involuntary Disappearances, c/o Division of Human Rights, Palais des Nations, Geneva, Switzerland. Telex: 289696. Cables: UNATION GENEVA.

East Timor At least 2,000 prisoners held without charge or trial

At least 2,000 East Timorese are being detained without charge or trial in the former Dili District Prison—known as the Comarca—and on the island of Atauro, off the main island of Timor, according to reports reaching *AI* in recent months.

East Timor was invaded by Indonesia in 1975 and most of those detained in the Comarca are former combatants. Those on Atauro are mostly civilians, including teachers, civil servants and youths of possible recruitment age for the *Fretilin* resistance forces.

In some cases, families of people allegedly sympathetic to the independence of East Timor have also been confined on Atauro. Once on the island they are required to build their own living quarters and grow their own food. There are reports of grave food and medical shortages.

In a statement to the Fourth Committee of the 36th United Nations General Assembly on 21 October 1981, *AI* expressed its concern about these detentions and also reiterated its concern for people reported to have

“disappeared” in East Timor since the Indonesian invasion.

AI has received information that people known to have “disappeared” in early 1979 were killed by Indonesian armed forces shortly after being taken into custody. The victims are said to include Maria Gorete JOAQUIM, a 17-year-old student, and Filomeno ALVES and Maneces EXPOSTO, both members of a popular musical group. *AI* had earlier referred their cases to the UN Working Group on Disappearances; the Indonesian Government failed to provide the working group with information on the present whereabouts of the “disappeared” individuals.

In its statement to the Fourth Committee, *AI* urged that the circumstances of the deaths of “disappeared” people reported to have been killed by Indonesian troops be investigated. It stressed that recent reports it had received gave urgency to its earlier recommendations that the International Committee of the Red Cross be allowed to conduct tracing and prison visiting programs in East Timor □

Indonesia Students held after seminar

Four students were arrested and detained by Indonesia's military security force, KOPKAMTIB, after a student-organized seminar at the University of Indonesia, Jakarta, on 24 September 1981 on the role of the intellectual in the Third World.

The guest speaker was the writer and former *AI* prisoner of conscience PRAMOEDYA Ananta Toer, who was summoned for interrogation by KOPKAMTIB on several successive days after the seminar.

Also arrested was JUSUF Ishak, father of one of the students and a director of a company which last year published two volumes of the writer's epic novel, banned in Indonesia in May 1981. (After the seminar, several thousand copies of the works were burned on the orders of the Attorney General.)

Like Pramodya, Jusuf is a former prisoner of conscience, having spent several years in prison in Jakarta after

the 1965 attempted coup. Both men were adopted by *AI* as prisoners of conscience during this period.

The four students were later released but as of late October Jusuf was still in detention. No formal charges against him have been made public and *AI* has appealed for his immediate release □

Prisoner released

Miguel TROVOADA, São Tomé and Príncipe, prisoner of the month in January 1981, was one of four prisoners released in July under a presidential amnesty to mark the sixth anniversary of the country's independence. He was allowed to leave the country and is now in exile.

In a message from Paris, he thanked *AI* for its work on his behalf and encouraged it to continue to work for the victims of injustice □

Republic of Korea Trial opens of 28 on security law charges

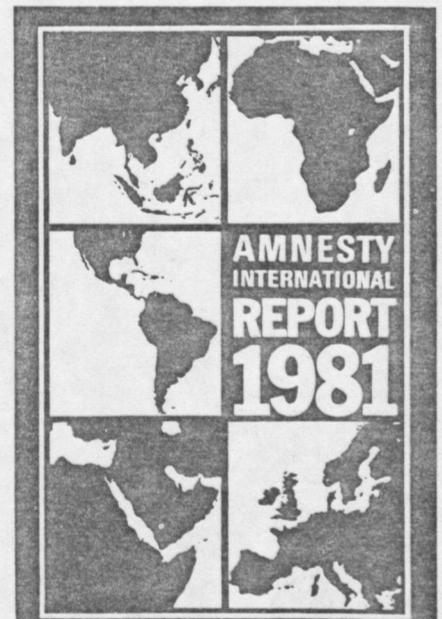
The trial of LEE Tae-bok, 32, a publisher and 27 others (13 students and 14 factory workers and labour activists) is reported to have begun in Seoul at the end of October 1981.

The defendants, charged under the National Security Law (NSL), are accused of belonging to a “Democratic Students Federation” or a “National Labour Federation” and of creating unrest in preparation for a communist revolution.

They are alleged to have used for that purpose books considered by the authorities to be pro-communist. One of the books—“Studies in the Development of Capitalism”, by the British economist Maurice DOBB—was translated and distributed (with official permission) by a publishing company whose president is Lee Tae-bok.

So far no documentary evidence of the “Democratic Students Federation” or the “National Labour Federation” has been presented in court. *AI* believes the prisoners are on trial for their political views and activities; it has no information suggesting they used or advocated violence.

The NSL has been used in the past six months against at least 50 people; it provides for from five years' imprisonment to the death penalty for people convicted of activities related to an “anti-state organization” or those which benefit North Korea □



AI's latest annual report, covering more than 100 countries, will be published on 10 December; price £5.00.

Yugoslavia Priest jailed after sermon

The Roman Catholic priest of a parish in Bosnia-Herzegovina where children are alleged to have had a vision of the Virgin Mary has been sentenced to three and a half years' imprisonment following a sermon he gave to pilgrims in July 1981.

Six children in the parish of Medjugorje claim to have had the vision in June this year. Since then the site has been visited by thousands of pilgrims and the alleged vision has led to claims in official circles that local clergy had exploited superstitious feeling for "clerico-nationalist" purposes.

The parish priest, Brother Jozo ZOVKO, a Franciscan friar, was arrested on 17 August 1981. At his trial he was reportedly accused of having referred to Yugoslavia's post-revolutionary history as "40 years' imprisonment" in a sermon to pilgrims in July. A Roman Catholic newspaper, however, has stated that his words had been misinterpreted; it said he had been preaching repentance and had alluded to a Gospel passage in which sin was likened to "imprisonment"; he had used this metaphor to refer to the pilgrims who had come to Medjugorje and confessed their sins, some of them for the first time in over 40 years.

Brother Zovko was found guilty of "hostile propaganda" and sentenced by the district court of Mostar on 22 October; he continues to be detained pending appeal. Two other local priests,

Brother Ferdo VLASIC and Jozo KRIZIC, were sentenced to eight and five and a half years' imprisonment after being convicted on political charges on 11 November.

These three are among a number of officials of the Roman Catholic, Serbian Orthodox and Muslim faiths who have been imprisoned in Bosnia-Herzegovina in 1980 and 1981 amid growing criticism in the official press of alleged "abuse of religion for political ends".

In December 1980 the district court of Sarajevo sentenced Father Nedjo JANJIC, aged 23, a Serbian Orthodox priest, to six years' imprisonment after finding him guilty of "inciting religious and national hatred". His conviction was for songs of a nationalist content sung by him and his guests at a private christening party held in his own home for his baby son. On appeal the sentence was reduced to four and a half years' imprisonment. Father Janjic is detained in Zenica prison.

AI is investigating the cases of two Muslim religious officials: Muharem HASENBEGOVIC, aged 35, Chief Imam of the mosque in Gorazde, and Ago CUROVAC, aged 52, the mosque's treasurer. They were sentenced to four years' imprisonment in September 1980 on charges of having "provoked national and religious hatred or intolerance" □

Doctors and the death penalty Participation 'unethical'—WMA

The World Medical Association (WMA) has condemned the participation of doctors in the death penalty and has said it is unethical for them to take part in it.

At its 34th World Medical Assembly in Lisbon on 29 September 1981, the WMA adopted a resolution that "it is unethical for physicians to participate in capital punishment, although this does not preclude physicians certifying death".

The WMA resolved also to keep the matter "under active consideration".

Its resolution referred also to a WMA news release issued earlier on the planned execution by intravenous injection in the state of Oklahoma, USA, of Thomas HAYS; the execution

had been scheduled for 14 September but was indefinitely stayed by court order (see November *Newsletter*).

In the news release, the WMA said that, regardless of the method of execution, "no physician should be required to be an active participant. Physicians are dedicated to preserving life".

"Acting as an executioner," the WMA added, "is not the practice of medicine and physician services are not required to carry out capital punishment even if the methodology utilizes pharmacologic agents or equipment that might otherwise be used in the practice of medicine.

"A physician's role would be to certify death once the State had carried out the capital punishment" □

Death penalty appeal

Iran executions — over 500 die in one month

More than 2,100 people are known to have been executed in Iran between 21 June and 31 October 1981—more than 500 of them in October alone—according to figures compiled by AI. This means that over 3,600 executions have been carried out in Iran since the revolution of February 1979.

These figures are based on reports which have become known outside the country and must be regarded as minimum figures. Iranian opposition sources say the true total is much higher.

Most of those executed in October were described by the authorities as members of the Islamic *Mujahideen-e-Khalq* organization, members of the Kurdish opposition or other opponents of the government. Among the executed was Manuchehr MASOUDI, the senior legal adviser to former President Abolhassan BANI-SADR.

Drug offences

The executions in October included those of more than 20 people convicted of drug offences; several people were executed for sexual offences.

AI, which persistently opposed executions and other human rights abuses in Iran during the reign of the late Shah, has on a number of occasions pointed out that many of those executed since the revolution have not received trials that were fair by internationally accepted standards.

It has also called attention to recurrent reports of summary executions without trial (see November *Newsletter*).

Please send courteous letters appealing for an end to executions in Iran to: Ayatollah Ruhollah Khomeini/ Tehran/Iran; President Ali Khamenei/ Tehran/Iran, and to: Prime Minister Hossein Musavi/ Tehran/Iran. Send copies of your letters to Iranian diplomatic representatives in your own country □

DEATH PENALTY

AI has learned of 572 people being sentenced to death in seven countries and of 570 executions in five countries during October 1981.

Human rights violations in Colombian rural areas

Peasants tortured, killed by soldiers

Detailed testimonies from Colombian *campesinos*, peasants, and other evidence reaching *AI* in recent months have shown that torture and killing by army units has been increasing in the vast rural areas under the direct control of the Colombian army.

In August 1981 *AI* sent details to President Julio César TURBAY Ayala about 35 people who, in the previous 12 months, had been arbitrarily detained, tortured or killed after capture in militarized rural zones (see October Newsletter).

Now *AI* has produced a 22-page special document, *The army in rural Colombia: arbitrary detention, torture and summary execution*, incorporating extracts from testimonies and case histories from these zones.

The evidence collected by *AI* makes it clear that the highest incidence of human rights violations in Colombia occurs in these zones, where the army has imposed elaborate and rigid security measures.

Local military districts have been organized to control all movement and commerce, and food, clothing and medical supplies. Many rural inhabitants are required to report regularly every three, eight or 15 days to local military posts or bases and have to account for their recent activities.

These measures are justified by the authorities as ways of identifying guerrilla groups and their sympathizers and cutting guerrillas off from the support of the local people. However, the restrictions are accompanied by frequent arbitrary detentions and interrogations under torture, and in some cases killings—army actions for which there is no practical legal remedy under Colombia's state of siege.

AI's report includes eye-witness accounts of the detention and murder

of a farmer and two employees—one aged 70—who were dragged from a ranch house on the morning of 26 April 1981. Later that day neighbours found the bodies of the men, badly mutilated.

"Don Fabio Herrera was lying on his side with his intestines spilled out. . . . All three men were bruised, black and blue, and Señor Duque [aged 70] had had his throat cut. Don Ramón [the farmer] had a wound on his back, a cut of about a *jeme* [about 20 cm]."

A relative noted that "Ramón had a broken arm and his hands cut as if with a machete and a cut on his back. . . . They had bashed in the head of the old man, Don Gilberto, and peeled his face; that is, they took off all his skin. The bodies were also riddled with gunshot wounds."

According to the testimonies, the army patrol tried to justify the killings by placing alongside the dead men a small quantity of food and equipment and telling local *campesinos* taken to see the bodies that the victims were "guerrillas".

Forced to carry bodies

The same *campesinos* were forced to carry the bodies to a clearing, where a helicopter later landed and several army officers viewed them. The army later told the news media that the three men had been killed in "an exchange of gunfire" after "ambushing" a military patrol.

AI's report also cites cases in which people who reported to their local military post as required were tortured, died in custody or "disappeared". One of the cases is that of a provincial police inspector who reported to Yuracayo base with his secretary on 2 May 1981. He was held for two days and afterwards said he had been interrogated under torture and threatened with death.

Two *campesinos*, José Dario GONZALEZ and Rafael RIVERA, reported to the Uribe base in Meta department in April 1981 and did not come out again; according to a letter from neighbours, their families believe they were murdered.

Deaths in custody and summary executions have also claimed the lives of residents of small towns in the militarized zones, including young people.

On 16 April 1981 the Roman Catholic Bishop of Bucaramanga, Santander, protested in an open letter that the 16-year-old son of a *campesino* had been detained and killed by the army. Josías LANDAZABAL was arrested by the army in his home town of Yerima on 1 April; his body was found in Yerima 11 days later with that of another boy (not publicly identified).

The bishop declared that the arrest had been witnessed and was made without resistance. After the discovery of Josías' body, the army issued a press bulletin saying that he had "died in a confrontation between the army and the guerrillas"—a claim that was patently false, said the bishop, as the boy had been in army custody for over a week before his death□

AI visit to Zaire

Two *AI* delegates visited the Republic of Zaire in July 1981 at the invitation of the Zairian Government and spent a week in the capital, Kinshasa. They met government ministers and senior officials and were able to discuss *AI*'s concerns in Zaire and get information about the penal system. At the time *AI* was particularly concerned by the detention without charge or trial of suspected opponents of the government and the delegates were able to obtain information about procedures concerning detention without trial.

During the mission, the delegates visited four places of detention in or near the capital: Makala central prison in Kinshasa; Luzumu prison, some 60 kilometres south; Ndolo military prison; and a detention centre at the headquarters of the internal security service, the *Centre national de recherches et d'investigations*. The delegates met and were able to talk freely to prisoners of conscience and political detainees in all four places.

After the mission, there were further confidential exchanges between *AI* and the Zairian authorities□

ABUSES IN BOLIVIA

Continued from front page

Interior, Colonel Romulo MERCADO Garnica, is reported to have announced that all SES agents were to be dismissed. He is said to have made it known that the SES would be replaced by a *Departamento de Inteligencia del Estado* (DIE), State Intelligence Service; it would have completely new technical personnel, would deal only with intelligence work and would not have repressive functions□

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